

**SUSANVILLE CITY COUNCIL  
SUSANVILLE COMMUNITY DEVELOPMENT AGENCY  
SUSANVILLE MUNICIPAL ENERGY CORPORATION  
SUSANVILLE PUBLIC FINANCING AUTHORITY**

**Regular Meeting Minutes  
May 1, 2013 – 6:00 p.m.**

City Council Chambers 66 North Lassen Street Susanville CA 96130

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

Roll call of Councilmembers present: Cheryl L. McDonald, Nicholas McBride, Mayor pro tem Wilson, Lino P. Callegari and Mayor De Boer.

Staff present: Jared G. Hancock, City Administrator, Peter M. Talia, City Attorney and Gwenna MacDonald, City Clerk.

**1 APPROVAL OF AGENDA:**

Motion by Councilmember McBride, second by Mayor pro tem Wilson to approve the agenda as submitted; motion carried unanimously.

**2 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS** (if any): There were no comments from the public.

**3 CLOSED SESSION:** At 6:01 p.m. the Council recessed to closed session to discuss the following:

- A CONFERENCE WITH LABOR NEGOTIATOR – pursuant to Government Code §54957.6:  
Agency Negotiator: Jared G. Hancock  
Bargaining Unit: Administrative Confidential: 2013/2014  
Fire: 2013/2014  
Management: 2013/2014  
Miscellaneous: 2013/2014  
Professional/Technical: 2013/2014  
Public Works: 2013/2014  
SPOA: 2013/2014
  
- B CONFERENCE WITH LEGAL COUNSEL – Anticipated litigation: Significant exposure to litigation pursuant to Government Code §54956.9 (b); one
  
- C CONFERENCE WITH LEGAL COUNSEL – Existing litigation pursuant to Government Code §54956.9 (a): City vs. Northern Sierra Homes, LLC  
Lassen County Court Case: #50050
  
- D CONFERENCE WITH LEGAL COUNSEL: Existing litigation pursuant to Government Code Section 54956.9 (a) Jordan Drury vs. City of Susanville; Claim SCGA-01653A
  
- E CONFERENCE WITH REAL PROPERTY NEGOTIATOR – pursuant to Government Code §54956.8:  
Property: APN 103-294-10  
Agency negotiator: Jared G. Hancock  
Negotiating parties: Unknown  
Under negotiation: Price/Conditions/Terms of payment

**4 RETURN TO OPEN SESSION:** At 7:00 p.m. the City Council reconvened in open session.

Staff present: Craig Platt, Public Works Director; Tom Downing, Police Chief; Ted Friedline, Fire Chief; Craig Sanders, City Planner; and Gwenna MacDonald, City Clerk.

Mr. Hancock reported that the agenda was approved with no changes.

Mr. Hancock reported that direction was given to staff in closed session but there was no reportable action.

Mr. Platt offered the thought of the day.

**5 BUSINESS FROM THE FLOOR:**

**Jim Chapman** expressed his appreciation to the City Council, City staff, and particularly Mr. Hancock, for the support and coordination offered during the 24<sup>th</sup> Annual Junior Fishing Derby. The response from the business community, various government agencies and numerous volunteers made it possible to hold one of the best events in recent years.

- 6 CONSENT CALENDAR:** Mayor De Boer reviewed the items on the Consent Calendar:
- A Receive and file minutes from City Council's April 3 and 17, 2013 meetings
  - B Approve vendor warrants numbered 87275 through 87404 for a total of \$481,402.52 including \$101,663.04 in payroll warrants

Motion by Mayor pro tem Wilson, second by Councilmember Callegari to approve the consent calendar; motion carried unanimously.

**7 PUBLIC HEARINGS:** No business.

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

Councilmember Callegari provided a report on the annual Indian Gaming Committee meeting highlighting topics of particular concern to the funding of Casinos and the impact on Native Americans.

**9 NEW BUSINESS:**

**9A Consider approval of Resolution No. 13-4945 authorizing rebuild of Well #4 pump** Mr. Platt reported that water well number four has been in operation for over 25 years. The pump is aging and requires maintenance in order to ensure its continued function. The project is necessary to the water system in order to maintain stable water pressure and supply water to cover demand in the Bagwell Water Zone during the season's peak demand cycles, and to ensure recovery time for the Bagwell Springs water tank. Well number four also supplies water to the City's upper and main water zones through pressure reducing valves. The project will be completed during the off season to have minimal impact on the City's water customers and is estimated to take approximately 14 days to complete.

Motion by Councilmember Callegari, second by Councilmember McDonald to approve **Resolution No. 13-4945**; motion carried unanimously.

**9B Consider approval of Resolution No. 13-4946 approving the filing of Parcel Map No. 12-026 for Leo Guitierrez** Mr. Sanders reported that there were a number of irregularities with the property owned by Mr. Guitierrez on Paul Bunyan Road which also involved discrepancies in the location of the right-of-way. Mr. Guitierrez submitted a tentative parcel map to the City of Susanville to divide two parcels of 13.03 and 22.83 acres into four parcels of 18.75, 10.24, 4.08, and 2.79 acres. The proposed parcel configuration matches the City's zoning designations with each of the parcels located in a different land use zone. Each parcel meets the minimum lot size required by their respective zoning districts. Approval

of the map has no effect on the development potential of any of the resulting parcels and no development of the parcels is anticipated at this time. The City Zoning Code does not require any new road dedications or frontage improvement for any of the parcels at this time.

In addition, to address the discrepancy as to the location of the right-of-way for Paul Bunyan Road it is proposed that the City quitclaim the Paul Bunyan Road and North Weatherlow extension rights-of-way back to Mr. Gutierrez and accept the corrected right-of-way locations presented on the Parcel Map through a dedication and the Deed and Map will be concurrently recorded.

Motion by Councilmember Callegari, second by Commissioner McDonald to approve **Resolution No. 13-4946**; motion carried unanimously.

Mr. Chapman thanked City staff for working hard to come up with a solution to the situation that should have been remedied years ago.

Mr. Gutierrez expressed his appreciation to the Planning Commission, City staff, and City Council for all of the time and assistance they have offered throughout this process.

**9C Consider appointment of City representative to the Historic Building Review Committee** Mr. Hancock reported that the City of Susanville/Lassen County Historic Building Review Committee was established to provide recommendations to the City Council and Board of Supervisors on the preservation of properties that have cultural and historic significance to the community. The Committee consists of five members with two appointed by the Lassen County Board of Supervisors and two appointed by the Susanville City Council for two-year terms. A fifth member is appointed by the Committee members and serves a one-year term.

The City currently has a vacancy of one representative on the Board. A recruitment was conducted and the City received one letter of interest from a County resident, and one from a City resident. Vicki Lozano from Mt. Lassen Properties expressed interest in serving on the Committee and Mr. Hancock suggested the option of either appointing Ms. Lozano to the City vacancy or re-advertising in order to generate additional interest.

Mayor pro tem asked if the appointment was tied to consideration of the property at 600 Nevada.

Mr. Hancock responded that the appointment was not directly tied to the Nevada Street issue as the Committee currently has a quorum however it is important to fill the vacancy. With Council direction, he would pass the letter of interest submitted by the County resident to the Historic Committee for consideration of appointment to the vacant public member seat.

Motion by Mayor pro tem Wilson, second by Councilmember McDonald to appoint Vicki Lozano to a two-year term for the Historic Committee; motion carried unanimously.

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

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

**12 CONTINUING BUSINESS:**

**12A Sierra Community Park Update: Draft CEQA Document: Mitigated Negative Declaration** Mr. Hancock reported that the environmental review for the Sierra Park project is progressing. The Draft Mitigated Negative Declaration was previously sent to all City Council Members for review and a hard copy provided.

Mr. Hancock explained that there are still a couple of biological studies that need to be conducted on the site. One survey was conducted on April 22, 2013 for rare plants and wetland features. The studies have not yet been finalized because it is still too early in our area for the species to appear. So far, no major environmental issues have been identified with the site, and mitigation can be achieved with pre-construction or construction related conditions. He reviewed the next steps required for the review and approval process. The City is on a compressed timeline for the approval and the environmental review is a critical component of the process to move forward with the project. He invited Mr. Sanders to discuss the specifics of the Document and answer any questions.

Mr. Sanders reviewed the primary potential environmental impacts which had been identified, including the following:

Biological – Possible wetlands features; potential habitat for endangered or threatened plant species; potential habitat for endangered butterfly (Carson Wandering Skipper); potential habitat for American Badger; raptor and migratory bird habitat. Surveys will be conducted prior to construction with potential mitigation already outlined in the document if species habitat is present.

Soils – Soils may not have capacity to support a septic system for the bathroom facilities. If this proves to be the case, connection to sanitary sewer is available in Sierra Road approximately 1,000 feet away from the proposed bathroom location.

Fire Protection – New structures on the site are not within 300 feet of a fire hydrant. Mitigation is to install a new hydrant in a location approved by the Susanville Fire Department.

Mr. Sanders explained that the potential impacts that will not be significant are also important, including no significant impacts from noise, to the existing roadway system and no improvements needed other than those proposed by the project. These include limited widening of Sierra Road to accommodate turn pockets at the park entrances. During the comment period, the City only received comments from the Lahontan Water Quality Board.

Councilmember Callegari asked if the consultant reviewed the history of the property and its use as a lumber mill. The soil has been compacted to the extent that it should support a septic system, and any species on location at the site has not been long established as the mill was in existence at the site for decades prior to its closure in the last ten years.

There was a general discussion regarding the evolving nature of environmental law and the requirements in place today which determine the existence of wetlands. If it should be determined that a septic system will not be adequate to support the restroom facility, the mainline Sanitary District hookup is located nearby.

There were no further questions, and Mr. Hancock added that staff will continue to move forward in facilitating the CEQA process in preparation of the public hearing.

### **13 CITY ADMINISTRATOR'S REPORTS:**

**13A Junior Fishing Derby Update** Mr. Hancock thanked Mr. Chapman and former Councilmember Sayers for their hours of work and tireless dedication that make the Jr. Fishing Derby one of the most successful and popular events for the community's children.

**13B FY 2013/2014 Budget Workshop Update** Mr. Hancock reviewed the progress made to date regarding the proposed 2013/2014 budget. He has had several meetings with the department heads, both one on one and as a group, and he commended them for being dedicated to operating the City in the most cost-conscious and efficient manner. It is a great team that is able to bring ideas to the table and discuss options and compromises in a positive, productive way. The City gathers the best

information it can collect from the State and other sources regarding projected revenues and this year it looks as if it is anticipated that property tax revenue will be decreasing again. There has been an increase in sales tax, and it remains unclear if this is due to changes in State legislation that have imposed an online shopping sales tax. He suggested that in the past, the Council has typically conducted a workshop to discuss Council priorities, one public meeting followed by the final meeting to approve and adopt the budget. He requested feedback from the Council regarding the process and if there are any suggested changes such as more meetings, community workshops, etcetera. So far, the City remains on track to adopt the budget by the July 1<sup>st</sup> deadline.

Councilmember Callegari asked about the revenue from Transient Occupancy Tax and if that has increased or decreased.

Mr. Hancock responded that it has been lower than in previous years, but he did not have the information available at that moment provide the exact figures.

Councilmember Callegari asked if the weekend-event sales for cars that are conducted within the City limits generate sales tax for the City if the auto dealer is located in the County. He also discussed vendors who come to town and conduct sidewalk sales on weekends and how that impacts business owners that make the investment to maintain shop fronts and hire employees and keep their doors open all week long.

There was a general discussion regarding the process of paying sales tax when licensing a vehicle, and the regulation of sidewalk vendors through the Use Permit process.

It was the consensus of the City Council to schedule a budget workshop, with Mr. Hancock to provide a few options for date and time.

**14**     **COUNCIL ITEMS:**

**14A**    **AB1234 travel reports:**     It was requested that Councilmember Callegari, Councilmember McBride, and Mayor pro tem Wilson be registered for the annual League of California Cities conference scheduled for September 18 – 20, 2013 in Sacramento.

**15**     **ADJOURNMENT:**     Motion by Mayor pro tem Wilson, second by Councilmember McDonald to adjourn the meeting; motion carried.

Meeting adjourned at 7:47 p.m.

Respectfully submitted by

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Rod De Boer, Mayor

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Gwenna MacDonald, City Clerk

*Approved on May 15, 2013*