

MINUTES OF THE ORLAND CITY COUNCIL
REGULAR MEETING HELD AUGUST 15, 2023

CALL TO ORDER

Meeting called to order by Mayor Chris Dobbs at 6:00 PM.

ROLL CALL

Councilmembers present:	Councilmembers Jeffrey Tolley, Matt Romano, John McDermott, 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
Staff present online:	None

Pledge of Allegiance

CITIZEN COMMENTS ON CLOSED SESSION – NONE

MEETING ADJOURNED TO CLOSED SESSION AT 6:00 PM

CLOSED SESSION ENDED AT 6:30 PM

RECONVENED TO REGULAR SESSION AT 6:35 PM

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; Chief of Police Joe Vlach; Fire Chief Justin Chaney; City Engineer Paul Rabo, City Planner Scott Friend
Staff present online:	None

REPORT FROM CLOSED SESSION – No reportable action.

Pledge of Allegiance led by Councilmember McDermott

CONSENT CALENDAR

- A. Warrant List (payable obligations)**
- B. Approve City Council Minutes for August 1, 2023**
- C. First Reading: Ordinance 2023-04 - Late Fee Waiver**

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

ADMINISTRATIVE BUSINESS

A. Walker Street/Newville Road Grant Application Project Update

City Manager Pete Carr updated Council on the progress of the “Orland Corridor Modernization Project”.

Mr. Carr noted that the City’s objective is to leverage federal funding to augment State funding for:

- Implementation of the Walker Street Streetscapes Master Plan;
- Construction of traffic control improvements at Newville Rd/Ninth Street intersection; and
- Widening of the Newville Road overpass over Interstate 5 to provide safer truck transit and to add bicycle and pedestrian facilities over the freeway.

The Mayor invited public input.

Resident Lolita Burd stated concerns for Caltrans not showing the City the improvement plans on its project. Mr. Carr reminded the Council that State Route 32 (SR32) is owned by the state, they are planning and paying for the improvements on the highway, and they are working with the City on the design aspect of the project.

Mayor Dobbs shared that he likes the direction the project is going.

Vice Mayor Roundy shared that he knows the grant may be out of reach for the City but stated it will be a good investment in the long run.

Councilmember Romano stated his appreciation to City Staff on preparing the grant and shared that the improvements will be a good investment for the future of Orland.

Resident Janice Noffsinger asked for clarifications on removing sidewalks, widening the freeway overpass, adding a new stop light at Commerce and Newville and potential eminent domain for the parcels near the project. Staff noted no private property is needed for the current public projects.

B. Emergency Medical Transportation Services– Pete Carr, City Manager

Mr. Carr advised Council that this agenda item was being brought before Council again to further the discussion regarding the need for Emergency Medical Transportation Services in the Northern Glenn County area.

Councilmember Romano, as a City representative on the County’s Emergency Medical Services (EMS) Transportation ad hoc committee provided additional data that was provided to him from the County and from ambulances services that are currently serving the County. Councilmember Romano shared the concerns from the County supervisors regarding Enloe’s current services and spoke about the stress and burden that would be taken off the Orland volunteer fire department if an additional ambulance could cover the daytime shift when the majority of volunteers are at work.

Councilmember Romano recommended that the County partner with the City of Orland to formulate a 3-year agreement to provide financial support for the Westside ambulance services to operate an additional ambulance that would be 12/7 service. Councilmember Romano also provided a cost estimate for the additional 12/7 ambulance service, Orland and the County would share the costs, Orland contributing depending on the percentage of call volume in the service area (City paying 60%-County paying 40%).

Grant Carmon, Glenn County Supervisor, clarified his concerns regarding the Enloe ambulance. Supervisor liked Councilmember Romano's recommendation and shared that at the last EMS ad hoc meeting he had asked the County's Special Service Division (SSD) to start putting together a service contract with Westside ambulance so that the County and City of Orland can review before getting down to final numbers needed.

Scott Studybaker, Westside Ambulance Board President, stated the Westside board is in favor of the new proposed service and willing to work alongside Enloe to make sure the area is covered.

Resident Lolita Byrd shared her experience using emergency medical services.

Fire Chief Justin Chaney confirmed that at the last EMS ad hoc meeting SSD stated they will be coming back with a rough draft of a contract for the County and City to review.

C. Building Height

City Planner Scott Friend presented an overview to Council of how the City code deals with building heights in the Orland Municipal Code (OMC). Mr. Friend shared a matrix showcasing Orland and other local communities (Willows, Corning and Red Bluff) building height standards by zoning type.

Mayor Dobbs asked questions about the three-story apartment project currently being built on Swift Street and stated his concern for future projects that could be similar in height in a residential area. Mr. Friend shared that the City is mindful of the residential homes around the project and that the City is very cognizant when it comes to bigger projects.

Councilmember McDermott shared concerns about the fire department being able to reach the upper level on the current three-story project.

Councilmember Roundy asked about changing the height of windows in the OMC. Mr. Friend stated the standards can be changed, sharing it is very complicated and reminding Council that the building code must also be followed, which could negate some provisions.

Councilmember Romano shared his recommended changes for building heights he would like to see changed in the OMC.

Resident Earl Megginson asked what the disadvantage is for lower building height standards. Mr. Friend stated lower heights may take away design flexibility and project affordability. Mr. Megginson asked about people getting exceptions and variances.

Councilmember Tolley shared that he felt it isn't broke, so why fix it.

Councilmember Romano stated that he felt the decision should come from the people that live in the City.

Councilmember Romano moved to have staff review building heights and bring back new recommendations to Council.

Councilmember McDermott suggested bringing the recommendations from staff to the Planning Commission for review.

Mr. Einhorn felt that the Council was interested in taking the staff's recommendations to the Planning Commission and hearing what conclusions they have to say about the maximum building heights in Orland.

Resident Yvonna Bennett shared her concerns with building heights.

D. Design Standards

Mr. Friend brought forward a presentation about design standards, sharing what standards the City currently has and discussing the use and application of the terms 'should' vs. 'shall'. Mr. Friend stated that the City of Orland does not have a formal design review process/committee, Non-discretionary actions are reviewed at staff level only, discretionary actions come before City Council and the Planning Commission to review. Mr. Friend spoke briefly about what is and isn't looked at in a design review. Mr. Friend reviewed goals, objectives and policies that are included in the OMC related to design. Mr. Friend explained the difference between subjective versus objective design and showed examples of requirements that are in the OMC.

Mr. Friend showed pictures and spoke about aesthetics of local businesses in Orland compared to the same business in other nearby communities, sharing that the Commission has the ability and the tools available to make the community look the way they want or believe is appropriate for the City.

Mr. Friend stated that when looking at design there needs to be a balance between cost and time with discretion. Mr. Friend explained that many businesses will not come into a community if they believe there will be a discretionary hearing.

Councilmember Romano asked about reviewing design standards in the OMC and pointed out that the City Manager or designated representative has the right to approve site plan based on specific findings with provisions for appeals to the Planning Commission. Councilmember Romano shared his concerns about the City Manager or designated representative being the one to approve design standards and shared information he gathered on what other cities do for site plan review. Councilmember Romano stated he believes design review should be decided upon by either the Planning Commission (appointed by elected officials, City Council) or the City Council (elected officials), people that live in the City of Orland.

Councilmember Tolley shared he didn't think anything was wrong with the way design review is currently handled.

Mr. Friend shared that the Council controls everything in the OMC, how it works, what the words say, and how it is applied. Mr. Friend reminded Council that it can change in the code.

Vice Mayor Roundy shared he likes how the City looks and how the City has developed over the past 30 years. Vice Mayor Roundy stated he likes Councilmember Romano's ideas but that he feels the City needs to maintain what has been working for them the last few years.

Mayor Dobbs stated he is not interested in restructuring the process, he believes that the City manager has Orland's best interest in mind.

Councilmember McDermott state he has faith in the City Manager and City Planner decisions when it comes to the design process.

City Manager Carr asked Council to clarify the direction they would like staff to proceed. The majority of Council stated they did not want staff to take additional action on this item.

E. City Council Discussion and Possible Action to Accept Offers of Dedication for Rights-Of-Way and Public Service Easement for Conditional Use Permit#2019-02

City Engineer Paul Rabo brought forward a Conditional Use Permit(CUP) #2019-02 for Orland Sunny Truck Service Center that was approved in March of 2020 by the Planning Commission, sharing that per the Conditions of Approval, the project had a list of conditions, one of those being that the developer dedicate rights-of-way along Commerce Lane and Ide Street and a 10 ft public service easement, which the City will maintain the once constructed.

Mayor Dobbs clarified that the developer will be installing the curb, gutter, and sidewalk.

Action: Councilmember Tolley moved, seconded by Vice Mayor Roundy, that Council adopt Resolution 2023-06 "A Resolution of the City Council of the City of Orland Accepting Rights-of-Way and Public Service Easement from Orland Sunny Truck Service Center." Motion passed by a voice vote 5-0.

F. Appointments to Economic Development Commissioner (EDC)

Assistant City Manager Rebecca Pendergrass shared with the Council that there is currently a vacant position on the Economic Development Commission and asked for direction in filling the vacancy.

Councilmember Tolley asked if City staff could invite the previous applicants as well as open the position up to the public. The Council unanimously approved of this choice.

G. Council Member Compensation – Greg Einhorn, City Attorney

City Attorney Greg Einhorn brought forward Senate Bill 329 (SB329) which Governor Gavin Newsom recently signed into law. SB329 amends Section 36516 of the Government Code, allowing for the first city council member pay cap increase in nearly four decades.

Mr. Einhorn shared that currently for Orland, the maximum amount is \$300 per month, the new salary limit will go up to \$950. Mr. Einhorn explained the conditions of the increase allowed for by SB329. SB 329 goes into effect on January 1, 2024, but pursuant to Government Code section 36516.5, any council salary increase may take effect only when at least one member of the council commences a new term.

Vice Mayor Roundy spoke about past council member compensation changes and stated the increase is long overdue and that the increase may encourage more residents to run for office.

Mayor Dobbs would like to hear from the public before taking any action.

Councilmember Tolley shared that on social media many people were commenting on this item and felt they misunderstood and didn't know this is coming from the state not from the Council wanting an increase.

Councilmember Romano recommended allowing residents to marinate on the topic maybe bring it back as a future agenda item.

Resident Earl Megginson asked if Council is compensated for mileage. Vice Mayor Roundy confirmed that the Council is compensated for driving to meetings. Mr. Megginson complimented Councilmembers and staff on doing an excellent job for the City of Orland.

Resident Yvonna Bennett shared her feelings on the current councilmember compensation amount.

Resident Dee Dee Jackson spoke about people commenting on social media but not showing up to City meetings to voice their concerns. Ms. Jackson stated she comes to the meetings to stay informed and believes the council members deserve more than \$300.00.

ORAL AND WRITTEN COMMUNICATIONS

PUBLIC COMMENTS:

Resident Yvonna Bennett spoke about different board meetings she has spoken at recently in Glenn and Butte County. Ms. Bennett also shared her concerns she has been having requesting documents from the County, State and Federal governments.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Romano:

- Nothing to Report.

Councilmember McDermott:

- Will be attending the August 17th Planning Commission meeting.

Councilmember Tolley:

- Nothing to Report.

Vice Mayor Roundy:

- Has been attending the Friday night farmers markets in Library Park and shared they have been well attended and that there is a great sense of community;
- Will be attending the Transportation and Transit meeting August 17th;
- LAFCo has been cancelled for August;
- Shared an update on the recharge project that is going on in Lely Park.

Mayor Dobbs

- Attended the Fire Department meeting August 14th;
- Will be attending the Fish and Game meeting August 17th.

MEETING ADJOURNED AT 8:47 PM

Jennifer Schmitke, City Clerk

Chris Dobbs, Mayor