CITY COUNCIL
James Paschall Sr., Mayor
Salina J. Edwards, Vice Mayor
Bruce T. Roundy
Charles Gee
Dennis G. Hoffman

CITY OFFICIALS
Angela Crook
Assistant City Manager/City Clerk
Pamela Otterson
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

If anyone wishes to address the City Council on an item to be considered at this meeting, please complete a Speaker Request Form and submit to the City Clerk before the meeting begins. (optional)

Meeting Place: Carnegie Center
912 Third Street
Orland, CA 95963

AGENDA
REGULAR MEETING, ORLAND CITY COUNCIL
Tuesday, January 21, 2014

1. CALL TO ORDER – 7:30 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. ORAL AND WRITTEN COMMUNICATIONS

A. Citizen 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. **(Oral communications will be limited to three minutes)**

B. Proclamation:

Proclamation honoring George Turnbull and his service to the Orland Arts Commisson.

5. CONSENT CALENDAR

A . Approve Warrant List (payable obligations).
B. Approve City Council minutes for January 6, 2014.
C. Approve second reading adopting Ordinance No. 2014-XX repealing and replacing Section 15.42.020 of the Orland Municipal Code (Development Impact Fees-Findings).
D. Accept the donation of one legacy Orland lamppost to the City and authorize its dedication to the memory of Frank W. Halsey.

Comments from the public are welcome. The Mayor will announce the opportunity for comments related to Public Hearings and each action item on the agenda. Please limit your comments to five minutes per topic. Once the public comment period is closed, please allow the Council the opportunity to continue its consideration of the item without interruption.

6. PUBLIC HEARING

Continued from City Council meeting on January 6, 2014-
Approval of the *City of Orland Development Impact Mitigation Fee Nexus Study* and approving Resolution 2014-XX adopting fee amounts; and, introduction of Ordinance number 2014-XX amending Orland Municipal Code Section 15.42.020, *Findings* related to the adoption of an updated Development Impact Fee Study. The City of Orland has prepared a Development Impact Fee Nexus Study pursuant to Section 66000 of the California Government Code evaluating the cost of providing new capital improvements for the following public facilities and services: a) Law Enforcement, b) Fire Protection, c) City Hall, d) Parks and Recreation, e) Libraries, f) Transportation, g) Storm Drainage, and, h) Community Center. Based on recommendations of this Impact Fee Nexus Study, the City of Orland is proposing to update its existing capital facilities impact fees for public facilities and services for new construction as outlined in the Study. To achieve this purpose, the City Council is being asked to approve the Study and introduce as a first-reading of an Ordinance to amend the City's existing fee program. If the City Council adopts the fees, these fees will not become effective for 60 days following the final action on the adoption of the fee as defined in Section 66000 of the Government Code.

7. ADMINISTRATIVE COMMUNICATIONS

A. Chief of Police – J.C. Tolle

Update on Police department activities.

B. Public Works Director – Jere Schmitke

1. Update on Papst Avenue Lateral 40 underground canal project.

2. Discuss drought conditions, city water resources and potential conservation measures.

C. City Manager – Pete Carr

Mid-year budget review and consideration of deferred expenditures.

8. CITY COUNCIL COMMUNICATIONS AND REPORTS

9. ADJOURN

CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on January 16, 2014.

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 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 865-1601 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.

PROCLAMATION

WHEREAS George Turnbull, is a nationally known Designer and Fine Artist and distinguished Professor Emeritus in the California State University System; and

WHEREAS George's vast experience, energy and eagerness to contribute to his community was instrumental in forming the City of Orland Arts Commission in 2004; and

WHEREAS George's leadership and guidance has continued to inspire the Orland Arts Commission; and

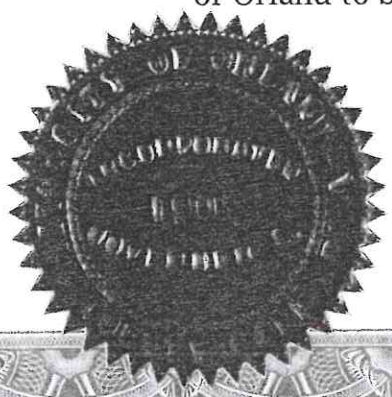
WHEREAS George has been instrumental in designing beautiful public art projects that have added visual improvements and benefits to the community of Orland; and

WHEREAS George has been prominent in the creation of Orland's first Art Center, providing a gallery of monthly exhibitions of Fine Art produced by professional artists locally and from all over the state; and

WHEREAS The City of Orland residents and visitors can now enjoy the nostalgic Gazebo and promenade lighting in Library Park, or walk downtown Fourth Street and see Orland's first bronze sculpture "Sagebrush & Silence" or drive by the attractively landscaped Welcome to Orland Centennial park, entry sign and clock, as well as numerous other art projects all touched by George's talent and energy;

Now, therefore, be it resolved, that I, James Paschall Sr., Mayor of the City of Orland, on behalf of the Orland City Council and people of the Orland community, do hereby commend George Turnbull on his contributions and accomplishments with the Orland Arts Commission.

In witness thereof, I have hereunto set my hand and caused the seal of the City of Orland to be affixed on this 21st day of January, 2014.



_____

James Paschall Sr., Mayor

CITY COUNCIL
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CITY MANAGER
Peter R. Carr

WARRANT LIST

January 21, 2014

WARRANT	1/16/14	$	142,300.21
PAYROLL	12/27/13	$	3,835.45
PAYROLL	1/9/14	$	46,878.57
PAYROLL	1/9/14	$	21,536.95
TOTAL		$	214,551.18

APPROVED BY

James Paschall, Mayor

Salina J. Edwards, Vice-Mayor

Bruce T. Roundy, Councilmember

Dennis Hoffman, Councilmember

Charles Gee, Councilmember

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Payment Information: Invoice #	Payment Information: Description
039944	01/06/14	RAY01	Ray Howard Appraisals	400.00	.00	400.00	101H	Parking lot appraisal
039945	01/16/14	ABD00	ADVANCED DOCUMENT	3.74	.00	3.74	40312	BD;Plan/billable copies
				16.81	.00	16.81	640363	Plan/copies
			Check Total.....:	20.55	.00	20.55		
039946	01/16/14	AFF00	Affordable Computer Solut	429.67	.00	429.67	2770	Lib/computer repairs
039947	01/16/14	AFF02	Affordable Headliners	350.00	.00	350.00	511434	PW/equip maint
039948	01/16/14	ALL01	ALL SEASONS SCREEN PRINT	1528.38	.00	1528.38	3180	Rec/YouthBB shirts
039949	01/16/14	ALL05	All About Locks&Safes	147.07	.00	147.07	12726	PD/rekey locks
039950	01/16/14	AME01	AMERIPRIDE UNIFORM SVCS	684.46	.00	684.46	123013	PW/uniform clean;shop sup
				415.73	.00	415.73	12/31/13	CH;PD;Rec/rug maint
				133.52	.00	133.52	12-282013	FD/rug cleaning svcs
			Check Total.....:	1233.71	.00	1233.71		
039951	01/16/14	AQU02	Aquatics by Armando	229.99	.00	229.99	1/14/2014	Rec/pool certification cl
039952	01/16/14	BAS00	Basic Laboratory, Inc	304.40	.00	304.40	37;13;82	PW/lab svcs
039953	01/16/14	BJO01	Beth Bjorklund	50.00	.00	50.00	Jan 2014	AC/gallery show hanging
039954	01/16/14	BOS04	Sandy Bostrom	30.00	.00	30.00	011314	AC/model fee
039955	01/16/14	BRO02	DARYL R. BROCK CPA	6050.00	.00	6050.00	1-14-14	FinDir/contract svcs
039956	01/16/14	BSN04	BSN Sports	247.60	.00	247.60	1-14-14	Rec/basketballs
039957	01/16/14	CAL04	CA Building Standards Com	45.00	.00	45.00	10-12/13	BD/CBSC fees
039958	01/16/14	CAR02	CARDMEMBER SERVICE	8.99	.00	8.99	12/18	Grants/online subscriptio
				21.00	.00	21.00	1-7-14	Rec/office expense
				27.78	.00	27.78	121112	CM/lunch w/RecDirector
				61.21	.00	61.21	12/27/13	PW/travel;grants mailing
				114.43	.00	114.43	13/12/27	Lib/postage;office suppli
				1198.37	.00	1198.37	12/27thru	PD/misc supplies
				1584.30	.00	1584.30	201312/27	Envelopes
				207.31	.00	207.31	thru12/27	PD/misc supplies
			Check Total.....:	3223.39	.00	3223.39		
039959	01/16/14	COM02	Comcast	85.60	.00	85.60	1/19/14	MultiDepts/internet conne
				100.35	.00	100.35	12/25/13	Lib/internet svcs
			Check Total.....:	185.95	.00	185.95		
039960	01/16/14	CRE00	CREATIVE COMPOSITION	443.08	.00	443.08	85862	PD/warning citations
039961	01/16/14	CRI01	CRITICAL REACH	135.00	.00	135.00	14-385	PD/Critical Reach
039962	01/16/14	CVS00	CVS Pharmacy	5.94	.00	5.94	121713	PW/grant applic materials
039963	01/16/14	DAS00	DASH MEDICAL GLOVES	98.76	.00	98.76	Jan 2014	PD/safety gloves
039964	01/16/14	DEF01	PAT DEFRIES	50.00	.00	50.00	1-10-14	Rec/seniorsize
039965	01/16/14	DEP11	DEPART. OF CONSERVATION	56.67	.00	56.67	10/122013	BD/strong motion fees
039966	01/16/14	DEP21	DEPARTMENT OF FINANCE	65.00	.00	65.00	Dec2013	FD/parking cite assessmen
039967	01/16/14	EIN02	Gregory P. Einhorn	2937.00	.00	2937.00	11674	CA/contract svcs
039968	01/16/14	ELL00	ELLIS ART & ENGINEERING	18.06	.00	18.06	165734	AC/gallery show posters
039969	01/16/14	FLO00	FLOR'S	23.01	.00	23.01	2791	Parks/supplies
039970	01/16/14	GOL01	GOLDEN STATE RISK	37562.04	.00	37562.04	2/2014	Health Ins Premium
039971	01/16/14	GRO00	Ferguson Enterprises Inc	4564.09	.00	4564.09	497;672	PW/lids;boxes;supplies
039972	01/16/14	HAS00	ROY HASTINGS	2500.00	.00	2500.00	683	Grants/contract svcs
039973	01/16/14	HEI01	VIRGIL HEISE	100.00	.00	100.00	886751	FD/janitorial svcs
039974	01/16/14	JAM03	James Marta & Co.	1700.00	.00	1700.00	7244	GASB45 Preparation
039975	01/16/14	JOH00	JOHN'S TIRE & MUFFLER	3143.86	.00	3143.86	12/30/13	FD/tires for ladder#26
				450.42	.00	450.42	12303013	PW/tires;flat repairs
			Check Total.....:	3594.28	.00	3594.28		
039976	01/16/14	KYO00	GE CAPITAL	230.05	.00	230.05	59923700	BD;Plan/copier lease
039977	01/16/14	LAN05	Waldemar A. Lang	200.00	.00	200.00	498771	BD/inspection svcs
039978	01/16/14	LES00	LES SCHWAB	16.75	.00	16.75	6225	GreenWaste/tire repair

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Payment Information: Invoice #	Payment Information: Description
039978	01/16/14	LES00	LES SCHWAB	130.72	.00	130.72	12/19/13	FD/rims for ladder#26
			Check Total.....:	147.47	.00	147.47		
039979	01/16/14	LNC00	L.N. CURTIS & SONS	714.86	.00	714.86	129380101	FD/JAWS parts
				677.05	.00	677.05	129380102	FD/JAWS parts
				179.59	.00	179.59	129380103	FD/JAWS parts
			Check Total.....:	1571.50	.00	1571.50		
039980	01/16/14	MAL02	Mallory Safety & Supply L	9411.63	.00	9411.63	12/24/13	FD/turnout gear;5 sets
039981	01/16/14	MAR01	Marcello & Company	12500.00	.00	12500.00	12/10/13	External Audit
039982	01/16/14	MAT04	MATSON & ISOM	18.92	.00	18.92	21336	AC/newsletter
				375.00	.00	375.00	44748	AC/website update
				64.00	.00	64.00	44804	MultiDepts/postini
				7500.00	.00	7500.00	44900	ContractSvcs/IT support
			Check Total.....:	7957.92	.00	7957.92		
039983	01/16/14	MCD00	John McDermott	132.00	.00	132.00	1/1/14	FD/glove holders
039984	01/16/14	MEZ00	JODY MEZA	200.00	.00	200.00	Dec 2013	Lib/travel allowance
039985	01/16/14	MID02	MID STATE SURGE	160.34	.00	160.34	26264	PW/sanichlor
039986	01/16/14	MID03	Mid-Valley Vet Hospital	87.02	.00	87.02	139317	PD/K9exam
039987	01/16/14	MIK00	MIKE'S REPAIR SHOP	66.92	.00	66.92	459618	Parks/saw chain
039988	01/16/14	MIL00	MILLER GLASS, INC.	110.50	.00	110.50	3-214026	Lib/Bldg maint
039989	01/16/14	ORL01	ORLAND SAND & GRAVEL	67.30	.00	67.30	1/7/2014	PW/sand
039990	01/16/14	OSC00	OSCAR REDES	123.36	.00	123.36	521356	BD/polo shirts
039991	01/16/14	PEP00	PETTY CASH POLICE DEPT	58.88	.00	58.88	Jan 2014	PD/misc expenses
039992	01/16/14	PER00	STATE OF CALIF PERS	17170.37	.00	17170.37	12-2013-4	PERS PAYABLE
039993	01/16/14	PET09	Petty's Superior Svcs	975.00	.00	975.00	4086	Janitorial Svcs
039994	01/16/14	PGE00	PG&E	99.25	.00	99.25	010814	FD/utilities
				9.86	.00	9.86	1-13-14	Rec/LLpitching machine
				17499.88	.00	17499.88	12/26/13	Utility usage
			Check Total.....:	17608.99	.00	17608.99		
039995	01/16/14	QUI02	QUILL CORP.	378.17	.00	378.17	8296325	PD/office supplies
				139.30	.00	139.30	8372098	FD/toner for printers
			Check Total.....:	517.47	.00	517.47		
039996	01/16/14	RIC00	GERALD RICE	85.87	.00	85.87	011414	Safety meeting DVD player
039997	01/16/14	SAC01	SACRAMENTO VALLEY MIRROR	263.25	.00	263.25	12419	Legal ads
039998	01/16/14	STB01	STATE BOARD OF EQUAL.	110.30	.00	110.30	4thQtr13	PW/fuel tax
039999	01/16/14	STO04	STONYCREEK PEST CONTROL	92.00	.00	92.00	010314	Pest control
040000	01/16/14	TEA02	Teacher's Book Connection	208.30	.00	208.30	15465;66	Lib/books
040001	01/16/14	TRA07	Huynh Trang	1200.00	.00	1200.00	2014	Fifth St Parking lot
040002	01/16/14	TRI00	Tri-County Newspapers Inc	194.27	.00	194.27	12/31/13	Legal notices
040003	01/16/14	VAN00	VANTAGE POINT TRANSFER AG	1511.08	.00	1511.08	12/26-108	DefCompPay#304591
040004	01/16/14	VCS00	VCSI	384.38	.00	384.38	1165	PD/K9 maintenance;trainin
040005	01/16/14	WIL08	Willdan Engineering	250.00	.00	250.00	004-12014	Grants/PapstAve crossing
040006	01/16/14	WYS01	Kayla Wyser	30.00	.00	30.00	010614	AC/model fee
040007	01/16/14	XER00	XEROX CORP.	202.84	.00	202.84	71931497	PD/copier lease
040008	01/16/14	ZEE00	ZEE MEDICAL SERVICE CO	142.56	.00	142.56	011014	PW/1stAidSupplies
			Cash Account Total.....:	142300.21	.00	142300.21		
			Total Disbursements.....:	142300.21	.00	142300.21		
			Cash Account Total.....:	.00	.00	.00		

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday January 6, 2014
7:30 p.m.

Meeting called to order by Mayor Paschall. Meeting opened with the pledge of allegiance.

ROLL CALL

Councilmembers present:	Charles Gee, Dennis Hoffman, Bruce Roundy, Vice Mayor Salina Edwards and Mayor Jim Paschall
Councilmembers absent:	None
Staff present:	Sergeant Joe Vlach, Fire Chief Jeff Gomes, Deputy City Clerk Pam Otterson, City Attorney Greg Einhorn and City Manager Pete Carr

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

None

Commission Reappointments/Appointments:

Public Safety Commission – two (2) vacancies with new terms expiring Dec. 31, 2015 and two (two) vacancies to fill unexpired terms of Dec. 31, 2014. Eligible applications received: Debbie DeMarco, Trish Saint-Evens, Roger Hansen and E. Ann Butler.

Vice Mayor Edwards moved, seconded by Councilmember Hoffman to appoint Debbie DeMarco and Trish Saint-Evens to fill new terms expiring Dec. 31, 2015 and appoint Roger Hansen and E. Ann Butler to fill unexpired terms of December 31, 2014. Motion carried unanimously with no abstentions.

Fire Chief:

Fire Chief Gomes gave a PowerPoint presentation on the annual update of Fire department activities. There are currently 45 active volunteers with six more applications pending. Fire volunteers attended to 681 calls (EMS large portion of calls). Due to increases in budget requests, new protective gear has been replaced and ten new self-contained breathing apparatus will be purchased. Fire Chief Gomes advised a new engine is due to be replaced in 2017. It was suggested that maintenance of the fleet possibly be done by the City mechanic. Fire Chief Gomes stated based on condition of vehicles and protective equipment, the City needs to continue to fund the Fire department budget to meet the continuing needs and bring inventory up to current standards. The Fire department appreciates the Council's commitment to their fiscal needs. Council discussed increasing the truck budget and repeated calls to the same facilities for medical assistance. Council thanked the Fire Chief and the volunteers for all that they do.

CONSENT CALENDAR

A. Approve Warrant List (payable obligations).
B. Approve City Council minutes for December 16, 2013.
C. Approve schedule of impact fees by category for year end June 30, 2013.

D. Accept resignation from George Turnbull which serves on the Arts Commission; advertise to fill unexpired term through December 31, 2016.

Councilmember Hoffman moved, seconded by Councilmember Gee to approve the consent calendar as presented. Motion carried unanimously with no abstentions.

Councilmember Roundy requested a proclamation be prepared for George Turnbull for his dedication on the Arts Commission at the next regularly scheduled meeting.

PUBLIC HEARINGS

1. **Text Amendment – Orland Municipal Code Section 15.42, Development Impact Fees.** A proposed text amendment to Section 15.42, *Development Impact Fees* of Title 15, *Buildings and Construction* of the Orland Municipal Code to repeal and replace Section 15.42.020, *Findings*. The proposed action would modify the text of Section 15.42.020 to remove the existing references and findings resulting from the 1998 Development Impact Fee Nexus Study and replace Section 15.42.020 with narrative text consistent with the 2013 Development Impact Fee Nexus Study and establishing revised Findings for the adoption of updates to the City's Development Impact Fee program. The proposed action is a first-reading (introduction) of the proposed Ordinance.

City Attorney Einhorn brought forward for first reading the proposed ordinance repealing and replacing section 15.42.020 of the Orland Municipal Code (Development Impact Fees-Findings). The public hearing opened for comments at 8:49 p.m. No comments were received. The public hearing closed at 8:50 p.m.

Councilmember Gee moved, seconded by Councilmember Hoffman to approve the first reading of the proposed ordinance repealing and replacing section 15.42.020 of the Orland Municipal Code (Development Impact Fees-Findings) and move forward for final reading at the next regularly scheduled Council meeting. Motion carried unanimously with no abstentions.

2. **To be continued to next City Council meeting on January 21, 2014-**
Approval of the *City of Orland Development Impact Mitigation Fee Nexus Study* and approving Resolution 2014-XX adopting fee amounts; and, introduction of Ordinance number 2014-XX amending Orland Municipal Code Section 15.42.020, *Findings* related to the adoption of an updated Development Impact Fee Study. The City of Orland has prepared a Development Impact Fee Nexus Study pursuant to Section 66000 of the California Government Code evaluating the cost of providing new capital improvements for the following public facilities and services: a) Law Enforcement, b) Fire Protection, c) City Hall, d) Parks and Recreation, e) Libraries, f) Transportation, g) Storm Drainage, and, h) Community Center. Based on recommendations of this Impact Fee Nexus Study, the City of Orland is proposing to update its existing capital facilities impact fees for public facilities and services for new construction as outlined in the Study. To achieve this purpose, the City Council is being asked to approve the Study and introduce as a first-reading of an Ordinance to amend the City's existing fee program. If the City Council adopts the fees, these fees will not become effective for 60 days following the final action on the adoption of the fee as defined in Section 66000 of the Government Code.

City Manager Carr advised the public hearing will be continued to the next meeting on January 21, 2014.

ADMINISTRATIVE COMMUNICATIONS

City Manager:

City Manager Carr gave a progress report and quarterly update on City projects for fiscal year 2013-2014. City Council would like staff to look into considering fire cost recovery for calls outside of local funding(i.e. I-5). Councilmember Roundy advised the arrundo issue to be agendized. City Manager Carr advised staff has sent an application through the State Tax Intercept program to collect delinquent utility bills. However, the State has been backlogged in applications, so staff will continue to follow up with the process. Vice Mayor Edwards reported that the master gardeners will be doing a presentation in February regarding the Lely pond landscaping plan.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Gee reported on the following:

- Will attend a GSRMA meeting next week;
- Expressed sympathy to the Roundy family for their recent loss.

Vice Mayor Edwards had no reports at this time.

Councilmember Hoffman reported on the following:

- Economic Forecast conference scheduled January 16, 2014;
- Thanked all those who participated in the Christmas Light parade; Santa raised $800 for the Chamber of Commerce.

Councilmember Roundy reported on the following:

- Will be attending LAFCO meeting next week; alternate Vice Mayor Edwards to attend.

Mayor Paschall reported on the following:

- Made a field trip to see a spray park and skate park in Gridley;
- Went to Placerville and saw a Purity Market building that was remodeled into a Town Hall.

ADJOURN

Meeting adjourned at 9:10 p.m.

_____Deputy Clerk _____Mayor

ORDINANCE NO. 2014-XX

AN ORDINANCE OF THE CITY OF ORLAND REPEALING AND REPLACING SECTION 15.42.020 OF THE ORLAND MUNICIPAL CODE (DEVELOPMENT IMPACT FEES-FINDINGS)

BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORLAND AS FOLLOWS:

Section 1.

Section 15.42.020 of the Orland Municipal Code is repealed.

Section 2.

Section 15.42.020 of the Orland Municipal Code is replaced as follows:

15.42.020 – Adoption of Necessary Findings.

The City Council shall, from time to time as necessary, undertake and complete one or more studies of various public facility needs, specifically, the cost of public facilities to accommodate new development in the City of Orland, and shall document its findings based on such study or studies in a report or reports identified as the Orland impact fee study or studies. This study or studies shall remain on file with the Orland City Clerk and shall form the basis by which the City establishes and adopts the fees set forth in Orland Municipal Code at section 15.42.030, all pursuant to the authority set forth in Government Code section 66000 et seq.

I HEREBY CERTIFY that the above and foregoing Ordinance was duly and regularly introduced and read at a regular meeting held on the ___th day of _____, 2014, and was passed and adopted by the City Council of the City of Orland at a regular meeting thereof duly held on the ___th day of _____, 2014, by the following vote, to wit:

This ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance with fifteen (15) days after its passage, a summary of the Ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to Government Code section 36933(c)(1).

AYES:

NOES:

ABSTAIN:

ABSENT:

_____

James Paschall, Sr., Mayor

ATTEST:

APPROVED AS TO FORM:

_____

Angela Crook, City Clerk

_____

Gregory Einhorn,
City Attorney

CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: 5.D.

MEETING DATE: January 21, 2014

TO: Honorable Mayor and Council

FROM: City Manager and Recreation Director

SUBJECT: **Donation of Lamppost at Library** (Discussion)

Council approval is sought for donation and dedication of a lamppost at the library.

BACKGROUND

A legacy Orland lamppost was installed at the entrance to the City of Orland Free Library in 2012. The decorative lamp was donated by the Halsey family and installed by City public works. City Council was aware of the donation and receptive to the concept.

DISCUSSION

The City Council should clearly and officially accept all donations as new City property to be maintained by the City. The opportunity for that acceptance is presented at this time.

Also, the Halsey family would like to add a modest commemorative plaque to the lamppost and have it formally dedicated by the family in memory of Frank W. Halsey. They would like to coincide this dedication with the celebration of the library renovation project, scheduled for February 14th, 2014. Dedication expenses would be borne by the Halsey family. Friends of the Orland Free Library (FOFL) is planning the open house celebration event.

FOFL and the library director are supportive of the plans to dedicate the post and integrate this dedication into the renovation event.

RECOMMENDATION:

Accept the donation of one legacy Orland lamppost to the City and authorize its dedication to the memory of Frank W. Halsey.

Fiscal Impact of Recommendation:

N/A

CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: 6.

MEETING DATE: January 21, 2014

TO: Honorable Mayor and Council

FROM: Scott Friend, AICP, City Planner

SUBJECT: **Development Impact Fee Study Update**
Adoption of Final Development Fee Nexus Study

SUMMARY:

Staff is requesting that the Council adopt the 2013 *Development Impact Mitigation Fee Nexus Study* as presented with this report. The final document proposed for approval incorporates the analysis and results previously presented to the Council at its regular meeting in November and the edits and updates presented to the Council at the special study session held in December of 2013. Staff is requesting that this action be accomplished through the adoption of Resolution 2014-___.

BACKGROUND:

The City of Orland adopted its existing Development Impact Fee Nexus Study in December of 1995. The Fee Study was prepared for the City by Quad Consultants and has been used as the basis for the collection of Development Impact Fee's since the time of its adoption. Beginning in 2005, the fee program has been updated on an annual basis by the City Council through the adoption of adjustments to the base fee rates utilizing inflation adjustment factors presented by the City Engineer. This has been done to ensure that the amount of the fees being collected kept pace with the rising costs of project delivery. Also in 2005, the City approved a minor amendment to existing fee study to re-project the existing fees over an updated set of growth and population projections. However, the existing Fee Study has not been comprehensively updated since the time of its initial adoption and the infrastructure needs analysis has not been revisited or reevaluated since the Study's adoption in 1995.

Acting at the direction of the City Manager, PMC prepared a Proposal for consideration by the City Council to update the City's existing fee study consistent with the requirement of the Mitigation Fee Act codified in the California Government Code as Section 66000 et seq. The proposal addressed the following primary focus areas:

1) Incorporation of new growth projections based upon the data contained in the City's recently adopted General Plan and General Plan EIR and the 2010 census;
2) Update the facilities needs assessment to determine necessary capital expenditures based upon the City's planned growth;
3) Update of the cost estimates for the identified capital facilities; and,

4) Quantification and justification of a revised Development Impact Fee Study based upon the completion of a legally adequate nexus fee study.

In addition to those items noted above, it was determined that the revised Fee Study would consolidate the City's existing fee "zone" structure and collect fees on a city-wide basis as opposed to a zone-based structure to standardize costs and ease program administration. Following a review of the proposal, the Council approved the proposal to initiate a comprehensive update of the City's Mitigation Fee Nexus Study.

DISCUSSION:

The City's existing Development Impact Fee Study established the following eight (8) public improvement categories:

- Police Station Improvements;
- Fire Station Improvements;
- City Hall Facilities;
- Library Facilities;
- Storm Drainage Facilities;
- Park Facilities;
- Traffic Signals and Intersection Improvements; and,
- Roadway Connections.

The existing adopted study utilized a "benefit zone" approach to the assignment of fees with differing fee amounts assigned to different benefit zones in the City. Residential fees are based on a per dwelling unit baseline factor with non-residential fees being based on a square foot baseline factor.

Like the 1995 study, the proposed *Development Impact Mitigation Fee Nexus Study* utilizes eight (8) public improvement categories. However, the 2013 Study has consolidated the Roadway Connections and Traffic Signals and Intersection Improvements categories into a single Transportation category and has added a Community Center category consistent with the City's existing fee program. Additionally, and unlike the 1995 study, the 2013 study does not utilize a "benefit zone approach. Rather, the proposed Study consolidates the existing benefit zones such that a single fee amount is utilized for the entire incorporated City boundary.

To acquire information on the capital infrastructures costs necessary to support the City growth through the year 2028, PMC interviewed and engaged all City Departments heads, the Fire Chief, the City Engineer and the City Manager to identify the projected capital equipment needs and their associated costs. To be consistent with the planning horizon in the General Plan, the 2013 fee study update has utilized the year 2028 as the basis for the projection of facility needs and growth.

As noted above, the identification of capital facilities needs has been a collaborative effort between each of the participating department heads and staff members and PMC, and the costs associated with the identified capital facilities needs have been provided directly by the various City Departments heads or responsible service provider (e.g. Fire Chief).

Where costs figures were not available or were unknown, PMC worked with staff to identify a projected cost based upon similar projects in other locations and/or by contacting equipment vendors directly.

In summary, the net result of the analysis is an overall increase in the projected Development Impact fee of approximately 25% for a new single family dwelling unit and approximately 19% for a new 10,000sq.ft. commercial / retail business (example project used). Impact fees for a new single family residential dwelling would increase from approximately $9,500 to $11,580 (not including water and sewer connection and capacity fees and school fees which are charge separately). The study identified a total cost to construct all of the facilities identified as being necessary to support the proposed growth in the City to the year 2028, at approximately $17,763,000 in 2013 dollars. Consistent with the 1995 study, the 2013 study identified a 2% administration fee to assist with program implementation costs.

ENVIRONMENTAL DETERMINATION:

None. Preparation of an update to the City's existing development impact fee study is not a "project" subject to the California Environmental Quality Act because it is a funding mechanism having no physical effect on the environment and the adoption of which does not irrevocably commit the use of funds to a project or particular use.

RECOMMENDATION

Staff recommends that the City Council approve the final 2013 *Development Impact Fee Nexus Study* via the approval of Resolution 2014-___.

If the City Council determines that it is appropriate to take action on the attached Resolution, staff recommends that the Council make the following motion:

Move that the City Council approve Resolution 2014-___, approving and adopting the 2013 Development Impact Fee Nexus Study.

However, if the City Council believes that additional revisions to the Study are necessary or that additional information is desired prior to taking action and that cannot be addressed during the meeting, it is recommended that the Council refer the matter back to staff with appropriate direction so that the proposed action can be revised and resubmitted.

ATTACHMENT(S)

Attachment A: Final Development Impact Fee Nexus Study

Attachment B: Resolution 2014-___, A Resolution of the City Council of the City of Orland Approving and Adopting the 2013 *Development Impact Mitigation Fee Nexus Study*.

RESOLUTION 2014-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLAND UPDATING AND ESTABLISHING DEVELOPMENT IMPACT FEES AND ADOPTING THE 2013 DEVELOPMENT IMPACT MITIGATION FEE NEXUS STUDY AND IMPACT FEE CALCULATION FOR PUBLIC FACILITIES AND SERVICES

WHEREAS, many cities and counties have adopted and imposed development impact fees on new development to pay for new development's fair share of infrastructure and services; and

WHEREAS, it is the City's policy that future new development should contribute its fair share to public facilities and services through the imposition of impact fees which will be used to finance, defray or reimburse the City for the appropriate portion of the cost of public facilities which serve such development; and

WHEREAS, the City of Orland General Plan provides opportunities for future growth and development in the City for which new services and facilities will be required; and

WHEREAS, the City of Orland General Plan establishes programs for funding public facilities from development impact fees in order to protect the health, safety and welfare of the community and to ensure that adequate public facilities and services are provided and maintained for the residents of the City; and

WHEREAS, the City has retained Pacific Municipal Consultants ("PMC") to prepare a comprehensive update to the City's existing development impact fee program and PMC has prepared a "*Development Impact Mitigation Fee Nexus Study*" ("Study") dated December, 2013 in accordance with Government Code Section 66000 et seq and providing for fees on the following specific types of facilities: a) Law Enforcement, b) Fire Protection, c) City Hall, d) Library, e) Parks and Recreation, f) Transportation, g) Storm Drainage, and h) Community Center; and

WHEREAS, the Study incorporates the requirements of the Mitigation Fee Act and contains updated information concerning revenues expected by the City; and

WHEREAS, the study details the relationship between the use of the proposed fees and the types of development on which the fees are imposed, the relationship between the need for the public facilities and the type of development on which the fees are imposed, and the relationship between the amount of the fees and cost of the public facilities; and

WHEREAS, at its regular meeting of January 6, 2014, the Orland City Council approved a first reading of an Ordinance (2014-01) amending Chapter 15.42, *Development Impact Fees*, of Title 15, *Buildings and Construction,* to authorize the implementation of the Study following its approval by the City Council; and

WHEREAS, the proposed development impact fees described and detailed in Exhibit A attached hereto are consistent with the City of Orland General Plan; and

WHEREAS, pursuant to Government Code section 66016, the data required to be made available to the public was made available for public review at least ten days prior to the date of this meeting; and

WHEREAS, pursuant to Chapter 15.42, *Development Impact Fees* of Title 15; *Buildings and Construction*, the City Council of the City of Orland desires to impose and adopt revised Development Impact Fees in accordance with the nexus calculations and recommendations in the Study; and

WHEREAS, pursuant to Government Code section 66018, notice of a public hearing on the levy of the revised fees was published in the *Glenn County Transcript*, at least ten days prior to the date of this meeting; and

WHEREAS, a duly noticed public hearing before the City Council on the levy of revised fees for the City of Orland was held on January 21, 2014, at which hearing public testimony was received and duly considered;

WHEREAS, the levy of revised fees for the City of Orland is not a "project" subject to the California Environmental Quality Act because it is a funding mechanism having no physical effect on the environment;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Orland:

1. Findings Pursuant to Government Code section 66001. The City Council finds and determines that the Study complies with Government Code section 66001, and as to each of the proposed fees to be imposed on new development:

(a) Identifies the purpose of the fee;

(b) Identifies the use to which the fee will be put;

(c) Shows a reasonable relationship between the use of the fee and the type of development projects on which the fee is imposed;

(d) Demonstrates a reasonable relationship between the need for the public facilities and the type of development projects on which the fee is imposed;

(e) Demonstrates a reasonable relationship between the amount of the fee and the cost of the public facilities or portion of the public facilities attributable to the development on which the fee is imposed.

2. Fees for Uses Consistent with the Nexus Report. The City Council hereby determines that the fees imposed pursuant to this resolution shall be used solely to finance the public facilities identified or referenced.

3. Approval of Study. After considering the information and determinations contained in the Study prepared by PMC and dated December, 2013, and the testimony received at the public hearing, the City Council hereby approves and expressly adopts the findings, determinations, and conclusions contained in the Study and further finds that the cost estimates serve as a reasonable basis for calculating and imposing the development impact fees as set forth in the Study.

4. Consistency with General Plan. The City Council finds that the public facilities identified in the Study are consistent with the City's General Plan.

5. CEQA Finding. The City Council Finds that the adoption of the Study and the subsequent publication of a Development Impact Fee Schedule are not subject to the provisions of the California Environmental Quality Act ("CEQA") as the setting of development impact fees merely establishes a funding mechanism for the provision of future projects, and as such, the Resolution is not an essential step culminating in action which may affect the environment, and that future use of the fees will be performed when projects funded by the development impact fees are chosen and defined (Kaufman & Broad South Bay, Inc. v. Morgan Hill (1993) 9 Cal. App.4th 464.

6. Approval of Revised Fees. The public facilities fees applicable to new development in the city that are set forth in Exhibit A hereto are hereby approved and levied for all projects within the incorporated area of the City of Orland or for projects located in the unincorporated area of Glenn County and for which services are requested and provided.

7. Exemptions. All determinations regarding the exemptions provided in this section shall be made by the City Manager or his/her designee.

8. Prior Impact Fees Superseded. Subject to section 9 below, the development impact fees approved and adopted by this resolution shall supersede and repeal any previously adopted development impact fees.

9. Severability. If any action, subsection, sentence, clause or phrase of this resolution, the Study, or other attachments thereto, shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this resolution that can be given effect without the invalid provisions. In the event that this resolution is held invalid, the previously adopted and applicable fees shall be automatically reinstated as if never repealed or modified herein.

10. Effective Date. That the fees specified in the attached Resolution, Attachment A, shall become effective sixth (60) days following the adoption of this Resolution by the City Council.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Orland on this _____ day of January, 2014.

_____
Jim Paschall
Mayor of the City of Orland

ATTEST:

_____
Angie Crook
City Clerk

APPROVED AS TO FORM:

_____
Greg Einhorn
City Attorney

CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: 7.c.

MEETING DATE: January 21, 2014

TO: Honorable Mayor and Council

FROM: City Manager and Finance Director

SUBJECT: Mid-Year Budget Review (Discussion/Action)

Council will consider the status of General Fund revenues and expenses at the mid-point in the fiscal year.

BACKGROUND

The 2013-14 fiscal year budget was adopted in June. Due to the seasonality of some revenues and expenses, as well as unforeseen revenues and expenses, not all budget categories will be at 50% at the fiscal year mid-point. This review is intended to summarize our position relative to planned budget, and provide an opportunity make course corrections if needed.

DISCUSSION

Revenues

General Fund revenues are within 2% of budget plans, overall. Major revenue sources – sales taxes, property taxes, and DMV-in-lieu taxes – represent 75% of all revenues and are within 2% of budget. Smaller revenue sources vary more widely; revenue from permit fees and investment interest are down, while revenue from TOT (transient occupancy tax) and recreation programs are up slightly.

Expenses

General Fund Expenses are also within 2% of budget plans, overall. The difference between actual revenues and expenses is $26,592 positive. Most of the expense deviations are consequent to the seasonal nature of certain operations, and to some unforeseen expenses. The County PTAF reimbursement was recognized in the prior fiscal year.

Reserves

General Fund reserves currently stand at $723,774; or $466,148 if the Building Fund carryover deficit is factored in. The General Fund is making payments on a 30-year note for an intra-fund loan from the Water Fund.

Deferred Expenditures

The City recognizes an annual desired contribution of approximately $6000 to support for the Chamber of Commerce but authorized only $3000 at the start of the fiscal year. In addition, some city departments are proposing mid-year expenditures for the Council's consideration, if it is felt the budget allows.

Other Funds

Staff will present a mid-year budget review of water, sewer and street funds at the next City Council meeting.

Attachments (3):

1. General Fund Revenues – Summary
2. General Fund Expenditures – Summary
3. Departmental Deferred Expenditure List

RECOMMENDATION:

Direct staff; specifically, authorize the second half payment of $3000 to the Chamber of Commerce, defer other additional expenditures until the FY14-15 budget.

Fiscal Impact of Recommendation: $3000

City of Orland

2013 -- 2014 Mid Year Budget Review -- General Fund Revenues
For the Six Months Ended December 31, 2013

Revenue Source	2013-2014 Budget	July -- Dec 2013 Activity	**Amount Remaining**	**Percentage Remaining**
Taxes				
Property and Related	$864,060	$419,863	$444,197	51.41%
Sales	1,011,506	505,082	506,424	50.07%
Business Licenses	21,500	6,985	14,515	67.51%
Franchise Fee Revenues	105,000	54,750	50,250	47.86%
Transient Occupancy Tax	44,000	27,000	17,000	38.64%
Fines and Forfeits	34,000	15,280	18,720	55.06%
Interest Income	15,000	2,098	12,902	86.01%
Rents and Royalties	38,000	19,444	18,556	48.83%
Inter Governmental				
DMV in Lieu	530,000	267,605	262,395	49.51%
County Library Subsidy	60,299	30,150	30,149	50.00%
Charges for Services				
Zoning and Planning Fees	15,000	3,616	11,384	75.89%
Library Fees	4,500	1,649	2,851	63.36%
Green Waste Fees	13,000	7,081	5,919	45.53%
Police Fees & Reimbursements	29,000	12,268	16,732	57.70%
Building Department Fees	110,000	34,323	75,677	68.80%
Rec, Park & Swim Programs	60,000	32,746	27,254	45.42%
Miscellaneous Revenues	10,000	1,796	8,204	82.04%
Administrative Allocation to Enterprise Funds	218,400	109,251	109,149	49.98%
Totals	**$3,183,265**	**$1,550,987**	**$1,632,278**	**51.28%**

City of Orland

2013 -- 2014 Mid Year Budget Review -- General Fund Expenditures
For the Six Months Ended December 31, 2013

Fund Number & Departments	2013-2014 Budget	July through Dec 2013 Activity	**Amount Remaining**	**Percentage Remaining**
Administrative Departments				
5010 City Council	$31,897	$19,613	$12,284	38.51%
5050 City Manager	176,474	85,642	90,832	51.47%
5020 City Clerk	92,063	47,628	44,435	48.27%
5030 City Finance	88,256	36,342	51,914	58.82%
5040 City Attorney	47,277	22,676	24,601	52.04%
5160 City Engineer	21,983	16,086	5,897	26.83%
5170 City Planner	88,556	41,178	47,378	53.50%
5190 City Building Maintenance	68,988	42,690	26,298	38.12%
General Fund Departments				
5070 City Building Inspector	116,125	55,714	60,411	52.02%
5110 City Police	1,633,467	771,962	861,505	52.74%
5120 City Fire Department	160,104	41,711	118,393	73.95%
5200 City Library	301,594	115,942	185,652	61.56%
5260 City Recreation/ Pool	200,522	158,910	41,612	20.75%
6220 City Grants Administration	1,925	246	1,679	87.22%
General Fund - Public Works				
5170 City Street & Storm Drains	51,734	28,729	23,005	44.47%
5250 City Park Maintenance	71,730	39,326	32,404	45.17%
Totals	**$3,152,695**	**$1,524,395**	**$1,628,300**	51.65%

DEFERRED EXPENDITURES

as of January 21, 2014

Dept	Explanation/Benefit	$ Request	GenFund	Enterprise	Other	Selected
Council	Support for Chamber of Commerce	$ 3,000	$ 3,000			
Police	Replace server (system is at maximum)	$ 20,000	$ 20,000			
Fire	4 pagers @ $379 ea	$ 1,516	$ 1,516			
	14 fire shelters @ $300 ea	$ 4,200	$ 4,200			
	22 sets ppe @ $2153 ea	$ 47,366	$ 47,366			
Admin	Chairs for Carnegie Center	$ 8,000	$ 5,000	$ 3,000		
	Presentation Laptop	$ 1,200	$ 800	$ 400		
TOTAL		$ 85,282	$ 81,882	$ 3,400		