

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

ROLL CALL

Councilmembers present: James Paschall, Reggie Olney, Wade Elliott, and Vice Mayor Paul Barr and Mayor Bruce Roundy

Councilmembers absent: None

Staff present: Bob Pasero, Daryl Brock, Nancy Sailsbery, Angie Crook, Tom Andrews, and Paul Poczobut Jr.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Business:

Trish Saint-Evens, 6825 County Road 15, questioned the regulation of the amount of proposed water Crystal Geyser states will be part of the permit process. Mrs. Saint-Evens questioned why is the City afraid to have an Environmental Impact Report (EIR) done.

Dalene Shippelhouse, 4300 County Road N, agreed an EIR should be done before any action is taken. Mrs. Shippelhouse stated there are various concerns to consider (trucks, noise, contamination from the plume, etc) and possible cumulative effects. A letter was submitted to Council by Mrs. Shippelhouse.

Debbie Lema, 4280 County Road N, enjoys her country atmosphere and feels the water bottling facility would disrupt their way of life. Ms. Lema requests an EIR also be done.

Tammy Stanley, 4294 County Road N, request the City review the exemption portion in the City ordinance that has exempted the bottling company from doing an EIR. Ms. Stanley request Council to provide research that the bottling company will not harm her living environment. Ms. Stanley submitted a letter to Council.

Judie Noffsinger, 4261 County Road MM, strongly requests an EIR for many environmental concerns including the Orland Dry Cleaners plume.

Ann Shuenemann, 14 Country Drive, advised the survey for truck travel figures may be skewed due to harvest time.

Sharon Ellis, 4101 County Road S, stated she has concerns for the groundwater and impacts to the whole county. Mrs. Ellis stated it's important to have a Planning Commission to address these types of issues.

Shirley Ceccon, 7302 County Road 20, advised an EIR should be required. A neighbor took a tremendous drop in their well when testing was recently done and has yet to recover.

Michelle Stenquist, 6826 County Road 16, stated she is very concerned and would like to know what agency will monitor the amount of water the bottling company will utilize.

Aileen Porter, 7 E. Walker Street, stated the impacts of water exportation in Owens Valley.

John Noffsinger, 4261 County Road MM, stated the water table in his area has dropped an estimated 20 feet since 1990.

Charles Gee, 335 Meadowood Drive, stated he had concerns of the water tables in the proposed area because of the Orland Cleaners plume.

Ron Barnes, 6214 County Road 15, stated the bottling plant needs to provide the following: building plans; water use requirements and impacts on aquifer; proposed plan to dispose waste products and arrange monitoring of water usage and aquifer impact. Mr. Barnes submitted a letter to Council.

Joanne Overton, 3874 County Road S, Save our Water Resources Committee Chairperson, submitted signatures of citizens of the Orland area who are opposed to the Crystal Geyer bottling plant.

Robin O'Brien, 1003 County Road 17, stated she had concerns of the possible noise and traffic impacts on her family. Ms. O'Brien request Council to consider the impacts of their decision.

Ray Collette, 6833 County Road 200, raised many concerns and questioned why the test well was not sealed. Mr. Collette advised his own well has dropped by twenty-five percent or more.

Presentation:

Mayor Roundy presented a plaque to retiring Chief of Police Robert Pasero recognizing his dedicated service to the City of Orland Police department. Council thanked Chief of Police Pasero for his many years of service to the Orland community. It was noted a retirement party will be held for Chief of Police Pasero on October 10, 2009 at the Eagles Hall.

A financial update on the Orland Centennial celebration was given by Terrie Barr, Event Coordinator. Ms. Barr advised there a few outstanding bills to be paid. Councilmembers stated the celebration was quite successful.

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 September 21, 2009.
- C. Approve Warrant List.
- D. Approve Arts Commission minutes for September 16, 2009.

Vice Mayor Barr moved, seconded by Councilmember Olney to approve the consent calendar as presented. Motion carried with no abstentions.

PUBLIC HEARING

None

ADMINISTRATIVE COMMUNICATIONS

Finance Director:

Finance Director Brock request continued discussion by Council regarding the Final Budget for 2009-2010. Finance Director Brock advised the budget can be amended, if needed, throughout the year. Council thanked employees for their role in helping balance the City's budget. Vice Mayor Barr moved, seconded by Councilmember Olney to adopt the 2009-2010 Final Budget as presented. Motion carried with no abstentions.

City Attorney:

City Attorney Andrews request Council to adopt an urgency measure, Interim Ordinance No. 2009-02. City Attorney Andrews stated the City received inquiries as to whether any of the zoning districts within the city limits would allow a medical marijuana dispensary, collective or cooperative to be established. The Orland Municipal Code does not specifically permit the location or operation of a medical marijuana dispensary, collective or cooperative within any of the city zoning districts as either permitted or conditional use. The urgency measure requires a four-fifths vote of Council and would take effect immediately for a period of 45 days to further research the issue, hold public hearings and bring back recommendations. Larry Judkins, Valley Mirror, asked City Attorney Andrews how he received direction on the issue. City Attorney Andrews stated staff had received an inquiry. Robert Manning, Pastor/Register Nurse, stated he had concerns regarding medical marijuana and does not recommend any type of dispensaries, collectives or cooperatives. Councilmember Paschall moved, seconded by Vice Mayor Barr moved to adopt Interim zoning Ordinance 2009-02 prohibiting medical marijuana dispensaries, collectives or cooperatives.

Roll Call vote:

Ayes: Councilmembers Paschall, Olney, Elliott, Vice Mayor Barr and Mayor Roundy

Noes: None

Abstain: None

Absent: None

Motion carried 5 – 0 with no abstentions.

City Manager:

City Manager Poczobut request adoption of Resolution No. 2009-24 approving the implementation of Section 414 (H)(2) of the Internal Revenue Service Code (IRC) for the United Public Employees of California Local 792 and non-represented employees. Vice Mayor Barr moved, seconded by Councilmember Olney to adopt Resolution No. 2009-24 approving the implementation of Section 414 (H)(2) of the Internal Revenue Service Code (IRC) for the United Public Employees of California Local 792 and non-represented employees. Motion carried with no abstentions.

City Manager Poczobut request adoption of Resolution No. 2009-25 approving the implementation of Section 414 (H)(2) of the Internal Revenue Service Code (IRC) for the Orland Police Officers Association and non represented employees. Vice Mayor Barr moved, seconded by Councilmember Paschall to adopt Resolution No. 2009-25 approving the implementation of Section 414 (H)(2) of the Internal Revenue Service Code (IRC) for the Orland Police Officers Association and non represented employees. Motion carried with no abstentions.

City Manager Poczobut request Council direction concerning possible name change of Welcome to Orland Park. City Manager Poczobut stated Mayor Roundy suggested renaming the park Centennial Park since it was constructed during the City's centennial year. Vice Mayor Barr advised renaming it "Welcome to Orland Centennial Park" to honor the group of ladies that worked in the park many years ago and wanted to be sure the park remained after the realignment of State Highway 32. Council was in consensus of the addition of "**centennial**" to the "Welcome to Orland Centennial Park" name. It was noted by Mayor Roundy a rededication of the park is tentatively set for November 8, 2009.

City Manager Poczobut gave Council a report from the League of California Cities conference. City Manager Poczobut attended various classes which included "Innovations in Resident Civic Education and Engagement: From Citizen Academies to Sustained Community Engagement". City Manager Poczobut stated there were model programs on how to get youth involved in civic engagement. The City Manager discussed the school/student model program with Department Heads whom stated an interest in educating the high school students on what they actually do.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Mayor Roundy advised the Chamber of Commerce will be hosting a retirement party for Chief of Police Bob Pasero on October 7, 2009. The Chamber will hold a car show at the Glenn County Fairgrounds on November 7th and 8th, 2009.

City Manager Poczobut advised the resurfacing of Sixth Street will begin October 12, 2009 from city limit to city limit.

Vice Mayor Barr advised an intercity bus line will run in Orland in the near future and will interconnect with Glenn Ride.

Mayor Roundy stated high school seniors will now be providing 16 hours of community service to the city or its citizens in some type of form.

ADJOURN

Meeting adjourned at 9:27 p.m.

_____ Clerk

_____ Mayor