

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

New City Attorney Greg Einhorn was introduced by Mayor Paschall.

#### ROLL CALL

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

Councilmembers absent: None

Staff present: JC Tolle, Ken Skillman, Jere Schmitke, Daryl Brock, Angie Crook and Greg Einhorn

#### ORAL AND WRITTEN COMMUNICATIONS

##### Citizen Business:

Brandy Branzelle, 322 Byron Way, reminded everyone of the memorial event set for September 11<sup>th</sup>, 8:30 a.m. at the Fire Hall, concluding at the gazebo in Library Park.

Ms. Branzelle advised "Operation Homefront: Back to School Brigade" program distributed 1,600 school related items to military children throughout the Orland School District.

Byron Denton, 127 Tanner Way, confirmed the Glenn County Democratic Committee will be hosting the memorial event set for September 11, 2011 at the Fire Hall and Library park.

##### Presentation:

A presentation on the history and accomplishments of the Orland Arts Commission was given by Rae Turnbull, Chairperson. Ms. Turnbull stated the Arts Commission has completed significant projects that benefited the Orland community. Their projects have added visual improvements, as well as civic pride to the community. Ms. Turnbull noted the Arts Commission work has also caught the attention of other cities in the surrounding area. Council thanked the Arts Commission for their continuing outstanding efforts.

#### CITY COUNCIL COMMUNICATIONS

Vice Mayor Elliott and Councilmember Gee brought forward request for Council to discuss and consider the process to solicit an interim City Manager and direct staff to obtain one or more proposals and timeline for same. Vice Mayor Elliott stated meetings have been held with the outgoing City Manager, City Attorney and City Clerk to discuss transition planning for an Interim City Manager. Vice Mayor Elliott stated he contacted Gail Wingard, a prior interim City Manager over 10 years ago; to see if he had an interest in that capacity again. Mr. Wingard advised he would be interested. Councilmember Roundy stated Council should consider selection between 2 or 3 candidates and also suggested using staff (City Clerk) to fill interim City Manager duties for a specific time. Councilmember Roundy felt the current City Manager could be put on leave and move forward. Councilmember Gee advised Council to consider using the City Clerk for day to day operations and hire an Interim City Manager on a part-time basis. Vice Mayor Elliott advised Mr. Wingard could possibly assist on a pre- interim consultancy basis. Vice Mayor Elliott and

Councilmember Gee advised they received good reports on Mr. Wingard's past history with the City of Orland. It was noted the City Clerk had election obligations next year and could assist for a short term. Vice Mayor Elliott questioned if granting the current City Manager an early release of his City Manager duties is possible to satisfy his contract. Finance Director Brock requested clarification on whether the City Manager's severance pay is being considered. Council gave direction to City Attorney Einhorn to discuss the City Manager's contract and to hold a closed session meeting with Mr. Wingard at the next regularly scheduled Council meeting regarding interim City Manager services.

Councilmember Roundy advised the Artist's Reception continue to take place at the Art Gallery on the first Friday of each month. Councilmember Roundy noted the Farmer's Market needs the community's continued support. Representatives from the Economic Development Steering Committee (Glenn County, City of Willows and Orland) went to Sacramento to meet with officials from the State of California Economic Development Division to discuss economic development efforts in the Glenn County area.

Vice Mayor Elliott and Councilmember Gee request Council to discuss and consider possible amendment to Orland Municipal Code Chapter 2.12.120, City Manager – Power to appoint and remove and discuss potential code amendment to provide for Council appointment and removal of specified officials. Vice Mayor Elliott stated some jurisdictions have a City Administrator versus a City Manager which sets limits on their powers. Vice Mayor Elliott advised there is language in the municipal code that conflicted with previous Police Chief contract. Vice Mayor Elliott and Councilmember Gee stated their concerns could possibly be defined to just one area of the municipal code, such as performance reviews and/or hiring/firing of Department Heads. Public discussed concern there's a risk of micromanagement by Council, as well as concerns that one person in authority risks the abuse of power. It was stated the City Council needs to hire the best City Manager to run a City and deal with personnel issues. Mayor Paschall stated he would like to see some changes in this area. Councilmember Roundy stated the Council was elected to be policy makers. Council advised discussion would continue at a later date.

#### 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 August 15, 2011.
- C. Approve Warrant List.
- D. Receive and file Arts Commission minutes for July 27, 2011.
- E. **Approve passage of second reading by title only and final adoption of Ordinance No. 2011-03 adopting the Flood Insurance Study and Flood Insurance Rate Maps for Glenn County, California and Incorporated Areas, Dated August 5, 2010, completed by the Federal Emergency Management Agency (FEMA).**

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

#### PUBLIC HEARING

None

ADMINISTRATIVE COMMUNICATIONS

Finance Director:

Finance Director Brock brought forward for consideration the possible refinancing of CalPERS Side Fund Obligations Mitigating financial risks. A power point presentation was given by Rick Brandis and Jeff Land from Brandis Tallman, LLC. The City is currently paying the CalPERS Side Fund obligation at an interest rate of 7.75%. The City has an opportunity to refinance this obligation through the Municipal Bond market at an interest rate of 4.50 % for ten years. This would offer a savings of \$288,425 dollars to the City. Council directed staff to proceed forward with the refinancing process.

Finance Director Brock requests Council to consider adoption of the Adjustment Factors for the Appropriations Limitation. Finance Director recommended City Council approve the following inflationary and population factors: the "local non-residential assessed valuation income factor" and the "City of Orland population growth factor".

Vice Mayor Elliott moved, seconded by Councilmember Hoffman to adopt the following Adjustment Factors: "Local non-residential assessed valuation income factor" and the "City of Orland population growth factor" for computation of the 2011-2012 Appropriations Limitation. Motion carried with no abstentions.

Public Works Director:

Public Works Director Schmitke request Council to consider approval of Green Waste pick up dates set for October 1-9, 2011.

Councilmember Roundy moved, seconded by Councilmember Hoffman to approve Green Waste pick up dates set for October 1-9, 2011. Motion carried with no abstentions.

Public Works Director Schmitke request Council to consider approval of the Green Waste Dump Site fee schedule and advertise for a part-time hourly employee, no more than 18 hours a week. Proposed fees to cover costs for monitoring the site are as follows:

- Pickup load \$5.00
- Pickup and trailer \$10.00
- One ton or larger \$15.00

Councilmember Gee moved, seconded by Councilmember Roundy to approve the fee schedule effective immediately and advertise for a part-time employee at an hourly schedule of not more than 18 hours per week at \$9 an hour. Motion carried with no abstentions.

Brief recess at 9:15 p.m.

Meeting reconvened 9:20 p.m.

City Engineer:

City Engineer Skillman requests Council to consider approval of "Agreement for Reimbursement of costs related to the installation of a Sanitary Sewer Main Line" with North Valley Christian Schools and authorize the Mayor to sign the Agreement. North Valley Christian School installed a 15 inch diameter sanitary sewer main beneath State Route 32 along with an 8 inch diameter main paralleling SR 32 easterly to their east boundary. The Orland Municipal Code Section 13.04.210 allows the developer to be reimbursed for a portion of the construction costs by the City when and if future connections are made to these mains within 10 years from date of installation. The total cost would be \$16,339.05.

Councilmember Gee moved, seconded by Councilmember Hoffman to approve the Agreement for Reimbursement of Costs related to the installation of a Sanitary Sewer Main Line. Motion carried with no abstentions.

City Engineer Skillman brought forward request for Council approval of speed surveys and authorize the Public Works Director to install new speed limit signs and striping. Radar speed surveys were conducted at a number of locations throughout the City by members of the Orland Public Safety Commission. The approximate cost of installation of the recommended signage is \$1,200 which would be expended from gas tax monies. Councilmember Roundy spoke of concern of increased speed on Tehama Street near the High School. City Engineer Skillman advised the study legitimizes enforcement.

Vice Mayor Elliott moved, seconded by Councilmember Gee to approve the speed surveys and authorization of installation of the recommended signage by Public Works. Motion carried with no abstentions.

City Manager:

City Manager Poczobut request Council to review and consider proposed League of California Cities Resolutions. Due to the City Manager absence the Council agreed to table the agenda item to the next regularly scheduled Council meeting on September 19, 2011.

City Manager requests Council consider revising the Regional Housing Needs Assessment (RHNA) numbers indicated in Orland Housing Element. City Attorney Einhorn advised he received confirmation in writing from the Department of Housing and Community Development (HCD) the corrected RHNA numbers. The following numbers were provided:

Very-Low:	130
Low:	110
Moderate:	122
Above- Moderate	259
TOTAL	621

Mayor Paschall asked if the revised numbers would have an effect on the City's ability to receive grants. City Attorney Einhorn confirmed it would not as the City has an approved Housing Element. A resolution will be brought forward at the next regularly scheduled Council meeting.

Jane King, 330 Meadowood, stated she had concerns with General Plan Amendment H.E. 2.A. because it eliminates the need for a Conditional Use Permit for the high density Blair III apartment complex. Sally Megorden, 301 Stonycreek Drive, stated she shared Ms. King's concern. Bob Bishop provided Council with power point information provided from Pacific Municipal Consultants concerning incorrect RHNA figures. Councilmember Gee and Vice Mayor Elliott advised the RHNA numbers should be corrected first before the General Plan Update Public Hearing is held. City Attorney Einhorn recommended keeping the noticed General Plan Update Public Hearing for September 19, 2011 as scheduled. Vice Mayor Elliott recommended a joint meeting with the Planning Commission to discuss H.E. 2.A. Councilmember Roundy advised Council of his concerns with delaying the General Plan Update. Councilmember Gee moved, seconded by Vice Mayor Elliott to remove the General Plan Update Public Hearing scheduled for September 19, 2011 and establish the RHNA numbers first.

Roll call vote:

Ayes: Mayor Paschall, Vice Mayor Elliott, Councilmembers Gee and Hoffman

Noes: Councilmember Roundy

Motion carried 4-1.

Adjourned to Closed Session at 10:25 p.m.

#### CLOSED SESSION

Closed Session was held regarding Public Employee Appointment, Employment, Evaluation of Performance, Dismissal or Release; Pursuant to Government Code Section: 54957; Position: Police Chief.

Closed Session was held on Conference with Legal Counsel – Pending Litigation; Pursuant to Government Code Section: 54956.9(b); Crystal Geyser.

Meeting reconvened to Open Session at 10:47 p.m.

#### REPORT FROM CLOSED SESSION

Council given update regarding Police Chief.

Council given update on Crystal Geyser litigation.

#### ADJOURN

Meeting adjourned at 10:48 p.m.

\_\_\_\_\_Clerk

\_\_\_\_\_Mayor