REGULAR MEETING, ORLAND CITY COUNCIL, Monday July 18, 2011 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 Wade Elliott and Mayor Jim Paschall
Councilmembers absent:	None
Staff present:	Joe Vlach, Ken Skillman, Janet Wackerman, Daryl Brock, Tom Andrews, Angie Crook and Paul H. Poczobut Jr.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Business:

Trish Saint-Evens, 6825 County Road 15, stated she appreciates the fact that the Public meetings continue to open with the Pledge of Allegiance.

Byron Denton, 127 Tanner Way, thanked City Attorney Tom Andrews for his service to the City of Orland for the past 17 years.

Sharon Lazorko, 127 E. Yolo Street, presented a report to Council regarding tobacco sales to minor's for Glenn County during 1996-2011.

Caryn Brown, 6386 County Road 200, member of the Orland Volunteers in Police Services (VIPS), invites the community to attend "National Night Out" which will be taking place August 2, 2011, from 6:00 – 9:00 p.m. at Library Park. The event promotes safety and crime prevention awareness.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Gee advised he attended the semiannual Glenn County Landfill Committee meeting. The landfill is now removed off the non compliance list. The County is still working on plans for post closure; nevertheless, they are still short millions of dollars in closure costs. Councilmember Gee noted the KVB project continues to move forward and Golden State Risk Management Authority (GSRMA) will hold Customer Service training for City of Orland employees during the month of August. Councilmember Gee advised GSRMA stated health insurance rates will likely increase next year and their new Human Resource services went into effect July 1, 2011.

Vice Mayor Elliott thanked City Attorney Andrews for his dedicated services to the City over the past several years. Vice Mayor Elliott advised due to the expense of the League of California Cities Annual Conference he will not be attending but will act as voting alternate in case Councilmember Roundy cannot attend. Vice Mayor Elliott attended the Public Safety Commission meeting and commended Caryn Brown for her guidance; discussion occurred on practical public safety issues.

Councilmember Roundy reported he attended the Parks and Recreation Commission meeting. The commission is supportive of Proposition 84 grant. Councilmember Roundy attended the Library Commission and Resource Conservation District (RCD) meetings. Councilmember

Roundy advised the Glenn County Community Wildfire Protection Plan lists Orland as a federally at risk community because of the Arundo and Tamarix problems in Stony Creek.

Mayor Paschall thanked City Attorney Tom Andrews for his service to the community of Orland.

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 July 5, 2011.
C. Approve Warrant List.
D. Accepted Public Safety Commission minutes for May 9, 2011.

Vice Mayor Elliott requested clarification for Councilmember Hoffman concerning the Council's role on adoption of Commission minutes listed on the Consent Calendar. City Attorney Andrews explained the City Council is the governing body, therefore, giving final acknowledgment for the official record of minutes which were signed off by members of the commission.

Councilmember Roundy moved, seconded by Councilmember Hoffman to approve the Consent Calendar as presented. Motion carried with no abstentions.

PUBLIC HEARING

1. CA Community Development Block Grant Program Annual Grantee Performance Report – Grant No. - 08-STBG-4874: Public Improvements in Support of Housing; Down payment Assistance and Sidewalk Rehabilitation. Program Income Revolving Loan Accounts: Housing Rehabilitation; Down Payment Assistance and Business Expansion and Retention.

Grant Coordinator Wackerman presented report on CDBG accomplishments for the past fiscal year. Public Hearing opened for comments at 7:56 p.m. No verbal or written comments were received; Public Hearing closed at 7:57 p.m.

Councilmember Gee moved, seconded by Councilmember Roundy to submit an application to the HOME program in the amount of $400,000 for downpayment assistance funds. Motion carried with no abstentions.

Vice Mayor Elliott moved, seconded by Councilmember Hoffman to authorize the City Manager to sign all documents for CDBG. Motion carried with no abstentions.

2. **Please note the formal hearing/public comment portion of the item listed below was completed by Orland City Council on July 5, 2011.** Discussion and consideration of Resolution authorizing participation by the City of Orland in the Statewide Community Infrastructure Program of the California Statewide Communities Development Authority.

City Manager Poczobut brought forward consideration to adopt Resolution No. 2011-09 authorizing the City of Orland to join the Statewide Community Infrastructure Program; authorizing the California Statewide Communities Development Authority to accept applications from property

owners, conduct special assessment proceedings and levy assessments within the territory of the City of Orland approving form of acquisition agreement for use when applicable; and authorizing related actions. It was noted the City remains a member of the program until Council decides otherwise.

Councilmember Hoffman moved, seconded by Councilmember Roundy to adopt Resolution No. 2011-09 authorizing the City of Orland to join the Statewide Community Infrastructure Program; authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct special assessment proceedings and levy assessments within the territory of the City of Orland approving form of acquisition agreement for use when applicable; and authorizing related actions. Motion carried with no abstentions.

ADMINISTRATIVE COMMUNICATIONS

City Engineer:

City Engineer Skillman brought forward review and possible action regarding the proposal results for "CEQA/NEPA services for the Papst Avenue/Lateral 40 Undergrounding Project" . Mayor Paschall and Councilmember Gee advised due to a conflict they would abstain on the above matter. City Engineer Skillman stated 6 proposals were received and recommended awarding the contract for consulting environmental services to Pacific Municipal Consultants (PMC), in the amount of $11,853.00. Staff advised PMC is familiar with Orland's studies. City Manager Poczobut noted funding for the services would come from Development Impact Fees.

Councilmember Roundy moved, seconded by Councilmember Hoffman to award contract for consulting environmental services to PMC at $11,853.00. Motion carried 3 – 0 with Councilmember Gee and Mayor Paschall abstained.

Finance Director:

Finance Director Brock brought forward a review of the General Fund Reserve policy as requested by Council. It was noted the policy indicates a 1/6 reserve balance and if applied to the current proposed budget of 2.8 million dollars for 2011/2012, the reserve would be $460,000. Discussion occurred on whether to include the Fire Apparatus Reserve as part of the General Fund reserve. Council agreed to keep the Fire Apparatus Reserve as part of the General Fund reserve. Staff advised modifications can be made to the budget during the year. Council recommended in the future the General Fund reserve policy can become a component of the budget.

Finance Director Brock brought forward the proposed Fiscal Year 2011/2012 budget for consideration.

Vice Mayor Elliott moved, seconded by Councilmember Roundy to adopt the 2011/2012 Budget as presented. Motion carried with no abstentions.

City Manager:

City Manager Poczobut brought forward for discussion and possible action regarding the services of an Interim City Attorney. City Attorney Andrews advised at the last regularly scheduled Council meeting he would be available to provide interim City Attorney services if Council so desires. Manager Poczobut advised he received three inquires for interim services from local attorneys with fees ranging from $110– $145 an hour or more plus travel time. City Attorney Andrews advised his charge would be $150 an hour. Vice Mayor Elliott recommended Mr. Andrews pursue his private practice and move forward with the transition of a permanent City Attorney. Councilmember Roundy stated it would be more practical to consider Mr. Andrews as interim City Attorney since he is familiar with ongoing cases. Staff advised Request for Proposals for a new City Attorney are due by July 22, 2011. Councilmember Gee suggested the possibility of not appointing an interim at this time since a permanent attorney will be chosen soon. Byron Denton stated the City should not be without an attorney. Trish Saint-Evens stated it would be best for continuity for the City to keep City Attorney Andrews as interim. Staff advised it's important to have an interim City Attorney available. Mayor Paschall agreed it would be in the City's best interest to retain City Attorney Mr. Andrews as interim attorney. Vice Mayor Elliott and Councilmember Gee volunteered to review applications for a permanent City Attorney.

Councilmember Roundy moved, seconded by Councilmember Hoffman to retain Tom Andrews as interim City Attorney at $150 an hour. Motion carried with no abstentions.

City Manager Poczobut presented for discussion and possible action a Letter of Support to join the Broadband Consortium for Glenn, Colusa and Lake Counties. The consortium would be requesting a grant through CSU Chico Center for Economic Development (CED) and Corporation for Education Network Initiative in California (CENIC) to expand and boost broadband use in the three counties. Cathy Emerson, CED Project Manager, provided Council with information concerning the development and facilitation of the broadband infrastructure plan that would provide a cohesive "middle and last mile" network infrastructure to connect the three counties. Tracey Quarne, Glenn County Superintendent of Schools, advised Glenn County schools will soon have a new super high speed internet service up and running in 3 or 4 months. The high speed internet service will also be available to local public agencies.

Councilmember Roundy moved, seconded by Councilmember Hoffman to join the (Glenn, Colusa and Lake) broadband consortium. Motion carried with no abstentions.

Councilmember Gee moved, seconded by Vice Mayor Elliott to approve Letter of Support for a grant application. Motion carried with no abstentions.

City Manager Poczobut brought forward for discussion and possible direction concerning the City Manager's evaluation and contract. Council will complete an evaluation and discuss in closed session at the next regularly scheduled Council meeting. Departments Heads will also complete an evaluation on the City Manager's performance to be turned in to Council by July 22, 2011.

Adjourned to Closed Session at 9:25 p.m.

CLOSED SESSION

Closed Session was held regarding Conference with Legal Counsel – Pending Litigation Pursuant to Government Code Section: 54956.9(b); City of Orland v. Western Mutual

Closed session was held regarding Conference with Legal Counsel - Pending Litigation; Pursuant to Government Code Section: 54956.9 (b); City of Orland v. Tollett.

Closed session was held regarding Conference with Legal Counsel – Potential Litigation; Pursuant to Government Code Section: 54956.9 (b); One case

Meeting reconvened to Open Session at 9:39 p.m.

REPORT FROM CLOSED SESSION

Reports were given to Council.

ADJOURN

Meeting adjourned at 9:40 p.m.

_____Clerk _____Mayor