

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

**Regular Meeting Minutes  
October 1, 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 pro tem Nicholas McBride.

Roll call of Councilmembers present: Kathie Garnier, Lino P. Callegari, and Nicholas McBride. Absent: Rod E. De Boer and Brian R. Wilson.

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

**1 APPROVAL OF AGENDA:**

Mr. Hancock requested that Item 9B - *Ordinance No. 14-1000 amending Chapter 17.104 of the Susanville Municipal Code to include Smoking Lounges* be removed from the agenda.

Motion by Councilmember Callegari, second by Councilmember Garnier, to approve the agenda with the removal of Item 9B; motion carried. Ayes: Garnier, Callegari and McBride. Absent: Rod E. De Boer and Brian R. Wilson.

**2 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS:** No comments.

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

- A CONFERENCE WITH LEGAL COUNSEL – Anticipated litigation: Significant exposure to litigation pursuant to Government Code §54956.9 (b): two potential claims
- B 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
- C CONFERENCE WITH REAL PROPERTY NEGOTIATORS – PURSUANT TO Government Code §54956.8:
  - Property: APN: 116-230-05  
APN: 116-230-71
  - Agency negotiator: Jared G. Hancock
  - Negotiating parties: City of Susanville; Purchaser to be Determined
  - Under negotiation: Price/Conditions/Terms of payment
- D PUBLIC EMPLOYMENT – pursuant to Government Code §54957:
  - 1. Agency Negotiator: Jared G. Hancock
  - Bargaining Unit: Administrative, Miscellaneous, Professional/Technical
- E CASE REVIEW OR PLANNING – pursuant to Government Code §54957.8

Closed session adjourned at 6:59 p.m.

**4 RETURN TO OPEN SESSION:** At 7:05 p.m. the City Council reconvened in open session.

Staff present: Thomas Downing, Police Chief; Theodore Friedline, Fire Chief; Dan Newton, Public Works Director; Deborah Savage, Finance Manager; and Gwenna MacDonald, City Clerk.

Mr. Hancock stated that prior to closed session the agenda was approved with the removal of Item 9B and that in closed session regarding Item 3A, Council voted unanimously to give staff authority to settle with full release in an amount not to exceed \$5,000.

Councilmember Garnier provided the thought of the day.

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

Mr. Hancock introduced Captain Joe Micheleti, of the California Highway Patrol.

Captain Micheleti thanked the Council for their continued support of public safety, and discussed goals and opportunities to partner with the CHP for the benefit of the community.

## **6 CONSENT CALENDAR:** Mayor Wilson reviewed the items on the Consent Calendar:

- A Receive and file minutes from City Council's August 20, 2014 meeting
- B Approve vendor warrants numbered 91989 through 92127 for a total of \$473,372.51 including \$106,123.40 in payroll warrants
- C Approve accounts receivable write-off and authorize sending to collections
- D Approve **Resolution No. 14-5106** authorizing execution of contract with Mark Siemens Consulting

Motion by Councilmember Callegari, second by Councilmember Garnier, to approve the Consent Calendar; motion carried. Ayes: Garnier, Callegari and McBride. Absent: Rod E. De Boer and Brian R. Wilson.

## **7 PUBLIC HEARINGS:**

**7A Community Development Block Grant Program Income Re-use Plan: Consider approval of Resolution No. 14-5105 approving the CDBG Program Income Reuse Plan and authorize submittal to the State Department of Housing and Community Development** Mr. Hancock explained that the City of Susanville Program Income Reuse Plan establishes guidelines on the policies and procedures for the administration and utilization of program income received as a result of activities funded under the State Community Block Grant Program. In May 2014, staff was notified that federal regulation changes had resulted in numerous compliance issues with the State and subsequently many cities as well. Among the changes is a requirement to update the Program Income Plan and in July, the State provided a template that includes federally-required agreements and assertions governing the use of Program Income through Revolving Loan Funds. The Reuse Plans are limited to a period of 5 years, and must be executed by the Department using the Department's template. All jurisdictions are required to update their plan prior to the expenditure of any program income.

Councilmember Garnier asked if the Plan maintains the existing grant funded programs.

Mr. Hancock replied that the changes will not affect the existing programs other than the City cannot make any loans until the Agreement is updated. The changes are more regulatory in nature, amending language from Revolving Loan Fund to Revolving Loan Account, as an example.

At 7:18 p.m. Mayor pro tem McBride opened the public hearing and requested comments from the public. There being no comments either for or against the item, Mayor pro tem McBride closed the public hearing at 7:19 p.m.

Motion by Councilmember Callegari, second by Councilmember Garnier, to approve Resolution No. 14-5105; motion carried. Ayes: Garnier, Callegari and McBride. Absent: Rod E. De Boer and Brian R. Wilson.

**8 COUNCIL DISCUSSION/ANNOUNCEMENTS:**

Commission/Committee Reports:

Mayor pro tem McBride observed that the City had a newly paved parking lot in the rear of the building that was available for employee parking. He requested that employees park in the lot to free up spaces on North Lassen Street for customers and visitors to City Hall.

**9 NEW BUSINESS:**

**9A Consider approval of Resolution No. 14-5103 authorizing Mower purchase** Mr. Hancock explained that the City of Susanville Community Services Division is in need of a new lawn mower suitable for commercial use. The previous mower was 17 years old and has reached the end of its useful life and is beyond repair. Quotes have been collected from various lawn mower vendors and Diamond Saw Shop has been identified as the company with the lowest price at \$10,040.50.

Motion by Councilmember Garnier, second by Councilmember Callegari, to approve Resolution No. 14-5103; motion carried. Ayes: Garnier, Callegari and McBride. Absent: Rod E. De Boer and Brian R. Wilson.

**9B Consider Ordinance No. 14-1000 amending Chapter 17.104 of the Susanville Municipal Code to include Smoking Lounges: Waive first reading and introduce.** Item was removed from the agenda.

**9C Consider approval of request for Street Closure for November 27, 2014 fun run** Ms. MacDonald stated that the City has received a request for support of the Lassen Senior Services sponsored annual Turkey Trot fun run held on Thanksgiving morning. The event would require the closure of Riverside Drive between River Street and Alexander and minimal staff time to assist with providing traffic safety control. The Chamber of Commerce has requested use of City barricades and will facilitate set up and removal. The event will be held November 27, 2014 between 8:30 a.m. and 9:30 a.m.

Linda Powell spoke on behalf of the event and stated that it was a fund raiser with proceeds to be used in support of the Meals on Wheels program.

Motion by Councilmember Garnier, second by Councilmember Callegari, to approve the street closure and use of barricades for the November 27, 2014 event; motion carried. Ayes: Garnier, Callegari and McBride. Absent: Rod E. De Boer and Brian R. Wilson.

**9D Consider approval of Resolution No. 14-5102 approving STIP Program Supplement agreement and authorizing Mayor to sign** Mr. Newton explained that the Susanville Rehabilitation FC project is a pavement overlay project to rehabilitate various streets in the City of Susanville. The streets are listed on Attachment A, and the FC project is programmed in the STIP for construction in Fiscal Year 2015/2016. As part of the process, the City must complete the environmental documents including California Environmental Quality Act (CEQA) documents and National Environmental Policy Act (NEPA) documents. On May 21, 2014, a fund allocation from the California Transportation Commission in the

amount of \$50,000 was granted for the project to complete the environmental work. The Program Supplement Agreement is required for the State to reimburse the City for the cost of the project.

Motion by Councilmember Callegari, second by Councilmember Garnier, to approve Resolution No. 14-5102; motion carried. Ayes: Garnier, Callegari and McBride. Absent: Rod E. De Boer and Brian R. Wilson.

**9E Consider approval of Resolution No. 14-5104 approving purchase of Public Works Equipment** Mr. Newton reported that the Public Works Streets Division has researched new and used equipment and completed an analysis of the Department's current fleet from an air quality emission view point and has determined that is in need of a backhoe. The California Air Resources Board In-Use Off-Road Diesel Vehicle Regulation requires that the City's off-road fleet meets a fleet average target rate beginning January 1, 2019. The City's off-road fleet currently does not meet the fleet average target rate for the January 2019 effective date. To achieve the fleet average target rate, the Public Works Department will need to replace older equipment with Tier 3 or newer engines.

The availability of used equipment is limited as most equipment manufactures did not begin producing Tier 3 engines until 2007. Quotes have been obtained from four dealers for backhoes with Tier 3 engines or newer and staff has identified a quality machine in Reno, Nevada that is available from Cashman Equipment. The backhoe is a 2011 Caterpillar 420 E priced at \$69,660 including tax and delivery to Susanville. The fiscal year 2014/2015 budget included \$50,000 for the purchase of a backhoe, which would require a budget amendment of \$19,660 from the Streets Division fund balance. Staff plans on keeping the Streets Division backhoe for approximately ten to fifteen years.

Motion by Councilmember Callegari, second by Councilmember Garnier to approve Resolution No. 14-5104; motion carried. Ayes: Garnier, Callegari and McBride. Absent: Rod E. De Boer and Brian R. Wilson.

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

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

**12 CONTINUING BUSINESS:** No business.

**13 CITY ADMINISTRATOR'S REPORTS:**

**13A AB1234 Ethics Training Update** Mr. Hancock reported that LAFCo Executive Director John Benoit has arranged for the firm of Best, Best and Krieger, LLP to provide mandatory ethics training to elected and appointed officials in Lassen County. The two-hour training is required every two years, and will be given in the Veterans Hall building on Friday, October 17, 2014 between 10:00 a.m. and 12:00 noon. Participants must be present for the entire presentation and will receive a certificate to document completion of the training. The training is also available at no cost online for those unable to attend.

**13B Outdoor Marijuana Cultivation Update** Chief Downing updated the Council regarding the September 10, 2014 workshop held to discuss the regulation of marijuana cultivation. There were between twenty-five and thirty citizens in attendance, with good dialog and many willing to engage in the process. The majority of those present agreed that regulations were needed in order to distinguish between illegal growing and legal growing for medical usage. They had many suggestions and Chief Downing stated that he was pleased with the outcome, expecting to be in a position to bring a draft ordinance for Council consideration in November.

**14**     **COUNCIL ITEMS:**

**14A**    **AB1234 travel reports:**

A        AB1234 travel reports:

Councilmember Garnier observed that there was an increase in the number of vendors along Main Street, specifically in the Grocery Outlet parking lot. She requested that staff follow up to confirm that the proper process was being followed.

**15**     **ADJOURNMENT:**    Motion by Councilmember Callegari, second by Councilmember Garnier to adjourn; motion carried. Ayes: Garnier, Callegari and McBride. Absent: Rod E. De Boer and Brian R. Wilson.

Meeting adjourned at 7:45 p.m.

Respectfully submitted by

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Brian Wilson, Mayor

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Gwenna MacDonald, City Clerk

*Approved on November 5, 2014*