

MINUTES OF THE ORLAND CITY COUNCIL
REGULAR MEETING HELD OCTOBER 4, 2022

CALL TO ORDER

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

Meeting opened with Pledge of Allegiance led by Vice Mayor Jeffrey Tolley.

ROLL CALL

Councilmembers present:	Councilmembers Bruce Roundy, Chris Dobbs, Billy Irvin, Vice Mayor Jeffrey Tolley and Mayor Dennis Hoffman
Councilmembers absent:	None
Staff present:	City Manager Pete Carr; Assistant City Manager/Director of Administrative Services Rebecca Pendergrass; City Clerk Jennifer Schmitke; Police Chief Vlach
Staff via Zoom:	City Attorney Greg Einhorn; Recreation Director Joe Fenske

ORAL AND WRITTEN COMMUNICATIONS

PUBLIC COMMENTS: None

CONSENT CALENDAR

- A. Warrant List (payable obligations)
- B. Approve City Council Minutes for September 20, 2022
- C. AB361 Compliance
- D. Adopt Resolution 2022-25: Approving and Adoption the Annual Appropriations Limit for Fiscal Year 2022-2023
- E. Quarterly Report – City Projects

Action: Councilmember Chris Dobbs moved, Councilmember Bruce Roundy seconded, to approve items A-E on the consent calendar. The motion carried by a voice vote 5-0.

ADMINISTRATIVE BUSINESS

A. REQUEST FOR FEE WAIVER: SPAY/NEUTER CLINIC

Mr. Carr shared that Valerie Johnson, a Glenn County resident with Hidden Treasures Sanctuary & Rescue, a 501(c) 3 tax exempt non-profit organization, sent a letter into the City requesting a waiver of the Conditional Use Permit (CUP) fee which is a necessary permit to conduct the requested activity at the stated location – 33 E. Walker Street. Mr. Carr stated that the CUP permit application fee is \$2,819 and that the CUP application will be heard at the Planning Commission meeting on October 20, 2022.

Mr. Carr asked the Council to determine whether to grant a waiver of the CUP fee and provided options for the Council to choose from:

- A. Approval of the waiver as requested; or
- B. Approval of the waiver in part (specifying the % or \$ amount); or
- C. Deny the waiver request.

Mr. Carr made a note to Council that historically the City does not do permit fee waivers.

Valerie Johnson, Glenn County resident with Hidden Treasures Sanctuary & Rescue, spoke about her organization and explained about the programs they will offer the community. Ms. Johnson explained to Council she wants to help clean up the community by helping with the overwhelming cat issue by spaying/neutering stray cats and finding them forever homes. Ms. Johnson stated she requested the fee waiver for the community after they came together to raise money for the organization through fundraisers and local donations.

Council asked questions about the organization and discussed with the City Attorney Greg Einhorn options on waiving fees.

Action: Councilmember Roundy moved, seconded by Vice Mayor Tolley to approve the waiver as requested in the interest of health and safety within the community. The motion carried by a roll call vote 5-0.

AYES:	Councilmembers Bruce Roundy, Chris Dobbs, Billy Irvin, Vice Mayor Jeffrey Tolley and Mayor Dennis Hoffman
NOES:	None
ABSTAIN:	None

B. REQUEST FOR FEE REDUCTION: HABITAT FOR HUMANITY

Mr. Carr shared that the development impact fees (DIF) for the 33-unit Habitat for Humanity permanent supportive multi-family housing facility under construction at 827 Newville Road total \$380,308. Mr. Carr stated that Habitat Yuba/Sutter is requesting City Council’s consideration of it request to reduce DIF due to budget constraints by \$111,888 which would be a 29% reduction.

Mr. Carr gave Council options for fee reductions which included:

- A. Approval of a reduction in DIF of the Arts Fee and portions of the Parks Improvement Fee and Community & Recreation Facilities Fee (total \$111,888); or
- B. Approval of a reduction in some other amount (specify % or \$ amount); or
- C. Deny fee reduction request.

Councilmember Irvin stated his frustrations on the City having to reduce fees after asking multiple times if the project would cost the City and being told that Habitat for Humanity would take care of all the financials. John Nicoletti Habitat for Humanity representative shared that the budget constraints came from unforeseen cost including the demolition of the old building being higher than expected. Mr. Nicoletti shared that if the waiver is denied the project will continue, it will just detract from other parts of the budget.

Councilmember Roundy suggested that Council approve the reduction in a way to lessen the impact on just one development impact fee category. He suggested that all categories reduce their fees equally by the 29% reduction.

Councilmembers stated concerns, asked questions, and discussed the options for the fee reduction.

Action: Councilmember Roundy moved, seconded by Vice Mayor Tolley to approve the fee reduction by 29% across the board from Development Impact Fees (DIF) categories (total \$111,888). The motion carried by a roll call vote 4-1.

AYES: Councilmembers Bruce Roundy, Chris Dobbs, Vice Mayor Jeffrey Tolley and Mayor Dennis Hoffman
NOES: Councilmember Billy Irvin
ABSTAIN: None

C. ARPA AND CV2/3 REALIGNMENT OF ALLOCATION

Mr. Carr shared that the City has recently received the State Library grant which was applied for earlier in the year; the grant was awarded at \$267,000 with a required minimum match of \$134,000 from the City. Mr. Carr reminded Council that the City set aside \$80,000 in the ARPA budget in June 2022 for a match to possible future State Library grant.

Mr. Carr updated Council on surplus CV2/3 funds (\$68,000) that were previously approved by Council at the August 16, 2022 meeting to be repurposed to the community e-gift card program; since that meeting the City has learned that due to restrictions the funds can only be reprogrammed to facility improvements. Mr. Carr shared that a resolution could be provided as early as the October 18, 2022 meeting if approved in concept at today's meeting.

Mr. Carr stated the funds previously set aside for facility improvements, combined with the surplus \$68,000, will be more than sufficient grant match for the State Library grant. Mr. Carr explained that \$80,000 from American Rescue Plan Act (ARPA) will now be able to cover the approved community e-gift card program.

Mr. Carr went over the Use of ARPA Funds worksheet with Council and explained several suggested adjustments.

Action: Councilmember Irvin moved, seconded by Councilmember Dobbs to approve the adjustments to ARPA and CV2/3 allocation plans as presented including streetscapes and parking lot allocations. The motion carried by a roll call vote 5-0.

AYES: Councilmembers Bruce Roundy, Billy Irvin, Chris Dobbs, Vice Mayor Jeffrey Tolley and Mayor Dennis Hoffman
NOES: None
ABSTAIN: None

D. DEVELOPMENT REIMBURSEMENT AGREEMENT FOR OFF-RAMP AND NEWVILLE ROAD

Mr. Carr reminded Council on the requirements Caltrans is asking, which is to widen the southbound Interstate 5 off-ramp at exit 619 to provide for a dedicated right-turn lane.

Mr. Carr shared that two Councilmembers volunteered for an ad hoc committee to help develop a proposed development reimbursement agreement. The Committee agreed it is in City's best interests to add an additional right turn-only lane. Mr. Carr explained the development reimbursement agreement with Maverik, Inc. and requiring fair share contributions by future development.

Mr. Carr reminded Council there would be no fiscal impact to the General Plan but will come from existing Development Impact Fee (DIF) funds and potentially from ARPA funds.

Action: Councilmember Dobbs moved, seconded by Vice Mayor Tolley to approve the proposed reimbursement agreement with Maverik Inc. and authorize City Manager to execute on behalf of the City of Orland and utilize \$100,000 of ARPA funds to assist in the funding. The motion carried by a roll call vote 5-0.

AYES:	Councilmembers Bruce Roundy, Billy Irvin, Chris Dobbs, Vice Mayor Jeffrey Tolley and Mayor Dennis Hoffman
NOES:	None
ABSTAIN:	None

E. VERBAL UPDATE ON DROUGHT CONDITIONS AND WATER SUPPLY PROJECT

City Manager Pete Carr provided an update on reported dry wells, stating there has only been 1 additional well reported since the last City Council meeting. Currently the total of dry or at-risk wells being reported this year is 116. The total number of wells affected for this drought is now listed at 413.

Mr. Carr shared with Council that connections within City Limits are in progress, Public Works Department is working along Hwy 32 preparing to add to the main line. Mr. Carr stated that City and Department of Water Resources (DWR) Engineers are currently on track and almost 100% complete on well/water tank design and about halfway complete with main line mapping of County properties.

Mr. Carr stated that the City's municipal wells remain stable. Water Consumption for the month of September was 55,733,340 gallons, that is 14% less than September 2020. Mr. Carr stated that City residents have made remarkable water consumption reductions this past month.

Councilmember Dobbs asked if the City could provide a current chart of water levels at the next meeting.

Mr. Carr shared that Glenn County Task Force will meet October 13, 2022.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy:

- Will be attending the LAFCO meeting October 10, 2022.
- Will be attending the Water Authority meeting October 10, 2022

Councilmember Dobbs:

- Attended the Chili Cook-off at Fairview School Western Night September 29, 2022.
- There will be a Fire Dept meeting October 10, 2022.
- Will be attending the next Library Commission meeting.

Councilmember Irvin:

- Nothing to report.

Vice Mayor Tolley:

- Nothing to report.

Mayor Hoffman:

- The Art Gallery will be open October 7, 2022.
- The Honeybee Discovery Center has a fundraiser event this Friday October 7, 2022.

MEETING ADJOURNED AT 8:14 P.M.

Jennifer Schmitke, City Clerk

Dennis G. Hoffman, Mayor