

SUSANVILLE CITY COUNCIL
Regular Council Meeting Minutes
WEDNESDAY, SEPTEMBER 6, 2023 – 4:30 PM

Mayor McCourt called the meeting to order at 4:30 p.m.

Roll Call of Councilmembers Present: McCourt, Stafford, Schuster, Brown
Herrera entered at 4:31 p.m.

1. APPROVAL OF AGENDA:

Moved by Herrera; seconded by Brown to approve the agenda with item 12B being heard prior to 9A or, if the public hearings go long, that item may be heard prior to the end of the public hearings.

Motion Carried: 5 - 0

Voting For: McCourt, Stafford, Herrera, Schuster, Brown

Voting Against: None

2. PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS (if any): No public comment.

3. CLOSED SESSION:

The City Council convened in closed session at 4:32 p.m. to discuss the following:

A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - pursuant to Government Code Section §54956.8

- o Property: Ramsey Ditch
- o Agency Negotiator: Dan Newton, City Administrator
- o Negotiating Party: Kim Dieter
- o Under Negotiation: Price/Terms

4. RETURN TO OPEN SESSION: The Council reconvened in open session at 5:00 p.m.

The Pledge of Allegiance and Invocation were provided.

Dan Newton, City Administrator, stated that the council approved the agenda as stated above, met in closed session to discuss the above-mentioned item and provided direction to staff; however, no reportable action was taken.

5. BUSINESS FROM THE FLOOR: Susan, Sierra Cascade Nursery, stated that about 500 people will be coming into the community during the next few weeks to assist the workforce with the harvest season that goes from approximately September 22nd through November 10th.

Theresa Phillips, LMUD, wanted to invite the city council, employees and all community members to the community lunch being held tomorrow.

William Tezak, public member, would like to be on the record and inquired as to whether or not they received the Notice of Intent to sue provided to the Clerk yesterday. He listed a series of names and lawsuits that he intended to pursue as he believes how the city is handling nuisances is legal.

Frank Pringle, public, requested the city take action on the speeding that occurs on Cypress as he continues to see vehicles going far faster than the speed limit. He requested that the item be moved up on the priority list.

Kelly Ackley, Chamber of Commerce, stated that the Safe n Sane Halloween is being hosted by the Chamber this year as well as provided information on two other events will be held soon.

6. CONSENT CALENDAR:

Moved by Herrera; seconded by Schuster to approve all items as listed on the consent calendar.

Motion Carried: 5 - 0

Voting For: McCourt, Stafford, Herrera, Schuster, Brown

Voting Against: None

6.A Minutes of the City Council's August 16, 2023 regular meeting and the August 21, 2023 special meeting.

Motion to waive the reading of and approval to receive and file the City Council's August 16, 2023 regular meeting and August 21, 2023 special meeting minutes.

[230816.cc.min.draft.pdf](#)

[230821.cc.spec.min.draft.pdf](#)

6.B Vendor and payroll warrants Motion to receive and file.

[07-31-23.pdf](#)

[08-03-23.pdf](#)

[08-10-23.pdf](#)

[08-17-23.pdf](#)

[08-18-23.pdf](#)

[08-24-23.pdf](#)

6.C Consider **Resolution No 23-6202**, approving and authorizing the modification of members and conditions to the Memorandum of Understanding with the Firefighters Bargaining Unit

Motion to approve Resolution No. 23-6202, approving and authorizing the modification of members and conditions to the Memorandum of Understanding with the Firefighters Bargaining Unit

[Side Letter.pdf](#)

[23-6202.pdf](#)

6.D Consider **Resolution No. 23-6203**, approving and authorizing the modification of members and condition to the Memorandum of Understanding with the Susanville Police Officers Association Bargaining Unit

Motion to approve Resolution No. 23-6203, approving and authorizing the modification of members and condition to the Memorandum of Understanding with the Susanville Police Officers Association Bargaining Unit

[Side Letter.pdf](#)

[23-6203.pdf](#)

6.E Consider **Resolution No. 23-6204**, approving and authorizing the the modification of members and conditions to the memorandum of understanding with the Administrative Bargaining Unit.

Motion to approve Resolution No. 23-6204, approving and authorizing the the modification of members and conditions to the memorandum of understanding with the Administrative Bargaining Unit.

[2023 ADMIN Side Letter.pdf](#)

[23-6204.pdf](#)

- 6.F Consider **Resolution No. 23-6200**, approving and accepting a donation of \$1,000.00 from the Walmart Charitable Foundation

Motion to approve Resolution No. 23-6200, approving and accepting a donation of \$1,000.00 from the Walmart Charitable Foundation
[23-6200.pdf](#)

- 6.G Consider **Resolution No. 23-6201**, supporting closure of Main Street (State Route 36) from Fair Drive to the Veterans Memorial building located at 1205 Main Street and authorizing closure of Fair Drive from Russell Avenue to Main Street for the Veterans Day parade on Saturday, November 11, 2023, from 10:00am to 12:00pm

Motion to approve Resolution No. 23-6201, supporting closure of Main Street (State Route 36) from Fair Drive to the Veterans Memorial building located at 1205 Main Street and authorizing closure of Fair Drive from Russell Avenue to Main Street for the Veterans Day parade on Saturday, November 11, 2023, from 10:00am to 12:00pm
[23-6201.pdf](#)
[request for veterans parade_2023.pdf](#)

- 6.H Consider **Resolution No. 23-6205**, authorizing the Public Works Director to close one block of Richmond Rd in front of 601 Richmond Road for the purpose of Lassen Land & Trails Trust Annual Rails to Trails Festival and Handcar Races held on October 7, 2023.

Motion to approve Resolution No. 23-6205, authorizing the Public Works Director to close one block of Richmond Road in front of 601 Richmond Road for the purpose of Lassen Land & Trails Trust Annual Rails to Trails Festival and Handcar Races held on October 7, 2023.
[COS-RailsToTrails_10-7-23.pdf](#)
[23-6205.pdf](#)

- 6.I Consider **Resolution No. 23-6199**, authorizing the Public Works Director to close one block of Sunkist Drive in front of the Senior Center for the purpose of a Superhero Fun Run and walk on Saturday, September 30, 2023

Motion to approve Resolution No. 23-6199, authorizing the Public Works Director to close one block of Sunkist Drive in front of the Senior Center for the purpose of a Superhero Fun Run and walk on Saturday, September 30, 2023
[Letter to City - Request Fee Waiver and Road Block Superhero 2023.pdf](#)
[23-6199.pdf](#)

- 6.J Consider **Resolution No. 23-6206**, authorizing the Public Works Director to intermittently close one block of Richmond Rd in front of 601 Richmond Rd. for the purpose of Lassen Land and Trail Trust annual Gravel Adventure Ride held on September 9, 2023.

Motion to approve Resolution No. 23-6206, authorizing the Public Works Director to intermittently close one block of Richmond Rd in front of 601 Richmond Rd. for the purpose of Lassen Land and Trail Trust annual Gravel Adventure Ride held on September 9, 2023.
[COS_LassenGravelAdventureRide_9-9-23.pdf](#)
[23-6206.pdf](#)

- 6.K Consider **Resolution No. 23-6208**, supporting the Lassen County Chamber of Commerce, Safe and Sane Halloween event on Tuesday, October 31, 2023, with the street closure from 12:00pm to 6:00pm.

Motion to approve Resolution No. 23-6208, supporting the Lassen County Chamber of Commerce, Safe and Sane Halloween event on Tuesday, October 31, 2023, from 3:30 pm to 5:30 pm; authorizing the Public Works Director to close South Gay Street (Pancera Plaza) from Main Street to Cottage Street on Tuesday, October 31, 2023, from 12:00 pm to 6:00 pm; and supporting the closure of Main (State Route 36) from Cottage Street to Weatherlow Street on Tuesday, October 31, 2023, from 3:00 pm to 6:00 pm.

[Request Letter_chamber2023.pdf](#)
[23-6208.pdf](#)

- 6.L Consider **Resolution No. 23-6214**, accepting award from Lassen Municipal Utility District's Public Benefits Community Projects program and authorizing the Finance Manager to increase the Susan River Clean Up Project 1011 Fund in the amount of \$23,000

Motion to approve Resolution No. 23-6214, accepting award from Lassen Municipal Utility District's Public Benefits Community Projects program and authorizing the Finance Manager to increase the Susan River Clean Up Project 1011 Fund in the amount of \$23,000

[23-6214.pdf](#)
[Award Letter.pdf](#)
[EUTV.pdf](#)
[23-6085.pdf](#)

- 6.M Approved Position List

[230906 Approved Position List.pdf](#)

7. **PUBLIC HEARINGS:**

- 7.A Consider **Resolution No. 23-6212**, approving a Use Permit/Rezone/General Plan Amendment/Initial Study #22-009 to allow a 70 Space Recreational Vehicle Park at 300 Bella Way on a 10.19 Acre Parcel for the Thompson Family Trust.

Kelly Mumper, City Planner, provided an explanation of the item prior to the hearing being opened.

Public Hearing opened and closed at 5:27 p.m. (no comments received)

Councilmember Stafford inquired as to whether or not California Fish and Wildlife was involved, to which Mr. Mumper stated that they were included.

Mayor McCourt offered the public an explanation of why the city started the code enforcement practices and requested that community members start looking at their own properties and to address anything that may be out of compliance.

[23-6212.pdf](#)
[Thompson Family Trust Mitigated Negative Declaration-Final-Exhibit A.pdf](#)
[MND Mitigation Measures Exhibit-B.docx](#)
[NOI TFT 70 Space RV Park-CC.doc](#)
[Ord. No. 23-1039. Exhibit C.pdf](#)
[Existing and Proposed Zoning Exhibit_D_.docx](#)
[Exhibit E Existing and Proposed Land Use Diagram.docx](#)
[Application Materials and Site Plan.pdf](#)
[Planning Commission Resolution No. 23-1162.pdf](#)

Moved by Schuster; seconded by Herrera to approve Resolution 23-1162, adopting a mitigated negative declaration as the environmental document for file UP/RZ/GPA/IS # 22-009 to amend the general plan land use element diagram, rezone assessor's parcel number

116-470-018-000, and use permit to allow a 70-space recreational vehicle park as stated by Mr. Mumper.

Motion Carried: 5- 0

Voting For: McCourt, Stafford, Herrera, Schuster, Brown

Voting Against: None

- 7.B Conduct Cost Recovery Public Hearing Case # LN2023-001 and consider **Resolution No. 23-6177**, approving a cost report of unpaid administrative citation fines and, if approved, consider subsequent **Resolution No. 23-6178**, approving the recordation of a lien against real property at 1135 Brian Court.

Cody Loflin, Code Enforcement Officer, provided an explanation of how the code enforcement process works, the noticing, the administrative citations, interest, etc... as well as the options that the community members have if a citation is received.

Mr. Loflin presented the item and requested consideration of Resolution No. 23-6177 with the modification of the amount to \$5,278.03 due to the publication notice costs of \$40.90.

Public Hearing open at 5:39 p.m.

William Tezak, public, stated that what Mr. Loflin is calling a public nuisance is not, as it does not affect all members of the public and does not affect the health, general welfare, or safety of the community. He added that Mr. Loflin is "policing for profit", which is illegal. He added that the administrative citations are a form of extortion and the placing of a lien on a property both disparage and slander the title, both of which are a civil cause of action.

Mr. Logan, owner of the property, stated that he had tenants that did not take care of the property, but that it was fixed as soon as he returned to town as he is now living there. He requested the fees be reduced or waived.

Public Hearing closed at 5:44 p.m.

Mr. Loflin stated that this item, and the others coming up, are being presented to approve the costs of the fines, not the validity of the claim, which has already occurred. He added that ultimately, even if someone has tenants, the property owner is the responsible party.

Mayor McCourt inquired as to whether this is the time to request a change in the amount of the fines if the council desired, to which Mr. Loflin confirmed and added that Mr. Logan was one of the first cases and was always respectful in his dealings with him. He also stated that everything changed once Mr. Logan returned to town and the neighbors are grateful.

Councilmember Brown thanked Mr. Logan for taking care of his property and recommended that the fines stand, but he should go after the tenants for reimbursement.

Councilmember Brown made a motion to approve Resolution No. 23-6177 with the addition of the other costs.

Mayor McCourt made a secondary motion to approve Resolution No. 23-6177 with a 10% reduction of the fines, for a total of \$4,750.23, seconded by Schuster.

Motion Carried: 4 - 1

Voting For: McCourt, Stafford, Herrera & Schuster

Voting Against: Brown

Public Hearing opened and closed at 6:07 p.m. to consider Resolution No. 23-6178 with the modification in fees as determined for Resolution No. 23-6177.

Motion by Herrera, seconded by Brown, to approve Resolution No. 23-6178 with the modified language to include the updated amount of \$4,750.23.

Motion Carried: 5 - 0

Voting For: McCourt, Stafford, Herrera & Schuster

Voting Against: Brown

[Cost Report - 1135 Brian Court](#)

[23-6177.pdf](#)

[23-6178.pdf](#)

- 7.C Conduct Cost Recovery Public Hearing on Case # LN2023-002 and consider **Resolution No. 23-6179**, approving a cost report of unpaid administrative citation fines and, if approved, consider subsequent **Resolution No. 23-6180**, approving the recordation of a lien against real property at 713 Cottage Street.

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6179 with the modification of the amount to \$367.46 due to the publication notice costs of \$40.90.

Public Hearing open at 5:59 p.m.

William Tezak, beneficiary and property owner, again stated his argument regarding the definition of a public nuisance and stated that he was denied his due process rights and an actual appeal process, as there was not an independent judge, and that represents a civil rights violation. He stated that if the lien is approved, he will be amending his government tort claim and prosecuting civil rights violation on each case.

Public Hearing closed at 6:01 p.m.

Moved by Herrera; seconded by Brown to approve Resolution No. 23-6179 as written.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6180.

Public Hearing opened at 6:02 p.m.

Mr. Tezak will amend the original government tort claim and will put the city on notice that, if there is a lien placed on this property, he will consider it extortion.

Public Hearing closed at 6:07 p.m.

Moved by Herrera; seconded by Brown to approve Resolution No. 23-6180 as written.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

[Cost Report - 713 Cottage Street](#)

[23-6180.pdf](#)

[23-6179.pdf](#)

- 7.D Conduct Cost Recovery Public Hearing on Case # LN2023-003 and consider **Resolution No. 23-6181**, approving a cost report of unpaid administrative citation fines and, if approved, consider subsequent **Resolution No. 23-6182**, approving the recordation of a lien against real property at 811 Cottage Street.

Mr. Loflin provided an explanation of the item and requested approval of Res. No. 23-6181 with the modification of the amount to \$694.14 due to the publication notice costs of \$40.90.

Public Hearing opened at 6:10 p.m.

Mr. Tezak, public, once again stated his above-mentioned opinions. He continued that Constitutional Rights stand higher than local ordinances and that the pecking order has the local ordinances on the bottom, followed by state statutes, and then state and federal rights. He added that it is not being looked at as a rights issue, but only a regulatory issue. He stated that when he says he is going federal, he means he is doing so for civil rights violations.

Public Hearing closed at 6:12 p.m.

Moved by Brown; seconded by Herrera to approve Resolution No.23-6181 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6182 with the modification of cost as approved in Res. No. 23-6181.

Public Hearing opened at 6:14p.m.

Mr. Tezak provided comments.

Public Hearing closed at 6:14 p.m.

Moved by Herrera; seconded by Brown to approve Resolution No.23-6182 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

[Cost Report - 811 Cottage Street](#)

[23-6182.pdf](#)

[23-6181.pdf](#)

- 7.E Conduct Cost Recovery Public Hearing on Case # LN2023-004 and consider **Resolution No. 23-6183**, approving a cost report of unpaid administrative citation fines and, if approved, consider subsequent **Resolution No. 23-6184**, approving the recordation of a lien against real property at 50 South Gay Street.

Mr. Loflin provided an explanation of the item and requested the modification and approval of Resolution No. 23-6183 to \$367.46.

Public Hearing (costs) open at 6:17 p.m.

Mr. Tezak provided comments.

Public Hearing closed at 6:18 p.m.

Moved by Herrera; seconded by Brown to approve Resolution No.23-6183 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6184 with the modification of cost as approved in Res. No. 23-6183.

Public Hearing opened at: 6:19 p.m.

Mr. Tezak provided comments.

Public Hearing closed at: 6:20 p.m.

Moved by Herrera; seconded by Brown to approve Resolution No.23-6184 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

[Cost Report - 50 South Gay Street
23-6184.pdf
23-6183.pdf](#)

- 7.F Conduct Cost Recovery Public Hearing on Case # LN2023-005 and consider **Resolution No. 23-6185**, approving a cost report of unpaid administrative citation fines and, if approved, consider subsequent **Resolution No. 23-6186**, approving the recordation of a lien against real property at 610 Juniper Street.

Councilmember Schuster recused herself for being too close to this property.

Mr. Loflin provided an explanation of the item and requested modified Resolution No. 23-6185 for an amount of \$354.18.

Public Hearing opened and closed at 6:22 p.m. with no comments.

Moved by Brown; seconded by Herrera to approve Resolution No.23-6185 as modified.

Motion Carried: 4- 0

Voting For: None

Voting Against: None

Recused: Schuster

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6186 with the modification of cost as approved in Res. No. 23-6185.

Public Hearing opened and closed at 6:23 p.m. with no comments.

Moved by Herrera; seconded by Brown to approve Resolution No.23-6186 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

Recused: Schuster

[Cost Report - 610 Juniper Street](#)

[23-6186.pdf](#)

[23-6185.pdf](#)

- 7.G Conduct Cost Recovery Public Hearing on Case # LN2023-006 and consider **Resolution No. 23-6187**, approving a cost report of unpaid administrative citation fines and, if approved, consider subsequent **Resolution No. 23-6188**, approving the recordation of a lien against real property at 713 Cottage Street.

Mr. Loflin provided an explanation of the item and modified Resolution No. 23-6187 in the amount of \$1,187.58.

Public Hearing opened at 6:26 p.m.

Mr. Tezak provided comments.

Public hearing closed at 6:27 p.m.

Moved by Herrera; seconded by Brown to approve Resolution No.23-6187 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6188 with the modification of cost as approved in Res. No. 23-6187.

Public Hearing opened at 6:27 p.m.

Mr. Tezak provided comments and stated that he will start an FBI investigation.

Public Hearing closed 6:28 p.m.

Moved by Brown; seconded by Herrera to approve Resolution No.23-6188 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

[Cost Report - 713 Cottage Street](#)

[23-6187.pdf](#)

[23-6188.pdf](#)

- 7.H Conduct Cost Recovery Public Hearing on Case # LN2023-007 and consider **Resolution No. 23-6189**, approving a cost report of unpaid administrative citation fines and, if approved, consider subsequent **Resolution No. 23-6190**, approving the recordation of a lien against real property at 50 South Gay Street.

Mr. Loflin provided an explanation of the item and requested modification of Resolution No. 6189 to \$1,187.58 to cover the cost of the publication.

Public Hearing opened at 6:30 p.m.

Mr. Tezak provided comments.

Public Hearing closed at 6:31 p.m.

Moved by Herrera; seconded by Brown to approve Resolution No.23-6189 as *modified*.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6190 with the modification of cost as approved in Res. No. 23-6189.

Public Hearing opened at 6:32 p.m.

Mr. Tezak provided comments.

Public Hearing closed at 6:33 p.m.

Moved by Herrera; seconded by Brown to approve Resolution No.23-6189 as *modified*.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

[Cost Report - 50 South Gay Street
23-6189.pdf
23-6190.pdf](#)

- 7.I Conduct Cost Recovery Public Hearing on Case # LN2023-008 and consider **Resolution No. 23-6191**, approving a cost report of unpaid administrative citation fines and, if approved, consider subsequent **Resolution No. 23-6192**, approving the recordation of a lien against real property at 811 Cottage Street.

Mr. Loflin provided an explanation of the item and requested modified Resolution No. 23-6191 in the amount of \$1,187.58 to cover publication costs.

Public Hearing opened at 6:34 p.m.

Mr. Tezak provided comments.

Public Hearing closed at 6:35 p.m.

Moved by Brown; seconded by Herrera to approve Resolution No.23-6191 as *modified*.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

Mr. Loflin provided an explanation of the item and requested modified Resolution No. 23-6192 in the amount of \$1,187.58 as stated in Resolution No. 23-6191.

Public Hearing opened at 6:36 p.m.

Mr. Tezak provided comments.

Public Hearing closed at 6:38 p.m.

Moved by Herrera; seconded by Brown to approve Resolution No.23-6192 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

[Cost Report - 811 Cottage Street](#)

[23-6191.pdf](#)

[23-6192.pdf](#)

- 7.J Conduct Cost Recovery Public Hearing on Case # LN2023-009 and consider **Resolution No. 23-6193**, approving a cost report of unpaid administrative citation fines and, if approved, consider subsequent **Resolution No. 23-6194**, approving the recordation of a lien against real property at 732 Main Street.

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6193 as modified to state \$470.90 due to publication costs.

Public Hearing opened at 6:40 p.m.

Mr. Tezak provided comments.

Public Hearing closed at 6:42 p.m.

Moved by Herrera; seconded by Brown to approve Resolution No.23-6193 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6194 as modified to state \$470.90.

Public Hearing opened at 6:43 p.m.

Mr. Tezak provided comments.

Public Hearing closed at 6:44 p.m.

Moved by Brown; seconded by Herrera to approve Resolution No.23-6191 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

[Cost Report - 732 Main Street](#)

[23-6193.pdf](#)

[23-6194.pdf](#)

- 7.K Conduct Cost Recovery Public Hearing on Case # LN2023-010 and consider **Resolution No. 23-6195**, approving a cost report of unpaid administrative citation fines and, if approved, consider subsequent **Resolution No. 23-6196**, approving the recordation of a lien against real property at 801 Main Street.

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6195 with the modification of amount to be \$470.90 due to publication costs.

Public Hearing open at 6:47 p.m.

Mr. Tezak stated that this one is special to him and that he “will litigate the heck out of this one”. He stated that this one went beyond harassment and there was no due process and the changing of the signs, and other things. He concluded by stating that this one is definitely going to federal court.

Public Hearing closed at 6:49 p.m.

Moved by Herrera; seconded by Brown to approve Resolution No.23-6195 as *modified*.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6196 with the modification of amount to be \$470.90.

Public Hearing opened at 6:50 p.m.

Mr. Tezak provided comments.

Public Hearing closed at 6:51 p.m.

Moved by Brown; seconded by Herrera to approve Resolution No.23-6191 as *modified*.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

[Cost Report - 801 Main Street](#)

[23-6195.pdf](#)

[23-6196.pdf](#)

- 7.L Conduct Cost Recovery Public Hearing on Case # LN2023-011 and consider **Resolution No. 23-6197**, approving a cost report of unpaid administrative citation fines and, if approved, consider subsequent **Resolution No. 23-6198**, approving the recordation of a lien against real property at 1005 North Street.

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6197 with the modification amount being \$1,187.58 due to publication costs.

Public Hearing opened at 6:53 p.m. with no comments.

Public Hearing closed at 6:54 p.m.

Moved by Herrera; seconded by Brown to approve Resolution No.23-6197 as *modified*.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6198 with the modification amount being \$1,187.58

Public Hearing opened at 6:54 p.m. with no comments.

Public Hearing closed at 6:55 p.m.

Moved by Brown; seconded by Herrera to approve Resolution No.23-6198 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

[Cost Report - 1005 North Street](#)

[23-6197.pdf](#)

[23-6198.pdf](#)

- 7.M Conduct Cost Recovery Public Hearing on Case # LN2023-012 and consider **Resolution No. 23-6209**, approving a cost report of costs associated with the abatement of nuisance conditions at 10 Santa Paula Street and, if approved, consider subsequent **Resolution No. 23-6210**, approving the recordation of the special assessment against real property at 10 Santa Paula Street and requesting the inclusion of said special assessment on the county tax rolls.

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6209 to levy the special assessment and place said assessment on the tax role with modification to cost of \$23,464.50 for a special assessment as well as the council placing a lien on the property.

Public Hearing open at 7:02 p.m.

Mr. Tezak, public, stated that this is not his property, but there is so much corruption in this case that the Attorney General will also be notified.

Public Hearing closed at 7:04 p.m.

Moved by Brown; seconded by Herrera to approve Resolution No.23-6209 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

Mr. Loflin provided an explanation of the item and requested approval of Resolution No. 23-6210 with modification to cost of \$23,464.50.

Public Hearing open at 7:07 p.m.

Mr. Tezak stated that he will be submitting a series of public record requests on special assessments, and he does not want it to be responded to by the attorney requesting for more time or he will be submitting a writ of mandate.

Public Hearing closed at 7:09 p.m.

Mayor pro tem Herrera thanked staff for all of their hard work on these items. He added that ultimately, this is on the property owner and requested that everyone do what is right.

Moved by Herrera; seconded by Brown to approve Resolution No.23-6210 as modified.

Motion Carried: 5- 0

Voting For: None

Voting Against: None

[Cost Report - 10 Santa Paula Street](#)
[Cost Report Documents](#)
[23-6210.pdf](#)
[23-6209.pdf](#)

Mayor McCourt requested a break at 7:10 p.m.

Open session reconvened at 7:17 p.m.

8. **COUNCIL DISCUSSION/ANNOUNCEMENTS:** The city's Mission Statement and the Land Acknowledgement Statement were provided.

9. **NEW BUSINESS:**

- 12.B Consider **Resolution No. 23-6218**, authorizing City Administrator to enter into an agreement with Peckham & McKinney for recruitment services for the recruitment of an Economic Development Director.

Mr. Newton provided an explanation of the item and presented a representative from Peckham & McKenney who provided a detailed description of what their company includes in their services.

[PM Proposal City of Susanville Economic Development Director.pdf 23-6218.pdf](#)

*Motion to approve **Resolution No. 23-6218**, authorizing City Administrator to enter into an agreement with Peckham & McKinney for recruitment services for the recruitment of an Economic Development Director.*

Moved by Herrera; seconded by Schuster to approve.

Motion Carried: 5- 0

Voting For: McCourt, Stafford, Herrera, Schuster, Brown

Voting Against: None

- 9.A Consider **Resolution No. 23-6207**, authorize the closure of Main Street from North Weatherlow St. to Alexander Ave. on September 29, 2023, for the Lassen High School Homecoming Parade between 1:00 p.m. and 4:00 p.m. Further, authorize the Public Works Director to execute a Caltrans Encroachment Permit application as required and authorize the Finance Director to adjust the budget as necessary for this event.

Bob Godman, Public Works Director, provided an explanation of the item and requested the approval of Resolution No. 23-6207.

[LHS_homecoing parade_request2023.pdf](#)
[23-6207.pdf](#)

Motion to approve Resolution No. 23-6207, authorizing the closure of Main Street from North Weatherlow St. to Alexander Ave. on September 29, 2023, for the Lassen High School Homecoming Parade between 1:00 p.m. and 4:00 p.m. Further, authorize the Public Works Director to execute a Caltrans Encroachment Permit application as required and authorize the Finance Director to adjust the budget as necessary for this event.

Moved by Schuster; seconded by Herrera to approve.

Motion Carried: 5- 0

Voting For: McCourt, Stafford, Herrera, Schuster, Brown

Voting Against: None

9.B Consider approval of Councilmember discretionary funds in support of the homecoming parade.

Mr. Newton provided an explanation of the item and requested approval to use Councilmember Brown's discretionary funds in the amount of \$1,000 towards the cost of the homecoming parade.

Mayor McCourt inquired about the cost of the project to which the response was approximately \$2,600.

Mayor pro tem Herrera offered \$1,000 of his discretionary funds.

Councilmember Schuster to donate \$500 of her discretionary funds.

Mayor McCourt offered the remaining amount to be taken from his discretionary funds.

Moved by Brown; seconded by Schuster to approve.

Motion Carried: 5- 0

Voting For: McCourt, Stafford, Herrera, Schuster, Brown

Voting Against: None

9.C Consider **Resolution No. 23-6175**, authorizing the Mayor to execute agreement with Aqua-Tech to clean and inspect the city of Susanville's five water tanks and authorize the Finance Director to increase the 7114 Water Capital Improvement budget in the amount of \$30,075
Motion to approve Resolution No. 23-6175, authorizing the Mayor to execute agreement with Aqua-Tech to clean and inspect the city of Susanville's five water tanks and authorize the Finance Director to increase the 7114 Water Capital Improvement budget in the amount of \$30,075

Mr. Godman provided an explanation of the item and requested approval of revised Resolution No. 23-6175 as handed out at the beginning of the meeting.

[23-6175.pdf](#)

[City of Susanville Water Tank Cleaning & Inspection Quote 2023.pdf](#)

Moved by Herrera; seconded by Brown to approve the revised Resolution No. 23-6175.

Motion Carried: 5- 0

Voting For: McCourt, Stafford, Herrera, Schuster, Brown

Voting Against: None

9.D Discussion regarding General Plan Updates including the Housing Element 2024 and General Plan 2025-2050 updates.

Kelly Mumper, City Planner, provided an explanation of the item and requested the Council provide direction to staff to either pursue a contract amendment with the current consultants or distribute a Request for Proposal (RFP) for the aforementioned services.

Mr. Newton also provided additional information on the item including that it is an economic development tool.

Mayor McCourt inquired as to whether or not the cost of \$300,000 is already secured or if it will need to be found within the budget.

Councilmember Schuster requested confirmation from the attorney on whether or not the city was required to have an RFP.

Mayor pro tem Herrera and Councilmember Schuster both approve of the use of ARPA funds.

Direction was provided to staff to prepare an RFP and research funding options.

- 9.E Consider **Resolution No. 23-6211**, authorizing City Administrator to execute a new phone system monthly agreement between Computer Logistics and the city of Susanville, the City Administrator to enter into an agreement with Computer Logistics for the installation and procurement of telecommunications equipment, and further authorizes the Finance Director to make the necessary budget increase and allocate the cost across all departments.

Mr. Godman provided an explanation of the item and requested approval of Resolution No. 23-6211.

[23-6211.pdf](#)

[Compulog Monthly agreement quote.pdf](#)

[Hardware and Implementation Quote.pdf](#)

[PD phone system switch and wiring Quote.pdf](#)

Motion to approve Resolution No. 23-6211, authorizing City Administrator to execute a new phone system monthly agreement between Computer Logistics and the city of Susanville, the City Administrator to enter into an agreement with Computer Logistics for the installation and procurement of telecommunications equipment, and further authorizes the Finance Director to make the necessary budget increase and allocate the cost across all departments.

Moved by Schuster; seconded by Herrera to approve.

Motion Carried: 5- 0

Voting For: McCourt, Stafford, Herrera, Schuster, Brown

Voting Against: None

- 9.F Consider **Resolution No. 23-6215**, awarding bid to Kirack Construction Inc. for the replacement of Memorial Park Bathroom.

Mr. Newton provided an explanation of the item including the grant used to complete the project and requested approval of Resolution No. 23-6215 awarding the bid to Kirack Construction.

[23-6215.pdf](#)

Motion to approve Resolution No. 23-6215, awarding bid to Kirack Construction Inc. for the replacement of Memorial Park Bathroom.

Moved by Schuster; seconded by Brown to approve.

Motion Carried: 5- 0

Voting For: McCourt, Stafford, Herrera, Schuster, Brown

Voting Against: None

- 9.G Consider **Resolution No. 23-6217**, receiving and accepting donation from the Susanville Police Officer Association

Ryan Cochran, Police Chief, offered an explanation of the item and requested approval of Resolution No. 23-6217.

[23-6217.pdf](#)

Motion to approve Resolution No. 23-6217, receiving and accepting donation from the Susanville Police Officer Association
Moved by Schuster; seconded by Herrera to approve.
Motion Carried: 5- 0
Voting For: McCourt, Stafford, Herrera, Schuster, Brown
Voting Against: None

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

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

12. **CONTINUING BUSINESS:**

~~12.A Consider **Resolution No. 23-6213**, approving and authorizing the mayor to execute a standard agreement with TischlerBise Fiscal, Economic, and Planning Consultants to perform an Impact Fee Study pertaining to Fire, Police, and Transportation. Item heard prior to Item 9A.~~

12.B Consider **Resolution No. 23-6218**, authorizing the City Administrator to enter into an agreement with Peckham & McKinney for recruitment services for the recruitment of an Economic Development Director.

Mr. Newton provided an explanation of the item and presented a representative from Peckham & McKenney who provided a detailed description of what their company does.

[PM Proposal City of Susanville Economic Development Director.pdf 23-6218.pdf](#)

Motion to approve **Resolution No. 23-6218**, authorizing the City Administrator to enter into an agreement with Peckham & McKinney for recruitment services for the recruitment of an Economic Development Director.

Moved by Herrera; seconded by Schuster to approve.

Motion Carried: 5- 0

Voting For: McCourt, Stafford, Herrera, Schuster, Brown

Voting Against: None

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

13.A Department Reports

Staff in attendance provided updates on what they have been focusing on.

Mr. Newton inquired about the potential of a special meeting due to the cancelation of the September 20th meeting. It was the consensus of the council that no special meeting would be needed.

14. **FUTURE COUNCIL ITEMS:**

14.A Future Council Items

Mr. Newton presented the item and requested direction to staff.

[230906 ITEMS FROM THE PODIUM.pdf](#)

15. **ADJOURNMENT:**

Moved by Herrera; seconded by Schuster to approve.

Motion Carried: 5 - 0

Voting For: McCourt, Stafford, Herrera, Schuster, Brown

Voting Against: None

Respectfully submitted by:

Quincy McCourt, Mayor

Heidi Whitlock, City Clerk

Approved on October 4, 2023