

SUSANVILLE CITY COUNCIL
Meeting Minutes
March 4, 2020

Meeting called to order at 6 p.m.

Roll Call: Mendy Schuster, Brian Wilson, Joe Franco and Kevin Stafford. Absent: Brian Moore.

Staff Present: Mike Wilson, City Administrator, Jessica Ryan, City Attorney and Ruth McElrath, Building Permit Technician.

1 APPROVAL OF THE AGENDA Motion by Councilmember Schuster, second by Councilmember Wilson to approve the agenda as submitted. Motion carries. Ayes: Schuster, Wilson, Franco and Stafford.

2 PUBLIC COMMENT None

3 CLOSED SESSION At 6:01 p.m. the Council entered in to Closed Session to discuss the following:

A. PUBLIC EMPLOYMENT- pursuant to Government Code Section §54957:

1. Approved Position List
2. City Administrator
3. Public Works Director

B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR – pursuant to Government Code section §54956.8.

Property: APN: 103-294-13 and APN 103-294-12

Agency Negotiator: Michael Wilson, City Administrator

Negotiating Parties: Jason Colbert and Chris Lamm

Under Negotiation: Price/Conditions/Terms of Sale

C. 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 7:05 p.m. the Council reconvened in Open Session.

Staff present: Mike Wilson, City Administrator, Jessica Ryan, City Attorney, James Moore, Fire Chief, Dan Newton, Public Works Director, Deborah Savage, Finance Director, Kevin Jones, Chief of Police, Quincy McCourt, Project Manager and Ruth McElrath, Building Permit Technician.

Mayor Stafford presented Mr. Newton, who is leaving the City for new employment in Butte County, with a plaque recognizing him for his years of service to the City.

Mr. Wilson announced that closed session would continue after open session and there was currently no reportable action.

Chief Moore provided the thought for the day.

5 **BUSINESS FROM THE FLOOR:** Bill Feirabend read his Letter to the Editor addressing the Main Street repaving project and that it was appropriate to thank Caltrans for the multi-million-dollar gift.

6 **CONSENT CALENDAR:** No business

7 **PUBLIC HEARING:**

7A **Consider Ordinance No. 20-1021 adopting by reference various 2019 Building Codes. Waive second reading and adopt**

Mr. Hanner explained that every three years the State of California updates the State Building Code, Title 24, which must be used by all jurisdictions issuing building permits. The Building Code went into effect on January 1, 2020 and became effective by the City on that date. The proposed Ordinance will adopt the 2019 Building Code Title 24 by reference and amend Title 15 of the Susanville Municipal Code. There are also appendices to assist with implementation of the Code, and while not mandated by the State, they are provided for use if the local jurisdiction adopts them. Mr. Hanner explained that those appendices are recommended to be adopted at a later date, due to DSA updates and revisions.

Public Hearing opened at 7:12 p.m.

No comments were received.

Public Hearing closed at 7:12 p.m.

Motion by Councilmember Wilson, second by Councilmember Schuster to approve Ordinance 20-1021. Motion carried. Ayes: Wilson, Schuster, Franco, and Stafford. Absent: Moore.

7B **Consider approving the closeout of the Riverside/Fruit Grower's Park Project**

Mr. McCourt explained the item before the Council is to close out the Riverside Park, now Fruit Grower's Park project. A public hearing was required to allow for comment the project.

Mayor Stafford commented that the park is beautiful and complimented staff on a great job.

Public Hearing opened at 7:13 p.m.

Public Hearing closed at 7:14 p.m.

Councilmember Schuster also said the park was beautiful.

Councilmember Wilson complimented Mr. McCourt and the others involved with the project. He said the lighting is incredible, and it was money well spent.

Councilmember Schuster added that she's heard a lot of people say they appreciate it.

Chief Jones commented that other than looking good, it's a safer park.

9. New Business

9A Consider approval of vendor warrants numbers 206047 through 206163 for a total of 4532,978.68 including \$200,111.16 in payroll warrants

Motion by Councilmember Wilson, second by Mayor Pro Tem Franco to approve vendor warrants. Motion carries: Wilson, Franco and Stafford. Abstain: Schuster. Absent: Moore

9B Consider approval of request to co-sponsor Lassen Sportsmen's Club 31st Annual Jr. Fishing Derby Mr. Wilson explained that the Lassen Sportsmen's Club is requesting the City of Susanville co-sponsor the derby. As part of the sponsorship, they are requesting the City waive the use fees for Memorial Park, the deposits for the bandstand and the electrical panel. In addition, the club is seeking an allocation of \$1,000.00 toward the purchase of fish. City staff will also be helping with setting up the event and printing participant numbers and maps.

Mr. Wilson explained the City collects recreation round-up funds, which are set aside for the derby. Currently, there is \$345.00 in the recreation round up account. The event will cost approximately \$1,500.00 in staff time, an unearned revenue of \$212.00 in park rental fees, as well as the \$1,000.00 in civic promotions.

Wade Workman, Sportsmen President and Chairman of the Derby, thanked the City for its past support. The event draws 300 to 500 youth and they were getting ready to purchase 3,000 pounds worth of fish.

Mayor pro Tem Franco said there had been public discussions regarding proceeding with the derby due to the situation along the river trail. He said he takes it they are moving forward with the derby and everybody feels comfortable doing so.

Chief Jones responded they were successful in moving people off the river last year. There weren't any issues last year and they don't anticipate any this year.

Councilmember Wilson stated that everyone knows there are some financial issues with the City right now. If the City Council were to allow him, he would like to donate \$655, the remaining balance after the \$345 in recreation round-up was used.

Motion by Councilmember Wilson, second by Councilmember Schuster for the City to co-sponsor the derby, using the \$345 recreation round-up and Councilmember Wilson contributing \$655. Motion carried: Wilson, Schuster, Franco and Stafford. Absent: Moore.

9C Consider creation of Ad Hoc Committee for the Diamond Mountain Golf Course

Mr. Wilson explained that on-going discussions regarding the golf course have led to the need of creating an ad hoc committee. Two councilmembers and City staff will be part of the ad hoc committee,

which will discuss the future of the City-owned Diamond Mountain Golf Course. The committee will develop a strategic plan and future planning needs.

The committee will be dissolved after completion of the task. Mr. Wilson stated it was his recommendation the Council appoint two members to the committee.

Councilmember Wilson and Councilmember Schuster volunteer to be on the committee.

Councilmember Wilson suggested that aside from City Council and staff, some members of the community be added to the committee, too.

Councilmember Schuster said Lassen High School has a golf team and it would be nice to have a young golfer on the committee.

9D Consider Susan River Segment Adoption Plan and Fruit Grower's Park Graffiti Wall Mr. McCourt explained there has been a lot of effort in cleaning up the river and making it safer and better. Teen Challenge is one such group who has been significantly volunteering and one member asked about adopting a segment of the river. Staff was looking to Council for a motion to approve individuals, businesses and organizations to do so and it would also allow the groups to post signage and logos, currently at the groups' expense.

Continuing to the second item, Mr. McCourt explained there is a cinder block masonry building at Fruit Grower's Park and when it is graffitied, there is a patchwork of colors used to cover it. One idea was to turn that into a graffiti wall, profanity would be prohibited.

Councilmember Schuster stated she loves the idea of the river adoption and she would support that. She asked for clarification regarding what building Mr. McCourt was referring to at Fruit Grower's Park.

He confirmed it is the building right next to the basketball court.

Councilmember Schuster explained that is the old safe and she is opposed to the idea of making it a graffiti wall.

She added that she noticed there were parts that were painted battleship gray and recommended painting the whole thing battleship gray.

After some discussion regarding efforts to maintain the facility, Councilmember Schuster suggested that next time it is vandalized, they should hold the people accountable because it is a piece of Susanville history and she feels very strongly about it.

Mayor pro tem Franco said they should put a camera up.

Mayor Stafford said he also liked the adopt a river idea. He added he was concerned that a graffiti wall would carry over to the basketball court.

Councilmember Wilson asked if the river adoption would be in lieu of some of the calendared community clean up events.

Mr. McCourt responded that it would not be and explained that if Adult Teen Challenge was the only group to adopt a portion of the river, they would still request volunteer efforts to continue to clean up the other areas.

Councilmember Wilson said he liked the idea of the river adoption, but he was concerned about groups coming across camps. When it's an organized event, there are officials and police present.

Mr. McCourt responded that if volunteers only showed up once a year, there would probably be more problems. But when they are exercising a strong consistent approach, the chances will go down. There have been times volunteers have contacted people at the river and they have a simple conversation. If it was truly a risk, they would have to go about it differently.

Regarding the graffiti wall, Councilmember Wilson said he was open to the idea because if its art, people are taking care of it. He said he wasn't a no, or a yes either.

Mr. McCourt asked if the Council would be in favor of looking at other locations.

Councilmember Schuster said she views the park as being for children.

There was general discussion about whether a graffiti wall worked in other cities.

Mayor Stafford said if staff came up with different locations, he wouldn't mind talking about it again.

Councilmember Schuster moved to approve a river adoption, second by Mayor pro tem Franco. Motion carries: Ayes: Schuster, Franco, Wilson, and Stafford. Absent: Moore.

Councilmember Wilson asked if the matter would come back to the Council so it would know what the parameters are. He asked if it would be similar to the Caltrans Adopt a Highway model. If it was, there are rules and liabilities the City would need to come up with.

9E Discussion regarding unlawful camping ordinance Chief Jones explained that several meetings ago, Council requested staff bring back ideas for the Susanville Municipal Code addressing unlawful camping.

Chief Jones said he has had extensive conversations with Counsel Margaret Long about the matter. He provided a timeline of the ordinance, which became enforceable on November 2, 2019 and since that time, there has been some discussions regarding the language about public areas, which is prohibited camping.

He continued that Ms. Long explained City property is considered public property. She provided guidance that the more the City can do with established camping areas, the more defensible the ordinance is. For example, if a site was established as a camping zone, they need to ask is it reasonable

for waste, sewage and water. The more services the City can try and establish, the more robust and defensible the ordinance is.

Chief Jones explained that in order to prohibit camping on City-owned public properties, they have to show there is a health and safety reason to prohibit it. For example, if there aren't any identified issues camping at City Hall, it would be allowed. Inspiration Point, however, is a high fire area, so camping would be prohibited. He continued that health and safety can be subjective, but a site having a history of environmental or soil degradation and violence are considered.

He continued explaining that staff identified three City properties, the first location being at Spring Ridge Dr., which has access to City water and is on a bus route. The second site is at Numa Road near Skyline, which does flatten out and provides an area that is out of sight and is close to services. The third location is the corner of Skyline and Highway 139, which is very exposed.

Chief Jones suggested the City focus on where and less on the prohibition explaining that prohibitions can be added to the ordinance and justified. He encouraged the City to designate a camping area and offer some type of services such as potable water, a close bus route and trash bins.

Mayor pro tem Franco asked Chief Jones if he had talked to the County because it seemed reasonable that they could provide the City with a revenue stream for toilets and water stations.

Chief Jones said he didn't think that was out of the question, but the County is firm that the camping ordinance is illegal.

Councilmember Schuster asked how close the Spring Ridge Drive location was to Lassen Community College.

Chief Jones answered it is west of the water towers and Mr. Newton added it is about 1,000 feet west of the towers.

There was further discussion regarding offering services on the proposed camping site. While there is no mandate to provide services, Chief Jones said if they are going to designate a camping area, it's like having a campground.

Mayor pro tem Franco stated there will be issues with people staying there because there aren't designated latrines and it will create a health problem. Rather than doing it without forethought, basic services should be provided, and the most logical thing is that is where the County comes in, because this is part of Lassen County.

Councilmember Wilson asked if the City/County Taskforce had met yet.

Chief Moore provided an update regarding the taskforce meeting that occurred a week after the Joint City/County meeting. The discussions involved how to currently better support Crossroads Ministries and working on finding a more suitable location for a shelter. Chief Jones, who was connected via phone, shared about looking for camping sites.

Chief Moore said Crossroads also applied for a Use Permit for its current site, with a draft coming out that day and allowed for a maximum of 49 people. Staff arrived at that number using the Point in Time Count for unsheltered individuals. The matter was scheduled to go before Planning Commission next week. It was his opinion that they were never going to get everyone to go to the emergency shelter, there should be a campground somewhere for them and he liked the proposed northern location.

He explained that the County's desire, if they can get them to feel comfortable with the camping ordinance, is to adopt the same ordinance because they want the deputies across the river to be able to enforce the same ordinance the City has.

Chief Jones added the County has camping sites, they are just stuck on it's unconstitutional. The County has asked for an opinion from Ms. Long.

Councilmember Schuster said she did want to ask Ms. Long about the higher barrier issue, since Crossroads has the lower barrier.

She asked Cheri Farrell, of Crossroads, if they are a navigation center.

Ms. Farrell responded that they are not a rehab. If a person is in the emergency shelter for three days, they start a case management and look at the obstacles that are preventing them from progressing.

Mayor pro tem Franco asked if that was done in house or in cooperation with the County.

Ms. Farrell responded they do utilize the County agencies.

Ms. Farrell stated that a few of the people removed from the river by the Susanville Police Department were now in the program.

An unidentified man shared his story of being removed from the river, going to jail and how the experience saved his life and he is now six months clean.

12A Discussion regarding the homeless

Mr. Wilson began by explaining that during the January 15, 2020 meeting, people addressed the Council regarding the homeless situation and the Council asked to agendaize the topic for future City Council meetings.

Ms. Farrell thanked the City Council and Chief Moore and Chief Jones. She also thanked Building Official Anthony Hanner and City Planner Kelly Mumper as they, along with Chief Moore, have been diligently working with her to understand the Use Permit. She continued that her current Use Permit was for 10 people, but when there was an outcry for the homeless, she answered and invited them all in. Some of the individuals from the emergency shelter transferred into the transitional shelters and they are experiencing a whole new lifestyle and many of them were in attendance with her that night.

Ms. Farrell also thanked Chief Jones for all his help.

She also stated that since January 1, 2020, Crossroads Ministries has had 98 unduplicated people spend the night.

13 City Administrators Reports: None

14 Council items: Councilmember Schuster thanked Mr. Hanner, Chief Moore and the other community members who helped repair the Little League Dugouts.

Council reconvenes in closed session at 8:18 p.m.

Council adjourns from closed session at 8:45 p.m. No reportable action taken.

Respectfully submitted by

Kevin Stafford, Mayor

Ruth McElrath, Building Permit Technician

Approved on: May 6, 2020