

MINUTES OF THE ORLAND CITY COUNCIL
REGULAR MEETING HELD SEPTEMBER 21, 2021

CALL TO ORDER

Meeting called to order by Mayor Roundy at 6:30 p.m.

Meeting opened with the pledge of allegiance.

ROLL CALL

Councilmembers present: Councilmembers Dennis Hoffman, Chris Dobbs, Billy Irvin
(*arrived at 6:47pm*), Vice Mayor Jeffrey A. Tolley and Mayor
Bruce T. Roundy

Councilmembers absent: None

Staff present: City Manager, Peter Carr; City Attorney, Greg Einhorn; City
Clerk/ Administrative Services Manager, Janet Wackerman,
and Police Chief, Joe Vlach

Staff present via Zoom: Public Works Director, Ed Vonasek; Fire Chief Justin Chaney;
City Engineer Paul Rabo and Library Director Jody Meza

ORAL AND WRITTEN COMMUNICATIONS

A. Citizen Comments: None

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for September 7, 2021.
- C. Adopt Resolution 2021-20 Approving CA Dept. of Forestry & Fire Agreement #7GF21097
- D. Receive and file Economic Development Commission minutes of March 9, 2021
- E. Receive and file Arts Commission minutes of June 16, 2021.
- F. Receive and file Library Commission minutes of July 12, 2021.
- G. Adoption of Revised Library Community Room Policy.

Mayor Roundy asked if any Councilmember would like to pull anything from the consent calendar. Vice Mayor Tolley moved, seconded by Councilmember Hoffman to pull items A and B. The motion carried 4-0-1 to pull and discuss items 5A and B.

Vice Mayor Tolley questioned the increase in the City Attorney's retainer as shown in the Warrant List. Mr. Carr stated the City Attorney's increase will be placed on the next regular agenda for City Council discussion.

Vice Mayor Tolley asked that the word "will" be replaced with "with" in the last citizen comments paragraph of the September 7, 2021 minutes. City Clerk Wackerman stated the word will be changed before the minutes are printed into the official record.

Action: Councilmember Dobbs moved, seconded by Vice Mayor Tolley to approve the consent calendar. The motion carried 4-0-1 by the following voice vote:

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

NOES: None

ABSENT: Councilmember Irvin

ABSTAIN: None

PUBLIC HEARING

Urgency Ordinance 2021-04 of the City Council Establishing a Moratorium on the Issuance of Permits for Private Water Wells

Mr. Carr stated Staff is responding to Council direction to consider imposing a well drilling moratorium that will suspend the drilling of new wells for 45 days. Council directed Staff in August to prepare an emergency ordinance. The proposed ordinance includes new residential and ag wells but does not prohibit deepening or replacing existing residential wells. Glenn County declared a moratorium on the issuance of permits for new agricultural wells but specifically excepted the cities of Orland and Willows.

Mayor Roundy opened the Public Hearing at 6:40pm and asked for public comment. No comments were received for or against the urgency ordinance and the Public Hearing was declared closed at 6:42pm.

Vice Mayor Tolley asked how many wells were within the City limits. Mr. Vonasek stated within the last twelve years, one agricultural well has been installed. He added the ordinance would allow a well to be rehabilitated or repaired and if the well was shallow, it could be drilled deeper.

(Councilmember Irvin arrived at 6:47pm)

Councilmember Hoffman stated this ordinance would stop the drilling of new agricultural wells and would protect the City's underground water.

After the motion was made, and before the vote, Councilmember Irvin asked if the moratorium could go longer than 45 days. City Attorney Einhorn stated it could not for the first ordinance, but the time period could be extended after the 45 days elapses.

Action: Councilmember Hoffman moved to approve and accept Urgency Ordinance 2021-04, seconded by Councilmember Dobbs. The motion carried 4-1 by the following voice vote:
AYES: Councilmembers Hoffman, Dobbs and Irvin, Mayor Roundy
NOES: Vice Mayor Tolley
ABSENT: None
ABSTAIN: None

(Library Director Meza signed off at 6:58pm)

ADMINISTRATIVE BUSINESS

A. Use of American Rescue Plan Act (ARPA) Funds (Discussion/Direction) – Pete Carr, City Manager

Mr. Carr reminded Council that Orland's allocation is considered backfill for lost revenue, aka, "fiscal stabilization." He presented a draft proposal for the use of 2021 ARPA funds and pointed out that items 1-4 are items that must be accomplished. He noted that the Chamber of Commerce contribution had been added since last reviewed. Additionally, the Economic Development Commission at their recent meeting, had recommended items 5-8 be prioritized. The Commission also recommended Façade Improvement funding include sidewalks. Councilmember Irvin asked if funding could be used for residential sidewalks. Mr. Carr stated this activity is included when funds from the Federal Transportation Infrastructure Funds are received. Mr. Carr advised of prohibited expenditures such as pension cost offsets.

Councilmember Irvin asked if Measure A should be back funded. He added all ARPA funds should be placed in General Fund and any funds needed for public safety coming from that fund. Mayor Roundy suggested to leave the distribution as presented on the proposal.

Councilmember Irvin questioned what the Chamber of Commerce provides to their membership. Councilmember Hoffman listed accomplishments of the Orland Chamber. Mayor Roundy stated he had taken an informal poll with other cities and found there are a lot of different amounts cities are funding their Chambers.

Vice Mayor Tolley asked if the funds could be used for a skate park. Mr. Carr stated they could be. Vice Mayor Tolley stated he is looking into the Tony Hawk Foundation for funding and understands the Recreation Commission was for pickleball courts.

Councilmember Hoffman moved to approve items 1-13 of the submitted plan for 2021. The motion died from lack of a second.

Councilmember Irvin moved to approve the submitted plan but move the revenue listed for Measure A to General Fund and remove the Chamber of Commerce and Arts Commission items until they discuss their requests with the City Council. The motion died from lack of a second.

Mathew Romano, a member of the Economic Development Commission, stated he would like to see 1-13 approved. He did not think the Arts Commission and Chamber of Commerce requests were a lot.

Vice Mayor Tolley stated he agreed with Mr. Romano and asked if a decision had to be made this evening. Mr. Carr stated item 2B (library roof) may benefit from State Library funding and may need match funds.

Vice Mayor Tolley recommended looking at the projects more closely before agreeing with the list. Mr. Carr suggested approving items 1-4 because there is an urgency to them.

Councilmember Irvin moved to place all funds in the General Fund and accept items 1-5. The motion died from lack of a second.

Vice Mayor Tolley stated he agrees with Councilmember Irvin regarding the revenues to go into Public Safety but is okay with the projects. Mayor Roundy stated it is important to backfill to make sure there are sufficient funds in Measure A for public safety.

Councilmember Irvin asked if the amounts shown were estimates and Mr. Carr stated they were.

Councilmember Dobbs stated that regardless if it goes to Measure A or General Fund, it will still be used for something beneficial.

Action: Councilmember Hoffman moved, seconded by Councilmember Dobbs, to approve items 1-13 of the submitted plan for 2021. The motion carried, 3-2 by the following roll call vote:
AYES: Councilmembers Hoffman and Dobbs, Mayor Roundy
NOES: Councilmember Irvin and Vice Mayor Tolley
ABSENT: None
ABSTAIN: None

Vice Mayor Tolley stated he is not against the projects but thinks the Council should slow down before making a decision on this matter.

(Fire Chief Chaney signed off at 7:46pm)

B. Enhancements for Façade Improvements (Discussion/Action) – Pete Carr, City Manager

Mr. Carr stated the Economic Development Commission recommends the individual project allowance be increased from \$1,500 to \$3,000 and that street frontage improvements be included as an allowable expense for façade improvements.

Action: Councilmember Hoffman moved, seconded by Vice Mayor Tolley to authorize the City Manager to modify the Façade Improvement Program as recommended. Motion carried 5-0 by the following voice vote:
AYES: Councilmembers Hoffman, Vice Mayor Tolley, Councilmembers Irvin and Dobbs, Mayor Roundy
NOES: None
ABSENT: None
ABSTAIN: None

(Public Works Director Vonasek signed off at 7:50pm)

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

Mr. Carr reported that at present there are 206 distressed and 146 dry wells. Public Works crew is still servicing the bulk water sales to get tanks filled behind the Fire Department. There will be more bottled water distributions September 22 and October 6, 2021.

Mr. Carr announced that the County is pursuing a \$1.8M grant from the Department of Water Resources (DWR) to pay for bulk water delivery. The County and City staff are working with DWR to define the area that will be served in the County by the City system. In the meantime, Staff is proceeding with the emergency plan, which is to add an additional well, to increase City water capacity, add water storage, and allow for an extension of the City's water mains to the East. From that new main expansion, the City will be able to extend North, East, West and South and will allow for the opportunity to serve many families in that area whose wells have gone dry.

Mr. Carr reported that the City municipal wells' water levels are still holding. The Glenn Groundwater Authority, Sustainable Groundwater Draft plan has been released for public review. Lisa Hunter, Glenn County Groundwater Resource Coordinator will be on the City Council's October 5th agenda. Mayor Roundy recommended reading Chapter 5 of the Plan.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Dobbs

- Attended the Library Commission meeting and the Fire Department business meeting
- Vice Mayor Tolley:
- Attended the Economic Development Commission meeting;
 - Reported the stop sign at Second and Colusa had been installed. He stated a constituent had asked about this sign;

Councilmember Hoffman:

- Attended the Chamber Board meeting where two new directors were appointed to the Board. A staff member from 3Core was the noon business meeting speaker;

Councilmember Irvin:

- Presided over the Code Enforcement Hearing;

Mayor Roundy:

- Attended the Economic Development Commission meeting.

Mayor Roundy asked City Attorney Einhorn how the new housing legislation signed by the Governor would affect Orland. Mr. Einhorn stated the City Planner would be a better person to answer that question.

Councilmember Irvin asked if the City could install more decorations downtown for the Christmas season. Mr. Carr recommended this could be a Chamber or EDC project. Councilmember Irvin offered to donate \$1,000 to decorate Orland during the Christmas season.

ADJOURN TO CLOSED SESSION AT 8:17 P.M.

CITIZEN COMMENTS ON CLOSED SESSION ITEMS – None

CLOSED SESSION – Pursuant to Government Code Section 54956.8: Conference with Real Property Negotiators, the City Council will hold a Closed Session. More specific information regarding this meeting is indicated below.

PROPERTY: APN 046-290-004
AGENCY NEGOTIATOR: Peter Carr, City Manager
NEGOTIATING PARTIES: Nancy A. Villalobos Trust
UNDER NEGOTIATIONS: Price And Terms Of Payment

RECONVENE TO REGULAR SESSION – 8:24 P.M.

REPORT FROM CLOSED SESSION - Direction was given to staff.

Meeting Adjourned 8:25 P.M.

Janet Wackerman, City Clerk

Bruce T. Roundy, Mayor