

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday April 21, 2014 7:30 p.m.

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

ROLL CALL

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

Councilmembers absent: None.

Staff present: Public Works Supervisor Forrest Marston, Public Works Crew Lead Ed Vonasek, Chief of Police J.C. Tolle, City Attorney Greg Einhorn and Assistant City Manager/City Clerk Angie Crook.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

David Allee, 1636 Linwood Drive, requested Council to consider a concept of a permanent marker/memorial in memory of those who lost their lives in the I-5 bus fire tragedy. The memorial would be funded by volunteer contributions and/or city funding and if additional funds were leftover, possibly consider awarding a scholarship to a High School Senior who is low-income, from the L.A. area schools affected and whose intent is to attend Humboldt State University.

Councilmember Gee advised the City Manager would be contacting a member of the Orland Pride organization to consider some kind of memorial plaque. Councilmember Roundy advised the tragedy affected many members of the community. Council would agendaize the matter on a future agenda.

Vice Mayor Edwards advised a banner was donated by local citizens thanking the first responders for their extraordinary efforts during this bus tragedy.

Presentation:

Verda Belle Gollnick from the Orland Women's Improvement Club presented a donation of \$700 towards the purchase and installation of one splash fountain in the new Splash Park at Lely Aquatic Park. A donation was also given to the Orland Recreation department for two free swim days at the Orland Pool this summer.

On behalf of the City Council, Mayor Paschall thanked the OWIC for their donations.

CONSENT CALENDAR

A. Approve Warrant List (payable obligations).

ACTION: Councilmember Gee moved, seconded by Councilmember Hoffman to approve the consent calendar as presented. The motion carried 5-0 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 a public hearing and upon conclusion, consider reading by title only and passage of first reading of an Ordinance entitled "An Ordinance of the City Council of the City of Orland, amending Title 8, Health and Safety Ordinance, of the City of Orland Municipal Code to include "E-Cigarette" or "Electronic Cigarette" in Chapter 8.14: Regulation of Smoking and Secondhand Smoke".

Assistant City Manager/City Clerk Crook gave a review of the proposed ordinance. Mayor Paschall opened the Public Hearing for comments at 7:40 p.m. Byron Denton, 127 Tanner Way, stated it's a good idea to add electronic cigarettes to the existing smoking ordinance. With no further comments, the Public Hearing closed at 7:42 p.m.

ACTION: Councilmember Hoffman moved, seconded by Vice Mayor Edwards to approve proposed amendment and consider passage for first reading by title only "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." The motion carried 5-0 by the following voice vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

ADMINISTRATIVE COMMUNICATIONS

Assistant City Manager/City Clerk:

Ms. Crook brought forward a request to approve the draft proposed labor agreement with the Orland Police Officers Association (OPOA) for fiscal years July 1, 2014 – June 30, 2016. The highlights of the proposed agreement include:

1. A two-year agreement
2. 2% wage increase across-the-board July 1, 2014 and July 1, 2015
3. New entry-level step for patrol officer trainees 5% below Step 1.
4. Increase in stipend for bilingual skills, modification to administration of stipend for college degrees, and an increase in the health insurance payment in-lieu of coverage for those who opt out of the city's insurance coverage.
5. OPOA members who choose to continue Platinum (90/10 PPO) insurance coverage will begin to share the cost with the City in 2015; City will begin offering Gold (80/20 PPO) plan at 100% cost coverage starting in 2015.
6. Newly established allowance for limited "buy-back" of vacation, and a reduction of floating holidays from three to one.
7. Understanding that new officers and staff are being hired in at reduced PERS pension formulas per PEPRA legislation, and acknowledgement that the OPOA will work with the City in 2016 to achieve full 9% contribution toward pension premiums in the succeeding agreement (OPOA members have been contributing 8% since 2009).
8. Several language clarifications will be incorporated into the new MOU.

ACTION: Councilmember Hoffman moved, seconded by Vice Mayor Edwards to approve the proposed Orland Police Officers Association labor agreement as stated. The motion carried 5-0 by the following voice vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

Ms. Crook presented to Council a request to purchase the Channel Flow Influent Monitoring System. This device will upgrade the City's wastewater treatment facility's influent station monitoring of flow and data collection. The total price for the system is \$8,276 to be expended from Sewer Funds. This will complete the project.

ACTION: Vice Mayor Edwards moved, seconded by Councilmember Gee to approve the purchase of the Channel Flow Influent Monitoring System. The motion carried 5-0 by the following voice vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

Ms. Crook presented to Council for consideration a request from owners of two parcels on Sixth Street who wish to share with the City the cost of applying for a redesignation of land use and change of zoning of their properties from commercial to residential use. The property owners have each paid \$750 as a good faith, non-refundable deposit. Staff estimates total costs for process is between \$3,000 - \$4,500. The developed parcel and undeveloped parcel have been a source of concern for neighborhood nuisances, crime and blight. Owners of the Arch property are currently making improvements but require a transition to residential zoning. Vice Mayor Edwards questioned if this action could be considered a gift of public funds or set precedence in the future. City Attorney Einhorn advised the improvements would help resolve long term blight issues in this area and therefore would provide a significant benefit to the city. The only precedence that would exist is the City Council would obligate itself to consider future fee waivers on a case by case basis; it would not bind the City. Councilmember Roundy questioned if the property owners brought this issue forward. Mr. Einhorn advised they had as a result of conversations with City staff.

ACTION: Vice Mayor Edwards moved, seconded by Councilmember Gee to accept deposits and approve requests for further waiver of fees, direct staff to proceed with land use and zoning change action process. The motion carried 5-0 by the following voice vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

City Attorney:

City Attorney Einhorn brought forward a draft letter of support for Senate Bill 1262 (Correa) - Medical Marijuana regulation of physicians, dispensaries and cultivation sites. The League of California Cities has taken a support stance on SB1262 and urges cities to do the same, subject to restrictions of local jurisdictions.

ACTION: Councilmember Hoffman moved, seconded by Vice Mayor Edwards to authorize Mayor to sign and forward draft correspondence in support of SB 1262. The motion carried 5-0 by the following voice vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Gee reported on the following:

- Will be attending County/Cities EDC meeting on Thursday

Vice Mayor Edwards reported on the following:

- Attended LAFCO meeting; share copies of Municipal Service Review; review General plan in regards to sufficient park land;
- Attended debriefing in Willows; appreciated the citizens and OVFD for their outstanding work during bus fire tragedy.

Councilmember Hoffman had no reports at this time.

Councilmember Roundy reported on the following:

- Attended Town Hall meeting;
- Attended LAFCO meeting;
- Attended Transportation Commission; City received \$96,000 in STIP funds;
- Will be out of town next week.

ADJOURN

Meeting adjourned at 8:21 p.m.

_____ Clerk

_____ Mayor