

SUSANVILLE CITY COUNCIL
Regular Meeting Minutes
April 4, 2018– 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, Mendy Schuster and Kathie Garnier.
Absent: Franco.

Staff present: Dan Newton, Interim City Administrator; Jessica Ryan, City Attorney and Gwenna MacDonald, City Clerk.

1 APPROVAL OF AGENDA:

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

2 PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS: None.

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

- A PUBLIC EMPLOYMENT – Pursuant to Government Code Section §54957
 - 1 City Administrator
 - 2 City Planner
 - 3 Approved Position List
- B CONFERENCE WITH LABOR NEGOTIATORS - pursuant to Government Code Section §54957.6
 - 1 Agency Negotiator: Dan Newton
 - Bargaining Unit: SPOA
- C CONFERENCE WITH REAL PROPERTY NEGOTIATOR – pursuant to Government Code Section §54956.8
 - 1 Property: APN # 107-280-09
 - Agency Negotiator: Dan Newton, Interim City Administrator
 - Negotiating Parties: City of Susanville/Sierra Pacific Industries
 - Under Negotiation: Purchase of Land
- D CONFERENCE WITH LEGAL COUNCIL – EXISTING LITIGATION – Pursuant to paragraph (1) of subdivision (d) of Section 54956.9 of the California Government Code regarding two cases

4 RETURN TO OPEN SESSION:

At 7:00 p.m. the City Council reconvened in Open Session.

Staff present: Dan Newton, Interim City Administrator; Jessica Ryan, City Attorney; James Moore, Fire Chief; Dan Gibbs, Acting Public Works Director; Kelley Merritt, Acting Police Chief; Deborah Savage, Finance Manager; and Gwenna MacDonald, City Clerk.

Mr. Newton reported that prior to Closed Session, the City Council approved the agenda as submitted. The Council met in Closed Session, and there was no reportable action taken.

Mayor Garnier requested a moment of silence in recognition of the passing of Mary Fahlen, who served the City of Susanville as City Clerk and after retirement, served two terms on the City Council.

Mayor Garnier read a proclamation recognizing April 2018 as Child Abuse Prevention month.

5 BUSINESS FROM THE FLOOR:

Rick Floyd addressed the Council regarding the establishment of a Disc Golf course on the Skyline Park Property in connection with the Paul Bunyan Connectivity Project. He discussed the benefits and of the sport.

Teresa Phillips spoke to the Council on behalf of the Lassen Library. National Library Week is April 8 – 14, and she reviewed the schedule of events planned to commemorate the week.

Councilmember Schuster requested separate consideration of Item 6C.

6 CONSENT CALENDAR:

- A Approve minutes from the City Council's February 7 and 21, 2018 meetings
- B Receive and file minutes from the joint Lassen County Board of Supervisors and Susanville City Council special meeting of January 23, 2018
- C Approve vendor warrants numbered 200645 through 200866 for a total of \$495,710.70 including \$100,887.63 in payroll warrants
- D Approve **Resolution Number 18-5488** authorizing Mayor to execute an Agreement for Professional Services between Full Spectrum, Inc. and the City of Susanville for the purpose of Full Spectrum, Inc. providing ongoing consulting assistance related to Public Works Department's Supervisory Control and Data Acquisition (SCADA) System
- E Approve **Resolution No. 18-5491** approving the purchase of APN# 107-090-15 from Sierra Pacific Industries and authorizing Interim City Administrator to sign contract documents
- F Approve appointment of Airport Commissioner

Motion by Councilmember Stafford, second by Councilmember Schuster, to approve the Consent Calendar with the exception of Item 6C; motion carried. Ayes: Stafford, Wilson, Schuster and Garnier. Absent: Franco.

Motion by Councilmember Stafford, second by Councilmember Wilson, to approve Consent Calendar Item 6C; motion carried. Ayes: Stafford, Wilson and Garnier. Abstain: Schuster. Absent: Franco

7 PUBLIC HEARINGS: No business.

8 COUNCIL DISCUSSION/ANNOUNCEMENTS: Commission/Committee reports: none

9 NEW BUSINESS:

9A Consider Resolution No. 18-5494 approving annual Lassen Family Services Walk a Mile in Their Shoes event, authorizing fee waiver request and authorizing street closure Mr. Newton explained that Lassen Family Services has scheduled their annual Walk a Mile in Their Shoes event for Saturday, April 7, 2018. The walk begins at the Susanville Community Center on Weatherlow, and ends at Memorial Park, and a street closure is being requested for North Street from North Weatherlow to Grand

Avenue. A waiver of fees has also been requested for the use of the Community Center and Memorial Park, for a total of \$270.00. Police Department staff time will also be needed to provide traffic control.

Motion by Councilmember Wilson, second by Councilmember Stafford, to approve Resolution No. 18-5494; motion carried. Ayes: Wilson, Stafford, Schuster and Garnier. Absent: Franco.

9B Consider Sponsorship and Fee Waiver Request for 29th Annual Susan River Junior Fishing Derby: April 21, 2018 Mr. Newton reported that the Annual Junior Fishing Derby is scheduled for Saturday, April 21, 2018. The event is a very popular family event for the community, and between 500 and 700 youth ages 2 to 15 participate every year. The Lassen Sportsmen's Club is requesting the City of Susanville co-sponsor the Derby by waiving the use fees for Memorial Park, the deposits for the sound system and electrical panel, provide insurance coverage and contribute \$1,000 for the event. Parks Superintendent Dow Davis will be working with the Sportsmen's Club to set up for the event and staff will be printing participant numbers and maps. In previous years the City Council has designated the Junior Fishing Derby as the recipient of the "Recreation Round-up" funds. As of March 12, 2018, the balance in the fund is \$320.

Mr. Newton explained that last season the City utilized a combination of Recreation Round-up funds, Civic Contribution funds of \$500 and \$210.07 from fund balance to reach the requested \$1,000. The Civic Contribution Fund is currently at \$5,405, and staff anticipates receiving additional funding contribution requests that would typically be paid by the Civic Contribution Fund.

Mayor Garnier suggested creating a line item in the City's budget for sponsorship of the Junior Fishing so that it is automatically funded. It is a valuable event for the community and is something that the Council has always supported.

Councilmember Wilson commented that last year, it was requested to add a note on the monthly utility billing that informed customers that the Recreation Round-up funding was utilized to support the Junior Fishing Derby, and that it was hoped that it would increase the balance in the fund. He stated that the City needs to be fiscally conservative and mindful of the groups and organizations who normally request financial contributions from the City. He would support contributing \$1,000 to the Junior Fishing Derby, but did not support utilizing fund balance to make up the difference.

Motion by Councilmember Wilson, second by Councilmember Stafford, to approve the fee waiver and authorizing sponsorship of the Junior Fishing Derby in the amount of \$1,000 to be paid from the Recreation Round Up and Civic Contribution Funds; motion carried. Ayes: Wilson, Stafford, Schuster and Garnier. Absent: Franco.

9C Consider Fee Waiver Request for Lassen County Chamber of Commerce Annual Main Cruise Classic Car Show N' Shine on June 30, 2018 and authorizing sale of alcoholic beverages Mr. Newton explained that the Lassen County Chamber of Commerce hosts the annual Main Street Cruise that has traditionally been located on Main Street in Uptown Susanville. The event was moved to Memorial Park two years ago, and it has been a successful and popular location. The Chamber is asking for the City to consider waiving park use fees, and allow the sale of alcoholic beverages for the event. As part of the application process through the Department of Alcoholic Beverage Control, a letter of authorization from the City is required.

Vicki Lozano, representing Chamber of Commerce, thanked the City Council for their consideration. The location at the park has been very well received, and is enjoyable for both participants and attendees. The event is scheduled from 1:00 to 6:00 p.m. and is one day only this year.

Motion by Councilmember Schuster, second by Councilmember Wilson, to approve the fee waiver request and authorize the sale of alcoholic beverages for the 2018 Main Cruise; motion carried. Ayes: Schuster, Wilson, Stafford and Garnier. Absent: Franco.

9D Consider Resolution Number 18-5487 that that authorizes the following 1) City Council to accept and award Project No. 17-01, 2012 STIP Pavement Project 'FC' in the City of Susanville to the lowest responsible bidder; 2) Interim City Administrator Acting to execute a contract for \$1,463,197.00 once bonds and insurance are provided; and 3) Acting Director of Public Works to issue a Notice To Proceed and execute related contract change orders up to 10% of the value of the base bid; and 4) Finance Manger to create a budget for the project based on available STIP funds Mr. Gibbs explained that the City has received bids for the next STIP paving project, to repave streets at Mill Street, North Lassen Street, Weatherlow Street, Paiute Lane, Parkdale Avenue and Alexander Street. The lowest responsible bid was received from Dig It Construction, and came in 7.24 percent lower than the engineer's estimate at \$1,463,197. In addition to authorizing the execution of contract documents and change orders, the City has an opportunity to utilize college civil engineering interns to provide field support, which frees up City engineering staff to perform other duties and tasks.

Motion by Councilmember Wilson, second by Councilmember Schuster, to approve Resolution no. 18-5487, including the use of engineering interns as requested; motion carried. Ayes: Wilson, Schuster, Stafford and Garnier. Absent: Franco.

9E Consider Resolution Number 18-5489: 1) awarding Full Spectrum Inc., Nephi, UT the bid for a SCADA system software upgrade; and 2) authorizing the Interim City Administrator to execute a contract with Full Spectrum Inc. based on that bid Mr. Gibbs reported that the Supervisory Control and Data Acquisition (SCADA) system that operates the water and natural gas distribution facilities for the City is in need of software upgrades. These facilities include pumps, pressure relief valves, tanks and the system is experiencing periods where the system cannot communicate fully or presents false alarms for the condition of the system(s). Additionally, the hardware and associated software system have become outdated to the point that upgrade is no longer viable and a full replacement is needed.

The City approached several local firms, and they were unresponsive. Full Spectrum, Inc. based out of Nephi, Utah, was deemed to be the lowest responsible bidder at \$17,159. The agreement provides that Full Spectrum Inc. will order the shareware, install the updated software and coordinate with Public Works staff to install the equipment. Funding is available in the Public Works Natural Gas and Water Divisions to purchase the system upgrades.

Motion by Councilmember Stafford, second by Councilmember Schuster, to approve Resolution No. 18-5489; motion carried. Ayes: Stafford, Schuster, Wilson and Garnier. Absent: Franco.

9F Consider Resolution No. 18-5490 authorizing the Interim City Administrator to sign the Frontier Services agreement, and the equipment purchase, installation, and maintenance agreement for both the Susanville Police Department, and Susanville Fire Department Chief Moore explained that the Police and Fire Departments are currently out of contract with the phone services provided by Frontier Communications. The Centrex/Meridian system and components are extremely

outdated and repair or replacement of components is extremely difficult. The system is inefficient and no longer meets the operational needs of the departments. The departments have negotiated an agreement with Frontier Communications that will meet the current and anticipated future needs of both departments. The estimated annual increase to the Fire and Police budgets is \$108 for the Fire Department and \$180 for the Police Department.

Mayor Garnier asked if the phone system would be compatible with the current system at City Hall.

Chief Moore responded that it would not be. It is critical for the Public Safety departments to have a phone system that is usable when the internet is down.

Councilmember Wilson asked if the Public Works department phone system had been updated.

Mr. Newton responded that it had not, and that it was about as old as the phones at the Police and Fire Departments.

Motion by Councilmember Stafford, second by Councilmember Schuster, to approve Resolution No. 18-5490; motion carried. Ayes: Stafford, Schuster, Wilson and Garnier. Absent: Franco.

9G Consider Resolution No. 18-5492 approving establishment of Revenue and Expense budget for FEMA Projects Ms. Savage explained that at the June 7, 2017 Council meeting, the Council voted to establish a Flood/Emergency Declarations Budget for the 4301 and 4308 FEMA projects. The cost proposals have been reviewed by FEMA, and a spreadsheet listing each project and the dollar amount requested has been provided to the Council for review. FEMA and Cal OES have issued payments to the City for emergency repairs during the initial event in the amount of \$37,139 for Project 4301 and \$24,042 for Project 4308. The City is responsible for the remaining amounts \$1,700.44 for 4301 and \$1,101.97 for 4308. The City has also received the allocation for project LSSUG02- Golf Course and Airport in the amount of \$84,215 with the remaining \$5,615.17 being the responsibility of the City. One project that was submitted as part of 4308 was LSSUF04, City-wide Parks and Recreation. This project included amounts for the golf course irrigation controller unit that was damaged in the storm. FEMA has reduced the requested \$121,943 project amount by \$90,653, citing anticipated coverage under the City's property insurance. The action requested is to allow the creation of a revenue and expense budget to administer the funding.

Councilmember Wilson asked if a claim had been filed regarding the irrigation control at the Golf Course.

Ms. Savage responded that it had been patched back together, and that a claim had not been filed with the City's self-insurance pool, since the property insurance covers equipment damaged by wind or rain, but not a flood event.

Mr. Newton added that the City was determining what the deductible would be to file a claim on the equipment, and it's likely that it may be just as expensive as replacing the equipment.

Motion by Councilmember Stafford, second by Councilmember Wilson, to approve Resolution No. 18-5492; motion carried. Ayes: Stafford, Wilson, Schuster and Garnier. Absent: Franco.

9H Consider Resolution No. 18-5495 authorizing the execution of a professional services agreement with Dyer Engineering Consultants for preparation of construction documents for the

Cady Springs Pump Station and Pipeline Mr. Newton reported that in 2003, the City initiated a project for the installation of a water pumping station at Cady Springs. The project included the installation of a 1 million gallon tank and approximately 2 miles of new pipeline. The project was not finished due to insufficient funds. In 2006, construction plans and specifications were completed by Sunrise Engineering. The project was bid but could not be awarded due to insufficient funds. The City received a grant in 2016 to complete the project. The first phase of the project was to evaluate the 2006 construction documents, and phase two is the preparation of the construction documents. Dyer Engineering Consultants was the responsive bidder awarded the contract, and they have completed the engineering report as part of phase one. They have prepared a scope and cost to complete phase two, and the agreement also includes a summary and rate schedule. The cost summary has been negotiated to meet the needs of the project, and to have the total cost be reimbursable by the grant.

Mayor Garnier asked what the estimated timeline would be for completion.

Mr. Newton responded that the project must be completed by January 2019, so it is on a very tight schedule.

Motion by Councilmember Stafford, second by Councilmember Wilson, to approve Resolution No. 18-5495; motion carried. Ayes: Stafford, Wilson, Schuster and Garnier. Absent: Franco.

9I Consider Resolution No. 18-5496 approving contract with Dutra Construction for the abatement of 250 N. Spring Street and authorizing Mayor to sign contract Mr. Newton explained that according to the City's Property Maintenance Ordinance, the property at 250 N. Spring Street has been identified as a public nuisance. Due to non-responsiveness by the property owner, the Planning Commission conducted a hearing and determined that a nuisance exists, and authorized the issuance of an abatement order. Staff solicited bids from local companies, and identified Dutra Construction as the lowest bidder at \$1,707.46. The property owner will be charged the cost of abatement, and the property will be cleaned up through coordination of the City Building Department.

Raj Baines thanked City Staff and Council for the hard work that has resulted in the abatement order. He has one issue with the neighboring fence. Both property owners are responsible for maintaining the fence, not just one. The property is in very poor condition, with a cracked foundation and sagging roof in the portion of the house where the foundation is failing.

Motion by Councilmember Stafford, second by Councilmember Schuster, to approve Resolution No. 18-5496; motion carried. Ayes: Stafford, Schuster, Wilson and Garnier. Absent: Franco

10 SUSANVILLE COMMUNITY DEVELOPMENT AGENCY: No business.

11 SUSANVILLE MUNICIPAL ENERGY CORPORATION:

At 8:01 the City Council recessed and reconvened as the Susanville Municipal Energy Corporation. The Clerk conducted roll call of all Directors present.

11A Consider Resolution EC-18-209 authorizing Chairperson to execute an easement for ingress and egress granting access to affected property owners utilizing a portion of Peak Road through a City owned parcel Mr. Gibbs reported that the Susanville Municipal Energy Corporation (SMEC) owns property encompassing the Bagwell Springs facilities and access road where a road easement for Peak Road is located. This road is accessed from the south at the north end of Paiute Lane where it meets the

upper reaches of Susanville Ranch Park. Peak Road crosses the SMEC parcel containing Bagwell in the northeasterly corner along a northwest-southeast alignment. Mr. Gibbs referred to a map in the agenda packet which identifies the location of the road. One of the property owners contacted the City who is experiencing difficulty in selling a residence due to the lack of legal access to the parcel. Other property owners who access their property through the easement were in support of the request made by Mr. Jim Eddy. The parcel containing Bagwell Springs was acquired by SMEC, and there are no recorded easements for access through or along the parcel for adjoining property owners, and it has never been established as an easement for access. It is an unimproved dirt road that has been in use for many years, and presently it is accessed from Ranch Park. The County has granted Mr. Eddy's request for access across the Susanville Ranch Park, and recently the Board of Supervisors approved the recordation of an easement. The Board's action provides a benefit to SMEC as well, since the property acquisition did not provide legal access across lands not under SMEC control. It is proposed that the easement property be granted, the City and Mr. Eddy are in agreement of the easement location, and maintenance of the easement will be the sole responsibility of the grantee.

Director Wilson asked who currently maintains the road.

Mr. Eddy responded that the property owners maintain the road, or Sierra Pacific Industries works on it if they are engaged in any logging activities on their property.

Motion by Director Wilson, second by Director Stafford, to approve Resolution No. EC 18-209; motion carried. Ayes: Wilson, Stafford, Schuster and Garnier. Absent: Franco.

At 8:07 the Susanville Municipal Energy Corporation adjourned and reconvened as the Susanville City Council.

12 **CONTINUING BUSINESS:** No business.

13 **CITY ADMINISTRATOR'S REPORTS:**

13A **Police Department Update** Acting Chief Merritt provided an update regarding the activities of the Susanville Police Department for the fourth quarter of 2017. He reviewed staffing levels, community outreach efforts, discussed the success of the Neighborhood Watch Groups and Crime Stoppers program, and compared quarterly crime statistics between 2017 4th Quarter and 2018 1st Quarter. Traffic citations issues, felony and misdemeanor arrests, animal complaints, and three part-1 crimes including aggravated assault, burglary and theft have all shown increases. Reductions are seen in vehicle collisions, parking citations, domestic violence and vandalism.

The City Council thanked Acting Chief Merritt for his report, and complimented him on a job well done in serving as Acting Police Chief.

14 **COUNCIL ITEMS:**

14A **AB1234 travel reports:**

15 **ADJOURNMENT:**

Motion by Councilmember Wilson, second by Councilmember Stafford, to adjourn the meeting. Ayes: Wilson, Stafford, Schuster and Garnier. Absent: Franco

Meeting adjourned at 8:12 p.m.

Kathie Garnier, Mayor

Respectfully submitted by

Gwenna MacDonald, City Clerk

Approved on: April 18, 2018