

**SUSANVILLE CITY COUNCIL**  
**Regular Meeting Minutes**  
**May 2, 2018– 6:00 p.m.**

Meeting was called to order at 6:02 p.m. by Mayor Garnier.

Roll call of Councilmembers present: Brian Wilson, Kevin Stafford, Joseph Franco, Mendy Schuster and Kathie Garnier.

Staff present: Dan Newton, Interim City Administrator; and Gwenna MacDonald, City Clerk.

**1      APPROVAL OF AGENDA:**

Motion by Mayor pro tem Franco, second by Councilmember Schuster, to approve the agenda as submitted; motion carried unanimously. Ayes: Franco, Schuster, Stafford, Wilson, and Garnier.

Mr. Newton telephoned Jessica Ryan and Paul Coble who were participating in the meeting via teleconference.

**2      PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS: None.**

**3      CLOSED SESSION: At 6:03 p.m. the Council entered into Closed Session to discuss the following:**

- A      PUBLIC EMPLOYMENT – Pursuant to Government Code Section §54957
  - 1      City Administrator
  - 2      Police Chief Recruitment
  - 3      Interim City Administrator Evaluation
- B      CONFERENCE WITH LABOR NEGOTIATORS - pursuant to Government Code Section §54957.6
  - 1      Agency Negotiator:      Dan Newton
  - Bargaining Unit:      SPOA
- C      CONFERENCE WITH LEGAL COUNCIL – EXISTING LITIGATION – Pursuant to paragraph (1) of subdivision (d) of Section §54956.9 of the California Government Code regarding two cases
- D      CONFERENCE WITH LEGAL COUNCIL – ANTICIPATED LITIGATION – Pursuant to Government Code section §54956.9(b) regarding one (1) potential case

**4      RETURN TO OPEN SESSION:**

At 7:00 p.m. the City Council reconvened in Open Session.

Staff present: Dan Newton, Interim City Administrator; James Moore, Fire Chief; Dan Gibbs, Acting Public Works Director; Deborah Savage, Finance Manager and Gwenna MacDonald, City Clerk.

Mr. Newton reported that prior to Closed Session, the City Council approved the agenda. The Council met in Closed Session, there was no reportable action taken, and the Council would be reconvening in Closed Session at the conclusion of Open Session.

Councilmember Wilson provided the Thought of the Day.

Mayor Garnier presented a Certificate of Recognition to Ethan Heffner in honor of his achievement of the rank of Eagle Scout.

**5 BUSINESS FROM THE FLOOR:**

**Amelia Luna**, Susanville Indian Rancheria Pow-Wow Committee, discussed the annual Pow-Wow which is scheduled for May 18<sup>th</sup> – 20<sup>th</sup>, and the importance of maintaining the culture and heritage of the Native American people. She requested City sponsorship of two gift baskets that would be utilized for the raffle that is held to raise money for the event, and added that this year, the drum would be coming from Canada.

Councilmember Wilson stated that he would personally like to purchase a gift basket to use for the raffle on behalf of his business.

Mayor Garnier informed Ms. Luna that as a Council, they were not able to respond to the request from the public comment portion of the agenda, however she would also purchase a gift basket to be used in the raffle.

**6 CONSENT CALENDAR:**

- A Approve minutes from the City Council's April 18, 2018 meeting
- B Approve vendor warrants numbered 200934 through 201072 for a total of \$382,431.61 including \$101,879.76 in payroll warrants

Motion by Mayor pro tem Franco, second by Councilmember Schuster, to approve the Consent Calendar; motion carried unanimously. Ayes: Franco, Schuster, Wilson, Stafford and Garnier.

**7 PUBLIC HEARINGS:** No business.

**8 COUNCIL DISCUSSION/ANNOUNCEMENTS:** Commission/Committee reports:

**9 NEW BUSINESS:**

**9A Consider Resolution No.18-5503 authorizing street closure for 2018 Lassen County Fair Parade** Mr. Newton explained that the City has received the request for the annual street closure for the Lassen County Fair Parade. The parade is scheduled for July 21, 2018 from 9:30 to 11:30 a.m. and the closure of Main Street requires an encroachment permit from Caltrans. The event requires three public works employees to sweep the street before and after the parade, to set up and take down traffic barricades and to assist the Police Department with traffic control. The total estimated cost for the event is \$4,823 and is slightly higher than normal due to the costs of overtime for the personnel.

Motion by Councilmember Stafford, second by Councilmember Wilson, to approve Resolution No. 18-5503; motion carried unanimously. Ayes: Stafford, Wilson, Schuster, Franco and Garnier.

**9B Consider Resolution No. 18-5504 authorizing street closure and use of Pancera Plaza for 2018 Farmers Market season** Mr. Newton reported that the Lassen Land and Trails Trust is requesting the use of Pancera Plaza for the 2018 Farmers Market. The event requires that Pancera Plaza be closed off for 6 hours prior to the event to allow for set up of vendor tables and the dates specified are listed as four Saturdays in June, two in July, and then three Saturdays for both August and September. The City provides the A-frame construction barriers, and HUSA is responsible for their placement and removal so the cost to the City for this event is minimal.

Councilmember Wilson asked if the parking area across the street is available.

Mr. Newton responded that his last communication with the property owner was through the attorney who was supposed to be drafting an agreement for use of the empty Bank of America parking lot, however he had received no further communication from him in quite some time.

The Council discussed the damage that was done to one of the buildings at Pancera Plaza during the construction project that took place the previous summer. David Teeter stated that the building was repaired and there is funding available to fix the mural and they are waiting for the weather to permit completion of those repairs.

Motion by Councilmember Stafford, second by Councilmember Schuster to approve Resolution No. 18-5504; motion carried unanimously. Ayes: Stafford, Schuster, Wilson, Franco and Garnier.

**9C Consider Resolution No. 18-5505 authorizing support of the Lassen County General Tax Measure (Measure J) and Advisory Measure K placed before the voters in Lassen County on June 5, 2018 to generate new revenue** Mr. Newton reported that the Lassen County Board of Supervisors voted to place Measure J on the June 5, 2018 ballot to impose a three-quarters of one-percent sales tax for unrestricted general fund purposes. In addition, they have included Advisory Measure K which will pose the question to the voters regarding use of the additional revenue by asking if 75 percent of the revenue obtained from the sales tax be used exclusively for public safety and added to, not replace, current public safety budgets. The City and County have entered into a tax-sharing agreement but the Council requested a resolution to indicate the official position that the City has for the ballot measure and that the priorities of the community as expressed through Advisory Measure K will be supported.

Mayor pro tem Franco asked by what means the City would be circulating the information to make the passing of the resolution public.

Mayor Garnier commented that the Lassen County Times includes information regarding the actions taken by the City Council after each meeting, and it could be shared on the radio as well.

Mayor pro tem Franco added that it is a very important action and should be known by the public that the City and County stand united.

Mayor Garnier commented that she is proud of the City and County for all of the time and work that went into development of the Measure and tax sharing agreement, and commended staff for working together.

Councilmember Wilson stated that while the City does not want to increase taxes, and in some ways the money is already committed to upcoming CalPers obligations, choices at this point are somewhat dire. The dramatic increase in CalPers contributions is assessed by the State to many agencies in order to make up for the lower return on investments and it is nothing that the City can do anything about. It is either the choice of increasing revenue through a tax measure or a reduction in services. He asked that those constituents who are uncertain about how to vote, to gather information from many sources before making a decision at the polls.

Mayor pro tem Franco remarked that over the past 6 to 8 months, the City has heard public testimony from many members of the public who are speaking to the issue of increased crime in Susanville. It is

reaching the point of being a public safety crisis and the City has to do something to address the problem.

Councilmember Stafford added that the tax is not just paid by the citizens, but by everyone who comes through the community.

There were no further comments.

Motion by Councilmember Stafford, second by Mayor pro tem Franco, to approve Resolution No. 18-5505; motion carried unanimously. Ayes: Stafford, Franco, Wilson, Schuster and Garnier.

**9D Consider Resolution No. 18-5506 establishing hiring procedure for Management Level Employees** Mr. Newton explained that the City has prepared a draft procedure to address the recruitment and hiring of its Management or Department Head level employees. In the City, this includes the Public Works Director, Police Chief and Fire Chief. The recruitment, screening, interview and selection process for lower level employees is conducted through the City Clerk and relevant Department Head as directed by the City Administrator. It is anticipated that policies and procedures for those hiring practices will be developed as the City moves forward. Mr. Newton reviewed the steps in the policy as they applied to the recruitment, screening and selection of Management level employees. He added that the policy as drafted represents past practices and staff is requesting discussion, comment and direction from the City Council regarding the process.

Mayor pro tem Franco commented that in light of recent events it has become obvious that the City is lacking in HR experience, so it should be determined who the person is that should have that experience, and then move forward with training so they become a subject matter expert.

Councilmember Wilson suggested that references in the policy to City Clerk should be replaced by HR.

Councilmember Schuster stated that she appreciated all of the hard work that went into preparing the draft policy, but added that she had a significant number of changes, corrections, and suggestions to the document. Ms. Schuster requested that the recruitment period contain a specific minimum time frame for advertising. The next step, rate and ranking by the Assistant to the City Administrator, should be amended to state that the person reviews the applications for completeness. They should not be ranking or determining eligibility for the position. Regarding the selection committee, Councilmember Schuster requested clarification on the inclusion of a Subject Matter Expert.

Mr. Newton explained that in the past, it has been common to include someone from an outside agency that could be relied upon to have knowledge and expertise in the area that they were seeking to fill. For example, if the City were recruiting for a Fire Chief, they may invite a Fire Chief from another jurisdiction to sit on the panel and provide an impartial point of view of the job responsibilities.

Councilmember Schuster continued by recommending that the selection committee include a union representative. The time period for response to non-qualified candidates should be lengthened to 7 days from 5, to allow for weekends.

There was an extensive discussion regarding the recruitment materials, the procedure to follow when there were no qualified applicants, and forming an applicant pool to be drawn from so that the City would

have the option to select another qualified candidate in the event the first choice candidate was ultimately not successful.

Councilmember Wilson commented that he believed the process should be as straightforward as possible, and he is not in favor of providing too much room for options or deviation from the established policy. The draft policy is slightly ambiguous on the selection committee and the City should develop a parallel policy for hiring the City Administrator and City Attorney.

Mayor pro tem Franco stated that it is the consensus of the City Council to establish a hiring policy, and suggested looking at other jurisdictions to determine if they include union representatives to participate in the process. He asked if Mr. Newton was looking to have the policy adopted at this time with the revisions suggested.

Mr. Newton responded that he would prefer to incorporate the changes and bring the fresh draft back for review and possible adoption.

Councilmember Wilson requested that the heading at the top of the policy include the job titles of the positions that the policy applies to.

Councilmember Schuster reiterated that the unions should have a voice in the process and be allowed to participate, and the candidates should be allowed to have that representation.

Mayor Garnier commented that the Council could provide direction to staff to contact other cities and obtain feedback regarding their processes, to include having union representation on the interview panel.

Mr. Newton responded that if the Council is in agreement with the general content of the draft process, staff could move forward with contacting other cities and revising the document to bring back for consideration at a future meeting.

Mayor pro tem Franco suggested that the Council be provided additional time dedicated to reviewing the draft policy prior to having it brought back.

Mayor Garnier agreed with Mayor pro tem Franco's suggestion, adding that she is not ready to approve the policy, however she is ready to give direction to staff to move forward with it. The action requested on the item is to approve the resolution, so the Council will have to take action by a vote.

Motion by Mayor pro tem Franco, second by Councilmember Wilson, to not approve the resolution, and to turn the item back so that Staff could contact other cities, revise the draft accordingly, and bring back to Council for future consideration; motion carried unanimously. Ayes: Franco, Wilson, Stafford, Schuster and Garnier.

**9E Consider Resolution No. 18-5507 approving a Mutual Aid agreement and Automatic Aid agreement with Cal-Fire and authorizing the Mayor to sign the agreements** Chief Moore reported that the City has mutual aid and automatic aid agreements with CalFire. The agreements provide additional personnel and equipment resources without cost to either agency, and they require a review and renewal every five years.

Motion by Councilmember Wilson, second by Councilmember Stafford, to approve Resolution No. 18-5507; motion carried unanimously. Ayes: Wilson, Stafford, Franco, Schuster and Garnier.

**9F Consider Resolution No. 18-5508 approving Work for Golf Program** Mr. Newton reported that the Diamond Mountain Golf Course is open and operational for the 2018 Golf season. Staff is receiving feedback regarding the course, and the condition is good. However, with the warmer weather there is an increased requirement for Course maintenance. The Golf Course Superintendent has suggested the implementation of a Work for Golf program wherein workers would be selected through a competitive process in accordance with seasonal worker recruitment procedures. The individuals would be required to work a minimum of four hours per week and would receive a Work for Golf membership card. The Card is considered to have a value that is subject to SSI tax withholding, which is estimated to be approximately \$114.75. The workers would perform the essential functions of the Grounds Maintenance Worker under the supervision of the Golf Course Superintendent. It is estimated that the City would utilize approximately ten people through this program over the course of the 2018 Golf Season.

Mayor Garnier asked if all of the maintenance workers would have access to the computerized watering system.

Mr. Newton described the process of oversight that would occur to provide employee supervision and ensure the safety of the City's equipment. He added that the Council could approve the program with the limitation to 2018 only.

Motion by Mayor pro tem Franco, second by Councilmember Schuster, to approve Resolution No. 18-5508; motion carried unanimously. Ayes: Franco, Schuster, Wilson, Stafford and Garnier.

**10 SUSANVILLE COMMUNITY DEVELOPMENT AGENCY:** No business.

**11 SUSANVILLE MUNICIPAL ENERGY CORPORATION:** No business.

**12 CONTINUING BUSINESS:** No business.

**13 CITY ADMINISTRATOR'S REPORTS:**

**13A Fire Department Update** Chief Moore provided an update regarding the activities of the Susanville Fire Department for the period of October 24, 2017 through April 18, 2018. He reviewed the current staffing levels, noting that two new firefighters have been recruited, and he announced the promotion of Firefighter Leon Myers to the position of Engineer in March. During the reporting period, the Department responded to 538 incidents and two out of area fires. Chief Moore provided an update regarding OES activities, the Volunteer program and planned changes in the leadership structure of the group. He discussed various community outreach efforts, including the upcoming Superhero Run and Children's Fair, facility improvements and the upcoming weed abatement deadline which has been established for June 25, 2018. The Department is very proactive in sending notices to those properties that have been problem areas in the past, and they will be working to attain a level of cooperation with the process that was achieved in 2017.

**14 COUNCIL ITEMS:**

**14A AB1234 travel reports:**

Councilmember Wilson expressed his condolences to Chief Moore regarding the recent passing of two retired fire chiefs.

**15     ADJOURNMENT:**

At 8:38 p.m., Mayor Garnier called for a five minute recess prior to reconvening in Closed Session.

At 8:45 p.m. the City Council reconvened in Closed Session. The City Council adjourned Closed Session at 9:38 p.m.

Mr. Newton announced that the City Council conducted a performance evaluation of the Interim City Administrator with all members present. The Council unanimously voted to grant the Interim City Administrator a merit increase.

Meeting adjourned at 9:39 p.m.

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Kathie Garnier, Mayor

Respectfully submitted by

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Gwenna MacDonald, City Clerk

*Approved on: June 6, 2018*