

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

ROLL CALL

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

Councilmembers absent: None

Staff present: Bob Pasero, Angie Crook, Tom Andrews, and Paul H. Poczobut Jr.

Mayor Elliott requests the addition of an item to the agenda due to an application deadline. The item is concerning a Resolution for an energy grant. Councilmember Barr moved, seconded by Vice Mayor Paschall to add the Resolution for the energy grant to the agenda under Administrative Communications - City Manager; Item No.VII.B.2. Motion carried with no abstentions.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Business:

John Noffsinger, 4261 County Road MM, stated the Technical Advisory Committee (TAC) should only be an advisory committee without the authority to make final decisions and Council should consider changing that rule.

Ray Collette, 6833 County Road 200, agreed with Mr. Noffsinger's statement. Mr. Collette advised the TAC committee has refused to recognize significant letters of concerns regarding Crystal Geysers.

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 December 21, 2009.
- C. Approve Warrant List.

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

PUBLIC HEARING

None

ADMINISTRATIVE COMMUNICATIONS

City Attorney:

City Attorney Andrews presented to Council an outline of the appeal procedures. On December 16, 2009 the Technical Advisory Committee (TAC) approved the Crystal Geysers application. The City received two notices of appeal to that decision; one by the Save Our Water Resource group and the other by a private attorney representing some families in the area. The appeal is

scheduled to be heard at the regularly scheduled Council meeting of February 1, 2010. City Attorney Andrews request any additional information regarding the appeal must be submitted to the City by January 22, 2010 to allow enough time for staff and Council to review before the meeting. City Attorney Andrews advised Council will ask questions of staff at the beginning of the appeal; then a Public Hearing will be opened for public comments. City Attorney Andrews suggested public comments be limited to the three (3) minute rule, to give everyone an opportunity to speak and to allow for an orderly meeting. After the Public Hearing is closed, Council will have the chance to ask further questions and or comments, followed by the Mayor calling for a motion. The City Council will have four options:

1. Deny the appeal and accept the findings from the TAC committee
2. Reverse the TAC Committee decision and deny the Crystal Geysers application as presented
3. Refer the matter back to the TAC committee for further review
4. Refer the matter back to the TAC committee for further Environmental Review

There was discussion on whether the proposed time allotment was adequate for public comments; as well as for the attorney's that would be addressing legal issues. City Attorney Andrews advised Council can make the decision on how much time to allow the attorneys that will be present. City Attorney Andrews advised during the order of appeal procedures the appellant will speak first, followed by the applicant and those in favor of the project. City Attorney Andrews clarified the TAC committee is not governed by the Brown Act; it is a group of staff members brought in to analyze projects that are generally capable of being approved at the staff level.

City Manager:

City Manager Poczobut brought forward request to move forward with completion of Asset Inventory by the Center of Economic Development, Chico State University. City Manager Poczobut stated the \$2,500 cost of the inventory can be funded from the Community Service Planning budget. Vice Mayor Paschall stated he was originally not in favor of spending the funds but now feels an Asset Inventory would benefit Orland's economic development and to potential businesses considering to locate to the city. Vice Mayor Paschall moved, seconded by Councilmember Roundy to approve the contract with the Center for Economic Development at Chico State not to exceed \$2,500 to complete an Asset Inventory for the City of Orland. Motion carried 4 -1 with Mayor Elliott voting no and no abstentions.

City Manager Poczobut brought forward Resolution No. 2010-01 to allow the City to apply for an Energy Efficiency and Conservation Block Grant project. The City would be eligible for \$25,000 in grant funds to replace the heating and cooling units at City Hall, Library and Public Works Corporation Yard. The City's portion of the replacements will be approximately \$18,000 payable within the next two and half years. City Manager Poczobut advised there may be possible reuse funds available. Council discussed possible rebates and the need to replace the old units. Councilmember Barr moved, seconded by Councilmember Roundy to adopt Resolution No. 2010-01 accepting project in Exhibit A attached (Energy Efficiency and Conservation Block Grant Project). Motion carried with no abstentions.

RESOLUTION NO. 2010-01
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLAND
ACCEPTING PROJECT IN EXHIBIT A ATTACHED
(Energy Efficiency and Conservation Block Grant Project)

Council agreed the regularly scheduled City Council meeting of February 1, 2010 will begin at 6:30 p.m.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy advised RC&D are reorganizing for the four-county region.

Mayor Elliott advised during the City Selection Committee meeting it was confirmed the Waste Management Committee requires only one member from the City of Orland, Paul Barr and one alternate, Jim Paschall.

Mayor Elliott introduced Paula Carr as the top candidate for consideration for the Police Chief's position. City Manager Poczobut advised the background check and negotiations were still pending.

Meeting adjourned to Closed Session at 8:53 p.m.

CLOSED SESSION

Closed Session was held on 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 9:15 p.m.

REPORT FROM CLOSED SESSION

No direction was given.

ADJOURN

Meeting adjourned at 9:16 p.m.

_____Clerk

_____Mayor