

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday December 17, 2012
7:30 p.m.

Meeting called to order by Mayor Gee. Meeting opened with the pledge of allegiance.

ROLL CALL

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

Councilmembers absent: None

Staff present: Chief of Police Tolle, Fire Chief Gomes, 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, spoke on behalf of the Northern California Regional Middle Mile Infrastructure project requesting a Letter of Support for Broadband Infrastructure Implementation, to be agendized for the next Council meeting. Mr. Yalow also requested Council to appoint Councilmember Bruce Roundy to the Consortium as a representative from Council, as he is already involved with the League of California Cities.

Byron Denton, 127 Tanner Way, encouraged everyone to come out to the Avenue of Lights. Mr. Denton advised he attended the "Wreaths across America" ceremony, which was well done.

Commission Reappointments/Appointments:

1. Economic Development Commission – 2 vacancies with new terms expiring Dec. 31, 2014. Applications received: Gary Campbell, Mike Yalow, Mary Schreiber and Edgar Valenzuela.

Mayor Gee moved, seconded by Councilmember Edwards, to appoint Gary Campbell and Edgar Valenzuela to the EDC Commission with new terms expiring Dec. 31, 2014. Motion carried with no abstentions.

2. Planning Commission – 2 vacancies with new terms expiring Dec. 31, 2016. Applications received: Stephen Shoop, Deborah Carter, Mary Schreiber and Mike Yalow.

Mayor Gee advised the Municipal Code requires all the Commissions to have a majority of city residents to serve on those commissions. At this time, there are an insufficient number of applicants that are city residents considered eligible by the interview committee to fulfill the membership on the Planning Commission. Therefore, Mayor Gee recommended reopening the application period for the Planning Commission and other Commissions that have not made their appointments. Councilor Roundy disagreed with Mayor Gee's recommendation and advised there were enough city resident applicants for the Planning Commission appointments. City Attorney Einhorn advised the interview committee's recommendation conflicted with the Municipal Code as there would not be a majority of city residents serving on the commission, therefore, it should go back to the interview committee for another recommendation. Councilor Roundy agreed it needs to go back to the committee and

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday December 17, 2012 -2-

selection process again. Mayor Gee advised the committee did not recommend the other city applicant; therefore, it needs to be readvertised and specified the need of city residents to apply.

Vice Mayor Hoffman moved, seconded by Councilmember Edwards, to reopen the recruitment process for the Planning Commission and other vacancies and specify city and/or county resident requirements that need to be fulfilled. Motion carried 4-1, Councilmember Roundy abstained.

Mr. Yalow came forward asking for a reason he was not appointed to the Planning Commission. Mayor Gee advised the recommendation from the interview committee were for the two county residents that applied and that he was not considered qualified.

Planning Commission applicant Mary Schreiber advised even though she was a county resident her commitment is a great as a city resident.

Mayor Gee moved, seconded by Councilmember Edwards, to extend the existing Planning Commissioners' terms up to 90 days from Dec, 31, 2012 during the recruitment process period. Motion carried 4-1, Councilmember Roundy abstained.

3. Public Works Commission – 3 vacancies with new terms expiring Dec. 31, 2014.
Applications received: Emil Cavagnolo, Byron Denton and Roger Hansen.

No appointments were made at this time due to the previous motions.

Council Appointments:

2013 Council Appointments to Boards and Commissions

Golden State RMA
2nd Wed every other month, 6 pm
Stipend \$100 per meeting

Charles Gee
Salina Edwards, alternate

Fire Department Commissioner
2nd Mon, monthly, dinner 7 pm,
meeting 8pm

Dennis Hoffman
Jim Paschall, alternate

Airport Land Use Commission
No meeting schedule

Bruce Roundy – appt. through May 5, 2014
Dennis Hoffman, alternate

Orland Area Chamber of Com.
Board - 3rd Wed, monthly, noon, at
Chamber office.

Dennis Hoffman
Salina Edwards, alternate

Orland Unit Water Users' Assoc
Voting delegate

Charles Gee

Advisory to City Commissions

Library Commission
2nd Tues, every other month, 5:30 pm

Salina Edwards
Dennis Hoffman, alternate

Public Works Commission
Meets when called

Jim Paschall
Salina Edwards, Alternate

Parks & Recreation Commission
4th Wed, monthly, 6:30 pm

Bruce Roundy
Salina Edwards, alternate

Public Safety Commission
2nd Mon, monthly or every other month,
Noon

Salina Edwards
Jim Paschall, alternate

Arts Commission
3rd Wed, monthly, 7 pm

Bruce Roundy
Dennis Hoffman, alternate

Economic Development (EDC)
1st Mon, monthly, 6 pm

Charles Gee
Bruce Roundy, alternate

Planning Commission
3rd Thurs, monthly, 7 pm

Dennis Hoffman
Charles Gee, alternate

Special Assignments

City Selection Committee

Mayor Charles Gee, Chairman

City Selection Committee

LAFCO
Meets when called
Stipend \$25 per meeting

Bruce Roundy (member) appt. until May 2013
New term begins May 2013 - May 2017
Alternate member switches between Orland & Willows
(Willows has alternate member 2013-2017)

Waste Management Regional
Agency

Dennis Hoffman
Charles Gee
Salina Edwards, alternate

Local Transportation Comm
3rd Thurs, monthly, 10 am, between
Orland & Willows
Stipend \$50 per meeting

Bruce Roundy
Jim Paschall

Transit Committee
Meets with Local Transportation Comm.

Bruce Roundy
Jim Paschall
Salina Edwards, alternate

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday December 17, 2012 -4-

Joint City/County EDC

Bruce Roundy
Charles Gee

League of California Cities

Bruce Roundy

Presentation:

Fire Chief Gomes gave a power point presentation on Fire Department activities. Chief Gomes advised the Fire Department is in need of annual replacement of equipment. This would prevent a large onetime expense and would provide the ability to spread the costs over a 10-15 year period. Critical needs of the department include: personal protective equipment, self-contained breathing apparatus, radio pager replacements and maintenance of the apparatus program. Fire Chief Gomes advised approximately \$35,000-\$40,000 is needed for the next ten years to bring inventory to current standards, as well as an additional \$10,000 - \$20,000 annually for truck reserve funding. Council agreed there is a vital need to invest in the Fire Department and adequately fund various equipment and fire truck needs.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy reported on the following:

- Approved the Certified Farmers Market for 2013.
- Partner with CCC in Arundo reduction.
- The Pantry collecting from the schools for Christmas baskets; Orland Rotary provides toys; Orland Friends of Library provides books.
- Glenn County Transportation & Transit meeting this Thursday Dec. 20, 2012.
- New Mayors and Councilmembers Conference coming up in January.

Councilmember Paschall reported on the following:

- Avenue of Lights; traffic congestion on streets. Spoke to Chief regarding hazard and need to lighting up the intersection. VIP's need to be thanked for their help.

Councilmember Edwards reported on the following:

- Attended the Wreaths across America ceremony, Fire Department did a terrific job as well as Orland High School Choir.
- Thanked Glenn County Office of Education for the labor they supervise for arundo eradication.
- Thanked Art and Dottie Tefelski for all of their work with Wreaths across America.

Councilmember Hoffman stated the following:

- Questioned if the City is getting reimbursed for any police costs at the Avenue of Lights; it was confirmed no costs are being reimbursed.

Mayor Gee reported on the following:

- Planning Commission meeting will be held December 20, 2012; request Vice Mayor Hoffman to attend as Grocery Outlet sign will be discussed.
- Tri County Economic Conference in Oroville January 17, 2013.

CONSENT CALENDAR

- A. Approve City Council minutes for November 19, 2012.
- B. Approve City Council minutes for December 3, 2012.
- C. Approve Warrant List (payable obligations).
- D. Receive and file Economic Development Commission minutes for October 1, 2012.
- E. Approve Deferred Improvement Agreement between City of Orland and David Forster, authorize Mayor to execute Agreement and approve Parcel Map No. 2008-01.
- F. Adopt Resolution No. 2012-XX approving the Interfund Loan Payback Plan.

Councilmember Edwards requested Item F. be removed from the agenda for discussion and possible amendment.

Councilmember Roundy moved, seconded by Vice Mayor Hoffman, to approve Items A-E on the Consent Calendar. Motion carried with no abstentions.

Councilmember Edwards requested the Interfund Loan Payback Resolution be amended and brought back to Council at the next regular meeting. Councilor Edwards advised since the payback agreement is dependent upon rental income, Council needs to be made aware in the case rental payments are not received for at least three months.

Councilmember Edwards moved, seconded by Councilmember Paschall, to amend the Interfund Loan Payback Resolution to include an annual review by Council, unless payments are not current for at least three consecutive months, then needs to be brought forward to Council's attention. Motion carried with no abstentions.

PUBLIC HEARING

1. First Reading by title only of " An Ordinance of the City Council of the City of Orland repealing and reenacting Article III of Chapter 13.04 and amending 13.04.020 of the Orland Municipal Code, Water and Sewer Systems: Service Charges and Definitions.

City Manager Carr presented for consideration the first reading of the ordinance regarding the adoption of revisions to the Orland Municipal Code related to utility billing practices, accounts receivables and collection processes on unpaid bills. As discussed in the last Council meeting, it was proposed to increase the Water Service Deposit to \$150; the ordinance states an advance deposit as specified in the rate schedule. City Manager Carr stated the rate schedule will be brought forward in a separate resolution. Council discussed increasing the Delinquent Utility Service Charge from \$5 to \$10. City Attorney Einhorn advised the Delinquent Utility Service Charge dollar amount can be referenced in the rate schedule as well, with an increase to \$10. The Public Hearing opened for comments at 9:03 p.m. Byron Denton asked if a cost of living increase was addressed regarding water and sewer rates. City Manager Carr stated the water rates are addressed in the fee schedule, however, this ordinance reflects how staff is to handle delinquent utility accounts. With no further comments, the Public Hearing closed at 9:05 p.m.

Councilmember Paschall moved, seconded by Councilmember Edwards, to amend the ordinance as presented and to bring forward the ordinance for Second Reading at the next scheduled Council meeting. Motion carried with no abstentions.

ADMINISTRATIVE COMMUNICATIONS

City Manager Carr brought forward discussion of Public Facilities Planning - Community Center. The City is currently updating its Development Impact Fees (streets, fire, community center, etc.) by conducting a nexus study to anticipate future funding needs. Discussion occurred on what individuals would serve on this committee to discuss the needs and and/or options for a community center. Council directed staff to select a committee (5-7 members) to consider options and recommendations to Council on a Community Center.

Tracey Quarne suggested the committee seek answers regarding community center needs, size, and potential budget etc.

Meeting adjourned to Closed Session at 9:45 p.m.

CLOSED SESSION

Closed Session was held regarding Conference With Legal Counsel-Pending Litigation – Pursuant to Government Code Section: 54956.9(a); City of Orland v. Western Insurance Company

Closed Session was held regarding Negotiation of Real Estate Transaction; Pursuant to Government Code Section: 54956.8; Property: APN'S 040-155-033-0 & 040-155-004-0; Under negotiation: potential lease

Closed Session was held regarding Public Employee Appointment, Employment, Evaluation of Performance, Dismissal or Release; Pursuant to Government Code Section: 54957; Position: City Manager

Meeting reconvened to open session at 10:28 p.m.

REPORT FROM CLOSED SESSION

Direction was given to City Attorney regarding pending litigation.

Direction given to City Manager regarding potential lease of real property.

Direction was given to City Manager regarding performance evaluation.

ADJOURN

Meeting adjourned at 10:29 p.m.

_____ Clerk

_____ Mayor