

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

#### ROLL CALL

Councilmembers present: Reggie Olney, Paul Barr, Mike Yalow, Bruce Roundy and Mayor Vern Montague

Councilmembers absent: None

Staff present: Pam Otterson, Bob Pasero, Jere Schmitke, Ken Skillman, Angie Crook, Tom Andrews and Paul H. Poczobut Jr.

#### STATEMENT OF RESULTS FOR ELECTION HELD NOVEMBER 4, 2008

Councilmember Barr moved, seconded by Councilmember Yalow to adopt Resolution No. 2008-29 certifying the Canvass and Statement of Results of election held November 4, 2008. Motion carried with no abstentions.

Mayor Montague and Councilmember Yalow expressed gratitude to staff and their fellow Councilmembers. Vice Mayor Roundy presented plaques to outgoing Mayor Vern Montague and Councilmember Yalow for their years of dedicated service.

#### OATH OF AFFIRMATION OF ALLEGIANCE

City Clerk Crook was sworn in by Deputy City Clerk Otterson. City Clerk Crook gave Oath of Affirmation to new Councilmembers Wade. S. Elliott and James Paschall Sr. and Vice Mayor Bruce Roundy and City Treasurer Pamela Otterson.

#### ELECTION OF MAYOR AND VICE MAYOR

City Clerk Crook requested nominations for Mayor for 2008-2009. Councilmember Barr nominated Bruce Roundy as Mayor. With no further nominations, Bruce Roundy was declared Mayor for 2008-2009 by unanimous acclaim commencing December 1, 2008.

City Clerk Crook requested nominations for Vice Mayor 2008-2009. Mayor Roundy nominated Councilmember Barr as Vice Mayor. Councilmember Elliott nominated Councilmember Paschall as Vice Mayor. With no further nominations, nominations were declared closed.

Roll call vote for Councilmember Barr as Vice Mayor for 2008-2009.

Ayes: Councilmembers Olney, Barr, Paschall and Mayor Roundy

Noes: Councilmember Elliott

Absent: None

Roll call vote for Councilmember Paschall as Vice Mayor for 2008-2009.

Ayes: Councilmember Elliott

Noes: Councilmembers Olney, Barr, Paschall and Mayor Roundy

Absent: None

City Clerk Crook declared Paul Barr as Vice Mayor for 2008-2009 commencing December 1, 2008.

## APPOINTMENTS TO BOARDS AND COMMISSIONS

Mayor Roundy gave a review of the various appointments to boards and commissions. Mayor Roundy requests Councilmembers to further look at all boards and commissions and determine appointments at the next regularly scheduled meeting on December 15, 2008.

## ORAL AND WRITTEN COMMUNICATIONS

### Citizen Business:

Byron Denton, 127 Tanner Way, stated he has been very proud of the past council. He appreciated what they all did for the city.

Charles Gee, 335 Meadowood Drive, suggested the cities of Orland and Willows and County of Glenn should consider sharing government costs and savings; possibly in management, central dispatch, police, libraries, planning, equipment, etc. Mr. Gee suggested Council consider forming a committee to study the possibilities.

Medina Branzelle, 322 Byron Way, welcomed the new Councilmembers and thanked those who have served.

Anita Kelm, 702 Salomon Drive, request a welcome packet be made available to newcomers and an annual calendar of events made available to the public.

## 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 of November 17, 2008.
- C. Approve Warrant List.
- D. Approve Arts Commission minutes of November 12, 2008.
- E. (Late Warrant entry) Check 030263, \$6,447.00 to City of Corning for dispatching emergency calls.

Vice Mayor Barr moved, seconded by Councilmember to approve the consent calendar as presented. Motion carried with no abstentions.

## PUBLIC HEARING

None

## ADMINISTRATIVE COMMUNICATIONS

### City Manager:

City Manager Poczobut request Council to discuss and give direction on the Chamber of Commerce contract. An overview of the past history concerning the contract was given by City

Manager Poczobut. A recommendation was made by the City Manager to have the City Council and Chamber of Commerce meet in a work session and develop a strategic plan that would satisfy both organizations. The City Manager advised this must be done with a clean slate and not bring in past history. Vice Mayor Barr advised the City is experiencing budget constraints and feels the City cannot support the Chamber financially at this time. Councilmember Elliott advised he is Vice President of the Chamber of Commerce Board. Councilmember Elliott stated he contacted the Fair Political Practices Commission and was advised he had no conflict of interest, since members of the Chamber board are not compensated. Therefore, Councilmember Elliott stated he felt comfortable discussing the issue. Councilmember Elliott felt the City should fulfill its promise to compensate the Chamber of Commerce with the Transient Occupancy Tax (TOT) for 2007-2008 and 2008-2009. City Manager Poczobut stated the Economic Development Commission could be a part of the work session with City Council and Chamber of Commerce. Councilmember Paschall stated dialogue needs to continue between the Council and the Chamber of Commerce to examine what action can be taken. Councilmember Olney agreed. Byron Denton, felt the opinion Councilmember Elliott received from the Fair Political Practices Commission should be in writing. It was clarified by City Attorney Andrews that the Chamber of Commerce involvement in the TOT measure was not because of active campaigning, but the Chamber of Commerce was allowed to participate in an educational activity of the TOT measure. City Attorney Andrews advised TOT funds are placed in the General Fund. Mr. Andrews advised Councilmember Elliott does pose a potential conflict of interest based on the appearance of conflict based on potential bias. City Attorney Andrews advised the 2008-2009 contract was never brought back to Council due to comments regarding a situation which was taking place at the Chamber during that time. If the Chamber was engaged in any political activity, it would be considered improper for a 501-C(3) corporation to be acting in that manner. Therefore, City Attorney Andrews stated it would be inappropriate for the City to enter into a contract with a 501-C(3) corporation involved in that type of activity. Councilmember Elliott stated he was not aware of any violation by the Chamber of Commerce. John Noffsinger, 724 Papst Avenue, felt stipulations should be in the contract stating what tasks the Chamber of Commerce would accomplish. Candice Anderson, Chamber of Commerce secretary, clarified issues concerning information that was left at the Chamber office and a political link from the Chamber website. Mike Yalow, 163 E. Swift Street, request Councilmember Elliott to clarify discussion on Chamber matter. Jan Walker, President of the Chamber of Commerce, advised the City and the Chamber of Commerce are both trying to promote the City of Orland. Pam Roundy, 6815 County Road 15, recommends the 2007-2008 be honored and discuss future contract. Jim Arano, 4231 County Road E, stated it would be a good idea for the Council and the Chamber to work together for a common goal. Council directed staff to schedule a work session between the City Council and Chamber of Commerce to further discuss the issue after the New Year.

#### CITY COUNCIL COMMUNICATIONS

Mayor Roundy reminded everyone the Centennial celebration will begin December 13, 2008. The Avenue of Lights and Parade of Lights will also coincide with the celebration. The Christmas Tree Lighting ceremony will be held December 2, 2008.

Mayor Roundy and City Manager Poczobut advised dialogue has been taking place with the County of Glenn and City of Willows regarding joint ventures.

Chief of Police Pasero stated the Motorcycle Benefit Run will be take place on the Martin Luther King holiday weekend in January.

Meeting adjourned to closed session at 9:08 p.m.

CLOSED SESSION

Closed Session was held regarding negotiation of real estate transaction; pursuant to Government Code Section: 54956.8.

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

REPORT FROM CLOSED SESSION

Direction was given to staff to proceed with real estate negotiation.

ADJOURN

Meeting adjourned at 9:26 p.m.

\_\_\_\_\_Clerk

\_\_\_\_\_Mayor