

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday April 6, 2015 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, Mayor Jim Paschall

Councilmembers absent: None

Staff present: Recreation Director Joe Fenske, City Engineer Ken Skillman, Chief of Police J.C. Tolle, City Attorney Greg Einhorn, Assistant City Manager/City Clerk Angie Crook and City Manager Pete Carr

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

Sergeant Sean Johnson, President of the Orland Police Officers Association, spoke on behalf of the Orland Police Officers' Association and United Public Employees of California Local #692 General Unit to advise Council before considering approval of the amended City Manager contract. Sergeant Johnson stated employees of the city took an 8% reduction in pay during the fall of 2009. Mr. Carr's increase would reflect a 12% increase since that time, whereas, other city employees have received a 4% increase during the same time period. Sergeant Johnson stated the City Manager certainly deserves an increase, as he has done a very good job for the City.

Proclamation:

Chief Tolle accepted a proclamation from Mayor Paschall on behalf of Rape Crisis Intervention and Prevention, declaring the month of April as Sexual Assault Awareness month.

Presentation:

Rae Turnbull, Arts Commission Chairperson gave an update on the bronze children's sculpture project. The sculpture titled "Our Hope and Heritage" is being created by Tamara Bonet, and will feature a lifesize sculpture featuring two young children dressed in typical clothing in Orland's early days. It will be placed on Third Street in downtown Orland, facing Highway 32. The project will be funded entirely through donations at \$2,000 each. At this time, the commission has already received four donations. Councilmember Gee stated a citizen questioned why the project was not being placed in Library Park. Mrs. Turnbull stated the location will draw visitors, as well as ambient lighting from the other businesses in the area. The sculpture should be ready by fall of 2016.

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes of March 16, 2015.
- C. Receive and file Planning Commission minutes of February 19, 2015.
- D. Approve updated Objectives FY 14-15 Project and Priorities list.
- E. Approve and authorize City Manager to execute contract between City of Orland and MC Engineering for Leak Detection.
- F. Approve and authorize City Manager to engage ENT Backhoe for reseal project.

ACTION: Councilmember Roundy moved, seconded by Councilmember Hoffman to approve the consent calendar as presented.

Byron Denton, 127 Tanner Way, requested Item E. to be removed from the consent calendar for discussion.

ACTION: Councilmember Roundy *amended* his motion, seconded by Vice Mayor Edwards to approve Items A, B, C, D, F and remove Item E on the consent calendar. The motion carried by the following voice vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

Mr. Denton asked what was the cost of the contract with MC Engineering. City Engineer Skillman advised the project would not exceed \$15,517 for detecting and finding leaks within the City. City Manager Carr stated MC Engineering initially did an analysis on the water distribution system and gave recommendations to staff which were prioritized by the Public Works/Safety Commission and endorsed by Council. Leak detection was at the top of the list.

ACTION: Councilmember Roundy moved, seconded by Vice Mayor Edwards to approve Item E as presented. The motion carried by the following voice vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

PUBLIC HEARING

None

ADMINISTRATIVE BUSINESS

City Manager:

City Manager Carr brought forward for discussion and consideration on whether the City should become a Groundwater Sustainability Agency (GSA). Mr. Carr advised there is no urgency to become a GSA, but there is some risk if another entity could declare itself a GSA and include the City in its jurisdiction. The Council has the option to proceed or defer while County works with the State to facilitate the process. Lisa Hunter, Glenn County Water Services Coordinator advised Glenn County and Glenn Colusa Irrigation District are working with the California Water Foundation in a collaborative process to decide the best government option for this basin; whether it's a collective or a joint plan. Council discussed and agreed the City and its sphere of influence needs

to be protected and should consider becoming its own GSA. Council directed staff to get more information and begin the process of forming a GSA.

City Manager Carr brought forward for review Orland's Water Conservation and Shortage Contingency Plan and recent State restrictions. Last year, Council adopted a plan consistent with direction set by the State Water Resources Control board for urban water suppliers. The City of Orland declared a Stage 1 last year. The City achieved a 15% reduction in water use; the State achieved less than 10%, and the state and local target is 20%. New state restrictions include 25% reduction in water by February 2016, prohibitions on irrigating "ornamental turf on public streets" and suppliers to develop rate structures (usage tiers) that encourage conservation. Irrigation of large lawns, such as golf courses, must be reduced, as well as no lawn watering 48 hours after rainfall. Mr. Carr stated the City has turned off irrigation on all public city park landscape medians and areas in the parks that are not well used. After continued discussion, Council directed staff to continue and encourage conservative efforts as implemented.

City Manager Carr brought forward the Recreation Commission's recommendation regarding an onsite recycling upgrade to the Splash Pad. The Recreation Commission is recommending use of up to \$20,000 in Parks Development Impact Fees if upgrades of the splash pad to a leach line recycling system are deemed desirable by Council. Mr. Carr advised splash pads use water comparable to a pool and provide a safe recreational opportunity to cool off in hot weather. The Commission also recommended reducing operating hours this year due to water conservation measures. Council was in agreement the upgrade is not necessary because it will recycle anyway. Council agreed to keep the splash pad open, just reduce hours of operation to conserve water. Recreation Director Fenske was not in favor of spending \$20,000 to upgrade the splash pad, as there are other ways to control the water. Mr. Fenske recommended a joint staff decision when considering changes to splash pad hours. Council consensus was to not recommend an upgrade to the splash pad and for staff to bring back a recommendation on splash pad hours of operation.

City Manager Carr presented Recreation Commission's recommendation on playground equipment for Heartland and Lollipop Land. Heartland subdivision was previously approved for a "neighborhood park playground" in partnership with CHIP (Community Housing Improvement Program) and supported by a State HCD parks grant. The Commission recommended purchase of a new playground structure for Lollipop Land to replace an old wooden structure at a cost of \$75,000 from the State Parks grant and up to \$55,959 from impact fees. The City was not awarded the grant for recycled tire rubber; however the Commission preferred wood fiber at estimated cost of \$16,200. Deseret Farms also donated an additional set of playground swings at Lollipop Land. Vice Mayor Edwards on behalf of the City Council thanked Deseret Farms for their contribution. It was noted the Commission did not recommend use of impact fees for restoration of Vinsonhaler park bathrooms.

ACTION: Councilmember Roundy moved, seconded by Vice Mayor Edwards to approve purchase of Lollipop Land and Heartland playground equipment and for engineered wood fall material. The motion carried by the following voice vote:
AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee and Hoffman and Roundy.
NOES: None
ABSENT: None
ABSTAIN: None

City Manager Carr requested Council to approve a tax sharing agreement with the County of Glenn regarding annexation of real property, referred to as Modoc Annexation, with parcel numbers: 046-080-006; 046-080-007; 046-080-008; and 046-080-009. The agreement is a 50/50 split of property tax.

City Manager Carr requested Council to approve a tax sharing agreement with the County of Glenn regarding annexation of real property, referred to as Pilot/Flying J Travel Plaza annexation, with parcel numbers: 045-140-003; 045-140-010; 045-140-011; 045-140-012 045-170-003; and 045-170-005. The County would receive a little more than half of the property tax and the City would receive the majority of sales tax.

ACTION: Councilmember Hoffman moved, seconded by Councilmember Roundy to approve tax sharing agreements for both Modoc and Pilot/Flying J Travel Plaza as presented. The motion carried with the following voice vote:
AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee and Hoffman and Roundy.
NOES: None
ABSENT: None
ABSTAIN: None

Vice Mayor Edwards thanked Councilmember Gee and City Manager Carr for the time they spent negotiating these agreements.

City Attorney:

City Attorney Einhorn brought forward for consideration the proposed amended contract for the City Manager. It is a two-year contract, with a 4% increase in both year one and two. The City would also agree to match the City Manager's contribution to 457 retirement savings account in an annual amount not to exceed \$2,000 per year (does not count as PERS compensation). Councilmember Gee and Hoffman felt the scope and quality of work of the City Manager warranted an increase in salary. Vice Mayor Edwards and Councilmember Roundy both stated Mr. Carr has done a very good job, however, the City's financial status and obligations need to be considered at this time.

ACTION: Councilmember Gee moved, seconded by Councilmember Hoffman to approve the amended City Manager contract as presented. The motion carried 3 -2 with the following roll call vote:

AYES: Mayor Paschall and Councilmembers Gee and Hoffman.
NOES: Vice Mayor Edwards and Councilmember Roundy.
ABSENT: None
ABSTAIN: None

City Attorney Einhorn presented for consideration or action the Application For Leave to File Late Government Tort Claim received from Candice, Summer and Macie Evans (spouse and children of Fed Ex driver/ bus accident). Mr. Einhorn advised the claims would be deemed insufficient because as set forth in the claim, the location of the bus accident, which occurred on I-5, was not under the control or maintenance of the City.

ACTION: Councilmember Hoffman moved, seconded by Vice Mayor Edwards to authorize the City Attorney to respond to the claim. The motion carried by the following voice vote:

AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee and Hoffman and Roundy.
NOES: None
ABSENT: None
ABSTAIN: None

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy reported on the following:

- Will be attending League of California Cities (LOCC) policy committee meeting;
- Will be attending Water Advisory Committee meeting; more information to come.
- Attended LOCC Sacramento Valley Division meeting.

Councilmember Hoffman had no reports at this time.

Councilmember Gee reported on the following:

- Spent a lot of time discussing tax sharing agreements with City Manager;
- Attended Fourth Street Café first year anniversary.
- Attended Waste Management meeting; KVB still moving forward.

Vice Mayor Edwards reported on the following:

- Attended Transportation meeting;
- Attending LOCC Sacramento Valley Division meeting in Redding.

ADJOURN

Meeting adjourned at 9:50 p.m.

Clerk

Mayor