

**SUSANVILLE CITY COUNCIL**  
**Regular Meeting Minutes**  
**October 2, 2019– 6:00 p.m.**

Meeting was called to order at 6:00 p.m. by Mayor Stafford.

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

Staff present: Mike Wilson, City Administrator; Jessica Ryan, City Attorney, and Gwenna MacDonald, City Clerk.

**1      APPROVAL OF AGENDA:**

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

**2      PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS:** No comments.

**3      CLOSED SESSION:** At 6:02 p.m. the Council entered into Closed Session to discuss the following:

A      CONFERENCE WITH LABOR NEGOTIATORS - pursuant to Government Code Section §54957.6

Agency Negotiator:      Michael Wilson

Bargaining Unit:              Susanville Peace Officers Association (SPOA)

B      CONFERENCE WITH LEGAL COUNSEL – existing litigation pursuant to Government Code Section §54956.9(d)(1):

1.    *Case number 61824, 61839 Matthew Wood, Michael Bollinger vs. Susanville City Council, City of Susanville*

**4      RETURN TO OPEN SESSION:**

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

Staff present: Mike Wilson, City Administrator; Jessica Ryan, City Attorney; Dan Newton, Public Works Director; James Moore, Fire Chief; Kevin Jones, Police Chief; Ryan Cochran, Police Captain; Quincy McCourt, Project Manager; Deborah Savage, Finance Manager; Anthony Hanner, Building Official; and Gwenna MacDonald, City Clerk.

Mr. Wilson reported that prior to closed session, the agenda was approved. The City Council met in Closed Session and gave direction on Item 3A and no reportable action was taken on Item 3B.

Deborah Savage provided the Thought of the Day.

**5      BUSINESS FROM THE FLOOR:**

**Jerry Askey** spoke regarding the homeless problem and the resulting garbage and pollution issues that go along with people living near the river.

**Charity Moore** spoke about the condition and safety of the river trail, stating that she no longer feels safe walking on the trail.

**Barbara Langa** Lassen County Health and Social Services talked about the Homeless Engagement project, and the success in convincing some of them to take advantage of local services.

**John Lightfoot** discussed the population of the homeless people currently living at the river and the various reasons that people end up in that situation. He stated that the community needs to focus on helping the people who want to have help out of the situation.

**Cheri Ferrell**, Crossroads Ministries, talked about the organization and the services provided to the local homeless community. From January 1 to October 2<sup>nd</sup>, Crossroads has provided assistance to 167 people. She encouraged anyone who wants to know more about their programs to get in touch with her.

**William Bruner** explained that he has lived on the river for three weeks, and it seems that everyone is in agreement that the river needs to be protected. He stays at Crossroads because the river is not a safe place to be, and there are good people but also dangerous people as well, and the area is loaded with garbage and needles.

**6        CONSENT CALENDAR:**

A        Approve minutes from the City Council's September 4, 2019 meeting

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

Mayor Stafford requested that 12A be moved to consideration with Item 7A.

**7        PUBLIC HEARINGS:**

**7A       Consider Resolution No. 19-5703 approving and authorizing a Sales and Transactions Use Tax of 1 percent to be used for Public Safety Services** Mr. Wilson reviewed the timeline for proposing a ballot measure for the March 2020 Election. The Police and Fire Chiefs have provided their feedback regarding the language that would be included in the ordinance, and City Attorney Ryan has been working with special counsel to develop the final draft, which has been provided to the City Council and public for review. He turned the floor over to Ms. Ryan.

Ms. Ryan reviewed the language included in Ordinance No. 19-1018, which if adopted by the voters, would impose a one percent transactions and use tax to be utilized for public safety services within the City of Susanville. The restrictions for special taxes include a super majority vote of the citizens to pass, and the ordinance is fairly specific on what types of expenditures will be made with the added revenue. The City's previous sales tax measure which was a joint general tax proposed with the County failed, and the community sentiment is that had it been a special tax specifically meant for public safety, it would have passed. There is no way to accurately state how much additional revenue would be brought in by the special tax, however best estimates indicate that it would generate approximately \$1.8 million per year in additional revenue. The purpose of the public hearing is to take in public comment regarding the language proposed in the ordinance, and to adopt the resolution of authority that calling for the election to include three vacancies on the City Council and placing the measure on the ballot. She requested comments from the Fire and Police Chief.

Chief Moore reviewed the changes to the language that he had requested, stating that transparency is important, and if the City is going to ask people to vote for a tax, then the City has an obligation to make sure that the public knows where their dollars will be spent. Chief Moore added that the success of the ballot measure is very important to the City as a whole, but specifically to the public safety divisions; he does not want to see cuts in staffing, adding that the City is family and it means everything to see it survive the upcoming fiscal crisis.

Chief Jones reviewed various sections of the proposed language stating that a key priority for his department is the ability to increase staffing. His officers are stretched way too thin, and it is important to

be transparent and upfront regarding budgets. The Department is down six people from ten years ago, and if the Departments are going to be set up so that the money comes in directly to a budget specifically for the Police Department and Fire Department, that he wants to be sure that the beginning budgets are accurate so that there is no question of supplanting, which came up at the last election with the City/County measure that failed.

Mr. Wilson added that input from the community is crucial, because ultimately it's their tax, and their public safety departments.

Councilmember Wilson commented that at one time there was discussion regarding code enforcement and the relationship to public safety, and if the abatement of burned out buildings would be covered under the umbrella of public safety.

Ms. Savage responded that it falls outside of Public Safety and is regulated through the City's Property Maintenance ordinance. Chief Jones and Ms. Ryan both commented that abandoned and burned out buildings are an attractive nuisance that can pose safety concerns, and if the ordinance was written in a way to include code enforcement as a proposed expense, then it would be allowed use of the tax.

Mayor pro tem Franco stated that ultimately the success of the public safety tax would be to see tangible results. The community has been coming to Council meetings for the past few years to express their concerns and often frustration at the increase in crime in the community. They will want to see an increase in patrol officers on the streets, along the river, and it is going to be an increase in burdens on both departments. It will not happen overnight, and the departments will have to be accountable to the public and make it crystal clear where the money is spent.

There was a general discussion regarding the formation of a citizen oversight committee, annual reports to document measurable results, and the importance of community support and involvement.

Mayor Stafford opened the public hearing at 8:11 p.m. and requested comments from the public.

**Jerry Askey** suggested holding a public hearing at Jensen Hall to allow for a bigger crowd to attend the meeting. He suggested looking at the TOT rate to be sure they are comparable to other towns of similar size, and he volunteered to serve on the citizen oversight committee.

**Leon Myers**, Fire Fighter bargaining unit representative, stated that like most people, he doesn't like paying taxes, however they can be necessary, effective, and the Fire Fighter Union is supporting the proposed tax. The ordinance can be worded the way that the community wants, and he urges citizens who are against it or on the fence to call someone at the City and they would be happy to sit down and discuss it. He added that he loves his job, and he hopes to keep doing it for a long time, but the financial crisis is serious, and when people call 911, the public deserves to have someone show up.

**Thomas Wasson** stated that he supports the tax and suggested making a Facebook page to keep people informed about the progress, because a once a year report is going to be good, but probably not enough for most people who are concerned about how their money is spent. He added that most of the money from the tax increase is going to come from tourists and asked if the increase was temporary or permanent.

Councilmember Wilson commented that Mr. Wasson brought up a good point, that the tax was not just assessed to the citizens, but to all visitors to the community which in the summer, can be some very high numbers according to Caltrans, somewhere in the 30,000 to 40,000 range in the summer months. He added that the tax was proposed to be a permanent increase.

**Frederic Foulk**, Susanville Peace Officers Association (SPOA) bargaining unit stated that SPOA was in favor of the increase. The Departments can only run on bare bones for so long. He stated that he grew up in San Bernardino and could be working for another agency but he works in Susanville because he loves the community and wants it to thrive. He added that transparency is going to be very important for people who are on the fence about whether or not to support it.

**Ken Guillion**, J and K Guns and Stuff, stated that the current City Council is committed to transparency, but what happens when there is a whole new Council, and there is nothing to stop them from supplanting. There needs to be accountability to be sure that the money doesn't get squandered, and to be sure to explore every corner of the budget to make sure and trim all of the fat or at least put a sunset date on it.

Councilmember Wilson responded that the problem with the sunset date is that the increase in Calpers costs is what is creating the hugest impact for the City, and Calpers can come back and adjust their rates at any time so it is impossible to project when the impact to the City's budget will start to drop. The budget today is smaller then it was ten years ago.

Mayor pro tem Franco commented that the City is accountable and responsible with its spending and is already seeing the benefit of that with the recent refinance of the natural gas and water bonds. The refinance saved hundreds of thousands of dollars over the life of the bond, and that was due to responsible management and efficiency in operation of the utilities.

Ms. Savage added that in terms of cutting fat, the City had 83 full time employees in 2002, and in 2018 had 63, so cuts have been made continuously over the years.

There being no additional comments, Mayor Stafford closed the public hearing at 8:43 p.m.

It was the consensus of the City Council to bring back the amended draft ordinance and resolution at the October 16, 2019 meeting for review and consideration.

**7B Consideration of Resolution No. 19-5706 through 19-5719 authorizing Weed and Rubbish assessment and liens against certain real properties located within the City of Susanville:**

<u>Address</u>	<u>APN</u>	<u>Address</u>	<u>APN</u>
220 Adaline	103-243-06	738/740 Plumas St	107 171 25
Alexander Avenue	107-270-12	1024 S. Railroad	107-130-25
300 Carroll Street	103-413-07	354 Richmond Ave.	103-400-09
1630 Cornell Street	105-210-25	Riverside Drive	107-100-17
110 Hall Street	105-153-22	2415 Riverside Drive	105-301-03
2650 Main Street	105-320-22	65 Russell/2755 Main	105-320-17/18
305 N. Pine Street	103-140-38	765 Shasta Street	107-181-16

Mr. Wilson explained that in accordance with the Susanville Municipal Code, the Fire Department abates properties that pose a hazard to the community. The abatement is performed by the City only after all attempts to prompt the property owners to clean up the nuisance have been exhausted. He reviewed the list of properties that have been abated by the City for weed and rubbish nuisances, noting that the abatement for 220 Adaline had been paid, so the property should be removed from the list.

Councilmember Wilson asked how the City was doing with collection of the outstanding assessment.

Ms. Savage responded that the City was achieving good results with invoicing the property owners prior to implementing the property liens.

Mayor Stafford opened the public hearing at 8:48 p.m. and requested public comments.

There being no comments, Mayor Stafford closed the public hearing at 8:49 p.m.

Motion by Mayor pro tem Franco, second by Councilmember Wilson, to approve the weed abatement liens as proposed, with the exception of 220 Adaline / APN 103-243-06; motion carried unanimously. Ayes: Franco, Wilson, Moore, Schuster and Stafford.

**8** **COUNCIL DISCUSSION/ANNOUNCEMENTS:** Commission/Committee reports: No business.

**9** **NEW BUSINESS:**

**A** **Consider approval of vendor warrants numbered 204970 through 205074 for a total of \$661,321.92 including \$202,669.57 in payroll warrants**

Motion by Mayor pro tem Franco, second by Councilmember Moore, to approve the vendor warrant report; motion carried. Ayes: Franco, Moore, Wilson and Stafford. Abstain: Schuster.

**B** **Consider purchase of Hangar #28 at the Susanville Municipal Airport** Mr. Wilson explained that per the terms of the hangar leases at the airport, the City has the right of first refusal whenever a hangar owner decides to sell their hangar. The owner of Hangar #28 has submitted their official notice of intent to sell Hangar #28 for \$37,500.

It was the consensus of the City Council to not purchase the hangar.

**C** **Consider approval of request to increase the streets operations budget to accommodate the major repair of City's Caterpillar loader IT28** Mr. Newton explained that the Public Works department owns two front end loaders that are used during emergency operations such as flooding or snow removal. One loader has been non-operational for several months due to a transmission failure. The second loader went down due to an engine problem and must be repaired to be available for the upcoming storm season. The estimated cost for repairs is \$60,000, and may be reimbursable through the snow removal budget, as this is the primary use for the equipment. There is no action needed on this item, it is just the process needed to authorize moving forward with the repairs and an action item to approve the expenditure would be brought back at a future meeting.

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

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

**12** **CONTINUING BUSINESS:**

**A** *Consider Ordinance No. 19-1018 an ordinance of the City of Susanville imposing a Transactions and Use Tax of 1 percent to be used for Public Safety Services*

This item considered during the public hearing for Item 7A.

**B** **Consider Ordinance No. 19-1019 amending Section 12.32 of the Susanville Municipal Code regarding unlawful camping: waive second reading and adopt** Chief Jones reported that at the September 18, 2019 meeting, the City Council voted to introduce an ordinance that would prohibit camping within 100 feet of any waterway in the City. If approved, the ordinance would take effect on November 2<sup>nd</sup>, and normally by that time, there is a reduction in the number of people who are camping as the colder weather drives them to seek shelter in other areas of the City.

There were no questions or comments.

Motion by Councilmember Moore, second by Councilmember Schuster to waive the second reading and approve Ordinance No. 19-1019; motion carried unanimously. Ayes: Moore, Schuster, Franco, Wilson and Stafford.

**13**     **CITY ADMINISTRATOR'S REPORTS:** No business.

**14**     **COUNCIL ITEMS:**

**14A**    **AB1234 travel reports:**

Councilmember Schuster thanked everyone who participated in the River Cleanup event, commenting that it was good to see so many City employees involved. Councilmember Schuster stated that she had been invited to speak with children at 2<sup>nd</sup> Grade Day at Meadowview School. She asked the children what the City Council could do to make the City better, and read from the list of suggestions.

Mayor pro tem Stafford remarked that he had been invited to speak to 4<sup>th</sup> graders, and their comments were very different.

Mayor pro tem Franco asked if Caltrans was still on target to finish the Cap M project by the middle of October.

Mr. Newton provided a brief update regarding the punch list of remaining items which has resulted in delays for the striping.

Councilmember Moore thanked the City employees and community for their hard work on river clean up day, adding that it was good to see everyone having so much pride in the community.

**15**     **ADJOURNMENT:**

Motion by Mayor pro tem Franco, second by Councilmember Moore, to adjourn; motion carried unanimously. Ayes: Franco, Moore, Schuster, Wilson and Stafford

Meeting adjourned at 9:03 p.m.

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Kevin Stafford, Mayor

Respectfully submitted by

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Gwenna MacDonald, City Clerk

*Approved on: November 20, 2019*