

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 MANAGER
Peter R. Carr

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

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

AGENDA **REGULAR MEETING, ORLAND CITY COUNCIL** **Monday October 7, 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).**

V. CITY COUNCIL COMMUNICATIONS AND REPORTS

VI. CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for September 16, 2013.
- C. Receive and file Planning Commission minutes for May 23, July 18 and August 15, 2013.
- D. Approve and authorize City Manager to execute agreement with Pacific Municipal Consultants for Housing Element Update project.

VII. PUBLIC HEARING - None
(Public Hearing comments will be limited from three to five minutes).

VIII. ADMINISTRATIVE COMMUNICATIONS

A. City Manager – Pete Carr

1. Discussion and possible action to consider Property Tax Administration Fee settlement and funds allocation.
2. Discussion and possible action to consider funding for library renovation project.
3. Discussion and possible action to approve and authorize City Manager to execute contract between Julie van Tol and the City of Orland to lease property located at 824 Fourth Street.
4. Discussion and possible action to consider ADA improvements to 824 Fourth Street exterior.

IX. ADJOURN

CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on October 2, 2013.

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.

V.I.A.

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WARRANT LIST

October 7, 2013

WARRANT	9/17/13	\$	17,151.99
WARRANT	9/27/13	\$	3,114.39
WARRANT	10/2/13	\$	165,780.38
PAYROLL	9/19/13	\$	46,876.02
PAYROLL	9/19/13	\$	22,165.98
TOTAL		\$	<u>255,088.76</u>

APPROVED BY

Charles Gee, Mayor

Dennis G. Hoffman, Vice-Mayor

Bruce T. Roundy, Councilmember

James Paschall, Sr., Councilmember

Salina J. Edwards, Councilmember

REPORT.: Sep 17 13 Tuesday
 RUN....: Sep 17 13 Time: 09:39
 Run By.: FINANCE

CITY OF ORLAND
 Cash Disbursement Detail Report
 Check Listing for 09-13 Bank Account.: 1001

PAGE: 001
 ID #: PY-DP
 CTL.: ORL

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
039404	09/17/13	AYR03	Ian Ayres	100.00	.00	100.00	Sept 2013	PD/uniform allowance
039405	09/17/13	BAR03	Charles Barnes	100.00	.00	100.00	Sept 2013	POLICE DEPT UNIFORMS
039406	09/17/13	BEC05	Bob I. Becker	16095.00	.00	16095.00	Final	LibraryExpansionProject
039407	09/17/13	CAR03	GRANT CARMON	100.00	.00	100.00	Sept 2013	POLICE DEPT UNIFORMS
039408	09/17/13	CES00	Kyle Cessna	100.00	.00	100.00	Sept 2013	POLICE DEPT UNIFORMS
039409	09/17/13	JOH02	SEAN JOHNSON	100.00	.00	100.00	Sept 2013	POLICE DEPT UNIFORMS
039410	09/17/13	LED01	Jessica Leday	100.00	.00	100.00	Sept 2013	POLICE DEPT UNIFORMS
039411	09/17/13	LEM00	Severn Lemstrom	100.00	.00	100.00	Sept 2013	PD/uniform allowance
039412	09/17/13	PET03	Pet Waste Eliminator	56.99	.00	56.99	3703495	Parks/pet waste bags
039413	09/17/13	SIM04	Bryan Simpson	100.00	.00	100.00	Sept 2013	PD/uniform allowance
039414	09/17/13	TOL00	J.C. TOLLE	100.00	.00	100.00	Sept 2013	POLICE DEPT UNIFORMS
039415	09/17/13	VLA00	RAYMOND J. VLACH	100.00	.00	100.00	Sept 2013	POLICE DEPT UNIFORMS
Cash Account Total.....:				17151.99	.00	17151.99		
Total Disbursements.....:				17151.99	.00	17151.99		

REPORT.: Sep 27 13 Friday
 RUN....: Sep 27 13 Time: 13:18
 Run By.: FINANCE

CITY OF ORLAND
 Cash Disbursement Detail Report
 Check Listing for 09-13 Bank Account.: 1001

PAGE: 001
 ID #: PY-DP
 CTL.: ORL

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Description
039417	09/27/13	CRO00	ANGIE CROOK	300.00	.00	300.00	Sept 2013	City Clerk Stipend
039418	09/27/13	EDW00	Salina Edwards	240.00	.00	240.00	Sept 2013	CITY COUNCIL COUNCIL FEES
039419	09/27/13	GEE00	CHARLIE GEE	260.00	.00	260.00	Sept 2013	Councilmember services
039420	09/27/13	HOF00	DENNIS G. HOFFMAN	240.00	.00	240.00	Sept 2013	Councilmember services
039421	09/27/13	ORL12	Orland-Laurel Masonic Hal	350.00	.00	350.00	Oct 2013	AC/gallery rent
039422	09/27/13	OTT00	PAM OTTERSON	175.00	.00	175.00	Sept 2013	Treasurer Stipend
039423	09/27/13	PAS02	James Paschall Sr.	240.00	.00	240.00	Sept 2013	Councilmember services
039424	09/27/13	POS00	POSTMASTER	1069.39	.00	1069.39	10/1/2013	Water bill postage
039425	09/27/13	ROU00	BRUCE T. ROUNDY	240.00	.00	240.00	Sept 2013	CITY COUNCIL COUNCIL FEES
Cash Account Total.....:				3114.39	.00	3114.39		
Total Disbursements.....:				3114.39	.00	3114.39		
Cash Account Total.....:				.00	.00	.00		

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
039416	09/20/13	FER02	Garrett Ferreira	30.00	.00	30.00	9-20-13H	Rec/softball field work
039426	10/02/13	ABD00	ADVANCED DOCUMENT	229.58 31.05	.00 .00	229.58 31.05	IN125084 8212;8294	PD/fax toner BD;Plan/billable copies
			Check Total.....:	260.63	.00	260.63		
039427	10/02/13	ALL01	ALL SEASONS SCREEN PRINT	1537.68	.00	1537.68	3114	Rec/Youth soccer shirts
039428	10/02/13	AME00	AMERICAN FAMILY LIFE	637.69	.00	637.69	0911/13	Supplemental insurance
039429	10/02/13	AME01	AMERIPRIDE UNIFORM SVCS	397.20 111.96 406.61	.00 .00 .00	397.20 111.96 406.61	93013 9-28/2013 9/30/2013	PW/uniform cleaning&shop FD/rug cleaning svcs CH;PD;Rec/rug maint
			Check Total.....:	915.77	.00	915.77		
039430	10/02/13	ATT06	A T & T	16.14 16.56 16.55 840.77 291.32 108.29	.00 .00 .00 .00 .00 .00	16.14 16.56 16.55 840.77 291.32 108.29	8848 80197 80198 091013 092013 9/20/13	PW/lift station PW/lift station PW/lift station Phone usage PW/well communications PD/radio phone line
			Check Total.....:	1289.63	.00	1289.63		
039431	10/02/13	ATT07	A T & T	31.71	.00	31.71	090713	PW/well communications
039432	10/02/13	AYR03	Ian Ayres	100.00	.00	100.00	Oct 2013	PD/uniform allowance
039433	10/02/13	BAL00	Knife River Construction	86.32	.00	86.32	142642	PW/asphalt
039434	10/02/13	BAR03	Charles Barnes	100.00	.00	100.00	Oct 2013	POLICE DEPT UNIFORMS
039435	10/02/13	BAS00	Basic Laboratory, Inc	225.00	.00	225.00	092513	PW/lab svcs
039436	10/02/13	BRO02	DARYL R. BROCK CPA	5800.00	.00	5800.00	10-1-13	FinDir/contract svcs
039437	10/02/13	BSN04	BSN Sports	158.34	.00	158.34	9-20-13	Rec/field paint
039438	10/02/13	BUC00	BUCKE'S FEED & GRAIN	59.72	.00	59.72	187363	PD/K9feed&supplies
039439	10/02/13	CAR03	GRANT CARMON	100.00	.00	100.00	Oct 2013	POLICE DEPT UNIFORMS
039440	10/02/13	CES00	Kyle Cessna	100.00	.00	100.00	Oct 2013	POLICE DEPT UNIFORMS
039441	10/02/13	COM02	Comcast	95.60	.00	95.60	9/25/13	Lib/internet
039442	10/02/13	COR00	CORNING LUMBER CO., INC.	17.12	.00	17.12	092513	PW/misc supplies
039443	10/02/13	COR04	CORBIN WILLITS SYSTEMS	479.02	.00	479.02	B309151	Monthly software support
039444	10/02/13	DAY00	DAY WIRELESS SYSTEMS	150.00	.00	150.00	341525	PD/radio maint
039445	10/02/13	DEF01	PAT DEFRIES	50.00	.00	50.00	9-25-13	Rec/Seniorsize instructor
039446	10/02/13	DEP02	DEPARTMENT OF PUBLIC HEAL	8235.29	.00	8235.29	1360061	PW/water system fees
039447	10/02/13	DEP21	DEPARTMENT OF FINANCE	20.00	.00	20.00	Sept2013	PD/cite assessment
039448	10/02/13	ELL00	ELLIS ART & ENGINEERING	101.05	.00	101.05	090313	AC/gallery posters
039449	10/02/13	ENE00	ENERPOWER	112.00 238.00 174.00 236.00 130.00 74.00	.00 .00 .00 .00 .00 .00	112.00 238.00 174.00 236.00 130.00 74.00	64157 64158 64159 64160 64161 94162	PW/discount utilities PW/discount utilities PW/discount utilities PW/discount utilities PW/discount utilities CH/discount utilities
			Check Total.....:	964.00	.00	964.00		
039450	10/02/13	FEN04	Joseph Fenske	96.57	.00	96.57	Aug/Sept	Rec/mileage reimbursemet
039451	10/02/13	FLE01	Fleming Bookbinding Co.	141.42	.00	141.42	550;150	Lib/newspaper microfilm
039452	10/02/13	FLE02	Micha Fleming	132.00	.00	132.00	10-1-13	Rec/youth soccer ref
039453	10/02/13	GAL01	GALE GROUP	41.24	.00	41.24	50228717	Lib/lg print books
039454	10/02/13	GLE01	GLENN COUNTY HEALTH SVCS.	204.25	.00	204.25	889610	PW/truck seat repair
039455	10/02/13	GLS01	GLENN CO. FLEET SERVICES	3958.98 1901.41	.00 .00	3958.98 1901.41	FL1432 FL1438	PD/vehicle maint PD/vehicle repairs
			Check Total.....:	5860.39	.00	5860.39		
039456	10/02/13	GRA01	GRANDFLOW	380.37	.00	380.37	125707	AP checks
039457	10/02/13	GRO00	Ferguson Enterprises Inc	992.08	.00	992.08	798;887;8	PW/water;sewer supplies
039458	10/02/13	HAY01	HAYDEN FIRE PROTECTION	327.17	.00	327.17	41759	PD/equip maint

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
039458	10/02/13	HAY01	HAYDEN FIRE PROTECTION	924.76	.00	924.76	41760	PW/fire exting.maint
Check Total.....:				1251.93	.00	1251.93		
039459	10/02/13	JOH00	JOHN'S TIRE & MUFFLER	10.00	.00	10.00	121179	PW/flat repair
039460	10/02/13	JOH02	SEAN JOHNSON	100.00	.00	100.00	Oct 2013	POLICE DEPT UNIFORMS
039461	10/02/13	K-L00	K-Log, Inc.	743.12	.00	743.12	13-247721	Lib/chairs
039462	10/02/13	KC200	Knox Code Consultant & As	670.44	.00	670.44	9/11/13	BD/inspec svcs
039463	10/02/13	KYO00	GE CAPITAL	274.13 230.05	.00 .00	274.13 230.05	8490 59472574	Monthly copier lease BD;Plan/copier lease
Check Total.....:				504.18	.00	504.18		
039464	10/02/13	LAN04	Lannie's Septic Svc	150.50	.00	150.50	17786	PW/park rental
039465	10/02/13	LAN05	Waldemar A. Lang	250.00	.00	250.00	498764	BD/contract building insp
039466	10/02/13	LED01	Jessica Leday	100.00	.00	100.00	Oct 2013	POLICE DEPT UNIFORMS
039467	10/02/13	LEM00	Severn Lemstrom	100.00	.00	100.00	Oct 2013	PD/uniform allowance
039468	10/02/13	MAR00	FORREST MARSTON	185.92	.00	185.92	9/15-16	PW/travel reimb
039469	10/02/13	MAS05	Eileen Mason	525.00	.00	525.00	10-1-13	Rec/boot camp class instr
039470	10/02/13	MAT04	MATSON & ISOM	64.00 1547.67 18.88	.00 .00 .00	64.00 1547.67 18.88	43781 0021234 0021247	Multi-depts/postini PW/CorpYard computer AC/newsletter
Check Total.....:				1630.55	.00	1630.55		
039471	10/02/13	NAP00	NAPA AUTO PARTS	1402.97 39.98	.00 .00	1402.97 39.98	092513 SeptStm	PW/equip maint PD/parts for vehicles
Check Total.....:				1442.95	.00	1442.95		
039472	10/02/13	NOR07	NORTH VALLEY BARRICADE	290.25	.00	290.25	16360	PW/blue markers
039473	10/02/13	NOR22	NorthNet Library System	949.00	.00	949.00	1155;1191	Lib/system admin fee;e-bo
039474	10/02/13	OCL00	OCLC.Inc Dept 34299	1100.54	.00	1100.54	268536	Lib/interlibrary&catalog
039475	10/02/13	ORH00	ORLAND HARDWARE	1178.86	.00	1178.86	092713	PW/misc supplies
039476	10/02/13	PER00	STATE OF CALIF PERS	17655.31	.00	17655.31	9-2013-4	PERS PAYABLE
039477	10/02/13	PET03	Pet Waste Eliminator	56.99	.00	56.99	63547	Parks pet waste bags
039478	10/02/13	PET09	Petty's Superior Svcs	975.00	.00	975.00	4051	Janitorial svcs
039479	10/02/13	PGE00	PG&E	41101.77 322.64 52.27 22.48 54.59 73.46 10.51	.00 .00 .00 .00 .00 .00 .00	41101.77 322.64 52.27 22.48 54.59 73.46 10.51	090213 090913 091013 091113 091813 091913 9-13-13	Utilities usage FD/utility usage Rec/LelyPark lights PW/WalkerStPedestal PW/traffic control PW/RdMM lift station Rec/LLpitching machine
Check Total.....:				41637.72	.00	41637.72		
039480	10/02/13	PMC00	PACIFIC MUNICIPAL CONSULT	3280.00 4628.80	.00 .00	3280.00 4628.80	38296 38300	ImpactFeeUpdate Plan/ContractSvcs
Check Total.....:				7908.80	.00	7908.80		
039481	10/02/13	PRO02	ProForce	1038.40	.00	1038.40	183875	PD/tazer supplies
039482	10/02/13	QUI02	QUILL CORP.	466.54 68.96	.00 .00	466.54 68.96	093013 5857339	Office supplies Rec/office supplies
Check Total.....:				535.50	.00	535.50		
039483	10/02/13	ROL00	ROLLS, ANDERSON & ROLLS	17107.50 20664.50	.00 .00	17107.50 20664.50	082613 092513	CE/cont svcs CE/contract svcs
Check Total.....:				37772.00	.00	37772.00		
039484	10/02/13	ROU01	Bruce Roundy	147.63	.00	147.63	9/0/13	Coun/mileage reimb
039485	10/02/13	SCH12	Tierra Schulps	30.00	.00	30.00	093013	AC/model fee
039486	10/02/13	SIM04	Bryan Simpson	100.00	.00	100.00	Oct 2013	PD/uniform allowance
039487	10/02/13	STO04	STONYCREEK PEST CONTROL	92.00	.00	92.00	090413	Pest control
039488	10/02/13	SUN02	SUNRISE ENVIRONMENTAL	186.31	.00	186.31	31586	PW/graffiti remover

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
039489	10/02/13	SUN03	SunTrust Equipment	3651.19	.00	3651.19	1505743	PW/sewer truck payment
039490	10/02/13	SUR00	SURPLUS SALES	19.36	.00	19.36	31347	PW/shop supplies
039491	10/02/13	TEA02	Teacher's Book Connection	122.57	.00	122.57	07;52;05;	Lib/books
039492	10/02/13	TER01	TERMINIX INTERNATIONAL	36.00	.00	36.00	58430	FD/pest control
039493	10/02/13	THO05	THOMAS HYDRAULIC AND	60.28	.00	60.28	356890	PW/supplies
039494	10/02/13	TMO00	T-Mobile USA Inc.	50.00	.00	50.00	11-Sept13	PD/invoice records
039495	10/02/13	TOL00	J.C. TOLLE	100.00	.00	100.00	Oct 2013	POLICE DEPT UNIFORMS
039496	10/02/13	TOZ01	TOZIER'S VENDING SYSTEM	65.20	.00	65.20	979;203	Lib/SRP copies
039497	10/02/13	TRA02	TRANSAMERICA	522.21	.00	522.21	Sept 2013	Group term ins
039498	10/02/13	TUR01	Rae Turnbull	856.00	.00	856.00	20666	AC/Ciliax plaque
039499	10/02/13	TUR02	Patricia Turnbull	30.00	.00	30.00	091613	AC/model fee
039500	10/02/13	UNI10	Uniforms Tuxedos & More	675.00	.00	675.00	124465-67	FD/station boots
039501	10/02/13	VAL02	VALLEY ROCK PRODUCTS	66.88	.00	66.88	1094450	PW/fill sand
039502	10/02/13	VAN00	VANTAGE POINT TRANSFER AG	1683.08	.00	1683.08	9/5-9/18	DefCompPay#304591
039503	10/02/13	VAN03	Carol van Tol	30.00	.00	30.00	092313	AC/model fee
039504	10/02/13	VCS00	VCSI	1333.34	.00	1333.34	13-08/015	PD/K9 maintenance
039505	10/02/13	VER03	Verizon Wireless	328.90	.00	328.90	711679598	Cell phone usage
039506	10/02/13	VLA00	RAYMOND J. VLACH	100.00	.00	100.00	Oct 2013	POLICE DEPT UNIFORMS
039507	10/02/13	WAC00	JANET BLEVINS WACKERMAN	210.00	.00	210.00	092013	ContSvcs/transcription
039508	10/02/13	WES00	WESTSIDE CARD LOCK	150.45 2146.90 4761.12	.00 .00 .00	150.45 2146.90 4761.12	093b45 093b46 093b47	BD/gasoline usage PD/gasoline usage PW/fuel
			Check Total.....:	7058.47	.00	7058.47		
039509	10/02/13	\0013	ORTIZ, JULIO CESAR	70.11	.00	70.11	000B31001	MQ CUSTOMER REFUND FOR OR
			Cash Account Total.....:	165780.38	.00	165780.38		
			Total Disbursements.....:	165780.38	.00	165780.38		

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday September 16, 2013

7:30 p.m.

CALL TO ORDER

Meeting called to order by Mayor Gee. Meeting opened with the Pledge of Allegiance.

ROLL CALL

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

Councilmembers absent: Jim Paschall

Staff present: Chief of Police J.C. Tolle, City Engineer Ken Skillman, City Planner Scott Friend, City Attorney Greg Einhorn, Assistant City Manager/ City Clerk Angie Crook and City Manager Pete Carr

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

Dawnyel McCarty, 929 Benson Drive, advised of the safety hazard with cars parked on both sides of Chapman Street in front of C.K. Price School, it can be very difficult to see children. She requests the City to look at ways to slow down traffic on this street. Chief of Police Tolle advised the police department will step up patrol in that area. Mayor Gee advised the Public Safety Commission may want to take a look at this problem too.

Larry Mello, Glenn County Veteran's Council, commended Chief of Police Tolle for his donations to the veteran's organization which helps provide food, gas and bus cards to Glenn County veteran's.

CITY COUNCIL COMMUNICATIONS

Councilmember Edwards reported on the following:

- Commended the Orland Library's Children's Summer Reading program; 1,028 participants;
- Friends of the Library Book Sale Sept. 18-21 at the Fairgrounds;
- Citizen complaints concerning crosswalks across St. Rt. 32 to be directed to CalTrans.

Councilmember Roundy reported on the following:

- Friends of the Library Book sales begins Sept. 18-21; FFA students assisting friends with set up;
- Will be attending League of California Cities Conference in Sacramento Sept. 18-21;
- Reorganizing LAFCO; new Director Christine Leighton;
- Art Gallery recognized in Chico ER;
- Farmers Market to continue on Saturdays from 9 – 12:30.

Vice Mayor Hoffman reported on the following:

- Chamber Mixer to be held Sept. 19th from 5 -7 pm; Assemblyman Dan Logue to be present;
- Planning Commission meeting to be held Sept. 19, 2013.

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday September 16, 2013 -2-

Mayor Gee reported on the following:

- Attended Economic Development Commission meeting; discussion in regards to promoting Black Butte Lake;
- City wide clean-up day September 21st at the Glenn County Fairgrounds; 8 am to Noon.

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for September 3, 2013.
- C. Receive and file Public Safety Commission minutes for July 8 and August 12, 2013.
- D. Approve second reading of Ordinance 2013-03 amending section 2.18.070 of the Orland Municipal Code Public Art Fund.
- E. Approve Library Commission policy recommendation for use of new Library Meeting Room.

Vice Mayor Hoffman requested to remove Item E. from the consent calendar.

Councilmember Roundy moved, seconded by Vice Mayor Hoffman to accept the consent calendar as presented, except for Item E. Motion carried with no abstentions and Councilmember Paschall absent.

Vice Mayor Hoffman asked if the media equipment belonged to the meeting room or does it belong to the library. City Librarian Meza stated the media equipment actually is from the library, but there is a possibility it may be mounted permanently in the new meeting room.

Councilmember Roundy questioned whether there were plans for computers in the new meeting room. City Librarian Meza advised there are no plans at this time.

Vice Mayor Hoffman moved, seconded by Councilmember Roundy to approve Item E. regarding a policy for the new Library Meeting Room. Motion carried with no abstentions and Councilmember Paschall absent.

PUBLIC HEARING

None

ADMINISTRATIVE COMMUNICATIONS

City Planner:

City Planner Friend introduced and presented the new Geographic Information System (GIS) mapping tool. City staff has utilized this tool for various planning and development related projects. It is now feasible to customize the interactive tool to allow the general public access via the city website with information regarding the city limits, parcel lines, street addresses, zoning designations, ownership data, etc. Council discussed the possibilities of building more information layers, such as the transportation plan, water/sewer and PG&E lines into the data.

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MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday September 16, 2013 -3-

Council unanimously directed staff to move forward with implementation of the new GIS mapping tool. Councilmember Paschall absent.

City Planner Friend brought forward for discussion and direction the Development Impact Fee Study update. Mr. Friend presented the preliminary findings of the Assumptions and Methodology Report and a brief overview of the City's existing fee program and Development Impact Fee nexus study. Councilmember Edwards stated the proposed fees for single-family residential are high; City has not seen the rapid growth. Vice Mayor Hoffman stated multi-family proposed fees should be reexamined, not in line with the rest of impacts. Councilmember Roundy stated we have to use 2010 census study; justifiable data we currently have. Council discussed whether there is a need to have a new community center or can we expand an existing facility, such as Memorial Hall or the City Recreation Center.

Council gave direction for staff to move forward with nexus study and to bring back a final document. Councilmember Paschall absent.

City Manager:

City Manager Carr requested Council to discuss and consider Economic Development Commission's recommendations for LED street lighting. The cost estimate in changing 13 street lights in the Fourth and Fifth Street area is approximately \$22,750. PG&E has started LED conversion in the East Bay communities; not known when Orland could expect any changes. EDC is recommending the City seek funding sources and conduct plans to change downtown lighting to LED and include LED street lighting into the City's development standards. Councilor Roundy advised there are safety issues to think about. Mr. Roundy recommended incorporating the LED street lighting in the developmental standards and wait and see what PG&E will be doing. Councilor Edwards advised safety is an important issue and the City should consider changes for future building.

Councilmember Edwards moved, seconded by Councilmember Roundy, to incorporate LED street lighting into the City's development standards. Motion carried with no abstentions and Councilmember Paschall absent.

Vice Mayor Hoffman suggested the City should upgrade 3 or 5 lights a year and list it on the City's Project Goal List.

ADJOURN

Meeting adjourned at 9:26 p.m.

_____ Clerk

_____ Mayor

00003

PLANNING COMMISSION MINUTES

May 23, 2013

- I. Call to Order – The meeting was called to order by Chairperson Bentz at 7:00 P.M.
- II. Pledge of Allegiance – led by Commissioner Shoop
- III. Roll Call: Commissioners Present – Steven Shoop, Shannon Ovard and Ryan Bentz
Commissioners Absent - Claire Arano and Wade Elliott
Also present: Pete Carr, Scott Friend and Janet Wackerman
- IV. ORAL AND WRITTEN COMMUNICATIONS
 - A. Citizen Comments – None
- V. APPROVAL OF THE MINUTES OF THE April 18, 2013 PLANNING COMMISSION MEETINGS

Due to the lack of a quorum from the April meeting, approval of the minutes was tabled to the June 2013 meeting.

VI. PUBLIC HEARING

Tentative Parcel Map TPM 2012-01 (Rapini): A request by Mr. Del Rapini and Del Rapini Construction, property owners, to divide two existing parcels of land total approximately 16.7 acres in size and described as Glenn County Assessor's Parcel Numbers 040-310-009 and 040-350-003 into four parcels ranging in size from 1.6 to 11.6 acres. The subject property is located south of South Street, west of the southerly extension of Cortina Drive and immediately east of Interstate 5 in southwest Orland. Access to the project site is currently taken from an existing sixty (60) foot wide easement located on the eastern portion of the USA Petroleum fueling station parcel abutting South Street. The applicant has proposed establishing a new easterly point of access from Cortina Drive and crossing property not owned or controlled by the project applicant as the primary point of access to the project. The City of Orland General Plan designates the site with the I-L/C, Light Industrial – Commercial land use designation and the parcel is zoned with the PD – Planned Development zoning district. No specific plan of development has been submitted on the site at this time.

Chairperson Bentz introduced the item and referred the presentation of the Staff Report to City Planner Friend.

City Planner Friend stated the proposed project is a request to divide property only with no request for zone change, Use Permit or a submittal of a Planned Development Master Plan. City Staff recommends denial of the TPM since there is no dedicated public street access available to the project site and does not conform to the requirements of the City stating that new development projects shall have two points of access for emergency access. However, if the TPM is approved as submitted, the City would be required to ensure that two points of access are provided to the site prior to the recordation of the Parcel Map.

City Staff is supportive of development on this site. The landowner to the north, Tesora, requested a continuation of the Public Hearing so they can further review the project.

Chairperson Bentz opened the Public Hearing at 7:11 P.M.

Steve Butler, Precision Engineering, representing the applicant, Del Rapini, stated they did not have a problem with the Commission denying the project and felt the project had issues that need to be addressed by the City Council.

Del Rapini, 28555 Rollins Lake Road, Colfax CA, stated he submitted the parcel map to get something started. He has tried to purchase adjacent property to obtain a secondary access and has been unsuccessful.

Commissioner Shoop asked who the owner of the property to the east was. Mr. Rapini stated it is owned by Aldabashi Corporation. City Manager Carr stated he has contacted Mr. Aldabashi and his real estate agent, Yolanda Ong, and could not make any progress on obtaining an access for the Rapini project. He added that development of these parcels will be great for the economic development of the city.

All discussion ceased and the Public Hearing was closed at 7:16 P.M.

Commissioner Shoop stated that from his research, without a secondary access this project cannot be accepted by the Commission. Commissioner Ovard agreed and added she would like the project to go before the City Council for their review.

Commissioner Shoop moved that the Planning Commission finds that the project identified as Tentative Parcel Map 2012-01 does not comply with the adopted policies and requirements of the City of Orland General Plan (specifically policy 3.2.1) and denies Tentative Parcel Map #2012-01 as submitted. Commissioner Ovard seconded the motion and upon roll call vote, the motion carried 3-0-2.

Roll Call: Ayes - Commissioners Shoop, Ovard and Bentz
 Noes – None
 Absent – Commissioners Arano and Elliott

VII. ITEMS FOR DISCUSSION OR ACTION – None

VIII. STAFF REPORT

City Planner Friend presented the monthly activity report. He noted there will be a Public Hearing for two code amendments, Non-conforming uses & structures and A-Frame/portable signs at the June meeting. He also informed Commissioners the Housing Element needs to be updated by 2014 so discussion on its update will begin at the June meeting.

IX. COMMISSIONER REPORTS

Chairperson Bentz stated he hopes the tentative parcel map that was presented to the Commissioners this evening will go forward in the right direction.

X. ADJOURNMENT – 7:25 P.M.

Respectfully submitted,

Janet Wackerman, Secretary

Ryan Bentz, Chairperson

PLANNING COMMISSION MINUTES
July 18, 2013

- I. Call to Order – The meeting was called to order by Chairperson Bentz at 7:00 P.M.
- II. Pledge of Allegiance – led by Commissioner Elliott
- III. Roll Call: Commissioners Present – Steven Shoop, Wade Elliott and Ryan Bentz
Commissioners Absent - Claire Arano and Shannon Ovard
Also present: Pete Carr, Scott Friend, Mayor Charles Gee and Janet Wackerman
- IV. ORAL AND WRITTEN COMMUNICATIONS
 - A. Citizen Comments – None
- V. APPROVAL OF THE MINUTES OF APRIL 18, 2013 and MAY 23, 2013

Upon motion made by Commissioner Shoop and seconded by Commissioner Elliott, the minutes of April 18, 2013 were approved as presented. The motion carried unanimously with Commissioners Ovard and Arano absent.

Commissioners present tabled the minutes of May 23, 2013 until the August meeting when more Commissioners are in attendance.

VI. PUBLIC HEARING

1. Zoning Ordinance Text Amendment – Portable signs (ZCA2013-01) A city-initiated amendment to Chapter 17.78, Sign Ordinance, of the City of Orland Municipal Code to modify the existing definitions for Advertising Surface, Off-Site Sign and Portable Sign and to establish a new definition for Flag Sign. The draft amendment would also add a new section of the sign code, Section 17.78.075, establishing size, location, time, place and manner regulations for Portable and Flag signs.

Environmental Review: Recommend to the City Council that the project is exempt from further environmental review pursuant to Section 15305, *Minor Alterations in Land Use Limitations*, of the State CEQA guidelines, a Class 5 exemption addressing minor changes in the use of land whereby the areas of affect have an average slope of less than 20% and for which the proposed project would not result in any changes in land use, intensity or density.

Chairperson Bentz introduced the agenda item and asked for the Staff report from City Planner Friend. City Planner Friend stated Staff is recommending the Commission hold a public hearing to consider the proposed text amendment and make a recommendation to the City Council that the project meets the requirements for an exemption from CEQA pursuant to Section 15305 of the Public Resources Code as a class 5 exemption and recommend approval of ZCA#2013-01 subject to any modifications determined to be necessary and appropriate by the Commission.

Chairperson Bentz opened the Public Hearing at 7:05PM.

City Planner Friend stated Staff received comments from Bonnie Morgan requesting portable signs only be allowed in front of the business it is advertising and suggested brackets be installed by the City for the signs so they will not move.

Gary Silva, owner of North Valley Collision 427 Colusa Street, suggested requiring portable signs be displayed only during business hours. He stated a sign displayed away from the business directs people to the business.

There were no other comments. The Public Hearing was closed at 7:07 PM.

Commissioner Shoop asked what advertising copy restrictions were proposed. City Planner Friend stated there will be criteria on flashing lights, balloons and/or moving parts to the signs.

Commissioner Shoop agreed that signs should be weighted so they are not leaning or lying down and asked how it will be enforced. City Planner Friend stated it will be a function of code enforcement.

Commissioner Elliott asked if special event signs are addressed. City Planner Friend stated they were not. Commissioner Elliott asked if there could be language to allow them. City Planner Friend stated this item could be added and brought back for Commission review.

Chairperson Bentz stated he is okay with the ordinance amendment but not with portable signs that not located in front of the business it is advertising. He stated signs located away from the business become an eyesore.

Commissioner Shoop asked if there could be a time limit on when the signs are displayed. City Planner Friend stated a maximum time and/or duration i.e. seven days, four times a year, could be provided.

Commissioner Elliott asked if 17.78.752 D (Temporary signs promoting short-term retail sales...) already mentions short term signs. City Planner Friend stated this is for signs that are affixed temporarily at a business.

Commissioner Elliott asked if signs on trailers such that are used advertising the Avenue of Lights are addressed. City Planner Friend stated the intent is to not include. Commissioners requested non-profit/profit organizations' signs are addressed.

City Planner Friend stated he will consider Commission comments and present options at their next meeting.

Commissioner Elliott stated the right approach may be to install a sign for multiple business signs instead of allowing lots of portable signs.

2. Conditional Use Permit – Feenstra (CUP2013-02) A request by Mr. Hendrik Feenstra for a Conditional Use Permit to allow for the use of a portion of an existing structure located in the C-2, Community Commercial zone district as a social, for-hire hall. The subject building was formerly used as a restaurant (Kountry Kitchen) and is now vacant. The applicant is seeking a Conditional Use Permit to allow for the use of the front portion of the south-half of the space to be used for social gatherings and for-hire purposes. The subject building is located at 725 and 727 Fourth Street.

Environmental Review: Staff is recommending that the Planning Commission determine that the project is exempt from further environmental review pursuant to Section 15301, *Existing Facilities*, of the State CEQA guidelines, a Class 1 exemption addressing minor alterations in the operation of an existing private structure.

Chairperson Bentz introduced the agenda item and asked for the Staff report from City Planner Friend. City Planner Friend stated Staff believes that the proposed use is similar to others in the downtown and nearly identical to the previous use of the site.

Chairperson Bentz opened the Public Hearing at 7:25PM. No one spoke for or against the use permit. The Public Hearing was closed at 7:26 PM.

Commissioner Shoop asked if there was a stipulation on hours of operation or the use of a PA. City Planner Friend stated the City has a noise ordinance and enforcement of it is on a complaint basis.

Commissioner Elliott asked if the downtown is a mixed use zoning district. City Planner Friend stated there is no mixed use zoning district within the city. Commissioner Elliott stated allowing a mixed use district in downtown may be in Orland's future.

Commissioner Elliott asked if alcohol will be permitted for functions. Mr. Feenstra stated it would be and organizers of the function would have to go through Alcohol Beverage Control (ABC) for their process. Commissioner Elliot stated he was concerned that alcohol could cause a management or public safety issue. City Planner Friend stated the Chief of Police has looked at the application and provided no comments. He added a condition could be placed on the use permit requesting on-site security is present for functions. Mr. Feenstra stated the building does not hold that many people so functions will not be large. City Planner Friend stated applicant has plans for the rear portion of the building so there is not a large area available but Commission can put a condition on the use permit addressing the concern. Chairperson Bentz stated he thought the size of the building would limit the need for the restriction.

Commissioner Shoop moved that the project is categorically exempt from review under the California Environmental Quality Act (CEQA) Section 15301, *Existing Facilities*, of the

California Public Resources Code. Commissioner Elliott seconded the motion and upon voice vote, the motion carried 3-0-2.

Commissioner Elliott moved to approve Conditional Use Permit #2013-02 through adoption of the resolution included as Attachment E, subject to the findings and Conditions of Approval (attached). Commissioner Elliott seconded the motion and upon voice vote, the motion carried 3-0-2.

VII. ITEMS FOR DISCUSSION OR ACTION

Commissioners present all commended City Planner Friend's work but asked that he present items to them in a less technical manner. Commissioner Shoop commented that he finds City Planner Friend easy to reach and appreciates it that he is able to meet with him prior to Planning Commission meetings to discuss agenda items. Chairperson Bentz added he found the workshops helpful.

VIII. STAFF REPORT

City Planner Friend presented the monthly activity report. He noted there will be three Public Hearings at the August meeting. He also stated Dollar General will be constructing a store east of the CVS Pharmacy. Commissioner Elliott asked about the ingress/egress for the store. City Planner Friend stated they are working with adjoining properties to obtain sufficient access.

City Planner Friend informed Commissioners that the City Council approved Del Rapini's appeal. Chairperson Bentz asked if there was any additional information on a secondary access. City Planner Friend stated not at this time.

IX. COMMISSIONER REPORTS

Commissioner Elliott commented he liked to see a quorum was present even though it is summer time when people are busy.

Chairperson Bentz stated he liked how the Public Hearing was conducted and appreciated the audience in attendance.

X. ADJOURNMENT – 7:44 P.M.

Respectfully submitted,

Janet Wackerman, Secretary

Ryan Bentz, Chairperson

PLANNING COMMISSION MINUTES

August 15, 2013

- I. Call to Order – The meeting was called to order by City Planner Friend at 7:00 P.M. Upon motion made by Commissioner Shoop and seconded by Commissioner Ovard, Commissioner Arano was elected Chair person. The motion carried unanimously.
- II. Pledge of Allegiance – led by Commissioner Shoop.
- III. Roll Call: Commissioners Present – Steven Shoop, Claire Arano and Shannon Ovard
Commissioners Absent - Wade Elliott and Ryan Bentz
Also present: Pete Carr, Scott Friend, Vice-Mayor Dennis Hoffman and Janet Wackerman
- IV. ORAL AND WRITTEN COMMUNICATIONS
 - A. Citizen Comments – None
- V. APPROVAL OF THE MINUTES OF MAY 23, 2013 and JULY 18, 2013 MEETINGS

Commissioners present tabled the minutes of May 23, 2013 and July 18, 2013 until the September meeting when more Commissioners are in attendance.

VI. PUBLIC HEARING

1. **Conditional Use Permit – United Sign Systems, Inc.** (CUP2013-03) A request by United Sign Systems, Inc. on behalf of the Dollar Tree Company to exceed the maximum allowable total advertising surface area requirement of one-hundred (100) square feet for a Wall Sign as established in Section 17.78.400 of the Orland Municipal Code. The proposed action seeks authorization from the Planning Commission, through the issuance of a Conditional Use Permit, to allow for an additional fifty-nine (59) 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.

Acting Chairman Arano introduced the item and referred the presentation of the Staff Report to City Planner Friend. He stated the applicant is requesting approval of a Conditional Use Permit to allow for the placement of a new wall sign along the front façade (south facing) of the sub-anchor tenant space within the existing Stony Creek Plaza shopping center located at 1032 South Street. The existing façade area above the tenant space is large enough to accommodate the proposed sign that will advertise *Dollar Tree*, the proposed sub-anchor tenant in the shopping center. The Commission approved a similar request for the now-operational anchor tenant in the center, *Grocery Outlet*; permitting a 168 square foot wall sign.

Acting Chairman Arano opened the Public Hearing at 7:06 PM. No one commented for or against the conditional use permit and the Public Hearing closed at 7:07 PM.

Commissioner Ovard moved 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 and Commissioner Shoop

seconded the motion. The motion carried unanimously upon Roll Call vote:

Ayes- Commissioners Ovard, Shoop and Arano
Noes- None
Absent -Commissioners Bentz and Elliott

Commissioner Ovard moved that the Planning Commission adopt the findings contained in the Staff Report and presented as Attachment D and approve Resolution PC 2013-01 approving Conditional Use Permit #2013-03, a request to allow for additional sign advertising area up to a maximum of 159 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 and Commissioner Shoop seconded the motion. The motion carried unanimously upon Roll Call vote:

Ayes- Commissioners Ovard, Shoop and Arano
Noes- None
Absent -Commissioners Bentz and Elliott

Acting Chairman Arano commented that it is nice that all the signs in the shopping center have similar specifications.

- 2. Continued to September meeting: Zoning Ordinance Text Amendment – Portable Signs (ZCA2013-01)**
- 3. Continued to September meeting: Zoning Ordinance Text Amendment – Mixed Use Zoning District (ZCA2013-02)**

VII. ITEMS FOR DISCUSSION OR ACTION – None

VIII. STAFF REPORT

City Planner Friend presented the Planning Department Activity Report for July/August 2013. He noted the Housing Element needs to be updated in 2014 and the Municipal Code also needs updating to align with the Zoning Code and General Plan.

IX. COMMISSIONER REPORTS – None

X. ADJOURNMENT – 7:10 P.M.

Respectfully submitted,

Janet Wackerman, Secretary

Claire Arano, Acting Chairman

**AGREEMENT FOR
PROFESSIONAL CONSULTING SERVICES**

THIS AGREEMENT is entered into September 12, 2013, between PMC ("CONSULTANT") and the City of Orland ("CITY"), a municipal corporation.

RECITALS

This Agreement is predicated on the following facts:

1. CITY requires professional consultant services in conjunction with the a 5th cycle update of the City of Orland Housing Element.
2. CONSULTANT is qualified to provide these services and is willing to provide them according to the terms of this Agreement.

NOW, THEREFORE, the parties agree as follows:

1. DUTIES OF CONSULTANT

- A. CONSULTANT shall provide the services outlined in Exhibit A, attached and incorporated herein.

2. DUTIES OF CITY

- A. CITY agrees to make available to CONSULTANT relevant public records including copies of reports, maps, and other file materials as may be needed for the CONSULTANT to perform his duties and to cooperate in the collection of information which CONSULTANT may request.
- B. CITY shall promptly:
 - (1) notify CONSULTANT of any defect in CONSULTANT's performance; and
 - (2) review any documents submitted by CONSULTANT for CITY's comment.
- C. CITY agrees that CITY shall not, during the term of this Agreement, nor for a period of one year after termination, solicit for employment, hire or retain, whether as an employee or independent contractor, any person who is or has been employed by Consultant. Should CITY desire to hire CONSULTANT's employee, CITY agrees to pay CONSULTANT equitable compensation for the loss of said employee.

3. CONSULTANT'S STATUS

CONSULTANT is an independent contractor and is solely responsible for its acts or omissions. CONSULTANT (including its agents and employees) is not CITY's agent, employee or representative for any purpose, except as specifically designated herein.

10. ASSIGNMENT; SUBCONTRACTS

CONSULTANT's services are considered unique and personal. CONSULTANT will not assign or transfer its interest or obligation under this Agreement without CITY's written consent. CONSULTANT shall not subcontract its duties under this Agreement without CITY's written consent.

11. INSURANCE

Without in any way limiting CONSULTANT's liability pursuant to the indemnification described below, CONSULTANT shall maintain, during the term of this contract, at least the following insurance:

Coverage	Minimum Limits
<i>General Liability</i> Comprehensive General Liability, including: Premises and Operations Contractual Liability Personal Injury Liability	\$1,000,000 Combined Single Limit Per Occurrence, and Aggregate
<i>Automobile Liability</i> Comprehensive Automobile Liability, including: Non-Owned and Hired Autos	\$1,000,000 Combined Single Limit Per Occurrence
<i>Workers' Compensation and Employer's Liability</i> Workers' Compensation Insurance Employer's Liability	Statutory \$1,000,000
<i>Professional Liability</i> Professional Liability Insurance	\$1,000,000 Per Claim

CONSULTANT shall provide CITY with Certificate of Insurance evidencing each of the above coverages. Each such Certificate (excepting that for Workers' Compensation and Professional Liability Coverage) shall indicate that City is an additional insured; that the coverage afforded is primary to any other coverages which may be available to CITY in the event of loss; and that CITY will be provided with thirty (30) days' prior notice of cancellation in coverage, unless cancelled for nonpayment of premium, then ten (10) days prior notice will be given to CITY.

12. INDEMNIFICATION

CONSULTANT shall defend, indemnify, and hold CITY harmless from damages, costs or expenses that may arise from damage to property or injury to persons to the extent caused by CONSULTANT's negligent act, error, or omission.

CITY shall defend, indemnify, and hold CONSULTANT harmless from damages, costs or expenses that may arise from damage to property or injury to persons to the extent caused by CITY's negligent act, error, or omission.



EXHIBIT A

September 11, 2013

Peter Carr, City Manager
CITY OF ORLAND
815 Fourth Street
Orland, CA 95963

RE: HOUSING ELEMENT UPDATE

Dear Mr. Carr:

PMC is pleased to provide you with this proposal to assist the City of Orland in preparing its 5th cycle Housing Element update. PMC's Housing and Community Development team has considerable experience working with the California Department of Housing and Community Development (HCD), having completed 44 certified Housing Elements since 2008, of which 30 were certified after a single round of review. PMC recently prepared the City of Roseville's Housing Element, with HCD's new streamlined process, and received a conditional compliance letter within two weeks.

PMC has established a positive working relationship with the City of Orland and worked with the City to prepare the Housing Element update during the 4th Housing Element cycle; the document was certified with just one round of review. In addition, PMC is currently preparing 5th cycle Housing Elements for several nearby communities including Marysville, Yuba City, and Yuba County. The project team, managed by Jennifer Gastelum, has over 12 years of experience in managing the preparation of Housing Elements. Ms. Gastelum will direct the Housing Element update from PMC's Rancho Cordova office, with support from Scott Friend, CEQA project manager, and Amy Sinsheimer, project manager. With an office in the greater Sacramento area and an office in Chico, PMC is uniquely qualified to meet project demands in person in Orland and to attend meetings with HCD in Sacramento. PMC has the staff and resources available to help City staff prepare a Housing Element that can be certified by HCD.

While PMC anticipates that the 5th cycle update will be a minor, technical revision, the Housing Element update will include revisions to data, including from the 2010 Census, as well as review of the implementation of the 4th cycle Housing Element. PMC will work with City staff and make this a team effort to complete the Housing Element update. PMC will take the lead and provide a framework of necessary updates in each section, providing the format for the document and drafts to the City for review to make this a seamless process for City staff. PMC is familiar with the requirements of the new HCD Streamlined Review process and will work with the City to determine whether Orland is eligible for Streamlined Review in the 5th cycle.

The following scope, budget, and schedule are targeted to ensure that the updated Housing Element complies with new state laws and identifies adequate sites to meet Orland's 2014–2019 Regional Housing Needs Allocation (RHNA).

HOUSING ELEMENT SCOPE OF WORK

TASK 1: PROJECT KICKOFF MEETING

PMC will initially meet with City staff to review the scope of work, collect information sources, and finalize the project schedule and work plan. PMC will also take this opportunity to discuss the best methods for ensuring regular communication.

Deliverable: *PMC will provide the City with a list of data and information needed from the City to kick off the project. This memorandum of data items will be forwarded to the City prior to the project kickoff meeting.*

TASK 2: REVIEW OF EFFECTIVENESS OF THE EXISTING HOUSING PROGRAMS

State law requires the review of the effectiveness of the current Housing Element, including (1) actual results of the current element compared to its goals, policies, and programs (Sec. 65588(a)(2)); (2) significant differences between what objectives and planned activities are in the element and what was achieved (Sec. 65588(a)(3)); and (3) how the policies and implementation programs of the updated element incorporated what was learned from the prior element (Sec. 65588(a)(1)).

Deliverable: *PMC will provide City staff with an HCD-approved template to assist in this process and will review this section to ensure it meets all of HCD's requirements. This evaluation, along with the public participation process and consultation with City staff, will provide the basis for the update to the goals, policies, and implementation programs of the Housing Element.*

TASK 3: HOUSING NEEDS ASSESSMENT

PMC will update the following sections of the Housing Needs Assessment:

- **Population and Employment Trends:** race, age, employment by industry and occupation
- **Household Characteristics:** number of existing and overpaying households, lower-income households (including extremely low)
- **Housing Stock Characteristics:** housing conditions, overcrowded households, housing costs, housing type, and vacancy rates
- **Special Housing Needs:** special housing needs of persons with disabilities (including addressing persons with developmental disabilities), seniors, large households, female-headed households
- **Inventory of At-Risk Units:** based on conversations with California Housing Partnership Corporation staff
- **Analysis of Opportunities for Energy Conservation:** in response to Senate Bill 375 and Assembly Bill 32, an inventory and analysis of opportunities to encourage the incorporation of energy-saving features, energy-saving materials, and energy-efficient systems and design for residential development

Deliverable: *Consistent with state law, the Housing Needs Assessment will include updated 2013 Department of Finance numbers and 2010 US Census information.*

TASK 4: HOUSING CONSTRAINTS

PMC will analyze potential and actual governmental and non-governmental constraints to meet the identified housing needs (Sec. 65583(a)(4, 5)). Possible governmental constraints include land use controls, sensitive areas (e.g., wetlands, creeks, and floodplains), fees and exactions, permit processing procedures, and building codes and their enforcement. Non-governmental constraints may include the availability of financing, cost of construction, and price of land. We will consider zoning and

TASK 8: DRAFT AND FINAL HOUSING ELEMENT DOCUMENTS

PMC will prepare a series of draft documents in a user-friendly and HCD-targeted format. All documents will be prepared in Microsoft Word and/or Excel.

Administrative Draft Housing Element

PMC will provide an administrative draft of the Housing Element for City staff to review. PMC requests that we receive one consolidated set of City comments on the draft document.

Deliverable: *PMC will provide one (1) electronic copy of the draft for City staff review.*

Public Review Draft Housing Element

The refined administrative draft will be presented as a public review draft Housing Element to the City Council for preliminary approval of the document for its initial 60-day review at HCD.

Deliverable: *PMC will supply one (1) electronic copy of the draft to City staff and one (1) black-and-white hard copy to HCD for review.*

Revised Public Review Draft Housing Element

After receiving HCD comments, PMC will incorporate the comments and revise the draft Housing Element to reflect HCD comments and concerns. PMC will submit the revised draft Housing Element to HCD for informal review and will meet (conference call or in-person meeting) with HCD to go over the revisions and to confirm that HCD's comments and concerns have been sufficiently addressed.

Deliverable: *PMC will supply one (1) electronic copy of the revised draft to City staff and two (2) black-and-white hard copies to HCD (one redline and one clean version) for final review.*

Final Adopted Housing Element

The final Housing Element will incorporate any additional HCD comments and be presented to the City Council for final consideration. The Housing Element will then be sent to HCD for the 90-day certification review period.

Deliverable: *PMC will provide one (1) black-and-white hard copy and one (1) CD-ROM of the final Housing Element to the City and one (1) final black-and-white hard copy of the adopted Housing Element to HCD for certification.*

TASK 9: PUBLIC PARTICIPATION

PMC will assist with facilitation of the Housing Element community outreach program consistent with state and federal laws to solicit input from all segments of the community, including housing development professionals, residents, businesses, service groups, youth, seniors, and various stakeholders. PMC proposes to attend one public workshop with the Planning Commission near the beginning of the Housing Element process and Planning Commission and City Council hearings prior to submitting the draft to HCD for the 60-day review.

Deliverable: *PMC will provide web-ready versions of all documents for posting on the City's website, which will include current information regarding the schedule of the Housing Element, public meetings, drafts, and other pertinent data. PMC will attend one (1) public workshop and two (2) public hearings. PMC is available to attend additional meetings at a per-meeting cost of \$1,600.*

SCHEDULE

PMC has an excellent track record of receiving compliance with just one round of review; and while two rounds of review are not expected, should two be necessary, PMC can still meet the HCD deadline of having an adopted element by June 30, 2014. The schedule below is based on two rounds of review with HCD.

Time Frame	Task
September 2013	Project kickoff meeting
September–October 2013	Prepare administrative draft Housing Element
November 2013	Public workshop or stakeholder consultation meeting
November 2013	City staff review administrative draft
December 2013	Prepare public review draft Housing Element
January 2014	Planning Commission hearing to submit draft
January 2014	City Council hearing to submit draft
February–April 2014	Submit draft to HCD (first 60-day review)
Late April 2014	Conference call with HCD, prior to receiving a letter to address any last-minute issues
May 2014	Address HCD comments
Late May 2014	City receives a “conditional compliance” letter from HCD
June 2014	Public hearings to adopt Housing Element (PMC available to attend at extra meeting cost)
July 2014	Submit final Housing Element to HCD (90-day review)
October 2014	HCD certification

BUDGET

PMC assumes a total cost of \$24,700 to complete the tasks listed above. The scope and budget assume that the City will assist with review of the previous Housing Element (Task 2) and assist with the adequate sites inventory (Task 5).

The scope of work also assumes that PMC will attend one public workshop meeting, a Planning Commission hearing, and a City Council hearing. PMC is available to attend additional meetings at a per-meeting cost of \$1,600.

Should the City wish to take on a larger role in completing portions of the scope of work, PMC will work with the City to revise the scope and budget.

KEY STAFF MEMBERS

JENNIFER GASTELUM, PROJECT DIRECTOR

Jennifer Gastelum brings over 12 years of experience that includes projects throughout California, Nevada, and Washington. She is experienced in managing the preparation of Housing Elements, housing needs assessment reports and housing condition surveys, consolidated plans, and affordable housing strategies and various affordable housing studies. Her most recent housing policy experience includes Housing Element updates for over 40 California cities.

Ms. Gastelum prepared a Regional Housing Strategy and Fair Share Housing Allocation Plan for Pierce County, Washington. She previously represented the City of Rancho Cordova at the Planners' Roundtable process to determine the fair share methodology and allocations for the multi-city Sacramento Area Council of Governments. In addition, she developed Affordable Housing Best Practices Strategies for El Dorado County and Placer County, which included inclusionary housing recommendations and identifying zoning and infill incentives. Ms. Gastelum completed the CDBG Consolidated Plan for the City of Rancho Cordova in conjunction with the preparation of the Redevelopment Blight Assessment and Housing Element. She also assisted with the completion of the New Rochelle (New York) Consolidated Plan and managed the completion the City of Monterey Consolidated Plan, Action Plan, and Analysis of Impediments updates.

SCOTT FRIEND, AICP, CEQA PROJECT MANAGER

Scott Friend is experienced in working with local, state, and federal agencies and managing CEQA and NEPA projects. He has prepared or directly managed a myriad of CEQA and NEPA projects, ranging from program and project environmental impact reports for general plans and major development projects to negative declarations and mitigated negative declarations for public and private development and infrastructure projects to NEPA environmental assessments and exclusions for grant-funded projects involving federal dollars.

Mr. Friend has a variety of public sector planning experience, ranging from serving as contract planning staff for various north state communities to the preparation of general and specific plans, zoning ordinance updates, and all manner of current planning projects. His private sector experience includes the layout and design of new residential and commercial development projects, as well as the preparation of entitlement requests, general plan amendments, and development impact fee and site analyses for various private clients.

AMY SINSHEIMER, AICP, PROJECT MANAGER

Amy Sinsheimer has over 10 years of experience managing Housing Elements and zoning ordinance updates, preparing CEQA documents, and in other long-range planning. She regularly interfaces with clients and team members, coordinating work among PMC employees, and attending meetings, interviews, and public hearings. She has significant experience with public outreach, including for complex projects involving multiple agencies, stakeholders, and team members. Ms. Sinsheimer's responsibilities include marketing, proposal writing, research, writing, and review of documents. She prepared Housing Elements during the 3rd and 4th cycles and has worked closely with staff at HCD to achieve certification for her clients. Ms. Sinsheimer prepared Housing Elements during the 4th cycle for the cities of Benicia, Tulare, Pismo Beach, Grover Beach, Atascadero, Arroyo Grande, Richmond, Pacific Grove, and King City. She has also prepared Housing Element program implementation documents for the cities of Atascadero and Pismo Beach.

Currently, Ms. Sinsheimer is working on 5th round Housing Element updates for the cities of Davis, Marysville, South Lake Tahoe, Yreka, Yuba City, Montague, and Dunsmuir, and the counties of Yuba and Riverside.

CITY OF ORLAND

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

MEETING DATE: October 7, 2013

TO: Honorable Mayor and Council
FROM: Pete Carr, City Manager
SUBJECT: Property Tax Assessment Fee (PTAF) Settlement and Reimbursement Allocation (Discussion/Action)

Council is asked to approve the PTAF settlement agreement and direct staff as to funds allocation of the reimbursement revenue.

BACKGROUND

A recent court case ruling established that the County of Los Angeles overcharged cities in its county for property tax administration fees (PTAF) related to the county's administration of what is known as the "Triple Flip" and "VLF Swap." The County of Glenn applied that same PTAF calculation as did Los Angeles County, therefore the County owes the cities of Orland and Willows a portion of the cities' property tax revenue that the County improperly withheld as PTAF.

City and county staff estimate that the PTAF improperly withheld for the three tax years preceding the fiscal year 2012-13 – for which reimbursement has been received -- (2011-2012, 2010-2011 and 2009-2010) totals approximately \$35,000 per year per city.

DISCUSSION

The County, Orland and Willows have been seeking to resolve this matter efficiently and amicably and without incurring legal expenses. The parties entered a tolling agreement in April to provide the parties time to settle without the looming deadline of a statute of limitations.

It is proposed that the County will refund the sum of \$105,000 to Orland (likewise to Willows). In addition, the County will make a payment of \$3,000 to each city, provided that this sum go directly to each city's respective library budget as revenue in addition to the established budget. The total payment to each city by the County shall be \$108,000 each and made to each city as a lump sum payment. In exchange, Orland and Willows will release the County from all claims associated with the illegal PTAF for all tax years. The Glenn County Board of Supervisors approved this settlement at its October 1st meeting.

As to allocation of the \$105,000 in non-library funds once received, the Council has options which could include:

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- A. Direct \$16,800 to the Water Fund as this calendar year's loan repayment, balance to the General Fund.
- B. Direct \$44,000 to the Water Fund to pay down 10% of the outstanding debt related to the intra-fund loan on purchase of the property, balance to the General Fund.
- C. Direct entire reimbursement to the General Fund as reserves and potentially for specific projects to be determined.

Attachment (1): Proposed PTAF Settlement Agreement

RECOMMENDATION:

Authorize City staff to execute the settlement agreement, and direct staff as to allocation of funds.

FISCAL IMPACT OF RECOMMENDATION:

Positive revenue of \$108,000 this fiscal year; budget anticipated \$15,000.

RELEASE OF CLAIMS

WHEREAS, in Alhambra v. County of Los Angeles, the California Supreme Court held that the County of Los Angeles overcharged cities in its county for property tax administration fees (PTAF) related to the county's administration of what is known as the "Triple Flip" and "VLF Swap." The County of Glenn (County) applied that same PTAF calculation as did Los Angeles County; therefore the County owes the cities of Orland and Willows a portion of the cities' property tax revenue that the County improperly withheld as PTAF.

WHEREAS, the parties estimate that the PTAF improperly withheld for three tax years (2011-2012, 2010-2011 and 2009-2010) totals approximately \$35,000 per year per city.

WHEREAS, the parties (County, Orland and Willows) seek to resolve this matter as efficiently as possible and without incurring any legal expenses. The parties, too, seek to avoid the antagonism that would accompany formal litigation.

WHEREAS, the parties agree that County shall refund the sum of \$105,000 to each city (\$210,000, total). In addition the County shall make a payment of \$3,000.00 to each city, provided that this sum go directly to each city's respective library budget as extra revenue, and provided that the cities shall not otherwise reduce their normal support of the libraries by a corresponding amount. The total payment to each city by the County shall be \$108,000 each and made to each city as a lump sum payment. In exchange, Orland and Willows will release the County from all claims associated with the illegal PTAF for all tax years.

WHEREAS, the undersigned are all duly authorized to execute this Release on behalf of their respective party.

NOW, THEREFORE, in exchange for the good and valuable consideration of a lump sum payment by the County of Glenn to the City of Orland in the amount of \$108,000.00, and a lump sum payment by the County of Glenn to the City of Willows in the amount of \$108,000, each payable within 30 days of the execution of this release, the receipt and sufficiency of which are hereby acknowledged, the City of Orland and the City of Willows hereby fully, finally, and forever release, relinquish, and discharge the County of Glenn, and its employees and board members, from any and all claims, known or unknown, arising from or related to the County's property tax administration for the tax years of 2012-13 and prior.

IN WITNESS WHEREOF the parties have caused this Release to be duly executed as of this ____ day of October 2013.

COUNTY OF GLENN

By: _____

CITY OF ORLAND

By: _____
Peter R. Carr, City Manager

CITY OF WILLOWS

By: _____
Steven Holsinger, City Manager

CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: VIII.A.2

MEETING DATE: October 7, 2013

TO: Honorable Mayor and Council
FROM: Pete Carr, City Manager
SUBJECT: Library Renovation Funding (Discussion/Action)

Council is asked to approve funding of the planned library renovation project.

BACKGROUND

In conjunction with the successfully completed Friends of the Orland Free Library-City of Orland partnership project to add a community meeting room and ADA accessible restrooms, we also planned to renovate the lighting, walls and flooring of the main library facility. Funding from a new Friends fundraising campaign is being directed towards furnishings and helping to repaint and improve lighting in the main library. Access to local CDBG PI (Community Development Block Grant Program Income) funds was expected but the State failed to follow through on its assurances to make the funds available.

DISCUSSION

Removing the 1971 flooring and replacing with new is expected to be a \$25,400 expense. Repainting at \$4000 and improving the lighting at \$3000 will hopefully be covered by \$7000 in Friends donations, if the funds materialize, in addition to the furniture costs for which they are fundraising. \$6,300 is available in "defederalized" PI funds (Fund 85) and \$16,000 in library impact funds. The remaining \$3100 could come from the recent PTAF settlement revenue. With the Friends campaign just starting up, additional \$10,100 in general funds may be needed to cover their \$7000 goal until the campaign is completed.

Impact fee funds have narrow restrictions on use; defederalized PI funds do not; neither are general fund monies. Only the PTAF reimbursement is general fund money with broad discretionary use.

RECOMMENDATION:

Authorize City staff to proceed and complete the library renovation project utilizing \$6300 in CDBG Re-use funds, \$16,000 of library impact fee funds and up to \$11,000 in PTAF settlement revenues. A portion is expected to be offset by Friends donations.

FISCAL IMPACT OF RECOMMENDATION:

\$6300 in CDBG PI Re-use funds, \$16,000 in library impact funds and up to \$11,000 in General Funds from the PTAF settlement revenue.

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CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: VIII.A.3.

MEETING DATE: October 7, 2013

TO: Honorable Mayor and Council
FROM: Pete Carr, City Manager
SUBJECT: Property Lease Agreement: 824 Fourth Street (Discussion/Action)

Council will consider terms and conditions for a lease of public property to a business person for use as a new commercial enterprise, and may direct City Manager to execute agreement.

BACKGROUND

The City owns the real property and 8000 sq ft structure at 824 Fourth Street, formerly "Purity Market." A portion (approximately 2400 sq) ft was improved in early 2012 and leased to a retail business which abandoned the lease in January of 2013 after about eight months of operation. The building is now idle, and the City has no plans for it.

Council recently directed City Manager to enter negotiations on behalf of the City with area resident Julie van Tol for possible use as a café and bakery. Inquiries have also been made by other interested parties as to other possible future uses for the site.

DISCUSSION

Ms. Van Tol and the City have arrived at a draft agreement for presentation to and consideration by the City Council. The proposed agreement includes a three year lease with graduated rates and renewable terms, shared improvements, and first right of refusal for further leases or sale of the property.

Attachment (1): Draft Lease Agreement for 824 Fourth Street

RECOMMENDATION:

Approve agreement as presented, authorize City Manager to execute same.

FISCAL IMPACT OF RECOMMENDATION:

Lease revenue is expected to be approximately offset by costs of maintenance and intra-fund loan repayments to the Water Fund.

Lease of Real Property

This lease, made in the City of Orland, California, on _____, by and between the City of Orland, a General Law City, as lessor, and Julie Vantol, as lessee, both witness:

Lessor, for and in consideration of the agreements of lessee describe below, hereby leases to lessee, and lessee hereby leases from lessor, the premises located at and described as:

**2,400 square feet of 8,000 square feet of the building located at 824
Fourth Street, Orland, CA**

This lease is for the term of three (3) years, beginning October 8, 2013 and ending September 30, 2016. The parties agree that this three (3) year term may be extended as set forth below.

A. Agreements of Lessee

Lessee, in consideration of the leasing of the premises, agrees:

1. To pay rent for the premises as follows:
 - A. First year: \$800 per month; provided however, that during construction of tenant improvements, not to exceed three months, rent shall be reduced to \$400 per month
 - B. Year two (2): \$1,000 per month
 - C. Year three (3): \$1,200 per month

Rent is due and payable on or before the first business day of each month during the term of this lease at the Orland City Hall. Lessee may terminate this lease at any time with one year's written notice.

2. To pay all reasonable costs, attorney's fees and expenses that shall be made and incurred by lessor in enforcing the agreements within this lease.
3. To use and occupy the premises for the purposes of a café and bakery only, and for no other object or purpose, without the written consent of lessor, and not to use the premises for any unlawful purpose or purpose deemed hazardous.
4. To pay for utilities (including electricity, gas, waste removal and recycling, water and sewer services) and property taxes and assessments (for the portion of the property leased by Lessee, per County tax assessor).
5. To keep the premises in as good repair as the same shall be at the commencement of the term, wear and tear arising from the reasonable use of the same and damages by the elements excepted.
6. To keep the premises insured in a responsible insurance company or companies, such insurance naming the City of Orland as an additional insured.
7. To permit lessor and lessor's agents to enter on the premises or any part thereof, at all reasonable hours, for the purpose of examining or exhibiting the premises or making such repairs or alterations as may be necessary for safety and preservation thereof.
8. Not to assign this lease nor sublet the premises or any portion thereof without written consent of lessor; provided, however, that lessee may assign the lease to an entity at least 51% of which is controlled by lessee.

9. To undertake construction, repair or improvements on, in, of, or to the premises or any part consistent with the use of the premises as set forth above. At its own expense, tenant may repaint the interior and the exterior of the premises, install window treatments, and install window advertising and exterior signage, all according to applicable City of Orland Code provisions. Tenant, at its own expense, may install fixtures including ceiling fans, floor coverings, additional restrooms, doors, windows and grease traps and may demise walls. Tenant, at its own expense, may install kitchen, bakery and restaurant equipment. All improvements, fixtures, and additions shall become the sole property of the lessor, save and except for kitchen, bakery and restaurant equipment and furnishings. All improvements shall comply with applicable law, including applicable City of Orland Code provisions. All improvements shall be approved by lessor prior to construction. Lessee is responsible for any damage cause by the removal of kitchen, bakery and restaurant equipment.

10. That this lease pertains to a portion of the 8000 square foot building owned by lessor located at 824 Fourth Street and that lessee's use of the rented portion shall not interfere with any operation or use of the remainder.

11. To cooperate in the installation and maintenance of any barriers or partitions that may be used to segregate and separate the leased portion of the building from the remainder.

12. That she has examined and knows the condition of the premises and has received the same in good order and repair excepting the roof and air conditioning.

13. That lessor shall have the right to sell the premises five years after initial lease term commencement without restrictions, or within five years only to a buyer who will honor the terms of this lease, provided, however, that notice of such contemplated sale shall be given in writing to lessee with up to 75 days to exercise a right of first refusal. Provided, however, that in the event of such sale and in the event that lessee does not exercise this right of first refusal and if the new owner terminates this lease, the lessor shall reimburse lessee for documented relocation and other business expenses not to exceed \$10,000.00. In addition, lessor shall have the right to lease the non-leased portion of 824 Fourth Street (approximately 5600 square feet) to a compatible-use buyer(s)/tenant(s), provided that lessee shall have a right of first refusal(s).

14. That if lessee shall abandon or vacate the premises, they may be re-let by lessor for such sum and on such terms as lessor may see fit; and, if a sufficient sum shall not be thus realized, after paying all expenses of such re-letting and collecting to satisfy the rent hereby reserved, lessee agrees to satisfy and pay all deficiency. If the premises are abandoned and equipment not removed, lessee agrees that title to and ownership of any kitchen/bakery/restaurant equipment left on or in the premises shall pass to lessor.

15. That at the expiration of this lease, to give peaceable possession of the premises to lessor, in as good condition as they are now, usual wear excepted.

16. That the lease may be terminated by lessor in the event of the breach of any of the agreements of lessee contained herein, in which case lessor may re-enter the premises and this lease shall immediately terminate.

17. That this lease, at the option of lessor, shall terminate in case lessee or assignee shall by any Court be adjudged a bankrupt or insolvent, or in case lessee shall make an assignment for benefit of creditors.

18. To observe and comply with all rules, regulations and laws now in effect or which may be enacted in the continuance of this lease by any municipal, county, state or federal authority having jurisdiction of the premises, and to indemnify lessor for any damage caused by violation thereof.

19. That, if lessor, by reason of the failure of lessee to perform any of the agreements or

conditions contained herein, shall be compelled to pay or shall pay any sum of money, or shall be compelled to do or shall do any act which requires payment of money, the sum or sums so paid or required to be paid, together with all interest, costs, damages, shall be added to the installment of rent, next becoming due or to any subsequent installment of rent, and shall be collectable as additional rent in the same manner for the same remedies as if it had been originally reserved.

20. That the failure of lessor to insist on the strict performance of the terms, agreements and conditions contained herein, or any of them, shall not constitute or be construed as a waiver or relinquishment of lessor's right to enforce any such term, agreement or condition, but the same shall continue in full force and effect.

21. That lessor shall not be liable for any damage to persons or property occurring or arising on premises from any cause whatsoever and that lessee agrees to indemnify lessor and hold lessor harmless for any such damage to persons or property for whatever cause and agrees to pay all costs incurred by lessor in defending any action brought by any person for damage incurred to any persons or property incurring on the rented premises, including attorney's fees and further agrees to indemnify lessor for any awards or judgments for any damage to persons or property occurring on such premises.

B. Agreements of Lessor

Lessor, in consideration of the leasing, agrees:

1. To permit lessee exclusive use of the leased premises for the use set forth above in section A(3), with hours of operation set by lessee.

2. To permit lessee the use of the parking lot at 824 Fourth Street consistent with the use set forth above in section A(3), provided that lessee shall reserve three (3) parking places for lessor's use at the west side of the lot.

3. To extend the term of this lease for two further terms of three (3) years each at rates to be negotiated at the time of lessee's exercise of each extension option, provided lessee gives written notice to lessor of a desire to renew the lease at least 90 days before expiration of the initial term of this lease (or first extension), and provided lessee is not in default in performance of terms and conditions of this lease, and provided this lease is not terminated before expiration of the initial term (or first extension) thereof as provided for herein.

4. To pay all reasonable costs, attorney's fees and expenses that shall be made and incurred by lessee in enforcing the agreements of this lease.

5. That if lessee's business is interrupted because of lessor's failure to repair the premises after reasonable notice, the rent will be reduced, pro rata, for the number of days of such interruption, and, further, the rent will be offset by any documented out-of-pocket expenses incurred by lessee as a result of lessor's failure to repair. Lessor acknowledges the current condition of the roof requires maintenance and lessor has been notified by Lessee of this concern.

6. To provide initial exterior basic repainting, pay for a CASp inspection, provide exterior wheelchair accessibility and signage per building code and ADA compliance, roof replacement or repair, work with lessee to improve or replace florescent lighting and fixture covers if needed, provide lenses for exterior lighting soffit fixtures and repair or replace ceiling tile panels to provide uniformity.

C. Mutual Agreements of Lessor and Lessee

1. If during the term of this lease the premises shall be destroyed such that it cannot be used as provided in section A (3) above, lessee shall immediately surrender the premises to lessor and shall pay rent only to the time of such surrender. If the premises are capable of being repaired within a reasonable time,

lessor shall have the option to repair the same and during that time that repairs are being made lessor shall remit to lessee a just and fair portion of rent according to the nature of damage sustained and according to the extent that lessee is deprived of use of the premises.

2. Notices and demands by the parties to each other shall be given by registered mail with prepaid postage to lessor at the Orland City Hall Building, 815 Fourth St, Orland, CA 95963 and to lessee at _____, California, subject to the right of either the lessor or lessee to designate by notice in writing a new address to which such notices or demands must be sent.

3. All the agreements, conditions and undertakings herein contained shall extend to and be binding on the representatives, heirs, executors, administrators, successors, and assigns, of respective parties hereto as if they were in all cases named.

4. The parties agree that venue for any action brought to enforce the terms of this lease, whether brought by lessor or lessee, shall be the County of Glenn, California.

Dated: _____
Peter R. Carr, City Manager for the City of Orland, Lessor

Dated: _____
Julie van Tol, Lessee

Approved as to Form,
Greg Einhorn, Orland City Attorney

CITY OF ORLAND

CITY COUNCIL AGENDA ITEM #: VIII.A.4.

MEETING DATE: October 7, 2013

TO: Honorable Mayor and Council
FROM: Pete Carr, City Manager
SUBJECT: Property Improvement for ADA Access: 824 Fourth Street
(Discussion/Action)

Council will consider authorization for City staff to proceed with necessary handicap access improvements to the exterior of City-owned property located at 824 Fourth Street.

BACKGROUND

The City owns the real property and 8000 sq ft structure at 824 Fourth Street, formerly "Purity Market." While an on-site sidewalk and entry ramp were previously provided decades ago for the building, the access does not meet current Americans with disabilities (ADA) requirements. Making improvements to the inside of the structure and reopening it to the public trigger required improvements for exterior ADA access.

DISCUSSION

City Public Works crew can coordinate and handle most of the needed repairs – a new ramp, wider sidewalk along the building's south side, and clearly marked path of travel. City crew can work with a local concrete contractor for certain skilled trade work. Direct cost of the concrete work is expected to not exceed \$3600. Additional costs for painting, striping, signage and electric lighting repairs may bring the project to \$4600. Roof repairs are being investigated, will be handled separately.

RECOMMENDATION:

Authorize City staff to proceed with necessary repairs and improvements to the City-owned property at 824 Fourth Street at an expected cost of \$4600, roofing not included.

FISCAL IMPACT OF RECOMMENDATION:

\$4600 in General Fund expenses, partially offset by lease revenue to commence October 8th.