

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

**Regular Meeting Minutes**

**May 6, 2015 – 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 Wilson.

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

Staff present: Jared G. Hancock, City Administrator and Gwenna MacDonald, City Clerk.

**1 APPROVAL OF AGENDA:**

Mr. Hancock noted that the Items 7A and 7B had been agendized with the resolution numbers transposed, and should be corrected to 7A Resolution No. 15-5153 Establishing and Adopting Schedule of Fees for Services 2015/2016, and 7B Resolution No. 15-5154 Setting fees and policies for the natural gas utility.

Motion by Councilmember Callegari, second by Councilmember Garnier, to approve the agenda with the correction noted; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari, and 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 PUBLIC EMPLOYMENT – pursuant to Government Code §54957:
  - 1 City Attorney Services  
Battalion Chief Job Description  
Volunteer in Police Service Job Description  
Air Pollution Control Officer
  - 2 Golf Course Concession Operator Agreement
  - 3 Complaint against public employee
  - 4 Public Employee Performance Evaluation: City Administrator
- B CONFERENCE WITH LABOR NEGOTIATOR – pursuant to Government Code §54957.6:
  - 1 Agency Negotiator: Jared G. Hancock  
Bargaining Unit: Administrative, Firefighters, Management,  
Miscellaneous, Public Works, SPOA

Closed session recessed at 6:56 p.m.

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

Staff present: Thomas Downing, Police Chief; James Moore, Fire Chief; Dan Newton, Public Works Director; Daniel Gibbs, City Engineer, Deborah Savage, Finance Manager and Gwenna MacDonald, City Clerk.

Mr. Hancock stated that prior to closed session the agenda was approved with an amendment to correct the resolution numbers listed under Item 7A and 7B, and that during closed session the City Council gave direction on Item 3A-1 regarding the City Attorney, Air Pollution Control Officer and Golf Course Manager Concession position. The Council voted unanimously to amend the job description for the Battalion Chief position and Police Officer Volunteer position and at the conclusion of open session, City Council would be reconvening in closed session.

Chief Moore provided the Thought of the Day.

**5      BUSINESS FROM THE FLOOR:** None.

Consent Calendar Item 6D was moved to consideration under City Administrator Reports as Item 13F.

- 6      CONSENT CALENDAR:** Mayor Wilson reviewed the items on the Consent Calendar:
- A      Receive and file minutes from the City Council's April 1 and 15, 2015 meetings
  - B      Approve vendor warrants numbered 93747 through 93873 for a total of \$375,408.54 including \$108,637.53 in payroll warrants
  - C      Receive and file Finance Report: March 2015
  - D      *Receive and file Golf Course Update – moved to 13F*

Motion by Councilmember De Boer second by Councilmember Callegari, to approve the Consent Calendar; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

**7      PUBLIC HEARINGS:**

**7A      Consider Resolution No. 15-5153 Establishing and Adopting Schedule of Fees for Services 2015/2016** Ms. Savage reported that the City adopts resolutions to establish various fees for services. Local governments charge fees for a wide range of purposes, from park entry fees to building plan check fees and the amount of the fee may not exceed the cost to government for providing the service. These fees are reviewed annually to determine that fees are consistent with the cost of the service and should be adjusted when necessary. Staff is proposing the Fee Schedule for Fiscal Year 2015-2016 include changes to the Street, Police and Fire Mitigation Fees. Mitigation fees are charged to reduce the impacts of new construction on law enforcement, fire protection and traffic. The current fees have not been increased since 2008 and based on the average Consumer Price Index per year for the last seven years, the total increase would be approximately nine percent, however staff recommends an increase of four and one-half percent and formalizing an annual increase to be tied to the yearly CPI using the Consumer Price Indexes and U.S City Average-West B/C-Urban Wage Earners for the year ending December of the previous year.

Staff is also recommending a reduction in fire hydrant inspections to reflect changes in the efficiency of the testing procedures. For fiscal year 2015/2016, the amount estimated to be collected for all fees under the current fee structure is approximately \$297,228.

At 7:09 p.m. Mayor Wilson opened the public hearing and requested comments. There being no comments, the public hearing was closed at 7:10 p.m.

Motion by Councilmember Callegari, second by Councilmember De Boer, to approve Resolution No. 15-5153; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

**7B Consider Resolution No. 15-5154 Setting fees and policies for the natural gas utility** Mr. Newton reported that on February 6, 2015 the City Council considered a proposal to revise the natural gas rate schedule that the City charges itself for facility usage. Staff was directed to prepare the necessary documents to provide the appropriate public noticing for revising the natural gas rates to include a wholesale, or raw cost rate, for City facilities. Staff has completed the necessary work to move forward with the rate modification. The raw cost rate is based on the lowest contract price, per MMBTU, that the City pays for natural gas plus transmission costs and does not include any charges to cover maintenance and operations, principle payments, or debt service. The raw cost rate at today's contract price and transmission cost is \$3.86 per decatherm, and all previous rates remain unchanged.

At 7:13 p.m. Mayor Wilson opened the public hearing and requested comments or questions. There being no comments, the public hearing was closed at 7:14 p.m.

Motion by Councilmember Callegari, second by Councilmember De Boer, to approve Resolution No. 15-5154; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

**8 COUNCIL DISCUSSION/ANNOUNCEMENTS:** None.  
Commission/Committee Reports:

**9 NEW BUSINESS:**

Mayor pro tem McBride recused himself from consideration of Item 9A and exited the Council Chambers. Councilmember Garnier stated that she has a business interest in the District and recused herself from consideration of Item 9A and also exited the Council Chambers.

**9A Consider Resolution No. 15-5161 approving annual report and scheduling public hearing to set assessments for Fiscal Year 2015/2016 for the Historic Uptown Susanville Association (HUSA)** Mr. Hancock explained that the businesses located in the uptown historic district paid an annual assessment for the purpose of funding the Historic Uptown Susanville Association, and according to provisions in the Streets and Highways Code, the City Council is required to review and accept the annual fiscal report of the District, then schedule a public hearing to consider the levy of assessments for the upcoming fiscal year. The City collects the assessment and turns the money over to HUSA, retaining five percent of the assessment that is collected to cover the costs of the billing and collection process. If the City Council accepts the annual report, the public hearing could be set for Wednesday, June 3, 2015 at 7:00 p.m. to consider the levy of assessments. He noted that there was no proposed increase to the assessment for fiscal year 2015/2016. Mr. Hancock turned the floor over to HUSA President David Teeter.

**David Teeter**, HUSA President, reviewed the accomplishments of the Association during the 2014/2015 year, and the goals for 2015/2016 as outlined in the report. He characterized the historic district as the heart of Susanville, and that the goal of maintaining and growing the area economically and culturally has remained a priority for the Association and continues to be a priority. He noted that the most significant change in the fiscal report is the request by the Association to have the City pay the entire amount of the assessments at the beginning of the fiscal year rather than being turned over as they are collected from the business owners. He noted that the City's new method of billing and tracking the assessment is a tremendous improvement, but that the collection efforts are somewhat disappointing. There are a few business owners who simply do not pay the assessment and they are several years behind in payments.

Mr. Teeter discussed the Pancera Plaza area at length, explaining that improved maintenance and upkeep of the area is also a focus for the upcoming year. He discussed the opportunity to purchase bricks for the plaza by private individuals as a method for raising additional money for improvements. The Plaza should be a showcase for uptown and the City and HUSA have fallen short of meeting their maintenance responsibilities for the area. He acknowledged that if HUSA is asking for a front end payment of all assessments by the City, then a good faith effort to raise money for the improvements must also be demonstrated by the Association.

Mayor Wilson asked what the payment options are for the businesses located in the uptown business district.

Mr. Hancock answered that the original agreement specified a one-time payment for the year, and then the City created a semi-annual and quarterly payment option. Business owners that pay quarterly or on a semi-annual basis also pay an additional twenty dollars for processing. The City only forwards the money that is collected from the businesses, so the request by HUSA would be to calculate at the beginning of the fiscal year what is expected to be collected by the businesses, pay that amount to HUSA, and then proceed with the collections process against those businesses that become delinquent.

Mr. Teeter commented that the gesture would provide the Association with the seed money it needs to move forward with a few of the more ambitious projects, as well as represent a show of support and good faith towards the Association.

Councilmember Callegari commented that the City's only responsibility is in collecting the assessment and turning it over to HUSA, and what is being asked would be to utilize City money to fund the Association's projects. While he supports the good things that HUSA does for the community he does not support providing funding upfront for the annual assessments.

Mr. Teeter responded that HUSA and Susanville are not two separate entities, and noted that the ordinance as written prevents HUSA from utilizing a private collections company to attempt to collect past due assessments, so they rely on the City to collect all of the revenue that is due. He suggested the City consider waiving the five percent retention of assessments as a compromise.

Mayor Wilson related the process to the payment of property taxes, noting that the revenue is only paid the City when it is collected by the County. He stated that he has a hard time with the concept of paying HUSA all of the assessments.

Mr. Hancock noted that an older map was used in HUSA's annual report and stated that there were two versions circulating when Mr. Chapman's property was removed from the District. One version included the east side of Weatherlow Street, and one does not.

Councilmember Callegari talked about the effort to disband the District and stressed the importance of talking with business owners that may be unhappy about paying the assessment.

Mr. Teeter stated that in 2006 he was a participant in the effort to do away with the District, and now in 2015 is standing before City Council as Board president. He supported the direction that the District was moving in, and thanked the Council for the support and effort to promote events and encourage the growth of the area.

Motion by Councilmember Callegari, second by Councilmember De Boer, to approve Resolution No. 15-5161; motion carried. Ayes: De Boer, Callegari and Wilson. Abstain: Garnier and McBride.

Mayor pro tem McBride and Councilmember Garnier returned to the Council Chambers and assumed their seats on the dais.

Councilmember De Boer exited the Council Chambers.

**9B Consider Resolution No. 15-5162 approving amendment to Airport Hangar #11 Land Lease Agreement** Mr. Hancock explained that the City Council at its April 1, 2015 meeting was presented with an offer to purchase one-quarter interest in Hangar #11, and opted to not exercise the right of first refusal. Ms. Frayer has sold her quarter interest to Mr. Keith Aronson, who already owned one-quarter interest in the hangar. An agreement amending Mr. Aronson's ownership in the hangar must be executed to reflect the sale.

Motion by Councilmember Callegari, second by Councilmember Garnier, to approve Resolution No. 15-5162; motion carried. Ayes: Garnier, McBride, Callegari and Wilson. Absent: De Boer.

Councilmember De Boer returned to the Council Chambers and assumed his seat on the dais.

**9C Consider Resolution No. 15-5163 authorizing the Mayor to execute Program Supplement Agreements for the State Transportation Improvement Program** Mr. Newton reported that the Susanville Rehabilitation SC-4 and SC-5 projects are pavement overlay projects to rehabilitate various streets in the city. The projects are programmed in the STIP for construction in Fiscal Year 2016/2017 and to complete construction, the City has to complete the environmental documents. The projects will be paid by State funds exclusively so only California Environmental Quality Act (CEQA) documents are required. On January 8, 2015, the City requested fund allocations from the California Transportation Commission (CTC) in the amount of \$5,000 for each project to complete the environmental work and the allocation requests have been granted. Program Supplement Agreements are required for the State to reimburse the City for the cost of the projects.

Mayor Wilson requested a street paving plan update be provided to Council.

Motion by Councilmember De Boer, second by Councilmember Callegari, to approve Resolution No. 15-5163; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

**9D Consider Resolution No. 15-5164 authorizing the installation of a second asphalt concrete raised speed hump across the westerly alley behind Susanville Supermarket (IGA)** Mr. Newton explained that the City had received a request from the owner of Susanville Supermarket related to the safety of employees accessing the alley behind IGA for the unloading of goods from delivery trucks. The City was asked to investigate traffic speeds and consider placement of additional speed control devices within the alley to mitigate potentially unsafe conditions for employees and delivery personnel associated with the Supermarket operations. This area is also frequented by pedestrians walking along Paiute Creek along with visitors to Memorial Park.

There is presently one permanent speed hump at the north end of the alley near the corner of the Supermarket where the majority of deliveries are made. The City has conducted speed studies in the alley with the results of that study at approximately 10mph for the 85<sup>th</sup> percentile, most vehicles are traveling

well below the speed allowed per the vehicle code (15mph, VC 22352). The results indicated that no excessive speeding issues existed. The studies were followed up by a field review on April 3, 2015 to determine appropriate control measures and the best course of action for the safety of the employees and the public accessing the alley.

Mr. Newton explained that staff is recommending an incremental approach to address the concern and discussed the location and placement of one additional asphalt speed hump approximately 50 feet north of the south end of the intersection which is within the west alley. He reviewed additional measures which could be taken to address the property owner's concerns, and noted that the cost to install the speed hump is estimated at less than \$1,000 to include signage and pavement markings, staff time and materials.

Motion by Councilmember De Boer, second by Councilmember Garnier, to approve Resolution No. 15-5164; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

**9E Consider Resolution No. 15-5165 authorizing the installation of two raised speed humps within the Lovell Alley North of Hill Street** Mr. Newton explained that a written request in the form of an informal petition has been submitted regarding the safety of children playing along the north side of Hill Street on the sidewalk where Lovell Alley intersects it from the north. The letter was provided by a group of individuals who represent the neighborhood to the west of the intersection. There is presently no speed control nor warning signs of any type present within the alleys and it is an area where the City is completing a STIP project so the installation of any permanent speed control devices is not recommended at this time. After conducting two field visits and meeting with some of the constituents, it is recommended that the placement of two commercially manufactured "bolt down" speed humps, approximately \$600 each, be installed. They can be removed and reused once permanent humps are installed through the STIP program.

The Council discussed ownership of the items to be installed in the alley and challenges related to snow plowing.

Councilmember Callegari asked if the Fire Department had given input to ensure that adequate clearance for fire trucks was maintained.

Chief Moore responded that there was no effect on response time or equipment access.

The Council discussed the safety issue on Burma Road and the problems created by excessive speeding down the hill.

Chief Downing commented that it may be time to revisit the area to identify solutions to the excessive speed of drivers traveling down Burma Road. The former Public Works Director was opposed to the installation of any type of speed control devices. The redirection of traffic when Roop Street was established as a no left turn has made the situation worse.

Motion by Councilmember Garnier, second by Mayor pro tem McBride, to approve Resolution No. 15-5165; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

**9F Consider draft Riverside Drive Trail Environmental Study: Review and comment** Mr. Newton explained that the Riverside Drive Trail project was conceptualized several years ago to create a safer

walking and bicycle path along Riverside Drive adjacent to the old Sierra Pacific Industries mill site and it was determined that the preferred route would be along the gravel road that borders the mill pond levee. The City procured the services of Hauge Bruek Associates to complete the environmental study and the draft environmental document is nearly complete for the Council's review and comment. Mr. Newton introduced Andy Hauge, who was present to provide a project update to City Council.

Mr. Hauge provided an overview of the project through a power point presentation which included an overview of the project study area located on Riverside Drive. He reviewed the trail objectives, which included improvement of transportation safety, connection of two existing bicycle/pedestrian facilities, expansion of the trail network in the community, support the goals of the Regional Transportation Plan, connect an existing neighborhood to shopping and dining, utilize State Transportation Improvement funding, maintain overall cost to meet the funding, and implement the General Plan goals, policies and implementation measures. Mr. Hauge described the alternative locations and alignment of the proposed trail and explained the merits of each. The Environmental Document lists Alternative 1A as the preferred alternative because it avoids a greater amount of habitat and wetland.

Mr. Hauge reviewed the project mitigation factors including regulatory compliance, biological, hazardous and hydrological factors. He presented the schedule of approvals and document circulation requirements up to and including certification and adoption of the environmental document by the City Council. He invited questions and comments from the City Council.

Councilmember Callegari expressed concern with the safety hazard posed by the curve of the roadway, and suggested including a straightening of the road to eliminate the hazard as well as provide for a future park between Riverside Drive and the Susan River.

Mr. Newton stated that the concept had been discussed extensively during the preliminary design phases of the project and locating the trail on the north side of Riverside Drive had been seriously considered, however it was determined that the realignment of the road would be an extensive undertaking and better suited to a future project. It is way beyond the original scoping of the project and amending the design at this point would require identifying a new funding source for the completion of the environmental study.

Mayor Wilson requested an overview of the County's involvement in the review process, as a portion of the roadway is located in the County.

Mr. Newton explained that the project was conceptualized a few years ago and was brought forward as a City project. Staff has been in contact with the County throughout the process at the staff level. As the project moves forward to the phase of identifying funding for construction, it would be the point to engage the County at the Board of Supervisors level, however the funding for various components of the project will not be available until the 2016 STIP cycle, and at this point in time the environmental document must be completed prior to moving forward.

Councilmember Callegari discussed the ownership of the property north of Riverside Drive, and talked about the potential to create a park for the community dedicated to the Emerson family. He stated that it was important for the City to recognize the founding families of Susanville and utilize the opportunity to provide a recreational area that could be enjoyed by the community for years to come.

It was the consensus of the Council to accept the draft environmental study.

**9G Consider establishment of 2015 Weed Abatement Program** Chief Moore explained that the Susanville Municipal Code requires that the City Council establish a deadline for the removal of weeds and fire hazards, and after this date, any conditions which pose a hazard will be mitigated following Susanville Municipal Code Section 8.28 – Weed and Rubbish Abatement. Occupants or property owners may be cited for failure to comply and may be charged for fire suppression costs after this date. The Fire Department has determined that June 22, 2015, the Monday prior to Fireworks going on sale, will be the deadline, and notification will be published twice in the local newspaper prior to enforcement.

Councilmember Garnier inquired if one week prior to July 4<sup>th</sup> was an adequate amount of time.

Chief Moore responded that it is a tight timeline, but at this time staff has seen between eighty and ninety percent compliance based upon outreach efforts.

An unidentified member of the audience stated that it seems extremely late, as the weeds next door to his house are three to four feet tall. He asked if there was a provision to abate a little earlier.

Chief Moore responded that the Department will work on a case by case basis if there are complaints, however if the weeds are still green it is not a battle the City will win if the Department moves to abate per the Municipal Code process.

Motion by Councilmember Callegari, second by Councilmember De Boer, to approve the establishment of the weed abatement deadline as June 22, 2015; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

**9H Consider Resolution No. 15-5167 authorizing the completion of upgrades and repairs for the Jet-A Fuel tank and Hangar #8 at the Susanville Municipal Airport** Mr. Hancock explained that the Airport is a separate enterprise fund and two safety issues have arisen that were not budgeted for at the beginning of the year. The City recently acquired a new fuel tank and during the process of setting up, it was determined that the existing electrical for the fueling station was not set up to Code, which will require having a licensed electrician make some adjustments to be able to hook up the new tank. Staff distributed a proposal for services and received one bid from AMPS Electric Co. in the amount of \$6,519.20.

Mr. Hancock continued that earlier this year the oldest City-owned hangar at the airport was damaged and it became clear during the February wind event that some of the repairs made over the years have begun to fail. The hangar lost roofing panels and trusses during the storm and repairs have been estimated between \$8,000 and \$10,000. At the current time, the hangar is used to house fuel tankers and was purchased with fire mitigation money. It will take a substantial outlay of money and will be chasing more repairs further down the road. It is recommended to disassemble demolish the hangar.

There was a general discussion regarding the condition of the hangar, the need to provide a storage area for expensive equipment and it was the consensus of the Council to remove Hangar 8 in lieu of funding additional repairs and to seek future funding for a storage building.

Motion by Councilmember Callegari, second by Councilmember De Boer, to approve Resolution No. 15-5167 to fund repairs for the Jet-A fuel tank; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

**9I Consider Resolution No. 15-5168 authorizing the submittal of a grant application to the Federal Aviation Administration (FAA)** Mr. Hancock explained that the existing Visual Approach Slope Indicators system at the airport is inoperable and replacement parts are unavailable. The replacement of this system with an electrically driven Precision Approach Path Indicator (PAPI) system was identified and included in the most recent Airport Capital Improvement Plan and updated Airport Layout Plan, which is part of the process to secure grant funding through the FAA. The project includes the preparation of plans and specifications to install Precision Approach Path Indicator units (PAPI) on both ends of the main runway and will improve safety for pilots at the airport. The next step in the process to obtain FAA Funding for the project is the submittal of the grant application. There are no matching funds available through Caltrans Division Aeronautics at this time.

Motion by Councilmember Callegari, second by Councilmember De Boer, to approve Resolution No. 15-5168; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

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

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

**12 CONTINUING BUSINESS:**

**12A Consider Ordinance No. 15-0997 Amending the Susanville Municipal Code Title, 17 Adding Section 17.104.140 regulating the cultivation of medical marijuana: Action: Waive second reading and adopt** Chief Downing reported that on February 10, 2015 and March 10, 2015 The City of Susanville Planning Commission conducted public hearings to consider a proposed ordinance to adopt zoning regulations for the cultivation of medical marijuana. The Commission considered comments from the public and staff and on March 10, 2015 approved Resolution No. 15-1017 recommending that the City Council adopt Ordinance No. 15-0997.

The City Council conducted a public hearing on April 1, 2015, and voted to waive the first reading and introduce the ordinance with one amendment. Discussion regarding the establishment of a child care operation adjacent to an existing registered cultivation operation resulted in a revision to the section regarding child care facilities and specifies that an existing registered marijuana cultivation would not be deemed non-compliant in the event that a new child care operation were to open nearby. In addition, discussion regarding landlord liability issues were also discussed and review/approval by the City's Attorney was requested.

Mr. Hancock explained that the questions and concerns raised at the April 1<sup>st</sup> meeting had been reviewed by the City's attorney. Staff added that after the agenda posting the City received correspondence from the ACLU and information from Ms. Westerbeke which had been provided to the City Council, and additional copies were made available for the public.

Annie Westerbeke thanked Mr. Hancock for making copies available, and summarized the information regarding court cases and efforts by other jurisdictions that resulted in lawsuits.

An unidentified man spoke regarding the number of plants he was allowed to grow and the impossibility of growing them in a 120 square foot space, and that with the availability of space on his property he should be allowed to grow his own medicine. He indicated that the task force is in his backyard every year, and if the City moves forward with the ordinance, there were going to be a lot of lawsuits, including one from his doctor.

Chief Downing discussed a case that went to the third appellate court against the City of Live Oak, and the court reviewed the case and ruled that the City had full authority to regulate the cultivation of marijuana. The case was turned over to the Supreme Court and they chose to not review the case. Susanville is located within the third appellate court district and has the full authority to regulate up to and including a full ban, and that has been deemed lawful by the court.

Motion by Councilmember De Boer, second by Councilmember Callegari, not to adopt the second reading and to rescind adoption of the first reading on April 1, 2015 for Ordinance No. 15-0997, and direct staff to bring back an ordinance imposing a total ban on marijuana cultivation; motion carried unanimously by polled vote. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

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

**13A      America's Best Communities Update** Mr. Hancock reported that the application presented for the America's Best Communities competition available through Frontier Communications has made it through the first round of funding. The Chamber of Commerce and Lassen Land and Trails Trust worked together to submit an application for the award which provides an opportunity for small communities to obtain funding for economic development and community revitalization, and were notified they have received \$50,000 and will be advancing to the quarter finals.

**13B      Code Enforcement Update** Mr. Hancock provided an update to the City Council regarding the City's Code Enforcement program, explaining that in the past twelve months, adjustments have been made to the local Code Enforcement process streamlining how staff addresses code violations and complaints. Upon receiving a complaint, information given is noted on a form as to the location and nature of said complaint and the complaint is directed to the City Building Official or City Planner depending on the nature of the complaint. All complaints received are typically investigated within 24 to 48 hours. If the determination is made that a violation exists, a courtesy letter is mailed to the property owner and a specified time period to rectify the violation is given, generally 20 to 30 days depending upon the complexity of the violation. In the last six months approximately 25 complaints have been addressed, at least half of those violations have been or are close to being rectified.

**13C      Emergency Water Regulations Update** Mr. Newton reported that the State Water Resources Control Board is scheduled to adopt the latest Emergency Water Regulations on May 6, 2015. In response to comments received, there have been several modifications to the proposed regulatory frame work, which was published on April 7, 2015. The State Water Board has issued a notice that they will be accepting comments until May 4, 2015 and it is likely that the proposed regulation will be modified prior to its final adoption. The City has a significant amount of groundwater capacity and is attempting a dual approach to meet the mandate while attempting to be removed from the higher tier which would require a thirty-six percent reduction in water usage. The efforts thus far are falling on deaf ears at the State, and it is going to be difficult for the community, and as the State has opted for a very short review and comment periods, staff is requesting that City Administrator be given authority to provide comment letters and respond to regulations as needed to protect the City's water interests. City Council has the authority and discretion to adopt a plan and it is anticipated that a draft will be ready for review within the next few meetings.

The Council discussed water conservation opportunities and urged staff to keep the public informed.

**13D Roop's Fort Update** Mr. Hancock reported that staff has remained in communication with Mr. Bengard and the Lassen Historical Society regarding the repair of Roop's Fort. There are few items pending including the submittal of engineered plans for City review and the selection of a licensed contractor to pull the required permits.

Mr. Bengard informed the Council that there was a similar problem which occurred during the renovation of the museum several years back, and due to the small size of the project, contractors were reluctant to pull the required bonds and assume liability for the project.

Councilmember Garnier asked if the project was composed of primarily volunteer labor and if the City was pulling permits for this project, who would assume liability for the project.

Mr. Bengard responded that the Rotary Club has liability coverage for the volunteers who would be participating on the project.

Councilmember Garnier asked who would supervise and oversee the project to ensure that it was built to proper specifications. It is the oldest building in Lassen County and every effort must be made to protect and preserve the integrity of the building.

Mr. Bengard assured the Council that with years of construction experience, his professional background provides the expertise to supervise the project. He invited the Council to review some of his other projects.

Mayor pro tem McBride asked if he still maintained a valid contractors' license, and pointed out that the liability would still fall upon the City for the project.

Mr. Bengard responded that his license was inactive.

Councilmember Callegari asked what a liability policy for the specific project would cost.

Tony Jonas responded that the issue of volunteer safety and insurance coverage provided in the event a worker got hurt was covered, and that the people were taken care of, but nobody would touch the liability side of the project. There is a lot of talk about ownership in the community and people want to work on the project but the assumption of liability was still an issue.

Mayor pro tem McBride asked how the museum project was completed, and Mr. Jonas responded that at the time of the Museum Restoration project, he was an employee of the City and completed the project himself.

There was extensive discussion regarding contractor responsibility, project liability, responsible stewardship of the property, the City's requirements for completing public projects, the CEQA requirements, the timeline for the funding available through Rotary and the clean-up progress that has been made around the fort.

Mr. Jones indicated that he thinks he has a solution for the Contractor and liability concerns and will have a solution in a week or two.

**13E Consider approving the release of RFP for the submittal of Bank Loan Proposals** Mr. Hancock reported that in December 2013, the City of Susanville and the County of Lassen formed a joint powers authority for the purpose of building a new community swimming pool. Both the City and County are contributing funds annually for the project and in October 2014, the JPA Board considered the option of both entities securing upfront funding for the construction costs, while decreasing the respective annual contributions. Staff was directed to explore private funding options and a request for proposals has been prepared for circulation to lenders and is requesting input from the City Council.

Mayor Wilson asked if the proposed loan would be amortized over a fifteen year period or a lesser time frame since the City was approaching year two of the fifteen year funding commitment.

Mr. Hancock responded that if secured, the loan would be amortized over twelve years versus fifteen.

Motion by Councilmember Garnier, second by Mayor pro tem McBride, to support the circulation of the RFP as submitted; motion carried by polled vote. Ayes: Garnier, McBride, De Boer and Wilson. No's: Callegari.

**13F Receive and file Golf Course Update** Ms. Savage presented the Monthly Golf Course update, reviewing revenues, expenses, cash balances and rounds played for the period of July 1, 2014 through March 31, 2015. Ms. Savage noted that the winter play totals do not include rounds played by annual members.

Mayor pro tem McBride asked that future reports not be included with the consent calendar reports.

Mayor Wilson noted that the rounds played increased between February and March, and asked if the increased monitoring of players may have contributed to the effectiveness of the honor system. He asked if there was any room in the budget to have a part time staff member at the golf course to monitor off season play.

**14 COUNCIL ITEMS:**

**14A AB1234 travel reports:**

A AB1234 travel reports:

Councilmember Callegari thanked Mr. Newton and the Public Works staff for cleaning up garbage that had been dumped in a residential neighborhood.

Mayor Wilson commented that the area around Woodside that had a water leak which was running into the street was being policed by the neighbors, and with the upcoming imposition of water restrictions, it is more important than ever to get the leaks repaired immediately.

Councilmember Garnier thanked Mr. Newton for removal of the old benches in the uptown district.

Mayor pro tem thanked Mr. Newton for his staff's attendance at community events in order to increase awareness regarding water restrictions.

**15     ADJOURNMENT:**

At 9:50 p.m. Mayor Wilson called for a short recess prior to reconvening in Closed Session.

At 9:56 p.m., the City Council reconvened in Closed Session.

At 10:04 p.m. the City Council returned to open session.

Mr. Hancock reported that the City Council voted unanimously in closed session to accept the counterproposal presented by the Management Unit, and directed staff to bring back the MOU at the next meeting.

Motion by Councilmember Callegari, second by Mayor pro tem McBride to adjourn; motion carried. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

Meeting adjourned at 10:05 p.m.

Respectfully submitted by

\_\_\_\_\_  
Brian R. Wilson, Mayor

\_\_\_\_\_  
Gwenna MacDonald, City Clerk

*Approved on:* \_\_\_\_\_