

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

Regular Meeting Minutes

March 2, 2016 – 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; Jessica Ryan, City Attorney; and Gwenna MacDonald, City Clerk.

1 APPROVAL OF AGENDA:

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

2 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS: No comments.

3 CLOSED SESSION: At 6:01 p.m. the Council recessed to Closed Session to discuss the following:

- A PUBLIC EMPLOYMENT – pursuant to Government Code §54957:
 - 1. All Employees
 - 2. Police Chief
 - 3. Golf Course Manager

Closed Session recessed at 6:59 p.m.

4 RETURN TO OPEN SESSION: At 7:05 p.m. the City Council reconvened in Open Session.

Staff present: Jared G. Hancock, City Administrator; Jessica Ryan, City Attorney; Thomas Downing, Police Chief; James Moore, Fire Chief; Dan Newton, Public Works Director; and Gwenna MacDonald, City Clerk.

Mr. Hancock reported that prior to Closed Session, the City Council approved the agenda as submitted. During Closed Session, the City Council gave direction to staff but there was no reportable action taken.

Councilmember Callegari provided the Thought of the Day, speaking in remembrance of former Councilmember Douglas Sayers and of his contributions to the community during his 20 years of service on the Susanville City Council. He requested that the Junior Fishing Derby be renamed in Doug Sayers' honor.

5 BUSINESS FROM THE FLOOR:

Janet Corey, Lassen County Historical Society, spoke regarding completion of the Roop's Fort Re-roof project, and she discussed the importance of preserving the history of the community's heritage as a gift for the generations to come. She thanked the City Council for being supportive throughout the project.

The Mayor thanked her for her comments.

- 6** **CONSENT CALENDAR:** Mayor Wilson reviewed the items on the Consent Calendar:
- A Receive and file minutes from City Council's February 3, 2016 meeting
 - B Approve vendor warrants numbered 96479 through 96571 for a total of \$329,127.18 including \$103,903.90 in payroll warrants

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:** No business.

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

- 9** **NEW BUSINESS:**

9A **Consider approval of Resolution No. 16-5261 authorizing amendment of the City of Susanville Fiscal Year 2015/2016 Budget** Mr. Hancock reported that staff has been working for the past few months on preparing the mid-year budget, explaining that the City operates on a fiscal year from July 1 through June 30, and conducts workshops a few months prior to establishing the budget for the upcoming year. The budget is based on set principles that include maintaining fiscal responsibility to make sure that expenses and operating costs do not exceed the revenue expected for the year. Staff also looks at upcoming projects, utilizing savings from prior years and looking for opportunities to complete these projects within the established budget. After six months (at mid-year) the budget is reviewed and the projections updated based on more up-to-date revenue allocations from the County and State, and any expense changes that were not predicted or that occurred during the first six months and adjustments are made based on actual figures.

Mr. Hancock reviewed the mid-year budget summary, identifying changes that resulted in additional revenue. The areas where additional expenses were identified have been accommodated within the affected department to determine ways where we could work with the existing budget so that an increase in expense would not be required and there has not been a need to make too many adjustments. The final expenditure for the General Fund is \$5,725,229 and all other funds is \$16,464,402. At the beginning of the year, it was projected that the General fund would be operating at a deficit of \$44,413, and with the additional changes and projections it is estimated to be \$44,413, but the City is on a good track to end the year with a balanced budget or some budget savings.

Mayor Wilson requested clarification that the SB90 mandate amount of \$42,168 was a matter of timing.

Mr. Hancock responded that the revenue was expected to be received during this fiscal year but in fact had been received a few weeks early in the prior fiscal year, so it was necessary to make an adjustment to show the revenue as having been received in the correct fiscal year.

There were no further questions or comments.

Motion by Councilmember Callegari, second by Councilmember De Boer, to approve Resolution No. 16-5261; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

9B Consider approval of Resolution No. 16-5263 declaring Bauer Air Pack filling station compressor as surplus and authorizing sale Chief Moore reported that the City received a FEMA Grant for \$250,000 and the Department purchased new SCBA packs, bottles and masks, and had \$57,995 in remaining funds. A grant amendment was requested from FEMA which allowed the Department to purchase an SCBA fill station compressor for \$61,000, with the City's five percent match of \$3,005. The old fill station compressor is still functional and the value is estimated to be between \$500 and \$2,000, and City Council authorization is required to surplus the item. There is a local agency that has expressed an interest in purchasing it from the City.

Mayor Wilson asked what funding source was used for the City's share.

Chief Moore responded that it was the remainder left in the original grant match amount of \$121,000 which had been funded through Fire Mitigation. The purchase of the fill station compressor did not require any additional funds.

Motion by Councilmember De Boer, second by Councilmember Garnier, to approve Resolution No. 16-5263; motion carried. Ayes: Garnier, De Boer, Callegari and Wilson. Abstain: McBride.

9C Consider approval of Resolution No. 16-5264 making a finding of Public Convenience or Necessity for transfer of a Type 21 off-sale general liquor license for Rite Aid Mr. Hancock explained that the relocation of the Rite Aid store from its current location at the east end of town to the new development located across from the Grocery Outlet shopping center requires that they apply to move their off-sale general license which allows the sale of beer, wine and hard liquor from their store. The licenses are issued through the State Department of Alcoholic Beverage Control, and are based upon a limited number of licenses issued based upon the census tracts. The transfer process requires that the local governing body approve the transfer if the concentration of licenses for that census tract exceeds a certain ratio based on the population in that area. The existing store located in the Safeway Shopping center is in a census tract that allows 2 off-sale licenses, and the new store location allows 4 off-sale licenses. The approval of the transfer would reduce the number of licenses in the existing tract to 8, and increase the number to 5 in the new location. To effect the change of location the City Council must make a finding that there is a public convenience or necessity for the license. The Police Department has reviewed the proposal and does not have any concerns based on the location or the relocation of the business from one census tract to another. With the exception of the Diamond Mountain Casino Mini-Mart, all of the alcohol retailers within the City are located on Main Street. There is currently a moratorium on new off-sale alcoholic beverage licenses in Lassen County imposed by State Alcohol Beverage Control Board.

Motion by Councilmember Garnier, second by Councilmember De Boer, to approve Resolution No. 16-5264; 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: No business.

13 CITY ADMINISTRATOR'S REPORTS:

13A Transient Occupancy Tax Report Mr. Hancock summarized the establishment of the Transient Occupancy Tax in the City of Susanville as beginning in 1965 at 4 percent for the purpose of development and maintenance of parks and recreation activities, as well dedicating a portion of the tax to the General Fund. In 1977, it was increased to six percent and in 1989, increased to eight percent. In 2003 the City conducted research into the rates of TOT collected in similar communities, and determined that by law, all TOT revenue was required to be placed in the General Fund. A measure was placed on the ballot in 2004 as a general tax and as such, it was not restricted for a specific purpose. Currently, the City collects a 10 percent Transient Occupancy Tax and the revenue is placed in the General Fund. The TOT is still being utilized to support all the components for tourism including, but not limited to, civil promotions, street maintenance and public safety.

Councilmember Callegari asked if the Casino is required to pay TOT on the hotel, and that it would be a good way to join in the promotion of tourism to the area.

Mr. Hancock responded that because it went to the voters and is in an ordinance, the payment of TOT is based on a quarterly basis with the business self reporting the tax from their customers. The City does not receive TOT from the Rancheria, and does not have the authority to require them to contribute.

Councilmember Callegari commented that there is also Indian Gaming money that is received, and it could be a chance to request that the money be put towards tourism.

Mayor pro tem McBride suggested submitting a request to the Rancheria, asking them to begin complying with payment of TOT, and that we won't know unless we ask.

Mr. Hancock responded that is an option, to draft a letter explaining the benefits and asking if they want to contribute.

Motion by Councilmember Callegari, second by Councilmember Garnier, directing staff to work with the Rancheria in an effort to obtain payment of TOT from the Casino hotel operation.

13B School Zone Speed Reduction Report Mr. Newton explained that at the February 17, 2016 City Council meeting, a concern was raised regarding the speed limit in front of McKinley School and staff was directed to research the process to reduce the speed limit in a school zone. Speed law in California is governed by the Vehicle Code and reducing the speed limit in a school zone is allowed if certain criteria are met. Normally, a speed limit is set based on a speed survey wherein the prevailing speed, or 85th percentile of motorists, is used to set the posted speed limit so often times the results of a speed survey tend to result in an increase of the posted speed limit. However, when considering reducing the speed limit in school speed zones, the prevailing speed is not a factor.

The City Council may declare by ordinance or resolution a 15 MPH speed zone within 500 feet of a school grounds provided certain criteria are met, and it would require that an engineering study be completed to support the reduced speed limit.

Councilmember Garnier asked what an estimated cost would be to obtain the engineering study, and if the 15 mph speed limit that is proposed would be in effect 24/7.

Mr. Newton responded that the engineering study could be conducted in house, so the expense would be minimal, and typically the reduction in speed for a school zone is limited to when children are present, with a window of time after school to accommodate school activities.

Mayor Wilson asked if it was currently set at 25 mph and if Richmond Road near Diamond View would be treated differently.

Mr. Newton responded that residential density plays a factor in establishment of the speed limit, and it needs to be limited to 50 feet away from the school zone.

There was a general discussion regarding the establishment of a standard speed limit for all schools within the City, existing speed signage and the utilization of a flashing light to warn motorists of the speed reduction.

Mayor pro tem McBride requested that staff contact the school prior to conducting the survey.

Mr. Newton responded that staff had been in contact with the McKinley school.

Motion by Councilmember Callegari, second by Councilmember Garnier, to move forward with the process to reduce the speed in the school zones; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

13C Lassen/Modoc Food Bank Request Mr. Hancock explained that the City received a request from the Lassen/Modoc Food Bank for a \$1,000 contribution in support of their Meals on Wheels program. He invited Mr. Bill Noonberg to speak.

Mr. Noonberg, Executive Director Lassen/Modoc Food Bank, discussed the program and issues related to funding the distribution of food to the area's senior citizens. He stated that the USDA supplies the food, but the challenge is related to the cost of distribution, which he explained was \$18,000 per quarter. This includes the cost of the warehouse to store the food, gas, utilities and other costs. He said that the operation works with approximately 150 volunteers, and there are 12 sites which serve approximately 4,000 people between two counties. In Susanville, the program assists approximately 200 families or an estimated 700-800 people each month. The program receives \$10,500 in funding every quarter, and they work to make up the difference through grants, contributions, and working with the vendors. It is increasingly difficult to obtain grant funding, and each contribution that they receive is put to good use to provide meals to people who otherwise would be going without.

Councilmember Callegari discussed offering the organization natural gas at cost to assist with the heating expenses they have at the Susanville facility.

Councilmember De Boer agreed, but stated that it is not a decision that could be made at this meeting.

Motion by Mayor pro tem McBride to contribute the balance in the civic promotion fund, \$1,500, to the Lassen/Modoc Food Bank; Councilmember Garnier provided a second and the motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

13D Mandatory Trash Collection Mr. Hancock explained that the topic of mandatory trash service within the City of Susanville had been discussed by the City Council on a number of occasions. In 2014 it

was considered in a proposal to adopt a property maintenance ordinance which would have set new standards for residential properties in the City and the discussion of implementation was tabled. In the process of working to update the General Plan, staff has separated out the item of mandatory trash service which was contained as an implementation measure in the Community Health, Safety and Conservation Element of the City's General Plan. The matter is being brought forward to discuss and receive comment and direction from the City Council.

Councilmember Garnier stated that she was in support of mandatory service because too many people either do not haul their trash or do not have the means to do so.

Mayor pro tem McBride suggested looking at subsidies to assist low income residences in offsetting the cost.

Councilmember De Boer commented that it was a good idea, but was not in favor of implementing it right now.

Councilmember Callegari stated that he was in agreement with Councilmember Garnier, and that there are places in town where garbage is just piling up and having a negative effect on the neighbors.

Councilmember Garnier asked what the cost would be for the citizens.

Mayor pro tem McBride responded that his neighbor has trash service that is \$75 per quarter, yet his yard is still full of junk.

Mr. Hancock responded that it is not a cure all solution for some of the code enforcement issues that the City deals with, however it can create a health and safety hazard and invites rodents, bacteria, odor, and causes problems that affect more than just the immediate neighbor. The General Plan currently includes the measure and will soon be updated, and his recommendation is that the City implement the policy as it was set forth in 1990, or remove it from the General Plan. The Municipal Code contains other provisions to deal with public health and safety concerns.

Councilmember Garnier asked if the trash collection company would consider a reduced cost for the customers if the City were to implement a mandatory collection ordinance.

Mr. Hancock responded that it is certainly a discussion that the City could have with C & Waste Solutions.

Mayor Wilson asked if there had been specific complaints that prompted the item to be brought forward for discussion.

Mr. Hancock stated that a code enforcement issue had come up, and the City has been working to update the Safety Element and Housing Element of the General Plan, and he wanted to bring it forward to discuss and see if it was something the City Council would be interested in pursuing.

The Council discussed options to enforce for rental properties, and staff was directed to conduct additional research on the subject.

14 COUNCIL ITEMS:

14A AB1234 travel reports:

Councilmember Callegari thanked Chief Downing for the Police Department's support of the neighborhood watch program in his neighborhood.

15 ADJOURNMENT:

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

Meeting adjourned at 8:09 p.m. in memory of Douglas Sayers.

Respectfully submitted by

Brian R. Wilson

Gwenna MacDonald, City Clerk

Approved on April 6, 2016