

Meeting called to order by Mayor Elliott. Meeting opened with the Pledge of Allegiance.

#### ROLL CALL

Councilmembers present: Paul Barr, Bruce Roundy, Vice Mayor Jim Paschall and Mayor Wade Elliott

Councilmembers absent: Reggie Olney

Staff present: Paula Carr, Daryl Brock, Ken Skillman, Tom Andrews (arrived at 8:02 p.m.), Angie Crook and Paul H. Poczobut Jr.

#### ORAL AND WRITTEN COMMUNICATIONS

##### Citizen Business:

Byron Denton, 127 Tanner Way, asked if the City still enforced weed abatement. Mr. Denton advised he was told a property owner had been notified several times to weed abate his lot but no action has yet been taken by the property owner. Mr. Denton thanked the Police and Public Works department for taking care of the graffiti on the walls.

Leanna Glander, 234 E. Mill Street, thanked the Orland Parks and Recreation Department for the great programs they offer the community.

#### CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy reported he attended the League of California Cities (LOCC) Sacramento Valley Division meeting and discussion occurred on Proposition 22 which is to protect our cities coffers from being raided by the state. The LOCC is promoting a campaign against the opposition of Proposition 22 and asking each Councilmember to donate \$25 towards their efforts. Councilmember Roundy is challenging each Councilmember from the cities of Corning and Willows to do the same and match the City of Orland. Councilmember Roundy stated the Farmers Market will be back in Orland on August 7<sup>th</sup>. Councilmember Roundy advised the "101 in the Shade" event was fairly successful. Councilmember Roundy thanked the Recreation Department for their efforts at that event.

Mayor Elliott advised "National Night Out" is Tuesday August 3<sup>rd</sup> at 6:00 p.m. in Library Park.

#### CONSENT CALENDAR

- A. Waive reading except by title, of any ordinances under consideration at this meeting for either introduction or passage per Government Code §36934.
- B. Approve City Council minutes for July 19, 2010.
- C. Approve Warrant List.
- D. Approve Library Commission minutes for May 11, 2010.
- E. Approve Economic Development Commission minutes for June 7, 2010.
- F. Approve Rejection of Timely Claim letter to Yuri Vasquez.
- G. Approve Incident Report form.

- H. Authorize City Manager to negotiate contract for construction management services and a contract for labor monitoring services in regards to construction of the extension of Paigewood Drive.

Councilmember Roundy requested Item E. (Economic Development Commission minutes for July 7, 2010) removed from the consent calendar.

Councilmember Barr moved, seconded by Councilmember Paschall to approve the consent calendar except for Item E. Motion carried with no abstentions and Councilmember Olney absent.

Councilmember Roundy stated as noted in the EDC minutes, comments were made from Commissioner Gee from the dais which were denigrating to staff. Councilmember Roundy stated if a commissioner has concerns they need to follow through the proper channels to the City Manager and not from the dais. Councilmember Roundy stated with two new commissions being placed, it is important that the behavior of commissioners be discussed since they are serving at the pleasure of the Council. Councilmember Roundy advised comments have also been made by Commissioner Gee at the employees workplace. The employee has made contact with a lawyer. Councilmember Roundy requests Council to discuss the issue further at the next Council meeting

Councilmember Barr moved, seconded by Vice Mayor Paschall to accept Item E., Economic Development Commission minutes from June 7, 2010 as presented. Motion carried with no abstentions and Councilmember Olney absent.

Byron Denton stated he agreed with Councilmember Roundy's comments.

#### PUBLIC HEARING

None

#### ADMINISTRATIVE COMMUNICATIONS

##### Finance Director:

City Finance Director Brock request Council to adopt Adjustment Factors for the City's 2010-2011 Appropriations Limitations.

Vice Mayor Barr moved, seconded by Councilmember Roundy to approve City Finance Director Brocks recommendation to select the "Local non-residential assessed valuation income factor" and the "City of Orland's population growth factor" for the computation of the 2010-2011 appropriations limitation. Motion carried with no abstentions and Councilmember Olney absent.

City Manager Poczobut advised Council to move forward with discussion of City Manager agenda items until City Attorney Andrew arrives to be present during discussion of Maintenance District Assessment Fees.

City Manager:

City Manager Poczobut request Council to consider leasing the naming rights to the Orland Recreation Center. The Parks and Recreation Commission have recommended moving forward with the proposal. City Manager Poczobut stated leasing the naming rights could potentially bring in \$25,000 to \$55,000 in revenue to the Parks and Recreation department during a five to ten year period. The State of California Parks and Recreation Department approved the request to leasing the naming rights of the Recreation Center to a commercial enterprise. Upon Council's consideration of the proposal, City Manager Poczobut recommends Council to determine an option to either request a bid or a request for proposal from the business interested in leasing the naming rights. Councilmember Barr stated he preferred a request for proposal which would allow more latitude to the respondents and local businesses. City Manager Poczobut advised Mayor Elliott the monies would be earmarked in a separate fund and could only use one year's allocation. Vice Mayor Paschall stated he would request a proposal rather than a bid. Upon Council consensus, direction was given to City Manager to proceed with Request for Proposals from local businesses.

City Manager Poczobut requests Council to schedule a date and time to agendize a Special Council meeting regarding the employee Health Insurance plans. Council agreed to schedule the special meeting on August 11, 2010 at 6:30 p.m.

City Engineer:

City Engineer Skillman brought forward request to adopt Resolution No. 2010-16 adjusting Maintenance District No. 2006-05 (Orland Park) Assessment Fees. City Engineer Skillman advised there have been complaints regarding assessments related to some of Orland Park and Linwood subdivisions amenities which have not yet been installed and were not being maintained to date. City Engineer Skillman and staff determined that the funds in the Orland Park and Linwood accounts are sufficient to maintain the district for the 2010-2011 fiscal year and accumulate the annualized future replacement cost of the storm drain leach field. City Engineer Skillman stated this would allow the assessments for the districts to be reduced to \$0.00 for this fiscal year and subsequent years until either the parks are constructed or the funds are depleted. Council asked if the district is left with a \$0.00 assessment, can the district remain active. City Engineer Skillman confirmed it is possible. Councilmember Barr stated concerns if it would become difficult in rebuilding assessments back into the district when development reoccurs. City Engineer Skillman stated this situation falls out of Proposition 218 and the districts would be reviewed and reassessed each year.

Councilmember Roundy moved, seconded by Vice Mayor Paschall to adopt Resolution No. 2010-16 adjusting Maintenance District No. 2006-05 (Orland Park) Assessment Fees. Motion carried with no abstentions and Councilmember Olney absent.

**RESOLUTION NO. 2010-16  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLAND ADJUSTING  
MAINTENANCE DISTRICT NO. 2006-05 (ORLAND PARK) ASSESSMENT FEES**

City Engineer Skillman brought forward request to adopt Resolution No. 2010-17 adjusting Maintenance District No. 2005-02 (Linwood) Assessment Fees. Councilmember Roundy moved, seconded by Vice Mayor Paschall to adopt Resolution No. 2010-17 adjusting Maintenance District No. 2005-02 (Linwood) Assessment Fees. Motion carried with no abstentions and Councilmember Olney absent.

**RESOLUTION NO. 2010-17**  
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLAND ADJUSTING**  
**MAINTENANCE District No. 2005-02 (LINWOOD PARK) ASSESSMENT FEES**

Adjourned to Closed Session at 8:13 p.m.

CLOSED SESSION

Closed session to be held regarding Conference with Legal Counsel – Pending Litigation; Pursuant to Government Code Section: 54956.9(b); Crystal Geysler.

Closed session was held regarding

Meeting reconvened to Open Session at 9:13 p.m.

REPORT FROM CLOSED SESSION

Direction given to City Attorney.

Direction given to City Manager.

ADJOURN

Meeting adjourned at 9:14 p.m.

\_\_\_\_\_ Clerk

\_\_\_\_\_ Mayor