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

**CALL TO ORDER**

Meeting called to order by Mayor Hoffman at 6:33 p.m.

Meeting opened with the pledge of allegiance.

**ROLL CALL**

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

Councilmembers absent: Councilmember Chris Dobbs

Staff present City Manager, Peter Carr; City Clerk, Janet Wackerman, Deputy City Clerk, Jennifer Schmitke; Accounting Manager, Rebecca Pendergrass; Scott Friend, City Planner; City Attorney, Greg Einhorn; Police Chief Joe Vlach

**ORAL AND WRITTEN COMMUNICATIONS**

**A. Citizen Comments: None**

**REAPPOINTMENTS/APPOINTMENTS TO COMMISSIONS**

Mayor Hoffman presented the following community members for confirmation by City Council:

Economic Development Commission – three (3) vacancies with new terms expiring December 31,

2023.

*Applicants: Ronald Lane & Russell Pierce (consider reappointment)*

Action: Councilmember Roundy moved, seconded by Vice Mayor Tolley to approve reappointment of the above listed with terms expiring December 31, 2023 for the Economic Development. Upon voice vote, the motion carried 3-0.

Library Commission – three (3) vacancies with new terms expiring December 31, 2023.

*Applicants: Ann Butler & Mary Ann Deeming (consider reappointment), Richard Jolley*

Action: Vice Mayor Tolley moved, seconded by Councilmember Roundy to approve reappointment and appointment of the above listed with terms expiring December 31, 2023 for the Library Commission. Upon voice vote, the motion carried 3-0.

Public Works & Safety Commission – two (2) vacancies with new terms expiring December 31, 2023.

*Applicants: Monica Rossman (consider reappointment), John McDermott*

Action: Councilmember Roundy moved, seconded by Vice Mayor Tolley to approve the reappointment and appointment of the above listed with terms expiring December 31, 2023 for the Public Works & Safety Commission. Upon voice vote, the motion carried 3-0.

Parks & Recreation Commission – two (2) vacancies with new terms expiring December 31, 2023.

*Applicants: Jason Ovitz & Karen Baldridge (consider reappointment)*

Action: Councilmember Roundy moved, seconded by Vice Mayor Tolley to approve reappointment and appointment of the above listed with terms expiring December 31, 2023 for the Parks & Recreation Commission. Upon voice vote, the motion carried 3-0.

**CONSENT CALENDAR**

1. Approve Warrant List (payable obligations).
2. Approve City Council minutes for December 7, 2021.
3. Receive and file Planning Commission minutes of August 19, 2021.
4. Receive and file Public Works & Safety Commission minutes of August 10, 2021.
5. Habitat for Humanity Request for Revised Resolution

Councilmember Roundy moved to approve the consent calendar and Vice Mayor Tolley seconded the motion. Upon voice vote, the motion carried 3-0.

City Manager Carr presented a proclamation on behalf of the City Council to retiring Assistant City

Manager/City Clerk Janet Wackerman for her years of service with the City of Orland. Councilmembers and

staff thanked Ms. Wackerman for her services.

Councilmember Irvin arrived at 6:47 pm.

**PRESENTATION – PLANNING & BUILDING DEPARTMENT, SCOTT FRIEND, CITY PLANNER**

Mr. Friend presented an overview of Planning, Building and Code Enforcement Departments for 2021. He gave a review of special projects from 2021 including the Local Early Action Planning Grant (LEAP), SB2 grants where the City received $240,000 to do a series of 8 special studies; the LAFCO directive westside annexation study, general plan updates for safety, transportation and housing elements, Drought Relief project, Butte College building project and Habitat for Humanity.

Mr. Friend stated that in 2021, 87 pieces of legislation dealing with housing were developed. The planning department will be focusing on these new laws in the next year.

Future projects for 2022 include, Linwood Phase II and Orland Park Phase I start construction, one or both apartment complexes start construction (Liberty Bell and Woodward Family Apartments), Penbrook subdivision has progression in planning and a remodel of Shasta apartments begins. Mr. Friend stated that hopefully Maverick Fueling center will be complete in 2022.

He stated the Building Department consists of one part-time contractor, John Fleming, and a building technician (2021 Letty Espinosa, 2022 Deysy Simpson). As of July 2021, the Building department began using 4Leaf for new residential projects to check over commercial plans the City receives.

A total of 32 commercial and 252 residential permits were issued. Total permit valuation was $8,946,266 and a total of $138,338.23 was collected in fees for the department. Seven new single-family dwellings were completed and a $2.7 million dollar upgrade to Shasta Garden apartments is underway. There were 80 solar project permits issued which is a record for the City.

There were a total of 163 code enforcement cases for 2021. Most of the cases were for overgrown yards, debris and trash.

**PUBLIC HEARINGS**

**A. Annexation #2021-01 and pre-zone #2021-01 (Kraemer) Proposed annexation of single lot having 1.28 acres of land into the City of Orland to facilitate connection to the City water system. The property is located at 4309 County Road KK, Orland CA 95963 (APN 040-380-015) – Scott Friend, City Planner**

Mr. Friend presented to Council a request to be annexed into the City by Mr. Kraemer who is interested in connect to the City ‘s water system. He added that the house is within LAFCO’s sphere of influence, within the City’s general planning area, designated residential low density and the lot is fully developed. The Planning Commission held a public hearing on November 18, 2021, about annexing the property and recommended the Council apply R1 zoning to the property and to adopt a Resolution of Intention to file an application to LAFCO to annex the property.

Mayor Hoffman asked where the City’s water line stopped on East Street. Mr. Friend explained that the City recently extended the water line to just at the City limits which is directly North of Mr. Kraemer’s property line.

Mr. Hoffman opened the Public Hearing at 7:19 pm and asked for public comment. No comments were received for or against the annexation and the Public Hearing was declared closed at 7:20 pm.

Councilmember Irvin asked what the cost to annex into the City is currently. Mr. Friend stated that LAFCO fees were around $2300.00 and City application fee is around $1489.00. Mr. Irvin then asked if Mr. Kraemer was signed up with the DWR project or would he be hooking up to City water before the project is finalized. Mr. Friend stated he wasn’t sure if Mr. Kraemer was signed up to participate in the DWR project but thought he would qualify. Mr. Carr stated that any water connections after September 2, 2021 qualifies to be reimbursed for connecting to City water. Mr. Friend stated Mr. Kraemer is currently wanting to annex his property first and will connect to City water at a later date, his well is still currently working.

Mayor Hoffman asked if Mr. Kraemer would pay a City or County rate for connecting to water. Mr. Friend stated that once annexed into the City, Mr. Kraemer will pay the City rate.

Vice Mayor Tolley moved, seconded by Councilmember Roundy to adopt City ordinance #2021-05, An ordinance of the City Council of the City of Orland Approving the pre-zoning of an existing developed parcel of land identified as 4309 County Road KK. Upon voice vote, the motion carried 4-0.

Councilmember Roundy moved, seconded by Vice Mayor Tolley to adopt Resolution #2021-27, A resolution of the City Council of the City of Orland approving a resolution of intention to annex property for 1.28 acres described as 4309 County Road KK. Upon voice vote, the motion carried 4-0.

**B. General Plan Amendment 2021-01 to amend the General Plan Safety Element and Circulation Element to comply with recent State Legislation – Scott Friend, City Planner**

Mr. Friend stated the Planning Commission held a Public Hearing on November 18, 2021 regarding the proposed General Plan Amendment; where the Commission voted unanimously, 5-0, in favor of the approval.

Mr. Friend discussed Assembly Bill 1358, Senate Bill 743, Assembly Bill 2140, Senate Bill 1241, Assembly Bill 747, Senate Bill 99, Senate Bill 379, Senate Bill 1000 briefly.

Mr. Friend stated the proposed action would amend the Circulation and Safety Elements of the City’s General Plan to bring the elements into compliance with recently adopted State laws by adding information concerning the traffic measurement metric of Vehicle Miles Traveled (VMT), adding text and graphics addressing Fire and Flood Hazard and avoidance, adding text regarding social equity and environmental justice as required by law.

Vice Mayor Tolley wanted to confirm that the amendments had to do with land use only and not taxing residents on how much mileage citizens drive each year. Mr. Friend answered yes.

Mr. Hoffman opened the Public Hearing at 7:38 pm and asked for public comment. No comments were received, and the Public Hearing was declared closed at 7:39 pm.

Action: Councilmember Roundy moved, seconded by Councilmember Irvin to approve to adopt Resolution 2021-28, A Resolution of the City Council of the City of Orland approving General Plan Amendment #2021-01 amending both the Circulation and Safety Elements of the Adopted General Plan to address State required Legislative changes. The motion carried 4-0 by the following roll call vote:

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

NOES: None

ABSENT: Councilmember Dobbs

ABSTAIN: None

**C. General Plan Amendment 2021-02 (2021-2029 Housing Element Update)**

Scott Friend stated that this topic will be continued to the February 1, 2022 meeting.

**ADMINISTRATIVE BUSINESS**

**Verbal Update on Drought Conditions**

City Manager Carr reported as of December 21, 2021, a total of 299 wells have been registered as distressed. Of those wells 191 are dry County wide, 130 within the Orland area. There has been a significant increase in dry well reporting as well as a significant increase in expressed interest in connecting to City water, at the last meeting there were 150 people interested, since that meeting the numbers have doubled and there is now over 300 people interested in the project. Mr. Carr stated the next hurdle to get over is the December 31 deadline, and once the date has passed the city will know who needs to connect to City water. Then the City Engineer will work with DWR to figure out the mapping area and figure out how the most people can be reached. The estimate is around one million dollars per mile to lay the main line.

Mr. Carr stated that the City has received an approval from the Governor’s office to waive all the California Environmental Quality Act (CEQA) requirements for the DWR project. Mr. Carr also stated that LAFCO has approved the extension of municipal services without annexations. The City staff will prepare documents and contracts, the Clerk will sign and then the City will send the contracts in batches to LAFCO for approval.

City Manager Carr stated that North Valley Community Foundation (NVCF) has delivered most of the tanks and pump installations are underway currently. The first bulk water hauler has been approved and they have started delivering water.

The City’s bulk distribution is still one day a week assisting about five people on average. Mr. Carr also reported that the City’s municipal wells’ production for December are stable, the City is not in a crisis, but the wells will continue to be monitored weekly. Mr. Carr stated the Ground Water Sustainability Agency adopted the drafted Groundwater Sustainability Plan, and that adopted plan will now go onto the state for their review.

**CITY COUNCIL COMMUNICATIONS AND REPORTS**

Councilmember Roundy:

* Would like a future agenda topic to be for the City to consider awarding recognition pins to employees that have achieved milestones with the City such as a 10-year, 20-year or retirement pin;
* Attended the December Transportation and Transit Meeting.

Councilmember Irvin:

* Nothing to report.

Vice Mayor Tolley:

* Attended the December Chamber meeting

Mayor Hoffman:

* Nothing to report.

**ADJOURN TO CLOSED SESSION AT 7:55 P.M.**

**CITIZEN COMMENTS ON CLOSED SESSION ITEMS** – None

**CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9; one potential case.
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (3) of subdivision (d) of Government Code Section 54956.9; one potential case.
3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Pursuant to Government Code section 54965.8:

PROPERTY: Central Street from Railroad Avenue to the Union Pacific railroad.

AGENCY NEGOTIATOR: Pete Carr, City Manager

NEGOTIATING PARTY: Leon Ponci

UNDER NEGOTIATION: Vacation of a section of Central Street, price and/or terms of payment.

**RECONVENE TO REGULAR SESSION** – 8:52 P.M.

**REPORT FROM CLOSED SESSION** – Direction was given to staff.

**MEETING ADJOURNED AT 8:52 P.M.**

Jennifer Schmitke, Deputy City Clerk Dennis Hoffman, Mayor