

SUSANVILLE CITY COUNCIL
Regular Council Meeting Minutes
WEDNESDAY, APRIL 6, 2022 – 4:30 PM

Mayor Schuster called the meeting to order at 4:31pm

Roll Call of Councilmembers Present: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

1. APPROVAL OF AGENDA:

Moved by Thomas Herrera; seconded by Brian Moore to Approve with no changes however, staff would like to move the CalPERS item forward to below item Pancera Plaza item and before the bee item. Also, Chief Cochran requested the ability to introduce the Police Department's newest officer.

Motion Carried: 5 - 0

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

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

3. CLOSED SESSION:

The Council convened in Closed Session at 4:34pm to discuss the following:

- A. CONFERENCE WITH LEGAL COUNSEL - existing litigation pursuant to Government Code Section 54956.9 (d)(1): Case number 63745, California Department of Corrections and Rehabilitation, Kathleen Allison, Gavin Newsom Vs. city of Susanville.

4. RETURN TO OPEN SESSION:

The Council reconvened in open session at 5:00pm.

Mayor Schuster started the pledge and offered the Invocation.

Mr. Newton stated that the agenda was approved with the following change, the moving of item 12B occurring after 9C. He stated that the Council met the closed session and no reportable action was taken.

Chief Cochran introduced new officer, Noelan Greer, to the Council.

Mayor Schuster offered a statement regarding the current campaign and reminded everyone that people are not allowed to campaign during a city meeting.

5. BUSINESS FROM THE FLOOR:

John Chan requested an update on the pump track project.

Councilmember McCourt stated that he would like to see this item brought back to discuss and also offered to volunteer.

TNS stated that they would donate the base rock for the project.

Mayor Schuster stated that we can agendize the item to discuss at a future meeting however, discussion cannot occur as it is not agendized.

Teresa Del Rio stated her displeasure with the Council, and the city in general, for continuing an investigation against her for the past 5 years. She stated that she has been unlawfully followed, recorded, etc... during this time.

Hannah (member of the public) asked to be placed on the agenda for a partnership with the city for the purpose of an animal shelter, specifically to address the growing feline population. The facility would include adoption, spay and neutering, fostering, etc...

Mr. Newton stated that he can provide information at an upcoming meeting or, staff can research and come back with a recommendation.

Mayor Schuster agreed with the second option to which the council agreed.

Kirby Lively, Little League Association, requested a parade be permitted to celebrate 71 years of Little League in Susanville. She added that three options were provided to Mr. Newton.

Mr. Newton stated that we can bring the item back at the April 20, 2022 meeting to approve, but suggested the closure of River Street as getting Main Street to close is more costly and would require a CalTrans encroachment permit.

6. CONSENT CALENDAR:

Moved by Kevin Stafford; seconded by Brian Moore to Approve.

Motion Carried: 5 - 0

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

6.A Minutes of the City Council's March 16, 2022 meeting.

Motion to waive oral reading and approve minutes of City Council's March 16, 2022 meeting.

220316.cc.min.pdf

6.B Consider approving Resolution No. 22-5979, amending airport hangar space lease agreement, hangar owned by city, Lot #9

Motion to approve Resolution No. 22-5979, amending airport hangar space lease agreement, hangar owned by city, Lot #9

[Hangar #9 Lease Agreement.pdf](#)

[22-5979 - amended agreement.pdf](#)

7. PUBLIC HEARINGS: No business.

8. COUNCIL DISCUSSION/ANNOUNCEMENTS:

Councilmember Herrera offered the Mission Statement.

Councilmember McCourt provided information on the clean up at Memorial Park being completed by volunteers of the Community Church and offered the Land Acknowledgement Statement.

9. **NEW BUSINESS:**

9.A Vendor and payroll warrants

Motion to receive and file

[20220323111243.pdf](#)

Moved by Thomas Herrera; seconded by Kevin Stafford to Approve.

Motion Carried: 5- 0

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

9.B Consider waiver of fees for Lassen County Chamber of Commerce Annual Main Cruise Classic Car Show N' Shine on Saturday, June 25, 2022.

Motion to approve the waiving of park fees of \$151.00.

Mr. Newton provided information on the item and recommended the Council approve the event, the allowing of alcohol with a permit and to the waiver of the fees.

Councilmember Herrera stated his support of the item.

[CLASSIC CAR SHOW N' SHINE.pdf](#)

Moved by Thomas Herrera; seconded by Brian Moore to Approve.

Motion Carried: 5- 0

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

9.C Consider **Resolution No. 22-5981**, authorizing closure of Pancera Plaza (South Gay Street) from Cottage Street to Main Street on May 14, 2022, from 5:30 pm to 12:00 am (midnight) for the Lassen Union High School District Class of 2022 Senior Prom

Motion to approve Resolution No. 22-5981, authorizing closure of Pancera Plaza (South Gay Street) from Cottage Street to Main Street on May 14, 2022, from 5:30 pm to 12:00 am (midnight) for the Lassen Union High School District Class of 2022 Senior Prom

Mr. Newton presented the item and provided information regarding discussions that have occurred.

[Certificate of Insurance.pdf](#)

[Letter to close Pancera Plaza.pdf](#)

[22-5981.pdf](#)

[2022 SENIOR PROM MAP.pdf](#)

Moved by Thomas Herrera; seconded by Kevin Stafford to Approve.

Motion Carried: 5- 0

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

9.D Discussion regarding the keeping of bees within Susanville City limits Provide direction to city staff.

Mr. Newton stated that Council requested that this item be brought back at tonight's meeting for discussion and possible direction. He stated that the code does not state that bees are prohibited or allowed however, they are discussed as a possible nuisance in the code.

Jamie Huber, public member, requested that it still be changed and clarified, as there are not clear guidelines on beekeeping in the code.

Councilmember Herrera offered the information he found related to the item and stated that he is not against beekeeping in the city.

Councilmember Stafford stated that beekeeping itself should be spelled out as well as how many hives would be allowed to avoid confusion.

Councilmember McCourt stated that the current staffing at the city does not allow time to update the code. He recommended that staff possibly not move forward on complaints related to bees at this time, until staff time is available.

Mr. Newton responded to Councilmember McCourt's recommendation and discussed the need to look at it on a case-by-case basis and wanted to ensure that every party would be heard. He added that part of that process does include going before the council.

Councilmember McCourt requested that it be added to the future items list. He added that there is no hurry on the item but just wanted it on the list so that guidelines can be reviewed and presented when staff has time to do so.

9.E Consider **Resolution No. 22-5983**, approving and authorizing the Mayor to execute a Fair Market Value Lease agreement with LEAF Capital Funding, LLC and a Service agreement with Forest Office Equipment, for a new copier at the Susanville Fire Department.
Motion to approve Resolution No. 22-5983, approving and authorizing the Mayor to execute a Fair Market Value Lease agreement with LEAF Capital Funding, LLC and a Service agreement with Forest Office Equipment, for a new copier at the Susanville Fire Department.

Chief Moore presented the item and provided an explanation of why the item was being presented.

[LEAF Lease Agreement FD.pdf](#)

[Forest_Office_Equipment_-_Proposal_FD.pdf](#)

[Forest_Office_Equipment_-_Maintenance_Agreement.pdf 22-5983.pdf](#)

Moved by Brian Moore; seconded by Kevin Stafford to Approve.

Motion Carried: 5- 0

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

9.F Consider **Resolution No. 22-5980**, authorizing the Mayor to execute an agreement with

Lexipol for Policy manual, web-based training services, and Procedures Manual.

Motion to approve Resolution No. 22-5980, authorizing the Mayor to execute an agreement with Lexipol for Policy Manual, web based training services, and Procedures Manual.

Chief Moore provided a background and explanation on the item was being presented.

[Susanville Fire Department Lexipol Prorated Proposal 3.11.22.pdf](#)
[Susanville Fire Department Lexipol Agreement 3.11.22.pdf All Fire Procedures Sample Packet \(3\).pdf 22-5980.pdf](#)

Moved by Kevin Stafford; seconded by Thomas Herrera to Approve.

Motion Carried: 5- 0

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

- 9.G Consider **Resolution No. 22-5982**, authorizing the Mayor to sign a contract with Interstate gas services Inc. for the purpose of IGS providing ongoing consulting assistance related to Susanville's utility infrastructure and approving a budget amendment to the Water Division 7110 fund of \$26,500 for a water rate study.

Motion to approve Resolution No. 22-5982, authorizing the Mayor to sign a contract with Interstate gas services Inc. for the purpose of IGS providing ongoing consulting assistance related to Susanville's utility infrastructure and to approve a budget amendment to the Water Division 7110 fund of \$26,500 for a water rate study.

Mr. Newton offered an explanation on the water rate study and stated that the last one completed was in 2016 but, should be completed every 5 years.

[IGS Agreement March 2022 Proposed.pdf 22-5982.pdf](#)

Moved by Thomas Herrera; seconded by Kevin Stafford to Approve.

Motion Carried: 5- 0

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

- 9.H Consider **Resolution No. 22-5984**, Amending the Fiscal Year 2021-2022 City of Susanville Budget

Motion to approve Resolution No. 22-5984, Amending the Fiscal Year 2021-2022 City of Susanville Budget

Chandra Jabbs, Finance Manager, explained why the item was being presented and discussed how the city currently looks financially.

Chief Cochran offered an explanation of the Police Department's budget.

David Niece, public member, asked how often officers are shot at and why there is a need for new vests to which Chief Cochran responded that they are recommended to be replaced every 5 years and that he always hopes that no one is shot at.

Brandy Wilder, public member, asked if the K9 had a vest, to which Chief Cochran confirmed, and Ms. Wilder stated that she would like to vest the City's K9.

Chief Moore provided an explanation of his budget.

Mr. Newton also provided an explanation of the water and natural gas budgets.

Ms. Arredondo provided an explanation for both the airport and golf course budgets.

Mr. Niece inquired as to whether or not there would be an increase of fees for the water to ensure there is funding available for the upkeep of the system to ensure it stays safe.

Mr. Newton responded that everything will be looked at when performing the rate study. The surcharge approved a couple of years ago has been able to assist in those costs as of right now however, there is a lot of infrastructure to maintain.

[22-5984.pdf](#)

[Exhibit A Midyear 21-22 FINAL.pdf](#)

[Midyear Budget Changes FINAL.pdf](#)

Moved by Thomas Herrera; seconded by Brian Moore to Approve.

Motion Carried: 5- 0

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

- 9.I Consider **Resolution No. 22-5985**, Authorizing the City Administrator, Finance Manager, and City Clerk to do Banking and Sign on Behalf of the City of Susanville with Banner Bank. Motion to approve Resolution No. 22-5985, Authorizing the City Administrator, Finance Manager, and City Clerk to do Banking and Sign on Behalf of the City of Susanville with Banner Bank.

Ms. Jabbs provided an explanation of the item and requested the approval of the attached resolution.

[22-5985.pdf](#)

Councilmember McCourt left the chambers at 6:40pm.

Moved by Brian Moore; seconded by Thomas Herrera to Approve

Motion Carried: 4 - 0

Voting For: Thomas Herrera, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

Absent: McCourt

10. SUSANVILLE COMMUNITY REDEVELOPMENT AGENCY:

11. SUSANVILLE MUNICIPAL ENERGY CORPORATION:

12. CONTINUING BUSINESS:

12.A Consider **Resolution No. 22-5986**, authorizing City Administrator to execute change orders on Airport Taxiway A Reconstruction Project, up to 15% of the contract amount, from FAA funds and authorize an additional contract increase of \$74,278.70 to cover cost escalations. Motion to approve Resolution No. 22-5986, authorizing City Administrator to execute change orders on Airport Taxiway A Reconstruction Project, up to 15% of the contract amount and authorize an additional contract increase of \$74,278.70 to cover cost escalations.

Mr. Newton provided an explanation of Taxiway A, the City's entitlement funds and the associated project. He added that the City was actually granted another \$600,000 for a total of approximately \$1.2 million. However, due to the winter season and the increased oil prices the contractors are requesting an increase.

Councilmember McCourt returned at 6:45pm.

Curtis Bortle, inquired as to whether or not Mr. Newton believed the worst-case scenario would occur to which he responded.

Tony Ardito, inquired as to whether or not Hat Creek provided Mr. Newton with the proof of updated oil costs to which Mr. Newton confirmed.

Thomas Watson, public member, inquired as to whether or not the City needs an airport and if it operates in the black to which Mr. Newton responded.

Mr. Niece stated that if the city has an agreement with the contractor that it should stand. Mr. Newton responded that the city does not yet have a contract as they have been waiting on other portions however, they have submitted a bid and they are still standing behind most of the bid.

[22-5986.pdf](#)

Moved by Kevin Stafford; seconded by Brian Moore to Approve.

Motion Carried: 5- 0

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

12.B Consider **Resolution No. 22-5987**, approving the form of and authorizing the execution and delivery of lease agreements, site lease agreements, and irrevocable payment instructions in connection with the financing of part or all of the City's outstanding unfunded accrued liability to the California Public Employees' Retirement System, and providing all other matters properly pertaining thereto.

Motion to approve Resolution No. 22-5987.

Mr. Newton provided a history on the item and then turned it over to Andrew Flynn to discuss details of the current option.

Andrew Flynn, CalMuni, and Cameron Weist, Weist Law, provided information regarding the item and what the city is looking at regarding the target refinancing scenario.

Mr. Newton provided a brief explanation of the "difference" line in the base cash flow attachment and stated that it will provide some financial relief for the city while paying the unfunded liability off.

Curtis Bortle, public member, inquired as to what other costs would be associated with the transaction.

Mr. Newton stated that any costs are rolled into the refinance already so there would be no additional costs on top of what you can already see.

[22-5987.pdf](#)

[2 2022A_Site_Lease_\[Draft_03-28-22\].pdf](#)

[3 Streets 2022A_Lease_Agreement_\[Draft_03-28-22\].pdf](#)

[4 2022B_Site_Lease_\[Draft_03-28-22\].pdf](#)

[5 2022B_Lease_Agreement_\[Draft_03-28-22\].pdf](#)

[6 Memorandum_of_2022B_Lease_Agreement_\[Draft_03-28-22\].pdf](#)

[7 Susanville_CalPERS_Payment_Instructions_\[Draft_03-28-22\].pdf](#)

Moved by Brian Moore; seconded by Thomas Herrera to Approve.

Motion Carried: 5- 0

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

- 12.C Consider **Resolution No. 22-5988**, approving the City's Expenditure/Service Reduction Plan. Motion to approve Resolution No. 22-5988, approving the City's Expenditure/Service Reduction Plan.

Mr. Newton provided information of the expenditure/service reduction plan. He provided a history of the previously presented plan and discussed the changes that have been made. He added information regarding cuts that have been happening in previous years such as the community development department, the city care program, the city clerk department now being a department of one, the reduction of police officers, making for 16 less positions since 2002.

Councilmember Herrera stated that it is a hard choice but, he believed it is something that needs to be done.

Mayor Schuster suggested to wait until the election is over and suggested bringing it back at the second meeting in June.

Councilmember McCourt stated that this is a plan that allows us to make a decision in a swift manner and not having to react to it all of a sudden. He added that economic development must continue but, this is a plan just in case and the sooner the plan is adopted the better.

Curtis Bortle, stated that this is not a new problem and that the city has had a lot of time to do something about it. He added that the city needs to stop kicking the can down the road and figure out how to move forward, and this plan helps this.

Jim McCarthey, public member, stated that the city does not have a spending problem, as belts have been tightened, but rather a revenue issue. He inquired as to what can be done to get it back. He suggested that staff creative, for instance, he stated that there needs to be a light on Main and Lassen and have people stop to look at the murals.

James Merchant, public member, also agreed that this plan needs to be passed. He confirmed with Mr. Newton that this is not what *will* happen but, what *could* happen if the revenues do not come in, such as the tax measure.

Mr. Niece and Mr. Watson also provided thoughts on the plan.

Councilmember Herrera stated that he does not want to wait on making the decision, as previous council's have gotten the city to this point, and stated that the council needs to take action.

[220406 Expenditure Reduction Plan.pdf](#)
[22-5988.pdf](#)

Moved by Thomas Herrera; seconded by Kevin Stafford to Approve.

Motion Carried: 4-1

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore

Voting Against: Mendy Schuster

13. CITY ADMINISTRATOR'S REPORTS:

13.A Code Enforcement Update

Mr. Newton provided a brief description on the Code Enforcement Officer position and why it was created. The Property Maintenance Ordinance was created and has been enforced by Cody Loflin's efforts. He stated it has been about a year since Mr. Loflin has started and he will be providing an update on what has been going on.

Mr. Loflin provided his update including statistical data related to code enforcement issues including a 330% rise in case numbers and an 89% voluntary compliance rate.

Councilmember McCourt stated that the statistics may want to be placed on the website and thanked Mr. Loflin for his work.

The remaining members of the Council agreed with Councilmember McCourt.

Mr. Niece and Mr. Merchant agreed that it needs to be put out there as it shows that the city is taking action.

13.B Department Reports

Chief Moore stated that the firework section of the municipal code has been rewritten dramatically and is currently at the attorney for review. He also added that the Susanville head's up where their new engine is in the final four and is up against Oakland. He requested that everyone go in and vote for the city's new truck as the award is \$1,000 which will be donated to the Best of Broadway.

14. FUTURE COUNCIL ITEMS:

14.A Future Council Items

Councilmember McCourt requested that the individuals who brought up the animal shelter be added to the list and also asked for the pump track to be revisited. He offered to volunteer to act as project manager for the project if needed due to staffing shortages.

Mr. Newton stated his thoughts on the potential conflicts of Councilmember McCourt's offer.

Mayor Schuster stated that it could start a precedence.

Mayor pro tem Moore stated he did not feel it was a good idea.

Councilmember Stafford stated that he can see both sides.

Councilmember Herrera stated that we need to get it done.

Councilmember McCourt stated that he wanted to see the Little League item go through. He also wanted to mention the inconsistency of some of the items that he sees during meetings and brought up the need for training once again. He looked for council support to obtain it as it is a different training that what the Council has previously completed. He requested that Mayor Schuster meet with him next week to which she agreed with a moderator.

Councilmember Herrera stated we should wait until the next councilmembers are seated as they would need the training as well.

[20220406_Items_from_the_Podium.pdf](#)

15. ADJOURNMENT:

Moved by Thomas Herrera; seconded by Brian Moore to Approve Adjourn at 8:32pm.

Motion Carried: 5 - 0

Voting For: Thomas Herrera, Quincy McCourt, Kevin Stafford, Brian Moore, Mendy Schuster

Voting Against: None

Respectfully submitted by:

Mendy Schuster, Mayor

Heidi Whitlock, City Clerk

Approved On: