

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

ROLL CALL

Councilmembers present: Dennis Hoffman, Bruce Roundy, Vice Mayor Wade Elliott and Mayor Jim Paschall

Councilmembers absent: Charles Gee

Staff present: Paula Carr, Angie Crook and Paul H. Poczobut Jr.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Business:

Angus Saint-Evens, 6825 County Road 15, asked during the absence of the Planning Director, would the City consider holding workshops for the Planning Commission to discuss the General Plan update; with no action taking place. City Manager Poczobut advised the City is planning to conduct the Planning Commission meeting on May 19, 2011. Pacific Municipal Consultants may be providing temporary planning services during the Community Services Director's absence.

Andre Carrao, Orland Bowl business owner, advised he had concerns regarding Item D. on the consent calendar. Mr. Carrao asked the item be removed for further discussion.

Proclamation:

Mayor Paschall presented a proclamation to Officer Kelly Trent, Willows Public Safety Association President, proclaiming May 15-21, 2011 as National Peace Officer Week, Special recognition of May 1 & 2, 2011 as California Peace Officer Memorial Day and May 15, 2011 as National Peace Officer Memorial Day.

Presentation & Resolution:

A presentation was given by Ashley Beechman and youth from California Youth Connection (CYC) regarding May 2011 as Foster Care Month. The resolution is to bring awareness to the community regarding children in foster care. It was the consensus of Council to adopt Resolution No. 2011-02 endorsing May 2011 as Foster Care Month.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Mayor Paschall announced there will be no closed session due to the absence of the City Attorney.

Councilmember Roundy attended the Orland Hall of Fame dinner. George Molina was the inductee at large, for his 42 years at the microphone at the Orland High School. The Easter Egg Hunt held at Lely Park was a success. The first annual "Run with the Dogs" 5K run was held at Black Butte Lake this past weekend. Councilmember Roundy advised he is working jointly with Chris Von Kleist, Orland Unified School District Superintendent, with a Joint Powers Agreement to apply for a Recreation and Parks Grant (4-5 million) to develop a 10 acre park in conjunction with trails and pedestrian paths. The City pool would also be included in those improvements. Councilmember Roundy attended a meeting with 3-CORE, Upstate and Team California. A City

Council and Economic Development workshop was held to discuss opportunities of working with the County and the City of Willows to develop regional economic development.

Vice Mayor Elliott advised there was a postponement of the April 21st Planning Commission meeting but the plan is to resume the Planning Commission meeting on May 19, 2011. Vice Mayor Elliott advised the "Regional Housing Needs Assessment" numbers will be reported by the Planning consultant at a future meeting.

City Manager Poczobut request a Special meeting be held April 25, 2011, 7:00 p.m. to discuss a contract for general planning services while the Community Services Director is absent.

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 April 4, 2011.
- C. Approve Warrant List.
- D. Consider application and Findings of Public Necessity for Alcoholic Beverage Control (ABC) License for Blondie's Hideaway, located at 525 Monterey Street, Orland, applicant Vernon Montague.

Councilmember Hoffman moved, seconded by Councilmember Roundy to remove Item D. from the consent calendar. Motion carried with no abstentions and Councilmember Gee absent.

Vice Mayor Elliott moved, seconded by Councilmember Roundy to adopt Items A – C on the consent calendar. Motion carried with no abstentions and Councilmember Gee absent.

Councilmember Hoffman advised a member of the public had already expressed a concern regarding the item. Councilmember Hoffman questioned the item as a routine matter when the request exceeds the ABC limit, therefore, further discussion from law enforcement and/or the community should occur on the matter. Vice Mayor Elliott stated he would like more information from Mr. Montague on the item, therefore, it should be agendaized for a future meeting. Mr. Montague advised their concerns will be addressed in the use permit process during the Technical Advisory Committee meeting. Mr. Montague stated the license would serve as a Public Convenience or Necessity for the City of Orland. He would offer a bar and grill, with a menu of frog legs, grilled food, beer and wine, big screen tvs and pool tables. His establishment would provide an economic benefit to the City, increase job employment and improve the appearance of an older building. Mayor Paschall felt the issue should also be further looked into and agendaized for a future meeting.

Councilmember Roundy moved to approve and authorize the beer and wine application from the Department of Alcoholic Beverage Control for Blondie's Hideaway. Motion failed due to a lack of a second.

City Manager Poczobut advised Council will only have input on the ABC license determination, unless an appeal was later brought forward. Councilmember Hoffman advised he is not familiar with the project and why the necessity for an additional license. Deana Beeman advised there are

three beer and wine licenses that are valid but not being used or operating. Ms. Beeman stated she would like the opportunity to provide jobs and growth in Orland. Mayor Paschall and Vice Mayor Elliott stated it would be advantageous if the issue could be heard at the Special meeting scheduled next week, which would allow additional time and information to be obtained. Councilmember Roundy asked what additional information was needed. Vice Mayor Elliott stated he did not want to impede on Mr. Montague's business or advancement of jobs. City Manager Poczobut advised Council the date of the Special meeting would need to be changed to April 26, 2011 due to a scheduling conflict. Mike Hendry, a partner of the proposed property, stated he will provide a copy of the lease agreement which prohibits certain uses of the property. Council gave direction to staff to move the issue to a Special meeting on April 26, 2011, at 7:00 p.m.

PUBLIC HEARING

1. Conduct a public hearing and upon receiving public input, consider reading by title only and passage of first reading of an Ordinance to adopt the 2010 California Building Standard Code and all Appendices thereto.

Terry Knox, Building Official, introduced the first reading of Ordinance 2011-XX to adopt the 2010 California Building Standard Codes and all Appendices thereto. Mr. Knox advised this was a formality, as the State has already adopted the codes. The Ordinance will address the administrative provision allowing the City to collect the fees for building permits, plan reviews and enforcement of these regulations, as the State does not adopt those regulations into the administrative code. New codes include: Part 2.5; the California Residential Code, California Building Code Volumes 1 and 2, but only Appendix Chapters H and Q; and Part 11, Green Building Standards Code. The following codes that would be adopted and amended include: Part 1 through Part 12 and the 1997 Administrative Code; Uniform Housing Code, Chapter 10; and Uniform Code for Abatement of Dangerous Buildings. City Manager Poczobut advised that Appendix G, in regards to flood resistant construction is also included for adoption within the Ordinance, as it is a requirement for joining the National Flood Insurance Program.

The Public Hearing opened for comments at 8:36 p.m. Angus Saint-Evens asked if Councilmember Gee's concerns at the joint workshop regarding ADA compliance issues and possible reduced costs were ever addressed in a portion of the Building Code. Mr. Knox stated the issue is addressed in Building Code Sections 11 A and B (Title 24) in regards to existing construction (building). Mr. Saint-Evens stated Councilmember Gee was concerned the City needs to be receptive to business construction and remodels, as costs could be prohibitive due to Title 24 compliance. Trish Saint-Evens, 6825 County Road 15, questioned whether this would effect the General Plan Update. Staff advised it would not affect the General Plan. With no further comments the Public Hearing closed at 8:40 p.m.

Councilmember Roundy moved, seconded by Vice Mayor Elliott adopt the Exemption from California Environmental Quality Act (CEQA), under Section 15061(b)(3) of the CEQA Guidelines, General Rule Exemption. Motion carried with no abstentions and Councilmember Gee absent.

Vice Mayor Elliott moved, seconded, by Councilmember Roundy to approve first reading of Ordinance No. 2011-XX adopting and amending the Administrative Code for Title 15, adopting the revised Title 15 of the Orland Municipal Code, and adopting and amending the 2010 California Building Standards Code and other Uniform Codes with the Findings listed in the Ordinance.

A second reading will be held at the next regular scheduled meeting on May 2, 2011. Motion carried with no abstentions and Councilmember Gee absent.

ADMINISTRATIVE COMMUNICATIONS

Chief of Police:

Chief of Police Carr brought forward first reading of Ordinance 2011-XX regarding Orland Municipal Code Chapter 8.38 Burglary and Robbery Alarm policy. A public hearing will be held at the next regular scheduled Council meeting. In efforts to reduce the number of false alarm responses by the Orland Police Departments a policy was developed. The Policy would incorporate into the Orland Municipal Code which requires residential and business alarm account holders to register their alarm information with emergency contact information. Also, proposed in the Ordinance are the following fines associated with repeated false alarm responses by law enforcement:

- 4th – 9th False alarm \$ 65.00
- 10th – 14th False alarm \$100.00
- 15th or more False alarms \$260.00

Chief of Police Carr advised false alarms are costly and take police, fire and medical workers away from real emergencies.

Council consensus was to pass first reading of Ordinance and move forward to second reading and Public Hearing to be held at the next scheduled Council meeting on May 2, 2011.

City Manager:

City Manager Poczobut brought forward to Council discussion on the Draft Governance Policy. A number of policies were received from other cities and provided to Vice Mayor Elliott and Councilmember Roundy to review. Council felt the policy will create a guidance document for future Councils and Commissioners. Council also discussed possible workshops during election years. Council recommended the following revisions to the draft policy:

- 7.2 Time Limitation – up to 3 minutes, Chair has the latitude to extend the time limit (Oral Communication period).
- Need to add Closed Session – What is proper before, during and after Closed Session?
- Consistency in use of timer lights; have been used by most cities.
- 7.1 strike the highlighted word “councilmember” and keep “Chair” only.
- 7.3 strike the highlighted word “by a majority consensus of the Council” and keep “Chair” only.

- 7.1 Amend sentence to state “After a motion has been made, until the absence of a second, there is no discussion”.
- 7.1 strike through “Another words”.

CLOSED SESSION

1. Closed Session was not held regarding Conference with Legal Counsel – Pending Litigation Pursuant to Government Code Section: 54956.9(b); Sailsbery v. City of Orland.
2. Closed Session was not held regarding Conference with Legal Counsel – Pending Litigation Pursuant to Government Code Section: 54956.9(b); City of Orland v. Tollett
3. Closed Session was not held regarding Conference with Legal Counsel – Pending Litigation Pursuant to Government Code Section: 54956.9(b); City of Orland v. Western Mutual
4. Closed Session was not held regarding Conference with Legal Counsel – Potential Litigation Pursuant to Government Code Section: 54956.9(b); One Case

REPORT FROM CLOSED SESSION

No report from Closed Session

ADJOURN

Meeting adjourned at 9:04 p.m.

_____Clerk

Mayor_____