SUSANVILLE CITY COUNCIL
Regular Council Meeting Minutes
WEDNESDAY, FEBRUARY 15, 2023 – 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 Stafford; seconded by Brown to approve.
Motion Carried: 5 - 0
Voting For: McCourt, Stafford, Herrera, Schuster, Brown
Voting Against: None

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

3. CLOSED SESSION:
The City convened in closed session at 4:31pm to discuss the following:
A. CONFERENCE WITH LABOR NEGOTIATIORS – pursuant to Government Code §54957.6:
1. Admin Unit
2. Fire Unit
3. Miscellaneous Unit
4. Professional Technical Unit
5. Public Works Unit

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

Mayor McCourt requested Mike McCourt, public, to start the Pledge of Allegiance and James Moore, Fire Chief, to provide the Invocation.

Dan Newton, City Administrator, stated that the Council met in closed session where direction was provided to staff; however, the Council will reconvene in closed session at the conclusion of open session.

5. BUSINESS FROM THE FLOOR:
Mayor McCourt stated that, due to the amount of community members wishing to speak, there will be a five-minute maximum for items presented during Business from the Floor but, discussion regarding items agendized items will be limited to three minutes.

No less than four community members voiced their opposition for the housing project being proposed by the County of Lassen.

No less than five community members voiced their opposition or support of the Local Area Revitalization Project Co-op (LARP).

No less than seven community members voiced their opinion on the current issues related to Mr. John Murray's dogs.

Rich Hrezo, Respect for Life, requested the Council to have a proclamation to make the city of Susanville a sanctuary city.

Jacquai Henry, public, mentioned the Land Acknowledgement Statement and provided information she found regarding the tribes references in the Statement and other indigenous people and some of the history she found.

Kaitlyn Migley, Lassen County Fairgrounds, requested a letter of support for a $25 million dollar grant that she is going for to build up the fairground facilities, in case they are needed for emergency areas again.

6. CONSENT CALENDAR:

6.A Minutes of the City Council's January 31, 2023, special meeting and the February 1, 2023, regular meeting.

230131.cc.spec.min.draft.pdf
230201.cc.min.draft.pdf

Motion to waive the reading of and approval of the City Council's January 31, 2023, special meeting and the February 1, 2023 regular meeting.
Moved by Stafford; seconded by Herrera to approve.
Motion Carried: 5- 0
Voting For: McCourt, Stafford, Herrera, Schuster, Brown
Voting Against: None

7. PUBLIC HEARINGS:

7.A Consider **Resolution No. 23-6094**, upholding the Susanville Planning Commission decision to assess civil assessment penalties in the amount of $10,000 against the property located at
560 Hospital Lane, former site of the Lassen Community Hospital, for violations of a nuisance abatement order.

Cody Loflin, Code Enforcement Officer, provided an explanation of the item to the Council and requested approval of Resolution No. 23-6094. Mr. Loflin also stated that the Council was provided correspondence from the other party for consideration.

Mayor McCourt opened the public hearing at 6:42 pm.

No comments received.

Mayor McCourt closed the public hearing at 6:42pm.

23-6094.pdf
560 Hospital Lane Nuisance Abatement Order.pdf

Motion to approve Resolution No. 23-6094, upholding the Susanville Planning Commission decision to assess civil assessment penalties in the amount of $10,000 as ordered pursuant to Susanville Planning Commission Resolution No. 23-1124.
Moved by Stafford; seconded by Brown to approve.
Motion Carried: 5- 0
Voting For: McCourt, Stafford, Herrera, Schuster, Brown
Voting Against: None

7.B Consider **Resolution No. 23-6095**, upholding the Susanville Planning Commission decision to assess civil assessment penalties in the amount of $10,000 against the property located at 765 Shasta Street, for violations of a nuisance abatement order.

Mr. Loflin provided an explanation of the item to the Council and requested the approval of Resolution No. 23-6095.

Dan Guerrero, property owner, stated that everything stated was true. He was under the impression that the bank owned the house and that it was no longer his but, recently found out differently. He stated that he wanted to make the house inhabitable again but, the $10,000 fine would set him back.

Councilmember Schuster inquired as to how long it would take him if they granted another extension to which he responded six months. But, to rent it out, possibly a year.

Mayor McCourt inquired as to whether or not they can extend it ot which Mr. Loflin stated that the City Administrator or the City Attorney can make that decision but, he, as the Code Enforcement Officer, cannot.

Margaret Long, City Attorney, stated that there are multiple ways to handle this.

Jim McCarthy, public, suggested an agreement with a $10,000 deposit that can be returned upon completion.

Councilmember Schuster stated that she agreed with that idea as well as Councilmember Brown, Stafford and Mayor pro tem Herrera.

Mayor McCourt closed the public hearing at 6:59 p.m.

23-6095.pdf
Nuisance Abatement Order for 765 Shasta St.pdf

There was no motion to approve Resolution No. 23-6095.

Motion to continue this item to a date six months from now (August 16, 2023) and to give direction to staff to meet with the Mr. Guerrero to see if there is a mechanism to resolve this matter.
Moved by Schuster; seconded by Herrera to approve.
Motion Carried: 5- 0
Voting For: McCourt, Stafford, Herrera, Schuster, Brown
Voting Against: None

Mayor McCourt requested that item 9A be heard, followed by 9C prior to item 8 as there are agencies to provide presentations to which the council agreed.

8. <u>COUNCIL DISCUSSION/ANNOUNCEMENTS</u>:
Mayor pro tem Herrera offered the city's Mission Statement. Mayor McCourt offered the Land Acknowledgement Statement.

9. NEW BUSINESS:
9.A Maverick Renewable Energy Presentation

Mr. Newton introduced two representatives of the Maverick Renewable Energy Corporation, Bill Shevlin and Joe Fletcher, as they wanted to introduce themselves to the Council and state what their organization has to offer our community.

Mr. Newton continued that the representatives have been exploring our community and assessing the fit for some of the services they provide. He then turned the presentation over to them.

Mr. Shevlin introduced himself stating his background in renewable energy and energy efficiency. He stated that his company is focused on community resiliency and infrastructure. He continued that the main goal of what they do is convert consumption into public and private infrastructure. They look at the energy consumption of the community, whether it uses gas, electricity, or other and create a financial mechanism to where the city can own the infrastructure. Then they would come in as the operational partner and lower the cost as well as lowering the carbon footprint.

He mentioned state mandates, the zero emission vehicles, etc… and stated that their company works with both the state and the community to find the most economical way to get into compliance to which he provided examples. He also stated that, during this time of year when the power tends to go out as, this would help prevent this.

He stated that he will be sending a few LOI's over to Kelly Mumper, City Planner, regarding a few city properties. Then, put the infrastructure in.

Theresa Phillips, Lassen Municipal Utility District (LMUD), asked questions of Mr. Shevlin regarding how to partner with them, if they knew that the city did not own the electric utility, and how the broadband infrastructure would come with them. She stated she looks forward to talking with the company and reminds the Council that LMUD would have to be involved at the base level. She inquired also, if they would be upgrading LMUD's infrastructure but LMUD still owns/keeps it, to which he confirmed.

Bob Godman, Public Works Director, inquired as to whether or not they have worked with geothermal to which they responded, yes.

Additional questions were asked and responded to.

9.B Consider **Resolution No. 23-6100**, Authorizing Memorandum of Understanding between Susanville Indian Rancheria and the city of Susanville regarding a partnership on economic development.

Mr. Newton provided an explanation of this item and requested approval of Resolution No. 23-6100.

Councilmember Brown voiced his concern on the salary, as it seemed high, also Section 1(f) as he believes that the city's hiring policy needs to be followed. He also added Section 4(a).

Councilmember Schuster also voiced her concern with the salary and the hiring policy. She would like to follow the hiring procedure since it is a city employee. She also would like 4(a) removed.

Mayor pro tem Herrera stated that the wages are higher to get someone to fill the position and to stay here, we must be competitive. He also stated that he does not want to wait and wants it to keep moving forward.

Councilmember Stafford stated that he can see both sides regarding salary and he is not that worried about following the hiring procedure if it gets the best person to fill the position.

Councilmember Schuster stated that, if it is a 4-year contract, she was not sure why a consultant couldn't be hired for $185,000, instead of having to partner for a position to be filled as she is concerned with what happens after the four years. She stated that the entire council should discuss the job description, and overall need to be a part of the decision. She requested the item be tabled until that time.

Mayor McCourt stated that we do not want to keep stalling and, now would be the time to discuss.

Further discussion on the item occurred.

Councilmember Schuster stated $130,000 cap.

Mayor pro tem Herrera suggested to keep the original cap as we need to get someone here and stay here.

Councilmember Stafford stated it could be $130,000, $140,000, or $150,000 it doesn't matter.

Councilmember Brown stated that it is hard to agree without a job description. He also stated that he does not like the idea of a second coming in more than the City Administrator.

Councilmember Schuster requested a salary schedule as well. She added that $130,000 to start plus the benefit package would be okay, but no higher.

Mr. Newton stated that there is a good reason to have a partnership with the Rancheria. However, the SIR is used to bringing people in at higher wages, those higher than those offered at the city. With that being said, the partnership is a good thing. To respond to one of Schuster's questions, we want to tie the contract term with the MOU term to ensure there is an out. Also, when the job is flown, it will state salary will be based on experience. He shared that there are a lot of valid points coming up, including the salary, and does understand the concern. But, there is a lot of faith and good will on the part of the SIR as they are paying a lot but it will be a city employee. As far as hiring, it will be a little different but, it can still work.

Mayor pro tem Herrera suggested moving forward with $130,000 and to start this agreement. He continued by suggesting moving it to the next meeting and let the council talk with Dan to get more details.

Councilmember Brown suggested finding comparable salaries from other jurisdictions to which Mr. Newton stated that information can be obtained and brought back.

Mr. Newton stated that we can get the information together and present at the next meeting if available but, March 1st if available.

23-6100.pdf
MOU SIR & city Economic Development.pdf

Motion to table Resolution No. 23-6100 until Mr. Newton gathers the information and brings the item back for consideration.
Moved by Schuster; seconded by Herrera to approve.
Motion Tabled: 5- 0
Voting For: McCourt, Stafford, Herrera, Schuster, Brown
Voting Against: None

9.C Report on Lassen Animal Control Shelter

Ryan Cochran, Police Chief, provided an explanation of the item and introduced Pete Heimbigner, Lassen County, to provide additional information on the Animal Shelter.

Councilmember Stafford shared his thoughts on streamlining the shelter. He added the surrendering fee, the cash only procedure, taking in so many cats, etc... He suggested an ad hoc committee made up of city and county members to take a look at everything to make it more efficient.

Mayor pro tem Herrera agreed.

Mayor McCourt inquired as to how that would work with Mr. Heimbigner.

Mr. Heimbigner responded that the code needs to be updated. He knows there are areas that need to be updated but, everyone's schedules make it difficult to make it a priority.

Councilmember Stafford would like to hear back on a plan within a month. Herrera agreed.

Mr. Heimbigner asked as to what exactly the council would like to see.

Councilmember Stafford and Mayor pro tem Herrera stated that they would like to work with Mr. Heimbigner.

Mr. Newton thanked Mr. Heimbigner for attending the meeting to address some of the issues. He added that an official ad hoc does not need to be formed but, as long as city and county members are agreeable to meet it could work.

Elaine Jacobs, public, recommended a company that could add on to the shelter, provide washers and dryers, etc.. and she believed our community may be eligible.

Richard Egan, County Administrative Officer, stated that there are a lot of effiiencies that could help. However, building onto the shelter will take time. He offered additional information and it was the consenus of everyone that the city and county will meet to work on this issue.

9.D Consider **Resolution No 23-6096**, terminating Airport Ground Lease with Tiberius Rex Aviation, LLC. and approving new Airport Ground Lease Agreement with Andrew Ross for Hangar #5 at the Susanville Municipal Airport

Mr. Godman provided an explanation of the item and requested approval of Resolution No. 23-6096.

Lance Rich, public, inquired as to why this lease can be brought forward but he cannot even get on a list for a hangar to which the Mayor responded.

City Owned Hangar Space Lease Andrew Ross - Unsigned.docx 23-6096.pdf

Motion to approve Resolution No. 23-6096, terminating Airport Ground Lease with Tiberius Rex Aviation, LLC. and authorize Mayor to execute an Airport Ground Lease Agreement with Andrew Ross.
Moved by Stafford; seconded by Schuster to approve.
Motion Carried: 5- 0
Voting For: McCourt, Stafford, Herrera, Schuster, Brown
Voting Against: None

9.E Consider **Resolution No. 23-6097**, authorizing the purchase of a rough mower for use at the Diamond Mountain Golf Course.

Mr. Newton provided an explanation of the item and requested Council approval of Resolution No. 23-6097.

23-6097.pdf

Motion to approve Resolution No. 23-6097, authorizing the purchase of a rough mower for use at the Diamond Mountain Golf Course
Moved by Herrera; seconded by Schuster to approve.
Motion Carried: 5- 0
Voting For: McCourt, Stafford, Herrera, Schuster, Brown
Voting Against: None

9.F Consider **Resolution No. 23-6098**, authorizing the Public Works Director to execute a contract with MW Tree Service to remove a hazard tree as part of the abatement at 67 South Weatherlow St. Susanville, Ca 96130.

Mr. Godman provided an explanation of the item and requested Council approval of Resolution No. 23-6098.

23-6098.pdf
Nuisance_Abatement_Order_67_South_Weatherlow_Final_amend_1.doc

Motion to approve Resolution No. 23-6098, authorizing the Public Works Director to execute a contract with MW Tree Service to remove a hazard tree as part of the abatement at 67 South Weatherlow St. Susanville, Ca 96130.
Moved by Herrera; seconded by Brown to approve.
Motion Carried: 5- 0
Voting For: McCourt, Stafford, Herrera, Schuster, Brown
Voting Against: None

9.G Consider **Resolution No. 23-6099**, authorizing the Public Works Director to execute a contract with Guzi-West Inspection and Consulting for asbestos and lead paint testing at 63 S. Weatherlow and 67 S. Weatherlow and authorize the Finance Manager to increase budget in the amount of $5,000.

Mr. Godman provided an explanation of the item and requested Council approval of Resolution No. 23-6099.

23-6099.pdf
Nuisance_Abatement_Order_63_South_Weatherlow_Final___Amend_1.dc
Nuisance_Abatement_Order_67_South_Weatherlow_Final_amend_1.doc

Motion to approve Resolution No. 23-6099, authorizing the Public Works Director to execute a contract with Guzi-West Inspection and Consulting for asbestos and lead paint testing at 63 S. Weatherlow and 67 S. Weatherlow and authorize the Finance Manager to increase budget in the amount of $5,000.
Moved by Herrera; seconded by Schuster to approve.
Motion Carried: 5- 0
Voting For: McCourt, Stafford, Herrera, Schuster, Brown
Voting Against: None

10. SUSANVILLE COMMUNITY REDEVELOPMENT AGENCY:

11. SUSANVILLE MUNICIPAL ENERGY CORPORATION:

12. CONTINUING BUSINESS:
12.A City Project Priorities

Mr. Newton provided an explanation of why the list is on the agenda as well as a brief update on the top items.

Chief Cochran provided an update on the dogs-at-large issue and the next steps.

Mr. Godman provided an update on the cart ordinance issue.

230215 City Project Priorities.docx

12.B Update to be provided on Ordinance No. 22-1035 - Imposing a transactions and use tax to be administered by the California Department of Tax and Fee Administration (CDTFA).

Ms. Long presented this item and explained why the change was taking place. She stated that the city is permitted to simply delete that section of the ordinance without having to bring it back.

22-1035 Tax Measure Revised.pdf

13. CITY ADMINISTRATOR'S REPORTS:
13.A Department reports

Ms. Jabbs stated that the mid-year budget was presented to the STOB and it will be presented at the next meeting.

Mr. Godman provided a brief update on well #3 and also stated that the Engineering Division is now at 606 Nevada Street.

14. FUTURE COUNCIL ITEMS:
14.A Future Council Items

Mr. Newton inquired as to whether or not the council had anything to add or move on the future items list.

No comments.

20230215 Items from the Podium.pdf

15. **ADJOURNMENT:**

Open session ended at 9:30 p.m. Council reconvened in closed session at 9:34 p.m.

The Council reconvened in open session at 9:34 p.m.

Mr. Newton stated that the Council provided direction to staff to hold a special meeting on February 22, 2023, to discuss the remaining closed session items.

Adjourned at 9:37 p.m.

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Quincy McCourt, Mayor

Respectfully submitted by:

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Heidi Whitlock, City Clerk

Approved on March 15, 2023