

**REGULAR MEETING MINUTES
PORTOLA CITY COUNCIL
35 THIRD AVENUE | PORTOLA, CA 96122
OCTOBER 14, 2020 | 6:00 P.M.**

1. CALL TO ORDER

Councilmembers attended this meeting via teleconference as permitted by California Governor Newsom Executive Order N-29-20. Member of the public were able to join the meeting via Zoom live streaming. Mayor Oels called the meeting to order at 6:00 p.m.

2. ROLL CALL

Councilmembers Tom Cooley, Pat Morton, Stan Peiler, Mayor Pro Tem Bill Powers, and Mayor Phil Oels responded to the roll call. City Manager Lauren Knox, City Attorney Steve Gross, Finance Officer Susan Scarlett, City Planner Karen Downs, and Deputy City Clerk Tara Kindall were also present.

3. PUBLIC COMMENT

There were no comments submitted in writing prior to the meeting and no one on the Zoom meeting platform engage in making any comments via the live streaming or chat platform.

4. CITY COMMUNICATIONS

A. City Council Communications/Committee Reports

Mayor Pro Tem Powers reported that he attended an Infrastructure Committee meeting, a LAFCo meeting, and a Criminal Justice Commission meeting.

Councilmember Cooley stated that he attended a LAFCo meeting and a Fire Study Group meeting.

Councilmember Morton reported that she attended an Angel Tree meeting, a LAFCo meeting, an Emergency Services Group meeting, and participated in a walk through of the North and South Fire Stations.

Councilmember Peiler reported that he did not attend any meetings.

Mayor Oels stated that he attended a Fire Safe meeting.

B. Staff Communications/Fire Chief Report/Sheriff's Report

City Attorney Steve Gross reviewed AB 992, which amends a portion of the Brown Act regarding social media. Public officials may use social media for communicating with the public, gathering information, and posting information provided it is done outside a quorum. Public officials cannot communicate directly with each other via social media in any way.

Chief Bob Frank reported that in the month of September EPFPD had 7 medical calls, 1 smoke check, and 1 fire check. They were also on standby with Code Compliance Officer Sankey while a vehicle was removed in a dry grassy area.

Sergeant Mike Meisenheimer reviewed last month's staff report. There were 67 calls for service, 10 crime reports, and 20 arrests. He was made aware today about the vandalism occurring in the park and was unable to find a crime report. He encouraged the City to contact the Sheriff's department or him directly to file a crime report on these incidents so that when an offender is identified restitution can be pursued.

C. City Manager Report

City Manager Knox reported that she met with Chad Hermann with the Sheriff's Office to discuss the vandalism issue, evacuation planning, the siren, and reporting the vandalism. Today we were made aware of the Plumas County Environmental Task Force and invited to participate in that task force. There are some active and ongoing case files with some of the different apartment complexes within the City that Code Compliance is working on. There have been a few water leaks that Public Works continues to work on. We are currently processing another Conditional Use Permit for a Residential Use in a Commercial Zone at 297 West Sierra; the public hearing is this Friday. We continue to make headway with the SB2 Grant for the front counter improvement and other upgrades. Work continues some of the transition pieces for the fire services contract transfer. Fire Safe Council was awarded some grant funds to help with hazardous material fuel reductions on private land. She is helping to identify parcels within the City that would qualify for this project and will be reaching out to owners to gauge their interest in this program.

5. CONSENT CALENDAR

Councilmember Peiler moved and Councilmember Morton seconded a motion to approve the consent calendar as submitted:

A. Claims – Adopt Resolution No. 2447 authorizing payment of claims for the period of September 19, 2020 through October 8, 2020.

Accounts Payable:	\$ 112,153.46
Payroll:	<u>\$ 47,018.48</u>
Total:	\$ 159,171.94

Roll call vote, yes: Cooley, Morton, Peiler, Powers, and Oels. So carried.
Roll call vote, no: none.

6. ORDER OF BUSINESS

A. Halloween Drive Through.

Eastern Plumas Fire Protection District is requesting Council approve use of the Northside Fire Station for a Halloween Drive Through event. All COVID-19 safety protocols would be observed to make the event a safe way for the community to participate in “treat with no tricks” for Saturday the 31st. Goodie bags will be passed to the participants while they are safely in their vehicles. It would start around 6:00 p.m. and go through 8:30. Councilmember Morton moved, and Mayor Pro Tem Powers seconded a motion to approve EPRFPD to have a drive through Halloween vote at the Northside Fire Station.

Roll call vote, yes: Cooley, Morton, Peiler, Powers, and Oels. So carried.

Roll call vote, no: none.

B. New Account Startup and Reinstatement fee for Intermountain Disposal.

City Manager Knox reviewed that staff, Solid Waste Consultant Tom Valentino, and the Infrastructure Committee have been in conversation with IMD regarding parts of the franchise agreement. There is one item that is time sensitive due to Prop 218 noticing for rates. The rates are a new startup fee and clarification of the already existing reinstatement fee. Each fee is a cost of \$7.06. After careful consideration and conversations the Infrastructure Committee is recommending that the Council approve the fee. City Attorney Gross asked if the \$7.06 reflects the actual cost of the service and does not exceed the actual cost to IMD. Richard Ross of IMD stated that is correct it is only the cost and does not exceed the cost by IMD.

Councilmember Cooley moved and Mayor Pro Tem Powers seconded a motion to approve the new service startup fee and reinstatement fee as a mandatory fee for IMD service at a current rate of \$7.06 per occurrence.

Roll call vote, yes: Cooley, Morton, Peiler, Powers, and Oels. So carried.

Roll call vote, no: none.

C. Holiday Meeting Schedule.

City Manager Knox stated that as is the normal practice the second meetings of November and December are cancelled due to the Thanksgiving and Christmas holidays. That would include the following dates of November 25, 2020 and December 23, 2020. This year the first meeting in November falls on Veteran’s Day so under this circumstance, the meeting is moved to the next business day which is Thursday, November 12, 2020. Staff has brought this item before Council for the formal action necessary to cancel these meetings.

Councilmember Morton moved and Councilmember Peiler seconded a motion to approve the cancellation of the November 25, 2020 and December 23, 2020 meetings and to hold the first meeting in November on Thursday, November 12, 2020.

Roll call vote, yes: Cooley, Morton, Peiler, Powers, and Oels. So carried.

Roll call vote, no: none.

D. Local Hazard Mitigation Plan Adoption.

Planning Consultant Karen Downs, updated Council that the Local Hazard Mitigation Plan Update has gone through the CAL OES and FEMA review and has been approved pending Council approval of Resolution 2448. The only changes made were some formatting changes on how they wanted some of the hazards addressed. Once approved it will be complete for five years. Staff recommends approval of Resolution 2448, *A Resolution of the City Council of the City of Portola adopting the 2019 Local Hazard Mitigation Plan Update.*

Mayor Pro Tem Powers moved, and Councilmember Cooley seconded a motion to approve Resolution No. 2448 adopting the 2019 Local Hazard Mitigation Plan Update.

Roll call vote, yes: Cooley, Morton, Peiler, Powers, and Oels. So carried.

Roll call vote, no: none.

E. Revenue Update.

Finance Officer Susan Scarlett reviewed in detail the revenue sources, trends and discussed information regarding the 20/21 fiscal year revenues.

F. Bad debt/liens.

Finance Officer Scarlett reviewed the history of the utility billing bad debts. To address the delinquent accounts and collecting these balances we have added these delinquent balances to the property tax rolls using the lien process. Currently the total of \$34,280.82 in bad debt that needs to be written off. The breakdown of this amount is as follows: Water fund \$17,686.52; Sewer fund \$15,662.58; Solid Waste \$931.72. The amount of \$91,852.71 has been filed as liens and recorded at the County. Staff is asking for Council to approve the amount of \$34,280.82 in bad debt to be written off by the Finance Officer.

Councilmember Morton moved and Councilmember Peiler seconded a motion to approve the Finance Officer to write off the bad debt in the amount of \$34,280.82.

Roll call vote, yes: Cooley, Morton, Peiler, Powers, and Oels. So carried.

Roll call vote, no: none.

G. Appeal Process – Revised.

Mayor Phil Oels and Councilmember Stan Peiler both recused themselves from tonight's discussion and the Public Hearing for the appeal filed with the City Clerk's office regarding the granting of Conditional Use Permit 19-01: A Conditional Use Permit of the City of Portola to allow for increased height and construction of a 133' monopine antenna within the commercial mixed-use zone.

City Attorney Steve Gross then explained the appeal procedures that will be employed at the Public Hearing. Specifically, the following three items will be discussed tonight:

1. Discuss and determine whether the appeals should be heard and decided at one Public Hearing or three separate Public Hearing.

2. Review and approve the Appeals Procedures outlined in Attachment 1.
3. Choose a date for the Public Hearing.

After a brief discussion Councilmember Cooley moved and Councilmember Morton seconded a motion to hear all three appeals at one Public Hearing.

Roll call vote, yes: Cooley, Morton, and Powers. So carried.

Roll call vote, no: none.

The appeal procedures were reviewed in detail. Discussion ensued. Next, the date and time to hold the Public Hearing was discussed. Discussion ensued. After hearing from the public Councilmember Morton moved and Councilmember Cooley seconded a motion to hold the Public Hearing on Monday, October 26, 2020 at 6:00 p.m.

Roll call vote, yes: Cooley, Morton, and Powers. So carried.

Roll call vote, no: none.

City Attorney Gross then stated that Council had not voted on the appeal procedures yet. Councilmember Morton moved and Councilmember Cooley seconded a motion to approve the appeal procedures as amended.

Roll call vote, yes: Cooley, Morton, and Powers. So carried.

Roll call vote, no: none.

Mayor Oels and Councilmember Peiler returned to the meeting.

H. City Manager Increase.

Mayor Oels reviewed that at the September 23, 2020 City Council meeting held a closed session to perform the City Manager's Performance Evaluation. It was decided to approve the pay increase of \$7,500.00 retroactive to September 23rd.

Councilmember Morton moved and Councilmember Peiler seconded a motion to approve the City Manager pay increase of \$7,500.00 retroactive to September 23rd.

Roll call vote, yes: Cooley, Morton, Peiler, Powers, and Oels. So carried.

Roll call vote, no: none.

7. Adjournment

There being no further business Mayor Oels adjourned the meeting at 7:38 p.m.

Tara Kindall, CMC
Deputy City Clerk