

CITY COUNCIL
Wade S. Elliott, Mayor
Charles Gee, Vice Mayor
Bruce T. Roundy
James Paschall Sr.
Dennis G. Hoffman

CITY OF ORLAND

INCORPORATED 1909

815 Fourth Street
ORLAND, CALIFORNIA 95963
Telephone (530) 865-1600
Fax (530) 865-1632



INTERIM CITY MANAGER
Gail Wingard

CITY OFFICIALS
Angela Crook
Assistant City Manager/City Clerk
Pamela Otterson
City Treasurer

If anyone wishes to address the City Council on an item to be considered at this meeting, please fill out a Speaker Request Form and submit to the City Clerk before the meeting begins.

Meeting Place: Carnegie Center
912 Third Street
Orland, CA 95963

AGENDA

REGULAR MEETING, ORLAND CITY COUNCIL

Monday March 19, 2012

I. CALL TO ORDER – 7:30 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. ORAL AND WRITTEN COMMUNICATIONS

A. Citizen Business:

Any person may address the Council at this time upon any subject within the authority of the City Council; however, any matter that requires action will be referred for a report at a subsequent meeting. Public is advised to limit discussion to one presentation per individual. While not required, please state your name and address for the record.

(Oral communications will be limited to three minutes).

B. Presentation/Proclamation:

1. Presentation by “Students Working Against Tobacco” (SWAT) to thank Orland City Council for adopting a Secondhand Smoke Ordinance”.

2. Proclaiming April 2012 as Sexual Assault Awareness month – Virginia Scarbrough, Rape Crisis Intervention & Prevention

C. Commission Appointment:

1. Arts Commission – One vacancy to fill unexpired term through December 31, 2012. Application received: Steve Elliott

V. CITY COUNCIL COMMUNICATIONS AND REPORTS

VI. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately following approval of remaining items on 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 March 5, 2012.
- C. Approve Warrant List.
- D. Approve Special City Council minutes for February 27, 2012.
- E. Approve City Council minutes for February 21, 2012.

VII. PUBLIC HEARING - None
(Public Hearing comments will be limited from three to five minutes).

VIII. ADMINISTRATIVE COMMUNICATIONS

- A. Finance Director – Daryl Brock
 - 1. Discussion and action on Water & Sewer Rate study follow-up.
- B. City Attorney – Greg Einhorn
 - 1. Implementation of City Water & Sewer Rate Increase.
Discussion and Action:
 - a. Provide staff direction to proceed with water & sewer rate adjustment process.
 - b. Approve form of the submitted Notice of Public Hearing and direct staff to mail the Notice.
 - c. Approve the Proposition 218 Guidelines for the Submission and Tabulation of Protests.
 - d. Approve the form of the submitted draft resolution adjusting the City's water & sewer rates, such resolution to be considered following the Public Hearing.
- C. Interim City Manager – Gail Wingard
 - 1. Recommendation from Economic Development Commission to request for allocation of funds to proceed with Orland Specific Area Improvement District.

2. Recommendation from Economic Development Commission to request \$2,000 be approved to allow for the illumination of the City's water tower.
3. Recommendation from Orland Economic Development Commission to request the City adopt "City of Festivals" as a brand name.

IX. CLOSED SESSION

X. REPORT FROM CLOSED SESSION

XI. ADJOURN

CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on March 15, 2012.

A complete agenda packet is available for public inspection during normal business hours at City Hall, 815 Fourth Street, Orland, CA.

In compliance with the Americans with Disabilities Act, the City of Orland will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's Office 865-1601 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**NOTICE OF STATUTORY AUTHORITY FOR
HOLDING CLOSED MEETING OF THE
CITY COUNCIL OF THE CITY OF ORLAND
March 19, 2012**

Pursuant to California Government Code Sections 54950 et seq., the City Council will hold a Closed Session. More specific information regarding this meeting is indicated below:

- A. **CONFERENCE WITH LEGAL COUNSEL - PENDING LITIGATION**
Pursuant to Government Code Section: 54956.9(b)
1. City of Orland v. Tollett
 2. City of Orland v. Western Insurance Company

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- B. PUBLIC EMPLOYEE APPOINTMENT, EMPLOYMENT
EVALUATION OF PERFORMANCE, DISMISSAL OR RELEASE
Pursuant to Government Code Section: 54957
Position: City Manager

City Attorney, City Manager, or City Clerk

CITY MANAGER REPORT

3/19/12

Agenda IV.C.1. - Arts Commission:

Mr. Steve Elliott desires to be appointed to the Arts Commission. The position is to fill an unexpired term. Approval is suggested.

Agenda VIII.A.1. -Water & Sewer Rates:

Mr. Brock will provide City Council and public information and suggested procedures to increase rates at the Council meeting March 19, 2012. The City does not have a 10% discount rate for seniors water & sewer rates. If City Council is interested, please advise. This could be a City Council item for discussion.

Agenda VIII.C.1. - Specific Area Stimulous Plan:

The area between Fourth and Fifth Streets is receiving considerable interest. Staff believes this plan of improvement, while not costing much money, approximately \$10,000, will create improvements to the area. Hopefully this will stimulate people to improve the retail commercial picture of Orland. There are approximately 29 store fronts on both streets. If 15 proprietors utilize funds, \$500 each, total of \$7,500 will be needed. The intent is to expend approximately \$500 per each request. The request for funds must be accompanied by a request and statement of work that is intended. Maximum pay out would be \$500 to \$1,000 per each store. The local hardware store is offering supplies at a discount. The Economic Development Commission is suggesting the City Council approve the project and transfer \$7,500 per Mr. Brock's statement these funds are available.

Agenda VIII.C.2.- Water Tower:

The Economic Development Commission recommends the City appropriate \$2,000 for a flood light mount to illuminate the City water tower. Mr. Brock states funds are available.

City Manager Candidate:

Those selected candidates for interviews have all been properly notified.

Information – Moe's Market:

City staff has carefully reviewed all procedures utilized to construct the market. Staff has submitted all information available to City Attorney Einhorn for review. Conclusion is to provide the proprietor the necessary documents to open the store; with the condition all conditions have been met with the exception that a parking lot not be required on the property north of the new market.

Information – Old Purity Market 824 Fourth St.:

The store has been leased and payment has been received. Staff is now proceeding to rehab the west side of the building. This entails re-installing the

ceiling tile, refinishing some areas of the floor, plus numerous other minor details of repairs. City staff believes the whole building can be leased in the near future. City employees are to be congratulated for their efforts.

Arch Lights:

The Public Works Director, while searching the City archives has located the original light standards that were used for the side lights on the Arch – Old 99. If possible, units are going to be cleaned up, rewired and used to restore the arch back as close as possible to original. Present plan is to use solar energy. There is a considerable interest by the citizens of Orland.

Carnegie Center:

City staff is submitting a grant request to Barceloux-Tibessart for approximately \$8,000. Purpose is to restore the window casements, open-closing mechanisms, sanding/painting and any repairs to the wood window frames to retain historical appearance of nearly 100 years ago. The price was determined by Miller Glass.

Secret Service:

A Secret Service officer will conduct a training program for City staff and local business people on recognition of counterfeit paper money. All front office staff will attend. The public is offered an opportunity to attend. The program has been obtained by the Interim Chief of Police and will be held at Carnegie Center.

Auditor:

One statement observed in the annual audit report was concern of pertinent – private information being exposed in the office area because of a lack of security with desk placement and open vision conditions. To provide the payroll clerk with the security of protecting social security numbers and account numbers, the auditor for two years has suggested a change, which was not observed or made. A review has been made of the office desk arrangements and positioning of desks is proceeding.

In addition, the City Planning person is being moved from Daryl Brocks office and provided space where the Building Inspector is located.

Police:

Interim Chief Tolle has been busy conducting interviews of candidates to become an Orland Police Officer.

Storage of Records:

City Hall is overloaded with records of prior years that must be retained for a period of years, normally 5-7 years. A locked metal storage container is being placed at the City Corporation Yard. The placement of old records in storage will again provide file space and desk area for employees to work.

Solar Energy:

A letter has been received from Participant Energy, offering option to lease city owned property for 20 years, for placement of solar panels. If optioned, the City would receive \$36,000 per year for 18 years. I am providing this letter to the City Attorney and City Engineer to entertain its validity and whether the City should or could be interested; thus provide a recommendation. Participant Energy is located in Granite Bay.

A question should be reviewed, has the City of Orland entertained the idea of entering into its own Energy business. There are grant funding sources available to reduce costs of initial purchase and installation. This type of facility could possibly reduce Orland's overall city electric costs to almost nothing. The City engineer's comment would be interesting.

Budget:

Staff is proceeding with the 2012-13 budget. At this time major expenditures such as equipment costs are being acquired. Suggested procedures are to include equipment needed and costs. A review will be held and equipment cuts may be necessary. It is important to have equipment to provide adequate service to the citizens.

Library:

Library Director Jody Meza whom the City shares directorship with the Willows library, has advised of a slight complication at the Willows Library which was created when Cha Lee retired. Cha was basically the only experienced Librarian the Willows library had working. The short notification of retirement left the Willows library without an employee who was familiar with cataloging. The Willows City Manager requests assistance. Ms. Meza has one employee (Estel Porrás) who has offered to train the Willows library employee on cataloging. Estel will work in Willows approximately 2 evenings per week and at times on Saturday. This will not interfere with the Orland Library operations. All costs will be paid by the City of Willows, including travel time and mileage. It has been agreed the Willows cost not to exceed \$2,500. The Orland Interim City Manager has approved this plan of assistance.

Assistant City Manager/City Clerk

03/02/12 -03/15/12

- *New business licenses issued: Scotty D's Discount Market*
- *Attended March 5, 2012 City Council meeting; transcribed minutes from meeting.*
- *Uploaded new audio recordings to website and archived older recordings.*
- *Completed & followed up on Council action.*
- *Receiving and filing Annual Form 700 statements.*
- *Attended Dept. Head staff meeting, March 6, 2012.*
- *Attended Harassment and Ethics training class in Williams on March 8, 2012*

- Met with Interim CM to discuss draft City Council agenda for March 19, 2012.
- Attended Dept. Head staff meeting March 13, 2012.
- Prepared and submitted P.O's to accounts payable.
- Prepared CM report.
- Followed up with information with interim planner regarding appointments, phone calls and correspondence for planning activities and CC agenda.
- Copied and distributed City Council agenda for March 19, 2012; submitted information to website coordinator.

Orland Library Report

February 27- March 9, 2012

-Library stats:1906 items checked out; 1869 items checked in;
 97 items added to catalog; 390 computer sessions; 16 adult, 5 child,
 2 teen new library cards issued; 13 volunteer hours
 logged- mending, shelving, processing books, shelf-reading.

City Librarian Activities:

- Placed book orders and completed invoices.
- Reviewed and deselected materials from adult fiction collection.
- Reviewed and selected donation materials.
- Interviewed volunteer for Library Assistant position.
- Completed and sent monthly Workforce grant report.
- Held library staff meeting followed by safety meeting.
- Spoke w/ GCOE staff regarding potential student employee.
- Prepared and sent out Library Commission materials.
- Worked on updates to Library Donation policy and library card sign-up procedures.
- Worked on media materials for CA Reads project.
- Worked front desk providing circulation, reference and computer assistance.
- Updated website and library catalog.

Building Department
Weekly Report
03/09/2012

Four (4) applications were received; No (0) commercial and Four (4) residential.

No (0) Stop Work Notices were issued for work without proper permits.

Three (3) permits were issued; One (1) multiple, Two (2) building, No (0) electrical, One (1) plumbing and No (0) mechanical.

Twenty (16) inspections were performed:

Building	11
Plumbing	02
Mechanical	00
Electrical	03

One (1) final inspections were performed.

No (0) code enforcement inspections were performed.

Plan review comments were received on One (1) project and applicants were notified.

One (1) plan check was completed.

Senior Building Inspector & Permit Clerk assisted on planning & business occupancy issues.

Building Department
Weekly Report
03/02/2012

Four (4) applications were received; No (0) commercial and Four (4) residential.

No (0) Stop Work Notices were issued for work without proper permits.

Three (3) permits were issued; No (0) multiple, Two (2) building, No (0) electrical, One (1) plumbing and No (0) mechanical.

Twenty (20) inspections were performed:

Building	10
Plumbing	04
Mechanical	02
Electrical	04

Two (2) final inspections were performed.

No (0) code enforcement inspections were performed.

Plan review comments were received on No (0) projects and applicants were notified.

No(0) plan checks were completed.

Senior Building Inspector & Permit Clerk assisted on planning & business occupancy issues.

Orland Recreation Department

Weekly Report

Current Programs Running-

Adult Fast Break Basketball, Cardio Kick Boxing, Open Gym Basketball, Open Gym Volleyball, Seniorsize, Yoga, Youth Basketball, Mean and Lean Exercise, Tiny Tots Tumbling, and Slow Break Basketball.

Things Worked On-

- 1. Worked in the Recreation Office – Phone calls, files, scheduling of parks and recreation center, updated standings, sign up for youth and adult activities.*
- 2. Clean recreation center, mopped, swept, vacuumed, washed windows, cleaned gym floor, and all other maintenance to keep recreation center clean.*
- 3. Cleaned Lower Carnegie Hall.*
- 4. Finished Youth Basketball on March 3rd 2012.*
- 5. Tee Ball starts March 17th 8 teams' 96 participants.*
- 6. Painted Tee Ball field.*
- 7. Finished Tee ball teams and schedules.*
- 8. Had Adult Fast Break on Monday and Wednesday nights.*
- 9. Worked Slow Break Basketball on Tuesday nights.*
- 10. Worked on Golf Tournament.*
- 11. Worked Tiny Tots Tumbling Friday mornings.*
- 12. Started accepting sign-ups for summer soccer and adult dodge ball.*
- 13. Yoga is now taking place at the Rec. Center on Wednesday nights from 5:15pm – 6:15pm.*

Public Works Department Council Report

Week of February 27, 2012:

New Projects:

1. Placed dirt along edges of new sidewalk at Lely Park.
2. Cleaned sewer main in alley between East St. and A St. from Shasta to Yolo St.
3. Cleaned sewer main on Swift St. from East St. to Woodward Ave. and on Woodward Ave. from Swift to Yolo Streets.
4. Finished installing bathroom fixtures and cleaning up front half of 824 Fourth St. building.
5. Cleaned up back half of 824 Fourth St. building; hauled materials away.
6. Picked up broken branches around town from wind storm; hauled out to Green Waste site.
7. Worked on water meter leaks as called into City Hall and from repair list.
8. Sprayed weeds along State Route 32 and 6th Street sidewalks.
9. Worked on the Lely Park well to ready for system use.

Week of March 5, 2012:

New Projects:

10. Worked on water meter leaks as called into City Hall and from repair list.
11. Sprayed weeds along island at Stony Creek Drive.
12. Poured another 200' section of concrete for new sidewalk at Lely Park.
13. Finished putting dirt along edges of sidewalk at Lely Park.
14. Excavated for sidewalk and curb and gutter at 1004 Trinity St.
15. Conducted waterline repair on water service at 1004 Trinity.

Ongoing Projects- Cleaned City Hall, Police Dept., Library and Carnegie Center; Checked sewer mains around town for any blockage; Flushed low use sewer mains around town as needed; Gathered weekly water samples and bi-weekly sewer samples and delivered to Chico lab; Maintained all City parks and landscaping in maintenance districts; Maintained sewer treatment plant and brine ponds; Checked all Sewer lift stations for proper operations. Conducted maintenance and maintained all City well sites; Swept downtown streets and streets throughout town. Maintained City Green Waste site collecting money and picking up any debris and pushing up pile.

ORLAND POLICE DEPARTMENT STAFF REPORT

March 1, 2012 - March 14, 2012

Trainings:

3/5 2nd half of the Dept had range training at the Corning Casino Range.

3/7 City Hall and Orland PD participated in a fire drill training.

3/8- Janene Rehse and Interim Chief Tolle attended 2-hr AB1234 Compliant Ethics Training and 2-hr AB1825 Complaint Prevention of Sexual and other unlawful harassment in the workplace. Training was put on by GSRMA and was held in Williams.

3/16 OPD is hosting a Counterfeit ID course to the public. The instructor is a Sacramento based Secret Service Agent. The response has been very positive with approx. 70 people RSVP from the tri-counties area.

Items of Note

3/1 Interim Chief Tolle attended Monthly LEA and GLINTF meetings in Willows.

3/5 Interim Chief Tolle and Sgt Vlach held interviews with the top 4 candidates from the police officer oral boards held back of February 23. At this time 1 candidate has moved into the background process.

3/6 one of the oldest computers crashed, a new one has been ordered and to paid for through last year's carryover of SLEF Funds.

3/12 Interim Chief Tolle attended the Safety Committee meeting

Special Events

3/3 The 16th Annual Citizen's Police Academy graduated five.

Officer Johnson also handed out service pins to current to the following members; Certificates and Five year pins were presented to Janice Cooper, Caryn Brown, Bill Reichle and Karen Reichle.

Certificates and Ten year pins were presented to Gerald Rice, Jeanne Stephens and Shelly Hamilton.

Certificates and Fifteen year pins were presented to Kay Larsen, Paul Ratzlaff, Dick Hill, and Ester Hill.

Bob Verbridge received his Second Class pin for serving 250 hours.

Plaque for Volunteer of the Year was presented to Caryn Brown.

Total Calls for Service-	157
Total Reports Taken-	40
Moving Citations Issued-	13
Parking Citations Issued-	3
Vehicles marked for Abatement-	2

Orland PD
 PD
 February 01, 2012 to February 29, 2012

Nbr	Classification	Dollar Loss
		0.00
8	ALCOHOL VIOL	0.00
1	ARSON	3,500.00
2	ASSAULT	0.00
4	BURGLARY	18.00
1	CHILD SAFETY	0.00
3	CVC DRIVER'S LIC	0.00
3	CVC EQUIP	0.00
8	CVC MOVING VIOL	0.00
2	CVC REG VIOL	0.00
7	DOMESTIC VIOL	0.00
7	FRAUD DOCUMENTS	10.00
5	MOTOR VEH RECOVERY	2,000.00
8	MOTOR VEHICLE THEFT	28,300.00
11	NARCOTICS VIOL	0.00
3	OBSTRUCTING	0.00
20	OTHER INCIDENT	0.00
8	PCJMISC	0.00
1	PUBLIC NUISANCE	0.00
2	SEX CRIME	0.00
10	THEFT	1,785.00
1	TOW	0.00
3	TRAFFIC COLLISION	0.00
10	VANDALISM	1,400.00
1	VOP	0.00
3	WARRANT	0.00
2	WEAPONS	0.00
21	ALARM CALLS	
1	PARKING CITATIONS	
		\$37,013.00

Wade Elliot, Mayor,
815 Fourth St
Orland, CA 95963

Dear Wade Elliot, Mayor

April is nationally recognized as Sexual Assault Awareness Month and this year, *Rape Crisis Intervention & Prevention* is organizing a series of events to help every member of our community *Decide to End Sexual Violence*. Our goal is to encourage everyone in *Orland* to learn about sexual violence, how to help prevent it, and how to encourage survivors to heal.

Rape Crisis Intervention & Prevention is calling for Orland community- wide participation to *Decide to End Sexual Violence*, and would be honored if you would sponsor an official proclamation to recognize April as Sexual Assault Awareness Month. You can further support Sexual Assault Awareness Month by scheduling a *Decide to End Sexual Violence* presentation for your staff, participating in our month-long \$0.03 A Day Campaign, Denim Day on April 25, and by attending *Shine The Light on April 30, 2012 from 6 - 9 PM*.

We are hopeful that you will be able to present your proclamation during your next City Council meeting. A representative from Rape Crisis Intervention & Prevention will be present to receive this proclamation and to speak briefly about activities.

Rape Crisis Intervention & Prevention is *Taking Action by Deciding to End Sexual Violence* in coordination with California's rape crisis centers and the California Coalition Against Sexual Assault (CALCASA). We share the view of the World Health Organization that sexual violence is a serious health problem that profoundly affects the physical, emotional, mental and social well-being of victims. With leadership and commitment, we believe that we can work together with others to create short and long-term solutions to the endemic problem of sexual violence, including unhealthy and unsafe relationships.

A sample proclamation is enclosed. Please contact me to confirm your support of these critical violence prevention efforts. We look forward to partnering with you to achieve our vision of a world without sexual violence.

Sincerely,

Virginia Scarbrough
Outreach / Counselor

CITY COUNCIL, CITY OF ORLAND

PROCLAMATION

Proclaiming the Month of April as Sexual Assault Awareness Month

WHEREAS, sexual assault is an intolerable violent crime with public health implications for every person in Orland as a victim/survivor or as a family member, significant other, neighbor or co-worker of a victim/survivor;

WHEREAS, no one person, organization, agency or community can eliminate sexual assault on their own-we must work together to educate our entire population about what can be done to prevent sexual assault, support victim/survivors and their significant others, and increase support for agencies providing services to victim/survivors; and

WHEREAS, for the past 37 years *Rape Crisis Intervention & Prevention* has led the way in Orland in addressing sexual assault by providing 24-hour hotline services to victim/survivors and their significant others, responding to emergency calls, offering support and comfort to those impacted by sexual assault during medical exams, criminal proceedings, and empowering those impacted by sexual assault to chart their own course for healing; and

WHEREAS, ending sexual assault in Orland must include active public and private efforts to *End Sexual Violence* in collaboration with including conversation about what sexual violence is, how to prevent it, how to help survivors connect with crucial counseling and other support services, and how every segment of our society can work together to better address sexual violence; and

WHEREAS, *Rape Crisis Intervention & Prevention* staff and volunteers offer sexual assault programs in Orland work year around to encourage every person in Orland to *End Sexual Violence* and to support survivors by providing prevention education and survivor empowerment information to schools, churches, civic organizations, as well as medical, mental health, law enforcement, education, and criminal justice personnel regarding sexual assault issues;

WHEREAS, *Rape Crisis Intervention & Prevention* encourages both women and men to take action to *End Sexual Violence*, *Rape Crisis Intervention & Prevention* supports young men to join the statewide campaign by declaring that they will work to *End Sexual Violence*.

WHEREAS, *Rape Crisis Intervention & Prevention* has set an important example of how forging collaborative relationships between service agencies and organizations serves to improve the quality of service for those most profoundly and directly impacted by sexual violence, thus setting an important example for how the rest of the community might work together to speak out and find solutions to sexual violence;

WHEREAS, *Rape Crisis Intervention & Prevention* requests public support and assistance as it continues its effort to bring real hope for freeing Orland from the tragedy of sexual violence to create a future where all women, men and children can live free from violence and exploitation;

NOW, THEREFORE, BE IT PROCLAIMED, that I Wade S. Elliott, Mayor of the City of Orland, do hereby proclaim the month of April 2012 as Sexual Assault Awareness Month in Orland and hereby commend this observance to all citizens.

Wade S. Elliott, Mayor



CITY OF ORLAND
FACT SHEET FOR COUNCIL APPOINTMENT
TO COMMISSIONS, COMMITTEES AND BOARDS

Body to which appointment is sought:

- X Arts Commission
City Council
Economic Development Commission
Library Commission
Parks & Recreation Commission
Planning Commission
Public Works Commission
Safety Commission
Other

Name: STEVE ELLIOTT
*Address: 27 E. CENTRAL ST.
ORLAND, CA 95963
Mailing Address
Home Phone: (415) 865-9101
Work Phone: (531) 228-9585
Fax: (531) 320-2806
E-mail: stevenellott@mac.com

* Must live within city limits of Orland or reside within the 95963 postal zip code.

EDUCATION

High School Graduate X GED Location FALLBROOK, CA
Other formal education 2 YEARS U.C. SANTA CRUZ

EMPLOYMENT HISTORY

List all employment during the last five years. If retired, list last employer.

Table with 3 columns: Period, Employer (include location), Position/Title. Entry: '03-present, RANCHO ELECTRIC (ORLAND), TREASURER - ELECTRICAL CONTRACTOR

PERSONAL DATA

Are you related to any member of the City Council, any City Board/Commission/ Committee Member or City Employee? NO. If yes, please list name and relationship:

(continued on other side)

Year you became an Orland resident. 2003

Are you a City of Orland registered voter? YES

Have you ever been convicted of a felony? NO If yes, explain.

List civic activities, clubs, association, etc. _____

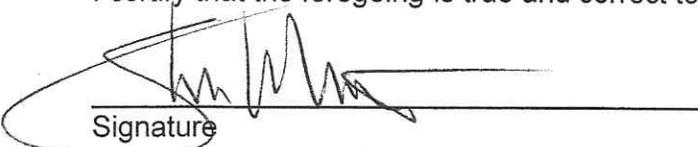
ORLAND CHAMBER OF COMMERCE; ALTACAL AUDUBON SOCIETY

FORMER ELDER V.I.C.C.C.; HOST SUN READERS VISITE GROUP

Briefly state your reasons for interest in the appointment sought. _____

I am a fine arts photographer and small business owner of an electrical contracting company based in Orland. I believe a vibrant artistic presence is key to the quality of life in our community. I want to help Orland flourish.

I certify that the foregoing is true and correct to the best of my knowledge.


Signature

Date: MARCH 5, 2012

IMPORTANT: Appointees to certain commissions and boards will be required to complete a Statement of Economic Interest as required by California Government Code §87200 et seq. and the City of Orland Conflict of Interest Code.

Return form to: City Clerk
City of Orland
815 4th Street
Orland CA 95963

PUBLIC NOTICE

VACANCY TO FILL UNEXPIRED TERM ON THE ORLAND ARTS COMMISSION

The City of Orland is accepting applications to fill an unexpired term on the Arts Commission. The individual shall work or be involved in the arts; reside in the city limits of Orland or 95963 zip code area. The term expires December 31, 2012. This is an excellent opportunity to have input in your community art projects.

For applications you may visit the city website at: www.cityoforland.com or City Hall, 815 Fourth Street, Orland. Any questions, please call 530.865.1600.

Please apply by March 1, 2012.

REGULAR MEETING, ORLAND CITY COUNCIL, Monday March 5, 2012

7:30 p.m.

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

ROLL CALL

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

Councilmembers absent: None

Staff present: Janet Wackerman, Grant Coordinator; JC Tolle, Interim Chief of Police; Jere Schmitke, Public Works Director; Daryl Brock, Finance Director; Greg Einhorn, City Attorney; Angie Crook, Assistant City Manager/City Clerk; Gail Wingard, Interim City Manager.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Business:

None

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy reported on the following:

Lisa Tietz was named the new manager for the Orland Farmer's Market.

Requests a nexus study on impact fees be brought forward at a future meeting.

Mayor Elliott Elliott reported on the following:

Requests City Attorney bring report forward at a future meeting regarding concerns made from Public Health coordinator regarding the legality of paraphernalia being sold in a local smoke shop.

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 Warrant List
- C. Receive and file Planning Commission minutes for December 15, 2011.
- D. Receive and file Public Safety Commission minutes for January 9, 2012.

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

PUBLIC HEARING

1. Request public input for the California Development Block Grant Program (CDBG) on Grant No, 08-STBG-4874.

Grants Coordinator Wackerman presented a final report on the accomplishments of Grant No., 08-STBG-4874. The grant provided funds for public improvements that were extended at Paigewood Drive to serve the Paigewood Village Apartments, six (6) loans were established for homeowner assistance and ten (10) sidewalk locations were upgraded to ADA standards.

Ms. Wackerman noted one monitoring timeline was missed; however, it was corrected and reported to the State. The Public Hearing opened at 7:38 p.m. Trish Saint-Evens, 6825 County Road 15, questioned if any buildings were constructed from this grant. Grants Coordinator Wackerman explained the Paigewood apartment complex was done with HOME funds. The apartment complex needed city services, so the City was able to apply for funds to construct an extension of water and sewer lines, in addition to curb, gutter and sidewalk. Grant Coordinator Wackerman confirmed ten sidewalks had ADA improvements, but over 180 sidewalks were identified. Ms. Wackerman noted in the future, other funding sources will be examined to allow improvements for more sidewalks. Councilmember Roundy advised there are possibilities to collaborate with the County regarding the Super NOFA grant. Ms. Wackerman stated she is assisting the County with a Senior Housing Study. Brandy Branzelle, 322 Byron Way, thanked the Public Works department for the nice work they did on the ADA ramps and sidewalks. The Public Hearing closed at 8:43 p.m.

ADMINISTRATIVE COMMUNICATIONS

Finance Director:

Finance Director Brock brought forward a request to accept the Single and Annual Audit Report for June 30, 2011. A single audit is required since the City received over a half million dollars in federal funds (CDBG, HOME, Dept. of Justice). The single audit was in compliance with no problems and the financial statement showed no findings. The annual audit financial statement was presented in compliance with the Governmental Accounting Standards Boards. The City's total assets increased by 22% due to the City's grants. The annual audit determined the Enterprise Funds have shown some weakness, therefore a review of fees should be considered. City Finance Director Brock stated discussion has begun regarding this issue.

Vice Mayor Gee moved, seconded by Councilmember Roundy to approve the Single and Annual Audit report dated June 30, 2011 as promulgated. Motion carried with no abstentions.

Finance Director Brock gave a report on the water rate study increase. The water enterprise fund is not generating enough operating revenue to cover increasing costs of providing services. The City has experienced problems with two of its eight existing wells; therefore it is critical the process to meet long and short term obligations be addressed. Finance Director Brock presented information showing estimated revenue generated from varying levels of percentage rate increases to water and sewer, as well as the possible impact if the City was unable to provide water services and contracted with California Water Service. Finance Director Brock stated a mechanism needs to be set in place with the same of level as the Consumer Price Index to adjust water and sewer service charges on an annual basis. Council discussion occurred regarding the need to determine operating costs and set aside costs for the future. City Attorney Einhorn explained Proposition 218 guidelines to hold a public hearing for a rate increase and the public's right to protest.

Council directed staff to move forward with studies to determine costs for operational and capital needs for water and sewer.

Interim City Manager:

Interim City Manager Wingard request discussion and possible action on renewing annual League of California Cities Dues (\$3953.00) for 2012.

Councilmember Roundy moved, seconded by Councilmember Hoffman to pay League of California Cities membership dues of \$3953.00 accompanied with a letter of concern. Motion carried with no abstentions.

Meeting adjourned to Closed Session at 8:39 p.m.

CLOSED SESSION

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

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

Meeting reconvened to Open Session at 9:58 p.m.

REPORT FROM CLOSED SESSION

Direction was given to Interim City Manager regarding both closed session items.

ADJOURN

Meeting adjourned at 9:59 p.m.

_____Clerk

_____Mayor

Check Number	Check Date	Vendor Number	Vendor Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
036258	03/05/12	DAS00	DASH MEDICAL GLOVES	-64.24	.00	-64.24	1/31/12u	Ck# 036258 Reversed
036388	03/14/12	ABS00	ABSOLUTE SAFETY TRAINING,	120.00	.00	120.00	2/25/12	FD/CPR manuals
036389	03/14/12	AFF00	Affordable Computer Solut	400.00	.00	400.00	2097	Lib/computer maint
036390	03/14/12	AME01	AMERIPRIDE UNIFORM SVCS	539.87	.00	539.87	22312	PW/uniform cleaning&shop
				76.90	.00	76.90	2-23/2012	FD/rug cleaning svcs
				312.07	.00	312.07	2/23/2012	CH;PD;Rec/rug maint
			Check Total.....:	928.84	.00	928.84		
036391	03/14/12	ATT07	A T & T	31.45	.00	31.45	030712	PW/well communications
036392	03/14/12	AYR03	Ian Ayres	100.00	.00	100.00	Mar 2012	PD/uniform allowance
036393	03/14/12	BAR03	Charles Barnes	100.00	.00	100.00	Mar 2012	POLICE DEPT UNIFORMS
036394	03/14/12	BAS00	Basic Laboratory, Inc	491.20	.00	491.20	1873-2162	PW/lab svcs
036395	03/14/12	BAT06	Tyler Batchelder	32.00	.00	32.00	4hrs	Rec/adult basketball
036396	03/14/12	BOL00	Bollinger Insurance	300.00	.00	300.00	3-6-12	Rec/field insurance
036397	03/14/12	BRO02	DARYL R. BROCK CPA	5750.00	.00	5750.00	End031312	FinDir/contract svcs
036398	03/14/12	BUC00	BUCKE'S FEED & GRAIN	33.78	.00	33.78	175563	PD/K9 supplies
036399	03/14/12	BUT04	Butte College	100.00	.00	100.00	295031004	PD/training
036400	03/14/12	CAR02	CARDMEMBER SERVICE	1015.00	.00	1015.00	022712	Postage
				732.56	.00	732.56	2*27*12	PD/misc supplies
				37.20	.00	37.20	2/27/12	PD/lunch for oral boards
				7.89	.00	7.89	2/272012	PD/camera battery
				391.34	.00	391.34	2/27/2012	Lib/postage;books;craft s
			Check Total.....:	2183.99	.00	2183.99		
036401	03/14/12	CAR03	GRANT CARMON	100.00	.00	100.00	Mar 2012	POLICE DEPT UNIFORMS
036402	03/14/12	CES00	Kyle Cessna	100.00	.00	100.00	Mar 2012	POLICE DEPT UNIFORMS
036403	03/14/12	CON03	Contra Costa Co Sheriffs	273.00	.00	273.00	2-29-12	PD/training
036404	03/14/12	COR00	CORNING LUMBER CO., INC.	303.83	.00	303.83	2/26/12	PW/supplies
036405	03/14/12	CRE00	CREATIVE COMPOSITION	86.15	.00	86.15	80566	Rec/golf tourn raffle tic
036406	03/14/12	CRO03	ANGIE CROOK	47.73	.00	47.73	030812	Clerk/mileage reimb
036407	03/14/12	CVS00	CVS Pharmacy	9.38	.00	9.38	2/6/12	Council water
				28.41	.00	28.41	2/28/12	PD/office supplies
			Check Total.....:	37.79	.00	37.79		
036408	03/14/12	DEF01	PAT DEFRIES	50.00	.00	50.00	3-1-12	Rec/seniorsize
036409	03/14/12	DEP21	DEPARTMENT OF FINANCE	40.00	.00	40.00	Feb2012	PD/pcite assessment
036410	03/14/12	DOJ03	DEPARTMENT OF JUSTICE	32.00	.00	32.00	898094	PD/VIP background
036411	03/14/12	EIN02	Gregory P. Einhorn	5042.00	.00	5042.00	Feb 2012	CA/professional svcs
036412	03/14/12	ELL00	ELLIS ART & ENGINEERING	75.50	.00	75.50	92/170	AC/posters for gallery
036413	03/14/12	FAS00	FASTENAL	132.22	.00	132.22	51722	PW/supplies
036414	03/14/12	FRA00	FRANCOTYP-POSTALIA, INC.	159.11	.00	159.11	001014	Multi-depts/postage meter
036415	03/14/12	GOL01	GOLDEN STATE RISK	35956.08	.00	35956.08	April 12	Monthly health ins premiu
036416	03/14/12	INT00	INTOXIMETERS	1575.81	.00	1575.81	355259	PD/equip maint
036417	03/14/12	INT03	Int. Assoc.for Property	50.00	.00	50.00	2012	PD/evidence membership
036418	03/14/12	JOH00	JOHN'S TIRE & MUFFLER	315.00	.00	315.00	717;767	FD/equip maint
036419	03/14/12	JOH02	SEAN JOHNSON	100.00	.00	100.00	Mar 2012	POLICE DEPT UNIFORMS
036420	03/14/12	JWW00	J.W. WOOD CO.,INC.	155.18	.00	155.18	95498	Restroom supplies for 824
036421	03/14/12	LEA03	LCC/SAC VALLEY DIVISION	40.00	.00	40.00	3/23/12	Division quarterly meetin
036422	03/14/12	LED01	Jessica Leday	100.00	.00	100.00	Mar 2012	POLICE DEPT UNIFORMS
036423	03/14/12	LOP00	Zachary Lopeteguy	100.00	.00	100.00	Mar 2012	POLICE DEPT UNIFORMS
036424	03/14/12	MAN02	MANNER TRUCKING SERVICE	929.68	.00	929.68	2/15/12	FD/Engine 28 repairs
036425	03/14/12	MAR01	Marcello & Company	15400.00	.00	15400.00	0210212	Annual audit

REPORT.: Mar 14 12 Wednesday
 RUN....: Mar 14 12 Time: 15:57
 Run By.: FINANCE

CITY OF ORLAND
 Cash Disbursement Detail Report
 Check Listing for 03-12 Bank Account.: 1001

ID #: PY-DP
 CTL.: ORL

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Payment Information	
							Invoice #	Description
036426	03/14/12	MAT04	MATSON & ISOM	160.74	.00	160.74	121;506;2	AC/newsletter updates&mon
036427	03/14/12	MCK00	Jim McKasson	45.00	.00	45.00	3/5/12	AC/model fee
036428	03/14/12	MEZ00	JODY MEZA	200.00	.00	200.00	Mar2012	Lib/travel allowance
036429	03/14/12	MID02	MID STATE SURGE	106.37	.00	106.37	23678	PW/sanichlor
036430	03/14/12	MIK00	MIKE'S REPAIR SHOP	49.28	.00	49.28	3863770	PW/supplies
036431	03/14/12	MIL00	MILLER GLASS, INC.	34.86	.00	34.86	3179623	Carnegie glass repair
036432	03/14/12	MIL02	LEE MILLER	18392.07	.00	18392.07	3-10-12	824 4th St. remodel
036433	03/14/12	NAP00	NAPA AUTO PARTS	5.92	.00	5.92	326174	FD/stove maint
036434	03/14/12	NAT00	National Notary Assn	52.00	.00	52.00	2012Dues	Clerk/notary membership
036435	03/14/12	NEX00	Nextel Communications	361.01	.00	361.01	313-123	Nextel usage
036436	03/14/12	O'R00	O'Reilly Auto Inc	139.00	.00	139.00	2/28/12	PW/supplies
036437	03/14/12	ORH00	ORLAND HARDWARE	67.28	.00	67.28	2/27/12	FD/building supplies
036438	03/14/12	PER00	STATE OF CALIF PERS	14513.41	.00	14513.41	3-2012-3	PERS PAYABLE
036439	03/14/12	PGE00	PG&E	14477.07	.00	14477.07	27Feb12	Utility usage
036440	03/14/12	PIE00	Candice Pierce	136.75	.00	136.75	3-13-12	Rec/EasterEggHunt supplie
036441	03/14/12	PMC00	PACIFIC MUNICIPAL CONSULT	4857.20 5812.50 720.00	.00 .00 .00	4857.20 5812.50 720.00	35074 35193 35206	Grants/CDBG application ContSvcs/Gen Planning ContSvcs/PapstAveExt
Check Total.....:				11389.70	.00	11389.70		
036442	03/14/12	QUI02	QUILL CORP.	308.00 53.91 441.26	.00 .00 .00	308.00 53.91 441.26	629 3-13-12 Feb 2012	PD/misc office supplies Rec/ice packs;folders Office supplies
Check Total.....:				803.17	.00	803.17		
036443	03/14/12	RAM04	Kavi Ram	252.00	.00	252.00	3-13-12	Rec/basketball;slowbreak&
036444	03/14/12	REY00	Jeff Reyes	45.00	.00	45.00	2/17/12	AC/model fee
036445	03/14/12	RIC00	GERALD RICE	87.99	.00	87.99	22912	PW/boots reimb.
036446	03/14/12	ROU01	Bruce Roundy	77.70	.00	77.70	3/12/12	Coun/mileage reimb
036447	03/14/12	SAC01	SACRAMENTO VALLEY MIRROR	216.00	.00	216.00	11213	GenPlan Public hearing no
036448	03/14/12	SAI03	Jud Sailsbery	192.00	.00	192.00	3-13-12	Rec/youth basketball
036449	03/14/12	SHA02	Shasta Cascade Chapter IC	40.00 75.00	.00 .00	40.00 75.00	2012 3/15/12	BD/membership dues BD/ADA training
Check Total.....:				115.00	.00	115.00		
036450	03/14/12	SHA03	Christina Shannon	204.00	.00	204.00	3-12-12	Rec/youth basketball
036451	03/14/12	SIM01	SIMPLOT	510.79	.00	510.79	77013633	PW/weed control supplies
036452	03/14/12	SIM03	Simplex Grinnell	40.00	.00	40.00	2012	BusLicenseOverpayment
036453	03/14/12	STO01	MICHAEL STOVER	100.00	.00	100.00	Mar 2012	POLICE DEPT UNIFORMS
036454	03/14/12	STO04	STONYCREEK PEST CONTROL	92.00	.00	92.00	3-9-12	Pest control
036455	03/14/12	TEA02	Teacher's Book Connection	56.21	.00	56.21	339;310	Lib/children's books
036456	03/14/12	TER01	TERMINIX INTERNATIONAL	34.00	.00	34.00	6888	FD/pest control
036457	03/14/12	TIE00	Lisa Tietz	45.00	.00	45.00	031212	AC/model fee
036458	03/14/12	TOL00	J.C. TOLLE	100.00	.00	100.00	Mar 2012	POLICE DEPT UNIFORMS
036459	03/14/12	TRA00	Tractor Supply Credit Pla	101.88	.00	101.88	154627	PD/K9 supplies
036460	03/14/12	TRI00	Tri-County Newspapers Inc	129.60 282.67	.00 .00	129.60 282.67	2-29-12 2/29/12	ArtCommission Vacancy Legal notices
Check Total.....:				412.27	.00	412.27		
036461	03/14/12	UNI00	UNITED ROTARY BRUSH CORP	537.47	.00	537.47	127742	PW/sweeper supplies
036462	03/14/12	VAN00	VANTAGE POINT TRANSFER AG	1567.38	.00	1567.38	223 to307	DefCompPay#304591
036463	03/14/12	VCS00	VCSI	250.00	.00	250.00	3-1-2012	PD/K9maint svcs
036464	03/14/12	VLA00	RAYMOND J. VLACH	100.00	.00	100.00	Mar 2012	POLICE DEPT UNIFORMS

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
036465	03/14/12	WAC00	JANET BLEVINS WACKERMAN	210.00	.00	210.00	31212	ContSvcs/meeting transcri
036466	03/14/12	WES00	WESTSIDE CARD LOCK	336.89	.00	336.89	022b43	FD/fuel
				99.25	.00	99.25	022b45	BD/gasoline usage
				1874.81	.00	1874.81	022b46	PD/gasoline
			Check Total.....:	2310.95	.00	2310.95		
036467	03/14/12	WES04	WESTERN READY MIX	1312.21	.00	1312.21	32831	Lely park walkway
036468	03/14/12	WIL06	Wilgus Fire Control Inc	319.11	.00	319.11	92660	FD/fire extinguisher main
036469	03/14/12	WIN03	Gail Wingard	4879.20	.00	4879.20	3/5-3/15	IntCityMgr/contract svcs
036470	03/14/12	XER00	XEROX CORP.	219.90	.00	219.90	060405966	PD/copier lease
036471	03/14/12	ZEE00	ZEE MEDICAL SERVICE CO	126.88	.00	126.88	5861	PW/safety supplies
036472	03/14/12	\F007	FILLMORE, TAMMY	18.50	.00	18.50	000B20301	MQ CUSTOMER REFUND FOR FI
036473	03/14/12	\M027	MORALES, JOSE	75.00	.00	75.00	000B20301	MQ CUSTOMER REFUND FOR MO
036474	03/14/12	\M028	MANN, JESSICA	41.62	.00	41.62	000B20301	MQ CUSTOMER REFUND FOR MA
			Cash Account Total.....:	147291.79	.00	147291.79		
			Total Disbursements.....:	147291.79	.00	147291.79		
			Cash Account Total.....:	.00	.00	.00		

SPECIAL MEETING, ORLAND CITY COUNCIL, Monday February 27, 2012

7:00 p.m.

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

ROLL CALL

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

Councilmembers absent: None

Staff present: Interim City Manager Gail Wingard

ORAL AND WRITTEN COMMUNICATIONS

Citizen Business:

None

Meeting adjourned to Closed Session at 7:02 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: City Manager.

Meeting reconvened to Open Session at 7:59 p.m.

REPORT FROM CLOSED SESSION

Direction was given to Interim City Manager.

ADJOURN

Meeting adjourned at 8:00 p.m.

_____Clerk

_____Mayor

REGULAR MEETING, ORLAND CITY COUNCIL, Tuesday February 21, 2012

7:30 p.m.

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

ROLL CALL

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

Councilmembers absent: Mayor Wade Elliott

Staff present: JC Tolle, Interim Chief of Police; Daryl Brock, Finance Director; Scott Friend Interim City Planner; Greg Einhorn, City Attorney; Angie Crook, Assistant City Manager/City Clerk; Gail Wingard, Interim City Manager.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Business:

None

Presentations:

Cathy Emerson, Center for Economic Development at California State University, Chico gave an update on the Broadband Initiative in Northern California. Effective December 1, 2011, Ms. Emerson advised the California Public Utilities Commission funded two projects to develop, design and implement a proposed infrastructure route for Broadband services throughout 11 northern counties.

Caryn Brown, Chairperson for the Public Safety Commission, gave a report on public safety issues completed during their first year. Chairperson Brown advised the Public Safety Commission will continue to strive to raise public awareness, suggest improvements and look for avenues of public outreach.

Councilmember Roundy moved, seconded by Councilmember Hoffman to move Item VII.D.2 to Item IV.B.3 regarding discussion and direction on funding source for reduction of Arundo in Stony Creek to prevent fire hazard and protect north side of city limits. Motion carried with Mayor Elliott absent.

Councilmember Roundy brought forward for discussion and direction to consider a funding source (\$5,000) for the reduction of Arundo in Stony Creek to prevent fire hazard and protect north side of City limits. Candice Spielman, Glenn County Office of Education, stated last year's efforts with the help of California Conservation Corps (CCC), students from Youth Employment Services (YES), and the Resource Conservation District (RCD), worked together to offer employment opportunities for students and provide eradication efforts for the removal of Arundo in Stony Creek. The Arundo poses an extreme fire danger to the land and homes situated near the creek. RCD provided \$5,000 last year to implement the removal project. Representatives from the various agencies request the City's support in funding to continue eradication and follow up efforts. Council discussed the impact to the citizens and follow up efforts that would need to be followed. City Attorney Einhorn advised this is not considered a gift of public funds as it provides a direct benefit to the citizens of Orland. City Finance Director Brock advised \$5,000 in funding is available.

Councilmember Roundy moved, seconded by Hoffman to approve providing \$5,000 for the Arundo eradication project. Motion carried with Mayor Elliott absent.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy reported on the following:

Commended Recreation Director Fenske and staff on the successful programs and activities he has provided children and families in the gym every week.

The "Simple Gesture" program has received 2,000 pounds of food in their first pickup.

The Farmer's Market has hired a new manager.

"Students Working Against Tobacco" members will be following through on getting no smoking signs for the City.

Vice Mayor Gee reported on the following:

Attended the Waste Management Committee meeting last week. Glenn County Board of Supervisor Foltz was elected Chairman. Funding is still an issue in regards to closure.

Vice Mayor Gee proposed a Special City Council meeting date be set for February 27, 2012 to review City Manager applications and determine process.

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 February 6, 2012.
- C. Approve Warrant List.
- D. Receive and file Economic Development Commission minutes for January 3, 2012.
- E. Receive and file Public Safety Commission minutes for January 9, 2012.
- F. Receive and file Arts Commission minutes for January 18, 2012.

Councilmember Roundy moved, seconded by Councilmember Paschall to approve the Consent Calendar as presented. Motion carried with Mayor Elliott absent.

ADMINISTRATIVE COMMUNICATIONS

Interim Chief of Police:

Interim Chief of Police Tolle gave an update on the Toys for Tots Drive. The drive was a success with approximately 1500 items given out to children in Orland. Certificates were given to those businesses which provided Toys for Tots boxes at their locations.

Finance Director:

Finance Director Brock request Council to introduce the Annual Audit Report for June 30, 2011. Finance Director Brock advised there were no deficiencies in the report. Finance Director Brock request Council to review the audit and bring forward at the next meeting for consideration. Council agreed to bring forward at the next regular scheduled Council meeting.

City Attorney:

City Attorney Einhorn request Council consider passage of Second reading by title only, and final adoption of Ordinance No. 2012-02 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND AMENDING TITLE 5 (BUSINESS LICENSES AND REGULATION) AND TITLE 17 (ZONING) OF THE ORLAND MUNICIPAL CODE REGARDING MEDICAL MARIJUANA DISTRIBUTION FACILITIES". No further discussion by Council

Councilmember Roundy moved, seconded by Councilmember Hoffman to adopt Ordinance No. 2012-02 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND AMENDING TITLE 5 (BUSINESS LICENSES AND REGULATION) AND TITLE 17 (ZONING) OF THE ORLAND MUNICIPAL CODE REGARDING MEDICAL MARIJUANA DISTRIBUTION FACILITIES". Motion carried with Mayor Elliott absent.

City Attorney Einhorn request Council consider passage of Second reading by title only, and final adoption of Ordinance No. 2012-03 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND AMENDING TITLE 8 (NUISANCE) AND TITLE 14 (ENFORCEMENT/NUISANCE ABATEMENT) OF THE ORLAND MUNICIPAL CODE REGARDING MEDICAL MARIJUANA CULTIVATION". No further discussion by Council.

Councilmember Hoffman moved, seconded by Councilmember Paschall to adopt Ordinance No. 2012-03 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND AMENDING TITLE 8 (NUISANCE) AND TITLE 14 (ENFORCEMENT/NUISANCE ABATEMENT) OF THE ORLAND MUNICIPAL CODE REGARDING MEDICAL MARIJUANA CULTIVATION". Motion carried with Mayor Elliott absent.

Interim City Manager:

Interim City Manager Wingard request discussion and possible action on renewing annual League of California Cities dues (\$3,953.00) for 2012. Interim City Manager Wingard attended a City Manager meeting recently and advised of the 19 cities represented, they expressed concerns of the League of California Cities. Interim City Manager Wingard recommended a meeting with the Mayor and Vice Mayor to draft a letter to the League asking what benefits are being provided to the City. Council agreed to table the issue until the Mayor and Vice Mayor meet with the Interim City Manager.

Interim City Manager Wingard request discussion and possible action on restoration and solar lighting for Orland Arch on Highway 99 as per recommendation from the Economic Development Commission (EDC). Funding would be provided by donations. Gary Campbell, EDC Chairman, stated the arch is an historic landmark and lighting the arch will attract visitors to Orland. Mr. Campbell noted \$2500 has already been donated by various organizations. Councilmembers

Paschall and Roundy recommended continuing getting additional donations. EDC Chairman Campbell and Commissioner Duree request the City to offer monetary support to assist with the project which will enhance our community. Council requested staff to bring forward at a future meeting the cost estimates to light the arch.

Interim City Manager Wingard request discussion and direction into illuminating with flood lights the City of Orland sign on the water tower as per recommendation from the Economic Development Commission. EDC Chairman Campbell suggested using LED lights at an approximate cost of \$1,000. Vice Mayor Gee agreed lighting the water tower would be more visible and should be an easier project. Council directed staff to get additional information on power to the tower and costs for the entire project. It was noted lighting the entire town and individual businesses could stimulate the City of Orland.

Interim City Manager Wingard request discussion and possible action regarding recommendation from the Economic Development Commission to determine branding name for the City as "City of Festivals" or "Gateway to Black Butte Lake". EDC Chairman Campbell advised EDC would like to determine branding name for the City of Orland. Council agreed to EDC's request.

Interim City Manager Wingard request discussion and direction regarding the funding of an Orland Specific Area Improvement District. The district is located south of Walker Street to Colusa Street, between Fourth and Fifth Streets. The proposal would allow businesses in the specific area to request a small amount of funding to assist in painting, replace lighting and/or refurbishing their store fronts to enhance and stimulate the downtown area. Interim City Manager Wingard stated the City is limited in funds and propose starting with a small amount i.e. \$500 - \$1,000. Glenn County Board of Supervisor Dwight Foltz advised staff should contact Christine Zoppi of Glenn County Human Services regarding grant funds that may be available to assist in refurbishing facades. Council discussed guidelines will need to be established and additional information and/or possible assistance from the Chamber of Commerce and Orland Business Improvement Association should be obtained.

Interim City Manager Wingard request Council to schedule date and time for closed session meeting to establish procedures and review applications for City Manager position. Vice Mayor Gee proposed earlier in the meeting to set a date for the Special City Council meeting for February 27, 2012, at 7:00 pm, to review City Manager applications and determine process. Council concurred with recommendation.

Vice Mayor Gee called for a brief recess at 9:20 p.m.

Meeting resumed at 9:26 p.m.

PUBLIC HEARING -

General Plan Amendment #2009-01: Review, consideration and determination on the City of Orland 2008-2028 General Plan Update, Final Environmental Impact Report (FEIR), Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program (MMRP) and proposed Land Use Map.

Interim City Planner Friend gave a brief overview of the General Plan Update for 2008-2028. The City has complied with all legal noticing requirements and is ready to move forward. Interim City Planner Friend responded to comments received since the last meeting. The Public Hearing opened for comments at 9:35 p.m. Bob Bishop, 224 Mellane Circle, asked why the City Engineer has not been asked his opinion regarding HE-2A Conditional Use Permits. Interim City Planner Friend stated that HE-2A Conditional Use Permits is a fundamental planning question about the regulation and use of a zoned district; this issue is not related to the City Engineer. Mr. Bishop asked what the future zoning of Blair 3 is as determined by the General Plan; is it high or low density. Interim City Planner Friend advised it would be determined as R-1 Low Density. Mr. Bishop asked what does the Housing Element indicate in regards to Blair 3. Interim City Planner Friend stated the Housing Element does not regulate density; that is the job of the Land Use Element. Interim City Planner Friend confirmed the plan adequately accommodates the RHNA number of 621. Trish Saint-Evens, 6825 County Road 15, stated in regards to the water well replacements, will this cause any impediments to growth or development in the future. Interim City Planner Friend advised the rate structure is updated to cover maintenance costs and the impact fee program is updated annually to accommodate new growth and improve the systems. Ms. Saint-Evens asked if the Regional Housing Needs Assessment (RHNA) number will ever change. Interim City Planner advised the RHNA number will not change between now and 2014; however when the Housing Element is updated in 2014, the City will be given a new number from the State. Jamie Lely, 6806 County Road 12, questioned whether sewer capacity can be reserved for future development and infill. Interim City Planner Friend believes there is adequate sewer capacity; however a policy can be implemented by Council if there was a concern. Interim City Planner Friend confirmed with Ms. Lely that the Stony Creek trail does not cross through her property. The Public Hearing closed at 9:54 p.m. Councilmember Paschall asked whether the number of entitlements the City has approved in the past is adequate. Interim City Planner Friend stated the sewer plant has more than enough capacity. Interim City Planner advised because the RHNA number has been lowered, it accommodates the planning goal adequately.

Councilmember Hoffman moved, seconded by Councilmember Paschall to adopt Resolution No. 2012-01 certifying the Final Environmental Impact Report (EIR) and making and adopting Environmental Findings as required by CEQA; adopting the Findings of Fact and Statement of Overriding Considerations, and adopting the Mitigation Monitoring and Report Program with the Finds as listed in the Resolution. Motion carried with no abstentions and Mayor Elliott absent.

Councilmember Paschall moved, seconded by Councilmember Hoffman to adopt Resolution No. 2012-02 hereby adopting General Plan Amendment #2009-01, approving the 2008-2028 General Plan and Land Use Diagram with the Findings as listed in the Resolution and incorporating the errata changes outlined in the staff report. Motion carried with no abstentions and Mayor Elliott absent.

Vice Mayor Gee recused himself due to a conflict of interest at 10:03 p.m.

Councilmember Roundy moved, seconded by Councilmember Hoffman to appoint Councilmember Paschall as Chairman in absence of the Mayor and Vice Mayor. Motion carried.

Councilmember Roundy moved, seconded by Councilmember Hoffman to adopt Resolution No. 2012-03 hereby adopting General Plan Amendment #2012-01, approving the redesignation of property described as Glenn County Assessor's Parcel Number 041-050-017-0 (gee) and having approximately 1.65 acres, from the R-L low Density Residential Land Use Designation to R-H High Density Residential Land Use Designation. Motion carried 3-0 with Mayor Elliott absent and Vice Mayor Gee abstained and was absent from the building.

ADJOURN

Meeting adjourned at 10:10 p.m.

_____ Clerk

_____ Mayor

CITY OF ORLAND

CITY COUNCIL AGENDA ITEM NO. VIII.A.1

MEETING DATE: MARCH 19, 2012

TO: Honorable Mayor and Council

FROM: Daryl R. Brock, Director of Finance

TITLE: Water Rate Study Follow-up

SUMMARY AND BACKGROUND:

The City Council at its March 5, 2012, meeting heard a detailed report on the City's current water delivery and water rate situation. It was noted that the City's water rates have not been increased since July 26, 2008. During the discussion a schedule was presented showing that the consumer price index change in the water, sewer and trash collection category during that same period amounted to an increase of 20.99%. The City's current water rates were also compared with the water rates in the City of Willows, California who franchises with a public company, California Water Service to provide water for its citizens. After questions and discussions, I was directed to prepare information for the Council relative to the water and sewer rate increases necessary to cover the operational costs, general upkeep and depreciation of the City's water and sewer systems.

DOCUMENTS ATTACHED:

Schedule # 1 – Average Water Receipts versus Operating Costs –
This schedule is presented to show the percentage increase necessary to cover the average excess expenditures and depreciation over water receipts.

Schedule # 2 – Average Sewer Receipts versus Operating Costs --
This schedule is presented to show the percentage increase necessary to cover the average excess expenditures and depreciation over sewer receipts.

Schedule # 3 - Water & Sewer Capacity Charges for the Periods Indicated – This schedule is presented to show the average revenue generated from water and sewer capacity charges for the years ended June 30, 2009, 2010, and 2011.

Schedule # 4 – Water & Sewer Average Residential Charges – Current Rates versus Proposed Rates for the 2011 Billing Cycle – This schedule represents the average monthly increase for residential users for each of the last six bi-monthly billing cycles. This is presented to show the average increases during a complete yearly cycle of water usage.

RECOMMENDATION:

After spending a great amount of time researching the water and sewer rate issues, I make the following recommendations: (1) that the water rates be increased in accordance with the rates set forth on Schedule 1. (2) That the sewer rates increase in accordance with the rates set forth on Schedule 2. (3) That all future water and sewer “capacity charges” be segregated into their own special fund and be used only for expansion of services, e.g. new wells. And (4) that the water and sewer rates increase or decrease annually based upon the annual change as determined by the “Consumer Price Index for all Urban Consumers: U.S. city average, detailed expenditure category – Water and sewer and trash collection services.”

City of Orland

Average Water Receipts versus Operating Costs - Schedule # 1

Prepared: March 9, 2012

	Year Ended June 30, 2009	Year Ended June 30, 2010	Year Ended June 30, 2011	Average of the Last Three Complete Fiscal Years
Sale of Water Receipts	\$656,245	\$635,601	\$626,779	\$639,542
Water Service Charges Excluding Capacity Charges	16,577	21,735	40,246	26,186
	<u>672,822</u>	<u>657,336</u>	<u>667,025</u>	<u>665,728</u>
Operating Expenditures without Depreciation	<u>722,351</u>	<u>748,810</u>	<u>720,166</u>	<u>730,442</u>
Expenditures in Excess of Receipts	49,529	91,474	53,141	64,715
Depreciation Expense - Note 1	<u>58,948</u>	<u>57,627</u>	<u>53,242</u>	<u>56,606</u>
Additional Water Receipts Needed to Capture Excess Expenditures and Depreciation	<u><u>108,477</u></u>	<u><u>149,101</u></u>	<u><u>106,383</u></u>	<u><u>121,320</u></u>
Percentage Increase Necessary to Cover the Average Excess Expenditures and Depreciation				18.22%
Note: This Increase would equal approximately 3.75% increase per year since the last water rate increase.				
Residential and Commercial:	<u>Current Rates</u>	<u>Inside City Limits</u>	<u>Out Side City Limits</u>	
Water Fixed Bi-Monthly Charge	\$ 24.00	\$ 28.37	\$ 56.75	
Rate per 1,000 with > 15,000 usage	\$ 0.60	\$ 0.71	\$ 0.71	

Note: For the average water conscious city resident the fixed charge is increased \$2.28 per month.

City of Orland

Average Sewer Receipts Versus Operating Costs - Schedule # 2

Prepared: March 10, 2012

	Year Ended June 30, 2009	Year Ended June 30, 2010	Year Ended June 30, 2011	Average of the Last Three Complete Fiscal Years
Sewer Fee Receipts	\$442,520	\$444,593	\$458,499	\$448,537
Sewer Service Charges Excluding Capacity Charges	1,925	5,315	0	2,413
	444,445	449,908	458,499	450,951
Operating Expenditures without Depreciation	492,396	510,801	511,379	504,859
Expenditures in Excess of Receipts	47,951	60,893	52,880	53,908
Depreciation Expense - Note 1	43,573	44,438	43,666	43,892
Additional Sewer Receipts Needed to Capture Excess Expenditures and Depreciation	<u>91,524</u>	<u>105,331</u>	<u>96,546</u>	<u>97,800</u>

Percentage Increase Necessary to Cover the Average Excess Expenditures and Depreciation **21.69%**

Note: This Increase would equal approximately 5.42% increase per year since the last water rate increase.

Residential and Commercial:

	Current Rates	Inside City Limits	Out Side City Limits
Sewer Fixed Bi-Monthly Charge	\$ 24.85	\$ 30.24	\$ 58.41
For residential users there are no extra charges based on usage, for commercial users there is a charge for every 1,000 gallons of water used > 15,000 gallons	\$ 0.30	\$ 0.37	\$ -

Note: For the average water conscious city resident the fixed charge is increased \$2.70 per month.

City of Orland

Water & Sewer Capacity Charges for the Periods Indicated - Schedule # 3

Prepared: March 10, 2012

	<u>Year Ended June 30, 2009</u>	<u>Year Ended June 30, 2010</u>	<u>Year Ended June 30, 2011</u>	<u>Average of the Last Three Complete Fiscal Years</u>
Water Capacity Charges Collected	\$ 33,755	\$ 114,500	\$ 92,163	\$ 80,139
Sewer Capacity Charges Collected	\$ 40,166	\$ 142,587	\$ 110,716	\$ 97,823

City of Orland
Water and Sewer Average Residential Charges -- Current Rates versus Proposed Rates
for the 2011 Billing Cycle
Schedule # 4

Billing Cycle	City Wide Average with the Current Rates	City Wide Average with the Proposed Rates	Average Monthly Increase
January 25, 2011 through March 25, 2011			
Average Bi-monthly Water Charges	\$ 39.56	\$ 46.77	\$ 3.60
Average Bi-monthly Sewer Charges	\$ 24.85	\$ 30.24	\$ 2.69
March 26, 2011 through May 25, 2011			
Average Bi-monthly Water Charges	\$ 38.67	\$ 45.71	\$ 3.52
Average Bi-monthly Sewer Charges	\$ 24.85	\$ 30.24	\$ 2.69
May 26, 2011 through July 25, 2011			
Average Bi-monthly Water Charges	\$ 49.99	\$ 59.10	\$ 4.55
Average Bi-monthly Sewer Charges	\$ 24.85	\$ 30.24	\$ 2.69
July 26, 2011 through September 25, 2011			
Average Bi-monthly Water Charges	\$ 55.28	\$ 65.35	\$ 5.04
Average Bi-monthly Sewer Charges	\$ 24.85	\$ 30.24	\$ 2.69
September 26, 2011 through November 25, 2011			
Average Bi-monthly Water Charges	\$ 39.58	\$ 46.79	\$ 3.61
Average Bi-monthly Sewer Charges	\$ 24.85	\$ 30.24	\$ 2.69
November 26, 2011 through January 25, 2012			
Average Bi-monthly Water Charges	\$ 34.35	\$ 40.61	\$ 3.13
Average Bi-monthly Sewer Charges	\$ 24.85	\$ 30.24	\$ 2.69

MEMORANDUM

TO: City Council
Interim City Manager
City Clerk

FROM: Daryl Brock, Director of Finance
Gregory P. Einhorn, City Attorney
Gina Gingery, Assistant City Attorney

SUBJECT: **Water and Sewer Rate Adjustment**

DATE: March 14, 2012

1. Background

At its March 5 regular meeting, the City Council heard from staff regarding the need to adjust city water and sewer rates to cover operational expenses. The Council directed staff to further review the matter and present a plan for consideration. Staff hereby presents steps necessary for a water and a sewer rate adjustment.

2. Proposed Water and Sewer Rate Adjustment/Analysis

The analysis set forth in Mr. Brock's March 19 presentation to the Council demonstrated that water and sewer rates require increases of 18.22% and 21.69%, respectfully, in order to cover expenditures and depreciation.

Water Rates: Residential and Commercial

	<u>Current Rate</u>	<u>Proposed</u>	<u>Rate Inside City Limits</u>	<u>Proposed Rate Outside City Limits</u>
Fixed Bi-Monthly Charge	\$24.00		\$28.37	\$56.75
Rate per 1,000 with more than 15,000 gal	\$0.60		\$0.71	\$0.71

Sewer Rates: Residential and Commercial

	<u>Current Rate</u>	<u>Proposed</u>	<u>Rate Inside City Limits</u>	<u>Proposed Rate Outside City Limits</u>
Fixed B-Monthly Charge	\$24.85		\$30.24	\$58.41
Rate per 1,000 with more than 15,000 gal (commercial only)	\$0.30		\$0.37	n/a

3. Proposition 218 Rate Adjustment Process

a. Staff direction. The first step is providing staff the direction to initiate the process. An affirmative vote on this agenda item does not raise the water or sewer rates; it simply directs staff to proceed within the process.

b. Approve the Proposition 218 Guidelines for the Submission and Tabulation of Protests. Guidelines for the submission and tabulation of the protests are provided.

b. Mail notices at least 45 days before public hearing. The second step in the process of adjusting rates is to mail notices to all water and sewer customers within the City's service area. A standard letter will be sent out describing the amounts of the rate adjustment, stating the effective date of the adjustment if approved, advising the customer of the protest procedure, and stating the date of the Public Hearing. The notices for water and sewer rate increases do not include ballots. Instead, those who wish to protest must submit a written protest (usually in the form of a letter). Guidelines for the submission and tabulation of protests are attached to this report, and if the City Council acts to approve the initiation of the 218 process, approval of the guidelines is included in that action.

c. Hold Public Hearing. On the appointed date, the City Council will hold a public hearing and receive testimony on the matter of the proposed rate adjustment. If directed to proceed with the 218 process this evening, the Public Hearing will be held May 21.

d. Consideration and adoption of resolution at the same meeting as the Public Hearing. Following the Public Hearing, if a majority protest has not occurred and the City Council approves of the rate increase, the City Council will consider the resolution setting the adjusted rates.

4. Consideration and Action

a. Give staff direction to proceed with the water and sewer rate adjustment process.

b. Approve the form of the submitted Notice of Public Hearing and direct staff to mail the Notice.

Staff Memo
Water and Sewer Rates
March 14, 2012
Page 3 of 3

c. Approve the Proposition 218 Guidelines for the Submission and Tabulation of Protests.

d. Approve the form of the submitted draft resolution adjusting the City's water and rates, such resolution to be considered following the Public Hearing.

/mk

City of Orland

Notice of Public Hearing

Consideration of Resolution Amending the Service Charges Schedule Establishing New Water and Sewer Rates and Providing for a CPI Adjustment for a Period Thereafter

Notice is hereby given that on **Monday, May 21, 2012 at 7:30 pm** at the City Council Chambers of the City of Orland, Carnegie Center, 912 Third Street, Orland, the City Council of the City of Orland will hold a Public Hearing to consider a resolution entitled "A Resolution of the City Council of the City of Orland Amending the Service Charges Schedule Establishing New Water and Sewer Rates for Fiscal Year 2012-2013 and for Providing a CPI Adjustment for a Period Thereafter."

This resolution would revise the rate of the City's water and sewer charges in response to rising direct costs of water production, ongoing water and sewer system repairs, replacement and upgrade to our capital facilities that are needed to help comply with drinking water and sewer regulations and public health standards, and maintaining reliable water supply. The city has determined that water rates must increase by 18.22% and sewer rates by 21.69% in order to cover costs and depreciation. The proposed water and sewer rates are listed below.

Protests

1. Any property owner may submit a written protest to the City Clerk, either by delivery to the office of the City Clerk or by submitting the protest at the public hearing. Protests must be received by the end of the public hearing.
2. Each protest must identify the affected property (by assessor's parcel number or street address) and include the signature of the record property owner. Email protests cannot be accepted. Although oral comments at the public hearing will not qualify as a formal protest unless accompanied by a written protest, the City Council welcomes input from the community during the public hearing on the proposed charges.
3. If a parcel served by the City is owned by more than a single record owner, each owner may submit a protest, but only one protest will be counted per parcel and any one protest submitted in accordance with these rules will be sufficient to count as a protest for that property.
4. In order to be valid a protest must bear the original signature of the record owner with respect to the property identified on the protest. Protests not bearing the original signature of a record owner shall not be counted.
5. Any person who submits a protest may withdraw it by submitting to the City Clerk a written request that the protest be withdrawn. The withdrawal of a protest shall contain

sufficient information to identify the affected parcel and the name of the record owner or record customer who submitted both the protest and the request that it be withdrawn.

6. A charge protest proceeding is not an election.

7. To ensure transparency and accountability in the charge protest tabulation, protests shall constitute disclosable public records from and after the time they are received.

Resolution

The resolution is available for inspection in the Office of the City Clerk located at City Hall Building 815 Fourth St, Orland, CA 95963, or online at www.cityoforland.com. The City Council will hear testimony regarding the resolution at the hearing. If you would like to provide written comments, please mail them to the following address:

City Clerk
City of Orland City Hall
815 Fourth St, Orland, CA 95963

All correspondence must be received by 4:00 pm on May _____, 2012. Any person interested, including all water customers of the City, may appear and be heard on any matter relating to the proposed resolution or the charges proposed therein. If you have any questions, feel free to contact us at (530) 865-1600.

Proposed Rates

Water Rates: Residential and Commercial

	<u>Current Rate</u>	<u>Proposed Rate Inside City Limits</u>	<u>Proposed Rate Outside City Limits</u>
Fixed Bi-Monthly Charge	\$24.00	\$28.37	\$56.75
Rate per 1,000 with more than 15,000 gal	\$0.60	\$0.71	\$0.71

Sewer Rates: Residential and Commercial

	<u>Current Rate</u>	<u>Proposed Rate Inside City Limits</u>	<u>Proposed Rate Outside City Limits</u>
Fixed B-Monthly Charge	\$24.85	\$30.24	\$58.41
Rate per 1,000 with more than 15,000 gal (commercial only)	\$0.30	\$0.37	n/a

GUIDELINES FOR THE SUBMISSION AND TABULATION OF PROTESTS

Submission of Protests

1. Any property owner may submit a written protest to the City Clerk, either by delivery to the office of the City Clerk or by submitting the protest at the public hearing. Protests must be received by the end of the public hearing.
2. Each protest must identify the affected property (by assessor's parcel number or street address) and include the signature of the record property owner. Email protests cannot be accepted. Although oral comments at the public hearing will not qualify as a formal protest unless accompanied by a written protest, the City Council welcomes input from the community during the public hearing on the proposed charges.
3. If a parcel served by the City is owned by more than a single record owner, each owner may submit a protest, but only one protest will be counted per parcel and any one protest submitted in accordance with these rules will be sufficient to count as a protest for that property.
4. In order to be valid a protest must bear the original signature of the record owner with respect to the property identified on the protest. Protests not bearing the original signature of a record owner shall not be counted.
5. Any person who submits a protest may withdraw it by submitting to the City Clerk a written request that the protest be withdrawn. The withdrawal of a protest shall contain sufficient information to identify the affected parcel and the name of the record owner or record customer who submitted both the protest and the request that it be withdrawn.
6. A charge protest proceeding is not an election.
7. To ensure transparency and accountability in the charge protest tabulation, protests shall constitute disclosable public records from and after the time they are received.

Tabulation of Protests

1. The City Clerk shall determine the validity of all protests. The City Clerk shall not accept as valid any protest if the City Clerk determines that any of the following conditions exist:
 - a. The protest does not identify a property served by the City.
 - b. The protest does not bear an original signature of a record owner of the parcel identified on the protest.
 - c. The protest does not state its opposition to the proposed charges.
 - d. The protest was not received by the City Clerk before the close of the public hearing on the proposed charges.

RESOLUTION NO. 2012-_____

BE IT RESOLVED BY THE CITY OF ORLAND AS FOLLOWS:

WHEREAS, all water and sewer services furnished to customers by the City of Orland shall be charged, paid for and supplied only in accordance with such applicable schedules, rules and regulations as the City Council shall adopt pursuant to the provisions of section 13.04.110 of the Orland Municipal Code; and,

WHEREAS, California Government Code sections 54344 and 54345 authorizes the City Council to collect charges for the water and sewer services;” and,

WHEREAS, Article XIII D of the California Constitution requires that utility customers be given a minimum of 45 days’ notice of any proposed rate increases; and,

WHEREAS, notice of a Public Hearing was mailed to utility customers on _____, at least 45 days prior to the Public Hearing; and,

WHEREAS, the notices was sent to _____ customers; and,

WHEREAS, the City Council has reviewed the Water and Sewer Rate Schedule attached and incorporated into this Resolution by reference; and,

WHEREAS, the amounts shown on the Rate Schedule reflect the actual cost to provide water and sewer service; and,

WHEREAS, the City Council has conducted a Public Hearing on Monday, May 21, 2012 at 7:30 pm, at which it reviewed all protests regarding the proposed rate increases.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORLAND AS FOLLOWS:

1. In accordance with Article XIII D, Section 6(b), of the California Constitution, the City Council finds that:

A. The revenues derived from the water and sewer service charges shall not exceed the funds required to provide water and service, because the rates are calculated to allow the City to recover its costs.

B. The revenues derived from the water and sewer service charges will not be used for any purpose other than that for which the charge is imposed.

C. The amount of the charge does not exceed the proportional cost of the water and sewer service attributable to each parcel

D. Water and sewer service charges will not be imposed upon parcels for which water and/or sewer service is not available.

E. The water and sewer service charges will be used to enable the City to provide water and sewer service rather than general governmental services.

2. That based on a tabulation of all protests received prior to the close of the Public Hearing, ___ protests were received which do not constitute a majority of affected utility customers.

3. That the Water and Sewer Rate Schedule attached to this Resolution and incorporated by this Resolution by this reference is hereby adopted and shall be effective per section 6 of this Resolution.

4. That, pursuant to California Government Code section 53756(b), effective _____ 1, 2013, and each _____ 1 thereafter, the then current water and sewer and rates shall be revised by a percentage equal to the percentage change in the annual Consumer Price Index for all Urban Consumers: U.S. city average, detailed expenditure category-water and sewer and trash collection services.

5. Constitutionality, Severability. If any section, subsection, sentence, clause, phrase, or word of this resolution is for any reason held by a court of competent jurisdiction to be unconstitutional or invalid for any reason, such decision shall not aft the validity of the remaining portions of the Resolution. The City of Orland hereby declares that it would have passed this resolution and each section, subsection, sentence, clause, phrase and word thereof, irrespective of the fact that any one or more section(s), subsection(s), sentence(s), clause(s), phrases(s) or word(s) be delayed invalid.

6. Effective Date. All previously adopted rate schedules, to the extent that they are inconsistent with those contained herein, are superseded by those charges as set forth in the Water and Sewer Rate Schedule herein, beginning on ____, 2012.

Water and Sewer Rate Schedule

Water Rates: Residential and Commercial

	<u>Current Rate</u>	<u>Proposed Rate Inside City Limits</u>	<u>Proposed Rate Outside City Limits</u>
Fixed Bi-Monthly Charge	\$24.00	\$28.37	\$56.75
Rate per 1,000 with more than 15,000 gal	\$0.60	\$0.71	\$0.71

Sewer Rates: Residential and Commercial

	<u>Current Rate</u>	<u>Proposed Rate Inside City Limits</u>	<u>Proposed Rate Outside City Limits</u>
Fixed B-Monthly Charge	\$24.85	\$30.24	\$58.41
Rate per 1,000 with more than 15,000 gal (commercial only)	\$0.30	\$0.37	n/a