

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday July 1, 2013 7:00 p.m.

CALL TO ORDER

Meeting called to order by Mayor Gee

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

Councilmembers absent: None

Staff present: City Planner Scott Friend, City Engineer Ken Skillman, City Attorney Greg Einhorn, Assistant City Manager/City Clerk Angie Crook and City Manager Pete Carr

Citizen Comments:

None

Meeting adjourned to closed session at 7:01p.m.

CLOSED SESSION

Conference with Real Property Negotiator; pursuant to Government Code Section: 54956.8; Property: City property (surplus) APN: 041-140-043-0; Agency Negotiators: Pete Carr & Ken Skillman; Under negotiation: status of property; appraisal terms.

Conference with Labor Negotiators; pursuant to Government Code Section: 54957.6; Agency Negotiators: City Manager Pete Carr and City Attorney Greg Einhorn; Employee Organizations: United Public Employees of California Local #792 (Mid Management and General Units) and Unrepresented Employees (all others not in UPEC).

Meeting adjourned to open session at 7:30 p.m.

REPORT FROM CLOSED SESSION

Direction was given by Council.

Meeting reconvened to regular session at 7:31p.m.

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

ROLL CALL

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

Councilmembers absent: None

Staff present: Grants Administrator Janet Wackerman, City Planner Scott Friend, City Engineer Ken Skillman, Chief of Police J.C. Tolle, City Attorney Greg Einhorn, Assistant City Manager/City Clerk Angie Crook and City Manager Pete Carr

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

Byron Denton, 127 Tanner Way, requested an update on the headworks for the sewer ponds. City Manager Carr stated the equipment is on order and will be shipped after customization is complete.

Presentation:

City staff gave a demonstration and overview of current City online content including website and social media. The improvements are designed to enrich the content and accessibility for consumers seeking information, and to better reach out to the community for feedback.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Paschall had no reports at this time.

Councilmember Edwards had no reports at this time.

Councilmember Roundy reported on the following:

- Arrundo project is underway at the creek; spraying and cutting is ongoing;
- Attended American Legion meeting; continue working on field and lights;
- Support Farmers Market.

Vice Mayor Hoffman reported on the following:

- Fourth of July Parade to begin at 11AM, with a picnic in Vinsonhaler Park to follow at noon.

Mayor Gee reported on the following:

- Be aware of heat exhaustion during the hot weather;
- Library will be providing a cool zone during regular business hours;
- CalTrans will be doing chip seal next week from County Rd. HH to County Road M1/2; consider possible use of leftover grindings for city alleys.

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for June 17, 2013.
- C. Receive and file Public Safety Commission minutes for May 8, 2013.
- D. Receive and file Public Works Commission minutes for February 5, 2013.
- E. Adopt Resolution No. 2013-17 for Safe Drinking Water State Revolving Loan Fund Application for Eva Drive Well.
- F. Designate Councilmember Bruce Roundy as voting delegate for the League of California Cities Annual Conference, September 18 – 20, in Sacramento.

Councilmember Roundy requested Item E. removed from the consent calendar for further explanation.

Councilmember Edwards moved, seconded Councilmember Paschall to approve the consent calendar except for Item E. Motion carried with no abstentions.

It was noted the California Department of Public Health Safe Drinking Water application for the Eva Drive Well has been accepted. Council questioned if this well was a part of the Water System Capacity study and Grants Administrator Wackerman advised it was two different sources. The application is for funding of construction, whereas the study is to gather information on the city's water capacity and needs.

Councilmember Roundy moved, seconded by Councilmember Paschall to approve Item E. on the consent calendar. Motion carried with no abstentions.

## PUBLIC HEARING

None

## ADMINISTRATIVE COMMUNICATIONS

### City Engineer:

City Engineer Skillman brought forward bid results for the Lateral 40 Underground Canal Project. Bids were received from eleven contractors. City Engineer Skillman requested Council to award the Lateral 40 Underground Canal project to Franklin Construction in the amount of \$774,203. It was noted the project's construction will be funded by a CDBG grant, with the City utilizing developer Impact Fees and project mitigation fees to cover engineering and administrative costs.

Councilmember Roundy moved, seconded by Councilmember Paschall to award the Lateral 40 Underground Canal Project to Franklin Construction and authorize the City Manager to sign the contract for this project. Motion carried with no abstentions.

### City Manager:

City Manager Carr presented to Council a request for approval of a contract with Holiday Pools, Inc. for swimming pool improvements. Construction bids were solicited regionally and received from only one company, Holiday Pools, Inc. Mr. Carr advised funding for the project will come primarily from park facilities impact fees and an additional \$115,000 is available through a State parks improvement grant. The basic construction budget is \$392,000; \$415,000 includes replacement of old ladders and lifeguard stands and addition of an automated chemical control system. Improvements to the pool include: recirculating the pool water and a new deck-level gutter system which will enable the pool to be warmer, calmer and more efficiently maintained. The city's next park improvement would be the construction of a spray park.

Councilmember Edwards moved, seconded by Councilmember Paschall to award the \$415,000 construction contract for the swimming pool improvements to Holiday Pools, Inc. and authorize the City Manager to proceed at a not-to-exceed budget of \$440,000 with the City as the sole funding source, offset by \$115,000 in available Parks Grant funds, balance of up to \$325,000 from parks impact fees. Motion carried with no abstentions.

Councilmember Roundy questioned why the heater would not be installed at this time. Mr. Carr advised the heater is thought to be not necessary with the improvements that will occur. There is an additional cost of over \$25,000 for heater installation. Mr. Carr advised if the school district decides at a later time to utilize the pool during the year and there is a need to install a heater, it can be determined the school's share in cost for the installation.

Mr. Carr brought forward a request to amend the City Attorney Einhorn's services agreement. Mr. Einhorn's compensation has been \$40,000 per year (billed in equal monthly installments). Mr. Einhorn requested to amend the agreement to a \$44,000 annual retainer and maintain the \$110 hourly rate for special work, with the city receiving credit for the first 40 billable hours. Mr. Carr stated monthly invoices have shown significant write-offs. Councilmember Roundy stated the timing is not good since labor negotiations are still ongoing. Councilmember Edwards stated the item should be pulled until the next meeting. Mr. Einhorn advised he is prepared to withdraw his request for an amendment to his compensation and to leave it as-is.

Councilmember Edwards moved, seconded by Councilmember Roundy to table the request to amend the City Attorney's contract until a scheduled August Council meeting.

Mr. Carr brought forward a request to consider renewal of Pacific Municipal Consultants (PMC) contract for planning services. No changes have been proposed in scope of services, hourly rates, method of compensation or staff that is assigned. Councilor Edwards requested the item pulled at this time due to inquiries she has regarding PMC. Mayor Gee requested the issue tabled until the next scheduled Council meeting due to discussion he had with the Glenn County Supervisor Viegas regarding the possibilities of consolidation of planning services. Councilor Roundy advised the City should continue planning services until discussions with the County develop. City Planner Friend advised the last contract between the City and PMC is through fiscal year 2013 and would need to be renewed in order to continue planning services as is. Councilors Paschall and Roundy stated the City should not be without planning services. Mr. Carr advised the PMC contract has a 30-day written notice if Council desires to make a change and terminate the contract. Vice Mayor Hoffman asked if there are other sources for planning services. Kara Baker, KVB Inc., stated Council should consider going out to bid for a new contract as she was disappointed with behavior of the City's contract planner from PMC regarding her project. Council discussed the KVB project is not within the scope of the City of Orland.

Councilmember Roundy moved, seconded by Councilmember Paschall to renew the PMC contract as presented.

Roll call vote:

Ayes: Councilmember Roundy and Paschall

Noes: Mayor Gee, Vice Mayor Hoffman and Councilmember Edwards

Motion failed 3 – 2 with no abstentions.

Meeting adjourned to continued closed session regarding Conference With Labor Negotiators at 9:03 p.m.

Meeting reconvened to Open Session at 9:39 p.m.

REPORT FROM CLOSED SESSION

Direction given to City Manager regarding Labor Negotiations.

ADJOURN

Meeting adjourned at 9:40 p.m.

\_\_\_\_\_Clerk

\_\_\_\_\_Mayor