

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday October 21, 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 Hoffman
and Mayor Charles Gee

Councilmembers absent: None

Staff present: City Planner Scott Friend, Police Chief J.C. Tolle, City Attorney Greg
Einhorn, Assistant City Manager Angie Crook and City Manager Pete
Carr

Citizen Comments:

None

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

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation; Government Code Section: 54956.9(d)(4);
Initiation of litigation; one potential case: nuisance abatement, 226 E. Mill Street.

After discussion of the above matter, City Planner departed from closed session.

Conference with Legal Counsel – Potential Litigation; Government Code Section: 54956.9(d) (2)
Significant exposure to litigation; One potential case: law enforcement records, Sacramento Valley
Mirror.

Meeting adjourned to open session at 7:29 p.m.

REPORT FROM CLOSED SESSION

Council directed staff to proceed with nuisance abatement process.

Closed Session regarding potential litigation from Sacramento Valley Mirror will be continued after
the regular meeting.

Meeting reconvened to regular session at 7:30 p.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 Hoffman
and Mayor Charles Gee

Councilmembers absent: None

Staff present: Public Works Director Jere Schmitke, City Planner Scott Friend, Police Chief 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, thanked the Public Works department and the County for assisting with the green waste clean-up. Mr. Denton stated the new equipment at the sewer ponds is installed.

Larry Judkins, reporter from the Sacramento Valley Mirror newspaper, on behalf of Tim Crews submitted copies to City Council on the California Government Code and Constitution.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Paschall reported he enjoyed his vacation to the East Coast and thanked Council for continuing during his absence.

Councilmember Edwards reported on the following:

- Attended the Economic Development Commission meeting; Gary Campbell submitted his resignation; appreciated his service on the commission;
- Attended the Public Safety Commission; Larry Bates has also resigned from his seat on the Public Safety Commission due to other endeavors.

Councilmember Roundy reported on the following:

- Attended Broadband consortium in Redding; rural north state is underserved;
- Broadband meeting , October 29th , 1:00 pm in the Willows Public Library;
- Resource Conservation District (RCD) held a speak off contest; an Orland student was awarded first place.

Vice Mayor Hoffman reported on the following:

- Unable to attend the Chamber of Commerce meeting; in process of electing new Board of Directors;
- Christmas Light Parade and Christmas Tree Lighting scheduled for November 30, 2013;
- Attended Dollar Tree Grand Opening;
- Attended Community Center meeting; discussed ideas for what the community wants and needs;
- Attended Planning Commission meeting; approved a sign ordinance amendment.

Mayor Gee reported on the following:

- Attended meeting with Assemblyman Logue' representatives;

- Attended Dollar Tree Grand Opening;
- Will attend GSRMA Annual Conference on October 24, 2013.

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for October 7, 2013.
- C. Receive and file Orland Arts Commission minutes for June 19, 2013.
- D. Receive and file Economic Development Commission minutes for July 9, August 13, and Sept. 10, 2013.
- E. Accept resignations from Gary Campbell and Larry Bates which serve on the Economic Development Commission and Public Safety Commission; advertise to fill unexpired term at time of annual Public Notice of commission vacancies.
- F. Approve Public Notice of commission vacancies which expire December 31, 2013 and 2014 and notice to advertise for those vacancies.
- G. Authorize City Manager or designee to negotiate a contract with Rolls Anderson & Rolls to complete water system capacity study.

Councilmember Paschall questioned why the minutes of some commissions are not received until a later date. It was noted some commissions wait to approve minutes until those present from that particular meeting can approve the minutes. City Clerk Crook stated there is no requirement for commissioners to be present at a meeting in order for them to be approved.

Vice Mayor Hoffman stated he would accept the resignations of Gary Campbell and Larry Bates with regret.

Councilmember Roundy moved, seconded by Councilmember Paschall to approve the consent calendar as presented. Motion carried with no abstentions.

PUBLIC HEARING

Conduct Public Hearing for introduction and consider first reading of ordinance by title only:
Zoning Ordinance Text Amendment – Portable Signs (ZCA#2013-01) A city-initiated amendment to Chapter 17.78, Sign Ordinance, of the City of Orland Municipal Code to add definitions for Community Event Signs, Flag Signs, Seasonal Signs, and Special Event Signs and to modify the existing definitions for Advertising Surface, Off-Site Sign and Portable Sign. The amendment would also add Farmers' Market Signs to Chapter 17.78.752, Exempt Signs and would add Chapters 17.78.420, Portable Signs; 17.28.430, Flag and Banner Signs; and, 17.78.440 Special and Community Event Signs.

City Planner Friend introduced Angela Spain, new Planning Assistant from Pacific Municipal Consultants. Mr. Friend presented a Powerpoint to review the proposed text amendment changes to the City's existing sign regulations. The Public Hearing opened for comments at 8:00 p.m. Trish Saint Evens, 6825 County Rd. 15, understood limiting the number of signs in front of a business, but why limit the wording on the signs. Ms. Saint-Evens stated she had concerns regarding administrative use permits for community signs (e.g. non-profit, schools). Mr. Friend advised the proposed amendment would require special event signs to have an administrative use permit not

community event signs. Randy Fortner, business owner from 718 Fourth Street and 724 Fifth Street stated he found it to be punitive if an administrative use permit is required for banners for special occasions. Mr. Fortner questioned if there are restrictions concerning real estate signs. Mr. Friend stated real estate signs are exempt and the premise was to put reasonable restrictions on the use of other signs. Byron Denton, 127 Tanner Way, stated the benefit to these changes in the sign ordinance is to clean up the sign mess. Ben Pforsich, 820 Fifth Street, would like to see the possibilities of monument signage that is uniform and aesthetically pleasing. that could direct traffic to businesses located off State Rt. 32 (Walker Street). Larry Judkins questioned whether the sign regulations would affect advertising signs around the ball park. Mr. Friend advised the regulation is not intended to restrict those signs at the ball park. With no further comments, the Public Hearing closed at 8:27 p.m. Councilmember Edwards stated it is difficult for businesses (not located on Walker Street) to post directional signage on State Route 32. Councilmember Paschall stated the reason for the proposed changes to the sign code was strictly to deal with the concerns of sandwich boards left out on State Rt. 32. Council discussed having staff review the proposed revisions to the ordinance and consider passing a portion of this amendment in regards to portable signs.

Councilmember Edwards moved, seconded by Vice Mayor Hoffman to separate the Ordinance and approve the first reading of the draft Ordinance relating to Chapter 17.78.420, 21, 22,23,24 (Portable Signs) with the striking of 17.78.422 (B), Portable signs shall not contain any copy or advertising other than the identification of the business, use or service and address, location or directional information which it is advertising; remove any requirement to receive an Administrative Use Permit for use of a portable sign. Motion carried with no abstentions.

ADMINISTRATIVE COMMUNICATIONS

City Manager:

City Manager Carr brought forward for consideration the designation of an Administrative Hearing Officer for nuisance abatement hearings. Mr. Carr recommended Assistant City Manager/City Clerk Angie Crook be appointed as Administrative Hearing Officer.

Councilmember Edwards moved, seconded by Vice Mayor Hoffman to appoint Assistant City Manager/City Clerk Angie Crook as Administrative Hearing Officer for nuisance abatement hearings. Motion carried with no abstentions.

City Manager Carr brought forward for consideration discussion of necessary roof repairs for the public building located at 824 Fourth Street. The cost estimate for the entire roof repair is \$33,500 or approximately \$18,500 for the front half of the building. It was noted that repairing the roof is necessary no matter what entity uses the building, as it is needed to protect the structural and interior of the facility and the City is responsible as owner and lessor of the property.

Councilmember Paschall moved, seconded by Councilmember Edwards to authorize staff to proceed with necessary roof repairs to city-owned property at 824 Fourth Street with an expected cost of \$33,500. Motion carried with no abstentions.

Adjourned to continued closed session at 9:07 pm.

Closed Session regarding potential litigation from Sacramento Valley Mirror was continued after the regular meeting.

Meeting adjourned to open session at 9:25 p.m.

REPORT FROM CLOSED SESSION

Councilmember Paschall moved, seconded by Vice Mayor Hoffman to direct staff to publish a press release and letter to Tim Crews of the Sacramento Valley Mirror regarding Police Log information. Motion carried unanimously with no abstentions.

Meeting adjourned at 9:26 p.m.

_____ Clerk

_____ Mayor