CITY OF SUSANVILLE
66 N. Lassen Street • Susanville CA
Mendy Schuster, Mayor
Russ Brown, Mayor pro tem
Dawn Miller • Patrick Parrish • Curtis Bortle

Susanville City Council

Regular Council Meeting • City Council Chambers

Wednesday, October 2, 2024 – 4:30 PM

CALL TO ORDER
ROLL CALL

1. **APPROVAL OF AGENDA:** *(Additions and/or Deletions)*

2. **PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS (if any):** *Any person may address the Council at this time upon any subject for discussion during Closed Session.*

3. **CLOSED SESSION:**
   - *A. CONFERENCE WITH LABOR NEGOTIATORS - pursuant to Government Code Section §54957.6*
     - *1. Management Unit*

4. **RETURN TO OPEN SESSION:** *(recess if necessary)*
   - *Reconvene in open session at 5:00pm*
   - *Pledge of allegiance*
   - *Invocation*
   - *Report any changes to agenda*
   - *Report any action out of Closed Session*
   - *Proclamations, awards or presentations by the City Council*

5. **BUSINESS FROM THE FLOOR:** *Any person may address the Council at this time upon any subject on the agenda or not on the agenda within the jurisdiction of the City Council. However, comments on items on the agenda may be reserved until the item is discussed and any matter not on the agenda that requires action will be referred to staff for a report and action at a subsequent meeting.*
   Presentations are subject to a five-minute limit.

6. **CONSENT CALENDAR:** *All matters listed under the Consent Calendar are considered to be routine by the City Council. There will be no separate discussion on these items. Any member of the public or the City Council may request removal of an item from the Consent Calendar to be considered separately.*

   6.A Minutes of the City Council September 18, 2024 regular meeting.

7. **PUBLIC HEARINGS: No business.**

8. **COUNCIL DISCUSSION/ANNOUNCEMENTS:**

9. **NEW BUSINESS:**

   9.A Consider approving Resolution No. 24-6365, amending airport Lot 5A Ground Lease Agreement with Terry Poulsen and adding Jay Lian as an additional lessee.

9.B Consider Resolution No. 24-6366, authorizing the Public Works Director to execute a contract with 323 Scada Services LLC for equipment and monthly subscription to gas flow monitoring equipment.

9.C Consider Resolution No. 24-6367, supporting the Honey Lake Hospice Light up a Life Ceremony and authorizing closure of South Lassen street from Cottage Street to Main Street on Saturday, November 23, 2024, from 5:00 pm to 8:00 pm

9.D Consider Resolution No. 24-6368, 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 Monday, November 11, 2024, from 10:00am to 12:00pm

9.E Consider Resolution No. 24-6369, authorizing the Public works Director to sign FC-31 and ATP 24-45 documents with the CalFire to authorize the use of Fire Crews for maintenance on City owned properties and rights-of-way.

10. SUSANVILLE COMMUNITY REDEVELOPMENT AGENCY: No business.

11. SUSANVILLE MUNICIPAL ENERGY CORPORATION: No business.

12. CONTINUING BUSINESS:

12.A Consider Resolution No. 24-6370, rescinding the $100,000 in American Rescue Plan Act funding allocated to the Susanville Elk's Lodge project and allocating an additional $30,000 to the performing arts center project, and authorizing the mayor to execute the sub-recipient agreement for the performing arts center project business plan.

13. CITY MANAGER'S REPORTS:

13.A Department Reports

14. FUTURE COUNCIL ITEMS:

14.A Future Council Items

15. ADJOURNMENT:

- ***The next regular meeting of the Susanville City Council will be held on October 16, 2024 at 4:30PM.***

Reports and documents relating to each agenda item are on file in the Office of the City Clerk and are available for public inspection during normal business hours and at the meeting. These reports and documents are also available at the City's website www.cityofsusanville.net, unless there were systems problems posting to the website.

Accessibility: An interpreter for the hearing-impaired may be made available upon request to the City Clerk seventy-two hours prior to a meeting. A reader for the vision-impaired for purposes of reviewing the agenda may be made available upon request to the City Clerk. The location of this meeting is wheelchair-accessible.

I, Heidi Whitlock, certify that I caused to be posted notice of the regular meeting scheduled for October 2, 2024 in the areas designated on September 27, 2024.

AGENDA ITEM NO. 6.A
Action Item

SUSANVILLE CITY COUNCIL AGENDA ITEM

Submitted By: Heidi Whitlock, City Clerk

Action Date: October 2, 2024

SUBJECT: Minutes of the City Council September 18, 2024 regular meeting.

PRESENTED BY: Heidi Whitlock, City Clerk

SUMMARY: Attached for the Council's review are the minutes of the City Council's September 18, 2024 regular meeting.

FISCAL IMPACT: None

ACTION REQUESTED: Motion to waive the reading of and approval to receive and file the City Council's minutes from the September 18, 2024 regular meeting.

ATTACHMENTS:
240918.cc.min.draft.pdf

SUSANVILLE CITY COUNCIL
Regular Council Meeting Minutes
WEDNESDAY, SEPTEMBER 18, 2024 – 4:30 PM

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

Roll Call of Councilmembers Present: Mendy Schuster, Russ Brown, Patrick Parrish, Dawn Miller
Absent: Curtis Bortle

1. APPROVAL OF AGENDA:
Moved by Parrish; seconded by Miller to approve the agenda as presented.
Motion Carried: 4 - 0
Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

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

3. CLOSED SESSION:
Council convened in closed session at 4:32pm to discuss the following:

A. CONFERENCE WITH LABOR NEGOTIATORS - pursuant to Government Code Section §54957.6
   1. Administrative Unit
   2. Management Unit
   3. Public Works Unit

4. RETURN TO OPEN SESSION:
The council reconvened in open session at 5:06pm.

The Pledge of Allegiance and Invocation were provided.

Dan Newton, City Manager, stated that prior to the council meeting in closed session, the agenda was adopted as presented. He continued that council then met in closed session to discuss the above-mentioned items and direction was provided to staff. However, no reportable action was taken.

Public Safety Chief, Michael Bollinger, presented life-saving awards to those who responded to a fire incident during fair week, saving a woman from a burning building. Three members of CalFire and three members of the Susanville Police Department were presented awards for going above and beyond.

Chief Bollinger also introduced the current corporals Monahan and Johnston for the Police Department.

5. BUSINESS FROM THE FLOOR: No comments.

6. CONSENT CALENDAR:
Moved by Brown; seconded by Miller to approve.
Motion Carried: 4 - 0
Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

6.A Minutes of the City Council September 4, 2024 regular and special meetings.

Motion to waive the reading of and approval to receive and file the City Council's minutes from the September 4, 2024 regular and special meetings.
240904.cc.min.draft.pdf
240904.cc.spec.min.draft.pdf

6.B Vendor and payroll warrants.
Motion to receive and file
8-29-24.pdf
8-30-24.pdf
9-05-24.pdf
9-06-24.pdf

6.C Utility Accounts Receivable Write-Offs
Motion to approve to write-off accounts receivable and send $1,292.59 to collections.
COLLECTIONS LIST OVER $1000.00.xlsx

7. PUBLIC HEARINGS:

7.A Consider **Resolution No. 24-6362**, Establishing and Adopting Schedules of Fees for Services, Previously Resolution No. 19-5634

Mayor Schuster opened the public hearing at 5:18pm.

Chandra Jabbs, Finance Director, provided an explanation of the item and requested council approval of Resolution No. 24-6362.

Mayor Schuster closed the public hearing at 5:23pm.

24-6362.pdf
Rates and Fees Worksheet - Exhibit A.pdf

Motion to approve Resolution No. 24-6362, Establishing and Adopting Schedules of Fees for Services Previously Resolution No. 19-5634
Moved by Miller; seconded by Brown to approve.
Motion Carried: 4- 0
Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

8. COUNCIL DISCUSSION/ANNOUNCEMENTS: No comments.

9. NEW BUSINESS:

9.A Consider **Resolution No. 24-6358,** amending the appendix of designated positions of the city of Susanville's Conflict of Interest Code

Heidi Whitlock, City Clerk, provided an explanation of the item and requested council approval of Resolution No. 24-6358.

24-6358.pdf
2024 Exhibit A Proposed Conflict of Interest Code.pdf
22-6056.pdf

Motion to approve Resolution No. 24-6358, amending the appendix of designated positions of the city of Susanville's Conflict of Interest Code

Moved by Brown; seconded by Parrish to approve.
Motion Carried: 4- 0
Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

9.B Consider **Resolution No. 24-6359,** authorizing the Public Works Director to execute a contract with Veriforce to develop a Transmission Integrity Management Plan for the Natural Gas Division and authorize the Finance Director to adjust the budget, as necessary.

Bob Godman, Public Works Director, provided an explanation of the item and requested council approval of Resolution No. 24-6359.

24-6359.pdf
TIMP Memo.doc

Motion to approve Resolution No. 24-6359, authorizing the Public Works Director to execute a contract with Veriforce to develop a Transmission Integrity Management Plan for the Natural Gas Division and authorize the Finance Director to adjust the budget, as necessary.
Moved by Miller; seconded by Parrish to approve.
Motion Carried: 4- 0
Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

9.C Consider **Resolution No. 24-6360,** authorizing the Public Works Director to close one block of Richmond Rd in front of 601 Richmond Road from 8:00 am to4:00 pm for the purpose of Lassen Land & Trails Trust Annual Rails to Trails Festival and Handcar Races held on October 12, 2024.

Director Godman provided an explanation of the item and requested council approval of Resolution No. 24-6360.

24-6360.pdf
Rails to Trails 2024_City of Susanville request.pdf

Motion to approve Resolution No. 24-6360, authorizing the Public Works Director to close one block of Richmond Road in front of 601 Richmond Road from 8:00 am to 4:00 pm for the purpose of Lassen Land & Trails Trust Annual Rails to Trails Festival and Handcar Races held on October 12, 2024.
Moved by Brown; seconded by Miller to approve.
Motion Carried: 4- 0
Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

9.D Consider **Resolution No. 24-6361**, revising the City's Natural Gas Purchasing Policy.

Director Godman provided an explanation of the item and requested council approval of Resolution No. 24-6361.

24-6361.pdf
Gas Purchase Policy Staff Report 2024 09 18.docx

Motion to approve Resolution No. 24-6361, revising the City's Natural Gas Purchasing Policy.
Moved by Miller; seconded by Parrish to approve.
Motion Carried: 4- 0
Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

9.E Discussion regarding proposed permanent Christmas tree stand in front of Elks Lodge.

Director Godman provided an explanation of the item and requested council direction.

David Teeter, Chamber of Commerce, stated his appreciation for the project and that it is a nice sign of how the City and Chamber are working together.

Direction provided to staff to move forward with the project.

2024-07-12_Christmas Tree Stand.pdf

9.F Consider **Resolution No. 24-6364,** approving second amendment to City Manager's contract.

Mr. Whitlock presented the item for council consideration and requested approval of Resolution No. 24-6364.

24-6364.pdf
240918 Newton 2nd Amend Agreement.pdf
2024 Newton.1st.Amend.Agreement.pdf
Newton - CA.original.Agreement.pdf

Motion to approved Resolution No. 24-6364, approving second amendment to City Manager's contract Moved by Brown; seconded by Parrish to approve.
Motion Carried: 4- 0
Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

9.G Consider **Resolution No. 24-6363**, approving updated contract with Next Request, a public records management platform.

Ms. Whitlock provided an explanation of the item and requested council approval of Resolution No. 24-6363.

24-6363.pdf
Susanville, CA downgrade NextRequest.pdf

Motion to approve Resolution No. 24-6363, approving updated contract with Next Request, a public records management platform.
Moved by Miller; seconded by Parrish to approve.
Motion Carried: 4- 0
Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

9.H Consider funding allocation for Golf Course

Mr. Newton provided an explanation of the item and requested council discussion and possible direction.

Mr. Newton stated that a scope of work will be created for the updates needed at the old clubhouse and will be brought back at a future meeting for approval.

9. Discussion regarding the dissolving of the Planning Commission.

Mr. Newton provided an explanation of the item, including a few of the areas that would need to be determined prior to dissolving the commission, and requested council discussion and possible direction. He also added that the Susanville Municipal Airport Commission would also be a commission to consider dissolving.

Council Member Miller asked if it would make the process go more quickly thus being more efficient, to which Mr. Newton responded that it would; however, staff would have to be supported in their decisions.

Council Member Parrish inquired as to how much longer the meetings would be to which Kelly Mumper, City Planner, responded that it depends on what comes forward. He added that direction could possibly be to have staff bring back a picture of what dissolving the commission would look like.

Jim McCarthy, public, stated his approval for dissolving the commission.

Direction provided to staff to move forward with looking into the process of dissolving the commission and what it would look like.

Mayor Schuster requested a recess at 6:11pm.

Council reconvened in open session at 6:17pm.

10. SUSANVILLE COMMUNITY REDEVELOPMENT AGENCY: No business.

11. SUSANVILLE MUNICIPAL ENERGY CORPORATION: No business.

12. CONTINUING BUSINESS:

12.A Discussion regarding the Barry Reservoir property

Mr. Newton provided an explanation of the item and requested council discussion and possible direction.

A representative of Duck's Unlimited provided the history of the project and stated that their project would be in line with the city's original intention of increasing water storage. He added that the project is limited to the boundaries of the reservoir itself and not the southern portion of the property. He stated that the average depth of the reservoir would be four feet with the exception of small islands for habitats.

Mayor Schuster stated that she is okay with it being a part of the strategic plan. She stated that she would like to see the following on the property: outdoor activities year round such as fall colors along the road, a walking trail, a place to teach kids how to ride bikes, skate, or ski, bring fish to the pond for fishing, a safe place for children to go sledding in the winter, learn to ice skate on the

pond, field of poppies, and potentially an area for more sports fields in the future if Susanville grows.

Mayor pro tem Brown stated an archery course or a place to shoot bows would be good as well as picnic tables.

Council Member Parrish voiced his concerns with trails and more foot traffic effecting those who currently live in the area. He inquired as to how those homes and their privacy will be protected.

Mr. Newton stated that the land was purchased for water storage and if the city were going to change it into a recreational project, it would have to go through a public process that would take some time but would allow for public engagement and comment.

The Trussell family also provided information regarding the property and how the water flows, the wildlife and the Native American artifacts that are there that have previously been destroyed.

Mr. Newton stated that, should another project ever be presented, an assessment would be required to avoid disrupting any Native American artifacts, etc.

Barry Reservoir Property Map.pdf

12.B Consider **Resolution No. 24-6357,** authorizing the mayor to execute the Site-Specific Agreement between the city of Susanville and Ducks Unlimited, Inc. for the Barry Reservoir Wetland Enhancement Project

Mr. Newton stated that most of the information has already been discussed in the previous item; however, he provided more information on the item and requested council approval of Resolution No. 24-6357.

24-6357 Barry Reservoir.pdf
SSA - NAWCA - Final.pdf

Motion to approve Resolution No. 24-6357, authorizing the mayor to execute the Site-Specific Agreement between the city of Susanville and Ducks Unlimited, Inc. for the Barry Reservoir Wetland Enhancement Project
Moved by Brown; seconded by Parrish to approve.
Motion Carried: 4- 0
Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

12.C Consider **Ordinance No 24-1043**, Amending Section 2.04.010 Councilmembers' salaries and compensation of the Susanville Municipal Code.

Ms. Whitlock provided an explanation of the item and requested council approval of Ordinance No. 24-1043.

24-1043.pdf

Motion to waive second reading and adopt Ordinance No 24-1043, Amending Section 2.04.010 "Councilmembers' salaries and compensation" of the Susanville Municipal Code.
Moved by Brown; seconded by Miller to approve.
Motion Carried: 4- 0

Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

12.D Consider **Ordinance No. 24-1044**, amending Title 17 of the Susanville Municipal Code to add sections which regulate and streamline density bonus and affordable housing incentives, accessory dwelling units (ADU's), reasonable accommodations, multifamily design standards, and establishing standards for their uses.

Kelly Mumper, City Planner, provided an explanation of the item and requested council approval of Ordinance No. 24-1044.

24-1044.pdf
PC Recommendation to CC Resolution No. 24-1175.pdf
Public Hearing Notice ADU-OD-RO Ord. .docx
Administrative Report and CEQA Determination.docx

Motion to waive the second reading and adopt Ordinance No. 24-1044, amending Title 17 of the Susanville Municipal Code to add section which regulate and streamline density bonus and affordable housing incentives, accessory dwelling units (ADU's), reasonable accommodations, multifamily design standards, and establishing standards for their uses.
Moved by Miller; seconded by Parrish to approve.
Motion Carried: 4- 0
Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

12.E City Project Priorities

Mr. Newton provided an explanation of the item including how the previous council established the city's four priorities and four secondary priorities. He continued by providing updates on what projects or goals have already been completed and requested council discussion and direction as other items have been brought forward tonight including the Wingfield Road clubhouse project, Master Plan for the Barry Reservoir area and the dissolution of the Planning and Airport Commission.

It was the consensus of the council to leave the Barry Reservoir as it is already on the list and moving forward.

The Planning Commission item was mentioned and the amount of time it would take. Mr. Newton stated that an assessment could be completed and a report to include true staffing hours and could be brought back at the October 16th meeting. It was the consensus of the council to place it between the blue and red line as there is already a Planning Commission that currently takes care of those tasks.

Mr. Newton agreed as the items related to ARPA funding are already required to be completed by a certain date.

Council Member Miller inquired as to whether or not the ARPA discussion would be opened back up since the Elks Lodge would no longer be accepting the ARPA funding and would like to consider using those funds for the golf course project.

After reviewing the resolution, Mr. Newton confirmed that the item can be brought back and discussed at an upcoming meeting.

Mayor Schuster mentioned the need to have the current council meet to determine the new council's priorities.

Mr. Newton stated that he agreed and envisioned that it would take place during the strategic planning process.

20240918 Work Priority List.pdf

13. CITY MANAGER'S REPORTS:

13.A Department Reports

Department Heads in attendance, the City Planner and the Assistant to the City Manager provided an update on the happenings within their departments.

14. FUTURE COUNCIL ITEMS:

14.A Future Council Items Possible direction to staff.

Council Member Miller requested the ARPA funding item to be brought back due to the Elks Lodge dropping out.

240918.items from the podium.pdf

15. ADJOURNMENT:

Motion by Brown; seconded by Parrish to adjourn at 7:45pm.
Motion Carried: 4 - 0
Voting For: Schuster, Brown, Parrish, Miller
Voting Against: None
Absent: Bortle

_____ _____

Heidi Whitlock, City Clerk Mendy Schuster, Mayor

Approved on:

AGENDA ITEM NO. 9.A
Action Item

SUSANVILLE CITY COUNCIL AGENDA ITEM

Submitted By: Marci Rojas, Public Works

Action Date: October 2, 2024

SUBJECT: Consider approving **Resolution No. 24-6365**, amending airport Lot 5A Ground Lease Agreement with Terry Poulsen and adding Jay Lian as an additional lessee.

PRESENTED BY: Bob Godman, Public Works Director

SUMMARY: On June 20, 2017, the city approved a year to year ground lease agreement with Terry Poulson for Lot 5A at the Susanville Municipal Airport. Mr. Poulson has reached out to city staff and requested to modify the land lease agreement by adding an additional lessee Jay Lian. City staff is requesting the City Council approve the modification of the agreement to include Jay Lian as an additional lessee to the ground lease agreement for lot 5A.

FISCAL IMPACT: None

ACTION REQUESTED: Motion to approve Resolution No. 24-6365, amending airport Lot 5A Ground Lease Agreement with Terry Poulsen and adding Jay Lian as an additional lessee.

ATTACHMENTS:
24-6365.pdf
5A Terry Poulsen _ Jay Liam Amend Lease Agreement.docx

RESOLUTION NO. 24-6365
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUSANVILLE AMENDING AIRPORT GROUND LEASE AGREEMENT FOR LOT 5A WITH TERRY POULSEN AND ADDING JAY LIAN AS AN ADDITIONAL LESSEE TO THE LOT 5A GROUND LEASE AGREEMENT

WHEREAS, the City of Susanville entered into a Ground Lease Agreement with Terry Poulsen on July 5, 2017, for Lot 5A at the Susanville Municipal Airport; and

WHEREAS, Terry Poulsen has requested to add Jay Liam as an additional lessee under the existing Ground Lease Agreement for Lot 5A; and

WHEREAS, the City of Susanville finds no conflict in the additional lessee.

NOW THERFORE, BE IT RESOLVED, that the City Council of the City of Susanville hereby approves the amendment of the Ground Lease Agreement with Terry Poulsen to include Jay Lian as an additional lessee, under the following terms:

1. Addition of Lessee: Jay Lian is hereby added as a co-lessee to the existing lease agreement dated July 5, 2017; and
2. Modification of Terms: All other terms and conditions of the original lease agreement shall remain in full force and effect, except as specifically amended herein.

APPROVED**:** _____
Mendy Schuster, Mayor

ATTEST: _____
Heidi Whitlock, City Clerk

The forgoing Resolution was adopted at a regular meeting to the City Council of the City of Susanville, held on the 2nd day of October 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Heidi Whitlock, City Clerk

APPROVED AS TO FORM: _____
Margaret Long, City Attorney

AGREEMENT AMENDING
AIRPORT HANGAR LAND LEASE AGREEMENT,
HANGAR OWNED BY LESSEE

This supplemental Agreement is made **October 2, 2024**, at Susanville, Lassen County, California, by City of Susanville, a municipal corporation and general law city, referred to in this Agreement as "Lessor", and Terry Poulsen, 1100 Riverside Dr, Susanville, CA 96130, and Jay Liam, 710-690 Sunnyside Rd, Janesville, CA 96114 referred to in this agreement as "Lessee's".

Lessor is the owner of certain real property situated in Lassen County, referred to in this AGREEMENT as "the property", described as Hangar Lot No. 5A, at the Susanville Municipal Airport.

Lessor and Lessee executed that certain "Airport Hangar Land Lease Agreement, hangar Owned By Lessee" on June 20, 2017. By the terms thereof, the property was leased to Lessee for a year to year lease, beginning June 20, 2017.

Lessor and Lessee now desire to modify the lease to add Jay Liam, 710-690 Sunnyside Rd, Janesville, CA 96114, as co-Lessee.

THEREFORE, Lessor and Lessee agree as follows:

Jay Liam is hereby added as co-Lessee to the Airport Hangar Land Lease Agreement, Hangar Owned By Lessee, Hangar Lot No. 5A, and Terry Poulsen and Jay Liam shall remain bound to all the terms and conditions of the aforesaid "Airport Hangar Land Lease Agreement, Hangar Owned By Lessee" dated June 20, 2017.

In all other regards, the aforesaid "Airport Hangar Land Lease Agreement, Hangar Owned By Lessee" shall remain in full force and effect.

IN WITNESS WHEREOF, Lessor by Resolution No. 24-6365 of the City Council of the City of Susanville, has caused this Agreement to be executed by the Mayor and attested by the City Clerk, and Lessees have executed this Agreement on the date and year first above written.

Lessees:

Lessor:

_____
Terry Poulsen

_____
CITY OF SUSANVILLE
By: Mendy Schuster, Mayor

_____
Jay Liam

Attest:

_____
Heidi Whitlock, City Clerk

Approved as to Form:

_____

Margaret Long, City Attorney

AGENDA ITEM NO. 9.B
Action Item

SUSANVILLE CITY COUNCIL AGENDA ITEM

Submitted By: Bob Godman, Public Works

Action Date: October 2, 2024

SUBJECT: Consider **Resolution No. 24-6366**, authorizing the Public Works Director to execute a contract with 323 Scada Services LLC for equipment and monthly subscription to gas flow monitoring equipment.

PRESENTED BY: Bill Hoffman, Assistant Director of Operations

SUMMARY: Part of the Natural Gas system is a high pressure steel transmission line. The City contracts with CDCR and Plumas Sierra Rural Electric for gas transmission through this line. Part of this transmission process involves meter monitoring and SCADA communication for constant flow monitoring for those two customers. The current equipment is no longer supported, so staff requested quotes for a new service. Since this is a highly specialized area staff were only able to get two quotes with the best option being from 323 Scada Services LLC.

FISCAL IMPACT: A one time $150 set up fee, then a $249 monthly subscription fee. No impact to the General Fund.

ACTION REQUESTED: Motion to approve Resolution No. 24-6366, authorizing the Public Works Director to execute a contract with 323 Scada Services LLC for equipment and monthly subscription to gas flow monitoring equipment.

ATTACHMENTS:
24-6366.pdf
Wellhead manager monthly.pdf
Wellhead manager setup fee.pdf

RESOLUTION NO. 24-6366
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUSANVILLE AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE A CONTRACT WITH 323 SCADA SERVICES INC. FOR EQUIPMENT AND MONTHLY SUBSCRIPTION TO GAS FLOW MONITERING EQUIPMENT

WHEREAS, the City of Susanville operates the Natural Gas Utility; and

WHEREAS, the Natural Gas Utility operates a high-pressure natural gas transmission line; and

WHEREAS, having daily information on natural gas flows is a vital part of operating a natural gas transmission line; and

WHEREAS, the current equipment the Natural Gas Utility uses to measure and report flow data has become obsolete; and

WHEREAS, 323 Scada Services Inc. has given the Natural Gas Utility a quote for new equipment and a monthly monitoring subscription.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Susanville hereby authorizes the Public Works Director to execute a contract with 323 Scada Services Inc. for equipment and monthly subscription for gas flow monitoring services.

APPROVED:_____
Mendy Schuster, Mayor

ATTEST:_____
Heidi Whitlock, City Clerk

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Susanville, held on the 2nd day of October 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Heidi Whitlock, City Clerk

APPROVED AS TO FORM:_____
Margaret Long, City Attorney

323 Scada Services, LLC

PO BOX 295
Keenesburg, CO 80643 US
+1 7193298485
accountsreceivable@323scada.com

Estimate

ADDRESS
City of Susanville, CA

ESTIMATE SCA_20240807
DATE 08/07/2024

ANNUAL AMOUNT
$2,988.00

DATE	SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
	110 Metering Applications	Metering Applications	3	48.00	144.00
	110 RTU/PLC Tags (50 Tag Bundles)	RTU/PLC Tags (50 Tag Bundles)	0	21.00	0.00
	110 Call Out/Call In per Client	Call Out/Call In per Client	0	52.50	0.00
	110 Web Service Interface	Web Interface	1	52.50	52.50
	110 Custom Reporting per Client	Reporting/Exports	1	52.50	52.50
	110 Plunger Lift/Gas Lift Application - Montioring and Tuning	Plunger Lift/Gas Lift Application - Monitoring and Tuning	0	21.00	0.00
	110 Pump Off Controller (Dynocard) Application	Pump Off Controller (Dynocard) Application	0	21.00	0.00
	110 Dedicated Polling Engine (S1 and VPN Connection - Basic)	Dedicated Polling Engine (S1 and VPN Connection - Basic)	0	150.00	0.00

Price per Meter: $83.00

TOTAL **$249.00**

Accepted By

Accepted Date

323 Scada Services, LLC

PO BOX 295
Keenesburg, CO 80643 US
+1 7193298485
accountsreceivable@323scada.com

Estimate

ADDRESS
City of Susanville, CA

ESTIMATE SCA_20240807_SetUp
DATE 08/07/2024

DATE	SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
	110 One Time Setup Fee	This is a one time setup fee to build the Wellhead Manager Environment.	1	150.00	150.00

TOTAL **$150.00**

Accepted By

Accepted Date

AGENDA ITEM NO. 9.C
Action Item

SUSANVILLE CITY COUNCIL AGENDA ITEM

Submitted By: Marci Rojas, Public Works

Action Date: October 2, 2024

SUBJECT: Consider **Resolution No. 24-6367**, supporting the Honey Lake Hospice Light up a Life Ceremony and authorizing closure of South Lassen street from Cottage Street to Main Street on Saturday, November 23, 2024, from 5:00 pm to 8:00 pm

PRESENTED BY: Bob Godman, Public Works Director

SUMMARY:

City Council support is requested for the Honey Lake Hospice Light up a Life Ceremony. For the event, those who wish to honor the memory of a loved one may have the loved one's name inscribed on a dove and placed on the Hospice's Memorial Tree. The purpose is to have our community have a place to honor and remember their loved ones as we get into the holiday season. The evening event has a few speakers, a singer, and the handbell group playing. Then names of the loved ones are read out loud with handbells tolling. We hear from many people how much they appreciate this heart-warming event. The community is welcome to visit the tree, which lights up each night from Saturday, November 23rd through the first of the year.

Honey Lake Hospice has requested the closure of South Lassen Street from Cottage Street to Main Street on Saturday, November 23, 2024, from 5:00 pm to 8:00 pm for the event.

This event will require two (2) Public Works Department employees to set up, take down traffic control signs.

FISCAL IMPACT:

Public Works Dept. Estimated Costs	$434

ACTION REQUESTED:

Motion to approve Resolution No. 24-6367, supporting the Honey Lake Hospice Light up a Life Ceremony and authorizing closure of South Lassen street from Cottage Street to Main Street on Saturday, November 23, 2024, from 5:00 pm to 8:00 pm

ATTACHMENTS:
24-6367.pdf
Light up the Night Request_ 2024.docx

RESOLUTION No. 24-6367
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUSANVILLE SUPPORTING HONEY LAKE HOSPICE LIGHT UP A LIFE CEREMONY AND AUTHORIZING CLOSURE OF SOUTH LASSEN STREET FROM COTTAGE STREET TO MAIN STREET ON SATURDAY, NOVEMBER 23, 2024, FROM 5:00 PM TO 8:00 PM FOR THE EVENT

WHEREAS, City Council support is requested for the Honey Lake Hospice Light up a Life Ceremony to be held on Saturday, November 23, 2024, from 5:00 pm to 8:00 pm; and

WHEREAS, the event requires the closure of South Lassen Street from Cottage Street to Main Street on Saturday, November 23, 2024, from 5:00 pm to 8:00 pm for the event.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Susanville hereby supports the Honey Lake Hospice Light up a Life Ceremony to be held on Saturday, November 23, 2024, from 5:00 pm to 8:00 pm; and further authorizes the closure of South Lassen Street from Cottage Street to Main Street on Saturday, November 23, 2024, from 5:00 pm to 8:00 pm for the event.

APPROVED:_____
Mendy Schuster, Mayor

ATTEST:_____
Heidi Whitlock, City Clerk

The foregoing Resolution\ was adopted at a regular meeting of the City Council of the City of Susanville, held on the 2nd day of October 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Heidi Whitlock, City Clerk

APPROVED AS TO FORM:_____
Margaret Long, City Attorney



City of Susanville
66 North Lassen Street
Susanville, CA 96130

September 16, 2024

Dear Susanville City Council Members:

I am a volunteer and board member with Honey Lake Hospice here in Susanville. Our office is at 60 South Lassen Street. For the last three years we have asked the Council, and been granted, for a street closure of South Lassen Street just between Cottage and Main Streets while we held our evening community event in the small strip of grassy area next to our office. That way, our participants could safely gather in the street in front of the lit tree and hear the names of their honored loved ones as handbells toll. We have had lovely and safe events. We thank the City of Susanville for helping to create an inviting annual venue.

We are asking the City, once again, if Public Works could please close off that small section of South Lassen Street in order to have the 2024 Light Up a Life tree-lighting ceremony. We plan to hold the event on Saturday, November 23, 2024 at 6:30 p.m. We would appreciate the road closure to continue to keep our Annual Light Up A Life event safe, and would need it closed from 5p.m. to 8 p.m.

We appreciate your consideration of our request.

Please feel free to contact me if you have any questions at 530-310-4338, our call our office at 530-257-3137.

Thank you!

Sincerely,

Claudia Dunlavy

Claudia Dunlavy, Volunteer
Honey Lake Hospice
60 South Lassen Street
Susanville, CA 96130
Hospice Office: 530-257-3137

AGENDA ITEM NO. 9.D
Action Item

SUSANVILLE CITY COUNCIL AGENDA ITEM

Submitted By: Marci Rojas, Public Works

Action Date: October 2, 2024

SUBJECT: Consider **Resolution No. 24-6368**, 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 Monday, November 11, 2024, from 10:00am to 12:00pm

PRESENTED BY: Bob Godman, Public Works Director

SUMMARY:

City Council support is requested for the Veterans Day Parade. The closure of Main Street (State Route 36) from Fair Drive to the Veterans Memorial Building located at 1205 Main Street and Fair Drive between Russell Avenue and Main Street on Monday, November 11, 2024, from 10:00 am to 12:00 pm.

Caltrans Encroachment Permit is required for the closure of Main Street. Caltrans does not charge the City an Encroachment Permit fee but they do require the City to accept all liability for this event as the Encroachment Permit Permittee. City Staff is currently working with Caltrans to obtain the Encroachment Permit and the city has already purchased the insurance for this event.

This event requires three (3) Street Division crewmembers to sweep Main Street (State Route 36) before and after the event and eight (8) Public Works Department employees to set up, take down traffic control signs, and assist seven (7) Police Officers with traffic control.

FISCAL IMPACT:

Veterans Day Parade: November 11, 2024

Insurance Cost	$ 989.50
Public Works Dept. Estimate Costs	$2,373.16
Police Dept. Estimated Costs	$ 980.00

TOTAL ESTIMATED COST	$ 3,843.16

ACTION REQUESTED:

Motion to approve Resolution No. 24-6368, 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 Monday, November 11, 2024, from 10:00am to 12:00pm

ATTACHMENTS:

24-6368.pdf
VFW 2024 Request Veterans Parade.pdf

RESOLUTION NO. 24-6368

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUSANVILLE 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 MONDAY, NOVEMBER 11, 2024, FROM 10:00AM TO 12:00PM

WHEREAS, City Council support is requested for the Veterans Day Parade to be held on Monday, November 11, 2024, from 10:00am to 12:00pm; and

WHEREAS, the parade requires the closure of Fair Drive from Russell Avenue to Main Street for the duration of the event; and

WHEREAS, the parade requires the closure of Main Street (State Route 36) from Fair Drive to the Veterans Memorial Building located at 1205 Main Street for the duration of the event.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Susanville hereby approves as follows:

1. The city of Susanville supports the Veterans Day Parade to be held on Monday, November 11, 2024, from 10:00am to 12:00pm; and
2. The city supports the closure of Main (State Route 36) from Fair Drive to the Veterans Memorial Building located at 1205 Main Street, from 10:0am to 12:00pm on Monday, November 11, 2024, for the event; and
3. Th city authorizes the closure of Fair Drive from Russell Avenue to Main Street from 10:00am to 12:00pm on Monday, November 11, 2024, for the event.

APPROVED:_____
Mendy Schuster, Mayor

ATTEST:_____
Heidi Whitlock, City Clerk

The foregoing Resolution was adopted at a regular meeting of the City Council of the City of Susanville, held on the 2nd day of October 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Heidi Whitlock, City Clerk

APPROVED AS TO FORM:_____
Margaret Long, City Attorney

VETERANS OF FOREIGN WARS.

1 May 2024

City of Susanville
Public Works
66 North Lassen Street
Susanville, California 96130

Subject: Request the Closure of Fair Drive and Highway 36 (Main Street) on Monday, 11 November 2024 for Veterans Day Parade.

The Lassen County Veterans Association which is comprised of Veterans of Foreign Wars, William Davidson, Post 2381 and the American Legion, Thomas Tucker, Post 204 request the closure of Fair Drive and Highway 36 (Main Street) on Monday, 11 November 2024 for our annual Veterans Day parade. The parade will begin at the National Guard Armory parking lot at 11:00 am and proceed down Fair Drive to Main Street and end up in front of the Veterans Memorial Building. It's anticipated that the parade participants will start to gather at 10:15 am.

Thank you for your assistance and if you have any questions please feel free to call me at (530) 310-0428.

Sincerely,

Ronald L. Wood
Commander

AGENDA ITEM NO. 9.E
Action Item

SUSANVILLE CITY COUNCIL AGENDA ITEM

Submitted By: Bob Godman, Public Works

Action Date: October 2, 2024

SUBJECT: Consider **Resolution No. 24-6369**, authorizing the Public works Director to sign FC-31 and ATP 24-45 documents with the CalFire to authorize the use of Fire Crews for maintenance on City owned properties and rights-of-way.

PRESENTED BY: Erik Edholm, Assistant Director of Engineering

SUMMARY: Each year CalFire asks the City to renew the documents required for Fire Crews to do work on City Properties and rights of way. Fire Crews do an incredible amount of work for the City for very little money so this is a very beneficial partnership for the City.

FISCAL IMPACT: $200 per day per crew charged to the fund that owns or has right of way for the property that is being worked on. These charges could impact the General fund, most notably through Parks.

ACTION REQUESTED: Motion to approve Resolution No. 24-6369, authorizing the Public works Director to sign FC-31 and ATP 24-45 documents with the CalFire to authorize the use of Fire Crews for maintenance on City owned properties and rights-of-way.

ATTACHMENTS:
24-6369.pdf

RESOLUTION NO. 24-6369
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUSANVILLE AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE FC-31 AND ATP-24-45 DOCUMENTS WITH CALFIRE TO AUTHORIZE THE USE OF CALFIRE CREWS FOR MAINTENANCE ON CITY OWNED PROPERTIES AND RIGHTS-OF-WAY

WHEREAS, the City owns properties that need to be maintained; and

WHEREAS, the City also maintains rights-of-way in and around the City; and

WHEREAS, CalFire offers crews to help local government agencies with maintenance projects; and

WHEREAS, CalFire requires FC-31 and ATP 24-45 documents to be renewed every year by agencies that use the fire crews.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Susanville hereby authorizes the Public Works Director to execute FC-31 and ATP-24-45 documents with CalFire for the 2024/2025 Fiscal year for the use of CalFire crews.

APPROVED:_____
Mendy Schuster, Mayor

ATTEST:_____
Heidi Whitlock, City Clerk

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Susanville, held on the 2nd day of October 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Heidi Whitlock, City Clerk

APPROVED AS TO FORM:_____
Margaret Long, City Attorney

AGENDA ITEM NO. 12.A
Action Item

SUSANVILLE CITY COUNCIL AGENDA ITEM

Submitted By: Dan Newton, Administrative Services

Action Date: October 2, 2024

SUBJECT: Consider **Resolution No. 24-6370,** rescinding the $100,000 in American Rescue Plan Act funding allocated to the Susanville Elk's Lodge project and allocating an additional $30,000 to the performing arts center project, and authorizing the mayor to execute the sub-recipient agreement for the performing arts center project business plan.

PRESENTED BY: Dan Newton, City Manager

SUMMARY: On July 3, 2024, the City Council allocated $100,000 in American Rescue Plan Act (ARPA) funds to the Susanville Elk's Lodge. The allocation was intended to support the cost of improving the Susanville Elk's Lodge Building. On September 13, 2024 the Susanville Elk's Lodge notified the city that they are withdrawing their request for the funds.

On August 7, 2024, the City Council appointed an Ad Hoc committee to work with the ARPA fund recipients to develop sub-recipient agreements. Discussions regarding the performing arts center project led to a desire to have a business consultant prepare a viable business plan for the performing arts center at an estimated cost not to exceed $30,000.

Staff is requesting the following:

- That the Council consider approving Resolution No. 24-6370 rescinding the $100,000 in American Rescue Plan Act funding allocated to the Susanville Elk's Lodge project and allocating an additional $30,000 to the performing arts center project, and authorizing the mayor to execute the sub-recipient agreement for the performing arts center project business plan.

- That the Council provide direction regarding how they would like to allocate the remaining ARPA funds.

FISCAL IMPACT: Reapportioning of ARPA funds results in no net increase to the FY 2024/2025 Budget.

ACTION REQUESTED: Motion to approve Resolution No. 24-6370, rescinding the $100,000 in American Rescue Plan Act funding allocated to the Susanville Elk's Lodge project and allocating an additional $30,000 to the performing arts center project, and authorizing the mayor to execute the sub-recipient agreement for the performing arts center project business plan.

ATTACHMENTS:
24-6370.pdf
SUBRECIPIENT AGREEMENT Susanville Symphony.pdf

RESOLUTION NO. 24-6370
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUSANVILLE RESCINDING THE $100,000 IN AMERICAN RESCUE PLAN ACT FUNDING ALLOCATED TO THE SUSANVILLE ELK'S LODGE PROJECT AND ALLOCATING AN ADDITIONAL $30,000 TO THE PERFORMING ARTS CENTER PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE THE SUB-RECIPIENT AGREEMENT FOR THE PERFORMING ARTS CENTER PROJECT BUSINESS PLAN

WHEREAS, on July 3, 2024, the City Council approved Resolution 24-6328, which allocated $100,000 in American Rescue Plan Act Funds (ARPA) to the Susanville Elks Lodge Project; and

WHEREAS, on September 13, 2024, the Susanville Elks Lodge informed the city that they were withdrawing their request for the funds; and

WHEREAS, on August 7, 2024, the City Council appointed an ad hoc committee to develop agreements with the ARPA fund sub-recipients; and

WHEREAS, an additional funding need has been identified to pay a professional consultant to develop a viable business plan for the performing arts center project; and

WHEREAS, the maximum cost for the business plan is estimated at $30,000.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Susanville as follows:

1. The $100,000 ARPA fund allocation to the Susanville Elks Lodge project is rescinded; and
2. An additional $30,000 in ARPA funding is allocated to the performing arts center project; and
3. The mayor is authorized to execute the sub-recipient agreement between the city of Susanville and the Susanville Symphony Society for the preparation of a business plan; and
4. The city finance director is authorized to modify the budget, as necessary.

APPROVED: _____
Mendy Schuster, Mayor

ATTEST: _____
Heidi Whitlock, City Clerk

The foregoing resolution was adopted at a regular meeting of the City Council of the City of Susanville, held on the 2nd day of October 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Heidi Whitlock, City Clerk

APPROVED AS TO FORM: _____
Margaret Long, City Attorney

SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF SUSANVILLE AND SUSANVILLE SYMPHONY FOR AMERICAN RESCUE PLAN ACT FUNDS

This Subrecipient Agreement ("Agreement") is entered into by and between the City of Susanville (the "City") and the Susanville Symphony (the "Subrecipient"), individually referred to as "Party" and jointly referred to as "Parties." The purpose of this Agreement is to provide funding to the Subrecipient from funds provided to the City by the Department of Treasury ("Treasury") pursuant to Sections 602 and 603 of the Social Security Act, as added by section 9901 of the American Rescue Plan Act of 2021, Pub. L. No.117-2 (Mar. 11, 2021) ("ARPA"), which authorized the Coronavirus State and Local Fiscal Recovery Funds ("SLFRF") to enable the Subrecipient to carry out specific eligible activities on behalf of the City; and

WHEREAS, the City has received SLFRF funds from Treasury under ARPA; and

WHEREAS, the City is authorized by ARPA to disburse all or a portion of its SLFRF funds to Subrecipients, which carry out eligible uses on behalf of the City; and

WHEREAS, the Subrecipient has requested from the City for an eligible use of SLFRF funds; and

WHEREAS, based on the Subrecipient's project request for SLFRF funds, the City has determined that the Subrecipient's Project as detailed herein is an eligible use of SLFRF funds under ARPA; and

WHEREAS, the City has awarded the Subrecipient SLFRF funds in the amount up to $30,000 (the "Award"), subject to the City and the Subrecipient entering into this Agreement with respect to the use of said funds.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the City and the Subrecipient agree as follows:

1. SCOPE OF PROJECT; ELIGIBLE USE OF AWARD FUNDS

A. The City shall pay the Subrecipient the Award to cover necessary costs to hire a consultant to prepare a viable business plan for the purchase and operations of the Susanville Performing Arts Center (“Project”). Subrecipient shall procure the services of a qualified consultant to prepare a scope of work for the creation of a business plan. Upon approval of the scope of work by the symphony society board, their designated representative, and the city of Susanville’s City Manager, the consultant shall implement the approved scope of work and prepare a business plan for the Project. If there is a conflict between the terms and provisions in the Subrecipient's project request and this Agreement, the terms of this Agreement shall govern.

B. The Subrecipient shall only use the Award to cover expenses that are necessary for the completion of the Project and are eligible under ARPA and this Agreement.

C. The Subrecipient may revise the scope of the Project with the approval from the City of Susanville, where such revisions to the Project do not materially alter the Project or cause the use of the Award for the revised Project to constitute an ineligible use of SLFRF funds or constitute a change in the category of eligible use of SLFRF funds. In no event shall a revision to the scope of the Project entitle the Subrecipient to an additional allocation of SLFRF funds by the City unless Subrecipient makes a request to the City for additional funds. The City of Susanville, in its sole discretion, may approve and authorize additional SLFRF funds for the Project. However, no such additional allocation is guaranteed.

D. Once the Project is completed, all costs for the management, operation, maintenance, and repair and replacement of the Project (as applicable) shall be the sole responsibility of the Subrecipient. The City shall have no liability, financial or otherwise, with respect to the management, operation, maintenance, repair or replacement of the Project.

2. TERM OF AGREEMENT

The term of this Agreement begins on the date of Project Award by the Susanville City Council on _____, 2024, and ends on December 31, 2026. Notwithstanding other provisions of this Agreement, this Agreement will remain in effect until the City determines that the Subrecipient has completed all applicable administrative actions, reporting requirements, and all Project work required by and set forth in this Agreement. Should Subrecipient require additional time for auditing of or reporting for the Project in accordance with ARPA and this Agreement shall be deemed automatically extended until said audit and reporting is completed.

3. PAYMENTS

A. *Reimbursement Payment.* The City shall pay the Award to Subrecipient on a reimbursement basis. The Subrecipient shall submit reimbursement requests to the City Manager no later than 15 days after the end of each calendar quarter for the duration of the Project. Such requests shall be in a form acceptable to the City and include, where applicable for construction projects, certification by the Subrecipient's engineer that the amounts are eligible Project costs.

B. *Advance Payment.* The City, in its discretion, may elect to pay the Subrecipient in advance for its allowable costs for the Project identified by this Agreement upon the presentation of all forms and documents as may be required by the City. Advance payments must be limited to the minimum amounts needed and timed to be in accordance with the Subrecipients actual, immediate cash requirements in carrying out and completing the work of the Project.

C. *Withholding or Cancellation of Funds.* The City reserves the right to withhold payments until Subrecipient timely delivers reimbursement requests or documents as may be required under this Agreement. Upon completion of the Project, the City may cancel payment of any portion of the Award that the City determines to be surplus. The City shall be relieved of any obligation for

payments if funds allocated to the City cease to be available for any cause other than misfeasance of the City itself.

D. *Where Payments Are Made.* Payments shall be made by check or electronic deposit into Subrecipient's bank account, according to a process established by the City Finance Department.

E. *Recoupment.* The Award is subject to recoupment by the City for the Subrecipient's failure to use the funds for the Project in strict accordance with ARPA and this Agreement.

4. OBLIGATION AND EXPENDITURE TIMING REQUIREMENTS; REPORTING REQUIREMENTS

A. *Timing Requirements.* Subrecipient may use Award funds to cover eligible costs incurred from _____, 2024 to December 31, 2026, as long as the obligations are incurred by December 31, 2024 and liquidated by December 31, 2026.

B. *Reporting Requirements.* The Subrecipient shall submit such reports and adhere to all conditions and obligations as are required by the City including, but not limited to, the SLFRF Reporting Requirements**.** Such reporting requirements shall extend beyond the term of this Agreement. The City reserves the right to inspect, at any time, the Subrecipient's records that are related to the Project and/or Subrecipient's performance of this Agreement. Notwithstanding any record retention policies, Subrecipient shall maintain all documentation associated with the Project for the period required by State law or Federal law or seven (7) years after Closeout, whichever is greater.

5. COMPLIANCE WITH FEDERAL, STATE AND LOCAL LAWS

In addition to the requirements set forth in ARPA use of the Award may be subject to various other Federal, State, and Local laws. Subrecipient shall comply with all applicable Federal, State, and Local laws and regulations with respect to its receipt and use of the Award pursuant to this Agreement.

6. RETURN OF FUNDS; RECOUPMENT

The Subrecipient must return Award funds obligated by December 31, 2024 but not expended by December 31, 2026.

If the City determines that the Subrecipient's use of the Award does not comply with ARPA or this Agreement, the City shall provide the Subrecipient with an initial written notice of the amount subject to recoupment, along with an explanation of such amounts. Within 30 calendar days of receipt of such notice from Treasury or the City, the Subrecipient may submit to the City either (1) a request for reconsideration requesting the City seek a reconsideration of any amounts subject to recoupment or (2) written consent to the notice of recoupment.

If the Subrecipient has not submitted a reconsideration request, or if the City denies the reconsideration request, the Subrecipient shall repay the amount subject to recoupment within 30 calendar days of the request for consideration deadline or the City's denial of the request.

7. FAILURE TO PERFORM

If Subrecipient fails to comply with any terms or conditions of this Agreement, or to provide in any manner the activities or other performance as agreed to herein, the City reserves the right to:

A. withhold all or any part of payment pending correction of the deficiency;

B. or suspend all or part of this Agreement. Further, any failure to perform as required pursuant to this Agreement may subject the Subrecipient to recoupment as set forth under ARPA, SLFRF, and this Agreement. The option to withhold funds is in addition to, and not in lieu of, the City's right to terminate as provided in Section 8 below. The City may also consider performance under this Agreement when considering future awards.

8. TERMINATION

A. *Termination for Cause.* The City may terminate this Agreement for cause if the Subrecipient fails to comply with the terms and conditions of this Agreement and any of the following conditions exist:

1. The lack of compliance with the provisions of this Agreement is of such scope and nature that the City deems continuation of this Agreement to be substantially non-beneficial to the public interest;

2. The Subrecipient has failed to take satisfactory corrective action as directed by the City or its authorized representative within the time specified by the same; or

3. The Subrecipient has failed within the time specified by the City or its authorized representative to satisfactorily substantiate its compliance with the terms and conditions of this Agreement.

The City shall initiate termination for cause by providing notice to the Subrecipient of its intent to terminate for cause, accompanied by a written justification for the termination. After receiving the notice of termination for cause, the Subrecipient shall have 30 calendar days to cure the cause for termination. If the Subrecipient has not cured the cause for termination within 30 days of receipt of the notice, the City may pursue such remedies as are available by law, including, but not limited to, the termination of this Agreement in whole or in part, and thereupon shall notify in writing the Subrecipient of the termination, the reasons for the termination, and the effective date of the termination. Upon termination, any outstanding Award funds held by the Subrecipient are subject to recoupment by the City in accordance with ARPA, the SLFRF program, and this Agreement. Any costs resulting from obligations incurred by

the Subrecipient after termination of this Agreement are not allowable and will not be reimbursed by the City unless specifically authorized in writing by the City.

B. *Termination for Convenience.* This Agreement may be terminated for convenience, in whole or in part, by written mutual agreement of the Parties.

C. *Termination for Withdrawal, Reduction, or Limitation of Funding.* In the event funding is not received from the Federal Government, or is withdrawn, reduced, modified or limited in any way after the effective date of this Agreement and prior to its normal completion, the City may summarily terminate this Agreement as to the funds not received, reduced, modified, or limited, notwithstanding any other termination provision in this Agreement. If the level of funding is reduced to such an extent that the City deems that the continuation of the Project covered by this Agreement is no longer in the best interest of the public, the City may summarily terminate this Agreement in whole notwithstanding any other termination provisions in this Agreement. Termination under this Section shall be effective upon receipt of written notice by the Subrecipient or its representative.

9. GOVERNING LAW

This Agreement shall be governed by the laws of the State of California. Any action commenced in connection with this Agreement shall be in the County of Lassen. All rights and remedies of the County shall be cumulative and may be exercised successively or concurrently. The foregoing is without limitation to or waiver of any other rights or remedies of the County according to law.

10. NO THIRD-PARTY BENEFICIARIES

The City and Subrecipient are the only parties to this Agreement and are the only parties entitled to enforce its terms. Nothing in this Agreement gives, is intended to give, or shall be construed to give or provide any benefit or right, whether directly, indirectly or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this Agreement.

11. NOTICES

Except as otherwise expressly provided in this Agreement, any communications between the parties hereto or notices to be given shall be given in writing by personal delivery, email, facsimile, or mailing the same, postage prepaid, or other written instrument, to Subrecipient or the City at the address or number set forth in this Agreement, or to such other addresses or numbers as either party may hereinafter indicate pursuant to this Section; provided however that any notice of termination shall be given by certified or registered mail, return receipt requested.

City Address
City of Susanville, Attention City Manager
66 N. Lassen St.
Susanville, CA 96130

Subrecipient Address

12. INDEMNITY

Subrecipient shall defend, save, indemnify, and hold harmless the City, its officers, agents, and employees from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature whatsoever, including attorney fees, resulting from, arising out of, or relating to the activities of Subrecipient or its officers, employees, Subcontractors, subcontractors, or agents under this Agreement.

13. AMENDMENTS

This Agreement may be amended only by a written instrument executed by the parties or by their successors.

IN WITNESS WHEREOF, City and Subrecipient have signed copies of this Agreement. This Agreement will be effective on the _____, 2024.

CITY

_____

Dan Newton, City Manager

SUBRECIPIENT:

_____

(Signature)

_____

(Printed Name)

_____
(Printed Title)

AGENDA ITEM NO. 13.A
Discussion Item

SUSANVILLE CITY COUNCIL AGENDA ITEM

Submitted By:	Heidi Whitlock, City Clerk
Action Date:	October 2, 2024
SUBJECT:	Department Reports
PRESENTED BY:	Dan Newton, City Manager
SUMMARY:	The City Manager's Report is designed for Department Heads to address the Council on a variety of topics, is needed. Also, for the Council to address any questions or comments regarding that Department Head.
FISCAL IMPACT:	None.
ACTION REQUESTED:	Information only.
ATTACHMENTS:	

AGENDA ITEM NO. 14.A
Discussion Item

SUSANVILLE CITY COUNCIL AGENDA ITEM

Submitted By: Heidi Whitlock, City Clerk

Action Date: October 2, 2024

SUBJECT: Future Council Items

PRESENTED BY: Dan Newton, City Manager

SUMMARY: Council may provide direction to staff to bring back items for discussion or action at a future meeting.

FISCAL IMPACT: None.

ACTION REQUESTED: Possible direction to staff.

ATTACHMENTS:
241002.FutureItemsList.pdf

LAST THREE MONTHS

BUSINESS FROM THE FLOOR

7/3/2024	Request to cut weeds on 1105 Orlo
7/3/2024	Request city support of current businesses
7/16/2024	Consider doing away with the Planning Commission and have the planning department handle the duties

Council requested - FUTURE COUNCIL ITEMS

7/3/2024	Request made to look into Silver Slippers Pool Program
7/16/2024	Request made to change the code to reflect 3 minute public comment times
8/7/2024	Request made to place trash receptacles at Inspiration Point
8/7/2024	Request for discussion regarding gas pricing in the city
9/18/2024	Request to bring back an ARPA discussion item due to the Elk's Lodge no longer accepting the funds.
9/18/2024	Request to have the council review and possibly update the priorities
9/18/2024	Planning Commission discussion item to be brought back on October 16, 2024
9/18/2024	Request to bring back scope of work for the Wingfield Clubhouse improvements
9/18/2024	Request to discuss a Master Plan for the Barry Reservoir area

Completed Items

~~8/21/2024~~	~~Request to bring back a resolution related to natural gas purchases at 80%~~
~~8/21/2024~~	~~Request to bring back discussion to disolve the planning commission~~
~~9/4/2024~~	~~Request to discuss Barry Reservoir Project~~
~~9/4/2024~~	~~Request to discuss old clubhouse updates~~
~~9/4/2024~~	~~Request to discuss dissolving of Planning Commission~~