REGULAR MEETING, ORLAND CITY COUNCIL, Tuesday February 21, 2012 7:30 p.m.

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

ROLL CALL

Councilmembers present:	Jim Paschall, Dennis Hoffman, Bruce Roundy and Vice Mayor Charles Gee
Councilmembers absent:	Mayor Wade Elliott
Staff present:	JC Tolle, Interim Chief of Police; Daryl Brock, Finance Director; Scott Friend Interim City Planner; Greg Einhorn, City Attorney; Angie Crook, Assistant City Manager/City Clerk; Gail Wingard, Interim City Manager.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Business:

None

Presentations:

Cathy Emerson, Center for Economic Development at California State University, Chico gave an update on the Broadband Initiative in Northern California. Effective December 1, 2011, Ms. Emerson advised the California Public Utilities Commission funded two projects to develop, design and implement a proposed infrastructure route for Broadband services throughout 11 northern counties.

Caryn Brown, Chairperson for the Public Safety Commission, gave a report on public safety issues completed during their first year. Chairperson Brown advised the Public Safety Commission will continue to strive to raise public awareness, suggest improvements and look for avenues of public outreach.

Councilmember Roundy moved, seconded by Councilmember Hoffman to move Item VII.D.2 to Item IV.B.3 regarding discussion and direction on funding source for reduction of Arundo in Stony Creek to prevent fire hazard and protect north side of city limits. Motion carried with Mayor Elliott absent.

Councilmember Roundy brought forward for discussion and direction to consider a funding source ($5,000) for the reduction of Arundo in Stony Creek to prevent fire hazard and protect north side of City limits. Candice Spielman, Glenn County Office of Education, stated last year's efforts with the help of California Conservation Corps (CCC), students from Youth Employment Services (YES), and the Resource Conservation District (RCD), worked together to offer employment opportunities for students and provide eradication efforts for the removal of Arundo in Stony Creek. The Arundo poses an extreme fire danger to the land and homes situated near the creek. RCD provided $5,000 last year to implement the removal project. Representatives from the various agencies request the City's support in funding to continue eradication and follow up efforts. Council discussed the impact to the citizens and follow up efforts that would need to be followed. City Attorney Einhorn advised this is not considered a gift of public funds as it provides a direct benefit to the citizens of Orland. City Finance Director Brock advised $5,000 in funding is available.

Councilmember Roundy moved, seconded by Hoffman to approve providing $5,000 for the Arundo eradication project. Motion carried with Mayor Elliott absent.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy reported on the following:

Commended Recreation Director Fenske and staff on the successful programs and activities he has provided children and families in the gym every week.

The "Simple Gesture" program has received 2,000 pounds of food in their first pickup.

The Farmer's Market has hired a new manager.

"Students Working Against Tobacco" members will be following through on getting no smoking signs for the City.

Vice Mayor Gee reported on the following:

Attended the Waste Management Committee meeting last week. Glenn County Board of Supervisor Foltz was elected Chairman. Funding is still an issue in regards to closure.

Vice Mayor Gee proposed a Special City Council meeting date be set for February 27, 2012 to review City Manager applications and determine process.

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 February 6, 2012.
C. Approve Warrant List.
D. Receive and file Economic Development Commission minutes for January 3, 2012.
E. Receive and file Public Safety Commission minutes for January 9, 2012.
F. Receive and file Arts Commission minutes for January 18, 2012.

Councilmember Roundy moved, seconded by Councilmember Paschall to approve the Consent Calendar as presented. Motion carried with Mayor Elliott absent.

ADMINISTRATIVE COMMUNICATIONS

Interim Chief of Police:

Interim Chief of Police Tolle gave an update on the Toys for Tots Drive. The drive was a success with approximately 1500 items given out to children in Orland. Certificates were given to those businesses which provided Toys for Tots boxes at their locations.

Finance Director:

Finance Director Brock request Council to introduce the Annual Audit Report for June 30, 2011. Finance Director Brock advised there were no deficiencies in the report. Finance Director Brock request Council to review the audit and bring forward at the next meeting for consideration. Council agreed to bring forward at the next regular scheduled Council meeting.

City Attorney:

City Attorney Einhorn request Council consider passage of Second reading by title only, and final adoption of Ordinance No. 2012-02 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND AMENDING TITLE 5 (BUSINESS LICENSES AND REGULATION) AND TITLE 17 (ZONING) OF THE ORLAND MUNICIPAL CODE REGARDING MEDICAL MARIJUANA DISTRIBUTION FACILITIES". No further discussion by Council

Councilmember Roundy moved, seconded by Councilmember Hoffman to adopt Ordinance No. 2012-02 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND AMENDING TITLE 5 (BUSINESS LICENSES AND REGULATION) AND TITLE 17 (ZONING) OF THE ORLAND MUNICIPAL CODE REGARDING MEDICAL MARIJUANA DISTRIBUTION FACILITIES". Motion carried with Mayor Elliott absent.

City Attorney Einhorn request Council consider passage of Second reading by title only, and final adoption of Ordinance No. 2012-03 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND AMENDING TITLE 8 (NUISANCE) AND TITLE 14 (ENFORCEMENT/NUISANCE ABATEMENT) OF THE ORLAND MUNICPAL CODE REGARDING MEDICAL MARIJUANA CULTIVATION". No further discussion by Council.

Councilmember Hoffman moved, seconded by Councilmember Paschall to adopt Ordinance No. 2012-03 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND AMENDING TITLE 8 (NUISANCE) AND TITLE 14 (ENFORCEMENT/NUISANCE ABATEMENT) OF THE ORLAND MUNICPAL CODE REGARDING MEDICAL MARIJUANA CULTIVATION". Motion carried with Mayor Elliott absent.

Interim City Manager:

Interim City Manager Wingard request discussion and possible action on renewing annual League of California Cities dues ($3,953.00) for 2012. Interim City Manager Wingard attended a City Manager meeting recently and advised of the 19 cities represented, they expressed concerns of the League of California Cities. Interim City Manager Wingard recommended a meeting with the Mayor and Vice Mayor to draft a letter to the League asking what benefits are being provided to the City. Council agreed to table the issue until the Mayor and Vice Mayor meet with the Interim City Manager.

Interim City Manager Wingard request discussion and possible action on restoration and solar lighting for Orland Arch on Highway 99 as per recommendation from the Economic Development Commission (EDC). Funding would be provided by donations. Gary Campbell, EDC Chairman, stated the arch is an historic landmark and lighting the arch will attract visitors to Orland. Mr. Campbell noted $2500 has already been donated by various organizations. Councilmembers

Paschall and Roundy recommended continuing getting additional donations. EDC Chairman Campbell and Commissioner Duree request the City to offer monetary support to assist with the project which will enhance our community. Council requested staff to bring forward at a future meeting the cost estimates to light the arch.

Interim City Manager Wingard request discussion and direction into illuminating with flood lights the City of Orland sign on the water tower as per recommendation from the Economic Development Commission. EDC Chairman Campbell suggested using LED lights at an approximate cost of $1,000. Vice Mayor Gee agreed lighting the water tower would be more visible and should be an easier project. Council directed staff to get additional information on power to the tower and costs for the entire project. It was noted lighting the entire town and individual businesses could stimulate the City of Orland.

Interim City Manager Wingard request discussion and possible action regarding recommendation from the Economic Development Commission to determine branding name for the City as "City of Festivals" or "Gateway to Black Butte Lake". EDC Chairman Campbell advised EDC would like to determine branding name for the City of Orland. Council agreed to EDC's request.

Interim City Manager Wingard request discussion and direction regarding the funding of an Orland Specific Area Improvement District. The district is located south of Walker Street to Colusa Street, between Fourth and Fifth Streets. The proposal would allow businesses in the specific area to request a small amount of funding to assist in painting, replace lighting and/or refurbishing their store fronts to enhance and stimulate the downtown area. Interim City Manager Wingard stated the City is limited in funds and propose starting with a small amount i.e. $500 - $1,000. Glenn County Board of Supervisor Dwight Foltz advised staff should contact Christine Zoppi of Glenn County Human Services regarding grant funds that may be available to assist in refurbishing facades. Council discussed guidelines will need to be established and additional information and/or possible assistance from the Chamber of Commerce and Orland Business Improvement Association should be obtained.

Interim City Manager Wingard request Council to schedule date and time for closed session meeting to establish procedures and review applications for City Manager position. Vice Mayor Gee proposed earlier in the meeting to set a date for the Special City Council meeting for February 27, 2012, at 7:00 pm, to review City Manager applications and determine process. Council concurred with recommendation.

Vice Mayor Gee called for a brief recess at 9:20 p.m.

Meeting resumed at 9:26 p.m.

PUBLIC HEARING -

General Plan Amendment #2009-01: Review, consideration and determination on the City of Orland 2008-2028 General Plan Update, Final Environmental Impact Report (FEIR), Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program (MMRP) and proposed Land Use Map.

Interim City Planner Friend gave a brief overview of the General Plan Update for 2008-2028. The City has complied with all legal noticing requirements and is ready to move forward. Interim City Planner Friend responded to comments received since the last meeting. The Public Hearing opened for comments at 9:35 p.m. Bob Bishop, 224 Mellane Circle, asked why the City Engineer has not been asked his opinion regarding HE-2A Conditional Use Permits. Interim City Planner Friend stated that HE-2A Conditional Use Permits is a fundamental planning question about the regulation and use of a zoned district; this issue in not related to the City Engineer. Mr. Bishop asked what the future zoning of Blair 3 is as determined by the General Plan; is it high or low density. Interim City Planner Friend advised it would be determined as R-1 Low Density. Mr. Bishop asked what does the Housing Element indicate in regards to Blair 3. Interim City Planner Friend stated the Housing Element does not regulate density; that is the job of the Land Use Element. Interim City Planner Friend confirmed the plan adequately accommodates the RHNA number of 621. Trish Saint-Evens, 6825 County Road 15, stated in regards to the water well replacements, will this cause any impediments to growth or development in the future. Interim City Planner Friend advised the rate structure is updated to cover maintenance costs and the impact fee program is updated annually to accommodate new growth and improve the systems. Ms. Saint-Evens asked if the Regional Housing Needs Assessment (RHNA) number will ever change. Interim City Planner advised the RHNA number will not change between now and 2014; however when the Housing Element is updated in 2014, the City will be given a new number from the State. Jamie Lely, 6806 County Road 12, questioned whether sewer capacity can be reserved for future development and infill. Interim City Planner Friend believes there is adequate sewer capacity; however a policy can be implemented by Council if there was a concern. Interim City Planner Friend confirmed with Ms. Lely that the Stony Creek trail does not cross through her property. The Public Hearing closed at 9:54 p.m. Councilmember Paschall asked whether the number of entitlements the City has approved in the past is adequate. Interim City Planner Friend stated the sewer plant has more than enough capacity. Interim City Planner advised because the RHNA number has been lowered, it accommodates the planning goal adequately.

Councilmember Hoffman moved, seconded by Councilmember Paschall to adopt Resolution No. 2012-01certifying the Final Environmental Impact Report (EIR) and making and adopting Environmental Findings as required by CEQA; adopting the Findings of Fact and Statement of Overriding Considerations, and adopting the Mitigation Monitoring and Report Program with the Finds as listed in the Resolution. Motion carried with no abstentions and Mayor Elliott absent.

Councilmember Paschall moved, seconded by Councilmember Hoffman to adopt Resolution No. 2012-02 hereby adopting General Plan Amendment #2009-01, approving the 2008-2028 General Plan and Land Use Diagram with the Findings as listed in the Resolution and incorporating the errata changes outlined in the staff report. Motion carried with no abstentions and Mayor Elliott absent.

Vice Mayor Gee recused himself due to a conflict of interest at 10:03 p.m.

Councilmember Roundy moved, seconded by Councilmember Hoffman to appoint Councilmember Paschall as Chairman in absence of the Mayor and Vice Mayor. Motion carried.

Councilmember Roundy moved, seconded by Councilmember Hoffman to adopt Resolution No. 2012-03 hereby adopting General Plan Amendment #2012-01, approving the redesignation of property described as Glenn County Assessor's Parcel Number 041-050-017-0 (gee) and having approximately 1.65 acres, from the R-L low Density Residential Land Use Designation to R-H High Density Residential Land Use Designation. Motion carried 3-0 with Mayor Elliott absent and Vice Mayor Gee abstained and was absent from the building.

ADJOURN

Meeting adjourned at 10:10 p.m.

_____Clerk _____Mayor