REGULAR MEETING, ORLAND CITY COUNCIL, Monday March 21, 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:	Daryl Brock, Nancy Sailsbery, Tom Andrews, Angie Crook, and Paul H. Poczobut, Jr.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Business:

None

CITY COUNCIL COMMUNICATIONS AND REPORTS

Mayor Paschall thanked Council for their attendance at the Fireman's Centennial Ball and was honored to be Mayor during this celebration.

Councilmember Roundy advised the Business Assistance Workshop will be held March 22, 2011, 6:00 p.m. at Carnegie Center. Councilmember Roundy will also be attending the Sacramento Valley Division meeting on March 25, 2011 in Anderson. Mayor Paschall and City Manager Poczobut will be attending as well. The City of Orland Golf Tournament will be taking place April 3, 2011; more sponsors are needed for the event. Councilmember Roundy stated the Fire Department Centennial celebration and parade were enjoyable.

Councilmember Gee stated he attended the Golden State Risk Management Authority Board meeting. The City of Orland Safety Committee was praised for their participation and continuing efforts in safety training. The City of Orland is currently the only city in the authority and is automatically a member of the board. However, if more cities decide to join the authority, a drawing would determine which city would be a member of the board. Councilmember Gee stated workers compensation premiums may increase by 10 or 15 percent; however, everything else should remain about the same. A tentative dividend of approximately $400,000 is anticipated and would be divided between all the members. Councilmember Gee stated this dividend should offset any increase in workers compensation.

Councilmember Hoffman advised he attended a Resource Conservation and Development (RC&D) Committee meeting in Oroville today and was later notified that federal funds may no longer be available for RC&D. Councilmember Hoffman advised there are some projects which still need to be completed. Councilmember Hoffman stated he was honored to present a Resolution to the Orland Volunteer Firemen at the Fireman's Centennial ball.

Vice Mayor Elliott agreed the Orland Volunteer Fire Department Centennial celebration was a success. Vice Mayor Elliott advised the Best of the West Expo will be taking place March 25, 2011, from 10:00 a.m. – 4:00 p.m.

Vice Mayor Elliott reported the branding slogan and identity contest is moving forward for the City of Orland. Students and citizens are invited to submit their ideas to City Hall; applications are available at City Hall or the city website. The deadline for the contest is April 1, 2011. Mayor Elliott advised the Business Assistance Workshop is scheduled for March 22, 2011, 6:00 p.m. at Carnegie Center.

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 March 7, 2011.
C. Approve Warrant List.
D. Approve Economic Development Commission minutes for February 7, 2011.

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

PUBLIC HEARING

1. **Environmental Review #2010-03, City of Orland Sidewalks Rehabilitation Program**:

To rehabilitate and improve a potential of ten (10) prioritized City sidewalk sites to Americans With Disabilities (ADA) Standards. All work is proposed to occur within existing City rights-of-way. The project is funded by the State of California Community Development Block Grant No. 08-STBG-4874 ($50,000).

-Consideration of Environmental Review:

A. NEPA: The project is determined to be categorically excluded according to: 58.35 (a)(1) of 24 CFR.
B. CEQA: Negative Declaration

-Consideration of the Project:

C. Environmental Review #2010-01

Community Services Director Sailsbery presented a staff report on the Environmental Review #2010-03, City of Orland Sidewalks Rehabilitation Program. The Planning Commission made a recommendation to City Council to approve this project on February 10, 2011. Community Services Director Sailsbery stated the following ten (10) potential prioritized city sidewalk sites were identified for rehabilitation and improvements at an estimate of $5,000 per sidewalk. All work is proposed to be in compliance with the latest American with Disabilities Act (ADA) Standards.

1. Spence Park at northwest corner of Third and Monterey Streets:
   -Install wheelchair ramp/relocate storm drain inlet;
2. Spence Park at southeast corner of Fourth and Suisun Streets:
   -Install wheelchair ramp/relocate street signs and storm drain inlet;
3. Southwest corner of A and Shasta Streets:
   -Install wheelchair ramp/relocate street signs;

4. Southeast corner of First and Shasta Streets:
   -Install wheelchair ramp/remove ornamental yew bush/relocate power pole and guy wires and relocate street signs and stop sign;
5. Southwest corner of First and Shasta Streets:
   -Install two (2) wheelchair ramps/relocate power pole and guy wires;
6. Northeast side of East Shasta and East Streets:
   -Install wheelchair ramp/relocate street sign and stop sign;
7. Southeast side of Colusa and Second Streets:
   -Install wheelchair ramp/possible relocation of power pole;
8. Southwest side of Colusa and Second Streets:
   -Install wheelchair ramp/relocate stop sign;
9. Northeast side of Colusa and Third Streets:
   -Install wheelchair ramp/relocate power pole and stop sign;
10. Southeast side of Colusa and Third Streets:
   -Install wheelchair ramp/relocate street sign.

Vice Mayor Elliott thanked staff for the photographs which were helpful and stated the proposed sites are well traveled.

Mayor Paschall opened the Public Hearing for comments at 7:45 p.m. No comments were made, therefore the Public Hearing closed at 7:46 p.m.

Councilmember Roundy moved, seconded by Vice Mayor Elliott to adopt the Environmental Assessment Finding of No Significant Impact (EA/FONSI) (NEPA) prepared for this Project (Environmental Review #2010-03) with the findings listed below and with the revision under Floodplain Management, pursuant to Federal Statue 24 CFR part 58 and determine that the EA/FONSI is adequate and complete as recommended by the Orland Planning Commission. Motion carried with no abstentions.

Vice Mayor Elliott moved, seconded by Councilmember Gee to certify the Negative Declaration prepared for this Project (Environmental review #2010-03) with the findings listed below with the revision under the Floodplain Management, and find that the Negative Declaration meets the requirements of the California Environmental Quality Act (CEQA) as recommended by the Orland Planning Commission. Motion carried with no abstentions.

Councilmember Gee moved, seconded by Councilmember Roundy to determine that Environmental Review #2010-03 is substantially consistent with the General Plan; adopt the findings listed below and approve Environmental Review #2010-03, Sidewalks Rehabilitation Program, City of Orland as recommended by the Orland Planning Commission. Motion carried with no abstentions.

REQUIRED FINDINGS:

Findings for Environmental Review #2010-03, Sidewalks Rehabilitation Program, City of Orland:

1. ***That the Project conforms to the standards and provisions of the overall City of Orland General Plan.*** The project proposes the rehabilitation of sidewalks to ADA standards for a potential of ten (10) sites in the City of Orland and the Project is consistent with the policies and programs of the General Plan.

2. ***That the Project is consistent with the existing land uses.*** The proposed sidewalks sites are surrounded by residential uses and the project will bring the sidewalks in these residential areas into compliance with ADA standards. Therefore, this project would be substantially consistent with the existing land uses in the established community.

3. ***That the sites are physically suitable for the type of development proposed***. The sites are physically suitable for the type of development proposed because the project will bring a potential of ten (10) sidewalks sites in the City into compliance with ADA standards, improving these areas for pedestrians and residents.

4. ***That the design of the project and/or the proposed improvements are not likely to cause any serious public health problems***. The project is not likely to cause any serious health problems as the rehabilitation of ADA compliant curb returns will have positive impacts to health and safety.

5. ***That the design of the project will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed project sites***. All work for the project is proposed to occur within existing City rights-of-way. Therefore, it would not conflict with easements acquired by the public.

6. ***That the proposed project is consistent with good planning and engineering practices***. The project is consistent with good planning and engineering services because the Project has been reviewed by the City Engineer and meets the City of Orland Land Division Standards and Improvements Standards.

7. ***That the proposed project will not be harmful to the public health and safety or the general welfare of the persons residing or working in the area***. The project involves the rehabilitation of a potential of ten (10) sidewalks sites in the City of Orland. The rehabilitation of ADA curb returns at these sites will have positive impacts to health and safety.

8. ***That the proposed project will not result in substantial environmental damage***. The project would not result in substantial environmental damage because the rehabilitation of the sidewalks sites is occurring within already urbanized, residential areas, construction is temporary, no development of raw land nor any major construction activity will occur, and land surrounding the rights-of-way is existing, developed residential uses.

ADMINISTRATIVE COMMUNICATIONS

Finance Director:

Finance Director Brock gave a review of the Revenue and Expenditure Comparison Schedules for the eight months ended February 28, 2011. Finance Director Brock advised the three largest revenue sources: property taxes, sales tax and Department of Motor Vehicle in lieu taxes are

collected and disbursed by the County of Glenn. Mr. Brock stated it is difficult to estimate how much these amounts will be for the current year, with any degree of accuracy. Mr. Brock noted some concern regarding a small decline in sales tax revenue and advised he will continually monitor the situation. A meeting is planned with the Glenn County Finance Director in the near future.

City Manager:

City Manager Poczobut request Council to consider whether to participate in the National Flood Insurance Program (NFIP). City Manager Poczobut explained he was working with Robert Durrin, Federal Emergency Management Agency, to verify whether Ordinance No. 2008-04 which adopted the California Building Standards Code on May 5, 2008 is sufficient to cover the FEMA floodplain requirements. City Manager Poczobut stated if the City joins the National Flood Insurance program, the property owners that are currently in the floodplain would be able to obtain flood insurance at a significantly reduced cost. Council agreed the City should move forward as this would be advantageous to everyone. John Noffsinger, 724 Papst Avenue, stated the City should have acted and joined long ago. Council gave staff direction to move forward and participate in the National Flood Insurance Program and prepare all required documents for Council by April 18, 2011.

City Attorney Andrews advised there were no new updates concerning the closed session items listed. A full report will be given at the next scheduled Council meeting.

CLOSED SESSION

Closed Session was not held regarding Conference with Legal Counsel – Potential Litigation; Pursuant to Government Code Section: 54956.9(b); City of Orland v. Western Insurance Company.

Closed Session was not held regarding Conference with Legal Counsel – Potential Litigation; Pursuant to Government Code Section: 54956.9(b); Sailsbery v. City of Orland.

REPORT FROM CLOSED SESSION

No report from Closed Session.

ADJOURN

Meeting adjourned at 8:13 p.m.

_____Clerk _____Mayor