



CITY OF PORTOLA CITY COUNCIL REGULAR MEETING AGENDA

REGULAR MEETING
WEDNESDAY, OCTOBER 27, 2021
6:00 P.M.

CITY HALL COUNCIL CHAMBERS
35 THIRD AVENUE
PORTOLA, CA 96122

COUNCILMEMBERS ATTENDING VIA TELECONFERENCE AS PERMITTED BY CALIFORNIA GOVERNOR NEWSOM EXECUTIVE ORDER N-29-20

COUNCILMEMBERS

Mayor Bill Powers
Mayor Pro Tem Pat Morton
Councilmember Tom Cooley
Councilmember Phil Oels
Councilmember Stan Peiler

CITY STAFF

City Manager Lauren Knox
Public Works Director Todd Roberts
Finance Officer Susan Scarlett
City Attorney Steve Gross
Deputy City Clerk Tara Kindall

The City Council welcomes you to its meetings which are regularly held the second and fourth Wednesday of each month at 6:00 p.m. Your interest and participation is encouraged and welcome.

As permitted by Executive Order N-29-20, proclaiming a State of Emergency in the State of California, the City Council Chamber at City Hall will not be accessible to the public for the City of Portola's October 27, 2021 Regular City Council meeting.

The City Council meeting is accessible to the public via live streaming at: <https://zoom.us/j/3583067836> or by phone at: Phone Number 1.669.900.6833; Meeting ID: 358 306 7836.

Any person desiring to address the City Council on any item not on the agenda may do so during public comment. Public comments made during a regular Council meeting may be recorded. Public comment will be accepted via email or chat on any item on the agenda at any time beginning at 6:00 p.m. and ending at the close of public comment on the item. Please direct your comments to Tara Kindall, Deputy City Clerk, tkindall@cityofportola.com or access the chat function on the Zoom meeting platform during the live stream. Members of the public may submit their comments in writing to be included in the public record.

Any person with a disability may submit a request for reasonable modification or accommodation to the above-described means for accessing and offering comment at the meeting to Tara Kindall at tkindall@cityofportola.com who will swiftly resolve such request.

CONSENT CALENDAR: These items include routine financial and administrative actions. All items on the consent calendar will be voted on at the same time during the meeting under “Consent Calendar”. If you wish to have an item removed from the Consent Calendar, you may do so by addressing the presiding officer.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are on file in the Office of the City Clerk and are available for public inspection. If you have any questions on any agenda items, contact the City at 530.832.6801.

Meeting facilities are accessible to persons with disabilities. Reasonable efforts will be made to accommodate participation of the disabled in the City’s public meetings. If special accommodation for the disabled is needed, please notify the City at 530.832.6801 at least 48 hours prior to the meeting.

For additional information visit the City of Portola Web Page: www.cityofportola.com.

**CITY COUNCIL AGENDA
REGULAR MEETING
OCTOBER 27, 2021
6:00 P.M.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**

This section is intended to provide members of the public with an opportunity to comment on any subject that does not appear on this agenda. Please note that California law prohibits the City Council from taking action on any matter which is not on the posted agenda, unless it is determined to be an urgency item by the City Council. Any member of the public wishing to address the City Council during “PUBLIC COMMENT” shall first secure permission of the presiding officer, stand; may give his/her name and address to the Clerk for the record. Each person addressing the City Council shall be limited to three minutes ordinarily, unless the presiding officer indicates a different amount will be allotted.

4. CITY COMMUNICATIONS

- A. City Council Communications/Committee Reports**
- B. Staff Communications/Fire Report/Sheriff’s Report/Air Quality Report**
- C. City Manager Report**

5. 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 September 22, 2021. [pages 1-3]
- B. Claims** – Adopt Resolution No. 2486 authorizing payment of claims for the period of October 6, 2021 through October 21, 2021. [pages 5-8]

Accounts Payable:	\$109,520.19
Payroll:	<u>\$ 44,856.09</u>
Total:	\$154,376.28

6. ORDER OF BUSINESS

A. Enforcement of Portola Municipal Code (PMC) Section 15.10.060

Discuss the enforcement of PMC 15.10.060, relating to wood burning devices. Discussion and possible action. [pages 9-10]

B. Holiday Festivities

Discuss upcoming holiday festivities and provide direction to staff. Discussion and possible action. [page 11]

7. ADJOURNMENT

**REGULAR MEETING MINUTES
PORTOLA CITY COUNCIL
35 THIRD AVENUE | PORTOLA, CA 96122
SEPTEMBER 22, 2021 | 6:00 P.M.**

1. CALL TO ORDER

Councilmembers attended this meeting via teleconference as permitted by California Governor Newsom Executive Order N-29-20. Members of the public were able to join the meeting via Zoom live streaming. Mayor Powers called the meeting to order at 6:00 p.m.

2. ROLL CALL

Councilmembers Tom Cooley, Phil Oels, Mayor Pro Tem Pat Morton, and Mayor Bill Powers responded to the roll call. City Manager Lauren Knox, City Attorney Steve Gross, Finance Officer Susan Scarlett, and Deputy City Clerk Tara Kindall were also present. Councilmember Stan Peiler was absent.

3. PUBLIC COMMENT

Deputy City Clerk Kindall read a statement concerning Fire Department response times by Mr. Brian Attama into the record. There were no other citizens who wish to make a comment.

4. CITY COMMUNICATIONS

A. City Council Communications/Committee Reports

Councilmember Oels reported that he attended a Transportation Commission meeting, a Firesafe meeting, and built more benches.

Councilmember Cooley reported that he participated in several Fire Study Group meetings, and a Sheriff Contract Ad Hoc Committee meeting.

Mayor Pro Tem Morton reported that she attended and Angel Tree meeting and the Sheriff Ad Hoc Committee meeting.

Mayor Powers reported that he attended a Transportation Commission meeting and related his experience with a young man helping another individual who needed emergency service.

B. Staff Communications

Gay Miller with Beckwourth Fire reported that they are cleared from the local fire expense and are days away from picking up the new to them engine from the Sparks Fire Department. They have been awarded the Piedmont Self Contained Breathing Apparatus Grant. This grant was applied for by Beckwourth Fire Department, the City of Portola, Long Valley Fire Department, and Easter Plumas Rural Fire Protection District.

The Plumas County Sheriff's department had no report.

Melissa Klundby with Air Quality encouraged everyone to check out their website for the Greater Portola blog. There are still some chimney sweep vouchers available for EPA certified stove. If you do not have an EPA certified stove, they are available for free from the district.

City Attorney Steve Gross informed Council about some new legislation. The governor signed AB361 which in effect extends the Brown Act modifications that have been in effect since March 2020. Two of the requirements of this new legislation include: a proclamation of emergency must be in place by the Governor; and the public must have the opportunity to comment in real time. The local legislative body need to adopt findings which will be done by resolution.

C. City Manager Report

City Manager Knox reported at the Board of County Supervisor's September 14th meeting the Sheriff's contract came up for discussion and they were clear that they want to increase the amount of the contract as it was presented, so the Ad Hoc committee is in discussions now concerning this. The Dixie Fire is 94% contained with approximately 963,000 acres. Mop up efforts for the fire continue. The City of Portola is still in peak fire season. A skateboard clinic held by Ryan this last weekend went well. Northern Sierra Air Quality District wood burning stove enforcement discussions continue. Another State Revolving Fund for Water and Wastewater Technical Assistance Group kick off meeting is tomorrow.

5. CONSENT CALENDAR

Finance Officer Susan Scarlett and City Manager Lauren Knox explained that the claims amount needs to be amended from the amount on the agenda as the check for Beckwourth fire in the amount of \$4,334.70 needs to be removed. This changes the amount of the claims to \$33,242.94. Mayor Pro Tem Morton moved and Councilmember Oels seconded a motion to approve the consent calendar as amended:

- A. Minutes** – Adopt the minutes of the City Council Regular Meeting held September 8, 2021 and the Special Meeting held on September 15, 2021.

B. Claims – Adopt Resolution No. 2484 authorizing payment of claims for the period of September 4, 2021 through September 15, 2021.

Accounts Payable: \$ 33,242.94

Total: \$ 33,242.94

Roll call vote, yes: Cooley, Oels, Morton, and Powers. So carried.

Roll call vote, no: none.

6. ORDER OF BUSINESS

A. Financial Update and Budget Amendments.

Finance Officer Scarlett reviewed in detail the Financial Update and Budget Amendments with Council. Discussion ensued.

Councilmember Cooley moved and Councilmember Oels seconded a motion to approve the budget amendments and asset additions and deletion 2020/2021 as presented by the finance officer.

Roll call vote, yes: Cooley, Oels, Morton, and Powers. So carried.

Roll call vote, no: none.

B. Open Burn Ordinance Amendment.

City Manager Knox presented to Council for their consideration Ordinance 360 which amends the Municipal Code prohibiting open flame burning from wood and charcoal such as cooking, warming, recreational, or ceremonial fires during fire restrictions. Discussion ensued.

Councilmember Oels moved and Mayor Pro Tem seconded a motion to introduce Ordinance No. 360, waive the second reading of the Ordinance and direct staff to agendize the Ordinance for adoption on October 13, 2021.

An Ordinance of the City of Portola, County of Plumas amending Chapter 15.10.026 of the City of Portola Municipal Code exceptions for prohibition of open burning.

Roll call vote, yes: Cooley, Oels, Morton, and Powers. So carried

Roll call vote, no: none.

7. ADJOURNMENT

There being no further business Mayor Powers adjourned the meeting at 6:45 p.m.

Tara Kindall, CMC
Deputy City Clerk

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RESOLUTION NO. 2486

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA
AUTHORIZING PAYMENT OF CLAIMS FOR THE PERIOD
OCTOBER 6, 2021 THROUGH OCTOBER 21, 2021.**

**ACCOUNTS PAYABLE
CHECK NUMBERS: 43322-43367**

**PAYROLL
CHECK NUMBERS: 16881-16897**

WHEREAS, the City Council of the City of Portola has been fully advised that all such claims and demands are legal obligations of the City; and,

WHEREAS, the City Council has fully considered the claims and money demands and payment thereof as set forth below and in "Exhibit A" attached hereto and incorporated herein.

ACCOUNTS PAYABLE:	\$109,520.19
PAYROLL:	<u>\$ 44,856.09</u>
TOTAL:	<u>\$154,376.28</u>

NOW THEREFORE BE IT RESOLVED THAT all claims and demands represented are just and proper and legal demands or claims against the City of Portola, and the payment of any such demands is approved and authorized.

PASSED, APPROVED AND ADOPTED this 27th day of October, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Bill Powers, Mayor

ATTEST:

Tara Kindall, Deputy City Clerk

I, Tara Kindall, Deputy City Clerk of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council at the City of Portola Regular meeting thereof held on October 27, 2021.

Tara Kindall, Deputy City Clerk

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Check Register Report

10-21-21 AP

Date: 10/21/2021

Time: 4:46 pm

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City Of Portola

BANK: PLUMAS BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
PLUMAS BANK Checks								
43322	10/21/21	Printed			AIRGAS	AIRGAS, INC.	SUPPLIES-REPAIRS	208.60
43323	10/21/21	Printed			AM CONS.	AM CONSTRUCTION SUPPLY, INC.	MATERIALS	321.74
43324	10/21/21	Printed			ACS	AMAZON CAPITOL SERVICES	SUPPLIES	390.86
43325	10/21/21	Printed			AMGAS	AMERIGAS	PROPANE	13.36
43326	10/21/21	Printed			AMGAS	AMERIGAS	PROPANE	438.46
43327	10/21/21	Printed			1011	AT&T	800 EMERGENCY PHONE LINE	4.67
43328	10/21/21	Printed			ATTCN2	AT&T CALNET 3	TELEPHONE	71.72
43329	10/21/21	Printed			BE	BASTIAN ENGINEERING	PROFESSIONAL SERVICES	985.70
43330	10/21/21	Printed			BSIS	BIG STATE INDUSTRIAL SUPPLY	MATERIALS AND SUPPLIES	238.79
43331	10/21/21	Printed			BRADY	BRADY INDUSTRIES	SUPPLIES	249.72
43332	10/21/21	Printed			BITS	BULLET INFORMATION TECHNOLOGY	COMPUTER REPAIR/INSTALLATION	770.00
43333	10/21/21	Printed			CE	CASHMAN EQUIPMENT COMPANY	MATERIALS	971.80
43334	10/21/21	Printed			CDN	CBC COMPANIES-FACTUAL DATA	CREDIT CHECKS	48.20
43335	10/21/21	Printed			CLA	CLIFTONLARSONALLEN LLP	AUDITING SERVICE FINAL & REPOR	25,900.00
43336	10/21/21	Printed			CTC	COATES TIRE CENTER	VEHICLE/EQUIP. REPAIR	29.00
43337	10/21/21	Printed			COSTCO	COSTCO	MEMBERSHIP RENEWAL	60.00
43338	10/21/21	Printed			CSG	CSG CONSULTANTS	PROFESSIONAL SERVICES	8,320.00
43339	10/21/21	Printed			CARQUEST	DOBROS PARTS-LLC	VEHICLE/EQUIP. REPAIR	147.84
43340	10/21/21	Printed			EPH	EASTERN PLUMAS HEALTHCARE	Refund Check	1,000.00
43341	10/21/21	Printed			ENCM	ENCOMPASS	XEROX COPIES	233.67
43342	10/21/21	Printed			FLC	FOLCHI LOGGING & CONSTR., INC.	ROAD BASE	819.82
43343	10/21/21	Printed			HFT	HARBOR FREIGHT TOOLS	MATERIALS/SUPPLIES	944.71
43344	10/21/21	Printed			HUSI	HUNT & SONS, INC.	FUEL SEPT.2021	3,400.86
43345	10/21/21	Printed			IMD	INTERMOUNTAIN DISPOSAL	REFUSE COLLECTION	1,284.50
43346	10/21/21	Printed			KM	KIMBALL MIDWEST	REPAIRS/MAINTENANCE	115.52
43347	10/21/21	Printed			LEWISP	LEWISPORT USA	MATERIALS	394.35
43348	10/21/21	Printed			NAPA	NAPA SIERRA	VEHICLE REPAIR/MAINTENANCE	60.18
43349	10/21/21	Printed			NEVSM	NEVADA SMALL ENGINES	STREET REPAIR	792.53
43350	10/21/21	Printed			OD	OFFICE DEPOT	SUPPLIES	347.02
43351	10/21/21	Printed			S E	PATRICK FLYNN	QRT LANDFILL MONITORING	2,701.00
43352	10/21/21	Printed			PAH	PLUMAS ACE HARDWARE	SUPPLIES	534.93
43353	10/21/21	Printed			PSRE	PLUMAS SIERRA RURAL ELECTRIC	LD WATER TREATMENT PLANT	1,810.74
43354	10/21/21	Printed			PW	POLLARDWATER	SEWER/WATER LINE REPAIR	187.48
43355	10/21/21	Printed			PSC	PORTER SIMON CORPORATION	PROFESSIONAL SERVICES	8,055.00
43356	10/21/21	Printed			RENOS	RENO SALVAGE CO.	MATERIALS/SUPPLIES	150.56
43357	10/21/21	Printed			SAUEN	SAUERS ENGINEERING, INC.	PROFESSIONAL SERVICES	787.50
43358	10/21/21	Printed			SIERRA GOL	SIERRA GOLF CART & AUTO	MATERIALS/SUPPLIES	999.26
43359	10/21/21	Printed			SSALI	SILVER STATE ANALYTICAL	WATER/WASTEWATER TESTING	1,228.00
43360	10/21/21	Printed			SCORE	SMALL CITIES ORGANIZED RISK	WORKERS COMP	26,595.48
43361	10/21/21	Printed			SES	SUNRISE ENVIRONMENTAL	MAINTENANCE	2,014.12
43362	10/21/21	Printed			SPPLLC	SUPERIOR POOL PRODUCTS, LLC	POOL	351.86
43363	10/21/21	Printed			SUSANS	SUSAN SCARLETT	ACCOUNTING SERVICES	5,000.00
43364	10/21/21	Printed			TCOC	THATCHER COMPANY	LDWTP CHEMICALS	5,144.54
43365	10/21/21	Printed			TYLERTECH	TYLER TECHNOLOGIES, INC	SB2	1,035.00
43366	10/21/21	Printed			UR	UNITED RENTALS NORTHWEST INC.	MATERIALS/SUPPLIES	3,227.16
43367	10/21/21	Printed			USBCPS	US BANK CORPORATE PYMT SYSTEMS	SUPPLIES, CREDIT CARD	1,133.94

Check Register Report

10-21-21 AP

Date: 10/21/2021

Time: 4:46 pm

Page: 2

City Of Portola

BANK: PLUMAS BANK

Check Number	Check Date	Status	Void/Stop Date	Reconcile Date	Vendor Number	Vendor Name	Check Description	Amount
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Total Checks: 46

Checks Total (excluding void checks): 109,520.19

Total Payments: 46

Bank Total (excluding void checks): 109,520.19

Total Payments: 46

Grand Total (excluding void checks): 109,520.19

CITY COUNCIL AGENDA STAFF REPORT

DATE: October 21, 2021
TO: Honorable Mayor and Members of the City Council
FROM: Lauren Knox, City Manager
MEETING: October 27, 2021
SUBJECT: Wood Burning Device Enforcement

Background:

On June 22, 2016, Council adopted Ordinance 344, an ordinance amending Chapter 15.10 of the Portola Municipal Code (PMC) by providing for regulations of wood stoves and fireplaces. More recently, the Council adopted Ordinances 354 and 359, which further refined Ordinance 344. Ordinance 354 included additional language prohibiting the burning of outdoor yard waste within the City limits. Ordinance 359, adopted in September of 2020, was amended to reflect language requested by the Environmental Protection Agency (EPA). As noted during the adoption process of Ordinance 359, without the most recent amendment the EPA would not approve the Portola State Implementation Plan and contingency measures. Additionally, Ordinance 360 was recently adopted by Council at the October 13, 2021 meeting, which altered one section of this Chapter of code.

One aspect of all of the related ordinance includes the enforcement of episodic wood burning curtailments. Specifically, Section 15.10.060(A)(1) states that “Effective January 1, 2021, the requirements of this section shall be in effect during the months of January, February, November, and December. The Air District shall determine when a mandatory curtailment of solid fuel combustion in the City is necessary, notify the community that mandatory curtailment is required, and make such other determinations as are necessary to carry out the objectives of this chapter.” Additionally, PMC Section 15.10.060(B) describes penalties regarding violations of Section 15.10.060.

Essentially, during a curtailment period, any residence that does not have an EPA certified wood burning stove would be in violation of the City’s Municipal Code if the wood burning device is being utilized. Since the initial adoption of Ordinance 344, the Northern Sierra Air Quality Management District (NSAQMD) has been promoting a wood stove change out program, which provides each residence with the opportunity to change out their wood burning device for an EPA certified device, at no charge. This has been made allowable through grants available to NSAQMD. Though many devices have been changed out, there are still some remaining.

For reference, this item was discussed in November of 2020, due to the January 2021 effective enforcement date. As discussed, enforcement last season consisted primarily of NSAQMD staff reviewing properties that were emitting large amounts of smoke and would determine if said properties had participated in the wood stove change out program. If not, the property owners were

provided with educational material to encourage them to join the program. Additionally, if properties already had an EPA certified stove but were still producing large amounts of smoke, NSAQMD would also provide education material about better burning practices to curb emissions.

Based on the work done last season, it was discussed with NSAQMD staff that an educational approach can be used again at least initially this season, but that it should be coupled with a more traditional enforcement technique. Essentially, smoke emitting properties would initially be contacted by NSAQMD staff to educate the property owners and discuss the wood stove change out program. If that does not bring the property into conformance, then code enforcement with the City would be a potential next step if Council is agreeable to an additional level of enforcement.

Additionally, NSAQMD staff will be canvassing the City to create a database and determine which homes which properties may have non-EPA compliant stoves.

Council should discuss an enforcement approach for the upcoming season.

Recommendation:

Discuss enforcement of PMC Section 15.10.060 and provide any necessary direction to staff.

CITY COUNCIL AGENDA STAFF REPORT

DATE: October 21, 2021
TO: Honorable Mayor and Members of the City Council
FROM: Lauren Knox, City Manager
MEETING: October 27, 2021
SUBJECT: Holiday Festivities

Background:

Staff has been asked about upcoming holiday festivities, specifically the tree lighting, parade, and related activities. Council should provide direction regarding events for the holidays.

Recommendation:

Discuss holiday festivities and provide direction to staff on any necessary planning.