



## ORLAND CITY COUNCIL REGULAR MEETING MINUTES

Tuesday, March 19, 2024

### CALL TO ORDER

Meeting called to order by Mayor Chris Dobbs at 6:01 PM.

### ROLL CALL

Councilmembers present:

Councilmembers John McDermott, Bruce T. Roundy, Jeffrey Tolley, Vice Mayor Matt Romano and Mayor Chris Dobbs

Councilmembers absent:

None

Staff present:

City Manager Pete Carr; City Clerk Jennifer Schmitke; City Attorney Greg Einhorn; Recreation Director Joe Fenske

### PLEDGE OF ALLEGIANCE

### CONSENT CALENDAR

- A. Warrant List (Payable Obligations)
- B. Approve City Council Minutes for March 5, 2024
- C. Receive and file Recreation Commission Minutes from September 27, 2023
- D. Receive and file Library Commission minutes from January 8, 2024
- E. Receive and file Economic Development Commission minutes from January 9, 2024
- F. Receive and file Economic Development Commission special meeting minutes from January 30, 2024

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

### PUBLIC HEARING

#### Proposed Local Sales Tax Ballot Measure

City Manager Pete Carr spoke briefly about how City Council has been deliberating on implementing a local sales tax, through extensive discussions and public input. After direction from the Council, staff prepared for a public hearing regarding a proposed  $\frac{1}{2}\%$  local tax increase on all taxable goods, raising the effective sales tax rate in Orland from 7.75% to 8.25%. If passed by a 2/3 majority of the Council, the measure would be placed on the November 5<sup>th</sup> general election ballot.

Mr. Carr shared that the tax revenue would be allocated to the City General Fund, and that Council has a clear commitment to prioritize ambulance services, street maintenance/improvements, parks & recreation, and library services. Mr. Carr reminded Council that the existing Measure A revenue would continue to fund public safety, with a priority focus on fire equipment capital expenses.

Mr. Carr provided important highlights to be considered by Council including:

Mr. Carr shared the introduction (first reading) of the sales tax ordinance, and if approved, the process will proceed to the second reading (adoption, subject to voter approval) at an April meeting, on the consent calendar.

Mayor Dobbs opened the public hearing at 6:39 PM.

Orland resident and Economic Development Commission Chairperson Ron Lane expressed support for the ½ cent sales tax, highlighting that the majority of the revenue would be generated from travelers on Interstate 5.

Orland resident Byron Denton emphasized the necessity for the city's revenue increase and voiced his support for the new ½ cent sales tax. He also discussed how Measure A was successfully passed.

Orland resident Earl Megginson expressed his support for passing the new sales tax.

Mayor Dobbs closed the public hearing at 6:48 PM.

During the Council meeting, members deliberated on the proposed general sales tax measure, emphasizing the importance of unity, being specific on information and transparency for voters. Concerns regarding the ordinance were expressed, with City Attorney Greg Einhorn addressing issues related to the language. Mr. Einhorn suggested that the Council propose a ballot question indicating that the measure is a general tax, and that Council and future Councils could make an agreement with the voters, stating that if the measure is approved, the Council would have the discretion to allocate the funds based on the priorities outlined in the ballot measure. The ballot question would be incorporated into the resolution along with the ordinance's second reading when it is brought back to Council.

**ACTION:** Councilmember McDermott moved, seconded by Councilmember Roundy, that the City Council introduce and approve the first reading of Ordinance 2024-XX by title: adding Chapter 3.10 to the Orland Municipal Code regarding a Transactions and Use Tax to be Administered by the State Board of Equalization upon Adoption by the Voters. Motion carried by a voice vote 4-1.

**Ayes:** Councilmembers McDermott, Roundy, Vice Mayor Romano and Mayor Dobbs

**Nays:** Councilmember Tolley

Councilmember Tolley asked to be on record stating why he voted No, "Ultimately you have to let the voters decide, they are the ones to decide. It's our job to mirror the people, we do not have to all be in full "Lockstep" 100% vote the same way. Not all of the community will vote yes, the last one Measure A 70%, so that's at least 1.5 of us that voted no. We already live in a fiscally conservative town its our job to not blow money. No."

Councilmember McDermott shared he would be out of town for the April 2<sup>nd</sup> meeting and asked that the second reading be April 16<sup>th</sup>.

Mr. Einhorn requested clarification from the Council regarding the wording of the ordinance. Council decided to leave all the proposed wording unchanged.

## **ADMINISTRATIVE BUSINESS**

### **A. Recreation Commission Fee Schedule Recommendations**

Recreation Director Joe Fenske proposed recommended changes to the fee schedule for using recreation facilities and programs to Council. The aim of these fees is to partially cover costs associated with facility construction, maintenance, equipment, and labor, considering the general and

reasonable ability of residents to pay. Fenske noted that fees have only been adjusted in response to minimum wage increases and inflation, with changes occurring in 2014, 2016, 2019, and 2022.

Director Fenske provided a brief overview of the proposed changes to the recreation department fees, including adjustments to gym rental fees.

Mr. Denton thanked the Recreation Commission.

Council engaged in discussions regarding the proposed adjustments to the fees, posing inquiries to gain clarity on the changes.

**ACTION:** Councilmember Roundy moved, seconded by Councilmember Tolley, to approve the adopted fees as proposed. Motion carried by a voice vote 5-0.

### **B. Recreation Commission Recommendation: Proposed Location For City Dog Park**

Mr. Fenske reminded Council that on February 1st, 2022, the City Council approved the Recreation Commission's proposal to establish a City Dog Park. However, no budget or location was determined at that time, with plans to finalize these details after completing other Capital Improvement projects. With these projects now nearing completion, the focus has shifted to creating a Dog Park.

Mr. Fenske shared that after careful assessment and consideration of all city parks and owned properties, both staff and the Recreation Commission endorse locating the City Dog Park at the east end of Lollipop Land.

Various aspects were discussed by Council members. Councilmember Tolley raised concerns about owners not cleaning up after their animals, while Mr. Fenske highlighted the availability of tools for owners and noted that aggressive animals are usually the main issue. Councilmember McDermott mentioned that people often search for dog parks online along freeways, so he is hoping it would drive traffic to local businesses. Councilmember Roundy reported on the Recreation Commission's discussion about short and long-term plans, including future land acquisitions. Vice Mayor Romano expressed nostalgia for his youth spent there. Councilmember Tolley inquired about the origin and selection of the dog park location, with Mr. Fenske providing project history. Councilmember Tolley also shared feedback he gathered from park users and neighbors, indicating a 40% disapproval and 60% approval rate for the proposed park.

During the discussion, Mr. Denton requested clarification from City Staff regarding the projected cost. Mr. Fenske estimated an initial investment of around \$15,000 to establish the Dog Park, with subsequent annual expenses expected to be minimal. Mr. Denton then shared his positive personal experiences of visiting dog parks with his own dog.

Mr. Smith expressed support for the proposed dog park, highlighting its potential to accommodate both residents and visitors to Orland.

Mr. Lane voiced his approval for the proposed dog park, expressing his enthusiasm for having a dedicated space where he can train his dogs within an enclosed area.

Valley Mirror writer Todd Bishop inquired about the fate of the lollipops within the park. In response, Mr. Fenske stated that they would be relocated to the west entrance of the park.

**ACTION:** Councilmember McDermott moved, seconded by Councilmember Roundy, to accept Recreation Commission recommendation for a proposed Dog Park location. Motion carried by a voice vote 4-1.

**Ayes:** Councilmembers McDermott, Roundy, Vice Mayor Romano and Mayor Dobbs

**Nays:** Councilmember Tolley

Councilmember Tolley wanted on record he voted no because not everyone in town supports the proposed project.

### **C. Consideration of Alternative Meeting Location**

Mr. Carr reminded Council that at the February 7, 2023 Council meeting they had discussed potential alternative meeting venues. Traditionally, the Council has convened at the Carnegie Center on Third Street, which offers consistent availability and basic amenities like heating and air conditioning, but suffers from accessibility issues, a cramped layout, and limited restroom facilities. Major renovations are deemed too costly. City Staff identified several potential venues, including the Glenn County Office of Education (GCOE) Success Square Conference Center, which stands out for its superior features.

Mayor Dobbs expressed concerns regarding the city's potential liability for an American with Disabilities Act (ADA) lawsuit in the future. He clarified that discussing alternative meeting venues doesn't imply the council is abandoning the Carnegie Center altogether, but rather considering a temporary move to allow time for necessary updates to the building.

Councilmember Tolley raised concerns about the building's ADA compliance and the potential for a lawsuit.

Mr. Denton expressed the challenges he faces in navigating steps and emphasized the importance of updating the ramp for accessibility. He highlighted the convenience it would offer him and others in accessing the building.

Orland resident Michal Mendoza advocated for equal access to City buildings, emphasizing the importance of inclusivity and ensuring that everyone who wishes to participate can do so without barriers.

Mr. Smith supported the idea of relocating to an ADA compliant building to ensure accessibility for all while also emphasizing the importance of maintaining the Carnegie Center.

Susie Smith shared her personal experience of caring for an individual who required the use of ADA ramps.

Mayor Dobbs expressed his desire for a temporary relocation to assess potential ADA improvements to the Carnegie Center. He emphasized the importance of ensuring that all members of the community feel comfortable attending meetings. Mayor Dobbs requested City Staff to explore the feasibility of scheduling meetings at the GCOE building to accommodate these objectives.

Mayor Dobbs called a recess at 8:14 PM.

Mayor Dobbs called the meeting back to order at 8:22 PM.

Councilmember Roundy reflected on the recurring nature of the accessibility issue, noting its prevalence over his many years on the Council. He mentioned other county commissions avoiding the building due to ADA non-compliance. Additionally, he revealed having previously proposed constructing a new City Hall, potentially incorporating a new Council chamber, as a solution to the ongoing problem.

Councilmember Tolley expressed his appreciation for meetings at Carnegie but acknowledged the importance of exploring other venues to ensure accessibility for all community members.

Vice Mayor Romano emphasized the significance of accessibility for all individuals and proposed developing a long-term plan to ensure Carnegie compliance.

Councilmember McDermott acknowledged the importance of the Carnegie Center but expressed his anticipation for meeting in a location accessible to all community members.

Mr. Carr mentioned that staff would investigate the feasibility of alternative meeting locations.

#### **D. Consideration of Meeting Technology for Council**

Mr. Carr reintroduced to the Council a previously tabled topic concerning meeting technology. Currently, the City Council receives both printed and digital agenda packets. Some cities have shifted to paperless packets using devices like iPads or Surface Pros. Analysis suggests that paperless packets offer efficiency and sustainability benefits.

Mayor Dobbs believed that the Council would benefit from using electronic devices, particularly with the new agenda format.

Councilmember McDermott expressed support for electronic devices to save paper, finding the new agenda software easy to use on his laptop.

Councilmember Tolley preferred paper agendas and wished to continue receiving them.

Vice Mayor Romano voiced concerns about the time spent by City staff on preparing and printing paper agendas and supported transitioning to new technology for viewing agendas.

Councilmember Roundy expressed willingness to learn and use electronic devices, indicating a readiness to move away from paper agenda packets.

Mr. Lane inquired if City Commissioners would also get electronics devices for paperless packets.

Ms. Smith expressed reservations about transitioning to electronic devices and emphasized the importance of allocating city funds towards enhancing accessibility for all residents, such as providing assistance for those with hearing impairments.

Mayor Dobbs requested that City Staff explore pricing options for various devices. Additionally, Mr. Carr reassured Councilmembers that paper agendas would remain available if preferred.

#### **ORAL AND WRITTEN COMMUNICATIONS**

#### **PUBLIC COMMENTS:**

Mr. Denton proposed that the Council consider allowing additional public comments after Council members have shared their thoughts on each agenda item.

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

Councilmember Tolley:

- Attended the Economic Development Commission March 12, 2024;
- Provided Assembly Gallaghers information to contact his office about the discontinuation of land lines (530)895-4217;
- Briefly provided background and family history regarding his medical condition as related to ADA.

Councilmember McDermott:

- Will be attending the Planning Commission meeting March 21<sup>st</sup>;
- Will be absent from the April 2, 2024 City Council meeting;
- Shared his appreciation for the Orland Volunteer Fire Department and all they did to during the fire at Paigewood Apartments and thanked all mutual aid departments that came together.

Vice Mayor Romano:

- Nothing to report.

Councilmember Roundy:

- Shared that Tiffany Schulps has reintroduced a skating rink to the fairgrounds with plans for monthly skate days;
- Shared that the Executive Officer of LAFCo, Steve Betts, is retiring, but he will continue to do the municipal district reviews;
- Shared that he is getting started on the 4<sup>th</sup> of July fireworks Committee;
- Will be attending Transportation and Transit Committee meetings March 21<sup>st</sup>;
- Will be attending the Ground water Sustainability meeting March 22<sup>nd</sup>.

Mayor Dobbs:

- Attended the Fireman's Ball March 16<sup>th</sup>;
- Thanked First Responders for all they did at the fire at Paigewood Apartments.

### **MEETING ADJOURNED AT 8:50 PM**

Jennifer Schmitke, City Clerk

Chris Dobbs, Mayor