

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: Paula Carr, Nancy Sailsbery, Jere Schmitke, Tom Andrews, Angie Crook and Paul H. Poczobut Jr.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Business:

Byron Denton, 127 Tanner Way, stated he received a confusing survey in the mail along with their water bill. Mr. Denton advised he was told a new survey would be mailed. Mr. Denton stated to leave as is and save the City some money.

Johnny Noffsinger, 724 Papst Avenue, stated low income housing is doing a good job for Orland as these property owners pay taxes and shop in Orland.

Judie Noffsinger, 4261 County Road MM, asked for an additional survey as one was not included in one of her water bills. Mrs. Noffsinger agreed it was not necessary to spend any more money on mailing another survey.

Dalene Shippelhoute, 4300 County Road N, advised a survey should be mailed to areas within Orland's Sphere of Influence.

Bob Bishop, 224 Mellane Circle, questioned whether the public can have interaction with Council under Citizen Business. City Attorney Andrews advised it is a matter of choice for Council to have interaction.

Mr. Bishop stated at the last Planning Commission meeting Community Services Director Sailsbery advised Crystal Geysers is in pending litigation and could not be discussed during the General Plan update. City Attorney Andrews stated Crystal Geysers's litigation is ongoing until a judge rules on the matter. City Attorney Andrews stated there is no discussion concerning Crystal Geysers in regards to a General Plan update while there is litigation of the project.

Mr. Bishop asked if public comments concerning flood insurance can be addressed when the issue is brought forward on the agenda. Mayor Paschall advised Council will attempt to address concerns during that discussion.

Gene Bisagno, 313 Stonycreek Drive, advised he accumulated a great deal of information regarding the National Flood Insurance Program and would like to bring it forward when the issue is discussed later in the meeting. Mayor Paschall advised a reasonable amount of time would be allowed; however, documentation should be provided.

Proclamation:

Mayor Paschall brought forward Proclamation declaring February 13th – 19th, 2011 as Orland Free Library Centennial Week. Mayor Paschall will present the Proclamation to Library Director Meza during Centennial Week at the Orland Library.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Mayor Paschall brought forward discussion to consider changing placement of City Council Communications and Reports on the agenda. Mayor Paschall advised his reason to make the change is to accommodate those on the agenda that may be from out of town to be heard earlier rather than later on the agenda. Mayor Paschall recommended moving City Council Communications and Reports near the end of the agenda. Councilmember Roundy stated Oral and Written Communications could also be reviewed.

Councilmember Roundy advised the Library Centennial will be held next week with various ongoing activities. An open house will be held on February 15, 2011, hosted by the Orland Women's Improvement Club. The Fire Department will also be holding their Centennial Celebration in March. Councilmember Roundy reported the 2nd Annual City Golf Tournament is scheduled for April 3rd. Councilmember Roundy met with Chris Von Kleist, Superintendent Orland Unified School District, and has agreed to move forward with proposed "Branding Slogan" activities; with a finish date of April 1, 2011. Councilmember Roundy attended a League of California City Policy Committee meeting. A Microenterprise Grant will be made available for small businesses. The grant will provide technical assistance to encourage new businesses. Councilmember Roundy reported the City will need to be a partner in water issues that are occurring around the State.

Councilmember Gee reported he attended the Chamber of Commerce meeting. Glenn County Human Resources Agency (HRA) had given a presentation and advised they would like to see more cooperation with the City. They felt there is a lot of overlapping and should consider looking into a regional concept with two or three counties.

Vice Mayor Elliott advised the Planning Commission will be meeting Thursday February 10, 2011 at 10:00 a.m. in Carnegie Center. The Citizen/Business Forum will be held the same day at 6:00 p.m., at the Orland Recreation Center in Lely Park. Ms. Mary Ann Deeming from Black Butte Lake will do a presentation on the opportunities and changes occurring at Black Butte Lake

Councilmember Hoffman reported he and the City Manager attended the League of California Cities New Mayors and Councilmember's Conference in Sacramento. They met with Assemblyman Jim Nielsen whom offered to provide Proclamations for the Fire Department and Library Centennial celebrations. Mr. Nielsen assured them he would find replacement funding if Vehicle License funding dissolves. Councilmember Hoffman advised to make reservations if you plan to attend the Fireman's Ball Dinner. Councilmember Hoffman attended his first Resource Development & Conservation meeting in Colusa.

Mayor Paschall advised Council should possibly consider placing Citizen Business near the end of the meeting.

Byron Denton advised the Glenn County Supervisors agendaize Citizen Business at the beginning of the meeting.

Mayor Elliott stated the Governance Policy is currently being drafted and will be helpful in giving guidelines to Council.

Councilmember Roundy advised he is satisfied with the current placement of Citizen Business and City Council Communications and Reports on the agenda.

Councilmember Gee advised to consider placing items earlier on the agenda which concern those coming from out of town.

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 January 18, 2011.
- C. Approve Warrant List.
- D. Approve Economic Development Commission minutes for December 6, 2010.
- E. Approve Arts Commission minutes for November 17, 2010.
- F. Approve City Selection Committee minutes for January 3, 2011.

Councilmember Gee request Item B be removed from the Consent Calendar for a correction. Councilmember Roundy moved, seconded by Councilmember Hoffman to remove Item B. from the Consent Calendar. Motion carried with no abstentions.

Councilmember Roundy moved, seconded by Councilmember Hoffman to approve all items on the Consent Calendar except for Item B. Motion carried with no abstentions.

Councilmember Gee stated there was a correction on the second page, second paragraph, referring to the price tag of the land fill acquisition. It should read 650 "thousand" dollars, not a "million" dollars.

Councilmember Gee moved, seconded by Councilmember Hoffman to approve Item B. with correction. Motion carried with no abstentions.

PUBLIC HEARING

None

ADMINISTRATIVE COMMUNICATIONS

Public Works Director:

Public Works Director Schmitke brought forward discussion and possible action regarding garbage being dumped at the green waste yard. There has been a problem with increased dumping of household refuse or furniture. Council discussed bringing it to the public's attention of the proper use of the green waste site. The site is currently being monitored by the treatment plant operator.

A local contractor is periodically called to grind up the green waste and remove it off-site. Council stated additional signage and education may help the public rather than closing the site. A camera on site has also been considered as a deterrent. A suggestion was made to consider a full-time chipping operation, depending on how much green waste is generated.

Council unanimously agreed to authorize Public Works Director Schmitke to continue monitoring the City's green waste dump site, and at his discretion consider alternatives (additional signage and camera). Additionally, authorize Public Works Director Schmitke to develop a contract to cover costs for a contractor to remove green waste from the site.

Community Services Director:

Community Services Director Sailsbery gave a status report on the update of the General Plan. The draft documents for the General Plan have been prepared and have received all written comments. Community Service Director Sailsbery stated she is still receiving oral communications for the record and all final draft documents have been prepared. The Planning Commission will hold a Public Workshop and Public Hearing on February 10, 2011, 10:00 a.m. at Carnegie Center and will decide at that time on whether to make a recommendation to the City Council or not. Councilmember Gee advised a number of people have asked him questions regarding the General Plan and he has advised them to attend the meeting. Vice Mayor Elliott stated he had a few comments from members of the public that stated the added process of the Planning Commission is a positive thing for our community. City Manager Poczobut advised Council the General Plan process has been delayed about a year and a half due to the time spent on the Crystal Geyser issue.

Chief of Police:

Chief of Police Carr brought forward discussion and possible action regarding the safety hazards of a semi-truck being parked on the east side of Past Avenue between Mello Way and Yolo Streets. The semi-trucks are not in violation of any current parking regulation and Past Avenue is a designated truck route. However, this has not reduced the complaints or hazards the semi-trucks presents. Chief of Police Carr advised she had worked out an agreement between the Plant Manager of Baldwin-Minkler and the registered owner to park the semi-truck in the gravel lot at Past Avenue and County Road 200. Chief of Police suggests erecting "No Parking" signs on the eastside of Past Avenue north of the north curb line of Mello Way to the north of the prolongation of the north curb line of Yolo Street. Angus Saint-Evens, 6825 County Road 15, stated there should be "No Parking" signs on both sides of Past Avenue. Council discussed if other areas of parking become a concern in the future, they can address those issues at that time. Council discussed options of whether to eliminate just commercial vehicles or eliminate all parking in that specific area.

Vice Mayor Elliott moved, seconded by Councilmember Hoffman to erect "No Parking" signs on the eastside of Past Avenue north of the prolongation of the north curb line of Mello Way to the north of the prolongation of the north curb line of Yolo Street. Motion carried with no abstentions.

City Manager:

City Manager Poczobut brought forward discussion concerning the floodplain issue. City Manager Poczobut met with Annette Chavez, Glenn County Chief Building Official, and she updated staff on how to become a participant in the National Flood Insurance Program. It was determined there are very few homes affected by this issue. A community workshop will be scheduled with Robert Durrin, Department of Water Resources, who is responsible for administering northern California Federal Emergency Management Agency (FEMA). City Manager Poczobut advised he would like to move forward as expeditiously as possible. Gene Bisagno stated he spoke to federal representatives from FEMA regarding the National Flood Insurance Program, flood maps and specific requirements the city would need to undertake. Mr. Bisagno offered staff the names and numbers of those contacts. Mr. Bisagno indicated if the City is not a participant in the National Flood Insurance Program it would cause a significant increase to property owners to purchase flood insurance and would also disqualify the City for federal funds from FEMA. Jaime Lely, 211 E. Walker Street, asked who made decision for the City to not participate. City Manager Poczobut advised the City had never been notified that it was being considered in the floodplain. City Manager Poczobut advised a workshop will be scheduled with Mr. Durrin as soon as possible.

City Manager Poczobut request Council to review and discuss bid results and award the "City Hall, Library and Public Works Building HVAC. Absolute Heating & A/C is the only local bidder and is within 5% of the lowest bid. City Manager Poczobut stated due to Federal Regulation 600.236 which "prohibits the use of statutorily or administratively imposed in-State or local geographical preferences in the evaluation of bids or proposals, except in cases where applicable Federal Statues expressly mandate or encourage geographic preferences"; the City could not recommend the local bidder. Therefore, Efficient Energy Concept, Inc would be low bidder for the contract in the amount of \$28,600. Mr. John Gray of Absolute Heating & A/C read a prepared statement that explained he was the lowest responsible bidder as he notified library and city staff that the library unit was not working properly. City Attorney Andrews stated it is the City's' job to look at all bidder's and determine if they are responsible in their business dealings. Mr. Gray stated the City should make contractors aware of any specific requirements in the future.

Councilmember Hoffman moved, seconded by Vice Mayor Elliott to award the HVAC replacement contract to Efficient Energy Concepts in the amount of \$28,600 and authorize City Manager to sign contract. Motion carried with no abstentions.

Meeting adjourned to Closed Session 9:26 p.m.

CLOSED SESSION

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 9:55 p.m.

REPORT FROM CLOSED SESSION

Direction was given to City Attorney Andrews.

ADJOURN

Meeting adjourned at 9:56 p.m.

_____Clerk

_____Mayor