

MINUTES OF THE ORLAND CITY COUNCIL
REGULAR MEETING HELD AUGUST 6, 2018

CALL TO ORDER

Meeting called to order by Mayor Gee.

Roll Call:

Councilmembers present: Salina Edwards, Jim Paschall, Bruce Roundy and Mayor Charles Gee
Councilmembers absent: Dennis Hoffman
Staff present: City Attorney Greg Einhorn and City Manager Pete Carr

Citizen Comments:

None

Meeting adjourned to closed session at 6:31 p.m.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9

one potential case

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section: 54956.8

Properties: APN's 040-187-001-000; 040-206-001-000; and 040-245-003-000
Agency Negotiator: Pete Carr
Negotiation parties: Southern Pacific Railroad
Under negotiation: Suitability, price and terms

Meeting adjourned to open session at 6:52 p.m.

REPORT FROM CLOSED SESSION

Direction was given.

RECONVENE TO REGULAR SESSION

Regular meeting called to order at 7:00 p.m.

Roll Call:

Councilmembers present: Salina Edwards, Jim Paschall, Bruce Roundy and Mayor Charles Gee
Councilmembers absent: Dennis Hoffman
Staff present: Chief of Police J.C. Tolle, Fire Chief Justin Chaney, Public Works Director Ed Vonasek, City Planner Scott Friend, City Attorney Greg Einhorn, Assistant City Manager/City Clerk Angie Crook and City Manager Pete Carr

PLEDGE OF ALLEGIANCE

Meeting opened with the pledge of allegiance.

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

Trish Saint-Evans, 6825 Rd. 15, thanked the Council and the City for the use of Vinsonhaler Park and for everything that is done to prepare for the annual 4th of July celebration. Mayor Gee thanked Ms. Saint-Evens for her hard work.

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Approve City Council minutes for July 16, 2018.
- C. Approve proposal to install exhaust fans in City’s well pump houses and authorize City Manager to execute contract with AirCon Energy.
- D. Adopt Resolution No. 2018-15 certifying the Canvass and Statement of Results for the Election held June 5, 2018.
- E. Adopt Resolution No. 2018-16 authorizing the City Manager or designee to submit a signed Supplement Agreement to Caltrans.
- F. Approve lease agreement with R & R Sales, dba West Mitsubishi for operation and use of radio transmission equipment.

Action: Councilmember Edwards moved seconded by Paschall to approve the consent calendar as presented. The motion carried by the following voice vote:
AYES: Councilmembers Edwards, Paschall, Roundy and Mayor Gee
NOES: None
ABSENT: Councilmember Hoffman
ABSTAIN: None

PUBLIC HEARING

Conduct a public hearing and upon conclusion introduce first reading by title only and consider passage of Ordinance No. 2018-XX to amend Title 17 to include State requirements for Accessory Dwelling Units.

City Planner Friend gave a report advising the City will need to revise Title 17 to comply with the new California statutes regarding Accessory Dwelling Units (second units). The State of California identified there is a housing shortage, mainly in the urban areas and this would be the quickest way to bring in new homes. Second dwelling units can be a back home, detached house, addition to an existing home or modifications to an existing structure. The criteria requires the building to have eating, sleeping, and sanitation facilities, as well as a separate exterior door and one parking space which could be tandem. The owner must occupy either the primary or secondary home. The minimum and maximum floor size of a second unit and setbacks were also identified.

The public hearing opened at 7:10 p.m. Byron Denton, 127 Tanner Way, asked if will we have to comply with the new State law. Mr. Friend confirmed you do have to comply with the new State law, however, the Planning Commission did recommend two local changes: 1) an owner occupancy requirement and 2) conversions of existing structure can be done ministerially. Trish Saint-Evens asked if there was a minimum or maximum lot size requirement. Mr. Friend stated second dwelling units are exempted from the calculation of density; only have to meet a five (5) foot setback, regardless of how tall they are. With no further comments, the public hearing closed at 7:12 p.m.

Council discussed. Vice Mayor Roundy stated it's an inexpensive way to solve the housing shortage problem.

Action: Vice Mayor Roundy moved seconded by Councilmember Paschall to approve the first reading by title only of Ordinance No. 2018-XX, amending Title 17 of the Orland Municipal Code to comply with State law regarding Accessory Dwelling Units. The motion carried 3-1-1 by the following voice vote:

AYES:	Councilmembers Paschall, Roundy and Mayor Gee
NOES:	Councilmember Edwards
ABSENT:	Councilmember Hoffman
ABSTAIN:	None

ADMINISTRATIVE BUSINESS

A. Discuss paid Fire Chief concept-- Pete Carr, City Manager

City Manager Carr requested Council discussion and to consider concepts related to compensating the Orland Fire Chief. The Orland Volunteer Fire Department (OVFD) has served the Orland area community with unpaid volunteer services. Over the years, the time required for training and recordkeeping have increased significantly, thus, recognizing the need for a paid fire chief. Fire Chief Chaney stated there has been a lack of anyone wanting to volunteer for the fire chief position. Mr. Carr and Councilmember Paschall are currently examining other jurisdictions' model formats to consider (job description, compensation, recruiting, JPA, cost share formulas, leadership and management of processes). Fire

Chief Chaney stated both OVFD and Orland Rural Fire Protection District would like to see a volunteer from within the organization hired for the position. Jack Bucke, retired OVFD volunteer, stated its important to the community to choose the right person. Fire Chief Chaney stated if a Joint Powers Agreement was formed, both the City and the ORFPD could share a 50/50% interest. Mayor Gee stated he had concerns the City could potentially lose their fire insurance rating, if no action was taken. Byron Denton stated a salary needs to be one of the first considerations. Council discussed and agreed it is time to fund a paid fire chief, but it needs to be done effectively and proficiently.

Council directed City Manager Carr and Councilmember Paschall to work with the ORFPD board and OVFD to bring forward some decisions regarding concept for a paid fire chief.

B. Consider draft argument in favor of Measure E– Pete Carr, City Manager

Mr. Carr presented Council with a draft Hotel User Tax statement in favor of Measure E. Measure E will be placed on the November ballot proposing an increase in the HUT from 10% to 12%. Mr. Carr spoke to Ron Braga, Orland Inn owner, who advised he was not supportive of Measure E since all the monies go to the General Fund, rather than Chamber of Commerce or economic development activities.

Action: Councilmember Paschall moved, seconded by Vice Mayor Roundy to approve the the statement in favor of Measure E as presented. The motion carried 3-1-1 by the following voice vote:

AYES: Councilmembers Paschall, Roundy and Mayor Gee
NOES: Councilmember Edwards
ABSENT: Councilmember Hoffman
ABSTAIN: None

Action: Councilmember Paschall moved, seconded by Vice Mayor Roundy to direct the Mayor and Vice Mayor to sign the statement in favor of Measure E as presented. The motion carried by the following voice vote:

AYES: Councilmembers Paschall, Roundy and Mayor Gee
NOES: Councilmember Edwards
ABSENT: Councilmember Hoffman
ABSTAIN: None

C. Consider draft responses to 17/18 Grand Jury Report – Pete Carr, City Manager

Mr. Carr requested Council to consider the responses drafted for the 17/18 Grand Jury Report. The three report sections affected, per the Grand Jury Report were: Police, Pension Costs, and Water. Council agreed to all responses with no questions.

Action: Vice Mayor Roundy moved, seconded by Councilmember Paschall to approve the three responses to the 17/18 Grand Jury Report as presented. The motion carried by the following voice vote:

AYES: Councilmembers Edwards, Paschall, Roundy and Mayor Gee
NOES: None
ABSENT: Councilmember Hoffman

ABSTAIN: None

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Edwards:

- Bee City Committee meeting weekly planning OKtoBEE fest.

Mayor Gee:

- National Night Out has been cancelled for tomorrow evening due to the smoke.

Vice Mayor Roundy had a concern from a citizen about the lines that are painted on the street as they do not remain very visible. Public Works Director Vonasek advised the State requires a water-based paint, so it does not work as well. He mentioned there is an option to use a thermal plastic paint, but that is cost prohibitive for the City.

ADJOURN

Meeting adjourned at 8:30 p.m.

Angela Crook, City Clerk

Charles Gee, Mayor