

Alturas City Council

Regular Meeting

City Hall Council Chambers

December 17, 2019 2:00 p.m.

The meeting was called to order by Mayor Bobby Ray at 2:00 p.m. **Councilmembers present:** Bobby Ray, Cheryl Nelson, Jim Irvin, Loni Lewis and Mark Steffek. **Councilmembers absent:** None. **Staff present:** City Clerk Macey Binning, Chief of Police Sid Cullins, City Treasurer Dorothy Long, Director of Public Works Jason Diven, City Planning Director Jennifer Andersen, City Attorney Jeff Hedlund, Fire Chief Keith Jacques and Fire Marshal Eric Hunter. **Public attending:** 6. All present joined together in the Pledge of Allegiance.

Under public forum the Alturas City Council was pleasantly surprised by Christmas Caroling organized by Loraine Colbert of New Day Academy.

MOTION by Councilmember Steffek, **SECONDED** by Councilmember Lewis to adopt **Resolution #2019-61** authorizing VAC-S 2019-02 Maple Street Summary Road Vacation: Vacate that section of Maple Street between 15th Street and 16th Street. With the amendment to reflect on the fourth paragraph of the resolution to state "The underlining fee title to Maple Street shall be divided at the center line of the road and each half should revert to the property owner adjacent to it.". **AYES: Councilmember Steffek; Lewis; Irvin and Ray. OPPOSED: Councilmember Nelson. Motion Passes**

Director of Public Works requests to move to item #7 regarding the Garbage Service Contract between USA Waste of California, Inc. and the City of Alturas, to prevent Mr. Weber from sitting through the entire meeting.

MOTION by Councilmember Lewis, **SECONDED** by Councilmember Steffek to adopt **Resolution #2019-63** approving the Sixth Amendment to Garbage Service Contract between USA Waste of California, Inc. and the City of Alturas, and to extend the expiration date from 12 months to 14 months. Contract will now expire February 28, 2021. **ALL AYES.**

Councilmember Irvin reports he and Mayor Pro-Tem Steffek were appointed to the Ad-Hoc committee to review the proper/orderly proceeding of meetings Robert's Rules of Order vs. Rosenberg's Rules of Order. After review they recommend to Council to adopt Rosenberg's Rules of Order with the modifications that San Jose implemented.

MOTION by Councilmember Nelson, **SECONDED** by Councilmember Steffek to adopt Rosenberg's Rules of Order with the modifications that San Jose implemented. **ALL AYES.**

Public Hearing: The Alturas City Council will consider the first reading of an ordinance repealing and replacing Chapter 15. "Nuisances" Article II. "Removal of Abandoned, Wrecked, etc. Vehicles". This matter will now be heard.

City Clerk Binning informed City Council on Section 15-26. Vehicle impound release fee, they discussed at the meeting prior to change that amount to two hundred dollars. After review from City Attorney Hedlund

and City Treasurer Long they recommended changing this amount to two hundred and fifty dollars to recover costs.

City Attorney Hedlund also reminds Council they added a definition to clarify who is designated as the Vehicle Abatement Officer. Mr. Hedlund modified the "Vehicle Abatement Officer" definition to state the Chief of Police or his or her designated representative.

With no further comments, the hearing is closed at 2:50 p.m.

MOTION by Councilmember Steffek, **SECONDED** by Councilmember Irvin to approve the first reading of **Ordinance #521** repealing and replacing Chapter 15. "Nuisances" Article II. "Removal of Abandoned, Wrecked, etc. Vehicles". **ALL AYES.**

MOTION by Councilmember Lewis, **SECONDED** by Councilmember Nelson to adopt **Resolution #2019-62** approving the student loan agreement between Jason Diven and the City of Alturas. **ALL AYES.**

MOTION by Councilmember Steffek, **SECONDED** by Mayor Ray to adopt the consent agenda as follows: a) Approve minutes of November 19, 2019 meeting. Councilmember Irvin and Lewis Abstained from this item.; b) Approve minutes of November 25, 2019 special meeting. Councilmember Nelson Abstained from this item; c) Approve City warrants for November, 2019 in the amount of \$192,569.85. d) **Adopt Resolution #2019-64** removing inactive water & sewer accounts in the amount of \$169.81.; e) Approve ACH reconciliation report for November, 2019 in the amount of \$134,369.98. **ALL AYES.**

COUNCIL/STAFF REPORTS:

Fire Chief Jacques advises City Council they may need to call a special meeting. The Alturas Fire Department has been made aware their current Air-Paks are subjected to a malfunction and the company that produces their current brand left the United States. The malfunction will cut oxygen supply to the firefighter. Mr. Jacques would like to take care of this risk as soon as possible. Also, if the City chooses to place an order to purchase new Air-Paks the order can be combined with another City, which would save the City of Alturas \$1,000.00 an Air-Pak.

City Council agrees a Special Meeting should take place, and they recommend Thursday, December 19th at 3:00 pm.

During the interim the Alturas Fire Department has a backup for safety plan, if a fire occurs.

Police Chief Cullins reports in 2019 the Alturas Police Department has made a total of 264 arrests. In 2018 they made 256 arrests. When Mr. Cullins reported the number of arrests in June, 2019 the Alturas Police Department was up 20% to 30 %. However, the second half of the 2019 year declined. Chief Cullins believes this reduction may be a result of the new District Attorney Kylo. Chief Cullins also reports shop with a Cop was very successful.

Public Works Director Diven will be leaving for Sacramento to meet with the Water Board on December 18th. While Mr. Diven is in Sacramento, he plans on dropping off two surplus electric vehicles at Ritchie

Bros, Inc. to be auctioned. Mr. Diven is also exploring grant options to purchase a new backhoe for Public Works Department. Mr. Diven is also revisiting Prop 1 for new water meters.

Mayor Ray informs Council Mr. Diven has also received positive news regarding the sewer plant is eligible for a 6 million dollar grant.

Public Works Director Diven says they also received some more positive news regarding the sewer plants permit with the State. The State increased the allowable limits, and decreased chlorination, during the interim to transition to sewer ponds. Mr. Diven updates Council on sewer pond timeline. SHN, Inc. plans on having a preliminary engineering report by January, 2020. Mr. Diven expects the environmental report will be completed by September, 2020.

City Attorney Hedlund inquires if there have been any communications regarding the mill site.

There have been no communications.

Councilmember Irvin informs Council at the December LAFCo meeting the Daphnedale Community District had 3 board members attend. They now currently have a full board of 5 board members. During this meeting LAFCo decided to remove the resolution to dissolve the district now that they have an active board. However, if no progress is made by the board LAFCo will reconsider to dissolve the district. Mr. Irvin also spoke with Modoc County Administrative Officer Chester Robertson who is currently working with the district. They have a couple of concerning items. The first is the back pay of the existing debt, and the second is how to proceed in the future to avoid accumulating more debt. Modoc County Administrative Officer Chester Robertson proposes setting up separate accounts to be billed monthly, and working to pay the existing debt off.

Mayor Ray inquires on how to proceed to billing customers monthly.

Councilmember Irvin recommends to communicate with Modoc County Administrative Officer Chester Robertson throughout this process.

City Attorney Hedlund is concerned with the Daphnedale Community District. The District would be required to have elections to raise property taxes which would be expensive the district would also need to pay for annual audits to be conducted.

City Clerk Binning announces the City of Alturas will be having an election March 3, 2020. Three City Council seats are open and the City has four candidates for City Council. Ms. Binning would also like to remind City Council and Staff of the annual Christmas Party that will be held at the Niles December 19th.

Mayor Pro-Tem Steffek attended (SCEDD) Superior California Economic Development District meeting in Redding. Mr. Steffek found it interesting that many of the representatives discussed sales tax increase on the ballot. In this discussion sales tax imposing public safety. These representatives recommended informing public well in advance and the presidential elections have a better voter turnout. Mr. Steffek would also like to thank City Clerk Binning for all her efforts to save the light parade by gathering support letters to have Cal-Trans process the permit for the parade.

Councilmember Lewis has a question regarding the upcoming City election. Would it be a violation if she promoted a candidate that is running in the upcoming election.

City Attorney Hedlund Advises that as long as it is not as City Councilmember representative but individually then it should be fine.

Mayor Pro-Tem Steffek would like to request more information on the question Councilmember Lewis inquired regarding the upcoming election. Would this be the same if you opposed a candidate?

City Attorney Hedlund responds that individually outside you may. However, you need to make this clear that it is your own personal thoughts not as a Councilmember representative.

Mayor Ray received the Waste Management letter notifying the price increase of 2.65% that will be effective April 1st, 2020 for commercial.

With no further business to come before Council, meeting adjourned at 3:32 p.m. to return in regular session on Tuesday, January 21, 2020 at 2:00 p.m., City Hall.

Respectfully,

A handwritten signature in cursive script that reads "Macey Binning".

Macey Binning
City Clerk