

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

## ROLL CALL

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

Councilmembers absent: None

Staff present: Jody Meza, Nancy Sailsbery, Grant Carmon, Daryl Brock, Tom Andrews, Angie Crook and Paul H. Poczobut Jr.

## ORAL AND WRITTEN COMMUNICATIONS

Mayor Elliott was advised by City Attorney Andrews there will be no closed session concerning the Crystal Geysler matter as there are no updates at this time.

Mayor Elliott advised the San Francisco Giants had just won the World Series.

### Citizen Business:

Byron Denton, 127 Tanner Way thanked the Public Works department for the great job of picking up green waste. Mr. Denton advised there were some political signs in vacant lots and yards that some citizens did not want, so he has recycled them.

### Presentation:

A presentation was given by Don Santoro, Glenn County Finance Director, regarding the property tax allocation process and how they are disbursed.

## CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy advised the Orland City Council and Economic Development Commission (EDC) will join together with the Resource Conservation District (RCD) and Business Education Council (BED) for a workshop on November 3, 2010, at 6:00 p.m. in Carnegie Center. The public is invited to attend.

Councilmember Roundy stated the Transportation/Transit Committee discussed some reduction in services for budgetary costs. They are in the process of cancelling bus runs on Sundays and some changes to the time schedules. The volunteer medical services will be reduced due to the new Freedom Bus system which handles transportation for those with medical appointments in Chico. Councilmember Barr advised he request Randy Murphy, Glenn County Deputy Director of Planning & Public Works, to make a presentation to Council regarding proposed increases in landfill tonnage fees, land acquisition and post closure of the existing facility.

Mayor Elliott advised the Chamber of Commerce will be hosting the Custom Car & Rod Show which will be taking place November 6<sup>th</sup> and 7<sup>th</sup> at the Glenn County Fairgrounds.

Mayor Elliott reminded everyone to exercise their civic duty and go out and vote tomorrow.

## 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 October 18, 2010.
- C. Approve Warrant List.
- D. Approve Economic Development Commission minutes for September 7, 2010.

Councilmember Barr moved, seconded by Vice Mayor Paschall to approve the consent calendar as presented. Motion carried with no abstentions.

## PUBLIC HEARING

1. Conduct Public Hearing and receive comments regarding Waste Management's proposed 2.3% increase in garbage disposal rates, effective December 1, 2010.

Tim Magill, Waste Management representative, stated in accordance with the agreement with City of Orland, rates are adjusted effective December 1<sup>st</sup> of each year. The calculation is based on the Consumer Price Index (CPI) which provides for an adjustment up or down based on the diesel fuel index with a maximum 2% increase or decrease. Mr. McGill noted, in 2009 Glenn County raised its disposal rate 133% from \$30 per ton to \$70 per ton. At the same time, Waste Management reduced its portion of the rate in 2009 by 3.5%. The County tipping fee was not increased in 2010, however Waste Management's portion of the rate in 2010 increased by 0.75% (CPI) and 1.48% (Diesel) for a total increase of 2.3%. It was noted a 64 gallon cart increased by .37 cents. Councilmember Roundy stated the Contractor should consider those consumers who have not received a CPI increase, i.e. senior citizens, instead of automatically passing through a CPI increase. The Public Hearing opened for comments at 8:07 p.m.

Medina Branzelle, 322 Byron Way, reviewed the Waste Management contract and suggested there be a consideration that the base rate could be reduced. Ms. Branzelle stated the contract states each resident will be provided with 12 stickers each calendar year to put on additional bagged garbage. She advised she has not received any new stickers since 2007. Ms Branzelle advised the contract states that the Contractor shall be required to replace any containers damaged by negligent or intentional acts but shall not be responsible for replacement of containers which become unusable by reason of normal conditions of wear and tear. The contract language should be reviewed in that area. Ms. Branzelle noted there was no local phone number.

Byron Denton, 127 Tanner Way, advised there is a local telephone number that goes through Sacramento. Mr. Denton had concerns why yardwaste rates have increased when it's not taken to the landfill. Councilmember Barr stated yardwaste rates increased .09 cents due to CPI and diesel fuel costs.

Karen Brown, Black Butte Mobile Home Park Manager, requested earlier notification of proposed rate increases, so she can give a 60 day written notice to her tenants.

Helen Duree, 238 Stonycreek Drive, asked if there was any possibility to further negotiate with the Contractor to consider buying fuel in Orland and/or consider discounts for seniors. Ms. Duree

asked if the City receives any percentage of recycling monies and whether there are any special recycling efforts or campaign the City could assist with.

City Manager Poczobut advised there is a 35 gallon cart at the senior rate of \$11.94 a month. The new proposed rate is \$12.21 a month.

Mr. Magill advised the base rate was negotiated in the contract four years ago. Mr. Magill advised Waste Management does maintain and replace containers if they are broken.

Medina Branzelle felt the CPI adjustment is an entitlement and that fuel should be bought in Orland.

Trish Saint Evens, 6825 County Road 15, stated it makes sense to shop locally due to the fact we have lost some businesses. Ms. Saint-Evens feels gas should be bought locally too.

With no further comments the Public Hearing closed at 8:25 p.m.

Mayor Elliott asked whether the contract could be renegotiated to consider freezing the rate for a senior cart. City Manager Poczobut stated Waste Management would discuss the contract if the City wanted to consider some changes. Mr. Magill stated if the decision was to keep senior rates down, other rates would have to increase to subsidize the senior rate. Vice Mayor Paschall stated it seems unrealistic to have someone else haul the garbage. Councilmember Barr stated during the last renewal of the contract there was lengthy discussion on senior rates. Councilmember Barr advised the other option is to haul your own garbage.

Byron Denton advised as a senior he is willing to pay his own way.

Councilmember Barr moved, seconded by Councilmember Olney to approve the 2.3% rate increase for Waste Management. Motion carried with no abstentions.

Mayor Elliott asked there be an option in the future to discuss and consider freezing the senior rates if there is no cost of living increase for seniors. Mayor Elliott advised there should be an education outreach to seniors regarding their options of a smaller cart at a lower rate. Councilmember Barr advised there is a recycle cart that is also available.

## ADMINISTRATIVE COMMUNICATIONS

### Library Director:

Library Director Meza request Council to consider Orland Library Rules of Conduct. Library Director Meza advised the rules of conduct would give staff guidelines so they can enforce library rules equitably and to help ensure that patrons have access to a safe and orderly facility. Vice Mayor Paschall asked if there were rules of conduct established before. Library Director Meza stated there was not a complete list before. Councilmember Roundy questioned the suspension of patrons from the library. Library Director Meza advised one week suspension would be the least depending on the degree of the offense. Mayor Elliott questioned City Attorney Andrews regarding the language in the rules concerning free speech or handing out literature in the library.

City Attorney Andrews advised if the behavior is disruptive to the library function, the library has a right to control it. A person could make prior arrangements with the library or distribute their literature outside.

Councilmember Barr moved, seconded by Vice Mayor Paschall to approve the Rules of Conduct of the library. Motion carried with no abstentions.

Community Services Director:

Community Services Director request approval of Professional Agreement between Richard Crabtree and the City of Orland to conduct peer review of the Findings of Facts and Statement of Overriding Consideration prepared for the City of Orland Draft Final Environmental Impact Report for 2008-2028 General Plan Update. Community Service Director Sailsbery confirmed the costs for this expenditure (\$15,000) would be paid from Development Impact Fees.

Councilmember Barr moved, seconded from Vice Mayor Paschall to approve the Professional Agreement between Richard Crabtree and the City of Orland to conduct a peer review of the Finding of Facts and Statement of Overriding Consideration. Motion carried with no abstentions.

City Manager:

City Manager Poczobut gave an update on Northern California World Trade Center Conference. City Manager Poczobut stated there were booths from the European Chamber of Commerce and Malaysia Economic Development. The City shared in costs with the County of Glenn Public Works and Planning Department for his attendance at the conference. Contacts were made with the Northern California Small Business Development Center for Greater Sacramento Area and Citibank. City Manager Poczobut stated manufacturing was discussed, as well as promotion of Glenn County and the Airport industrial Park. City Manager Poczobut stated he will review the possibility of becoming a member of the Northern California World Trade Center.

City Manager Poczobut request Council discussion on Request for Proposals (RFP) for a Hotel and a Grocery Feasibility Study. City Manager Poczobut met with three grocery entities. One grocer would only consider the City of Orland if the community had 25,000 rooftops. The grocers and hotel chain stated an independent feasibility study would greatly increase the chances of Orland being considered as a viable location. Councilmember Roundy suggested staff look at the prior hotel feasibility study and find out whether it's possible to update information without going through whole process. City Manager Poczobut felt a grocery feasibility study is more important than a hotel study at this time. Vice Mayor Paschall stated you cannot expect any grocery store chain to do a feasibility study on their own. Trish Saint-Evens, asked why a feasibility study. City Manager Poczobut stated a feasibility study would provide data and facts to determine if a grocery store is warranted and would be viable and supported in the community. Dalene Shippelhouse, 4300 County Road N, stated a company will only come to this area if they can make a profit. Mrs. Shippelhouse stated the City should not do a feasibility study.

CLOSED SESSION

Closed Session was not held regarding Conference with Legal Counsel-Pending Litigation; Pursuant to Government Code Section:54956.9(b); Crystal Geysler.

REPORT FROM CLOSED SESSION

No report from Closed Session.

ADJOURN

Meeting adjourned at 9:08 p.m.

\_\_\_\_\_ Clerk

\_\_\_\_\_ Mayor