

**PORTOLA CITY COUNCIL
MEETING MINUTES**

August 13, 2014

7:00 p.m.

1. CALL TO ORDER

Mayor Oels called the meeting to order at 7:00 pm.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

Councilmembers Larrieu, Powers, and Morton, Mayor Pro Tem Gault and Mayor Oels responded to the roll call. City Manager Robert Meacher, City Planner Karen Downs, City Clerk Melissa Klundby, City Attorney Steve Gross and City Finance Officer Susan Scarlett and were also in attendance.

4. PUBLIC COMMENT

Larry Douglas made public comment in support of the Plumas County Sheriff's Department and reviewed a handout he provided to the Council pertaining to Citizen Option for Public Safety (COPS).

5. CITY COMMUNICATIONS

A. City Council/Committee Reports

Councilmember Larrieu reported that he had attended the Plumas LAFCo meeting and that LAFCo is currently reviewing and approving the Spheres of Influence for Plumas County Fire Protection Districts. Councilmember Larrieu also reported that Plumas LAFCo is still conducting interviews for the vacant Public member seat on the Commission.

Mayor Pro Tem Gault reported that the "I Love Portola" group had opened up a checking account and is working to finish their website. She further reported that she had attended the recent Plumas County Board of Supervisors meeting.

Councilmember Powers reported that he had attended the Juvenile Justice Commission meeting, had been part of the hiring panel for the Student Activity Director as part of the Local Control Action Plan and that the Railroad days event was very successful. Councilmember Powers thanked all of the volunteers for making the annual event so successful.

Councilmember Morton reported that she had also attended the Plumas LAFCo meeting and that she will be working on helping to coordinate the scheduling of the annual Christmas tree lighting, which is tentatively scheduled for December 5th, 2014.

Mayor Oels reported that the wooden swing he had built was successfully auctioned off and that approximately \$1450.00 was raised and that this money would again be donated to the Plumas County Resource Center to help City of Portola residents with City utility bills.

B. City Manager Communications

Robert Meacher gave a brief report on the below subjects:

- Recall on the piping material used at Lake Davis and potential reimbursement
- Attendance at the local rotary meeting
- TRAC correspondence and newspaper article
- Promotional CD highlighting economic redevelopment in a small town similar to the City of Portola
- Implementation of the availability fees
- Meeting with Grant Managers from Chico, CA and a potential opportunity for cost saving
- Plumas Unified School District is working on fixing water leaks
- City staff is seeing positive compliance with weed abatement
- The previously discussed TRAC banners are not recommended to be purchased at this time as City staff does not have the resources to hang them
- City Manager attendance at the 2014 League of California Cities conference

6. CONSENT CALENDAR

A. **Minutes** - Adopt the minutes of the Regular City Council meeting held on July 23rd, 2014.

B. **Claims** - Adopt Resolution No. 2216 authorizing payment of claims for the period of July 19th, 2014 through August 8, 2014.

Accounts Payable: \$ 104,109.85

Payroll: \$ 43,797.85

Total: \$ 147,907.70

C. **Fire Service Assessment** – Approve Resolution No. 2217 authorizing Plumas County to place the Fire Service assessment on the tax roll.

Councilmember Larrieu made a motion to adopt the minutes of the regular City Council meeting held on July 23rd, 2014, Adopt Resolution No. 2216 authorizing payment of claims for the period of July 19th, 2014 through August 8, 2014, and adopt Resolution No. 2217 authorizing Plumas County to place the Fire Service assessment on the tax roll. Mayor Oels seconded the motion and it was approved unanimously during a roll call vote.

7. PUBLIC HEARING

A. **Woodbridge – Public Hearing** – Receive public comment and conduct the Woodbridge Development Agreement Annual Review. Receive public comment, discussion, and possible action.

Mayor Oels opened the Public Hearing and asked for the staff report. Karen Downs, City Planner, reported that on January 24, 2007 the City of Portola adopted Ordinance No. 318 approving the Woodbridge Development Agreement and that the Development Agreement calls for an Annual Review “demonstrating the Developer’s good faith compliance with the terms and conditions of the agreement.” City Attorney, Steve Gross reported that during this Public hearing the City Council has the opportunity to take one of the following actions:

1. **Approve** of the annual review as complete; affirming that it demonstrates good faith compliance with the terms and conditions of the Agreement in accordance with the requirements of California Government Code Section 65865.1.
2. **Continue** any action to approve the annual review, and seek additional information from either the

developer of City staff to further address whether or not there has been a good faith effort to comply with the terms and conditions of the Agreement in accordance with applicable rules and statutes.

3. **Reject** the annual review for the development citing specific deficiencies that exist between the progress made by the developer and the provisions of the Agreement. Direct staff to identify the legal remedies that may exist to resolve the deficiencies per the Agreement.

Mayor Oels then opened the hearing for public comments. Larry Douglas commented that he thinks the City needs to contact David Wade concerning the development of this project.

Finding no further comment the Council discussed the item and Councilmember Larrieu expressed his concerns that the marketing package put together by the firm Land Advisors, did not accurately reflect the schools in the area and were overall inaccurate.

Following further discussion wherein the Council reviewed their options, Mayor Oels closed the public hearing and asked the Council for a motion.

Councilmember Larrieu made a motion to continue any action to approve the annual review, and to seek additional information from the developer to further address whether or not there has been a good faith effort to comply with the terms and conditions of the Agreement in accordance with applicable rules and statutes, and to ask the developer to update the marketing brochure with accurate information regarding the community, such information being due to the Council within 30 days. Councilmember Powers seconded the motion and it was unanimously approved during a roll call vote.

8. ORDER OF BUSINESS

- A. **Water Drought Report**- Review and discuss California Water Conservation and Drought Concerns, update from the State of California, and review letter sent from the City to residents. Discussion and/or possible action.

City Manager Meacher reported that as discussed and approved at the regular July 23rd City Council meeting, no hydrologist will be needed to be hired as staff had a successful meeting with representatives from the regional Water Quality Control Board. Consultant Dean Marsh, P.E. Sauers Engineering, has also reviewed the four Portola water sources, the two City wells, Lake Davis treatment plant, and Willow Springs and is working with staff and the Department of Water Resources.

- B. **Proclamation of Local Emergency Due to Drought Conditions in Portola, California**- Discussion and/or possible action.

Mayor Oels read the Proclamation of Local Emergency Due to Drought Conditions in Portola, California. Jerry Sipe, Plumas County Environmental Health/OES, thanked the Council for addressing this issue and reviewed the water issues faced by Plumas County and potential legal action that may be necessary.

Mayor Oels proclaimed that there was an emergency as outlined in the Proclamation. Mayor Pro Tem Gault made a motion to ratify the Proclamation and Councilmember Morton seconded the motion. All Councilmembers unanimously voted to support and approve the proclamation.

The Council took a 5 minutes recess.

- C. **Declare Surplus Property**- Consider approval of Resolution No. 2218, declaring downed woody debris surplus at the City-owned Willow Creek property. Discussion and/or possible action.

City Planner Karen Downs presented the Council with the process necessary to declare downed woody debris as surplus from the Willow Creek thinning project. The Council discussed the issue and finding no public comment Councilmember Larrieu made a motion to approve Resolution No. 2218, declaring downed woody debris surplus at the City-owned Willow Creek property, authorize staff to implement a firewood permit process similar to that used by the United States Forest Service, with deletions to the vehicle section, and to approve expenditures not to exceed \$1000.00 to certify Mayor Oels as a Licensed Timber Operator, as required by the CalFire. Councilmember Larrieu also made a motion to make the free downed woody debris available to residents of the City of Portola, with a three cord maximum and a signed agreement that the wood is not for resale purposes. Mayor pro tem Gault seconded the motion and it was unanimously approved during a roll call vote.

D. **Gold Mountain Community Services District**- Consider appointing representatives to a Fire Study Group with Gold Mountain Community Services District. Discussion and/or possible action.

City Manager Robert Meacher reported that the Board for Gold Mountain Community Serves District is interested in meeting to discuss fire protection issues with members of the Portola City Council. Councilmember Larrieu and Councilmember Powers volunteered to meet with representatives from the Board of Gold Mountain CSD. Councilmember Morton made a motion requesting that Councilmember Larrieu and Councilmember Powers meet with representatives from the Board of Gold Mountain CSD regarding fire protection issues, the motion was seconded by Mayor Pro tem Gault and unanimously approved.

E. **Gas Tax Audit**- Gas Tax Audit & Finance update. Discussion and/or possible action.

City Finance Officer Susan Scarlett presented the Council with the gas tax audit completed by the State of California, State Controller's Office. She reviewed the audit and her report on temporary employee tracking for the last fiscal year and gave a brief update the budgeted amount remaining for temporary employees. There were no public comments. The Council thanked Susan Scarlett for the review and update.

9. CLOSED SESSION

A. **Anticipated Litigation** - Closed session pursuant to Government Code Section 54956.9(d)(4), anticipated litigation, deciding whether to initiate litigation, one case.

Mayor Oels reported out from the closed session that the Council unanimously authorized the City Manager to work with representatives from Plumas County to join the County in any further action taken against the State of California in regard to water issues and to negotiate a cost sharing in potential future lawsuits relating to the current drought and water rights issues.

10. ADJOURNMENT

There being no further business to discuss, Mayor Oels adjourned the meeting at 9:15 p.m.

Respectfully Submitted,

Melissa Klundby, City Clerk