

**PORTOLA CITY COUNCIL
REGULAR MEETING
SEPTEMBER 26, 2012
7:00 P.M.**

CALL TO ORDER

Mayor Mark called the meeting to order at 7:00 p.m. and led the pledge of allegiance.

ROLL CALL

Councilmembers Oels, Weaver, McBride, Mayor Pro Tem Larrieu and Mayor Mark responded to the roll call. City Manager/City Clerk Leslie Tigan, City Attorney Steve Gross, Finance Officer Susan Scarlett and Planner Karen Downs were also in attendance.

PUBLIC COMMENT

Government Policies

Portola resident Larry Douglas commented on government policies and their effect on the recent fire and Lake Davis. Questions still lay as to if the water and fish in Lake Davis are safe.

Feral Cats

Portola resident Larry Douglass commented on the feral cats living around his residence and suggested the City create a feral cat program

Meeting Attendance

Portola resident Ken Tibbedeaux noted that this was the first time he saw so many people at the meeting.

PROCLAMATION

A. Honoring Bob Nally

Mayor Mark presented Rob Nally with a proclamation in honor of his father, Bob Nally.

CITY COMMUNICATIONS

Transportation Commission – Mr. Larrieu reported that there had been additional funds approved for the Senior Transit program.

CITY MANAGER'S REPORT

Ms. Tigan reported on the following: the cost of the encroachment permit for the High School Homecoming Banner was born by Supervisors Swofford & Kennedy along with Mayor Pro Tem Larrieu and herself; a Candidate Forum is scheduled for Tuesday October 9, 2012, 7:00 p.m. in the hospital education room; and she reminded the City Council members that Earl Wilson would in Portola on October 10 to meet individually with each member prior to the Council meeting.

CONSENT CALENDAR

It was moved by Councilmember Weaver seconded by Councilmember McBride to approve the consent calendar as presented. All members present voted in favor.

- A. Minutes – Adopted the minutes of the regular meeting held on September 12, 2012.
- B. Claims – Adopted Resolution No. 2144 authorizing payment of claims for the period September 8, 2012 to September 21, 2012.

Accounts Payable:	\$ 93,499.69
Payroll:	\$ <u>35,027.12</u>
Total:	\$ 128,526.81

Regular Meeting
September 26, 2012

- C. Safe Routes to Schools – Approved Change Order #12-03 and Progress Payment #2 for the Safe Routes to Schools project.

ORDER OF BUSINESS

A. E-Mail Communication

City Manager Leslie Tigan invited Michelle Bauer to address the City Council regarding her recent e-mail discussing the City's utility billing and the Riverwalk Fire.

Ms. Bauer explained that her husband Brad Bauer would discuss the recent fire behind the Sunrise River Mobile Home Park that they own.

Mr. Bauer explained that he was not able to get any information about how the fire had started and how long it had taken the Fire Department to get there. He had requested an investigation and had been told conflicting answers from various people. He had also been told that the Fire Department had to wait 45 minutes for Leslie Tigan to come unlock the gate before they could fight the fire. He also indicated that he was told by the Sheriff Dispatch that the City had the 911 transcripts but was told by Leslie Tigan that the City did not have them.

Ms. Tigan reported that the Fire Department did not wait 45 minutes for her to arrive and unlock any gate. She explained that by the time she arrived at the fire scene the Fire Department was there and fighting the fire. She also explained the process that needed to be used to ask Cal Fire to conduct an investigation on behalf of the State Fire Marshall; she explained that this service was available to the City in the event there was a crime associated with a fire. She explained that there had been not crime involved with the Riverwalk Fire and that there would be no investigation, the Portola Fire Chief stated in his report that the cause and source of the fire were unknown. Audience member David Owens stated that a motorcycle had started the fire.

She continued to explain that she had discussed the 911 log with Becky Grant from the Sheriff Dispatch, Ms. Grant had provided the following information; 11:49 am - fire reported, 11:50 am - Fire Dept dispatched, 12:00 pm - on scene. She noted that the same times were also noted on the fire report. Mr. Bauer was presented with a copy of the fire report.

Mr. Bauer stated that he just wanted to be provided with information relating to the fire and that there had been minimal damage to the fence and a shed.

Ms. Bauer the explained that the mobile home park is charged for water by the size of the meter and the amount of water used, the sewer charges are based on the City's multi-residential rate for 16 spaces. She noted that if the spaces were vacant she continued to be charged the same amount even though there was no certificate of occupancy.

Ms. Tigan explained that Ms. Bauer had contacted the City on numerous occasions regarding the utility bill for the mobile home park and it had been explained on multiple occasions, by various staff members and even once in writing that the mobile home park is billed as a multiple residential unit with the number of spaces that are approved for the park by the State of California.

Mayor Mark stated that she had checked with other utilities and found that mobile home parks were billed the same way.

Ms. Tigan then requested Jeanne Dansby address the City Council to explain why she had forwarded the e-mail without making an attempt to determine if the information was correct.

Ms. Dansby stated that she had only been asked to find out how the City Council felt about the issues raised in the e-mail from Ms. Bauer.

Ms. Tigan indicated that it would have been quite simple to find out if any of the statements made in the e-mail were factually prior to forwarding it on to others.

B. City of Portola 2012 Aquatics Program

Ms. Tigan explained that this item would need to be postponed to a future agenda.

C. Web Site Revision

City Manager Leslie Tigan explained that this item had been discussed at the last Council meeting and the City Council had requested additional time to review the proposals. She explained that since that meeting the City Council had been able to review the sample web site put up by the Chamber.

Mayor Pro Tem Larrieu noted that prior to the last meeting the City Council received minimal information on the Chamber's ability to provide a viable web site. He explained that he now felt he had enough information to make a decision

Portola residents Larry Douglas and Michelle Gault each expressed their support of the Chamber's proposal.

Councilmember McBride explained that he still had concerns with the lack of experience the Chamber has in preparing web sites and suggested there should be a way to terminate the service if the City wasn't happy with it.

Ms. Tigan explained that if the Council's direction was to move forward with the Chamber's proposal a contract would be drafted and returned to the Council for consideration. The contract could contain a termination clause.

Following a brief discussion it was moved by Mayor Pro Tem Larrieu seconded by Councilmember Oels to select the Chamber's proposal and direct staff to negotiate a contract to be considered by the City Council. All members present voted in favor.

Councilmember McBride excused himself from the meeting at 8:09 p.m.

D. Rec & Tech Coalition

City Manager Leslie Tigan explained that during a presentation at the last meeting the Rec & Tech Coalition requested the City appoint a liaison to their group. Ms. Tigan suggested the Council may want to consider appointing the City Planner and the Mayor.

Following a brief discussion it was moved by Councilmember Larrieu, seconded by Councilmember Weaver to appoint the City Planner and the Mayor to the Rec & Tech Coalition.

E. CDBG Application Process – EPHC Boiler Project

City Planner Karen Downs explained the progress the City has been making on moving forward with a CDBG application for the Hospital boiler project. She explained that the process was taking up more staff time than originally projected and was now ready for the City Council to consider taking actions to move the project forward.

She explained that it is necessary to engage the services of a consultant to complete the required underwriting and grant application. Research had been completed on what consultants were available that had been successful in completing the type of application that was being required. She recommended the City Council consider entering into a contract with the firm of Community Development Services (CDS) to prepare the application. She explained that the contract cost is \$12,500 which would be reimbursed by the Hospital and presented Resolution No. 2145 approving the proposed contract. To accomplish the reimbursement the City Council would need to consider entering into a reimbursement agreement with EPHC. She also suggested the Council should consider requesting reimbursement from the Hospital for City staff time. Ms. Downs continued to explain that the City would also need to engage the services of a consultant to complete reporting documents during the grant period. She suggested that the City Council should consider issuing a Request for Proposal (RFP) for this service.

The City Council discussed including reimbursement from EPHC for future staff time but not requesting reimbursement for the staff time already used.

Ms. Downs introduced Jeff Lucas of CDS who thanked the Council for considering his firm to work on the project.

After a brief discussion it was moved by Councilmember Weaver, seconded by Councilmember Oels to approve the reimbursement agreement with EPHC as amended to include reimbursement of future City staff time and find the City staff time already utilized for the project was a benefit to the public, to adopt Resolution No. 2145 approving the service agreement with CDS and authorize staff to issue a RFP for grant administration. All members present voted in favor. Councilmember McBride was absent.

Resolution No. 2145

***A Resolution of the City Council of the City of Portola
Approving a Standard Services Agreement to Provide Consulting
Services for the City's CDBG OTC Application for EPHC Boilers***

F. Willow Creek Springs Hazardous Fuel Reduction

Planner Karen Downs explained that the City had been awarded grant of \$263,230 from the Sierra Nevada Conservancy for hazardous fuel reduction at the City's 168 acre Willow Creek Springs property.

She requested the City Council consider entering into an agreement with Professional Registered Forester (PRF) Danielle Banchio to provide consulting services through the term of the grant. She explained that the costs associated with the contract were reimbursable under the grant terms.

Councilmember Oels thanked Ms. Downs for providing him with Ms. Banchio's resume and suggested the City should conduct a survey of the property to ensure that the project doesn't encroach on US Forest Service property. He explained that if the City were to perform work on Forest Service property there would be hefty fines.

City staff suggested authorizing an amount not to exceed \$2500 for the City Engineer to review the property boundaries and determine if a survey is necessary or if there are other avenues available to ensure that the City doesn't encroach on Forest Service property.

After a brief discussion it was moved by Councilmember Weaver, seconded by Mayor Pro Tem Larrieu to authorize an amount not to exceed \$2500 for the City Engineer to review the boundaries and approve the contact with Ms. Banchio contingent upon the City being satisfied with the project boundaries. All members present voted in favor. Councilmember McBride was absent.

G. 2011-2012 Plumas County Grand Jury Report

City Manager Leslie Tigan presented the final draft of the response to the Plumas County Grand Jury report for consideration.

Mayor Mark addressed two sections that she felt may need to be revised but following a discussion it was the consensus of the City Council to leave the wording as presented.

It was then moved by Mayor Pro Tem Larrieu, seconded by Councilmember Oels to approve the response and authorize the Mayor to sign it. All members present voted in favor. Councilmember McBride was absent.

H. Meeting Schedule

City Manager Leslie Tigan explained that due to a SCORE training meeting and the holidays it was being requested the City Council take formal action to cancel the second meetings in the months of October, November and December 2012.

It was then moved by Councilmember Weaver, seconded by Mayor Pro Tem Larrieu to cancel the meetings as requested. All members present voted in favor. Councilmember McBride was absent.

ADJOURNMENT

There being no further business it was moved by Councilmember Oels, seconded by Councilmember Weaver to adjourn the meeting at 9:12 p.m. All members present voted in favor. Councilmember McBride was absent.

Leslie Tigan, CMC
City Clerk