

MINUTES OF THE ORLAND CITY COUNCIL
REGULAR MEETING HELD AUGUST 2, 2021

CALL TO ORDER

Meeting called to order by Mayor Roundy at 6:03 p.m.

Meeting opened with the pledge of allegiance.

ROLL CALL

Councilmembers present:	Councilmembers Dennis Hoffman, Billy Irvin, Chris Dobbs, Vice Mayor Jeffrey A. Tolley and Mayor Bruce T. Roundy
Councilmembers absent:	None
Staff present:	City Manager Pete Carr, City Engineer Paul Rabo, City Attorney Greg Einhorn, City Planner Scott Friend, Public Works Director Ed Vonasek, Police Chief Joe Vlach, Fire Chief Justin Chaney, Administrative Technician Jennifer Schmitke, and City Clerk/Administrative Services Manager Janet Wackerman

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments: Barbara Crain, resident, informed Councilmembers of the Orland Raceway Kids Bike Night that will be held at the Glenn County Fairgrounds August 7, 2021. She added there will be bikes to give away and trophies to be handed out to division race winners.

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for July 19, 2021.
- C. Adopt Resolution 2021-16, Approving and Adopting the Annual Appropriations Limit for Fiscal Year 2021-2022.

Vice Mayor Tolley pointed out that the outline letters identifying the items in the minutes were incorrect. City Clerk Wackerman stated she will correct the letters before the minutes are transferred to the official record book.

Upon motion made by Vice Mayor Tolley and seconded by Councilmember Dobbs, the minutes were approved as corrected and the consent calendar was approved. The motion carried 5-0.

ADMINISTRATIVE BUSINESS

A. Introduce first reading by title only and consider passage of Ordinance No. 2021-03 Amending Section 2.04.010 of the Orland Municipal Code Regarding Regular Council Meetings (Discussion/Action) – Greg Einhorn, City Attorney

Mr. Einhorn presented Ordinance 2021-03 for its first reading by title only. No comments were received regarding the Ordinance.

Action: Councilmember Irvin moved, seconded by Councilmember Dobbs to accept the first reading of Ordinance No. 2021-03. The motion carried unanimously by the following roll call vote:
AYES: Councilmembers Irvin, Dobbs, Hoffman, Vice Mayor Tolley and Mayor Roundy
NOES: None
ABSENT: None
ABSTAIN: None

B. Development Considerations Adjacent to Irrigation Canals (Discussion/Direction) – Scott Friend, City Planner

Mr. Friend stated the City of Orland currently operates under and implements a Council-adopted policy requiring that all new development occurring on a site or parcel having an un-covered irrigation lateral canal on or adjacent to it, to place the ditch underground in a buried pipe. He added that the implementation of this policy makes development in the City more difficult, time consuming and more expensive. Mr. Friend recommended the City Council formally reconsider its policy requiring the placement of irrigation lateral canals underground and direct staff to return to the Council at a later date with specific information concerning methods and application.

City Manager Carr stated the policy as set forth was in the interest of public safety however, since it is so cost prohibitive to cover the canals, a majority are still exposed and not safe. Cyclone fencing would provide a barrier and would allow see-thru ability for law enforcement.

City Engineer Rabo stated undergrounding canals comes at a considerable cost. His experience with Lateral 40 is that Orland Unit Water User Association’s system is supposed to be gravity not pressurized.

Mr. Friend stated the policy of California is pro-growth and producing more housing. The State is pushing very hard for jurisdictions to take away any discretionary measures that impede housing. The City has a lot of usable infill land adjacent to canals.

Rick Massa, OUWUA Manager, stated prior to 1990 the City pushed for health and safety as a reason for covering the canals. This has created “hopscotching” and is concerned with the transition from open ditches to closed ditches. The grates that need to be present for the transition have caused water to spill over onto private property. He added that fences provide an area for adjoining residents to dump yard waste or other materials onto OUWUA property.

Dwight Foltz, resident, asked how high the fence would have to be and where would it be placed. He did not want developers to pay for something on someone else’s property.

Byron Denton, resident, noted that the ditch problem has been going on for a long time and something needs to be done.

Jim Paschall, resident, would like to see a cost for the fencing or maintenance and added that there is more to think about instead of just putting up fencing.

Cindy Wright, resident, asked if more growth was needed since Orland does not have a hospital and infrastructure to handle more people. Not covering the canals would serve as a gatekeeper to slow the population growth process down.

Councilmember Irvin asked Mr. Massa what the best way would be to handle the canals for public safety. Mr. Massa stated underground pipeline was the best. Councilmember Irvin asked him why OUWUA didn't find a way to underground their pipeline. Mr. Massa answered that their job is to provide water, not to bring in more people.

Vice Mayor Tolley stated he would like a dialogue, not a monologue and agreed with Mr. Massa that health and safety is very important.

Councilmember Hoffman agreed also that a dialogue is needed, and he cares about safety. He stated undergrounding is beneficial to OUWUA and they should assist developers with the cost of undergrounding. OUWUA will have lower maintenance costs if their laterals are placed underground. He stated costs and how a fence will be maintained need to be brought forward.

Councilmember Dobbs agreed with Councilmember Hoffman and added he would like to review other alternatives that would be best for the City and OUWUA.

Mayor Roundy recalled the history of irrigation and Orland and stated there are different pressures at present than were in the '90's. He asked Mr. Massa if his Board had thought about fencing. Mr. Massa stated they do not want to deviate from undergrounding.

Councilmember Irvin and Vice Mayor Tolley suggested asking the community to vote on a tax measure to pay for costs to underground the open canals. Mr. Einhorn advised since the canals are not City property, there is no legal basis to tax.

Mr. Carr stated Staff will talk with OUWUA to consider more details about fencing and how they should be maintained and bring forward to City Council.

C. Verbal Update on Drought Conditions (Discussion/Direction)– Pete Carr, City Manager

Mr. Carr reported well production for 2020 was around 30% less than 2013, but July 2021 is equal to July 2020. Well levels are lower than last year at this time but are not continuing to drop. As of last Friday, approximately 100,000 gallons of bulk water have been sold to residents with dry wells, which is not a significant issue for the City. Countywide there are 100 wells dry or at risk. The County has expressed an interest in connecting the airport well to the City system.

He stated there may be a need to expand our thinking about more sources of water than just wells. Mayor Roundy added the City will have to pivot to the future about getting other water resources, protecting levels of water and development, and creating a water budget.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Dobbs:

- Noted that long time Orland Volunteer Fire Department member Mark Rubie has moved to Florida.

Vice Mayor Tolley:

- Nothing to report.

Councilmember Hoffman:

- National Night Out will be Tuesday, August 3rd.
- Chamber of Commerce is looking for Board members.

Councilmember Irvin:

- Attended Waste Management meeting.

Mayor Roundy:

- Art Gallery's new show begins August 6th.
- LAFCO will meet August 9th.
- Glenn Groundwater Authority will meet August 9th.

Meeting adjourned at 7:55 p.m.

Janet Wackerman, City Clerk

Bruce T. Roundy, Mayor