

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

ROLL CALL

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

Councilmembers absent: None

Staff present: City Engineer Ken Skillman, City Planner Scott Friend, Sergeant Joe Vlach, City Attorney Greg Einhorn, Assistant City Manager/City Clerk Angie Crook and City Manager Pete Carr

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

Mike Yalow, 163 E. Swift Street and Candice Spielman, Glenn County Office of Education, thanked Council for the \$5,000 which supported the efforts to eradicate the Arundo in Stony Creek for fire protection. Approximately 62,000 square feet of Arundo was cleared. Mr. Yalow stated the amount of water savings would be equivalent to supplying fifty (50) families of four. It was noted \$40,000 in Prop 84 grant funds was awarded through the California Conservation Corp (CCC). These funds will assist in spraying the Arundo in Stony Creek. A meeting will be held between the Bureau of Reclamation, Resource Conservation District and CCC on August 21, 2012, 10:00 a.m., at the Glenn County Office of Education building to discuss the permit process and what type of spraying is proposed.

Caryn Brown and Gerald Rice, Orland Volunteers of Police Services (VIPS) announced National Night Out will take place August 7, 2012 in Library Park. The public is encouraged to attend.

Trish Saint-Evens, 6825 County Road 15, stated she had concerns regarding the no smoking ordinance that was passed earlier in the year. She recalled the ordinance had conditions of designated smoking areas, but after reading the ordinance stated there is no mention of designated areas of smoking in the park. Mayor Elliott advised staff will bring back a report at a future meeting regarding the issue.

CITY COUNCIL COMMUNICATIONS

Councilmember Hoffman reported on the following:

- Attended memorial service for Frances McCollum; she provided dispatch services for the police and fire departments for many years.

Councilmember Roundy:

- Attended memorial service for Frances McCollum.
- Meeting scheduled in September in Orland to follow up on labor issues regarding local business person.
- County/Cities Steering Committee was awarded a \$35,000 grant for an AG innovation study.
- New Art Gallery opening took place Friday August 3rd.
- Farmer's Market continuing every Saturday morning.
- Attended the Lions All Star Football game; Orland shined with MVP.

CONSENT CALENDAR

- A. Approve City Council minutes for July 16, 2012.
- B. Approve Warrant List.
- C. Receive and file Orland Arts Commission minutes for June 20, 2012.
- D. Receive and file report from Finance Director regarding review of Development Impact Fee Transactions and Balances for Fiscal Year 2011-12.

Councilmember Paschall requested Item C. from the Consent Calendar removed for discussion.

Councilmember Paschall moved, seconded by Councilmember Roundy to adopt the Consent Calendar except for Item C. Motion carried with no abstentions.

Councilmember Paschall advised the Arts Commission minutes show a monthly stipend was approved for Beth Bjorklund for her assistance. Councilmember Paschall questioned whether the Arts Commission had the authority to make this type of commitment. It was noted the Arts Commission has raised a lot of their own funds. Staff advised they would review and give a report back to Council.

Councilmember Paschall moved, seconded by Councilmember Hoffman to approve Item C. on the Consent Calendar. Motion carried with no abstentions.

PUBLIC HEARING

None

ADMINISTRATIVE COMMUNICATIONS

City Planner:

City Planner Friend gave an overview of the planning and development impact fees and requested Council to direct staff to what extent they would like fees updated. Council discussed the fact that Orland is divided into six different section or areas which can be difficult in calculating costs. Concerns were discussed in the Arts Commission fee and Fire Department Impact fee. Council questioned whether there was a need for a Community Center with the recent Recreation Center already built in Lely Park. City Planner Friend recommended identifying needs under essential services and defining what the fees are for.

Council directed staff to prepare for simplification and review of what we could do in the short term, costs and benefits, short of preparing a nexus study. There is no indication of lowering or increasing Impact fees at this time, except as to Fire and the Arts Commission. Staff will bring forward findings at a future meeting.

City Manager Carr request Council to review the food/catering truck vendor use under the Conditional Use Permit (CUP) process and determine other uses that may be defined under an Administrative Use Permit AUP (over the counter) instead. City Manager Carr suggested food truck vendors be required to have an Administrative Use Permit which costs \$65, rather than the Conditional Use Permit process which costs \$1,200 and would come before the Planning Commission. Council discussed considerations for other street/cart vendors.

Council directed staff to bring forward a text change at a later date.

City Manager:

City Manager Carr presented for approval the City draft response to the 2011-2012 Glenn County Grand Jury Report. Council discussed the fundraising efforts on library's behalf.

Council approved the draft response with a revision to reflect the ongoing fundraising efforts to support the library (i.e. Orland Friends of the Library, City Golf Tournament).

City Attorney Einhorn brought forward report for discussion and direction regarding the accountability of department heads. City Attorney Einhorn advised the amendments would eliminate some inconsistencies in the Orland Municipal Code (OMC) and clarifies the authority regarding the roles of the Council and the City Manager with regard to the appointment, removal, promotion and demotion of a department head employee, city officials or contract consultant employee. The following proposed code amendments were discussed by Council and staff:

- Section 2.08.030, amended to include complete listing of all department heads; comprised of city employees and contractors (Chief of Police, Fire Chief, Director of Public Works, Director of Parks and Recreation, City Librarian, Director of Community Development and City Engineer).
- Section 2.08.040, regarding City Attorney amended to conform to current practice by providing terms of employment based upon contract, rather than resolution.
- Section 2.08.050, would be eliminated and the City Engineer would be listed as a department head, consistent with current practice.
- Section 2.08.060, would be added, providing employment contracts be utilized for department heads, city officials and consultants not covered by collective bargaining agreement; subject to Council approval.
- Section 2.12.120, amended to provide that the City Manager's power to appoint, remove, promote or demote be undertaken pursuant to and within the limits of the City's personnel manual and any intended action taken outside the scope of the personnel manual requires City Council authority. The proposed amendment confirms that the City Manager does not have the authority to appoint and removed elected employees, but provides such authority limited to such employees' non-elected work status and scope. The proposed amendment would also require the City Manager to keep Council informed as to any negative personnel actions to be taken on any department head, city official or contract consultants.

Council directed the City Attorney to prepare the proposed amendments for introduction and first reading at the next regularly scheduled Council meeting.

City Manager Carr gave a report regarding an employee compensation adjustment, in response to a citizen's inquiry. In February 2012, Public Works Director Jere Schmitke submitted a written resignation in anticipation of his retirement. Prior Interim City Manager Gail Wingard expressed concerns of management continuity and requested Council support in providing an incentive to have Schmitke remain in active employment. The incentive awarded an 8% salary increase (which effectively restored a compensation reduction that occurred in 2009), at an approximate \$7,400 cost annually to the City. The city's code and personnel manual do not prohibit the City Manager from adjusting an employee's compensation. City Manager Carr advised a correction to the personnel record will reflect retention, not promotion and a code amendment would curb the manager's authority to make future adjustments outside established pay scales. No further action was taken.

City Manager Carr requested discussion and possible action regarding a Council travel expense policy. Options to consider:

- Designate 20% of the total Council travel budget and share the allotments or transfer to another member requiring more than 20%.

- At the start of each fiscal year identify events that are planned and what expenses are expected for the group or which member will be traveling.
- Travel by any member, exceeding the travel budget (such as 10%) would require Council approval.

Discussion and suggestions were discussed by Council regarding league events within 100 miles (each way), reimbursable overnight accommodations and sending officials out of Northern California.

Council directed staff to draft Council Travel Expense Policy guidelines as discussed.

City Manager Carr requested Council consider participation in League of Cities. City Manager Carr advised he, the Mayor and Vice Mayor met with the LCC public affair's representative. It was discussed the League tends to be more influenced by larger cities; Orland Council have not been well informed of resources offered by the League; Orland does not get enough feedback from LCC on issues pertinent to small cities; and the City should support measured participation in League wide events with consideration to travel costs. City Manager recommended the City should stay involved with the League of California Cities and engage in more Sacramento Valley Division opportunities.

Council agreed with City Manager recommendations.

City Manager Carr requested to discuss and determine City's position on League of Cities Resolutions. The five Resolutions proposed:

1. Opposition to Desert Protection Act
2. Suspension of AB32
3. Analysis of court fines, fees and assessments
4. Internet Crimes
5. Emergency Management Mission

Council agreed to support proposed League resolutions.

Mayor Elliott advised a typographical error was listed for Closed Session. The Government Code Section Number should read as 54956.8.

Adjourned to Closed Session at 9:52 p.m.

CLOSED SESSION

Closed Session was held on Conference with Real Property Negotiators; pursuant to Government Code Section: 54956.8 Property: Sapphire Plaza, City of Orland: 123, 125, 127, 129 and 131 E. Walker Street. Agency: City Manager; City Attorney. Negotiating parties: Gregg Williams and Designated Agent(s). Under negotiation: Development Impact Fees.

Meeting reconvened to Open Session at 9:58 p.m.

REPORT FROM CLOSED SESSION

Update of information provided by City Attorney.

ADJOURN

Meeting adjourned at 9:59 p.m.

Clerk

Mayor