

**SUSANVILLE CITY COUNCIL
SUSANVILLE COMMUNITY DEVELOPMENT AGENCY
SUSANVILLE MUNICIPAL ENERGY CORPORATION
SUSANVILLE PUBLIC FINANCING AUTHORITY
Regular Meeting Minutes
January 15, 2014 – 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 requested corrections to Items 3B, 9A and 9C.

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

2 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS:

Richard Stovall, City Treasurer, requested that the stipend for Treasurer services be restored to \$275.00 per month to reflect the increase in tasks that he is responsible for under the current administration.

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

A PUBLIC EMPLOYMENT – pursuant to Government Code Section 54957:

- 1 Approved Position List
- 2 Employee Status Report
- 3 Public Employment Performance Evaluation: City Treasurer

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

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 City Council voted in closed session to approve the revised Position List, job descriptions for the Administrative Specialist and Administrative Staff support positions, and directed staff to bring back an item to the next agenda removing the Treasurer position from the 2014 ballot.

Mr. Hancock offered the thought of the day.

5 BUSINESS FROM THE FLOOR:

Shawnee Adams, Shasta Street resident, spoke on behalf of two neighbors whose properties are being maintained in sub-standard condition. For a time they demonstrated good effort to clean things up, but then gradually stopped making progress, and as has happened in the past. The clean-up job was never finished and now things are beginning to accumulate again.

John Gerry voiced his frustration with the same properties. It was his understanding that the resident had been given 10 days to clean up the mess, and it has not been followed through with. He insisted that the City needs to do something to make citizens accountable when their properties become a nuisance to everyone on the street.

Mr. Hancock reviewed the abatement process currently authorized by the Susanville Municipal Code, and requested street addresses for both properties. He noted that one of the properties was scheduled for the public hearing requesting Council authorization to assess a weed and rubbish abatement lien. It was discovered that the process was most likely a result of the Contractor the City hired to do the work, and that the property had been abated.

Violet Stout, Lassen County Poet Laureate, read a poem about Lassen County.

- 6** **CONSENT CALENDAR:** Mayor De Boer reviewed the items on the Consent Calendar:
- A Receive and file minutes from City Council's November 20, December 4 and 18, 2013 meetings
 - B Approve vendor warrants numbered 89814 through 89945 for a total of \$539,853.17 including \$199,926.37 in payroll warrants
 - C Receive and File Treasurers Report: November 2013
 - D Receive and File Finance Report: November 2013
 - E Approve request to write off accounts receivable

Mayor pro tem Wilson requested the removal of Item 6E for separate consideration.

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

Mayor pro tem Wilson asked if the new processes and tracking mechanisms for collection of accounts receivable had been successful and requested that staff bring a report back at the next meeting.

Motion by Mayor pro tem Wilson, second by Councilmember Callegari 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:**
- **850 Plumas Street: 107-191-19**
 - **335 Grand Avenue: 105-042-02**
 - **864 Shasta Street: 107-192-10**
 - **729 Sierra Street: 107-182-05**
 - **1630 Cornell Street: 105-210-25**

2 Action: Consider Resolution No. 14-5015, 14-5016, 14-5017, 14-5018 and 14-5019; approving reports on assessment and lien against certain real properties and confirming assessment and lien against properties

Chief Friedline reported that the Fire Department abated five properties that presented a fire hazard and/or rubbish nuisance according to Chapter 8.28 of the Susanville Municipal Code. He reviewed the properties and cost for abatement which included hiring a contractor to complete the work and an administrative fee to cover the expense incurred through the notification process. A total of \$2,445 has been expended for the properties listed.

Mayor De Boer opened the public hearing at 7:25 p.m. and requested comments from the public.

The owner of 335 Grand Avenue asked if consideration was given to the income status of the homeowner. She explained that she is on a very limited income and requested additional assistance in understanding the process.

Mr. Hancock suggested removing 335 Grand Avenue from the agenda to allow staff to work with the property owner to guide her through the next steps.

Shawnee Adams, Shasta Street resident, asked how the abatement cost was determined.

Mr. Hancock explained the process used by the fire department when responded to weed and rubbish nuisances on city properties, including obtaining three bids for the cost of clean-up, notifying the property owner, allowing time for the property owner to complete the work themselves, and then proceeding with abatement by hiring a contractor to clean up the property, paying them directly and the subsequent notification that a lien would be recorded on the property until the City is reimbursed for clean-up costs. He clarified that the City deals with weeds and rubbish, and the Municipal Code section addresses the removal of cars in a different section.

John Gerry, Shasta Street resident, asked for an explanation regarding the purpose of adopting the resolution.

Mr. Hancock responded that the resolution is the required authorization for the City Council to attach a lien to the property in order to recover the costs of clean-up.

There being no further comments, Mayor De Boer closed the public hearing at 7:32 p.m.

Mr. Hancock reported that since the posting of the agenda, he had been contacted by the property owner of 729 Sierra Street who has been dealing with some serious health issues, and he has made arrangements to bring payment in before the end of the week. He requested removal of the resolution for 729 Sierra Street.

Motion by Mayor pro tem Wilson to approve Resolution No. 14-5015, 14-5017 and 14-5019; Councilmember McDonald provided a second and motion carried unanimously.

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

9 **NEW BUSINESS:**

9A **Consider approval of Resolutions relative to June 3, 2014 Primary Municipal Election:**

- **Resolution No. 14-5020, Calling for the holding of a primary municipal election to be held on Tuesday, June 3, 2014 for the election of certain officers as required by the provisions of the laws of the State of California relating to general law cities;**
- **Resolution No. 14-5021, Requesting the Board of Supervisors of the County of Lassen to consolidate a primary municipal election to be held on Tuesday, June 3, 2014 with the statewide primary election to be held pursuant to §10403 of the *Elections Code*;**
- **Resolution No. 14-5022, Adopting regulations for candidates for elective office pertaining to Candidates' Statements submitted to the voters at an election to be held on Tuesday, June 3, 2014.**

The Clerk reported that a primary municipal election has been scheduled for Tuesday, June 3, 2014. Two Council seats will be up for the full term of four years. In order to begin the process, the three Resolutions submitted for Council review and consideration. Ms. MacDonald noted that an amended Resolution No. 14-5022 has been submitted to reflect a decrease in the cost to publish a candidates' statement on the ballot. The period for filing nomination papers is February 10 through March 7, 2014.

A revision to Resolution No. 14-5020 was requested to improve clarity regarding the term of office for the elected officials, and the removal of the Treasurer position.

Motion by Councilmember Callegari, second by Councilmember McDonald to approve Resolution No. 14-5020, 14-5021 and 14-5022 with the proposed revisions; motion carried unanimously.

9B **Consider approval of proposed Fire Department capital improvement project** Chief Friedline explained that the fire department building was constructed in 1968 and over the years, upgrades and improvements have been completed to the rear parking lot, front concrete pads, exterior paint, insulation, and flooring. The kitchen stoves and counter tops were replaced in 1987, along with various refrigerators as needed. The cabinets have been adjusted to fit the appliance changes, but after 45 years show signs of wear and tear. Staff is requesting the use of fire department mitigation funds in the amount of \$15,000 to upgrade the kitchen, to include cabinets, counter tops, sink, and exhaust hoods and necessary supplies. Gold Run Cabinets of Susanville will provide cabinets and counter tops, including installation and labor for \$10,326.18. Staff and inmate labor will be used for the remainder of the project.

Motion by Councilmember McDonald, second by Councilmember Callegari to authorize expenditure of fire mitigation funds to complete the project.

9C **Consider approval of Resolution No. 14-5014 approving Airport Capital Improvement Plan**

Mr. Platt explained that the Airport Capital Improvement Plan is updated annually by the Federal Aviation Administration as a mechanism to identify and prioritize airport capital improvement needs, and to plan the distribution of Airport Improvement Funds. All of the proposed projects must be in compliance with the National Environmental Policy Act, be included in the City's Airport Layout Plan and be included in the Airport Capital Improvement Plan in order to compete for Airport Improvement funds. The City is required to identify all proposed projects for the period of 2015 to 2019 in order to be eligible for funding.

City staff worked with the airport consultant, C & S Company, to identify various projects, estimate costs and determine the fiscal year in which the project would be scheduled for a grant funding request. A special meeting of the Susanville Airport Commission was held to discuss the 2015-2019 Plan. It has been determined that due to a failure in the Airport's Visual Approach Slope Indicators, the design and

construction project has been moved to the 2014 project list. The Airport Layout Plan must be updated and the environmental documents completed for an anticipated cost of \$12,116. The costs are eligible for FAA reimbursement.

Motion by Councilmember Callegari, second by Councilmember McBride to approve Resolution No. 14-5014; motion carried unanimously.

9D Consider approval of Resolution No. 14-5024 accepting the City of Susanville Audited Financial Statements for fiscal year ending June 30, 2013 Mr. Hancock explained that the firm of Badawii and Associates, CPAs was contracted to perform an audit of the City of Susanville financial statements for the fiscal year ending June 30, 2013. The City is required to have an annual audit performed by an independent certified public accountant, and the City has again received an unqualified, or clean, opinion. He introduced Ahmed Badawii, President of Badawii and Associates.

Mr. Badawii presented a slide show reviewing key points of the audit, including the engagement team, deliverables and scope of the audit, areas of primary emphasis, audit report and financial statements, required communications, and new accounting standards. He reviewed the results of the audit and thanked the City of Susanville for their cooperation throughout the process.

Motion by Councilmember Callegari, second by Mayor pro tem Wilson, to approve Resolution No. 14-5024; motion carried unanimously.

10 SUSANVILLE COMMUNITY DEVELOPMENT AGENCY: No business.

11 SUSANVILLE MUNICIPAL ENERGY CORPORATION: No business.

12 CONTINUING BUSINESS:

12A Consider approval of Resolution No. 14-5023 authorizing expenditure of funds from Water CIP Fund / Well #4 pump repair project Mr. Platt reported that Water Well number four was approved for repair in May 2013. It had been in operation for over 25 years and at the end of the 2013 season was pulled in order to perform maintenance on the turbine. It was discovered that there was more extensive damage to the bottom sections of the main column due to excessive corrosion, and additional parts that require replacement as they are obsolete and cannot be rebuilt. The original estimated project cost was \$9,500, with additional costs and contingency of \$12,363 for a project total not to exceed \$21,863.

Motion by Councilmember Callegari, second by Mayor pro tem Wilson to approve Resolution No. 14-5023; motion carried unanimously.

12B Consider Ordinance No. 14-0991 amending Chapter 12.36 "Trees" of Susanville Municipal Code; waive first reading and introduce Mr. Platt reported that Chapter 12.36 of the Susanville Municipal Code governs the planting, maintenance and removal of street trees. The section is somewhat outdated and the ordinance proposes revisions to streamline the administrative procedures including the removal of the Tree Commission. In addition to these revisions, a resolution with an amended list of approved street trees has been proposed. The comprehensive list provides guidance for planting species under utility lines to reduce future trimming costs, specific species for use in narrow planning strips, and provides specific species for use in the older city core. All proposed tree species are suitable for planting in Susanville's physical environment.

Mayor pro tem Wilson noted that verbiage on page two of Attachment A, paragraph four, indicated that a person would be required to have a license to plant a tree in their own yard, and the difference between a private citizen and someone planting trees in the right of way should be more clearly defined.

Councilmember McBride asked if the restriction on tree-topping applied to the utility companies.

Mr. Platt stated that staff has conducted extensive research and the utility companies which are regulated by the Federal Government have significant rights in terms of protecting their utility lines by whatever means necessary.

Mayor pro tem Wilson remarked that if that is the case, Sections 12.36.060 and 12.36.180 should be removed, as they indicate an attempt to impose restrictions on the utility companies that the City would not have the authority to impose.

There was significant discussion regarding the ability of the City to regulate the manner in which utility companies trim existing trees in the right of way.

Mr. Hanock explained that the City currently has numerous trees all over the City which are large, fast-growing trees with shallow root systems and they pose significant hazards when planted in the right of way. The City receives numerous complaints regarding the health and stability of these trees, and during significant wind and snow events, they continue to fall and endanger public safety. He reviewed the list of proposed trees, noting that the smaller, slow-growing trees would be recommended for planting in the right of way.

Jim Chapman commented that the elm trees in the right of way next to his home are 75 years old and have been a problem for years. The trees are topped by the utility company, but they do not deal with the branches that grow downwards. In addition to being visually obstructive, they drop numerous branches and twigs, and like many of the larger trees in the uptown, they lift the sidewalk and create tripping hazards.

Councilmember McBride suggested the possibility of utilizing grant funding available for the improvement of reduced emissions and greenhouse gas to address some of the more serious problems with replacing existing damaged trees and planting something more appropriate.

Mr. Hancock noted that there is no urgency for adopting the ordinance or resolution, and suggested taking back to staff for additional modification and revisions.

It was the consensus of the Council to table the item.

12C Consider Resolution No. 14-4958 adopting approved Street Tree Species list - Tabled

13 CITY ADMINISTRATOR'S REPORTS:

13A Fire Department Update Mr. Friedline reviewed the activity of the fire department, including responses, personnel and equipment utilized for State mutual aid, training and public outreach efforts, and code enforcement efforts. He discussed several projects that have been completed with the help of inmate crews from FCI Herlong, Antelope Camp and the Lassen County jail.

Mayor pro tem Wilson commended him for the good utilization of inmate crews that results in a significant cost savings for the citizens.

13B Johnstonville Well Update Mr. Hancock provided an update regarding the status of the ownership transfer of the Johnstonville Well by Lassen County to the City. The County has initiated the 120-day notification to CalTrans and overall have been very responsive to the City's requests during the transition process.

13C 600 Nevada Street Update Mr. Hancock explained that the structure located at 600 Nevada has been an ongoing issue with the City. It has been determined that it poses a serious health and safety threat, and staff was directed to obtain bids to demolish and remove the structure. It will be necessary to abate the hazardous materials from the property at an estimated cost of \$3,200, and bids for demolition and removal of all materials ranged from \$13,000 to \$47,000. He acknowledged the work of Battalion Chief Moore in the bid process, and indicated that unless the Council objected, he would be preparing an agreement for services with the contractor, and bringing back to the Council for approval.

14 COUNCIL ITEMS:

14A AB1234 travel reports:

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

Meeting adjourned at 9:15 p.m.

Respectfully submitted by

Gwenna MacDonald, City Clerk

Rod E. De Boer, Mayor

Approved on February 5, 2014