

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

CITY OF ORLAND

INCORPORATED 1909

815 Fourth Street
ORLAND, CALIFORNIA 95963
Telephone (530) 865-1600
Fax (530) 865-1632



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

CITY MANAGER
Peter R. Carr

If anyone wishes to address the City Council on an item to be considered at this meeting, please fill out 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

AMENDED AGENDA REGULAR MEETING, ORLAND CITY COUNCIL Tuesday April 2, 2013

I. **CALL TO ORDER – 7:30 p.m.**

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL**

IV. **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 observing April as Sexual Assault Awareness Month.

C. Presentation:

Update on Public Safety Commission activities; also request for Council to consider need for improved lighting downtown. – Caryn Brown, Chairperson

V. **CITY COUNCIL COMMUNICATIONS AND REPORTS**

VI. CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for March 4, 2013.
- C. Receive and file Special meeting Planning Commission minutes for March 11, 2013.
- D. Receive and file Orland Public Safety Commission minutes for February 11, 2013.
- E. Approve 2012 City of Orland General Plan and Housing Element Annual Progress Report.
- F. Authorize City Manager to sign lease agreement between Orland Laurel Hall Association and Orland Arts Commission.
- G. Received Tort Claim by Matt Reno against the City of Orland. Rejection of this tort claim by Matt Reno in accordance with California Government Code Section 913. Direct City Attorney to prepare formal notice of claim rejection.
- H. Accept \$17,510 Board of State and Community Corrections Funds (BSCC) funds proposed plan, equally split with Willows Police Department.

**VII. PUBLIC HEARING -
(Public Hearing comments will be limited from three to five minutes).**

First reading by title only "An Ordinance of the City Council of the City of Orland modifying the Arts Assessment fee in Chapter 2.18 in the Orland Municipal Code as follows:

- Non-Residential Developments will be decreased from the rate of one-half of one percent (0.50%) to a quarter of one percent (0.25%) of the value of the development.
- Arts Assessment fees will be applied and exempted in conformity to the application of Development Impact fees.

VIII. ADMINISTRATIVE COMMUNICATIONS

A. Chief of Police – J.C. Tolle

Discuss and consider approval of service agreement with City of Willows.

B. City Manager – Pete Carr

1. Discussion of citywide clean-up day options; give direction to staff.
2. Discussion about use of 824 Fourth Street city property; give direction to staff.

IX. ADJOURN

CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on March 28, 2013.

Orland City Council
April 2, 2013
Page 3

A complete agenda packet is available for public inspection during normal business hours at City Hall, 815 Fourth Street, Orland, CA.

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.

Charles Gee, Mayor, City Council
City of Orland
815 Fourth St, Orland, CA 95963

Dear Charles Gee, Mayor

April is nationally recognized as Sexual Assault Awareness Month and this year, *Rape Crisis Intervention & Prevention* is organizing a series of events to help every member of our community *Decide to End Sexual Violence*. Our goal is to encourage everyone in *City of Orland* to learn about sexual violence, how to help prevent it, and how to encourage survivors to heal.

Rape Crisis Intervention & Prevention is calling for City of Orland community- wide participation to *Decide to End Sexual Violence*, and would be honored if you would sponsor an official proclamation to recognize April as Sexual Assault Awareness Month. You can further support Sexual Assault Awareness Month by scheduling a *Decide to End Sexual Violence* presentation for your staff, participating in our month-long \$0.03 A Day Campaign, Denim Day on April 24, and by attending *Shine The Light on April 30, 2013 from 6 - 9 PM*.

We are hopeful that you will be able to present your proclamation during your next City Council meeting. A representative from Rape Crisis Intervention & Prevention will be present to receive this proclamation and to speak briefly about activities.

Rape Crisis Intervention & Prevention is *Taking Action by Deciding to End Sexual Violence* in coordination with California's rape crisis centers and the California Coalition Against Sexual Assault (CALCASA). We share the view of the World Health Organization that sexual violence is a serious health problem that profoundly affects the physical, emotional, mental and social well-being of victims. With leadership and commitment, we believe that we can work together with others to create short and long-term solutions to the endemic problem of sexual violence, including unhealthy and unsafe relationships.

A sample proclamation is enclosed. Please contact me to confirm your support of these critical violence prevention efforts. We look forward to partnering with you to achieve our vision of a world without sexual violence.

Sincerely,

Cinda Trembath
Outreach/Counselor

CITY COUNCIL, CITY OF ORLAND

PROCLAMATION

Proclaiming the Month of April as Sexual Assault Awareness Month

WHEREAS, sexual assault is an intolerable violent crime with public health implications for every person in the **City of Orland** as a victim/survivor or as a family member, significant other, neighbor or co-worker of a victim/survivor;

WHEREAS, no one person, organization, agency or community can eliminate sexual assault on their own-we must work together to educate our entire population about what can be done to prevent sexual assault, support victim/survivors and their significant others, and increase support for agencies providing services to victim/survivors; and

WHEREAS, for the past 39 years *Rape Crisis Intervention & Prevention* has led the way in the **City of Orland** in addressing sexual assault by providing 24-hour hotline services to victim/survivors and their significant others, responding to emergency calls, offering support and comfort to those impacted by sexual assault during medical exams, criminal proceedings, and empowering those impacted by sexual assault to chart their own course for healing; and

WHEREAS, ending sexual assault in the **City of Orland** must include active public and private efforts to *End Sexual Violence* in collaboration with including conversation about what sexual violence is, how to prevent it, how to help survivors connect with crucial counseling and other support services, and how every segment of our society can work together to better address sexual violence; and

WHEREAS, *Rape Crisis Intervention & Prevention* staff and volunteers offer sexual assault programs in the **City of Orland** work year around to encourage every person in the **City of Orland** to *End Sexual Violence* and to support survivors by providing prevention education and survivor empowerment information to schools, churches, civic organizations, as well as medical, mental health, law enforcement, education, and criminal justice personnel regarding sexual assault issues;

WHEREAS, *Rape Crisis Intervention & Prevention* encourages both women and men to take action to *End Sexual Violence*, *Rape Crisis Intervention & Prevention* supports young men to join the statewide campaign by declaring that they will work to *End Sexual Violence*.

WHEREAS, *Rape Crisis Intervention & Prevention* has set an important example of how forging collaborative relationships between service agencies and organizations serves to improve the quality of service for those most profoundly and directly impacted by sexual violence, thus setting an important example for how the rest of the community might work together to speak out and find solutions to sexual violence;

WHEREAS, *Rape Crisis Intervention & Prevention* requests public support and assistance as it continues its effort to bring real hope for freeing the **City of Orland** from the tragedy of sexual violence to create a future where all women, men and children can live free from violence and exploitation;

NOW, THEREFORE, I Charles Gee, Mayor of the City of Orland, do hereby proclaim the month of April 2013 as Sexual Assault Awareness Month in Orland and hereby commend this observance to all citizens.

Charles Gee, Mayor

CITY COUNCIL

Charles W. Gee, Mayor
Dennis Hoffman, Vice Mayor
Bruce T. Roundy
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Salina J. Edwards

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CITY MANAGER

Peter R. Carr

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

March 11, 2013

Peter Carr, City Manager *pkc*
815 Fourth Street
Orland CA 95963

Dear Mr. Carr,

The members of the Public Safety Commission met and discussed the need for improved lighting downtown at our February 11, 2013 Commission meeting.

Though we are aware the costs may be prohibitive, we respectfully suggest that you gain approval from the Orland City Council to research and explore the options available to convert current street lighting to brighter, LED lighting. Perhaps now or in the near future, grants or other venues through CalTrans and PG&E may become available to accomplish this task.

For the safety of our community, there are many areas of Orland that would benefit from brighter lights. There are also many areas that need more lighting, especially in the older areas where street lights are far and few between.

Thank you for taking this matter under consideration,

Sincerely,

Caryn Brown, Chairman
Orland Public Safety Commission

Vice Chair	Debbie DeMarco
Secretary	Mary Schreiber
Member	Gary Campbell
Member	Larry Bates

VI.A.

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WARRANT LIST

April 2, 2013

WARRANT	3/28/13	\$	113,134.45
PAYROLL	3/21/13	\$	49,227.56
PAYROLL	3/21/13	\$	23,333.36
TOTAL		\$	<u>185,695.37</u>

APPROVED BY

Charles Gee, Mayor

Dennis G. Hoffman, Vice-Mayor

Bruce T. Roundy, Councilmember

James Paschall, Sr., Councilmember

Salina J. Edwards, Councilmember

check umber	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
38388	03/28/13	ABD00	ADVANCED DOCUMENT	25.22	.00	25.22	IN634604	BD;Plan/billable copies
38389	03/28/13	ALL01	ALL SEASONS SCREEN PRINT	2230.63	.00	2230.63	2983;2984	Rec/TBall shirts&hats
38390	03/28/13	AME00	AMERICAN FAMILY LIFE	562.04	.00	562.04	April 13	Supplemental insurance
38391	03/28/13	ATT06	A T & T	15.96 15.84 16.09 291.30 857.64 108.27	.00 .00 .00 .00 .00 .00	15.96 15.84 16.09 291.30 857.64 108.27	2363 3700 3701 031913 172873 3/20/13	PW/lift station PW/lift station PW/lift station PW/well communications Phone usage PD/radio phone line
			Check Total.....:	1305.10	.00	1305.10		
38392	03/28/13	BAL00	Knife River Construction	1181.74	.00	1181.74	136588	PW/asphalt for street rep
38393	03/28/13	BAS00	Basic Laboratory, Inc	2094.00	.00	2094.00	2371-2566	PW/lab svcs
38394	03/28/13	BOI00	Peter J. Boice	499.00	.00	499.00	Inspect	Library extension
38395	03/28/13	BRO02	DARYL R. BROCK CPA	3400.00	.00	3400.00	3/26/13	FinDir/contract svcs
38396	03/28/13	BSN04	BSN Sports	85.94 232.51	.00 .00	85.94 232.51	5267 3-25-13	Rec/supplies for Lean;Mea Rec/Tball equipment
			Check Total.....:	318.45	.00	318.45		
38397	03/28/13	CIT11	CITY OF ORLAND	50.35	.00	50.35	C2013-9	Library expansion permit
38398	03/28/13	COM02	Comcast	174.36	.00	174.36	3/16/13	Multi-depts/internet conn
38399	03/28/13	COR00	CORNING LUMBER CO., INC.	116.81	.00	116.81	3/25/13	PW/supplies
38400	03/28/13	COR04	CORBIN WILLITS SYSTEMS	479.02	.00	479.02	B303151	MultiDepts/software suppo
38401	03/28/13	CRE00	CREATIVE COMPOSITION	209.30	.00	209.30	83720	PD/office supplies
38402	03/28/13	CRO00	ANGIE CROOK	300.00	.00	300.00	Mar 2013	City Clerk Stipend
38403	03/28/13	DEF01	PAT DEFRIES	50.00	.00	50.00	3-20-13	Rec/seniorsize instructor
38404	03/28/13	DEP02	DEPARTMENT OF PUBLIC HEAL	1512.00	.00	1512.00	1350061	PW/State inspection
38405	03/28/13	DOJ03	DEPARTMENT OF JUSTICE	83.00	.00	83.00	961631;77	PD/H&S contract
38406	03/28/13	EDW00	Salina Edwards	192.00	.00	192.00	Mar 2013	CITY COUNCIL COUNCIL FEES
38407	03/28/13	FEN04	Joseph Fenske	92.13	.00	92.13	3-26-13	Rec/mileage reimb
38408	03/28/13	FLO00	FLOR'S	220.00	.00	220.00	2668;2666	BM/tissue&cleaner
38409	03/28/13	FOU04	Cade Fountain	27.00	.00	27.00	3-21-13	Rec/youth basketball
38410	03/28/13	GAL01	GALE GROUP	45.10	.00	45.10	98922812	Lib/lg print books
38411	03/28/13	GEE00	CHARLIE GEE	208.00	.00	208.00	Mar 2013	Council member svcs
38412	03/28/13	GRO00	Ferguson Enterprises Inc	4524.97	.00	4524.97	4468;85	PW/supplies
38413	03/28/13	HAL00	STEVEN HALSEY ELECTRIC	12313.34	.00	12313.34	3/26/13	Multi-projects/electrical
38414	03/28/13	HIC05	Kristy Hickerson	30.00	.00	30.00	3-18-13	Rec/soccer refund
38415	03/28/13	HOF00	DENNIS G. HOFFMAN	192.00	.00	192.00	Mar 2013	Council member svcs
38416	03/28/13	IRV03	Tina Irvin	30.00	.00	30.00	3-22-13	Rec/Reservation refund
38417	03/28/13	JON00	JON'S BACKFLOW SPECIALIST	4862.25	.00	4862.25	153	PW/annual backflow testin
38418	03/28/13	KYO00	GE CAPITAL	274.13 230.05	.00 .00	274.13 230.05	5610 58561105	Multi-depts/copier lease BD;Plan/copier lease
			Check Total.....:	504.18	.00	504.18		
38419	03/28/13	LAN05	Waldemar A. Lang	180.00	.00	180.00	498758	BD/contract bldg inspecto
38420	03/28/13	LON04	Jordan Long	72.00	.00	72.00	3-21-13	Rec/youth basketball ref
38421	03/28/13	MAT04	MATSON & ISOM	1425.74	.00	1425.74	20986IN	PD/SLESF computer
38422	03/28/13	MEZ00	JODY MEZA	200.00	.00	200.00	Feb 2013	Lib/mileage reimb
38423	03/28/13	NOR07	NORTH VALLEY BARRICADE	430.25	.00	430.25	15923;25	PW/fire hydrant;cones
38424	03/28/13	ORL00	ORLAND VOLUNTEER FIRE DPT	12850.00	.00	12850.00	2013	FD/annual assistance
38425	03/28/13	ORL12	Orland-Laurel Masonic Hal	300.00	.00	300.00	April2013	AC/gallery rent
38426	03/28/13	OSC00	OSCAR REDES	132.21	.00	132.21	513063	Rec/golf signs

REPORT.: Mar 28 13 Thursday
 RUN...: Mar 28 13 Time: 09:31
 Run By.: FINANCE

CITY OF ORLAND
 Cash Disbursement Detail Report
 Check Listing for 03-13 Bank Account.: 1001

PAGE: 002
 ID #: PY-DP
 CTL.: ORL

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
38426	03/28/13	OSC00	OSCAR REDES	480.00	.00	480.00	513066	Rec/Center sign
				100.00	.00	100.00	3/11/13	AC/garbage svc
			Check Total.....:	712.21	.00	712.21		
38427	03/28/13	OTT00	PAM OTTERSON	175.00	.00	175.00	Mar 2013	Treasurer Stipend
38428	03/28/13	OVA00	Shannon Ovard	107.46	.00	107.46	3-15-13	Rec/golf tourn.prizes
38429	03/28/13	OVE01	Overdrive, Inc.	3000.00	.00	3000.00	0001487	Lib/Ebooks
38430	03/28/13	PAS02	James Paschall Sr.	192.00	.00	192.00	Mar 2013	Council member svcs
38431	03/28/13	PER00	STATE OF CALIF PERS	18010.23	.00	18010.23	3-2013-4	PERS PAYABLE
38432	03/28/13	PGE00	PG&E	49.79	.00	49.79	031913	PW/traffic control
				21.13	.00	21.13	3-15-13	Rec/lights@field
				213.15	.00	213.15	3/10/13	FD/utility usage
				19.19	.00	19.19	3/12/13	PW/WalkerSt.pedestal
			Check Total.....:	303.26	.00	303.26		
38433	03/28/13	POS00	POSTMASTER	1015.23	.00	1015.23	1/25-3-25	Utility billing postage
38434	03/28/13	QUI02	QUILL CORP.	191.01	.00	191.01	3/12-3/21	Office supplies
38435	03/28/13	RAM04	Kavi Ram	90.00	.00	90.00	3-21-13	Rec/youth basketball
38436	03/28/13	ROL00	ROLLS, ANDERSON & ROLLS	27962.40	.00	27962.40	021913	CE/contract svcs
38437	03/28/13	ROU00	BRUCE T. ROUNDY	192.00	.00	192.00	Mar 2013	CITY COUNCIL COUNCIL FEES
38438	03/28/13	ROU01	Bruce Roundy	66.60	.00	66.60	3/26/13	Coun/mileage reimb
38439	03/28/13	SCH12	Tierra Schulps	30.00	.00	30.00	031813	AC/model fee
38440	03/28/13	SUN03	SunTrust Equipment	3651.19	.00	3651.19	1488586	PW/sewer truck payment
38441	03/28/13	TER01	TERMINIX INTERNATIONAL	36.00	.00	36.00	50569	FD/pest control
38442	03/28/13	THE02	The Door Company	717.50	.00	717.50	98839	FD/firehouse doors svcd
38443	03/28/13	TRA02	TRANSAMERICA	575.00	.00	575.00	Apr 2013	Term insurance
38444	03/28/13	UMP00	Umpqua Bank	450.00	.00	450.00	April13	HSA deposit
38445	03/28/13	VAL01	VALLEY CLINICAL &	450.00	.00	450.00	2813	PD/pre-employment evaluat
38446	03/28/13	VAN00	VANTAGE POINT TRANSFER AG	1567.38	.00	1567.38	3/7-3/20	DefCompPay#304591
38447	03/28/13	WAC00	JANET BLEVINS WACKERMAN	350.00	.00	350.00	032113	ContSvcs/meeting transcri
			Cash Account Total.....:	113134.45	.00	113134.45		
			Total Disbursements.....:	113134.45	.00	113134.45		
			Cash Account Total.....:	.00	.00	.00		

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday March 4, 2013 7:00 p.m.

CALL TO ORDER

Meeting called to order by Mayor Gee

No public comments.

ROLL CALL

Councilmembers present: Salina Edwards, Bruce Roundy, Vice Mayor Dennis Hoffman and Mayor Charles Gee

Councilmembers absent: Jim Paschall

Staff present: City Attorney Greg Einhorn, Assistant City Manager/City Clerk Angie Crook and City Manager Pete Carr

Meeting reconvened to Closed Session at 7:03 p.m.

CLOSED SESSION

Conference with Labor Negotiators; Government Code Section: 54957.6; Agency Negotiators: City Manager Pete Carr and City Attorney Greg Einhorn; Employee Organizations: United Public Employees of California Local #792 (Mid Management and General Units) and Unrepresented Employees (all others not in UPEC).

Meeting reconvened to Open Session at 7:29 p.m.

REPORT FROM CLOSED SESSION

Direction was given to the City Manager.

REGULAR SESSION

ROLL CALL

Councilmembers present: Salina Edwards, Bruce Roundy, Vice Mayor Dennis Hoffman and Mayor Charles Gee

Councilmembers absent: Jim Paschall

Staff present: Finance Director Daryl Brock, Chief of Police J.C. Tolle, City Attorney Greg Einhorn, Assistant City Manager/City Clerk Angie Crook and City Manager Pete Carr

PLEDGE OF ALLEGIANCE

Mayor Gee opened with the Pledge of Allegiance.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

Byron Denton, 127 Tanner Way, stated there should be a member from the public providing input into the discussion of the community center. Mayor Gee advised when the topic comes before Council, citizens will have an opportunity to comment at that time.

Presentation:

A presentation was given by Caryn Brown updating the Council on the activities of the Volunteer in Police Services (VIPS). The VIP's began in 1997 to assist the police department in a variety of functions. These functions include: crime scene security, traffic accidents, vacation house watch, and community events, etc. The VIP's have 22 members and have volunteered over 1837 hours this past year. The VIP's have assisted in a number of community events which include the Glenn County Fair, Farmers Market, National Night Out and Christmas Preview and Parade. Council thanked the VIP's for the volunteer time they contribute to the police department and community.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilor Edwards reported on the following:

- Attended the Recreation Commission meeting; discussed DiamondPro; new activities such as disc golf and petanque were discussed;
- Attended the Orland Women's Improvement Club Rummage Sale;
- Received great feedback from volunteers;
- Attended Glenn County Transportation meeting; toured new street bus;
- Attended Capay Fire Department Feed.

Vice Mayor Hoffman reported on the following:

- Attended VIP Graduation ceremony;
- Fireman's Ball scheduled March 16, 2013.

Councilor Roundy reported on the following:

- Attended Northern California Water Alliance meeting;
- Attended Boy's Orland High School Championship Basketball game;
- Attended meeting regarding cutting and removal of arrundo;
- Attended Art Gallery Reception.

Mayor Gee reported on the following:

- Attended Economic Development Commission meeting; agreed to change meeting to 2nd Tuesday evening at 6:00 p.m.
- Advised a representative from Assemblyman Logue will be at City Hall Friday from 1-4 pm;
- Town Hall meeting with Congressman Garamendi at Carnegie Center on March 9, 2013 from 2-4 pm.

CONSENT CALENDAR

- A . Approve Warrant List (payable obligations).

- B. Receive and file Economic Development Commission minutes for December 3, 2012.
- C. Receive and file Economic Development Commission Workshop minutes for January 23, 2013.
- D. Receive and file Planning Commission minutes for December 20, 2012
- E. Receive and file Arts Commission minutes for January 16, 2013.
- F. Accept and adopt Resolution No 2013-08 accepting an easement Grant Deed from Select Harvest Partners #2.

Vice Mayor Hoffman moved, seconded by Councilor Roundy to approve the consent calendar as presented. Motion carried with Councilor Paschall absent and no abstentions.

PUBLIC HEARING

None

ADMINISTRATIVE COMMUNICATIONS

Finance Director:

City Manager Carr and Finance Director Brock gave a review of the Annual Financial Report for fiscal year 2012. City Manager Carr reported the auditor states there are no material defects or irregularities identified in the city finances, based on the audit. Total assets are listed as 10% greater than the previous year and total liabilities 34% less before including the two million dollar note to refinance the PERS side fund. Sales tax revenue increased 21%, however, property taxes and VLF declined 3% and 6%. City Finance Director Brock advised the PERS Side Fund is providing a substantial savings to the City.

Councilor Roundy moved, seconded by Vice Mayor Hoffman to accept the Financial Report for June 30, 2012 and direct staff to publish. Motion carried unanimously with Councilor Paschall absent.

City Manager:

City Manager Carr reviewed and discussed the Arts Assessment Fee and the Orland Municipal Code (OMC) that governs the arts fund accounting and assessment for remodel and new construction. City Manager Carr noted it has not been practice of the building department to assess fees for remodels or reconstruction projects. Council discussed the arts fee is in some cases substantially larger than the Development Impact fee collected for the Fire Department. Mayor Gee questioned whether the City is deterring business by charging a higher arts fee for commercial properties. The OMC offers an option to provide an acceptable public artwork or pay to the City a deposit in lieu of artwork based on the valuation of the building being constructed or remodeled ($\frac{1}{2}$ of one percent for new or remodel of commercial property and $\frac{1}{4}$ of one percent for individual residences valued over \$100,000). Rae Turnbull, Arts Commission Co-Chair, stated that 46% of the Arts Fund is generated through donations and fees charged through the arts programs. Mrs. Turnbull advised she encourages the same fee for commercial and residential. Vice Mayor Hoffman advised to reevaluate the fee schedule and be fair to business, but continue to assess fees for the arts. Councilmember Edwards thanked the Turnbills for the job they have done, however, the fee needs to be leveled for business and residential. Councilmember Roundy

stated businesses do benefit from the arts. Council directed staff to obtain more information regarding revenue received from commercial and residential and the amount of revenue not received for commercial remodels.

City Manager Carr gave an update on the following capital improvement projects:

- The architect for the library expansion has finished the drawings; permit to be issued this month; on track to be complete in June.
- Swimming pool project start delayed until August; working with school district on partnership; contractor checking with subcontractors and their costs.
- Spray Park on hold until funds are known.
- Diamond Pro Representative evaluated Bihler Field and advised cinder/clay mix is fine; Field Maintenance Agreement being worked out with Parks Commission; donations have been received for scoreboard and possible new bleachers.
- West end of South Street to be resurfaced this month.
- Stops signs to be erected at Fourth and Colusa and Fifth and Colusa Streets tomorrow.

Mayor Gee thanked the Parks and Recreation Commission for their work.

Councilmember Roundy stated the City should consider the Public Works position that's currently vacant and that the City should take care of all its fields.

Mayor Gee advised a Northern Sacramento Valley Small Cities Forum is to be held in the City of Williams, March 22, 2013. (subsequently cancelled)

ADJOURN

Meeting adjourned at 9:05 p.m.

_____ Clerk

_____ Mayor

PLANNING COMMISSION MINUTES
SPECIAL MEETING
March 11, 2013

- I. Call to Order – The meeting was called to order by Chairperson Bentz at 4:30 P.M.
- II. Pledge of Allegiance – led by Vice-Chairperson Elliott
- III. Roll Call: Commissioners Present – Steven Shoop, Shannon Ovard, Wade Elliott
and Ryan Bentz
Commissioners Absent - Claire Arano
Also present: Pete Carr, Council member Dennis Hoffman and Janet Wackerman

- IV. ORAL AND WRITTEN COMMUNICATIONS
 - A. Citizen Comments – None

- V. PUBLIC HEARING

Conditional Use Permit CUP 2013-01 – A request by Ashdown Architecture, Inc. to exceed the maximum allowable total advertising surface area requirement of one-hundred (100) square feet as established in Section 17.78.051 of the Orland Municipal Code. The proposed action seeks authorization from the Planning Commission to allow for an additional seventy (70) square feet of total sign advertising surface area. Pursuant to OMC Section 17.78.051, the Planning Commission may issue a Use Permit to exceed the maximum sign area.

Conditional Use Permit #CUP2013-01:

Applicant:	Ashdown Architecture, Inc. 1681 Folsom St., San Francisco CA 94103
Landowner:	AG Heritage Development, Inc. 6240 Montecito Blvd., Santa Rosa CA 95409
APN:	040-270-000
Location:	1006 South Street, Orland CA 95963
Zoning:	“PD” (Planned Development) with the underlying “C-H” (Highway Commercial) Zoning District Standards
GP Land Use:	“Commercial” (C)

City Manager Carr presented the Staff Report. The applicant, Ashdown Architecture, is requesting approval from the Commission of a Conditional Use Permit to allow for the placement of a new wall sign along the front façade (south facing) of the anchor tenant space within the Stony Creek shopping center. Their request for a 168.1 square foot sign exceeds the maximum allowable of 100 square feet. Staff recommends approval of the CUP.

Chairperson Bentz opened the Public Hearing for comments at 4:35 P.M. There were no comments for or against the Conditional Use Permit and the Public Hearing was closed at 4:36 P.M.

Commissioner Shoop moved, seconded by Commissioner Ovard that the Planning Commission determined that the project is Categorically Exempt from further environmental review pursuant to the California Environmental Quality Act (CEQA) and meets the requirements of Section 15301, *Existing Facilities* of the State CEQA Guidelines as a Class 1 exemption. The motion carried unanimously, 4-0-1 with Commissioner Arano absent.

Commissioner Shoop moved, seconded by Vice-Chairperson Elliott adopting the findings contained in the staff report and presented as Attachment D, and approved Resolution PC 2013-01 approving Conditional Use Permit #2013-01, a request to allow for additional sign advertising area up to a maximum of 170 square feet as permitted pursuant to Section 17.78.051, of the Orland Municipal Code subject to the Conditions of Approval presented as Attachment C. The motion carried unanimously, 4-0-1 with Commissioner Arano absent.

Upon consensus of the Commission present, Staff was directed to review this code. Council person Hoffman cautioned amending the code to enable small storefronts to have large signs. Chairperson Bentz stated Staff can look at the square footage of a business and have an allowable maximum no matter the size. Council person Hoffman and Commissioner Shoop recommended a formula be applied.

VI. ADJOURNMENT – 4:40 P.M.

Respectfully submitted,

Janet Wackerman, Secretary

Ryan Bentz, Chairperson

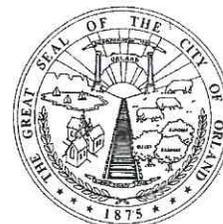
CITY COUNCIL

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

CITY OF ORLAND

INCORPORATED 1909

815 Fourth Street
ORLAND, CALIFORNIA 95963
Telephone (530) 865-1600
Fax (530) 865-1632



CITY MANAGER

Peter R. Carr

CITY OFFICIALS

Angela Crook
Assistant City Manager/City Clerk
Pamela Otterson
City Treasurer

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

MINUTES

ORLAND PUBLIC SAFETY COMMISSION

Monday, February 11, 2013

I. CALL TO ORDER – 12:09 PM

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Commissioners:
Chair Caryn Brown
Vice Chair Debbie DeMarco
Secretary Mary Schreiber
Gary Campbell
Larry Bates
Liaison: Chief J.C. Tolle
Council Appointee: Salina Edwards

IV. ORAL AND WRITTEN COMMUNICATIONS

a. Citizen Business

Any citizen may address the Commission at this time upon any subject within the authority of the Public Safety Commission; however, any matter that requires action will be referred for a report at a subsequent meeting. Public is advised to limit discussion to one presentation per individual. Please state your name and address for the record.

V. CONSENT CALENDAR

- a. Approve Safety Commission minutes of December 10, 2012. Motion by Gary Campbell, 2nd by Debbie DeMarco. Motion passed.

VI. ITEMS FOR DISCUSSION OR ACTION

a. Election of Officers

- i. Chair, Caryn Brown nominated by Debbie DeMarco, 2nd by Gary Campbell. Vice-Chair, Debbie DeMarco nominated by Gary Campbell, 2nd by Mary Schreiber. Secretary, Mary Schreiber volunteered, Debbie DeMarco moved, 2nd by Gary Campbell. All motions passed.

b. Review of 2012. Preparation of Annual Report

- i. Report reviewed with one correction of spelling for Marcy Torre's name. Gary Campbell moved to approve, Debbie DeMarco 2nd, motion passed. (report attached)

c. 2013 Goals and Objectives

- i. Caryn Brown suggested as a goal that we attend other Commission meetings to be better informed of issues which may overlap. Gary Campbell and Caryn Brown offered to attend the Public Works Commission meetings, Debbie DeMarco and Mary Schreiber offered to attend the Parks and Recreation Commission meetings, Caryn Brown offered to attend the EDC Commission meetings, and Mary Schreiber offered to attend the Planning Commission meetings. Larry Bates will attend when he can.
- ii. Mary Schreiber suggested the Chairs of all the Commissions meet to discuss their ongoing items to be better informed of what each Commission is doing so we don't overlap on issues.
- iii. Gary Campbell brought up the issue of changing our meeting times to the evening to allow easier attendance by the public. Caryn will discuss with Chief Tolle what evenings he is available to attend and it was agreed to place this item on the March agenda.
- iv. Discussion on how to better inform the public on meetings, Salina Edwards suggested picking a topic of discussion from the agenda and publicizing it in the newspapers.
- v. Discussion on crosswalk at 6th and Monterey. Street light, in-ground lights, speed bumps and crosswalk signs were discussed. Communication with City Manager and railroad is ongoing. Gary Campbell will bring information on LED lights to the next meeting. This item will be brought back as an agenda action item at our March meeting.

d. Discussion of Street Lights/Issues

- i. Gary Campbell discussed the need for improved lighting downtown perhaps converting to LED lights and requesting the City Council to have City Manager Carr research the possibility of using Grants, contacting Cal Trans, and the use of PG&E rebates to accomplish this. Gary moved that we ask the City Council to have City Manager Carr research this, 2nd by Larry Bates. Motion passed. EDC is also working on this issue.

VII. PUBLIC SAFETY COMMISSIONER REPORTS

- i. Thank You letter received from CK Price School for the stop signs, read by Caryn
- ii. Discussion on response from Cal Trans regarding a speed limit reduction on Walker Street. Commission requested 25 mph zone be extended east from 2nd Street to A Street. Cal Trans responded that “extending a reduced or 25 mph speed limit near a school zone is permitted in certain circumstances but only if an engineering and traffic survey supports the need for the reduction.” The Commission will study this issue.
- iii. Salina Edwards has received two calls from the public regarding the lack of a stop/slow sign in front of CVS on Hwy 32. Caryn indicated this has been discussed in 2011. Cal Trans has stated “that an investigation was conducted and it was determined that this location is not a good candidate for a marked crosswalk. State Route 32 is wide at this intersection and is not a desirable location for a pedestrian crossing. The number of pedestrians and the wide range of destinations (Burger King, CVS, Walgreens, etc.) do not warrant the need to channelize pedestrians. State Route 32 and 8th Street intersections offer the opportunity to cross at a marked crosswalk”. Caryn suggested the Commission revisit this issue.
- iv. Caryn was told by Chief Tolle that a citizen was concerned about the 25 mph sign on the southwest corner of Pabst being hard to see. Suggested we revisit asking Public Works to move the sign closer to the street and/or ask Pony Expresso to trim the pine tree for better visibility. He also suggested we might also consider recommending the addition of 25 mph signs on Pabst just north and south of the Yolo Street intersection. We agreed to research the citizen’s concern.
- v. Debbie discussed a possible safety issue at 6th and Walker. A concerned citizen reported they have difficulty crossing (NE corner) as vehicles turning right (north from Walker to 6th) do not always see them. Debbie will bring this back next month under Commissioner reports.
- vi. Larry discussed the problem with stop signs at Trinity & 8th Streets. Stop signs are only on Trinity and not on 8th Street. He feels this should be a 4-way stop. Discussion was held on where the school bus stops are located. Debbie will talk with the bus barn to see what information she can gather and will report on this in March.

VIII. ADJOURNMENT: 1:32 PM

Next meeting is scheduled for March 11, 2013, 12:00 pm

In compliance with the American 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.

**** OPSC Annual Report – Feb. 2012 to Feb. 2013 ** DRAFT ****

As we begin our 3rd year, the public safety commission continues to primarily concentrate on pre-existing safety issues as well as those that had been brought to our attention during the previous year.

Implementations of the speed limit adjustment on South, and school signage on South and Fairview streets around C.K. Price & Fairview schools were completed this last fall. They had been approved by Council in Sept 2011.

We completed a survey on uncontrolled intersections in January 2012, and finally brought it to Council in October. Those intersections approved for stop signs were at 5th & Yolo, Cortina & Porter, Suisun & 3rd, and three on Woodward, south of Walker. Stop signs on Woodward north of Walker will be re-evaluated after Papst Avenue is extended this fall.

In November, Council approved yet more changes suggested by the Commission. They included a stop sign on Yolo at the Fairgrounds entrance and on Marin at Chapman, as well as Marin at South Street. The addition of a left turn lane on southbound 6th at Tehama was also approved, as was a 4-way stop on Colusa at both 4th and 5th Streets.

Some of these have already been completed, the rest will be implemented as the budget and the Public Works Dept. schedule allows.

CalTrans moved the 45 mph sign at 750 Hwy 32 further east of the temperature sign during the summer at our request and painted the crosswalks on Walker at 3rd, 4th, and 5th with broad white stripes as well as adding pedestrian signage this last fall. We are currently asking them to evaluate the possibility of moving the 25 mph speed limit sign on Walker further to the east from 2nd to A Street so it will include the yellow school crosswalks at 2nd and 1st in the 25 mph zone.

Several other issues have been brought to the Commission over the last year, including Neighborhood Watch, Disaster/Emergency Preparedness, handicapped sidewalk access... and the crosswalk at 6th and Monterey at Moe's Market, on which we are currently researching available options. In March, Sharon Lazorko and Mary Torres from Public Health presented Child Abuse and car safety seat programs at a commission meeting... Some of the Commissioners participated in the EOS (Emergency Operations System) exercise the City held in Sept, and in November, Chief Tolle gave a presentation on the City's Risk Management Resources.

2013 is a fresh new year. We continue to explore avenues of outreach to the community but we need more public input. We need and want the publics' suggestions for improving Our Community. We need to know what Your concerns are affecting public safety, traffic and pedestrian issues, including Police, Fire, and Emergency Medical Services. The Public Safety Commission is here to assist the Community in looking for ways to improve the community as it grows and to make it safer. We invite you to Come to our meetings.... fill out the comment form on the City website if you don't have time to attend a meeting... or call the police department or city hall to express your concerns. We look forward to hearing from you!



**CITY OF ORLAND
PLANNING STAFF REPORT**

815 Fourth Street
Orland, CA 95963

PHONE: (530) 865-1608
FAX: (530) 865-1632

DATE: April 1, 2013
TO: Honorable Mayor and Members of the City Council
FROM: Scott Friend, AICP City Planner
SUBJECT: City of Orland 2012 General Plan and Housing Element Annual Report

REQUEST

The Planning Commission has recommended that the City Council accept the 2012 City of Orland General Plan and Housing Element Annual Report and authorize staff to submit the report to the Governor's Office of Planning and Research and the Department of Housing and Community Development (HCD) as required by Government Code Section 65400(b).

DISCUSSION

The City of Orland Planning Department has prepared the 2012 General Plan and Housing Element Annual Progress Report pursuant to the requirements of California Govt. Code Section 65400 et seq., which requires that the City analyze and report on its efforts to implement its adopted General Plan and Housing Element. The Annual Progress Report numerically documents the City's progress towards meeting the City's Regional Housing Needs Allocation (RHNA) housing goals and to remove governmental constraints associated with the development of housing in the City.

The City of Orland's 2009-2014 Housing Element was adopted by the Orland City Council on March 15, 2010 (amended July 19, 2010). The element was certified as meeting the requirements of the State of California in February 2010 and submitted to the Housing and Community Development Department (HCD) following its adoption, and subsequent amendment, by the City Council. As a result, the City of Orland's 2009-2014 Housing Element was legally adopted and subsequently certified by the State and outlines the City's plan to meet its RHNA targets for the planning period.

Government Code Section 65400(a)(2) states the following:

"After the legislative body (Orland City Council) has adopted all or part of a general plan, the planning agency (Orland Planning Department) shall do both of the following:

(1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

(2) *Provide an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:*

- Status of the General Plan and progress in its implementation;
- Progress made in meeting the City's share of Regional Housing Needs;
- Local efforts to remove governmental constraints to the maintenance, improvement, and development of housing;
- The degree to which the City's approved general plan complies with the State's general plan guidelines, and
- The date of the last revision to the general plan."

Therefore, pursuant to Government Code Section 65400, this information has been compiled in the City of Orland's 2012 General Plan and Housing Element Annual Progress Report. It is noted that the Government Code mandates that the information regarding the Housing Element portion of the General Plan be reported on forms prescribed by the Department of Housing and Community Development. As such, these forms are included as an attachment to the Annual Report document.

ENVIRONMENTAL REVIEW

Not Applicable.

PUBLIC COMMENT

None received to date.

FISCAL IMPACT

None.

PLANNING COMMISSION RECOMMENDATION

At its regular meeting of March 21, 2013, the Planning Commission voted 3-0 to recommend that the City Council accept the 2012 General Plan and Housing Element Annual Report, subject to corrections, and to direct staff to forward the report to the Office of Planning and Research and Housing and Community Development Department as required by Government Code Section 65400(a)(2).



City of Orland
815 Fourth Street
Orland, CA 95963

Date: April 2, 2013

To: **Department of Housing and Community Development**
Division of Housing Policy Development
P.O. Box 952053
Sacramento, CA 94252-2053

Governor's Office of Planning and Research
P. O. Box 3044
Sacramento, CA 95812-3044

RE: **City of Orland, California – California Government Code Section 65400
Annual General Plan Report and Housing Element Progress Report**

To Whom It May Concern:

Pursuant to Section 65400 of the Government Code, the City of Orland hereby submits its Annual General Plan Report and Housing Element Progress Report. Attached with this letter of transmittal, please find the following item(s):

- City of Orland, California – Annual General Plan Report and Housing Element Progress Report and completed Statement of Accuracy for calendar year 2012.

Please feel free to contact the City of Orland Planning Department at 815 Fourth Street, Orland, CA 95963 if you have any comments.

Sincerely,
Scott Friend
City of Orland Planning Department

By: 

Scott Friend, AICP
City Planner (contract)

cc: Project File
Pete Carr, City Manager (w/out attachments)



City of Orland
2012 City of Orland
General Plan/Housing Element
Annual Report

Submitted by:
City of Orland Planning Department
815 Fourth Street
Orland, CA 95963

March 2013

**Department of Housing and
Community Development
ANNUAL HOUSING ELEMENT PROGRESS REPORT**

City or County Name:

City of Orland

Mailing Address:

City of Orland
815 Fourth Street
Orland, CA 95963

Contact Person: Pete Carr Title: City Manager
Phone: (530) 865-1608 FAX: (530) 865-1632 E-mail: citymanager@cityoforland.com
Reporting Period by Calendar Year: from January 1, 2012, to December 31, 2012

These forms and tables, including the **Certificate of Accuracy**, are due to the Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR) on or before April 1, 2013. Submit separate reports directly to both HCD and OPR (Government Code Section 65400) at the addresses listed below:

Department of Housing and Community Development
Division of Housing Policy Development
P.O. Box 952053
Sacramento, CA 94252-2053

-and-

Governor's Office of Planning and Research
P. O. Box 3044
Sacramento, CA 95812-3044

CERTIFICATION OF ACCURACY

The undersigned in the capacity of City Manager on behalf of the City of Orland has reviewed the information provided in the forms and report contained herein, and certifies, to the best of his knowledge, that the information that has been provided herein is true and correct.

Peter Carr, City Manager

Date

**California Department of Housing and Community Development
(HCD)**

**Housing Element Implementation
Annual Progress Report Form**

Reporting Year 2012



BACKGROUND AND PURPOSE OF THE GENERAL PLAN ANNUAL REPORT

General – State Law and Local Planning

California Government Code Section 65400(a)(2) mandates that all cities and counties submit to their legislative bodies an annual report on the status of the General Plan and progress in its implementation. Only charter cities are exempt from the requirement to prepare Progress Reports, pursuant to Government Code Section 65700. A copy of this Progress Report must also be sent to the Governor's Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

The intent is to ensure that the General Plan directs all land use decisions and remains an effective guide for future development. Because the role of the General Plan is to act as a "constitution" for the long-term physical development of a community and because it is required to be updated periodically to reflect current circumstances, it is critical that local planning agencies periodically review the General Plan and its implementation. The report is a tool for doing this.

The main purpose and most important function of the report is to provide local legislative bodies with information regarding implementation of their General Plan. The report must be presented to the local legislative body for their review and acceptance. This is typically done by placing the report on a regular meeting agenda as a consent or discussion item.

City of Orland – Growth and the General Plan

The *City of Orland General Plan 2008–2028* was adopted by the City Council in February of 2012. Since the plan's adoption, the City has begun to seek to implement the programs contained in it. However, as has been the case for much of the recent past, the programs related to development have been particularly difficult for the City of Orland to implement due to the decline in developer application volume since the burst of the housing bubble in 2007. After a substantial increase in development and entitlement requests in 2006–2007, requests tapered in number afterwards, with the exception of a significant increase in residential development in 2011. However, the amount of development in 2012 was reflective of the more stagnant years of 2008–2010. The reasons for the increased interest and subsequent reduction of development in Orland are varied, but are most directly related to the real estate bubble and to the current depressed state of the economy.

These and other market forces, including the general depressed conditions of the local job market, have resulted in a near flat rate of growth in the City and a continued reduction in the overall number of applications submitted to the City for development through the 2012 reporting period. As a result of these conditions, the City has not seen any real interest from groups seeking to leverage the opportunities that exist in the City for new development. The City of Orland has not been successful in securing any real projects as a result.



Regardless of development interest within the City and the current state of the economy, the City's General Plan is a valid and useful document, and the goals, policies, and programs of the plan were advanced through the actions of the City throughout the 2012 calendar year.

City of Orland 2009–2014 Housing Element

The *City of Orland 2009–2014 Housing Element* (Housing Element or HE) was adopted by the City Council on March 15, 2010 (amended July 19, 2010). The HE was certified by the California Department of Housing and Community Development in September of 2010.

The Housing Element outlines the goals, policies, and programs of the City in relation to the provision of housing, addresses the City's success in implementing the previous Housing Element, and provides a detailed demographic and analytical evaluation of how the City is planning to accommodate its share of the region's housing during the planning period (2009–2014). The primary components of HE remain consistent with the City's previous Housing Element. The findings suggest that the City has made strides toward the achievement of accommodating its regional fair share of affordable housing needs and will continue to move toward meeting the goals of the Housing Element during the next 5-year planning period.

EXECUTIVE SUMMARY

As described in this report, the recently adopted City of Orland General Plan is a useful and valuable tool to assist the City in providing policy direction to City decision-makers and information for City residents and interested parties.

In that context and in terms of the City of Orland and its General Plan, this report concludes the following:

- The City of Orland General Plan is a valid and useful document, which provides guidance and direction for the City as intended.
- In comparing current City of Orland General Plan projections to the current setting, it can be summarized that the main thrust of the General Plan projections are correct; the plan recognized that limited new residential development would be necessary to meet projected demand.
- Detailed information about the City and surrounding area is included in all of the elements of the current City of Orland General Plan. The overarching, supporting, and descriptive information (setting, etc.) is accurate and therefore useful.
- The 2009–2014 Housing Element concludes that the City is making progress toward meeting its regional housing needs allocation and has the land supply available to meet its targets in the planning horizon (2009–2014).



I. IS THE GENERAL PLAN SERVING TO MEET ITS OWN GOALS?

With regard to land use, all of the goals, policies, and programs set forth by the City of Orland General Plan stem from Goal 2.1, as follows:

- Goal 2.1 – Maintain and promote the qualities that make Orland a desirable community.

A determination as to whether Goal 2.1 is being met may be subjective, but there are objective measures as well. One metric to determine whether a community maintains its qualities is the presence of growth interests. The section below titled Development Activity 2012 (on page 13) summarizes the development applications and activity that has occurred over the last year. Prior to that summary is a review of the stage set by the General Plan.

General Plan Land Use Projections

The *City of Orland General Plan 2008–2028* makes projections for both population and land use demands. The first section, Land Use, includes the following under its Population and Demographics heading:

...the population of the City of Orland experienced substantial growth in the 1990s. From 1990 to 2000, the population of the City increased by 24.3 percent, an average annual increase of 2.2 percent. By comparison, the population of Glenn County increased by just 6.7 percent during the same time period.

Between 2000 and 2005, the City of Orland and Glenn County each grew by an average of 1.4 percent. In 2005 and 2006, the growth that had been affecting California began to appear locally, and the population of Orland grew 4.5 and 2.8 percent in those two years.

That same General Plan section contained Projected Population, which included the following:

Three growth rates were used to develop the population estimates. The “High” growth rate is a 2.6 percent average annual growth rate, which was the growth rate of the City’s population from 1970 to 2000. The “Medium” rates is a 2.2 percent average growth rate, which was the growth rate of the City’s population from 1990 to 2000, the most recent years for which data is available. The “Low” growth rate is a 1.8 percent average annual growth rate. This was an arbitrarily selected rate, which was obtained by subtracting the Medium rate from the High rate, then subtracting the difference from the Medium rate.

The General Plan applied these three separate growth rate scenarios to the existing population in order to estimate the population in the year 2028: 12,286 people under the “High” rate, 11,363 people under the “Medium” rate, and 10,506 people under the “Low” rate.



The same General Plan section contained Projected Land Use Demands, which analyzed the three separate growth rate scenarios in order to determine the need for 812 acres under the “High” rate, 657 acres under the “Medium” rate, and 510 acres under the “Low” rate.

Current Setting

The *City of Orland 2009–2014 Housing Element* states that the City has continued to grow from its humble beginnings of 292 residents to a community of over 7,000. The population of Orland grew significantly during the 1990s, resulting in a 23 percent increase between 1990 and 2000 and accounting for the large increase in the growth rate in 2000. A review of the population and growth figures from the California Department of Finance suggests that the population of Orland increased from 7,291 in 2010 to 7,541 in 2012.

The Housing Element identified a total of 3.6 acres of Residential Multiple Family (R-3) zoned lands with the realistic potential to result in 82 units; 2.3 acres of Residential (R-2) zoned lands with the realistic potential to result in 26 units; and 229.9 acres of Residential One Family (R-1) zoned land with the realistic potential to result in 1,251 units. It can be concluded that the projections framed by the current General Plan regarding housing requirement needs accurately estimated the current setting, in that there is an adequate supply of land within the City which would serve to provide for any long-term housing needs.

Regional Housing Needs

A Regional Housing Needs Allocation (RHNA) Plan is mandated by the State of California (Government Code, Section 65584) for regions to address housing issues and needs based on future growth projections for the area. The State of California also establishes the number of total housing units needed for each region. Pursuant to California Government Code Section 65584, the California Department of Housing and Community Development (HCD) has developed an RHNA Plan for Glenn County, which identifies a need for a specific number of new residential units in Glenn County over a 7.5-year period (January 1, 2007, to June 30, 2014). The need for residential units is shared and distributed among each of the communities in the county, with each community’s share determined by its proportion of the county’s overall household population.

The intent of the RHNA Plan is to ensure that local jurisdictions not only address the needs of their immediate areas but also provide their share of housing needs for the entire region. Additionally, a major goal of the RHNA Plan is to ensure that every community provides an opportunity for a mix of affordable housing to all economic segments of its population. The RHNA Plan jurisdictional allocations are made to ensure that adequate sites and zoning are provided to address existing and anticipated housing demands during the planning period and that market forces are not inhibited in addressing the housing needs for all facets of a particular community.



Based on the RHNA Plan for Glenn County, the City of Orland's share of regional housing needs is 621 units (as amended and approved via Resolution 2011-12 and recertified by the Housing and Community Development Department in January of 2012), primarily for above moderate-income houses.¹ Since 2007, a total of 419 units have been built within the City, bringing Orland's remaining share of its regional housing needs allocation to 328 units.

Summary

In comparing the General Plan's projections to the current setting, it is concluded that the General Plan projections were correct; they identified that new residential development would be required to meet demand. The City's Housing Element identifies some new requirements (resulting from outside legislation) that have created new targets for the City to meet, and through the required internal consistency, will work in concert to support the General Plan in addressing those goals. It is also concluded that the General Plan is serving to meet its own goals. While the full targeted unit allocation for residential units pursuant to the RHNA Plan may not be physically constructed, in large part due to the current depressed state of the economy, the City has experienced residential growth at a level in which over half of the targeted allocation has been built. Furthermore, the City has ensured that an ample amount of vacant land exists to accommodate the targeted unit allocation.

¹ The RHNA Plan identified the need for 28 units for very low-income earners, 20 units for low-income earners, 19 units for moderate-income earners, and 50 units for above moderate-income earners.



II. ADEQUACY OF THE CURRENT CITY OF ORLAND GENERAL PLAN

Government Code Section 65302 states that "the General Plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals." The General Plan must include the seven elements described below in this report.

For one of the required elements, the Housing Element, the Government Code is very specific about contents, requirements, and frequency of adoption. The requirements for the other six elements are less specific. The Government Code requires that the Housing Element must be reviewed and adopted or re-adopted at least every 5 years, while the other elements of the plan should be revised "as needed" to keep information current. The City of Orland General Plan contains all seven of the required elements and comprises a legally adequate General Plan. As indicated previously in this report, all elements of the General Plan, with the exception of the Housing Element (adopted in 2010), were adopted in 2012 and are valid and functional today.

The City of Orland General Plan was consistent with state requirements when it was adopted in February 2012 and remains consistent with state requirements to this day. The Housing Element was updated and adopted in 2010.

Usefulness of the Plan

The General Plan has been described by the courts as "the constitution for development" (of a jurisdiction). All development approvals must be consistent with the General Plan. Therefore, a General Plan is useful if it provides up-to-date information, goals, policies, and programs that are consistent with current city growth policies and which are physically and economically feasible to implement.

The Orland General Plan elements are listed below, with a brief description of what they include, followed by a brief discussion and summary regarding currency and what has been done in the City of Orland in the 2012 calendar year to ensure that the goals, policies, and programs set forth in the General Plan have been addressed.

LAND USE ELEMENT

"A land use element which designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space...and other categories of public and private uses of land. [It]...shall include a statement of the standards of population and building intensity recommended for the various districts..."

The Land Use Element of the General Plan list five goals, as follows:

- Goal 2.1 – Maintain and promote the qualities that make Orland a desirable community.



-
- Goal 2.2 – Maintain a compact urban form and preserve agricultural land outside of the City.
 - Goal 2.3 – Create and maintain neighborhoods that ensure a high quality of life in Orland.
 - Goal 2.4 – Promote the expansion and retention of existing commercial establishments and encourage new commercial development in the City.
 - Goal 2.5 – Promote economic growth in the City of Orland through attraction and retention of industry in order to enhance employment opportunity and maximize the availability of goods and services within the community.

These goals contain several policies and programs which generally seek to ensure a high quality of life, efficient development, and economic growth. Within that framework, staff has been working on the following items throughout the 2012 calendar year to ensure that the goals set forth in the General Plan have been addressed:

- All development proposals within the City are required to comply with an established design review process. (Program 2.1.A.4; Program 2.1.A.5)
- The City amended Chapter 17.96 of the Municipal Code in order to establish an expanded definition of a nonconforming structure. The intent of this amended Code Chapter is to end up with more nonconforming structures complying with all current City standards. (Goal 2.1; Program 2.1.B.2; Goal 2.3)
- In 2012, the City completed a supplemental environmental review resulting from a request to amend the adopted Conditions of Approval attached to the Conditional Use Permit (CUP) for the Benson Estate residential subdivision project. The request resulted in the approval of an amendment to the approved CUP to remove the Condition requiring that the 7.5 acre project be constructed with 36 senior-only (55+) residential lots to allow for the development of 35 non-age restricted residential lots. The intent of this CUP Amendment is to respond to the market needs of the community as it has been demonstrated that the senior-only restriction has inhibited demand to build on the site and thus implementation of the residential project. The project includes sidewalks that will connect with existing sidewalks to support pedestrian traffic. (Policy 2.3.B)
- The City has leased commercial space to a discount grocer at a reduced rate in order to encourage a land use that positively serves lower-income populations in the community. (Goal 2.4; Policy 2.4.A; Policy 2.4.B)

Summary/Conclusion: The Land Use Element is useful and adequate in its characterization of the nature of the City and the General Plan's overarching goals and policies. No amendments to the Land Use Plan were made in 2012.



CIRCULATION ELEMENT

“A circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities, all correlated with the land use element of the plan...”

There are ten goals listed in the Circulation Element of the Orland General Plan, as follows:

- Goal 3.1 – Plan for, provide and maintain a circulation system that permits the safe and efficient movement of people and good throughout the City and Orland Planning Area.
- Goal 3.2. – Establish a system of safe and efficient Local, Collector, and Arterial roads to reduce travel time and improve traffic safety that is consistent with the land use patterns of the City.
- Goal 3.3 – Formulate and adopt circulation design and improvement standards that require a level of service consistent with the demands generated by proposed development, public safety, and the efficient use of public and private resources and which are uniformly applied in the Orland Planning Area.
- Goal 3.4 – Achieve a coordinated regional and local transportation system that minimizes traffic congestion and efficiently serves users.
- Goal 3.5 – Provide safe and efficient parking and loading facilities for all nonresidential land uses.
- Goal 3.6 – Encourage transportation alternatives to the automobile.
- Goal 3.7 – A non-vehicular circulation system linking important public places within the community.
- Goal 3.8 – A safe sidewalk system which provides maximum opportunities for pedestrian traffic throughout the City.
- Goal 3.9 – Contribute toward improving the air quality of the region through more efficient use of private vehicles and increased use of alternative transportation modes.
- Goal 3.10 – To provide the highest level of roadway maintenance for City residents.

These goals contain several policies and programs that generally seek to enhance the movement of goods and people throughout the City, provide safe walking routes for



residents, maintain and improve the quality of the roadways within the City, etc. During the 2012 calendar year, the City has taken the following measures to advance the objectives and programs under these goals:

- In 2012, the City completed a supplemental environmental review resulting from a request to amend the adopted Conditions of Approval attached to the Conditional Use Permit (CUP) for the Benson Estate residential subdivision project. The request resulted in the approval of an amendment to the approved CUP to remove the Condition requiring that the 7.5 acre project be constructed with 36 senior-only (55+) residential lots to allow for the development of 35 non-age restricted residential lots. The project includes sidewalks that will connect with existing sidewalks to support pedestrian traffic. (Goal 3.6; Goal 3.8; Policy 3.8.B)

Summary/Conclusion: The Circulation Element in the General Plan is devised and designed to support the Land Use Plan and policies for both current uses and future growth. The Circulation Element has not been amended since its adoption, and the goals, policies, and programs of the element are valid. The Circulation Plan within the element continues to serve to facilitate the implementation of the Land Use Plan, and the assumptions and projections supporting its designations of streets and roadways are accurate and provide for a legally adequate and viable plan.

SAFETY ELEMENT

"A safety element for the protection of the community from any unreasonable risks associated with the effects of [...earthquakes, dam failures, subsidence, liquefaction and other known geologic hazards]. It shall also address evacuation routes, peakload water supply requirements..."

The Safety Element of the Orland General Plan lists nine goals, as follows:

- Goal 4.1 – Ensure that the City of Orland and involved local agencies are able to effectively respond to emergency situations that may threaten the people and property of Orland.
- Goal 4.2 – Minimize the risk of personal injury and property damage resulting from flooding.
- Goal 4.3 – Protect people and property within the City of Orland against fire-related loss and damage.
- Goal 4.4 – Provide police and emergency medical services in a well-planned, cost-effective, and professional manner.
- Goal 4.5 – Ensure a range of health care services are conveniently available to City residents.



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- Goal 4.6 – Minimize the threat of personal injury and property damage due to seismic and geologic hazards.
 - Goal 4.7 – Minimize the risk of personal injury, property damage, and environmental degradation resulting from the use, transport, disposal, and release/discharge of hazardous materials.
 - Goal 4.8 – Minimize the potential for hazards related to rail service in and around the City of Orland.
 - Goal 4.9 – Ensure public safety during airport operations.

There have been work efforts within the City in 2012 to advance the goals and programs of the Safety Element. These work efforts include the following:

- In 2012, the City completed a supplemental environmental review resulting from a request to amend the adopted Conditions of Approval attached to the Conditional Use Permit (CUP) for the Benson Estate residential subdivision project. The request resulted in the approval of an amendment to the approved CUP to remove the Condition requiring that the 7.5 acre project be constructed with 36 senior-only (55+) residential lots to allow for the development of 35 non-age restricted residential lots. Project site-specific soils were evaluated for shrink-swell, liquefaction, and erosion potential (Goal 4.6; Policy 4.6.A)
- The City continued to fund the Orland Police Department, which in turn has continued to provide a high quality, community-appropriate level of law enforcement services. (Goal 4.4; Program 4.4.A.3)

Summary/Conclusion: The Safety Element contains information and goals, policies, and programs regarding emergency preparedness, flood and geologic hazards, fire and police protection, and hazardous waste and materials. The element has not been amended since its adoption and is a current, useful, and adequate element of the General Plan.

OPEN SPACE, CONSERVATION, AND PUBLIC FACILITIES ELEMENT

"A conservation element for the conservation, development and utilization of natural resources including water...soils, rivers...and other natural resources."

There are ten goals listed in the Open Space, Conservation, and Public Facilities Element of the Orland General Plan, as follows:

- Goal 5.1 – Promote and protect the continued viability of agriculture surrounding Orland.
- Goal 5.2 – Ensure that all mining activity is appropriately permitted and that mines are effectively reclaimed.



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- Goal 5.3 – Minimize impacts to wildlife and wildlife habitat as new development occurs within the Orland Planning Area.
 - Goal 5.4 – Maintain and protect air quality within the City of Orland at acceptable levels as defined by state and federal standards.
 - Goal 5.5 – Reduce the contribution of greenhouse gases from existing sources and minimize the contribution of greenhouse gases from new construction and sources.
 - Goal 5.6 – Conserve, enhance, and manage water resources, protect their quality, and ensure an adequate long-term supply of water for domestic, agricultural, industrial, and recreational use.
 - Goal 5.7 – Protect the quantity and quality of community water supplies.
 - Goal 5.8 – Provide quality wastewater service to all existing and future City residents.
 - Goal 5.9 – Provide for the collection, transport, and stormwater in a safe manner to protect people and property from damage arising from storm drainage.
 - Goal 5.10 – Develop and sustain an integrated and cohesively designed park system that is complementary to existing and proposed development as well as the natural environment. This shall include development and maintenance of a network of recreational trails, bicycle lanes and bikeways.

The following work efforts were undertaken or advanced in 2012 to implement the programs and policies of the Open Space, Conservation, and Public Facilities Element. These work efforts include the following:

- The City has recently completed an environmental review of the Amendment to the Benson Estate CUP, which analyzed potential impacts to biological resources and air quality during and after construction. (Goal 5.3; Policy 5.3.C; Policy 5.4.B)

Summary/Conclusion: The Open Space, Conservation, and Public Facilities Element remains useful and relevant and has served the City over the last year. The element has not been amended since its adoption, and the goals, policies, and programs of the element remain valid.

NOISE ELEMENT

“A noise element which shall identify and appraise noise problems in the community. [It] shall...analyze and quantify, to the extent practicable...current and projected noise levels for all of the following sources...[including highways, industrial uses, and others identified by Council as contributing to the community noise environment]. Noise contours shall be



shown for all of these sources...The noise contours shall be used as a guide for establishing a pattern of land uses in the land use element...

The Noise Element of the General Plan includes one goal, as follows:

- Goal 6.1 – Protect citizens of Orland from the harmful effects of exposure to excessive noise. Additionally, protect existing noise-sensitive land uses from new uses that would generate noise levels that are incompatible with those uses and discourage new noise-sensitive land uses from being developed near sources of high noise levels.

Summary/Conclusion: The Noise Element contains standards and guidelines that protect both existing noise-generating uses and new potentially noise-sensitive land uses. The Noise Element contained within the General Plan has been used by staff and has provided valuable guidance and policy direction for the City. The Noise Element contained within the General Plan is current and accurate, and remains useful and legally adequate.

HOUSING ELEMENT

“The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. [It] shall identify adequate sites for housing, including rental housing, factory-built housing, and mobile homes, and shall make adequate provision for the existing and projected needs of all economic segments of the community... (Section 65580).”

“Each local government shall review its housing element as frequently as appropriate...but not less than every five years.” (Section 65588)

Summary/Conclusion: The 2009–2014 Housing Element was adopted in March 2010 and has been approved by the California Department of Housing and Community Development. Generally, Housing Elements provide information and policy guidance on issues including affordable housing and housing for special needs groups and identifies potential programs that the City utilizes to help fill underserved housing needs in the community.

The 2009–2014 Housing Element contains 21 policies and 29 programs designed to establish the City’s approach to the planning of housing in Orland. Because of issues related to the general state of the local, regional, and national economies, the City has not seen any major housing-related planning projects in the City.

The 2009–2014 Housing Element functioned as a useful and adequate element of the General Plan over the course of the past year (see Table C of Attachment 1 below).



Overall Summary

The City of Orland adopted its General Plan in 2012, and the document has been providing policy guidance and direction in a meaningful way. The General Plan Land Use Map has not been amended and therefore did not result in any changes or shifts in plan vision or policy direction. The General Plan is legally adequate and sufficiently represents the policy direction of the City.

DEVELOPMENT ACTIVITY 2012

As discussed above, after a substantial increase in development and entitlement requests in 2006–2007, requests tapered in number afterwards, with the exception of a significant increase of residential development in 2011. However, the amount of development in 2012 was reflective of the more stagnant years of 2008–2010.

In 2012, the City of Orland Planning Department processed 181 total development permits.

The City did not process any General Plan Amendments, lot mergers, new subdivision or tentative maps, or annexation requests in 2012.

Summary

As the real estate market continued to stagnate throughout the majority of Northern California communities, the City of Orland experienced a slowing in total development activity and applications from the level experienced in the mid- to late-2000s to a current level resulting in limited development activity within the City in 2012.

As indicated previously in this report, the City of Orland General Plan provides meaningful direction to elected officials, city staff, landowners, citizens, and parties interested in the future of Orland. Through the end of calendar year 2012, the General Plan has remained essentially unchanged in its direction and policy foundations from the time of its adoption at the beginning of 2012. The plan was not amended in 2012, and there were no changes to land uses or to the goals, policies, and programs of the General Plan. The current General Plan provides accurate and useful policy guidance for the City. The document is adequate and functional, and succeeds in meeting its own goals, policies, and programs and in serving the needs of the City of Orland.



REFERENCES

1. *City of Orland General Plan 2008–2028*. Adopted 2012.
2. *2009–2014 City of Orland General Plan Housing Element*. Adopted 2010.
3. California Department of Finance, Demographic Research Unit, E-5 Report (2013).
4. Website, State of California: Governor's Office of Planning and Research. Various pages; <http://www.opr.ca.gov/>.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Orland
Reporting Period 1/1/2012 - 12/31/2012

Table A

**Annual Building Activity Report Summary – New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects**

1	2	3	4				5	5a	6		7	8
			Affordability by Household Incomes						Housing With Financial Assistance and/or Deed Restrictions			
Project Identifier (may be APN No., project name, or address)	Unit Category	Tenure R=Rentor O=Owner	Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed-Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.	
045-370-012	SF	O	1				1		See instructions		1	
1341 Blake Road	SF	O				1	1		See instructions		1	
041-140-033	SF	O				1	1		See instructions		1	
041-170-025	SF	O			1		1		See instructions		1	
041-140-030	SF	O			1		1		See instructions		1	
046-360-017	SF	O			1		1		See instructions		1	
041-140-029	SF	O			1		1		See instructions		1	
041-271-038	SF	O				1	1		See instructions		1	
041-271-037	TH	O			1		1		See instructions		1	
046-360-021	SF	O				1	1		See instructions		1	
041-170-026	SF	O				1	1		See instructions		1	
046-360-020	SF	O			1		1		See instructions		1	
046-360-005	SF	O			1		1		See instructions		1	
045-370-015	SF	O	1				1		See instructions		1	
045-370-057	SF	O	1				1		See instructions		1	
045-370-010	SF	O		1			1		See instructions		1	

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202)

Jurisdiction City of Orland
Reporting Period 1/1/2012 - 12/31/2012

**Table A2
Annual Building Activity Report Summary – Units Rehabilitated, Preserved, and Acquired Pursuant
to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve, or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1).

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1.
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

**Table A3
Annual Building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)**

	1. Single-Family	2. 2-4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of Infill Units*
No. of Units Permitted for Moderate	10					10	
No. of Units Permitted for Above Moderate	9					9	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction: City of Orland
Reporting Period: 1/1/2012 - 12/31/2012

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Income Level	RHNA Allocation by Income Level	Permitted Units Issued by Affordability										Total Units to Date (all years)	Total Remaining RHNA by Income Level		
		2007	2008	2009	2010	2011	2012	2013	2014	Year 9					
Very Low	Deed	0	0	0	0	0	0	0	0	0	0	0	0	0	123
	Restricted	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Non-deed	0	0	0	0	0	0	0	0	0	0	0	0	0	
Low	Deed	0	0	0	0	0	0	0	0	0	0	0	0	0	98
	Restricted	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Non-deed	0	0	0	0	0	0	0	0	0	0	0	0	0	
Moderate	Deed	0	0	0	0	0	0	0	0	0	0	0	0	0	72
	Restricted	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Non-deed	0	0	0	0	0	0	0	0	0	0	0	0	0	
Above Moderate		0	0	0	0	0	0	0	0	0	0	0	0	0	250
Total RHNA by COG. Enter allocation number:															
Total Units														78	
Remaining Need for RHNA Period														543	

Note: Units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Orland
Reporting Period 1/1/2012 - 12/31/2012

Table C
Program Implementation Status

Program Description (By Housing Element Program Names)	Name of Program	Objective	Time Frame in HE	Status of Program Implementation
Housing Programs Progress Report – Government Code Section 65583 Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.				
Program HE-1.A: Housing Inspection Program		Safe housing of all income levels.	Ongoing, 2009–2014	The City of Orland Building Division and Building Inspector undertake building safety inspections for all new units/structures and all structures being modified through the building permit process to continue to ensure safety in the City's housing stock.
Program HE-1.B: Housing Rehabilitation Program		Continue the City's programs to provide financial assistance to owner and renter lower-income households for housing rehabilitation.	Ongoing/ Annually	The City of Orland continues to assist lower-income households with housing rehabilitation as needed and when appropriate.
Program HE-1.C: First Time Homebuyers Program		Continue the City's First-Time Homebuyers Program to assist in the homebuying opportunities for lower-income households.	Annually	The City of Orland continues to assist lower-income households as needed and when appropriate.
Program HE-1.D: Infrastructure Provision and Financing		Minimize infrastructure costs for residential development by identifying infrastructure needs and coordinating and streamlining infrastructure financing programs.	Ongoing/ Annually	The City of Orland has initiated the process of reviewing the City's Development Impact Fee Program to identify study needs and intends to pursue funding for an update to the existing fee study.
Program HE-1.E: General Plan and Housing Element Periodic Review and Update		Maintain a Zoning Ordinance that contains current data and is effective in implementing housing goals.	Ongoing	The City of Orland adopted a comprehensive update to the City's General Plan in February of 2012. The comprehensive General Plan update directs that the City will pursue an update to the Zoning Code and the various implementing documents in the coming years.
Program HE-1.F: Zoning Ordinance Review and Update		Maintain a Zoning Ordinance that contains current data and is effective in implementing housing goals.	Ongoing/ Annually	The City of Orland is currently reviewing its Zoning Ordinance to identify and prepare a plan by which to formulate and incorporate amendments as necessary based upon the recently updated General Plan and the recently amended and readopted Housing Element.

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202)

Jurisdiction	City of Orland	Reporting Period	1/1/2012 - 12/31/2012
Program HE-1.G: Technical Advisory Committee Review		Continuation of TAC meetings.	Ongoing
Program HE-2.A: Medium and High Density Residential Sites		Increase the number of sites available for medium- and high-density residential development, particularly medium-density residential sites.	November 2010 and Ongoing
Program HE-2.B: Residential Site Development Program		Identification of vacant and underutilized residential land and its development potential and assist in identifying ways to remove the constraints to its development.	Annually
Program HE-2.B.1: Small Lot Development Program		Identification of vacant and underutilized residential land and its development potential and assist in identifying ways to remove the constraints to its development.	Annually
Program HE-2.C: Second Units		Encourage the production of second-unit housing to meet the needs of the expanding Orland population.	Ongoing
Program HE-2.D: Housing Opportunities Program		Encourage the production of market-rate housing for households with incomes of 80 percent or more of Glenn County Area Median Income.	Annually
Program HE-2.E: Development Processing System Review Program		Minimize processing time for development permits, especially those for affordable residential projects and projects that conform to City development requirements.	Annually
Program HE-2.F: Planned Development		Encourage planned developments.	Ongoing

The City of Orland continues to utilize the TAC review process for all new development applications.

The City of Orland adopted a comprehensive update to the City's General Plan in February of 2012. As part of that effort, the City increased the permitted density range in the high-density land use designation and increased the number of sites available for medium- and high-density development as directed by Program HE-2.A. The City of Orland believes that it has sufficient lands now designated with the medium- and high-density designations to accommodate the City's adopted RHNA numbers.

The City of Orland maintains and updates its GIS system to assist staff in identifying vacant parcels and opportunities for new residential development.

The City of Orland maintains and updates its GIS system to assist staff in identifying vacant parcels and opportunities for new residential development.

The City of Orland has adopted a Second Dwelling Unit Ordinance codified in Title 17, Section 17.76.130, allowing for and establishing guidelines for the development of second dwelling units in the City of Orland.

The City of Orland actively encourages the development of market-rate and above housing within the City and works to remove any identified barriers to such if impediments are identified.

The City of Orland has seen a decline in the volume of development applications submitted to the City and thus has been able to rapidly and expeditiously process all applications in a timely manner and in time frames shorter than the City's historic average.

The City of Orland's updated General Plan actively encourages planned developments and the use of planning tools such as master plans and specific plans.

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Housing Element Implementation
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Jurisdiction	City of Orland	
Reporting Period	1/1/2012 - 12/31/2012	
Program HE-3.A: Affordable Housing Preservation	The establishment of a program to monitor and preserve affordable housing at risk of converting to market rate through a program that includes notification to owners and tenants and participation in federal, state, and local preservation programs.	Ongoing
		The City of Orland is currently working with an owner of affordable housing within the City in an effort to maintain this housing as affordable beyond the originally required time span.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of Orland	Reporting Period	1/1/2012 - 12/31/2012
Program HE-3.B: Funding for Affordable Housing Development	Encourage and connect developers with the most feasible and appropriate available housing programs provided by the state and federal government that meet the needs of existing and future residents.	Annually and as funding permits	The City has successfully worked with the Community Housing Improvement Program (CHIP) on the Villa La Michelle project in northwest Orland to build an additional 25 lower-income, self-help residential dwelling units in the City.
Program HE-3.C: Self-Help Housing Development Program	Continue to encourage self-help housing for lower-income households.	Annually	The City has successfully worked with CHIP on the Villa La Michelle project in northwest Orland to build an additional 25 lower-income, self-help residential dwelling units in the City.
Program HE-3.D: Density Bonus Program	The production of low- and moderate-income housing.	Jan-10	The City of Orland follows all State of California Density Bonus programs for development within the City. The City has not received any applications requesting a density bonus nor qualifying for a density bonus in this reporting cycle.
Program HE-3.E: Removal of Governmental Constraints to Housing Development for Persons with Disabilities	The identification and removal of possible governmental constraints to the development of housing for persons with disabilities.	Ongoing	The City of Orland continues to assist persons with disabilities by providing information to individuals with disabilities regarding accommodation policies and procedures. This information is available in the form of postings and pamphlets at the City Planning Department and on the City website.
Program HE-3.F: Agricultural Employee Housing	Allow for agricultural employee housing.	Annually	The City of Orland follows all State of California laws related to farmworker and agricultural employee housing. The City has not received any development applications for this type of housing in this reporting period.
Program HE-3.G: Large Household Housing	Facilitate the development of households for five or more persons.	2009-2014	In 2012, the City completed an environmental review of the Amendment to the Benson Estate Conditional Use Permit (CUP), which proposes to reclassify 7.5 acres of an approved Planned Development CUP in Orland from 36 senior-only (55+) residential lots to 35 affordable housing lots with no age restrictions. The intent of this CUP Amendment is to respond to the market needs of the community as it has been demonstrated that the senior-only restriction has inhibited demand to build on the site and thus implementation of the residential project.

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202)

Jurisdiction	City of Orland	Reporting Period	1/1/2012 - 12/31/2012
Program HE-3.H: Emergency Shelters/Transitional and Supportive Housing	Provide zoning for emergency shelters and transitional and supportive housing.	Aug-10	Pursuant to Senate Bill 2, City staff began the process of amending the Zoning Ordinance to include separate definitions of "supportive housing," "transitional housing," and "emergency shelters" consistent with Sections 50675.14, 50675.2, and 50801 of the California Health and Safety Code. This process, which was instigated in 2010, will also amend the Zoning Ordinance to allow transitional and supportive housing as a residential use subject only to those restrictions that apply to residential uses of the same type. The City anticipates the completion of this process in 2013.
Program HE-3.I: Conditional Use Permit Process for Multi-Family Projects	Ensure that the conditional use permit process for multi-family projects of greater than four housing units does not impact the timing, cost, and supply of multi-family development.	Annually	The City of Orland Zoning Ordinance does require a Conditional Use Permit to construct multi-family dwellings in the R-2 and R-3 zone districts; however, the City of Orland has never denied an application for such housing when consistent with the General Plan and site zoning. A historical review of all of the multi-family projects submitted to the City reveals that all projects that have sought permission to construct new multi-family housing have been approved by the City and a Conditional Use Permit was issued for this purpose.
Program HE-3.J: Single-Room Occupancy Units	Amend the Zoning Code to address Assembly Bill (AB) 2634.	Aug-10	In 2010, City staff instigated the process of reviewing the current Zoning Ordinance in a way that helps to facilitate housing for extremely low-income persons, specifically by clarifying the definition of single-room occupancy units and associated standards for these units. The City anticipates the completion of this process in 2013.
Program HE-3.K: Housing for Special Needs Population including housing for mentally ill	Support the construction of housing for the mentally ill and other special needs residents.	Continuous	The City of Orland has previously approved the only development application it received specifically identifying that the facility was intended for an identified special needs group. The project involved the conversion of an existing residential dwelling unit to accommodate a large-family day-care use.
Program HE-4.A: Housing Discrimination and Housing Equal Opportunity	Prevent housing discrimination and promote equal housing opportunities.	Ongoing	The City of Orland actively promotes equal housing opportunities through programs that include making documents available to non-English speakers and providing referral services and resource information to underserved or disadvantaged communities.
Program HE-5.A: Implement State Energy Conservation Standards	Promote energy and resource conservation wherever possible.	Ongoing, as projects are processed through the Building Division	The updated and recently adopted City of Orland General Plan encourages the use of alternative energy technologies and supports energy conservation and green energy programs. The City has adopted, implements, and enforces the requirements of the California Green Building Code for all development in Orland.

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Orland
Reporting Period 1/1/2012 - 12/31/2012

<p>Program HE-5.B: Energy Conservation and Assistance Programs</p>	<p>Promote energy conservation and assistance programs, both public and private, specifically targeted to lower-income households.</p>	<p>Ongoing, 2009–2014</p>	<p>The updated and recently adopted City of Orland General Plan encourages the use of alternative energy technologies and supports energy conservation and green energy programs. The City has adopted, implements, and enforces the requirements of the California Green Building Code for all development in Orland.</p>
<p>Program HE-5.C: 2008–2009 Orland General Plan Energy Element</p>	<p>Incorporate energy conservation programs of the 2008–2028 Orland General Plan Energy Element relevant to residential buildings into the City's Zoning Ordinance.</p>	<p>2009, through the adoption of the Orland General Plan</p>	<p>The updated and recently adopted City of Orland General Plan encourages the use of alternative energy technologies and supports energy conservation and green energy programs. The City has adopted, implements, and enforces the requirements of the California Green Building Code for all development in Orland.</p>

Lease Agreement
Orland Laurel Hall Association & the Orland Arts Commission

This lease agreement is made and entered into by the Orland-Laurel Hall Association, hereinafter collectively referred to as "Landlord", and Orland Arts Commission hereinafter referred to as "Tenant".

Recitals:

As a basis and premise for agreement it is mutually acknowledged, understood and agreed as follows:

1. Landlord is the owner of real property located in the City of Orland, County of Glenn and State of California. Said real property is hereinafter referred to "premises" and is more particularly described as follows: 732 Fourth Street, Orland, CA 95963
2. Tenant desires to lease from landlord and landlord desires to let to tenant the premises upon the terms and conditions contained herein.
3. **Lease:** The Landlord leases to Tenant, and the Tenant takes from Landlord, the premises upon the terms, Rentals and conditions hereinafter set forth and contained.
4. **Quiet enjoyment:** Landlord covenants and agrees that Tenant, on paying the rent and performing the covenants contained herein, shall and may, peaceably and quietly hold and enjoy the premises for the term of this lease.
5. **Use:** The premises are to be used primarily as an Art Gallery and Student Learning Center, and for retail art sales, art fundraisers and all lawful purposes incidental thereto. The premises may be used for no other purpose without the written consent of the Landlord, which consent shall not be unreasonably withheld.
6. **Assignment:** Tenant shall not assign, mortgage or hypothecate this lease or any interest therein, nor permit use of the premises by any person or persons other than Tenant, nor sublet the premises or any part thereof, without prior written consent of the Landlord. Consent in any such assignment or subletting shall not operate as a waiver of the necessity for consent to any assignment or subletting, and the terms or such consent shall be binding upon any person holding by or under Tenant. This lease shall not, nor shall any interest therein be assignable, as to the interest of the tenant, by operation of law without written consent of the Landlord. Wherever required, Landlords consent shall not be unreasonably withheld.
7. **Term:** The term of this lease shall be for a period of thirty-six (36) months commencing on the first day of May 2013 and ending on the 31st day of March 2016. The Arts Commission shall have the right of first refusal when it is

time for renewal of this lease.

8. **Holding over:** The parties hereto expressly waive the provisions of section 1945 of the California Civil Code, and it is expressly understood by the parties that any holding over after a termination of this lease for whatever reason, shall not operate as an extension or renewal of this lease whether or not Landlord accepts rent from Tenant. A Tenant will be a Tenant in the event of such holding over, on a month to month basis only while the Tenant is so holding over.
9. **Rent:** The rental for this lease is Thirteen Thousand five Hundred Dollars (\$13,500) Payable as follows: monthly installments of Three Hundred Dollars (\$350) per month for the term of May 1, 2013 through April 30, 2014; May 1, 2014 thru April 30, 2015 (\$375); May 1, 2015 thru April 30th 2016 (\$400). Each installment shall be paid by the fifth day of the month during the term of this lease commencing on the fifth day of May 2013. Tenant shall pay rent to the Landlord at PO Box 1077, Orland, CA 95963, or such other place as the Landlord may from Time to time designate in writing. If rent is not paid by the 10th of the month, a late charge of 10% of the monthly charge and will be due and payable immediately.
10. **Utility service:** Tenant shall pay water and sewer service charges to the Landlord. Tenant's share of the water and sewer utility charge shall be 24% of the total bill presented by the City of Orland for the entire premises. Bills are due and payable upon presentation and will be considered delinquent after 20 days.
11. **Alterations and repairs:** Tenant has examined, inspected and knows the condition of the premises and every part thereof and accepts the same in its present condition. Tenant shall take good care of the premises and shall not alter, repair or change the premises without the written consent of the Landlord. Unless otherwise provided by written agreement, all alterations, improvements and changes that may be required during the term of this lease shall be approved by the Landlord.
12. **Mechanic's or Materialmen's Liens:** Tenant shall not suffer or permit any mechanic's or materialmen's liens to be filed against the premises nor against the Tenant's leasehold interest in the premises. If any such liens are filed, Landlord may pay and satisfy the same, and in such event, the sum paid by the Landlord, with interest at the rate of ten percent (10%) per annum from the date of payment, shall be deemed to be additional rent due and payable by Tenant at once upon notice or demand.
13. **Maintenance and repairs:** It is understood and agreed by the parties hereto that Tenant, at its sole expense, shall keep and maintain the premises and appurtenances and every part thereof including electrical, plumbing, heating, glass and air conditioning. Tenant shall repair deteriorations and injuries to the

exterior walls and roof which are caused by his want of ordinary care or by want of ordinary care of his agents, servants, employees and invitees. The Landlord agrees to maintain and repair the roof and exterior walls in good and sanitary repair during the entire term of the lease. Except as otherwise herein provided, Landlord shall be responsible for major repairs including maintaining the leased premises and appurtenances and every part thereof including electrical, plumbing, heating and air conditioning in compliance with all government codes. Tenant is to maintain such leased premises, and if any repairs become necessary by reason of any negligence on the part of the Tenant, such repairs shall be at Tenant's sole cost and expense. Otherwise, major repairs of the leased premises shall be at the Landlord's expense.

14. **Destruction of Premises:** If the premises shall be destroyed by fire or other cause or so be damaged thereby that they are un-tenantable and cannot be rendered tenantable within one hundred eighty (180) days from the date of such destruction or damage, this lease may be terminated by Landlord or Tennant by Written Notice. In case the damage or destruction is not of such magnitude as to permit a termination of this lease, as above provided, then a proportionate reduction shall be made in the rent herein reserved corresponding to the time during which, and to the portion the premises of which, Tenant shall be deprived of possession.
15. **Indemnity:** Tenant agrees to and shall defend and indemnify Landlord against all claims, liability, loss and expense by reason of injury to person or property or both, including without limitation injury to the person or property of Tenant his agents, officers, employees contractors or invitees. Tenant waives any right of subrogation Tenant may have against Landlord as a result of any such injury, provided, however, that this covenant shall not apply to injury to person or property resulting from the act of Landlord, his agent, or employees while in or on the leased premises.
16. **Default:** Any and all of the following actions shall constitute a default of this Lease:
 - (a) Use of premises for any purpose other than authorized in this lease; or
 - (b) Default in the payment of rent or any other sums owing when due; or
 - (c) Abandonment or vacating of Tenant from the premises; or
 - (d) Assignment of the premises by Tenant, either voluntarily or by operation of law, whether by judgment execution or other means provided herein; or
 - (e) A default in the performance of any terms, covenants and conditions herein contained.
17. **Remedies upon Default:** In the event of a default of this lease , and after Written notice by Landlord, and failure by Tenant to cure same within ten (10) working days, in addition to all other rights and remedies Landlord may have at law, the Landlord may do any of the following:
 - (a) Immediately reenter and remove all persons and property from the

premises, storing said personal property in a public warehouse or elsewhere at the cost of, and for the account of the Tenant. No such reentry shall be construed as an election on his part to terminate this lease unless written notice of intention is given by Landlord to Tenant;

- (b) To collect by suit or otherwise each installment of rent or other sum as it becomes due hereunder, or to enforce, by suit or otherwise, any term or provision hereof required to be kept or performed by Tenant; it being specifically agreed that all unpaid installments of rent or other sums shall bear interest at the legal rate from the due date thereof until paid;
- (c) Terminate this lease, in which event Tenant agrees to immediately surrender possession of the premises, and to pay to Landlord, in addition to any other remedy Landlord may have, all damages Landlord may incur by reason of Tenant's default.

18. **Removal of Property:** Tenant hereby irrevocably appoints Landlord, as agent and attorney-in-fact of Tenant, to enter upon the premises, in the event of a default by Tenant in the payment of any rent, or in the performance of any term, covenant, or condition herein contained to be kept or performed by Tenant. To remove any and all furniture and personal property whatsoever situated upon the premises, and to place such property in storage for the account of and at the expense of Tenant. In the event that Tenant shall not pay the cost of storing such property after the property has stored for a period of ninety (90) days or more, Landlord may sell any or all of such property, at public or private sale, in such manner and at such times and places Landlord in its sole discretion may deem proper, upon notice to Tenant and demand upon Tenant for payment of any part of such charges or the removal of any such property. The proceeds of the sale of such property shall be applied first to the cost and expenses of such sale, including reasonable attorney's fees actually incurred, second to the cost of or other charges of or charges for the storing of any such property; third, to the payment of any other sums of money which may then or thereafter be due to Landlord from Tenant under any of the terms hereof; and fourth, the balance, if any, to Tenant.

19. **Waiver of Breach:** Landlord's failure to take advantage of any default or breach of covenant on the part of Tenant shall not be, or construed as a waiver thereof, nor shall any custom of practice which may grow between the parties in the course of administering this instrument be construed to waive or lessen the right of the Landlord to insist upon the performance by Tenant of any term, covenant, or condition hereof, or to exercise any rights given to him on any account of such default. A waiver of any particular breach, or default shall not be deemed to be a waiver of any other subsequent breach or default. The acceptance of rent hereunder shall not be, or construed to be, a waiver of any term, covenant, or condition of this lease.

20. **Cumulative Remedies:** The foregoing remedies of Landlord shall not be exclusive, but shall be cumulative and in addition to all remedies now or hereinafter allowed by law or elsewhere provided.

21. **Landlord Curing Default:** Upon ten (10) days prior written notice to the Tenant by the Landlord, it is agreed that the Landlord may cure any default by the Tenant hereunder and if necessary, may enter upon the premises for such purpose, and in such event the cost thereof to Landlord shall be deemed additional rent payable by Tenant, which shall become immediately due and payable.

22. **Inspection:** Tenant will permit Landlord and its agents to enter upon the premises at all reasonable times for the purpose of inspecting the same, or for the purpose of protecting Landlord's reversions, or to make alterations or additions to the premises or any other portion of the building in which the premises are situated, or for maintaining any service for the Tenant provided hereunder, without any rebate of rent to Tenant for any loss of occupancy or quiet enjoyment of the premises, or damage, injury or inconvenience thereby occasioned. Tenant will permit Landlord at any time within one hundred eighty (180) days of the expiration of this lease to post appropriate Real Estate signs and bring upon premises for purpose of inspection or display, prospective purchasers or tenants thereof.

23. **Notices:** Any notice, demand or communication under, or in connection with, this lease may be served upon Landlord by personal service, or by mailing the same by registered or certified mail in the United States Post Office, postage prepaid and directed to P.O. Box 1077, Orland, California 95933, and may likewise served upon Tenant by personal service or so by mailing the same addressed to Tenant at premises. Either Landlord or Tenant may change such address by notifying the other party in writing as to such address as Tenant or Landlord may desire.

Covenants: It is mutually agreed that the letting hereunder is made upon and is subject to the terms, covenants, and conditions of this lease, to keep and to be kept or performed, and that this lease is made upon the condition of such performance.

24. **Provision Deemed Covenants and Conditions:** The parties hereto agree that all the provisions hereof are to be construed as covenants and conditions were used in each instance and that all of the provisions hereof shall bind and inure to the benefit of the parties hereto and their respective heirs, legal representatives, successors and assignees.

25. **Liability Insurance:** Tenant agrees to take out and keep in force during the life hereof at Tenant's expense public liability insurance to protect against any liability to the public, incident to the use of or resulting from any accident any accident occurring in or about said premises. The Tenant is an authorized Commission of the City of Orland, a political Subdivision. As such, Tenant is insured against liability to the general public incident to the use of or resulting from any accident or injury occurring on or about the said premises. Such

insurance is provided through the Golden State Risk Management Association on behalf of the City and its related commissions.

Attorney's fees: Should either party hereto institute any legal action to enforce any provision hereof, the prevailing party in such action shall be entitled to receive from the losing party such amount as the court may adjudge to be reasonable attorney's fees.

- 26. **Invalidity:** If any term, covenant, condition, or provision of this lease is held by court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions shall remain in full force and effect and in no way be affected, impaired, or invalidated thereby.
- 28. **Agency:** Nothing contained in this lease shall be deemed or construed by the parties hereto or by any third person to create the relationship of principal and agent or of partnership, joint venture or of any other association other than Landlord and Tenant.
- 29. **Taxes:** Landlord shall pay real property taxes and assessments levied against the premises.
- 30. **Execution:** The parties hereto certify that are authorized to sign this lease and have executed this lease in duplicate at the place and on dates specified immediately above their respective signature.

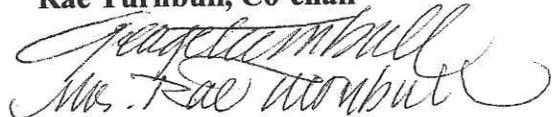
Executed at Orland, California, on _____

Landlord:
Orland-Laurel
Masonic Hall Association

Tenant:
Orland Arts Commission

Bob Thomas

George Turnbull, Chair or
Rae Turnbull, Co-chair



Larry Donnelley

Peter R. Carr
City of Orland, City Manager

CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: VI.H.

MEETING DATE: April 2, 2013

TO: Honorable Mayor and Council
FROM: J.C. Tolle, Chief of Police
SUBJECT: BSCC Funding 2013– Accept Funds
(Action)

The Chief of Police seeks Council to accept BSCC Funds from the State.

BACKGROUND

With the passing of AB-109 Funding for County Sherriff's Offices and Probation Departments, funding has been provided by the state through the Board of State and Community Corrections (BSCC) on January 17, 2012. The funding provides funding to front line law enforcement. This framework outlines initial intentions for use of the funds by local law enforcement with guidance to chiefs as to how they can work collaboratively to best leverage this funding for public safety in their communities.

DISCUSSION

Plan use of Funds;

The Orland Police department is acting as the Fiscal Agency and will be receiving \$17,510.00 to be split equally between Orland Police Department and the Willows Police Department. The amount each Dept will receive is \$8,755.00

These funds are legislatively identified for a period of three years. There is no ability to determine at this time whether this funding will continue beyond that period, or at what level. It is the intent of the association to seek an increase in funding in future years.

The plan for the Orland Police Department is to use the \$8,755.00 to backfill or offset the costs of current positions, understanding that these funds are only legislatively established for three years.

RECOMMENDATION:

Accept \$17,510.00 BSCC funds from the State for the proposed plan, and equally split with Willows Police Dept.

Fiscal Impact of Recommendation:

None.

CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: VII. MEETING DATE: April 2, 2013

TO: Honorable Mayor and Council
FROM: Pete Carr, City Manager
SUBJECT: **Arts Assessment Fee** (Discussion/Approval)

Council will continue its consideration of the city's arts assessment fee and may provide approval of draft text implementing a fee adjustment.

BACKGROUND

Provided in March 4th and 18th agenda packets, same subject.

DISCUSSION

City Council on March 18th discussed historical share of revenue between residential and commercial, and the impact of not charging for commercial remodels and reconstructions. It was determined that the Council desires to bring the commercial and industrial arts assessment fee rate into alignment with the rate for residential, which is $\frac{1}{4}$ of one percent (0.025) for the value of the project.

It was also generally agreed that the arts assessment fee should only apply to new construction unless the remodel or addition results in a significantly larger structure. The governing authority for development impact fees, Resolution 2011-08, sets forth the conditions under which impact fees apply and under which they are exempted. Specifically, additions of rooms for residential, and the addition of more than 25 sq ft for non-residential, trigger impact fees. A five-year limit on reconstruction and prohibition of duplication of fees are also addressed.

Given this, staff proposes modifying the governing authority for arts assessment fees, OMC 2.18, as follows:

- Residential and non-residential developments will all be assessed at the rate of one quarter of one percent (0.25%) of the value of the development.
- Arts assessment fees will be applied and exempted in conformity to the application of development impact fees.

It is understood that existing authority and rates for impact fees are being reviewed as part of an impact fee study. Changes that may occur in impact fee application and exemption will correspondingly affect the arts assessment fee.

Attachment (1):

OMC 2.18 excerpted with proposed modification.

RECOMMENDATION:

Conduct public hearing for first reading of Ordinance _____.

Fiscal Impact of Recommendation: Reduction in arts assessment fee revenues of approximately \$1000 per year due to the reduction in the rate of fees assessed on non-residential development. Any increase by applying the fee to certain remodels and additions is expected to be negligible.

2.18.100 - Requirement to provide artwork or pay development fee.

- D. The program allocation, as used in this chapter, is the percentage of the building cost which is set aside for the city's public arts program. The total building valuation shall be computed using the latest building valuation data as set forth by the International Conference of Building Officials (ICBO) unless, in the opinion of the building official, a different valuation measure more accurately represents the value of the building. Excluding land acquisition and off-site improvement costs, the program allocation shall be an amount equal to the percentage of the total building valuation for an applicable project, as listed herein:
1. One-quarter of one percent for commercial and industrial construction, remodel or reconstruction;
 3. One-quarter of one percent for new residential subdivisions or developments of two or more units, whether by detached single-family residential structures, condominiums, apartments, duplexes, townhouses or other dwelling units being built in the same tract by the same owner or developer. A project shall be considered a development of two or more units when two or more building permits are issued to the same person for development of new residential structures within a one hundred eighty (180) day period;
 4. One-quarter of one percent for new individual single-family residential units constructed on a lot located in an existing subdivision for that portion of building permit valuation in excess of one hundred thousand dollars (\$100,000.00).
 5. The arts assessment fee shall be applied and exempted in accordance with the applications and exemptions of development impact fees as set forth in OMC 15.42 and supporting fee related resolutions.

**AN ORDINANCE OF THE CITY OF ORLAND
AMENDING SECTION 2.18.100 OF THE ORLAND MUNICIPAL CODE
(REQUIREMENT TO PROVIDE ARTWORK OR PAY DEVELOPMENT FEE)**

The City Council of the City of Orland does ordain as follows:

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF ORLAND:

Section 2.18.100 of the Orland Municipal Code to be amended as follows:

2.18.100 - Requirement to provide artwork or pay development fee.

A. The applicant shall be deemed to have satisfied his or her obligations under this chapter through the placement of artwork in a manner consistent with this chapter, valued at an amount equal to the program allocation.

B. In lieu of placement of an approved artwork, the applicant may, at his or her discretion, pay to the city for deposit into the public arts fund an amount equal to the program allocation set forth in subsection D of this section.

C. Fees are to be collected with respect to all projects prior to issuance of a building permit, except in the case of residential developments of more than one dwelling unit, where the fee shall be collected on a pro rata basis for each dwelling when it receives its final inspection or certificate of occupancy, whichever occurs first.

D. The program allocation, as used in this chapter, is the percentage of the building cost which is set aside for the city's public arts program. The total building valuation shall be computed using the latest building valuation data as set forth by the International Conference of Building Officials (ICBO) unless, in the opinion of the building official, a different valuation measure more accurately represents the value of the building. Excluding land acquisition and off-site improvement costs, the program allocation shall be an amount equal to the percentage of the total building valuation for an applicable project, as listed herein:

1. ~~One-half quarter~~ of one percent for ~~new~~ commercial and industrial construction, remodel or reconstruction;
2. ~~One-half of one percent for remodel or reconstruction of existing commercial or industrial property~~;
3. One-quarter of one percent for new residential subdivisions or developments of two or more units, whether by detached single-family residential structures, condominiums, apartments, duplexes, townhouses or other dwelling units being built in the same tract by the same owner or developer. A project shall be considered a development of two or more

units when two or more building permits are issued to the same person for development of new residential structures within a one hundred eighty (180) day period;

43. One-quarter of one percent for new individual single-family residential units constructed on a lot located in an existing subdivision for that portion of building permit valuation in excess of one hundred thousand dollars (\$100,000.00).

4. The arts assessment allocation shall be applied and exempted in accordance with the applications and exemptions as set forth in Orland Municipal Code Chapter 15.42 and supporting development impact fee resolutions.

- E. Nothing in this section shall prohibit the applicant from placing an approved artwork with acquisition and installation costs in an amount less than the program allocation; provided that the applicant shall also pay to the public arts fund an amount equal to the difference between the program allocation and the costs of acquisition and installation of such artwork.
- F. Nothing herein shall restrict the city council from waiving the requirements of this chapter, in whole or in part, with respect to any project otherwise subject to the provisions of this chapter, provided that the city council determines that the project applicant has entered into an agreement with the city providing for the applicant's acquisition and installation of artwork in connection with the development of the project which addresses the goals and aims of this chapter in a manner equally or more favorable to the city than would be achieved by strict compliance with this chapter. In such an event, the city council shall make findings to this effect on the basis of substantial evidence.

I HEREBY CERTIFY that the above and foregoing Ordinance was duly and regularly introduced and read at a regular meeting held on the Second day of April, 2013, and was passed and adopted by the City Council of the City of Orland at a regular meeting thereof duly held on the 15th day of April, 2013, 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 GC 36933(c)(1).

PASSED AND ADOPTED by the City Council by the City of Orland this 15th day of April, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Charles Gee, Mayor

ATTEST:

APPROVED AS TO FORM:

Angela Crook, City Clerk

Gregory Einhorn,
City Attorney

LEGAL NOTICE

NOTICE OF PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF ORLAND

NOTICE IS HEREBY GIVEN that the ORLAND CITY COUNCIL will hold a public hearing at their regular meeting **Tuesday, April 2, 2013** at 7:30 p.m., Carnegie Center, 912 Third St., Orland, at which time and place interested persons may either attend and be heard thereon or submit written comments prior to the conclusion of said hearing.

First reading by title only "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND MODIFYING THE ARTS ASSESSMENT FEE IN CHAPTER 2.18 IN THE ORLAND MUNICIPAL CODE AS FOLLOWS:

- **NON-RESIDENTIAL DEVELOPMENTS WILL BE DECREASED FROM THE RATE OF ONE HALF (0.50%) OF ONE PERCENT TO A QUARTER OF ONE PERCENT (0.25%) OF THE VALUE OF THE DEVELOPMENT.**
- **ARTS ASSESSMENT FEES WILL BE APPLIED AND EXEMPTED IN CONFORMITY TO THE APPLICATION OF DEVELOPMENT IMPACT FEES.**

If you challenge the above mentioned items in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Orland City Hall, 815 Fourth St., at, or prior to, the public hearing.

Publish: March 27, 2013

Angela Crook, City Clerk

CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: VIII.A.

MEETING DATE: April 2, 2013

TO: Honorable Mayor and Council
FROM: J.C. Tolle, Chief of Police
**SUBJECT: MOU with City of Willows/ City of Orland for Police Services
(Action)**

The Chief of Police seeks Council to accept MOU between the City of Orland and the City of Willows for Police Services.

BACKGROUND

The Willows Police Department is experiencing low staffing levels and is seeking assistance from other agencies to assist with back filling patrol shifts.

The Acting Chief of Willows Police Department has asked for Orland Police Department for assistance in providing Police Services to the City of Willows.

DISCUSSION

Willows Police will be providing a monthly schedule for officers to sign up for. For example; for the month of April WPD is asking for assistance in filling two (2) shifts that entire month.

The City of Willows has agreed to pay Officer(s) at their overtime rate plus the cost of using the City of Orland patrol units (mileage and fuel cost)

The OPOA (Orland Police Officers Association) is on board and willing to work for Willows PD on a voluntarily basis.

RECOMMENDATION:

Approve MOU as presented

Fiscal Impact of Recommendation:

There should not be any cost to the City of Orland.

Agreement between the City of Willows and the Orland Police Department to provide Law Enforcement Services to the City of Willows

This Agreement is entered into this ____ day of April, 2013, by and between the City of Willows, California and the City of Orland, California, for the Orland Police Department to provide law enforcement services to the City of Willows.

It is the intent of the City of Willows to augment its law enforcement service with additional resources from the City of Orland on an as-needed and pay-for-service basis.

It is the intent of the City of Orland to provide professional law enforcement services to the City of Willows on a voluntary and cost-covered basis. Orland officers will be provided the opportunity to elect to work in Willows on overtime, subject to the approval of the Chief of Police of both jurisdictions.

The following operational and working bullet points are agreed to by and between said parties:

- Orland PD Officers will be under the direct supervision of their normal Orland PD supervisors following their normal chain of command.
- Orland PD Officers who choose to participate would be working under Orland PD normal policies and procedures (Orland PD Policy Manual).
- Orland PD Officers will become familiar with the Municipal Codes/City Ordinances which would normally be enforced by a Police Officer of the City of Willows.
- Orland PD Officers would be fully compensated at their normal overtime rate for which the City of Willows would be billed, plus employer-paid taxes attributable to overtime, at the end of each month that services were provided.
- The City of Willows would also be billed for O&M for City of Orland patrol cars used at the following rate: County Contract Mileage rate + \$0.25/mi fuel.
- The City of Orland will be reimbursed by the City of Willows for mileage while an Orland PD Officer travels to and from the City of Willows to commence and complete their specific tour of duty in the City of Willows.
- The Orland Police Department will provide the City of Willows with a copy of all functional time sheets, which will include the unit number and start and stop mileage, during the specific tour of duty provided within the City of Willows.

- The City of Willows will fully compensate the Orland Police Department for any overtime incurred by Orland PD Officers required for court time for cases/investigations while performing law enforcement services for the City of Willows.
- The Orland Police Department would be responsible for investigation of any citizen complaints that would arise to the level of an administrative inquiry and/or internal investigation regarding the conduct of Orland PD personnel while providing law enforcement service to the City of Willows and resolve them to an appropriate outcome. However, the City of Willows would be required to compensate the Orland Police Department at the pay rate, and overtime rate, if necessary, of any investigator that might be required to conduct said investigation if such occurred.
- The City of Willows will fully compensate the Orland Police Department for any damage to Orland Police Department equipment, including vehicles, should such damage occur while providing law enforcement services to the City of Willows unless the damage was due to Orland PD Officer negligence or misconduct.
- The City of Willows will fully compensate the Orland Police Department for damage done to any personal property, i.e. uniforms, etc., of any Orland PD Officer while performing his/her duties during their tour of duty within the City of Willows and unless damage was due to Orland PD Officer negligence or misconduct.
- Should a critical incident occur during the watch of an Orland PD Officer within the City of Willows, the Orland PD supervisory personnel would notify the Chief of Police through normal chain of command. The City of Willows, in the absence of a Chief of Police or Acting Chief of Police, will provide the Orland Police Department with the name(s) and phone number(s) of those city officials they would wish to be notified.
- City of Willows shall hold harmless and indemnify the Orland Police Department, City of Orland, its elected officials, officers, and employees, against all claims, suits, actions, costs, counsel fees, expenses, damages, judgments or decrees by reason of any person's bodily injury, including death or property being damaged by City of Willows or any person employed by City of Willows or in any capacity during the progress of the work, whether by negligence or otherwise. City of Willows shall also indemnify the Orland Police Department and City of Orland of any adverse determination made by the Internal Revenue Service or the State Franchise Tax Board against the Orland Police Department and City of Orland with respect to City of Willows "independent contractor" status that would establish a liability for failure to make social security or income tax withholding.
- The Orland PD Chief of Police will serve as liaison to the Chief or Acting Chief of Police of the City of Willows.

- The agency responding to the call for service will handle the media according to its own policy and procedure, unless it is deemed to be a major event, in which case it will be handled by the Willows Police Department.
- The Agreement may be canceled by either party upon either the giving of ten (10) days written notice or immediately upon oral notice to the Orland Police Department Chief of Police, should funding for this Agreement be eliminated or materially decreased, or to the City of Willows, should the workload and other demands of the Orland Police Department prevent or materially limit it in the Orland Police Department's sole discretion from continuing to provide the services called for under this Agreement.

SIGNED AND EXECUTED AS FOLLOWS:

Willows City Manager

Orland City Manager

Approved as to Form:

Orland City Attorney

CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: VIII.B.1.

MEETING DATE: April 2, 2013

TO: Honorable Mayor and Council
FROM: Pete Carr, City Manager
SUBJECT: Clean-up Day Options (Discussion/Action)

City Council will follow up on the Economic Development Commission's recommendation to conduct a citywide clean-up day. Staff to report options.

BACKGROUND

The City has from time to time conducted clean-up day events allowing residents to drop off a truckload or more of household materials locally for disposal by our solid waste contractor. Our current service agreement with Waste Management provides "four 30-yard roll-offs at no additional charge to be used for clean-ups." These can be used during the year for projects and programs like 4th of July. WM is not contractually obligated to Orland to provide a fully equipped and staffed citywide clean-up day event.

A city the size of Orland would typically require five to eight 30-yd dumpsters plus front-loader or packer-trucks for such an event, plus staffing and landfill tipping fees. Volunteers often will help those who need help in getting their dump loads to the drop-off site. Total cost is typically \$3000-5000, although these costs are normally factored into service contracts. The City did not contract or budget for this service in recent years.

Waste Management Inc. contractually has the exclusive right to collect all garbage, green waste and recyclables in the city. As part of the WM service for Orland, WM provides twelve "bag & tag" stickers to each residence annually in January; these can be used to set twelve extra 32-gallon sacks of up to 40 lbs of extra waste at the curbside any time during the year. We are not sure how many customers are availing themselves of this opportunity.

Extra recycling carts and/or green waste carts are available at no extra charge to Orland customers by request. In addition to offering the local green waste drop-off facility year-round, the City has also been collecting green waste at curbsides annually in the fall as well as leaf pick-up throughout the leaf-drop season.

DISCUSSION

The Economic Development Commission and the Council see value to all residents in providing an opportunity for residents to dispose of solid waste garbage other than weekly at curbside and as needed at the county landfill. The fairgrounds can be utilized

as a drop-off/collection site, schedule permitting, in the fall. Clean-up days are typically an annual Saturday morning event, rain or shine.

City staff has reached an agreement with Waste Management officials for a clean-up event in Orland this year, and options for the Council to consider before 2014 for future events. Options for implementing the clean-up day event and covering the additional costs include:

- A. Sunset the annual green waste curbside pick-up, reducing operational costs of the Public Works Dept approximately \$14,500 in labor and \$3500 in fuel annually. This would also help reduce hours on diesel trucks being regulated under ARB's diesel retrofit requirements, as well as eliminating the piles of accumulating waste in alleys and on streets during weeks and months leading up to the collection. The City would continue its leaf pick-up service.
- B. Negotiate the additional service with the contractor with ratepayers absorbing the cost at something like twenty-five cents per month each, or by trading the value of one service (like bag & tag) for the citywide clean-up event.
- C. Charge those who utilize the clean-up event something like \$10 each, hoping to cover costs with 250-500 residents utilizing the service.

RECOMMENDATION

Options A and B -- Sunset the annual green waste curbside pick-up, encouraging residents to instead make use of extra green waste bins, the city green waste facility, and the bag & tag program; amend the contract and redirect funds in the budget to provide a contractor-staffed event annually each fall or spring.

Fiscal Impact of Recommendation:

None.

CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: VIII.B.2.

MEETING DATE: April 2, 2013

TO: Honorable Mayor and Council
FROM: Pete Carr, City Manager
SUBJECT: 824 Fourth St Options (Action)

City Manager seeks Council direction on use of 824 Fourth St, the city property (formerly Purity Market) acquired several years ago for eventual development as a public safety facility.

BACKGROUND

Background and discussion points were provided with December 3rd and 17th staff reports. Additional discussion and a decision on use of revenue from lease payments to pay down the water fund loan occurred on January 7th and was confirmed January 17th. That understanding included a requirement that Council be notified when three months elapsed without receipt of lease payments.

The two-year lease with a retailer ended unexpectedly January 31st when the business closed and keys were turned back to the city. Lease payment for January was returned for insufficient funds, and this ISF has not yet been rectified. Thus, the city is without revenue from rents for January, February and March, and presumably will be likewise for April.

DISCUSSION

With the entirety of the building now available for occupancy, city staff took another look at its potential use as a police station or city hall. OPD prefers to stay in place and eventually occupy all of the current building at 815/817 Fourth St. City staff sees few advantages of relocating city hall operations across the street except that the current building would then be available for expanded OPD use.

Cost of remodeling the 824 facility for city hall use would certainly consume all of the accumulated city hall impact fees, now some \$81,000, and then some. Some of the police impact fee balance of \$137,000 would be used at 815/817 to relocate walls, rerun electrical and IT, modify flooring, and remodel the lobby for OPD. There would, however, be no revenue from rents available to repay the water fund loan unless the rear portion of 824 was somehow rented out, perhaps as rough warehousing space.

It is suggested that demolition of 824 might make more sense than applying large volumes of public funds into it with the result being an upgraded, oversized, old building with many basic problems. An attractive, modern, efficient, functional 3000 sq ft city hall could be constructed for less than \$500,000. The location is ideal and off-street parking would be ample. Future impact fees for police could be reduced and city hall fees correspondingly increased in recognition of

the reduced need for OPD expansion and the increased need to repay the water fund and to pay for the construction of the new city hall.

Whether remodeling an existing building or constructing a new one, enterprise funds would normally be available and used to augment general funds as most administration of enterprises occurs at city hall facilities. Surplus police impact funds could also augment the new city hall project as the project enables OPD expansion into the current city hall space.

A 20-yr construction loan for \$325k @ 6% interest would cost approximately \$28/yr. Police and city hall impact fees, at today's rate of construction development, are growing approximately \$33k/yr. Water and sewer enterprise funds are both growing with the approved 2012 rate adjustments, and are expected to keep pace with costs by application of annual CPI adjustments.

Thus, options today include:

- A. Demolish 824 and replace it with a new city hall; dedicate 815/817 for OPD expansion.
- B. Seek a tenant for 824 to replace the lease revenue now lacking.
- C. Relocate city hall functions to 824 and try to rent out the back portion of the building separately.

RECOMMENDATION:

Direct staff.

Fiscal Impact of Recommendation:

Depends on direction given, probably none for general fund. Construction cost would be borne by current and future impact fees and enterprise funds rather than general fund.