

Alturas City Council

Regular Meeting

City Hall Council Chambers

October 15, 2019 2:00 p.m.

The meeting was called to order by Mayor Bobby Ray at 2:00 p.m. **Councilmembers present:** Bobby Ray, Mark Steffek, Loni Lewis, Cheryl Nelson and Jim Irvin. **Councilmembers absent:** None. **Staff present:** City Clerk Macey Binning, City Treasurer Dorothy Long, Director of Public Works Jason Diven, City Attorney Jeff Hedlund, Police Chief Sid Cullins, Fire Chief Keith Jacques and Fire Marshal Eric Hunter. **Public attending:** 3. All present joined together in the Pledge of Allegiance, followed by an opening prayer by Robert Fendler.

No comments under the public forum.

MOTION by Councilmember Steffek, **SECONDED** by Councilmember Lewis to adopt **Resolution #2019-27** approving the Memorandum of Understanding between the City of Alturas and Modoc County Sheriff's Office for 911 Dispatch Services. July 1, 2019 to June 30, 2020. **ALL AYES.**

MOTION by Councilmember Irvin, **SECONDED** by Councilmember Steffek to adopt **Resolution #2019-44** approving the agreement for Personal Services Contract between Law Office of Jeffery D. Hedlund, PC and the City of Alturas. With an amendment to Page 1 Section 1 "Term" to reflect Section 8 below instead of Section 6 below. **ALL AYES.**

Chief Cullins informed Council there was a delay on the Federal side of receiving the United States Department of Agriculture (USDA) Rural Development grant for the purchase of two new Police Vehicles. Due to this delay the original quote for the vehicles expired. Chief Cullins informed Council the additional amount is around \$14,000.00.

City Treasurer Long advises Council that updating the fleet is vital. If they delay to the next grant funding period, they could lose the opportunity or run into a greater cost to purchase two patrol vehicles. The additional amount is \$13,656.97, the total cost of purchasing two new patrol vehicles would be \$33,868.12.

MOTION by Councilmember Nelson, **SECONDED** by Councilmember Irvin to approve additional funds to the 25% match of \$80,080.00 for the United States Department of Agriculture (USDA) Rural Development grant for the purchase of two new Police Vehicles. **ALL AYES.**

MOTION by Councilmember Lewis, **SECONDED** by Councilmember Nelson to adopt **Resolution #2019-45** approving the 2019/2020 Fiscal Year Budget in the amount of \$5,088,734.00. **ALL AYES.**

MOTION by Councilmember Irvin, **SECONDED** by Councilmember Nelson to adopt **Resolution #2019-46** authorizing submittal of a grant application for \$125,00.00 from SB 2 to implement the housing element. **ALL AYES.**

MOTION by Councilmember Steffek, **SECONDED** by Councilmember Lewis to adopt **Resolution #2019-47** approving the amended two-year Memorandum of Understanding between the City of Alturas and Modoc County Sheriff Office for Emergency Services in the event of locally declared emergency. With

an additional amendment to page 2 changing “Following the Unified Command authority structure, agrees to delegate authority to a City EOC employee to speak for, make decisions, and obligate personnel, resources and finances on the behalf of the City of Alturas.” to “Following the Unified Command authority structure, agrees to delegate authority to a City EOC representative to speak for, make decisions, and obligate personnel, resources and finances on the behalf of the City of Alturas.” **ALL AYES.**

MOTION by Councilmember Lewis, **SECONDED** by Councilmember Irvin to approve a 3-year employment contract for the Finance Director Dorothy Long effective November 1, 2019 through October 31, 2022. **ALL AYES.**

Public Hearing: The Alturas City Council will consider the first reading of an ordinance adding Article III Flavored Tobacco Ban to Chapter 30 “Smoking” of the Alturas City Code. This matter will now be heard.

Tobacco Project Director Bill Hall informs Council the ordinance is similar to the last reading, except changes to clarify certain flavors such as menthol would not be affected. Also, clarifying menthol flavored 1.2 oz. fiberboard/plastic round containers would not be affected. Mr. Hall expands on the significance of this ordinance and the public safety. Recent studies show vaping has caused 1299 lung injury cases reported in 49 States; and 26 deaths reported in 21 States. The State of Oregon has banned all vaping products for 6 months.

Larry Flournoy inquires how the statistics relate to introducing multiple chemicals in a vial.

Mr. Hall informs Mr. Flournoy there are devices such as the JC Pen which has a second chamber that allows user to introduce CBD oils or narcotics at the same time that they are smoking the nicotine, which is very harmful.

Mayor Ray asks what Mr. Hall expects will happen Federally.

Mr. Hall believes they will ban the use of the vaping products.

Mayor Pro-Tem Steffek asked Mr. Hall if there have been any repercussions when areas banned flavor tobacco. Especially to their community economic development and retailers.

Mr. Hall replied there will be some. However, for most retail it is a small portion of their sales. If a business solely sales vaping products then they will have a huge impact to their business.

With no further comments, the hearing is closed at 3:14 p.m.

MOTION by Councilmember Irvin, **SECONDED** by Councilmember Steffek to approve the first reading of **Ordinance #518** adding Article III Flavored Tobacco Ban to Chapter 30 “Smoking”. **ALL AYES.**

MOTION by Councilmember Irvin, **SECONDED** by Councilmember Nelson to adopt the consent agenda as follows: a) Approve minutes of September 17, 2019 meeting; b) Approve City warrants for September, 2019 in the amount of \$356,844.73; c) Adopt **Resolution #2019-48** removing inactive water & sewer accounts in the amount of \$85.83. d.) Approve ACH reconciliation report for September, 2019 in the

amount of \$129,536.05. Mayor Ray abstained from item a) Approve the September 17, 2019 Minutes, since he was absent during that meeting. **ALL AYES.**

COUNCIL/STAFF REPORTS:

Fire Chief Jacques reports the new ordinance for the weed abatement was beneficial. Currently the Fire Department is conducting testing on hose and hydrants to comply with Insurance Service Office (ISO).

Police Chief Cullins reports the Alturas Police Department had 23 arrests from the last meeting. 11 arrests were felonies and 12 were misdemeanors. The total arrests since January, 2019 is at 232. Last year at this time the Police Department had 205, which is an of increased 13% from last year.

City Treasurer Long is currently preparing for the State street report audit and the fiscal year end revenue and expenditure audit for the City.

Public Works Director Diven recently submitted the 2nd disbursement request for the Water Board Planning Grant. Mr. Diven has been working with SHN Consulting Engineers to expedite progress on the Waste Water Treatment. The City plans to change to a land discharge. Mr. Diven has also been working with Modoc County employee Rich Bowlin to help with blade patching this spring. Mr. Diven is exploring changing Public Works schedule to a four ten schedule, or five, four, nine schedule. He believes it is possible for the Department of Public Works to remain fully staffed if he rotates days off. He has also has been working on Street projects, Court Street, 1st to 4th street, N. West C Street and Nagle Street is in planning stage and will not see construction until 2022 or even 2023. Mr. Diven is meeting with Sand Creek Consultants for the Waste Water Treatment Plant on October 28th, to get a second opinion.

City Attorney Hedlund updated Council on the Mill Site. Currently, he has seen no action taken by the other party.

Councilmember Nelson asked about the progress of the new ballfields.

Planning Commissioner Hall responded Mr. Hoy has been updating him through the process and they are on track. Mr. Hall mentioned he saw that the retaining wall has been installed, and also looks like they are preparing the fields for winter.

Mayor Ray suggests contacting the Surprise Valley Little League. They may have a new scoreboard that they may not use.

Councilmember Nelson is also concerned about the motorhome that has been parking around town. Mrs. Nelson requested Chief Cullins evaluate the situation.

City Clerk Binning mentioned that the Mayor Appointment list need to be reviewed and updated.

Mayor Ray inquired on the process of the pool project and the bids that were received.

Mayor Pro-Tem gave an update on the pool project. The committee received 3 bids. The pool committee evaluated the bids and recommended Mr. Hancock negotiate with the best value bid they received. The best

value bid they received was approximately \$1.2 million. Once this process is completed the pool committee will make a recommendation and submit for Council approval.

Mayor Ray also inquired on when the pool committee will be notified if they were awarded the Prop 68 grant.

Mayor Pro-Tem Steffek replied they should be notified before Christmas if the pool committee was awarded the Prop 68 grant. Per Capita grant should also be awarded mid-December.

Councilmember Lewis has made contact with the schools and other Law Enforcement agencies to gear up for the “git up challenge”. Mrs. Lewis is also concerned with the new youth park on 4th Street; there is currently not a red zone for emergency parking.

Mayor Ray agrees and requested Public Works Director Diven and Police Chief to work together to comply with red zone requirements.

Mayor Ray met with the California Public Utilities Commission representative along with Mayor Pro Tem Steffek and Public Works Director Diven. Mayor Ray was surprised to hear they had a program for railroad maintenance and is exploring the idea.

City Attorney Hedlund informs Council that the Goose Lake Railway is applying for a massive grant to fix the railroad from Lakeview to Alturas and recommends they reach out to Goose Lake Railway regarding this great opportunity.

At 4:09 p.m., Mayor Ray announced the Council would be meeting in closed session under G.C. Section 54957/ Employee Performance Evaluation – Titles: Chief of Police and Finance Director.

Reconvened back to open session at 4:32 p.m.

With no further business to come before Council, meeting adjourned at 4:33 p.m. to return in regular session on Tuesday, November 19, 2019 at 2:00 p.m., City Hall.

Respectfully,

Macey Binning

Macey Binning
City Clerk