

SUSANVILLE CITY COUNCIL
Regular Meeting Minutes
September 19, 2018– 6:00 p.m.

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

Roll call of Councilmembers present: Brian Wilson, Joseph Franco, Brian Moore, Mendy Schuster and Mayor Kevin Stafford

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

1 APPROVAL OF AGENDA:

Mr. Newton noted that a revised Item 7A had been provided to the City Council and made available to the public. The revisions reflect the payments made by property owners for abatement work conducted on their property.

Motion by Mayor pro tem Franco, second by Councilmember Schuster, to approve the agenda with the amended Item 7A submitted; motion carried unanimously. Ayes: Franco, Schuster, Wilson, Moore and Stafford.

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 LABOR NEGOTIATORS - pursuant to Government Code Section §54957.6
Agency Negotiator: Dan Newton
Bargaining Unit: 1. Administrative
- B PUBLIC EMPLOYMENT – Pursuant to Government Code Section §54957
1 Police Chief
- C CONFERENCE WITH REAL PROPERTY NEGOTIATOR – pursuant to Government Code Section §54956.8
 - 1 Property: APN #116-230-85-11 (Diamond Mountain Bar & Grill)
Agency Negotiator: Dan Newton, Interim City Administrator
Negotiating Parties: City of Susanville/Rebecca Anderson
Under Negotiation: Terms of Lease
 - 2 Property: Hangar #39 at the Susanville Municipal Airport
Agency Negotiator: Dan Newton, Interim City Administrator
Negotiating Parties: Air Methods
Under Negotiation: Terms of Lease
- 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:
 - 1 Mathew Wood v City of Susanville
 - 2 Michael Bollinger v City of Susanville
- E SIGNIFICANT EXPOSURE TO LITIGATION – Pursuant to Government Code Section §54956.9(b)

4 RETURN TO OPEN SESSION:

At 7:13 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; Quincy McCourt, Project Manager; and Gwenna MacDonald, City Clerk.

Mr. Newton reported that prior to Closed Session, the agenda was approved with a revision to Item 7A and during Closed Session, the City Council provided direction but no reportable action was taken. The Council would be reconvening in Closed Session at the conclusion of Open Session.

Daniel Gibbs offered the Thought of the Day.

An employee service pin presentation was conducted to recognize the service of employees from the Administrative Services, Fire, Police and Public Works Departments. Pins for five, ten and twenty years of service were presented by the respective Department Heads.

5 BUSINESS FROM THE FLOOR:

Susan Felt, Sierra Cascade Nursery, announced that over 400 seasonal workers would be arriving in Susanville on Sunday, September 24, 2018. They are being housed at the Lassen County Fairgrounds and will be spending time in town shopping and visiting businesses. She invited the Council, law enforcement, or other members of the public to contact her directly if there were any questions or concerns with their presence in town.

Gary Felt distributed information regarding a two day import/export event scheduled for June 2019 and hosted by the Lassen Chamber of Commerce. He discussed the event that will focus on bringing information to rural America by joining business owners, government employees and elected officials to discuss economic growth, and promote opportunities for import and export of goods and services from rural areas. He reviewed the tentative schedule, adding that it is in the planning stages and he will continue to keep the City Council updated regarding the event.

Darrell MacChamber thanked the City Council for its involvement in helping to improve safety at the school crossing on the corner of Ash and Third Street. The City previously wrote a letter to the California Highway Patrol to address the challenge of patrolling the intersection with limited staffing. The presence of a CHP officer at the intersection helped to reduce traffic speeds, however the problem is now surfacing again. He requested that the City once again step in to assist, and suggested that an article in the paper would also help get the word out. The mornings are dark, and there are kindergarten and first grade student out before 7:00 in the morning walking to school by themselves. Safety is a concern for everyone and he thanked the Council and Police Department for their assistance.

Darrell Foster discussed issues related to the soccer field at Riverside Park, and the planned grant-funded improvements. He requested that new lighting be included in the project and suggested investigating funding opportunities through LMUD.

Jacob Memmot and Kendall Hubbard, student representatives for Lassen High School, requested that the City Council consider approving a closure of Main Street for the High School's annual home coming parade. It is a popular event and closure of the street would help make homecoming a bigger event for the community.

Councilmember Wilson commented that the Council could not make a decision to approve the street closure as a business from the floor item.

6 CONSENT CALENDAR:

- A Approve minutes from the City Council's August 1, 2018 meeting
- B Approve **Resolution No. 18-5573** approving and authorizing Mayor to execute MOU with the Administrative Bargaining Unit
- C Receive and file Finance Reports for June, July and August 2018

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

7 PUBLIC HEARINGS:

- A Consideration of **Resolution No. 18-5551 through 18-5571** authorizing Weed and Rubbish assessment and liens against certain real properties located within the City of Susanville:

Address	APN	Address	APN
362 Alexander	107 083 13	738 Plumas St	107 171 25
250 Ash Street	105 102 05	350 N. Roop Street	103 150 07
335 Ash Street	105 086 02	230 Russell Avenue	105 180 07
1502 Cornell Street	105 262 02	765 Shasta Street	107 181 16
75 Derek Drive	105 345 41	Sierra and Modoc	107 250 04
1418 Fourth Street	105 046 04	745 Washo Lane	103 092 21
110 Hall Street	105 153 06	845 Washo Lane	103 085 08
1116 Mark Street	103 231 08	880 Washo Lane	103 083 16
417 Minckler	107 141 22	57 N. McDow St.	105 164 01

Mr. Newton explained the process that the City follows to abate weed and rubbish nuisances in accordance with the Susanville Municipal Code. The Fire Department initiates the process through contact with the property owners who fail to meet the weed abatement deadline that is established by the City Council. Failure to clean up properties so that they do not pose a fire hazard by the deadline results in letters and notification to the property owner that the City will contract to have the properties cleaned up. Once that occurs, the City must recover the cost of abatement and if it is not paid, then the Council must approve the assessment and subsequent lien on the property.

At 7:44 p.m. Mayor Stafford opened the public hearing and requested comments from the public.

Shanna Glenn, 1502 Cornell Street, asked for an extension to pay the cost of the abatement to her property. She was not aware that there was a problem with the property.

Mollie Beckett, tenant at 230 Russell Avenue explained that she is a single mother, and that she and her kids worked to clean up the yard. It took two weeks, and the contractor should not be submitting a bill for the work. Ms. Beckett's son described the work that he and his family did to clean up the property, and that the contractor showed up but did not do anything because the property was already clean.

Tricia Nelson, 845 Washo, stated that it was the neighbor's trash and that she should not be billed for the tenant's trash.

Mayor Stafford asked if she was the property owner at 845 Washo, and Ms. Nelson confirmed that she was.

There being no further comments, Mayor Stafford closed the public hearing at 7:54 p.m.

Mr. Newton suggested that the three properties discussed by the property owners could be removed from the list and be followed up on by the Fire Department.

Motion by Mayor pro tem Franco, second by Councilmember Schuster to approve Resolution No. 18-5552, 18-5555, 18-5556, 18-5557, 18-5560, 18-5561, 18-5559, 18-5562, 18-5565, 18-5567, 18-5568 and 18-5569; motion carried unanimously. Ayes: Franco, Schuster, Wilson, Moore and Stafford.

8 **COUNCIL DISCUSSION/ANNOUNCEMENTS:** Commission/Committee reports:

9 **NEW BUSINESS:**

9A **Consider approval of vendor warrants numbered 202057 through 202158 for a total of \$293,449.60 including \$147,200.24 in payroll warrants** Mr. Newton explained that the vendor warrants would be considered under new business.

Motion by Councilmember Wilson, second by Mayor pro tem Franco, to approve the vendor warrants as presented; motion carried. Ayes: Wilson, Franco, Moore and Stafford. Abstain: Schuster

9B **Consider Resolution No. 18-5572 authorizing the City of Susanville to enter into a contract with The California Department of Justice if awarded Tobacco Law Enforcement Grant** Mr. McCourt explained that through Proposition 56, funding is available to communities through the Tobacco Law Enforcement Grant. The funding provided to local agencies supports the promotion of a healthier lifestyle and reduction in the amount of illegal sales and marketing of cigarettes and tobacco products to minors. The City is always looking for grant funding, and prioritizes that search based upon funding that is available that does not require matching funds committed by the local agency. This funding, if awarded, would be under a 32 month contract, or just under three years. The process of distribution of funding is unique and they encourage communities to apply repeatedly for funding to grow the local projects. The California Department of Justice establishes parameters for spending that encourage creativity for use of funds, and he has been working with the Police Department to develop potential uses for the funding, which are not just limited to funding undercover buying operations. Applicants selected for funding must provide a resolution of the applicant's governing body authorizing the applicant to enter into a contract with the State and identifying the person authorized to execute the contract for the applicant. The resolution should expressly authorize future amendments, if any, for the purpose of increasing funding provided in the original contract, without an additional resolution from the governing body. Applicants selected for funding will be required to submit an original or a certified copy of the resolution.

There was a general discussion regarding the potential uses for the funding and if awarded, an update to the Council regarding the planned uses for funding.

Motion by Mayor pro tem Franco, second by Councilmember Moore, to approve Resolution No. 18-5572; motion carried unanimously. Ayes: Franco, Moore, Wilson, Schuster and Stafford.

9C **Consider Resolution No. 18-5574 authorizing the Mayor to execute an Amended Agreement with Dyer Engineering for the completion of the Cady Springs Pump Station and**

Pipeline construction documents Mr. Gibbs reported that the City Council awarded the contract for design services for completion of the Cady Springs water tank and pumping station to Dyer Engineering. The intent was an update and modification to the 2006 plans that had been used as a guide to determine the remaining work to be completed. The 2016 Proposition 84 grant the City received for the completion of the project was made with the expectation that there would be no significant changes required from the 2006 design. It has been determined through the process of updating the plans to current codes and standards and a thorough evaluation of the hillside conditions and soil above the pump station that the design as originally approved in 2006 cannot be constructed. Unanticipated costs related to geotechnical, pump design and electrical consultants have resulted in an additional expense of \$24,900 which would be funded within the grant amount through a reduction in the construction cost. Staff has submitted an amended agreement to the State that includes the redistribution of design and construction funds. No additional money is being requested for Dyer Engineering under the contract, they are attempting to cover the additional work conducted by their subcontractors. Staff has also submitted a request to extend the contract with the State for an additional year and at the conclusion of the year, will have a set of plans that will be circulated for bid for the construction phase of the project.

There was general discussion regarding the project and the value to the City's water system to have it completed.

Motion by Mayor pro tem Franco, second by Councilmember Schuster, to approve Resolution No. 18-5574; motion carried unanimously. Ayes: Franco, Schuster, Wilson, Moore and Stafford.

9D Consider Resolution No. 18-5575 authorizing purchase of hydraulic rescue equipment Chief Moore reported that the Fire Department purchased a Rescue Vehicle with equipment in 1999, and recently the hydraulic rescue equipment, also known as the jaws of life, sustained a major pump and line failure that will require the replacement of various components. The cost is \$12,000, and the Department has a Facilities and Equipment Reserve Fund, and Council authorization is required to increase the 2018-2019 budget to cover the cost of purchasing the new equipment.

Motion by Councilmember Wilson, second by Mayor pro tem Franco, to approve Resolution No. 18-5575; motion carried unanimously. Ayes: Wilson, Franco, Moore, Schuster and Stafford.

10 SUSANVILLE COMMUNITY DEVELOPMENT AGENCY: No business.

11 SUSANVILLE MUNICIPAL ENERGY CORPORATION: No business.

12 CONTINUING BUSINESS:

12A Consider Resolution No. 18-5541 authorizing execution of Airport Operator Agreement with Air Methods Mr. Newton explained that staff has been working with Air Methods Corporation to develop a commercial operator agreement for Hangar #39 at the Susanville Municipal Airport. This item was scheduled to be discussed during closed session, however there was not sufficient time to discuss, so the recommendation is to finish the closed session discussion and bring back for approval in open session at the next meeting. It was the consensus of the City Council to do so.

13 CITY ADMINISTRATOR'S REPORTS: No business.

14 COUNCIL ITEMS:

14A AB1234 travel reports:

2018 League of California Cities Annual Conference Report

Mayor Stafford and Councilmember Schuster provided a report about their recent attendance at the annual League of California Cities Conference held in Long Beach as representative and alternate.

15 ADJOURNMENT:

At 8:24 p.m. Mayor Stafford called for a five minute recess prior to reconvening in Closed Session.

The Council reconvened in Closed Session at 8:35 p.m. and adjourned Closed Session at 9:25 p.m.

The meeting was adjourned at 9:26 p.m.

Respectfully submitted by

Kevin Stafford, Mayor

Gwenna MacDonald, City Clerk

Approved on: October 17, 2018