

**PORTOLA CITY COUNCIL
SPECIAL MEETING MINUTES
December 9th, 2015
6:00 p.m.**

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

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

4. PUBLIC COMMENT

There was no public comment.

5. CITY COMMUNICATIONS

A. City Council/Committee Reports

Councilmember Larrieu and Mayor Pro Tem Powers reported on the success of the annual tree lighting parade and event.

Councilmember VanDahlen thanked Public Works Director Todd Roberts for all his hard work making the annual tree lighting event a success.

Mayor Gault reported that she was in the tree lighting parade and that it was a very successful event.

B. Staff Communications

City Manager Robert Meacher reported that the Public Works department was currently reviewing a letter from the experts regarding asbestos at the Ponderosa Bowl Fire site and that the City is working with Intermountain Disposal on debris removal. City Manager Robert Meacher also reported that the City had received a refund from the USFS for the California Conservation Crew expenses, for work done at Golden Springs. Mr. Meacher further reported on his upcoming meeting.

6. CONSENT CALENDAR

A. **Minutes** - Adopt the minutes of the City Council special meeting held on November 10th, 2015.

B. **Claims** - Adopt Resolution No. 2268 authorizing payment of claims for the period of November 6th, 2015, through December 4th, 2015.

C. **Proclamation of Local Emergency Due to Drought Conditions in Portola, California** – Review Proclamation. Discussion and possible action.

Mayor Gault asked that the minutes be amended under item A. City Council/Committee Reports, to reflect that Mayor Gault participated in the Portola Trunk or Treat event and that it was successful.

Finding no further Council or public comment, Councilmember Larrieu made a motion to adopt the minutes City Council special meeting held on November 10th, 2015 and to adopt Resolution No. 2268 authorizing payment of claims for the period of November 6th, 2015, through December 4th, 2015, and the Proclamation of Local Emergency Due to Drought Conditions in Portola, California. Mayor Pro Tem Powers seconded the motion and it was unanimously approved.

7. ORDER OF BUSINESS

A. **Selection of Mayor and Mayor Pro Tem** - Consider nominations and make appointments for the Mayor and Mayor Pro Tem positions. Discussion and possible action.

Mayor Gault nominated Mayor Pro tem Powers as the Mayor and Councilmember John Larrieu as the Mayor Pro tem. Councilmember Oels seconded the motion.

Finding no public comment the motion was passed unanimously appointing the Councilmember Bill Powers as the Mayor and Councilmember Larrieu as Mayor Pro Tem.

The Council assumed their correct seats and Mayor Powers commended Councilmember Gault for her excellent duties as the previous Mayor.

B. **Solid Waste Collection and Recycling** - Consider introduction and waiver of the second reading of Ordinance No. 342, An Ordinance of the City Of Portola, and County of Plumas Amending Chapter 8.04 of the City of Portola Municipal Code Providing for Regulation of Solid Waste Collection and Recycling. Discussion and possible action.

City Manager Robert Meacher reported that the Solid Waste Infrastructure Committee met several times during 2015; with the task to develop recommendations for revisions to the City's Solid Waste Ordinance and the refuse collection franchise agreement for implementation starting November 1, 2017. Mr. Meacher reported that the committee thought several items should be immediately considered for a revision prior to November 2017. Those ordinance revisions included:

- Defining "occupancy" of a parcel for the purpose of subscription to mandatory refuse collection service.
- Establishing property owners as responsible for payment of the monthly refuse collection invoice.
- Designating the franchisee responsible for collection of the solid waste service fees.

The Council discussed the proposed definitions of occupancy and asked for public comment. Ricky Ross, Owner of Intermountain Disposal, noted that he was unaware that this ordinance was being considered and recommended that this issue of occupancy be referred back to the committee. Tom Valentino recommended that the Council review and determine a definition for occupancy and Mayor Pro tem Larrieu commented that he felt the Council should address this issues at the current Council meeting.

Following further discussion Councilmember VanDahlen made a motion to define occupancy for purposes of the solid waste ordinance presented as in option 1:

“Occupied” means to dwell in a premise on a continuous, permanent basis, be it a residence or commercial structure. A primary residence is considered “occupied,” whereas a secondary residence is not. Proof of primary residency outside of Portola City limits may be established through documentation, including tax documents, credit card statements and voter registration.

Mayor Pro Tem Larrieu seconded the motion and it was unanimously approved. Mayor Pro tem Larrieu then made a motion to introduce Solid Waste Ordinance No. 342 with the approved changes and waive the second reading of the ordinance. Councilmember Gault seconded the motion and it was unanimously approved.

C. **“A-15” Project** – Review proposals received for reconstructing a portion of Portola-McClears Rd. ("A-15") and award of contract. Discussion and possible action.

Dan Bastian, City Engineer, reported that three bids were received and opened on December 3rd, 2015 for the Portola-McClears Rd project. Mr. Bastian reported that bid amounts ranged from \$1,784,007 (Sierra Nevada Construction, Inc.) to \$2,251,444 (Spanish Springs Construction, Inc.) and that the Engineer's Estimate was \$2,489,000 for the project. Mr. Bastian then recommended that the Council consider the following:

- Awarding the contract to Sierra Nevada Construction, Inc.
- Authorizing the City Manager to sign the Notice of Award.
- Authorizing the City Engineer or Manager to sign the Notice to Proceed

The Council thanked Dan for his report and finding no Council discussion or public comment, Mayor Pro tem Larrieu made a motion to award the contract to Sierra Nevada Construction, Inc., authorize the City Manager to sign the Notice of Award, and to authorize the City Engineer or Manager to sign the Notice to Proceed. Councilmember Oels seconded the motion and it was unanimously

D. **Agreement for Law Enforcement Services** – Consider approval of the Agreement for Law Enforcement Services between the City of Portola and the Plumas County.

City Manager Meacher gave a brief report regarding the status of the Agreement for Law Enforcement Services between the City of Portola and the Plumas County. Sheriff Hagwood then addressed the Council and gave a lengthy discussion regarding the employment status of the City of Portola Community Services Officer and his department’s plans for a future County wide program for code enforcement. Following brief public comment and Council discussion Mayor Pro tem Larrieu made a motion to approve the Agreement for Law Enforcement Services between the City of Portola and the Plumas County as proposed. Councilmember Oels seconded the motion and it was unanimously approved.

8. 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. **Public Employee Semi Annual Performance Evaluation** - Closed session pursuant to Government Code Section 54957, semi-annual evaluation of performance, City Manager, City of Portola. Discussion/Possible action

The Council took a five minute recess and reconvened in closed session. There was no reportable action from the closed session.

9. ADJOURNMENT

Councilmember Larrieu made a motion to adjourn the meeting at 7:15 p.m. Councilmember Oels seconded the motion and it was unanimously approved.

Respectfully Submitted,

Melissa Klundby, City Clerk