

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday October 6, 2014

7:00 p.m.

CALL TO ORDER

Roll Call:

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

Councilmembers absent: None

Staff present: Chief of Police J.C. Tolle, City Attorney Greg Einhorn, Assistant City
Manager/ City Clerk Angie Crook and City Manager Pete Carr

Others present: Attorney Gary Krup, Golden State RMA

Public Comments:

None

Adjourned to closed session at 7:01 p.m.

CLOSED SESSION

Closed Session was held regarding Conference with Legal Counsel-Pending Litigation; pursuant to Government Code Section 54956.9(a); 1. Powell v. City of Orland; 2. Sailsbery v. City of Orland.

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

REPORT FROM CLOSED SESSION

No action was taken.

Meeting reconvened to regular session at 7:30 p.m.

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

ROLL CALL

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

Councilmembers absent: None

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

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

Doris Vickers, President of Orland Area Chamber of Commerce, thanked the City and all those who came out to support the Car Show. It was a success.

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for September 15, 2014
- C. Receive and file Arts Commission minutes for July 16, 2014.
- D. Receive and file Library Commission minutes for July 8, 2014.
- E. Received letter of resignation from Public Safety Commissioner Debbie DeMarco.
- F. Received letter of resignation from Economic Development Commissioner Maurice Salinas.
- G. Receive and file correspondence from Department of Housing and Community Development.
- H. Quarterly update on city objectives.

ACTION: Councilmember Hoffman moved, seconded by Councilmember Roundy to accept the consent calendar as presented. The motion carried by the following voice vote:
AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee and Hoffman and Roundy.
NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC HEARING

General Plan Amendment and Zoning Code Amendment – Arch Motel/North 6th Street (GPA #2014-02 and ZCA #2014-01) A request for a General Plan Amendment and a Rezoning on two adjacent properties located on the west side of North 6th Street between Date Street and Almond Way. The address for the northern property is 134 North 6th Street and the Assessor's Parcel Numbers are 045-100-097 and 045-100-131. The current General Plan land use designation is Commercial and the proposed amendment would re-designate the properties to *High Density Residential*. The current zoning is *C-2, Community Commercial* and the proposed zoning is *R-3, Residential Multiple Family-Professional*. Pursuant to the Public Resources Code 21000 et. seq. and the State of California Environmental Quality Act (CEQA) Guidelines, an Addendum to the adopted Environmental Impact Report (EIR) (SCH# 2008102073) for the City of Orland General Plan has been prepared.

City Planner Scott Friend presented to Council for consideration the redesignation and rezoning of Assessor's Parcel Numbers 045-100-097 and 045-100-131 located on the west side of North 6th Street between Date Street and Almond Way. The Planning Commission held a public hearing on the matter and unanimously recommended to Council to redesignate the above-mentioned parcels with the R-H High Density Residential land use designation on the General Plan and rezone the properties to R-3, Residential Multiple Family-Professional. Mr. Friend advised property owner Gary Wineroth supports the changes but does not want to participate. The public hearing opened for comments at 7:40 p.m. Valerie Logan, 603 Date Street, advised she had privacy and setback concerns in regards to a possible apartment complex being built next to her home. Mr. Friend advised when she receives notification about a possible construction project, to attend the public hearing and/or speak with him to address those concerns at that time. Byron Denton, 127 Tanner Way, stated changing the designation

is an asset; would help the high density problem. The public hearing closed at 7:44 p.m. Council agreed this would be an improvement, since this has been a problem area and would essentially help in getting the area cleaned up.

- ACTION:** Councilmember Hoffman moved, seconded by Councilmember Gee to adopt Resolution No. 2014-15 adopting the Addendum to the General Plan Environmental Impact Report (SCH#2008102073) and approving GPA#2014-02; and approve ZCA#2014-01 and conduct the first reading of Ordinance 2014-XX rezoning Assessors Parcel Numbers 045-100-097 and 045-100-131 to the R-3 High Density Residential zoning designation. The motion carried by the following voice vote:
- AYES:** Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee and Hoffman and Roundy.
- NOES:** None
- ABSENT:** None
- ABSTAIN:** None

ADMINISTRATIVE COMMUNICATIONS

City Manager:

City Manager Carr brought forward request from Joy Murphy, 204 Modoc Street, regarding connection fees. Ms. Murphy's property is just outside the City limits and is requesting municipal water service to her residence due to inadequate well production. Total cost for the project, including LAFCO fees is \$15,633. However, one neighboring property (205 Modoc), was provided service years ago, beyond the main's terminus, by way of a diagonal lateral service. In regards to Ms. Murphy's connection to service, the main would need to be extended more than 120 feet north to the southern edge of the property, then the length of the property frontage for a total main extension length of 220 feet. Matt Madison and Andy Murphy, representatives for Ms. Murphy, explained the neighboring property owners should have had to pay their fair share and had the main extended the length of their property, at the time service was extended years ago. Mr. Madison and Mr. Murphy stated the burden of the cost should not completely fall on Ms. Murphy. Councilmember Gee stated he understood the situation, but did not want to set a precedent. City Engineer Skillman agreed it would set a precedent. Councilmember Hoffman stated whoever extends the line should pay the lineage fees. Councilmember Roundy advised there is a current drought situation; the City should make an exception and extend the main to the resident.

- ACTION:** Councilmember Roundy moved, seconded by Councilmember Hoffman to extend the City's water main 120 feet at City's cost and Joy Murphy responsible for 100 feet of frontage cost, connection and LAFCO fees. Also, direct staff to establish a basis for this action. The motion carried 4-1 by the following voice vote:
- AYES:** Mayor Paschall, Vice Mayor Edwards and Councilmembers Hoffman and Roundy.
- NOES:** Councilmember Gee
- ABSENT:** None
- ABSTAIN:** None

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City Manager Carr brought forward request from Sally Sobek regarding reduction in impact fees for Nova Plaza. In April 2008, a verbal deferment was given on impact fees until occupancy of the buildings, including the original tenant, Papa Murphy's. Mr. Carr advised there is currently \$121,238.47 in impact fees outstanding, with no interest. Ms. Sobek offered to pay the outstanding impact fees at this time pending some discount. Mayor Paschall advised we cannot discount the fees when others have already paid. Councilmember Gee agreed we cannot discount the fees, but possibly consider paying half now and other half in a certain time frame. Councilmember Hoffman stated fees are due and need to be paid at this time. Councilmember Roundy and Vice Mayor Edwards agreed no discounts allowed. John Noffsinger, 724 Papst Avenue, stated other business have already paid their fair share in fees.

ACTION: Councilmember Hoffman moved, seconded by Councilmember Gee to direct staff to maintain current impact fees due and demand fees for the Papa Murphys building within 30 days. The motion carried by the following voice vote:
AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee and Hoffman and Roundy.
NOES: None
ABSENT: None
ABSTAIN: None

City Manager Carr requested Council to authorize the City Manager to engage Pacific Municipal Consultants (PMC) to provide Environmental Impact Report (EIR) and development services to the City for the Pilot Flying J development project. Mr. Carr advised a comprehensive study will be completed.

ACTION: Councilmember Gee moved, seconded by Vice Mayor Edwards to authorize the City Manager to engage PMC in providing EIR and development services to the City for the Pilot Flying J project, and to enter a project development agreement with the company to ensure reimbursement to the City for expenses incurred. The motion carried by the following voice vote:
AYES: Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee and Hoffman and Roundy.
NOES: None
ABSENT: None
ABSTAIN: None

City Manager Carr requested Council to consider proposed recommendation to the Water Advisory Committee regarding well drilling permits within the City's sphere of influence. There are concerns regarding the recent increase in new and deeper wells, especially those installed in close proximity and at similar depths to the City wells. County staff recently has agreed to allow the City to comment on future well applications within our sphere of influence, however, the Glenn County Board of Supervisors has declined to implement restrictions or develop new well permitting requirements to comply with the State's new groundwater management regulations. Orland does not have a seat on either the Water Advisory Committee (WAC) or Technical Advisory Committee (TAC). Councilmember Roundy sits on the committee as a representative from the Resource Conservation District and advised he can represent Orland. Dwight Foltz, Glenn County Board of Supervisors, stated in regards to the Hamilton well, it was cost prohibitive

for the property owner to drill in another location.

- ACTION:** Councilmember Roundy moved, seconded by Councilmember Gee directed staff to draft a letter petitioning to have a seat on the WAC. The motion carried by the following voice vote:
- AYES:** Mayor Paschall, Vice Mayor Edwards and Councilmembers Gee and Hoffman and Roundy.
 - NOES:** None
 - ABSENT:** None
 - ABSTAIN:** None

City Manager Carr requested Council to consider options for parking and landscaping on Third Street between Walker and Colusa Street. It has been suggested there is a desire for additional parking in this area, as well as the Arts Commission’s consideration of this location for their next art project. The cost for additional asphalt and parking curbs would be \$21,000 (expended from street funds), in comparison to the current annual lawn care cost of \$775. Council agreed it does not make economic sense to spend \$21,000 at this time. Councilmember Roundy suggested setting aside monies to plan for additional parking in the future.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy reported on the following:

- Will attend WAC meeting on October 23rd;
- Simple Gesture pickup this Saturday;
- Arrundo issue taking place in Chico;
- Attended Car show, a success.

Councilmember Hoffman reported on the following:

- Attend Car show;
- Attended Chamber of Commerce meeting; discussed Christmas Light Parade.

Councilmember Gee reported on the following:

- Will be attending annual Golden State RMA Conference in Corning next week.

ADJOURN

Meeting adjourned at 9:28 p.m.

_____ Clerk

_____ Mayor