



**City of Portola  
Minutes  
Regular Meeting  
December 14, 2022 06:00 PM  
35 Third Ave Portola 96122  
<https://www.cityofportola.com/>**

Councilmember Pat Morton • Councilmember Tom Cooley • Councilmember Bill Powers • Councilmember Stan Peiler • Councilmember Phil Oels • Councilmember Leah Turner

**1. Call to Order**

The meeting was called to order at 6:00 pm by Councilmember Pat Morton.

The following describes the Portola City Council prior to reorganization.

Pat Morton called the meeting to order and led the Pledge of Allegiance as Mayor. Roll call included Pat Morton as Mayor, Tom Cooley as Mayor Pro - Tem Phil Oels, Bill Powers and Stan Peilar as Councilmembers

**A. Pledge of Allegiance**

Lead by Councilmember Pat Morton

**B. Roll Call**

Present: Councilmember Pat Morton, Councilmember Tom Cooley, Councilmember Bill Powers, Councilmember Stan Peiler, Councilmember Phil Oels

Staff Present: Interim City Manager, Jon Kennedy, Financial Officer, Susan Scarlett, Deputy City Clerk, Jason Shaw

**2. Public Comments**

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.

There were no public comments.

**3. CITY COMMUNICATIONS**

**A. City Council Communications / Committee Reports**

Phil Oels reported he attended the last Transportation meeting.

Bill Powers reported he also attended the last LAFCO meeting. He thanked the Chamber of Commerce for putting on a Christmas good event.

Pat Morton reported she attended the last LAFCO meeting and was working on increasing public outreach and the tree angels program.

Tom Cooley reported he attended the annual LAFCO conference. He said that all over the state districts are consolidating. The costs associated with running fire districts has become too much for small districts to bare. Tom reported he was elected to the LAFCO Board of Directors at the LAFCO conference. He explained what sphere of influences were and further broke down the timeline for creating a new fire district. Leah Turner asked some clarification questions about the new districting.

Stain Peiler: Nothing to report but thanked the city for a safe Christmas event and wished everyone happy holidays.

B. Staff Communications / Fire Report / Sheriff's Report / Air Quality Report

Finance: Nothing to report.

Sheriff's Report: Over the last month, there were 310 calls, 129 of which were in the city limits of Portola.

Air Quality Control: It's burn curtailment season. 17 no burn days so far. Check online or call to know what days are curtailment days.

Fire Report: No call list to report. There will be a holiday party this Saturday at the Southside firehouse.

C. City Manager Report

Snow removal season started. Jon explained what snow plowing entails and that the focus is on clearing the roads for traffic first, then clean up attempted after. Community clean up slowed down due to the weather but is still going on. Over 50 vehicles were removed.

4. **Resolution No 2534 Concerning COVID Remote Meetings** Councilmember Bill Powers motioned to approve. A second was made by Councilmember Stan Peiler. The roll call vote:

Aye Councilmember Pat Morton Aye Councilmember Tom Cooley Aye Councilmember Bill Powers Aye Councilmember Stan Peiler Aye Councilmember Phil Oels

Leah Turner asked if when the State of Emergency is over will meetings be open to the public again? Steve Gross answered that yes this is the case but there are also new alternatives for remote meetings that can be used in a limited scope. AB2449 took effect January first and gives some flexibility with remote or hybrid meetings.

5. **General Municipal Election, Canvas of Votes, and Certification of Results**

A.

Councilmember Phil Oels motioned to approve. A second was made by Councilmember Stan Peiler. The roll call vote:

Aye Councilmember Pat Morton Aye Councilmember Tom Cooley  
Aye Councilmember Bill Powers Aye Councilmember Stan Peiler  
Aye Councilmember Phil Oels

The election results need to be approved so the council can move on with the council reorganization. The results of the 2022 general election are in the backup material.

6. **Honoring the Outgoing Member of the City Council.**

Phil Oels was thanked for his many years of service to the City of Portola by Mayor Pat Morton and the rest of the city council and staff. He was handed a Certificate of Appreciation by Pat Morton. Phil Oels said he enjoyed working with everyone and was an honor to serve and he hoped everyone would stay safe.

7. **City Council Reorganization**

Deputy City Clerk Jason Shaw administered the Oaths of Allegiance to newly elected Councilmember Leah Turner and reelected Councilmember Bill Powers.

8. **Selection of Mayor and Mayor Pro Tem** Councilmember Bill Powers motioned to approve. A second was made by Councilmember Stan Peiler. The roll call vote:

Aye **Councilmember Pat Morton** Aye **Councilmember Tom Cooley** Aye **Councilmember Bill Powers** Aye **Councilmember Stan Peiler** Aye **Councilmember Leah Turner**

For the selection of the new Mayor, Bill Powers Nominated Tom Cooley, Stan Seconded. For the selection of the new Mayor Pro Tem, Stan Peiler nominated Bill Powers, Leah Turner Seconded.

## 9. Mayor Committee Appointments

There was one time sensitive appointment. Tom Cooley appointed Stan Peiler to the Transportation Committee and there was no objection from the City Council.

## 10. Consent Agenda

A. **Claims**- Adopt Resolution No. 2535 authorizing payment of claims for the period of November 16, 2022 through December 14, 2022

Accounts Payable: \$ 183,115.49

Payroll: \$ 53,075.19

Total: \$ 236,190.68

Payroll Checks 17213 - 17220

AP Run Checks 44406 - 44494

B. **Minutes** - Approval of November 15, 2022 Minutes

Councilmember Pat Morton motioned to approve. A second was made by Councilmember Leah Turner. The roll call vote:

Aye **Councilmember Pat Morton** Aye **Councilmember Tom Cooley** Aye **Councilmember Bill Powers** Aye **Councilmember Stan Peiler** Aye **Councilmember Leah Turner**

11. **Revisions to Portola Municipal Code to Comply with SB 1383 Requirements** Councilmember Leah Turner motioned to approve. A second was made by Councilmember Stan Peiler. The roll call vote:

Aye **Councilmember Pat Morton** Aye **Councilmember Tom Cooley** Aye **Councilmember Bill Powers** Aye **Councilmember Stan Peiler** Aye **Councilmember Leah Turner**

Tom Valentino explained the new ordinance, No. 362, is to comply with SB1383 requirements. This is the second of two amendments for compliance, one of which has already passed. Changes were made to title 13 and title 15 of the Municipal code; this included changes to the building code and the utility code.

Tom Cooley asked if the new rules were retroactive and Steve Gross responded that they are not according to the state. Leah Turner asked if developments would need garbage truck access and Tom explained that the rules only apply to new developments that back up against an alleyway.

12. **Audit Presentation** Councilmember Pat Morton motioned to approve. A second was made by Councilmember Stan Peiler. The roll call vote:

Aye **Councilmember Pat Morton** Aye **Councilmember Tom Cooley** Aye **Councilmember Bill Powers** Aye **Councilmember Stan Peiler** Aye **Councilmember Leah Turner**

Finance Officer Susan Scarlett gave a presentation of the latest city audit from the year 2021-2022. She said the city received a "clean" audit which is also called an unqualified audit and that the City is financially healthy. Susan explained in detail different aspects of the audit including the Management Letter.

Mayor Cooley also asked the number of months the city has for operating cash and Susan responded the city could run for over 2 years with no revenue in and still be solvent. The city has substantial cash reserves because sometimes projects require large amounts of cash upfront. The city would rather not use loans and currently only has one.

13. **PG&E Settlement Funds** Councilmember Pat Morton motioned to approve. A second was made by Councilmember Stan Peiler. The roll call vote:

Aye **Councilmember Pat Morton** Aye **Councilmember Tom Cooley** Aye **Councilmember Bill Powers** Aye **Councilmember Stan Peiler** Aye **Councilmember Leah Turner**

The City of Portola got 50,000 Dollars from the Dixie fire settlement and City Staff recommend budgeting 35,000 Dollars for the Fire Department. 12,000 Dollars in equipment has already been identified by Fire Department Staff for purchase. The Fire Chief and the City Manager will go over what we need. Leah Turner asked about lock out kits.

**14. Adjournment**

Mayor Tom Cooley adjourned the meeting at 7:15 PM.