

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

ROLL CALL

Councilmembers present: Charles Gee, Dennis Hoffman, Bruce Roundy and Mayor Jim Paschall

Councilmembers absent: Vice Mayor Wade Elliott

Staff present: Joe Vlach, Ken Skillman, Tom Andrews, Angie Crook and Paul H. Poczobut Jr.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Business:

Helen Duree, 328 Stonycreek Drive, stated regarding the situation with Chief of Police Carr it should have been handled differently rather than having an outside agency investigating the matter. Ms. Duree stated an error was committed; nevertheless, she has done a wonderful job for the City.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy reported the arrundo removal project will begin June 21, 2011. The public is invited to attend. Councilmember Roundy asked staff to review the City's fundraising guidelines. Councilmember Roundy will be attending the League of California Cities Policy Committee meeting next week.

Councilmember Gee and Hoffman attended the Waste Management Regional Agency meeting. Councilmember Gee advised there is a six million dollar shortfall in closure costs for the landfill. Councilmember Gee noted there will probably be an increase in Waste Management fees due to future proposed increases in landfill tipping fees.

Councilmember Hoffman advised there was discussion to have smaller garbage containers available to all customers.

Mayor Paschall stated the Farmers Market had a successful grand opening despite the weather.

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 May 16, 2011.
- C. Approve Warrant List.
- D. Adopt Resolution No. 2011-05 consenting to the extension of service charges imposed on improved real property within the incorporated area of the City of Orland for the use and/or ability to use the Glenn County Solid Waste System.

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

PUBLIC HEARING

1. Conduct a Public Hearing to provide public comments for an application to be submitted to the California Development Block Grant Program (CDBG); discussion and possible action to adopt Resolution No. 2011-XX approving an application for funding and the execution of a grant agreement and any amendments thereto from the planning & technical assistance allocation of the State Community Block Grant Program.

City Manager Poczobut request to remove the public hearing item from the agenda as he was notified the grant has been over subscribed and no more funding will be available this year.

Councilmember Roundy advised on behalf of the Economic Development Commission (EDC) they were disappointed but hopes the City can apply at the appropriate time next year.

City Engineer:

City Engineer Skillman brought forward request for an annual adjustment and adopt Resolution No. 2011-XX adopting Development Impact Fees. City Engineer Skillman advised last year the proposed annual adjustment of 2.3% increase to Development Impact Fees was defeated. Staff is still utilizing the 2008 fee schedule and for these reasons propose a 4.3% increase which would correspond to the annualized rise of the Consumer Price Index (C.P.I.). The increase reflects the corresponding rise in related construction and material costs associated with these fees. The new fees would take effect (60) days after adoption. City Engineer Skillman recommends an updated nexus study be performed as soon as economically feasible. Councilmember Gee stated he is inclined not to increase fees; a nexus study should be completed first. City Engineer Skillman stated the City's fees are about middle of the road in comparison to other municipalities. Councilmember Hoffman asked whether increased fees deter development or solve financial issues. City Manager Poczobut advised studies have shown increased fees do not deter development. Councilmember Roundy stated development should pay as you go to assist with future facilities. Councilmember Roundy stated the City has lost \$25,000 dollars in impact fees this past year. Randy Fortner, 718 Fourth Street, advised not to undervalue your product; it is important to have fees in place.

Councilmember Roundy moved, seconded by Councilmember Hoffman to approve a 2.3% increase, in accordance with the C.P.I., in Development Impact Fees. Motion carried 3 -1 with Councilmember Gee voting no; Vice Mayor Elliott absent and no abstentions. A modified Resolution will be brought forward at the next regular Council meeting reflecting a 2.3% increase instead of the recommended 4.6%.

City Engineer Skillman brought forward request for annual review and possible adjustments to adopt Resolution No. 2011-06 adjusting Maintenance District Assessments. Staff recommends an increase of 2.7% to assessment fees for fiscal year 2011-2012, except where the construction of future maintenance infrastructure has not been completed such as Linwood Park and Orland Park.

Mayor Paschall stated regular maintenance of those districts needs to continue; especially when fees have increased.

Councilmember Roundy moved, seconded by Councilmember Gee to adopt Resolution No. 2011-06 adjusting the Maintenance District Assessment Fees, except those districts where construction of future maintenance infrastructure has not been completed. Motion carried with Vice Mayor Elliott absent and no abstentions.

City Engineer Skillman brought forward request for annual adjustment to adopt Resolution No. 2011-07 establishing Main Replacement Charges, Capacity Fees, Meter and Lateral Installation Charges. The C.P.I. increase of 2.7% reflects the corresponding rise in related construction and material costs. These fees set the charges that Public Works charges to developers or homeowners.

Councilmember Hoffman moved, seconded by Councilmember Roundy to adopt Resolution No. 2011-07 adjusting Main Replacement Charges, Capacity Fees, Meter and Lateral Installation Charges. Motion carried with Vice Mayor Elliott absent and no abstentions.

City Engineer Skillman request Council to review Caltrans Preliminary Right-of-Way Relinquishment documents and take possible action.

Councilmember Roundy moved, seconded by Councilmember Hoffman to authorize the City Manager to complete the Relinquishment form to direct Caltrans to proceed with Preparation of the Final Submittal and to waive the 90 day notice of "Intention to Relinquish" requirement contained in Section 73 of the Streets and Highway Code. Motion carried with Vice Mayor Elliott absent and no abstentions.

Councilmember Gee stated that C.P.I. does not reflect true costs in rural areas; however a nexus study is necessary to compare these costs.

City Manager:

City Manager Poczobut request Council to consider Consultant Agreement with Isom Advisors to prepare an application for Prop 84 Funds at an amount not to exceed \$3,000. City Manager Poczobut advised impact fees could be used for this service. The City intends to apply for a 2.5 million grant to expand and upgrade the City pool and property that is located to the north of Stanton Way. The City would partner with the Orland Unified School District and Resource Conservation District in order to implement the improvements. Debbie Pierson, Isom Advisors, was present to discuss the Proposition 84 grant. Discussion occurred regarding the schools contribution which has yet to be established. Councilmember Gee stated he was not favorable to the four percent to administer any grant at a cap not to exceed \$150,000. Councilmember Roundy stated he has received positive feedback concerning the application for the Prop 84 grant. Furthermore, Council approved developing the Stony Creek Trail project under priority group "A" in the Comprehensive Economic Development Strategy (CEDS) list. Councilmember Roundy noted Grant Administrator Wackerman suggested additional wording to item No. 4 in the Agreement to state the following: *Agrees to and costs to be negotiated*".

Councilmember Roundy moved, seconded by Councilmember Hoffman to authorize the City Manager or his designee to sign Consultant Agreement with Isom Advisors to prepare an application for Prop 84 funds at an amount not to exceed \$3,000, to be expended from impact fees. Motion carried with Vice Mayor Elliott absent and no abstentions.

City Manager Poczobut brought forward request to consider proposals for a National Environmental Protection Act (NEPA) and California Environmental Quality Act (CEQA) reports to be completed on the undergrounding of Lateral 40 and crossing of Papst Avenue; and request to consider License Agreement application to the Bureau of Reclamation. City Manager Poczobut provided two estimates for the project: (short version) \$605,929.30 for crossing at Papst Avenue or (long version) \$794,848.00, undergrounding completed down to Lateral 50. Mayor Paschall advised due to being a member of the Orland Unit Water Users Association he would abstain. Councilmember Gee advised he would also abstain due to being a property owner near Lateral 50. Council could not take any action at this time, due to lack of a quorum.

City Manager Poczobut request Council to consider return of Orland Park (commercial property) Maintenance District Assessment fees to the Glenn County Finance Department.

Councilmember Roundy moved, seconded by Councilmember Hoffman to approve return of \$40,830.72 of Maintenance Assessment District fees from Orland Park (commercial) to the Glenn County Finance Department and authorize the Mayor to sign accompanying letter. Motion carried with Vice Mayor Elliott absent and no abstentions.

ADJOURN

Meeting adjourned at 8:50 p.m.

_____Clerk

_____Mayor