

SUSANVILLE CITY COUNCIL
Regular Meeting Minutes
August 2, 2017– 6:00 p.m.

Meeting was called to order at 6:00 p.m. by Mayor Garnier.

Roll call of Councilmembers present: Brian Wilson, Kevin Stafford, Joe Franco, Mendy Schuster and Kathie Garnier.

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 Franco, second by Councilmember Stafford, to approve the agenda as submitted; motion carried unanimously. Ayes: Franco, Stafford, Wilson, Schuster and Garnier.

2 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS: No comments.

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

- A CONFERENCE WITH REAL PROPERTY NEGOTIATOR – pursuant to Government Code 54956.8:
 - 1 Property: APN # 103-340-02
 Agency negotiator: Jared G. Hancock
 Negotiation parties: City of Susanville/Ralph Sanders
 Under negotiation: Price/Conditions/Terms
- B CONFERENCE WITH LABOR NEGOTIATORS – pursuant to Government Code Section §54957.6
 - 1 Agency Negotiator: Jared G. Hancock
 Bargaining Unit: Fire, SPOA
- C CONFERENCE WITH LEGAL COUNSEL - Anticipated Litigation - Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2) regarding one (1) potential case

At 7:00 p.m. the City Council recessed Closed Session.

4 RETURN TO OPEN SESSION:

At 7:01 p.m. the City Council reconvened in Open Session.

Staff present: Jared G. Hancock, City Administrator; Jessica Ryan, City Attorney; James Moore, Fire Chief; Dan Newton, Public Works Director; John King, Police Chief; Deborah Savage, Finance Manager; Craig Sanders, City Planner and Gwenna MacDonald, City Clerk.

Mr. Hancock reported that prior to Closed Session, the City Council approved the agenda with no changes. The City Council would be reconvening in Closed Session at the conclusion of Open Session.

5 BUSINESS FROM THE FLOOR:

Darrell MacChamber stated that he recently moved back to town after living in the County for a few years, and he is appalled by the crime and vandalism he is seeing in the community. He said that the Police

Department has been very responsive to his phone calls, and there is a right way to do things to solve a problem. He said that he is very bothered by what he is reading on social media regarding crime, and he encouraged those present to work together in a positive way to find solutions.

Regina Shirley spoke regarding vandalism that occurred at her residence on North Roop Street. While the Police Department was very responsive, she encouraged the City to look to other communities to see what solutions have worked to reduce crime in other cities.

Rose Mooney stated that her home on Richmond Road has been vandalized several times, and there are a number of homeless people who hang around on the Bizz Johnson Trail.

Chris Cole commented that he wanted to address the investigation related to two police officers, and referred to the question he asked at the July 19, 2017 meeting of the City Council regarding whether or not the investigation was an independent investigation. He asked the City Attorney if she had been able to clarify that question.

Jessica Ryan responded that the investigation is still an ongoing matter, and therefore she could not comment.

Mr. Cole argued that the citizens are in limbo, and want to have answers.

Chief King asked Mr. Cole if he had actually read the investigation, since he was claiming to have information regarding the process that had not been made public.

Ms. Ryan cautioned that the discussion should be limited since the matter involves personnel issues and the due process rights of the individuals involved should be protected.

Mr. Cole asked if the City Council had been involved and kept up to date throughout the investigation.

Mr. Ryan responded that she was not going to comment on the matter.

Mr. Cole stated that the City has been assuring the public that the investigation is an independent process, and the officers involved put their lives on the line for the community and transparency to the public is an important matter. He assured the Council that he would be present at every meeting until he has answers.

Terry Lewis discussed the increase in crime and urged the Council to make public safety a priority.

Harold Kimbriel stated that the Parks were no longer a safe place for families, and that drug paraphernalia and debris littered the areas where children play.

David Teeter discussed the efforts made by the law enforcement community to promote awareness of crime prevention. He urged those present to join a neighborhood watch group, as they have proven to be effective in preventing crimes. While it does not solve every problem, it is a positive way for the citizens to get involved.

Chief King expressed his support of the advice to join a neighborhood watch. They are proven to be very successful, and those people will move out of one neighborhood and into another, so the more groups that

can form, it increases the likelihood that the people involved in the illegal activity will move on to another community.

Harold Kimbriel added that not only are homeless people becoming a problem, but people living in sheds and other dwellings that should be uninhabitable is also a growing problem.

Regina Shirley asked what the process is to form a neighborhood watch group.

David Teeter directed her to contact the Police Department, where the Administrative Assistant could provide forms and an explanation of the process to gather signatures and support from neighbors.

Mayor pro tem Franco commented that the crime issue has been a recurring theme at recent meetings, and he supports working with staff and the community, through workshops and round table forums, to come up with ideas and solutions to address the problem. He added that he would like to see staff build on the recent momentum and begin that dialog immediately.

Chris Montgomery stated that he attended the National Night Out at Memorial Park, and there were 12 kids hanging out at the skate park. He said it was a great opportunity for the officers to engage the youth, some of whom were smoking pot, but none of the officers came over. He waited for a long time, his kids helped pick up trash, but the officers did not take the opportunity to open a dialog and it was a missed opportunity to reach out and do something. He added that not all of the kids in the community who use the skate park are bad kids, and he is not trying to bash anyone, but it was a great opportunity and seems a shame that none of the police or sheriff deputies took advantage of the situation.

Pat Holley commented that he supported everyone present, and he agreed with the comments made regarding crime activity in the community. It appears to be a multi-level problem, and everyone from the District Attorney on down needs to be involved in order to solve the problem. He has talked to policy makers, citizens, and everyone wants the same thing, to make the community safer. He discussed the importance of working as a team and coordinating efforts between the various public safety agencies.

Mary Murphy asked how many police officers the City employs, and how many square miles are in the City.

Chief King responded that there are 16 officers employed by the City of Susanville, and the area is between five and six square miles. Normally there are two officers and one supervisor on shift.

Mr. Lewis commented that the problem is that the City needs to hire more police officers.

Mayor Garnier stated that everyone is in agreement that there is a huge problem. She has lived in Susanville since 1973, raised her family here, and volunteers for as many organizations and groups as possible. She added that she loves the community and is committed to dealing with the problem, and the success of neighborhood watch groups such as the Depot Six group are very encouraging. It has made a big impact on their neighborhood, but it takes a big commitment of time from people, and unless more groups are formed, the people causing the problems are just going to pick up and move to a different neighborhood.

Chris Montgomery remarked that neighborhood watch groups really do work, and the success of the Depot Six group is proof. If the City and County are not on board and working together, then it will not work. The problem will not be solved overnight, because the groups will be pushing the pockets of crime around town until the point where they no longer have anywhere to go.

Mr. Holley referred to the Property Maintenance ordinance recently approved by the City, adding that it is a good start in addressing the concept that people should strive to be a better neighbor, which includes the way that a property is maintained and encourages neighbors to look out for one another.

Mayor Garnier thanked everyone present for their comments.

- 6** **CONSENT CALENDAR:** Mayor Garnier reviewed the items on the Consent Calendar:
- A Approve minutes from the City Council's June 21 and July 5, 2017 meetings
 - B Approve vendor warrants numbered 100878 through 101006 for a total of \$924,663.88 including \$123,903.47 in payroll warrants

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

- 7** **PUBLIC HEARINGS:** No business.

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

- 9** **NEW BUSINESS:**

9A **Consider request of Lassen Historical Society to utilize City-owned property located at 19 North Weatherlow** Mr. Hancock explained that the City received a request from the Lassen Historical Society regarding the potential use of the vacant office space located at the adjacent Chamber of Commerce building. The Historical Society has a need for storage space for surplus items and artifacts that are not currently displayed at the museum. These items are currently being stored at the Pratt Building, which is in need of repairs to the structure and roof. To prevent damage to the artifacts while these repairs are being completed, the Historical Society has requested that they utilize the office space at North Weatherlow for short-term storage of these items. The use of storage containers for the items is not conducive to the rotation of displays in and out of the museum and there is really no good location on site to locate additional storage.

Mayor pro tem Franco commented that the request did not discuss any sort of compensation, and asked for an estimated length of time to use the facility for storage.

Mr. Hancock responded that the length of time has not been negotiated, and there are currently no other potential tenants for the space. It is estimated that the use would be for approximately 12 months or until the Pratt Building is repaired.

Mayor Garnier asked if the roof for the Pratt building would match the roof on Roop's Fort.

Mr. Hancock said that the roof on the Pratt building was red-tagged some time ago and is experiencing some decay in the logs, and if the building is to be utilized for events, it will require more than just a re-roof. It is anticipated that if the roof is redone it would match the style of the roof recently installed on Roop's Fort.

Motion by Councilmember Wilson, second by Mayor pro tem Franco, to approve the use of the property by the Lassen Historical Society; motion carried unanimously. Ayes: Wilson, Franco, Stafford, Schuster and Garnier.

9B Consider Resolution No. 17-5403 authorizing City Administrator to execute Agreement with Dyer Engineering for the evaluation and modification for construction documents for the completion of the Cady Springs Pump Station and Pipeline Mr. Newton explained that the Cady Springs project was initiated in 2003, and approximately half of the work on the project has been completed. The project included the installation of a one million gallon water tank, pumping station, and approximately 2 miles of pipeline at Cady Springs. The project was stopped prior to completion; the tank and the majority of the pipeline was installed; however, the pumping station and two highway crossings remain to be completed. In 2006, the City released plans for a more modest pumping station, for which one bid was received; however insufficient funds prohibited the Council from awarding the contract and moving forward to complete the project.

In 2016, the City was awarded a grant to complete the Cady Springs project with Proposition 84 funds. The 2006 construction documents must be evaluated and modified, and an RFP was sent to three engineering firms. One proposal was received from Dyer Engineering. The two-phase scope of work includes the review and evaluation of construction documents and preparation of an engineering report. If awarded the contract, Dyer will review and evaluate plans for completeness, Code compliance and constructability, and will also field verify locations of existing facilities installed in 2003. The conditions of the existing facilities will be evaluated and a report prepared that details any items to be addressed on construction documents. Estimated costs to complete the work will also be provided.

Phase two involves the preparation of the construction documents, with the scope identified in Phase one being utilized as the basis for Phase two. The City would negotiate the scope of Phase two with the consultant, and if an agreement cannot be reached the City will solicit proposals from other consultants to complete the construction documents. The estimated grant funding available for the Cady Springs design project is \$150,000, and the proposal received for the completion is for a cost not to exceed \$43,000.

Mayor pro tem Franco asked if there would be sufficient funding to be able to consider completion of the entire project.

Mr. Newton responded that the City has approximately \$1 million in grant funding for the project, and has the ability to scale the project in order to accommodate the available budget so that the tank can be brought into the system.

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to approve Resolution No. 17-5403; motion carried unanimously. Ayes: Franco, Stafford, Wilson, Schuster and Garnier.

9C Consider fee waiver request for use of Golf Course Clubhouse for the August 19, 2017 Picon Open Golf Tournament Mr. Hancock explained that the Council considered and approved a request from the Susanville Basque Club to serve alcoholic beverages as part of the Picon Open Golf Tournament to be held on August 19, 2017. The City received an additional request for a fee waiver for use of the Club House for the event. The usage fee for the facility, including the kitchen, is \$175.00 with a \$100 refundable deposit.

Councilmember Wilson suggested that the City Council discuss and develop a set of criteria for evaluating future fee waiver requests.

Mr. Hancock added that proceeds from the tournament are used to fund scholarships for graduating Lassen High School seniors.

Mayor pro tem Franco stated that he supports the scholarship program and does not want to discourage worthy causes and he would support the fee waiver.

Motion by Councilmember Wilson, second by Mayor pro tem Franco, to approve the request for fee waiver; motion carried unanimously. Ayes: Wilson, Franco, Stafford, Schuster and Garnier.

9D Consider approval of Resolution No. 17-5404 authorizing execution of Airport Ground Lease Agreement for Hangar #37 with the Experimental Aircraft Association Chapter #794 Mr. Hancock stated that Hangar #37 at the Susanville Municipal Airport, previously owned by the Rhymes family, was donated to the Experimental Aircraft Association (EAA) Chapter #794. As the owner of the hangar, is it necessary for the City to enter into a ground lease agreement with the EAA. The EAA has reviewed and approved the updated lease which will provide an annual revenue of \$608, plus 20 percent of sublease fees, or \$20.00, whichever is greater.

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to approve Resolution No. 17-5404; motion carried unanimously. Ayes: Franco, Stafford, Wilson, Schuster and Garnier.

9E Consider approval of Resolution No. 17-5405 authorizing City Administrator to execute an extension with ACS retroactively extending their contract through December 31, 2017 Mr. Newton reported that the City approved a consulting contract in 2016 with ACS Materials testing to provide quality control testing and oversight for STIP paving projects related to SC and SC1 paving projects. Due to the onset of winter weather, construction was suspended until the spring construction season. Additional work was authorized in April 2017, and the contractor, Dig-It Construction, has continued with the paving projects which requires continued materials testing by ACS. It is requested that the contract with ACS be extended to December 2017 to allow for testing the completion of these projects.

Motion by Mayor pro tem Franco, second by Councilmember Stafford, to approve Resolution No. 17-5405; motion carried unanimously. Ayes: Franco, Stafford, Wilson, Schuster and Garnier.

9F Consider approval of Resolution No. 17-5406 authorizing City Administrator to execute an extension with PEI retroactively extending their contract through December 31, 2017 Mr. Newton explained that this is a similar item with the firm of PEI providing quality control testing and oversight for the SC2 and SC3 projects. ST Rhoades Construction suspended construction at the onset of winter weather, and will be finishing up both paving projects this year, to include additive work that was authorized in April 2017. An extension of the contract with PEI is necessary to provide the required quality control testing for these projects.

Motion by Councilmember Wilson, second by Mayor pro tem Franco, to approve Resolution No. 17-5406; motion carried unanimously. Ayes: Wilson, Franco, Stafford, Schuster and Garnier.

9G Consider approval of Resolution No. 17-5407 finding that the required conditions for recordation of Phase 1 of the final Map for Quail Hollow Subdivision have been complied with and directing the City Clerk to effect the recordation of the map prior to August 12, 2017 Mr. Sanders explained that the Quail Hollow project is the first phase of a subdivision that would create 33 lots located

on the east side of Paiute Lane. The tentative map was approved on August 12, 2008 and with time extensions authorized by the State, it is set to expire on August 12, 2017. The project is located in an R-2 Planned Development zone which allows smaller lot sizes and set-backs as well as a narrower road section. The project was originally proposed as an age-restricted subdivision which included a community center for seniors. The applicant brought the project back to the Planning Commission in 2016 for a revised development that would be for unrestricted ages, and to replace the community center with a park area that would be geared towards families.

The final map has been reviewed by the Fire Department, Public Works, City Engineer and the Susanville Sanitary District and there have been no comments or changes requested. Once the final map is recorded, the developer will be able to move forward with the project, and it must be recorded prior to the August 12, 2017 expiration deadline.

Larry Standiford, Developer, described the benefits of updating the development so as not to limit it to a seniors-only development. The options for young families and first-time homeowners in Susanville are more limited and this update seems to fit the needs of the community at this time.

Mayor Garnier noted that the development allows for the option of a stick built, modular or manufactured home. She asked if used manufactured homes would be allowed to be installed on site, and asked what the mixture of types of homes would be according to the CC&R's of the development.

Mr. Standiford responded that the development is for modular homes and also provides the option of site built if that is what the buyer chooses to construct. A used manufactured home to be brought in will not be allowed.

Mayor Garnier noted that the project description includes the reference to allow manufactured homes.

Mayor pro tem Franco asked for an explanation regarding the difference between a manufactured home and a modular home.

Mr. Standiford responded that the main difference is a modular home is constructed and assembled according to the subdivision requirements of the City. They are about 30 percent more expensive to build than a manufactured home.

Mr. Hancock provided an explanation of the characteristics of a mobile, manufactured and modular home. A mobile home is brought in on a trailer and is a home that can be towed away. A manufactured home is built to different construction standard, they are built in factories that are normally monitored by HUD, and the inspection criteria are when they are set up are limited to the connection points and the water heater systems. The modular home is built in sections according to the current California Building Code standards. The sections are assembled onsite and subject to the same on-site inspections that would be performed on stick-built home.

Mayor pro tem Franco asked if the price point for the homes would be affordable for seniors who are typically on a lower income.

Mr. Standiford said that was the goal, to make the homes more feasible and attractive for those citizens who may not be able to afford a higher priced, stick-built home located elsewhere in town. They hope to attract more adults with the limited number of bedrooms and smaller lot sizes which typically are not as

attractive to larger families. He added that they have spent a lot of time in determining what type of development would work best for the community.

Mayor Garnier commented that the City needs a subdivision for new homebuyers, since there are very few homes for first-time homebuyers.

Motion by Councilmember Wilson, second by Councilmember Stafford, to approve Resolution No. 17-5407; motion carried unanimously. Ayes: Wilson, Stafford, Franco, Schuster and Garnier.

9H Consider fee waiver request for use of Golf Course Restaurant Facility for the August 4-6, 2017 Diamond Mountain Men's Golf Club Golf Tournament Mr. Hancock reported that the Diamond Mountain Men's Golf Club is hosting the annual Member Guest Golf Tournament on August 4-6, 2017 at the Diamond Mountain Golf Course. Proceeds from the tournament help to fund scholarships for Lassen High School graduating seniors, and the Club is requesting a fee waiver for use of the restaurant facilities. The usage of the facility including the kitchen is \$175.00, with a \$100 refundable deposit.

Motion by Mayor pro tem Franco, second by Councilmember Wilson, to approve the fee waiver as requested; motion carried unanimously. Ayes: Franco, Wilson, Stafford, Schuster and Garnier.

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 Administrative Services Update Mr. Hancock reviewed the activities and services provided by the Administrative Department. He reviewed the current and upcoming projects, including the restructure of the Airport ground leases, promoting the clean-up of the community which included having a presence at the Lassen Chamber of Commerce Home and Garden Show and hosting a community clean-up day which involved a lot of community volunteers who worked to pick up trash and debris throughout town. The Alliance for Workforce Development crew has been spending a lot of time working to clean up the damage to various City facilities and the finish work related to the City Hall repaint project will be addressed at the completion of the post-flood clean-up work. The Department was involved in and coordinated the ribbon cutting ceremony for the community pool, and is coordinating the close out of the PAPI project and AIP 15 and 16 at the Susanville Airport.

Mayor Garnier asked who painted the bandstand at Memorial Park.

Mr. Hancock responded that it was the Alliance for Workforce Development crew who repainted after the graffiti incident.

Mayor Garnier pointed out an area on the south side of the tennis courts that still had graffiti that needed to be covered up.

Mr. Hancock continued reviewing activities in the Department related to Grant administration, including the Regional Water Management Plan projects, the HOME Homebuyer program, monitoring work related to

CDBG Grant Program participants, the Sustainable Communities Grant, Cameron Park project, and the upcoming Riverside Park CDBG Grant project which involves \$450,000 in upgrades to the park facilities.

Mr. Hancock explained that a significant milestone has been the recent adoption of the Property Maintenance Ordinance, which included a Nuisance Abatement component. Staff has prepared a list of top 20 Code Enforcement related properties and has begun the process of sending out letters to property owners. Mr. Hancock reviewed items related to new hires, building permit issuance and code enforcement and finance division activity. The Community Development division is coming to the end of the public review period for the Hazard Mitigation Plan and there is a lot of increased building permit and housing application activity.

Mr. Hancock invited questions or comments from the City Council.

Mayor pro tem Franco commented that he was pleased to see the positive impact of the Property Maintenance ordinance, and he thanked the Fire Department and Planning Department for the hard work and effort related to weed and rubbish abatement. He added that it was remarkable to see how quickly those eye sore properties were cleaned up, and he expressed his appreciation for all of the hard work put forth by staff.

Councilmember Wilson commented that he was happy to see that the Planning Commission has three commercial properties that are being addressed regarding their landscaping.

Mr. Sanders stated that the commercial businesses have responded very well to the new regulations.

Mayor Garnier noted that a few of the Main Street businesses had not complied yet with the requirements.

Mr. Sanders replied that the Corporate Division was involved in a few instances, and the communication process is somewhat more lengthy.

14 COUNCIL ITEMS:

14A AB1234 travel reports:

Councilmember Schuster requested that the Comprehensive Economic Development Strategy (CEDS) document be placed on the August 16, 2017 for consideration.

Mayor pro tem Franco requested that staff take the lead regarding law enforcement issues in order to get the word out that the City is being proactive to address the problem.

15 ADJOURNMENT:

At 8:57 p.m. Mayor Garnier called for a five minute recess prior to reconvening in Closed Session.

At 9:01 p.m. the City Council reconvened in Closed Session.

Meeting adjourned at 10:16 p.m.

Respectfully submitted by

Kathie Garnier, Mayor

Gwenna MacDonald, City Clerk

Approved on: September 6, 2017