

**PORTOLA CITY COUNCIL
MEETING MINUTES
July 24, 2019
6:00 p.m.**

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Mayor Cooley led the Council in a moment of silence followed by the making of the pledge of allegiance.

3. ROLL CALL

Councilmembers Morton, Powers, Peiler, and Mayor Cooley were present. Mayor Pro Tem Oels appeared telephonically at the agendized location.

Interim City Manager, Leslie Chrysler, City Attorney Steve Gross and City Clerk, Melissa Klundby were also in attendance.

4. PUBLIC COMMENT

There was no public comment.

5. CITY COMMUNICATIONS

A. City Council/Committee Reports

Councilmember Morton reported that she had attended several ad hoc meetings regarding climate change and a resolution for presentation to the Council, attended concerts in the park and the FireWise cleanup day.

Councilmember Powers reported that he had also attended several ad hoc meeting regarding climate change, concerts in the park, a Transportation Commission meeting and the FireWise cleanup day. Councilmember Powers noted he was disappointed in the low community attendance at the FireWise cleanup day.

Mayor Cooley reported that he had also attended FireWise cleanup day and that he was also disappointed in the low community attendance. He also reported he had attended a webinar hosted by the League of California Cities on legislative updates and a meeting regarding the new City Manager Contract.

Mayor Pro Tem Oels reported that he had also attended FireWise cleanup day and that he was also disappointed in the low community attendance.

B. Staff Communications/Fire Chief Report

Fire Chief Bob Frank delivered the monthly call log; which included: 23 medical calls and 1 illegal burn pile call. He also reported on the AED program, noting that an AED would be installed at the K and S Market and at City Hall. Bob reported that he is in support of an outdoor open burn ban in the City limits.

C. City Manager Report

Interim City Manager, Leslie Chrysler, reported that the Concerts in the Park event has been successful, that she had attended a meeting with the new County Administrator and the City Finance Officer regarding the vehicle abatement program and that staff was working on upgrades to the utility billing program.

6. CONSENT CALENDAR

These items are expected to be routine and non-controversial. The City Council will act upon them at one time without discussion. Any Councilmembers, staff member or interested party may request that an item be removed from the consent agenda for discussion. Additional budget appropriations will require a four/fifths roll call vote.

A. **Minutes** – Adopt the minutes of the City Council regular meeting held on July 10, 2019.

B. **Claims** – Adopt Resolution No. 2403 authorizing payment of claims for the period of July 06, 2019 through July 19, 2019.

*Resolution No. 2403
A Resolution of the City Council of the City of Portola
Authorizing Payment of Claims for the Period
July 6, 2019 through July 19, 2019*

Finding no Council or public comment Councilmember Powers made a motion to adopt the minutes of the meeting held on July 10, 2019 and Resolution 2403 authorizing payment of claims for the period of July 06, 2019 through July 19, 2019. Councilmember Morton seconded the motion and it carried unanimously following a roll call vote.

7. PUBLIC HEARINGS

A. **Public Hearing, Ordinance No. 354 Amending Chapter 15.10 of the City of Portola Municipal Code Providing for Regulation of Wood Stoves and Fireplaces and the Prohibition of the Open Burning of Yard Waste** - Consider Adoption of Ordinance No. 354, An Ordinance of the City Of Portola, County of Plumas, Amending Chapter 15.10 of the City of Portola Municipal Code Providing for Regulation of Wood Stoves and Fireplaces and the Prohibition of the Open Burning of Yard Waste. This ordinance also includes regulations for recreational fires. Discussion and possible action.

Leslie Chrysler presented the staff report and Ordinance and Mayor Cooley opened the Public Hearing and asked for public comment. Bob Morton asked when the Woodstove change out requirement happened and Elaine Frank commented that many people were in support of an outdoor open burn ban. Finding no further public comment, Mayor Cooley closed the Public Hearing and asked for Council discussion. The Council discussed the cost for green waste, curbside pick-up.

Councilmember Morton made a motion to adopt Ordinance No. 354, An Ordinance of the City Of Portola, County of Plumas, Amending Chapter 15.10 of the City of Portola Municipal Code Providing for Regulation of Wood Stoves and Fireplaces and the Prohibition of the Open Burning of Yard Waste, and requested the clerk to post appropriate notice. Councilmember Powers seconded the motion and it carried unanimously following a roll call vote.

B. Public Hearing, 6th Cycle Housing Element Update –Adoption and Review of the 6th Cycle Housing Element Update and Resolution 2404, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA ADOPTING THE CITY OF PORTOLA HOUSING ELEMENT UPDATE 2019-2024. Discussion and possible action.

Karen Downs appeared telephonically and presented the staff report and the 6th Cycle Housing Element update and Resolution 2404. Mayor Cooley opened the Public Hearing and asked for public comment. Finding no public comment, Mayor Cooley closed the public hearing and asked for Council discussion. The Council thanked Karen for her work completing the document and Mayor Pro Tem Oels made a motion to adopt the 6th Cycle Housing Element update and Resolution 2404 as presented. Councilmember Peiler seconded the motion and it carried unanimously following a roll call vote.

8. REGULAR ORDER OF BUSINESS

A. Code Compliance Officer– Receive a report relating to activities and actions of the City Code Compliance Officer. Discussion, possible action and/or direction to staff.

Kevin Sankey, Code Compliance Officer, read the Council a report which outlined his work to date, duties and the trainings he had attended since beginning his employment with the City. Mayor Cooley read the Council a letter of thanks that Kevin had received from a member of the public. The Council discussed the issues associated with vehicle abatement. Councilmember Peiler thanked Kevin for his work at the hospital in outlining weed abatement issues and the Council thanked Kevin for his work on code compliance issues and for his coordination with the Plumas County Sheriff’s department.

Mayor Pro Tem Oels left the meeting.

B. Cannabis Ad Hoc Committee– Receive a report from Cannabis Ad Hoc Committee. Discussion, possible action and/or direction to staff.

Councilmember Powers reviewed the past actions of the Council regarding marijuana and discussed the details of a visit himself and Mayor Cooley had taken to a marijuana dispensary and micro business in South Lake Tahoe. Mayor Cooley read the report of the Cannabis Ad Hoc Committee, see attached. The Council asked for public comment. Bob Morton commented that the citizens of Portola had already indicated to the Council at previous meeting that they did not want dispensaries and commercial marijuana grows in City limits. Other members of the public in attendance also commented that they did not want a dispensary in the City limits. Joyce Holt commented that people who need medical marijuana should drive to Reno to pick up their medication, noting that she gets all of her prescriptions in Reno. Alex Lester and Sarah Bensinger, Lost Sierra Cannabis Company, LLC, commented that they have many customers in the City of Portola limits who would benefit from a dispensary. Sarah noted that she serves a very diverse crowd that includes the elderly and disabled. Alex commented that the City of Portola should focus on local

business sales and capturing a customer base that is currently leaving the area and purchasing products in Reno. The Council and public further discussed the report of the ad hoc committee.

City Attorney Steve Gross reviewed information regarding medical and recreational delivery status and noted that if the City revises its ordinance regarding marijuana in the City limits, that any new legislation regarding delivery be reflected in any amended Ordinance.

Councilmember Peiler reported that he appreciated the public discussion and thinks that the City should not take action to amend its current Ordinance regarding marijuana in the City limits. Councilmember Morton also commented that she does not want any changes to the current ordinance, which does not allow for marijuana dispensaries or commercial growing in the City.

The Council in attendance concurred unanimously to not move forward with any changes to the current ordinance regarding marijuana sales or growth in the City limits.

C. SB 266 Opposition- Review a request from the League of California Cities to send a letter opposing Senate Bill 266 to the Governor's Office. Discussion and possible action.

Leslie reported that the City has received a request from the League of California Cities to support their efforts in opposing SB 266 which will require payments from local general funds for "disallowed compensation" as determined by CalPERS and that Staff has reviewed the request and is recommending the City send the requested letter of opposition.

Finding no public or Council comment, Councilmember Morton made a motion that the City send the requested letter of opposition as presented. Councilmember Peiler seconded the motion and it was passed unanimously by those in attendance.

D. Climate Change- Receive a report from the Climate Change Ad Hoc Committee. Discussion, possible action and or direction to staff.

The Climate Change Ad Hoc Committee presented the Council with a draft Resolution for review. Councilmember Morton read the resolution aloud. Robin Anderson requested that the reference to cap and trade be removed. The Council requested that staff remove the reference to cap and trade and a public hearing and bring the resolution back to the next regular Council agenda.

9. ADJOURNMENT

The Council adjourned at 8:10 pm

Respectfully Submitted,

Melissa Klundby, City Clerk