

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

ROLL CALL

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

Councilmembers absent: Vice Mayor Charles Gee

Staff present: JC Tolle, Interim Chief of Police; Daryl Brock, Finance Director, Janet Wackerman, Grant Coordinator; Gina Gingery, Assistant City Attorney; Angie Crook, Assistant City Manager/City Clerk; Gail Wingard, Interim City Manager.

ORAL AND WRITTEN COMMUNICATIONS

Mayor Elliott noted with the recent adoption of the Governance Policy, new Speaker Request Forms were available to members of the public to complete if they wish to address the Council on a specific agenda item. If they wish to address Council on an issue not listed on the agenda, it was not necessary to complete the form.

Citizen Business:

Byron Denton, 127 Tanner Way, stated the Avenue of Lights had a great show this year.

Bob Bishop, 224 Mellane Circle, played a portion of the recording of the June 2011 Planning Commission meeting regarding Vice Chairperson Arano's comments on the General Plan Update.

Appointments:

Mayor Elliott brought forward the following Council Appointments to Boards and Commissions for 2012:

Golden State RMA	Charles Gee Wade Elliott, alternate
Fire Department Commissioner	Dennis Hoffman Wade Elliott, alternate
Airport Land Use Commission	Bruce Roundy – appt. through 2013 Dennis Hoffman, alternate
Orland Business Improvement Assoc. (OBIA)	Dennis Hoffman Bruce Roundy, alternate
Orland Area Chamber of Com.	Wade Elliott Charles Gee, alternate
Orland Unit Water Users' Assoc. Voting delegate	Wade Elliott

Resource Conservation & Development (RC&D) Dennis Hoffman  
Jim Paschall, alternate

**Advisory to City Commissions**

Library Bruce Roundy  
Wade Elliott, alternate

Public Works Jim Paschall  
Wade Elliott, Alternate

Parks & Recreation Bruce Roundy  
Wade Elliott, alternate

Safety Wade Elliott  
Jim Paschall, alternate

Arts Bruce Roundy  
Dennis Hoffman, alternate

Economic Development Bruce Roundy  
Wade Elliott, alternate

Planning Wade Elliott  
Bruce Roundy, alternate

**Special Assignments**

City Selection Committee/ Mayor Wade Elliott, Chairman

**City Selection Committee**

LAFCO City of Orland, Alternate City for 2012  
Jim Paschall, alternate  
Each city alternates each year having an alternate  
Bruce Roundy (member) appt. 2009-2013 (4yrs)

Waste Management Regional Agency Charles Gee  
Dennis Hoffman, alternate  
(Orland has 1 member and 1 alternate for 2012,  
each city alternates - 2 members for 2013)

Local Transportation Comm Bruce Roundy  
Jim Paschall , alternate  
(Orland has 1 member and 1 alternate for 2012,  
each city alternates - 2 members for 2013)

Transit Committee	Bruce Roundy Wade Elliott
Joint Task Force Facility & Community Centers	Bruce Roundy Jim Paschall Dennis Hoffman, alternate

#### CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy advised he attended the Veteran's wreath ceremony held at the Orland cemetery. Councilmember Roundy advised the Glenn County Economic Development steering committee is continuing their efforts. Councilmember Roundy attended the Glenn County Transportation meeting and advised there has been a reduction in services. Councilmember Roundy noted the Avenue of Lights was a success.

Councilmember Hoffman thanked everyone that helped with the Lighted Christmas parade.

Mayor Elliott stated he and Councilmember Roundy met with the City of Willows to discuss opportunities of both cities working together.

#### 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 December 5, 2011.
- C. Approve Warrant List.
- D. Approve City Council minutes for November 21, 2011.
- E. Receive and file Economic Development Commission minutes for November, 7, 2011.
- F. Receive and file Arts Commission minutes for August 17 and September 21, 2011.
- G. Receive and file Planning Commission minutes for September 15, 2011.

Councilmember Roundy moved, seconded by Councilmember Paschall to approve the Consent Calendar as presented. Motion carried with no abstentions and Vice Mayor Gee absent.

#### PUBLIC HEARING

None

#### ADMINISTRATIVE COMMUNICATIONS

##### Grant Coordinator:

Grant Coordinator Wackerman requested Council to consider an application to the Community Development Block Grant (CDBG) program and authorize submittal of a request for proposal to obtain a consultant to write the application. Grant Coordinator Wackerman advised Council may consider applying for funds to construct the Papst Avenue crossing at Lateral 40 under the

public improvements category; up to \$1,500,000 can be requested. Grant Coordinator Wackerman recommended using the City's Program Income funds for the construction/rehabilitation of the water well. The City would have to request a waiver from CDBG to use these funds but the activity would be non-competitive. Approximately \$120,000 would be available. The City has approximately \$200,000 in reserve for water maintenance to be used for the balance, if necessary. Another option for funding is a loan to an employer that would result in creation or retention of jobs. Grant Coordinator Wackerman stated presently the City does not have any applications that would benefit from a CDBG loan. Applications are due by April 6, 2012. Council discussion occurred.

Councilmember Paschall moved, seconded by Councilmember Hoffman to pursue a CDBG application for the Papst Avenue crossing at Lateral 40 and a Planning and Technical Assistance grant to study the water system; authorize submittal of a Request for Proposal to obtain a consultant to write a grant application and authorize Interim City Manager to negotiate and sign a contract with the consultant at a cost not to exceed \$7,000. Motion carried with no abstentions and Vice Mayor Gee absent.

Finance Director:

Finance Director Brock gave an update on General Fund expenditures. Finance Director Brock stated the revenue figures are still not solid at this time. Mr. Brock advised 61.95% remains of the expenditure budget for salary and benefits therefore, the budget remains positive of about \$77,883. General Fund expenditures for operating expenses remains at 54.72%, which is a budget negative of about \$27,525. Mr. Brock advised we have the added services of consultants due to the Community Services Director's absence and a contract Interim City Manager. Councilmember Roundy questioned City Attorney costs and whether this was due to the transition of a new City Attorney. Finance Director Brock stated the budget will be closely monitored and will update Council as necessary.

City Attorney:

Assistant City Attorney Gingery brought forward continued First reading by title only of an Ordinance entitled "An Ordinance of the City Council of the City of Orland amending Title 8 of the Orland Municipal Code to regulate smoking and secondhand smoke. At the December 5<sup>th</sup> Council meeting, direction was given to staff to set forth the key provisions of the ordinance as stated in the staff report and bring forward in its current state and present for first reading. Assistant City Attorney Gingery advised at the request of the Mayor and Councilmember Roundy, to also provide an alternate version of the ordinance that allows authority to the Council to designate areas upon City property where smoking is permitted. This section is designated as 8.14.035 – Designated Smoking Areas. It was noted the alternate version is for discussion only; a first reading would need to be scheduled at a future meeting if Council determines to consider the alternate version. Councilmember Roundy stated the fairgrounds implemented a designating smoking area; possibly the City could do the same and still consider the health and welfare of the public in the parks. Councilmember Paschall advised enforcement is still a concern and questioned if there is state mandate requiring specific footage; 100 feet was not realistic. Councilmember Hoffman advised it was Council's responsibility to tell business or private owners to post no smoking

signs; except in public areas (parks and public buildings). Byron Denton advised when the fairgrounds designated certain non-smoking areas, no specific distance/or feet from one area or building was used.

Councilmember Paschall moved, seconded by Councilmember Hoffman to consider first reading of ordinance to regulate smoking and secondhand smoke.

Mayor Elliott request comments from the public.

Dr. James Corona, 203 E. Walker Street, stated smoking is an addiction and health hazard; we need to discourage our youth from smoking. Dr. Corona questioned whether the City is promoting health or not. George Toney, 4239 County Road L, suggested the alternate version be considered with the following change under 8.14.035: Remove sentence which states the smoking areas shall not be located within 100 feet of any playground, picnic area, etc. Shelly Brantley, American Lung Association, stated it is the role of government to protect the health of citizens. Ms. Brantley advised the designated area needs to be a common area, such as a parking lot. Christina Roberts, American Lung Association, advised second hand smoke is a toxic air contaminant and hundreds of other cities have eliminated smoking in recreational settings. Sharon Lazorko, 127 E. Yolo Street, advised put aside enforceability; see the big picture. DeAnne Blankenship, California Health Collaborative, advised the group of SWAT students collected over 400 endorsements from Orland residents for a policy to ban smoking in business entryways. Trish Saint-Evens, 6825 County Road 15, stated specific designation areas should be considered to protect children. Byron Denton, advised he agreed with Dr. Corona's comments. Francis Cuhney, Drug & Alcohol counselor, stated there is no greater hazard than tobacco use; need to protect our children. SWAT student advised phone number/information was given to those who signed endorsements. Roger Johnson, 426 Second Street, stated we live in America; we should be able to walk downtown and have a cigarette if we desire.

Councilmember Paschall rescinded his first motion.

Council gave direction to staff to bring forth and consider for first reading of the alternate version with amendments to Section 18.04.035 - Designated Smoking Areas- remove second sentence entirely.

Mayor Elliott called a recess at 9:15 p.m. Meeting resumed at 9:18 p.m.

Assistant City Attorney Gingery gave an update to Council regarding the procedures for Sapphire Plaza's Development Impact Fees and Payment Agreement. Assistant City Attorney Gingery advised correspondence was sent to the owner of Sapphire Plaza regarding terms Council requested. Assistant City Attorney Gingery advised they have not received any response. Council agreed to suspend any action at this time.

Interim City Manager:

Interim City Manager Wingard brought forward for discussion and to consider lease/rent option for vacant Public Safety building located at 824 Fourth Street. Council agreed it is not in the City's best interest to put the property up for sale at this time. Council discussed whether the building was rentable and what the estimated costs are to improve the building. Council advised the

outside of the building should be kept up to prevent blight. Trish Saint-Evens advised a gentleman desires to locate a canned food business in Orland. Council directed the Interim City Manager to determine if there is a city or commercial use for the building and determine estimated costs of repairs.

Meeting adjourned to Closed Session at 9:35 p.m.

CLOSED SESSION

Closed Session was held regarding Public Employee Appointment, Employment, Evaluation of Performance, Dismissal or Release; pursuant to Government Code Section: 54957; Position: Interim Chief of Police.

Meeting reconvened to Open Session at 10:07 p.m.

REPORT FROM CLOSED SESSION

Received report from Interim City Manager and direction was given.

ADJOURN

Meeting adjourned at 10:08 p.m.

\_\_\_\_\_Clerk

\_\_\_\_\_Mayor