

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

**Regular Meeting Minutes  
October 2, 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, Lino P. Callegari, Mayor pro tem Wilson, and Mayor Rod E. 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 noted that a revision had been made to Item 9E and a corrected copy was provided to the Council and members of the public. Supplemental information for Item 13D was distributed.

Motion by Mayor pro tem Wilson, second by Councilmember McBride to approve the agenda with the change requested; motion carried unanimously.

**2 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS:** There were no comments.

**3 CLOSED SESSION:** At 6:05 p.m. the Council recessed to closed session to discuss the following:

A CONFERENCE WITH LABOR NEGOTIATOR – pursuant to Government Code §54957.6:

- 1 Agency Negotiator: Jared G. Hancock  
Bargaining Unit: Administrative Confidential: 2013/2015  
Fire: 2013/2015  
Miscellaneous: 2013/2015  
Professional/Technical: 2013/2016  
Public Works: 2013/2015  
SPOA: 2013/2014

B CONFERENCE WITH LEGAL COUNSEL – Anticipated litigation: Significant exposure to litigation pursuant to Government Code §54956.9 (b): three cases

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.

D PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE – pursuant to Government Code §54957

**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; Theodore Friedline, Fire Chief; and Gwenna MacDonald, City Clerk.

Mr. Hancock reported that the agenda was approved with a revision to Item 9E and supplemental information provided for Item 13D.

Mr. Hancock reported that there was no reportable action out of closed, and City Council had provided direction to staff on Item 3C (2).

Chief Thomas Downing offered the thought of the day.

**5**      **BUSINESS FROM THE FLOOR:**

**Brad Cardenas** proposed an Eagle Scout project to repaint the tennis courts, advising the Council that he would be continuing with fund raising effort and asking for City Council support for the project.

Mr. Hancock requested that Item 6E be pulled for separated discussion.

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

- A      Receive and file minutes from City Council's August 21, 2013 meeting
- B      Approve vendor warrants numbered 88733 through 89034 for a total of \$975,799.00 including \$207,319.69 in payroll warrants
- C      Receive and file Finance Report: August 2013
- D      Receive and file Treasurer Report: August 2013
- E      Receive and file City Clerk certification of HUSA Board of Directors Election Results

Motion by Councilmember Callegari, second by Mayor pro tem Wilson to approve consent calendar Items 6A through 6D; motion carried unanimously.

Ms. MacDonald reported that the Historic Uptown Susanville Association conducted their annual election to fill three board vacancies. Steve Fuller and David Teeter were reappointed to three year terms, and Tim Watts was newly appointed to fill the vacancy left by Board member Lisa Bernard. The board members each received eleven votes and there were no write-in nominations.

Motion by Mayor pro tem Wilson, second by Councilmember McDonald, to approve Item 6E; motion carried unanimously.

**7**      **PUBLIC HEARINGS:**

**7A**      **Consideration of Weed and Rubbish assessment and lien against certain real properties located within the City of Susanville:**

- 1**      **Public Hearing:    Solicit and consider comments relative to abatement/lien at:**
  - **50 Foss Street                      APN: 103-350-14**
  - **1275 North Street                  APN: 103-244-08**

**2      Action: Consider Resolution No. 13-4989 and Resolution No. 13-4990; approving reports on assessment and lien against certain real properties and confirming assessment and lien against properties**

Chief Friedline reported that pursuant to Susanville Municipal Code Chapter 8.28, City staff has abated two properties due to fire hazard and rubbish nuisance at 50 Foss Street and 1275 North Street for a total of \$825.00. This includes the cost of hiring a contractor to abate the property and a \$200 administrative fee to recover the cost of compliance with public hearing and notification procedures. The lien notices were posted and the property owners were notified by certified mail of the public hearing.

At 7:10 p.m. Mayor De Boer opened the public hearing and requested any comments from the public. There being no comments, the public hearing was closed at 7:11 p.m.

Councilmember Callegari requested that staff offer additional assistance to senior citizens who may be unable to maintain their property prior to performing the abatement and lien process.

Mayor De Boer suggested that it would be a good project for Scouts or Explorers.

Motion by Councilmember McDonald, second by Councilmember Callegari, to approve Resolution No. 13-4989 and 13-4990; motion carried unanimously.

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

**9      NEW BUSINESS:**

**9A      Consider Resolution No. 13-4984 supporting Lassen Family Services Domestic Violence awareness campaign** Mr. Platt reported that Lassen Family Services, Inc. is requesting authorization to place approximately 32 purple Domestic Violence Awareness ribbons on street light posts along Main Street from Roop to Riverside from October 3, 2013 through November 1, 2013. The ribbons will be placed by employees of Lassen Family Services and will be taken down after November 1<sup>st</sup>.

Motion by Mayor pro tem Wilson, second by Councilmember McBride, to approve Resolution No. 13-4984; motion carried unanimously.

**9B      Consider Resolution No. 13-4985 authorizing street closure for Lassen Chamber of Commerce Block Party Event October 10, 2013** Mr. Platt explained that the Lassen County Chamber of Commerce is requesting authorization to close South Roop Street from Main to Cottage Street on Thursday, October 10, 2013 from 5:30 pm to 7:30 pm to hold a Chamber Mixer "Business Block Party." Alcohol will be served at the event and the Chamber is responsible for obtaining the Alcoholic Beverage Control permit. The surrounding businesses are aware of the street closure and will be participating in the event.

Motion by Councilmember Callegari, second by Councilmember McBride, to approve Resolution No. 13-4985; motion carried unanimously.

**9C      Consider Resolution No. 13-4986 authorizing closure of Pancera Plaza as part of HUSA Safe and Sane Halloween event October 31, 2013** Mr. Platt reported that at its August 21, 2013 meeting, the City Council approved the HUSA Safe and Sane Halloween event scheduled for Thursday, October 31, 2013

from 3:00 pm to 6:00 pm and authorized closure of Main Street from Roop to Weatherlow Street to hold this event. In addition, HUSA would like to close Pancera Plaza from Main to Cottage Street in order to hold a Tombstone Contest and it is necessary to amend the authorizing resolution. HUSA will notify the business owners of the closure.

Motion by Councilmember McDonald, second by Mayor pro tem Wilson, to approve Resolution No. 13-4986; motion carried unanimously.

**9D Consider Resolution No. 13-4987 supporting closure of Main Street for November 11<sup>th</sup> Veterans Day parade** Mr. Platt explained that the Lassen County Veteran's Association has scheduled their Annual Veteran's Day Parade for Monday, November 11, 2013 from 11:00 am to 12:00 pm. The parade requires closure of Main Street from Fair Drive to the Veteran's Memorial Building located at 1205 Main Street and obtaining an encroachment permit from Caltrans. Closure of Fair Drive between Russell Avenue and Main Street is also required for this event. Each year the City of Susanville offers personnel in support of the event. Police Officers and Public Works Department employees to set up the detours and facilitate the street closure and traffic control.

Motion by Councilmember Callegari, second by Councilmember McDonald, to approve Resolution No. 13-4987; motion carried unanimously.

**9E Consider approval of Resolution No. 13-4988 approving fiscal year 2013/2014 Budget amendment for fire department** Chief Friedline explained that the City provides out of area fire support for wild land fires by providing resources in the form of fire department personnel and equipment to the State of California. The California Office of Emergency Services (Cal OES) Engine 316 and Susanville Engine 628 have been deployed to various mutual aid incidents over the summer.

The fiscal year 2013-2014 fire department budget for revenue and expense for out of area fires is \$30,000 and current estimates from CAL EMA for these incidents are in excess of \$130,000. Expenditures to date are approximately \$44,293. In order to reimburse fire personnel for providing suppression services, and allow additional funding for future events, it is necessary to increase both revenues and expenditures in the out of area fires budget. Staff is recommending an increase to the fiscal year 2013/2014 budget of \$160,000 for revenues and \$80,000 for expenditures.

Motion by Councilmember Callegari, second by Councilmember McDonald, to approve Resolution No. 13-4988; motion carried with Councilmember McBride abstaining.

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

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

**12 CONTINUING BUSINESS:**

**12A Consider Resolution No. 13-4991 approving and authorizing Mayor to execute MOU with Administrative/Confidential, Fire, Miscellaneous, Professional/Technical and Public Works Bargaining Units and amendment of City Administrator contract** Mr. Hancock explained that staff and City Council have been working diligently to reach agreements with employee bargaining units and at the last meeting approved 2-year memorandums of understanding with Administrative Confidential, Fire

Fighters, Miscellaneous, and Public Works and a 3-year memorandum of understanding with members of the Professional/Technical Unit. He noted that a summary sheet describing the updates to each contract had been included in the agenda packet.

Motion by Councilmember Callegari, second by Councilmember McDonald, to approve Resolution No. 13-4991; motion carried unanimously.

**12B Consider Ordinance No. 13-0992 prohibiting smoking on Main Street during Magical Country Christmas event: Waive second reading and adopt** Mr. Hancock explained that the City Council voted at the September 4, 2013 meeting to introduce a chapter to the Municipal Code to prohibit smoking at certain family oriented community events. The Chamber of Commerce expressed some concern and he appreciated the time they took to meet and clarify the issues. He noted that since its introduction a minor change had been made adding language to Section 1 ( E ) :

*( E ) The City has already designated City parks as no smoking areas pursuant to Municipal Code section 12.32.105 wishes to identify certain community events that are oriented towards children as no smoking events*

The adoption of Ordinance No. 13-0992 would add the Magical Country Christmas event by providing an outright ban on smoking between 5:00 p.m. and 7:00 p.m. on Main Street between Weatherlow and Roop Streets. The Magical Country Christmas event is generally held on the first weekend of December and staff is confident that all concerns expressed by the Chamber of Commerce have been satisfied.

Motion by Councilmember McBride, second by Councilmember McDonald, to waive the second reading and adopt Ordinance No. 13-0992; motion carried unanimously.

**12C Consider Ordinance No. 13-0993 increasing purchasing limits to match the California Uniform Construction Cost Accounting Commission [CUCCAC] limits: Waive second reading and adopt** Mr. Hancock reviewed the provisions of Ordinance No. 13-0993 and the benefit to keeping up with changes in the State thresholds for requiring the formal bidding process when completing projects. The City often has projects that could be performed more efficiently and economically by using its own labor force, and implementation will allow the ability to get the most out of public dollars when completing projects.

Motion by Mayor pro tem Wilson, second by Councilmember McBride, to waive the second reading and adopt Ordinance No. 13-0993; motion carried unanimously.

**13 CITY ADMINISTRATOR'S REPORTS:**

**13A Fire Department Update** Chief Friedline announced that the Fire Department would be hosting an open house on October 12, 2013 from 10:00 a.m. until 2:00 p.m. at the fire station. In recognition of National Fire Prevention Week, many events are scheduled including fire engine rides, vehicle fire demonstrations, static displays, food and prizes. Department members are looking forward to sharing information about fire department services with the members of the public.

**13B Golf Course Update** Mr. Hancock reported that the 2013 golf season has been challenging, exciting, and he thanked the City Council, Men's and Women's Club, City Hall and Golf Course staff for all

of the support and contributions made during the transition. He thanked Councilmember McBride and Mayor pro tem Wilson for their dedication to the Golf Committee. They spent countless hours taking calls, working out details, revising the pricing structure and helping to make the golf course a financially viable endeavor for the City.

He reviewed various improvements to the course, including the reconstruction of all the bunkers, repair and enhancement of the irrigation system, the acquisition of quality golf carts, and the furnishing and reopening of the Bar and Grill. The most significant challenge was the failure of the automated irrigation system due to a lightning strike, and he thanked the police department night patrol staff for their assistance in switching off the irrigation system every night at 2:00 am. He reviewed specific financial data and noted that a meeting of the Golf Committee would be convened at the end of the season to discuss results and strategize for the future of the Course. He invited questions from the City Council.

Councilmember Callegari asked if the City was paying principal or interest only on the \$400,000 Note to Plumas Bank, and asked if the old clubhouse was still listed for sale.

Mr. Hancock responded that the City is making interest payments on the loan, but is not paying any principal. The old clubhouse is still listed for sale.

Mayor pro tem Wilson questioned a \$60,000 difference between the 2012 numbers and 2013. Mr. Hancock explained that it is due to depreciation which is listed even though it is not a cash expense. There was a considerable amount of criticism regarding the depreciation expense which initially was very high due to the capitalization of every improvement as if they were fixed assets. The golf course is holding its own financially but there is a possibility that the Course may be subsidizing the restaurant, but consideration has to be given to the number of golfers that are attracted to the Course because there is a restaurant available.

**13C Natural Gas Update** Mr. Hancock provided an update for the natural gas utility, reviewing gas therms sold, revenues, cash balance and number of new customers added. Mr. Platt stated that this year has been one of the highest so far in terms of number of installs, with 146 new customers added in the last few months and 30 new accounts pending.

Councilmember Callegari commented that the natural gas crew recently came to work at his house, and he complimented them for being very thorough, professional, adding that it is a true credit to the City to have such high quality employees.

**13D Swimming Pool JPA Update** Mr. Hancock explained that the City and County are currently working on revisions to a proposed Joint Powers Authority agreement that would facilitate the construction and operation of a community swimming pool. The City Council has consistently supported finding a solution to provide a pool for the community. The draft JPA if adopted would require the City and County to set aside \$200,000 each year for 15 years to fund the construction and operation of the facility. Staff was given direction to review the City's budget and operations to identify potential funding sources for this endeavor. The Lassen County Board of Supervisors voted to include a \$200,000 line item to fund a JPA and while the agreement has not been finalized, it has been requested that the City make a similar allocation.

Staff has researched various options and proposes transferring \$185,000 from the Park Mitigation Fund and \$15,000 from General Fund unallocated cash. In 2012, the City transferred \$165,000 from the Park

Dedication Fund to the Sierra Park Project Fund to construct a park with the Prop 84 Grant Award. The expenses for the project, along with staff time, have been billed to the State of California for reimbursement and nearly all of the costs have been reimbursed. The City decided to not proceed with construction, and staff proposes returning those funds to the mitigation account. Other options include general fund reserves, unallocated cash or risk management reimbursements. Staff is not recommending that the City reduce existing service levels in order to meet the financial obligation, and it should be clear that the funds will only be expended after a JPA agreement is ratified. Staff will continue pursuing other funding sources including grants, matching funds, and in-kind services in order to minimize the annual obligation. He invited input from the City Council.

Councilmember Callegari stated that he wanted to formally rescind his support for the JPA Agreement that was discussed at the last meeting. He does not agree with using the Park Mitigation funding and does not believe that burdening future City Councils with such a financial obligation is the right thing to do. He strongly urged the City Council to move forward with putting the question of building a swimming pool on the ballot and let the voters decide. He stated that he has always supported a swimming pool, but will not vote to support anything that has not been approved by the people.

Mayor pro tem Wilson responded that it is important to have an actual vote and commitment towards moving forward with a swimming pool. He stated that he understood Councilmember Callegari's point of view, but what he asked for is not a vote of the people but a tax, and in today's environment obtaining a two-thirds vote in support of a pool is challenging. He understands that a commitment of \$200,000 is a big step but in the end he believes that people really want a pool and will be willing to support it.

Councilmember Callegari said that he has supported the community and its citizens his whole life and he wants to be able to provide a swimming pool more than anyone, but he does not support funding the construction of a new one but believes the existing pool can be brought up to safety codes and repaired for far less than is being proposed by the JPA. He asked where the money would be coming from for the next 15 years so he knows what to tell his voters.

Councilmember McBride commented that he is in favor of a swimming pool and that it is time to get one built. It is the City and County's responsibility to get one built and he is confident that it can be done.

Mayor pro tem Wilson remarked that the City Council votes to increase the budget on a regular basis for things that were not included at the beginning of the fiscal year and it is never an issue. Just this evening a vote was approved to increase the fire department budget by \$100,000 to cover costs for out of area fire support. He supports the option offered by Mr. Hancock and moved to proceed with using Park Mitigation funds as the first commitment towards funding the JPA.

Mayor De Boer stated that there have been very valid points brought up and there needs to be more groups involved and participating in the process. It needs to be all written up in black and white for him to feel comfortable moving forward.

Councilmember Callegari asked what it would take for the City Council to put it out for a vote as a ballot measure.

There was general discussion regarding the requirements of a ballot measure or initiative, the required support by voters in order to move forward with the process, and the disadvantages of trying to fund the project through a tax.

Mayor De Boer reminded the City Council that a motion was on the floor and requested that the motion be restated and the Council polled for a vote.

Motion by Mayor pro tem Wilson to move forward with funding the JPA through Park Mitigation funds and amending the budget to include a Swimming Pool JPA line item; Councilmember McBride provided a second and the motion carried with one abstention and one opposed.

**14** **COUNCIL ITEMS:** No business.

**14A** **AB1234 travel reports:** 2013 League of California Cities Annual Conference

Mr. Hancock provided an update regarding the annual League of California Cities conference.

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

Meeting adjourned at 8:20 p.m.

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Rod De Boer, Mayor

Respectfully submitted by

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Gwenna MacDonald, City Clerk

*Approved on November 6, 2013*