

CITY COUNCIL

James Paschall Sr., Mayor
Wade S. Elliott Vice Mayor
Bruce T. Roundy
Charles W. Gee
Dennis G. Hoffman

CITY OF ORLAND

INCORPORATED 1909

815 Fourth Street
ORLAND, CALIFORNIA 95963
Telephone (530) 865-1600
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CITY OFFICIALS

Angela Crook
Assistant City Manager/City Clerk
Pamela Otterson
City Treasurer

CITY MANAGER

Paul H. Poczobut Jr. ICMA-CM

Meeting Place: Carnegie Center
912 Third Street
Orland, CA 95963

AGENDA
REGULAR MEETING, ORLAND CITY COUNCIL
Monday October 17, 2011

- I. **CALL TO ORDER – 7:30 p.m.**
- II. **PLEDGE OF ALLEGIANCE**
- III. **ROLL CALL**
- IV. **ORAL AND WRITTEN COMMUNICATIONS**
 - A. Citizen Business:

Any person may address the Council at this time upon any subject within the authority of the City Council; however, any matter that requires action will be referred for a report at a subsequent meeting. Public is advised to limit discussion to one presentation per individual. While not required, please state your name and address for the record.
(Oral communications will be limited to three minutes).
 - B. Presentation:
 - 1. Presentation by Orland High School “Students Working Against Tobacco” (SWAT) members - Ana Hernandez, Roopinder Virk, Jesenia Contreras and Dinesh Khalasi. Request Council to consider policy prohibiting secondhand smoking in parks, business entryways and outdoor dining areas.
- V. **CITY COUNCIL COMMUNICATIONS AND REPORTS**
- VI. **CONSENT CALENDAR**

Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately following approval of remaining items on 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 October 3, 2011.
- C. Approve Warrant List.
- D. Approve Special City Council meeting minutes for October 3, 2011.
- E. Receive and file Library Commission minutes for July 12, 2011.

VII. PUBLIC HEARINGS

(Public Hearing comments will be limited from three to five minutes).

- 1. Conduct Public Hearing and receive comments regarding Waste Management's proposed 5.02% increase in garbage disposal rates effective December 1, 2011.
- 2. **Planned Development Conditional Use Permit #2004-03, Amendment: Benson Estates**

To revise the approved Benson Estates project from Senior-only (55 years +) to moderate housing and from 36 to 34 lots with Lot "A" serving as a park area and storm water approved by the Orland City Council on September 7, 2004. The Assessor's Parcel Numbers are 040-190-030 through 040-190-064, the Zoning is "PD" (Planned Development) with the underlying "R-1" (Single Family Residential) Zoning District with requested modifications and the General Plan Land Use Designation is "Low Density Residential" (R-L: 6 dwelling units per acre). The site is located on the north side of Newport Avenue, west of Cortina Drive, south of Cortina Court, east side of Interstate "5", Orland, Glenn County, CA. **Environmental Review:** Updated Mitigated Negative Declaration.

VIII. ADMINISTRATIVE COMMUNICATIONS

A. Finance Director – Daryl Brock

- 1. Request to adopt Resolution No. 2011-XX authorizing the issuance and sale of pension obligation bonds to refinance outstanding side fund obligations of the City to CalPERS, approving the forms of and authorizing the execution and delivery of an indenture and a bond purchase agreement, directing the filing of a judicial validation action with respect thereto and providing other matters relating thereto.

B. City Manager – Paul H. Poczobut Jr.

- 1. Request to approve the design and drafting improvement plans and construction details for \$47,520. with Rolls, Anderson and Rolls for the Papst Avenue crossing and undergrounding of Lateral 40 along Bryant Street from Byron Way to Lateral 50.
- 2. Request to amend existing contract for interim Planning services with Pacific Municipal Consultants.

IV. CLOSED SESSION

V. REPORT FROM CLOSED SESSION

VI. ADJOURN

CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on October 13, 2011.

A complete agenda packet is available for public inspection during normal business hours at City Hall, 815 Fourth Street, Orland, CA.

In compliance with the Americans with Disabilities Act, the City of Orland will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's Office 865-1601 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**NOTICE OF STATUTORY AUTHORITY FOR
HOLDING CLOSED MEETING OF THE
CITY COUNCIL OF THE CITY OF ORLAND
October 17, 2011**

Pursuant to California Government Code Sections 54950 et sq., the City Council will hold a Closed Session. More specific information regarding this meeting is indicated below:

A. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

Pursuant to Government Code Section: 54956.9(b)

1. City of Orland v. Tollett
2. City of Orland v. Perry
3. City of Orland v. Western Insurance Co.
4. Friends of Orland v. City of Orland (Crystal Geyser)

B. PUBLIC EMPLOYEE APPOINTMENT, EMPLOYMENT, EVALUATION OF PERFORMANCE, DISMISSAL OR RELEASE

Pursuant to Government Code Section: 54957

Position: Interim City Manager