

MINUTES OF THE ORLAND CITY COUNCIL
REGULAR MEETING HELD MAY 18, 2020

CALL TO ORDER

Meeting called to order by Mayor Jim Paschall at 5:47 p.m.

Citizen Comments:

None

Meeting adjourned to closed session at 5:48 p.m.

Roll Call:

Councilmembers present: Dennis Hoffman, Salina Edwards (teleconferenced from various locations), Vice Mayor Bruce Roundy and Mayor Jim Paschall

Councilmembers absent: None

Staff present: City Attorney Greg Einhorn and City Manager Pete Carr (teleconferenced from various locations), Administrative Technician Rebecca Pendergrass and Assistant City Manager/City Clerk Angie Crook

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section: 54956.9(d)(2)

Name of case:

City of Orland's claims on bond numbers CWS70713, CWS70715, CWS70714 and CWS71134 issued by Western Insurance Company name Orland 210 LP and Orland 82 LP as principals on the Orland Park Estate and Linwood Park Phase II projects. All claims submitted by the City of Orland in proof claim # 401412.

Closed session meeting adjourned at 5:57 p.m.

RECONVENE TO REGULAR SESSION

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

REPORT FROM CLOSED SESSION

City Attorney Einhorn advised Council of a settlement claim for \$350,000 on bonds issued for the Orland Park Estate and Linwood Park Phase II projects. Council unanimously voted 4-0 authorizing the Mayor and City Attorney to sign agreement. Mayor Paschall, Vice Mayor

Roundy and Councilmembers Hoffman and Edwards voted yes, Councilmember Irvin was absent.

ROLL CALL

Councilmembers present: Dennis Hoffman, Billy Irvin and Salina Edwards (teleconferenced from various locations), Vice Mayor Bruce Roundy and Mayor Jim Paschall

Councilmembers absent: None

Staff present: Accounting Manager Janet Wackerman, City Planner Scott Friend, City Engineer Ken Skillman, City Manager Pete Carr (teleconferenced from various locations), City Attorney Greg Einhorn, Administrative Technician Rebecca Pendergrass and Assistant City Manager/City Clerk Angie Crook

PLEDGE OF ALLEGIANCE

Meeting opened with the pledge of allegiance.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

None

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for May 4, 2020.
- C. Receive and file Economic Development Commission minutes for March 10, 2020.
- D. Approve request for hourly rate increase for City Engineer services (Rolls Anderson and Rolls).

Councilmember Edwards suggested City Engineer rates be continued at the same rate for the next six months.

Action: Councilmember Edwards moved, seconded by Vice Mayor Roundy to approve Items A - C on the consent calendar. The motion carried unanimously by the following voice vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

Mr. Carr advised the City Engineer rates will need to be negotiated in a closed session meeting. Staff can agendaize for a later date.

PUBLIC HEARING

None

ADMINISTRATIVE BUSINESS

A. Update on reopening the local economy and City operations – Pete Carr, City Manager

Mr. Carr stated the City is currently operating under Glenn County Phase 2b at this time. There is no set date planned on when the County will move to Phase 3. Mr. Carr advised individuals can go out and enjoy recreation; however, no organized sports or recreation programs are allowed at this time. Restaurants can now offer inside limited seating; however, additional preparedness and training for employees required. City Hall is still closed and continues practicing social distancing and sanitizing areas. A recent “community spread” was identified late last week and caused City Hall to pause on reopening anytime soon. Library is offering appointments to utilize services inside the library, as well as curbside service. Community development/building projects have continued. Mr. Carr stated not sure when City pool will be able to reopen, thus Council agreed we should keep options open for the pool. Mr. Carr advised the City has been receiving updates in regards to reopening phases from the County Public Health Department and is consistently communicating those messages to the public via social media.

B. Request from Oh Bees Hive to waive water connection fee – Rebecca Pendergrass, Administrative Technician

Ms. Pendergrass brought forward request from Olivarez Honey Bees (OHB) to waive a water connection fee. The applicant was recently granted an extension of their original permit due to extenuating circumstances with the project. Ms. Pendergrass stated with the remodel, a larger pipe will now be needed for a fire suppression line. The additional 2-inch pipe is estimated at \$8505.01; or they can upgrade the existing 1-inch pipe to a 2-inch pipe at a cost of \$5847.01. Ms. Pendergrass advised Council of their three options: (1) deny the request, (2) offer a payment plan or (3) waive the costs. Councilmember Edwards felt the costs should be waived at this time. Mayor Paschall stated waiving the fees could set a precedent in the future; would prefer a payment plan. Vice Mayor Roundy stated the City could negotiate and defer the fees for a certain period. Councilmember Irvin was open to any option of the majority but was opposed to giving away free services. Terri Barr spoke on behalf of OHB and stated they are not utilizing any more water than normal but providing a bigger pipe in the case there is a fire. Mr. Carr advised the additional cost is for the capacity and connection fees to the City’s water main, not a tax and not directly related to water actually consumed. Tammy Olivarez, OHB,

stated she appreciated the comments from Council and stated the COVID-19 environment has not only impacted their restaurant, but the agricultural side of their business too. Ms. Olivarez requested Council to consider Councilmembers Edward’s comments. Byron Denton, 127 Tanner Way, felt the fees should be deferred but not waived.

Action: Vice Mayor Roundy moved, seconded by Councilmember Irvin to defer and negotiate fees with OHB to connect a 2- inch line and allow City Manager to negotiate fees for a water line. The motion carried 3-2 by the following voice vote:

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

Mayor Paschall appointed Councilmember Irvin and Rebecca Pendergrass to assist City Manager with negotiation.

C. Select Local Early Action Planning (LEAP) projects – Scott Friend, City Planner

Mr. Friend is requesting Council to adopt a Resolution authorizing staff to submit an application for SB2 grant funding for up to \$65,000. Mr. Friend recommended two projects be considered for the grant funds; a General Plan Housing Element Update and the addition of a new “Mixed-Use Commercial/Residential land use designation.

Action: Councilmember Edwards moved, seconded by Vice Mayor Roundy to adopt Resolution No. 2020-10 authorizing application for, and receipt of, Local Government Planning Support Grant Program Funds for up to \$65,000 and pursue both projects as recommended by staff. The motion carried unanimously by the following voice vote:

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

D. Review bid results and award contract for Alley project – Ken Skillman, City Engineer

Mr. Skillman brought forward bid results for “Orland Alleys Rehabilitation” project. Bids were received from five contractors. The project will be paid for with SB1 funds. Based on City Engineer’s review, Mr. Skillman is recommending award of the contract to low bidder Newland Entities, Inc. in the amount of \$162,634. This will cover the City right-of-way portion of the two alleys between Third and Fifth Street and Colusa and Walker Street.

Action: Councilmember Hoffman moved, seconded by Vice Mayor Roundy to award the Orland Rehabilitation Project to Newland Entities, Inc. and authorize the City Manager to sign the contract for this project. The motion carried unanimously by the following voice vote:

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

E. Introduction and first reading of Ordinance No. 2020-XX amending section 2.040.15 of the Orland Municipal Code – Greg Einhorn, City Attorney

Mr. Einhorn introduced the first reading of ordinance amending section 2.040.15 of the OMC according to the provisions of Government Code Section 36516, the City Council and Mayor salary is established at \$300. Council directed staff to amend the code which will take effect after the next election when a new Council is seated.

Action: Vice Mayor Roundy moved, seconded by Councilmember Edwards to approve first reading of the ordinance as presented. The motion carried unanimously by the following voice vote:

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

F. Discuss General Fund Budget for FY 20/21- Pete Carr, City Manager

Mr. Carr brought forward more discussion on the general fund budget, water and sewer fund budget, assumptions, capital equipment expenditures and debt obligations. Mr. Carr advised the most recent assumptions include: Public health restrictions will allow for a half season of City pool use and allow most recreations programs and assume library will resume operations by July 1, with 6-day week operation. Mr. Carr advised the Water Fund has \$1.7M in revenues from user fees and \$1.4M in expenditures and gradually reserves are building. The Sewer Fund has \$1.2M in revenues and \$1.1M in expenditures. Mr. Carr stated he does not anticipate any funding from the CARES/HEROES Act at this time that could backfill City's lost revenue. The budget does not currently reflect any water or sewer rate increases, as City elected not to introduce any increases at this time. Staff will revisit the rate increase issue in October.

Mr. Carr reviewed a summary on Major Fund Balances and projections. Council asked questions and discussed budget items and did not direct staff to change course. Staff will bring forward a Final Budget at the next regularly scheduled Council meeting.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Edwards:

- Will be attending Glenn Co. Transportation Commission meeting.

Councilmember Hoffman:

- Planning Commission meeting to be teleconferenced Thursday evening.

Councilmember Irvin:

- Thanked the County for recent phased re-openings.

Vice Mayor Roundy:

- Arts Commission meeting will be held Wednesday;
- Historical Society meeting will be held outside this week;
- Thanked staff for time and work on the budget.

Mayor Paschall thanked everyone for their time.

ADJOURN

Meeting adjourned at 7:42 p.m.

Angela Crook, City Clerk

James Paschall, Sr., Mayor