

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

#### ROLL CALL

Councilmembers present: Paul Barr, Mike Yalow, Reggie Olney, Vice-Mayor Bruce Roundy, and Mayor Vernon Montague

Councilmembers absent: None

Staff present: Bob Pasero, Jere Schmitke, Tom Andrews, Daryl Brock, Nancy Sailsbery, Pam Otterson, Angie Crook and Janet Wackerman

#### ORAL AND WRITTEN COMMUNICATION

Citizen Business: Joyce Yancy, representing the Orland Chamber of Commerce, read from a prepared statement regarding support the City has given the Chamber in the past and the transient occupancy tax that has also been received. She requested the contract the Chamber submitted to the City in July 2008 be placed on the November 3, 2008 agenda for Council review.

Presentation: James C. Bettencourt, Chairperson of the Not in Our Town Glenn County organization, gave a presentation regarding their group's substance abuse prevention accomplishments in Orland over the last eight years. He informed the Council that they will be distributing over 3,000 envelopes to Orland residents October 25 to raise funds for their programs and for a documentary "Our Children's Silent Epidemic - Substance Abuse" that will air April 2009. He also handed out Not in Our Town logos that he suggested be placed at City Hall and the police department offices.

#### 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 October 6, 2008.
- C. Approve Warrant List.
- D. Receive and file Glenn County Animal Control report for September 2008.
- E. Approve Rejection of Timely Claim for Josette N. Duncan.
- F. Approve Waste Management's 2008-2009 refuse rate adjustment (6.9%).
- G. Approve updated telecommunications agreement (Calnet 2) with AT&T and authorize City Manager or Mayor to sign agreement.

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

Marjorie Palmer, 716 Shasta Street, asked for clarification on Items E and F. City Attorney Andrews stated Item E was in reference to an incident that occurred with Mrs. Duncan's vehicle and a City water meter cover. Golden State Risk Management rejected the claim and Mrs.

Duncan has a specific time frame to file a court action. City Attorney Andrews stated Item F was for an adjustment in accordance with the contract with Waste Management; 4.9% Consumer Price Index increase and a 2% fuel increase.

#### PUBLIC HEARING

Mayor Montague opened the Public Hearing for public comments on the second reading of Ordinance No. 2008-05. No comments were received and the Public Hearing was declared closed. Upon motion made by Councilmember Barr and seconded by Councilmember Yalow, Ordinance No. 2008-05 was adopted. Motion carried with no abstentions..

#### **ORDINANCE NO. 2008-5**

#### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND AMENDING CHAPTER 2.16 OF THE ORLAND MUNICIPAL CODE TO MODIFY THE EXISTING CONFLICT OF INTEREST CODE**

#### ADMINISTRATIVE COMMUNICATIONS

##### Finance Director:

Finance Director Brock presented information on the cost benefits of offering two year additional service credit to retirement eligible employees. The addition of this benefit would be a contractual change to the City's current contract with PERS and would affect the total PERS costs for a period in excess of the next 20 years. Because of the contract change, he recommended the City not pursue the "golden handshake." He will further research how other cities have offered service credit to retirement eligible employees without violating their PERS contract. No action was taken at this time.

##### City Attorney:

City Attorney Andrews stated that through a series of closed sessions, the City Council gave direction to him and Interim City Manager Riker on proceeding with the hiring of a city manager. Before Council members appoint a city manager, the terms of the contract need to be approved. Upon motion made by Councilmember Yalow and seconded by Councilmember Barr, a base salary of \$80,000.00 per year, \$200 automobile allowance, health benefits, PERS retirement and a \$2,000.00 relocation reimbursement were approved for the City Manager. Motion carried with no abstentions.

Carolyn Pendergrass, County resident, asked if the salary would be based on performance. City Attorney Andrews stated the contract calls for a performance review at six months, a year and then annually. Ms. Pendergrass asked if the salary would ever decrease. City Attorney Andrews stated the salary amount is set by contract. Ms. Pendergrass asked what would happen if there was a performance issue. City Attorney Andrews stated there is termination language in the contract to address that.

City Attorney Andrews stated, as a result of the process the City undertook to select a City Manager, nineteen applications were received and four interviews were conducted by the City Council. Paul Poczobut, Jr. was recommended and since he was recently in the city, he signed a contract to let the Council know he was ready to be their City Manager.

Upon motion made by Councilmember Barr and seconded by Councilmember Yalow, approval was made to hire Paul H. Poczobut, Jr. effective November 3, 2008. Motion carried with no abstentions.

Mayor Montague read a statement from Mr. Poczobut, stating he was looking forward to working with the Council and employees of the City.

#### CITY COUNCIL COMMUNICATIONS

Councilmember Olney stated he was sad to see the loss at Orland Hardware but glad to see the community pull together to help the owners of the store.

Councilmember Barr stated he had talked to the owner of Orland Hardware and he told him it will be around two weeks before he can start doing business at his temporary location in the former Corlin Paint Store. He also told him it will take a year before the new building is finished.

Councilmember Yalow stated he also was sad to see the loss of Orland Hardware and contacted the owner to see what the City could do to get the business going again.

Vice-Mayor Roundy stated he was out of town during the fire but was called as part of the "phone tree" that has been created to let councilmembers know when something has occurred in the Orland area. He thanked the staff for all their participation in the matter.

Mayor Montague commended the community for their assistance in the Orland Hardware fire and thanked Chief Pasero for calling him at 2:00 AM regarding the fire. He expressed his appreciation for the City's volunteer fire department. He also stated he was a participant in the Annual Crop Walk held last Saturday in Orland.

Chief Pasero reminded everyone of the upcoming Motor-Ice-Cycle fundraiser in January.

#### ADJOURN

Meeting adjourned at 8:21 P.M.

\_\_\_\_\_ Acting Clerk

\_\_\_\_\_ Mayor