

CITY COUNCIL

Bruce T. Roundy , Mayor
Jeffrey A. Tolley, Vice-Mayor
Dennis Hoffman
William "Billy" Irvin
Chris Dobbs

CITY OFFICIALS

Janet Wackerman
City Clerk

Leticia Espinosa
City Treasurer

CITY OF ORLAND

INCORPORATED 1909

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



CITY MANAGER
Peter R. Carr

AGENDA REGULAR MEETING, ORLAND CITY COUNCIL

Tuesday, February 16, 2021

This meeting will be conducted pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20 which suspends certain requirements of the Ralph M. Brown Act.

In an effort to protect public health and prevent the spread of COVID-19, the City Council meeting will be teleconferenced using Zoom technology, and in compliance with current Executive Orders. All Councilmembers and City staff will be participating remotely.

The public may participate in the meeting by telephone or access the video via Zoom.
Please call: 1 (669) 900-9128 Webinar ID#: 879 8573 1794

Public comments are welcomed and encouraged in advance by emailing the City Clerk at jwackerman@cityoforland.com or by phone at (530) 865-1601 by 5:00 p.m. on the day of the meeting.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ORAL AND WRITTEN COMMUNICATIONS

A. Citizen Comments:

Members of the public wishing to address the Council on any item(s) not on the agenda may do so at this time when recognized by the Mayor. However, no formal action or discussion will be taken unless placed on a future agenda. Public is advised to limit discussion to one presentation per individual. While not required, please state your name and address for the record. Please direct your comments to the Mayor or Vice Mayor.
(Oral communications will be limited to three minutes).

5. **CONSENT CALENDAR**

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for February 1, 2021.
- C. Receive and file Public Works and Safety Commission minutes for March 10, 2020

6. PUBLIC HEARING

Approve and adopt Ordinance No. 2021-01 to create a new Section 17.76.190, *Fences*, to the Orland Municipal Code (Discussion/Action) – Scott Friend, City Planner

7. ADMINISTRATIVE BUSINESS

- A. Pension Cost Management (Discussion/Direction)-Pete Carr, City Manager
- B. Verbal update on Covid-19's impact on the local economy and City operations, (Discussion/Direction) – Pete Carr, City Manager

8. CITY COUNCIL COMMUNICATIONS AND REPORTS

9. ADJOURN

CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on February 11, 2021.

A complete agenda packet is available for public inspection during normal business hours at City Hall, 815 Fourth Street, in Orland or on the City's website at www.cityoforland.com where meeting minutes and audio recordings are also available.

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.

5.A.

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CITY MANAGER

Peter R. Carr

WARRANT LIST

February 16, 2021

Warrant	2/10/21	\$	213,505.20
Warrant	1/29/21	\$	1,641.38
Payroll Compensation	1/28/21	\$	103,128.54
Pers	2/8/21	\$	21,534.49
		\$	<u>339,809.61</u>

APPROVED BY

Bruce T. Roundy, Mayor

Jeffrey A. Tolley, Vice-Mayor

Dennis Hoffman, Councilmember

William "Billy" Irvin, Councilmember

Chris Dobbs, Councilmember

00001

REPORT.: Feb 11 21 Thursday
 RUN...: Feb 11 21 Time: 10:10
 Run By.: Deysy Guerrero

CITY OF ORLAND
 Cash Disbursement Detail Report
 Check Listing for 02-21 thru 02-21 Bank Account.: 1001

PAGE: 001
 ID #: PY-DP
 CTL.: ORL

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
053206	02/01/21	SUN05	Sun Life Financial	4251.13	JAN192021H	GAP MEDICAL INSURANCE
053207	02/11/21	ABD00	ADVANCED DOCUMENT	90.21	INV38256	BD-PLAN/COPIES
				152.92	CINV38256	CITY HALL/COPIES
			Check Total.....:	243.13		
053208	02/11/21	AFF00	Affordable Computer Solut	388.19	6013	LIB/PRINTER & COMPUTER REPAIR
053209	02/11/21	AME01	AMERIPRIDE UNIFORM SVCS	810.53	110442331	PW/UNIFORM CLEANING
053210	02/11/21	AND06	EDGAR ANDRADE	100.00	FEB2021	Measure A UNIFORMS
053211	02/11/21	APP02	Appeal-Democrat	258.22	1/31/21	STREETS/CALTRANS
053212	02/11/21	BAC02	BACKDRAFT OPCO, LLC	4844.13	2100234	FD-MEASURE A/EMERGENCY REPORTING SYSTEM
053213	02/11/21	BAL00	Knife River Construction	121708.35	NO. 5	TEHAMA STREET IMPROVEMENTS
053214	02/11/21	BBK00	BEST BEST & KRIEGER	7425.00	897522	PROFESSIONAL SERVICES JAN 2021
053215	02/11/21	CAR02	CARDMEMBER SERVICE	1369.46	1/27/21	PW/SHOP MATERIALS, PD/FLEET
				2264.70	21/27/1	FD-MEASURE A/MISC SUPPLIES
				1383.43	JAN2021	CLERK/ZOOM, ENVELOPES, FLAGS
				50.97	JAN27, 21	PD/ACROBAT PRO SUB
				1282.99	2021JAN27	LIB/BOOKS, OFFICE SUPPLIES, POSTAGE
			Check Total.....:	6351.55		
053216	02/11/21	CAR03	GRANT CARMON	100.00	FEB2021	Measure A UNIFORMS
053217	02/11/21	CES00	Kyle Cessna	100.00	FEB2021	Measure A UNIFORMS
053218	02/11/21	COM02	Comcast	289.78	2/3-3/221	MULTI-DEPTS/INTERNET CONNECTION
053219	02/11/21	COM07	Comcast	404.70	1/22/21	FD/INTERNET
053220	02/11/21	COR00	CORNING LUMBER CO., INC.	361.13	1/25/21	PW/MISC SUPPLIES AND MATERIALS
053221	02/11/21	COR02	Corning Chevrolet Buick	321.40	1/29/21	FLEET/PD PARTS
053222	02/11/21	COR05	Corning Ford	59.20	43217	FLEET/PW VEHICLE PARTS
053223	02/11/21	CRE00	CREATIVE COMPOSITION	227.94	11074	PD/LETTERHEAD
				295.58	11172	MULTI-DEPT/CITY HALL LETTERHEAD
			Check Total.....:	523.52		
053224	02/11/21	DEP00	DEPT OF TRANSPORTATION	1137.97	SL210392	PW/SIGNAL & LIGHTING MAINTENANCE
053225	02/11/21	ECO01	ECORP CONSULTING, INC	13190.00	92293	PROFESSIONAL SERVICES
053226	02/11/21	EIN02	Gregory P. Einhorn	3850.00	14281	CA/CONTRACT SERVICES
053227	02/11/21	FLE04	FLEMING, JOHN	1452.00	1/27-2/9	BD/INSPECTION SERVICES
053228	02/11/21	FLO03	JOSE FLORES	100.00	FEB2021	MEASURE A UNIFORMS
053229	02/11/21	FUL00	KRISTOPHER FULLMORE	100.00	FEB2021	Measure A UNIFORMS
053230	02/11/21	FUL04	Full Moon Portable Sanita	240.00	1216	PW/GREENWASTE YARD, CITY YARD
053231	02/11/21	GAY01	GAYNOR TELESYSTEMS INC	75.00	39071	PLAN/VOICE MAIL SETUP
053232	02/11/21	GLE10	Glenn County Fire Chiefs	300.00	21-0010	FD-MEASURE A/REPEATER REPAIRS & UPDATE
053233	02/11/21	GRO00	Ferguson Enterprises Inc	60.06	1603904	PW/WATER MATERIALS
053234	02/11/21	HEI01	VIRGIL HEISE	100.00	2/1/21	FD/JANITORIAL
053235	02/11/21	JOH02	SEAN JOHNSON	100.00	FEB2021	Measure A UNIFORMS
053236	02/11/21	LAR00	LARKIN AUTO ELECTRIC	159.67	12803	FD/TRUCK RERAIRS
053237	02/11/21	LEA02	LEAGUE OF CA CITIES	100.00	4963	CC/MEMBERSHIP DUES SACVALLEY DIVISION
053238	02/11/21	LES00	LES SCHWAB	40.25	1/25/21	PW/TIRES
053239	02/11/21	LOW00	Katherine Lowery	100.00	FEB2021	Measure A UNIFORMS
053240	02/11/21	MAR17	MARTINDALE, RYAN	100.00	FEB2021	MEASURE A UNIFORMS
053241	02/11/21	MCM00	McMaster-Carr	220.53	52049459	PW/NEW SHOP MATERIALS
053242	02/11/21	MEJ00	Lilia Mejia-Aparicio	100.00	FEB2021	Measure A UNIFORMS

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REPORT.: Feb 11 21 Thursday
 RUN....: Feb 11 21 Time: 10:10
 Run By.: Deysy Guerrero

CITY OF ORLAND
 Cash Disbursement Detail Report
 Check Listing for 02-21 thru 02-21 Bank Account.: 1001

PAGE: 002
 ID #: PY-DP
 CTL.: ORL

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
053243	02/11/21	MEZ00	JODY MEZA	200.00	JAN 2021	LIB/MILEAGE
053244	02/11/21	MIL00	MILLER GLASS, INC.	445.08	3-338711	REC/WINDOW REPLACEMENT
053245	02/11/21	MIL07	MILLS, DARYL	100.00	FEB2021	Measure A UNIFORMS
053246	02/11/21	MJB00	MJB WELDING SUPPLY, INC	9.50	1/31/21	PW/CYLINDER RENTAL
053247	02/11/21	MTS00	Mt. Shasta Spring Water	52.99	2/1/21	FD/COFFE & CUPS
053248	02/11/21	MUN03	MUNICIPAL EMERGENCY SVCS	16970.63	4278&4757	FD/COATS & PANTS
053249	02/11/21	NAP00	NAPA AUTO PARTS	670.58 735.25	1/25/21 2021/25/1	PW/SHOP MATERIALS, FLEET PARTS FD-MEASURE A/WIPER BLADE, FILTER,BATTERIES
Check Total.....:				1405.83		
053250	02/11/21	OAC00	Orland Area Chamber of Co	2812.50	2ND QTR21	2ND QUARTERLY SUPPORT 2021
053251	02/11/21	ORH00	ORLAND HARDWARE	1152.32 365.61	1/27/21 21/27/1	PW/MISC SUPPLIES FD-MEASURE A/OFFICE SUPPLIES, TOOLS, TOOL BOX
Check Total.....:				1517.93		
053252	02/11/21	OSC00	OSCAR REDES	112.50	OCT-DEC20	AC/GARBAGE SERVICES
053253	02/11/21	PEP01	Janice Peplow	509.60	2/10/21	PW/REIMBURSEMENT OF OVERPAYMENT
053254	02/11/21	PGE00	PG&E	12415.18 8.38	2/4/21 1/22/21	MULTI-DEPTS/UTILITY USAGE PW/EVA DRIVE WELL
Check Total.....:				12423.56		
053255	02/11/21	PIN01	EDGAR PINEDO	100.00	FEB2021	Measure A UNIFORMS
053256	02/11/21	PON00	PONCI'S WELDING	28.82	75420	PD/VIP TRAILER
053257	02/11/21	QUI02	QUILL CORP.	352.70 49.21 239.12 315.45	1/26/21 14097104 14216884 9637&2641	FD-MEASURE A/NAME PLATE, RECORDER,OFFICE SUPPLIES PD/MISC OFFICE SUPPLIES MULTI-DEPT/OFFICE SUPPLIES PD/MISC OFFICE SUPPLIES
Check Total.....:				956.48		
053258	02/11/21	R&B00	R&B A CORE & MAIN COMPANY	34.32	1/27/21	PW/WATER PARTS
053259	02/11/21	ROE02	Thomas Roenspie	100.00	FEB2021	Measure A UNIFORMS
053260	02/11/21	SEI00	ROY R SEILER, C.P.A	2211.00	30011	ACCOUNTING PROFESSIONAL SERVICES
053261	02/11/21	STO04	Jeffrey G. Dunn	213.00	1/14/21	PEST CONTROL SERVICES
053262	02/11/21	STO08	DEBBI STONE	45.00	DEC2020	AC/CLEANING SERVICES
053263	02/11/21	SUN02	SUNRISE ENVIRONMENTAL	743.27	117101	PW/SHOP SUPPLIES
053264	02/11/21	T-M00	T-MOBILE	88.55	NOV,DEC,J	LIB/WIFI HOTSPOT
053265	02/11/21	TIA00	TIAA COMMERCIAL FINANCE,	268.13	7896395	PD/COPIER RENTAL FEE
053266	02/11/21	TUR01	Rae Turnbull	45.00	1/12/21	AC/WEBSITE NEWSLETTER
053267	02/11/21	VAL02	VALLEY ROCK PRODUCTS	196.30	1144205	PW/BASE ROCK
053268	02/11/21	VAN00	VANTAGE POINT TRANSFER AG	1749.77	12821	DEF COMP PLAN 304591
053269	02/11/21	VLA00	RAYMOND J. VLACH	100.00	FEB2021	Measure A UNIFORMS
Cash Account Total.....:				213505.20		
Total Disbursements.....:				213505.20		

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REPORT.: Jan 29 21 Friday
RUN....: Jan 29 21 Time: 09:31
Run By.: Deysy Guerrero

CITY OF ORLAND
Cash Disbursement Detail Report
Check Listing for 01-21 thru 01-21 Bank Account.: 1001

PAGE: 001
ID #: PY-DP
CTL.: ORL

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
053204	01/29/21	ORL12	Orland-Laurel Masonic Hal	400.00	FEB 2021	AC/RENT
0	, 01/29/21	POS00	POSTMASTER	1241.38	1/29/2021	WATER-SEWER/BILLING
Cash Account Total.....:				1641.38		
Total Disbursements.....:				1641.38		
Cash Account Total.....:				.00		

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REPORT.: 01/28/21
 RUN....: 01/28/21 Time: 14:50
 Run By.: Leticia Espinosa

CITY OF ORLAND
 Warrant Register

Warrant Number	Date	Payroll Date	**Employee** Num	Name	Actual Period	Fiscal Period	Gross Amount
14145	01/28/21	01/27/21	ALL00	ALLEN, JERRY G	01-21	07-21	636.84
14146	01/28/21	01/27/21	FIC00	FICHTER, QUENTIN	01-21	07-21	1681.47
Z03445	01/28/21	01/27/21	ALV01	ALVA, MICAELA	01-21	07-21	1627.48
Z03446	01/28/21	01/27/21	AND00	ANDRADE, EDGAR	01-21	07-21	2565.32
Z03447	01/28/21	01/27/21	CAR02	CARMON, GRANT E	01-21	07-21	3347.43
Z03448	01/28/21	01/27/21	CAR03	CARR, PETER R	01-21	07-21	5057.58
Z03449	01/28/21	01/27/21	CES00	CESSNA, KYLE A	01-21	07-21	3587.43
Z03450	01/28/21	01/27/21	CHA01	CHANEY, JUSTIN	01-21	07-21	3583.85
Z03451	01/28/21	01/27/21	CRA00	CRANDALL, JEREMY	01-21	07-21	1989.98
Z03452	01/28/21	01/27/21	ESP00	ESPINOSA, LETICIA	01-21	07-21	1782.38
Z03453	01/28/21	01/27/21	ESP02	ESPELAND, SAM	01-21	07-21	186.84
Z03454	01/28/21	01/27/21	FEN03	FENSKE, JOSEPH H	01-21	07-21	2854.74
Z03455	01/28/21	01/27/21	FLO00	FLORES, JOSE D	01-21	07-21	3167.67
Z03456	01/28/21	01/27/21	FUL00	FULLMORE, KRISTOPHER	01-21	07-21	3079.20
Z03457	01/28/21	01/27/21	GAM00	GAMBOA, YADIRA	01-21	07-21	324.76
Z03458	01/28/21	01/27/21	GUE01	GUERRERO, DEYSY D	01-21	07-21	2328.92
Z03459	01/28/21	01/27/21	GUE02	GUERRERO, JORGE	01-21	07-21	2046.24
Z03460	01/28/21	01/27/21	HAR00	ZOLLERHARRIS, TRAVIS	01-21	07-21	1804.69
Z03461	01/28/21	01/27/21	JOH01	JOHNSON, SEAN KARL	01-21	07-21	4328.26
Z03462	01/28/21	01/27/21	LED00	LEDAY, JESSICA E	01-21	07-21	2524.73
Z03463	01/28/21	01/27/21	LOW00	LOWERY, KATHERINE	01-21	07-21	3196.64
Z03464	01/28/21	01/27/21	MAR02	MARTINDALE, RYAN EUGENE	01-21	07-21	1504.84
Z03465	01/28/21	01/27/21	MEJ00	MEJIA, LILIA	01-21	07-21	1933.16
Z03466	01/28/21	01/27/21	MEZ00	MEZA, JODY L	01-21	07-21	3419.26
Z03467	01/28/21	01/27/21	MIL00	MILLS, DARYL A	01-21	07-21	2917.67
Z03468	01/28/21	01/27/21	MYE00	MYERS, KEVIN	01-21	07-21	603.06
Z03469	01/28/21	01/27/21	PAI01	PAILLON, MICHAEL	01-21	07-21	1942.29
Z03470	01/28/21	01/27/21	PAN00	PANIAGUA, BLANCA A	01-21	07-21	639.92
Z03471	01/28/21	01/27/21	PEN01	PENDERGRASS, REBECCA A	01-21	07-21	2273.38
Z03472	01/28/21	01/27/21	PER00	PEREZ, MARGARITA T	01-21	07-21	1843.83
Z03473	01/28/21	01/27/21	PIN00	PINEDO, EDGAR ESTEBAN	01-21	07-21	2421.11
Z03474	01/28/21	01/27/21	POR00	PORRAS, ESTEL	01-21	07-21	1711.82
Z03475	01/28/21	01/27/21	PUN00	PUNZO, GUILLERMO	01-21	07-21	1832.77
Z03476	01/28/21	01/27/21	RIC01	RICE, GERALD W	01-21	07-21	1942.29
Z03477	01/28/21	01/27/21	ROD00	RODRIGUES, ANTHONY	01-21	07-21	2491.24
Z03478	01/28/21	01/27/21	ROE00	ROENSPIE, THOMAS LUKE	01-21	07-21	3270.75
Z03479	01/28/21	01/27/21	ROM00	ROMERO, ARNULFO	01-21	07-21	2742.85
Z03480	01/28/21	01/27/21	SCH03	SCHMITKE, JENNIFER	01-21	07-21	1700.01
Z03481	01/28/21	01/27/21	STE01	STEWART, ROY E	01-21	07-21	2575.78
Z03482	01/28/21	01/27/21	SUA02	SUAREZ, BRYAN E	01-21	07-21	1930.59
Z03483	01/28/21	01/27/21	SWI00	SWINHART, ROBERT	01-21	07-21	1636.91
Z03484	01/28/21	01/27/21	VAL00	VALENZUELA, BRENDA	01-21	07-21	316.54
Z03485	01/28/21	01/27/21	VLA00	VLACH, RAYMOND JOSEPH	01-21	07-21	4468.46
Z03486	01/28/21	01/27/21	VON00	VONASEK, EDWARD J	01-21	07-21	2307.38
Z03487	01/28/21	01/27/21	WAC00	WACKERMAN, JANET	01-21	07-21	3000.18

							103128.54
							=====

MINUTES OF THE ORLAND CITY COUNCIL
REGULAR MEETING HELD FEBRUARY 1, 2021

CALL TO ORDER

Meeting called to order by Mayor Roundy at 5:30 p.m.

ROLL CALL

Councilmembers present via teleconference:	Councilmembers Billy Irvin, Dennis Hoffman, Chris Dobbs, Vice Mayor Jeffrey A. Tolley and Mayor Bruce Roundy
Councilmembers absent:	None
Staff present via teleconference:	City Attorney Greg Einhorn, City Manager Pete Carr and City Clerk/Administrative Services Manager Janet Wackerman

Mayor Roundy asked for public comments. With none received, the meeting was adjourned to Closed Session at 5:31 p.m. and Ms. Wackerman signed off.

Closed session was held regarding significant exposure to litigation pursuant to Government Code Section: 54956.9 (d) (2); one potential case.

RECONVENE TO REGULAR SESSION – 6:00 p.m.

ROLL CALL

Councilmembers present via teleconference:	Councilmembers Dennis Hoffman, Billy Irvin, Chris Dobbs, Vice Mayor Jeffrey A. Tolley and Mayor Bruce Roundy
Councilmembers absent:	None
Staff present via teleconference:	Fire Chief Justin Chaney, City Planner Scott Friend, Recreation Director Joe Fenske, Library Director Jody Meza, City Manager Pete Carr, City Attorney Greg Einhorn, Accounting Manager Rebecca Pendergrass and City Clerk/Administrative Services Manager Janet Wackerman

REPORT FROM CLOSED SESSION

Mayor Roundy reported direction was given to Staff.

Meeting opened with the pledge of allegiance.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

Byron Denton, 127 Tanner Way, stated he has received his shots and is glad to have the Council meeting on Zoom. He added, "keep up the good work, you are doing a fine job."

Amanda Samons asked for an update on the sewer project. Mr. Carr stated the maintenance hole covers have not passed inspection and the City Engineer is working with the contractor on a solution. County Road MM, in the area of construction, will be chip sealed in the Spring.

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for January 19, 2021.
- C. Receive and file Planning Commission minutes for December 17, 2020.
- D. Approve 2nd Quarter Update on FY Projects and Objectives.

Councilmember Irvin asked for Item D to be pulled for further discussion.

Action: Councilmember Irvin moved, seconded by Councilmember Hoffman to approve items A-C on the consent calendar. The motion carried 5-0 by the following roll call vote:

AYES:	Councilmember Irvin, Hoffman and Dobbs, Vice Mayor Tolley and Mayor Roundy
NOES:	None
ABSENT:	None
ABSTAIN:	None

Mr. Carr gave a quick overview of the 2nd quarter update on projects and objectives. Councilmember Irvin asked if there was a pending grant for the recreation trail. Mr. Carr stated Staff was waiting for funding from the Per Capita grant, funded through the State Parks and Recreation program.

Action: Vice Mayor Tolley moved, seconded by Councilmember Dobbs, to approve Item D on the consent calendar. The motion carried 5-0 by the following voice vote:

AYES:	Vice Mayor Tolley, Councilmembers Dobbs, Irvin, Hoffman, and Mayor Roundy
NOES:	None
ABSENT:	None
ABSTAIN:	None

ADMINISTRATIVE BUSINESS

- A. Introduce first reading by title only and consider passage of Ordinance No. 2021-01 to create a new Section 17.76.190, *Fences*, to the Orland Municipal Code – Scott Friend, City Planner**

Mr. Friend stated the Planning Commission held a Public Hearing, and discussion, regarding the proposed OMC amendment to Title 17-Zoning after a homeowner had requested a modification to the street side fence setback from twenty (20) feet to ten (10) feet. Other text amendments proposed were to current fence height, design standards and other fence specific setbacks. Mr. Friend added that any existing fence will be allowed except if it prevents access to utility poles, fire hydrants or emergency accesses.

Action: Councilmember Hoffman moved, seconded by Vice Mayor Tolley to accept the first reading of Ordinance No. 2021-01. The motion carried 5-0 by the following roll call vote:

AYES:	Councilmember Hoffman, Vice Mayor Tolley, Councilmembers Irvin and Dobbs, Mayor Roundy
NOES:	None
ABSENT:	None
ABSTAIN:	None

B. Introduce first reading by title only and consider passage of Ordinance No. 2021-02 adding Section 15.04.030 to the Orland Municipal Code regarding additional fee for work done without a building permit – Peter Carr, City Manager

Mr. Carr stated Councilmembers previously directed staff to return with an actionable ordinance to update the fee using commonly accepted practices as a basis. The proposed fees double the permit fee with no minimum and an effective date of July 1, 2021.

Councilmember Irvin stated he does not agree with the zero minimum amount and doesn't think there is enough difference between having or not having a permit to install a water heater.

Mayor Roundy asked if information could be provided to the community on what needs to be permitted. Mr. Carr stated something could be posted to the City website and Facebook page or a press release could be developed.

Action: Councilmember Hoffman moved, seconded by Councilmember Dobbs to accept the first reading of Ordinance No. 2021-02. The motion carried 4-1 by the following roll call vote:
AYES: Councilmember Hoffman, Vice Mayor Tolley, Councilmember Dobbs and Mayor Roundy
NOES: Councilmember Irvin
ABSENT: None
ABSTAIN: None

C. Adopt Resolution 2021-01, 2021-02 and 2021-03 approving the submittal of applications to the Statewide Park Development and Community Revitalization Program (Discussion/Action) – Joe Fenske, Recreation Director

Mr. Fenske stated the City intends to submit three (3) applications to the Statewide Park Program. The application to request funding for a new park at Newport and Watt Avenue includes a shaded playground structure and developing an area for a playing field. The application for improvements to Lely Park includes adding a ball field, expanding the Recreation Center, adding ball field lights, upgrading present lights and connecting to the recreation trail. One application will be developed for Vinsonhaler Park improvements and will be completed by Suzi Kochems representing the Orland Otters. Ms. Kochems was present and stated funding for a pool heater, grandstands, shaded playground equipment, tennis court refurbishing and a drinking faucet will be requested.

Councilmember Irvin asked why Spence Park was not included since their fence is down and their dugouts need to be upgraded. Mr. Fenske stated Orland High School will be replacing the fence. He added that the minimum amount that can be requested is \$200K and improvements to this park will not reach that total.

Amanda Samons, a resident of the Whitehawk Subdivision, stated she is concerned with run-off from Lely Park and asked how the leach field proposed will handle rain events. Mr. Carr stated the leach field will be engineered since the park still has to continue to function as a retention basin.

Action: Councilmember Hoffman moved, seconded by Vice Mayor Tolley to adopt Resolution 2021-01 authorizing the City Manager or his designee to submit an application to the CA Department of Parks and Recreation for the development of Newport Park. The motion carried 5-0 by the following roll call vote:
AYES: Councilmember Hoffman, Vice Mayor Tolley, Councilmembers Irvin and Dobbs, Mayor Roundy
NOES: None
ABSENT: None
ABSTAIN: None

Action: Councilmember Hoffman moved, seconded by Vice Mayor Tolley to adopt Resolution 2021-02 authorizing the City Manager or his designee to submit an application to the CA Department of Parks and Recreation for improvements to Lely Park. The motion carried 5-0 by the following roll call vote:

AYES: Councilmember Hoffman, Vice Mayor Tolley, Councilmembers Irvin and Dobbs, Mayor Roundy

NOES: None

ABSENT: None

ABSTAIN: None

Action: Councilmember Hoffman moved, seconded by Vice Mayor Tolley to adopt Resolution 2021-03 authorizing the City Manager or his designee to submit an application to the CA Department of Parks and Recreation for renovations to Vinsonhaler Park. The motion carried 5-0 by the following roll call vote:

AYES: Councilmember Hoffman, Vice Mayor Tolley, Councilmembers Irvin and Dobbs, Mayor Roundy

NOES: None

ABSENT: None

ABSTAIN: None

D. Mid-Year Financial Review (Discussion/Action) – Pete Carr, City Manager

Mr. Carr updated Councilmembers on budget revenues and expenditures, midway through the 20/21 fiscal year. General Fund revenues are overall within 1% of budget and expenditures are 2% under budget. The net of revenue versus expenditure is positive but does not warrant unplanned mid-year discretionary expenditures. Measure A expenditures are running 43% of budget. The Water Enterprise revenues are covering water system and storm drainage operating expenditures and the Sewer Enterprise is also covering operational costs. Both funds are building balances to meet the needs of planned capital projects and improvements.

Councilmember Hoffman asked if a reserve fund for public works trucks and/or police vehicles should be set up. Mr. Carr stated police vehicles are paid out of Measure A and a schedule has been developed for when vehicles need to be purchased. Public Works does have an equipment replacement schedule and a portion of their equipment is paid from the General Fund but also water and sewer enterprise with no separate set-aside. Councilmember Hoffman suggested a reserve fund for unexpected expenses might be established. Mr. Carr stated the enterprise funds are gradually bringing up their reserves. He also added reserves are approximately at \$1million, up from \$150K ten years ago.

E. Verbal update on Covid-19's impact on the local economy and City operations, (Discussion/Direction) – Pete Carr, City Manager

Mr. Carr reported State-wide, test positivity is at 12.4% and Glenn County is at 21%. The positivity must reach below 8% before the County can return to the red tier. At present there are 62 new cases per day and 129 active cases. One employee was out last week with COVID symptoms and one employee is at home taking care of a family member due to COVID exposure. The Recreation Department is taking reservations for school swim parties but not for parks. Fourteen local restaurants, from Willows to Capay, are participating in the "Taste of Glenn County." Patrons of the restaurants have a chance to win gift certificates.

Councilmember Irvin asked why someone should go to a free testing site to get a test if they don't have symptoms. Mr. Carr stated the Center for Disease Control encourages people to get tested. More testing helps health officials know how much the virus has spread.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Hoffman:

- Attended meeting with Waste Management and Glenn Co officials.

Councilmember Irvin:

- Stated he also attended the Waste Management meeting.

Councilmember Dobbs:

- Visited with Library staff.
- Reminded everyone the Orland Volunteer Fire Department will be holding their annual spaghetti feed as a drive-thru Saturday February 6th.

Vice Mayor Tolley:

- Received good information from the CA Cities New Councilmember training.
- Would like to have Council discuss bringing a skate park to the community.

Mayor Roundy:

- Will be attending LAFCO meeting on westside annexation.
- Has been speaking with Todd Bishop of *Geekwire* about an upcoming article he is developing on Amazon and Orland.

Meeting adjourned at 7:48 p.m.

Janet Wackerman, City Clerk

Bruce T. Roundy, Mayor

PUBLIC WORKS & SAFETY COMMISSION

Meeting Minutes

March 10, 2020

1. Call to Order

The meeting was called to order by Chairperson Denton at 4:00 pm.

2. Pledge of Allegiance – led by Chairperson Denton

3. Roll Call

Present: Byron Denton, Monica Rossman, Ann Butler and J.C. Tolle

Absent: Emil Cavagnolo

Councilmembers: Dennis Hoffman

Staff: Justin Chaney, Joe Vlach, Ed Vonasek and Rebecca Pendergrass

4. Oral and Written Communications

A. Citizen Business:

None

5. Consent Calendar

A. Approval of January 14, 2020 minutes

Moved by Commissioner Rossman, seconded by Commissioner Tolle, motion carried to approve January 14, 2020 minutes as presented. Motion carried. 4-0-0-1 Ayes: Tolle, Denton, Butler and Rossman; Noes: None; Abstain: None, Absent: Cavagnolo.

6. Public Safety

A. Police Department Review and Future Goals

Police Chief Vlach presented his annual report to the Commission. The 2019 stats overall were down slightly from 2018. Calls for service, felonies, misdemeanors and DUIs did increase. Agency assists, welfare checks, and suspicious circumstances were among the top categories for calls. Continued work on radio infrastructure occurred and the backup generator at the Police Station was installed for PSPS shutoffs. A K-9 was donated to the City and alongside Officer Roenspie has started handler training. Future goals include filling open positions for officers and front office staff.

B. Fire Department Review and Future Goals

Fire Chief Chaney reported the Fire Department had 668 calls in 2019, which is slightly down from 2018. There is an issue with the ambulance system, and it has a direct impact on the department, creating long wait times and added stress on the volunteers and their time. Because of this issue, the volunteers will no longer

PUBLIC WORKS & SAFETY COMMISSION MINUTES

March 10, 2020

Page 2

be responding to Code 2 medical calls. Glenn County donated a radio repeater to the Orland Volunteer Fire Department which will positively impact radio communications. The new Chief's truck should be on site in July, it is a crew cab that will allow for transport of volunteers and has a 300-gallon water tank attached.

7. Public Works

A. Public Works Department Review and Future Goals

Public Works Director Vonasek reported on the SCADA system, the communication system between the City wells. The Central Street well house was completed. The rec trail from Linwood Drive to the Rec Center was installed. Installation of speed signs, generators for PSPS Shut-Offs and security cameras at the Shop yard were all completed. Goals for 2020 include but are not limited to the upgrade of Carnegie Hall's restroom, installation of water meters in City parks, hosting the second Big Truck Day and continued progress with the Sixth Street well and aboveground water storage.

B. Update on City Projects

Public Works Director Vonasek stated that the department is currently in the middle of the County Road MM Sewer Project that is currently. Tehama Street project is now out to the contractors. Alleyways located between 3rd & 4th Street and 4th & 5th Street from Walker Street to Colusa Street is also being planned in conjunction with the Tehama Street project.

8. Commissioner Projects

A. Future Agenda Items

Public Works Director reminded the Commissioners that any items they want to discuss in future meetings should be sent to Rebecca.

9. General

A. Schedule of Next Meeting

The next regularly scheduled Commission meeting will take place at 4 pm on April 14, 2020 at Carnegie Center, 912 3rd Street, Orland, CA 95963.

PUBLIC WORKS & SAFETY COMMISSION MINUTES

March 10, 2020

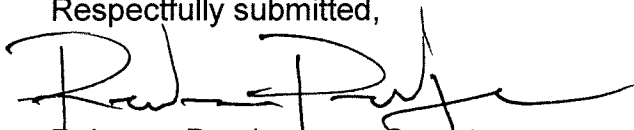
Page 3

10. Commissioner Reports

Chairperson Denton thanked the Police Chief, Fire Chief and Public Works Director for their continued service and great work.

11. Adjournment – 4:48 PM

Respectfully submitted,



Rebecca Pendergrass, Secretary

Byron Denton, Chair



CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: 6

MEETING DATE: February 16, 2021

TO: **City of Orland City Council**
FROM: Scott Friend, AICP – City Planner
MEETING DATE: February 16, 2021; 6:00 p.m., Carnegie Center, 912 Third Street, Orland, CA 95963
SUBJECT: **Amendments to Title 17 – Zoning of the Municipal Code to alter fence height, setback, and design regulations:**

- Amend Title 17 - *Zoning* to include a “Fence Standards” section to consolidate the fence standards for all zones into a single location.
- Modify the street side yard fence setback to be ten (10) feet rather than twenty (20) feet.
- Add visibility triangle requirements.
- Allow administrative approval of backyard or side yard fences six to seven feet tall, subject to approval standards.
- Add regulatory language for combined fence and retaining walls.

Summary:

On November 19th, 2020, the Planning Commission held a public hearing and discussion regarding the proposed Orland Municipal Code amendment to Title 17- *Zoning*. The proposed text amendments to Title 17 – *Zoning* (**Attachment B**) are based on recommendations made by the Planning Commission to staff at the prior meetings.

The purpose of this staff report is to propose text amendments to the current fence height, setback, and design standards in the City of Orland. The amendments to Title 17- *Zoning* are focused in five main areas: (1) establishing a “Fence Standards” section, (2) adding specific fence setback standards and make the street side yard fence setback standard ten (10) feet rather than twenty (20) feet, (3) adding a visibility triangle requirement for corner lots with two streets or a street and an alley which meet at a corner apex, (4) adding a clause to allow for administrative approval of backyard or side yard fences six to seven feet tall, if the top foot of the fence is made of lattice or similar material, and (5) handling retaining wall and fence combinations which together may reach six to seven feet tall; depending on perspective.

Consideration of amendments to fence regulations is in response to requests from citizens who wish to have greater fenced side yard space with increased fence height, and requests to have a

fence over six feet tall if certain conditions are met. Staff wrote the proposed code amendment based on recommendations made to staff at the September 17th and October 15th Planning Commission meetings. The Planning Commission voted 5-0 to recommend approval of the proposed amendments at the November 19th Planning Commission meeting.

Discussion:

Definitions:

- 1) Street Side Yard - The street side yard is shown in **Figure 1** below. As shown, the street side yard extends all the way from the front to the rear of the lot. This differs from a typical side yard located between two residences.

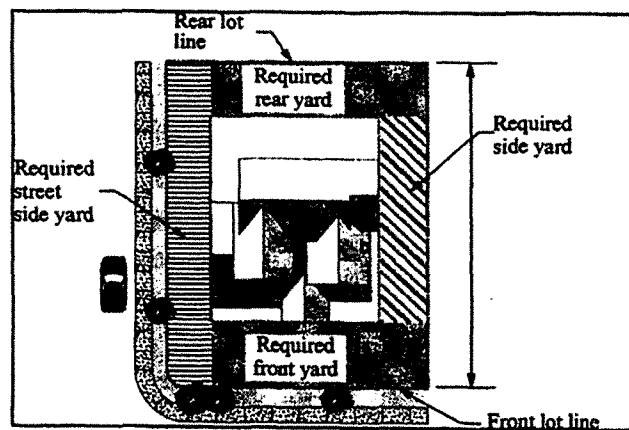


Figure 1. Street Side Yard Area

- 2) Visibility Triangle – A triangle cutout in the corner of a fence where two roads or an alley and a road meet. The cutout is intended to ensure visibility for vehicles. See **Figure 2** below. Note that as proposed, the visibility triangle would be either 20 feet or 33 feet on each side, depending on the types of streets which meet at the corner.
- 3) Apex – The tip of the triangle, forming a point. See **Figure 2** below.

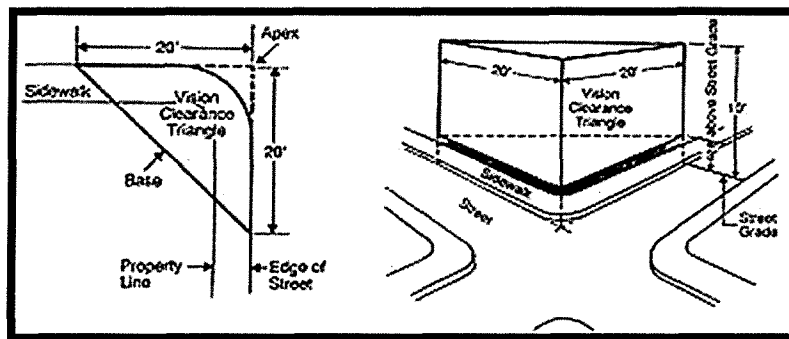


Figure 2. Visibility Triangle and Apex

Current Municipal Code Regulations:

Fence Height and Setback Limitations:

The Municipal Code does not currently include fence-specific setbacks. Currently, all fences *not located within* a required front yard or street side yard are limited to six feet in height, maximum. All fences *located within* the front yard or side yard are limited to three feet in height, maximum. This setback is also known as the “required yard” or “minimum yard”. Currently, there are no options for approval of fences over six feet in height. The current regulations for the R-1, R-2, and R-3 zones read essentially the same. The current R-1 requirements from Section 17.20.070 – *Setbacks* are outlined below.

17.20.070 - Setbacks.

A. Minimum yards in the R-1 zone are as follows:

Main building:

Front: twenty (20) feet;

Rear: twenty (20) feet;

Side: five feet. Side setback on a corner lot facing the street shall not be less than twenty (20) feet.

B. Exceptions to the minimum yards established above are as follows:

6. Hedges and shrubs shall not be permitted more than three feet in height within twenty (20) feet of the front street corner of corner lots.

7. All fences within a front yard setback area, or side yard setback area of a corner lot, shall not exceed three feet in height. All fences not within such setback areas shall not exceed six feet in height.

Street Side Yard:

Staff notes that residential corner lots are required to be a minimum of ten feet wider and 1,000 square feet larger than a standard lot. This is the case for all developments in the R-2 or R-3 zones and for lots of minimum size in the R-1 zone. **Table 1** below summarizes the lot size requirements.

Table 1. Summary of Standard Versus Corner Lot Sizes.

	Residential Zone		
	R-1	R-2	R-3
Standard Lot- Minimum Area	6,000 ft ²	6,000 ft ²	6,000 ft ²
Corner Lot- Minimum Area	7,000 ft ²	7,000 Ft ²	7,000 Ft ²
Standard Lot- Minimum Width	60 ft	60 ft	60 ft
Corner Lot- Minimum Width	70 ft	70 ft	70 ft

Although the corner lots are specifically required to be ten feet wider than a standard interior lot, current fence setback standards require a twenty-foot setback on corner lots. As shown in **Attachment A**, several surrounding cities utilize a ten-foot fence setback requirement for street side yards.

Proposed Code Amendments:

Staff requested recommendations for fence- related code amendments from the Planning Commission at the September 17th and October 15th meetings. With consideration of recommendations made by the Planning Commission to staff, staff proceeded with the following:

- a) Added a separate code section with fence setback, height, and material standards;
- b) Reduced the street side fence setback from twenty (20) feet to ten (10) feet;
- c) Required visibility triangles for lots with streets/ alleys which meet at a corner apex*. If two different street types meet at the apex, the size of the visibility triangle shall be based on the street with the larger visibility triangle size requirement. Required visibility triangle size will be defined in a table;
- d) Added text allowing approval of back or side-yard fences six (6) to seven (7) feet, if the top one (1) foot is made of lattice (or other 50% permeable material);
- e) Added text approving decorative pillars and fence posts of three-foot fences up to 42 inches; and
- f) Added permitted and prohibited fence materials in residential zones, identified fencing materials requiring additional approval.

*See apex definition and graphic under “Definitions” above.

The proposed amendments to Title 17 – Zoning are outlined in **Attachment B**.

The Planning Commission recommended approval of the proposed text amendments by the City Council at the November 19th meeting.

Environmental determination:

Staff recommends that the City Council determine that the proposed Municipal Code Amendment(s) to be categorically exempt pursuant to CEQA Guidelines Section 15061(b)(3) - the “Common Sense Exemption” as it can be seen with certainty that there is no possibility that the proposed revisions to the City of Orland Municipal Code would have a significant effect on the environment, and therefore the proposed revision is not subject to CEQA. A Notice of Exemption was prepared for this project and has been included with this staff report as **Attachment C** - Notice of Exemption.

Recommendation:

The Planning Commission recommends that the City Council consider the public hearing held on November 19th, 2020 and the Planning Commission’s recommendation on this matter. The Planning Commission recommends that the City Council consider the proposed revisions to the Municipal Code.

If no changes are considered necessary, the Planning Commission recommends that the City Council approve the Amendment(s) to the Orland Municipal Code, as contained herein, through adoption of City Council Ordinance #2021-01 (**Attachment D**). The Planning Commission also recommends that the City Council approve the adoption of the Notice of Exemption (**Attachment C**) prepared for the proposed action.

If the City Council determines that it intends to recommend for approval the Municipal Code Amendment, the Planning Commission presents the following motions for consideration:

Sample Motion:

I move that the City Council adopt City Council Ordinance 2021-01 approving the Municipal Code Amendment as presented herein and approval of the Categorical Exemption as presented.

ATTACHMENTS

- **Attachment A** – Summary of Street-Side Fence Heights and Setbacks in Surrounding Cities
- **Attachment B** – Proposed Amendments to Title 17 – *Zoning* of the Municipal Code
- **Attachment C** – CEQA Notice of Exemption
- **Attachment D** – City Council Ordinance #2021-01
(note: Ordinance to be presented following the Introduction of the Ordinance and at the Public Hearing February 16 (2nd reading)).

**CITY OF ORLAND
CITY COUNCIL MEETING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the City Council of the City of Orland will hold a public hearing on Tuesday, February 16, 2021, at 6:00 p.m. at their regularly scheduled meeting to be held remotely via Zoom teleconference technology and via tele-conference only to consider the following actions:

- 1) **Zoning Ordinance Text Amendment (ZCA 2020-01) – Fences.** The City Council will consider a recommendation from the Planning Commission to approve amendments to the Orland Municipal Code in regard to the modification and/or establishment of standards addressing fencing heights, setbacks, materials, design consideration and the incorporation of safety provisions for sight visibility. The proposed amendment would create a new Section 17.76.190, Fences to the Orland Municipal Code (OMC) incorporating all fencing standards; would move existing fence standards out of the text of each individual zoning district and consolidate those in the new Section 17.76.190; would reduce required street side-yard standards from twenty (20) feet to ten (10) feet; would formally codify the inclusion of sight-visibility triangles at street intersections, driveways and alleyways; would allow for the administrative approval of additional fence height in limited situations; and, would recodify various design and materials requirements.

The Planning Commission held a duly noticed public hearing on the matter on Thursday, November 19, 2020 and after the conduct of the public hearing, the Planning Commission voted 5-0 to recommended the City Council approve the amendments and make a determination that project is *Exempt* from further environmental analysis pursuant to Government Code Section 15061(b)(3).

The public is invited to review and comment on the matter. Information on the above described project is available for public review by contacting the City Planner at 530-865-1608 or via email at cityplanner@cityoforland.com. Additionally, the public hearing package will also be available for review on the City's website at: <http://www.cityoforland.com>.

The public is also invited to participate and attend the public hearing by contacting the City Clerk at jwackerman@cityoforland.com to get meeting access information. Please note that persons wishing to attend/participate in the meeting may do so after contacting the City Clerk to get remote teleconference access information. Pursuant to the Governors Executive Order N-25-20, the meeting will be held in a remote manner via teleconference technology.

If you have any questions or comments, or wish to review the proposed items, please contact Janet Wackerman, City Clerk, Orland City Hall, 815 Fourth Street, Orland, CA 95963, or by telephoning the Planning Department at (530) 865-1608. As comments are part of the official record of the project, please be sure that all comments submitted are legible and include the name of the author or signatory. Requests for reasonable accommodation should be addressed to Janet Wackerman, City Clerk at jwackerman@cityoforland.com or (530) 865-1601 by 10:00am on Friday, February 12, 2021. Notification in advance of the meeting will help to ensure that City is reasonably able to make accommodation arrangements.

Janet Wackerman, City Clerk
City of Orland

**Attachment A. Comparison of Orland Street-Side Fence Regulations
to those for Nearby Cities**

City Name	Street- Side Fence Height Standard	Setback Standard	Difference
Orland	-R-1, R-2, R-3: "All fences within a front yard setback area, or side yard setback area of a corner lot, shall not exceed three feet in height. All fences not within such setback areas shall not exceed six feet in height."	-20-foot setback	
Corning	-Fences and screen plantings shall not exceed four feet in front yards nor six feet in height in any required rear and side yard.	-Minimum corner lot side yard: 10 feet	- Reduced fence setback/ side yard by 10 feet
Willows	-6 feet within required side yard	-Minimum side yard setback: 6 feet except the side yard on the street side of each corner lot shall not be less than 10 feet.	- Reduced fence setback/ side yard by 20 feet - No max. fence height specified outside of required side yard
Redding	-3 feet within setback	-10 feet	-Reduced setback by 10 feet
Red Bluff	-3.5 feet within setback	-RE: 15 feet -R-1: 10 feet -R-2: 10 feet -R-3: 10 feet -R-4: 10 feet -HR: 8 feet	- Reduced setback by 10 feet in most districts - 0.5-foot taller max. fence height within setback
Chico	- Street side yard fences: up to a maximum height of 6 feet, may be located on corner parcels, 7 feet if one foot of lattice or other 50% view permeable material is incorporated into the top one foot of the fence design; and if there are no sight distance area problems as determined by the Director - Corner Parcels: No fence, wall, or other visual obstruction over 3 feet in height above the top of the	-10 feet	- Setback reduced by 10 feet - 6-foot fence is allowed unless in a sight distance area on a corner parcel

	existing or planned curb elevation shall be located within a sight distance area.		
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Proposed Amendments to Title 17 – Zoning of the Municipal Code

Chapter 17.08 - DEFINITIONS

17.08.690 - Fence, wall.

"Fence" or "wall" means a structure constructed of posts, supports, and cross members that serves as an obstruction to mark property lines or delineate or restrict access to a portion of property. Fences for the purpose of this chapter includes walls, hedges, and screen plantings.

Chapter 17.20 - R-1 RESIDENTIAL ONE-FAMILY ZONE

17.20.070 - Setbacks.

B. Exceptions to the minimum yards established above are as follows:

5. If any building is so located on a lot that the front faces any side lot line, it shall be at least twenty-five (25) feet from such side lot line.

~~6. Hedges and shrubs shall not be permitted more than three feet in height within twenty (20) feet of the front street corner of corner lots.~~

~~7. All fences within a front yard setback area, or side yard setback area of a corner lot, shall not exceed three feet in height. All fences not within such setback areas shall not exceed six feet in height.~~

~~86.~~ Outdoor swimming pools and spas located within ten (10) feet of any side yard, rear yard or structure, shall be set back from said side yard, rear yard of structure a distance equal to the depth of the pool within said ten (10) foot area, but in no instance shall the setback be less than five feet. Pools and spas shall not be located in a required front yard.

~~97.~~ Setbacks for all other garages or accessory structures not otherwise described herein shall be as detailed in Table: R-1 Structure Setbacks of this section.

8. See Section 17.76.190 – Fence Standards for fence height and setback regulations.

Chapter 17.24 - R-2 RESIDENTIAL TWO-FAMILY ZONE

17.24.070 - Setbacks.

B. Exceptions to the minimum yards established above are as follows:

6. If any building is so located on a lot that the front faces any side lot line, it shall be at least twenty (20) feet from such side lot line.

~~7. Hedges and shrubs shall not be permitted more than three feet in height within twenty (20) feet of the front street corner of corner lots.~~

~~8. All fences within a front yard setback area, or side yard setback area of a corner lot, shall not exceed three feet in height. All fences not within such setback areas shall not exceed six feet in height.~~

97. Outdoor swimming pools and spas located within ten (10) feet of any side yard, rear yard or structure, shall be set back from said side yard, rear yard or structure a distance equal to the depth of the pool within said ten (10) foot area, but in no instance shall the setback be less than five feet. Pools and spas shall not be located in a required front yard.

8. See Section 17.76.190 – Fence Standards for fence height and setback regulations.

Chapter 17.28 - R-3 RESIDENTIAL MULTIPLE FAMILY-PROFESSIONAL ZONE

17.28.070 - Setbacks.

C. Exceptions to the minimum yards established above are as follows:

6. If any building is so located on a lot that the front or rear thereof faces any side lot line, it shall be at least twenty (20) feet from such side lot line.

~~7. Hedges and shrubs shall not be permitted more than three feet in height within twenty (20) feet of the front street corner of corner lots.~~

~~8. All fences within a front yard setback area, or side yard setback area of a corner lot, shall not exceed three feet in height. All fences not within such setback areas shall not exceed six feet in height.~~

97. Outdoor swimming pools and spas located within ten (10) feet of any side yard, rear yard or structure, shall be set back from said side yard, rear yard or structure a distance equal to the depth of the pool within said ten (10) foot area, but in no instance shall the setback be less than five feet. Pools and spas shall not be located in a required front yard.

8. See Section 17.76.190 – Fence Standards for fence height and setback regulations.

Chapter 17.36 - C-1 NEIGHBORHOOD COMMERCIAL ZONE

17.36.145 - Fences and walls.

~~A. All fences and fencing materials require a fencing permit approved by the city of Orland planning department prior to installation. Ty-vek or like materials, corrugated materials, tin, aluminum, bamboo, hay, and other materials deemed by the city to be unacceptable are prohibited. All fencing material and fence construction shall be approved by the city in accordance with the Orland Municipal Code and the California Building Code, prior to construction of the fence.~~

~~B. Any masonry and stucco walls require a building permit if greater than three feet in height.~~

~~C. Fences and walls shall be compatible in style and material with the main structures on a site.~~

~~D. To avoid the monotony of long, solid walls and fences around the perimeter of projects, variation in height, texture and color is recommended with approval by the city.~~

~~E. Signs, lights, and other street furniture incorporated into the design of fences and walls are encouraged.~~

~~F. Barbed wire fencing is prohibited. All chain link fencing requires slats.~~

G. Screening devices shall be made of opaque (solid) materials such as wood or masonry blocks.

H. Fences and walls used for noise control shall be made of materials most suited for noise reduction, and which minimize reflective sound.

I. Security fencing and gates shall be of an open type to allow for maximum visibility of the secured area. Wrought iron and cast iron fences are recommended for security fences and gates for all uses.

J. Fencing shall be a maximum of six feet in height. Fencing over six feet in height, excepting subsection B above, shall require a building permit. All corner lots, including corners on alleys, shall be a maximum of three feet in height within the front and exterior side yard setback areas.

K. All fences shall be made of durable and weather-resistant materials as approved by the city

See Section 17.76.190 – Fence Standards for fence height and setback regulations.

Chapter 17.40 - C-2 COMMUNITY COMMERCIAL ZONE

17.40.130 - Fences and walls.

A. All fences and fencing materials require a fencing permit approved by the city of Orland planning department prior to installation. Ty-vek or like materials, corrugated materials, tin, aluminum, bamboo, hay, and other like materials deemed by the city to be unacceptable are prohibited. All fencing material and fence construction shall be approved by the city in accordance with the Orland Municipal Code and the California Building Code, prior to construction of the fence.

B. Any masonry and stucco walls require a building permit if greater than three feet in height.

C. Fences and walls shall be compatible in style and material with the main structures on a site.

D. To avoid the monotony of long, solid walls and fences around the perimeter of projects, variation in height, texture and color is recommended with approval by the city.

E. Signs, lights, and other street furniture incorporated into the design of fences and walls are encouraged.

F. Barbed wire fencing is prohibited. All chain link fencing requires slats.

G. Screening devices shall be made of opaque (solid) materials such as wood or masonry blocks.

H. Fences and walls used for noise control shall be made of materials most suited for noise reduction, and which minimize reflective sound.

I. Security fencing and gates shall be of an open type to allow for maximum visibility of the secured area. Wrought iron and cast iron fences are recommended for security fences and gates for all uses.

J. Fencing shall be a maximum of six feet in height. Fencing over six feet in height, excepting subsection B above, shall require a building permit. All corner lots, including corners on alleys, shall be a maximum of three feet in height within the front and exterior side yard setback areas.

K. All fences shall be made of durable and weather-resistant materials as approved by the city.

See Section 17.76.190 – Fence Standards for fence height and setback regulations.

Chapter 17.42 - DT-MU DOWNTOWN MIXED USE ZONE

17.42.220 - Fences and walls.

A. All fences and fencing materials require a fencing permit approved by the city of Orland planning department prior to installation. Ty-vek or like materials, corrugated materials, tin, aluminum, bamboo, hay, and other like materials deemed by the city to be unacceptable are prohibited. All fencing material and fence construction shall be approved by the city in accordance with the Orland Municipal Code and the building codes, prior to construction of the fence.

B. Any masonry and stucco walls require a building permit if greater than three feet in height.

C. Fences and walls shall be compatible in style and material with the main structures on a site.

D. To avoid the monotony of long, solid walls and fences around the perimeter of projects, variation in height, texture and color is recommended with approval by the city.

E. Signs, lights, and other street furniture incorporated into the design of fences and walls are encouraged.

F. Barbed wire fencing is prohibited. All chain link fencing requires slats.

G. Screening devices shall be made of opaque (solid) materials such as wood or masonry blocks.

H. Fences and walls used for noise control shall be made of materials most suited for noise reduction, and which minimize reflective sound.

I. Security fencing and gates shall be of an open type to allow for maximum visibility of the secured area. Wrought iron and cast iron fences are recommended for security fences and gates for all uses.

J. Fencing shall be a maximum of six feet in height. Fencing over six feet in height, excepting subsection (B) above, shall require a building permit. All corner lots, including corners on alleys, shall be a maximum of three feet in height within the front and exterior side yard setback areas.

K. All fences shall be made of durable and weather-resistant materials as approved by the city.

See Section 17.76.190 – Fence Standards for fence height and setback regulations.

Chapter 17.44 - C-H HIGHWAY SERVICE COMMERCIAL ZONE

17.44.125 - Fences and walls.

A. All fences and fencing materials require a fencing permit approved by the city of Orland planning department prior to installation. Ty vek or like materials, corrugated materials, tin, aluminum, bamboo, hay, and other like materials deemed by the city to be unacceptable are prohibited. All fencing material and fence construction shall be approved by the city in accordance with the Orland Municipal Code and the California Building Code, prior to construction of the fence.

B. Any masonry and stucco walls require a building permit if greater than three feet in height.

C. Fences and walls shall be compatible in style and material with the main structures on a site.

D. To avoid the monotony of long, solid walls and fences around the perimeter of projects, variation in height, texture and color is recommended with approval by the city.

E. Signs, lights, and other street furniture incorporated into the design of fences and walls are encouraged.

F. Barbed wire fencing may be used for security purposes only. All chain link fencing requires slats.

G. Screening devices shall be made of opaque (solid) materials such as wood or masonry blocks.

H. Fences and walls used for noise control shall be made of materials most suited for noise reduction, and which minimize reflective sound.

I. Security fencing and gates shall be of an open type to allow for maximum visibility of the secured area. Wrought iron and cast iron fences are recommended for security fences and gates for all uses.

J. Fencing shall be a maximum of six feet in height. Fencing over six feet in height, excepting subsection B above, shall require a building permit. All corner lots, including corners on alleys, shall be a maximum of three feet in height within the front and exterior side yard setback areas.

K. All fences shall be made of durable and weather resistant materials as approved by the city.

See Section 17.76.190 – Fence Standards for fence height and setback regulations.

Chapter 17.48 - M-L LIMITED INDUSTRIAL ZONE

17.48.130 - Fences and walls.

A. All fences and fencing materials require a fencing permit approved by the city of Orland planning department prior to installation. Ty vek or like materials, corrugated materials, tin, aluminum, bamboo, hay, and other like materials deemed by the city to be unacceptable are prohibited. All fencing material and fence construction shall be approved by the city in accordance with the Orland Municipal Code and the California Building Code, prior to construction of the fence.

- B. Any masonry and stucco walls require a building permit if greater than three feet in height.
 - C. Fences and walls shall be compatible in style and material with the main structures on a site.
 - D. To avoid the monotony of long, solid walls and fences around the perimeter of projects, variation in height, texture and color is recommended with approval by the city.
 - E. Signs, lights, and other street furniture incorporated into the design of fences and walls are encouraged.
 - F. Barbed wire fencing may be used for security purposes only. All chain link fencing requires slats.
 - G. Screening devices shall be made of opaque (solid) materials such as wood or masonry blocks.
 - H. Fences and walls used for noise control shall be made of materials most suited for noise reduction, and which minimize reflective sound.
 - I. Security fencing and gates shall be of an open type to allow for maximum visibility of the secured area. Wrought iron and cast iron fences are recommended for security fences and gates for all uses.
 - J. Fencing shall be a maximum of six feet in height. Fencing over six feet in height, excepting subsection B above, shall require a building permit. All corner lots, including corners on alleys, shall be a maximum of three feet in height within the front and exterior side yard setback areas.
 - K. All fences shall be made of durable and weather resistant materials as approved by the city.
- See Section 17.76.190 – Fence Standards for fence height and setback regulations.

Chapter 17.52 - M-H HEAVY INDUSTRIAL ZONE

17.52.130 - Fences and walls.

- A. All fences and fencing materials require a fencing permit approved by the city of Orland planning department prior to installation. Ty-vek or like materials, corrugated materials, tin, aluminum, bamboo, hay, and other like materials deemed by the city to be unacceptable are prohibited. All fencing material and fence construction shall be approved by the city in accordance with the Orland Municipal Code and the California Building Code, prior to construction of the fence.
- B. Any masonry and stucco walls require a building permit if greater than three feet in height.
- C. Fences and walls shall be compatible in style and material with the main structures on a site.
- D. To avoid the monotony of long, solid walls and fences around the perimeter of projects, variation in height, texture and color is recommended with approval by the city.
- E. Signs, lights, and other street furniture incorporated into the design of fences and walls are encouraged.

~~F. Barbed wire fencing may be used for security purposes only. All chain link fencing requires slats.~~

~~G. Screening devices shall be made of opaque (solid) materials such as wood or masonry blocks.~~

~~H. Fences and walls used for noise control shall be made of materials most suited for noise reduction, and which minimize reflective sound.~~

~~I. Security fencing and gates shall be of an open type to allow for maximum visibility of the secured area. Wrought iron and cast iron fences are recommended for security fences and gates for all uses.~~

~~J. Fencing shall be a maximum of six feet in height. Fencing over six feet in height, excepting subsection B above, shall require a building permit. All corner lots, including corners on alleys, shall be a maximum of three feet in height within the front and exterior side yard setback areas.~~

~~K. All fences shall be made of durable and weather resistant materials as approved by the city.~~

See Section 17.76.190 – Fence Standards for fence height and setback regulations.

New Code Language

Title 17 – ZONING

Chapter 17.76.190 – Fence Standards

A. Fence Setback Standards in the R-1, R-2, and R-3 Residential Zones are as follows:

1. Front Yard: twenty (20) feet;

2. Side Yard: five (5) feet.

3. Street Side Yard: Ten (10) feet.

4. There is no fence setback requirement for fences in rear yards.

5. Hedges, walls, and shrubs shall comply with the same setback requirements as fences.

a. See fence height standards under item C below.

6. No fences, hedges, walls, or shrubs, shall prevent home or building access by emergency personnel.

7. No fence shall be located within three (3) feet of a fire hydrant or any facility requiring access by a first responder or a utility company.

B. Fence visibility triangle requirements:

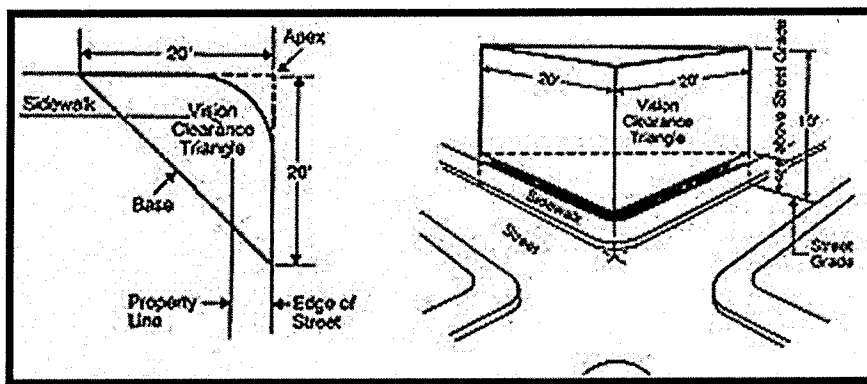
1. Fences located where two streets, alleys, driveways, or any combination of two meet at a corner apex¹ shall include a visibility cutout if located within 10 feet of a street or alley and over three feet in height. The visibility cutout is for protecting pedestrian and traffic safety.

- a. The visibility triangle size shall be based on the street type, as shown in the table below. If two different street types meet at the apex, the size of the visibility triangle shall be based on the street with the larger visibility triangle size requirement. Depending on the required visibility triangle dimensions, the visibility triangle shall extend either twenty (20) feet or thirty-three (33) feet in both directions from the triangle apex of the corner of the property.
- b. The visibility triangle shall be measured from the corner apex, even if the apex extends beyond the property line or the sidewalk.

¹ The apex is the tip of the triangle, forming a point. The apex, as used here, is depicted in the figure below.

VISIBILITY TRIANGLE REQUIREMENTS

<u>Street Type</u>	<u>Visibility Triangle Dimensions</u>
<u>Driveway (if located in rear or street side yard only)</u>	<u>20 feet, measured from the corner apex</u>
<u>Alley</u>	<u>20 feet, measured from the corner apex</u>
<u>Local</u>	<u>20 feet, measured from the corner apex</u>
<u>Collector</u>	<u>20 feet, measured from the corner apex</u>
<u>Arterial</u>	<u>33 feet, measured from the corner apex</u>



- c. Hedges, walls, and shrubs shall comply with the same visibility triangle requirements as fences.

C. Fence height standards in the R-1, R-2, and R-3 residential zones are as Follows:

1. All fences within a front yard, side yard, or street side yard fence setback area shall not exceed three feet in height for the main body of the fence, while intermittent decorative pillars and fence posts may extend up to 42 inches (3.5 feet) in height; as long as the visibility of the roadway is not obstructed. All fences not within such setback areas shall not exceed six feet in height. Such fences are permitted by right.
2. In a location where six-foot fences are permitted by right, a fence between six and seven feet tall may be constructed, pursuant to the following requirements: Street side yard fences up to seven (7) feet tall may be approved by the city through the use of an administrative fence permit, if one foot of lattice (or other 50% view permeable material) is incorporated into the top

one foot of the fence design; and if there are no sight distance area problems as determined by the City Manager or their designee.

3. Hedges, walls, and shrubs shall comply with the same height requirements as fences.

4. Fences, walls, hedges, and a combined fences and walls shall be measured in height from the uphill perspective if located on a grade or slope.

D. Fence material standards in the R-1, R-2, and R-3 residential zones are as Follows:

1. Generally permitted materials:

a. Lattice, non-pallet wood, prefabricated decorative wrought iron fence panels, prefabricated vinyl fence materials, chain link, brick or masonry block.

2. Materials requiring city approval:

a. Rock, composite stone, any fence of non-standard design or materials.

3. Prohibited materials:

a. Ty-vek or like materials, corrugated materials, sheet metal of any type, bamboo, hay, twine, barbed wire, livestock or chicken wire, tarp, electric fencing, fabric, PVC pipes, thin plastic or plastic netting, materials that are potentially hazardous to people or animals (e.g. sharp, electric, etc.), and other like materials deemed by the city to be unacceptable are prohibited.

E. Fence standards for the C-1, C-2, DT-MU, C-H, M-L, and the M-H zones are as follows:

1. All fences and fencing materials require an administrative fence permit approved by the City Manager or their designee prior to installation. Ty-vek or like materials, corrugated materials, tin, aluminum, bamboo, hay, and other like materials deemed by the city to be unacceptable are prohibited. All fencing material and fence construction shall be approved by the city in accordance with the Orland Municipal Code and the California Building Code, prior to construction of the fence.

2. Any masonry and stucco walls require a building permit if greater than three feet in height.

3. Fences and walls shall be compatible in style and material with the main structures on a site.

4. To avoid the monotony of long, solid walls and fences around the perimeter of projects, variation in height, texture and color is recommended with approval by the city.

5. Signs, lights, and other street furniture incorporated into the design of fences and walls are encouraged.

6. Barbed wire fencing may be used for security purposes only, in all zones listed under D above, except the DT-MU Zone. All chain link fencing requires slats. In the DT-MU zone, barbed wire fencing is prohibited, and all chain link fencing requires slats.

7. Screening devices shall be made of opaque (solid) materials such as wood or masonry blocks.

8. Fences and walls used for noise control shall be made of materials most suited for noise reduction, and which minimize reflective sound.

9. Security fencing and gates shall be of an open type to allow for maximum visibility of the secured area. Wrought iron and cast-iron fences are recommended for security fences and gates for all uses.

10. Fencing shall be a maximum of six feet in height. Fencing over six feet in height, excepting subsection 2 above, shall require a building permit. All corner lots, including corners on alleys, shall be a maximum of three feet in height within the front and exterior side yard setback areas.

11. All fences shall be made of durable and weather-resistant materials as approved by the city.

Notice of Exemption

Form D

To: ■ Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) City of Orland
815 Fourth Street
Orland, CA 95963
(Address)

■ County Clerk
County of Glenn
526 West Sycamore Street
Willows, CA 95988

Project Title: Amendment to Municipal Code to amend fence height, setback, and design regulations.

Project Location - Specific:

City of Orland – Citywide.

Project Location – City: Orland **Project Location – County:** Glenn

Description of Nature, Purpose, and Beneficiaries of Project: Amendment to Municipal Code to consolidate fence standards for all zones in one section of the code, add fence-specific setback standards, reduce the street side yard fence setback requirement, add a visibility triangle requirement for corner lots, and add a clause to allow administrative approval of fences over six feet but no taller than eight feet.

Name of Public Agency Approving Project:

City of Orland

Name of Person or Agency Carrying Out Project:

City of Orland

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: §15061(b)(3) Common Sense Exemption
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The City of Orland City Council has determined that this project is exempt from CEQA as it can be seen with certainty that there is no possibility that the proposed revisions to the City of Orland Municipal Code would have a significant effect on the environment. Therefore, the project is exempt pursuant to CEQA Guidelines Section 15061(b)(3).

Lead Agency

Contact Person: Scott Friend, AICP **Area Code/Telephone/Extension:** (530) 865-1608

Signature: _____ **Date:** _____ **Title:** City Planner

■ Signed by Lead Agency

Date received for filing at OPR: _____

**CITY OF ORLAND
CITY COUNCIL ORDINANCE NO. 2021-01**

**AN ORDINANCE OF THE CITY COUNCIL AMENDING TITLE 17- ZONING BY ADDING
SECTION 17.76.190 – FENCE STANDARDS, ADDING FENCE-SPECIFIC SETBACK
STANDARDS, REDUCING THE STREET SIDE YARD FENCE SETBACK REQUIREMENT,
ADDING A CORNER LOT VISIBILITY TRIANGLE REQUIREMENT, ADDING A CLAUSE TO
ALLOW FOR ADMINISTRATIVE APPROVAL OF FENCES SIX TO SEVEN FEET TALL, AND
ADDING REGULATORY LANGUAGE FOR FENCE HEIGHTS WHEN THE FENCE IS
LOCATED ON A SLOPE**

WHEREAS, On September 17th, 2020 and on October 15th, 2020, the Planning Commission made recommendations to staff regarding how to amend the fence height, setback, and design standards in the City of Orland; and

WHEREAS, Consideration of amendments to fence regulations is in response to requests from citizens who wish to have greater fenced side yard space with increased fence height and requests for the ability to have a fence up to over six feet if certain conditions are met; and

WHEREAS, The Planning Commission recommended amendments to the fence height, setback, and design standards be made to clarify fence standards for Orland citizens, increase usability of the street side yard, provide the flexibility to administratively approve taller fences if deemed appropriate, and to promote public safety; and

WHEREAS, On November 19th, the Planning Commission held a public hearing and discussion of the proposed amendment; and

WHEREAS, The Planning Commission and the public considered the proposed revision, and following discussion, recommended language be incorporated into the proposed amendment and voted 5-0 to forward the draft Ordinance to the City Council; and

WHEREAS, On at the regular meeting of the City Council on February 1, 2021, the draft Ordinance was presented for its first reading and Ordinance introduction to the City Council, and, after discussion of the matter, the City Council directed staff to return the matter to the City Council for a duly noticed public hearing; and

WHEREAS, after the conduct of the public hearing the City Council voted ____ - ____ to approve the proposed Orland Municipal Code Amendment to Title 17- *Zoning* as presented (staff report attachment A); and

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Orland does hereby approve the Orland Municipal Code Amendments and associated CEQA Exemption.

The foregoing Ordinance was adopted by the City Council on the 21st day of February 2021 by the vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: APPROVED AS TO FORM

Janet Wackerman, City Clerk

Gregory Einhorn, City Attorney

CITY OF ORLAND
CITY COUNCIL AGENDA ITEM #: 7.A.

MEETING DATE: February 16, 2021

TO: Honorable Mayor and Council
FROM: Pete Carr, City Manager
SUBJECT: Pension Cost Management (Discussion/Direction)

City Staff will provide City Council an overview of information relative to the City's ongoing unfunded accrued liability (UAL) with CalPERS, and will suggest options for future action.

BACKGROUND:

As reported and discussed at the budget review October 5, 2020, the total of Orland's UAL for its retirement plans amounts to a nearly \$7M figure which, as with all public agencies, relatively recently became a required feature on the City's books. Orland's accrued pension liability is 70% funded. It is viewed as a "soft liability," technically not the same as a traditional debt obligation that would bear a fixed principal and definite payoff schedule. It is, however, being amortized at CalPERS' standard discount rate -- currently 7% -- on a 20-year schedule with each of the City's five combined plans otherwise individually assigned a due date of 19-24 years.

The City is in fact gradually paying down the UAL via annual scheduled contributions on this accelerated 20-year amortization, and we make our annual payment in advance each July so as to take advantage of the opportunity to avoid additional annual financing charges. Nevertheless, this amortization schedule is a long-term arrangement at what is today a relatively high interest rate.

Significant steps have been taken to reduce the otherwise ever-growing UAL, including:

- Requiring all employees to pay the "normal cost" full employee pension cost share;
- Transitioning by attrition from Classic employees to PEPRA employees.
(PEPRA = Public Employee Pension Reform Act of 2012)
- Avoiding taking on new pension obligations by utilizing contract labor when appropriate; and
- Making the full annually required employer contributions to PERS.

The City is also paying down the "Employer Side Fund," a separate element of the City's overall debt to PERS, with two parallel direct-placement pension obligation bonds (POB). To Orland, these POB's function as 10-yr bank notes at 4.4% which were used to pay off the Side Fund. The first of these two POB's (a \$1.0M bond) was retired last year, while the second (a \$1.3M bond) will be completely paid off next year. This ends the City's Employer Side Fund debt but not the UAL.

The City's Debt Management Policy (2017) directs the undertaking of periodic review of long term debt, and does not preclude refinancing or restructuring debt.

DISCUSSION:

Council October 5th expressed interest in learning more about options for addressing pension cost including the potential for restructuring the City's UAL. City finance staff is actively studying the potential tools available to reduce the City's annual payment amounts by essentially paying down or refinancing the UAL at a lower interest rate. Key points to consider include:

- With interest rates so low, now is an attractive time to consider a direct-placement POB, but Staff does not suggest a public offering POB which is considered more risky by the GFOA (Government Finance Officers Association) and most independent public finance advisors.
- The uncertainties surrounding Covid and the 2020/21 recession may suggest prudence in a wait-and-see approach.
- Unlike the fixed principal aspect of the Employer Side Fund, the UAL has the effect of being a floating principal amount. It is entirely possible to pay the UAL off with a POB and then immediately see a new UAL form and grow. Alternatively, we could pay off the UAL then find what would have been our UAL shrink, such that we'd paid off more than we needed to. It depends on how PERS' investment returns materialize, whether the discount rate goes up or down, and the constancy of other actuarial factors – none of which is predictable.

The current PERS amortization schedule for the UAL grows in annual required contribution from \$500k/yr to \$759k/yr by 2031, then declines to below this year's annual debt service by 2036 and to zero/payoff by 2046. The cost of this debt service is over \$5M in interest alone. One of the City's financial analysis partners, Capitol PFG, suggests that restructuring the UAL at today's rates could potentially free up \$100k in cash flow annually and \$1.8M in total debt service cost. This savings would reduce pressure of pension cost on operations of City services and thus reduce pressure on the City's general fund reserves, or it could be applied to construction of a public safety facility.

Alternatively or in addition to use of POB, cities can employ other tools to manage pension costs including:

- Directly pay down the principal, or participate in a Section 115 fund which sets aside excess current funds for future use in making annual pension obligation payments;
- Liquidate real assets to leverage cash to meet current or future obligations;
- Approach employee bargaining groups with enhanced cost share proposals; however, State law and case law at this time preclude retrospective adjustment of employee benefits.

City staff will present an overview of pension costs and pension cost management for Council consideration. If the Council desires more detailed analysis, we may be well served by bringing in an independent pension cost specialist to advise.

Attachments:

1. Orland Debt Management Policy 2017
2. Orland Response to 2018 Glenn County Grand Jury re: pension cost management

RECOMMENDATION:

Consider options for management of the City's pension liability, direct staff.