

**SUSANVILLE CITY COUNCIL
SUSANVILLE COMMUNITY DEVELOPMENT AGENCY
SUSANVILLE MUNICIPAL ENERGY CORPORATION
SUSANVILLE PUBLIC FINANCING AUTHORITY
Regular Meeting Minutes
May 15, 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:

Mr. Hancock requested the removal of Item 9C - *Consider Resolution No. 13-4949 authorizing agreement for transfer of FAA Entitlement funding.*

Motion by Councilmember Callegari, second by Mayor pro tem Wilson to approve the agenda with the amendment requested; 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:
CONFERENCE WITH LABOR NEGOTIATOR – pursuant to Government Code §54957.6:

1 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

2 Personnel Status Report

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):

1) City vs. Northern Sierra Homes, LLC Lassen County Court Case: #50050

2) United States District Court Case No. 2:10-CV-03048-MCE-GGH, Nancy Schwartz v. Lassen County, et al.

3) Jordan Drury vs. City of Susanville; Claim SCGA-01653A

D PUBLIC EMPLOYMENT – pursuant to Government Code §54957:
Contract Services - Finance Manager

E CASE REVIEW OR PLANNING: pursuant to Government Code §54957.8

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; Janette Zahniser, Assistant to the Public Works Director and Gwenna MacDonald, City Clerk.

Mr. Hancock reported that the agenda was approved with the removal of Item 9C.

Mr. Hancock reported that there was no reportable action taken in closed session.

Ms. MacDonald offered the thought of the day.

5 **BUSINESS FROM THE FLOOR:** There were no comments from the public.

6 **CONSENT CALENDAR:** Mayor De Boer reviewed the items on the Consent Calendar:

A Receive and file minutes from City Council's May 1, 2013 meeting

B Approve vendor warrants numbered 87405 through 87523 for a total of \$393,575.07 including \$95,527.29 in payroll warrants

C Receive and file Finance Report: April 2013

D Receive and file Treasurers Report: April 2013

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

7 **PUBLIC HEARINGS:** No business.

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

9 **NEW BUSINESS:**

9A **Consider utilization of City buses for transportation purposes for Lassen Land & Trails Trust Summer Nature Day Camp * July 22-26 and July 29 – August 2, 2013** Mr. Hancock reported that the Lassen Land & Trails Trust group sponsors a summer camp each year for children ages 8 to 12 years of age. The camp gives children an opportunity to learn about the area's natural resources, wildlife, history, and an appreciation of the outdoors. The group has requested the use of one of the city-owned buses to use for shuttle transportation to and from camp. They will provide a certified driver, insurance coverage, and gasoline. Staff has verified that a bus is available in good working order to be utilized for the event.

Motion by Councilmember McDonald to authorize the use of the bus for the event; Councilmember Callegari provided a second and the motion carried unanimously.

9B **Consider Resolution No. 13-4948 authorizing payment of employee Risk Reduction Incentive** Mr. Hancock reported that the City has received rebates from the Small Cities Organized Risk Effort (SCORE), the self-insured risk pool, as a result of steadily decreasing insurance and worker's compensation claims over recent years. In December, the Council set aside a small amount of the

rebate to be paid to all full time employees in recognition of the cooperative effort to work in a conscientious and safe manner. This has directly resulted in reduced insurance costs for the City. Staff is proposing to authorize the balance of the set aside to be paid in the amount of \$250 per full time employee.

Motion by Mayor pro tem Wilson to approve Resolution No. 13-4948; Councilmember Callegari provided a second and the motion carried unanimously.

9C Consider Resolution No. 13-4949 authorizing agreement for transfer of FAA Entitlement funding. Removed.

9D Consider Ordinance No. 13-0990 limiting the use of Fireworks: Waive first reading and introduce Mr. Friedline reported that the City enacts an emergency ordinance each year to restrict the sale and use of fireworks to a limited time around the July 4th holiday. The City recognizes that it would be prudent to impose this restriction on a continuing basis, as each year the area experiences a dry, warm summer that makes our region susceptible to fires. The proposed Ordinance incorporates the language utilized in the emergency ordinance and provisions in the California Health and Safety Code. It provides for ample seller permits to accommodate all of the organizations who utilize fireworks sales as their fundraiser, and allows for more permits as the population grows by basing it on one permit for every 1,500 residents. He verified that the restriction is limited to the city limits.

Motion by Councilmember Callegari to waive the first reading and introduce Ordinance No. 13-0990; Councilmember McBride provided a second and the motion carried unanimously.

10 SUSANVILLE COMMUNITY DEVELOPMENT AGENCY: No business.

11 SUSANVILLE MUNICIPAL ENERGY CORPORATION: No business.

12 CONTINUING BUSINESS:

12A Consider Resolution No. 13-4947 authorizing refinance of outstanding side fund obligations of the City to the CalPERS retirement system Mr. Hancock reported that as a participant in the California Public Employees Retirement System (CalPERS) the City is subject to the requirements associated with the creation and repayment of pension obligations which includes what is referred to as the City's Side Fund. As a small public agency, the City is required to participate in a risk pool. The establishment and inclusion of the City in a risk pool in addition to pension modifications that have occurred in years passed, the City's side fund balance has accumulated to a total obligation of approximately five million dollars. The City became aware that this obligation was accruing interest at an approximate rate of 7.75 percent and that it would be in the city's best interest to refinance this debt to take advantage of lower interest rates that are available in today's economy. The City has contracted with the firm of Myers Nave and Brandis Tallman to facilitate the refinance and secure the most favorable rate. He explained the next steps in the refinance process, including proceeding with the debt validation process and filing the required legal paperwork. The final loan document would be brought for Council approval. Mr. Hancock introduced Mr. Jeff Land of Brandis Talman.

Mr. Land reviewed the loan refinance process, stating that it would take approximately 90 to 120 days. He reviewed a few key points, including the not-to-exceed clause and the minimum requirement of three percent net savings. He stated that the Council would maintain involvement throughout the process.

Mayor pro tem Wilson asked how soon after the validation process would the loan itself be complete.

Mr. Land responded that once the judgment is rendered, there is a thirty day appeal process. They could move forward on closing during that period, and it would be ideal to have the loan close correspond with the timing of existing loan payments.

Motion by Mayor pro tem Wilson to approve Resolution No. 13-4947; Councilmember McDonald provided a second and the motion carried unanimously.

13 **CITY ADMINISTRATOR'S REPORTS:**

13A **FY 2013/2014 Budget Workshop Update** Mr. Hancock reported that staff was prepared for the first budget workshop tentatively scheduled for 3:00 p.m. on May 22nd.

14 **COUNCIL ITEMS:**

14A **AB1234 travel reports:** Mr. Callegari explained that he received a complaint regarding a dog nuisance on Fairfield Avenue. He asked to include those types of complaints in the revisions to the City's Code Enforcement policies.

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

Meeting adjourned at 7:21 p.m.

Respectfully submitted by

Rod De Boer, Mayor

Gwenna MacDonald, City Clerk

Approved on June 5, 2013