



ORLAND CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, April 16, 2024 at 6:30 PM
Carnegie Center, 912 Third Street and via Zoom

P: (530) 865-1600 | www.cityoforland.com

City Council: Chris Dobbs, Mayor | Mathew Romano, Vice-Mayor

Bruce T. Roundy | Jeffrey A. Tolley | John McDermott

City Manager: Peter R. Carr **City Clerk:** Jennifer Schmitke

Virtual Meeting Information:

<https://us02web.zoom.us/j/82144594328>

Webinar ID: 821 4459 4328 | Zoom Telephone: 1 (669) 900-9128

Public comments are welcomed and encouraged in advance of the meeting by emailing the City Clerk at jtschmitke@cityoforland.com or by phone at (530) 865-1610 by 4:00 p.m. on the day of the meeting

1. CALL TO ORDER - 6:00 PM
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL

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

4. CLOSED SESSION

A. Public Comments: The Public will have an opportunity to directly address the legislative body on the item below prior to the Council convening into closed session. Public comments are generally restricted to three minutes.

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section: 54957

Position: City Manager

5. CONSENT CALENDAR

A. Warrant List (Payable Obligations) (Pg.3)

B. Approve City Council Minutes for April 2, 2024 (Pg.9)

C. Receive and File Public Works and Safety Commission Minutes from February 13, 2024 (Pg.14)

- D.** Approve and Adopt Second Reading: Proposed Local Sales Tax Ballot Measure Ordinance and Resolution (Pg.17)

6. ADMINISTRATIVE BUSINESS

- A.** General Plan Amendment (GPA) #2023-02: Supplement to the 2021-2029 6th Cycle Housing Element Update(Discussion) Scott Friend, City Planner (25 min) (Pg.34) Additional supplements will be provided before meeting.
- B.** Fiscal Year 2024-25 Budget Discussion #2: Projected Public Safety Fund Budget, General Fund Revenues, Capital Equipment Schedules (Discussion/Direction) - Pete Carr, City Manager (20 min) (Pg.84)
- C.** Council Meeting Location (Discussion/Direction) - Rebecca Webster, Director of Administrative Services & Assistant City Manager (5 min) (Pg.90)

7. ORAL AND WRITTEN COMMUNICATIONS

Public 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. The public is advised to limit discussion to one presentation per individual. While not required, please state your name and place of residence for the record. Please direct your comments to the Mayor or Vice Mayor. (Public Comments will be limited to three minutes).

8. CITY COUNCIL COMMUNICATIONS AND REPORTS

9. ADJOURN

CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on April 12, 2024.

A complete agenda packet is available for public inspection during normal business hours at City Hall, 815 Fourth Street, in Orland or on the City's website at www.cityoforland.com where meeting minutes and video recordings are also available.

In compliance with the Americans with Disabilities Act, the City of Orland will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's Office 530-865-1610 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.



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 COUNCIL

Chris Dobbs, Mayor
Mathew Romano, Vice-Mayor
Bruce T. Roundy
Jeffrey A. Tolley
John McDermott

CITY OFFICIALS

Jennifer Schmitke
City Clerk

Leticia Espinosa
City Treasurer

WARRANT LIST

April 16, 2024

Warrant	4/11/2024	\$	444,451.92
PERS 3/07/2024 - 3/20/2024	4/8/2024	\$	28,902.66
Payroll Compensation #7	4/4/2024	\$	143,456.57
		\$	<u>616,811.15</u>

APPROVED BY

Mayor, Chris Dobbs

Vice-Mayor, Mathew Romano

Councilmember, Jeffrey A. Tolley

Councilmember, John McDermott

Councilmember, Bruce T. Roundy

REPORT.: Apr 12 24 Friday
 RUN....: Apr 12 24 Time: 13:44
 Run By.: Leticia Espinosa

CITY OF ORLAND
 Cash Disbursement Detail Report
 Check Listing for 04-24 thru 04-24 Bank Account.: 1001

PAGE: 001
 ID #: 5. A.
 CTL.:

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
058852	04/08/24	MIL07	MILLS, DARYL	-100.00	APRIL2024u	Ck# 058852 Reversed
058886	04/08/24	COM14	COMMUNITY FIRST NATIONAL	145594.00	APRIL2024H	FD/MEASURE A-TRUCK RESERVE REIMB DOZER LEASE PMT
058887	04/08/24	ATT07	A T & T	95.67	APRIL2024H	AC/PHONE & INTERNET MAR 26-APR 25,2024
058888	04/09/24	TIA00	EVERBANK, N.A.	268.13	9948692H	PD/COPIER MARCH 2024
058889	04/11/24	MAT04	MATSON & ISOM	35443.59	MULTIH	MONTHLY SERVICES(DEC, JAN, FEB,)
058890	04/12/24	ABD00	ADVANCED DOCUMENT CONCEPT	23.87 258.17 59.64 59.31 13.41	125148 INC125146 INV125145 INV125147 INV125149	FD/MEASURE A-COPIES MAR 1-31,2024 CITY HALL/COPIES MARCH 1-31,2024 PD/COPIES MAR 1-31,2024 BD-PLAN-PW/COPIES MARCH 1-31-2024 REC/COPIES MARCH 1-31,2024
			Check Total.....:	414.40		
058891	04/12/24	ALL11	All In Vinyl & Design	162.89	262	OPD/FLAG STICKERS
058892	04/12/24	ALT01	Altec Industries Inc.	233.82	12511523	PW/FLEET EQ MAINT
058893	04/12/24	ALV06	MICAEALA ALVA	296.00	4/9/24	FD MEASURE A/PER DIEM FOR PLAN REVIEW TRAINING
058894	04/12/24	AMA03	AMAZON CAPITAL SERVICES	3003.12	16WM-FTRY	LIB/ZIP BOOKS GRANT, MATERIALS
058895	04/12/24	AME00	AMERICAN FAMILY LIFE	459.99	656600	SUPPLEMENTAL INSURANCE
058896	04/12/24	ARA00	ARAMARK UNIFORM SERVICES	992.76	MARCH2024	PW/UNIFORM CLEANING
058897	04/12/24	AUT00	Auto Zone Inc.	113.13	409404775	PD/VIPS EQ MAINT
058898	04/12/24	BAC02	ESO SOLUTIONS, INC.	445.71	ESO-13230	FD MEASURE A/EMERGENCY RESPONSE SERVICE
058899	04/12/24	BJO01	Beth Bjorklund	150.00	04012024	AC/GALLERY SHOW HANGING APRIL - MAY,2024
058900	04/12/24	BRA05	BRANDEN'S PLUMBING & ROOT	3000.00	1285	PW/DWR CONNECTION IN CITY
058901	04/12/24	BUT04	Butte College	1841.68	04012024	PD/POLICE ACADEMY NEW RECRUIT SPRING 2024
058902	04/12/24	BWC00	W.B. BENBOW	669.50	566	PW/SCADA SOFTWARE MONITORING
058903	04/12/24	CAR02	CARDMEMBER SERVICE	1588.20 237.84 304.37 3253.28 3482.16 1575.65 485.49	3/2024 3/2024FD MAR24REC 2024MARCH MAR2024PW MARCH2024 March2024	LIB/PATIO CHAIRS & TABLES, BOOKS,PAPER, POSTAGE FD MEASURE A/BATTERIES, FORK LATCH, APPLE REC/SCHED APP, STAFF MTG, MISC SUPPLIES PD/TRAINING,OFFICE & K9 SUPPLIES, HEALTHY SNACKS PW/SHOP SUPPLIES FD/PW/FLEET-EQUIPMENT MAINTENANCE PW/PARKS AND OFFICE SUPPLIES, CONFERENCE CH/ZOOM, PODBEAN, FILING FEES
			Check Total.....:	10926.99		
058904	04/12/24	CAR12	Peter R. Carr	63.80	3/27/2024	CM/FUEL FOR ADMIN CAR
058905	04/12/24	COM02	Comcast	404.70 299.63	3222024 MAR3-APR2	FD/INTERNET FOR FIREHOUSE MULTI-DEPT/INTERNET APR3 - MAY 2,2024
			Check Total.....:	704.33		
058906	04/12/24	COM09	Compost Solutions Inc	190.00	2640	PW/PARKS SOIL
058907	04/12/24	COR00	CORNING LUMBER CO., INC.	3149.64 1194.74	3/25/24 03252024	PW/PARKS/SHOP SUPPLIES, BM/TRAINING FACILITIES FD/MEASURE A-TREAT WOOD FOR D38
			Check Total.....:	4344.38		
058908	04/12/24	COR02	Corning Chevrolet Buick	1095.06	74204,05	PD/FLEET EQ MAINT
058909	04/12/24	COR04	CORBIN WILLITS SYSTEMS	559.17	C403151	MULTI-DEPTS/MONTHLY SOFTWARE SUPPORT
058910	04/12/24	CSA00	CSAC-EIA	676.20	24401048	EMPLOYEE ASST PROGRAM APR-JUN 2024
058911	04/12/24	DAS00	DASH MEDICAL GLOVES	230.58	23834	PD/NITRILE GLOVES
058912	04/12/24	ECO01	ECORP CONSULTING, INC	3877.37 13250.75 11313.54	102646 102922 102923	PLAN/PROF SVCS JAN 1-31,2024, DWR PLAN/PROFESSIONAL SERVICE FEB 1-29,2024 / DWR PLAN/PROF SERVICE FEB 1-29,2024/ON CALL 2023/2024
			Check Total.....:	28441.66		
058913	04/12/24	EIN02	Gregory P. Einhorn	4200.00	12711 MAR	CA/CONTRACT SERVICES
058914	04/12/24	FLO04	JOSE FLORES	261.97	04042024	PD/MILEAGE REIM.& TRNING ELK GROVE MAR 27-29,2024

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
058915	04/12/24	FRA00	FRANCOTYP-POSTALIA, INC.	126.07	RI1061476	MULTI-DEPTS/POSTAGE METER RENTAL MARCH 2024
058916	04/12/24	FUL04	OSCAR QUEZADA	60.00	1895	PA/CITY YARD MARCH
058917	04/12/24	GAN00	Gandy & Staley Oil CO. In	4959.25	24291	PW/FUEL
058918	04/12/24	GOL01	GOLDEN STATE RISK	2465.88	April24.2	DENTAL/VISION & HEALTH INSURANCE
058919	04/12/24	GRA02	GRAINGER, INC.	3558.74	457211	PW/SHOP SUPPLIES, REC/POOL SUPPLIES
058920	04/12/24	GRO00	Ferguson Enterprises Inc	2599.47	1814220	PW/WATER SUPPLIES
058921	04/12/24	HAN06	HANGAR 14 SOLUTIONS, LLC	3364.00	3/31/2024	FD MEASURE A/EMERGENCY RESPONSE SERVICE
058922	04/12/24	HEI01	VIRGIL HEISE	100.00	3012024	FD/JANITORIAL
058923	04/12/24	HOU05	HOUSING TOOLS	4117.50	3090	LIBERTY BELL - HOME
058924	04/12/24	JOH05	SEAN JOHNSON	27.05	03292024	PD/SUPPLIES FOR POLICE SIMULATOR
058925	04/12/24	KIM01	KIMBALL MIDWEST	287.05	102050269	PW/SHOP SUPPLIES
058926	04/12/24	KRA01	Kraemer & Co. Mfg Inc.	615.00	15844	FD/MEASURE A-RADIO REPEATER/18 TON CRANE
058927	04/12/24	LES00	LES SCHWAB	210.14	593882	PW/FLEET EQ MAINT
058928	04/12/24	LIF00	Life Assist Inc.	269.38	1422489	FD/MEASURE A-MEDICAL GLOVES
058929	04/12/24	MAC02	MACQUARIE EQUIPMENT CAPIT	44.18	173516	FD/MEASURE A-PRINTER LEASE 3/26/24 - 4/25/24
058930	04/12/24	MEJ01	Lilia Mejia-Aparicio	250.00	04042024	PD/PER DIEM-TRNING SAN DIEGO CA MAY 6-10,2024
058931	04/12/24	MEZ00	JODY MEZA	250.00	APRIL2024	LIB/MARCH TRAVEL TO WILLOWS & BRANCHES
058932	04/12/24	MIS01	MissionSquare - 304591	2329.65	6587865	457 PLAN/304591
058933	04/12/24	MJB00	MJB WELDING SUPPLY, INC	13.33	1472174	PW/SHOP CYLINDER RENTAL
058934	04/12/24	MME00	Municipal Maintenance Equ	3075.95	20806	SEWER/VACCON PARTS
058935	04/12/24	MUN03	MUNICIPAL EMERGENCY SERVI	102435.89	2028330	FD/BULLDOZER REIMBURSIBLE PHASED GRANT
058936	04/12/24	NOR06	NOR-MAC INC.	314.65	14751723	PW/PARK SUPPLIES
058937	04/12/24	NOR29	NORTH VALLEY INDUSTRIES I	150.85	4107	REC/I UNIT ADULT SOCCER N. VALLEY FIELD MARCH 2024
058938	04/12/24	NUS00	NUSO, LLC	104.97	130869479	FD/MEASURE A-PHONE LINES
058939	04/12/24	ORE00	O'REILLY AUTO	415.26	3/28/2024	PW/SHOP SUPPLIES & FLEET EQ MAIN
058940	04/12/24	ORH00	ORLAND HARDWARE	158.87 1660.78 5012.74	554396 3/27/24 3/27/2024	PD/OFFICE SUPPLIES FD MEASURE A/TRAINING FACILITY, BUILDING SUPPLIES MULTI-DEPTS/MISC SUPPLIES BM
			Check Total.....:	6832.39		
058941	04/12/24	OVE01	Overdrive, Inc.	194.00	024091988	LIB/EBOOKS & AUDIO
058942	04/12/24	PAC07	PACE ANALYTICAL SERVICES,	939.44	2318	PW/LAB SERVICE
058943	04/12/24	PAX00	WYATT PAXTON	7593.06	751	BD/PROFESSIONAL SERVICES/MILEAGE MARCH 2024
058944	04/12/24	PGE00	PG&E	29944.92	03282024	MULTI-DEPTS/UTILITY USAGE MARCH 2024
058945	04/12/24	QUE04	RICKY QUEZADA	68.50	04022024	REFUND OVER PAYMENT ON BUSINESS LIC(S)
058946	04/12/24	QUI02	QUILL CORP.	169.48	37898792	MULTI DEPT/OFFICE SUPPLIES
058947	04/12/24	ROE02	Thomas Roenspie	250.00	04042024	PD/PER DIEM TRINING MONTEREY CA MAY 6-10,2024
058948	04/12/24	SBC03	SUTTER BUTTES COMMUNICATI	3525.00	46012	FD MEASURE A/RADIO REPEATER/FLEET RADIO REPROGRAM
058949	04/12/24	SEI00	ROY R SEILER, C.P.A	2672.00	30586	ACCOUNTING PROFESSIONAL SERVICES
058950	04/12/24	SIM01	SIMPLOT	1133.52	777048453	PW/WEED CONTROL
058951	04/12/24	STA05	State Water Resources Con	110.00	04/2024	PW/RENEWAL OF WASTEWATER TREATMENT CERT
058952	04/12/24	STO03	MICHAEL STOVER dba:NORCAL	375.00 750.00 250.00	64 1150 INV78	PW/SEWER PUMPING 1300 BLK OF RAILROAD AVE REC/POOL FILTERS CLEANING REC/BOTTOM DRAINS CLEAN OUT
			Check Total.....:	1375.00		
058953	04/12/24	STO04	Jeffrey G. Dunn	225.00	3/31/2024	PEST CONTROL SERVICES MARCH

REPORT.: Apr 12 24 Friday
 RUN...: Apr 12 24 Time: 13:44
 Run By.: Leticia Espinosa

CITY OF ORLAND
 Cash Disbursement Detail Report
 Check Listing for 04-24 thru 04-24 Bank Account.: 1001

PAGE: 003
 ID #:
 CTL.: 5. A.

Check Number	Check Date	Vendor Number	Vendor Name	Net Amount	Invoice #	Description
058954	04/12/24	SUN02	SUNRISE ENVIRONMENTAL	1845.88	145269	PW/STREET PARKS SUPPLIES
058955	04/12/24	T&S01	T AND S DVBE, INC.	534.44	24-371	PW/STREETS SUPPLIES
058956	04/12/24	TEH06	TEHAMA TIRE SERVICE	1539.99	10059588	PD/FLEET TIRE
058957	04/12/24	TRA09	TRANSUNION RISK & ALTERNA	120.00	MAR2024	PD/MONTHLY FEE 3/1/24 -3/31/24
058958	04/12/24	TYL00	TYLER TECHNOLOGIES, INC.	1534.00	025444166	TYLER U CONTRACT SVCS NOV 1,2023 - OCT 31,2024
				652.50	025447926	PROJECT & PHASE PLANNING NOV. 2023
				72.50	025459249	COMPLETE DATE ANALYSIS
			Check Total.....:	2259.00		
058959	04/12/24	UNI01	UNITED RENTALS	3557.10	231909520	FD/MEASURE A-REPEATER 120' BOOM FOR RADIO TOWER
058960	04/12/24	VAL02	VALLEY ROCK PRODUCTS	120.32	83989	PW/STREETS SUPPLIES
058961	04/12/24	WES16	West Mitsubishi	2520.09	40124,302	FD/RADIO REPEATER UPGRADE,SIREN BASE HOUSING
			Cash Account Total.....:	444451.92		
			Total Disbursements.....:	444451.92		
				=====		
			Cash Account Total.....:	.00		

REPORT.: Apr 12 24 Friday
 RUN...: Apr 12 24 Time: 13:44
 Run By.: Leticia Espinosa

CITY OF ORLAND
 Cash Disbursement Detail Report - Payroll Vendor Payment(s)
 Check Listing for 04-24 thru 04-24 Bank Account.: 1001

PAGE: 004
 ID #: PY-PP
 CTL.: 5. A.

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
19292	04/04/24	EDD01	STATE OF CALIFORNIA	4107.63	C40404	STATE INCOME TAX
19293	04/04/24	ESD00	STATE OF CALIFORNIA	1550.06	C40404	SDI
19294	04/04/24	OPO00	OPOA TREASURER	674.00	C40404	OPOA DUES
19295	04/04/24	STA00	STATE DISURSEMENT UNIT	22.15	C40404	GARNISHMENTS
19296	04/04/24	TEH00	UMPQUA BANK	12081.60	C40404	FEDERAL INCOME TAX
				17459.28	1C40404	FICA
				4083.20	2C40404	MEDICARE
			Check Total.....:	33624.08		
19297	04/04/24	UPE00	UPEC, LOCAL 792	442.89	C40404	UPEC, LOCAL 792*
			Cash Account Total.....:	40420.81		
			Total Disbursements.....:	40420.81		

Warrant Number	Date	Payroll Date	**Employee** Num Name	Actual Period	Fiscal Period	Gross Amount
14677	04/04/24	04/03/24	PER00 PEREZ, MARGARITA T	04-24	10-24	2086.39
14678	04/04/24	04/03/24	SUA03 SUAREZ, ARMANDO RUEDA	04-24	10-24	2081.09
Z07923	04/04/24	04/03/24	ALV01 ALVA, MICAELA	04-24	10-24	2214.15
Z07924	04/04/24	04/03/24	AND00 ANDRADE, EDGAR	04-24	10-24	3617.02
Z07925	04/04/24	04/03/24	BAL01 BALDRIDGE, EDEN	04-24	10-24	396.00
Z07926	04/04/24	04/03/24	BAR02 BARBER, ZACHARY	04-24	10-24	2720.31
Z07927	04/04/24	04/03/24	BLA00 BLAKE, CHRISTINA	04-24	10-24	68.00
Z07928	04/04/24	04/03/24	BOW00 BOWERS, LINDA	04-24	10-24	424.32
Z07929	04/04/24	04/03/24	CAR03 CARR, PETER R	04-24	10-24	6153.85
Z07930	04/04/24	04/03/24	CES00 CESSNA, KYLE A	04-24	10-24	4557.52
Z07931	04/04/24	04/03/24	CHA01 CHANEY, JUSTIN	04-24	10-24	4753.08
Z07932	04/04/24	04/03/24	CON00 CONTRERAS, ISAAC	04-24	10-24	289.00
Z07933	04/04/24	04/03/24	COR00 CORTES, JOVANY	04-24	10-24	2775.68
Z07934	04/04/24	04/03/24	CRA00 CRANDALL, JEREMY	04-24	10-24	2402.25
Z07935	04/04/24	04/03/24	EHO00 EHORN, CATTILIN A	04-24	10-24	700.00
Z07936	04/04/24	04/03/24	ESP00 ESPINOSA, LETICIA	04-24	10-24	2347.82
Z07937	04/04/24	04/03/24	ESQ01 ESQUIVEL, ITZEL	04-24	10-24	442.00
Z07938	04/04/24	04/03/24	FEN03 FENSKE, JOSEPH H	04-24	10-24	3539.51
Z07939	04/04/24	04/03/24	FLO00 FLORES, JOSE D	04-24	10-24	4170.68
Z07940	04/04/24	04/03/24	GAL00 GALVAN, ROSAURA	04-24	10-24	544.00
Z07941	04/04/24	04/03/24	GAM00 GAMBOA, YADIRA	04-24	10-24	314.26
Z07942	04/04/24	04/03/24	GAR01 GARIBAY, ELIZABETH	04-24	10-24	1543.14
Z07943	04/04/24	04/03/24	GUE01 GUERRERO, DEYSY D	04-24	10-24	2700.00
Z07944	04/04/24	04/03/24	GUE02 GUERRERO, JORGE	04-24	10-24	2323.45
Z07945	04/04/24	04/03/24	HEN00 HENDERSON, OLIVIA	04-24	10-24	532.00
Z07946	04/04/24	04/03/24	JOH01 JOHNSON, SEAN KARL	04-24	10-24	5827.67
Z07947	04/04/24	04/03/24	LOP01 LOPEZ, ESAU	04-24	10-24	1814.41
Z07948	04/04/24	04/03/24	LOP02 LOPEZ, JOEL	04-24	10-24	1814.42
Z07949	04/04/24	04/03/24	LOW00 LOWERY, KATHERINE	04-24	10-24	3578.69
Z07950	04/04/24	04/03/24	MAR02 MARTINDALE, RYAN EUGENE	04-24	10-24	4435.74
Z07951	04/04/24	04/03/24	MAR03 MARTINS, PAULINA	04-24	10-24	379.50
Z07952	04/04/24	04/03/24	MEJ00 APARICIO, LILIA MEJIA	04-24	10-24	3029.29
Z07953	04/04/24	04/03/24	MEZ00 MEZA, JODY L	04-24	10-24	4312.10
Z07954	04/04/24	04/03/24	MIL00 MILLS, DARYL A	04-24	10-24	3408.51
Z07955	04/04/24	04/03/24	MON03 MONDRAGON, MEAGAN N	04-24	10-24	1652.65
Z07956	04/04/24	04/03/24	MOR03 MORECI, RORY	04-24	10-24	82.50
Z07957	04/04/24	04/03/24	MYE00 MYERS, KEVIN	04-24	10-24	684.76
Z07958	04/04/24	04/03/24	OLI00 OLIVER, LINDA	04-24	10-24	282.88
Z07959	04/04/24	04/03/24	ORO03 OROZCO, ETHAN	04-24	10-24	408.00
Z07960	04/04/24	04/03/24	ORO04 OROZCO, JORDAN	04-24	10-24	490.00
Z07961	04/04/24	04/03/24	OVA00 OVARO, CONNOR	04-24	10-24	204.00
Z07962	04/04/24	04/03/24	PAN00 PANIAGUA, BLANCA A	04-24	10-24	726.94
Z07963	04/04/24	04/03/24	PEN01 PENDERGRASS, REBECCA A	04-24	10-24	3840.01
Z07964	04/04/24	04/03/24	PHI00 PHILLIPS, AMELIA	04-24	10-24	357.00
Z07965	04/04/24	04/03/24	PHI01 PHILLIPS, OLIVIA	04-24	10-24	336.00
Z07966	04/04/24	04/03/24	PIN00 PINEDO, EDGAR ESTEBAN	04-24	10-24	4432.73
Z07967	04/04/24	04/03/24	POR00 PORRAS, ESTEL	04-24	10-24	1991.56
Z07968	04/04/24	04/03/24	PUN00 PUNZO, GUILLERMO	04-24	10-24	2202.86
Z07969	04/04/24	04/03/24	RIC01 RICE, GERALD W	04-24	10-24	2202.87
Z07970	04/04/24	04/03/24	RIV00 RIVERA, ISRAEL	04-24	10-24	2218.81
Z07971	04/04/24	04/03/24	ROD00 RODRIGUES, ANTHONY	04-24	10-24	2510.24
Z07972	04/04/24	04/03/24	ROE00 ROENSPIE, THOMAS LUKE	04-24	10-24	5115.25
Z07973	04/04/24	04/03/24	ROM00 ROMERO, ARNULFO	04-24	10-24	2924.66
Z07974	04/04/24	04/03/24	SAN01 SANCHEZ, MELANIE CARRIL	04-24	10-24	408.00
Z07975	04/04/24	04/03/24	SAN02 SANDOVAL, LUCILA	04-24	10-24	2096.92
Z07976	04/04/24	04/03/24	SAN03 SANCHEZ, DANIEL ANGEL	04-24	10-24	1959.01
Z07977	04/04/24	04/03/24	SCH03 SCHMITKE, JENNIFER	04-24	10-24	2700.90
Z07978	04/04/24	04/03/24	STE01 STEWART, ROY E	04-24	10-24	3115.79
Z07979	04/04/24	04/03/24	SUA02 SUAREZ, BRYAN E	04-24	10-24	2000.39
Z07980	04/04/24	04/03/24	SUT00 SUTTON, BRANDON KIJANA	04-24	10-24	3721.86
Z07981	04/04/24	04/03/24	SWI00 SWINHART, ROBERT	04-24	10-24	2049.17
Z07982	04/04/24	04/03/24	VAL00 VALENZUELA, BRENDA	04-24	10-24	329.27
Z07983	04/04/24	04/03/24	VLA00 VLACH, RAYMOND JOSEPH	04-24	10-24	5177.08
Z07984	04/04/24	04/03/24	VON00 VONASEK, EDWARD J	04-24	10-24	4614.45
Z07985	04/04/24	04/03/24	ZIN00 PEREZ, ARNULFO ZINTZUN	04-24	10-24	324.16

143456.57



ORLAND CITY COUNCIL REGULAR MEETING MINUTES

Tuesday, April 2, 2024

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Councilmembers present:	Councilmembers Bruce T. Roundy, Jeffrey Tolley, Vice Mayor Matt Romano and Mayor Chris Dobbs
Councilmembers absent:	Councilmember John McDermott
Staff present:	City Manager Pete Carr; Director of Administrative Services Rebecca Webster; City Attorney Greg Einhorn; Police Chief Joe Vlach

CITIZEN COMMENTS ON CLOSED SESSION – NONE

MEETING ADJOURNED TO CLOSED SESSION AT 6:01 PM

CLOSED SESSION ENDED AT 6:24 PM

RECONVENED TO REGULAR SESSION - Called to order by Mayor Chris Dobbs at 6:31 PM.

REPORT FROM CLOSED SESSION – No reportable action.

CONSENT CALENDAR

- A. Warrant List (Payable Obligations)
- B. Approve City Council Minutes for March 19, 2024
- C. Receive and File Arts Commission Minutes from February 20, 2024
- D. Receive and File Planning Commission Minutes from January 18, 2024
- E. Utility Statement Folding Machine

ACTION: Councilmember Roundy moved, seconded by Councilmember Tolley, to approve the consent calendar as presented. Motion carried by a voice vote 4-0.

PRESENTATIONS - City Council Thank you from Orland Volunteer Fire Dept - David Kelly, Chief

Orland Volunteer Fire Department (OVFD) Chief David Kelly spoke briefly on the recent fire at Paigewood Apartments. Chief Kelly extended thanks to the Council for their unwavering support, crucial in purchasing essential equipment and trucks pivotal in extinguishing the recent fire. Chief Kelly underscored the symbiotic relationship between OVFD and the Council and shared his appreciation to the dedicated volunteers and Chief Chaney, whose collective efforts were instrumental in putting the fire out quickly.

Orland resident, Byron Denton expressed remarks supportive of OVFD and investing in good equipment.

ADMINISTRATIVE BUSINESS

A. Glenn County Senior Citizen Expo Donation

Mr. Carr shared that Glenn County is organizing an event on June 27th in Orland to showcase resources available for supporting the aging population. They are seeking sponsors and donations, including a funding donation from the City. Monica Rossman, Supervisor for Glenn County District 2, formally requested financial support from the City, specifically proposing a \$1500 donation to purchase senior-focused personal hygiene products for expo attendees.

Supervisor Monica Rossman highlighted the significant proportion of seniors comprising 24% of Glenn County's population and provided details about the upcoming inaugural senior expo. She mentioned donations from Walmart and participation of various companies catering to the elderly. Rossman emphasized that lunch will be provided and mentioned the giveaway bags containing everyday items aimed at enhancing seniors' daily lives. County staff members reiterated plans for the expo.

Mayor Dobbs inquired about the contents of the hygiene bags and cost per bag, as well as an estimated attendance number for the event. Supervisor Rossman clarified that the bags would contain not only hygiene products but also other useful everyday items. She expressed optimism for approximately 200 participants attending the event.

Councilmember Tolley inquired about the support from the Glenn County Board of Supervisors (BOS) for the event, and Supervisor Rossman mentioned ways the BOS contributes to senior citizens in the community. Additionally, Councilmember Tolley asked about in-kind donations for the expo, to which Supervisor Rossman mentioned that the Orland Police Department VIPS, Orland High School volunteers, Glenn County Search and Rescue, and Glenn County HHSA are donating their time to support the event.

Mayor Dobbs announced his intention to donate his next two paychecks from his City Council stipend to the event.

Councilmember Roundy expressed reservations about allocating taxpayer money to a first-time expo, citing concerns about setting a precedent for other groups seeking funding. However, he affirmed his personal commitment by stating he could personally donate. Councilmember Tolley expressed similar reservations about using taxpayer funds for the expo but emphasized the significance of the event in giving back to seniors in the community.

Vice Mayor Romano expressed support for the expo concept but voiced concerns about setting a precedent for supporting non-profit organizations with taxpayer funds, which is not typical for the City.

Mr. Denton expressed support for the expo event.

Economic Development Commissioner/Orland resident Ron Lane mentioned that food from the pantry and support from Medicare and Social Security are available to seniors.

Orland resident Susie Smith expressed dismay about Council recent discussion about the possibility of donating money for fireworks show.

Orland resident Earl Megginson spoke about resources for seniors and stated his opinion that the City is not the place to go for donations like this.

Orland resident Carolyn Denton pointed out that Council donates a lot of the Chamber and that churches give away food.

Orland Moose Lodge President/Orland resident Debbie Moutter emphasized her experience working with seniors and noted that many seniors are unaware of the available resources.

ACTION: Mayor Dobbs moved, seconded by Councilmember Romano, to donate \$1500.00 to the senior resource expo. Motion carried by a roll call vote 3-1.

Ayes: Councilmember Tolley, Vice Mayor Romano and Mayor Dobbs
Nays: Councilmember Roundy

Vice Mayor Romano spoke about how the City does not get state funds for social services, the County gets the funding. Mayor Dobbs shared that anyone interested in personally donating to the expo should reach out to City staff.

B. Draft Revised Groundwater Sustainability Plan Review

Mr. Carr spoke briefly about the California Sustainable Groundwater Management Act (SGMA) which was enacted in 2014 to establish local agencies responsible for managing groundwater resources.

Mr. Carr shared that the draft Groundwater Sustainability plan produced in 2021 was found lacking by the City Council due to concerns about insufficient protection for local well levels and weaknesses in addressing land subsidence.

The revised plan aims to better protect domestic and municipal drinking water wells, with revised measurable objectives and minimum thresholds triggering demand management actions. The GGA is implementing management actions such as recharge sites and annexation of groundwater-irrigated acreage into the Orland-Artois Water District. Mr. Roundy and City Manager Carr suggested that the revised draft GSP adequately addresses these concerns.

Councilmember Roundy acknowledged the longstanding nature of the plan's development and shared that while he opposed the initial plan, he now supports the updated version.

Vice Mayor Romano inquired about the actions and restrictions at 75 feet, to which Councilmember Roundy responded that the Department of Water Resources (DWR) would review and either approve or deny them, with further details to be provided in the next phase of the process.

Mr. Denton questioned the choice of crops for Glenn County.

Ms. Smith emphasized the significance of educating everyone about water issues.

ACTION: Vice Mayor Romano moved, seconded by Councilmember Tolley, to authorize Orland's representative for the GGA board to accept the revised draft plan. Motion carried by a voice vote 4-0.

C. Review Quarterly Report: City Fiscal Year Projects

Mr. Carr provided the list of projects and their percentage completion as of March 31st, with no new items added or priority shifts noted.

Mr. Denton pointed out the value of the improvements at the wastewater treatment ponds.

D. Fiscal Year 2024-2025 Budget Discussion #1: Assumptions, Capital Improvement Planning, Staffing

Mr. Carr presented the initial segment of the draft proposed budget for the upcoming fiscal year 2024-2025 (FY25), commencing on July 1.

Mr. Carr outlined key assumptions for the fiscal year 2024-2025 (FY25), including expectations of modest economic growth, increases in property and sales tax revenues, completion of new apartment complexes and CHIP housing projects, rising insurance and service costs, and the conclusion of ARPA-funded and Department of Water Resources (DWR) water projects.

Mr. Carr discussed capital projects including infrastructure improvements.

Mr. Carr explained that City Hall will maintain current staffing levels but may utilize seasonal/intern assistance and outsource some grant-related functions. The Police and Fire Departments will also maintain current staffing levels, with the grant-funded SRO position continuing. Public Works will transfer one mechanic position to the Fire Department.

Mayor Dobbs inquired about negotiations with the County regarding animal control. Mr. Carr reported that the City and County had their initial meeting last week, and they are currently reviewing spreadsheets and information. Mayor Dobbs requested an update as soon as further information becomes available.

Councilmembers did not propose any recommended changes to the presented information or plans.

Ms. Smith questioned the animal control agreement.

E. Proposed City Manager Employment Agreement

City Attorney Greg Einhorn provided background information on the City Manager Employment Agreement, which is set to expire on May 24, 2024. Negotiations for a successor agreement have been ongoing between the Council and the City Manager, facilitated through the City Attorney. Mr. Einhorn briefly outlined the terms of the proposed 3-year City Manager Employment Agreement.

The Council conveyed that they have deliberated on the matter in closed session and expressed their confidence and satisfaction with the proposed City Manager Employment Agreement. The Council expressed their appreciation for the direction in which the City is progressing and conveyed their confidence in Mr. Carr's leadership.

Mr. Denton expressed his gratitude for Mr. Carr's contributions to the City of Orland and expressed confidence in the future of Orland.

Mr. Lane extended his gratitude to Mr. Carr for his dedication to the City of Orland and asserted that Mr. Carr is one of the best things to have happened to the city.

ACTION: Councilmember Roundy moved, seconded by Councilmember Tolley, to approve the proposed successor agreement. Motion carried by a roll call vote 4-0.

Ayes: Councilmembers Roundy, Tolley, Vice Mayor Romano and Mayor Dobbs
Nays: None

ORAL AND WRITTEN COMMUNICATIONS

PUBLIC COMMENTS: None

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Tolley:

- Attended the Planning Commission Meeting March 21st;
- Spoke about Federal funding: Community Development Block Grant.

Vice Mayor Romano:

- Attended the Transportation and Transit meeting March 21st and talked about the need for more Para transport volunteers;

Councilmember Roundy:

- Shared he is for the senior expo and glad it passed;
- The Art gallery and Art Commission is honoring the docents that volunteer every week April 3rd and the next art show will be April 5th;
- Shared that 4th of July fireworks Committee will meet and plan for 2025;
- Will be attending the Groundwater Sustainability meeting April 8th.

Mayor Dobbs:

- Will be attending the fire department meeting April 8th.

MEETING ADJOURNED AT 8:37 PM

Jennifer Schmitke, City Clerk

Chris Dobbs, Mayor



ORLAND PUBLIC WORKS & SAFETY COMMISSION REGULAR MEETING MINUTES
Tuesday, February 13, 2024

CALL TO ORDER

Meeting called to order by Chairperson David Kelly at 4:04 PM.

Pledge of Allegiance led by Director of Public Works Ed Vonasek.

ROLL CALL

Commissioners present:

Commissioners Monica Rossman, Byron Denton, James Paschall and Chairperson David Kelly

Commissioner absent:

Commissioners Emil Cavagnolo

Staff present:

Administrative Technician/Commission Secretary Meagan Mondragon; Public Works Director Ed Vonasek; Fire Chief Justin Chaney

IDENTIFY CHAIRPERSON AND VICECHAIRPERSON FOR 2024

Chairperson Kelly nominated Vice Chairperson Paschall. Commission voted in Commissioner Paschall as the new Chairperson. Motion carried to approve new Commissioner Chairperson 4-0. Ayes: Kelly, Rossman, Denton, and Paschall; Noes: None, Absent: Commissioner Cavagnolo.

Commissioner Denton nominated Commissioner Kelly. Commission voted in Commissioner Kelly as the new Vice Chairperson. Motion carried to approve new Commissioner Vice Chairperson 4-0. Ayes: Kelly, Rossman, Denton, and Paschall; Noes: None, Absent: Commissioner Cavagnolo.

ORAL AND WRITTEN COMMUNICATIONS

PUBLIC COMMENTS: None

CONSENT CALENDAR

- A. Approve Public Works and Safety Minutes for October 10, 2023

ACTION: Commissioner Denton moved, seconded by Commissioner Rossman, to approve the consent calendar as presented. Motion carried by a voice vote 4-0.

PUBLIC SAFETY

A. Fire Department Update

Fire Chief Chaney reported that despite a slight decrease in attendance compared to last year, the Orland Volunteer Fire Department's Spaghetti Feed was still successful, demonstrating the community's unwavering support. Chief Chaney also addressed the Commission regarding the fencing project aimed at enhancing security and creating a safe environment around the OVFD training facility, ensuring the protection of vital equipment. Chief Chaney announced Fireman's Ball is scheduled for March 16th.

B. Police Department Update

Police Chief Joe Vlach was unavailable to present an update.

PUBLIC WORKS

A. Public Works Department Update

Director Vonasek updated the Commission on discussions with Pacific Gas and Electric (PG&E) and an electrician regarding the installation of a streetlight at the intersection of Sixth St and Salomon Dr. He is awaiting cost estimates for both the installation of a new pole and the addition of cobra heads to existing wood poles in darker areas around the city, intending to be include in next year's fiscal budget. Chairperson Paschall inquired about the extent of dark areas in the city, to which Director Vonasek confirmed the need for additional lighting. Vice Chairperson Kelly requested a follow-up from staff regarding ongoing collaboration with PG&E to finalize details for the light pole at the intersection of Sixth St and Salomon Dr.

Director Ed Vonasek provided several additional updates to the Commission. Firstly, Precision Concrete is assessing sidewalks with gaps exceeding a quarter inch, generating an ADA report for incorporation into the city's GIS mapping. This will aid in securing grants for safe routes to schools and contribute to the Streetscapes project design.

Director Vonasek discussed plans to install a stop sign at the intersection of South and Walters St. (Fairview School Intersection). He and City Manager Peter Carr met with the Orland Unified School District Superintendent to propose adding flashing stop signs at Walnut St. and South St., converting it into a three-way stop. Other measures include painting hash lines on the crosswalk to enhance visibility, establishing a no-parking zone on the northwest corner, and adding delineators on the south side of the road for smoother drop-off of children. The school will cover the cost of the flashing stop lights.

Director Vonasek informed the commission that the Public Works Department rented an excavator to spend five days at the Sewer Ponds, removing sludge to improve the efficiency of the Blue Frogs.

Commissioners discussed the need the idea of painting the curbs at high-traffic locations, specifically highlighting the curve at Tehama St. near Dutch Bros. Director Vonasek requested a motion to paint the sidewalk curbs red on both sides in that area.

ACTION: Commissioner Denton moved, seconded by Commissioner Rossman to approve painting curbs on Tehama near the Dutch Bros. intersection. Motion carried by a voice vote 4-0. Ayes: Paschall, Kelly, Rossman, and Denton; Noes: None; Absent: Cavagnolo.

Vice Chairperson Kelly inquired about the progress regarding the removal of the speed bumps on Eighth St. Director Vonasek informed the Commission that the City Council had approved the removal, and the Public Works Department would be carrying out the task. Additionally, Director Vonasek announced plans to enhance safety measures by installing flashing stop lights at Trinity St, transitioning it into a four-way stop intersection.

The Commissioners deliberated on a proposed new tax measure that has been under discussion by the Council.

GENERAL

The next Public Works and Safety meeting is scheduled for April 9, 2023.

COMMISSIONER REPORTS

Commissioner Denton:

- Nothing to report.

Commissioner Rossman:

- Nothing to report.

Commissioner Paschall:

- Nothing to report.

Chairperson Kelly

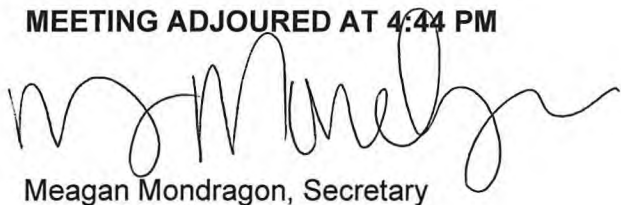
- Showed his appreciation for the actions Dutch Bros. has recently made to their drive thru to make it safer for their customers.

FUTURE AGENDA ITEMS

Vice Chairperson Kelly asked to have issues included on the agenda for the next meeting including:

- Possible stop sign at South St. and Railroad Ave
- Fireworks problem around town
- Adding delineators at intersection Yolo St. and Papst Ave

MEETING ADJOURED AT 4:44 PM



Meagan Mondragon, Secretary



David Kelly, Vice Chairperson



CITY OF ORLAND STAFF REPORT
MEETING DATE: April 16, 2024

TO: Honorable Mayor and Council

FROM: Pete Carr, City Manager

SUBJECT: **Second Reading: Proposed Local Sales Tax Ballot Measure Ordinance and Resolution (Action)**

Following months of discussion, receipt of public input and consideration of alternatives, the City Council directed staff to move forward with proposed actions to present a local sales tax for voter consideration. The October 3, November 7, and February 20 agenda staff reports presented the topic with factors to consider. At its February 6, 2024 meeting the Council directed staff to provide draft ballot measure text and to overview the process of placing an item on the November ballot. Staff did so on February 20th, at which meeting Council directed staff to schedule a public hearing. At the conclusion of the March 19 public hearing, Council approved a first reading adoption of the proposed ordinance.

The measure would propose a ½¢ local tax on the sale of all taxable goods, increasing the effective sales tax rate in Orland from the current 7.75¢ to 8.25¢. Combined with the existing ½¢ Measure A Public Safety local sales tax, the entire 1¢ will remain in Orland.

While this measure would be a “general” tax, meaning that the funds go to the City General Fund at the discretion of the City Council, it is understood that the Council’s intention and clear commitment is the top spending priority for this tax revenue will be ambulance services, followed by street maintenance/improvements; excess revenue in future years could potentially be utilized to support parks & recreation and library services if needed. Measure A revenue will remain dedicated to public safety, with fire equipment capital expenses as top priority. Each measure will have its own annual report published to the community showing actual revenue and expenses for the previous fiscal year.

Analysis of the impacts of the proposed measure was included in the March 19 agenda report. This second reading of the ordinance is accompanied by a resolution ordering the election. If this action is approved by a 4/5 vote, the measure will be placed on the November ballot for consideration by the voters.

Attachments: Draft Ordinance Providing ½¢ Sales Tax for Orland General Fund Services
Resolution to Order Sales Tax Measure for November 2024 General Election

RECOMMENDATION:

- 1. Approve Second Reading of Ordinance 2024-04 by title: adding Chapter 3.10 to the Orland Municipal Code regarding a Transactions and Use Tax to be Administered by the State Board of Equalization upon Adoption by the Voters.
- 2. Adopt Resolution 2024-05 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLAND

- (1) CALLING AND GIVING NOTICE OF A MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024 TO SUBMIT TO THE QUALIFIED VOTERS A QUESTION INCREASING THE CURRENT TRANSACTIONS AND USE TAX RATE FROM 1/2 CENT TO ONE CENT TO BE IMPLEMENTED AS A GENERAL TAX;
- (2) REQUESTING THAT THE GLENN COUNTY BOARD OF SUPERVISORS APPROVE CONSOLIDATION OF THE CITY’S MUNICIPAL ELECTION WITH THE COUNTY-ADMINISTERED STATEWIDE GENERAL ELECTION OF THE SAME DATE;
- (3) REQUESTING THAT THE GLENN COUNTY CLERK RENDER SPECIFIC SERVICES AND CONSOLIDATED ELECTION SERVICES TO THE CITY RELATED TO THE CONDUCT OF THE CITY’S MUNICIPAL ELECTION; AND
- (4) SETTING ELECTION PROCEDURES FOR THE FILING OF WRITTEN ARGUMENTS AND REBUTTALS REGARDING THE MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS

Fiscal Impact of Recommendation:

Minor administrative expenses in preparing for the election.

CITY OF ORLAND

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND AMENDING CHAPTER 3.10 TO THE ORLAND MUNICIPAL CODE REGARDING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION UPON ADOPTION BY THE VOTERS INCREASING THE CURRENT TRANSACTIONS AND USE TAX RATE FROM 1/2 CENT TO ONE CENT

The People of the City of Orland, State of California do **ordain as follows:**

SECTION 1: Chapter 3.10 of the Orland Municipal Code is hereby amended to read as follows:

Title 3 – REVENUE AND FINANCE

Chapter 3.10 – Transactions and Use Tax

- 3.10.010 - Title and Applicability.
- 3.10.020 - Definitions.
- 3.10.030 - Purpose.
- 3.10.040 - Contract with State.
- 3.10.050 - Transaction Tax Rate.
- 3.10.060 - Place of Sale.
- 3.10.070 - Use Tax Rate.
- 3.10.080 - Adoption of Provisions of State Law.
- 3.10.090 - Limitations on Adoption of State Law and Collection of Use Taxes.
- 3.10.100 - Permit not Required.
- 3.10.110 - Exemptions and Exclusions.
- 3.10.120 - Amendments.
- 3.10.130 - Enjoining Collection Prohibited.
- 3.10.140 - Annual Public Reports.
- 3.10.150 - Declaration.
- 3.10.160 - Election Date.

3.10.010 - Title and Applicability.

This Ordinance shall be known as the Transactions and Use Tax Ordinance. This Ordinance shall be applicable in the incorporated territory of the City of Orland.

3.10.020 - Definitions.

The following words and phrases shall be defined as set forth in this Ordinance, except that any term or phrase not defined in this Ordinance shall have the same meaning as that term or phrase is defined in the California Revenue and Taxation Code, Division 2, Parts 1.6 and 1.7:

- (a) “Chapter” means this Chapter 3.10 of the Orland Municipal Code, codifying the Transactions and Use Tax Ordinance.
- (b) “City” means the City of Orland.
- (c) “Operative Date” means the first day of the first calendar quarter commencing more than 110 days after the adoption of this Ordinance, November 5, 2024, pursuant to Taxation and Revenue Code Section 7265. The provisions of this Ordinance shall not take effect until the operative date.
- (d) “Ordinance” means the Transactions and Use Tax Ordinance.
- (e) “State” means the State of California.

3.10.030 – Purpose.

This Ordinance, codified in this Chapter, is adopted to achieve the following, among other purposes, and the Ordinance shall be interpreted liberally in order to accomplish those purposes:

- (a) To maintain and preserve general funded services, including ambulance services, construction and maintenance of streets, parks and recreation library services, ~~City of Orland General Fund~~ public safety services, including fire suppression, acquisition and maintenance of fire protection equipment, support and training for fire personnel, capital equipment needs for police protection and public works, and other safety related services within and for the City.
- (b) To impose a retail transaction and use tax to be applied throughout the entire territory of the City to the fullest extent permitted by law and in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code (the “Transactions and Use Tax Law”) and Section 7285.9 of Part 1.7 of Division 2 which authorizes the City to adopt this general tax ordinance if a majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.
- (c) To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California contained in Part 1 (commencing with Revenue and Taxation Code Section 6001) insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

- (d) To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.
- (e) To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes and, at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this Ordinance.
- (f) To adopt by reference the provisions of Revenue and Taxation Code Sections 7261 and 7262, as now in effect or as later amended, as deemed by so deemed by Revenue and Taxation Code section 7262.2.
- (g) To provide transactions and use tax revenue to the City to be used for the general governmental purposes of the City, with any transactions and use tax revenue received being placed into the City’s general fund.

3.10.040 - Contract with State.

Prior to the operative date, the City shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the City shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such case the operative date shall be the first day of the first calendar quarter following the execution of such contract.

3.10.050 - Transactions Tax Rate.

For the privilege of selling tangible personal property at retail, a transactions tax is hereby imposed upon all retailers in the incorporated territory of the City at the rate of ~~one-half of one percent~~ (1.0%) (~~0.50%~~) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail within the territory of the City on and after the operative date of this ordinance.

“Transaction” or “transactions” as used in this Chapter shall have the same meaning respectively as the words “sale” or “sales,” and the word “transactor” as used in this part has the same meaning as “seller,” as “sale” or “sales” and “seller” are used in Part 1 (commencing with Section 6001) of this division.

~~This rate is in addition to any sales, transaction and use tax rate previously adopted by the City.~~

3.10.060 - Place of Sale.

For the purposes of this Ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his, her or its agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

3.10.070 - Use Tax Rate.

An excise tax is hereby imposed on the storage, use or other consumption in the City of tangible personal property purchased from any retailer on and after the operative date of this Ordinance for storage use or other consumption in the territory of the City at the rate of ~~one-half of one percent (0.50%)~~ one percent (1.0%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to State sales or use tax regardless of the place to which delivery is made.

~~This rate is in addition to any sales, transaction and use tax rate previously adopted by the City.~~

3.10.080 - Adoption of Provisions of State Law.

Except as otherwise provided in this Ordinance, and except insofar as they are consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this Ordinance as though fully set forth herein.

3.10.090 - Limitations on Adoption of State Law and Collection of Use Taxes.

In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

- (a) Wherever the State of California is named or referred to as the taxing agency, the name of the City shall be substituted therefor. However, the substitution shall not be made when:
 - (1) The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California.
 - (2) The result of that substitution would require action to be taken by or against this City, or any agency, officer, or employee thereof rather than by or against the State Board of Equalization in performing the functions incident to the administration or operation of this Chapter.

- (3) In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:
 - A. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible, personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code; or,
 - B. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the provision of that code.
- (4) In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.
- (b) The word “City” shall be substituted for the word “State” in the phrase “retailer engaged in business in this State” in Revenue and Taxation Code Section 6203 and in the definition of that phrase in Revenue and Taxation Code Section 6203.

3.10.100 - Permit Not Required.

If a seller’s permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor’s permit shall not be required by this ordinance.

3.10.110 Exemptions and Exclusions.

- (a) There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200)) or the amount of any state-administered transactions or use tax.
- (b) There are exempted from the computation of the amount of transactions tax the gross receipts from all of the following:
 - (1) Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the county in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of the State, the United States, or any foreign government.
 - (2) Sales of property to be used outside the City, which is shipped to a point outside the City, pursuant to the contract of sale, by delivery to that point by the retailer or his or her agent, or by delivery by the retailer to a carrier

for shipment to a consignee at such point. For purposes of this subsection, “delivery” to a point outside the City shall be satisfied:

- A. With respect to “delivery” of vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-City address and by a declaration under penalty of perjury, signed by the buyer, stating that the address is, in fact, his or her principal place of residence.
 - B. With respect to “delivery” of commercial vehicles, by registration to a place of business out-of-City and a declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.
- (3) The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the Operative Date of this Ordinance.
 - (4) A lease of tangible personal property which is a continuing sale of that property for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the Operative Date of this Ordinance.
 - (5) For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not that right is exercised.
- (c) There are exempted from the use tax imposed by this Ordinance, the storage, use or other consumption in this City of tangible personal property all of the following:
 - (1) The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.
 - (2) Other than fuel or petroleum products purchased by operators of aircraft, and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government, is exempt from the use tax. This exemption is in addition to the exemptions provided in Revenue and Taxation Code Sections 6366 and 6366.1.

- (3) If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this Ordinance.
 - (4) If the possession of, or the exercise of any right or power over, tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease entered into prior to the Operative Date of this Ordinance.
 - (5) For purposes of subparagraphs (3) and (4) of this subsection, the storage, use, or other consumption of, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not the right is exercised.
 - (6) Except as provided in subparagraph (7), a retailer engaged in business in the City shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the City or participates within the City in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the City or through any representative, agent, canvasser, solicitor, subsidiary, or person in the City under the authority of the retailer.
 - (7) “A retailer engaged in business in the City” shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Chapter 2 of Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel or aircraft at an address in the City.
- (d) Any person subject to use tax under this Ordinance may credit against that tax or any transactions tax, or to reimbursement for a transactions tax, paid to a district or retailer in a district imposing a transactions and use tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

3.10.120 - Amendments.

All amendments subsequent to the effective date of this Ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not consistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part

of this Ordinance; provided, however, that no such amendment shall operate so as to affect the rate of tax imposed by this Ordinance.

The City Council or the City’s voters may amend this Ordinance to comply with applicable law or as may be otherwise necessary to further the Ordinance’s stated purposes. However, as required by Article XIII C of the California Constitution, no amendment to this Ordinance may increase the rates of the taxes authorized by this Ordinance unless such amendment is submitted and approved by the voters.

3.10.130 - Enjoining Collection Forbidden.

No injunction or writ of mandate or other legal or equitable process shall issue in any suit action or proceeding in any court against the State or the City, or against any officer of the State or the City, to prevent or enjoin the collection under this Ordinance, or part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected under this Ordinance.

3.10.140 - Annual Public Reports.

On or before each anniversary of the Operative Date, the City shall complete a study and produce a report reviewing the collection, management and expenditure of revenue from the Transaction and Use Tax and shall present a report explaining and providing an overview of the same at an open and public meeting of the City Council. This report shall be a public document and will be posted on the city website.

3.10.150 – Declaration.

The proceeds of the taxes imposed by this Ordinance may be used for any lawful purpose of the City, as authorized by ordinance, resolution or act of the City Council. These taxes are not special taxes within the meaning of Section 1(d) of Article XIII C of the California Constitution, but are general taxes imposed for general government purposes.

3.10.160 - Election Date.

The date of election for approval of this Ordinance shall be November 5, 2024.

SECTION 2. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, portion of the application thereof to any person or circumstance of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision of such ordinance and shall not affect the validity of the remaining portions thereof.

SECTION 3. PRECEDENCE.

Any provision of the Orland Municipal Code inconsistent with the provisions of this Ordinance, to the extent of such inconsistency and no further, is hereby repealed or modified to the extent necessary to effect the provisions of this Ordinance.

SECTION 4. CEQA COMPLIANCE.

The City Council finds and determines that the enactment of this Ordinance is not a “project” as that term is used in the California Environmental Quality Act (“CEQA,” Cal. Pub. Resources Code Section 21000, et seq.) or the State CEQA Guidelines (Cal. Code of Reg., Title 14, Section 15000, et seq.). Therefore, no environmental assessment is required or necessary.

SECTION 5. EFFECTIVE DATE.

This Ordinance relates to the levying and collecting of City transactions and use taxes and shall take effect immediately upon its approval by the voters of the City. However, no tax imposed by this Ordinance shall be effective unless that tax has been approved by the voters of the City as required by section 2(b) of Article XIII C of the California Constitution and applicable law.

SECTION 6. DECLARATION.

The proceeds of the taxes imposed by this ordinance may be used for any lawful purpose of the City, as authorized by ordinance, resolution or act of the City Council. These taxes are not special taxes within the meaning of Section 1(d) of Article XIII C of the California Constitution, but are general taxes imposed for general government purposes.

SECTION 7. EXECUTION.

The Mayor and City Clerk are authorized to subscribe this Ordinance where indicated below to evidence and attest to its passage and approval upon Certification by the City Council of the results of the election approving this Ordinance by the voters of the City.

INTRODUCED by the City Council of the City of Orland, County of Glenn, State of California, on the 19th of March, 2024 by at least a two-thirds vote of the City Council of the City of Orland by the following vote:

- AYES:
- NOES:
- ABSENT:
- NOT VOTING:

PASSED AND SUBMITTED TO THE VOTERS FOR ADOPTION by the City Council of the City of Orland, County of Glenn, State of California, on the 2nd of April, 2024 by at least a two-thirds vote of the City Council of the City of Orland by the following vote:

- AYES:
- NOES:
- ABSENT:
- NOT VOTING:

**CITY OF ORLAND
RESOLUTION NO.2024-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLAND
(1) CALLING AND GIVING NOTICE OF A MUNICIPAL ELECTION TO BE HELD
ON NOVEMBER 5, 2024 TO SUBMIT TO THE QUALIFIED VOTERS A QUESTION
INCREASING THE CURRENT TRANSACTIONS AND USE TAX RATE FROM 1/2
CENT TO ONE CENT TO BE IMPLEMENTED AS A GENERAL TAX; (2)
REQUESTING THAT THE GLENN COUNTY BOARD OF SUPERVISORS APPROVE
CONSOLIDATION OF THE CITY’S MUNICIPAL ELECTION WITH THE COUNTY-
ADMINISTERED STATEWIDE GENERAL ELECTION OF THE SAME DATE; (3)
REQUESTING THAT THE GLENN COUNTY CLERK RENDER SPECIFIC SERVICES
AND CONSOLIDATED ELECTION SERVICES TO THE CITY RELATED
TO THE CONDUCT OF THE CITY’S MUNICIPAL ELECTION; AND (4) SETTING
ELECTION PROCEDURES FOR THE FILING OF WRITTEN ARGUMENTS AND
REBUTTALS REGARDING THE MEASURE AND DIRECTING
THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS**

WHEREAS, on November 8, 2016, the voters of the City of Orland approved a 1/2 cent Transactions and Use Tax; and,

WHEREAS, the City Council (Council) of the City of Orland (City), within the County of Glenn, California (County), desires to place a ballot measure before the voters at the November 5, 2024 election to adopt a Transactions and Use Tax (Sales Tax) Ordinance (the “Ordinance”), as authorized by California Revenue and Taxation Code section 7285.9, increasing the rate of the Transactions and Use Tax from 1/2 cent (0.5 ¢) to one cent (1 ¢); and,

WHEREAS, the Ordinance imposes a one cent (1 ¢) transactions and use tax to be collected in the manner set forth in the Ordinance, and deposited into the General Fund for general municipal purposes; and,

WHEREAS, in order for the Sales Tax rate increase to become effective, it must be approved by a simple majority of the electorate of the City; and,

WHEREAS, the Council is authorized to request and order that this election be consolidated with other elections to be held on the same day and in the same territory (California Elections Code 10400 et seq.); and,

WHEREAS, the City Council has agreed to submit to the voters a question relating to approval of Ordinance No. 2024- , amending Chapter 3.10 to the Orland Municipal Code regarding a transactions and use tax to be administered by the State Board of Equalization upon adoption by the voters; and,

WHEREAS, on March 19, 2024 the Council held a public hearing and introduced Ordinance No. 2024- , amending Chapter 3.10 of the Orland Municipal Code to increase the tax rate from 0.5 ¢ to 1.0 ¢; and,

WHEREAS, on April 2, 2024 the Council adopted the Ordinance amending Chapter 3.10 of the Orland Municipal Code, subject to voter approval; and,

WHEREAS, the tax provided for by the proposed Ordinance shall be enacted solely to raise revenue for general purposes and shall be placed into the City’s General Fund, and is not intended for regulation; and,

WHEREAS, the City Council desires, on its own motion, to submit to the qualified voters of the City at the General Municipal Election on November 5, 2024 a question relating to the increase in the City’s Sales Tax rate from 0.5 ¢ to 1.0 ¢; for general purposes; and,

WHEREAS, to minimize the expense of conducting the election, the City Council desires to consolidate this election with a statewide election.

NOW, THEREFORE, the City Council of the City of Orland, California, does declare, determine, resolve, request and order as follows:

SECTION 1: The foregoing recitals are true and correct, and this Council so finds and determines.

SECTION 2: That, pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Orland, California, on Tuesday, November 5, 2024, a municipal election.

SECTION 3: That, pursuant to Elections Code section 10403, the City of Orland hereby requests to the Glenn County Board of Supervisors that this municipal election be consolidated with the statewide election of Tuesday, November 5, 2024.

SECTION 4: That notice of the holding of said election is hereby given and the City Clerk and the County Elections Official are authorized, instructed and directed to give further and/or additional notice of the election in the time, form and manner as required by law.

SECTION 5: That the Board of Supervisors of the County of Glenn is hereby requested to consent and agree to permit the Glenn County elections official to render specified services to the City of Orland relating to the conduct of an election as set forth herein pursuant to Elections Code section 10002.

SECTION 6: That the Board of Supervisors of the County of Glenn is hereby requested to consent and agree to the consolidation of said election with the statewide general election taking place on said date pursuant to Elections Code section 10403.

SECTION 7: That, pursuant to the requirements of the laws of the State of California relating to General Law Cities, the City Council does order submitted to the voters at the municipal election the following question:

<p>City of Orland Ambulance, Streets, Parks, Recreation and Library Services Tax Measure</p> <p>To fund Orland Ambulance Services, construction and maintenance of Orland Streets, Orland Parks and Recreation, and Orland Library Services, and other general funded City services, shall the measure to raise the current city sales tax rate of 0.5¢ to 1.0¢, providing approximately \$1,500,000, annually, all money locally controlled, with published annual audits, starting April 1, 2025, until ended by voters, be adopted?</p>	<p><input type="checkbox"/> YES</p> <p><input type="checkbox"/> NO</p>
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SECTION 8: That the foregoing question requires the approval of a simple majority of those casting votes at the municipal election called for November 5, 2024. The City further requests the following letter designation for the ballot measure: “B”

SECTION 9: That the text of the ordinance submitted to the voters for approval is attached as Exhibit A. The City Council hereby approves this Ordinance, the form thereof, and its submission to the voters of the City at the November 5, 2024 election, as required by Revenue and Taxation Code section 7285.9. The Ordinance specifies that the rate of the transactions tax shall be one percent (1.0%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in the City and specifies that the rate of the use tax shall be one percent (1.0%) of the sales price of tangible personal property stored, used or otherwise consumed in the City; and that the State Board of Equalization shall collect the tax from retailers subject to the tax and remit the funds to the City.

SECTION 10: That should the question set forth in SECTION 7 be approved by the requisite vote, the ordinance described in SECTION 9 shall be enacted, effective and adopted. The City Council shall timely certify the election results following the municipal election and if it is confirmed that the question set forth in SECTION 7 has been approved by a simple majority of the voters, the City Council shall affirm its adoption and the same shall take effect in the manner prescribed therein and within the timeframe prescribed by law. Upon voter approval and concomitant City Council certification of the vote, the Ordinance described in SECTION 9 shall be codified as Chapter 3.10 of the Orland Municipal Code. If upon certification of the votes cast following the November 5, 2024 municipal election it is determined that the question set forth in SECTION 7 did not receive a simple majority of votes cast, the ordinance shall not be approved and the transactions and use tax rate increase shall not take effect and the transactions and use tax rate will remain at .5 ¢.

SECTION 11: That the City Council hereby directs the City Clerk to transmit a copy of the Ordinance described in SECTION 9 to the City Attorney. The City Attorney shall prepare an

impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the Ordinance on the existing law and the operation of the measure, and shall transmit that impartial analysis to the City Clerk.

SECTION 12: That arguments for or against the ballot measure set forth in SECTION 7 shall be submitted as provided by the Glenn County elections official and the City Clerk.

SECTION 13: That the City Council adopts the provisions of Elections Code section 9285(a) to permit rebuttal arguments, if arguments have been filed in favor or against the ballot measure.

SECTION 14: That the City will reimburse the County for the actual cost incurred in conducting the election.

SECTION 15: That the City acknowledges that the consolidated election will be held and conducted in the manner prescribed in Section 10418.

SECTION 16: That the ballots to be used at the election shall be in the form and content as required by law.

SECTION 17: That the City Clerk and County Clerk are authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 18: That the City Clerk is hereby directed to issue any instructions to the County Elections Official to take any and all steps necessary for the holding of the election.

SECTION 19: That the polls for the election shall be open at seven o'clock (7:00) a.m. of the day of the election and shall remain open continuously from that time under eight o'clock (8:00) p.m. of the same day when the polls shall be closed, pursuant to Elections Code Section 10242, except as provided in Section 14401 of the Elections Code of the State of California.

SECTION 20: That the County Elections Official is authorized to canvass the return of said election. The election shall be held in all respects as if there were only one election, and part and parcel of the Glenn County administered statewide general election of the same date, and only one form of ballot shall be used.

SECTION 21: That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 22: That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 23: That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 24: That the Clerk of the City is hereby authorized and directed to cause to be delivered and filed, no later than 88 days prior to the date set for the statewide election, one certified copy of this Resolution to the Elections Official of the County of Glenn and one certified copy of this Resolution to the Board of Supervisors of the County of Glenn.

SECTION 25: That the City Council hereby finds and determines that the Measure relates to the organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and is therefore not a project within the meaning of the California Environmental Quality Act (CEQA) and the CEQA Guidelines, section 15378(b)(5).

SECTION 26: That the provisions of this resolution are severable and if any provision of this resolution is held invalid, that provision shall be severed from the resolution and the remainder of this resolution shall continue in full force and effect, and not be affected by such invalidity.

PASSED AND ADOPTED by the City Council of the City of Orland this ___ day of _____, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Chris Dobbs, Mayor
City of Orland

ATTEST:

Jennifer Schmitke, City Clerk

Greg Einhorn, City Attorney



CITY OF ORLAND
CITY COUNCIL AGENDA

MEETING DATE: April 16, 2024

TO: City of Orland City Council
FROM: Scott Friend, AICP – City Planner
MEETING DATE: April 16, 2024; 6:30 p.m., Carnegie Center, 912 Third Street, Orland, CA 95963

SUBJECT: **General Plan Amendment (GPA) #2023-02: Supplement to /Re-Adoption of the 2021-2029 6th Cycle Housing Element Update.** The 2021-2029 Housing Element was adopted by the Orland City Council on March 1, 2022. Upon adoption, State Housing Law requires that the Housing Element be sent to the California Department of Housing and Community Development (HCD) to determine compliance with State Housing Law. After review of the document, HCD determined that the Housing Element was not in full compliance with State Housing Law and certain revisions/additions were necessary. This resulted in a revision of the 2021-2029 Housing Element which requires a re-adoption of the Housing Element. The revised document is being presented to the Council with this report.

Environmental Review: The Planning Commission recommends that the City Council determine that the proposed action is *exempt* from further CEQA review pursuant CEQA Guidelines Section 15061(b)(3), the “common sense exemption”.

NOTE: No action is being recommended or requested regarding this matter at this time. The information contained herein is for informational purposes only. A formally noticed public hearing has been scheduled with the City Council at their first meeting in May.

Summary:

At its regular meeting of January 18, 2024, the Planning Commission held a public hearing to consider making a recommendation to the City Council on the adoption of a revised version of the City of Orland 6th Cycle Housing Element. Upon the conclusion of the public hearing, the Planning Commission engaged with staff on the matter. During the Planning Commissions consideration of the topic, concern was expressed by the Commission that the document did not reflect the realities of the City (use of data) nor did the policy direction of the document reflect the policy direction that the Planning Commission envisions for the future of the City. Upon the conclusion of the Planning Commissions discussion, the Commission voted 5-0 to continue to the item the regular meeting of the Planning Commission in February.

The regular February meeting of the Planning Commission was cancelled due to scheduling issues and the item was returned to the Planning Commission at their regular meeting in March. Following the continued consideration of the matter and after substantial dialogue, the Planning Commission has recommended via a 3-1 vote that City Council approve the revised 6th Cycle Housing Element as presented with this report.

With this report, staff has attached both the original Planning Commission staff report and attachments from the January 18th meeting as well as the revised staff report and attachments from the Planning Commission meeting from March. The original documents from the January 18th meeting are intended to provide the Council with an overview of the Housing Element preparation process and to highlight the major changes and edits that have been made to the draft element. No changes have been made to these materials or to the draft Element since their publication.

Discussion:

State law requires General Plan Housing Elements be updated on eight-year cycles, and the Element must be reviewed and approved by the California Housing and Community Development Department (HCD). The 2021-2029 Housing Element recommended for approval to the City Council by the Planning Commission on November 18th, 2021, and was adopted by the Orland City Council on March 1, 2022. After adoption, the Housing Element was sent to the California Department of Housing and Community Development (HCD) for final review and certification as required by State Housing Law (Government Code §§65580 - 65589.11). Upon review, HCD determined that the Housing Element was not in full compliance with State Housing Law and certain revisions/additions were necessary. After a six-month process, working with HCD and revising sections of the Housing Element, the Housing Element is now considered by HCD to comply with the requirements of State Housing Law. See **Attachment A** for HCD’s substantial compliance letter. The *revised* 2021-2029 Housing Element will be presented to the City Council for re-adoption at a public hearing in May as noted previously in this report.

Recommendation: *(note: no action is being requested at this meeting. The recommendation actions noted below will be made to the City Council at their next regular meeting scheduled to occur on May 7th)*

The Planning Commission recommends that the City Council take the following action(s):

- 1) Conduct a public hearing to review and consider the proposed revisions to the 2021-2029 6th Cycle Housing Element of the City of Orland; and

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 City of Orland City Council Meeting – April 16, 2024
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2) Adopt City Council Resolution No. 2024-___, approving General Plan Amendment (GPA) 2023-02 and adopting the *revised* 2021-2029 Housing Element Update, and, approving the CEQA exemption as presented.

As noted above the adopted 2021-2029 Housing Element required revision to comply with State Housing Law. This resulted in several changes to the existing Housing Element Programs as well as the addition of seven (7) new Programs. Also, additional analysis and figures were added to the Housing Element based on HCD comments. With the exception of minor typo revisions, all revisions/additions are shown in **Attachment B**. The revised 2021-2029 Housing Element is included in the staff report as **Attachment C**. The December 21st, 2023, Planning Commission staff report for General Plan Amendment (GPA) #2023-02: 2021-2029 6th Cycle Housing Element Update is included as **Attachment D**.

Review Criteria:

Pursuant to the requirements of California Government Code Section 65358, the City's General Plan may be amended based upon the following findings:

1. The proposed amendment is in the public interest.
2. The proposed amendment is consistent and compatible with the rest of the General Plan.
3. The potential effects of the proposed amendment have been evaluated and have been determined not to be detrimental to the public health, safety, or welfare.
4. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA).

Environmental Determination:

The Planning Commission recommends that the City Council determine that the proposed revision to the Housing Element to be categorically exempt pursuant to CEQA Guidelines Section 15061(b)(3) - the "*common sense exemption*" as it can be seen with certainty that there is no possibility that the General Plan Amendment would have a significant effect on the physical environment, and therefore the project is exempt from CEQA review.

A Notice of Exemption was prepared for this project and has been included with this staff report as **Attachment E - Notice of Exemption**.

Recommendation:

No action or recommendation is made at this time. The information presented with this staff report is intended only for informational purposes. Formal action on this matter will be requested at the regularly scheduled City Council meeting of May 6th.

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City of Orland City Council Meeting – April 16, 2024
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ATTACHMENTS:

- **Attachment A – Planning Commission Staff Report – dated *January 18th, 2024***
- **Attachment B - Planning Commission Staff Report – dated *March 21st, 2024***
- **Attachment C – Copy of revised 2021-2029 Housing Element document (*full text of document provided on USB drive due to length and complexity*).**



CITY OF ORLAND STAFF REPORT

MEETING DATE: January 18, 2024

TO: City of Orland Planning Commission

FROM: Scott Friend, AICP – City Planner

SUBJECT: **General Plan Amendment (GPA) #2023-02: Supplement to the 2021-2029 6th Cycle Housing Element Update. Public Hearing.** The 2021-2029 Housing Element was recommended for approval to the City Council by the Planning Commission on November 18th, 2021, and was adopted by the Orland City Council on March 1, 2022. Upon review, HCD determined that the Housing Element was not in full compliance with State Housing Law and that revisions/additions were necessary. This resulted in a revision of the 2021-2029 Housing Element which requires a re-adoption of the Housing Element.

Environmental Review: Staff recommends that the Planning Commission determine that the proposed action is *exempt* from further CEQA review pursuant CEQA Guidelines Section 15061(b)(3), known as the “common sense exemption”.

SUMMARY:

State law requires General Plan Housing Elements be updated on eight-year cycles, and the Element must be reviewed and approved by the California Housing and Community Development Department (HCD). The 2021-2029 Housing Element recommended for approval to the City Council by the Planning Commission on November 18th, 2021, and was adopted by the Orland City Council on March 1, 2022. After adoption, the Housing Element was sent to the California Department of Housing and Community Development (HCD) for final review and certification as required by State Housing Law (Government Code §§65580 - 65589.11). Upon review, HCD determined that the Housing Element was not in full compliance with State Housing Law and certain revisions/additions were necessary. After a six-month process, working with HCD and revising sections of the Housing Element, the Housing Element is now considered by HCD to comply with the requirements of State Housing Law. See **Attachment A** for HCD’s substantial compliance letter. The **revised** 2021-2029 Housing Element will be presented to the City Council for re-adoption at a public hearing, to be determined at a later date.

DISCUSSION:

As noted previously, the City adopted 2021-2029 Housing Element was determined by the California Housing and Community Development Department (HCD) to require revisions necessary to comply with State Housing Law. This resulted in several changes to the existing Housing Element Programs as well as the addition of seven (7) new Programs. Furthermore, additional analysis and figures were added to the Housing Element based on HCD comments. Except for minor typo revisions, all revisions/additions are shown in **Attachment B**. The revised 2021-2029 Housing Element is included in the staff report as **Attachment C**. The November 18th, 2021, Planning Commission staff report for (GPA) #2021-02: *2021-2029 6th Cycle Housing Element Update* is included as **Attachment D**.

In conformance with Government Code §65352, and prior to the City taking action to adopt the presented **revised** 2021-2029 Housing Element Update and General Plan Amendment, staff has referred the proposed action to the following entities for comments:

1. The County of Glenn
2. Orland Unified School District
3. Glenn County Local Agency Formation Commission (LAFCO)
4. Orland Unit Water Users Association (OUWUA)
5. Glenn County Groundwater Sustainability Agency (GSA)
6. State Water Resources Control Board
7. The following Native American Tribes:
 - a. Mooretown Rancheria of Maidu Indians
 - b. Grindstone Indian Rancheria of Wintun-Wailaki Indians of California
 - c. Paskenta Band of Nomlaki Indians
 - d. Mechoopda Indian Tribe of Chico Rancheria
8. Central Valley Flood Protection Board

ENVIRONMENTAL DETERMINATION:

The amendment to the City’s General Plan for this action has been determined to qualify as being *exempt* from California Environmental Quality Act (CEQA) requirements pursuant to Section 15061 (b)(3). Specifically, section 15061(b)(3) states, in part, that a project is exempt from CEQA if “the activity is covered by the “common sense” exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA” (see **Attachment E – Notice of Exemption**).

RECOMMENDATIONS:

Staff recommends that the Planning Commission find that the project is categorically exempt from further review pursuant to the California Environmental Quality Act (CEQA) and, recommend approval of GPA#2023-02 to the City Council.

Staff recommends the following process for the consideration of this matter:

1. Accept report by staff;
2. Open the public hearing and take public testimony;
3. Close the public hearing and initiate consideration of the project; and
4. Motion and vote.

If the Planning Commission determines that it intends to approve the project as proposed and as described in this report, staff offers the following motion for the Commission's consideration:

1. California Environmental Quality Act: *Move that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section §15061(b)(3).*
2. General Plan Amendment: *Move that the Planning Commission make a recommendation the City Council to adopt Resolution 2023-XX approving GPA #2023-02 as presented herein.*

ATTACHMENTS:

- **Attachment A – HCD Substantial Compliance letter**
- **Attachment B – Revisions to adopted 2021-2029 Housing Element**
- **Attachment C – Copy of revised 2021-2029 Housing Element document (*full text of document provided on USB drive due to length and complexity*).**
- **Attachment D – November 18, 2021 Planning Commission staff report (date of original approval).**
- **Attachment E – Notice of CEQA Exemption**
- **Attachment F – Planning Commission Resolution – 2023-___**

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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November 21, 2023

Pete Carr, City Manager
City of Orland
815 Fourth Street
Orland, CA, 95963

Dear Pete Carr:

RE: City of Orland's 6th Cycle (2021-2029) Revised Draft Housing Element

Thank you for submitting the City of Orland's (City) revised draft housing element that was received for review on November 21, 2023. The revised draft was made available to the public for seven days. Pursuant to Government Code section 65585, the Department of Housing and Community Development (HCD) is reporting the results of its review.

The revised draft element meets the statutory requirements that were described in HCD's May 12, 2022, review. The housing element will substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq) when it is adopted, submitted to, and approved by HCD, in accordance with Government Code section 65585.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the hard work, patience, collaboration and dedication the housing element team provided in the review and update of the housing element. HCD particularly applauds the efforts of Scott Friend and Mike Martin. HCD looks forward to receiving the City's adopted housing element. If you have any questions or need additional technical assistance, please contact Jose Ayala at Jose.Ayala@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

Revisions to 2021-2029 Housing Element as a Result of HCD State Housing Law Compliance Review

The following indicates the revisions made to the previously adopted City of Orland 2021-2023 Housing Element as result of HCD State Housing Law compliance review. Note: revisions are shown in a ~~strike through~~/double underline format.

Pages 14 - 16 of the 2021-2029 Housing Element have been revised as follows:

- Remove Governmental Constraints to Housing Development for Persons with Disabilities: adopt a formalized reasonable accommodation procedure to allow approval of variances needed by individuals with disabilities (Program HE-3.D). ~~This was not achieved due to limited staffing resources.~~ The City adopted a reasonable accommodation ordinance into the municipal code.

Effectiveness of Programs for Special Needs Groups

The City has demonstrated a great effort in working towards accomplishing many of the objectives set for all of the 21 programs of the 2014-2021 Housing Element. The City met all of its 21 program objectives to some degree resulting the continuation of 8 programs, modifying 8 programs, and deletion of 5 programs because they were completed. Appendix A provides a review of all of the 2014 programs.

As a part of analyzing prior programs, the element must provide an explanation of the effectiveness of goals, policies, and related action in meeting the housing needs of special needs populations. Table HE achievements related to special needs populations are summarized below:

Seniors. As shown in **Figure 47: Year Built**, the City has a significant older housing stock built prior to the passage of the Americans with Disabilities Act (ADA) in 1990. Rehabilitation and physical improvements are important to ensure that housing is accessible to older populations. The City administered a Housing Rehabilitation Program (Program HE-1.B), which resulted in the rehabilitation of approximately two housing units annually. The City maintains a CDBG Revolving Loan Fund for the Program.

In addition, many seniors are on restricted incomes and in need of affordable housing options. While the 2014 Housing Element did not have a program specifically identified for the production of senior housing, there were multiple programs which assist in this development. Program HE-2.C resulted in the production of nine ADUs, many of which were constructed to provide affordable housing to seniors. Program HE-3.C resulted in the development of 33 affordable single family homes through the Community Housing Improvement Program. Program HE-2.B assisted in the development of residential units by identifying vacant and underutilized land in the City and resulted in the rezoning of a property from commercial uses to high density residential uses. While the units produced through these programs are not age-

restricted, they do help to increase the supply of affordable housing that is potentially available to seniors who meet income requirements.

Persons with Disabilities. Persons with disabilities also benefit from housing rehabilitation. Orland has a significantly older housing stock built prior to the passage of the Americans with Disabilities Act (ADA) in 1990. The Housing Rehabilitation (Program HE-1.B) resulted in physical improvements to and average of two units per year. In addition, the Program HE-3.D established a reasonable accommodation ordinance which was designed to remove governmental constraints for disable persons.

Large Households. Large households, defined as consisting of five or more persons residing together, typically lack adequately sized and affordable housing options. As discussed in Housing Needs Assessment, and shown in Figure 75, large households make up approximately 21 percent of all households in the City. The Large Household Program (Program HE-3.F) requires the City to offer incentives to housing developers for the production of rental housing units for three or more bedrooms. However, while the city encourages the development of these larger units, no developers agreed to add larger units during the 2014-2021 time period. Additional actions are needed to increase the housing supply and diversity of housing options to accommodate the needs for large households, such as incentives for Accessory Dwelling Units (ADUs) and a formal procedure identifying incentives for housing with three bedrooms or greater.

Farm Workers. There are an estimated 525 Orland residents employed in the agriculture, forestry, fishing and hunting, and mining industries. This is about 17% of the total employed population. The majority of these persons would most likely be employed in agriculture or mining as forestry, hunting and fishing opportunities in Orland is virtually non-existent. However, farmworker needs are accommodated through housing programs and policies that assist lower-income households in general rather than specialized programs, such as the At-Risk Housing program (Program AH-1.1.1), which monitors at-risk affordable units, Housing for special Needs Population program (Program AH-1.2.2) which provides for expedited processing, concessions and incentives for affordable housing, , and Extremely Low-Income Housing Program (Program AH-1.2.4), which promotes Single-Room Occupancy (SRO), one-bedroom units, and supportive housing.

Single-Parent Households (Female-Headed). As discussed in Housing Needs Assessments – Familial Status, 20-40% of children reside in households headed by single mothers in the City. Many single parent households, especially female-headed households, live in poverty due to low incomes and higher family expenses. The First time Homebuyers program (Program HE.1-C) provides an important resource for these and other lower-income households, including single-parent households. Recently, the City was able to renew the First-time Buyers program while some loans are in process, no loans have been awarded as of yet. However, through the Community Housing Improvement Program (CHIP) which provides housing for lower-income households, 82 new single family homes have been constructed. This program is effective and will be continued. While this program was not especially affective during the 2014-2021 time period, the recent renewal of the First-time Homebuyers program will assist in the effort to

increase affordable housing options for special needs groups as opportunities arise.

Homeless. A lack of affordable housing for low- and moderate incomes increases the number of persons whose incomes fall below the poverty level and may be housing insecure. The Affordable Housing Preservation program (Program HE-3.A), the Self Help Housing Development program (program HE-3.C) and Emergency Shelters & Transitional/Supportive Housing program (Program HE-3.G) have supported the preservation and expansion of the affordable housing supply, but the need continues to exceed available resources, Rental subsidies provided through the HABC Housing Choice Voucher program have helped address housing insecurity, as well.

While the City has made progress towards its goals to provide affordable housing, including housing for special needs populations, the overall need continues to exceed available resources. Each of the programs included in the 5th Cycle has been evaluated for inclusion in the 6th Cycle. Programs were removed if they constituted a routine function by the City or were no longer relevant based on funding resources and requirements. Programs were kept and/or consolidated into a revised or new program for the 6th Cycle. In addition, new and/or revised goals, policies, and programs have been identified to respond to the governmental and nongovernmental constraints identified in the various sections of the Housing Element. The 2021 Housing Element includes the list of goals, policies, and programs recommended for the 2021-2029 planning period based on this combination of analyses.

Page 20 of the 2021-2029 Housing Element has been revised as follows:

Program: HQL-1.2.1: Housing Rehabilitation Program. Continue the City program to provide financial assistance to owner and renter low-income households for housing rehabilitation. The City will develop outreach materials that are posted on the City’s website and are available at City Hall. Building inspectors will provide outreach materials to potential applicants when deemed appropriate.

Responsible Party: Finance Department, Grants Administration

Financing: CDBG and HOME funds

Time Frame: Ongoing. Analyze need and capacity on an annual basis, and determine if the City’s existing Revolving Loan Fund has sufficient funds to accommodate need. If not, complete new applications for State CDBG and/or HOME funds as needed. Develop and post outreach materials by 2025.

Page 22 of the 2021-2029 Housing Element has been revised as follows:

Program HQY-1.2.1: Medium and High-Density Residential Sites Amendment to Families per Structure Requirement. Amend the Residential Two-Family Zone (R-2) and Multiple Family

Residential and Professional Zone (R-3) in the City zoning code to remove the public safety height requirement, the requirement that limits development to no more than “four families per structure” and replace the conditional use permit process with a site plan or similar process to promote approval certainty.

Responsible Party: Planning Department

Financing: General Fund

Time Frame: Amendment adopted by November 2022

Program HQY-1.2.2: Development Processing System Review. Monitor the development processing/review procedures to minimize the time required for review by the City. The City shall continue to make available to prospective developers the option of having a pre-application meeting prior to submittal of a formal project application. In reviewing these procedures, the City will solicit input from local developers, real estate agents, nonprofit housing groups and other interested parties. The City will also prepare a written procedure to implement streamlining provisions of Government Code section 65913.4 (SB 35).

Responsible Party: City Manager, Planning Department

Funding Source: General Fund

Time Frame: Ongoing, annually, written procedure by 2026

Program HQY-1.2.3: Removal of Governmental Constraints to Housing Development for Persons with Disabilities. Develop and formalize the process that a person with disabilities or their representative must follow to make a reasonable accommodation request that both streamlines the permit review process and provides reasonable accommodation for a disability. The process will allow for review and approval at the staff level and have minimal or no fees associated with it. This information will be made available to the public through postings and brochures at the City and on the City’s website.

Responsible Party: Planning and Building Departments

Funding Source: General Fund

Time Frame: The formalized procedure will be adopted by January 2025

Pages 23 – 24 of the 2021-2029 Housing Element have been revised as follows:

Program: HQY-1.2.5: Transitional and Supportive Housing. Amend the City’s Zoning Code to allow transitional and supportive housing in non-residential zones (C-1, M-L and DT-MU) and only subject to requirements that apply to other residential dwellings of the same type in the same zone.

Responsible Party: Planning Department

Funding Source: General Fund

Time Frame: The zoning code will be amended by January 2025

Program: HQY-1.2.6: By Right Permanent Supportive Housing. Amend the City’s Zoning Code to allow Permanent Supportive Housing as a use by right in areas zoned for mixed uses and nonresidential zones permitting multifamily uses if it meets specified requirements, as defined and delineated in Government Code section 65651.

Responsible Party: Planning Department

Funding Source: General Fund

Time Frame: The zoning code will be amended by January 2025

Program: HQY-1.2.7: Group Homes for Seven or More Persons. Amend the City’s Zoning Code and permit procedures to allow group homes for seven or more persons in all zones allowing residential use and only subject to objective standards similar to other residential uses of the same type in the same zone.

Responsible Party: Planning Department

Funding Source: General Fund

Time Frame: The zoning code will be amended by January 2025

Program: HQY-1.2.8: Family Definition. Amend the City’s Zoning Code to allow group homes for seven or more persons in all zones allowing residential use and only subject to objective standards similar to other residential uses of the same type in the same zone.

Responsible Party: Planning Department

Funding Source: General Fund

Time Frame: The zoning code will be amended by January 2025

Program AH-1.1.1: At-Risk Units Monitoring Program. The City will annually assess the status of publicly subsidized, rent restricted affordable housing units to determine the contract expiration dates for the project’s funding sources, and communicate with property owners and comply with noticing requirements under Government Code 65863.10. For projects with contracts that will expire in the next 3 years (ascertained annually), develop a proactive plan to preserve affordable rents at these projects. This will include initiation of discussions with owners, coordination with qualified entities with capacity to acquire and manage properties and assisting with financial resources to extend contracts.

Responsible Party: Finance Department, Grants Administration

Funding Source: CDBG and HOME, General Fund

Page 25 of the 2021-2029 Housing Element has been revised as follows:

Program AH-1.2.1: Funding for Affordable Housing Development. Participate with developers in funding applications where the City is an eligible applicant or co-applicant (as described in the Resources chapter of this document.). The City will post information on its website to inform potential developers of the City’s support for affordable housing development and who to contact for information.

Responsible Party: Finance Department, Grants Administration

Funding Source: General Fund

Time Frame: Ongoing, as funding opportunities are made available and at least bi-annual contact with affordable housing developers to identify development opportunities

Program AH-1.2.2: Housing for Special Needs Populations. Support the construction of housing and provision of services for residents deemed to have special needs, which includes but is not limited to seniors, farmworkers, persons with disabilities, female- headed households, and those experiencing homelessness. City support will include but is not limited to: support of and/or pursuing funding applications with developers, expediting processing, and granting concessions and incentives for housing developments that include units targeted to or appropriate for these households. On at least an annual basis, meet with the Glenn County Community Action Department and Dos Rios Continuum of Care (CoC) staff to discuss the housing needs of these groups served by the County and CoC, and to strategize funding and potential development opportunities.

Responsible Party: City Manager, Planning Department

Funding Source: General Fund

Time Frame: Ongoing, with annual meetings to identify development opportunities

Program AH-1.2.3: Large Household Housing. The City will establish a program to offer incentives for the development of rental housing with three or more bedrooms. These incentives may include but are not limited to fee reductions, modifications to development standards, and/or financial incentives. In addition, the City will prepare and make available materials so that developers are aware of the City’s incentives.

Responsible Party: Planning Department

Funding Source: General Fund

Time Frame: Ongoing. The Program will be developed by September 2022, with marketing materials developed by December 2022. Incentives will be considered as part of annual outreach with developers.

Pages 28- 29 of the 2021-2029 Housing Element have been revised as follows:

Policy: FH-1.1: Move towards more balanced and integrated living patterns by addressing:

1. older affordable and naturally occurring affordable housing, low-income households, and people of color throughout the City;
2. disparities in rates of homeownership for Hispanic/Latino residents compared to White residents;
3. increase housing choices and affordability; and
4. employ place-based strategies toward community revitalization.

Program FH-1.1.1: The City will conduct outreach in both English and Spanish at least once per year to encourage owners to apply for funding through the City’s Community Development Block Grant (CDBG) Housing Rehabilitation Program. The City will focus on its older stock of affordable and naturally occurring affordable housing properties for neighborhood revitalization. Outreach may consist of the following: posting links on the City’s website and Facebook page, posting physical flyers at City Hall and around the City, and sending an “email blast” to the City’s stakeholder contact list.

Responsible Party: Grants Management & Planning Department

Financing: Allocation of staff time and cost of bilingual outreach materials through General Fund

Timeframe: At least one qualifying property to receive funding through the City’s Housing Rehabilitation Program every year of the Housing Element cycle, starting in the 2nd year, provided a qualified pool of applicants. The City will evaluate its outreach efforts at least once per year and adjust as deemed necessary by governing bodies and City staff.

Geographic Targeting: Throughout the City

Metric: 8 units in the planning period

Program FH-1.1.2: The City will meet with Community Housing Improvement Program (CHIP) and Habitat for Humanity Yuba-Sutter (Habitat) once per year to discuss potential development opportunities in the City and methods for collaboration. Focus on feasibility of self-help housing that includes low-interest loan and down payment assistance programs. Assist developers with affirmative outreach to people of color, including Spanish language materials. Evaluate if the City’s Community Development Block Grant (CDBG) Homebuyer Program can be used for down payment assistance.

Responsible Party: City Manager & Planning Department

Financing: Allocation of staff time and cost of bilingual outreach materials through General Fund

Timeframe: City to evaluate if its CDBG Homebuyer Program can be used for down payment assistance for this program by the end of the 2nd year of the Housing Element cycle. CHIP and Habitat to be in development on at least one project each or in collaboration by the end of the Housing Element cycle.

Geographic Targeting: Throughout the City

Metric: At least one project in the planning period

Program FH-1.1.3: The City will utilize land use strategies to promote housing choices throughout the City, including accessory dwelling units, junior accessory dwelling units, duplexes to fourplexes, lots splits, smaller lot single family and other innovative housing types

Responsible Party: City Manager & Planning Department

Financing: Allocation of staff time

Timeframe: City to disseminate information bulletins, at least every other year, throughout the City as part of outreach efforts and provide technical assistance on a project basis

Geographic Targeting: Throughout the City

Metric: At least 20 units in the planning period

Program FH-1.1.4: The City will, as part of its capital improvement program (CIP) through state and federal funding will seek public improvements throughout the City and areas of higher need, including but not limited to street improvements, streetscapes, sidewalks, lighting, safe routes to school, park improvements, community facilities and community amenities.

Responsible Party: City Manager & Planning Department

Financing: General Fund

Timeframe: Annually as part of the CIP and seek application for state or federal funding at least twice in the planning period

Geographic Targeting: Throughout the City and areas of higher need

Metric: At least four improvements in the planning period

Page 30 of the 2021-2029 Housing Element has been revised as follows:

Program FH-1.2.1: In collaboration with Glenn County and the City of Willows, assist with publishing an annual Request for Proposal (RFP) for Permanent Local Housing Allocation (PLHA) funds to attract affordable housing developers to the region.

Responsible Party: City Manager & Planning Department

Financing: Allocation of staff time

Timeframe: Starting in the first year and continuing throughout the Housing Element cycle, assist with publishing an annual RFP for PLHA funds.

Geographic Targeting: Throughout the City

Metric: At least one project in the planning period

Program FH-1.2.2: The City will meet with Glenn County Community Action Department at least once per year to coordinate information, referrals, and outreach to residents for available services related to emergencies, employment, housing, and income. This may include posting links on the City’s website and Facebook page, posting physical flyers at City Hall, and sending an “email blast” to the City’s stakeholder contact list at least once per year in English and Spanish.

Responsible Party: City Manager & Planning Department

Financing: Allocation of staff time and cost of bilingual outreach materials through General Fund

Timeframe: Coordinate information, referrals, and outreach by the end of the 1st year of the Housing Element cycle. The City will evaluate its outreach efforts at least once per year and adjust as deemed necessary by governing bodies and City staff.

Geographic Targeting: Throughout the City

Metric: At least once per year

Page 31 of the 2021-2029 Housing Element has been revised as follows:

Program FH-1.3.1: As of 2019, approximately 43% of Orland residents spoke Spanish at home. The City will expand access to community meetings by providing live interpretation in Spanish. The City will also expand access to materials created for the public such as flyers, brochures, public notices, fact sheets, social media, etc. by providing written materials in both English and Spanish. Bilingual English/Spanish City staff members may conduct the live interpretation and written translation, or the City may contract with a professional translator.

Responsible Party: Planning Department & City Administration

Financing: Allocation of staff time

Timeframe: Provide English/Spanish language access as described in the program by the end of the 2nd year of the Housing Element cycle. Conduct an

analysis of languages spoken at home using data from the U.S. Census American Community Survey at least once every two years to evaluate if additional language access is needed.

Geographic Targeting: Throughout the City

Metric: Evaluate once every two years and make adjustment as necessary

Program FH-1.4.1: Meet with North Valley Property Owners Association (NVPOA) and Legal Services of Northern California (LSNC) at least once per year to coordinate fair housing information, referrals, and outreach to residents. This may include promoting NVPOA and LSNC’s fair housing workshops by posting links on the City’s website and Facebook page, posting physical flyers at City Hall, and sending an “email blast” to the City’s stakeholder contact list.

Responsible Party: Planning Department & City Administration

Financing: Allocation of staff time. The City may apply for, or work with a consultant to apply for, CDBG funds through State HCD to support fair housing enforcement and outreach activities.

Timeframe: Coordinate information, referrals, and outreach by the end of the 1st year of the Housing Element cycle. Thereafter, outreach will occur annually.

Geographic Targeting: Throughout the City

Metric: Annual outreach

Pages 35 - 37 of the 2021-2029 Housing Element have been revised as follows:

Local Data and Knowledge and Local Patterns

As noted above, census tracts either overlap with City boundaries or the census tracts encompass large areas of the City. Further, block group data in a rural setting can be less accurate due to sample sizes. These circumstances combined make evaluating socio-economic patterns within the City more challenging but based on local data and knowledge, the City generally does not have distinct patterns of socio-economic characteristics and neighborhood quality of life is fairly homogenous throughout the City, as follows:

- *Income and Affordability:* Generally, household incomes do not vary substantially throughout the City with most households earning less than \$100,000 and a majority of households earning less than \$50,000 (See Figures 42 and 43). Based on local knowledge, this mix of incomes is generally spread throughout the City with no major differences between neighborhoods or areas of the City.

Further, sales prices and rents do not vary substantially throughout the City. A few very small areas (e.g., less than 10 units) in the southern central and northeast might have sizable differences in rents and sales prices but generally throughout most of the City, affordability is similar with no major patterns or differences in the affordability of homes. In addition, housing assisted by public funding is generally spread throughout all areas of the City and most subdivisions have been of similar size lots (e.g., 6,000 square foot lots). The City generally does not have large rural estate lots. There are only two parcels in the City zoned as Residential Estate. These parcels are currently and have been historically under agricultural use (orchards). The lack of differences in sales and rents, evenly distributed housing assisted with public funding and similar lot sizes indicates a fairly even pattern of income and no major differences between areas or neighborhoods.

- Identified Sites and Distribution by Income Group and Quadrant: To accommodate the RHNA, the City identified sites by zoning to accommodate a variety of incomes. These sites are generally spread out throughout the City. For example, each of the quadrants identify a similar share of site capacity anticipated to accommodate housing for lower income households. However, Quadrant 3 (southeastern) is anticipated to accommodate a large share of the moderate and above moderate-income households, mainly due to one site with significant lower density capacity. Despite the unevenness of the moderate and above moderate income distribution, these sites are not anticipated to impact the overall fairly even pattern of socio-economic characteristics throughout the City with a capacity of 293 units representing roughly 10 percent of the households.

Site Capacity by Income by Quadrant

<u>Quadrant</u>	<u>Lower Income</u>	<u>Moderate Income</u>	<u>Above Moderate Income</u>	<u>Total</u>
<u>1</u>	<u>32</u>	<u>35</u>	<u>0</u>	<u>67</u>
<u>2</u>	<u>36</u>	<u>0</u>	<u>0</u>	<u>36</u>
<u>3</u>	<u>0</u>	<u>29</u>	<u>118</u>	<u>147</u>
<u>4</u>	<u>43</u>	<u>0</u>	<u>0</u>	<u>43</u>
<u>TOTAL</u>	<u>79</u>	<u>64</u>	<u>118</u>	<u>293</u>

- Housing Conditions: The need for rehabilitation and replacement of housing is generally spread throughout the City. A majority of the housing stock (approximately 59 percent) that comprises most of the City area was built prior to 1980. Newer housing stock built after 2000 represents a small portion of the housing stock (approximately 16 percent) and is located in different areas of the City. Further, housing types (e.g., single family and multifamily) and age of structures are mixed throughout the City and code enforcement

cases generally do not have a distinct and re-occurring pattern in a particular part of the City. Considering that older structures are more likely to be in need of rehabilitation and are located throughout the City, there are no major differences in housing conditions from neighborhood to neighborhood.

- *Neighborhood Conditions:* Neighborhood conditions generally considers housing conditions, streets, sidewalks, streetscapes, lights, traffic signals, accessibility, safe routes to school and parks and recreation. While there are some differences between newer and older neighborhoods, overall, these conditions do not substantially differ and there are no distinct patterns of inequitable conditions or concentrations of substandard conditions. Most of the City was built prior to 1980 so subdivisions had different standards. For example, sidewalks have different widths. But there hasn't been any major or large master planned areas or subdivisions with significantly different communities such as larger lot sizes and substantial open spaces with new schools and other community amenities that created stark differences between areas of the City. Streets, lights, sidewalks and other improvements are well maintained throughout the City. Safe routes to school and other active transportation projects have occurred throughout the City.

The City is small (approximately three square miles) which provides easy access to all parts of the City. The City of Orland has six parks ranging in size from 0.26 to 23 acres for a total acreage of 47.35 acres. The City's major park and recreation area (Lely Aquatic Park) is located in the southeast and is easily accessible for everyone. Also, schools, including park and recreation facilities, and shopping, including fresh food, are located throughout the City or easily accessible by everyone.

- *Infrastructure Conditions and Quality:* Generally, the City is served by the same water and sewer systems and there are no major differences in terms of supply and quality. For example, the City has six wells that are located throughout the City and provide water for residents, but these wells are linked into one system and everyone generally shares the same water quality. Also, all sewage is processed by the City treatment facility.
- *Special Household Needs:* There are approximately 20 people experiencing homelessness in the City. The majority of persons experiencing homelessness tend to congregate -under a bridge (Hwy 99 W as it crosses Stony Creek) north of City limits in Glenn County and on occasion-in Library Park in the center of town, but given the fairly low numbers, there are no major differences from neighborhood to neighborhood for this special needs group. However, services and programs could be geographically targeted to provide better access.
- *Environmental Quality:* The City does not have any major industrial uses that with noxious fumes or other waste that disproportionately any neighborhoods. Given the size of the City and overall good air quality, everyone enjoys similar environmental quality.
- *Defining Features and Land Use Patterns:* The City has two defining features that influenced the land use pattern: Highway 32 and the California Northern Railroad tracks. While these features influence the patterns of the streets and neighborhoods, generally, they do not

separate neighborhoods and there isn't much difference in terms of socio-economic characteristics or the neighborhood conditions on either side of the features. For example, Highway 32 is a two-lane road that does not create a physical barrier between the north and south areas. The railroad tracks have five roadway crossing locations in the City providing easy access to and from all neighborhoods in the City.

- State, Federal and Other Policies or Factors: The City's socio-economic pattern has not been influenced by state or federal policies or other factors. There are no particular areas within the City that were influenced by redlining or a general inequity of investment versus other areas of the City.

Page 41 of the 2021-2029 Housing Element has been revised as follows:

Enforcement Cases

HUD data on Fair Housing and Equal Opportunity (2013-2022) shows the three reported inquiries. Two of the inquiries were described as "No Basis Given", one on a Retaliation Basis, and one on a Disability Basis. Additional data showed Given the low incidences of discrimination cases in Orland, existing programs and policy actions are deemed sufficient to account for future discrimination cases within Orland.

Page 81 of the 2021-2029 Housing Element has been revised as follows:

Environmental Burden

Figure 29: CalEnviroScreen 4.0 illustrates communities in California that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution's effects. CalEnviroScreen uses environmental, health, and socioeconomic information to produce scores for every census tract in the state. An area with a high score is one that experiences a much higher pollution burden than areas with low scores. As shown in Figure 29, Orland is in the middle 40 to 60 range indicating that Orland is fairly typical when compared to other communities in California.

Educational Opportunity

Figure 30: School Attendance Boundary illustrates that all areas of the City, as well as the surrounding unincorporated area of the County is served by at least one school district. The Orland Unified School District provides kindergarten through high school educational opportunities in the City of Orland. The City also has one private school, the Providence Christian School and the Butte College-Glenn County campus.

Orland students are served by the Orland Unified School District (OUSD), which has six public schools reported on by the California Department of Education (CDE), including two elementary schools, one middle school, one high school, one independent study school, and one alternative school. Parents have the choice of sending their children to OUSD Online School instead of

sending them in person. North Valley High School typically serves students who have experienced challenges in traditional school environments. While these schools have limited data on performance scores for English language arts (ELA) and mathematics, this program offers a valuable resource for students to continue their education in a supportive environment. As shown in **Figure 31: TCAC Education Map (2022)**, at least 75% of students in Orland have a more positive educational outcome.

In Orland, the spatial distribution of public schools in relation to household median income are as follows: Mill Street School (elementary), Fairview Elementary, and CK Price Intermediate School are located in an area where the median household income was reported by the 2021 American Community Survey to be \$69,506. Orland High School and North Valley High School are located in an area where the median household income was reported by the 2021 American Community Survey to be \$45,739. While these median household incomes are vastly different, because of the limited number of schools in Orland, the household income in relation to the location of schools is a non-factor as elementary students in Orland attend the elementary school nearest their home and all students in Orland attend CK Price Intermediate School and Orland High School or North Valley High School.

Pages 82, 83, and 84 of the 2021-2029 Housing Element have been revised as follows:

Figure 29: CalEnviroScreen 4.0, Figure 30: School Attendance Boundary, and Figure 31: TCAC Education Map (2022) are new figures.

Page 107 of the 2021-2029 Housing Element has been revised as follows:

Overcrowding

Overcrowding is an important measure to help determine if there is adequate housing stock for the population. **Figure 52: Occupants per Room by Tenure, 2019** identifies the number of units that are considered by the federal government as Overcrowded (more than one occupant per room) and Severely Overcrowded (1.5 or more occupants per room). In 2019, there were an estimated 50 Overcrowded housing units in Orland, which was 2.0% of all units, and 42 Severely Overcrowded units, which was 1.6% of all units. All of the Overcrowded units are owner-occupied, while all of the Severely Overcrowded units are renter-occupied. (Note that the 2,552 estimated total number of housing units is for a different year (2019) and from a different source (U.S. Census Bureau) than the estimated number of housing units shown in **Figure 46: Housing Units by Type, 2010 and 2020**. As shown in **Figure 53: Overcrowding**, in approximately half the City, 5 to 10 percent of persons are in overcrowded housing situations while less than 5 percent are in severe overcrowding situation as shown in **Figure 54: Severe Overcrowding**.

Pages 108 and 109 of the 2021-2029 Housing Element have been revised as follows:

Figure 56: Overcrowding and Figure 57: Severe Overcrowding are new figures.

Page 113 of the 2021-2029 Housing Element has been revised as follows:

Figures 66 through 69 illustrate homeowners and renters in overpayment situations in the city. **Figure 66: Overpayment-Owners (2017-2021)** and **Figure 67 Overpayment-Owners (2010-2014)** illustrate the owner overpayment percentages between the two time periods. **Figure 68: Overpayment-Renters (2017-2021)** and **Figure 69 Overpayment-Renters (2010-2014)** illustrate the renter overpayment percentages between the two time periods.

Pages 114 - 117 of the 2021-2029 Housing Element have been revised as follows:

Figure 66: Overpayment-Owners (2017-2021), Figure 67 Overpayment-Owners (2010-2014), Figure 68: Overpayment-Renters (2017-2021), and Figure 69 Overpayment-Renters (2010-2014) are new figures.

Pages 128 and 129 of the 2021-2029 Housing Element have been revised as follows:

Large Households

A breakdown of the number of households by household size for Orland is shown in **Figure 75: Household Size, 2020**. Most households fall into the size categories of one person per household and two persons per household, each with about one-quarter of all households. Large person households, which is considered to be 5 or more persons, makes up approximately 21 percent of the City’s households.

Figure 84: Household Size, 2020

<u>Household Size</u>	<u>Households</u>	<u>% of Total</u>
<u>1-person</u>	<u>616</u>	<u>22%</u>
<u>2-persons</u>	<u>692</u>	<u>25%</u>
<u>3-persons</u>	<u>532</u>	<u>19%</u>
<u>4-persons</u>	<u>393</u>	<u>14%</u>
<u>5-persons</u>	<u>310</u>	<u>11%</u>
<u>6-persons</u>	<u>149</u>	<u>5%</u>
<u>7+ persons</u>	<u>129</u>	<u>5%</u>

Page 157 of the 2021-2029 Housing Element has been revised as follows:

Land Use Controls

The City’s land use policy is laid out in the City’s General Plan and the Municipal Zoning Code. The General Plan guides the City’s growth over a period of approximately 20 years. It includes land use designations for housing, commercial, office and industrial. The Municipal Zoning Code establishes design and development standards for all properties within the City. These standards include allowable land uses, minimum lot size, setbacks, lot coverage, building height, and parking requirements. The Zoning Code has three zoning designations for residential uses. Some residential uses are also allowed in certain commercial zoning districts as well. The City’s Zoning Code establishes minimum lot sizes and dimensions and maximum families per structure, rather than units per acre. In addition, the City’s General Plan also regulates the number of units allowed by setting the maximum units permitted in a zoning category regardless of lot sizes. The City does not regulate density based on persons per acre and any provisions related to population per acre are only a density assumption for planning purposes. Program HQY-1.2.1 is included in the Goals, Policies and Programs Chapter of this Housing Element to amend the maximum families per structure requirement in the zoning code.

Page 166 of the 2021-2029 Housing Element has been revised as follows:

Site Improvements, Development Impact Fees, and Processing Fees

For new developments, the City requires developers to install the needed infrastructure to service the homes. These include on and off-site improvements such as water and sewer lines, curbs, gutters, sidewalks, and streets. Other improvements may be installed by the City or some other local agency and the developer pays into a fund for the improvements (i.e. a traffic light on a major intersection). For larger subdivisions, the City may require a land donation for schools or parks, or the developer may have to build large infrastructure items such water tanks or retention basins.

The standards imposed by the City of Orland are very minimal and do not significantly impact development costs. For example, street, curb and sidewalk improvements are generally limited to the property frontage. These standards address health and safety codes and are not a constraint to the construction of housing.

Page 176 of the 2021-2029 Housing Element has been revised as follows:

Constraints on Housing for Persons with Disabilities

California Government Code Section 65583(a)(4) requires Housing Elements to analyze potential and actual constraints upon the development, maintenance, and improvement of housing for persons with disabilities and to demonstrate local efforts to remove governmental constraints that hinder the locality from meeting the need for housing for persons with disabilities. The City

allows many types of home modifications that accommodate persons with disabilities without requiring a permit. If the modifications involve encroachment on required zoning code setbacks or other zoning code provisions, an applicant can request a variance to remove accessibility impediments. The City plans to create a reasonable accommodation ordinance in this housing element cycle so that a variance would not be needed in such cases. Care facilities housing six or fewer people are allowed in the R-1, R-2, and R-3 zoning districts by right. The City does not have any special standards for these care facilities and if serving six or fewer people, there are no special noticing or community meetings needed. Residential care facilities serving more than six people are allowed in all residential zoning districts with a Conditional Use Permit. Requiring a conditional use permit, unlike other residential uses, may act as a constraint on housing for persons with disabilities. Program HQY-1.2.7 has been added to address the potential constraint.

The City defines family in zoning (Section 17.08.680) and land use, as follows:

"Family" means a group of individuals with a common bond by means of blood, marriage, or conscientiously established relations living together as a housekeeping unit sharing a dwelling unit.

Requiring a common bond by blood, marriage or conscientious decisions may be subject and impact housing for persons with disabilities. Program HQY-1.2.8 has been added to remove or modify these provisions to address potential constraints on housing for persons with disabilities.

Page 177 of the 2021-2029 Housing Element has been revised as follows:

Wastewater Collection and Treatment

The City of Orland's sewer system collects and treats all sewage from sources inside the city limits. Currently sewage service costs \$59.70 for every two months. The City's sanitary sewer system includes over 30 miles of pipelines, 400 sanitary sewer manholes, and four lift stations. Each lift station currently serves an area of less than 20 acres. All sewage is collected and processed by the Orland Wastewater Treatment Facility. According to the City's Public Works Department, during the last quarter of 2021, the City reported receiving approximately 0.66 mgd at the treatment plant. The City also received an average of approximately 0.65 mgd over the past year. The treatment plant capacity is 2.1 mgd leaving a remaining capacity of 1.45 mgd. According to the City's Public Works Department, the average single-family home produces approximately 431 gpd of wastewater. Based on this information, the RHNA of 247 units would account for 106,457 gallons per day (gpd) of wastewater. This increased demand would represent 7.3 percent of the 1.45 mgd remaining plant capacity. Since there is adequate capacity remaining at the Wastewater Facility to serve future residential uses at the 247 units would not result in the need for new or expanded facilities.

Page 178 of the 2021-2029 Housing Element has been revised as follows:

Water Service

The City of Orland provides water service to its residents. Water service costs \$61.35 every two months for a 15,000-gallon allotment. The source of water supply for Orland is groundwater pumped from six wells that produce between 350 and 1,090 gallons per minute (gpm). The wells are located throughout the City and range in depth from 150 feet to 400 feet. The City's RHNA for the 2021 to 2029 period is 247 units. The City provides water use estimates based on HUE, the amount of water a single-family home would use on a monthly basis. The average daily water demand per HUE is 571 gallons. As such 247 units represent water demand of 141,037 gpd. City water is obtained from the Colusa Groundwater Subbasin. The estimated storage capacity of the groundwater subbasin to a depth of 200 feet is approximately 13,025,887 AF or 4.24 trillion gallons. The 247 units annual water demand of 51,478,505 gallons represents 0.0012 percent of the available groundwater in the Colusa Groundwater Subbasin. Based on the City's existing groundwater pumping ability and the fact that currently there is not a regulated limit on the amount of groundwater that can be extracted for the Colusa Groundwater Subbasin, the City would have an adequate water supply to serve these units.



CITY OF ORLAND Staff Report

TO: **City of Orland Planning Commission**

FROM: Scott Friend, AICP – City Planner

MEETING DATE: November 18, 2021; 7:00 p.m.
Carnegie Center, 912 Third Street, Orland, CA 95963

SUBJECT: **General Plan Amendment (GPA) #2021-02: 2021-2029 6th Cycle Housing Element Update. Public Hearing.** State law requires every City and County in California to have a General Plan to contain a minimum of seven (7) required elements. The Housing Element is one of the seven required General Plan Elements. The City must periodically amend these elements to reflect changing conditions within the City and to maintain compliance with state and federal laws. The purpose of the Housing Element is to adequately plan for the existing and future housing needs of the City. This Element is being updated to address the 6th Cycle planning period spanning from 2021-2029.

Environmental Review: Staff recommends that the Planning Commission determine that the proposed action is *exempt* from further CEQA review pursuant CEQA Guidelines Section 15061(b)(3), the “General Rule”.

Recommendation:

Staff recommends that the Planning Commission take the following action(s):

- 1) Conduct a public hearing to review the draft 2021-2029 6th Cycle Housing Element; and
- 2) Adopt Resolution No. 2021-XX, recommending that the City Council approve the General Plan Amendment (GPA) adopting the 2021-2029 Housing Element Update as presented.

Project Summary:

The Housing Element is one of the seven State-mandated elements of the General Plan. All cities and counties in the State of California are required to update their General Plan Housing Elements on a regular basis and to submit the updated Element to the California Department of Housing and Community Development (HCD) for review and certification. It is the only element of the General Plan that is required by law to be updated on a regular basis. The current update cycle for the City of Orland is eight (8) years. The Planning period for the proposed Housing Element is 2021-2029.

The proposed 2021-2029 Housing Element document has been made available for public review via a webpage dedicated to the project and available to the public since October 14th.

**GPA #2021-02: 2021-2029 Housing Element
City of Orland Planning Commission Meeting – November 18, 2021
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Additionally, the City has hosted two (2) public meetings (June 23rd and August 5th) on the project; has made four (4) formal social media posts inviting participation at meetings, notifying the public of document availability and notifying people of the Planning Commission public hearing); has sent ten (10) email “blasts” to interested persons and stakeholders with meeting invitations, informational links, notifications of website updates and providing general information) and has formally notified the public of all meetings related to the project including the Planning Commission public hearing.

No substantive public comment letters have been received on the project to date and no changes or comments have been received based upon the documents availability to the public. As required by State law, the document has been sent to the State Housing and Community Development Department (HCD) however no initial review comments have yet been received as a result of that action. Staff had anticipated the receipt of early-review comments from the State prior to the Planning Commission meeting, however, comments have not yet been received as hoped for or as anticipated.

As this matter is a formal amendment to the City’s adopted General Plan, this item is being presented to the Planning Commission at a formally noticed Public Hearing for a recommendation to the City Council and will be advanced to the City Council following review and consideration by the Planning Commission.

Background:

The City's adopted Housing Element (2014-2019) was adopted by the City Council in August of 2014. That document is the 5th cycle of required Housing Element updates in the State of California. The proposed element spans an eight (8) year planning period and will remain valid for the years spanning 2021-2029.

During the past planning period, the State of California has made numerous and substantial changes to State law dealing both with the subject of housing and with the required contents of Housing Elements. During the planning period the State has adopted countless new regulations addressing items to include accessory dwelling units, impact fee collection, permit streamlining, mandatory parking reductions or eliminations, and, in some instances has eliminated discretionary review for certain qualifying residential projects and has required the mandatory approval of development concessions.

During the time period of the current Housing Element, the City has received over \$400,000 in grant funds for infrastructure improvements and housing-related planning projects as a result of having an adopted and compliant Housing Element. Adoption of the proposed Housing Element will help to ensure that the City retains its eligibility status for future grant opportunities during the next Housing Element cycle.

The City initiated work on the Housing Element update in the spring of 2021 with the issuance of a Request for Proposal (RFP) seeking consultants to update the City’s existing adopted Element. As a result of the RFP, the City received four (4) proposals. Following a review and vetting of the proposals received, the City retained Housing

**GPA #2021-02: 2021-2029 Housing Element
City of Orland Planning Commission Meeting – November 18, 2021
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Tools to prepare the update. During the plan preparation process the City and Housing Tools have undertaken the following actions:

- Established a dedicated project webpage accessible from the City’s homepage and City Planning Department webpage.
- Held two (2) formal public input meetings (June 23rd and August 5th).
- Issued four (4) formal social media posts in regard to the project and providing project updates.
- Issued ten (10) email “blasts” to interested persons and parties providing project details, meeting information, document availability details, etc..
- All materials and meetings have been made available in multiple languages. And,
- A hardcopy of the public review draft of the proposed document has been made available to the public for review since October 14th at City Hall and electronically on the dedicated project webpage/city website.

Discussion:

The draft 2021-2029 Housing Element evaluates the effectiveness and appropriateness of the previous Housing Element; assesses the housing needs of residents, the workforce, and special needs groups; analyzes the inventory of resources and constraints; addressed federal and state fair housing issues, and develops policies and programs to meet unmet housing needs. The 2021-2029 Housing Element carries forward a majority of the goals and policies of the adopted Housing Element. More substantive changes have been made to various programs to include timing updates; the deletion of programs that were implemented or completed; edits for consistency and clarity; edits to address fair housing assessment requirements, and modifications or the establishment of new programs to align with the goals, policies and programs of the document with State law and its various requirements.

As a part of the update process, the 2021-2029 Housing Element must show an adequate plan to meet the existing and projected housing needs for all economic segments of the community. HCD determines what the housing needs of the region are and then distributes the units within the region and amongst vary income level groupings. The allocation is called the Regional Housing Needs Allocation (RHNA). The City of Orland’s RHNA for the 2021-2029 planning period is shown in the table below.

<i>Income Level</i>	<i>Housing Unit Allocation</i>
Very Low	62
Low	31
Moderate	44
Above Moderate	110
Total	247

As shown in the table, the City's total RHNA for the planning period is 247 dwelling units. For the planning period, the total allocation for all of the Glenn County was 661 (Willows – 185; Unincorporated Glenn County – 229). In comparison, the total RHNA for the 2014-2019 planning period was 80 units and the allocation for the 2009-2014 planning period was 621 dwelling units. Similar to the analysis in the 2009-2014 and the 2014-2019 Housing Elements, the 2021-2029 Housing Elements' analysis shows that there is enough existing inventory of vacant or underutilized sites that will allow the City to meet the RHNA for the planning period without rezoning any land for higher density housing. The inventory of vacant or underutilized sites can be found in the Resources and Opportunities section of the proposed Housing Element document.

General Plan Consistency:

The proposed 2021-2029 General Plan Housing Element is internally consistent with the goals, objectives and policies contained in the other Elements of the City of Orland General Plan. The Housing Element facilitates the provision of housing for all income categories and at a full range of development densities needed to serve existing and future residents of the City.

Environmental Determination:

The amendment to the City’s General Plan for this action has been determined to qualify as being *exempt* from California Environmental Quality Act (CEQA) requirements pursuant to Section 15061 (b)(3). Specifically, section 15061(b)(3) states, in part, that a project is exempt from CEQA if “the activity is covered by the General Rule that CEQA applies only to project which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA” (see **Attachment B – Notice of Exemption**).

Recommendation:

Staff recommends that the Planning Commission find that the project is categorically exempt from further review pursuant to the California Environmental Quality Act (CEQA) and, recommend approval of GPA#2021-02 to the City Council.

Staff recommends the following process for the consideration of this matter:

1. Accept report by staff;
2. Open the public hearing and take public testimony;
3. Close the public hearing and initiate consideration of the project; and
4. Motion and vote.

If the Planning Commission determines that it intends to approve the project as proposed and as described in this report, staff offers the following motion for the Commission’s consideration:

1. California Environmental Quality Act:

Move that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section §15061(b)(3), the General Rule.

2. General Plan Amendment:

Move that the Planning Commission make a recommendation the City Council to adopt Resolution 2021-XX approving GPA #2021-02 as presented herein.

ATTACHMENTS:

- **Attachment A – Copy of Draft 2021-2029 Housing Element document (full text of document previously provided due to length and complexity)**
- **Attachment B – Draft Notice of CEQA Exemption**
- **Attachment C – Copy of Project Webpage (homepage)**
- **Attachment D – Copy of Regional Housing Needs Assessment Assignment Letter from HCD dated August 5, 2020.**
- **Attachment E – Planning Commission Resolution – 2021-XX**

NOTICE OF EXEMPTION

CEQA: California Environmental Quality Act

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: City of Orland
815 Fourth St.
Orland, CA 95963

County Clerk
526 West Sycamore Street
Willows, CA 95988

Project Title: **City of Orland General Plan Amendment 23-02:** State law required that localities update their General Plan Housing Elements every eight years. The City of Orland is revising its 2021-2029 Housing Element to comply with State Housing Law.

Project Location - Specific: City-wide
- **City:** Orland
- **County:** Glenn

Description of Nature, Purpose, and Beneficiaries of Project:
Update of the City's General Plan Housing Element to comply with State law.

Name of Public Agency Approving Project: City of Orland

Name of Person or Agency Carrying Out Project: City of Orland

- Ministerial (Sec. 21080 (b) (1); 15268);
- Declared Emergency (Sec. 21080 (b) (3); 15269 (a));
- Emergency Project (Sec. 21080 (b) (4); 15269 (b) (c));
- Categorical Exemption. Type and Section Number: Section 15061(b)(3).
- Statutory Exemption. Code Number:

Reasons why project is exempt:

The City of Orland Planning Commission has determined that this project is exempt from CEQA as it can be seen with certainty that there is no possibility that the proposed update to the City of Orland Housing Element would have a significant effect on the environment. Therefore, the project is exempt pursuant to CEQA Guidelines Section 15061(b)(3).

Lead Agency Contact Person: Scott Friend; City Planner
Area Code/Telephone/Extension: (530) 865-1608, Extension 3059.

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

 Signature: _____ Date: January 19, 2024 Title: City Planner
 Signed by Lead Agency Date Received for Filing At OPR:

PLANNING COMMISSION RESOLUTION NO. 2023-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORLAND, CALIFORNIA RECOMMENDING ADOPTION OF THE REVISION TO THE 6TH CYCLE HOUSING ELEMENT (GPA #2023-02) WHICH IS THE CITY’S HOUSING ELEMENT COVERING THE YEARS 2021-2029, AND RECOMMENDING AUTHORIZATION OF STAFF TO SUBMIT THE REVISED 6TH CYCLE HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) FOR CERTIFICATION

WHEREAS, State law requires cities and counties to prepare and adopt a General Plan to guide the future development of a city and or county; and

WHEREAS, all General Plans are required to contain a Housing Element and Housing Elements are required to be updated every 8-years; and

WHEREAS, according to State law, the Housing Element of the General Plan must provide information, policies and programs to encourage the development of housing to meet the needs of all the City’s residents; and

WHEREAS, the City of Orland is required by State law to update its Housing Element in compliance with Government Code Section 65580 *et seq.* to guide the City's housing efforts; and

WHEREAS, on March 1, 2022 the Orland City Council adopted General Plan Amendment (GPA #2021-02) adopting the 2021-2029 Housing Element and directed staff to send the Housing Element to HCD for certification; and

WHEREAS, upon review of the adopted 2021-2029 Housing Element, HCD determined that the Housing Element did not meet the requirements of State Housing Law; and

WHEREAS, based on the HCD review, the staff determined that the Housing Element should be revised to comply with State Housing Law; and

WHEREAS, staff, with substantial assistance from HCD, revised the Housing Element and the revised Housing Element is considered to be in substantial compliance with State Housing Law as confirmed by HCD; and

WHEREAS, on November 11, 2023, the City noticed the public and made the revised Housing Element update available to the public for a seven-day review period as required by State Housing Law digitally via the City’s website; and

WHEREAS, on December 11, 2023, the City noticed the public in a newspaper of general circulation of the December 21, 2023, Planning Commission public hearing for the revised Housing Element; and

WHEREAS, on December 21, 2023, the Planning Commission of the City of Orland held a noticed public hearing at their regularly scheduled December Planning Commission meeting to take public input, consider and make a recommendation to the City Council on the draft document; and

WHEREAS, the proposed General Plan Amendment GPA 2023-02 is considered a "Project" as defined by the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.; and

WHEREAS, the Planning Commission determined in the adoption of General Plan Amendment (GPA #2023-02) on December 21st, 2023 that the revised 2021-2029 Housing Element meets the statutory requirement to be determined to be exempt from further CEQA review pursuant to Section 15061(b)(3), known as the "*Common Sense*" exemption as it can be seen with certainty that there is no possibility that the Housing Element Update would have a significant effect on the environment; and

NOW THEREFORE BE IT RESOLVED, that the Planning Commission of the City of Orland does hereby recommend to the City Council of the City of Orland, approval of the revision to the 6th Cycle Housing Element (GPA #2023-02).

The foregoing resolution was passed and adopted at a regular adjourned meeting of the Orland Planning Commission held on **January 18, 2024** by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSENT OR NOT VOTING: Commissioners

Scott Friend, City Planner

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



November 21, 2023

Pete Carr, City Manager *PRC*
City of Orland
815 Fourth Street
Orland, CA, 95963

Dear Pete Carr:

RE: City of Orland's 6th Cycle (2021-2029) Revised Draft Housing Element

Thank you for submitting the City of Orland's (City) revised draft housing element that was received for review on November 21, 2023. The revised draft was made available to the public for seven days. Pursuant to Government Code section 65585, the Department of Housing and Community Development (HCD) is reporting the results of its review.

The revised draft element meets the statutory requirements that were described in HCD's May 12, 2022, review. The housing element will substantially comply with State Housing Element Law (Gov. Code, § 65580 et seq) when it is adopted, submitted to, and approved by HCD, in accordance with Government Code section 65585.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. Please see HCD's housing element webpage at <https://www.hcd.ca.gov/planning-and-community-development/housing-elements> for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

Pete Carr, City Manager
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Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Affordable Housing and Sustainable Communities program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: <https://www.opr.ca.gov/planning/general-plan/guidelines.html>.

HCD appreciates the hard work, patience, collaboration and dedication the housing element team provided in the review and update of the housing element. HCD particularly applauds the efforts of Scott Friend and Mike Martin. HCD looks forward to receiving the City's adopted housing element. If you have any questions or need additional technical assistance, please contact Jose Ayala at Jose.Ayala@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager



CITY OF ORLAND STAFF REPORT - SUPPLEMENT

MEETING DATE: March 21, 2024

TO: City of Orland Planning Commission

FROM: Scott Friend, AICP – City Planner

SUBJECT: **General Plan Amendment (GPA) #2023-02: Supplement to the 2021-2029 6th Cycle Housing Element Update. Public Hearing.** The 2021-2029 Housing Element was recommended for approval to the City Council by the Planning Commission on November 18th, 2021, and was adopted by the Orland City Council on March 1, 2022. Upon review, HCD determined that the Housing Element was not in full compliance with State Housing Law and certain revisions/additions were necessary. This resulted in a revision of the 2021-2029 Housing Element which requires a re-adoption of the Housing Element.

Environmental Review: Staff recommends that the Planning Commission determine that the proposed action is *exempt* from further CEQA review pursuant CEQA Guidelines Section 15061(b)(3), known as the “common sense exemption”.

SUPPLEMENTAL NARRATIVE:

At its regular meeting of January 18, 2024, the Planning Commission held a public hearing to consider making a recommendation to the City Council on the adoption of a revised version of the City of Orland 6th Cycle Housing Element. Upon the conclusion of the public hearing, the Planning Commission engaged with staff on the matter. During the Planning Commissions consideration of the topic, concern was expressed by the Commission that the document did not reflect the realities of the City (use of data) nor did the policy direction of the document reflect the policy direction that the Planning Commission envisions for the future of the City. Upon the conclusion of the Planning Commissions discussion, the Commission voted 5-0 to continue to the item the regular meeting of the Planning Commission in February. The regular February meeting of the Planning Commission was cancelled and thus this item is now being returned to the Commission for continued discussion and/or action.

With this report, staff has attached both the original staff report and attachments from the January 18th meeting as well has included additional new attachments. The original documents from the January 18th

meeting are intended to provide the Commission with an overview of the Housing Element preparation process and to highlight the major changes and edits that have been made to the draft element. No changes have been made to the prior meeting materials. The new attachments are intended to respond to various comments made during the public hearing process and to provide supplemental information to the Planning Commission on the matter. The new attachments are intended to further advance the dialogue on the topic and are intended to assist the Commission members with their consideration of the item.

(text below republished from Original Staff Report dated January 18, 2024)

SUMMARY:

State law requires General Plan Housing Elements be updated on eight-year cycles, and the Element must be reviewed and approved by the California Housing and Community Development Department (HCD). The 2021-2029 Housing Element recommended for approval to the City Council by the Planning Commission on November 18th, 2021, and was adopted by the Orland City Council on March 1, 2022. After adoption, the Housing Element was sent to the California Department of Housing and Community Development (HCD) for final review and certification as required by State Housing Law (Government Code §§65580 - 65589.11). Upon review, HCD determined that the Housing Element was not in full compliance with State Housing Law and certain revisions/additions were necessary. After a six-month process, working with HCD and revising sections of the Housing Element, the Housing Element is now considered by HCD to comply with the requirements of State Housing Law. See **Attachment A** for HCD’s substantial compliance letter. The *revised* 2021-2029 Housing Element will be presented to the City Council for re-adoption at a public hearing, to be determined at a later date.

DISCUSSION:

As noted previously, the adopted 2021-2029 Housing Element required revision to comply with State Housing Law. This resulted in several changes to the existing Housing Element Programs as well as seven (7) new Programs. Furthermore, additional analysis and figures were added to the Housing Element based on HCD comments. Except for minor typo revisions, all revisions/additions are shown in **Attachment B**. The revised 2021-2029 Housing Element is included in the staff report as **Attachment C**. The November 18th, 2021, Planning Commission staff report for (GPA) #2021-02: *2021-2029 6th Cycle Housing Element Update* is included as **Attachment D**.

In conformance with Government Code §65352, and prior to the City taking action to adopt the presented *revised* 2021-2029 Housing Element Update and General Plan Amendment, staff has referred the proposed action to the following entities for comments:

1. The County of Glenn
2. Orland Unified School District
3. Glenn County Local Agency Formation Commission (LAFCO)
4. Orland Unit Water Users Association (OUWUA)
5. Glenn County Groundwater Sustainability Agency (GSA)
6. State Water Resources Control Board
7. The following Native American Tribes:
 - a. Mooretown Rancheria of Maidu Indians

- b. Grindstone Indian Rancheria of Wintun-Wailaki Indians of California
 - c. Paskenta Band of Nomlaki Indians
 - d. Mechoopda Indian Tribe of Chico Rancheria
8. Central Valley Flood Protection Board

ENVIRONMENTAL DETERMINATION:

The amendment to the City’s General Plan for this action has been determined to qualify as being *exempt* from California Environmental Quality Act (CEQA) requirements pursuant to Section 15061 (b)(3). Specifically, section 15061(b)(3) states, in part, that a project is exempt from CEQA if “the activity is covered by the “common sense” exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA” (see **Attachment E – Notice of Exemption**).

RECOMMENDATIONS:

Staff recommends that the Planning Commission find that the project is categorically exempt from further review pursuant to the California Environmental Quality Act (CEQA) and, recommend approval of GPA#2023-02 to the City Council.

Staff recommends the following process for the consideration of this matter:

1. Accept report by staff;
2. Open the public hearing and take public testimony;
3. Close the public hearing and initiate consideration of the project; and
4. Motion and vote.

If the Planning Commission determines that it intends to approve the project as proposed and as described in this report, staff offers the following motion for the Commission’s consideration:

1. California Environmental Quality Act: *Move that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section §15061(b)(3).*
2. General Plan Amendment: *Move that the Planning Commission make a recommendation the City Council to adopt Resolution 2023-XX approving GPA #2023-02 as presented herein.*

ATTACHMENTS:

- **Attachment A – HCD Substantial Compliance letter**
- **Attachment B – Revisions to adopted 2021-2029 Housing Element**
- **Attachment C – Copy of revised 2021-2029 Housing Element document (*full text of document provided on USB drive due to length and complexity*).**
- **Attachment D – November 18, 2021 Planning Commission staff report.**
- **Attachment E – Notice of CEQA Exemption**
- **Attachment F – Planning Commission Resolution – 2023-XX**

New Report Attachments:

- **Attachment G** - Detailed analysis of major revisions to the Housing Element (note: this analysis is based on the information previously provided as Attachment C – *Revisions to 2021-2029 Housing Element as a Result of HCD State Housing Law Compliance Review* – (to be provided to the Planning Commission prior to meeting.))
- **Attachment H** - Summary description of the “Builders Remedy”
- **Attachment I** – Summary analysis of Countywide funding and programs potentially affected by a City of Orland Housing Element non-compliance determination by HCD

The Builder's Remedy: What Every Developer Should Know

March 7, 2023

In recent months, a lesser known provision of California's housing laws has been making headlines throughout the state as a potential seismic shock, potentially removing many obstacles to housing development in California.

Under the "Builder's Remedy," California cities and counties out of compliance with Housing Element law have forfeited their authority to deny affordable housing projects on the grounds the project is inconsistent with zoning and/or General Plan standards.¹ This may provide key opportunities for developers to entitle housing projects throughout California, including in jurisdictions that have typically placed strict limits on the size, density, or location of housing projects.

Developers should be keenly aware of the Builders Remedy, and how it can be used to their advantage throughout the 252 jurisdictions in California that the California Department of Housing and Community Development ("HCD") lists as currently out of compliance with State Housing Element law.

Below, we've outlined answers to some common developer questions regarding use of the Builder's Remedy.

What is the Builder's Remedy?

Government Code section 65589.5(d)(5), known as the "Builder's Remedy," is a provision of California's Housing Accountability Act that prevents jurisdictions without a substantially compliant housing element from denying certain housing projects, even if such projects do not comply with the jurisdiction's zoning ordinance or general plan.

Pursuant to Government Code section 65589.5(d), cities and other local entities may not disapprove certain housing projects or condition their approval in a manner that renders the projects infeasible unless certain specific conditions are met. One of these conditions states that a local jurisdiction may not use inconsistency with a zoning ordinance or general plan to deny a project or condition a project

in way that makes it infeasible unless that local jurisdiction has adopted a housing element that is in substantial compliance with State Housing Element law.

Consequently, if a city or county is out of compliance with State Housing Element Law, developers may propose certain housing projects that are inconsistent with the jurisdiction's zoning ordinance or general plan, and the jurisdiction may not use that inconsistency as a basis to deny the Project.

Why is the Builder's Remedy coming up now?

Under State law, every local jurisdiction must adopt an updated version of the housing element of its General Plan every five or eight years.² Before adopting an updated housing element, a local jurisdiction must submit a draft housing element to HCD for review. HCD then either certifies that the draft housing element complies with State law, or provides the local jurisdiction with comments to revise and resubmit the draft housing element.³ In the past three years, most jurisdictions have faced a deadline to adopt an updated housing element – including all cities and counties in the Southern California Association of Governments (including, but not limited to, cities within Los Angeles, Orange, and Riverside Counties), which had to adopt compliant housing elements by October 15, 2021, and all cities and counties in the Association of Bay Area Governments (including, but not limited to, cities within Alameda, Contra Costa, San Mateo, Santa Clara, and Marin Counties), which had to adopt compliant housing elements by January 31, 2023.⁴ Any city or county that missed its respective deadline to adopt a substantially compliant housing element was immediately out of compliance with State Housing Element Law, and HCD has suggested that any city or county that currently lacks an HCD-approved housing element after its relevant deadline is currently subject to the Builder's Remedy.⁵ By HCD's latest count, 252 jurisdictions are currently out of compliance and potentially subject to the Builder's Remedy.

How do I know if my project is eligible for the Builder's Remedy?

The project must be a "Housing Development Project" under the Housing Accountability Act.

The Builders Remedy is only available for residential projects that meet the Housing Accountability Act's definition of a "Housing Development Project," which is limited to developments consisting of one of the following:

- Residential units only.
- Mixed-use developments consisting of residential and nonresidential uses with *at least two-thirds* of the square footage designated for residential use.
- Transitional housing or supportive housing.⁶

The Builder's Remedy is *not* available for entirely commercial or non-residential projects.

The project must meet affordability requirements.

The Builder's Remedy is further limited to projects that meet specific affordability thresholds. In order to qualify, a project must include:

- Twenty percent of the total units sold or rented to lower-income households;⁷
- One-hundred percent of the units sold or rented to moderate-income households;⁸ or
- The project must be an emergency shelter.⁹

The project must be located in a city or county that is not currently in substantial compliance with state housing element law.

As discussed above, the project must be located in city or county that is currently out of compliance with State Housing Element law. HCD maintains a Housing Element Compliance Report which lists all jurisdictions out of compliance with State Housing Element law at: <https://www.hcd.ca.gov/planning-and-community-development/housing-open-data-tools/housing-element-review-and-compliance-report>.

Currently, HCD lists 103 of the 109 cities and counties in the Association of Bay Area Governments as out of compliance with State Housing Element law, and 106 of the 197 cities and counties in the Southern California Association of Governments as out of compliance with State Housing Element law.

However, there are different degrees of non-compliance, and not all cities and counties are similarly situated. Some cities and counties listed as "non-compliant" have submitted first or second draft housing elements to HCD that are currently under review, and are prepared to adopt a revised housing element, therefore escaping the Builder's Remedy, as soon as HCD certifies that the submitted housing element complies with State Law. Other cities and counties have not even taken the first step of drafting a revised housing element, and can be expected to remain subject to the Builder's Remedy for a lengthy period of time.

Landowners and developers interested in an assessment of a particular jurisdiction's susceptibility to Builder's Remedy provisions may contact Hanson Bridgett's Land Use Group.

I think I have an eligible Builders Remedy project, what should I do next?

Since cities and counties are no longer subject to the Builder's Remedy after adopting a compliant housing element, it is important for developers to take the first steps in submitting a potential project while a jurisdiction remains out of compliance.

HCD has recently clarified that a developer that submits a preliminary application subject to Government Code section 65941.1, commonly referred to as Senate Bill 330 ("SB 330"), while a city or county is subject to the Builder's Remedy will maintain a vested right to develop that project subject to the Builder's Remedy even if the city or county eventually adopts a compliant housing element before the project is approved.¹⁰

Therefore, *in order to ensure that the benefit of the Builder's Remedy applies to a project throughout the entirety of the entitlement process, a developer should submit a SB 330 preliminary application for the project, and as soon as possible while the jurisdiction remains out of compliance.* This is especially important given the varying stages that jurisdictions may be in with respect to adopting a compliant housing element.

Are there any other grounds under which a local jurisdiction can deny a project that qualifies for the Builder's Remedy?

Under Government Code section 65589.5(d), a project that qualifies for the Builder's Remedy can still be denied or conditioned in a way that renders it infeasible in certain very narrow circumstances where the reviewing jurisdiction is able to make one of the following written findings, supported by substantial evidence:

- The project would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low-income households;
- Denial of the project or imposition of conditions is required in order to comply with specific state or federal law, and there is no feasible method to comply without rendering the development unaffordable to low-income households; or
- The project is proposed on land zoned for agriculture or resource preservation that is surrounded on at least two sides by land being used for agricultural or resource preservation purposes, or which does not have adequate water or wastewater facilities to serve the project.

What future legal developments might be relevant to Builder's Remedy projects?

While the Builder's Remedy was enacted over thirty years ago, it has not been used frequently in the past. However, HCD's recent guidance and the many cities and counties in noncompliance bring unique opportunities for developers, as evidenced by recent high profile Builder's Remedy project submittals in Santa Monica and Los Angeles.

Nevertheless, given the relatively untested nature of the Builder's Remedy, there are uncertainties for developers, which may be addressed by HCD, the legislature, or courts as more jurisdictions are forced to reckon with Builder's Remedy project applications. Such uncertainties include:

- While some jurisdictions, such as Mountain View, have begun processing applications, other jurisdictions, such as Los Altos Hills, have refused to process applications, arguing that they have already submitted a draft housing element to HCD which the City believes is compliant (and which the City has officially adopted) and are merely waiting for HCD to officially deem the housing elements compliant. Jurisdictions in the latter camp will argue that any eventual finding of compliance should be backdated to the date that the city adopted the draft housing

element. No California court has examined this issue, though it should be noted that HCD currently lists all cities and counties that have adopted housing element drafts not yet approved by HCD as "out of compliance," and recent comments from HCD suggest that the agency believes that jurisdictions are subject to the Builder's Remedy until HCD officially certifies their housing element as compliant.

- Government Code section 65589.5, subdivision (f)(1) states that cities or counties may, however, require that a housing development project comply with objective, written development standards, conditions, and policies appropriate to, and consistent with, meeting the Regional Housing Needs Allocation ("RHNA") needs, and further clarifies that any such development standards, conditions, and policies shall be applied to "facilitate and accommodate development" at the density permitted on the site and proposed by the development. It remains to be seen how this provision is meant to interact with the Builder's Remedy and which, if any, development standards or policies can be deemed "consistent with" meeting RHNA needs.
- Builder's Remedy projects are still subject to the California Environmental Quality Act ("CEQA"), and to the extent that Builder's Remedy projects require discretionary approvals, they must nevertheless undergo environmental review.¹¹ However, given the narrow bases for project denial under Government Code section 65589.5(d), it is unclear to what extent a jurisdiction can deny a Builder's Remedy project based on the information reported in a CEQA environmental review document. Currently, there is very limited precedent regarding the interaction between the protection afforded to housing projects under the Housing Accountability Act and the environmental review mandates of CEQA.

Despite these uncertainties, the Builder's Remedy seems poised to afford developers throughout the state a golden opportunity to get traction on projects which may have been non-starters with local jurisdictions even a year ago.

Landowners and developers interested in submitting a project under the Builder's Remedy may contact Hanson Bridgett's Land Use Group.

¹ Government Code, § 65589.5, subd. (d)(5).

² Government Code, § 65588.

³ Government Code, § 65585.

⁴ A list of all housing element due dates for jurisdictions in California can be found [here \[PDF\]](#)

⁵ Some cities have taken the position that adopting a Housing Element that a city has determined is substantially compliant with State law while waiting for HCD to complete its review of the Housing Element is sufficient to comply with State Housing Element law and avoid the Builder's Remedy, though HCD has not endorsed this interpretation. More detail on this issue is included under "What future legal developments might be relevant to Builder's Remedy projects?"

⁶ Government Code § 65589.5, subd. (h)(2).

⁷ "Lower-income households" is defined in Health and Safety Code section 50079.6, and must be made available at a monthly housing cost that does not exceed 30 percent of 60 percent of the area median income.

⁸ "Moderate-income households" is defined in Health and Safety Code section 50093, and includes persons of families of middle income as defined in Government Code section 65008, and must be made available at a monthly housing cost that does not exceed 30 percent of 100 percent of the area median income.

⁹ Government Code, § 65589.5, subd (d);

¹⁰ October 5, 2022 Letter of Technical Assistance, Melinda Coy, Proactive Housing Accountability Unit Chief, Department of Housing and Community Development.

¹¹ Alternatively, a Builder's Remedy project may qualify for a CEQA exemption.

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This article is a summary for general information and discussion only and may be considered an advertisement for certain purposes. It is not a full analysis of the matters presented, does not create an attorney-client relationship, and may not be relied upon as legal advice.

Permanent Local Housing Allocation (PLHA)
 Glenn County, City of Orland, City of Willows
 March 2024 Status Update

Background

The formula Permanent Local Housing Allocation (PLHA) program provides annual grant allocations from the State to each incorporated local jurisdiction in California to implement plans to increase and/or preserve the affordable housing stock, and address homelessness. Annual funding amounts are subject to the amount of revenue from real estate transaction recording fees collected by the State. Jurisdictions apply in five-year cycles and must have Housing Element compliance to be eligible. In 2020, Glenn County and the Cities of Orland and Willows entered into legally binding agreements to “pool” their allocations for the first five-year cycle and designated Glenn County to be the administrative entity. The jurisdictions also approved a joint five-year plan for the funds for 2019-2023.

Current Status of Funds

As of March 2024, funds have been allocated to two projects: Shasta Garden Apartments in Orland by Dawson Holdings, Inc. (affordable multi-family rental housing, \$150,000) and Purpose Place in Orland by Habitat for Humanity Yuba-Sutter (permanent supportive housing \$552,140). Funds for these projects are from the 2019 and 2020 allocation years. All three jurisdictions were invited to participate in selecting the projects to receive funds.

PLHA Formula Funds 2019-2023: Glenn County, Orland, and Willows

Allocation	2019	2020	2021	2022	2023	5-Year Estimate (2019-2023)
Activity	Affordable multi-family rental housing	Permanent supportive housing	Permanent supportive housing	Affordable multi-family rental housing	Affordable multi-family rental housing	
Orland	\$92,529	\$141,285	\$143,355	\$78,680	Unknown	\$555,180
Willows	\$93,631	\$140,243	\$138,491	\$74,653	Unknown	\$561,792
Glenn County	\$106,856	\$164,549	\$201,716	\$98,005	Unknown	\$641,136
Total	\$293,016	\$446,077	\$483,562	\$251,338	Unknown	\$1,758,108
5% Admin	\$14,650	\$22,303	\$24,178	\$12,567	Unknown	\$87,905
Notes	Fully expended	Fully expended	Not yet awarded – apply in 2023/24 *dependent on Housing Element Compliance	Not yet awarded – apply in 2023/24 *dependent on Housing Element Compliance	Not yet awarded – apply in 2024/25 *dependent on Housing Element Compliance	

PLHA formula allocations run one year behind the current calendar year. This is because the State has to calculate the allocations based upon the actual amount taken into the Senate Bill 2 fund during the prior year. The 2021, 2022, and 2023 allocation years have not yet been awarded to the County. The County anticipates applying for the 2021 and 2022 funds during FY 23/24. The 2023 funds will not be made available by the State until the 2024 NOFA. The 2021 funds were made available in 2022, however, the County was unable to apply for those funds at that time due to lack of Housing Element compliance by all three jurisdictions. If Housing Element compliance is reached, the County will be able to apply for the 2021 funds during this fiscal year’s application period.

Allocation Years	Application Deadline (Expiring funds)	5-Year Plan Amendment Deadline	Disbursement Request Deadline
Round 2 (2020)	February 2024	June 30, 2024	April 30, 2025
Round 3 (2021)	February 2025	June 30, 2025	April 30, 2026
Round 4 (2022)	February 2026	June 30, 2026	April 30, 2027
Round 5 (2023)	February 2027	June 30, 2027	April 30,2028

Next Steps

Glenn County administered a Request for Proposals (RFP)/Request for Qualifications (RFQ) process for PLHA formula funds in 2023. There were four responses to the RFP/RFQ, and all were deemed qualified affordable housing developers by the City/County review and ranking committee and the County Board of Supervisors. Habitat for Humanity Yuba-Sutter's Purpose Place Project was ranked #1 for the RFP and was allocated PLHA funding (see the table on page 1).

Glenn County is working on scheduling introductory meetings with the Cities of Orland and Willows, and the developers that were approved through the RFP/RFQ process but have not yet been allocated funding. These developers are Pacific West Communities, Danco, and Jamboree.

<https://www.hcd.ca.gov/grants-and-funding/programs-active/permanent-local-housing-allocation>

Contact Information

Please direct any questions or comments you have to both of the following contacts:

Robyn Nygard, Program & Administrative Services Coordinator
Glenn County Community Action Department
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Janelle Kelly, Program Manager II
Glenn County Health & Human Services
Direct phone: (530) 934-1538
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Jessica Candela, Community Development Project Manager
Housing Tools (Consultant)
Direct phone: (530) 332-8906
Email: jcandela@housing-tools.com



CITY OF ORLAND STAFF REPORT
MEETING DATE: April 16, 2024

TO: Honorable Mayor and Council

FROM: Pete Carr, City Manager

SUBJECT: **Fiscal Year 2024-25 Budget Discussion #2:**
Projected Public Safety Fund Budget, General Fund Revenues, Capital Equipment Schedules (Discussion/Direction)

BACKGROUND:

City staff is preparing a draft budget for the fiscal year 2024-25 (FY25) which starts July 1. The budget will represent the City’s best estimate of probable revenues and a spending plan to support operational services and projects consistent with Council direction identified in recent years and throughout the budget process. Staff will continue to analyze revenue projections and collect cost estimates to produce an evolving budget picture in anticipation of a budget ready for adoption before June 30th. At the first discussion April 2nd, Staff briefed Council on economic assumptions for FY25, proposed capital projects, and needed staffing.

ANALYSIS:

This evening’s discussion will suggest revenues for General Fund and Measure A based on previously agreed assumptions, propose an expenditure budget for the Public Safety Fund, and update Council on our capital equipment/fleet plans.

Direction received from Council this evening will further inform staff analysis as we proceed with formulation of the final proposed budget which is planned for presentation to Council for consideration of adoption on June 4th. In intervening Council meetings, we will examine General Fund expenditures by departments, water and wastewater utility funds, remaining debt balances, ARPA and DIF funds.

General Fund Revenues

Projected General Fund revenues for this fiscal year (FY24), with July-February known and March-June estimated, are running close to FY24 budget. This evening’s budget forecast for FY25 incorporates the assumptions made April 2 and other factors considered by city staff. The result is a bottom-line estimate 4.5% (\$283k) greater than FY24 projected actual revenues.

Measure A Public Safety Fund

Projected Public Safety Fund revenues for this fiscal year (FY24), with July-February known and March-June estimated, are close to budget. Similar to the General Fund, the forecast for the Public Safety Fund is a bottom-line estimate 4.7% (\$68k) better than projected FY24 and within 1% of last year’s budget.

Proposed Public Safety Fund expenditures and set asides for FY25 reflect retirement of the multi-year communications upgrade projects, a new set-aside for a replacement SCBA compressor, replacement of department sidearm weapons, and establishment of a drone program which will benefit police, fire and potentially Public Works. Expenditures and set-asides for the Public Safety Fund are balanced with the expected revenue.

Fleet Schedules

- The Fire department fleet replacement schedule is updated with no change from recent previous years. No new fire apparatus is planned for FY 25, in fact none until 2033/34.
- Only scheduled replacements are programmed for Police. We are still awaiting receipt of our FY23 purchases (2 F-150 patrol vehicles), ETA May/June. The two Ford Explorers we ordered this fiscal year are also on backorder, hoping to receive this summer. We pre-ordered two Explorer patrol vehicles for FY25 due to long lead times. As replacement vehicles are deployed, older vehicles become standby back-ups and eventually VIPS assets.
- Public Works capital equipment necessarily includes a larger variety of equipment with widely varying costs and expected cycles of service. Several capital equipment purchases for Public Works are anticipated for this coming fiscal year, most replacements for equipment at the end of its useful life:
 - Two service pick-up trucks with mid-age surplus truck being transferred to Fire Dept. primarily for investigations and code enforcement.
 - One 26k# 2000-gal water truck, sweepster trailer and telehandler fork. Probably deferred to FY26 is one 26k# bucket truck which would be a substantially General Fund expense.
 - Unlike Fire and Police capital equipment, cost of Public Works equipment is mostly allocated to Water, Sewer, and Street Tax funds depending on the utility of the equipment.

Attachments:

- A. General Fund and Public Safety Fund revenue projections and forecasts
- B. Measure A Public Safety Fund expenditures and set-asides
- C. Fleet schedule for Fire Department

RECOMMENDATION

Provide direction at Council discretion. Staff will proceed with budget preparation accordingly.

Fiscal Impact of Recommendation:

Budget will balance revenues with expenditures as it provides for operational and improvement project objectives, and will maintain or build fund reserves.

City of Orland
2024-2025 Budget Worksheet - General Fund Revenues

GENERAL FUND	2022-2023	2023-2024	2023-2024	2024-2025
	<u>Actual</u>	<u>Budget</u>	<u>Projected</u>	<u>Proposed</u>
Taxes				
Property Taxes (including Motor Vehicle in-lieu)	\$2,102,724	\$2,050,000	\$2,165,000	\$2,230,000
Sales Tax	2,405,389	2,625,000	2,400,000	2,660,000
Less Allocation to County per Agreement		(22,000)	(30,000)	(62,000)
Prop 172/Public Safety Augmentation	33,221	31,000	35,000	33,000
SLESA Public Safety	165,271	170,000	170,000	170,000
Business Licenses	31,441	27,000	31,000	31,000
Franchise Fees (PG&E, ATT, WM, etc)	285,418	240,000	280,000	285,000
Hotel User's Tax (TOT)	85,802	90,000	60,000	60,000
Investment Income	9,144	10,000	40,000	40,000
Rents and Royalties	59,655	54,100	56,000	56,000
Solar CREBS Credit, General Fund Portion	7,187	7,500	6,000	6,000
Inter Governmental				
Orland Library Cost Share -- Glenn County	94,500	95,000	95,000	98,000
Library Director Cost Share -- City of Willows	94,029	92,000	90,000	93,000
Branch Libraries -- Glenn County	27,505		100,000	102,000
Fire Chief Cost Share -- Rural/County	156,195	42,000	40,000	42,000
Fire Dept. Fleet Maint. Reimbursement -- Rural/County	0	20,000	20,000	20,000
Charges for Services				
Planning/Zoning	63,637	70,000	50,000	60,000
Building Permits and Related Charges	259,848	140,000	90,000	140,000
Library Fees	1,029	1,000	600	1,000
Recreation, Park & Swim Programs	137,933	135,000	150,000	155,000
Other Revenues and One Time Monies				
Police Related Fines and Citations	16,959		15,000	15,000
SB-2 Planning Grant			108,000	-
Other Reimbursements	25,865		-	10,000
Other Revenues	16,035	53,000	20,000	20,000
Administrative Cost Allocation from Enterprise Funds	241,630	230,000	235,000	245,000
General Fund Totals	<u>\$6,320,417</u>	<u>\$6,160,600</u>	<u>\$6,226,600</u>	<u>\$6,510,000</u>

City of Orland
2024-2025 Budget Worksheet - Measure A Public Safety Fund Revenues

Measure A Public Safety	2022-2023	2023-2024	2023-2024	2024-2025
	Actual	Budget	Projected	Proposed
Sales Tax -- local 1/2 ¢	\$1,356,449	\$1,500,000	\$1,350,000	\$1,485,000
Investment Income	17,332		30,000	30,000
Grants and Reimbursements	127,700		67,000	
Measure A Public Safety Fund Totals	\$1,501,481	\$1,500,000	\$1,447,000	\$1,515,000

City of Orland
2024-2025 Budget-Measure A Public Safety Fund Budget

Anticipated Revenues FY 24-25: **\$1,515,000**

Budgeted Expenditures FY 24-25:

Fire:

Facility & Equipment Maint	\$60,000	
Fleet Maintenance Allocation	\$50,000	
Turnouts, Hose	\$52,000	
Training Facility Improvements	\$50,000	
Volunteer Support*	\$48,000	
Communications-pagers, dispatch*	\$56,000	
Radio Repeater project	\$60,000	
Potential RFC grant match for radios	\$20,000	
Fuel, Travel & Training	\$31,000	
Set aside for New SCBA Compressor	\$20,000	
Set aside for fire apparatus replacement schedule	\$200,000	
Set aside for future public safety facility	\$150,000	
*=shared with Rural		\$797,000

Police:

Patrol vehicles (two new) purchases	\$190,000	
Fleet Maintenance Allocation	\$60,000	
Dispatch Contract	\$140,000	
Range, emergency/med equip	\$55,000	
Maintenance, Renewal & Licensing of software and hardware	\$90,000	
Promo materials, fuel contingency	\$15,000	
Drone Program	\$20,000	
Duty Sidearm replacement	\$20,000	
Vest replacement (phased, 5 yr. cycle)	\$10,000	
		\$600,000

Public Works:

Fire Hydrants, safety equipment, road signs and radios	\$118,000	
Capital per equip replacement schedule	\$0	
		\$118,000

Total Budgeted Expenditure & Set-aside Allocations 2024-2025: **\$1,515,000**

Orland City Fire Department Fleet Replacement Schedule

Year, Fiscal	Description	Expenditure	Appropriated	Balance
			Opening Balance	\$200,000.00
18/19	Measure A		\$100,000.00	\$300,000.00
19/20	Measure A		\$100,000.00	\$400,000.00
20/21	Chief truck/grass truck	\$230,000.00	\$100,000.00	\$270,000.00
21/22	Measure A		\$200,000.00	\$470,000.00
22/23	Engine 27	\$750,000.00	\$200,000.00	-\$80,000.00
23/24	Measure A		\$200,000.00	\$120,000.00
24/25	Measure A		\$200,000.00	\$320,000.00
25/26	Measure A		\$200,000.00	\$520,000.00
26/27	Measure A		\$200,000.00	\$720,000.00
27/28	Measure A		\$200,000.00	\$920,000.00
28/29	Measure A		\$200,000.00	\$1,120,000.00
29/30	Measure A		\$200,000.00	\$1,320,000.00
30/31	Measure A		\$200,000.00	\$1,520,000.00
32/33	Measure A		\$200,000.00	\$1,720,000.00
33/34	Engine 25	\$900,000.00	\$200,000.00	\$1,020,000.00
34/35	Measure A		\$200,000.00	\$1,220,000.00
35/36	Chief truck/grass truck		\$200,000.00	\$1,420,000.00
36/37	Measure A		\$200,000.00	\$1,620,000.00
37/38	Measure A		\$200,000.00	\$1,820,000.00
38/39	Measure A		\$200,000.00	\$2,020,000.00
39/40	Measure A		\$200,000.00	\$2,220,000.00
40/41	Measure A		\$200,000.00	\$2,420,000.00
41/42	Ladder 26	\$2,000,000.00	\$200,000.00	\$620,000.00

Updated April 2024



CITY OF ORLAND STAFF REPORT
MEETING DATE: April 16, 2024

TO: Honorable Mayor and City Council

FROM: Rebecca Webster, Admin Services Director & Assistant City Manager

SUBJECT: **Meeting Location** (Discussion/Direction)

BACKGROUND:

The City Council has for many decades held its regular meetings in the Carnegie Center on Third Street. Built as a library over 100 years ago, the building is always available, has working heat & air, and features a built-in rostrum functioning as a dais. The building has adequate technology but outdated ADA accessibility, awkward interior layout, and only one restroom. The seated capacity is 80 persons. Adding an elevator, expanding the room size and reconfiguring the layout are probably cost-prohibitive improvements.

At its March 19th meeting, Council considered alternate locations with specific focus on the features of Glenn County Office of Education’s Glenn Success Square Conference Center. Council directed Staff to investigate feasibility of the GCOE venue.

ANALYSIS:

Staff completed documents and reserved the GCOE facility for City Council meetings starting June 18th. There is no charge to the City, but long-term reservations are not guaranteed. Commissions will continue to meet at other venues.

As a back-up, Council may wish to consider the Orland Unified School District Board room as a secondary location.

RECOMMENDATION: Direct Staff.

FISCAL IMPACT OF RECOMMENDATION: None at this point.