

MINUTES OF THE ORLAND CITY COUNCIL
REGULAR MEETING HELD JUNE 20, 2023

CALL TO ORDER

Meeting called to order by Mayor Chris Dobbs at 6:30 PM.

Meeting opened with Pledge of Allegiance

ROLL CALL

Councilmembers present:	Councilmembers John McDermott, Jeffrey Tolley, Matt Romano, Vice Mayor Bruce Roundy, Mayor Chris Dobbs
Councilmembers absent:	None
Staff present:	City Manager Pete Carr; Director of Administrative Services Rebecca Pendergrass; City Clerk Jennifer Schmitke; City Attorney Greg Einhorn; Public Works Director Ed Vonasek; City Planner Scott Friend
Staff present online:	None

CONSENT CALENDAR

- A. Warrant List (payable obligations)
- B. Approve City Council Minutes for May 16, 2023
- C. Receive and file Arts Commission Minutes from May 17, 2023
- D. Receive and file Planning Commission Minutes from April 20, 2023
- E. Receive and file Public Works & Safety Commission Minutes from February 14, 2023
- F. Adopt Municipal Code Amendment – First Reading: Truck Weight Limits Ordinance 2023-03
- G. Side Letter with the United Public Employees of California (UPEC) Local 792 Mid-Managers Unit

Action: Councilmember McDermott moved, seconded by Councilmember Tolley, to approve the consent calendar. Motion carried by a voice vote 5-0.

City Manager Pete Carr asked Council to consider his request to add an emergency action item to the agenda regarding a request from Habitat for Humanity for a Temporary Certificate of Occupancy (TCO).

Action: Mayor Dobbs asked for a roll vote to add the emergency action to the agenda.

Ayes – Councilmembers Tolley, Romano, McDermott, Vice Mayor Roundy and Mayor Dobbs
Noes – None

Mr. Carr shared with Council that Habitat is requesting a Temporary Certificate of Occupancy (TCO) until the conditions of approval are met and a CofO is issued. Mr. Carr explained what areas of the project need to be completed and spoke about a temporary sign in front of Purpose Place and temporary fencing that was put up until Habitat finds out if Phase 2 is approved. Once Phase 2 is approved the permanent masonry wall will be installed on the western side of the location. Mr. Carr showed pictures of Habitat for Humanity's Purpose Place newly installed

gates, masonry wall and temporary sign and updated Council on all security measures that have been installed.

Mr. Carr explained that Habitat for Humanity is now willing to enter into an agreement with the City as to when they will complete the masonry wall. Habitat does not have the unrestricted cash flow at this time to put up the bond, they are asking the Council to approve the TCO without the bond.

Councilmember McDermott asked how much the bond would be for this project. Mr. Carr stated that the City Engineer estimated it would cost \$70,000 to hire a contractor if the City ended up having to put the masonry wall in. Councilmember McDermott expressed his concerns over the cash flow issue with the project. Mr. Carr shared that once occupancy is approved, people move in and 1/3 of their income becomes available to Habitat for Humanity as cash flow.

Councilmember Tolley asked for the City Attorney's thoughts on the project. City Attorney Greg Einhorn explained that the intent is that there will be an agreement before Council within 15 days that will provide for a bond and a date certain before which the bond must be purchased.

Joseph Hale, Habitat for Humanity representative, shared Habitat for Humanity is asking Council to approve the TCO and for an extension on the bond of 90 days while tenants move in, once tenants are in funding can begin generating to help pay for bond. Mr. Hale thanked Council for their consideration of this emergency action.

Councilmember Romano and Mayor Dobbs both expressed that they believe the project is a benefit to the community and both stated the City should show their support on this action.

Suzanne Smith, Orland resident, voiced her support for affordable housing.

Action: Councilmember Romano moved, seconded by Vice Mayor Roundy, to approve waiving the bond, and approving the City to get an agreement to move forward with housing. Motion passed by a voice vote 5-0.

ADMINISTRATIVE BUSINESS

A. Proposed Projects (Various Fiscal Years) Funded by SB1: The Road Repair and Accountability Act

Mr. Carr shared that the SB1 report being presented to Council is an annual report that Council approves. Mr. Carr stated that the City Engineer will return with more consideration of street maintenance.

Public Works Director Vonasek brought forward a list of projects proposed to receive funding from the Road Maintenance and Rehabilitation Account (RMRA) created by SB1, the Road Repair Act of 2017. Approximately \$204,500 will be received in the next fiscal year funding cycle. These funds will be used to supplement monies received from previous cycles to repair or rehabilitate city streets in various locations.

Councilmember Romano stated he does not have issues with the project list, but shared how he would like to see a list of streets and sidewalks that could connect and allow people to traverse the town and would also like to see urban walking paths. Mayor Dobbs agreed he would like Staff to put together a list.

Vice Mayor Roundy agreed he would like to see the town connect. Vice Mayor Roundy stated the City needs to have a shovel ready list so that when money becomes available the City will be ready. Vice Mayor Roundy asked Director Vonasek where funding will be coming from. Director Vonasek shared that he and City Engineer would like to bring a plan on how to utilize funding to a future Council meeting as an agenda item.

Councilmembers discussed different funding ideas and options for the City.

Action: Councilmember McDermott moved, seconded by Councilmember Tolley, to adopt Resolution 2023-03 and authorize the City Manager or his designee to submit to the California Transportation Commission the City's 2023/2024 SB1 Project list. Motion passed by a voice vote 5-0.

A. Design Standards

City Planner Scott Friend shared a brief presentation on Design Review and Design Standards. Mr. Friend stated that the City's Orland Municipal Code (OMC) and the City of Orland's General Plan both present goals, objectives and provide standards and guidelines for design considerations in the City of Orland. Mr. Friend shared how the Planning Department handles and addresses design considerations.

Mr. Friend explained when and where Design Review happens, the differences between discretionary actions and non-discretionary actions and listed considerations in the design process. Mr. Friend explained common design review elements such as colors, materials, architectural features and also shared what are not design review elements such as setbacks, building height, land use types (which are all development standards that are in general plan)

Mr. Friend reviewed goal statements that include design related requirements that are in the City's general plan. Mr. Friend shared design requirements for single-family/residential zones, multi-family residential zones (non-income qualified and income qualified), commercial zones and industrial zones.

Mr. Friend briefly described the difference between subjective design and objective design and gave examples of both.

Mr. Friend state he felt that the City of Orland has a strong and robust design program, and the OMC contains most of the tools that this Council needs. Mr. Friend asked Council and Planning Commission to look at the design and landscape of each project and give City Staff feedback so that the project fits with the community's look, feel, function and vision for the City.

Mayor Dobbs shared he would like to see the Council look into changing the height limit for buildings in residential areas in the OMC at a future meeting. Mr. Friend stated that the Council can amend the code and limit the height of any zoning district.

Councilmember Tolley shared he felt it is important for the City to have standards for residential and commercial development to make the community look nice.

Mr. Carr asked the City Planner if there are some "shoulds" in the OMC that he recommends changing to "shalls". Mr. Friend stated that the general plan is a living and breathing document, the shoulds and shalls were most likely appropriate when the general plan was adopted, and

maybe they need changing now. Mr. Friend asked Council to review the general plan and come back to City Staff with direction as needed, the code can be changed 4 times each year.

Council directed City Staff to review the code and bring back a list of areas that may need to be amended as a future agenda topic.

Councilmember Romano shared he would like to see on a future agenda the best ways to manage the car volume in the City of Orland and would like to address blank walls in the community.

Mr. Carr asked if the Council would like the City Planner to bring the items back to Council or to the Planning Commission. Mayor Dobbs asked to have the Planning Commission review the design standards mentioned. Mr. Friend shared he will add these design concerns; parking, building height, should vs shalls, to a future Planning Commission meeting agenda for review and will bring any recommendation back to Council.

B. Vehicle Miles Travelled (VMT)

City Planner Scott Friend introduced the topic of Vehicle Miles Travelled (VMT) and shared that with the adoption of Senate Bill 743 in 2013 California Environmental Quality Act (CEQA) analyses now require the use of VMT threshold instead of a Level of Service (LOS) threshold for transportation impacts. Mr. Friend shared that VMT scores how far one person drives and explained that SB743 states that the City needs to reduce the average length of trips by 15% but that the City is free to adopt their own standards that are appropriate to fit your own community.

Mr. Friend shared that VMT will be on the agenda at the July 20th Planning Commission meeting, where he will be asking the Commission to adopt locally appropriate standards (to help analysis CEQA projects) that are appropriate for the City of Orland. Once the Planning Commission has their recommendations it will be brought back to the City Council to adopt VMT standards, that will be applied to all future projects.

ORAL AND WRITTEN COMMUNICATIONS

PUBLIC COMMENTS: None

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Romano:

- Attended the Flag Football kick-off and shared it was a great community event and stated he appreciates all the hard work Recreation Director Joe Fenske puts in for the Recreation Department;
- Recommends Council and Staff drive thru Live Oak if they haven't already to see what Caltrans can do on projects;

Councilmember McDermott:

- Attended the Planning Commission meeting on June 15th;

Councilmember Tolley:

- Nothing to Report;

Vice Mayor Roundy:

- Shared his appreciation for the Recreation Department;
- Spoke about the recharge project at Lely Park;

- Shared he is thankful for what the City partnership with Habitat for Humanity.

Mayor Dobbs

- Attended the Orland Otter-a-thon June 19th;
- Attended the Fire Department meeting June 12th.

CITIZEN COMMENTS ON CLOSED SESSION – NONE

MEETING ADJOURNED TO CLOSED SESSION AT 8:22 PM

CLOSED SESSION ENDED AT 9:05 PM – No reportable action.

MEETING ADJOURNED AT 9:05 PM

Jennifer Schmitke, City Clerk

Chris Dobbs, Mayor