



City of Portola  
**AGENDA**

**Regular Meeting**

**September 11, 2024 06:00 PM**  
**35 Third Ave, Portola, CA 96122**  
<https://www.cityofportola.com/>

Mayor Pat Morton • Mayor Pro-Tem Jim Murphy • Councilmember Bill Powers • Councilmember Leah Turner • Councilmember Mikki Brown

**REASONABLE ACCOMMODATIONS**

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. at the City Hall Council Chambers. Your interest and participation is encouraged and welcome.

As a courtesy, the City Council meeting is also 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. **Online and telephonic access does not guarantee the public the ability to observe the meeting in the event there is a disruption or connectivity issues that affect broadcasting. Members of the public who want to be assured that they have the ability to observe the meeting and make comment during the meeting, should attend the meeting in-person.**

Any person desiring to address the City Council or any committee, commission or agency under the jurisdiction of the City Council, on any item not on the agenda may do so during public comment period. Public comment during the meeting will be accepted in person only.

Public Comment can be made by clicking on the "comment" section directly from the agenda, next to each agenda item.

Public comment for regular meetings will also be accepted via email sent to the Administrative Clerk, at [admin@cityofportola.com](mailto:admin@cityofportola.com) which if received at least 24 hours prior to commencement of the meeting will be distributed to the Council and posted to the City's website prior to the meeting.

Meeting facilities are accessible to persons with disabilities. Reasonable efforts will be made to accommodate the 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.

**1. Call to Order**

A. Roll Call

B. Pledge of Allegiance

## 2. Public Comments

☒ Discussion  [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 five minutes ordinarily, unless the presiding officer indicates a different amount will be allotted.

## 3. City Communications

☒ Discussion  [Comment](#)

- A. City Council Communications
- B. Reports: Beckwourth Peak Fire Protection District/ Plumas County Sheriff/Northern Sierra Air Quality Report
- C. Staff Communications/Public Engagement Officer/City Attorney
- D. Interim City Manager's Report - PRA report

## 4. Consent Agenda

☒ Discussion ☒ Possible Action  [Comment](#) [View Item](#)

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. Claims - Adopt Resolution No. 2595 authorizing payment of claims for the period of August 23, 2024 through September 12, 2024  
  
AP CHK RUN 46161 – 46201 - \$241,168.35  
  
PAYROLL CHK 17420 – 17429 - \$27,215.43  
  
PAYROLL REMIT CHECK 17430 - \$129.03  
  
TOTAL CLAIMS \$268,512.81
- B. Minutes- Approval of the City Council Minutes from August 14, 2024, August 21, 2024 and August 28, 2024

## 5. Plumas Crisis Intervention and Resource Center

☒ Discussion ☒ Possible Action  [Comment](#) [View Item](#)

Receive a report from Executive Director Kate Rahmeyer

Consider finalizing the CDBG Forgivable Loan for the property at 165 and 1856 Ridge Street.

## 6. Bridge Update

☒ **Discussion**   ☒ **Possible Action**    [Comment](#)

Receive an update on meetings with Caltrans, MGE and the City regarding funding and steps to move forward. Discuss public involvement in the process including contact with legislators.

#### **7. Wastewater Funding options**

☒ **Discussion**   ☒ **Possible Action**    [Comment](#)   [View Item](#)

Discuss the options of a two-phase approach for a potential sewer grant versus grant and loan funding.

#### **8. Amendment to the Beckwourth Peak Fire Protection District Asset Transfer Agreement**

☒ **Discussion**   ☒ **Possible Action**    [Comment](#)   [View Item](#)

Review and approve the amendment to the Beckwourth Peak Fire Protection District Asset transfer agreement.

#### **9. Beckwourth Peak Repeater transfer of lease**

☒ **Discussion**   ☒ **Possible Action**    [Comment](#)   [View Item](#)

Review and approve the agreement to transfer the lease for the Beckwourth Peak Repeater from the City of Portola to the Beckwourth Peak Fire Protection District.

#### **10. Discuss outreach for Highway 70 lane reassignment project**

☒ **Discussion**   ☒ **Possible Action**    [Comment](#)

Update the Council and the public on plans for a Public meeting regarding the possible lane reassignment/restriping on Highway 70

#### **11. Adjournment**

**RESOLUTION NO. 2595**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA  
AUTHORIZING PAYMENT OF CLAIMS FOR THE PERIOD  
AUGUST 23, 2024 THROUGH SEPTEMBER 12, 2024.**

**ACCOUNTS PAYABLE  
CHECK RUN: 46161-46201**

**PAYROLL  
CHECK RUN: 17420-17429  
REMITTANCE CHECKS: 17430**

**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.

<b>ACCOUNTS PAYABLE:</b>	<b>\$ 241,168.35</b>
<b>PAYROLL:</b>	<b>\$ <u>27,215.43</u></b>
<b>PAYROLL REMIT:</b>	<b>\$ 129.03</b>
<b>TOTAL:</b>	<b>\$ 268,512.81</b>

**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 11<sup>th</sup> day of September 2024 by the following vote:

AYES:

NOES

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Pat Morton, Mayor

ATTEST:

\_\_\_\_\_  
Susan Scarlett, Interim City Manager

I, Susan Scarlett, Interim City Manager 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 September 11, 2024.

\_\_\_\_\_  
Susan Scarlett, Interim City Manager

VENDOR	I.D.	NAME	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
000018	I-202409052619	CINTAS MEDICAL SUPPLIES	R	9/11/2024		56.03	046161	56.03
000047	I-202409052610	ALL ELECTRIC MOTORS INC LDWTP EQUIP REPAIR	R	9/11/2024		676.58	046162	676.58
000053	I-202409052604	B & L BACKFLOW TESTING SPECIALI WATER PROF SERVICES	R	9/11/2024		1,502.33	046163	1,502.33
000065	I-202409052611	ARIA FILTRA LDWTP PROF SERVICES	R	9/11/2024		12,250.00	046164	12,250.00
000069	I-202409052616	MARLIN LEASING CORP - PEAC XEROX LEASE	R	9/11/2024		465.77	046165	465.77
0010	I-202409052606	AMAZON CAPITOL SERVICES MATERIALS & SUPPLIES	R	9/11/2024		2,621.23	046166	2,621.23
*VOID*	046167	VOID CHECK	V	9/11/2024			046167	**VOID**
0012	I-202409052590	AMERICAN RED CROSS LIFEGUARD TRAINING	R	9/11/2024		172.00	046168	172.00
0015	I-202409052595	AMERIGAS LDWTP PROPANE	R	9/11/2024		691.09	046169	691.09
0015	I-202409052596	AMERIGAS PROPANE POOL	R	9/11/2024		837.50	046170	837.50
0023	I-202409052588	AT&T CALNET 3 SCADA LDWTP	R	9/11/2024		95.69	046171	95.69
0039	I-202409052613	BULLET INFORMATION TECHNOLOGY IT SERVICES	R	9/11/2024		1,435.00	046172	1,435.00
0046	I-202409052608	CASHMAN EQUIPMENT COMPANY BACKHOE	R	9/11/2024		155,495.08	046173	155,495.08
0052	I-202409052623	CITY OF PORTOLA WATER/SEWER BILLS	R	9/11/2024		6,543.56	046174	6,543.56
0078	I-202409052592	ENCOMPASS XEROX COPIES	R	9/11/2024		104.18	046175	104.18

VENDOR	I.D.	NAME	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
0086	I-202409052603	FOLCHI LOGGING & CONSTR., INC. ROAD BASE	R	9/11/2024		1,918.65	046176	1,918.65
0090	I-202409052621	GRAINGER INC MATERIALS & SUPPLIES	R	9/11/2024		592.34	046177	592.34
0103	I-202409052609	IEDA LABOR RELATION CONSULTING	R	9/11/2024		262.78	046178	262.78
0105	I-202409052597	INTERMOUNTAIN DISPOSAL SEWER PONDS	R	9/11/2024		228.67	046179	228.67
0105	I-202409052598	INTERMOUNTAIN DISPOSAL REFUSE COLLECTION	R	9/11/2024		640.65	046180	640.65
0118	I-202409052614	KANSAS LIFE INSURANCE CO EMPLOYEE LIFE INSURANCE	R	9/11/2024		59.74	046181	59.74
0133	I-202409052587	LIBERTY UTILITIES CITY ELECTRIC	R	9/11/2024		23,657.23	046182	23,657.23
0141	I-202409052591	MCI MEGA PREFERRED 800 LONG DISTANCE	R	9/11/2024		44.82	046183	44.82
0148	I-202409052620	NAPA SIERRA MATERIALS & SUPPLIES	R	9/11/2024		871.25	046184	871.25
0162	I-202409052612	OPERATING ENGINEERS EMPLOYEE HEALTH INSURANCE	R	9/11/2024		11,349.00	046185	11,349.00
0173	I-202409052615	PITNEY BOWES INC POSTAGE METER LEASE	R	9/11/2024		469.75	046186	469.75
0175	I-202409052605	PLUMAS ACE HARDWARE INC MATERIALS & SUPPLIES	R	9/11/2024		550.94	046187	550.94
0184	I-202409052599	PLUMAS SIERRA RURAL ELECTRIC LDWTP ELEC	R	9/11/2024		2,051.16	046188	2,051.16
0185	I-202409052600	PLUMAS SIERRA TELECOMMUNICAT CITY INTERNET SERVICES	R	9/11/2024		387.00	046189	387.00
0192	I-202409052589	PURCHASE POWER POSTAGE FOR METER	R	9/11/2024		1,124.08	046190	1,124.08

VENDOR	I.D.	NAME	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
0197	I-202409052601	REIMER PEST & WEED CONTROL SEWER PROF SERVICES	R	9/11/2024		1,233.00	046191	1,233.00
0231	I-202409052624	SUCCEED.NET WEB HOSTING	R	9/11/2024		67.85	046192	67.85
0233	I-202409052602	SUNRISE ENVIRONMENTAL SCIENTIFI SEWER MAINT	R	9/11/2024		2,584.79	046193	2,584.79
0239	I-202409052607	THATCHER , INC CHEMICALS	R	9/11/2024		4,802.74	046194	4,802.74
0253	I-202409052622	US BANCORP CREDIT CARD CHARGES	R	9/11/2024		3,372.82	046195	3,372.82
*VOID*	046196	VOID CHECK	V	9/11/2024			046196	**VOID**
0260	I-202409052593	VERIZON WIRELESS CITY CELLPHONES	R	9/11/2024		504.27	046197	504.27
0260	I-202409052617	VERIZON WIRELESS LDWTP DATA PLAN	R	9/11/2024		108.05	046198	108.05
0260	I-202409052618	VERIZON WIRELESS LANDLINES	R	9/11/2024		525.63	046199	525.63
0275	I-202409052594	EIP HOLDINGS II LLC BECKWOURTH REPEATER RENT	R	9/11/2024		197.00	046200	197.00
1	I-202409052625	BRIAN ATTAMA REIMBURSEMENT	R	9/11/2024		618.10	046201	618.10

* * B A N K T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	39	0.00	241,168.35	241,168.35
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
VOID CHECKS:	2	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
BANK TOTALS:	41	0.00	241,168.35	241,168.35

\*\* REGISTER GRAND TOTALS \*

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	39	0.00	241,168.35	241,168.35
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
VOID CHECKS:	2	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	41	0.00	241,168.35	241,168.35

\*\* POSTING PERIOD RECAP \*\*

FUND	PERIOD	AMOUNT
-----		
100	9/2024	23,889.27CR
207	9/2024	7,876.85CR
208	9/2024	19,106.87CR
215	9/2024	46.28CR
710	9/2024	100,688.63CR
720	9/2024	88,812.22CR
730	9/2024	748.23CR
=====		
ALL		241,168.35CR





## **Regular meeting August 14, 2024**

### **Minutes**

#### **Regular Meeting**

August 14, 2024 06:00 PM

35 Third Ave, Portola, CA 96122

<https://www.cityofportola.com/>

### **1. Call to Order**

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

#### **A. Pledge of Allegiance**

Led by Mayor Pat Morton

#### **B. Roll Call**

Present: Mayor Pat Morton, Mayor Pro-Tem Jim Murphy, Councilmember Bill Powers, Councilmember Leah Turner, Councilmember Mikki Brown

Staff Present: Steve Gross, City Attorney; Susan Scarlett, Interim City Manager/Finance Officer

### **2. Public Comments**

Various comments provided by members of the public; and include Deborah Bress, Lindsey Shaw, Ashlee Sims, Leslie Chrysler, and Cal Patterson.

### **3. City Communications**

#### **A. City Council Communications**

Councilmember Leah Turner: Attended Music in the Park.

Councilmember Bill Powers: Attended Music in the Park; Portola Penguins.

Councilmember Mikki Brown: Attended the Plumas County Integrated Waste Management Task Force where they reviewed the current Grand Jury Report, and discussed contaminated recycling issue; attended the Plumas County Board of Supervisors meetings; attended the Plumas County FireSafe Council meeting; and attended the Plumas County Firewise Lead meeting.

Mayor Pro-Tem Jim Murphy: Attended LAFCo, reviewed Municipal Services Reviews (MSR's), and discussed consolidation of various special districts; attended Music in the Park, and compliments Councilmember Bill Powers for organizing a very a well attended and successful event.

Mayor Pat Morton: Attended Music in the Park, and compliments Councilmember Bill Powers for organizing a very successful event.

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

Fire Report: Chad Hermann, Plumas County Undersheriff comments on the recent Gold Mill Complex Fire. Undersheriff Hermann compliments all those involved during the mandatory evacuation process.

Sheriff's Report: Chad Hermann, Plumas County Undersheriff comments on a recent mutual assist with Placer County and Washoe County, NV in the arrest of an individual.

Air Quality Report: Councilmember Mikki Brown reports that the Intermountain Disposal, Free Green Waste Event will be held October 5th to October 15th, 2024.

**C. City Manager's Report**

Susan Scarlett, Interim City Manager:

Meeting with Todd Roberts Lori Pini and Travis Goings regarding Office of Emergency Services and cooling centers.

Upcoming meeting of August 28th regarding the upcoming striping project on Highway 70.

Welcomes Brian Attama, Public Engagement Officer.

Moving forward with Prop 68 Grant for construction of two bathrooms on the Portola Riverwalk.

Continues to meet with MGE Consulting regarding the Portola bridge project, and working with the Federal Department of Transportation regarding funding for project.

**4. Consent Agenda**

- A. Claims - Adopt Resolution No. 2593 authorizing payment of claims for the period of July 19, 2024 through August 8, 2024.

AP Check Run 46085 – 46141 - \$105,236.01

AP UB Deposit Refund Check 46142 - \$183.44

AP Void Check 46000 - \$100.00

AP Void Check 45951 - \$813.00

Payroll Check 17397 – 17407 - \$32,962.58

Payroll Remit Check 17408 - \$129.03

- B. Approval of City Council Minutes from the Regular meetings of 2-14-24, 3-13-24 and the

## Special Meeting of 7-25-24

Agenda item 4.A. is removed from the consent agenda to allow for discussion. Mayor Pat Morton takes comments from the public. There being no further public comment, the matter is before the Council for decision. Mayor Pro-Tem Jim Murphy motioned to approve, with second by Councilmember Leah Turner, followed by roll call vote, to adopt Resolution No. 2593 authorizing payment of claims for the period of July 19, 2024 through August 8, 2024.

Agenda Item 4.B. (Special Meeting of July 25, 2024) is removed from the consent agenda to allow for discussion. Mayor Pat Morton takes comments from the public. There is a request from Deborah Bress, a member of the public that her name be removed from the Special Meeting minutes. There being no further public comment, the matter is before the Council for decision. Following brief discussion, and comments from Steve Gross, City Attorney, motion is made by Councilmember Bill Powers, second by Mayor Pro-Tem Jim Murphy, and passed, with Councilmember Mikki Brown voting no, to approve the Special Meeting minutes of July 25, 2024, as submitted.

Agenda Item 4.B.: Further, motion is made by Mayor Pro-Tem Jim Murphy, second by Councilmember Leah Turner and passed, with all those in favor, to approve the Regular meeting minutes of February 14, 2024, and March 13, 2024, as submitted.

Mayor Pro-Tem Jim Murphy motioned to approve. A second was made by Councilmember Leah Turner.

The roll call vote:

Aye Mayor Pat Morton   Aye Mayor Pro-Tem Jim Murphy   Aye Councilmember Bill Powers   Aye Councilmember Leah Turner   Aye Councilmember Mikki Brown

### 5. Consider Approval of a Lot Merger

Following presentation by Karen Downs, Contract Planner (remotely), Mayor Pro-Tem, Jim Murphy motioned to approve, with second by Councilmember Leah Turner to approve a Lot Merger for 464 and 452 Cedar Ridge Road, APN's 126-184-016 and 126-184-017 to merge the two contiguous parcels.

Mayor Pro-Tem Jim Murphy motioned to approve. A second was made by Councilmember Leah Turner.

The roll call vote:

Aye Mayor Pat Morton   Aye Mayor Pro-Tem Jim Murphy   Aye Councilmember Bill Powers   Aye Councilmember Leah Turner   Aye Councilmember Mikki Brown

### 6. Landowner agreement for the Eastern Plumas County Wildfire Protection Project

This item is removed from the agenda.

### 7. Update to the Pay schedule in compliance with CCR 570.5 for the Community Engagement Officer position

Upon report and recommendation of Susan Scarlett, Interim City Manager, Councilmember Leah Turner motioned to approve, with second by Councilmember Mikki Brown to update the

pay schedule in compliance with CCR 570.5 for the Community Engagement Officer position. Motion followed by roll call vote.

Councilmember Leah Turner motioned to approve. A second was made by Councilmember Mikki Brown.

The roll call vote:

Aye **Mayor Pat Morton** Aye **Mayor Pro-Tem Jim Murphy** Aye **Councilmember Bill Powers** Aye **Councilmember Leah Turner** Aye **Councilmember Mikki Brown**

#### **8. Update on City Manager Recruitment**

The Council receives a report and update on the progress of the City Manager recruitment by the Ad Hoc committee and Councilmember Leah Turner. The committee has reviewed five applications and is recommending phone interviews be scheduled with the applicants. Following brief discussion, there is consensus by the Council to proceed as requested.

#### **9. Public Records requests**

Mayor Pro-Tem Jim Murphy, brings this matter before the Council for discussion. At this time, the City of Portola is being inundated with Public Records requests. Mr. Murphy is requesting a monthly report and update by staff regarding the number of Public Records requests received and costs associated to comply with the requests. Mr. Murphy believes it is important to let the public know how much time is spent and costs associated to fulfill the requests.

Mayor Pat Morton takes comments from the public. There being no further comment, the matter is before the Council for decision.

Following brief discussion, the Council concurs with the recommendation to receive a monthly report regarding Public Records requests.

#### **10. Designate Elections Official**

Steve Gross, City Attorney brings this matter before the Council recommending appointment of Melissa Klundby, former Portola City Clerk, to be the City's Election Official, in charge with conducting the General Municipal Election scheduled for Tuesday, November 5, 2024.

Mayor Pat Morton takes comments from various members of the public. There being no further comments, the matter is before the Council for consideration.

Mr. Gross confirms that the City is following the California Elections Code and not changing any provisions of the code.

Following discussion, Councilmember Bill Powers motioned to approve, with second by Councilmember Leah Turner, followed by roll call vote.

Councilmember Bill Powers motioned to approve. A second was made by Councilmember Leah Turner.

The roll call vote:

Aye **Mayor Pat Morton** Aye **Mayor Pro-Tem Jim Murphy** Aye **Councilmember Bill Powers** Aye **Councilmember Leah Turner** Aye **Councilmember Mikki Brown**

**11. Receive Certification of Insufficient Nominees and Schedule a Special Meeting**

As recommended by Steve Gross, City Attorney, Councilmember Bill Powers motioned to receive Certification of Insufficient Nominees and schedule a special meeting of the Council on August 21, 2024 at 6:00 p.m. to appoint candidates to office.

Mayor Pat Morton takes comments from various members of the public.

Councilmember Bill Powers motioned to approve. A second was made by Councilmember Leah Turner.

The roll call vote:

Aye **Mayor Pat Morton** Aye **Mayor Pro-Tem Jim Murphy** Aye **Councilmember Bill Powers** Aye **Councilmember Leah Turner** Aye **Councilmember Mikki Brown**

**12. Backhoe Purchase**

Motion made authorizing the purchase of a backhoe, not to exceed \$166,768.48 (\$75,045.82 to Water, \$75,045.82 to Sewer, and \$16,676.84 to Snow Removal) of which half will be reimbursed through Highway User Tax Funds.

Mayor Pro-Tem Jim Murphy motioned to approve. A second was made by Councilmember Mikki Brown.

The roll call vote:

Aye **Mayor Pat Morton** Aye **Mayor Pro-Tem Jim Murphy** Aye **Councilmember Bill Powers** Aye **Councilmember Leah Turner** Aye **Councilmember Mikki Brown**

**13. Adjournment**

Meeting adjourned by Mayor Pat Morton at 8:07 p.m., to meet again on August 21, 2024, in a special meeting, at 6:00 p.m.



City of Portola  
Minutes  
Special Meeting  
August 21, 2024 06:00 PM  
35 Third Ave, Portola, CA 96122  
<https://www.cityofportola.com/>

**1. Call to Order**

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

Mayor Pat Morton reads a statement, for the record, regarding members of the public disrupting Council meetings. Guidelines are outlined, and the public is informed that they may be removed from the meeting.

**A. Roll Call**

Present: Mayor Pat Morton, Mayor Pro-Tem Jim Murphy, Councilmember Bill Powers, Councilmember Leah Turner, Councilmember Mikki Brown

Staff Present: Steve Gross, City Attorney; Susan Scarlett, Interim City Manager/Finance Officer

**B. Pledge of Allegiance**

Led by Mayor Pat Morton

**2. Public Comments**

Steve Gross, City Attorney clarifies time limit for public comment. The current ordinance allows for 5 minutes, not 3 minutes as stated on the agenda.

Various members of the public are present and address the Council. Public members include Lindsey Shaw, Ashlee Sims, and Deborah Bress.

Councilmember Leah Turner read a prepared statement addressing the public and fellow Councilmembers. Ms. Turner publicly thanks Susan Scarlett for stepping up and taking on the roll of Interim City Manager, in addition to her roll as Finance Officer. Councilmember Turner compliments Ms. Scarlett, and addresses numerous projects she has accomplished, and/or currently working on, since taking the position. Councilmembers concur with Ms. Turner, and publicly thank Susan Scarlett for taking on the position of Interim City Manager. Councilmember Turner requested the letter be attached to the minutes.

**3. Appointment of Persons Nominated for City Offices**

This matter is before the Council to consider appointing the only persons nominated for the City

offices of County Council Member, City Clerk and City Treasurer in lieu of holding an election. The persons so nominated are:

**Pat Morton - City Council Member At-Large**

**Jim Murphy - City Council Member At-Large**

**Mikki Brown - City Council Member At-Large**

**City Clerk - Linda Cooley**

**City Treasurer - Linda Cooley**

All positions are for a four-year term.

Steve Gross, City Attorney gives an overview of the matter before the Council.

Councilmember Jim Murphy clarifies that there is no conflict of interest when voting on appointment of himself or other councilmembers.

Mayor Pat Morton takes comments from the public.

Lindsey Shaw comments regarding early closure of the nomination period, and refers to Government Code §37100.

Ashlee Sims comments regarding closure of the nomination filing period, and further requests that the City of Portola open the filing period for an additional six days.

Deborah Bress comments regarding early closure of the nomination filing period. During the public comment, Deborah Bress is warned about her continued disruption of the meeting and is warned that she may be removed from the meeting.

The public comment period is closed and the item is before the Council for decision.

Steve Gross, City Attorney responds to comments made by public members. Mr. Gross confirms that Linda Cooley did file nomination papers for the position of City Clerk and City Treasurer.

Following brief discussion by the Council, action is taken, followed by a roll call vote.

Councilmember Bill Powers motioned to approve. A second was made by Councilmember Leah Turner.

The roll call vote:

Aye **Mayor Pat Morton** Aye **Mayor Pro-Tem Jim Murphy** Aye **Councilmember Bill Powers** Aye **Councilmember Leah Turner** Aye **Councilmember Mikki Brown**

#### **4. Adjournment**

Mayor Pat Morton adjourned the meeting at 6:47 p.m., to meet again in a regular meeting on August 28, 2024 at 6:00 p.m.

## Letter of support

After attending the City Council meeting August 14th and hearing all the bullying, name calling, brow beating, and personal attacks that the council and Susan received I am writing this letter.

I am stating publicly that I fully support Susan Scarlett as our interim City Manager. Susan stepped up to fill the vacancy left by Jon Kennedy when she did not have to. Susan has been with the city for 25 years or more as the finance officer and knows the background and the history of the city, and the fundamentals of the city.

Susan has been diligent in keeping the City's projects moving forward while we look for a new full-time manager. She has accomplished more in the 5 months as interim manager than Jon Kennedy did in almost two years. I would like to mention some of those projects. These are projects that I personally asked Jon about monthly and was always told he would get around to it or he was working on it.

- 1) Susan completed the transfer of the water treatment plant from the county to the city, which the city had been handling for 10 years.
- 2) Susan started the process of looking for a permanent full time city manager, which was supposed to have started 6 months prior to Jon leaving.
- 3) Susan completed the job description for the new PEO position and started the process of advertising and getting the position filled.
- 4) Susan brought back Irma from CSG to try and get some of the abandoned vehicles removed from the city that had been left behind that are cluttering our city streets as public nuisances and potentially could hinder snow removal, and to help train the new PEO.
- 5) Susan has been trying desperately to get answers about the bridge from Cal Trans and asking for a meeting with the city and MGE to come up with a plan of action but is not getting any cooperation from Cal Trans. She has asked numerous times for Cal Trans to hold a public meeting to inform the public of the status of the bridge and what needs to be done for the bridge repairs with no response.
- 6) Susan is getting the repairs completed of the damaged fence on the corner of West Street and West Plumas Avenue that were caused by the huge snow storms we received in the winter of 2022/2023.
- 7) During the fires she attended the daily fire briefings to ensure the city was informed of the fire status and to be prepared for further evacuations.
- 8) Susan did evaluations on all the full-time city employees, something that had not been done for several years, so they could get their step increases.



9) She is still in the process of reviewing and updating the personnel policies, which again was something Jon had started but put on the back burner.

Susan has utilized Leslie Chrysler to assist in getting some of these tasks completed because Leslie has the past knowledge of being the city manager, and has assisted in the recruiting and hiring of previous city managers.

So, in my opinion Susan has done exactly what I have asked of her, whether she has the qualifications for the interim manager or not. Sometimes knowledge is better than qualifications for a temporary time if it accomplishes what is needed to keep the city up and running.

Susan has been accused of only working 2 days a week, but I personally know she has been in the office three and four days a week most weeks. She is available by phone for City business and even handles city business when she is in her office in Quincy, and on weekends if needed. In my opinion she is worth every penny we are paying her until such time and we can hire a full-time city manager. And who is to say our choice will be the perfect person then either.

I encourage my fellow council members to also express their support for Susan, and stating it publicly. We could not have accomplished some of the projects we have completed without her knowledge and due diligence. And I will publicly state these same things at every meeting if needed to show my support for Susan until which time we have a full-time manager hired.

I am also stating that anyone who wants to come to the meetings and wants to stay anonymous is nothing but a coward. If you have something to say, say it loud and proud, or keep your opinions to yourself. And that goes for people asking for public records requests as anonymous. I want to know who my accusers are if I'm going to be asked to spend countless hours doing research for unimportant information. My reputation and safety is just as important as the person who wants to stay anonymous.

I am also requesting that this letter be included in its entirety into the minutes for this meeting.

Respectfully, Leah Turner City Council Member



City of Portola  
Minutes  
Regular Meeting  
August 28, 2024 06:00 PM  
35 Third Ave, Portola, CA 96122  
<https://www.cityofportola.com/>

**1. Call to Order**

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

Mayor Pat Morton reads a statement regarding public disruption of City Council meetings.

**A. Pledge of Allegiance**

Led by Mayor Pat Morton

**B. Roll Call**

Present: Mayor Pat Morton, Mayor Pro-Tem Jim Murphy, Councilmember Bill Powers, Councilmember Leah Turner, Councilmember Mikki Brown

Staff Present: Steve Gross, City Counsel; Susan Scarlett, Interim City Manager/Finance Officer

**2. Public Comments**

Various members of the public address the Council

Ashlee Sims comments regarding public records requests, and statement read by Mayor Pat Morton regarding disruption of Council meetings

Deborah Bress comments regarding public records requests

**3. City Communications**

**A. City Council Communications**

Councilmember Leah Turner - No report

Councilmember Bill Powers - addresses request of a constituent to move public comment to the end of the meeting agendas

Councilmember Mikki Brown - attended the August 22, 2024 Plumas County FireSafe Council meeting to address Portola becoming a Firewise Community

Mayor Pro-Tem Jim Murphy - Airport Land Use Commission meeting August 29, 2024, and

addresses vandalism of the Portola Park restrooms

Mayor Pat Morton - No report

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

Fire Report - None

Sheriff's Report - None

Air Quality Report - Councilmember Mikki Brown gives a report and update on the wood stove changeout program/grant

**C. Interim City Manager's Report**

Susan Scarlett, Interim City Manager gives a report and update of meetings attended, key topics, and project updates:

Training for Public Engagement Officer, the Council will consider contracting with a private party for training

Update on the Wastewater Grant project

Update on upcoming meeting with Caltrans regarding the Portola bridge project

**4. Consent Agenda**

A. Claims - Adopt Resolution No. 2594 authorizing the payment of claims from August 9, 2024 through August 22, 2024

Adopt Resolution No. 2594 authorizing the payment of claims from August 9, 2024 through August 22, 2024 Councilmember Bill Powers motioned to approve. A second was made by Councilmember Mikki Brown.

The roll call vote:

Aye Mayor Pat Morton Aye Mayor Pro-Tem Jim Murphy Aye Councilmember Bill Powers Aye Councilmember Leah Turner Aye Councilmember Mikki Brown

**5. Draft Housing Element**

Karen Downs, Contract Planner, is present remotely and gives an overview of the matter before the City Council. The Housing Element is a State-mandated element of the General Plan. The Housing Element includes goals, policies, and programs addressing existing and future housing conditions and needs in Portola. The Housing Element must be reviewed and approved by the State Department of Housing and Community Development (HCD).

Based on State requirements, staff has been working to prepare the Draft 7th Cycle Housing Element for City Council and public review/comment. The proposed draft will be available at City Hall and will be open for public comment for 30 days on the City of Portola's website. The City Council is aimed at sharing the draft and gathering City Council and public feedback.

Mayor Pat Morton takes public comment. Ashlee Slms comments regarding funding received for projects.

Deborah Bress questions what projects have been completed/funded under the Housing Element.

Following discussion by the City Council, motion by Mayor Pro-Tem Jim Murphy, and second by

Councilmember Bill Powers to approve the draft 7th Cycle Housing Element as submitted; direct staff to commence with public participation as outlined; submit to the State Department of Housing and Community Development, if applicable; and return to the City Council upon close of the public comment period. Roll call vote

Mayor Pro-Tem Jim Murphy motioned to approve. A second was made by Councilmember Bill Powers.

The roll call vote:

Aye Mayor Pat Morton Aye Mayor Pro-Tem Jim Murphy Aye Councilmember Bill Powers Aye Councilmember Leah Turner Aye Councilmember Mikki Brown

**6. Presentation regarding possible lane reduction on Highway 70 through Portola as part of the Caltrans Cromberg Project**

This matter is before the Portola City Council as an opportunity to review a possible lane reassignment on Highway 70, as part of the Caltrans Cromberg project.

Jim Graham, Executive Director of the Plumas County Transportation Commission gives an overview of the proposed project. Mr. Graham refers to the Chester Main Street Community Connectivity Plan.

Representatives of Caltrans are present and address the City Council.

Mayor Pat Morton takes comments from the public and include Deborah Bress, Ashlee Sims, and various members of the public.

Following discussion by Councilmembers, there is concurrence to hold a townhall meeting to inform the public and allow for input. Representatives of Caltrans agree to work with City of Portola staff to coordinate and conduct the public meeting. Further, it is recommended that a flyer be used as a way to notify the citizens of Portola.

**7. Closed Session**

**A. Conference with Legal Counsel - Anticipated Litigation Pursuant to Gov. Code Section 54956.9 (d)(2)**

Mayor Pat Morton takes public comment related to closed session.

Ashlee Sims asks if there was a tort claim filed.

The Council meets in closed for conference with Legal Counsel regarding anticipated litigation pursuant to Government Code §54956.9(d)(2).

Following closed session, Mayor Pat Morton announces there was no reportable action taken.

**8. Adjournment**

Mayor Pat Morton adjourns the Portola City Council meeting following closed session, to meet again in a regular meeting on September 11, 2024 at 6:00 p.m.



**MEETING DATE:** September 11, 2024

**AGENDA ITEM:** 5. Plumas Crisis Intervention and Resource Center

**FROM:** Susan Scarlett

**RE:** Plumas Crisis Intervention and Resource Center Report from the Executive Director and consideration of reconveyance of Deed of Trust for Forgivable loan

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**BACKGROUND:**

In 2013 the City of Portola received \$390,000 in Community Development Block Grant (CDBG) funding for the acquisition and rehabilitation of property to be used for Plumas County Resources and Crisis Intervention Center (PCIRC) in Portola (the Portola Family Resource Center (PFRC)). Utilizing the CDBG funds, the City entered into a Forgivable Loan Agreement with PCIRC for \$390,000 for the property located at 165 and 185 Ridge Street (APN 125-272-004).

In collaboration with PCIRC, the property was acquired and subsequently rehabilitated so that PCIRC would be able to provide services and meet the required ADA standards. PCIRC holds the title to the property. The City of Portola holds a promissory note and a Deed of Trust.

Generally, services provided at the PFRC include: a homeless day shelter with laundry and shower facilities, a community technology center, alcohol/drug counseling, licensed marriage and family therapy, peer and grief counseling, self-help with California legal forms, advocacy for a range of services such as homeless prevention and resources for survivors of violence, and support for the onsite food pantry.

The term of the Forgivable Loan is five (5) years following the expiration of the CDBG agreement. The CDBG Completion Report was approved on February 28, 2018 and the CDBG Agreement expired on September 30, 2018. Based on the terms of the Forgivable Loan, at this time the loan balance is \$0 and the City would file a reconveyance of the Deed of Trust.

---

**RECOMMENDATION:**

Staff recommends that the City Council make a finding that PCIRC has fulfilled its obligations and authorize the Interim City Manager to sign the necessary documents.

---

**FISCAL IMPACT:**

None

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**MEETING DATE:** September 11, 2024

**AGENDA ITEM:** 7. Wastewater Funding options

**FROM:** Susan Scarlett

**RE:** Wastewater funding

---

**BACKGROUND:**

The work on this started with Chico State and is now being done by California State University Sacramento (CSUS) on a contract with the Department of Water Resources. CSUS is working on grant funding for 100 entities around the State and our project would be one of the largest.

Grant funding is part of the Clean Water State Revolving Loan program and the amounts that can be funded for this go around have been capped at 15 million dollars. The City project as it is currently proposed is approximately 29 million.

Before you is the question of whether you would like the consultants to move forward with a phased approach to the project or to seek a loan for the additional 14 million dollars that it would take to complete it as it is currently envisioned. Attached are the two phases that would be proposed if the phased approach is the decision of the Council.

The next step is for the City to decide the preferred approach to the wastewater scope, with the understanding that a grant (Phase 1) would be limited to \$15M. Following the City's confirmation of wastewater scope, Pace Engineering will add an addendum to the Wastewater Project Report, scoping out the preferred Phase 1 project. The drinking water Engineering Report would also add an addendum.

Phase 2 would be part of the next round which likely be 5 years from now.

There is no timeline on when the project could begin.

---

**RECOMMENDATION:**

City staff recommends the Phase approach to this so that grant funds would be available for the total project.

---

**FISCAL IMPACT:**

The Fiscal impact is either that the City use the phased approach to be able to use grant funds or wants to complete the whole project which would add 14 million in debt to the Sewer fund

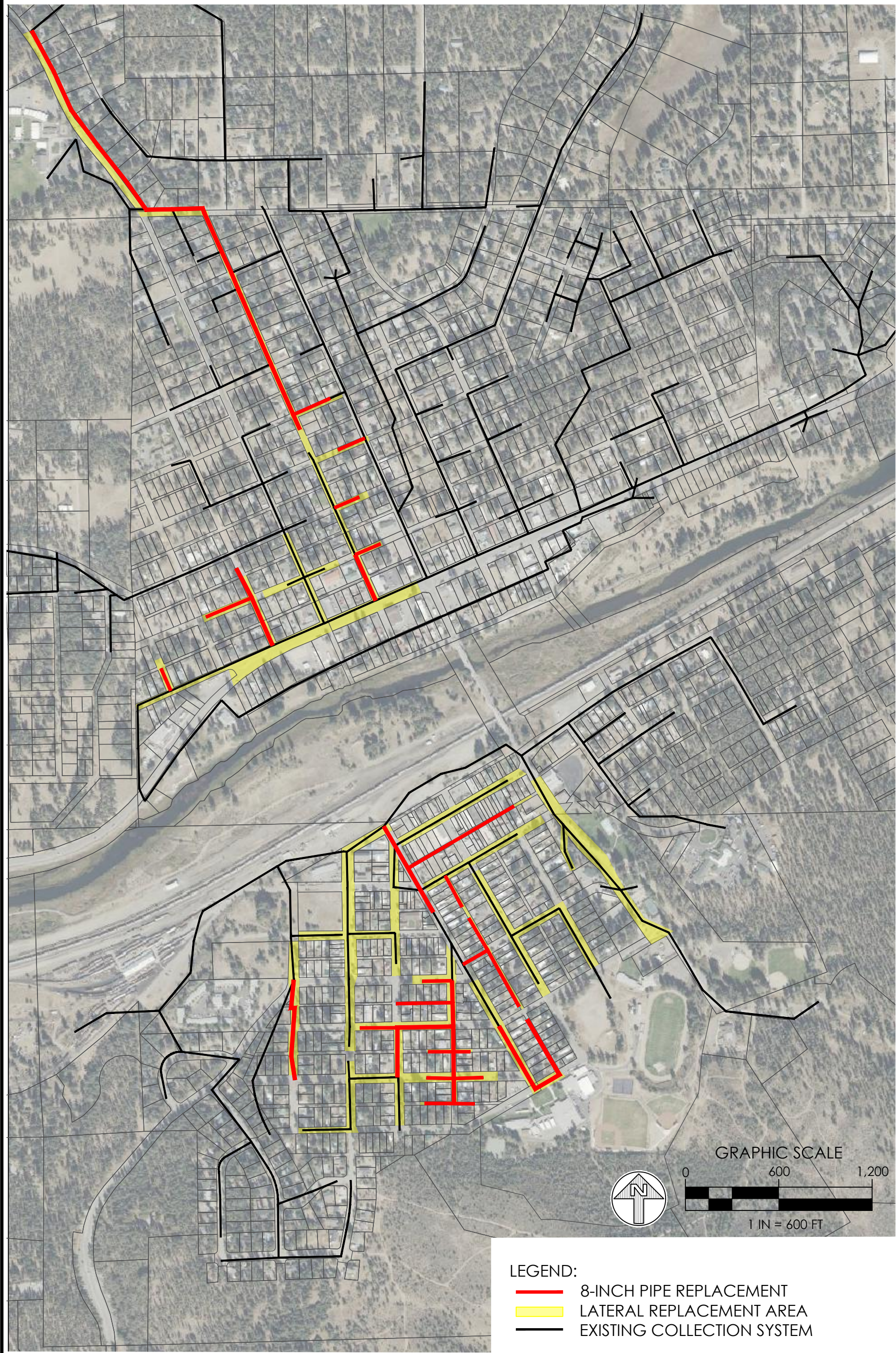
at an undetermined interest rate.

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**ATTACHMENTS:**

- A. FIG 3A - PHASE 1
- B. FIG 3B - PHASE 2





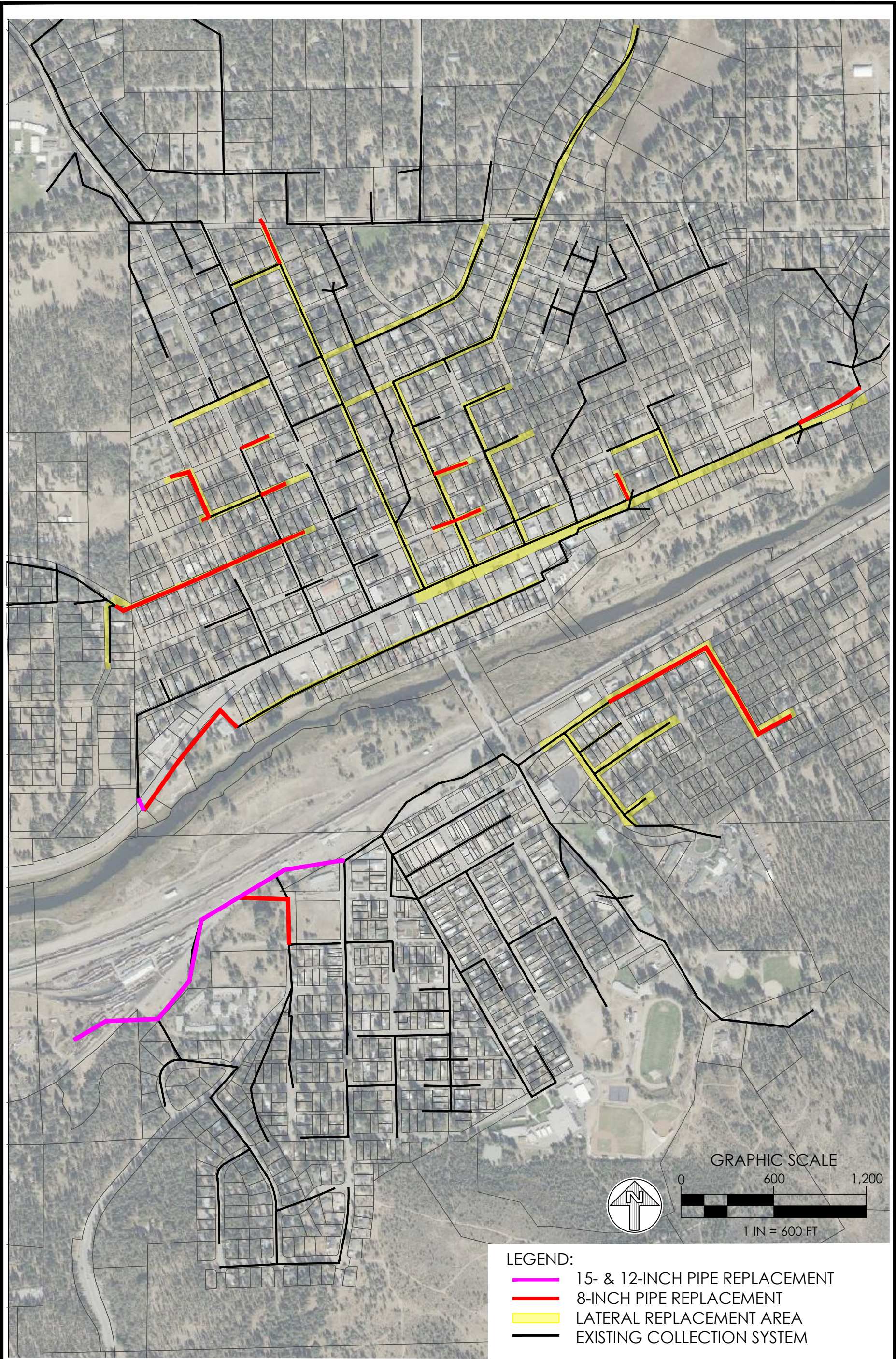
CITY OF PORTOLA  
WASTEWATER COLLECTION SYSTEM  
IMPROVEMENTS PROJECT  
SELECTED PROJECT - PHASE 1

FIGURE 3A

DATE: 8/24

JOB # 2630.20





CITY OF PORTOLA  
WASTEWATER COLLECTION SYSTEM  
IMPROVEMENTS PROJECT  
SELECTED PROJECT - PHASE 2

FIGURE 3B

DATE: 8/24

JOB # 2630.20





**MEETING DATE:** September 11, 2024

**AGENDA ITEM:** 8. Amendment to the BPPFD

**FROM:** Susan Scarlett

**RE:** City of Portola and Beckwourth Peak Fire protection district asset transfer agreement amendment

---

**BACKGROUND:**

As of July 1, 2024 the City of Portola turned over assets to the newly formed Beckwourth Peak Fire Protection District. The agreement was passed by the City Council at the June 26, 2024 meeting with minor changes. The amendment to the agreement for the changes is on for City Council approval and has been approved by the Beckwourth Peak Fire Protection District.

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**RECOMMENDATION:**

Approve the amendment to the original agreement and authorize the Interim City Manager to execute the amendment and documents.

---

**FISCAL IMPACT:**

None

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**ATTACHMENTS:**

A. AMENDMENT 1 TO PORTOLA ASSET TRANSFER AGREEMENT - SIGNED-1

## AMENDMENT NO. 1 TO ASSET TRANSFER AGREEMENT

This Amendment No. 1 to Asset Transfer Agreement (“Amendment No. 1”) is made and entered into as of this 31<sup>st</sup> day of July, 2024, by and between City of Portola (“City”) and the Beckwourth Peak Fire Protection District (“BPPFD” or “District”). City and District are sometimes individually referred to as “Party” and collectively as “Parties.”

### Recitals

- A. Original Agreement. The Parties have entered into an agreement entitled “Asset Transfer Agreement” dated July 3, 2024 (“Original Agreement”), which is incorporated herein by reference as if fully set forth herein.
- B. Amendment Purpose. City and District wish to amend the Original Agreement to clarify which parcels will be granted by quitclaim and grant deeds and the timeline to finalize the transfer of the parcels.
- C. Amendment Authority. This Amendment No. 1 is authorized pursuant to Section 8 of the Original Agreement.

### Amendment

Now therefore, the Parties hereby modify the Original Agreement as follows:

- 1. Definitions. All capitalized terms used in this Amendment No. 1 not defined in this Amendment No. 1 shall have the same meaning as set forth in the Original Agreement if defined in the Original Agreement.
- 2. Section 1 of Original Agreement. Section 20(c) of the Original Agreement is hereby replaced with the following italicized text:

*(c) Within fourteen (14) days of the execution of the Amendment No. 1, City shall execute a grant deed in substantially the form set forth in **Exhibit C** to transfer such property to the District. Notwithstanding the foregoing, City may execute a quitclaim deed in substantially the form set forth in **Exhibit D** to transfer that certain real property commonly referred to as APN 125-203-008 to the District. The Parties understand and agree that the transfer of any real property shall be subject to a right of reversion in the event that District or its successor no longer provides fire protection and emergency medical services to the City or its successor. Such reversion shall be in substantially the form set forth in **Exhibits C or D**, as applicable.*

- 3. Continuing Effect of Agreement. All provisions of the Original Agreement otherwise remain in full force and effect and are reaffirmed. From and after the date of this Amendment No. 1, whenever the term “Agreement” appears in the Original Agreement, it shall mean the Original Agreement as amended by this Amendment No. 1.


4. Adequate Consideration. The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment No. 1.
5. Severability. If any portion of this Amendment No. 1 is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

IN WITNESS WHEREOF, this Amendment No. 1 has been executed and delivered as of the date first written above.

CITY OF PORTOLA

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

BECKWOURTH PEAK FIRE PROTECTION DISTRICT

By:  31 JULY 2024  
Name: RICHARD MCLAUGHLIN  
Title: BOARD PRESIDENT



**MEETING DATE:** September 11, 2024

**AGENDA ITEM:** 9. Beckwourth Peak Repeater transfer of lease

**FROM:** Susan Scarlett

**RE:** Transfer of lease agreement for Beckwourth Peak repeater to the Beckwourth Peak Fire Protection District

---

**BACKGROUND:**

The City of Portola, in 2011, entered into an agreement for license rights to lease space on a communications tower located at #1B Beckwourth Peak Road for the purpose of receiving and transmitting radio signals. The City no longer has a Fire Department and Beckwourth Peak Fire Protection District has requested the transfer of the agreement to them. In order to make the transfer the owner of the communications tower has indicated that an assignment would need to be made from the City to the District.

---

**RECOMMENDATION:**

Approve the Assignment between the City of Portola and Beckwourth Peak Fire Protection District, direct the Interim City Manager to execute the assignment and deliver it to EIP Holdings II, LLC.

---

**FISCAL IMPACT:**

The City would no longer be paying for the license fee.

---

**ATTACHMENTS:**

A. ASSIGNMENT - BECKWOURTH REPEATER SITE - BPPFD (1)(1)

PREPARED BY AND  
WHEN RECORDED MAIL TO:

City of Portola  
P.O. Box 1225  
Portola, CA 96122

\_\_\_\_\_ SPACE ABOVE THIS LINE FOR RECORDER'S USE \_\_\_\_\_  
Exempt from Fees -Government Code § 27383

### **ASSIGNMENT**

This ASSIGNMENT ("Assignment") is made and entered into this \_\_\_\_\_ day of September 2024 ("Effective Date"), by and between the City of Portola, a California municipal corporation ("Assignor"), and the Beckwourth Peak Fire Protection District, a California special district ("Assignee").

### **WITNESSETH**

**WHEREAS**, Assignor is the holder of license rights to lease space on a communications tower located at #1-B Beckwourth Peak Road, Portola, CA 96122 for the purpose of receiving and transmitting radio signals ("Property");

**WHEREAS**, Assignor is the licensee under that certain LICENSE dated, made and entered into on January 1, 2011 by and between Ernest H. Zebal, Jr. dba Plumas Communications and the City of Portola ("Agreement"); and

**WHEREAS**, Ernest H. Zebal, Jr. dba Plumas Communications transferred its ownership interest to the communications tower on the Property to EIP Holdings II, LLC

**WHEREAS**, Assignor desires to assign to Assignee all of Assignor's rights, title, obligations, and interest in, to, and under the Agreement, and Assignee desires to accept such assignment, in accordance with the terms hereof.

## **AGREEMENT**

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein and other good and sufficient consideration, Assignor and Assignee, intending to be legally bound, hereby agree as follows:

1. The recitals set forth above are incorporated herein by reference and made a part of this Assignment.

2. Assignor absolutely and irrevocably transfers and assigns to Assignee, as of the Effective Date, all of Assignor's rights, title, obligations, and interest in, to, and under the Agreement.

3. Assignee hereby assumes all of Assignor's rights, title, obligations, and interest in, to, and under the Assigned Agreements accruing on and after the Effective Date, including but not limited to the obligation to pay rent or other sums due and payable under the Agreement.

4. This Assignment may be recorded by any party in the books and records of the jurisdiction in which the Property is located, but the terms of this Assignment shall be effective regardless of whether any party so records.

5. This Assignment may be modified, amended, or otherwise altered only in writing, signed by Assignor and Assignee, or their respective successors or assigns.

6. If this Assignment is executed in several counterparts, all counterparts shall constitute one and the same instrument. Delivery of an executed counterpart of this Assignment by email, facsimile or other electronic transmission shall be equally as effective as delivery of a manually executed counterpart, provided, however, that any party delivering such executed counterpart by email, facsimile or other electronic transmission shall promptly forward a manually executed, original counterpart to the other party.

7. If any provision of this Assignment is held to be void, invalid or unenforceable by a court of competent jurisdiction, such provision shall be deemed modified to the minimum extent necessary to be operative, valid, and enforceable to reflect the intent of the parties most closely as expressed herein, or if such modification is not practicable, such provision shall be deemed deleted from this Assignment and the other provisions of this Assignment shall remain in full force and effect.

[Signatures to immediately follow.]





ASSIGNEE:

\_\_\_\_\_,  
a \_\_\_\_\_

\_\_\_\_\_  
Printed Name:

\_\_\_\_\_  
Title:  
\_\_\_\_\_

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, before me, a Notary Public, the undersigned officer, personally appeared \_\_\_\_\_, who acknowledged [himself/herself](#) to be the \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_, and that [he/she](#), as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing [his/her](#) name on behalf of said \_\_\_\_\_ by [himself/herself](#) as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public  
My Commission Expires: