

**SUSANVILLE CITY COUNCIL**  
**Regular Meeting Minutes**  
**December 21, 2016 – 6:00 p.m.**

Meeting was called to order at 6:03 p.m. by Mayor Garnier.

Roll call of Councilmembers present: Brian Wilson, Kevin Stafford, Joe Franco, Rod De Boer and Kathie Garnier.

Staff present: Jared G. Hancock, City Administrator; Jessica Ryan, City Attorney and Heidi Whitlock, Assistant to the City Administrator.

**1      APPROVAL OF AGENDA:**

Motion by Councilmember Stafford, second by Mayor pro tem Franco, to approve the agenda as submitted; motion carried unanimously. Ayes: Wilson, Stafford, Franco, De Boer and Garnier.

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

**3      CLOSED SESSION:** At 6:04 p.m. the Council entered into Closed Session to discuss the following:

- A      CONFERENCE WITH LEGAL COUNSEL – Existing litigation pursuant to Government Code §54956.9(d)(1):
  - 1      US District Court for Eastern CA, Sacramento D.C. No. 2:14-cv-01473-MCE-AC; Christine Corona vs. City of Susanville PD
  - 2      Superior Court of Lassen County Case #59508 Rebecca Saylor vs. City of Susanville; City of Susanville Dept of Public Works

Closed Session adjourned at 6:19 p.m.

**4      RETURN TO OPEN SESSION:** At 7:03 p.m. the City Council recessed Closed Session and 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 Heidi Whitlock, Assistant to the City Administrator.

Mr. Hancock reported that prior to Closed Session the City Council approved the agenda as submitted. During Closed Session, the City Council gave no direction, and took no reportable action.

Mayor Garnier offered the Thought of the Day.

Mayor Garnier acknowledges Arlene Zelano's service of fifteen (15) years.

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

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

- A      Receive and file minutes from the City Council's November 16, 2016 regular meeting

- B Approve vendor warrants numbered 99015 through 99242 for a total of \$474,763.96 including \$154,461.94 in payroll warrants

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

7 **PUBLIC HEARINGS:** No Business.

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

9 **NEW BUSINESS:** No Business.

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

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

12 **CONTINUING BUSINESS:**

**12A Consider Ordinance No. 16-1008 amending Title 17, Section 17.04.070 of the Susanville Municipal Code to rezone parcel APN 105-130-06 to R-3 Duplex and Triplex Residential: Waive second reading and adopt.**

Mayor Garnier introduced Craig Sanders, City Planner, to present the item.

Mr. Sanders stated that the item is back before the Council for the second reading at stated that, at the last meeting, the first reading was waved. He continued that the project relates to the changes in the zoning plan from single to duplex and triplex residential or R1 to R2 and R3. He continued that the owner submitted, to the Planning Commission, plans with access, parking, improvements etc... and recommended approval of the change should the Council approve the rezone of the property.

Mr. Hancock responded that there was a specific Public Hearing held already and it was then closed. He recommended the Council open the hearing again to allow for public comment.

**Tim Abbott (public)** stated that he was not notified prior to the last meeting which resulted in his absence. He wanted to state that, contrary to what was said, he and his wife are not supporting the project entirely. He offered his concerns of his property values decreasing, the view from his front window and what changes could also occur in the future. He shared that he appreciates what Mr. Standiford is doing but he want the apartments near his property.

**Vanessa Solem (public)** stated that she works for CalSierra but was only present on behalf of the Standifords. Ms. Solem offered information on the subdivisions of the farm tracks 21-23, in which this project is associated with, from 1920 through 1983.

**Alicia Motts (public)** inquired after Ms. Solem's presentation if, when the tracks were split into parcels, it was always zoned as R1.

Craig Sanders, City Planner, responded that he could only state what the zoning is currently and that is R1. He stated that he would assume it was R1 but cannot confirm at this time.

With different numbers being presented, Mr. Hancock stated that clarification should be given that the roadway width is separate from the actual easement. While the easement is 40 feet, the road width is less but both numbers being given can be accurate.

Mr. Abbott responded that his road is 22 feet wide and he is unaware of the width of the easement.

**Vicki Lozano (public)** stated that she was in the audience as a member of the public as well. She continued that she lives only three blocks from the project but is in favor of it. She continued that she is in the real estate business and manages 275 properties of which only 2 are vacant and additional housing is needed in the community. She added that there are other apartments in the same vicinity and those apartments attract good families and have not devalued the neighborhood in any way, including property values. She believed the project would improve Russell Avenue and added that, sometimes, new development encourages neighbors to make their properties more presentable.

Mayor Pro tem Franco requested confirmation of Ms. Lozano that there have been no effect of property values.

Ms. Lozano responded that, for instance, when Susanville Gardens was built, no positive or negative impacts occurred on appraisals for the surrounding properties.

**Joanne Emerson (public)** stated that she lived on Russell Avenue and she walks often. She agreed with Ms. Lozano that the surrounding property owners may clean up their properties and she added that the area would have more lighting making it safer during her walks.

**Pam Hunt (public)** stated that she lived on Russell Avenue and she is aware that it would be an improvement. However, she inquired as to whether or not anyone had considered reworking the access road or other options that better consider the needs and wants of the residential property owners. She suggested the apartments face the other apartments nearby,

Ms. Motts stated that she felt that the decision had already been made but that she did not want the City to change the zoning. She felt as though there was a lot of deception such as being told that the Abbotts were in favor of the project at the previous meeting.

**Larry Standiford (public)** responded that he would like to apologize to the Abbotts. He meant to state at the previous meeting that they were in favor of the fence, not necessarily in favor of the entire project. He offered a formal apology to the Abbotts for how it was taken and hopes that they will approve of the project.

Mr. Abbott responded that the one thing that bothered him was the Planning Commission approving the zone change and he was not made aware that it was a consideration.

**Gentry Standiford (public)** discussed the process from April 2016 to current. She stated that there is a need for additional housing. She continued that they have made several design changes based on the community's input. They have changed the location of the bedrooms, patios moved to the corners to address noise concerns, lowered the roof line to prevent the obstruction of the mountain views. She felt

that they have done their due diligence to address all the concerns and that they want to be good neighbors to the existing property owners.

Council member Wilson inquired about the trees that were added to the project as well as the deletion of windows on the south side.

Ms. Standiford responded that the trees in question are the existing trees in the easement.

Council member Wilson inquired about he set back.

Mr. Sanders responded that the setback had to equal the height of the building. In this instance, 22 feet. He added that, if there was a vegetative buffer, the setback could be reduced.

Council member Wilson inquired as to whether or not there was any other way to access the property without using the 22 feet.

Mr. Standiford responded that with less units, they cannot get the return on investment required to obtain additional funding. He added that the easement in question goes to his property also but, we are only discussing the Abbotts property because it is directly in front of their house and they should have known where the easement was when they purchased their property.

Mr. Hancock stated that the City's development standards are established to guide us but we never know what will be presented. He added that the setback from the property to the neighboring property should equal the height of the building. However, because of special conditions at this particular location, we have modified the requirements on this R3 project.

Ms. Standiford stated that this area used to be all 2 acre parcels. However, no we are more dense and the zoning needed to be changed. This is the last 2 acre parcel to be split. In addition, Russell Avenue is 70% rental properties.

Motion by Council member De Boer, second by Mayor Pro tem Franco to approve Ordinance No. 16-1008 amending Title 17, Section 17.04.070 of the Susanville Municipal Code to rezone parcel APN 105-130-06 to R-3 Duplex and Triplex Residential. Vote Polled: De Boer, aye, Franco, aye, Garnier, aye, Stafford, aye, Wilson, no.

Council member Wilson voiced his concern that more notification be given whether by email, etc... even if not legally required.

Mayor Garnier added that first class mail to be more proper,

**12B Consider approval of Resolution No. 16-5344 authorizing City Administrator to execute extension of contract with R.E.Y. Engineering, Inc. for Southeast Gateway Project**

Mr. Hancock started that this item was previously approved with an original scope of work and staff had solicited REY Engineering for the project. This is a CalTrans project and is under their review. They have requested that some parts be placed on hold and, as we have delays already, we are looking at extending the contract by approximately 12 months. Although changes to the scope may need to be presented, staff is requesting that the contract be kept active until that time.

Motion by Council member De Boer, second by Mayor Pro tem Franco, to approve Resolution No. 16-5344 authorizing the City Administrator to execute the extension of the contract with REY Engineering for the Southeast Gateway Project. Motion carried unanimously.

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

#### **13A    Public Works Department Update**

Director Newton, Public Works Director, stated that the Public Works department has been busy and although many projects have been completed, his update will only include items from the past year. He stated that the department is made up of four areas: Admin/Engineers, Water, Natural Gas and Streets. While reviewing the attachments provided, he points out the streets that have been rehabbed this year and well as the water main sections. He stated that there was no need to review the water rate analysis but added that they are working on additional street projects and more heavily traveled roads such as Alexander and Weatherlow.

Mayor Pro tem Franco inquired about Main Street and Fairfield not being on the schedule and asked for, possibly, a temporary fix until it can be completed.

Director Newton stated that he was not aware of that issue but he would look into it. It could be something they could take care within their department and may be able to ask CalTrans to include on their list.

Director Newton continued with his presentation adding the geothermal extension for the pool, the work performed on Cady Springs through the IRWMP, the preliminary assessments for Johnstonville Well area and also how the department is looking at updating their policies and manuals.

Mayor Garnier mention a patch needing to be placed on Second and Hall Streets.

Director Newton added the hanging of the Christmas lights.

Mayor Garnier discussed the need of replacing them and mentioned \$1,000 per strand.

Director Newton stated that they are watching for weather and are ready for snow.

Mayor Pro tem Franco offered kudos to the department for their timely response and preparation for the storm which just passed through, the quick gravel on the snowy roads and the leaf removal. He also thanked the departments for their quick response to a natural gas leak.

Mr. Hancock discussed the limited ignition window for natural gas.

Director Newton continued his presentation while discussing CCC, PSREC and the City's purchase of Natural Gas.

Council member Wilson inquired as to whether or not the three agencies could combine their purchase for a better rate.

Mr. Hancock explained the reasoning as to why we do not want to partner with the other agencies. He added that so much space has to be left in the lines and that staff can mitigate the cost over the summer months but it is more difficult in the winter months.

Council member Wilson inquired about the growth of the City's natural gas lines.

Mayor Garnier stated that the City will need more commercial and more concentrated residential areas to increase natural gas needs.

Director Newton concluded his department update.

**14**     **COUNCIL ITEMS:** None.

**15**     **ADJOURNMENT:**

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

Meeting adjourned at 8:57 p.m.

Respectfully submitted by

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Kathie Garnier, Mayor

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Heidi Whitlock, Asst. to the City Administrator

*Approved on: February 1, 2017*