

## CITY COUNCIL

Dennis Hoffman, Mayor  
Jeffrey A. Tolley, Vice-Mayor  
Bruce T. Roundy  
William "Billy" Irvin  
Chris Dobbs

## CITY OFFICIALS

Jennifer Schmitke  
City Clerk

Leticia Espinosa  
City Treasurer

# CITY OF ORLAND

INCORPORATED 1909

815 Fourth Street  
ORLAND, CALIFORNIA 95963  
Telephone (530) 865-1600  
Fax (530) 865-1632



## CITY MANAGER

Peter R. Carr

## AGENDA

### REGULAR MEETING, ORLAND CITY COUNCIL

Tuesday, March 1, 2022

This meeting will be conducted pursuant to the provisions AB361 which suspends certain requirements of the Ralph M. Brown Act.

This City Council meeting will be held at Carnegie Center, 912 Third Street, Orland and teleconferenced using Zoom technology. Councilmembers and City staff may choose to be in person or remote.

The public is encouraged to participate in the meeting via Zoom or can participate at Carnegie Center.

ZOOM Link ID# 845 0719 7402

ZOOM Telephone - Please call: 1 (669) 900-9128

1. CALL TO ORDER – 6:30 P.M.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ORAL AND WRITTEN COMMUNICATIONS

A. Public Comments:

Members of the public wishing to address the Council on any item(s) not on the agenda may do so at this time when recognized by the Mayor. However, no formal action or discussion will be taken unless placed on a future agenda. Public is advised to limit discussion to one presentation per individual. While not required, please state your name and address for the record. Please direct your comments to the Mayor or Vice Mayor. **(Oral communications will be limited to three minutes).**

5. **CONSENT CALENDAR**

- A. Warrant List (payable obligations).
- B. Approve City Council minutes for February 15, 2022.
- C. AB361 Compliance

**6. ADMINISTRATIVE BUSINESS**

- A. Red Cross Proclamation
- B. Housing Element (Discussion/Action) – Scott Friend, City Planner
- C. Development Reimbursement Agreement (Maverik) (Discussion/Action) – Pete Carr, City Manager
- D. Verbal Update on Drought Conditions and Water Connection Project (Discussion) – Pete Carr, City Manager

**7. CITY COUNCIL COMMUNICATIONS AND REPORTS**

**8. CLOSED SESSION**

- A. Public Comments: The Public will have an opportunity to directly address the legislative body on the item below prior to the Council convening into closed session. Public comments are generally restricted to three minutes.
- B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION  
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: one potential case

**9. RECONVENE TO REGULAR SESSION**

**10. REPORT FROM CLOSED SESSION**

**11. ADJOURN**

**CERTIFICATION:** Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on February 25, 2022.

A complete agenda packet is available for public inspection during normal business hours at City Hall, 815 Fourth Street, in Orland or on the City's website at [www.cityoforland.com](http://www.cityoforland.com) where meeting minutes and audio recordings are also available.

In compliance with the Americans with Disabilities Act, the City of Orland will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's Office 865-1610 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

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**CITY MANAGER**

Peter R. Carr

## WARRANT LIST

March 1, 2022

Warrant	2/24/22	\$	182,043.52
Warrant	1/28/22	\$	1,500.00
Payroll Compensation	2/10/22	\$	108,808.10
PERS	2/17/22	\$	21,956.97
		\$	<u>314,308.59</u>

### APPROVED BY

\_\_\_\_\_  
 Dennis Hoffman, Mayor

\_\_\_\_\_  
 Jeffrey A. Tolley, Vice-Mayor

\_\_\_\_\_  
 Bruce T. Roundy, Councilmember

\_\_\_\_\_  
 William "Billy" Irvin, Councilmember

\_\_\_\_\_  
 Chris Dobbs, Councilmember

000001

REPORT.: Feb 24 22 Thursday  
 RUN....: Feb 24 22 Time: 15:23  
 Run By.: Leticia Espinosa

CITY OF ORLAND  
 Cash Disbursement Detail Report  
 Check Listing for 02-22 thru 02-22 Bank Account.: 1001

PAGE: 001  
 ID #: PY-DP  
 CTL.: ORL

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
054958	02/23/22	PIN02	EDGAR PINEDO	-250.00	02032022u	Ck# 054958 Reversed
054973	02/24/22	4LE00	4 LEAF INC.	7744.93	J0741-21C	BD/PLAN REVIEW
054974	02/24/22	AMA02	SYNCB/AMAZON	627.82	02182022	LIB/ZIP BOOKS
054975	02/24/22	AME00	AMERICAN FAMILY LIFE	1135.21	086163	SUPPLEMENTAL INSURANCE
054976	02/24/22	AND06	EDGAR ANDRADE	100.00	MARCH2022	Measure A UNIFORMS
054977	02/24/22	ATT06	A T & T	22.17 22.13 845.20 22.13	02102022 02122022 17767562 FEB122022	PW/HEARTLAND LIFT STATION PW/AIRPORT LIFTSTATION MULTI-DEPTS/PHONE PW/WHITEHAWK LIFT STATION
Check Total.....:				911.63		
054978	02/24/22	ATT07	A T & T	33.83 138.09	02072022 JAN252022	PW/SHOP AC/PHONE LINE
Check Total.....:				171.92		
054979	02/24/22	ATT09	AT&T MOBILITY	845.32	JAN-FEB22	PD/PURCHASED CELL SVCS (14)
054980	02/24/22	ATT10	AT&T MOBILITY (FIRST NET)	144.11	02222022	PW/CELL PHONE USAGE FEBRUARY
054981	02/24/22	BAL00	Knife River Construction	662.48	266770	STREET/ASPHALT
054982	02/24/22	BAM00	BAMBAUER TOWING SERVICE	131.00	49999	REC/TOWING SERVICE
054983	02/24/22	BOO00	BOOT BARN INC.	150.00	00152754	PW/BOOTS
054984	02/24/22	BRA05	BRANDEN'S PLUMBING & ROOT	195.00	004686	POOL/REPAIRS
054985	02/24/22	CAR02	CARDMEMBER SERVICE	619.99	JAN 2022	LIB/POSTAGE,OFFICE SUPPLIES,CHILDREN SERV.SUPPLIES
054986	02/24/22	CES00	Kyle Cessna	100.00	MARCH2022	Measure A UNIFORMS
054987	02/24/22	COR04	CORBIN WILLITS SYSTEMS	508.34	00C202151	MULTI-DEPTS/MONTHLY SOFTWARE SUPPORT
054988	02/24/22	DKW00	D K Web Design	83.00 600.00	3200 3217	ADDITIONAL HOSTING WEBSITE SEARCH ADD-ON
Check Total.....:				683.00		
054989	02/24/22	DOB01	CHRIS DOBBS	300.00	FEB 2022	CITY COUNCIL STIPEND
054990	02/24/22	ECO01	ECORP CONSULTING, INC	11250.00	95484,485	PROFESSIONAL SERVICES,MAVERIK,ORLAND PK,LINWOOD II
054991	02/24/22	EIS00	Employers Investigative S	703.67 706.07 391.75	5050451 5050452 5050453	PD/BACKGROUND CANDIDATE/EVIDENCE TECH PD/BACKGROUND CANDIDATE/EVIDENCE TECH PD/BACKGROUND DISPATCHER/EVIDENCE TECH
Check Total.....:				1801.49		
054992	02/24/22	ELLO6	STEVE ELLIOTT	80.27	01312022	AC/GALLERY ADVERTISING
054993	02/24/22	FLE04	FLEMING, JOHN	1712.50	FEB 9-22	BD/INSPECTION SERVICES
054994	02/24/22	FUL00	KRISTOPHER FULLMORE	100.00	MARCH2022	Measure A UNIFORMS
054995	02/24/22	GLE02	GLENN COUNTY SHERIFF	20.00	021622-SB	PD/LIVE SCAN ROLLING FEE
054996	02/24/22	GOL01	GOLDEN STATE RISK	93118.82	FEB-MAR22	HEALTH,VISION & DENTAL INSURANCE
054997	02/24/22	GRA02	GRAINGER, INC.	331.93	587,239,5	PW/FLEET & SHOP SUPPLIES
054998	02/24/22	GRO00	Ferguson Enterprises Inc	228.44	1695735	PW/WATER MATERIALS
054999	02/24/22	HOF00	DENNIS G. HOFFMAN	300.00	FEB 2022	CITY COUNCIL STIPEND
055000	02/24/22	HOM00	HOME DEPOT CREDIT SERVICE	662.06	5508,6091	FD/BUILDING MAINTENANCE
055001	02/24/22	IRV00	BILLY IRVIN	300.00	FEB 2022	CITY COUNCIL STIPEND
055002	02/24/22	JOH02	SEAN JOHNSON	100.00	MARCH2022	Measure A UNIFORMS
055003	02/24/22	KEL01	KELLER SUPPLY COMPANY	430.43	57582.001	PW/MULTI-CHLOR(WELLS)
055004	02/24/22	KEL02	KELLY SUPPLY COMPANY	122.62	6073539-0	PW/FLEET
055005	02/24/22	LOW00	Katherine Lowery	100.00	MARCH2022	Measure A UNIFORMS
055006	02/24/22	MAR17	MARTINDALE, RYAN	100.00	MARCH2022	Measure A UNIFORMS

000002



REPORT.: Feb 24 22 Thursday  
 RUN...: Feb 24 22 Time: 15:23  
 Run By.: Leticia Espinosa

CITY OF ORLAND  
 Cash Disbursement Detail Report  
 Check Listing for 02-22 thru 02-22 Bank Account.: 1001

PAGE: 002  
 ID #: PY-DP  
 CTL.: ORL

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
055007	02/24/22	MAT04	MATSON & ISOM	477.50 3924.00	81830 82106	PD/4-MDT PROJECT MONTHLY BILLING JANUARY 2022
Check Total.....:				4401.50		
055008	02/24/22	MCM00	McMaster-Carr	329.30	72753627	PW/SHOP SUPPLIES
055009	02/24/22	MIL07	MILLS, DARYL	100.00	MARCH2022	Measure A UNIFORMS
055010	02/24/22	MME00	Municipal Maintenance Equ	222.33	0167454-I	SEWER/VACCON PARTS
055011	02/24/22	NOR29	NORTH VALLEY INDUSTRIES I	288.77	2ND2862	REC/PORTABLE TOILET SERVICES
055012	02/24/22	NOR35	Northern Tool & Equipment	96.84	49727869	PW/BULK FUEL
055013	02/24/22	ORL12	Orland-Laurel Masonic Hal	400.00	FEB 2022	AC/RENT
055014	02/24/22	PAC07	PACE ANALYTICAL SERVICES,	383.70	02222022	PW/LAB SERVICES
055015	02/24/22	PEN02	Rebecca Pendergrass	39.89	01292022	REIMBURSEMENT FOR W9'S
055016	02/24/22	PGE00	PG&E	10.51	02072022	REC/STANDBY POWER
055017	02/24/22	PIN01	EDGAR PINEDO	100.00	MARCH2022	Measure A UNIFORMS
055018	02/24/22	PIN02	EDGAR PINEDO	155.90	RE2/03/22	MILEAGE REIMBURSEMENT
055019	02/24/22	POL03	Poly Riser & Pipe	398.54	15349	PW/PIPE FOR ROAD M 1/2
055020	02/24/22	QUI02	QUILL CORP.	67.18	22664647	PD/MISC OFFICE SUPPLIES
055021	02/24/22	R&B00	R&B A CORE & MAIN COMPANY	590.20	2900,2862	PW/WATER PARTS
055022	02/24/22	RED00	REDDING-EUREKA FREIGHTLIN	24.85	101063642	PW/FLEET SUPPLIES
055023	02/24/22	ROE02	Thomas Roenspie	100.00	MARCH2022	Measure A UNIFORMS
055024	02/24/22	ROL00	ROLLS, ANDERSON & ROLLS	26538.25 8066.50	15192 15220	CONTRACT SERVICES CONTRACT SERVICES
Check Total.....:				34604.75		
055025	02/24/22	ROU00	BRUCE T. ROUNDY	300.00	FEB 2022	CITY COUNCIL STIPEND
055026	02/24/22	ROU01	Bruce Roundy	37.52	FEB 2022	COUNCIL/MILEAGE REIMBURSEMENT
055027	02/24/22	SAC01	SACRAMENTO VALLEY MIRROR	836.40	635	LEGAL ADVERTISING
055028	02/24/22	SEI00	ROY R SEILER, C.P.A	6844.40	30475	ACCOUNTING PROFESSIONAL SERVICES
055029	02/24/22	SIM01	SIMPLOT	1309.18	5910,5918	PARKS/CHEMICALS
055030	02/24/22	SPE01	Spec-West Concrete System	71.81	15248965	PW/WATER
055031	02/24/22	TIA00	TIAA COMMERCIAL FINANCE,	298.49	FEB 2022	MULTI/COPIER LEASE
055032	02/24/22	TOL04	JEFFREY TOLLEY	300.00	FEB 2022	CITY COUNCIL STIPEND
055033	02/24/22	UPG00	UPGRADED LIVING MAGAZINE	695.00	9517	AC/MAGAZINE ADVERTISEMENT
055034	02/24/22	VAL02	VALLEY ROCK PRODUCTS	118.35	0070803	PW/FILL DIRT
055035	02/24/22	VAN00	VANTAGE POINT TRANSFER AG	1539.73 1539.73	12722 21022	DEFERRED COMPENSATION PAY DEFERRED COMPENSATION PAY
Check Total.....:				3079.46		
055036	02/24/22	VLA00	RAYMOND J. VLACH	100.00	MARCH2022	Measure A UNIFORMS
055037	02/24/22	WEL02	Wells Fargo Vendor Fin Se	199.34	018981341	BD-PLAN/COPIER LEASE
Cash Account Total.....:				182043.52		
Total Disbursements.....:				182043.52		
Cash Account Total.....:				.00		

000003

REPORT.: Jan 28 22 Friday  
RUN....: Jan 28 22 Time: 13:12  
Run By.: Front Desk

CITY OF ORLAND  
Cash Disbursement Detail Report  
Check Listing for 01-22 thru 01-22 Bank Account.: 1001

PAGE: 001  
ID #: PY-DP  
CTL.: ORL

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
054913	01/28/22	DOB01	CHRIS DOBBS	300.00	JAN2022	CITY COUNCIL STIPEND
054914	01/28/22	HOF00	DENNIS G. HOFFMAN	300.00	JAN2022	CITY COUNCIL STIPEND
054915	01/28/22	IRV00	BILLY IRVIN	300.00	JAN2022	CITY COUNCIL STIPEND
054916	01/28/22	ROU00	BRUCE T. ROUNDY	300.00	JAN2022	CITY COUNCIL STIPEND
054917	01/28/22	TOL04	JEFFREY TOLLEY	300.00	JAN2022	CITY COUNCIL STIPEND
Cash Account Total.....:				1500.00		
Total Disbursements.....:				1500.00		
Cash Account Total.....:				.00		

000004

REPORT.: 02/10/22  
RUN....: 02/10/22 Time: 14:50  
Run By.: Deysy Guerrero

CITY OF ORLAND  
Warrant Register

Warrant Number	Date	Payroll Date	**Employee** Num	Name	Actual Period	Fiscal Period	Gross Amount
14352	02/10/22	02/09/22	COM01	COMBS, DANIEL T	02-22	08-22	266.25
14353	02/10/22	02/09/22	FOS02	FOSTER, MALLORY	02-22	08-22	153.75
14354	02/10/22	02/09/22	ORO02	OROZCO, EVVEN	02-22	08-22	315.00
14355	02/10/22	02/09/22	OVI00	OVITZ, BRADEN	02-22	08-22	198.75
14356	02/10/22	02/09/22	SMI03	SMITH, BLAKE	02-22	08-22	202.50
14357	02/10/22	02/09/22	WAT04	WATHEN, MIDASIA	02-22	08-22	202.50
Z04730	02/10/22	02/09/22	ALV01	ALVA, MICAELA	02-22	08-22	1760.12
Z04731	02/10/22	02/09/22	AND00	ANDRADE, EDGAR	02-22	08-22	2774.40
Z04732	02/10/22	02/09/22	BAL00	BALDRIDGE, THEA	02-22	08-22	150.00
Z04733	02/10/22	02/09/22	CAR03	CARR, PETER R	02-22	08-22	5769.23
Z04734	02/10/22	02/09/22	CES00	CESSNA, KYLE A	02-22	08-22	3784.41
Z04735	02/10/22	02/09/22	CHA01	CHANEY, JUSTIN	02-22	08-22	3881.08
Z04736	02/10/22	02/09/22	CON00	CONTRERAS, ISAAC	02-22	08-22	228.75
Z04737	02/10/22	02/09/22	CRA00	CRANDALL, JEREMY	02-22	08-22	2241.72
Z04738	02/10/22	02/09/22	ESP00	ESPINOSA, LETICIA	02-22	08-22	1931.74
Z04739	02/10/22	02/09/22	FEN03	FENSKE, JOSEPH H	02-22	08-22	2911.84
Z04740	02/10/22	02/09/22	FLO00	FLORES, JOSE D	02-22	08-22	3304.49
Z04741	02/10/22	02/09/22	FUL00	FULLMORE, KRISTOPHER	02-22	08-22	3160.98
Z04742	02/10/22	02/09/22	GAM00	GAMBOA, YADIRA	02-22	08-22	465.00
Z04743	02/10/22	02/09/22	GUE01	GUERRERO, DEYSY D	02-22	08-22	2398.80
Z04744	02/10/22	02/09/22	GUE02	GUERRERO, JORGE	02-22	08-22	2310.27
Z04745	02/10/22	02/09/22	HAR00	ZOLLERHARRIS, TRAVIS	02-22	08-22	1905.30
Z04746	02/10/22	02/09/22	JOH01	JOHNSON, SEAN KARL	02-22	08-22	4511.16
Z04747	02/10/22	02/09/22	LOW00	LOWERY, KATHERINE	02-22	08-22	2885.58
Z04748	02/10/22	02/09/22	MAR02	MARTINDALE, RYAN EUGENE	02-22	08-22	2310.06
Z04749	02/10/22	02/09/22	MEJ00	APARICIO, LILIA MEJIA	02-22	08-22	2544.42
Z04750	02/10/22	02/09/22	MEZ00	MEZA, JODY L	02-22	08-22	3762.99
Z04751	02/10/22	02/09/22	MIL00	MILLS, DARYL A	02-22	08-22	3005.21
Z04752	02/10/22	02/09/22	MON03	MONDRAGON, MEAGAN N	02-22	08-22	1326.60
Z04753	02/10/22	02/09/22	MOR02	MORECI, CHRISTOPHER DAVI	02-22	08-22	1529.27
Z04754	02/10/22	02/09/22	MYE00	MYERS, KEVIN	02-22	08-22	621.30
Z04755	02/10/22	02/09/22	ORO03	OROZCO, ETHAN	02-22	08-22	198.75
Z04756	02/10/22	02/09/22	ORO04	OROZCO, JORDAN	02-22	08-22	108.75
Z04757	02/10/22	02/09/22	OVA00	OVARD, CONNOR	02-22	08-22	161.25
Z04758	02/10/22	02/09/22	PAI01	PAILLON, MICHAEL	02-22	08-22	2075.59
Z04759	02/10/22	02/09/22	PAN00	PANIAGUA, BLANCA A	02-22	08-22	555.21
Z04760	02/10/22	02/09/22	PEN01	PENDERGRASS, REBECCA A	02-22	08-22	3000.01
Z04761	02/10/22	02/09/22	PER00	PEREZ, MARGARITA T	02-22	08-22	1899.15
Z04762	02/10/22	02/09/22	PIN00	PINEDO, EDGAR ESTEBAN	02-22	08-22	3816.61
Z04763	02/10/22	02/09/22	POR00	PORRAS, ESTEL	02-22	08-22	1763.18
Z04764	02/10/22	02/09/22	PUN00	PUNZO, GUILLERMO	02-22	08-22	1951.76
Z04765	02/10/22	02/09/22	PUR01	PURCHASE, HEATHER	02-22	08-22	1415.49
Z04766	02/10/22	02/09/22	RIC01	RICE, GERALD W	02-22	08-22	2076.80
Z04767	02/10/22	02/09/22	ROD00	RODRIGUES, ANTHONY	02-22	08-22	2660.41
Z04768	02/10/22	02/09/22	ROE00	ROENSPIE, THOMAS LUKE	02-22	08-22	3481.86
Z04769	02/10/22	02/09/22	ROM00	ROMERO, ARNULFO	02-22	08-22	2716.07
Z04770	02/10/22	02/09/22	SCH03	SCHMITKE, JENNIFER	02-22	08-22	2284.82
Z04771	02/10/22	02/09/22	STE01	STEWART, ROY E	02-22	08-22	2798.04
Z04772	02/10/22	02/09/22	SUA02	SUAREZ, BRYAN E	02-22	08-22	1998.94
Z04773	02/10/22	02/09/22	SWI00	SWINHART, ROBERT	02-22	08-22	1770.31
Z04774	02/10/22	02/09/22	VAL00	VALENZUELA, BRENDA	02-22	08-22	241.57
Z04775	02/10/22	02/09/22	VLA00	VLACH, RAYMOND JOSEPH	02-22	08-22	4753.08
Z04776	02/10/22	02/09/22	VON00	VONASEK, EDWARD J	02-22	08-22	4266.98

108808.10

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000005

**MINUTES OF THE ORLAND CITY COUNCIL**  
**REGULAR MEETING HELD FEBRUARY 15, 2022**

**CALL TO ORDER**

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

Meeting opened with the Fire Chief Chaney leading the pledge of allegiance.

**ROLL CALL**

Councilmember present: Councilmembers Bruce Roundy, Billy Irvin, Chris Dobbs,  
Vice Mayor Jeffrey Tolley and Mayor Dennis Hoffman

Councilmembers absent: None

Staff present: City Clerk, Jennifer Schmitke; Assistant City  
Manager/Administrative Services Director, Rebecca  
Pendergrass; Joe Vlach, Police Chief; Justin Chaney, Fire  
Chief (left at 6:45 PM); City Attorney, Greg Einhorn; City  
Engineer, Paul Rabo

**ORAL AND WRITTEN COMMUNICATIONS****A. Public Comments: None****CONSENT CALENDAR**

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for February 1, 2022.
- C. Receive and file Public Works and Safety Commission minutes of December 14, 2021.
- D. Receive and file EDC Commission minutes of November 9, 2021.
- E. Receive and file Arts Commission minutes of January 19, 2022.

Action: Councilmember Dobbs moved to approve the consent calendar, and Vice Mayor Tolley seconded the motion. The motion carried 5-0 by the following roll call vote.

AYES: Councilmember Roundy, Irvin, Vice Mayor Tolley and Mayor Hoffman  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

**ADMINISTRATIVE BUSINESS****A. Resolution for Cal Fire Grant – Fire Chief Justin Chaney**

Fire Chief Justin Chaney presented resolution for approval on a grant that Orland Volunteer Fire Department (OVFD) applied for a Cal Fire; the grant is for fuels reductions to mitigate fuels in Stony creekbed.



Chief Chaney stated that this project will be a major win for the City and its residents to protect the wildland urban interface with Stony Creek and the homes on the north side of town. This project will be a great benefit to both the City of Orland, rural Orland and will also be available for surrounding agencies on mutual aid fire calls.

Chief Chaney stated Cal Fire will break the grant into three parts over the next three years, with the first year's portion totaling \$500,000 to purchase a dozer and transport to start. The bulldozer will be available for the upcoming fire season.

Councilmember Irvin asked if the dozer would be used for big fires around California during fire season or if the dozer would mainly stay in Orland. Chief Chaney stated that the dozer would stay regionally.

Councilmember Dobbs asked what the average response time is when the fire department requests dozers and Councilmember Tolley asked where the dozers usually transport from. Assistant Fire Chief McDermott stated it takes about an hour and a half to get to Orland if available and that the dozer usually comes from Salt Creek.

Mayor Hoffman asked if there will be any extra costs to the City of Orland. Chief Chaney stated that there would be minimal costs to the City if any for maintenance and that a few days of fire crew stand-by work with Cal Fire would pay for a whole year's worth of maintenance on the dozer.

Council thanked Chief Chaney and Assistant Fire Chief McDermott for applying for the grant.

Action: Councilmember Roundy moved to approve the action as presented, and Councilmember Dobbs seconded the motion. The motion carried 5-0 by the following roll call vote.

AYES:	Councilmember Roundy, Irvin, Dobbs, Vice Mayor Tolley and Mayor Hoffman
NOES:	None
ABSENT:	None
ABSTAIN:	None

#### **B. Police Officer Recruitment Incentive – Chief of Police, Joe Vlach**

Chief of Police Joe Vlach presented to Council a recruiting and retention incentive payment program for lateral sworn officers. Chief Vlach stated that in today's economic and social environment it is increasingly and overwhelmingly challenging to recruit police officers. Chief Vlach stated that to be competitive in the current police officer labor market, many local government agencies in our region are now offering sign-on bonuses ranging from \$10,000 to \$20,000 plus other benefits.

Chief Vlach proposed to Council that Orland begin offering a \$10,000 sign-on bonus for lateral candidates paid 1/3 at signing, 1/3 at completion of field training and 1/3 at successful completion of probation. Chief Vlach stated this program will strengthen the City's recruiting and retention of experienced police officers and it will save the City money on the front end compared to recruiting and sponsoring academy candidates.

Councilmembers discussed cost analysis of lateral candidates versus academy recruits in surrounding areas with Chief Vlach.

Councilmember Roundy suggested offering \$12,000 to be a little more than the surrounding areas. Council discussed how incentives work in surrounding areas and the bonus retention schedule and the amount of the incentive that would work best for Orland Police Department.

Matt Romano, 929 Third Street, asked Chief Vlach his experience with academy recruits staying in one area. Chief Vlach stated that he has noticed in Northern California new police officers usually do not transfer to other agencies for money but rather for a different experience or patrol such as Sheriff's offices. Chief Vlach stated that Orland Police Department has changed its hiring process to help new candidates recognize and understand the career that they are training for.

Action: Councilmember Roundy moved, seconded by Councilmember Dobbs to authorize the City of Orland Police Department to offer recruiting and retention incentive payments of up to \$15,000 for lateral candidates. The motion carried 3-2 by the following roll call vote.

AYES:	Councilmembers Roundy, Dobbs and Mayor Hoffman
NOES:	Councilmembers Irvin and Vice Mayor Tolley
ABSENT:	None
ABSTAIN:	None

#### **C. County of Glenn Water Well Drilling and Standards – City Engineer, Paul Rabo**

City Engineer Paul Rabo reported to Council that Glenn County has begun a review of their current regulations pertaining to Chapter 80 (Water Well Drilling Permits & Standards) of title 20 of the County Code. Mr. Rabo stated that the county is proposing many changes including strengthening its code and potential enforcement by providing additional regulations for the construction, repair, modification and destruction of wells so groundwater will not be contaminated or polluted.

Mr. Rabo stated the biggest take aways for the City on these updates will be the well completion reports, well pumping capacity, well spacing requirements, well casing and screen depths. These changes will all have impacts on municipal wells for the City. Additionally, the county is proposing updates to the current code sections including permit requirements, applications, inspections, drilling standards, permit revocation an appeal.

Mr. Rabo stated these updates the county has been working on should be completed in December 2022.

Councilmembers discussed and asked Mr. Rabo to come back in a few months when there are more details available.

#### **D. City of Orland Well Standards – City Engineer, Paul Rabo**

City Engineer Paul Rabo stated that working with two different state agencies (Department of Water Resources-DWR and the State Water Resources Control Board) as well as the county working on their well standards, has brought up the topic of Orland having its own municipal well standards in meetings with City Manager Carr and Public Works Director Vonasek.

Mr. Rabo stated that having municipal groundwater well construction standards would apply to construction of new wells. These standards would provide requirements for the construction of groundwater wells including separation from contaminants, sealing of upper water strata, casing

materials, surface features, and development. Mr. Rabo explained that the City could use DWR Bulletin 74 as a starting point and add requirements to suit the City's needs. Additional items to consider could include power (and back up power) controls, software systems, casing size, motor size, setbacks from residential/commercial uses, treatment, and site improvements (i.e., buildings, paving, fencing).

Councilmembers discussed and consensus was given directing Mr. Rabo to prepare standards for the construction of municipal groundwater wells.

#### **E. Contract with California State Water Resources Control Board – City Engineer, Paul Rabo**

Mr. Rabo stated the City has been working with the California State Water Resources Control Board (State Water Board) to obtain grant funding for the planning and engineering phases of a project that would construct a new municipal well and storage tank. Mr. Rabo explained that the proposed water system improvements, including a groundwater well and storage tank will be located on 6<sup>th</sup> Street.

Mr. Rabo spoke about the scope of work which includes drilling two test wells, field studies, environmental studies, permitting, preparation of engineering reports and project plans and specifications. The value of the grant is \$540,000 and the completion date for the scope of work is March 2024.

Action: Vice Mayor Tolley moved, seconded by Councilmember Irvin to approve the agreement with the State Water Resource Control Board as presented. The motion carried 5-0 by the following roll call vote.

AYES:	Councilmembers Roundy, Dobbs and Mayor Hoffman
NOES:	Irvin
ABSENT:	None
ABSTAIN:	Vice Mayor Tolley

#### **Verbal Update on Drought Conditions and Water Connection Project – Rebecca Pendergrass, Assistant City Manager**

Assistant City Manager Rebecca Pendergrass presented that Glenn County experienced its fourth driest January in the last 128 years due to limited rainfall. Ms. Pendergrass stated that there are still currently 300 dry wells listed on the County's website. Ms. Pendergrass explained that 237 people expressed interest in connecting to City water services and about 150 of those people are within the planning area and will be connected.

Ms. Pendergrass stated that extension of services into County areas was approved at the February 14<sup>th</sup> LAFCo meeting and staff is currently working with Department of Water Resources (DWR) over the next few weeks to prepare paperwork for each property owner.

Ms. Pendergrass reported that the City's wells are holding steady with about 20 feet below average, and they continue to be monitored weekly. Ms. Pendergrass stated that there is still currently one pump down, waiting on parts to arrive.

#### **CITY COUNCIL COMMUNICATIONS AND REPORTS**

**Councilmember Roundy:**

- Attended the Art Gallery show February 4<sup>th</sup>, 2022,
- Attended the LAFCO meeting February 14<sup>th</sup>, 2022,
- Attended the Water Authority Meeting February 14<sup>th</sup>, 2022,
- Attended the Cal Cities Meeting February 14<sup>th</sup>, 2022.

**Councilmember Irvin:**

- Nothing to report.

**Councilmember Dobbs:**

- Attended Glenn County Fish and Game Meeting for February 2022

**Vice Mayor Tolley:**

- Attended February's EDC Commission meeting.

**Mayor Hoffman:**

- Attended the Art Gallery show February 4<sup>th</sup>, 2022.

**ADJOURN TO CLOSED SESSION AT 8:16 PM**

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

**CLOSED SESSION**

- A. Public Comments: The public will have an opportunity to directly address the legislative body on the item below prior to the Council convening into closed session. Public comments are generally restricted to three minutes.

**B. CONFERENCE WITH LEGAL COUNSEL – LABOR NEGOTIATIONS**

Government Code Section: 54957.6

Agency Negotiators: Peter R. Carr; Rebecca Pendergrass; Greg Einhorn

Employee Organizations: United Public Employees of California Local #792

Mid Management and General Units; Orland Police Officers Associations.

Unrepresented Employees (All other not in UPEC)

**RECONVENE TO REGULAR SESSION AT 8:54 PM**

**REPORT FROM CLOSED SESSION** – Councilmember Roundy and Irvin will represent the City in negotiations.

**MEETING ADJOURNED AT 8:55 PM**

Jennifer Schmitke, Deputy City Clerk

Dennis Hoffman, Mayor



**CITY OF ORLAND**  
**RESOLUTION NO. 2022-04**  
**RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS**  
**DURING A PROCLAIMED STATE OF EMERGENCY**

WHEREAS, the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public and that any person may attend and participate in such meetings;

WHEREAS, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so;

WHEREAS, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

WHEREAS, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

WHEREAS, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and

WHEREAS, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

WHEREAS, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

NOW THEREFORE, the City of Orland hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference.
2. The City Council of the City of Orland finds, by a majority vote, the following:
  - a. That there exists a proclaimed state of emergency; and
  - b. State or local officials have imposed or recommended measures to promote social distancing.

3. The City Council and any of its committees, joint committees, ad hoc groups, and staff is authorized to take all steps and perform all actions necessary to execute and implement this Resolution in compliance with Government Code section 54953.

4. This Resolution shall take effect March 1, 2022 and shall remain in effect for thirty (30) days thereafter (until April 6, 2022), provided the conditions set forth in Section 2 remain.

PASSED AND ADOPTED by the Orland City Council this first day of March 2022, by the following vote:

AYES:	Councilmembers Roundy, Irvin, Dobbs, Vice Mayor Tolley and Mayor Hoffman
NOES:	None
ABSTAIN:	None
ABSENT:	None

\_\_\_\_\_  
Dennis Hoffman, Mayor

ATTEST:

Jennifer Schmitke, City Clerk

By: \_\_\_\_\_

I, Jennifer Schmitke, City Clerk of the City of Orland, hereby certify that the attached is a true and correct copy of a Resolution duly made by the City Council at a regular meeting of said City Council, at Orland, California, on the first day of March, 2022, the original of which is on file in my office and duly and regularly entered in the official records of proceedings of the City Council of the City of Orland.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Jennifer Schmitke, City Clerk

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**AMERICAN RED CROSS MARCH 2022****A Proclamation**

In times of crisis, people in Orland come together to care for one another. This humanitarian spirit is part of the foundation of our community and is exemplified by American Red Cross volunteers and donors.

In 1881, Clara Barton founded the American Red Cross, turning her steadfast dedication for helping others into a bold mission of preventing and alleviating people's suffering. Today, more than 140 years later, we honor the kindness and generosity of Red Cross volunteers here in Orland, who continue to carry out Clara's lifesaving legacy. They join the millions of people across the United States who volunteer, give blood, donate financially, or learn vital life-preserving skills through the Red Cross.

In Orland, the contributions of local Red Cross volunteers give hope to the most vulnerable in their darkest hours — whether it's providing emergency shelter, food and comfort for families devastated by local disasters like home fires or wildfires; donating essential blood for accident and burn victims, heart surgery and organ transplant patients, and those receiving treatment for leukemia, cancer or sickle cell disease; supporting service members and veterans, along with their families and caregivers, through the unique challenges of military life; helping to save the lives of others with first aid, CPR and other skills; or delivering international humanitarian aid.

Their work to prevent and alleviate human suffering is vital to strengthening our community's resilience. We dedicate this month of March to all those who continue to advance the noble legacy of American Red Cross founder Clara Barton, who lived by her words, "You must never think of anything except the need, and how to meet it." We ask others to join in this commitment to give back in our community.

NOW, THEREFORE, I, Dennis Hoffman Mayor, of Orland, by virtue of the authority vested in me by the laws of Orland and California, do hereby proclaim March 2022 as Red Cross Month. I encourage all citizens of Orland to reach out and support its humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of March, in the year of our Lord two thousand twenty-two, and of the City of Orland, California.

Dennis Hoffman  
Mayor of Orland

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## CITY OF ORLAND

### CITY COUNCIL AGENDA ITEM #: 6.B

**MEETING DATE: March 1, 2022**

TO: **City of Orland City Council**  
FROM: Scott Friend, AICP – City Planner  
MEETING DATE: March 1, 2022; 6:30 p.m., Carnegie Center, 912 Third Street, Orland, CA 95963

SUBJECT: **General Plan Amendment (GPA) #2021-02: 2021-2029 6<sup>th</sup> Cycle Housing Element Update. Public Hearing.** State law requires every City and County in California to have a General Plan to contain a minimum of seven (7) required elements. The Housing Element is one of the seven State required General Plan Elements. The City must periodically amend these elements to reflect changing conditions within the City and to maintain compliance with state and federal laws. The purpose of the Housing Element is to adequately plan for the existing and future housing needs of the City. This Element is being updated to address the requirements for the 6<sup>th</sup> Cycle planning period spanning from 2021-2029.

**Environmental Review:** Staff recommends that the City Council determine that the proposed action is *exempt* from further CEQA review pursuant CEQA Guidelines Section 15061(b)(3), the “Common Sense Exemption”.

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#### **Summary:**

At its regular meeting of November 18<sup>th</sup>, 2021, the Planning Commission conducted a public hearing and engaged in discussion regarding the proposed General Plan Amendment action. Following the conduct of the public hearing and at the conclusion of the discussion on the matter, the Commission voted unanimously, 5-0, to recommend approval of the General Plan Amendment to the City Council as presented.

#### **Recommendation:**

City staff and the Planning Commission recommend that the City Council take the following action(s):

- 1) Conduct a public hearing to review and consider the proposed 2021-2029 6<sup>th</sup> Cycle Housing Element of the City of Orland; and
- 2) Adopt City Council Resolution No. 2022-\_\_\_\_, approving General Plan Amendment (GPA) #2021-02 and adopting the 2021-2029 Housing Element Update as presented by repealing the existing adopted 5<sup>th</sup> Cycle Housing Element and replacing it with the 6<sup>th</sup> Cycle Housing Element.



**Discussion:**

The Housing Element is one of the seven (7) State-mandated elements of the General Plan. All cities and counties in the State of California are required to update their General Plan Housing Elements on a regular basis and to submit the updated element to the California Department of Housing and Community Development (HCD) for review and certification. It is the only element of the General Plan that is required by law to be updated on a regular basis. The current update cycle for the City of Orland is eight (8) years and is proclaimed to be the “6<sup>th</sup> Cycle” update interval by the State of California. The Planning period for the proposed Housing Element is 2021-2029.

The proposed 2021-2029 Housing Element document has been made available for public review via a webpage dedicated to the project (<https://www.cityoforland.com/housing-element-update/>) and the draft element has been available to the public for review and comment since October 14, 2021. Additionally, the City has hosted two (2) public meetings (June 23<sup>rd</sup> and August 5<sup>th</sup>) on the project; has made five (5) formal social media posts inviting participation at meetings, notifying the public of document availability and notifying people of both the Planning Commission and City Council public hearings; has sent ten (10) email “blasts” to interested persons and stakeholders with meeting invitations, informational links, notifications of website updates and providing general information and has formally notified the public of all meetings related to the project including the City Council public hearing.

No substantive public comment letters have been received on the project to date and no requests for changes or comments have been received from members of the public based upon the document’s availability to the public. One (1) comment letter was received from the State Housing and Community Development Department (HCD) documenting Element due dates and review processes. As required by State law, the document has been sent to the State Housing and Community Development Department (HCD) for initial review and the Department provided review comments on the draft. City staff and the City’s Housing Consultant have reviewed the changes requested by the State and have incorporated changes as per the comments received. However, it is noted to the Council that staff and the City’s consultant do not agree with a number of the comments from the State and are recommending adoption of the Element without making all changes requested. It is the opinion of both city staff and the city’s project consultant that various comments are overreaching and not supported by State law. Upon resubmittal of the final Element to the Department for certification, staff will be preparing a letter to accompany the submittal outlining the changes that were made and commenting on those that were not made.

As this matter is a formal amendment to the City’s adopted General Plan, this item was presented to the Planning Commission at a formally noticed Public Hearing at which staff and the City’s project consultant, Housing Tools, recommended that the Planning Commission conduct a public hearing and motion and vote to send the draft document forward to the City Council for adoption. Upon the taking of action by the Planning Commission on the matter, staff and the City’s consultant forwarded the item onto the State

HCD for early review. A copy of the review letter received by the city as a result of that action is attached to this report as **Attachment C**.

**Background:**

As discussed in greater detail in the Planning Commission staff report attached to this report as **Attachment B**, staff has incorporated numerous changes into the draft 6<sup>th</sup> Cycle Housing Element. The changes made to the element have been made primarily to update the document consistent with the requirements of the State of California for the 6<sup>th</sup> Cycle of updates to the Housing Element, to incorporate the City's revised Regional Housing Needs Allocation (RHNA) number (247), and, to review and consider the City's existing housing policy framework as established in the adopted 5<sup>th</sup> Cycle Housing Element.

The major determinations, additions and policy changes to the document are as follows:

**Determination(s):**

- The City of Orland has an adequate supply of appropriately zoned land inside the existing City Limits to meet the City's Regional Housing Needs Allocation (RHNA) of 247 units at the density permitted by the General Plan.

**Regional Housing Needs Unit Assignment:**

The City of Orland's RHNA for the 2021-2029 planning period is shown in the table below.

<u><i>Income Level</i></u>	<u><i>Housing Unit Allocation</i></u>
Very Low	62
Low	31
Moderate	44
Above Moderate	110
<b>Total</b>	<b>247</b>

**Major/Significant 6th Cycle Element Policy Additions/Programs:****Program AH-1.4.1: Accessory Dwelling Unit (ADU) Incentives/Affordable Rentals**

Develop a formal program that establishes incentives to property owners who develop ADUs that offer affordable rents for very-low, low-, or moderate-income households. Incentives in the form of reduced fees, exceptions to customary development requirements, pre-approved and no-cost building plans, and funding sources to subsidize construction costs will be considered.

Timeframe: Adopt incentives within two years of adoption of the Housing Element

Impetus: ADUs were identified as one of the preferred strategies for addressing housing needs in Housing Element community workshops. In addition, State Housing Element Law requires incentives for ADUs that offer affordable rents per AB 671.

**Program AH-1.2.3: Large Household Housing**

Establish a program to offer incentives for the development of rental housing with three or more bedrooms. These incentives may include but are not limited to fee reductions, modifications to development standards, and/or financial incentives.

Timeframe: Adopt incentives by September 2022

Impetus: Households with four or more persons make up just over one-third of all households in the City of Orland. About one-third of households earn less than \$35,000 annually. Orland has an estimated 42 severely overcrowded rental units with more than 1.5 occupants per room.

**Program AH-1.2.4: Extremely Low-Income Housing**

Develop a program to provide incentives for the production of housing affordable to Extremely Low-Income households, which may include priority processing, modified development standards, and granting of other concessions.

Timeframe: Adopt incentives throughout the planning period (2021-2029)

Impetus: About one-third of households in renter-occupied units earn less than \$15,000 annually, and about one in five households has income below the federal poverty level. Approximately 68% of the 733 renter households that earn less than \$35,000 annually pay at least half of their income toward housing costs. In addition, State Housing Element Law requires jurisdictions to implement Programs that assist in the development of housing to accommodate Extremely Low-Income households, per Government Code Section 65583(c)(2).

**Program HQY-1.2.3: Removal of Governmental Constraints to Housing Development for Persons with Disabilities.**

Develop and formalize the process that a person with disabilities or their representative must follow to make a reasonable accommodation request that streamlines the permit review process and provides reasonable accommodation for a disability. The process will allow for review and approval at the staff level and have minimal or no fees associated with it.

Timeframe: Adopt formalized procedure by November 2022

Impetus: As of 2019, there was an estimated 901 persons with a disability in Orland, which was about 12% of the total population. About half of persons 65 years and older in Orland have a disability, which is an estimated 443 persons. In addition, State Housing Element Law requires jurisdictions to demonstrate that they are removing governmental constraints to meeting the need for housing for persons with disabilities per Government Code Section 65583(a)(5).



**Review Criteria:**

As noted previously in this report, the Housing Element is a mandatory element of a valid General Plan in the State of California. Updating the Plan consistent with State mandates constitutes a formal amendment to the City's adopted General Plan and as a result triggers the need to consider findings to support the action. Pursuant to the requirements of California Government Code Section 65358, the City's General Plan may be amended upon the making of the following findings by the City Council:

1. The proposed amendment is in the public interest.
2. The proposed amendment is consistent and compatible with the rest of the General Plan.
3. The potential effects of the proposed amendment have been evaluated and have been determined not to be detrimental to the public health, safety, or welfare.
4. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).

**Environmental Determination:**

The Planning Commission recommends that the City Council determine that the proposed annexation to be categorically exempt pursuant to CEQA Guidelines Section 15061(b)(3) - the "*Common Sense Exemption*" as it can be seen with certainty that there is no possibility that the General Plan Amendment would have a significant effect on the physical environment, and therefore the project is not subject to further CEQA review.

A Notice of Exemption was prepared for this project and has been included with this staff report as **Attachment D - Notice of Exemption**.

**Recommendation:**

The Planning Commission recommends that the City Council approve the proposed General Plan Amendment through adoption of City Council Resolution #2022-\_\_\_ included as **Attachment E**; approve the adoption of the Notice of Exemption included as **Attachment D**, and make the findings outlined in the staff report.

If the City Council determines that it intends to approve the matter as recommended, the following motion is offered for Council consideration:



Sample Motions:

1. California Environmental Quality Act (CEQA):

*Move that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section §15061(b)(3), the General Rule.*

2. General Plan Amendment:

*Move that the City Council adopt Resolution 2022-\_\_\_ approving GPA #2021-02 as presented herein and making findings for the amendment of the General Plan.*

**ATTACHMENTS:**

- **Attachment A – Draft 6<sup>th</sup> Cycle 2021-2029 Housing Element - (*document previously provided*)**
- **Attachment B – Planning Commission Staff Report – dated *November 18, 2021***
- **Attachment C – Housing and Community Development Department (HCD) Review Letter dated *12/09/2021***
- **Attachment D – California Environmental Quality Act (CEQA) Notice of Exemption (NOE)**
- **Attachment E – General Plan Amendment Approval Resolution – Resolution CC 2022-\_\_\_**
- **Attachment F - Copy of Project Website (homepage)**
- **Attachment G – Copy of Regional Housing Needs Assessment Unit Assignment Letter (from HCD) dated August 5, 2020.**
- **Attachment F – Notice of City Council Public Hearing**



## CITY OF ORLAND Staff Report

TO: City of Orland Planning Commission

FROM: Scott Friend, AICP – City Planner

MEETING DATE: November 18, 2021; 7:00 p.m.  
Carnegie Center, 912 Third Street, Orland, CA 95963

SUBJECT: **General Plan Amendment (GPA) #2021-02: 2021-2029 6<sup>th</sup> Cycle Housing Element Update. Public Hearing.** State law requires every City and County in California to have a General Plan to contain a minimum of seven (7) required elements. The Housing Element is one of the seven required General Plan Elements. The City must periodically amend these elements to reflect changing conditions within the City and to maintain compliance with state and federal laws. The purpose of the Housing Element is to adequately plan for the existing and future housing needs of the City. This Element is being updated to address the 6<sup>th</sup> Cycle planning period spanning from 2021-2029.

**Environmental Review:** Staff recommends that the Planning Commission determine that the proposed action is *exempt* from further CEQA review pursuant CEQA Guidelines Section 15061(b)(3), the “General Rule”.

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### **Recommendation:**

Staff recommends that the Planning Commission take the following action(s):

- 1) Conduct a public hearing to review the draft 2021-2029 6<sup>th</sup> Cycle Housing Element; and
- 2) Adopt Resolution No. 2021-XX, recommending that the City Council approve the General Plan Amendment (GPA) adopting the 2021-2029 Housing Element Update as presented.

### **Project Summary:**

The Housing Element is one of the seven State-mandated elements of the General Plan. All cities and counties in the State of California are required to update their General Plan Housing Elements on a regular basis and to submit the updated Element to the California Department of Housing and Community Development (HCD) for review and certification. It is the only element of the General Plan that is required by law to be updated on a regular basis. The current update cycle for the City of Orland is eight (8) years. The Planning period for the proposed Housing Element is 2021-2029.

The proposed 2021-2029 Housing Element document has been made available for public review via a webpage dedicated to the project and available to the public since October 14<sup>th</sup>.

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Additionally, the City has hosted two (2) public meetings (June 23<sup>rd</sup> and August 5<sup>th</sup>) on the project; has made four (4) formal social media posts inviting participation at meetings, notifying the public of document availability and notifying people of the Planning Commission public hearing); has sent ten (10) email “blasts” to interested persons and stakeholders with meeting invitations, informational links, notifications of website updates and providing general information) and has formally notified the public of all meetings related to the project including the Planning Commission public hearing.

No substantive public comment letters have been received on the project to date and no changes or comments have been received based upon the documents availability to the public. As required by State law, the document has been sent to the State Housing and Community Development Department (HCD) however no initial review comments have yet been received as a result of that action. Staff had anticipated the receipt of early-review comments from the State prior to the Planning Commission meeting, however, comments have not yet been received as hoped for or as anticipated.

As this matter is a formal amendment to the City’s adopted General Plan, this item is being presented to the Planning Commission at a formally noticed Public Hearing for a recommendation to the City Council and will be advanced to the City Council following review and consideration by the Planning Commission.

**Background:**

The City's adopted Housing Element (2014-2019) was adopted by the City Council in August of 2014. That document is the 5<sup>th</sup> cycle of required Housing Element updates in the State of California. The proposed element spans an eight (8) year planning period and will remain valid for the years spanning 2021-2029.

During the past planning period, the State of California has made numerous and substantial changes to State law dealing both with the subject of housing and with the required contents of Housing Elements. During the planning period the State has adopted countless new regulations addressing items to include accessory dwelling units, impact fee collection, permit streamlining, mandatory parking reductions or eliminations, and, in some instances has eliminated discretionary review for certain qualifying residential projects and has required the mandatory approval of development concessions.

During the time period of the current Housing Element, the City has received over \$400,000 in grant funds for infrastructure improvements and housing-related planning projects as a result of having an adopted and compliant Housing Element. Adoption of the proposed Housing Element will help to ensure that the City retains its eligibility status for future grant opportunities during the next Housing Element cycle.

The City initiated work on the Housing Element update in the spring of 2021 with the issuance of a Request for Proposal (RFP) seeking consultants to update the City’s existing adopted Element. As a result of the RFP, the City received four (4) proposals. Following a review and vetting of the proposals received, the City retained Housing

Tools to prepare the update. During the plan preparation process the City and Housing Tools have undertaken the following actions:

- Established a dedicated project webpage accessible from the City's homepage and City Planning Department webpage.
- Held two (2) formal public input meetings (June 23<sup>rd</sup> and August 5<sup>th</sup>).
- Issued four (4) formal social media posts in regard to the project and providing project updates.
- Issued ten (10) email "blasts" to interested persons and parties providing project details, meeting information, document availability details, etc..
- All materials and meetings have been made available in multiple languages. And,
- A hardcopy of the public review draft of the proposed document has been made available to the public for review since October 14<sup>th</sup> at City Hall and electronically on the dedicated project webpage/city website.

**Discussion:**

The draft 2021-2029 Housing Element evaluates the effectiveness and appropriateness of the previous Housing Element; assesses the housing needs of residents, the workforce, and special needs groups; analyzes the inventory of resources and constraints; addressed federal and state fair housing issues, and develops policies and programs to meet unmet housing needs. The 2021-2029 Housing Element carries forward a majority of the goals and policies of the adopted Housing Element. More substantive changes have been made to various programs to include timing updates; the deletion of programs that were implemented or completed; edits for consistency and clarity; edits to address fair housing assessment requirements, and modifications or the establishment of new programs to align with the goals, policies and programs of the document with State law and its various requirements.

As a part of the update process, the 2021-2029 Housing Element must show an adequate plan to meet the existing and projected housing needs for all economic segments of the community. HCD determines what the housing needs of the region are and then distributes the units within the region and amongst vary income level groupings. The allocation is called the Regional Housing Needs Allocation (RHNA). The City of Orland's RHNA for the 2021-2029 planning period is shown in the table below.

<u><i>Income Level</i></u>	<u><i>Housing Unit Allocation</i></u>
Very Low	62
Low	31
Moderate	44
Above Moderate	110
<b>Total</b>	<b>247</b>

As shown in the table, the City's total RHNA for the planning period is 247 dwelling units. For the planning period, the total allocation for all of the Glenn County was 661 (Willows – 185; Unincorporated Glenn County – 229). In comparison, the total RHNA for the 2014-2019 planning period was 80 units and the allocation for the 2009-2014 planning period was 621 dwelling units. Similar to the analysis in the 2009-2014 and the 2014-2019 Housing Elements, the 2021-2029 Housing Elements' analysis shows that there is enough existing inventory of vacant or underutilized sites that will allow the City to meet the RHNA for the planning period without rezoning any land for higher density housing. The inventory of vacant or underutilized sites can be found in the Resources and Opportunities section of the proposed Housing Element document.

**General Plan Consistency:**

The proposed 2021-2029 General Plan Housing Element is internally consistent with the goals, objectives and policies contained in the other Elements of the City of Orland General Plan. The Housing Element facilitates the provision of housing for all income categories and at a full range of development densities needed to serve existing and future residents of the City.

**Environmental Determination:**

The amendment to the City's General Plan for this action has been determined to qualify as being *exempt* from California Environmental Quality Act (CEQA) requirements pursuant to Section 15061 (b)(3). Specifically, section 15061(b)(3) states, in part, that a project is exempt from CEQA if "the activity is covered by the General Rule that CEQA applies only to project which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (see **Attachment B – Notice of Exemption**).



**Recommendation:**

Staff recommends that the Planning Commission find that the project is categorically exempt from further review pursuant to the California Environmental Quality Act (CEQA) and, recommend approval of GPA#2021-02 to the City Council.

Staff recommends the following process for the consideration of this matter:

1. Accept report by staff;
2. Open the public hearing and take public testimony;
3. Close the public hearing and initiate consideration of the project; and
4. Motion and vote.

If the Planning Commission determines that it intends to approve the project as proposed and as described in this report, staff offers the following motion for the Commission's consideration:

1. California Environmental Quality Act:

*Move that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section §15061(b)(3), the General Rule.*

2. General Plan Amendment:

*Move that the Planning Commission make a recommendation the City Council to adopt Resolution 2021-XX approving GPA #2021-02 as presented herein.*

**ATTACHMENTS:**

- **Attachment A – Copy of Draft 2021-2029 Housing Element document (full text of document previously provided due to length and complexity)**
- **Attachment B – Draft Notice of CEQA Exemption**
- **Attachment C – Copy of Project Webpage (homepage)**
- **Attachment D – Copy of Regional Housing Needs Assessment Assignment Letter from HCD dated August 5, 2020.**
- **Attachment E – Planning Commission Resolution – 2021-XX**

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
[www.hcd.ca.gov](http://www.hcd.ca.gov)



December 9, 2021

Pete Carr, City Manager  
City of Orland  
815 Fourth Street  
Orland, CA 95963

Dear Pete Carr:

**RE: City of Orland's 6<sup>th</sup> Cycle (2021-2029) Draft Housing Element**

Thank you for submitting the City of Orland's (City) draft housing element received for review on October 13, 2021. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation on November 30, 2021, with Scott Friend, City Planner and consultants Sherry Morgado and James Coles.

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The enclosed Appendix describes the revisions needed to comply with State Housing Element Law.

As a reminder, the City's 6th cycle housing element was due November 30, 2021. As of today, the City has not completed the housing element process for the 6th cycle. The City's 5th cycle housing element no longer satisfies statutory requirements. HCD encourages the City to revise the element as described above, adopt, and submit to HCD to regain housing element compliance.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (November 30, 2021), then any rezoning to accommodate the regional housing needs allocation, (RHNA) including for lower-income households, shall be completed no later than one year from the statutory deadline. Otherwise, the local government's housing element will no longer comply with State Housing Element Law, and HCD may revoke its finding of substantial compliance pursuant to Government Code section 65585, subdivision (i).

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element

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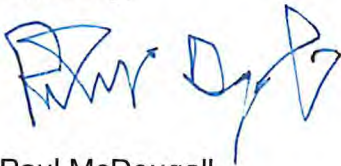
process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: [http://opr.ca.gov/docs/OPR\\_Appendix\\_C\\_final.pdf](http://opr.ca.gov/docs/OPR_Appendix_C_final.pdf) and [http://opr.ca.gov/docs/Final\\_6.26.15.pdf](http://opr.ca.gov/docs/Final_6.26.15.pdf)

HCD appreciates the cooperation and hard work Scott Friend, City Planner and consultants Sherry Morgado and James Coles provided during the review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Gianna Marasovich, of our staff, at [Gianna.Marasovich@hcd.ca.gov](mailto:Gianna.Marasovich@hcd.ca.gov).

Sincerely,



Paul McDougall

Senior Program Manager

Enclosure

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## APPENDIX CITY OF ORLAND

The following changes are necessary to bring the City's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at <http://www.hcd.ca.gov/community-development/housing-element/housing-element-memos.shtml>. Among other resources, the housing element section contains HCD's latest technical assistance tool, Building Blocks for Effective Housing Elements (Building Blocks), available at <http://www.hcd.ca.gov/community-development/building-blocks/index.shtml> and includes the Government Code addressing State Housing Element Law and other resources.

### **A. Review and Revision**

*Review the previous element to evaluate the appropriateness, effectiveness, and progress in implementation, and reflect the results of this review in the revised element. (Gov. Code, § 65588 (a) and (b).)*

As part of the review of programs in the past cycle, the housing element must provide an evaluation of the effectiveness of goals, policies, and related actions in meeting the housing needs of special needs populations (e.g., elderly, persons with disabilities, large households, female-headed households, farmworkers, and persons experiencing homelessness).

In addition, Program HE 3.H (Housing for Special Needs Populations) committed to support the development of housing for persons with special needs. The element notes special needs housing was proposed but the City was unable to accommodate the housing due to concerns that "its location was not appropriate." Considering the Program's whole purpose was to support special needs housing, the element should include further discussion of why the location was inappropriate, whether a project was proposed, application of zoning and permit procedures and incorporate lessons learned into other required analyses (e.g., governmental constraints, zoning for a variety of housing types, affirmatively furthering fair housing (AFFH)) and policies and programs.

### **B. Housing Needs, Resources, and Constraints**

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2...shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

Local Patterns and Trends: The fair housing analysis should include local patterns and trends within the City. The analysis looks at the City as a whole in comparison to the County, but the element should also analyze patterns throughout neighborhoods and areas within the City. In addition, the element states that the whole City is not included in the analysis. The analysis must address the socio-economic characteristics for the area that is not included in the four census blocks that are analyzed in the fair housing analysis.

Enforcement and Outreach: The element must describe the process and capacity to provide enforcement and outreach which can consist of actions such as capacity to investigate complaints, obtain remedies, or engage in fair housing testing. The element should describe the number and characteristics of housing discrimination complaints. The analysis could also evaluate data and the results from any fair housing testing. In addition, the analysis must address compliance with existing fair housing laws as well as any past or current fair housing lawsuits, findings, settlements, judgements, or complaints. The element should address whether there will be ongoing fair housing outreach throughout the planning period.

Integration and Segregation: The element must address racial segregation and integration within the City. The element may include the dissimilarity index or map racial distribution locally and regionally. The element should analyze whether there are concentrated areas of race, disability, familial status, and income or poverty within the City. In addition, the element must analyze whether single family households are concentrated in one area of the City or dispersed throughout the City.

Access to Opportunity: The element must include an analysis regarding access to opportunity for jobs and transit by protected groups. In addition, the element must examine patterns and trends at a local and regional level for access to opportunity for education and environmental quality. The element must also describe the access to opportunity for persons with disabilities.

Disproportionate Housing Needs, including Displacement Risk: While the element includes an analysis of housing problems within the City and Glenn County, the element must also address overcrowding, overpayment, homelessness, and displacement risk.

Sites Analysis: The element states that there is a concentration of Hispanics, subsidized apartments, farmworker housing, and mobile home parks within the City. This should be included in the analysis of location of sites by income group. In addition, while the element included an analysis of sites based on access to jobs and displacement, it should also analyze sites based on other factors of access to opportunity and disproportionate need. In addition, the sites identified for lower-income households are concentrated in existing lower-income areas with a concentration of affordable housing units. The element must identify sites and utilize programs to provide affordable housing in areas of high opportunity and provide services and place-based strategies in lower-resourced areas.

Contributing Factors: The element identifies many contributing factors to fair housing issues. The element should consider prioritizing these factors to better formulate policies and programs and carry out meaningful actions. In addition, Contributing Factor 1 should provide services to the area and incorporate housing for moderate and above-moderate income households to provide housing choice.

Goals, Priorities, Metrics, and Milestones: As mentioned above, the element identifies concentrations of various groups; this finding should be incorporated into the programs to ensure the City is affirmatively furthering fair housing. Goals and actions must significantly seek to overcome contributing factors to fair housing issues. Programs should address



enhancing housing mobility strategies; encouraging development of new affordable housing in high resource areas; improving place-based strategies to encourage community conservation and revitalization, including preservation of existing affordable housing; and protecting existing residents from displacement. Furthermore, the element must include metrics and milestones to target meaningful and significant outcomes and for evaluating progress on programs, actions, and fair housing results.

2. *Include an analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition. (Gov. Code, § 65583, subd. (a)(2).)*

Overpayment: While the element identifies the total number of households overpaying for housing (p.101), it must quantify and analyze the number of lower-income households overpaying for housing by tenure (i.e., renter and owner).

Large Households: The element includes data for large households as four or more. The element must be revised to include data for large households as five or more. This data can be pulled from the U.S. Census, table B25009.

Housing Conditions: The element identifies the age of the housing stock. However, it must include analysis of the condition of the existing housing stock and estimate the number of units in need of rehabilitation and replacement. For example, the analysis could include estimates from a recent windshield survey or sampling, estimates from the code enforcement agency, or information from knowledgeable builders/developers, including non-profit housing developers or organizations.

3. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

Pending and Approved Projects: Many sites in the sites inventory list "pending project" for sites identified to accommodate the lower-income RHNA. In addition, all sites identified to meet the lower-income RHNA have different density assumptions. The element must clarify if the sites identified for lower-income households are being counted as sites or pending projects. The element must include information about the status of these pending projects, such as how far along the projects are, when the projects will be complete, affordability restrictions, etc. Additionally, parcel 041-081-002 lists the same density for maximum and assumed densities. The City indicated that this is a project; therefore, this should be clarified in the element and the element must also demonstrate affordability based on actual or projected sales prices, rent levels, or other mechanisms establishing affordability in the planning period.

Previously Identified Nonvacant and Vacant Sites: If nonvacant sites identified in a prior adopted housing element or vacant sites identified in two or more consecutive planning periods, the sites are inadequate to accommodate housing for lower-income households unless:

- The site's current zoning is appropriate for the development of housing affordable to lower-income households by either including analysis or meeting the appropriate density; and
- The site is subject to a housing element program that requires rezoning within three years of the beginning of the planning period to allow residential use by-right for housing developments in which at least 20 percent of the units are affordable to lower-income households. (Gov. Code, § 65583.2, subd. (c).)

Parcel Listing: The element lists parcels by various factors such as size, zoning, and general plan designation. However, the element must clarify whether sites are vacant or nonvacant. If sites are nonvacant, the inventory must include a description of existing use with sufficient detail to facilitate an analysis of the potential for addition development on nonvacant sites. In addition, page 116 states parcels APN 045-100-131 and APN 045-100-097 to develop 32 affordable units per site but the sites inventory on page 117 list 20 units and 12 units for these sites, respectively. The element must clarify the number of units that will be accommodated on each site. In addition, Figure 88 (p. 120) shows four lower-income sites clustered in one area. It is unclear if all four parcels are listed in the sites inventory.

Realistic Capacity: While the element provides assumptions of buildout for sites included in the inventory, it must also provide support for these assumptions. For example, the element should demonstrate what specific trends, factors, and other evidence led to the assumptions. The City lists maximum density allowed in a zone multiplied by the size of the parcel. The estimate of the number of units for each site must be adjusted as necessary, based on the land use controls and site improvements, typical densities of existing or approved residential developments at a similar affordability level.

In addition, calculation capacities must account for the likelihood of 100 percent nonresidential uses. The element should include analysis based on factors such as development trends, performance standards or other relevant factors. For example, the element could analyze all development activity in nonresidential zones; how often residential development occurs and adjust residential capacity calculations; policies and program accordingly.

Infrastructure: The element describes infrastructure limitations in the City (p. 153). However, the element must demonstrate sufficient total water and sewer capacity (existing and planned) to accommodate the RHNA in the planning period.

#### Zoning for a Variety of Housing Types:

- *Emergency Shelters:* The element should describe the development standards of the R-3 and Downtown Mixed-Use zones that allow emergency shelters by-right and should provide an analysis of proximity to transportation and services for these sites. In addition, the element should describe how emergency shelter parking requirements comply with AB139/Government Code section 65583, subdivision (a)(4)(A) or include a program to comply with this requirement. In addition, the element describes a conditional use permit requirement for more than four families.

The element must analyze the four-family limit as a potential constraint for the development of emergency shelters and include programs as appropriate.

- *Transitional and Supportive Housing:* The housing element must demonstrate that transitional housing and supportive housing are permitted as a residential use and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. The element must demonstrate that transitional and supportive housing is allowed in commercial and mixed-use zones in the same way as other residential uses or include a program to comply with this requirement.
- *Employee Housing:* While the element states that housing for six or fewer agricultural workers could be allowed in all residential zones, the element must demonstrate whether zoning is explicitly in compliance with the Employee Housing Act (Health and Safety Code, § 17000 et seq.), specifically, sections 17021.5 and 17021.6, and include programs as appropriate.
- *Manufactured Housing:* While the element includes some information on mobile homes and factory- built housing on page 142, it must demonstrate the City's zoning code permits manufactured housing in the same manner and in the same zone(s) as conventional or stick-built structures are permitted. Specifically, manufactured homes should only be subject to the same development standards that a conventional single-family residential dwelling on the same lot would be subject to, with the exception of, architectural requirements for roof overhang, roofing material, and siding material (Gov. Code § 65852.3, subd. (a)).

4. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)*

Land-Use Controls: The element must identify and analyze all relevant land-use controls impacts as potential constraints on a variety of housing types (e.g., multifamily rental housing, mobilehomes, transitional housing). The analysis must also evaluate the cumulative impacts of land-use controls on the cost and supply of housing, including the ability to achieve maximum densities and cost and supply of housing. The analysis should also describe past or current efforts to remove identified governmental constraints. The analysis should include how the population per acre assumptions (p. 135) interact with the allowed densities, lot coverage requirements in the R2 and mixed-use zones, whether the height limit of 35 feet in R2 allows for three story multifamily housing developments, describe public safety height restrictions, minimum lot size requirements for mobile home parks, and whether the conditional use permit (CUP) requirement in the Planned Development zone is a constraint. The element should include programs to address or remove the identified constraints.

Parking Requirements: The element must analyze the parking requirements for duplexes and triplexes in the R2 zone for impacts on housing cost, supply, and ability to achieve maximum densities. Programs should be added as appropriate.



Streamlining Provisions: The element should clarify whether the City has procedures consistent with streamlining procedures pursuant to Government Code section 65913.4 and include programs as appropriate.

Processing and Permit Procedures: While the element includes information about permit processing procedure, it should also describe the average processing times for typical single family and multifamily developments.

On/Off-Site Improvements: The element must identify actual subdivision level improvement standards, such as minimum street widths (e.g., 40-foot minimum street width); analyze their impact as potential constraints on housing supply and affordability.

Constraints on Housing for Persons with Disabilities: While the element states care facilities for six or fewer residents are allowed in R1, R2, and R3 zones by-right, on the same page it also states that “Other than a required CUP, no special design or permitting standards have been established for care facilities for persons with disabilities”. The CUP is a constraint and must be removed. In addition, the element must describe how group homes for seven or more residents are allowed in residential zones. If large group homes are not allowed, the element should include a program to allow group homes in all residential zones. Finally, the element must describe the City’s definition of family and analyze whether it is a potential constraint on housing for persons with disabilities and add or modify programs as appropriate.

Local Ordinances: The element must specifically analyze locally adopted ordinances such as inclusionary ordinances or short-term rental ordinances that directly impact the cost and supply of residential development. The analysis should demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters.

Zoning and Fees Transparency: The element must clarify its compliance with new transparency requirements for posting all zoning and development standards for each parcel on the jurisdiction’s website pursuant to Government Code section 65940.1, subdivision (a)(1).

5. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, the cost of construction, the requests to develop housing at densities below those anticipated in the analysis required by subdivision (c) of Government Code section 65583.2, and the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality’s share of the regional housing need in accordance with Government Code section 65584. The analysis shall also demonstrate local efforts to remove nongovernmental constraints that create a gap between the locality’s planning for the development of housing for all income levels and the construction of that housing. (Gov. Code, § 65583, subd. (a)(6).)*



Approval Time and Requests Lesser Densities: The element must include analysis of requests to develop housing at densities below those identified, the length of time between receiving approval for a housing development and submittal of an application for building permits that potentially. The element must address any hinderance on the development of housing and include programs as appropriate.

6. *Analyze existing assisted housing developments that are eligible to change to non-low-income housing uses during the next ten years due to termination of subsidy contracts, mortgage prepayment, or expiration of use restrictions. (Gov. Code, § 65583, subd. (a)(9) through 65583(a)(9)(D).)*

The element includes some information about Orland Apartments, stating the units will expire during the planning period. However, HCD's data shows the units won't expire until 2060. The jurisdiction should confirm the LIHTC restrictions apply to all the USDA units in Orland Apartments. If the jurisdiction cannot confirm these units will be covered, a complete at-risk analysis is required. For more information on analysis requirements, see HCD's Building Blocks.

### **C. Housing Programs**

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available. The program shall include an identification of the agencies and officials responsible for the implementation of the various actions. (Gov. Code, § 65583, subd. (c).)*

To address the program requirements of Gov. Code section 65583, the element must provide discrete timing for programs (e.g., month and year) to account for how often the action will occur as well as to ensure a beneficial impact throughout the planning period and quantify objectives where feasible. Programs to be revised include the following:

- *HQL 1.2.1 (Housing Rehabilitation Program)* should describe how often the City will apply for funds as well as whether outreach will occur to potential recipients.
- *HQY 1.1.1 (No Net Loss/Unit Production Evaluation)* should include annual review of available sites to meet the RHNA.
- *AH 1.2.1 (Funding for Affordable Housing Development)* should describe proactive outreach to developers and include how often the City will apply for funding.
- *AH 1.2.3 (Large Household Housing)* should include timing of when incentives will be implemented.
- *FH 1.4.1 (Fair Housing Information)* should describe how often outreach will occur.

2. *Identify actions that will be taken to make sites available during the planning period with*

*appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09. Sites shall be identified as needed to facilitate and encourage the development of a variety of types of housing for all income levels, including multifamily rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters, and transitional housing. (Gov. Code, § 65583, subd. (c)(1).)*

As noted in Finding B3, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City may need to add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types.

3. *The housing element shall contain programs which assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households. (Gov. Code, § 65583, subd. (c)(2).)*

Extremely Low-Income Households: The element must include a program(s) with specific actions and timelines to assist in the development of housing for extremely low-income households. The program(s) could commit the City to adopting priority processing, granting fee waivers or deferrals, modifying development standards, granting concessions and incentives for housing developments that include units affordable to extremely low-income households; assisting, supporting or pursuing funding applications; and outreach and coordination with affordable housing developers.

Special Needs: While the element includes program AH 1.2.2 (Housing for Special Needs Populations), the Program should clarify what special needs groups are included in the program (e.g., elderly, homeless, farmworkers, persons with disabilities, female-headed households). In addition, program actions should include assistance to non-profit service providers and developers, prioritizing some funding for housing developments affordable to special needs households and offering financial incentives or regulatory concessions to encourage a variety of housing types.

Density Bonus: As noted on page 139, the element should include a program to update the density bonus ordinance pursuant to Government Code section 65915.

4. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

As noted in Finding(s) B4 and B5, the element requires a complete analysis of potential governmental and non-governmental constraints. Depending upon the results of that

analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints. In addition, the element should be revised as follows:

- *HQY 1.2.1 (Medium and High-Density Residential Sites Amendment to Families per Structure Requirement)*: While the element includes a program that removes the requirement to limit development to no more than four families per structure in the R2 and R3 zones, the program should specifically remove the conditional use permit requirement.
  - *By-Right Permanent Supportive Housing*: While the element includes Program HQY 1.2.4 (Low Barrier Navigation Centers), the element must also include a program to address by-right permanent supportive housing (AB 2162).
  - *Constraints on Housing for Persons with Disabilities*: While the element includes program HQY 1.2.3 (Removal of Governmental Constraints to Housing Development for Persons with Disabilities) to develop a procedure for reasonable accommodation, the Program could be modified to remove the requirement of fees associated with the process.
  - *Program to Mitigate Non-Governmental Constraints*: The element must be revised to include a program that mitigates non-governmental constraints that create a gap in the jurisdictions ability to meet RHNA by income category.
5. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law. (Gov. Code, § 65583, subd. (c)(5).)*

As noted in Finding B1, programs should be revised to address enhancing housing mobility strategies; encouraging development of new affordable housing in high resource areas; improving place-based strategies to encourage community conservation and revitalization, including preservation of existing affordable housing; and protecting existing residents from displacement. The programs must include metrics and milestones toward targeted outcomes.

6. *The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance. (Gov. Code, § 65583, subd. (c)(6).)*

While the element includes Program AH 1.1.1 to monitor affordable units at-risk, the element should incorporate proactive outreach to owners of affordable properties to ensure State Preservation Notice Law is being met (Gov. Code, § 65863.10, 65863.11, 65863.13). In addition, the program should include how often projects will be monitored and how often outreach will occur.

#### **D. Quantified Objectives**

*Establish the number of housing units, by income level, that can be constructed, rehabilitated, and conserved over a five-year time frame. (Gov. Code, § 65583, subd. (b)(1 & 2).)*

The element must include quantified objectives to establish an estimate of housing units by income category that can be constructed, rehabilitated, and conserved over the planning period. While the element includes these objectives by income group for very low-, low-, moderate- and above-moderate income, the element must also include objectives for extremely low-income households.

#### **E. Public Participation**

*Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(8).)*

While the element includes a general summary of the public participation process, it should also summarize public comments and describe how they were considered and incorporated into the element. Further, the element should employ additional methods for public outreach efforts in the future, particularly to include lower-income and special needs households and neighborhoods with higher concentrations of lower-income households. For example, the City could conduct targeted stakeholder interviews or establish a committee representative of lower-income households in future public outreach efforts. Finally, the availability of the document to the public and opportunity for public comment prior to submittal to HCD is essential to the public process and HCD's review. The element must include the date the draft was made available to the public to ensure the element was available for public comment.



# NOTICE OF EXEMPTION

CEQA: California Environmental Quality Act

To: ☐ Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

☒ County Clerk  
526 West Sycamore Street  
Willows, CA 95988

From: City of Orland  
815 Fourth St.  
Orland, CA 95963

**Project Title:** **City of Orland General Plan Amendment 21-02:** State law required that localities update their General Plan Housing Elements every eight years. The City of Orland is updating its Housing Element to account for the 2021-2029 period.

**Project Location - Specific:** City-wide  
- City: Orland  
- County: Glenn

**Description of Nature, Purpose, and Beneficiaries of Project:**  
Update of the City's General Plan Housing Element to comply with State law.

**Name of Public Agency Approving Project:** City of Orland

**Name of Person or Agency Carrying Out Project:** City of Orland

- ☐ Ministerial (Sec. 21080 (b) (1); 15268);
- ☐ Declared Emergency (Sec. 21080 (b) (3); 15269 (a) );
- ☐ Emergency Project (Sec. 21080 (b) (4); 15269 (b) (c) );
- ☒ Categorical Exemption. Type and Section Number: Section 15061(b)(3).
- ☐ Statutory Exemption. Code Number:

**Reasons why project is exempt:**

The City of Orland Planning Commission has determined that this project is exempt from CEQA as it can be seen with certainty that there is no possibility that the proposed update to the City of Orland Housing Element would have a significant effect on the environment. Therefore, the project is exempt pursuant to CEQA Guidelines Section 15061(b)(3).

**Lead Agency Contact Person:** Scott Friend; City Planner

**Area Code/Telephone/Extension:** (530) 865-1608, Extension 3059.

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

\_\_\_\_\_  
Signature: \_\_\_\_\_ Date \_\_\_\_\_  
☒ Signed by Lead Agency Date Received for Filing At OPR:

\_\_\_\_\_  
City Planner  
Title

Attachment B

000037

**CITY OF ORLAND  
CITY COUNCIL RESOLUTION CC #2021-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLAND, CALIFORNIA  
ADOPTING THE 6<sup>TH</sup> CYCLE HOUSING ELEMENT (GPA #2021-02) WHICH IS THE  
CITY'S HOUSING ELEMENT COVERING THE YEARS 2021-2029, BY REPEALING  
AND REPLACING THE 5<sup>TH</sup> CYCLE HOUSING ELEMENT, AND AUTHORIZING  
STAFF TO SUBMIT THE ADOPTED 6<sup>TH</sup> CYCLE HOUSING ELEMENT TO THE  
CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
(HCD) FOR CERTIFICATION**

**WHEREAS**, State law requires cities and counties to prepare and adopt a General Plan to guide the future development of a city and or county; and

**WHEREAS**, all General Plans are required to contain a Housing Element and Housing Elements are required to be updated every 8-years; and

**WHEREAS**, according to State law, the Housing Element of the General Plan must provide information, policies and programs to encourage the development of housing to meet the needs of all the City's residents; and

**WHEREAS**, the City of Orland is required by State law to update its Housing Element in compliance with Government Code Section 65580 *et seq.* to guide the City's housing efforts; and

**WHEREAS**, General Plan Amendment (GPA #2021-02) is a required action for the city to adopt the 6<sup>th</sup> cycle Housing Element covering the years 2021-2029 to replace the existing 5<sup>th</sup> cycle Housing Element; and

**WHEREAS**, the City held two public community meetings to allow the community to provide input on housing challenges and possibilities, one on June 23, 2021 and one on August 5, 2021; and

**WHEREAS**, on October 14, 2021, the City made the draft Housing Element update available to the public both in hard copy at City Hall and digitally via the City's website; and

**WHEREAS**, on November 18, 2021, the Planning Commission of the City of Orland held a noticed public hearing at their regularly scheduled November Planning Commission meeting to take public input, consider and make a recommendation to the City Council on the draft document; and

**WHEREAS**, no public input was provided or offered during the Planning Commissions public hearing and after the conduct of the public hearing and deliberation on the matter, the Planning Commission voted 5-0 to recommend to the City Council the adoption of the 6<sup>th</sup> cycle Housing Element as presented; and

**WHEREAS**, on October 14, 2021, the City submitted its draft Housing Element update to the State Department of Housing and Community Development (HCD), which started the official 60-day review period by the State; and

**WHEREAS**, the proposed General Plan Amendment GPA 2021-02 is considered a "Project" as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

**WHEREAS**, the Planning Commission determined that the proposed General Plan Amendment (GPA #2021-02) met the statutory requirement to be determined to be exempt from further CEQA review pursuant to Section 15061(b)(3), known as the "*General Rule*" or "*Common Sense*" exemption as the Commission found that it can be seen with certainty that there is no possibility that the Housing Element Update would have a significant effect on the environment; and

**WHEREAS**, the City Council has determined the General Plan Amendment (GPA #2021-02) adopting the city's 6<sup>th</sup> cycle Housing Element to be exempt from further review under the California Environmental Quality Act pursuant to Section 15061(b)(3); and

**WHEREAS**, the City Council finds that the adoption of the 2021-2029 Housing Element Update is consistent with the City of Orland's General Plan policies and programs and makes findings for the adoption of the amendment.

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of Orland does hereby approve and adopt General Plan Amendment #2021-02 approving the 6<sup>th</sup> cycle 2021-2029 Housing Element and associated CEQA Exemption.

**NOW THEREFORE BE IT RESOLVED**, that the City Council of the City of Orland does hereby authorize staff to submit the 6<sup>th</sup> cycle Housing Element to HCD for certification, in accordance with the procedures set forth by State law.

**PASSED, APPROVED AND ADOPTED** by the City Council of the City of Orland, California at a regular meeting held on the 1<sup>st</sup> day of March 2022.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: APPROVED AS TO FORM

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Jennifer T. Schmitke, City Clerk

---

Dennis Hoffman, Mayor

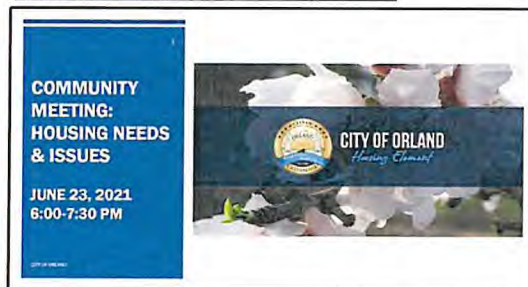
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CITY OF  
**ORLAND,**  
**CA**

HOME RESIDENTS ▼ BUSINESS ▼ VISITORS ▼ GOVERNMENT ▼  
CALENDAR

## 2021 – 2029 Housing Element Update



The Housing Element is used to establish the City's priorities for housing its residents in 8-year cycles. It sets goals for the allocation of funding, program coordination and zoning efforts to support the production of housing. This is your chance to tell the City your thoughts and use your experience to help shape goals for the community!

### Community Meeting #2 | August 5, 2021 | Resources

**Presentation:** The City invited residents to participate in an in-person meeting and breakout group discussions on housing goals, policies, and programs. Community input and feedback gathered during this event will help define the priorities for housing in our City and influence future housing policies. The presentation slides are available in both **English** and **Spanish**.

**Breakout Group Notes:** After the presentation, participants discussed housing goals, policies, and programs in small groups. The meeting had a facilitator and notetakers. A bullet point **summary** of the discussion and takeaways is available for review.

**Definitions of Frequently Used Terms in the Housing Element:** This document provides a brief overview of terms which are found frequently in the Housing Element document and used during community discussions. It is

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available in both **English** and **Spanish**.

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## Community Meeting #1 | June 23, 2021 | Resources

**Presentation:** The City invited residents to participate in a live meeting and discussion on housing challenges and possibilities. Community input and feedback gathered during this event will help define the priorities for housing in our City and influence future housing policies. The presentation slides are available in both **English** and **Spanish**.

**Meeting Recording:** The first portion of the meeting was recorded, provides background on the Housing Element and summarizes progress made on the current Housing Element Goals as well as key needs assessment data. Recordings of the meeting are available in both **English** and **Spanish**.

**Breakout Group Notes:** After the presentation, participants discussed housing challenges and possibilities. The meeting had a facilitator and notetakers. A bullet point **summary** of the discussion and takeaways is available for review.

**Live Poll Results:** Participants responded to bilingual polls in English and Spanish that were launched live during the meeting. Both the polls and participants' aggregated **responses** are available for review.

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### Quick Links

Agendas & Minutes  
Community Calendar  
Building Permit Application  
Business License Application  
Employment Opportunities  
Financial Information  
Make A Payment  
Orland Municipal Code  
Police Logs  
Parcel Look-Up

### Departments

Administration Department  
Building Department  
Fire Department  
Orland Free Library  
Planning Department  
Police Department  
Public Works Department  
Recreation Department

### Contact Us

 (530) 865-1600  
 Mon - Fri 9AM - 5PM  
 815 Fourth Street  
Orland, CA

### Social Media



**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT****DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
www.hcd.ca.gov



August 5, 2020

Donald Rust, Director  
Planning and Community Development Services Agency  
225 N. Tehama Street  
Willows, CA 95988

Dear Donald Rust:

**RE: Final Regional Housing Need Determination**

This letter provides the Glenn County region its Final Regional Housing Need Determination and Regional Housing Need Allocation (RHNA) Plan. Pursuant to State Housing Element Law (Government Code section 65584, et seq.), the California Department of Housing and Community Development (HCD) is required to provide the determination of the region's existing and projected housing need and a RHNA Plan to countywide regions not represented by council of governments (COGs).

Attachment 1 displays the minimum regional housing need determination of **661** total units among four income categories. Attachment 2 explains the methodology applied pursuant to Gov. Code section 65584.01. In determining the region's housing need, HCD considered all the information specified in State Housing Element Law (Gov. Code section 65584.01(c)). Attachment 3 displays HCD's methodology and RHNA Plan for the region, for the *projection* period beginning December 31, 2018 and ending November 30, 2029.

Government Code section 65588(f) specifies the RHNA projection period start is December 31 or June 30, whichever date most closely preceded the end date. The RHNA projection period end date is set to align with the planning period end date. The planning period end date is eight years following the housing element due date, which is 18 months following the Regional Transportation Plan adoption, rounded to the 15<sup>th</sup> or end of the month.

Glenn County local government are responsible for updating their housing elements for the *planning* period beginning November 30, 2021 and ending November 30, 2029 to accommodate their share of new housing need for each income category.

Increasing the availability of affordable homes, ending homelessness, and meeting other housing goals continues to be a priority for the State of California. To further these efforts, HCD has established the Local Early Action Planning Grant Program (LEAP). LEAP provides one-time grant funding to cities and counties to update their planning documents and implement process improvements that will facilitate the acceleration of housing production and help local governments prepare for their 6th cycle housing element update. Each Glenn County jurisdiction may be eligible for up to \$65,000 in LEAP funding. In addition, Regional Early Action Planning Grant Program Funding

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(REAP) of up to \$182,275 is available for the Glenn County region to use toward similar purposes. HCD is also developing regionally based technical assistance plans to further assist the acceleration of housing production and facilitate compliance with housing element law. For more information, please contact HCD at [EarlyActionPlanning@hcd.ca.gov](mailto:EarlyActionPlanning@hcd.ca.gov). While the SB 2 Planning Grant deadline has passed, ongoing regionally tailored technical assistance is still available through that program.

In addition to these planning resources HCD encourages local governments to consider the many other affordable housing and community development resources available to local governments that can be found at <https://www.hcd.ca.gov/grants-funding/nofas.shtml>.

HCD commends Glenn County local governments for their leadership in taking a regional approach toward fulfilling its important role in advancing the state's housing, transportation, and environmental goals. Specifically, HCD recognizes the cooperative efforts led by Glenn County local governments to propose a RHNA plan that effectively addresses the region's housing needs and furthers the statutory objectives of the RHNA. These efforts can serve as a model for other non-COG regions throughout the state. HCD looks forward to its continued partnership with the region, and in assisting in planning efforts to accommodate the region's share of housing need.

If HCD can provide any additional assistance, or if you, or your staff, have any questions, please contact Tom Brinkhuis, Housing Policy Specialist at (916) 263-6651 or [tom.brinkhuis@hcd.ca.gov](mailto:tom.brinkhuis@hcd.ca.gov).

Sincerely,



Megan Kirkeby  
Deputy Director

Enclosures

cc: Scott Friend, City of Orland  
cc: Karen Mantele, City of Willows

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## ATTACHMENT 1

### HCD REGIONAL HOUSING NEED DETERMINATION Glenn County: December 31, 2018 through November 30, 2029

<u>Income Category</u>	<u>Percent</u>	<u>Housing Unit Need</u>
Very-Low*	27.8%	184
Low	12.6%	83
Moderate	17.5%	116
Above-Moderate	42.1%	278
<b>Total</b>	<b>100.0%</b>	<b>661</b>
* Extremely-Low	15.8%	Included in Very-Low Category

Income Distribution:

*Income categories are prescribed by California Health and Safety Code (Section 50093, et. seq.). Percents are derived based on Census/ACS reported household income brackets and county median income.*



## ATTACHMENT 2

### HCD REGIONAL HOUSING NEED DETERMINATION: December 31, 2018 through November 30, 2029

#### Methodology

GLENN COUNTY: PROJECTION PERIOD (10.9 years) HCD Determined Population, Households, & Housing Unit Need		
Reference No.	Step Taken to Calculate Regional Housing Need	Amount
1.	<b>Population: November 30 2029 (DOF June 30 2029 projection adjusted + 5 months to November 30 2029)</b>	30,420
2.	- <i>Group Quarters Population: November 30 2029 (DOF June 30 2029 projection adjusted + 5 months to November 30 2029)</i>	-345
3.	<b>Household (HH) Population</b>	30,075
4.	<b>Projected Households</b>	10,655
5.	+ Vacancy Adjustment (2.79%)	+297
6.	+ Overcrowding Adjustment (0.5%)	+54
7.	+ Replacement Adjustment (.66%)	+70
8.	- <i>Occupied Units (HHs) estimated January 1, 2019</i>	-10,415
9.	+ Cost-burden Adjustment	+0
<b>Total</b>	<b>6<sup>th</sup> Cycle Regional Housing Need Assessment (RHNA)</b>	<b>661</b>

Detailed background data for this chart available upon request.

#### Explanation and Data Sources

- 1-4. Population, Group Quarters, Household Population, & Projected Households:  
Pursuant to Gov. Code Section 65584.01, projections were extrapolated from DOF projections. Population reflects total persons. Group Quarter Population reflects persons in a dormitory, group home, institute, military, etc. that do not require residential housing. Household Population reflects persons requiring residential housing. Projected Households reflect the propensity of persons within the Household Population to form households at different rates based on American Community Survey (ACS) trends.
5. Vacancy Adjustment: HCD applies a vacancy adjustment based on the difference between a standard rural 4% vacancy rate and county's current "for rent and sale" vacancy percentage to provide healthy market vacancies to facilitate housing availability and resident mobility. The adjustment is the difference between standard rural 4% vacancy rate and county's current vacancy rate based (1.21%) on the 2014-2018 ACS data. For Glenn that difference is **2.79%**.
6. Overcrowding Adjustment: In counties where overcrowding is greater than the U.S. overcrowding rate of 3.35%, HCD applies an adjustment based on the amount the county's overcrowding rate exceeds the U.S. overcrowding rate. Data is from the 2014-2018 ACS. For Glenn, the county overcrowding is **.50%** higher than the national average, resulting in a 54 unit adjustment.
7. Replacement Adjustment: HCD applies a replacement adjustment up to 5% to the total housing stock based on the current 10-year average of demolitions in the county's local government annual reports to Department of Finance (DOF). For Glenn the 10-year average is **.66%**.

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8. Occupied Units: This figure reflects DOF's estimate of occupied units at the start of the projection period (December 31, 2018).
9. Cost Burden Adjustment: HCD applies an adjustment to the projected need by comparing the difference in cost-burden by income group for the region to the cost-burden by income group for the nation. The cost burden rate for Glenn County is lower than the cost burden rate for the nation, therefore no cost burden adjustment was applied.

## ATTACHMENT 3

### HCD REGIONAL HOUSING NEEDS ALLOCATION PLAN: GLENN COUNTY LOCAL GOVERNMENTS

December 31, 2018 – November 30, 2029

#### Distribution of Final RHNA

This table reflects the final Regional Housing Need Allocation (RHNA) distribution for each local government based on the methodology discussed below:

**Regional Housing Need Allocation by Income Category**

Jurisdiction	Very-Low	Low	Moderate	Above-Moderate	Total
Glenn County	184	83	116	278	661
Orland	62	31	44	110	247
Willows	47	22	36	80	185
Unincorporated Glenn County	75	30	36	88	229

#### Purpose of Regional Housing Need Allocation Plan

The purpose of the RHNA Plan is to comply with state law (Gov. Code section 65584, et. seq.) in allocating to each local government a share of regional housing need for use in updating the General Plan housing element. The housing element must accommodate the total RHNA for each of four (4) income categories (deemed very low, low, moderate, and above-moderate) over the designated planning period (December 31, 2018 through November 30, 2029). These requirements were enacted into state housing law (Article 10.6 of the Government Code) upon the California legislature determining that the provision of adequate housing is an issue of statewide concern.

HCD, pursuant to Government Code section 65584(a), is required to determine the existing and projected need for housing within regions of the state. In addition, HCD (per Gov. Code section 65584.06) is required to develop a plan to distribute the final determination of regional housing need to each local government not represented by a council of governments. The RHNA, per Gov. Code section 65584(d), is required to further all of the following objectives:

- (1) Increasing the housing supply and mix of housing types, tenure, and affordability.
- (2) Promoting infill development and socioeconomic equity, protecting environmental and agricultural resources, and encouraging efficient development patterns.
- (3) Promoting an improved intraregional relationship between jobs and housing.
- (4) Balancing disproportionate household income distributions.
- (5) Affirmatively furthering fair housing.

The RHNA is based on the projection of population and new household formation determined by the Demographic Research Unit of DOF. The resulting RHNA is a minimum projection of additional housing needed to accommodate household growth over the planning period; it is not a prediction, production quota, or building permit limitation for new residential construction.



To comply with state law in addressing the jurisdiction's RHNA, the updated housing element must identify adequate sites and program actions to accommodate the total RHNA for each income category. Housing elements are required to be updated by November 30, 2021 and sent to HCD for determination of compliance with state law. In updating the housing element, jurisdictions may take credit for and subtract from their RHNA (by income category) new units permitted since the beginning of the RHNA projection period (December 31, 2018).

### **RHNA Plan Methodology**

HCD used a three-step approach in distributing RHNA to local governments within the county.

First, DOF's January 1, 2020 estimates (E-5 reports available on DOF's website) were used to determine each jurisdiction's percentage of household population in the county. The RHNA for each jurisdiction was derived by multiplying the jurisdiction's percentage of household population against the total countywide RHNA. This approach is consistent with the first and third statutory objectives, as well as market demand, to consider in distributing RHNA to each local government.

Second, a policy adjustment of twenty percent was applied to the unincorporated RHNA total to decrease the unincorporated share and increase city shares to address the second and third statutory objectives to protect agricultural resources, encourage efficient development patterns, and improve the relationship between jobs and housing. Discussions between the unincorporated county and cities resulted in an additional 40 unit decrease from the unincorporated county, distributed evenly to both cities.

Below is hypothetical example of results after completing first and second steps:

<b>Jurisdiction</b>	<b>HH Population</b>	<b>Share</b>	<b>RHNA</b>	<b>Adjustment (20%)</b>	<b>Total RHNA</b>
County	50,000	100%	2,000		2,000
City A	10,000	20%	400	+320	720
Unincorporated County	40,000	80%	1,600 x (20%)	-320	1,280

The last step was the determination of RHNA by income category. To assist in meeting the first, fourth, and fifth statutory objectives (mix of housing type, affordability and income category allocation based on the countywide distribution of household incomes, affirmatively furthering fair housing), the income distributions of each jurisdiction's households were compared to the countywide distribution. A "fair share" policy adjustment (150%) was applied to city income categories to move city percentages closer to county percentages as demonstrated in this hypothetical example.

<b>County/ City</b>	<b>Very-Low Income %</b>	<b>Difference County-City</b>	<b>Fair Share Multiplier</b>	<b>Fair Share Adjustment</b>	<b>Adjusted Very-Low RHNA</b>
County	22%	0	None	N/A	Same
City A	41%	22% - 41% = -19%	1.5	(-19%)*1.5 = -28.5%	41% - 28.5% = 12.5%

City's Low-Income RHNA = City Total RHNA x 12.5% = 720 x 12.5% = 90 units



**CITY OF ORLAND  
CITY COUNCIL MEETING  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the City Council of the City of Orland will hold a public hearing on Tuesday, March 1, 2022, at 6:30 p.m. in the Carnegie Center, 912 Third Street, to consider the following actions:

- 1) **General Plan Amendment GPA 2021-02 (2021-2029 Housing Element Update):** State law requires General Plan Housing Elements be updated on eight-year cycles, and the Element must be reviewed and approved by the California Housing and Community Development Department (HCD). The current Housing Element was adopted by City Council in 2014 and expires in 2021. The updated Housing Element will cover the planning period from 2021 to 2029. The foundation of the Housing Element is the Regional Housing Needs Allocation (RHNA), which is the amount of housing the state (HCD) determines a given region must accommodate. For the 2021-2029 cycle, the City of Orland must demonstrate that it has sufficient capacity to accommodate 247 housing units (62 very low income, 31 low income, 44 moderate income, and 110 above moderate-income housing units).

Housing Tools has prepared a Draft Housing Element that includes analysis required by state law, including the following: 1) goals, policies, and programs; 2) existing demographics and housing characteristics; 3) constraints on housing production; 4) a fair housing assessment; 5) a review of the effectiveness of the 2014 Housing Element; and 5) an inventory of sites available to accommodate housing.

At their regular meeting on November 18, 2021, the Planning Commission conducted a public hearing on the matter and voted unanimously to forward a recommendation to the City Council for approval and adoption of the draft document. Staff is recommending that the Council concur with the recommendation of the Planning Commission and adopt the draft Element into the General Plan.

The Proposed action is categorically *exempt* from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the proposed General Plan Amendment would have a significant effect on the environment, and therefore the proposed revision is not subject to CEQA.

The public is invited to review and comment on the matter. Information on the above-described project is available for public review on the City's website and between the hours of 9:00 am and 4:30 pm Monday through Friday at the front counter of Orland City Hall at 815 Fourth Street, Orland, CA. The public is also invited to attend the public hearing to be held at the Carnegie Center, 912 Third Street.

If you have any questions or comments, or wish to review the proposed items, please contact Jennifer Schmitke, City Clerk, Orland City Hall, 815 Fourth Street, Orland, CA 95963, or by telephoning the Planning Department at (530) 865-1600. As comments are part of the official record of the project, please be sure that all comments submitted are legible and include the name of the author or signatory.

Jennifer Schmitke, City Clerk  
City of Orland

## CITY OF ORLAND

### CITY COUNCIL AGENDA ITEM #: 6.C

**MEETING DATE: March 1, 2022**

**TO:** Honorable Mayor and Council  
**FROM:** Chief of Police Joe Vlach  
**SUBJECT:** Reimbursement Agreement for Newville/Commerce Signal  
(Discussion/Action)

---

City Staff will request City Council approval of a draft proposed reimbursement agreement with a developer for certain infrastructure improvements.

#### **BACKGROUND**

When Conditions of Approval of a development project obligate a developer to install infrastructure such as streets, lighting and signals, the lead public agency will sometimes enter into an agreement with the developer to accomplish specified improvements and share a portion of the cost. Development agreements and reimbursement agreements are separate from land use actions, and are under the purview of the City Council. The land use actions necessary for development in Orland proposed by Maverik were approved by the Orland Planning Commission in February.

#### **DISCUSSION**

Conditions of Approval for Maverik's proposed development include signalization of the Newville/Commerce intersection. In the case of signalizing this intersection, the City has already collected a fair share contribution from a previous developer and anticipates prospectively that additional development will occur in the immediate vicinity.

The draft proposed development reimbursement agreement includes an obligation on Maverik Inc. to construct intersection infrastructure improvements at Newville & Commerce including installation of traffic signals to City standards. The City is also including removal and replacement of damaged concrete from the roadway as part of the project.

To share the cost, the agreement obligates the City to reimburse Maverik – upon completion of the project -- \$140,000 for signalization and \$60,000 for the concrete repair. The signalization cost share will be drawn from existing Development Impact Fee (DIF) funds contributed by others specifically for signalization of this intersection, while the road repair will be funded by the general transportation DIF account. The agreement also provides that future DIF revenues from related development (impacts on this intersection) occurring over the next ten years would be reimbursed to Maverik for a combined total up to the actual costs of the project or the engineer's estimate (whichever is less) but not to exceed Maverik's traffic-study specified cost share.

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Attachment (2): 1. Draft proposed reimbursement agreement between City of Orland and Maverik  
2. Engineer's cost estimate for construction improvements

**RECOMMENDATION:**

Approve the proposed reimbursement agreement with Maverik Inc. and authorize City Manager to execute on behalf of the City of Orland.

**Fiscal Impact of Recommendation:**

\$200,000 from dedicated DIF funds. No fiscal impact on current or futures General Fund budgets.

**OFF-SITE CONSTRUCTION IMPROVEMENTS REIMBURSEMENT AGREEMENT  
(CITY OF ORLAND / MAVERIK INC.)**

THIS OFF-SITE CONSTRUCTION REIMBURSEMENT AGREEMENT is made and executed on \_\_\_\_\_, by the City of Orland, a municipal corporation of the State of California (City), and Maverik Inc., a developer, whose address is 1014 South Washington Street Afton, WY 83110 (Developer).

**W I T N E S S E T H:**

WHEREAS, Developer intends to construct a fueling station with store and food service within the City at 4483 Commerce Lane, Orland, CA (Project). The Project will require off-site construction improvements at the intersection of Newville Road and Commerce Lane (Off-Site Construction Improvements).

WHEREAS, the Off-Site Construction Improvements are set forth in Exhibit A. The location of the Off-Site Construction Improvements is set forth in Exhibit B.

WHEREAS, the Off-Site Construction Improvements shall be undertaken and completed according to applicable City of Orland specifications.

WHEREAS, upon completion of the Off-Site Construction Improvements and approval thereof by the City, and in accordance with Orland Municipal Code (OMC) sections 13.04.220 and 13.04.240, Developer will be entitled to be reimbursed for a portion of the Off-Site Construction Improvements at the time, in the amount, and in the manner required by the OMC and this Agreement.

WHEREAS, in addition to, but separate from the enumerated and specific reimbursement provided herein, Developer will be entitled to receive any traffic-signal-related developer impact fees collected by the City from any and all other development with a traffic study-designated incremental impact on the subject intersection, for a period of five (5) yeas from the date of this Agreement.

NOW, THEREFORE, in consideration of the premises set forth above, City and Developer agree as follows:

1. Developer has or will incur costs for constructing and installing the Off-Site Construction Improvements set forth in Exhibit A and located as depicted in Exhibit B, both of which are attached hereto and by this reference incorporated herein.

2. Upon completion of the Off-Site Construction Improvements and approval thereof by the City, Developer shall be reimbursed by the City in the amount set forth in Exhibit



C.

3. Such reimbursement by City to Developer shall be made in a single lump sum payment upon acceptance of the completed Off-Site Construction Improvements; provided, however, the total amount of such reimbursement shall not exceed the Eligible Reimbursement set forth in Exhibit C.

4. All revenues to be paid and remitted by City to Developer pursuant to this Agreement within sixty (60) days of the acceptance of said improvements and shall be sent to Developer at Developer's address as hereinbefore set forth in this Agreement or such other address as has been filed by Developer in writing with Orland City Hall.

5. In addition to, but separate from the reimbursement provided in Exhibit C, Developer will be entitled to receive any traffic-signal-related developer impact fees collected by the City from any and all other development with a traffic study-designated incremental impact on the subject intersection, for a period of ten (10) years from the date of building permit issuance. These sums, if any, shall be payable by the City to Developer within 90 days from receipt by the City. Upon request, Developer shall be provided with the relevant account information. The total reimbursement shall not exceed \$621,833.00 or 66.4% of actual costs, whichever is less.

6. This Agreement and the benefits hereof shall not be assigned except upon written approval by the City.

7. This Agreement constitutes the entire understanding between City and Developer as to the matters set forth herein, and neither City nor Developer shall be bound by any terms, conditions, statements or representations, oral or written, not contained herein. Moreover, this Agreement shall not create any debt or obligation on the part of the City, save and except for the obligation to pay and remit the sums provided for by this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date set forth above.

City of Orland

By: \_\_\_\_\_  
Peter R. Carr  
City Manager

Developer

---

By: Chuck Maggelet  
President and Chief Adventure Guide  
Maverik Inc.

For and as authorized by Maverik Inc.

Approved as to Form:

---

By: Gregory P. Einhorn, City Attorney

## EXHIBIT A

### OFF-SITE CONSTRUCTION IMPROVEMENTS

Item	Description	Quantity	Unit
1	Traffic Control	1	LS
2	Erosion Control	1	LS
3	Sawcut existing pavement	650	LF
4	Demo ex. Intx. Island	1	LS
5	Remove ex. Signage	7	EA
6	Traffic Signalization	1	LS
7	Construction Staking	1	LS
6	Extend Drainage Culvert	1	EA
7	Excavation	225	CY
8	Grading/Earthwork Operations	225	CY
9	Concrete Sidewalk	1,400	SF
10	Asphalt Pavement	4000	SF
11	Concrete curb and gutter	110	LF
12	Concrete Pavement	950	SF
13	Road striping	1	LS
14	Re-align drainage ditch	100	LF
15	Curb ramp (incs. truncated domes)	4	EA
16	Intersection Concrete Repair	1500	SF





**CONCEPT EXHIBIT  
NEWVILLE ROAD &  
INTERSECTION IMPROVEMENTS**



**EXHIBIT C**

**OFF-SITE CONSTRUCTION IMPROVEMENTS  
REIMBURSEMENT SCHEDULE**

Construction Improvement Item	Reimbursement Amount
1-15	\$140,000.00
16	\$60,00.00
Total:	\$200,000.00

<b>Newville Road/Commerce Drive Intersection Improvements</b>					
<b>Conceptual Plan</b>					
<b>Item</b>	<b>Description</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Cost</b>	<b>Total</b>
1	Traffic Control	1	LS	\$10,000.00	\$10,000
2	Erosion Control	1	LS	\$7,500.00	\$7,500
3	Sawcut existing pavement	650	LF	\$4.00	\$2,600
4	Demo ex. Intx. Island	1	LS	\$2,000.00	\$2,000
5	Remove ex. Signage	7	EA	\$250.00	\$1,750
6	Traffic Signalization	1	LS	\$450,000.00	\$450,000
7	Construction Staking	1	LS	\$7,500.00	\$7,500
6	Extend Drainage Culvert	1	EA	\$2,000.00	\$2,000
7	Excavation	225	CY	\$20.00	\$4,500
8	Grading/Earthwork Operations	225	CY	\$25.00	\$5,630
9	Concrete Sidewalk	1,400	SF	\$8.00	\$11,200
10	Asphalt Pavement	4000	SF	\$20.00	\$80,000
11	Concrete curb and gutter	110	LF	\$25.00	\$2,750
12	Concrete Pavement	950	SF	\$40.00	\$38,000
13	Road striping	1	LS	\$5,000.00	\$5,000
14	Re-align drainage ditch	100	LF	\$25.00	\$2,500
15	Curb ramp (includes truncated domes)	4	EA	\$5,000.00	\$20,000

Unadjusted Construction Cost      \$652,930

Construction Contingency (30%)      \$195,880

**Off-Site Improvements Total Construction Cost      \$848,810**

Design & Const. Mangmnt (10%)      **\$84,881**

**Total Construction & Design, CM Cost      \$933,691**

**ESTIMATE INCLUDES:**

1. Take-offs of the quantities and materials are based on schematic exhibits (as of 12/6/21), and other design assumptions. Subject to change based on government and agency reviews and approval requirements and code changes.

**ESTIMATE DOES NOT INCLUDE:**

1. Any City, County, and/or State government or agency development fees, inspection fees, utility fees, bonds, permits, and/or assurances.