

**PORTOLA CITY COUNCIL
MEETING MINUTES
October 26, 2017
6:00 p.m.**

1. CALL TO ORDER

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

2. PEDEGE 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. Mayor Pro Tem Cooley participated telephonically. City Attorney Steve Gross, Finance Officer Susan Scarlett and City Manager Robert Meacher were also in attendance.

4. PUBLIC COMMENT

Larry Douglas again expressed his gratitude for the fire fighters working on the Sonoma/Napa County fires, commented on Community Development and the City's General Plan.

5. CITY COMMUNICATIONS

A. City Council/Committee Reports

Councilmember Powers reported he had attended a meeting of the Transportation Commission where discussion was mainly about the slow funding process.

Councilmember Oels reported the he also attended the Transportation Commission meeting along with a meeting of the Fire Safe Council and that Fire Safe work along Hospital road was completed.

Mayor Pro Tem Cooley reported that he had attended the LAFCO meeting, a luncheon at Nakoma with the Feather River College Board of Trustees and the Fire Department Ad Hoc Committee. Due to his telephonic participation he requested Mayor Morton provide details of the meetings.

Mayor Morton explained that LAFCO had appointed Jennifer Stephenson as the Deputy Executive Officer and were interviewing candidates for the Executive Officer position. She explained that the Fire Department Ad Hoc Committee had temporarily suspended the Emergency Service response of the department due to complaints from various State agencies. She reported that Beckwourth and Graeagle departments are responding to calls in the City and Gold Mountain under mutual aid.

B. City Manager Report

City Manager Robert Meacher reported that water/sewer rehab projects are moving forward, FEMA and OES staff were with City staff today and regardless of what was reported in the paper, the two agencies assured the City that they were not out of funds. Two pieces of railroad equipment will be delivered to

the City within the next month and with the assistance of CalTrain, will be placed at the Williams House and the West End Park. A grant application for playground equipment was being submitted to Kaboom with help from Susan Jacobson. A support letter was being drafted for the Beckwourth Rim Trail project. He also noted that communication from the Shomack group was being reviewed by staff.

C. Staff Communications

City Attorney Steve Gross reported that he is continuing to work with Dave Heaslett on the Scism estate and he was still of the opinion that the City's claim against the estate was moving forward.

6. CONSENT CALENDAR

- A. **Minutes** – Adopt the minutes of the City Council regular meeting held on October 11, 2017.
- B. **Claims** – Adopt Resolution No. 2333 authorizing payment of claims for the period of October 7, 2017 through October 20, 2017.

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

7. PRESENTATIONS

- A. **Northern Sierra Air District** – Presentation from Air Pollution Control Specialist, Julie Ruiz on “Clear the Air: Check before you light” program.

Ms. Ruiz provided a brief update and review of the City's air quality issues and the programs that had been implemented to help resolve problems. She reported that over 200 stoves had been changed out through the Woodstove Change out program.

She continued to explain a new program that would be implemented November 1, 2017, “Clear the Air; Check before you light”. This program will provide daily advisories for days when the public will be directed to refrain from lighting fires in non-certified stoves. The advisory will remain in effect through February 2018.

Ms. Ruiz responded to questions from the public and thanked the City for their support of the Air District's efforts to improve the air quality in the region.

8. ORDER OF BUSINESS

- A. **Public Hearing** – Refuse Collection Fee and Residential Recycling Fee Increase. Receive public comment and consider adoption of Resolution No. 2334 approving the fees. Discussion, possible action.

City Manager Robert Meacher explained that this is the final step in the adoption of updated fees and services from Intermountain Disposal under their franchise agreement with the City. In compliance with Prop 218 notices had been sent to customers and the City had received only 2 written protests prior to the meeting, well under the majority required to prohibit the fee increase.

Councilmember Powers and Mayor Pro Tem Cooley each noted that they would be happy to see the three small recycling bins be replaced with larger cans.

Mayor Pro Tem Cooley noted that the Ad Hoc Committee had worked to improve communications between the accounting departments.

Mayor Morton opened the public hearing at 6:47 p.m.

Portola resident Larry Douglas noted that Rick Ross does a great job.

The public hearing was closed at 6:50 p.m.

It was moved by Councilmember Oels, seconded by Councilmember Reynolds to adopt Resolution No. 2334 approving the fee increase and it was unanimously approved through a roll call vote.

- B. Ordinance No. 346, Medical and Recreational Marijuana/Cannabis**- Consider introduction and waiver of the second reading of Ordinance No. 346, An Ordinance of the City of Portola, County of Plumas, State of California, Amending Chapter 17.65 of Portola Municipal Code to Regulate the Personal Cultivation of Marijuana and Delivery of Marijuana, Prohibit the Commercial Cultivation of Marijuana, the Processing of Marijuana and all Associate Business and Operational Activities, as Businesses within the City of Portola. Discussion and possible action.

City Manager Robert Meacher explained that this was the drop dead date for the City to get an ordinance in effect before State regulations would take over in the City on January 1, 2018.

Attorney Steve Gross briefly outlined the final version of the Ordinance presented for consideration. He noted that the Council had spent quite a bit of time getting to this point and although there would most probably be revisions to the ordinance in the future he felt it would act to provide regulation within the City as directed by the City Council.

Mr. Meacher noted that he had received a call from a resident relating to the section that states cultivation in property containing a school, day care center or youth center is required to be in a separate and secure area. He noted that this would apply to schools, day care centers and youth centers that were in private, residential properties.

Portola resident Larry Douglas asked the Councilmembers if their constituents supported adoption of the ordinance. Councilmember Reynolds and Mayor Morton each stated that the people they spoke with were in favor of the regulations.

Portola resident Mike Matus thanked the Council and staff for a doing a great job.

There being no further discussion it was moved by Councilmember Oels, seconded by Councilmember Powers to introduce Ordinance No. 346, waive the second reading and schedule it for adoption at the November 8, 2017 regular meeting. The motion was unanimously approved through a roll call vote.

- C. Portola City Council November/December 2017 Meeting Schedule** – Consider changes to the upcoming City Council meeting schedule due to holiday conflicts. Discussion, possible action.

City Manager Robert Meacher explained that the Council should consider canceling the second meetings in November and December due to the holidays. If any urgent issues come up a special meeting can be scheduled.

It was moved by Councilmember Oels, seconded by Councilmember Powers to cancel the second meetings in November and December and direct staff to schedule special meetings if necessary. Under toll call vote the motion was unanimously approved.

The meeting was adjourned to closed session at 7:06 p.m.

9. CLOSED SESSION

- A. **Exposure to Litigation** - Closed session pursuant to Government Code Section 54956.9(d)(2), Conference with legal counsel, Exposure to litigation; 1 case.

The meeting was reconvened to open session at 7:56 p.m., there was no reportable action.

10. ADJOURNMENT

The meeting was adjourned at 7:58 pm.

Respectfully Submitted,

Leslie Chrysler for
Melissa Klundby, City Clerk