

MINUTES OF THE ORLAND CITY COUNCIL
REGULAR MEETING HELD JANUARY 6, 2020

CALL TO ORDER

Meeting called to order by Mayor Jim Paschall at 5:00 p.m.

City Manager Carr gave an update on the flooring issue at 4th Street Café, including the City's rent deferrals and reimbursements to 4th Street Café totaling nearly \$5,000, and the receipt of key documents on January 3rd and January 6th.

Citizen Comments:

Lee Michaelson, retired attorney, encouraged Council to do the right thing for the business owner (4th Street Café).

Carolyn Pendergrass, business owner and landlord, asked Council to be logical and thoughtful in their decision concerning 4th Street Café.

Brittney Hibdon, business owner, supports the 4th Street Café and wants them to be able to maintain their business and asked Council to consider their moral obligation to cover her expenses while her business is closed due to forces outside of her control.

Connie Alberico, Orland resident, asked if the City's contract with 4th Street Café states any obligation by the City to cover any expenses while repairs are being done.

Scott Madden, business owner, stated the City needs to accept responsibility and cover her costs that incur while 4th Street Café is closed during construction repairs.

Ruby Neumann, Glenn County Asst. District Attorney & Orland resident, stated she not only supports 4th Street Café but owner Julie van Tol also has extended her support to the community and Mill Street School students.

John McDermott, First Assistant Chief OVFD, greatly appreciates 4th Street Café, however, paying someone not to work when we don't pay our fire department volunteers is a question that will be asked and could affect our volunteers.

Michaela Castro, employee of 4th Street Café, requested Council do the right thing for the business owner as she must bear the burden of the situation and hopes her employees return after the repairs are made.

Tina Flournoy, Glenn County Employment Training Supervisor, stated that Julie is always willing to help people out and give second chances.

With no further comments, Mayor closed citizen comment period at 5:30 p.m. Meeting adjourned to Closed Session.

Roll Call:

Councilmembers present: Dennis Hoffman, Billy Irvin, Salina Edwards, Vice Mayor Bruce Roundy and Mayor Jim Paschall
Councilmembers absent: None
Staff present: Assistant City Manager/City Clerk Angie Crook, City Attorney Greg Einhorn and City Manager Pete Carr

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code 54956.9: One potential case

Meeting adjourned at 5:56 p.m.

RECONVENE TO REGULAR SESSION

Meeting reconvened to regular session at 6:00 p.m.

REPORT FROM CLOSED SESSION

City Attorney Einhorn stated he has spoken extensively with Attorney Jerry Barron who is assisting Ms. van Tol on this issue. Mr. Einhorn and Mr. Barron have reached an agreement to the approach which will cover an approximate 3-week period during construction. City Council agreed to the approach that was presented to them. Mr. Einhorn will notify Mr. Barron on the City Council’s agreement to this approach. Ms. van Tol and Council will then be free to discuss with the public.

Ms. van Tol expressed her appreciation and City Attorney’s willingness to help with the agreement.

Roll Call:

Councilmembers present: Dennis Hoffman, Billy Irvin, Salina Edwards, Vice Mayor Bruce Roundy and Mayor Jim Paschall
Councilmembers absent: None
Staff present: City Engineer Ken Skillman, Public Works Director Ed Vonasek, Grants Administrator Janet Wackerman, Chief of Police Joe Vlach, City Attorney Greg Einhorn, Assistant City Manager/City Clerk Angie Crook and City Manager Pete Carr

PLEDGE OF ALLEGIANCE

Meeting opened with the pledge of allegiance.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

None

Presentation on Glenn County Solid Waste Tipping Fees:

Presentation by Scott De Moss, County Administrative Officer, Cole Grube, Public Works Director and Talia Richardson, Staff Service Manager

Ms. Richardson gave an overview on Glenn County tipping fees. Glenn County recently converted their solid waste operations from a landfill to a transfer station. Costs associated with this transition were discussed (operating costs, staffing, scheduling, tipping fees, closing fees and future financial costs). Ms. Richardson noted the transfer station will no longer accept animal carcasses; however, they can be taken to the Neal Road landfill for disposal. Mattresses and carpets can be recycled for free if they are clean, dry and carpets rolled properly. Green waste is no longer accepted at the previous tipping rate; the fee is now \$70 per ton; looking at other options. Transportation expenses now include: \$21.98 per ton for transportation of waste from Glenn County to Anderson landfill and an additional \$30 per ton for disposal at the Anderson landfill; and a monthly trailer rental for transferring and disposal of waste. After significant costs in construction of the Transfer Station, cash flow is now in a net negative situation moving forward. Councilmembers asked and commented about costs of Transfer Station operation. Mr. DeMoss advised staff will be looking into finding savings that would assist with ongoing and future operational costs of the Transfer Station and report back to the Board of Supervisors on their findings.

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for December 16, 2019.
- C. Receive and file Orland Arts Commission minutes for October 16, 2019
- D. Receive and file Orland Planning Commission minutes for October 17, 2019.
- E. Approve Solid Waste contract extension.

Action: Vice Mayor Roundy moved, seconded by Councilmember Edwards to approve the consent calendar as presented. The motion carried by the following voice vote:

AYES: Councilmembers Hoffman, Irvin, Edwards, Vice Mayor Roundy and Mayor Paschall

NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC HEARINGS

A. Conduct a Public Hearing and adopt a Resolution authorizing the submission of the 2019 HOME Investment Partnerships Program application to the California State Department of housing and Community Development for funding in the amount not to exceed \$6,100,000. – Janet Wackerman, Accounting Manager/Grants Administrator

Ms. Wackerman requested Council to adopt a Resolution for the submittal of a HOME grant application to the State of California and authorize the City Manager or his designee, to sign all the documents. The grant application would allow for the construction of a 32-unit senior apartment community at 134 N. Sixth St. The City recognized a need for this project with assistance from Pacific West Companies in submitting the application. Under a Federal Welfare Exemption, no property taxes will be levied on the completed project. A possible Payment in Lieu of Taxes (PILOT) to offset the loss could possibly be considered for \$3,000 to help offset impacts to services. Cameron Johnson, AMG & Associates-Pacific Companies, stated the two-story, 32-unit senior project will provide 80% one-bedroom units and 20% two-bedroom units. Rent will be restricted to seniors that meet 30-60% of the median income. Rental assistance-based vouchers will also be available. The complex will provide a dog park, picnic and exercise areas. The City will also be eligible to cover administration and program delivery costs, upwards to \$100,000. Mr. Johnson noted the development is privately owned and operated. Extension of bus transportation to this location was also noted.

Action: Councilmember Hoffman moved, seconded by Councilmember Edwards to adopt Resolution No. 2020-01 authorizing the submission of the 2019 HOME Investment Partnerships Program application to the California State Department of housing and Community Development for funding in the amount not to exceed \$6,100,000. The motion carried by the following voice vote:

AYES: Councilmembers Hoffman, Irvin, Edwards, Vice Mayor Roundy and Mayor Paschall
NOES: None
ABSENT: None
ABSTAIN: None

B. Conduct a Public Hearing to introduce and consider first reading of Ordinance adopting the 2019 California Building Code and repealing previously adopted editions of the Code and amending Title 15 of the OMC relating to Building & Construction. – Scott Friend, City Planner

Mayor Paschall advised the Public Hearing will be continued until the next regularly scheduled Council meeting.

ADMINISTRATIVE BUSINESS

A. Engineering Department Annual Review – Ken Skillman, City Engineer

Mr. Skillman gave an update on the following ongoing projects:

Road MM Sanitary Sewer project is currently under construction; Tehama Street project will go out to bid again in March, (including bulb outs at two intersections); alley reconstruction (between 3rd and 5th Streets) is designed and will go out to bid (may not have to piggyback with another project); Simplot expansion is ready to be resubmitted, hope to break ground in late Feb or early March; another new well and storage tank will be located on the Railroad property on southside (750,000 gallon tank and a well).

B. Public Works Department Annual Review – Ed Vonasek, Public Works Director

Mr. Vonasek gave a review of activities in the Public Works Department and explained the operation of the new SCADA system in correlation with the City's 6 wells. Highlights and accomplishments this year: Central Street well building was reconstructed, as well as a newly developed Rec trail from Linwood Park to the Recreation Center; new crosswalk signs were installed around town to help slow down traffic; Tree Committee assisted Public Works with various tree issues and goals; installed cameras at both the Corp Yard and Rec Center; constructed new Fleet Shop and prepared for PSPS. Goals for 2020 include: Upgrading Carnegie restrooms; install meters in parks; continue fire hydrant replacement; alley repairs, Big Truck Day; new 6th Street well and storage tank, second phase of Rec Trail Project and Rd. MM Sewer Replacement project.

C. Consider water and sewer rate increases – Pete Carr, City Manager

Mr. Carr brought forward the annual review of water and sewer rates increases. It was initially brought forward in May 2019; however, Council tabled the issue until the completion of a utility impact fees study, which is now complete. Staff recommends a CPI rate adjustment only, using the consumer price index rate for 2018 utilities, which is 3.7%. Councilmembers discussed the need for rate adjustments and the format for small annual adjustments versus periodic larger increases.

Action: Vice Mayor Roundy moved, seconded by Councilmember Hoffman to approve the proposed water and sewer rate increases as presented. The motion carried 3-2 by the following voice vote:

AYES: Councilmembers Hoffman, Vice Mayor Roundy and Mayor Paschall

NOES: Councilmembers Edwards and Irvin

ABSENT: None

ABSTAIN: None

D. Consider letter of support for conversion of PG&E to a customer-owned utility – Pete Carr, City Manager

Mr. Carr requested Council to consider letter of support from a coalition of local government leaders advocating for a customer-owned PG&E instead of an investor-owned utility.

Councilmember Irvin noted he owns shares in PG&E, however, the City Attorney advised it was not significant enough to recuse himself from voting on the item.

Action: Councilmember Hoffman moved, seconded by Vice Mayor Roundy to authorize the Mayor to sign a letter of support transforming PG&E to a customer-owned utility. Motion carried 4-1 by the following voice vote:

AYES: Councilmembers Hoffman, Edwards, Vice Mayor Roundy and Mayor Paschall

NOES: Councilmember Irvin

ABSENT: None

ABSTAIN: None

E. Introduce and consider first reading of Ordinance deleting Chapter 2.40 and amending Chapter 2.36 of the OMC – Greg Einhorn, City Attorney

Mr. Einhorn stated Council directed staff to draft an ordinance for adoption to the Orland Municipal Code to permanently combine the Public Works Commission and Safety Commission, resulting in one board of five commissioners. Mr. Einhorn introduced and brought forward first reading of ordinance.

Action: Councilmember Hoffman moved, seconded by Vice Mayor Roundy to approve introduction and first reading of Ordinance deleting Chapter 2.40 and amending Chapter 2.36 of the OMC. The motion carried by the following voice vote:

AYES: Councilmembers Hoffman, Irvin, Edwards, Vice Mayor Roundy and Mayor Paschall

NOES: None

ABSENT: None

ABSTAIN: None

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Hoffman:

- Attended 100-year commemoration of Carnegie Center;
- Santa Claus raised more funds for the Chamber of Commerce.

Vice Mayor Roundy wished everyone a Happy New Year.

Mayor Paschall, Councilmembers Edwards and Irvin had no reports at this time.

ADJOURN

Meeting adjourned at 8:00 p.m.

_____ Clerk

_____ Mayor