

**PORTOLA CITY COUNCIL
MEETING MINUTES
March 28, 2018
6:00 p.m.**

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Mayor Morton led the Council in a moment of silence and then led the Council in the reciting of the pledge of allegiance.

3. ROLL CALL

Councilmember Oels, Powers, Reynolds and Mayor Morton were present. City Manager Robert Meacher, City Clerk Melissa Klundby, City Attorney Steve Gross and City Finance Officer Susan Scarlet were also in attendance. Mayor Pro Tem Cooley appeared telephonically.

4. PUBLIC COMMENT

Larry Douglas read a statement to the Council covering a variety of topics and including the fire department and his opposition to a fire tax.

5. CITY COMMUNICATIONS

A. City Council/Committee Reports

Councilmember Oels reported on his attendance at a meeting of the Fire Safe Committee and the Transportation Commission.

Councilmember Powers commented on his attendance at a meeting of the Transportation Commission, a meeting regarding Concerts in the Parks and his participation in a live action shooter drill at the high school.

Councilmember Reynolds reported she had discussions with community members regarding the woodstove change out program and requested clarification on the local program manager. Staff reported Julie Ruiz has been on vacation but is still the local representative.

Mayor Morton reported she had attended several Fire Department Ad Hoc Committee meetings and a Finance and Administration Committee meeting.

Mayor Pro tem Cooley reported he had telephonically attended several Fire Department Ad Hoc Committee meetings and a Finance and Administration Committee meeting.

B. Staff Communications

City Manager, Robert Meacher, reported that the City had received another promise of payment from FEMA for the 2017 winter storm event damage. He also reported he has had discussions with representatives from Portola 192 and that the affordable housing grant application had passed the first phase. Robert then reported that Dan Bastian is working with the technical assistance people on the water and sewer feasibility study. He further reported that no positive progress has been made with respect to transportation for the previously proposed Lost and Found Bike Race party event and that staff is still working on issues relating to the Golden Springs water line.

Chuck Brashear, Community Service Officer, reported that since the last City Council meeting he had responded to three animal control calls and is working on a housing survey.

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 March 14, 2018.
- B. **Claims** – Adopt Resolution No. 2344 authorizing payment of claims for the period of March 10, 2018 through March 23, 2018.

Finding no public or Council comment, Councilmember Powers made a motion to adopt the consent calendar as presented above. Councilmember Oels seconded the motion and it was unanimously approved with a roll call vote.

7. PRESENTATIONS

None

8. ORDER OF BUSINESS

- A. **2016-2017 Fiscal Year City Audit Presentation**– Presentation of 2016-2017 Fiscal year Audit. Discussion and possible direction to staff.

Jeffrey W. Peek, CPA, Senior Manager, of CliftonLarsonAllen, LLP presented the Council with the Independent Auditors Report. Mr. Peek reported that the audit was an unmodified and clean opinion and that the internal controls report was good. He then reviewed the required pieces of the audit and asked the Council if they had any questions. Mayor Morton asked for public comment and Bob Morton stated he is very pleased with the performance of Finance Officer Susan Scarlett and expressed his appreciation for her work keeping the City budget.

Susan Scarlett then reviewed the management discussion section and reported that the City has no post retirement obligations which means they don't have to complete Gatsby 75 requirements, which are

onerous. Susan thanked Jeffrey and his fellow auditors for their thorough, professional and personal auditing services.

Finding no further comments, Councilmember Oels made a motion to accept and file the audit as presented. Councilmember Reynolds seconded the motion and it was unanimously approved.

- B. **Public Comment – 2018/2019 Budget Preparation** – Receive public comment relating to the preparation of the 2018/19 City budget. Receive public comment, discussion, possible action and direction to staff.

Susan Scarlett noted that this item was for public comment on the 2018/19 City budget process. Mayor Morton asked for public comment and Audrey Ellis from the Lost Sierra Chamber of Commerce requested the Council consider continuing the same level of financial support it has been for the Concerts in the Park, during this budget process. Larry Douglas commented that he would like the Council to maintain the Fire Department funding and consider the impact of CALPERs on the budget.

The Council thanked the public for their comments and participation.

- C. **Intermountain Disposal Franchise Agreement Amendment**– Review a request to amend the franchise agreement with IMD in regard to changing the location of the Environmental Reclamation Center (ERC). Discussion and/or possible action

Robert Meacher reviewed a letter from IMD indicating a desire to discontinue green waste collection at the old Portola Landfill and to relocate the Environmental Reclamation Center (ERC) to the Delleker IMD location. Staff noted the proposed hours of operation and charges will be consistent with the current contract.

Staff further noted they are in support of this move, as burning at the landfill is unregulated by the City and has the potential to affect total suspended solids testing requirements through the California Regional Water Quality Control Board in the retention ponds located at the site. Mr. Meacher requested the Council review this request and direct staff to amend the current Franchise Agreement with IMD to reflect the relocation of the Environment Reclamation Center.

Mayor Morton asked for public comment and Richard Ross reiterated this requested; noting free days and prices would remain the same.

Following a brief discussion, Councilmember Oels made a motion to direct staff to amend the current Franchise Agreement with IMD to reflect the relocation of the Environment Reclamation Center from its current location at the old landfill to the site identified at the Delleker transfer station. Councilmember Powers seconded the motion and it was unanimously approved during a roll call vote.

- D. **Portola Volunteer Fire Department Policies and Procedures**- Review and discuss Portola Volunteer Fire Department Policies and Procedures. Discussion and/or possible action.

The Council reviewed and discussed the draft Portola Volunteer Fire Department Policies and Procedures. Councilmember Oels raised concerns with requiring new volunteers to pay for their training. Mayor Pro Tem Cooley reviewed the policy recommendations for reimbursement after successful service. Councilmember Oels indicated his consent for this policy. Councilmember Oels then asked if drug testing included attesting for marijuana and if that precluded a volunteer from service. Steve Gross

responded that the recommendation was to test for and not allow for marijuana use per industry standards.

Following a brief discussion, Councilmember Oels made a motion to adopt the Portola Volunteer Fire Department Policies and Procedures as presented. Councilmember Powers seconded the motion and it was unanimously approved during a roll call vote.

- E. **Portola Volunteer Fire Department Standard Operating Guidelines**- Review and discuss Portola Volunteer Fire Department Standard Operating Guidelines. Discussion and/or possible action.

The Council reviewed the Portola Volunteer Fire Department Standard Operating Guidelines and finding no changes or public comment; Councilmember Oels made a motion to adopt the Portola Volunteer Fire Department Standard Operating Guidelines as presented. Councilmember Powers seconded the motion and it was unanimously approved during a roll call vote.

- F. **Portola Volunteer Fire Department** – Report from Ad Hoc Committee and Staff on PVFP status and request for Council direction to staff on future operations and grant opportunities for the Portola Volunteer Fire Department. Discussion and/or possible action.

Mayor Pro Tem Cooley gave a detailed review of the status of the Portola Volunteer Fire Department. Mayor Morton stated that there are currently not enough volunteers to begin department operations and that any potential volunteers would need training prior to independent operations of the department so that the City is looking at extending the current agreement with Eastern Plumas Fire Protection District for the foreseeable future.

Mayor Pro Tem Cooley thanked all of those who have worked toward rebuilding the department and recognized the deficiencies of the Council, staff and department members which created the current situation. The Council expressed their appreciation for the community and staff in its work to rebuild the department.

Larry Douglas and Mike Sanchez made general comments cautioning the City to rebuild the department quickly. Bob Morton commended the City for recognizing the deficiencies in the department and in addressing them.

- G. **State Revolving Loan Fund (SRLF) Grant Application** – Review a SRLF grant opportunity and review/discuss cost of a contract for service to complete a Plan of Study for grant submission. Discussion and/or possible action.

City Manager Robert Meacher reported that John Hodgson, developer and owner at the Portola 192 project had approached staff and requested and recommended that the City of Portola contract with Engineer Orin Bennet to apply for a SRLF grant which would include upgrades to the Portola water and sewer system and a sewer line extension to serve the Portola 192 project. Mr. Meacher reported that after review of this proposal, it was determined by the City Attorney, that a potential conflict was created, because the proposed engineer, Orin Bennet was a partial owner at the Portola 192 project. Mr. Meacher reported that he will continue looking into this grant opportunity and would bring further information to the April 11, 2018 City Council meeting.

- H. **City Manager Job Description** – Review recommendation from the Finance and Administrative Committee on the Job Description for a City Manager. Discussion, possible action.

The Finance and Administrative Committee presented the Council with a draft job description for a City Manager. Staff reported the City Manager job duties are outlined in City Ordinance and that the description is consistent with that Ordinance.

Mayor Morton asked for public comment and Mike Sanchez, County Supervisor, reported that he thinks the job description should outline that the City Manager needs to get regular reports from the City Councilmembers who sit on Plumas LAFCo. Current City Manager Meacher reported that this is part of his duties but is not specifically outlined in the job description as that is not specifically outlined in the Ordinance and again noted the job description is consistent with the Ordinance. Mr. Meacher noted that not every detail of his job is detailed in the description. Mr. Sanchez again stated he thinks that the job description should specifically outline that the City Manager needs to get regular reported from the City Councilmembers who sit on Plumas LAFCo. The Council thanked him for his comments.

Finding no further discussion, Councilmember Powers made a motion to approve the Job Description for a City Manager as presented. Councilmember Reynolds seconded the motion and it was unanimously approved during a roll call vote.

- I. **Plumas County Case No. SC18-Q0001** – Review Court Ruling for Michael Rush vs. City of Portola, Plumas County Case No. SC18-Q0001. Discussion and/or possible action.

City Attorney Steve Gross presented the Council with the court ruling for Michael Rush vs. City of Portola, Plumas County Case No. SC18-Q0001. Mr. Gross reviewed that Mr. Rush brought a small claims action against the City and Caltrans for damages caused to his property during the storms in February of 2017. Mr. Gross noted that Mr. Rush alleged that flooding from culvert design caused sewage to damage his property during the flood events of 2017. Mr. Gross reported that the Courts determined that Mr. Rush's property is located in a historic flood plain and that the culvert and City sewage system was properly designed and that the storm was determined to be an act of god and that the City was not responsible for damages to his property.

9. CLOSED SESSION

- A. **Existing Litigation** - Pursuant to Government Code Section 54956.9(d)(1), Michael Rush vs. City of Portola, Plumas County Case No. SC18-Q0001. Discussion and/or possible action.

This item was canceled.

8. ADJOURNMENT

The meeting was adjourned at 7:35 pm.

Respectfully Submitted,

Melissa Klundby, City Clerk