

**PORTOLA CITY COUNCIL  
MEETING MINUTES**

**March 25<sup>th</sup>, 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 Larrieu, Oels, and VanDahlen, Mayor Pro Tem Powers and Mayor Gault responded to the roll call. City Manager Robert Meacher, City Planner Karen Downs, City Clerk Melissa Klundby, City Finance Officer Susan Scarlett and City Attorney Steve Gross were also in attendance.

**4. PUBLIC COMMENT**

Terri Woods, identified herself as a citizen of Portola and invited everyone to attend the State of Jefferson meeting at the Memorial Veterans Hall.

Larry Douglas commentated on Lake Davis Water use, stating that he believes Lake Davis should be the responsibility of the County and not the City.

**5. CITY COMMUNICATIONS**

**A. City Council/Committee Reports**

Councilmember Larrieu reported that he had attended a meeting of the Transportation Commission and that at that meeting they adopted the financial audit and short range transit plans.

Mayor Pro Tem Powers reported that he had also attended the Transportation Commission meeting and six other meetings. Mayor Pro Tem powers also displayed the Portola Fire Department t-shirts that are currently on sale at Portola City Hall to raise funds for the fire department.

Councilmember VanDahlen reported that that she is meeting with people regarding a Farmers Market at the City of Portola Park and hopes to see them begin in June.

Councilmember Oels reported that he had attended the Integrated Watershed Management meeting and began work on additional park picnic tables.

Mayor Gault reported that she the first “I Love Portola”, city cleanup day is scheduled for April 25, 2015.

**B. City Manager Communications**

City Manager Robert Meacher reported on the following:

- The Planning Commission meeting to discuss a Conditional Use Permit for Troy’s Automotive.

- The CDBG Audit had been rescheduled due to one of the auditors becoming ill; however staff did attend all day training with staff from CDBG.
- The City bi-weekly column in Feather River Publishing had been submitted to the paper.
- Staff had met with the Schomac group regarding the Woodbridge Development and noted that they had expressed a desire to move construction dates sooner than originally anticipated.
- The Portola Fire Department is selling t-shirts as a fundraiser.
- The City of Portola Ad, which had been previously approved for the Sierra Trails publication, has been completed.
- The Sierra Institute will be having a Woodwaste Boiler Conference and can pay for attendance by two staff or Councilmembers, interested Councilmembers should coordinate with staff to attend.
- The USFS is requesting that the City consider adopting a trail at Lake Davis in coordination with the Rotatory, this item will be agendized on April 8<sup>th</sup>, 2015

### C. Staff Communications

Tom Valentino, City of Portola Solid Waste Consultant, reported that he is requesting that the landfill discharge and monitoring program, through the regional Water Quality Control Board, be changed to semi-annual monitoring. Mr. Valentino reported that at this time that request had been denied, however RWQCB has agreed to review the request again in two years.

Susan Scarlett, City Finance Officer, reported that the next budget planning session is scheduled to be on May 6<sup>th</sup> at 3 p.m.

## 6. CONSENT CALENDAR

- Minutes** - Adopt the minutes of the Regular City Council meeting held on March 11, 2015.
- Claims** - Adopt Resolution No. 2240 authorizing payment of claims for the period of March 6, 2015 through March 20<sup>th</sup>, 2015.
- Plumas County Fire Safe Council**- Approve as to form a Letter of Support to the Plumas County Fire Safe Council in support of the goals of the Collaborative Forest Restoration Act.

Finding no Council or public comment Mayor Pro Tem Powers made a motion to adopt the minutes of the Regular City Council meeting held on March 11, 2015, adopt Resolution No. 2240 authorizing payment of claims for the period of March 6, 2015 through March 20<sup>th</sup>, 2015 and approve, as to form, a Letter of Support to the Plumas County Fire Safe Council in support of the goals of the Collaborative Forest Restoration Act. Councilmember Larrieu seconded the motion and it was unanimously approved.

## 7. PRESENTATIONS

None

## 8. ORDER OF BUSINESS

- Commercial Organics Recycling Regulations** – Consideration of Resolution No. 2241, a Resolution of the City Council of the City of Portola Affirming an Exemption from the Requirements of the Mandatory Commercial Organics Recycling Regulations. Discussion, direction to staff and possible action.

Tom Valentino gave the Council a report on the requirements of AB 1826 and noted that the green waste program currently established at the Portola Landfill does not meet the intent of AB 1826; since state frowns

upon the current management process (seasonal burning of the green waste pile). Under AB 1826, the State would require the City to compost the green wastes to qualify as an organics recycling facility, and this would be very cost prohibitive. However, a provision was included in the statute that provides an exemption from the requirements of AB 1826 for cities, counties and regional agencies with a population of less than 70,000 until January 1, 2020.

Mr. Valentino presented the Council with Resolution No. 2241, a Resolution of the City Council of the City of Portola Affirming an Exemption from the Requirements of the Mandatory Commercial Organics Recycling Regulations. To qualify for this exemption Mr. Valentino noted that adoption of this resolution must be done and presented to CalRecycle six months before the operative date of the exemption.

The Council thanked Mr. Valentino for his time and finding no Council discussion or public comment, Councilmember Larrieu made a motion to adopt Resolution No. 2241, a Resolution of the City Council of the City of Portola Affirming an Exemption from the Requirements of the Mandatory Commercial Organics Recycling Regulations. Councilmember Oels seconded the motion and it was unanimously approved during a roll call vote.

- A. **Solid Waste Franchise** - Review of information on the current City of Portola Solid Waste Franchise Agreement and discussion of establishment of a Solid Waste Ordinance. Discussion, direction to staff and possible action.

Tom Valentino reported that the City of Portola contracts refuse collection services under an exclusive franchise agreement with Intermountain Disposal, Inc. and that the franchise agreement with IMD started on November 1, 2002 and has an expiration date of November 1, 2017.

Mr. Valentino reviewed some of the issues and concerns with the current contract and recommended that this matter be either referred to the Infrastructure Committee or to a new ad hoc committee focused solely on solid waste. Mr. Valentino noted that starting the process two years in advance would give the Council sufficient time to review the current franchise agreement, review the solid waste ordinance and review a new franchise agreement commencing November 1, 2017. Further, Mr. Valentino noted that should the Council and IMD not come to terms with an agreement acceptable to both parties it would give the City sufficient time to go out to bid for a new provider of services.

Mr. Ricky Ross, owner at Intermountain Disposal, agreed with the staff report as presented and noted that beginning the process early is a great idea.

Finding no further Council or public comment Councilmember Larrieu made a motion to refer the review of the City of Portola Solid Waste Franchise Agreement and Solid Waste Ordinance to the current infrastructure committee. Councilmember Van Dahlen seconded the motion and it was unanimously approved.

- B. **Review of City of Portola Procedures Manual** – Review the current City of Portola Procedures Manual. Discuss and review policy and discuss and review possible updates. Discussion, direction to staff and possible action.

City Manager Robert Meacher reported that this item was not placed before the Council for review at this meeting but to provide the Council with an opportunity to begin reviewing the document and presenting staff with recommended changes for discussion at a future Council meeting. The Council concurred that they would review the document and provide staff with recommended changes.

C. **Water Security** – Discussion and presentation of projects related to water security. Discussion, possible action.

- 1) Discuss completion of the Golden Springs water line project and review Special Use Permit from USFS. Discussion, possible action.
- 2) Discuss potential project and project cost estimates for Turner Springs. Discussion, possible action.

1) City Manager Robert Meacher presented the Council with a copy of the USFS Special Use Permit for construction and use of the water line at Golden Springs. Staff and the Council discussed some of the restrictions of the permit, including language that indicates that a certain amount of water must remain in the environment. Staff and the Council discussed water rights at Golden Springs and City Attorney Steve Gross recommended that the City Council request legal counsel from an attorney specializing in water rights.

The Council requested that staff research the cost of hiring a water rights attorney to “perfect” the City’s water rights at its springs and present that information to the Council for further review.

City Manager Robert Meacher noted that the water line is almost complete, but that project completion will require an additional \$5,000.

2) Councilmember Oels requested that the Council review completion of a water line at Turner Springs. The Council reviewed the estimated costs and Councilmember Oels recommended that the timber on the property be surveyed and potentially harvested to create a revenue source for completion of the water line. Mayor Pro Tem Powers commented that the spring may not be a reliable source of water, compared to the City wells, due to the geography of the area and the recent droughts in California. Councilmember Powers also commented that it may not be the best use of funds to develop the springs as it is unknown what the long-term output and capacity of the springs will be. Councilmember Larrieu agreed with Mayor Pro Tem Powers.

After further discussion, Councilmember Oels volunteered to use a GPS unit to survey the corners of the land owned by the City at Turner Springs. Councilmember Oels also said he would contact Danielle Banchio, Registered Professional Forester, to get a cost estimate for surveying and preparing a Timber Harvest Plan at the property. The Council unanimously agreed that no funds would be spent on this project until the Council had an opportunity to further review and approve information regarding the THP and potential profits from the harvest and sale of timber at that location.

D. **West End Park** – Presentation of West End Park design and implementation plans; Councilmember Oels and Mayor Pro Tem Powers. Discussion, direction to staff and possible action.

Karen Downs, City Planner, reported that at the March 7, 2015 City Council Budget Workshop, the Council requested that Mayor Pro Tem Powers and Councilmember Oels work together to develop a plan for West End Park and present it to the Council for review and discussion.

Mayor Pro Tem Powers and Councilmember Oels reviewed the park plans with the Council and noted that native plants had been used on site and that ADA parking and paths will be completed after CDBG funds are approved for expenditure.

**E. Downtown Beautification** – Presentation and budget amendment request for the purchase of banners for City of Portola Beautification. Discussion, direction to staff and possible action.

Staff presented the Council with information regarding the purchase of informational banners to be used to direct visitors to the “old town” area. Staff requested that the Council approve funds not to exceed \$2,500 from fund 215, for the purchase of the banners.

Finding no public or Council comment, Councilmember VanDahlen made a motion to approve the purchase of banners in a not to exceed budget amount of \$2,500, from fund 215. Councilmember Larrieu seconded the motion and it was unanimously approved.

**F. Website Review** – Review and discuss letter from Eastern Plumas Chamber of Commerce and discuss appointment of Council and Staff to an Ad Hoc Committee. Discussion, possible action.

Councilmember Powers reported that he had resigned his position as a boardmember on the Eastern Plumas Chamber of Commerce so that he could be involved as a Councilmember on issues relating to the chamber.

Mayor Gault recommended appointment of herself and Councilmember VanDahlen to an ad hoc committee to meet with staff and the Eastern Plumas Chamber of Commerce regarding the current City of Portola website and website contract.

Councilmember Larrieu made a motion to approve the recommendation of Mayor Galt and to appoint Mayor Gault and Councilmember Linda Van Dahlen to an ad hoc committee to meet with staff and the Eastern Plumas Chamber of Commerce regarding the current City of Portola website and website contract. Councilmember Oels seconded the motion and it was unanimously approved.

## **9. CLOSED SESSION**

- A. **Deciding whether to Initiate Litigation** -Closed session pursuant to Government Code Section 54956.9(d) (4), deciding whether to initiate litigation, one case.
- 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.
- C. **Existing Litigation** – Pursuant to Government Code Section 54956.9(d)(1), Bauer v. City of Portola.
- D. **Quarterly Public Employee Performance Evaluation- City manager** - Closed session pursuant to Government Code Section 54957, quarterly evaluation of performance, City Manager, City of Portola. Discussion/Possible action

There was no reportable action from the closed session.

## **10. ADJOURNMENT**

The meeting was adjourned at 8:30 p.m.

Respectfully Submitted,

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Melissa Klundby, City Clerk