

**RESOLUTION NO. 2517**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA  
PROCLAIMING A LOCAL EMERGENCY PERSISTS, RE-RATIFYING THE  
PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR OF  
CALIFORNIA MARCH 4, 2020, AND RE-AUTHORIZING REMOTE  
TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF  
PORTOLA FOR THE PERIOD OF JUNE 11, 2022 TO JULY 10, 2022 PURSUANT TO  
BROWN ACT PROVISIONS.**

**WHEREAS**, the City of Portola is committed to preserving and nurturing public access and participation in meetings of the City Council; and

**WHEREAS**, all meetings of the City of Portola's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the City's legislative bodies conduct their business; and

**WHEREAS**, the Brown Act, Government Code section 54953(e), makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

**WHEREAS**, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the City's boundaries, caused by natural, technological or human-caused disasters; and

**WHEREAS**, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

**WHEREAS**, the Governor of California issued a proclamation of a state of emergency March 4, 2020 and the City Council of the City of Portola previously proclaimed by Official Proclamation on March 19, 2020, finding that the requisite conditions exist for the legislative bodies of the City of Portola to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

**WHEREAS**, as a condition of extending the use of the provisions found in section 54953(e), the City Council must reconsider the circumstances of the state of emergency that exists in the City of Portola, and the City Council has done so; and

**WHEREAS**, emergency conditions persist in the City of Portola specifically, a novel coronavirus, COVID-19, which symptoms include fever, cough, and shortness of breath with outcomes ranging from mild to severe illness, and in some cases death; and

**WHEREAS**, Plumas County, where the residents of the City of Portola reside, reports that many cases of COVID-19 and its variants continue to be contracted regularly within the county; and

**WHEREAS**, the City of Portola does hereby find that the Existence of a Local Emergency due to the COVID-19 Pandemic has caused, and will continue to cause, conditions of peril to the safety of persons within the City that are likely to be beyond the control of services, personnel, equipment, and facilities of the City of Portola and desires to affirm a local emergency exists and re-ratify the proclamation of state of emergency by the Governor of the State of California; and

**WHEREAS**, as a consequence of the local emergency persisting, the City Council does hereby find that the legislative bodies of the City of Portola shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to

comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

**WHEREAS**, the City Council of the City of Portola has been conducting meeting via live streaming at: <https://zoom.us/j/3583067836> or by phone at: 1.669.900.6833, meeting ID 358 306 7836 so that the public may participate in the City Council meetings;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PORTOLA DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Affirmation that Local Emergency Persists. The City Council hereby considers the conditions of the state of emergency in the City of Portola and proclaims that a local emergency persists throughout the City, and the novel coronavirus, COVID-19, continues to persist within the City as well as throughout Plumas County at a rate that poses significant risk to the health of all citizens.

Section 3. Re-ratification of Governor’s Proclamation of a State of Emergency. The City Council hereby ratifies the Governor of the State of California’s Proclamation of State of Emergency, effective as of its issuance date of March 19, 2020 .

Section 4. Remote Teleconference Meetings. The City Manager and legislative bodies of the City of Portola are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, continuing to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) January 12, 2022, or such time the City Council adopts a subsequent resolution in accordance with Government Code section 54953(3) to extend the time during which the legislative bodies of the City of Portola may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the City Council of the City of Portola, this 22nd day of June 2022, by the following vote:

AYES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
Pat Morton, Mayor

ATTEST:

\_\_\_\_\_  
Mercadez Flewell, Deputy City Clerk

I, Mercadez Flewell, Deputy City Clerk of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council at the City of Portola Regular meeting thereof held on June 22, 2022.

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Mercadez Flewell, Deputy City Clerk

**RESOLUTION NO. 2510**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA  
AUTHORIZING PAYMENT OF CLAIMS FOR THE PERIOD  
June 9, 2022 THROUGH June 22, 2022.**

**ACCOUNTS PAYABLE  
CHECK NUMBERS: 43991-44019  
SPECIAL CHECK 43990-\$130,000  
VOID CHECK NUMBER 43696- \$130,000  
VOID CHECK NUMBER 43847-\$811.45**

**PAYROLL  
CHECK NUMBERS: 17095-17109**

**WHEREAS**, the City Council of the City of Portola has been fully advised that all such claims and demands are legal obligations of the City; and,

**WHEREAS**, the City Council has fully considered the claims and money demands and payment thereof as set forth below and in "Exhibit A" attached hereto and incorporated herein.

<b>ACCOUNTS PAYABLE:</b>	<b>\$ 45,105.44</b>
<b>PAYROLL:</b>	<b><u>\$ 33,711.32</u></b>
<b>TOTAL:</b>	<b>\$ 78,816.76</b>

**NOW THEREFORE BE IT RESOLVED THAT** all claims and demands represented are just and proper and legal demands or claims against the City of Portola, and the payment of any such demands is approved and authorized.

**PASSED, APPROVED AND ADOPTED** this 22<sup>ND</sup> day of June, 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Pat Morton, Mayor

ATTEST:

\_\_\_\_\_  
Mercadez Flewell, Deputy City Clerk

I, Mercadez Flewell, Deputy City Clerk of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council at the City of Portola Regular meeting thereof held on June 22, 2022.

\_\_\_\_\_  
Mercadez Flewell, Deputy City Clerk

VENDOR	I.D.	NAME	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
000011	I-202206160389	SUNBELT RENTALS, INC ARPA CCU	R	6/22/2022		3,026.08	043991	3,026.08
0005	I-202206150385	AIRGAS, INC. ACETLENE/OXYGEN	R	6/22/2022		217.20	043992	217.20
0015	I-202206150368	AMERIGAS CITY HALL PROPANE	R	6/22/2022		713.82	043993	713.82
0015	I-202206150369	AMERIGAS POOL PROPANE	R	6/22/2022		803.85	043994	803.85
0021	I-202206150382	AT&T 800 EMER LINE	R	6/22/2022		4.76	043995	4.76
0027	I-202206150386	BASTIAN ENGINEERING ENGINEERING PROF SERVICES	R	6/22/2022		519.75	043996	519.75
0041	I-202206150375	CALIF. RURAL WATER ASSOC. CRWA ANNUAL MEMBERSHIP	R	6/22/2022		857.00	043997	857.00
0048	I-202206150381	CBC COMPANIES-FACTUAL DATA UB CREDIT CHECKS	R	6/22/2022		23.00	043998	23.00
0052	I-202206150366	CITY OF PORTOLA WATER/SEWER BILLS	R	6/22/2022		3,751.38	043999	3,751.38
*VOID*	044000	VOID CHECK	V	6/22/2022			044000	**VOID**
0055	I-202206150362	COATES TIRE CENTER PARKS VEH REPAIR	R	6/22/2022		136.23	044001	136.23
0072	I-202206150387	DOBROS PARTS-LLC EQUIP REPAIR	R	6/22/2022		1,075.02	044002	1,075.02
0086	I-202206150374	FOLCHI LOGGING & CONSTR., INC. WATER LINE REPAIR	R	6/22/2022		761.48	044003	761.48
0090	I-202206150371	GRAINGER SNOW STREET REPAIR	R	6/22/2022		708.02	044004	708.02
0096	I-202206150373	HARBOR FREIGHT TOOLS PARKS MATERIALS & SUPPLIES	R	6/22/2022		53.00	044005	53.00

VENDOR	I.D.	NAME	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
0101	I-202206150378	HUNT & SONS, INC. CITY FUEL CHARGES	R	6/22/2022		2,639.34	044006	2,639.34
0111	I-202206150379	JEFFERSON SUPPLY COMPANY WATER LINE REPAIR/SUPPLIES	R	6/22/2022		711.44	044007	711.44
0145	I-202206150377	MILL SUPPLY, INC LINE REPAIR	R	6/22/2022		665.68	044008	665.68
0159	I-202206150363	OFFICE DEPOT OFFICE SUPPLIES	R	6/22/2022		299.34	044009	299.34
0173	I-202206150383	PITNEY BOWES POSTAGE METER RENTAL	R	6/22/2022		469.75	044010	469.75
0184	I-202206150384	PLUMAS SIERRA RURAL ELECTRIC LDWTP ELECTRIC	R	6/22/2022		1,437.27	044011	1,437.27
0188	I-202206150370	PORTER SIMON CORPORATION LEGAL PROFESSIONAL SERVICES	R	6/22/2022		5,715.00	044012	5,715.00
0208	I-202206150372	SAUERS ENGINEERING, INC. WASTE WATER PROF SERVICES	R	6/22/2022		1,815.00	044013	1,815.00
0218	I-202206150376	SILVER STATE ANALYTICAL WATER/WASTEWATER TESTING	R	6/22/2022		547.00	044014	547.00
0235	I-202206150364	SUSAN SCARLETT INCODE SB2 GRANT	R	6/22/2022		1,442.25	044015	1,442.25
0235	I-202206150367	SUSAN SCARLETT ACCOUNTING SERVICES	R	6/22/2022		5,000.00	044016	5,000.00
0239	I-202206150388	THATCHER COMPANY WATER MATERIALS & SUPPLIES	R	6/22/2022		4,623.42	044017	4,623.42
0246	I-202206150365	TYLER TECHNOLOGIES, INC INCODE SB2 GRANT	R	6/22/2022		5,105.00	044018	5,105.00
0264	I-202206150380	WESTERN NEVADA SUPPLY LINE REPAIR	R	6/22/2022		1,985.36	044019	1,985.36

* * B A N K T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	28	0.00	45,106.44	45,106.44
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
VOID CHECKS:	1	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
<b>BANK TOTALS:</b>	<b>29</b>	<b>0.00</b>	<b>45,106.44</b>	<b>45,106.44</b>

\*\* REGISTER GRAND TOTALS \*

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	28	0.00	45,106.44	45,106.44
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
VOID CHECKS:	1	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	29	0.00	45,106.44	45,106.44

\*\* POSTING PERIOD RECAP \*\*

FUND	PERIOD	AMOUNT
100	6/2022	22,484.95CR
207	6/2022	1,197.91CR
208	6/2022	1,405.09CR
211	6/2022	519.75CR
215	6/2022	250.00CR
710	6/2022	13,085.36CR
720	6/2022	5,748.41CR
730	6/2022	414.97CR
=====		
ALL		45,106.44CR



**CITY OF PORTOLA  
CITY COUNCIL STAFF REPORT**

**AGENDA TITLE:** **North Loop PS&E Adoption and Bid Authorization** (For reconstructing a portion of Joy Way within the city of Portola, between West Street and 220' east of Beckwith Street)

**MEETING DATE:** **June 22, 2022**

**PREPARED BY:** **Daniel B. Bastian**

**DEPARTMENT:** **Public Works, City Engineer**

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**RECOMMENDED ACTION:**

The City Engineer recommends the City Council adopt the Plans, Specifications and Estimate (PS&E) noted in the attached Contract Documents (and by reference) and authorize bidding of said project on the City's website, subject to the City Attorney document review/approval.

**BACKGROUND INFORMATION:**

A Project Study Report (PSR) for the "North Loop Phase 1 Reconstruction Project" (North Loop) was submitted with the Plumas County Regional Transportation Improvement Program (RTIP) in 2014 (see the attached December 4, 2013, City of Portola requested letter, Exhibit A). The 2014 PSR requested State Only Funds (SOF) which Caltrans supported. Therefore, no Federal bidding requirements for the contract documents or funding is required.

The CTC did not fund the 2014 Plumas County RTIP with the city's North Loop Project, so the 2014 PSR was updated in 2017 and resubmitted with the 2018 RTIP (the estimated project cost was \$3.67 million at that time.)

On March 21, 2018, the California Transportation Commission (CTC) adopted/funded the Plumas County 2018 STIP with the North Loop Phase I project included, said funding included an Environmental Studies and Permits (E&P) component (\$140K); Plans, Specifications and Estimate (PS&E) component (\$206K); and Construction (CON) component (\$2,235K) for the North Loop Phase I project. The total funding allocated was \$2.581K (see attached Exhibit B).



EXHIBIT A



## City of Portola

35 Third Avenue • P.O. Box 1225  
Portola, California 96122  
Fax: (530) 832-5418  
(530) 832-4216  
[www.ci.portola.ca.us](http://www.ci.portola.ca.us)

December 4, 2013

Plumas County Transportation Commission  
1834 E. Main Street  
Quincy, CA 95971

Attn: John Mannle, Executive Director

**RE: Request to Add City Project into the 2014 RTIP.**

Dear Mr. Mannle:

The City of Portola respectfully requests that the Plumas County Transportation Commission program the City's North Loop Phase I Project into the 2014 RTIP.

As you may recall, this project will entail reconstruction of a portion of Joy Way from West Street eastward to Beckwith Street. In addition to new asphalt concrete; curb & gutter and sidewalk will also be constructed with the required ADA ramps.

Sincerely,

Todd Roberts  
Interim City Manager

EXHIBIT B

## 2018 STIP STAFF RECOMMENDATIONS - COUNTY SHARE

Does Not Include ITP Interregional Share Funding (See Separate Listing)  
(\$1,000's)

### Plumas

Agency	Rte	Project	Est	Del	Voted	Total	Prior	Project Totals by Fiscal Year					Project Totals by Component				
								18-19	19-20	20-21	21-22	22-23	R/W	Const	E & P	PS&E	R/W Sup
<b>Highway Projects:</b>																	
Plumas CTC	loc	2057	77	77	Aug-16	77	0	0	0	0	0	0	0	0	0	0	0
Portola	loc	2547	346	0		346	0	140	206	0	0	0	0	0	0	0	0
Plumas CTC	loc	2548	350	0		350	0	200	150	0	0	0	0	0	0	0	0
Plumas CTC	loc	2057	115	57		115	57	0	0	0	0	0	0	0	0	0	0
<b>Subtotal, Highway Projects</b>						888	134	340	356	0	0	0	0	0	0	0	0
<b>Total Programmed or Voted since July 1, 2016</b>						888											
<b>PROPOSED 2018 PROGRAMMING</b>																	
<b>Highway Project Proposals:</b>																	
Plumas CTC	loc	2057	-58	0		-58	0	0	0	0	0	0	0	0	0	0	0
Plumas CTC	loc	2057	211	0		211	0	29	51	51	51	0	0	0	0	0	0
Portola	loc	2547	346	0		346	0	-140	-206	0	0	0	0	0	0	0	0
	loc	2547	2581	0		2581	0	140	206	2,235	0	0	0	0	0	0	0
	loc	2547	350	0		350	0	-200	-150	0	0	0	0	0	0	0	0
Plumas CTC	loc	2548	5,200	0		5,200	0	250	250	0	0	0	0	0	0	0	0
Plumas CTC	loc	2548	330	0		330	0	50	60	220	0	0	0	0	0	0	0
Caltrans	loc	3703	330	0		330	0	50	60	220	0	0	0	0	0	0	0
<b>Subtotal, Highway Proposals</b>						7,568	0	411	145	-195	2,506	4,701	10	7,208	100	190	10
<b>Total Proposed 2018 STIP Programming</b>						7,568	0	411	145	-195	2,506	4,701	10	7,208	100	190	10

Notes:  
RTIP adopted on November 20, 2017.  
No changes to proposal.

<b>Balance of STIP County Share, Plumas</b>		7,281
Total County Share, June 30, 2017		888
Total New Programmed or Voted Since July 1, 2016		6,393
Unprogrammed Share Balance		0
Share Balance Advanced or Overdrawn		0
<b>Proposed New Programming</b>		7,568
Minimum		1,762
Target		9,443
Maximum		10,834
<b>Under (Over) Target</b>		1,875
Proposed APDC		0
Target		682
Under (Over) Target		682

5290-012

2.5 Highway Financial Matters

**EXHIBIT C**

Project #	Allocation Amount	Recipient	District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID Adv. Phase	Budget Year Item # Fund Type Program Code	Amount by Fund Type
<b>2.5c.(3a)</b>				<b>Locally-Administered STIP Projects Off the State Highway System</b>			<b>Resolution FP-19-17</b>
1	\$176,000	Humboldt County HCAOG	01-Humboldt	<b>Vehicle, Bicycle, and Pedestrian Improvements in Garberville on Redwood Drive.</b> On Redwood Drive between the southern terminus with Route 101 and the northern terminus with Route 101. Improvements for vehicles, bicycles, and pedestrians. (APDE)	01-2513 RIP/19-20 PS&E \$176,000 0119000034 S	2018-19 101-0042 SHA 20.30.600.620	\$176,000
				<u>Outputs/Outcomes</u>	<u>Unit</u>	<u>Total</u>	
				Pedestrian/Bicycle facilities mile(s) constructed	Miles	0.5	
				(CEQA - CE, 06/28/2019.)			
2	\$115,000	Modoc County MCTC	02-Modoc	<b>County Road 111 Rehabilitation.</b> County Road 111 from State Route 139 to County Road 108, East of Tulelake California. Hot mix overlay of existing pavement for 5.9 miles.	02-2581 RIP/19-20 PA&ED <del>\$295,000</del> \$115,000 0219000160 S	2018-19 101-0890 FTF 20.30.600.621	\$115,000
				<u>Outputs/Outcomes</u>	<u>Unit</u>	<u>Total</u>	
				Local road lane-mile(s) rehabilitated	Miles	5.9	
				(Balance of \$180,000 to be returned to the Modoc County Share balance.)			
3	\$232,000	City of Portola PCTC	02-Plumas	<b>North Loop (Phase 1).</b> In the the city of Portola on Joy Way; a portion of Magnolia Avenue and Ellen Avenue, between West Street and Beckwith Street. Road reconstruction, bike/ped, drainage, curb, gutter, and sidewalk with ADA components.	02-2547 RIP/19-20 PS&E <del>\$206,000</del> \$232,000 0219000009 S	2018-19 101-0042 SHA 20.30.600.620	\$232,000
				<u>Outputs/Outcomes</u>	<u>Unit</u>	<u>Total</u>	
				Bicycle lane mile(s)	Miles	0.29	
				(CEQA - NOE, 02/28/2019.)			
				(Increase of \$26,000 to come from the Plumas County Share balance.)			
4	\$70,000	City of Yreka SCLTC	02-Siskiyou	<b>S. Oregon Street and 4H Way Rehabilitation.</b> In Yreka on Oregon Street from 4H Way to Oberlin Road and 4H Way from State Route 3 to Campus Drive. Rehabilitate approximately 5,800 linear feet of roadway with an asphalt concrete overlay and pavement fabric.	02-2500 RIP/19-20 PS&E \$70,000 0219000033 S	2018-19 101-0042 SHA 20.30.600.621	\$70,000
				<u>Outputs/Outcomes</u>	<u>Unit</u>	<u>Total</u>	
				Local road lane-mile(s) rehabilitated	Miles	1.1	
				(CEQA - NOE, 4/26/2019.)			
				(SB184 effective 07/01/2019.)			

2.5 Highway Financial Matters

EXHIBIT D

Project # Allocation Amount Recipient RTPA/CTC District-County	Project Title Location Project Description	PPNO Program/Year Phase Prgm'd Amount Project ID	Budget Year Item # Fund Type Program Code	Amount by Fund Type
<b>2.5c.(3a) Locally Administered STIP Project Off the State Highway System</b>				
City of Portola PCTC 02-Plumas	<p><b>North Loop Phase 1.</b> In the City of Portola on Joy Way; reconstruction, bike/ped lanes, curb, gutter, sidewalk &amp; drainage.</p> <p><u>Outputs</u></p> <p>Local road - reconstructed Pedestrian/Bicycle facilities mile(s) constructed</p> <p>(CEQA - CE, 02/27/2019)</p> <p>(Right of Way Certification: 2/27/2019)</p>	<p>02-2547 STIP/21-22 CONST \$3,355,000 0219000009</p>	20.30.600.620	
	<p><u>Unit</u>      <u>Total</u></p> <p>Miles      0.28</p> <p>Miles      0.57</p>			

**EXHIBIT 12-A CITY OF PORTOLA  
PRELIMINARY COST ESTIMATE**

<b>OPENING DATE:</b> TBD	<b>PROJECT ID:</b> RPL-5290(012)	<b>BUDGET ALLOCATION:</b> \$3,355,000	<b>DATE:</b> 1/18/2022
<b>DISTRICT</b> 2	<b>COUNTY:</b> PLUMAS	<b>ROUTE:</b> NA	<b>SOURCE OF FUNDS:</b> SOF
<b>FEDERAL AID NO.</b> 5290(012)	<b>DESCRIPTION:</b> NORTH LOOP (PHASE I)		

Item No.	Item Code	Item Description	UNIT PRICE	ESTIMATED QUANTITY	UNIT	AMOUNT \$
1	999990	MOVE-IN/MOVE-OUT	\$ 180,000.00	LUMP SUM	LS	\$ 180,000
2	070030	LEAD COMPLIANCE PLAN	\$ 2,500.00	LUMP SUM	LS	\$ 2,500
3	120090	CONSTRUCTION AREA SIGNS	\$ 14,000.00	LUMP SUM	LS	\$ 14,000
4	120100	TRAFFIC CONTROL	\$ 170,000.00	LUMP SUM	LS	\$ 170,000
5	128652	PORTABLE CHANGEABLE MESSAGE SIGN	\$ 15,000.00	LUMP SUM	LS	\$ 15,000
6	130100	JOB SITE MANAGEMENT	\$ 34,000.00	LUMP SUM	LS	\$ 34,000
7	130200	PREPARE WATER POLLUTION CONTROL PROGRAM (WPCP)	\$ 2,500.00	LUMP SUM	LS	\$ 2,500
8		INSTALL SWPPP BMPS	\$ 20,000.00	LUMP SUM	LS	\$ 20,000
9	146007	INVASIVE SPECIES CONTROL	\$ 7,400.00	LUMP SUM	LS	\$ 7,400
10	170103	CEARING AND GRUBBING	\$ 35,000.00	LUMP SUM	LS	\$ 35,000
11		SAW CUT	\$ 10.00	410	LF	\$ 4,100
12	760020	EXPLORATION HOLE - POT HOLE WATER AND SEWER LINES FOR LOCATION AND DEPTH	\$ 370.00	53	EA	\$ 19,610
13	130730	STREET SWEEPING	\$ 20,000.00	LUMP SUM	LS	\$ 20,000
14	398200	COLD PLAN ASPHALT CONCRETE PAVEMENT	\$ 14.00	5420	SQYD	\$ 75,880
15		REMOVE ASPHALT CONCRETE GRINDINGS TO CITY SEWER POND STOCKPILE	\$ 20,000.00	LUMP SUM	LS	\$ 20,000
16	73170	REMOVE CONCRETE CURB	\$ 9.10	6	LF	\$ 55
17	731840	REMOVE CONCRETE CURB, GUTTER AND SIDEWALK & DISPOSAL	\$ 13.00	6216	SQFT	\$ 80,808
18	731820	REMOVE CONCRETE DRIVEWAY & DISPOSAL	\$ 400.00	30	CY	\$ 12,000
19	710132	REMOVE CULVERTS	\$ 67.00	240	LF	\$ 16,080
20	194001	DITCH EXCAVATION	\$ 260.00	20	CY	\$ 5,200
21	190101	ROADWAY EXCAVATION	\$ 90.00	2450	CY	\$ 220,500
22		SIDEWALK, RAMPS AND DRIVEWAY EXCAVATION	\$ 300.00	221	CY	\$ 66,300
23	192037	STRUCTURE, RETAINING WALL EXCAVATION	\$ 95.00	120	CY	\$ 11,400
24		CONCRETE VALLEY GUTTER EXCAVATION	\$ 140.00	26	CY	\$ 3,640
25	198210	SUBGRADE ENHANCEMENT CLASS 3B	\$ 5.00	5500	SQYD	\$ 27,500
26	260203	CLASS 2 AGGREGATE SUBBASE	\$ 115.00	2380	CY	\$ 273,700
27	190185	CLASS 2 AGGREGATE CURB BACKING	\$ 140.00	100	TON	\$ 14,000
28	723080	ROCK SLOPE PROTECTION (60 LB, CLASS II, METHOD B)	\$ 450.00	30	CY	\$ 13,500
29	729012	ROCK SLOPE FABRIC CLASS 10	\$ 12.00	50	SQYD	\$ 600
30	130900	TEMPORARY CONCRETE WASHOUT	\$ 6,000.00	LUMP SUM	LS	\$ 6,000
31	730045	MINOR CONCRETE, A2-6 CURB AND GUTTER	\$ 860.00	164	CY	\$ 141,040
32	730020	MINOR CONCRETE, A1-6 MODIFIED	\$ 1,500.00	11	CY	\$ 15,750
33	730020	MINOR CONCRETE, A1-6 RETAINING CURB	\$ 1,500.00	14	CY	\$ 21,000
34	731521	MINOR CONCRETE, 4" SIDEWALK	\$ 1,510.00	140	CY	\$ 211,400

**EXHIBIT 12-A CITY OF PORTOLA  
PRELIMINARY COST ESTIMATE**

<b>OPENING DATE:</b> TBD	<b>PROJECT ID:</b> RPL-5290(012)	<b>BUDGET ALLOCATION:</b> \$3,355,000	<b>DATE:</b> 1/18/2022
<b>DISTRICT</b> 2	<b>COUNTY:</b> PLUMAS	<b>SOURCE OF FUNDS:</b> SOF	
<b>FEDERAL AID NO.</b> 5290(012)	<b>ROUTE:</b> NA		
	<b>DESCRIPTION:</b> NORTH LOOP (PHASE I)		

Item No.	Item Code	Item Description	UNIT PRICE	ESTIMATED QUANTITY	UNIT	AMOUNT \$
62		REMOVE AND RELOCATE DELIVERY BOXES	\$ 300.00	2	EA	\$ 600
63		RELOCATE SPRINKLER SYSTEM	\$ 2,000.00	LUMP SUM	LS	\$ 2,000
64	710208	ADJUST GATE VALVE BOX TO CONFORM TO NEW AC PAVEMENT GRADE. INSTALL NEW CONCRETE COLLAR.	\$ 2,240.00	8	EA	\$ 17,920
65	780258	ADJUST SEWER MANHOLE FRAME AND COVER. INSTALL NEW CONCRETE COLLAR.	\$ 2,900.00	7	EA	\$ 20,300
66		CONSTRUCT NEW WATER METER ASSEMBLY AND BOX IN SIDEWALK	\$ 3,000.00	3	EA	\$ 9,000
67		CONSTRUCT NEW WATER METER ASSEMBLY AND BOX OUTSIDE SIDEWALK	\$ 2,500.00	5	EA	\$ 12,500
<b>SUBTOTAL</b>						\$ 2,877,642
10% CONTINGENCIES						\$ 287,764
<b>TOTAL ENGINEER'S ESTIMATE</b>						\$ 3,165,406



*Daniel B. Bastian*

ORDINANCE NO. 361

AN ORDINANCE OF THE CITY OF PORTOLA, COUNTY OF PLUMAS  
CREATING CHAPTER 8.05 OF THE CITY OF PORTOLA MUNICIPAL CODE  
PROVIDING FOR REDUCTION OF ORGANIC WASTE DISPOSAL

The Council of the City of Portola, California, ordains as follows:

**Section 1.** Chapter 8.05 of the Portola Municipal Code is hereby created to read as follows:

Title 8  
HEALTH AND SAFETY  
Chapter 8.05  
REDUCTION OF ORGANIC WASTE DISPOSAL

- 8.05.010 General Provisions
- 8.05.020 Definitions
- 8.05.030 Recordkeeping and Reporting Authority
- 8.05.040 Education and Outreach
- 8.05.050 Requirements for Single Family Generators
- 8.05.060 Requirements for Commercial Businesses
- 8.05.070 Requirements for Commercial Edible Food Generators
- 8.05.080 Requirements for Food Recovery Organizations
- 8.05.090 Requirements for Community Composting Operations
- 8.05.100 Self-Hauler Requirements
- 8.05.110 Procurement Requirements for City Departments
- 8.05.120 Inspections and Investigations
- 8.05.130 Enforcement
- 8.05.140 Effective Date

The City Council of the City of Portola, California ordains as follows: A new Chapter 8.05 is enacted and added to the City of Portola Municipal Code to read as follows

**8.05.010 GENERAL PROVISIONS**

**8.05.011 Title and Citation.** This Chapter of the City of Portola Municipal Code shall be known and may be cited as the “City of Portola Reduction of Organic Waste Disposal Ordinance.”

**8.05.012 Findings.** The City Council of the City of Portola, California finds and declares:

- A. State recycling law, Assembly Bill 939 of 1989, the California Integrated Waste Management Act of 1989 (California Public Resources Code Section 40000, et seq., as amended,

## 8.05.020 DEFINITIONS

Unless the contrary is stated or clearly appears different from the context, the definitions set forth in this section shall govern the construction of the words and phrases used in this chapter. Definitions used in the present tense shall include the future tense. The word “shall” is mandatory and not directory.

“**CalRecycle**” means California's Department of Resources Recycling and Recovery, which is the Department designated with responsibility for developing, implementing, and enforcing SB 1383 Regulations on Jurisdictions (and others).

“**California Code of Regulations**” or “**CCR**” means the State of California Code of Regulations. CCR references in this ordinance are preceded with a number that refers to the relevant Title of the CCR (e.g., “14 CCR” refers to Title 14 of CCR).

“**City**” means the City of Portola, California and the extent of its jurisdiction over solid waste matters within the physical boundaries of the City.

“**City Manager**” means the City Council appointed manager of the affairs of the City of Portola.

“**Commercial Business**” or “**Commercial**” means a firm, partnership, proprietorship, joint-stock company, corporation, or association, whether for-profit or nonprofit, strip mall, industrial facility, or a multifamily residential dwelling, or as otherwise defined in 14 CCR Section 18982(a)(6). A Multi-Family Residential Dwelling that consists of fewer than five (5) units is not a Commercial Business for purposes of implementing this ordinance.

“**Commercial Edible Food Generator**” includes a Tier One or a Tier Two Commercial Edible Food Generator as defined in 14 CCR Section 18982(a)(73) and (a)(74). For the purposes of this definition, Food Recovery Organizations and Food Recovery Services are not Commercial Edible Food Generators pursuant to 14 CCR Section 18982(a)(7).

“**Compliance Review**” means a review of records to determine compliance with this ordinance.

“**Community Composting**” means any activity that composts green material, agricultural material, food material, and vegetative food material, alone or in combination, and the total amount of feedstock and Compost on-site at any one time does not exceed 100 cubic yards and 750 square feet, as specified in 14 CCR Section 17855(a)(4); or, as otherwise defined by 14 CCR Section 18982(a)(8).

“**Compost**” has the same meaning as in 14 CCR Section 17896.2(a)(4), which stated, as of the effective date of this ordinance, that “Compost” means the product resulting from the controlled biological decomposition of organic Solid Wastes that are Source Separated from the municipal Solid Waste stream, or which are separated at a centralized facility.

“**Compostable Plastics**” or “**Compostable Plastic**” means plastic materials that meet the ASTM D6400 standard for compostability, or as otherwise described in 14 CCR Section 18984.1(a)(1)(A) or 18984.2(a)(1)(C).

“**Construction and Demolition Debris**” or “**C&D**” means waste building materials and rubble resulting from construction, remodeling, repair and demolition operations on pavements, houses, commercial buildings and other structures.



supplemented, superseded, and replaced from time to time), requires cities and counties to reduce, reuse, and recycle (including composting) Solid Waste generated in their Jurisdictions to the maximum extent feasible before any incineration or landfill disposal of waste, to conserve water, energy, and other natural resources, and to protect the environment.

- B. State recycling law, Assembly Bill 341 of 2011 (approved by the Governor of the State of California on October 5, 2011, which amended Sections 41730, 41731, 41734, 41735, 41736, 41800, 42926, 44004, and 50001 of, and added Sections 40004, 41734.5, and 41780.01 and Chapter 12.8 (commencing with Section 42649) to Part 3 of Division 30 of, and added and repealed Section 41780.02 of, the Public Resources Code, as amended, supplemented, superseded and replaced from time to time), places requirements on businesses and Multi-Family property owners that generate a specified threshold amount of Solid Waste to arrange for recycling services and requires Jurisdictions to implement a commercial recycling program.
- C. SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires CalRecycle to develop regulations to reduce organics in landfills as a source of methane. The regulations place requirements on multiple entities including Jurisdictions, residential households, Commercial Businesses and business owners, Commercial Edible Food Generators, haulers, Self-Haulers, Food Recovery Organizations, and Food Recovery Services to support achievement of Statewide Organic Waste disposal reduction targets.
- D. SB 1383, the Short-lived Climate Pollutant Reduction Act of 2016, requires Jurisdictions to adopt and enforce an ordinance or enforceable mechanism to implement relevant provisions of SB 1383 Regulations applicable to their jurisdiction. This ordinance will also help reduce food insecurity by requiring Commercial Edible Food Generators to arrange to have the maximum amount of their Edible Food, that would otherwise be disposed, be recovered for human consumption.
- E. The City of Portola meets the definition of Rural Jurisdiction as defined in Section 42649.8 of the Public Resources Code and approved Resolution No. 2491 on November 12, 2021 for application of a Rural Exemption in compliance with Section 18984.12 (c) of Chapter 12 (Short-lived Climate Pollutants of Division 7 of Title 14 of the California Code of Regulations“SB 1383 Regulations” or “Regulations”). On January 13, 2022 CalRecycle approved the Rural Exemption and the City of Portola is not subject to Article 3 Organic Waste Collection Services, Section 18992.1 of Article 11 Organic Waste Capacity Planning, and Sections 18993.1 and .2 of Article 12 Procurement of Recovered Organic Waste Products through December 21, 2026. Collection of recyclables and organics may occur in exempt rural areas and that collection is not subject to SB 1383 regulations or this ordinance unless otherwise required.
- F. The City of Portola is subject to providing education and outreach information to organic waste generators, enforcing certain provisions of the CALGreen Building Standards and Model Water Efficient Landscape Ordinance, implementing an edible food recovery program and edible food recovery capacity planning, procurement of paper products, facility sampling for contamination of materials, inspections and enforcement, and recordkeeping and reporting to CalRecycle in compliance with the SB 1383 Regulations.

**“Designee”** means an entity that the City contracts with or otherwise arranges to carry out any of the City’s responsibilities of this ordinance as authorized in 14 CCR Section 18981.2.

**“Edible Food”** means food intended for human consumption, or as otherwise defined in 14 CCR Section 18982(a)(18). For the purposes of this ordinance or as otherwise defined in 14 CCR Section 18982(a)(18), Edible Food is not Solid Waste if it is recovered and not discarded. Nothing in this ordinance or in 14 CCR, Division 7, Chapter 12 requires or authorizes the Recovery of Edible Food that does not meet the food safety requirements of the California Retail Food Code.

**“Enforcement Action”** means an action of the City to address non-compliance with this ordinance including, but not limited to, issuing administrative citations, fines, penalties, or using other remedies.

**“Food”** has the same meaning as in Section 113781 of the Health and Safety Code. “Food” means a raw, cooked, or processed edible substance, ice, beverage, an ingredient used or intended for use or for sale in whole or in part for human consumption, and chewing gum.

**“Food Distributor”** means a company that distributes food to entities including, but not limited to, Supermarkets and Grocery Stores, or as otherwise defined in 14 CCR Section 18982(a)(22).

**“Food Facility”** has the same meaning as in Section 113789 of the Health and Safety Code.

**“Food Recovery”** means actions to collect and distribute food for human consumption that otherwise would be disposed, or as otherwise defined in 14 CCR Section 18982(a)(24).

**“Food Recovery Organization”** means an entity that engages in the collection or receipt of Edible Food from Commercial Edible Food Generators and distributes that Edible Food to the public for Food Recovery either directly or through other entities or as otherwise defined in 14 CCR Section 18982(a)(25), including, but not limited to:

- (1) A food bank as defined in Section 113783 of the Health and Safety Code;
- (2) A nonprofit charitable organization as defined in Section 113841 of the Health and Safety code;  
and,
- (3) A nonprofit charitable temporary food facility as defined in Section 113842 of the Health and Safety Code.

A Food Recovery Organization is not a Commercial Edible Food Generator for the purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

**“Food Recovery Service”** means a person or entity that collects and transports Edible Food from a Commercial Edible Food Generator to a Food Recovery Organization or other entities for Food Recovery, or as otherwise defined in 14 CCR Section 18982(a)(26). A Food Recovery Service is not a Commercial Edible Food Generator for the purposes of this ordinance and implementation of 14 CCR, Division 7, Chapter 12 pursuant to 14 CCR Section 18982(a)(7).

**“Food Service Provider”** means an entity primarily engaged in providing food services to institutional, governmental, Commercial, or industrial locations of others based on contractual arrangements with these types of organizations.

**“Grocery Store”** means a store primarily engaged in the retail sale of canned food; dry goods; fresh fruits and vegetables; fresh meats, fish, and poultry; and any area that is not separately owned within the store where the food is prepared and served, including a bakery, deli, and meat and seafood departments.

**“Inspection”** means a site visit where the City or Designee reviews records, containers, and an entity’s collection, handling, recycling, or landfill disposal of Organic Waste or Edible Food handling to determine if the entity is complying with requirements set forth in this ordinance.

**“Large Event”** means an event, including, but not limited to, a sporting event or a flea market, that charges an admission price, or is operated by a local agency, and serves an average of more than 2,000 individuals per day of operation of the event, at a location that includes, but is not limited to, a public, nonprofit, or privately owned park, parking lot, street system, or other open space when being used for an event.

**“Large Venue”** means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the facility per day of operation of the venue facility.

**“Local Education Agency”** means a school district, charter school, or county office of education that is not subject to the control of city or county regulations related to Solid Waste.

**“Multi-Family Residential Dwelling”** or **“Multi-Family”** means of, from, or pertaining to residential premises with five (5) or more dwelling units. Multi-Family premises do not include hotels, motels, or other transient occupancy facilities, which are considered Commercial Businesses.

**“Non-Compostable Paper”** includes but is not limited to paper that is coated in a plastic material that will not breakdown in the composting process.

**“Non-Organic Recyclables”** means non-putrescible and non-hazardous recyclable wastes including but not limited to bottles, cans, metals, plastics and glass.

**“Notice of Violation”** or **“NOV”** means a notice that a violation has occurred that includes a compliance date to avoid an action to seek penalties.

**“Organic Waste”** means Solid Wastes containing material originated from living organisms and their metabolic waste products, including but not limited to food, green material, landscape and pruning waste, organic textiles and carpets, lumber, wood, Paper Products, Printing and Writing Paper, manure, biosolids, digestate, and sludges.

**“Organic Waste Generator”** or **“Generator”** means a person or entity that is responsible for the initial creation of Organic Waste.

**“Paper Products”** include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling.

**“Printing and Writing Papers”** include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications.

**“Prohibited Container Contaminants”** means materials designated as unacceptable for collection or drop-off.

**“Recovered Organic Waste Products”** means products made from California, landfill-diverted recovered Organic Waste processed in a permitted or otherwise authorized facility.

**“Recovery”** means any activity or process described in 14 CCR Section 18983.1(b).

**“Recycled-Content Paper”** means Paper Products and Printing and Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber.

**“Restaurant”** means an establishment primarily engaged in the retail sale of food and drinks for on-premises or immediate consumption.

**“SB 1383 Regulations”** or **“Regulations”** means or refers to, for the purposes of this ordinance, the Short-Lived Climate Pollutants: Organic Waste Reduction regulations developed by CalRecycle and adopted in 2020 that created 14 CCR, Division 7, Chapter 12 and amended portions of regulations of 14 CCR and 27 CCR.

**“Self-Hauler”** means a person, who hauls Solid Waste, Organic Waste, or recyclable material that they have generated to another person. Self-hauler also includes a person who back-hauls waste. Back-haul means generating and transporting Organic Waste to a destination owned and operated by the generator using the generator’s own employees and equipment.

**“Single-Family”** means of, from, or pertaining to any residential premises with fewer than five (5) units.

**“Solid Waste”** means all putrescible and non-putrescible solid and semi-solid wastes generated by residences and commercial enterprises, including garbage, yard waste, recyclable material, construction and demolition debris, industrial wastes, inert wastes, abandoned vehicles and other discarded materials.

**“Source Separation”** means the segregation of recyclable and/or organic materials by the generator of said materials.

**“State”** means the State of California.

**“Supermarket”** means a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items.

**“Tier One Commercial Edible Food Generator”** means a Commercial Edible Food Generator that is one of the following:

- (1) Supermarket.
- (2) Grocery Store with a total facility size equal to or greater than 10,000 square feet.
- (3) Food Service Provider.
- (4) Food Distributor.
- (5) Wholesale Food Vendor.

**“Tier Two Commercial Edible Food Generator”** means a Commercial Edible Food Generator that is one of the following:

- (1) Restaurant with 250 or more seats, or a total facility size equal to or greater than 5,000 square feet.
- (2) Hotel with an on-site Food Facility and 200 or more rooms.
- (3) Health facility with an on-site Food Facility and 100 or more beds.
- (4) Large Venue.
- (5) Large Event.
- (6) A Local Education Agency facility with an on-site Food Facility.

**“Wholesale Food Vendor”** means a business or establishment engaged in the merchant wholesale distribution of food, where food (including fruits and vegetables) is received, shipped, stored, prepared for distribution to a retailer, warehouse, distributor, or other destination.

#### **8.05.030 RECORDKEEPING AND REPORTING AUTHORITY**

- A. In conformance with Section 18995.2 of the SB 1383 Regulations, the City will store and maintain records documenting implementation of the Regulations.
- B. The City shall prepare and submit the Initial Jurisdiction Compliance Report and Jurisdiction Annual Reports to CalRecycle in compliance with Sections 18994.1 and 18994.2 of the Regulations.
- C. The Reporting Authority shall submit the Edible Food Recovery Capacity required reports in accordance with the schedule established in Section 18992.3 of the Regulations.

- D. Upon request by a CalRecycle, the City will provide access to implementation records within 10 business days. The City will also respond to a request for public records contained in the implementation records.

#### **8.05.040 EDUCATION AND OUTREACH**

- A. The City shall provide educational materials and community outreach to organic waste generators that explain and provide information on the requirements of the SB 1383 Regulations.
- B. In providing the education and outreach materials described below, the City intends that its education and outreach efforts will be consistent with, and in coordination with, the education and outreach provided by the franchise refuse collection company.
- C. By July 1, 2022, the City will make available to Generators, through print and/or electronic media information regarding local opportunities for organic waste reduction. The information generated pursuant to this subparagraph shall be updated at least annually.
- D. Through email, letters, or other direct communication, the City shall annually notify Tier I and II Commercial Edible Food Generators within the City of their food recovery requirements as established pursuant to Section 18991.3 and 18991.4 of the Regulations.

#### **8.05.050 REQUIREMENTS FOR SINGLE-FAMILY GENERATORS**

Single-Family Solid Waste Generators shall comply with the following requirements:

- A. Shall comply with the City's franchise refuse collection company by placing designated materials in designated containers and shall not place Prohibited Container Contaminants in collection containers.
- B. Single-Family Solid Waste Generators are encouraged to manage their Organic Waste by preventing or reducing their Organic Waste, managing Organic Waste on site, and/or using a Community Composting site, as available within reasonable proximity to the City.

#### **8.05.060 REQUIREMENTS FOR COMMERCIAL BUSINESSES**

Commercial Businesses, including Multi-Family Residential Dwellings of five or more units, that generate more than four cubic yards of commercial solid waste per week shall arrange for recycling services, as available, and shall take at least one of the following actions:

- A. Source separate recyclable materials from solid waste and either subscribe to a basic level of recycling service, as available, or self-haul to a recycling center, or make other arrangements for the pickup of the recyclable materials.
- B. A property owner of a Multi-Family Residential Dwelling may require tenants to source separate their recyclable materials to aid in compliance with this section.
- C. Comply with the City's franchise refuse collection company by placing designated materials in designated containers and not place Prohibited Container Contaminants in collection containers.

- D. Annually provide information to Commercial Businesses and Multi-Family Residential Dwellings, through the franchise refuse collector, about Solid Waste Recovery requirements and about proper sorting of Recyclable Materials.
- E. Provide education information, through the franchise refuse collector, before or within fourteen (14) days of occupation of the premises to new tenants that describes requirements to keep Recyclable Materials separate from Solid Waste.
- F. Commercial Businesses that are Tier One or Tier Two Commercial Edible Food Generators shall comply with Food Recovery requirements, pursuant to 8.05.070.

#### **8.05.070 REQUIREMENTS FOR COMMERCIAL EDIBLE FOOD GENERATORS**

Tier One Commercial Edible Food Generators must comply with the requirements of this Section 8.05.070 commencing October 1, 2022, and Tier Two Commercial Edible Food Generators must comply commencing January 1, 2024.

Large Venue or Large Event operators not providing food services, but allowing for food to be provided by others, shall require Food Facilities operating at the Large Venue or Large Event to comply with the requirements of this Section, commencing January 1, 2024.

Commercial Edible Food Generators shall comply with the following requirements:

- A. Arrange to recover Edible Food that would otherwise be disposed.
- B. Shall not intentionally spoil Edible Food that is capable of being recovered by a Food Recovery Organization or a Food Recovery Service.
- C. Allow City access to premises and review Edible Food records. Records shall include list of Food Recovery Organization or a Food Recovery Service, types and amounts of Edible Food recovered, and the dates of recovery.
- D. No later than March 1 of each year, commencing no later than 2023 for Tier One Commercial Edible Food Generators and 2025 for Tier Two Commercial Edible Food Generators, provide an annual Food Recovery report to the City that includes all information listed above in 8.05.070.

#### **8.05.080 REQUIREMENTS FOR FOOD RECOVERY ORGANIZATIONS AND SERVICES**

Food Recovery Organizations and/or Services collecting or receiving Edible Food in the City shall maintain the following records:

- A. The name, address, and contact information for each Commercial Edible Food Generator from which the service collects Edible Food.
- B. The quantity in pounds of Edible Food collected from each Commercial Edible Food Generator per month.

- C. The quantity in pounds of Edible Food transported to each Food Recovery Organization per month.
- D. The name, address, and contact information for each Food Recovery Organization that the Food Recovery Service transports Edible Food to for Food Recovery.
- E. In order to support Edible Food Recovery capacity planning assessments or other studies conducted by the City, Food Recovery Organizations and Services operating in the City shall provide information and consultation to the City, upon request, regarding existing, or proposed new or expanded, Food Recovery capacity within 60 days.

#### **8.05.090 REQUIREMENTS FOR COMMUNITY COMPOSTING OPERATIONS**

Community Composting operations, upon City request, shall provide information to the City to support Organic Waste capacity planning, including, but not limited to, an estimate of the amount of Organic Waste anticipated to be handled at the Community Composting operation. Entities contacted by the City shall respond within 60 days.

#### **8.05.100 SELF-HAULER REQUIREMENTS**

Self-Haulers shall source separate and haul all recyclable materials, including Organic Wastes, generated on-site from Solid Waste, in a manner consistent with facility requirements.

Self-Haulers that are Commercial Businesses (including Multi-Family Residential Dwellings) shall keep a record of the amounts of recyclable materials and/or Organic Waste delivered to each Solid Waste facility; this record shall be subject to Inspection by the City. The records shall include the following information:

- A. Delivery receipts and weight tickets from the facility accepting the waste.
- B. The amount of material in cubic yards or tons transported by the generator to the facility. Waste.

Self-Haulers that are Commercial Businesses (including Multi-Family Self-Haulers) shall provide information collected in Section 8.05.100 to the City, if requested. A residential Solid Waste Generator that self-hauls Solid Waste is not required to record or report information in Section 8.05.100.

#### **8.05.110 PROCUREMENT REQUIREMENTS FOR CITY DEPARTMENTS**

The City shall document procurement of paper by each department and annually report to CalRecycle, in compliance with the SB 1383 regulations.

City departments must comply with the Resolution No. 1668 Recycled Product Procurement Policy adopted on March 14, 2001.

All vendors providing Paper Products and Printing and Writing Paper shall:

- A. If fitness and quality are equal, provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least 30 percent, by fiber weight, postconsumer fiber



instead of non-recycled products whenever recycled Paper Products and Printing and Writing Paper are available at the same or lesser total cost than non-recycled items.

- B. Provide Paper Products and Printing and Writing Paper that meet Federal Trade Commission recyclability standard as defined in 16 Code of Federal Regulations (CFR) Section 260.12.
- C. Certify in writing, under penalty of perjury, the minimum percentage of postconsumer material in the Paper Products and Printing and Writing Paper offered or sold to the Jurisdiction. This certification requirement may be waived if the percentage of postconsumer material in the Paper Products, Printing and Writing Paper, or both can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.
- D. Certify in writing, on invoices or receipts provided, that the Paper Products and Printing and Writing Paper offered or sold to the Jurisdiction is eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations (CFR) Section 260.12 (2013).

#### **8.05.120 INSPECTIONS AND INVESTIGATIONS**

The City and/or its designated representatives are authorized to conduct inspections and investigations, at random or otherwise, of any collection container, collection vehicle loads, or transfer, processing, or disposal facility for materials collected from generators, or Source Separated materials to confirm compliance with this ordinance by Solid Waste Generators, Commercial Businesses (including Multi-Family Residential Dwellings), property owners, Commercial Edible Food Generators, haulers, Self-Haulers, Food Recovery Services, and Food Recovery Organizations, subject to applicable laws. This Section does not allow the City to enter the interior of a private residential property for Inspection.

Regulated entities shall provide or arrange for access during all Inspections (with the exception of residential property interiors) and shall cooperate with the City during such inspections and investigations. Such inspections and investigations may include confirmation of proper placement of materials in containers, Edible Food Recovery activities, records, or any other requirement of this ordinance described herein. Failure to provide or arrange for: (1) access to an entity's premises; or (2) access to records for any Inspection or investigation may be a violation of this ordinance and may result in penalties described.

Any records obtained by the City during its inspections and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code Section 6250 et seq.

#### **8.05.130 ENFORCEMENT**

Violation of any provision of this ordinance may constitute grounds for issuance of a Notice of Violation and assessment of a fine by the City. Enforcement Actions under this ordinance may include issuance of an administrative citation and instructions to remedy the violation.

Repeat violators of this ordinance may be subject to a fine not exceeding \$ \_\_\_\_ per violation.

#### **8.05.140 EFFECTIVE DATE**

This ordinance shall be effective commencing on \_\_\_\_\_.

## CITY COUNCIL AGENDA STAFF REPORT

**DATE: June 16, 2022**

**MEETING: June 22, 2022**

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Susan Scarlett, Finance Officer

**SUBJECT:** GANN Limit, Investment Policy, Facility Fees and Budget Adoption

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The budget process for the 2022-2023 Fiscal year budget began in January with the calendar for the budget schedule. Staff began working on the budget and had public comment opportunities in March and April. A draft budget was presented to the Council at a Budget Work Session on May 18<sup>th</sup> and again at a public hearing for the budget on June 8<sup>th</sup>. Minor changes have been made since that time and will be reviewed with the Council at the June 22nd meeting.

In addition to the resolution adopting the Operating Budget there are resolutions for the Annual Investment Policy, the GANN Appropriations limit, Facility Fees resolution pursuant to Government Code Section 66001, a Reduction of the Solid Waste Administration Fee as well as a resolution for a Reduction of the Landfill Closure/Post Closure Fee.

Recommendation: It is requested that the Council consider each resolution individually. Staff recommends the Adoption of the following Resolutions:

Resolution No. 2511 A Resolution of the City Council of the City of Portola approving and adopting the annual appropriations limit for the fiscal year 2022-2023.

Resolution No. 2512 A Resolution of the City Council of the City of Portola acknowledging the review, receipt and filing of the Statement of Investment Policy.

Resolution No. 2513 A Resolution for the City Council of the City of Portola to make certain findings for unexpended water and sewer facility fees pursuant to California Government Code section 66001

Resolution No. 2514 A Resolution of the City Council of the City of Portola adopting the monthly rate for the Solid Waste Administration Fee.

Resolution No. 2515 A Resolution of the City Council of the City of Portola adopting the monthly rate for the Landfill Closure/Post Closure Fee.

Resolution No. 2516 A Resolution for the City Council of the City of Portola adopting the Operating Budget for the 2022-2023 Fiscal Year.

**RESOLUTION NO. 2511**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA  
APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT  
FOR FISCAL YEAR 2022-2023**

**WHEREAS**, the voters of the State of California on November 6, 1979 added Article XIII B to the State Constitution placing various limitations on the appropriations of the state and local governments; and,

**WHEREAS**, Article XIII B provided that the appropriations limit for the fiscal year 2022/2023 is calculated by adjusting the base year of appropriations of the fiscal year 2021/2022 for changes in the cost of living and populations; and,

**WHEREAS**, the City of Portola has complied with all the provisions of Article XIII B in determining the appropriations limit for fiscal year 2022/2023.

**NOW THEREFORE, BE IT RESOLVED** that the appropriations subject to limitations in fiscal year 2022/2023 shall be \$2,491,021.16.

**PASSED, APPROVED AND ADOPTED** this 22nd day of June 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
MAYOR, PAT MORTON

ATTEST:

\_\_\_\_\_  
DEPUTY CITY CLERK, Mercadez Flewell

I, Mercadez Flewell, Deputy City Clerk of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council of the City of Portola at a regular meeting thereof held on June 22, 2022.

\_\_\_\_\_  
DEPUTY CITY CLERK, Mercadez Flewell

## RESOLUTION NO. 2512

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA ACKNOWLEDGING THE REVIEW, RECEIPT AND FILING OF THE STATEMENT OF INVESTMENT POLICY

**WHEREAS**, the Legislature of the State of California has declared that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern (California Government Code sections 53600.6 and 53630.1); and

**WHEREAS**, the legislative body of a local agency may invest surplus monies not required for the immediate necessities of the local agency in accordance with the provisions of California Government Code Sections 5922 and 53601 et seq.; and

**WHEREAS**, the Finance Officer of the City of Portola shall annually prepare and submit a statement of investment policy, and any changes thereto, shall be considered by the legislative body at a public meeting; (CGC 53646(a)); and

**WHEREAS**, the Finance Officer of the City of Portola declares the Annual Statement of Investment Policy to be as follows:

#### **POLICY**

It shall be the policy of the City of Portola to invest funds in a manner that provides the highest investment return possible consistent with maximum security while meeting daily cash flow demands and conforming to all other statutes governing the investment of City funds.

#### **SCOPE**

This investment policy shall apply without exception to any and all financial assets and funds of the City of Portola. These funds are accounted for in the Comprehensive Annual Financial Report.

#### **PRUDENCE**

The standard of prudence to be used by investment officials shall be the “prudent investor” standard (CGC 53600.3):

*When investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, a trustee shall act with care, skill, prudence and diligence under circumstances then prevailing, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency.*

Investment officers acting in accordance with the investment policy and exercising due diligence shall not be held personally responsible for an individual security’s credit risk or market price changes, provided that the reporting requirements of this policy are made in a timely manner and appropriate action is taken to control adverse developments.

#### **OBJECTIVES**

When investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, the primary objectives of investment activities, in absolute priority order, shall be:

1. Safety: Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio.
2. Liquidity: The investment portfolio will remain sufficiently liquid to enable the City to meet all operating requirements that might reasonably be anticipated.
3. Yield: The investment portfolio shall be designed with the objective of attaining the highest investment return consistent with safety and liquidity have been met.

#### **DELEGATION OF AUTHORITY**

Management responsibility for the investment program is hereby delegated to the Finance Officer. The Finance Officer is a trustee and fiduciary subject to the prudent investor standard.

#### **ETHICS AND CONFLICT OF INTEREST**

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

**AUTHORIZED INVESTMENTS:**

- 1. **FDIC Insured Accounts:** Monies required for immediate cash flow needs shall be deposited in an interest-bearing FDIC insured checking account at a bank in Portola.
- 2. **Local Agency Investment Fund (LAIF):** Monies not required for immediate cash flow needs shall be deposited in LAIF, a special fund in the California State Treasury.
- 3. **U.S. Government Securities:** Restricted to use for contributions if any trust funds are needed.

Prohibited Investments. Under the provisions of CGC 53601.6, the City of Portola shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest-only strips derived from mortgage pools or any investment that may result in a zero-interest accrual if held to maturity.

**PUBLIC TRUST**

All participants in the investment process shall act as custodians of the public trust. Investment officials shall recognize that the investment portfolio is subject to public review and evaluation. The overall program shall be designed and managed with a degree of professionalism that is worthy of the public trust. In a diversified portfolio it must be recognized that occasional measurement losses are inevitable, and must be considered within the context of the overall portfolio’s investment return, provided that adequate diversification has been implemented.

**DIVERSIFICATION**

The City of Portola will diversify its investments in keeping with the objectives enunciated in this Statement of Investment Policy.

**REPORTING**

The Finance Officer shall submit to the City Council a quarterly investment report that shall include copies of the latest statements from institutions in which funds are placed.

The report shall certify that all investment actions executed since the last report have been made in full compliance with the Investment Policy and that the City of Portola will meet all expenditure obligations that might be reasonably anticipated for the next six months.

**INVESTMENT POLICY ADOPTION**

The investment policy and modifications, if any, shall be adopted annually by resolution of the City Council at a public meeting.

**NOW, THEREFORE, THE PORTOLA CITY COUNCIL HEREBY RESOLVES** that the foregoing be received and filed as the Annual Statement of Investment Policy for the City of Portola.

**PASSED, APPROVED AND ADOPTED** this 22nd day of June 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
MAYOR, PAT MORTON

ATTEST:

\_\_\_\_\_  
DEPUTY CITY CLERK, Mercadez Flewell

I, Mercadez Flewell, Deputy City Clerk of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council of the City of Portola at a regular meeting thereof held on June 22, 2022.

\_\_\_\_\_  
DEPUTY CITY CLERK, Mercadez Flewell

**RESOLUTION NO. 2513**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA  
TO MAKE CERTAIN FINDINGS PURSUANT TO CALIFORNIA  
GOVERNMENT CODE SECTION 66001**

**WHEREAS**, the City of Portola is required to make certain findings every five years with respect to the unexpended fund balance of its water and sewer facilities fees and traffic impact fees pursuant to California Government Code Section 66001; and

**WHEREAS**, the information to make the required findings can be found in the City of Portola’s Water and Sewer Master Plans dated May 2007 and Transportation Capital Improvement Program as established by the 2006 “Woodbridge/City of Portola Transportation Analysis”; and

**WHEREAS**, the City of Portola’s Water and Sewer Master Plans dated May 2007 and Transportation Capital Improvement Program as established by the 2006 “Woodbridge/City of Portola Transportation Analysis” demonstrate the purpose of the facilities fee being charged; and

**WHEREAS**, these findings need to be made in conjunction with the public information required in Code Section 66006; and

**NOW THEREFORE BE IT RESOLVED, THAT** the City Council of the City of Portola hereby

1. That the above recitations are true and correct.
2. That the following findings are made as required under California Government Code section 66006.
  - a. That the purpose of which the facilities fee is to be put has been identified.
  - b. That a reasonable relationship has been demonstrated between the fee and the purpose for which it is charged.
  - c. That all sources and amounts of funding anticipated to complete financing on incomplete improvements have been identified.
  - d. That the approximate dates on which the funding referred to above is expected to be deposited in the appropriate fund is in the next 5 years.
3. That these findings are based on information provided in the City of Portola’s Water and Sewer Master Plans dated May 2007 and Transportation Capital Improvement Program as established by the 2006 “Woodbridge/City of Portola Transportation Analysis”, which are incorporated herein by reference.

**PASSED, APPROVED AND ADOPTED** this 22nd day of June, 2022 by the following vote:

AYES:

NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
MAYOR, PAT MORTON

ATTEST:

\_\_\_\_\_  
Mercadez Flewell, Deputy City Clerk

I, Mercadez Flewell, Deputy City Clerk of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council of the City of Portola at a meeting thereof held on June 22, 2022.

\_\_\_\_\_  
Mercadez Flewell, Deputy City Clerk

**RESOLUTION NO. 2514**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA  
ADOPTING THE MONTHLY RATE FOR  
THE SOLID WASTE ADMINISTRATION FEE**

**WHEREAS**, in November of 2002 Resolution 1751 was passed establishing a solid waste administration fee; and

**WHEREAS**, said fee was established to cover costs associated with the Solid Waste enterprise fund and the repayment to the General Fund of years of fees not covering the costs; and,

**WHEREAS**, while preparing the Fiscal Year 2022/2023 City Budget, the Portola City Council has reviewed the fee charged for solid waste administration; and,

**WHEREAS**, the City Council has determined that the fee currently charged by the City is sufficient to cover the costs associated with services provided by the City for the 2022/2023 fiscal year and the Solid Waste Enterprise Fund has paid its obligation to the General Fund; and,

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Portola that the current monthly fee of \$10.23 for solid waste administration charged to City utility customers be reduced by \$1.00 per month and the new monthly fee is hereby adopted:

Solid Waste Fee	\$9.23
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**PASSED, APPROVED AND ADOPTED** this 22nd day of June 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
MAYOR, PAT MORTON

ATTEST:

\_\_\_\_\_  
DEPUTY CITY CLERK, Mercadez Flewell

I, Mercadez Flewell, Deputy City Clerk of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council of the City of Portola at a regular meeting thereof held on June 22, 2022.

\_\_\_\_\_  
DEPUTY CITY CLERK, Mercadez Flewell



**RESOLUTION NO. 2515**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA  
ADOPTING THE MONTHLY RATE FOR  
THE SOLID WASTE LANDFILL CLOSURE FEE**

**WHEREAS**, in June of 1990 Resolution 1116 was passed establishing a Landfill Closure Fee; and

**WHEREAS**, said fee was established to cover costs associated with the Solid Waste Landfill, landfill closure and post closure: and,

**WHEREAS**, while preparing the Fiscal Year 2022/2023 City Budget, the Portola City Council has reviewed the fee charged for landfill closure/post closure; and,

**WHEREAS**, the City Council has determined that the fee currently charged by the City is sufficient to cover the costs associated with services provided by the City for the 2022/2023 fiscal year and to start a set aside for future obligations at the Landfill; and,

**NOW THEREFORE, BE IT HEREBY RESOLVED** by the City Council of the City of Portola that the current monthly fee of \$8.38 for solid waste landfill closure charged to City utility customers be reduced by \$1.00 per month and the new monthly fee is hereby adopted:

Landfill Closure Fee                      \$7.38

**PASSED, APPROVED AND ADOPTED** this 22nd day of June 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
MAYOR, PAT MORTON

ATTEST:

\_\_\_\_\_  
DEPUTY CITY CLERK, Mercadez Flewell

I, Mercadez Flewell, Deputy City Clerk of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council of the City of Portola at a regular meeting thereof held on June 22, 2022.

\_\_\_\_\_  
DEPUTY CITY CLERK, Mercadez Flewell

**RESOLUTION NO. 2516**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA  
APPROVING THE OPERATING BUDGET FOR FISCAL YEAR 2022/2023**

**WHEREAS**, the City Manager has proposed an Operating Budget for Fiscal Year 2022/2023 and presented it to the City Council. The budget balances revenues and expenditures in the General Fund by using fund balance; and,

**WHEREAS**, on June 22, 2022 the City Council of the City of Portola considered the Operating and Capital Improvement Budget for Fiscal Year 2022/2023; and,

**WHEREAS**, the City Council considered the budget at a duly scheduled public hearing and meeting and all persons were given the opportunity to be heard; and,

**WHEREAS**, the City Council has reviewed the proposed Operating Budget and the funds included therein for the period of July 1, 2022 through June 30, 2023 and does hereby find the documents to be sound plans for the financing of required municipal operations, services and capital improvements both ordered upon the City and desired by the City.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF PORTOLA DOES  
HEREBY RESOLVE AS FOLLOWS:**

1. Any unused appropriations at the end of the Fiscal Year 2022/2023 will be shown as fund balance in each of the funds.
2. The City Manager is authorized to cause the acquisition and/or purchase of equipment, materials, supplies, personnel services, and other items provided for in said Fiscal Year Budget in accordance with the City's purchasing policy which has been previously reviewed and approved by the City Council.
3. The City Council of the City of Portola does hereby approve and adopt the Final Budget for Fiscal Year 2022/2023.

**PASSED, APPROVED AND ADOPTED** this 22nd day of June 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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MAYOR, Pat Morton

ATTEST:

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DEPUTY CITY CLERK, Mercadez Flewell

I, Mercadez Flewell, Deputy City Clerk of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council of the City of Portola at a regular meeting thereof held on June 22, 2022.

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DEPUTY CITY CLERK, Mercadez Flewell

## CITY COUNCIL AGENDA STAFF REPORT

**DATE:** June 17, 2022

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Mercadez Flewell, Deputy City Clerk

**MEETING:** June 22, 2022

**SUBJECT:** Consideration of Resolution No. 2518 and Resolution No. 2519 for the November 8, 2022 General Municipal Election.

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### **Background:**

Prior to each municipal election the City is required to adopt resolutions calling for a general municipal election and requesting consolidation of the general municipal election with Plumas County.

Resolution No. 2518 and Resolution No. 2519 have been prepared for consideration. These resolutions allow for the election of three City Council seats.

The nomination period for the elected positions opens on July 18, 2022 and closes on August 12, 2022.

### **Recommendation:**

Staff recommends adoption of Resolution No. 2518 and Resolution No. 2519 to allow the City of Portola to hold a consolidated election with Plumas County on November 8, 2022.

### *Attachments:*

*Attachment 1 – Resolution No. 2518 – A Resolution of the City Council of the City of Portola, California, calling for the holding of a general municipal election to be held on Tuesday, November 8, 2022, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities.*

*Attachment 2 – Resolution No. 2519 – A Resolution of the City Council for the City of Portola, California requesting the Board of Supervisors of the County of Plumas to consolidate a general municipal election to be held on November 8, 2022 with the statewide general election to be held on the date pursuant to Section 10403 of the Elections Code.*

**RESOLUTION NO. 2518**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA,  
CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE  
HELD ON TUESDAY, NOVEMBER 8, 2022, FOR THE ELECTION OF CERTAIN OFFICERS AS  
REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING  
TO GENERAL LAW CITIES**

**WHEREAS**, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 8, 2022 for the election of Municipal Officers;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PORTOLA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Portola, California, on Tuesday November 8, 2022, a General Municipal Election for the purpose of the election of two members of the City Council for the full term of four years, and a full four-year term for a City Clerk and City Treasurer.

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. The election shall be conducted by mail ballot pursuant to the California Elections Code Section 3005 only insofar as required by law.

SECTION 4. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 5. That the notice of the time and place of holding the election is given and the Deputy City Clerk is authorized, instructed and directed to give further additional notice of the election, in time, form and manner as required by law.

SECTION 6. That the Deputy City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED, APPROVED AND ADOPTED** this 22<sup>th</sup> day of June 2022 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Pat Morton, Mayor

ATTEST:

\_\_\_\_\_  
Mercadez Flewell, Deputy City Clerk

I, Mercadez Flewell, Deputy City Clerk of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council of the City of Portola at a meeting thereof held on June 22, 2022.

\_\_\_\_\_  
Mercadez Flewell, Deputy City Clerk

**RESOLUTION NO. 2519**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA, CALIFORNIA  
REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF PLUMAS TO CONSOLIDATE  
A GENERAL MUNICIPAL ELECTION TO BE HELD ON  
NOVEMBER 8, 2022 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD  
ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE**

**WHEREAS**, the City Council of the City of Portola called a General Municipal Election to be held on November 8, 2022, for the purpose of the election of three members of the City Council for the full term of four years; and

**WHEREAS**, it is desirable that the General Municipal Election be consolidated with the Statewide General Election to be held on the same date and that the county election department of the County of Plumas canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PORTOLA DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. That pursuant to the requirements of Sections 10401 and 10403 of the Elections Code, the Board of Supervisors of the County of Plumas is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Statewide General Election on Tuesday, November 8, 2022, for the purpose of the election of two members of the City Council for the full term of four years, and a full four-year term for a City Clerk and City Treasurer.

SECTION 2. That pursuant to Section 10418 of the Elections Code, the Plumas County election department is authorized to conduct the General Municipal Election in all respects as if there were only one election and only one form of ballot shall be used.

SECTION 3. That the Board of Supervisors is requested to authorize the County Clerk, election's department to take any and all steps necessary for the holding of the consolidated election.

SECTION 4. That the City of Portola recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

SECTION 5. That the Deputy City Clerk is hereby directed to file a certified copy of this Resolution with the Board of Supervisors and the County Clerk, election's department of the County of Plumas.

SECTION 6. That the Deputy City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

**PASSED, APPROVED AND ADOPTED** this 22<sup>th</sup> day of June 2022 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Pat Morton, Mayor

ATTEST:

\_\_\_\_\_  
Mercadez Flewell, Deputy City Clerk

I, Mercadez Flewell, Deputy City Clerk of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council of the City of Portola at a meeting thereof held on June 22, 2022.

\_\_\_\_\_  
Mercadez Flewell, Deputy City Clerk