

SUSANVILLE CITY COUNCIL
Regular Council Meeting Minutes
WEDNESDAY, SEPTEMBER 21, 2022 – 4:30 PM

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

Roll Call of Councilmembers Present: McCourt, Stafford, Herrera, Schuster & Brown

1. APPROVAL OF AGENDA:

Moved by Schuster; seconded by Brown to approve the agenda.

Motion Carried: 5 - 0

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

Voting Against: None

2. PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS (if any):

3. CLOSED SESSION:

The Council convened in closed session at 4:30pm 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.
- B. CONFERENCE WITH LABOR NEGOTIATIONS – pursuant to Government Code §54957.6:
 - 1. SPOA Unit

4. RETURN TO OPEN SESSION:

The Council reconvened in open session at 5:10pm.

Mayor McCourt requested Kelly Mumper start the Pledge of Allegiance and introduced Darrell MacChamber to provide the Invocation.

Mr. Newton stated that staff met in closed session to discuss the above-mentioned items. Direction was provided to staff with no reportable action taken.

5. BUSINESS FROM THE FLOOR:

Curtis White, public, requested a blinking LED sign at the crosswalk at Gay Street where the Farmer's Market is held.

Andrea, the District Manager for the Honey Lake Valley Resource Conservation District (HLVRCD), introduced Ms. Wooster, who provided information on a new program to assist landowners who experienced damage due to the Dixie Fire.

Darrell MacChamber, crossing guard at Ash Street, mentioned those speeding through the school crossing areas and suggested a three-prong approach including, electronics, people present and also law enforcement.

Mr. Trivitt and grandson, public, requested the help of the Fire Chief and the use of the new ladder truck to complete a new attempt at setting a world record with Hot Wheels. He added that there would be nothing attached to the truck. Direction was provided to staff to move forward with this item.

Tim McCombe, stated that respect is earned, not freely given, and he expressed his disappointment with decisions made by the Council, specifically the marijuana ordinance and the ZenCity app.

Leanne Vanderly, public, stated her disapproval of a Council member getting on Facebook and talking about cannabis as it is already on the ballot so it should not be discussed.

Bob Tindell, American Legion, requested a proclamation for November 11th for Veteran's Day.

6. CONSENT CALENDAR:

Council Member Schuster requested item 6A be considered separately.

Moved by Herrera; seconded by Stafford to approve the consent calendar with the removal of 6A be considered separately.

Motion Carried: 5 - 0

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

Voting Against: None

6.A Minutes of the City Council's August 30, 2022 special meeting.

[220830.spec.cc.min.draft.pdf](#)

Motion to waive oral reading and approve minutes of City Council's August 30, 2022, special meeting.

Moved by Stafford; seconded by Herrera to approve.

Motion Carried: 4- 0

Voting For: McCourt, Stafford, Herrera, Brown

Voting Against: None

Abstain: Schuster

6.B Monthly Financial Reports for May & June 2022 Motion to receive and file monthly financial reports.

[Cash Report 05_2022 TriCounties.pdf](#)

[Cash Report 05_2022 US Bank.pdf](#)

[DAILY DEPOSIT REPORT TriCounties 05_2022.pdf](#)

[DAILY DEPOSIT REPORT US Bank 05_2022.pdf](#)

[Fund Balances Report 05_2022.pdf](#)

[Cash Report 06_2022 TriCounties.pdf](#)

[Cash Report 06_2022 US Bank.pdf](#)

[DAILY DEPOSIT REPORT TriCounties 06_2022.pdf](#)

[DAILY DEPOSIT REPORT US Bank 06_2022.pdf](#)

[Fund Balances Report 06_2022.pdf](#)

[Income Statement 6.30.22.pdf](#)

6.C Consider **Resolution No. 22-6042, supporting the Historical Uptown Susanville Association (HUSA), Safe and Sane Halloween event on Monday, October 31, 2022, with the street closure from 12:00pm to 6:00pm.**

Motion to approve Resolution No. 22-6042, supporting the Historical Uptown Susanville Association (HUSA), Safe and Sane Halloween event on Monday, October 31, 2022, 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 Monday, October 31, 2022, from 12:00 pm to 6:00 pm; and supporting the closure of Main (State Route 36) from Cottage Street to Weatherlow Street on Monday, October 31, 2022, from 3:00 pm to 6:00 pm.

[22-6042.pdf](#)

- 6.D Consider **Resolution 22-6044**, Authorizing the City Administrator to sign an Agreement for Professional Services for Material Testing with Pavement Engineering Inc. (PEI), for a cost To Not Exceed \$57,800.

[22-6044.pdf](#)

[PEI Material Testing Agreement STIP FD.pdf](#)

[PEI Proposal and Fee Schedule.pdf](#)

7. PUBLIC HEARINGS:

- 7.A Consider either **Resolution No. 22-6040 or 22-6041**. Appeal of the City of Susanville Planning Commission's decision to rescind/revoke Use Permit No. 18-006 and Resolution No.19-1073 to allow for and ARCO AMPM located at 2650 Main Street, Susanville, CA, 96130. Assessor's Parcel Number 105-320-022-000.

Council Member Schuster recused herself from this item due to more recent involvement with family's similar business.

Kelly Mumper, City Planner, provided a brief explanation of the item and an explanation of a "use permit".

Sukhminder Singh responded to the allegations presented by Mr. Mumper.

Mayor McCourt opened the Public Hearing opened at 5:57pm.

Mr. Lightfoot commented on the item with no additional public comments offered.

Mayor McCourt closed the Public Hearing at 6:02 pm.

Brown, Herrera, Stafford all stated that they wanted to stand behind the Planning Commission's decision.

[Staff Report CC 9-21-22 Draft.docx](#)

[Applicant Appeal Request.pdf](#)

[PC Decision Reso No. 22-1119 -Denial Letter.pdf](#)

[ARCO Extension Letters.pdf](#)

[22-6041 rescinding.pdf](#)

[22-6040 approving.pdf](#)

Motion to approve Resolution No. 22-6041, upholding the Planning Commission's Decision from August 23, 2022, to rescind Use Permit No. 18-006 and Resolution No.19-1073 to allow for and ARCO AMPM located at 2650 Main Street, Susanville, CA, 96130.

Moved by Stafford; seconded by Herrera to approve Resolution NO. 22-6041.

Motion Carried: 4- 0

Voting For: McCourt, Stafford, Brown, Herrera

Voting Against: None

Recused/Abstain: Schuster

8. COUNCIL DISCUSSION/ANNOUNCEMENTS:

Mayor McCourt offered both the Land Acknowledgment Statement and the City's Mission Statement.

Mayor McCourt also provided a shout out to staff for making a great effort in being more transparent in all areas.

9. NEW BUSINESS:

9.A Honey Lake Valley Resource Conservation District (HLVRCD) Old Channel Project Presentation

Ben Volk, JUB Engineering, discussed the project including lining the canal for the purpose of conserving water, cleaning the storm water prior to it going into the canal and adding a maintenance road. He added that there is no reason that it could not be a trail and there may be a way to add lighting also since the grant is for \$3.8 million. Construction would start fall of 2023 to be completed by May 2024.

[Old Channel Project Overview with attachments_FINAL.pdf](#)

9.B Consider Zencity a comprehensive community input and insights platform

Mayor McCourt stated that this item is being presented to provide the public an opportunity to learn and possibly speak on the item. He added that this is a discussion item only and there will be no action taken on it tonight.

Mr. Newton provided an explanation of the item and how it related to the SeeClickFix app as well as started a prerecorded presentation from Zencity.

No less than four members of the community expressed their concern for the app and stated that they are not in favor of it.

Mr. Newton stated that the platform is about \$18,000 but, we would be looking at an annual cost of \$10,000 moving forward with the option to opt out at any time. He added that he is looking for direction on whether or not to bring this item back for a vote.

It was the consensus of the Council to not move forward with this item at this time.

[Zencity Marketing Materials.pdf](#)

9.C Consider approval of Councilmember Schuster's request to use civic contribution funds from her discretionary allocation of \$1,000 to contribute to the purchase of an ADA complaint swing at Memorial Park.

Mr. Newton provided an explanation of the item and requested approval of the Council.

Mayor McCourt inquired if the swing presented is both ADA and an adaptive learning swing to which Council Member Schuster confirmed.

Council Member Stafford stated that to cover the cost, staff can use the use of his remaining funds.

Council Member Brown stated his can also be used if there is still not enough.

Mr. Newton, for clarification, wanted to state that funds will be taken in the following order:

Schuster, Stafford then Brown, if needed.

[18-5548 Civic Contribution Policy.pdf](#)

Motion to approve Councilmember Schuster's request to use civic contribution funds from her discretionary allocation of \$1,000 to contribute to the purchase of an ADA complaint swing at Memorial Park.

Moved by Brown; seconded by Herrera to approve.

Motion Carried: 5- 0

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

Voting Against: None

9.D Consider amendment of Community Development Block Grant (CDBG) CV 2/3 Business Assistance Relief

Mr. Newton provided an explanation of the item and requested approval of the amendment to switch from the Business Assistance program to the replacement of the Memorial Park Bathroom and updated lighting.

Mayor pro tem Herrera stated that he was in support of the amendment.

Council Member Stafford stated that he was in support of a brand-new bathroom and lighting.

Council Member Brown stated his support of a new bathroom but requested that it be moved closer to the playground.

Council Member Schuster is in support of the amendment, she agrees with Council Member Brown but would also like to see the old bathroom, next to Roops Fort, be replaced as well.

Mr. Lightfoot suggested adding cameras to the bathrooms to deter damage.

Direction was provided to staff to bring the amendment back for a public hearing and further discussion.

9.E Consider **Resolution No. 22-6043**, approving agreement with Gladwell Governmental Services, Inc. for the purpose of updating the city's record retention policy and providing updates annually.

Mr. Newton provided an explanation of the item and requested approval of Resolution No. 22-6043.

[Gladwell Proposed Contract.pdf](#)
[22-6043.pdf](#)

Motion to approve Resolution No. 22-6043, approving agreement with Gladwell Governmental Services, Inc. for the purpose of updating the city's record retention policy.

Moved by Herrera; seconded by Brown to approve.

Motion Carried: 5- 0

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

Voting Against: None

9.F Discussion regarding a Social Media Use Policy

Mr. Newton provided an explanation of the item. He added that the first review is tonight and, once staff obtains Council feedback, staff would present it to the units as it is related to employees and how they can use platforms when it comes to social media. He added that the City may be behind the times in terms of social media and policies.

Council Member Schuster requested that Council Members be included as "staff".

Mayor pro tem Herrera is concerned that it would be limiting someone's freedom of speech and he is not in favor of limiting employee's abilities to voice their views.

Council Member Stafford is adding the need for council members to have work phones as those conversations would be public record. He would like to see a phone policy.

Council Member Brown is in support of the policy.

Curtis Bortle, public, agreed with Council Member Stafford that there needs to be a clear line between private and public.

Mr. White suggested the City Attorney to review and provide feedback regarding loopholes etc, as she should be aware of first amendment rights.

Mr. Newton stated that changes suggested by Council Member Schuster will be incorporated and the policy will then be sent to the units for consideration and feedback.

Council Member Stafford requested a five-minute break at 7:17pm.

[220914 Draft Social Media Use Policy.pdf](#)

10. SUSANVILLE COMMUNITY REDEVELOPMENT AGENCY: No business.

11. SUSANVILLE MUNICIPAL ENERGY CORPORATION: No business.

12. CONTINUING BUSINESS:

Council reconvened at 7:24pm.

12.A Consider Resolution No. 22-6045, Adopting Fiscal Year 2022/23 Budget

Chandra Jabbs, Finance Manager, provided the history on this item and stated that the budget is ready for adoption. She added the the tax will now become active as of October of this year instead of January of 2023 and she presented the updated budget policies. She concluded by stating that each department will talk about their department's budget.

Mr. Newton presented the Administrative Services and Public Works budgets. Mr. Newton mentioned a possible pension policy to be adopted in the future to address needs if the CalPERS UAL increases.

Chief Moore presented the Fire Department budget as well as department goals and grants/projects currently being managed.

Chief Cochran presented the Police Department budget as well as department goals and grants/projects currently being managed.

Mr. Newton requested approval of Resolution No. 22-6045.

Curtis Bortle, public, inquired about the Sales Tax Advisory and Oversight Committee. He added that he would be interested in seeing that promise kept prior to the city taking more of his money.

Mr. Newton responded that the city initially thought the tax would be starting in January and there would be more time to create that committee. He added that it is definitely a city priority and it will be completed soon. However, until that time, he stated that the monies are being used in a way that was originally suggested by the public such as on Police, Fire and Streets.

[Exhibit A 9.15.22.pdf](#)

[Exhibit B Budget Process and Policies.pdf](#)

[22-6045.docx](#)

[Line Item Budget 22-23.pdf](#)

Motion to approve Resolution No. 22-6045, Adopting Fiscal Year 2022/2023 Budget

Moved by Schuster; seconded by Herrera to approve.

Motion Carried: 5- 0

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

Voting Against: None

12.B Consider **Resolution No. 22-6046**, Establishing Appropriations Limitation for Fiscal Year 2022-2023

Ms. Jabbs provided an explanation on the item and requested the approval of Resolution No. 22-6046.

[PriceandPopulation2022.pdf](#)

[22-6046.doc](#)

Motion to approve Resolution No. 22-6046, Establishing Appropriations Limitation for Fiscal Year 2022-2023

Moved by Herrera; seconded by Brown to approve.

Motion Carried: 5- 0

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

Voting Against: None

12.C Consider **Resolution No. 22-6048**, approving the Finance Manager to increase the general fund budget by \$30,000 to address citywide monitoring of homeless encampments and to conduct encampment closures.

Mr. Newton provided an explanation of the proposed plan for the next 1-2 months, as well as the next 2-6 months while stating that it is quite a complex project. He added that conversations have occurred with those in the camps stating that many of them may not be seen as someone one would want to house due to prior arrests, not a good rental history, etc... However, a lot of those questioned expressed a desire for housing. He acknowledged the County's and Crossroads assistance with the issue as well.

Eugene Chittock, public, applauded staff's efforts at getting a handle on the situation. He added that Crossroads needs to be considered in the solution as well as his concern with the budget only being \$30,000. He added that he believes that the community may be starting to see that effort.

Joe Straw, public, inquired about the amount of authority and volunteers would have, could they write citations, etc. as training will need to occur. He also mentioned little houses that another county offers to individuals that have a bed, a small bathroom, and suggested that perhaps those be purchased, or at least the materials, and have those who are able build them.

Dawn Miller, Lassen Credit Union, shared her experience with those vandalizing the bank.

Council Member Schuster inquired as to whether or not staff could meet with Ms. Miller to see what it going on.

Mr. Newton stated that staff can do so to get more information.

Barbara Longo, Lassen Health and Social Services Director, stated that there are short-term housing needs but also long-term housing developments. She discussed some of those in need in the community, whether Veteran's, homeless, or seniors at that they all needing housing. She provided information on the agencies working together to try to remedy the issue. She shared an explanation of the proposed housing projects and how those projects would move forward based on the needs of those in need.

David Teeter, public, stated that this has been going on for a while now. He inquired as to where the location would be, if this long-term location will occur, as there needs to be a place chosen or no matter what happens the housing will never be completed.

Penny, public, shared the experiences at her house and stated they are destroying everything and how she has been dealing with it.

Mayor McCourt requested updates more frequently on this issue and what is currently being done.

Council Member Schuster inquired about whether or not we could bring back a budget amendment to increase this amount and, she would like to include Lassen County.

Mr. Newton suggested that it state in the close proximity to Susanville.

Council Member Stafford did not like the idea of the UTV and volunteers.

Mr. Newton provided clarification that the volunteers would be walking the trail and reporting information to the police department, not that the volunteers would be asked to confront them.

Mayor McCourt requested clarification on the proximity to which Mr. Newton Responded.

Council Member Stafford is not in favor of the volunteers as it could be a liability issue for the City.

Council Member Schuster requested Susanville vicinity.

[22-6048.pdf](#)

Motion to approve Resolution No. 22-6048, approving the Finance Manager to increase the general fund budget by \$30,000 to address citywide monitoring of homeless encampments and to conduct encampment closures with the changes requested on the item by Council Member Schuster.

Moved by Herrera; seconded by Schuster to approve.

Motion Carried: 4- 1

Voting For: McCourt, Herrera, Schuster, Brown

Voting Against: Stafford

- 12.D Consider **Resolution No. 22-6047**, authorizing the City Administrator to execute and negotiate terms of an agreement with the California Department of Fish and Wildlife Service for a Routine Maintenance Agreement

Mr. Newton provided an explanation on the item and requested Council approval of Resolution No. 22-6047.

[22-6047.pdf](#)

[1600-2015-0402-R1_LAS_City of Susanville Routine Maint_FinalLSAA.pdf](#)

[1600-2015-0402-R1_LAS_City of Susanville Routine Maintenance_Not.pdf](#)

[1600-2015-0402-R1 Attachment D.pdf](#)

[LSA Fee Schedule_2022.pdf](#)

Motion to approve Resolution No. 22-6047 authorizing the City Administrator to execute and negotiate terms of an agreement with the California Department of Fish and Wildlife Service for a Routine Maintenance Agreement

Moved by Herrera; seconded by Stafford to approve.

Motion Carried: 5- 0

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

Voting Against: None

13. **CITY ADMINISTRATOR'S REPORTS:** Nothing to report

14. **FUTURE COUNCIL ITEMS:** Nothing to report.

[20220921 Items from the Podium.pdf](#)

15. **ADJOURNMENT:**

Motion to adjourn at 9:15pm.

Respectfully submitted by:

Quincy McCourt, Mayor

Heidi Whitlock, City Clerk

Approved on: October 5, 2022