

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday May 18, 2015 6:30 p.m.

CALL TO ORDER

Roll Call:

Councilmembers present: Charles Gee, Dennis Hoffman, Bruce Roundy, Vice Mayor Salina Edwards and Mayor Jim Paschall

Councilmembers absent: None

Staff present: Finance Director Daryl Brock, City Attorney Greg Einhorn, Assistant City Manager Angie Crook and City Manager Pete Carr

Citizen Comments:

None

Adjourned to closed session at 6:32 p.m.

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency Negotiator(s): Greg Einhorn, City Attorney
Charles Gee, Councilmember
Bruce Roundy, Councilmember

Employee Organization(s): United Public Employees of California Local #792
(Mid Management and General Units)

Meeting adjourned to open session at 7:28 p.m.

REPORT FROM CLOSED SESSION

Direction was given to staff.

Meeting reconvened to regular session at 7:30 p.m.

Roll Call:

Councilmembers present: Charles Gee, Dennis Hoffman, Bruce Roundy, Vice Mayor Salina Edwards, and Mayor Jim Paschall

Councilmembers absent: None

Staff present: Chief of Police J.C. Tolle, Public Works Director Forrest Marston, City Engineer Ken Skillman, Finance Director Daryl Brock, City Attorney Greg Einhorn, Assistant City Manager/City Clerk Angie Crook and City Manager Pete Carr

Meeting opened with the pledge of allegiance.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

Byron Denton, 127 Tanner Way, thanked the City staff for the excellent fair booth exhibit at the Glenn County Fair.

Presentation:

California Highway Patrol Commander Bruce Carpenter advised the final report on the bus/truck accident of April 10, 2014 will be released May 22, 2015 as they will meet beforehand with the families in Los Angeles. A Town Hall meeting is being planned and City officials are invited to attend. Digital and hard copies of the investigative report will be made available after release of the report.

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for May 4, 2015.
- C. Receive and file Economic Development Commission minutes for April 14, 2015.
- D. Approve second reading of Ordinance No. 2015-02 adding section 15.06.025 to the Municipal Code relating to expedited permitting procedures for small residential rooftop solar systems.
- E. Authorize Orland Police Department to decommission and sell Orland VIPS 1991 Chevy Caprice.
- F. Review and consider adoption of Resolution No. 2015-06 for annual adjustments to Main Replacement Charges, Capacity Fees and Lateral Installation Charges.
- G. Review and consider adoption of Resolution No. 2015-07 to adjust Maintenance District Assessments.
- H. Review and consider adoption of Resolution No. 2015-08 adjusting Development Impact Fees.

Dwight Foltz, 70 E. Walker Street, requested Items D., F., G., and H. be removed from the consent calendar.

ACTION: Vice Mayor Edwards moved, seconded by Councilmember Gee to approve Items A., B., C., and E. on the consent calendar. The motion carried by the following voice vote:

AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee, Hoffman and Roundy.

NOES: None

ABSENT: None

ABSTAIN: None

City Manager Carr advised Item D. is an ordinance that will modify the building code so that the City is in compliance with State regulations regarding expedited permitting procedures for small residential rooftop solar systems. The City has already implemented these requirements. A public

hearing was held at the last meeting and is recommended for approval and adoption of the second reading of the ordinance.

ACTION: Councilmember Hoffman moved, seconded by Vice Mayor Edwards to approve Item D. on the consent calendar adopting Ordinance No. 2015-02 adding section 15.06.025 to the OMC relating to expedited permitting procedures for small residential rooftop solar systems. The motion carried by the following voice vote:
AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee, Hoffman and Roundy.
NOES: None
ABSENT: None
ABSTAIN: None

City Engineer Skillman stated Item F. is the annual adjustments to Main Replacements Charges, Capacity Fees, Meter Installation Charges and Lateral Installation Charges. The proposed increase of 4.5% is based on Consumer Price Index (C.P.I.) of water, sewer and garbage collection statistics.

ACTION: Councilmember Roundy moved, seconded by Councilmember Hoffman to approve Item F. on the consent calendar adopting Resolution No. 2015-06 for annual adjustments to Main Replacement Charges, Capacity Fees and Lateral Installation Charges. The motion carried by the following voice vote:
AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee, Hoffman and Roundy.
NOES: None
ABSENT: None
ABSTAIN: None

City Engineer Skillman stated Item G. is the annual review and possible adjustments to Maintenance District Assessments. The C.P.I. of 4.5% also applied in this case. The only districts that were not assessed at this time are Linwood and Orland Park, as the facilities have yet to be installed.

ACTION: Councilmember Gee moved, seconded by Vice Mayor Edwards to approve Item G. on the consent calendar adopting Resolution No. 2015-07 to adjust Maintenance District Assessments. The motion carried by the following voice vote:
AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee, Hoffman and Roundy.
NOES: None
ABSENT: None
ABSTAIN: None

City Engineer Skillman stated Item H. is the annual adjustment to Development Impact Fees. The proposed increase is 4.5% based on C.P.I. according to the Federal Bureau of Labor Statistics.

ACTION: Councilmember Hoffman moved, seconded by Councilmember Roundy to approve Item H. on the consent calendar adopting Resolution No. 2015-08 adjusting Development Impact Fees. The motion carried by the following voice vote:
AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee, Hoffman and Roundy.
NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC HEARING

Conduct public hearing to introduce and consider first reading of Ordinance adding Chapter 13.06 of the Orland Municipal Code to establish a Water Conservation Program.

City Manager Carr presented Council with proposed water conservation measures. City Council declared Orland to be at Stage 2 of its water shortage plan at a previous meeting. The proposed conservation measures are expected to achieve a 25% reduction in water usage. The proposed measures are as follows:

1. Lawn irrigation will be limited to no more than three (3) days per week.
2. Lawn irrigation will be limited to the hours of 8AM – 8PM.
3. Lawn irrigation is prohibited during and with 48 hrs. of rain.
4. Use of water for washing hardscapes is prohibited.
5. Use of water for washing vehicles without an automated shut-off nozzle is prohibited.
6. No permits to drill new private wells are to be approved.
7. An ordinance prohibiting the wasting of water, with disconnection and fines for noncompliance, is to be introduced for inclusion in the Orland Municipal Code.
8. Leaks must be repaired promptly.

Mr. Carr advised Item Nos.1-6 would be considered temporary during the period of elevated water shortage alert, while No. 7 would be a permanent change. Mr. Carr stated the City would be sending out press releases, inserts in water bills and social media to educate the public on the on the measures.

The public hearing opened for comments at 7:56 p.m. Byron Denton, 127 Tanner Way, questioned if someone would be fined if they were out of town and their sprinklers came on while it was raining. Trish Saint-Evens, 6825 County Road 15, questioned on whether a replacement well would be granted, if her well went dry. City Attorney advised the ordinance indicates a moratorium on the drilling of “new “ wells. Ms. Saint-Evens stated her concerns of farmers sinking wells all around us. Mr. Carr advised Council has directed staff to establish the City as a Groundwater Sustainability Agency to help establish appropriate influence over the drilling of new wells close to the City. Dan Grocott, 4599 County Road HH, advised he is a landscaper and asked who was responsible for changing sprinkler timers for his elderly clients. Mr. Grocott asked if his client or himself would be fined if sprinklers were not shut off. Staff advised property owners are the responsible party. Dwight Foltz, advised those with timed sprinkler systems are pretty conservative in general. With no further comments, the public hearing closed at 8:10 p.m. Councilmember Hoffman asked if there was a sunset on these provisions. City Attorney Einhorn

advised the drought measures are effective per the adoption of a resolution. Council may sunset (by the option of resolution) the temporary drought measures at any time.

ACTION: Councilmember Hoffman moved, seconded by Councilmember Gee to approve the first reading of Ordinance adding Chapter 13.06 of the Orland Municipal Code to establish a Water Conservation Program and move forward for second reading at the next regularly scheduled Council meeting. The motion carried by the following voice vote:

AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee, Hoffman and Roundy.

NOES: None

ABSENT: None

ABSTAIN: None

ADMINISTRATIVE BUSINESS

City Attorney:

City Attorney Einhorn requested Council to consider a Resolution giving the City Attorney authority to respond to tort claims. When an administrative claim is made against the City under the California Tort Claims Act, before the City can be sued, an administrative claim must be filed and rejected. This action would eliminate the need for Council to take action or send letters to claimants which would provide a greater efficiency.

ACTION: Councilmember Edwards moved, seconded by Councilmember Hoffman to adopt Resolution No. 2015- 09 establishing a policy that delegates specified tort liability claims handling responsibilities to the City Attorney as authorized by Government Code Section 935.4. The motion carried by the following voice vote:

AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee, Hoffman and Roundy.

NOES: None

ABSENT: None

ABSTAIN: None

City Engineer:

City Engineer Skillman presented for discussion the proposed rates for water and sewer services for 2015-2016, and FY 17 and 18. City Engineer Skillman advised rates must increase to complete deferred maintenance, pay for ongoing operations and meet planned capital expenditures upgrades. The following rate structure adjustments were proposed:

PROPOSED WATER RATES

Our current rate structure for domestic water is:

	Inside City Limits	Outside City Limits
Fixed Bi-Monthly Charge Rate	\$30.85	\$61.75
Per 1,000 gallons over 15,000 gallons	\$0.78	\$0.78

Proposed for Fiscal Year 2015-2016 (starting July 25, 2015):

	Inside City Limits	Outside City Limits
Fixed Bi-Monthly Charge Rate	\$38.60	\$77.20
Per 1,000 gallons over 12,000 gallons	\$1.00	\$2.00

Fiscal Year 2016-2017 (starting July 1, 2016):

	Inside City Limits	Outside City Limits
Fixed Bi-Monthly Charge Rate	\$46.30	\$92.60
Per 1,000 gallons over 12,000 gallons *	\$1.20	\$2.40

Fiscal Year 2017-2018 (starting July 1, 2017):

	Inside City Limits	Outside City Limits
Fixed Bi-Monthly Charge Rate	\$55.60	\$111.20
Per 1,000 gallons over 12,000 gallons *	\$1.50	\$3.00

* = restored to 15,000 when more than 183 days of the preceding fiscal year are not under State of California mandated drought restrictions.

PROPOSED SANITARY SEWER RATES

Orland current rate structure for sanitary sewer is:

	Inside City Limits	Outside City Limits
Fixed Bi-Monthly Charge Rate	\$32.90	\$65.80
Per 1,000 gallons over 15,000 gallons	\$0.40	\$0.40

Proposed for Fiscal Year 2015-2016 (starting July 25, 2015):

	Inside City Limits	Outside City Limits
Fixed Bi-Monthly Charge Rate	\$39.50	\$79.00
Per 1,000 gallons over 12,000 gallons	\$0.50	\$1.00

Fiscal Year 2016-2017 (starting July 1, 2016):

	Inside City Limits	Outside City Limits
Fixed Bi-Monthly Charge Rate	\$45.40	\$90.80
Per 1,000 gallons over 12,000* gallons	\$0.60	\$1.20

Fiscal Year 2017-2018 (starting July 1, 2017):

	Inside City Limits	Outside City Limits
Fixed Bi-Monthly Charge Rate	\$52.20	\$104.40
Per 1,000 gallons over 12,000* gallons	\$0.70	\$1.40

* = restored to 15,000 when more than 183 days of the preceding fiscal year are not under State of California mandated drought restrictions.

The overage charge shown here applies only to commercial customers.

Mr. Skillman stated the Eva Drive Well cost estimate is \$1.2 million. The State Revolving Fund Loan has a 30 year term at 0% interest. The improvement is expected to go out to bid soon. Mr. Skillman recommended the average basis of 15,000 gallons be reduced by 25% to 12,000 gallons. The basis reduction would only be imposed during state mandated drought periods. Many of the sanitary sewer maintenance and improvements include: Sewer main replacement due to FOG buildup; bypass channel work; pond dredging; with an estimated cost of improvements at \$1,735,000 dollars.

Council discussed the City's imminent need to take care of the water and sewer infrastructure and voiced concerns about sufficient revenue to fund these improvements.

Council directed staff to proceed with proposed water and sewer rate changes.

City Manager:

City Manager Carr and Finance Director Brock discussed and reviewed the proposed Water and Sewer Enterprise Fund budget. Mr. Carr advised the operating budget has barely been in balance for the last several years. Mr. Carr stated both the water and sewer reserve funds need to be built up for emergencies and needed projects. Mr. Brock advised we could make changes to the budget if we need to as we go.

Council directed staff to proceed.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Gee reported on the following:

- Attended GSRMA meeting; health insurance premiums still not set; Workers comp premium decreased slightly;
- Will attend Waste Management meeting in Willows on Thursday;
- Ongoing labor negotiations.

Vice Mayor Edwards reported on the following:

- Attended Library Commission meeting;
- Library Director will be going on maternity leave shortly;
- Attended the EDC Commission meeting; very efficient commission.

Councilmember Hoffman reported on the following:

- Attended Chamber of Commerce meeting; new Fair Director was guest speaker
- Will attend Waste Management meeting.

Councilmember Roundy reported on the following:

- Will attend Transportation/Transit meeting in Willows on Thursday;
- Attended Sacramento Valley Division meeting at new arena; informative meeting; Metropolitan Water District gave a presentation;
- Attended RCD meeting; hopeful grant opportunities for arrundo issue;
- Will attend "A Day in the District" BBQ, Dairy Tour, Thursday May 28th, on Co. Rd. 31.

ADJOURN

Meeting adjourned at 9:34 p.m.

_____Clerk

_____Mayor