

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

**Regular Meeting Minutes**

**April 20, 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 Mayor pro tem McBride, 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 6:02 p.m. the Council recessed to Closed Session to discuss the following:

A PUBLIC EMPLOYMENT – pursuant to Government Code §54957:

1. Agency Negotiator: Jared G. Hancock  
Bargaining Unit: SPOA
2. Agency Negotiator: Jared G. Hancock  
Bargaining Unit: Professional/Technical
3. Interim Building Official
4. Interim Police Chief Performance Evaluation

Closed Session recessed at 6:59 p.m.

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

Staff present: Jared G. Hancock, City Administrator; Jessica Ryan, City Attorney; Jim Uptegrove, Interim Police Chief; James Moore, Fire Chief; Dan Newton, Public Works Director; Deborah Savage, Finance Manager 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 reached an agreement with SPOA and directed that a contract be brought to the next meeting for approval in open session. The City Council also voted unanimously in closed session approving a contract with David Purvis and authorizing the City Administrator to appoint him as the Interim Building Official.

Mr. Hancock provided the Thought of the Day

**5 BUSINESS FROM THE FLOOR:** No business.

- 6**     **CONSENT CALENDAR:** Mayor Wilson reviewed the items on the Consent Calendar:
- A     Receive and file minutes from City Council's March 16, 2016 meeting
  - B     Approve vendor warrants numbered 96834 through 96951 for a total of \$234,872.36 including \$113,886.20 in payroll warrants
  - C     Receive and file monthly Finance Reports: March 2016

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 Resolution No. 16-5282 authorizing delegation of authority to the incumbent of the office/position of City Administrator to make determinations regarding Industrial Disability Retirement** Mr. Hancock explained that the City contracts with CalPERS to provide retirement benefits to its employees. On occasion an employee must retire due to a physical condition and in the case of public safety employees, the City Council is required to make a determination as to whether or not the disability is related to the performance of the job. The City Council is authorized to delegate that authority of determination to a designee, and it is recommended that the City Council appoint that authority to the City Administrator.

Motion by Councilmember De Boer, second by Councilmember Callegari, to approve Resolution No. 16-5282; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

**9B**     **Consider establishment of 2016 Weed Abatement Deadline** Chief Moore reported that in preparation for the upcoming fire season and anticipated Independence Day firework activities, the Fire Department has determined June 27, 2016 to be the deadline for weed/fire hazard abatement. After this date, any conditions which pose a hazard will be mitigated following Susanville Municipal Code Section 8.28 – Weed and Rubbish Abatement. Citations may be issued for failure to comply and property owners may be charged for any fire suppression costs. The deadline will be published in the newspaper at least two times, and residents will be given ample time and notice to clean up their properties.

Councilmember Garnier asked if June 27<sup>th</sup> was soon enough, as the weeds are already getting quite tall.

Chief Moore responded that once the date is set and approved, the department can get out earlier and begin working to clean things up. The risk that is run by setting the date too early is that depending on the year, the City would be having to go back and cut weeds two or three times on the same property. Also, it is more problematic to gain cooperation when the weeds are still green, as the basis of the abatement is related to the fire hazard danger.

Mr. Hancock asked when the outreach process begins.

Chief Moore explained that staff will be sending mailed reminders this week. The department maintains a mailing list of property owners who have had recurring abatement notices, and mailing the reminders in

advance of the deadline has improved compliance, particularly with those property owners who live out of the area. In addition, two advertisements will be run in the paper in order to notify the community of the deadline.

Councilmember Garnier suggested including a flyer in the water billing.

Mayor Wilson asked who is inspecting the City-owned properties for compliance.

Chief Moore responded that the Fire Department works with Public Works to assess the properties and schedule clean-up efforts.

Motion by Councilmember De Boer, second by Councilmember Garnier, to establish June 27, 2016 as the deadline for weed/fire hazard abatement; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

**9C Consider Resolution No. 16-5285 authorizing Mayor to execute agreement with ACS Materials Testing for City projects** Mr. Newton reported that the City requires professional services for technical services and material testing for the 2015 STIP Projects SC and SC-1. Staff circulated a Request for Quotes and received one viable quote from ACS. Mr. Newton explained that over ten firms were solicited as part of the RFQ process and staff contacted several of the firms to obtain feedback regarding the lack of interest in submitting a quote for the services. The proposal received from ACS was determined to be appropriate for the services requested, and the company has performed well for the City in the past on similar projects. The proposed Not to Exceed price is \$27,165 with services to be controlled and authorized on a task-ordered basis. The testing services involved will be primarily asphalt testing related to the STIP projects as part of the project construction management duties and quality control program. Any additional costs will be brought before Council for subsequent approval as needed.

Mr. Hancock commented that he appreciated staff's effort to determine why more interest was not displayed by the companies solicited, and hopefully through that process more interest in working with the City will be generated and more bids will be received the next time a similar project comes up.

Motion by Councilmember Callegari, second by Councilmember De Boer, to approve Resolution No. 16-5285; 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 approval of Resolution No. 16-5284 authorizing execution of agreement with Badawi & Associates for auditing services for fiscal year 2015/2016** Ms. Savage explained that at the last meeting the City Council considered the results of an RFP circulated for auditing services for the 2015-2016 fiscal year. The City Council chose the auditing firm of Badawi & Associates and staff has prepared the resolution and agreement to formalize the selection. The agreement term is for one year with the option for the City Council to renew for two additional years.

Motion by Councilmember Callegari, second by Mayor pro tem McBride, to approve Resolution No. 16-5284; motion carried unanimously. Ayes: Garnier, McBride, De Boer, Callegari and Wilson.

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

**13A Fiscal Year 2016/2017 Budget Workshop Schedule** Mr. Hancock stated that an important part of the process in preparing the annual budget for the City is conducting a public workshop which allows the City Council, the public and City departments to review and discuss needs and priorities for the fiscal year. Staff is proposing to schedule the first workshop for consideration of the 2016/2017 fiscal year budget in May on the 10<sup>th</sup>, 17<sup>th</sup>, or 24<sup>th</sup> and requested input from the City Council regarding the date. It is the goal to have the budget adopted by June 30<sup>th</sup>.

It was the consensus of the City Council to schedule the workshop on May 10, 2016 from 3:00 to 5:00 p.m.

**13B Historic Mural Update** Mr. Hancock explained that City staff has been working with property owners and representatives from the Lassen County Arts Council and Historic Uptown Susanville Association to address implementation of the City's Historical Mural Ordinance which was enacted in 1990. It has proved successful in the creation of a wonderful collection of historic murals in the community, but maintenance of the murals has been a concern of the City, HUSA and the Lassen County Arts Council for some time. The original intent was that the building owner and artist would work together to create the mural which would then be protected through the creation of an easement. The City would then coordinate the maintenance of the murals through the Arts Council. A number of the murals are in need of significant repair, cleaning and seal coating in order to preserve them. Research revealed that most of the murals did not have a recorded easement that would authorize the City to maintain the murals or grant access to the walls on which they are painted, and protect the murals from being painted over. For murals which had been protected by an easement, it was discovered that those easements had expired with the exception of one mural on the Susanville Supermarket. To address these issues, staff is recommending that the City Council consider amending the Susanville Municipal Code, and direct staff to work on obtaining mural easements for all of the murals within the City. Staff has brought this item as information only to make the City Council aware of the situation to obtain feedback prior to moving forward with the process.

Councilmember Garnier stated that normally she would recuse herself from the discussion however since it was not an action item, she asked what the City would do if the building owner did not want to grant an easement. It is very important to be able to protect the mural.

Mr. Hancock responded that the easement would be a clear and simple document, and include required steps in the event that the building owner chose to remove the mural. He stated that there had been a lot of criticism towards the City for not taking action on the item, and if there are building owners who refuse to help facilitate a solution, then they will be less likely to criticize the City for not doing our part.

Councilmember Callegari stated that the existing owners are the only ones who could potentially be a problem. For new building owners, it would be a requirement before they were allowed to put up a mural. He suggested involving the Lassen Community College Art program to provide a low-cost way to repair and preserve the existing murals.

Mr. Hancock stated that the Lassen Arts Council was driving the process and had several opportunities to obtain grant funding for supplies and materials that are not available to the City. Unless there is a recorded easement, the City has no legal right or authority to do anything to the murals.

**David Teeter** commented that it is not necessarily a HUSA issue, although a few HUSA board members are building owners in the uptown. He stated that it was his understanding that the Arts Council was in need of a scissor lift, and that the City is following the right path with obtaining the easements. He is not hearing of any resistance to signing easements from most property owners, and it is important to focus on preservation at this point.

Councilmember Callegari observed that once the City obtains an easement, it also obtains a liability.

Mr. Hancock explained that the Arts Council members involved in the clean-up and restoration of the murals would be strictly volunteers, and in this case an ounce of prevention equals a pound of cure in terms of making sure that the clear seal coating is reapplied frequently. It preserves the murals very well and if there is any graffiti, allows for simple removal without damaging the mural itself.

Mr. Teeter asked if the City would be willing to loan its scissor lift to the Arts Council.

Mr. Hancock answered that the City does own the equipment, and it would be a City Council decision regarding loaning it to an outside organization. There would be training required and a waiver to allow its use however there is always some level of liability for the City in doing so.

Mr. Teeter remarked that loaning the scissor lift would represent the City's good faith in prioritizing the clean up and preservation of the mural. The Arts Council is limited on funding and said that it is a major stumbling block in the process to not have a scissor lift available.

**Joseph Franco** commented that the murals are a unique and valuable resource that contribute to the character of Susanville, and every effort to preserve them should be taken. It's a part of history, and one that the City should consider expanding to include other areas of town, and not just restrict the ordinance to allowing them in the uptown area.

Mr. Hancock explained that the ordinance specifies that murals are encouraged in Area One, which is the historic uptown, but that they are allowed in Area Two, which is everywhere else within the City limits.

Mayor Wilson asked if the building owners had been contacting the City regarding maintenance of the murals or if it has been primarily the Arts Council initiating the process.

Mr. Hancock stated that he was not aware of City discussions with building owners regarding the maintenance process or easements.

Councilmember Callegari asked what the time line of the easement would be.

Mr. Hancock responded that staff recommends setting a 20-year period for the easements, and asked for direction from the City Council if obtaining easements from building owners was something they want staff to pursue. He added that as staff works with the owners, it is possible that the proposed easement could be revised and updated, depending upon feedback received.

Mayor Wilson stated that he supported reaching out to building owners to begin discussions regarding easements.

Councilmember Garnier stated that she supported loaning the City's scissor lift to the Arts Council. She asked Mr. Teeter if there had been a better sealing product located to clear coat the murals.

Mr. Teeter responded that he was not qualified to speak regarding the specific products used in the maintenance and upkeep of the murals, but it was his understanding from conversations with the Arts Council that there were products available that were superior to those used when the murals had been installed.

The City Council expressed their willingness to have the Arts Council work with the City Administrator for use of the scissor lift. There were no more questions or comments.

**14      COUNCIL ITEMS:**

**14A     AB1234 travel reports:**

Mayor pro tem McBride requested that an item be included on the next agenda regarding the Skyline Bike Park. The Susanville Area Bicycle Association has been working with a group from Redding and just completed bike jumps at Ranch Park and they would like to begin working on a pump track at Skyline Park.

Councilmember Garnier requested an update regarding the RFP for the Golf Course Restaurant be scheduled for the next meeting agenda, and noted that Bailey Creek Golf Course has a fairway mower for sale, and it may be worth looking at. She noted that the weeds growing along Main Street look terrible, and asked if a notice could be put in the paper, or if something could be done through an ordinance to require business owners to maintain their properties. It creates a blighted appearance on the Main Street corridor, and businesses need to be held accountable for maintaining their property.

Mr. Hancock responded that it would fit in with the property maintenance ordinance. The weed abatement deadline that was approved at tonight's meeting has to do with fire hazard and safety. Staff could work to develop something more focused in terms of property maintenance.

**15      ADJOURNMENT:**

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

Meeting adjourned at 7:48 p.m.

Respectfully submitted by

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Brian R. Wilson

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Gwenna MacDonald, City Clerk

*Approved on May 18, 2016*