

**PORTOLA CITY COUNCIL
MEETING MINUTES
September 23rd, 2015
6:00 p.m.**

1. CALL TO ORDER

Mayor Gault called the meeting to order at 6:00 pm.

2. PLEDGE OF ALLEGIANCE

Mayor Gault led the Council in a moment of silence and the reciting of the pledge of allegiance.

3. ROLL CALL

Councilmembers Oels, Larrieu and VanDahlen, Mayor Pro Tem Powers and Mayor Gault responded to the roll call. City Manager Robert Meacher, City Finance Officer Susan Scarlett, City Attorney Steve Gross, City Planner Karen Downs, and City Clerk Melissa Klundby were also in attendance.

4. PUBLIC COMMENT

Several members of the public including Jerry and Valeri Simison, Howard Thomas, Jerry Hurley, Joe Montezuma, Bruce Lee, Laurine and John Prinvale, and Christy Goodman made comment and voiced objections to a proposed OHV park on property currently owned by Jeff Carmichael. The speakers were concerned with fire protection, noise, security; liability lawsuits, the economic viability of an OHV park, competition to existing business and natural resource preservation.

Larry Douglas read the Council a statement on various subjects and thanked Susan Jacobson for her contributions to the Portola Reporter.

5. CITY COMMUNICATIONS

A. City Council/Committee Reports

Councilmember Larrieu reported that he has attended the Transportation Commission meeting regarding senior transportation.

Mayor Pro Tem Powers reported on his Juvenile Justice Commission and the Collaborative Landscape Restoration Project meeting.

Councilmember VanDahlen reported that she is working with Plumas Bank and Catholic Church to sponsor the monthly community supper and that at the supper the local firefighters, who assisted in the Ponderosa Bowl Fire would be acknowledged.

Councilmember Oels thanked Linda and Tom Cooley for their help with the Turner Springs project and reported that he had attended the CALAFCo annual conference and that the Infrastructure Committee had met and would make a presentation to the Council.

B. City Manager Communications

City Manager Robert Meacher reported on the numerous meeting and contacts he has had since the last City Council meeting. City Manager Meacher also encouraged any interested public to attend the Lake Davis Trial in Quincy.

C. Staff Communications

None

6. CONSENT CALENDAR

- A. Minutes** - Adopt the minutes of the Special City Council Meeting of August 31st, 2015 and the Regular City Council meeting held on September 9th, 2015.
- B. Claims** - Adopt Resolution No. 2263 authorizing payment of claims for the period of September 5th, 2015 through September 18th, 2015.

Finding no Council or public comment, Councilmember Larrieu made a motion to adopt the minutes of the Special City Council Meeting of August 31st, 2015 and the Regular City Council meeting held on September 9th, 2015, and to adopt Resolution No. 2263 authorizing payment of claims for the period of September 5th, 2015 through September 18th, 2015. Mayor Pro Tem Powers seconded the motion and it was unanimously approved.

7. ORDER OF BUSINESS

- A. Formal Recognition of Volunteer Fire Departments** – Recognition for Excellence in Service by Local Volunteer Fire Departments in Response to Ponderosa Fire in Portola. Presentation of Certificates of Appreciation by Mayor Gault.

Mayor Gault presented representatives from local Volunteer Fire Departments with certificates of recognition for their excellence in service assisting the City of Portola with the Ponderosa Bowl Fire. City Manager Robert Meacher personally thanked the departments and noted that without the excellent cooperation between the agencies the outcome of the fire would have been much worse.

- B. Infrastructure Committee Report** – Consider Infrastructure Committee Recommendations, and Consider changes to Current Franchise Agreement and City Ordinance. Discussion and Possible Action.

Councilmember Powers presented the Council with the recommendations of the Infrastructure Committee. These included the following changes that the committee recommended become effective immediately following all appropriate processes:

- Property owners should be responsible for payment of the monthly refuse collection invoice.
- All premises (those parcels with a habitable structure, residential and commercial) should be required to pay a monthly minimum fee, whether the structure is occupied or not.
- The franchisee should be responsible for collection of the solid waste service fees.

The Council discussed these suggested changes and Mayor Gault voiced concerned over the proposal for all premises to be required to pay a monthly minimum fee.

City Attorney Steve Gross reported that the City would need to research the actual cost for services as they relate to prop. 218, so that the charges are for the cost of actual service.

Mayor Gault asked for public comment and Larry Douglas and Mick Housel raised objections to the proposed change that would require all developed parcels to pay a minimum service fee.

Following further Council discussion Councilmember Larrieu made a motion to not pursue the recommendation that all premises (those parcels with a habitable structure, residential and commercial) should be required to pay a monthly minimum fee, whether the structure is occupied or not; and to request staff to take the appropriate steps to change the current franchise agreement to read that property owners should be responsible for payment of the monthly refuse collection invoice and that the franchisee should be responsible for collection of the solid waste service fees. Councilmember Oels seconded the motion and it was unanimously approved during a roll call vote.

- C. **Agreement for Law Enforcement Services** - Report from the Sheriff Greg Hagwood on the status of the Agreement for Law Enforcement Services between the City of Portola and the Plumas County Sheriff's Office. Consider approving the 2015-2016 Agreement for Law Enforcement Services. Discussion and Possible Action.

Staff presented the Council with an amended contract that allowed for the Plumas County Sheriff's office to hire a part time non-sworn officer to fulfill the contract duties, in the event that a sworn officer was not available. City Manager Robert Meacher reported that the Sheriff had verbally agreed to the new terms of the contract and that the County was currently reviewing the amended contract.

Finding no public comment or further discussion Councilmember Larrieu made a motion to approve the amended 2015-2016 Agreement for Law Enforcement Services between the City of Portola and the Plumas County Sheriff's Office as presented. Councilmember Oels seconded the motion and it was unanimously approved.

- D. **Community Development Block Grant** – Review and Consider Approval of Joy Way Vault Retrofit, Request for Bids. Discussion and Possible Action.

City Planner Karen Downs reported that per CDBG process staff would like to get Council approval to send out a Request for Bid (RFB) for the Joy Way Vault Retrofit Project. The Council reviewed the staff report and opened the item for public comments.

Finding no public comment or further discussion Councilmember Larrieu made a motion to authorize staff to release the RFB upon CDBG approval of the bid documents. Mayor Pro Tem Powers seconded the motion and it was unanimously approved.

- E. **City Manager Authorization to Settle Claims** – Consider authorization for City Manager to settle SCORE claims to an amount certain without Council approval and review. Discussion and Possible Action.

City Manager Robert Meacher reported it has recently come to the attention of staff that the City does not have protocol established to allow the City Manager to act in a timely manner to settle claims against the City.

Staff and the Council discussed the need to establish a base amount for City Manager settlement authority and finding no public comment, Mayor Gault asked the Council for a motion.

Councilmember Larrieu made a motion to give the City Manager settlement authority in an amount not to exceed \$5,000 for claims against the City filed through SCORE, with the understanding that any settlement will be agendized for Council review at the next possible Council meeting date. Councilmember VanDahlen seconded the motion and it was unanimously approved.

- F. **Personnel Policy Update** - Consider Resolution No. 2264 Amending the City of Portola Personnel Policy, Section 17; Health and Welfare Benefits. Discussion and Possible Action.

Staff presented amendments to the Personnel Policy which removed sections relating to the purchase of insurance benefits by part time employees and reported that part-time staff were in agreement with these changes.

Finding no public comment Mayor Pro Tem Powers made a motion to adopt Resolution No. 2264, Amending the City of Portola Personnel Policy, Section 17; Health and Welfare Benefits. Councilmember Oels seconded the motion and it was unanimously approved during a roll call vote.

8. CLOSED SESSION

- A. **Conference with Legal Counsel** – Pursuant to Government Code Section 54956.9(d)(2), Exposure to Litigation, Claim of Russel Cohen.
- B. **Existing Litigation** - Pursuant to Government Code Section 54956.9(d)(1), City of Portola vs. State of California Department of Fish & Game, Case No. CV09-00065.

Mayor Gault opened the meeting to the public and reported that there was no reportable action from the closed session.

9. ADJOURNMENT

Councilmember Larrieu made a motion to adjourn the meeting at 8:05 p.m. Councilmember Oels seconded the motion and it was unanimously approved.

Respectfully Submitted,

Melissa Klundby, City Clerk