

**PORTOLA CITY COUNCIL
MEETING MINUTES
May 24th, 2017
6:00 p.m.**

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Mayor Larrieu asked that Mayor Pro tem Morton lead the meeting due to health related issues. Mayor Pro Tem Morton led the Council in a moment of silence and the reciting of the pledge of allegiance.

3. ROLL CALL

Councilmembers Oels, Cooley, Powers, Mayor Pro Tem Morton and Mayor Larrieu were present. City Manager Robert Meacher, Finance Officer Susan Scarlett, City Attorney Steve Gross and City Clerk Melissa Klundby were also in attendance.

4. PUBLIC COMMENT

Larry Douglas commented on the general fund, the Community Services Officer and the Fire Tax ballot measure.

5. CITY COMMUNICATIONS

A. City Council/Committee Reports

Councilmember Cooley reported on his attendance at the Eastern Plumas Chamber of Commerce sponsored Business Summit, the Eastern Plumas Chamber of Commerce Annual meeting, the Finance and Administration Committee meetings held to discuss the Plumas County Sheriff's Department Contract and policy updates; his attendance at the Ad Hoc Committee meetings to discuss the City Manager Contract and his attendance at a meeting with Sheriff Hagwood, Staff and Plumas County Supervisor Mike Sanchez to further negotiate the terms of the Plumas County Sheriff's Department Contract.

Councilmember Powers commented on the success of the Eastern Plumas Chamber of Commerce sponsored Business Summit, his attendance as an ambassador of the area for tourists visiting the Rivers Edge RV park, and his work on the Suicide Prevention Council and Student Mental Health Committee. Councilmember Powers also noted he had attended the Transportation Committee meeting and was working on Adult Basic Education curriculum. Mr. Powers then presented the Council with signs that he had made in conjunction with the local high school promoting business ideas for vacant buildings.

Councilmember Oels reported on the following meeting and projects:

- Western Pacific Railroad conference in Reno, Nevada.
- Lost and Found Bike Race Committee meetings
- Meetings with members of the Fire Safe Council
- Planting in the park
- Bench construction for the local park

Mayor Pro Tem Morton reported that she had also attended the Business Summit and commented on its success. Mayor Pro Tem Morton further reported that she had attended the Western Pacific Railroad conference, City of Portola Budget meetings, Finance and Administration Committee Meetings and Adult Education meetings.

Mayor Larrieu noted he is recovering from a health issue and glad to be back in attendance at the City Council Meetings.

B. City Manager Report

City Manager Meacher reported on the following:

- Continued coordination with the Forest Service on the Beckwourth Rim Trail
- Submission of storm damage claims to FEMA and Cal OES
- A radio appearance on KJDX regarding the upcoming Fire Tax election
- Western Pacific Railroad conference
- Nakoma open house
- Eastern Plumas Chamber of Commerce mixer
- Lost and Found Bike Race Committee meetings
- Meeting with representative from the Feather River Rail Society and Western Pacific Railroad

C. Staff Communications

Attorney Steve Gross presented the Council with an urgency item. Mr. Gross explained that an urgency item can be placed on the agenda if it meets the following two criteria:

- It came to the attention of staff after the posting of the agenda
- There is an immediate need for action which must occur prior to the next regular Council meeting

City Manager Robert Meacher reported that it had come to his attention that the League of California Cities was asking for support in opposition to trailer language for Proposition 64, the Adult Use of Marijuana Act. Mr. Meacher reported that this trailer language would be detrimental to cities as it inhibits local control, protection of public safety and creates health and safety issues in regard to medical marijuana standards and distribution. Mr. Meacher noted that the League of California Cities needed the letter mailed by Friday May 26th, based upon the timing of the trailer language measure.

Councilmember Oels made a motion to add item **7. E Review of Letter in Opposition of Trailer Language for Proposition 64**- Review of attached letter in support of the California League of Cities' Opposition to Trailer language for Proposition 64. Discussion and Possible action; based upon the factors outlined by Attorney Gross. Councilmember Powers seconded the motion and it was unanimously approved.

Community Service Officer Chuck Brashear reported that he is working diligently on weed abatement issues.

Fiance Officer Susan Scarlett passed out updated budget information based upon changes implemented by the Council at the previous budget meetings.

6. CONSENT CALENDAR

A. **Minutes** – Adopt the minutes of the City Council regular meeting held on April 12, 2017.

B. **Claims** – Adopt Resolution No. 2317 authorizing payment of claims for the period of April 8, 2017 through May 19, 2017.

Finding no comment Mayor Larrieu made a motion to adopt the minutes of the City Council meeting held on April 12, 2017 and Resolution No. 2317 authorizing payment of claims for the period of April 8, 2017 through May 19, 2017. Councilmember Powers seconded the motion and it was unanimously approved.

7. ORDER OF BUSINESS

A. **Firewise Communities** – Presentation and discussion on becoming a Firewise Community. Discussion, Possible Action.

Sue McCourt and Mike Callaghan gave the Council a presentation on the Fire Safe Council and how a community can become a Fire Wise community. The Council reviewed the required application, the necessary volunteer hours and/or in kind monetary contribution, and the benefits and obstacle to becoming a fire wise community.

Staff reported that as part of a onetime grant from CDBG the City had been awarded money to complete a Disaster Recovery Initiative Program and in 2012 the City had a Community Wildfire Protection Plan created as part of the grant. Staff noted that this document would be used to submit to CalFire as part of the application process to become a recognized Fire Wise community.

Following further discussion and public comment, Mayor Larrieu made a motion to appoint the Portola City Council as the acting Firewise Committee Board for the City of Portola and to appoint Councilmember Powers and Councilmember Oels as the Ad Hoc Firewise Committee. Councilmember Oels seconded the motion and it was unanimously approved.

B. **“Lost and Found” Bike Race** – Committee report and discussion regarding City participation in the upcoming Lost and Found Bike Race, with Sierra Buttes Trail Stewardship. Discussion, possible action.

Staff requested volunteers to work at the Lost and Found Bike Race aid station. Councilmembers Powers and Cooley and Mayor Pro tem Morton and Mayor Larrieu volunteered.

C. **Gold Mountain Community Services District Contract** – Discussion and review of the contract between the City of Portola and Gold Mountain CSD for Fire Suppression Services. Discussion and/or possible action.

Councilmember Cooley excused himself for a potential conflict of interest because he owns property in the Gold Mountain community.

Rich McLaughlin, Gold Mountain Community Services District President, thanked the City of Portola Fire Department for their continued service and commended the Council on its efforts in trying to pass a Fire Assessment tax. Mr. McLaughlin reported that the GMCSO Board had approved the contract and noted that changes were minimal from the previous year and not monetary in nature. Mr. McLaughlin noted that community members of the GMCSO are taxed for Fire Suppression services and that those funds are used for the contract and hazardous fuel reduction.

Finding no Council or public comment Mayor Larrieu made a motion to approve the contract between the City of Portola and Gold Mountain CSO for Fire Suppression Services as presented. Councilmember Oels seconded the motion and it was unanimously approved by all those in attendance.

Councilmember Cooley returned to the dais following completion of the agenda item above.

D. Designation of Representatives- Designate representatives for the purpose of labor negotiations with the Portola City Manager pursuant to Government Code Section 54957.6. Discussion, possible action.

Attorney Steve Gross reported that as part of the renewal process for the City Manager Contract, the Council can meet in closed session with its designated representative(s)/labor negotiator(s) to discuss salary and benefits, but not the term of the agreement, under Gov. Code 54957.6, following an open session item on the agenda to identify the City's designated representative(s). Mr. Gross explained that the purpose the closed session is to review the Council's position and to instruct its designated representative(s) for negotiating directly with the employee.

Finding no public comment or Council discussion Mayor Larrieu made a motion to appoint Councilmembers Cooley and Powers as the City's designated representative(s). Councilmember Oels seconded the motion and it was unanimously approved by the Council.

E Review of Letter in Opposition of Trailer Language for Proposition 64- Review of attached letter in support of the California League of Cities' Opposition to Trailer Language for Proposition 64. Discussion and Possible action

City Manager Meacher presented the Council with a draft letter for support in opposition to trailer language for Proposition 64, the Adult Use of Marijuana Act; drafted by the California League of Cities. Mr. Meacher verified that support of this letter in opposition does not say the City is against Marijuana regulation but that it supports local control, which would be hindered if the proposed trailer language were passed.

Mayor Larrieu made a motion to sign and mail the letter as drafted in opposition of the trailer language to proposition 64. Councilmember Powers seconded the motion and it was unanimously approved.

8. CLOSED SESSION

A. Labor Negotiations –Conference with Labor Negotiators pursuant to Government Code Section 54957.6: City designated representatives: the representatives designated by the City Council pursuant to agenda item 7.D., above; Unrepresented Employee: Portola City Manager.

The Council adjourned to closed session at 7:35 pm and re-adjourned to open session at 7:45 pm. There was no reportable action from the closed session.

9. ORDER OF BUSINESS

- A. **City Manager Contract** – Discuss and review City of Portola, City Manager Contract. Discussion, possible action.

Attorney Steve Gross verbally reviewed the terms of the City Manager contract. Mr. Gross concluded that the benefits and the salary were to remain the same as the previous contract, however the contract would be renewed as an 18 month contract per the request of the City Manager.

Mayor Larrieu made a motion to approve the contract as presented for a term of 18 months. Councilmember Oels seconded the motion and it was unanimously approved.

10. CLOSED SESSION

- A. **Existing Litigation** - Pursuant to Government Code Section 54956.9(d)(1), City of Portola vs. State of California Department of Fish & Game, Case No. CV09-00065.
- B. **Anticipated Litigation** – Pursuant to Government Code Section 54956.9(d)(2), Exposure to litigation, one case.
- C. **Deciding Whether to Initiate Litigation** – Pursuant to Government Code Section 54956.9(d)(4), one case.

There was no reportable action from the closed session and the meeting was adjourned at 8:07 pm.

Respectfully Submitted,

Melissa Klundby, City Clerk