

**PORTOLA CITY COUNCIL
MEETING MINUTES**

June 22, 2016

6:00 p.m.

1. CALL TO ORDER

Mayor Pro Tem Larrieu called the meeting to order at 6:00 pm.

2. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Larrieu led the Council in a moment of silence and the reciting of the pledge of allegiance.

3. ROLL CALL

Councilmembers Oels, Councilmember Gault and Mayor Pro Tem Larrieu were present. Councilmember VanDahlen and Mayor Powers was absent. City Manager Robert Meacher, Finance Officer Susan Scarlett City, Attorney Steve Gross, City Planner Karen Downs and City Clerk Melissa Klundby were also in attendance.

4. PUBLIC COMMENT

None

5. CITY COMMUNICATIONS

A. City Council/Committee Reports

Councilmembers Oels and Mayor Pro Tem Larrieu reported on their attendance at the Plumas LAFCo meeting and the Fire Tax Assessment meeting.

B. Staff Communications

Robert Meacher reported on the following:

- Staff is looking into the water restrictions which were lifted by the State of California and delegated to conservation measures as determined by local agencies
- His meeting at Grizzly Ranch with the staff and Andy Norris (Developer) regarding discussions for updating their marketing plan.
- His attendance at the City Manager Regional meeting in Sacramento which included information on the November Elections and taxation of Medical marijuana.

6. CONSENT CALENDAR

- A. Minutes** – Adopt the minutes of the City Council regular meeting held on June 8, 2016.
- B. Claims** – Adopt Resolution No. 2286 authorizing payment of claims for the period of May 21, 2016 through June 17, 2016.
- C. Appoint Voting Delegate** – Designation of Voting Delegate at the 2016, League of California Cities Annual Business Meeting. Authorize the Mayor and/or City Clerk to sign the form affirming Robert Meacher, City Manager, as the Voting Delegate at the annual business meeting.

Finding no Council or public comment, Councilmember Gault made a motion to adopt the minutes the regular meeting held on June 8, 2016 and to adopt Resolution No 2286 and to authorize the Mayor and/or

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City Clerk to sign the form affirming Robert Meacher, City Manager, as the Voting Delegate at the annual business meeting as outlined on the agenda. Councilmember Oels seconded the motion and it was unanimously approved by those in attendance.

7. PRESENTATIONS

None

8. ORDER OF BUSINESS

A. **Vacancy on the City Council**– Announce a vacancy on the City Council/Review and consider the process to fill a vacancy on the City Council. Discussion, possible action.

City Manager Meacher reported that Councilmember VanDahlen had submitted an official email of resignation from the Council on June 9th, due to her relocation outside of the City limits. The Council discussed their options for filling the vacancy and determined to advertise for letters of interest for appointment to the vacant seat. Finding no public comment the Council requested that letters of interest be submitted by July 8th, 2016 at 3:00 p.m. and that the City Clerk agendaize an appointment of a new Councilmember at the July 13th, 2016 meeting; to fill the vacancy created by Councilmember VanDahlen's resignation.

B. **A-15 Project** - Consider Change Order Request 16-02, A15 Phase II Construction. Discussion & possible action.

Dan Bastian, City Engineer reviewed the history and process for the A15 Phase II Construction project. Mr. Bastian noted that it was determined that the water main under the project would not withstand compaction of the new road service and after conversation with Caltrans, Mr. Bastian reported that he has received a verbal confirmation that project funds could be released to pay for replacement of the water main if a change order is submitted. Mayor Gault questioned the reliability of a verbal confirmation of payment and voiced concerns about what would be the consequence if the City is not reimbursed for replacement of the water main. Mr. Bastian noted that this is always a possibility but that the process to get written confirmation could be very cumbersome and detrimental to the overall project. Mr. Bastian also reported that he is comfortable with the verbal confirmation that this portion of the project will be reimbursed and noted that there are project funds available for the request for the replacement of the water main.

Finding no public comment of further discussion Councilmember Oels made a motion to approve Change Order Request 16-02, A15 Phase II Construction. Councilmember Gault seconded the motion and it was unanimously approved by all those in attendance.

C. **Public Hearing – 2016/2017 Operating Budget** - Receive public comment and consider adoption of Resolutions Nos. 2287 & 2288 adopting the 2016/2017 Appropriations Limit and Operating Budget. Receive public comment, discussion and possible action.

*Resolution No. 2287
A Resolution of the City Council of the City of Portola
Approving and Adopting the Annual Appropriations Limit
for Fiscal Year 2016-2017*

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Resolution No. 2288
A Resolution of the City Council of the City of Portola
Approving the Operating Budget for Fiscal Year 2016/2017

Susan Scarlett, City Finance Officer presented the Council with the above referenced Resolutions and outlined each resolution and its purpose and intent. Mayor Pro Tem asked for Council and Public comment. Finding none, Councilmember Oels made a motion to approve Resolutions 2287 and 2288. Councilmember Gault seconded the motion and it was unanimously approved by all those in attendance during a roll call vote.

- D. **Facility Use Agreement** – Consider adopting Resolution No. 2289 establishing a “Facility Use Policy” for groups to use City facilities. Discussion and possible action.

City Manager Robert Meacher reported that the City Park is being requested for reservation and use by larger groups and that at the recommendation of SCORE, City Staff has drafted a proposed Facility Use Agreement, to address risk and use concerns. The Council reviewed the policy and accompanying resolution adopting a policy. The Council discussed what size group should be required to have insurance and determined to leave the policy as presented. Finding no public comments Councilmember Oels made a motion to adopt resolution No. 2289 establishing a “Facility Use Policy” for groups to use City facilities. Councilmember Gault seconded the motion and it was unanimously approved during a roll call vote by all those in attendance.

- E. **CDBG Portola Resource Center Building Improvements** - Consideration of bids received and award of contract. Discussion and possible action.

City planner Karen Downs reported that only one bid had been received for the project and noted that it was significantly over budget. Karen reported that public works would like to complete the ADA portion of the project in house and noted that this is acceptable by CDBG. Finding no public or Council comment Councilmember Gault made a motion to reject the single bid received and to complete the project as outlined using the Public Works staff. Councilmember Oels seconded the motion and it was unanimously approved during a roll call vote by all those in attendance.

- F. **Woodstove Ordinance** – Consider Adoption of Ordinance No. 344, An Ordinance of the City Of Portola, Amending Municipal Code Chapter 15.10 to reflect changes to the Wood stove and Fireplace Ordinance. Discussion and possible action.

City Manager Robert Meacher gave a brief background on the Ordinance and ordinance adoption process. Councilmember Gault apologized that she was not at the previous Council meeting when the Ordinance was introduced and asked for clarification on restrictions regarding burning by owners of non EPA compliant woodstove in the future.

Julie Ruiz reviewed that portion of the Ordinance with the Council.

Finding no public comment, Councilmember Gault made a motion to adopt Ordinance No. 344, An Ordinance of the City Of Portola, Amending Municipal Code Chapter 15.10 to reflect changes to the Wood stove and Fireplace Ordinance. Councilmember Oels seconded the motion and it was unanimously approved during a roll call vote by all those in attendance.

G. **Festival Fee Waiver**- Consider a request from Eastern Plumas Chamber of Commerce for a fee waiver for their Festival Permit Application for use of the Portola City Park for the Concerts in the Park Series. Discussion and/or possible action.

City Manager Robert Meacher reported that Eastern Plumas Chamber of Commerce was requesting a fee waiver for their Festival Permit Application for use of the Portola City Park for the Concerts in the Park Series. Finding no public or council comment Councilmember Oels made a motion to approve a fee waiver for the Eastern Plumas Chamber of Commerce for use of the Portola City Park for the Concerts in the Park Series. Councilmember Gault seconded the motion and it was unanimously approved during a roll call vote by all those in attendance.

9. CLOSED SESSION

A. **Anticipated Litigation** – Pursuant to Government Code Section 54956.9(d)(2), Exposure to litigation, one case.

This agenda item was removed from the agenda.

10. ORDER OF BUSINESS

A. **Report from Closed Session** – Closed sessions 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 Pro Tem Larrieu made a motion to adjourn the meeting at 6:55 p.m. Councilmember Oels seconded the motion and it was unanimously approved.

Respectfully Submitted,

Melissa Klundby, City Clerk