



ORLAND CITY COUNCIL REGULAR MEETING AGENDA

Tuesday, May 21, 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/84772427349>

Webinar ID: 847 7242 7349 | 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 - 6:30 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. **CONSENT CALENDAR**

- A.** Warrant List (Payable Obligations) (Pg.3)
- B.** Approve City Council Minutes for May 7, 2024(Pg.8)
- C.** Receive and File Library Commission Minutes from March 11, 2024(Pg.11)
- D.** Receive and File Arts Commission Minutes from April 17, 2024(Pg.12)
- E.** Approve Chief Plant Operator Professional Services Agreement (Pg.13)
- F.** Award Air Conditioning System Bid for Recreation Center (Pg.23)
- G.** Agreement to Allow Caltrans Access to City Right of Way (Pg.30)
- H.** County Arts Council - Letter of Support (Pg.36)

5. PUBLIC HEARING

- A.** General Plan Amendment (GPA) #2023-02: Supplement to the 2021-2029 6th Cycle City of Orland Housing Element (Pg. 37)

6. ADMINISTRATIVE BUSINESS

- A.** Determine rules for Candidate Statement of Education and Qualifications a per the Glenn County Election Official (Discussion) - Jennifer Schmitke, City Clerk (5 min)(No Staff Report)
 - 1. Determine whether statements shall be limited to 200 or 400 words.
 - 2. Determine whether candidates or the City shall bear cost (\$500 deposit) of publishing the statement in the voter information guide.
- B.** Determine whether tie votes shall be resolved by lot or runoff election to be conducted on a Tuesday not less than 40 days nor more than 125 days after of the cerification of the election that resulted in a tie (Discussion) - Jennifer Schmitke, City Clerk (5 min)(No Staff Report)
- C.** Consider Ordinance to Regulate Camping Equipment in City Parks (Discussion/Direction) - Pete Carr, City Manager (10 min) (Pg.148)
- D.** Proposed Projects Funded by SB 1: The Road Repair and Accountability Act (Discussion/Action) - Paul Rabo, City Engineer (10 min)(Pg.149)
- E.** Fiscal Year 2024-25 Budget Discussion #4: Fund Balances; General Fund Expenditures; ARPA (Discussion/Direction) - Pete Carr, City Manager (20 min) (Pg.152)

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 May 17, 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 COUNCIL
Chris Dobbs, Mayor
Mathew Romano, Vice-Mayor
Bruce T. Roundy
Jeffrey A. Tolley
John McDermott

CITY OF ORLAND

INCORPORATED 1909

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

CITY OFFICIALS
Jennifer Schmitke
City Clerk

Leticia Espinosa
City Treasurer

CITY MANAGER
Peter R. Carr

WARRANT LIST

May 21, 2024

Warrant	5/15/2024	\$	288,855.76
PERS 4/04/2024 - 04/17/2024	5/3/2024	\$	28,988.63
Payroll Compensation #9	5/2/2024	\$	139,323.42
		\$	<u>457,167.81</u>

APPROVED BY

Mayor, Chris Dobbs

Vice-Mayor, Mathew Romano

Councilmember, Jeffrey A. Tolley

Councilmember, John McDermott

Councilmember, Bruce T. Roundy

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
056593	05/15/24	BUT12	BCPH Lab	-115.00	012023u	Ck# 056593 Reversed
059066	05/09/24	WOO00	Wood Brothers Carpet Inc.	431.10	17004H	ARPA CITY HALL & PD FLOORING
059067	05/09/24	OAC00	Orland Area Chamber of Co	16250.00	MAY2024H	QUARTERLY SUPPORT JANUARY - JUNE 2024
059068	05/15/24	3CO00	3CORE, INC	5500.00	20247	MEMBERSHIP RENEWAL 2024-2025
059069	05/15/24	AFF00	Affordable Computer Solut	875.00	7379	LIB/COMPUTER MAINTENANCE
059070	05/15/24	AIR01	Airgas-USA, LLC	49.20	18678	FD/MEASURE A-MEDICAL OXYGEN
059071	05/15/24	ALT02	Alternative Energy System	1387.50	15883,158	MULTIPLE SITE CHECK VISITS
059072	05/15/24	ALV06	MICAEALA ALVA	259.00	5/15/24	MEASURE A FD/PER DIEM FOR PLANS REVIEW TRAINING
059073	05/15/24	AMA02	AMAZON CAPITAL SERVICES	749.81	VTQK-F9Y1	LIB/ZIP BOOKS GRANT
059074	05/15/24	AMA03	AMAZON CAPITAL SERVICES	1114.50	MXK6-FNWF	LIB/BOOKS AND SUPPLIES
059075	05/15/24	AME05	American River College	146.00	5/8/2024	PD/FIREARMS AND TACTICAL RIFLE INSTRUCTOR TRAINING
059076	05/15/24	APP04	APPLE BOOKS	944.31	117111	LIB/HAMILTON CITY LIBRARY BOOKS
059077	05/15/24	ATT05	A T & T	153.55	76345	FD/MEASURE A-PHONES
059078	05/15/24	ATT06	A T & T	29.04 930.26	05102024 21710982	PW/HL LIFT STATION - 470 MULTI-DEPTS/PHONES 4/13/24 - 5/12/24
			Check Total.....:	959.30		
059079	05/15/24	ATT09	AT&T MOBILITY	857.78	4/3-5/2	PD/CELL SERVICE (14)
059080	05/15/24	ATT10	AT&T MOBILITY (FIRST NET)	185.80 194.03	422024 05022024	FD/MEASURE A-PHONES FOR CHIEFS-2 IPADS PW/CELL PHONE APR 3 - MAY 2,2024
			Check Total.....:	379.83		
059081	05/15/24	AUT00	Auto Zone Inc.	15.15 51.71	4073776 04302024	PD/WASH BRUSH FOR PATROL UNITS PD/EQUIPMENT MAINTENANCE
			Check Total.....:	66.86		
059082	05/15/24	BAC02	ESO SOLUTIONS, INC.	445.71	ESO-13763	MEASURE A FD/EMERGENCY RESPONSE SERVICE
059083	05/15/24	CAL14	Cal Signal Corp	600.00	9874,9824	PW/STEETS 6TH & SOUTH, COMMERCE & NEWVILLE
059084	05/15/24	CAR02	CARDMEMBER SERVICE	1491.19 6380.35 2363.54 1697.55 516.22 1168.98 2792.99	APR24PW APRIL24 APR24 FD APR24 PD APR24REC 4/29/2024 APR24SHOP	MULTIPLE DEPT/OFFICE SUPPLIES/PW/SHOP SUPPLIES CH/ZOOM, OWL MTG. CAM, POOL ICE MACHINE FD/MEASURE A-BUILDING & OFFICE SUPPLIES, TRAINING PD/TRNING, OFFICE SUPPLIES, K-9 SUPPLIES, SCHEDULING APP, POOL PAINT, STAFF LUNCH MEETING LIB/SRP AWARD, OFFICE SUPPLIES, SHELIVING PW/PARK SUPPLIES/FD/FLEET EQUIPMENT MAINTENANCE
			Check Total.....:	16410.82		
059085	05/15/24	CAR12	Peter R. Carr	118.21	05072024	CM/REIMB OUTLANDER WASH & FUEL, LUNCH MEETINGS
059086	05/15/24	CAS05	CASCADE FIRE EQUIPMENT	1179.86	11741	MEASURE A FD/VFC GRANT MATCH / 2 FIRE SHELTERS
059087	05/15/24	CEN01	Cengage Learning Inc.	713.42	84248588	LIB/LARGE PRINT BOOKS
059088	05/15/24	COM02	Comcast	399.95 299.63	4222024 MAY3,JUN2	FD/INTERNET FOR FIREHOUSE MULTI-DEPTS/INTERNET MAY 3, 2024- JUNE 2, 2024
			Check Total.....:	699.58		
059089	05/15/24	COM09	Compost Solutions Inc	266.00	2652	PW/PARKS SOIL
059090	05/15/24	COO00	COOK CONCRETE PRODUCTS	53.63	155786	PW/STREET SUPPLIES
059091	05/15/24	COR00	CORNING LUMBER CO., INC.	262.83	04252024	PW/PARKS/SHOP SUPPLIES, BM/PW/FLEET EQ MAINTENANCE
059092	05/15/24	EBS00	EBSCO INFORMATION SVCS	1079.46	0567779	LIB/MAGAZINES RENEWAL
059093	05/15/24	ECO01	ECORP CONSULTING, INC	361.25 17701.28	103211 103211,10	PLANNING/PROF SERVICES OVFD FIRE BREAK DOZER PLANNING/PROF SERVICES AND DWR SUPPORT
			Check Total.....:	18062.53		
059094	05/15/24	EIN02	Gregory P. Einhorn	4200.00	12730	CA/CONTRACT SERVICES APRIL 2024
059095	05/15/24	ESP01	ESPLANADE OFFICE	4996.89	8234-1	PD/SGTS OFFICE NEW FURNITURE-REMODEL

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
059096	05/15/24	FLO04	JOSE FLORES	500.00	5/8/2024	PD/PER DIEM FIREARMS AND TACTICAL RIFLE TRAINING
059097	05/15/24	GAY01	GAYNOR TELESYSTEMS INC	51.00 4929.06	44183 000044274	FD/MEASURE A-FAXFINDER CLOUD PD/SYSTEM LABOR SUPPORT 4/28/24 THRU 4/27/25
			Check Total.....:	4980.06		
059098	05/15/24	GLE37	GLENN CO ENVIRONMENTAL HE	321.93	AEC-432	POOL PERMIT
059099	05/15/24	GOL01	GOLDEN STATE RISK	63661.86	MAY 2024	DENTAL/VISION & HEALTH INSURANCE
059100	05/15/24	GRA02	GRAINGER, INC.	1376.89	910499958	PW/SHOP/WATER SUPPLIES - REC/POOL SUPPLIES
059101	05/15/24	HEI01	VIRGIL HEISE	100.00	4012024	FD/JANITORIAL
059102	05/15/24	HOU05	HOUSING TOOLS	1940.00	29,63	LIBERTY BELL- HOME
059103	05/15/24	JCN00	NELSON'S BUILDING MAINTEN	67.84	784925	MULTI DEPT/BM-BATHROOM SUPPLIES
059104	05/15/24	JON00	Jon Ikerd	8252.00	05142024	PW/CITY'S BACKFLOW TESTISNG
059105	05/15/24	KRA01	Kraemer & Co. Mfg Inc.	703.58	15889	FD/MEASURE A-TRAINING FACILITY IMPROVEMENTS
059106	05/15/24	LES00	LES SCHWAB	53.53 479.88	599529 600978	PW/FLEET EQUIPMENT MAINTENANCE FD/MEASURE A- C30 TIRES
			Check Total.....:	533.41		
059107	05/15/24	MAC02	MACQUARIE EQUIPMENT CAPIT	44.18	183497	FD/MEASURE A-PRINTER LEASE
059108	05/15/24	MAG00	MAGNUM ELECTRONICS, INC	2628.57	S0116925	FD/ARPA-RADIO REPEATER ANTENNAS,BATTERIES
059109	05/15/24	MAT04	MATSON & ISOM	7897.00	93217	MONTHLY SERVICES (MAY)
059110	05/15/24	MEJ01	Lilia Mejia-Aparicio	124.62	5/13/2024	PD/MILEAGE REIMB MAY 6-10 2024 SAN DIEGO AIRPORT
059111	05/15/24	MIS01	MissionSquare - 304591	2379.65	6291273	457 PLAN / 304591
059112	05/15/24	MJB00	MJB WELDING SUPPLY, INC	12.90	1476319	PW/SHOP CYLINDER RENTAL
059113	05/15/24	MTH00	M.T. HALL & ASSOCIATION,	10372.50	2975	DWR-PHASE 2B SOIL MATERIALS TESTING
059114	05/15/24	NOR06	NOR-MAC INC.	281.84	15335678-	PW/PARK SUPPLIES
059115	05/15/24	NUS00	NUSO, LLC	104.97	130880001	FD/MEASURE A-PHONE LINES
059116	05/15/24	ORE00	O'REILLY AUTO	450.25	04282024	PW/PD FLEET EQUIPMENT MAINTENANCE
059117	05/15/24	ORH00	ORLAND HARDWARE	265.79 2362.36	557821 APR272024	PD/PROPERTY, EVIDENCE AND OFFICE SUPPLIES FD/MEASURE A-RADIO REPEATER PARTS,OFFICE SUPPLIES
			Check Total.....:	2628.15		
059118	05/15/24	ORL15	Orland Saw & Mower	2051.00	05012024	PW/PARKS/FLEET EQUIPMENT MAINTENANCE W/S SUPPLIES
059119	05/15/24	OVE01	Overdrive, Inc.	3164.41	24141438	LIB/EBOOKS AND AUDIO
059120	05/15/24	PAC07	PACE ANALYTICAL SERVICES,	342.32	2403311	PW/LAB SERVICES
059121	05/15/24	PAP01	PAPE MACHINERY INC.	126.12	15250781	PW/FLEET EQUIPMENT MAINTENANCE
059122	05/15/24	PGE00	PG&E	50280.92	05142024	MULTI-DEPTS/UTILITY USAGE APRIL 2024
059123	05/15/24	PON00	PONCI'S WELDING	48.49 125.00	80445 80584	REC/POOL SUPPLIES FD/MEASURE A-REPAIR ON E37
			Check Total.....:	173.49		
059124	05/15/24	QUI02	QUILL CORP.	178.27 69.78	38493300 38513032	MULTI-DEPTS/OFFICE SUPPLIES PD/MISC OFFICE SUPPLIES
			Check Total.....:	248.05		
059125	05/15/24	SAC01	SACRAMENTO VALLEY MIRROR	938.40	2190	LEGAL NOTICE-DWR BIDS NOTICE PHASE 4
059126	05/15/24	SBC03	SUTTER BUTTES COMMUNICATI	1480.00	46121	FD/ARPA-RADIO REPEATER CABLING, INTERGATION
059127	05/15/24	SEI00	ROY R SEILER, C.P.A	5408.00	30589	ACCOUNTING PROFESSIONAL SEVCS APRIL 2024
059128	05/15/24	SHA08	JESSE J MILLER dba SHASTA	803.77	24269	PW/SAFETY SUPPLIES
059129	05/15/24	SIM01	SIMPLOT	220.77	777048623	PW/PARKS-ROUND UP
059130	05/15/24	ST004	Jeffrey G. Dunn	225.00	04302024	PEST CONTROL SERVICES APRIL 2024

REPORT.: May 15 24 Wednesday
RUN...: May 15 24 Time: 16:03
Run By.: Leticia Espinosa

CITY OF ORLAND
Cash Disbursement Detail Report
Check Listing for 05-24 thru 05-24 Bank Account.: 1001

PAGE: 003
ID #: P
CTL.: 4. A.

Check Number	Check Date	Vendor Number	Name	Net Amount	Invoice #	Description
059131	05/15/24	SWI02	Robert Swinhart	140.70	05112024	PW/BOOT REIMBURSEMENT
059132	05/15/24	T&S01	T AND S DVBE, INC.	751.72	24-552	PW/STREETS SUPPLIES
059133	05/15/24	TRA09	TRANSUNION RISK & ALTERNA	120.00	202404-1	PD/MONTHLY FEE 4/1/2024-04/30/2024
059134	05/15/24	TRE05	TREE TOP PRODUCTS, LLC	32276.21	TRE26882	ARPA - STREET SCAPES BENCHES
059135	05/15/24	TRI04	TRI COUNTY COMMUNITY ACTI	1500.00	MAR24	CC/SENIOR EXPO SPONSORSHIP
059136	05/15/24	TYL00	TYLER TECHNOLOGIES, INC.	145.00	025464356	CH/INTERPRICE SOFTWARE SETUP
Cash Account Total.....:				288855.76		
Total Disbursements.....:				288855.76		
Cash Account Total.....:				.00		

Warrant Number	Date	Payroll Date	**Employee** Num	Name	Actual Period	Fiscal Period	Gross Amount
14684	05/02/24	05/01/24	CAR05	CARROW, SARAH JANE	05-24	11-24	144.00
14685	05/02/24	05/01/24	PER00	PEREZ, MARGARITA T	05-24	11-24	2086.39
14686	05/02/24	05/01/24	SUA03	SUAREZ, ARMANDO RUEDA	05-24	11-24	2081.08
Z08047	05/02/24	05/01/24	ALV01	ALVA, MICAELA	05-24	11-24	2214.15
Z08048	05/02/24	05/01/24	AND00	ANDRADE, EDGAR	05-24	11-24	4332.03
Z08049	05/02/24	05/01/24	BAL01	BALDRIDGE, EDEN	05-24	11-24	115.50
Z08050	05/02/24	05/01/24	BAR02	BARBER, ZACHARY	05-24	11-24	2720.30
Z08051	05/02/24	05/01/24	BLA00	BLAKE, CHRISTINA	05-24	11-24	68.00
Z08052	05/02/24	05/01/24	BOW00	BOWERS, LINDA	05-24	11-24	424.32
Z08053	05/02/24	05/01/24	CAR03	CARR, PETER R	05-24	11-24	6153.85
Z08054	05/02/24	05/01/24	CES00	CESSNA, KYLE A	05-24	11-24	6642.53
Z08055	05/02/24	05/01/24	CHA01	CHANEY, JUSTIN	05-24	11-24	4753.08
Z08056	05/02/24	05/01/24	CON00	CONTRERAS, ISAAC	05-24	11-24	59.50
Z08057	05/02/24	05/01/24	COR00	CORTES, JOVANY	05-24	11-24	1846.33
Z08058	05/02/24	05/01/24	CRA00	CRANDALL, JEREMY	05-24	11-24	2402.25
Z08059	05/02/24	05/01/24	EHO00	EHORN, CAITLIN A	05-24	11-24	700.00
Z08060	05/02/24	05/01/24	ESP00	ESPINOSA, LETICIA	05-24	11-24	2347.82
Z08061	05/02/24	05/01/24	ESQ01	ESQUIVEL, ITZEL	05-24	11-24	174.25
Z08062	05/02/24	05/01/24	FEN03	FENSKE, JOSEPH H	05-24	11-24	3539.51
Z08063	05/02/24	05/01/24	FLO00	FLORES, JOSE D	05-24	11-24	3970.07
Z08064	05/02/24	05/01/24	GAL00	GALVAN, ROSAURA	05-24	11-24	544.00
Z08065	05/02/24	05/01/24	GAM00	GAMBOA, YADIRA	05-24	11-24	314.26
Z08066	05/02/24	05/01/24	GAR01	GARIBAY, ELIZABETH	05-24	11-24	1543.13
Z08067	05/02/24	05/01/24	GUE01	GUERRERO, DEYSY D	05-24	11-24	2700.00
Z08068	05/02/24	05/01/24	GUE02	GUERRERO, JORGE	05-24	11-24	2323.45
Z08069	05/02/24	05/01/24	HEN00	HENDERSON, OLIVIA	05-24	11-24	85.50
Z08070	05/02/24	05/01/24	JOH01	JOHNSON, SEAN KARL	05-24	11-24	6348.72
Z08071	05/02/24	05/01/24	LOP01	LOPEZ, ESAU	05-24	11-24	1814.41
Z08072	05/02/24	05/01/24	LOP02	LOPEZ, JOEL	05-24	11-24	1814.41
Z08073	05/02/24	05/01/24	LOW00	LOWERY, KATHERINE	05-24	11-24	4160.00
Z08074	05/02/24	05/01/24	MAR02	MARTINDALE, RYAN EUGENE	05-24	11-24	4378.36
Z08075	05/02/24	05/01/24	MAR03	MARTINS, PAULINA	05-24	11-24	49.50
Z08076	05/02/24	05/01/24	MEJ00	APARICIO, LILIA MEJIA	05-24	11-24	3029.29
Z08077	05/02/24	05/01/24	MEZ00	MEZA, JODY L	05-24	11-24	4312.10
Z08078	05/02/24	05/01/24	MIL00	MILLS, DARYL A	05-24	11-24	854.19
Z08079	05/02/24	05/01/24	MON03	MONDRAGON, MEAGAN N	05-24	11-24	1652.65
Z08080	05/02/24	05/01/24	MYE00	MYERS, KEVIN	05-24	11-24	684.76
Z08081	05/02/24	05/01/24	OLI00	OLIVER, LINDA	05-24	11-24	353.60
Z08082	05/02/24	05/01/24	ORO03	OROZCO, ETHAN	05-24	11-24	221.00
Z08083	05/02/24	05/01/24	ORO04	OROZCO, JORDAN	05-24	11-24	455.00
Z08084	05/02/24	05/01/24	OVA00	OVARD, CONNOR	05-24	11-24	34.00
Z08085	05/02/24	05/01/24	PAN00	PANIAGUA, BLANCA A	05-24	11-24	726.94
Z08086	05/02/24	05/01/24	PEN01	PENDERGRASS, REBECCA A	05-24	11-24	4193.09
Z08087	05/02/24	05/01/24	PHI00	PHILLIPS, AMELIA	05-24	11-24	85.00
Z08088	05/02/24	05/01/24	PHI01	PHILLIPS, OLIVIA	05-24	11-24	80.00
Z08089	05/02/24	05/01/24	PIN00	PINEDO, EDGAR ESTEBAN	05-24	11-24	4513.85
Z08090	05/02/24	05/01/24	POR00	PORRAS, ESTEL	05-24	11-24	1991.56
Z08091	05/02/24	05/01/24	PUN00	PUNZO, GUILLERMO	05-24	11-24	2426.26
Z08092	05/02/24	05/01/24	RIC01	RICE, GERALD W	05-24	11-24	2202.85
Z08093	05/02/24	05/01/24	RIV00	RIVERA, ISRAEL	05-24	11-24	2218.82
Z08094	05/02/24	05/01/24	ROD00	RODRIGUES, ANTHONY	05-24	11-24	2510.24
Z08095	05/02/24	05/01/24	ROE00	ROENSPIE, THOMAS LUKE	05-24	11-24	4299.63
Z08096	05/02/24	05/01/24	ROM00	ROMERO, ARNULFO	05-24	11-24	3145.59
Z08097	05/02/24	05/01/24	SAN01	SANCHEZ, MELANIE CARRIL	05-24	11-24	348.50
Z08098	05/02/24	05/01/24	SAN02	SANDOVAL, LUCILA	05-24	11-24	2096.92
Z08099	05/02/24	05/01/24	SAN03	SANCHEZ, DANIEL ANGEL	05-24	11-24	1959.01
Z08100	05/02/24	05/01/24	SCH03	SCHMITKE, JENNIFER	05-24	11-24	2700.90
Z08101	05/02/24	05/01/24	STE01	STEWART, ROY E	05-24	11-24	3115.79
Z08102	05/02/24	05/01/24	SUA02	SUAREZ, BRYAN E	05-24	11-24	2191.84
Z08103	05/02/24	05/01/24	SUT00	SUTTON, BRANDON KIJANA	05-24	11-24	4134.16
Z08104	05/02/24	05/01/24	SWI00	SWINHART, ROBERT	05-24	11-24	2049.16
Z08105	05/02/24	05/01/24	VAL00	VALENZUELA, BRENDA	05-24	11-24	329.27
Z08106	05/02/24	05/01/24	VAR00	VARNER, ZADA	05-24	11-24	144.00
Z08107	05/02/24	05/01/24	VLA00	VLACH, RAYMOND JOSEPH	05-24	11-24	5177.08
Z08108	05/02/24	05/01/24	WEB00	WEBSTER, ZACHARY	05-24	11-24	1911.51
Z08109	05/02/24	05/01/24	ZIN00	PEREZ, ARNULFO ZINTZUN	05-24	11-24	324.16

 139323.42
 =====



ORLAND CITY COUNCIL REGULAR MEETING MINUTES

Tuesday, May 7, 2024

CALL TO ORDER

Meeting called to order by Mayor Chris Dobbs at 6:30 PM.

ROLL CALL

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

PLEDGE OF ALLEGIANCE – Led by Chief Vlach

CONSENT CALENDAR

- A. Warrant List (Payable Obligations)
- B. Approve City Council Minutes for April 16, 2024
- C. Approve City Council Special Meeting Minutes for April 23, 2024
- D. Receive and File Arts Commission Minutes from March 20, 2024
- E. Receive and File Planning Commission Minutes from March 21, 2024
- F. Annual Assessment for Glenn County Solid Waste Operations
- G. Renewal of Resolution to Participate in and Directly Fund the Glenn Groundwater Authority
- H. Supplemental to Master Agreement with Caltrans for Funding on M1½ Reconstruction Project
- I. Approve Request to utilize Vinsonhaler Park and stage; accept invitation to participate in 4th of July event - Orland Historical and Cultural Society
- J. Receive and File Public Works and Safety Commission Minutes from February 13, 2024
- K. Approve and Adopt Second Reading: Proposed Local Sales Tax Ballot Measure Ordinance and Resolution

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

PUBLIC HEARING

- A. General Plan Amendment (GPA) #2023-02: Supplement to the 2021-2029 6th Cycle Housing Element Updated TO BE CONTINUED TO THE MAY 21, 2024 CITY COUNCIL MEETING

Mayor Dobbs announced that the General Plan Amendment will be continued to the May 21, 2024 City Council Meeting.

City Manager Pete Carr requested Council add an emergency action item to the agenda concerning the approval of a professional service contract for a chief plant operator for the City’s wastewater treatment plant. Council agreed to add the item.

ADMINISTRATIVE BUSINESS

A. Orland Area Chamber of Commerce: Periodic Update

Dee Dee Jackson, President of the Orland Area Chamber of Commerce, and board member Danielle Hernandez briefed the Council on recent Chamber activities. They emphasized membership expansion, board development, hiring a part-time community outreach employee, and event planning. Hernandez outlined cost-saving initiatives, notably the relocation to Glenn Grows, and highlighted improved financial sustainability. Both stressed the Chamber's vital role in promoting Orland and local businesses, seeking Council support to enhance Orland's growth further.

Ms. Jackson mentioned a future partnership the Chamber is developing with Black Butte Lake and discussed plans to collaborate with the new County Art Council in the future.

Councilmembers shared their appreciation for all the Chamber does for the community and discussed what the Chamber needed from the City for the future.

Brandon Smith, a Chamber board member, discussed the prospect of revitalizing Orland and updating the city's promotional video to showcase its various offerings, including events, businesses, and restaurants.

Mr. Carr reminded Council that last year \$32,500 was set aside as a line item in the budget for the Chamber but Council instructed staff to see how the year went. Mr. Carr shared that half the money has been sent to the Chamber.

Council instructed City Staff to release the remaining funds to Chamber and continue to come quarterly with an update. Council thanked the Chamber for their efforts in promoting and supporting Orland.

B. Fiscal Year 2024-25 Budget Discussion #3: Water, Sewer, Gas Tax, DIF, Debt Schedule

Mr. Carr presented the third segment of the draft proposed budget for the fiscal year 2024-2025 (FY25), outlining revenue projections and forecasts. He provided a revised Public Safety Fund Budget and fleet schedule for the Police, Fire, and Public Works Departments. Mr. Carr reviewed anticipated revenues and expenditures for water, sewer, and Gas Tax street funds. He also discussed Development Impact Fee (DIF) fund balances and an updated schedule of debt obligations.

Council members questioned the prioritization of the Shasta Street project over other city streets leading to downtown that impact the community. They discussed with city staff other streets in need of attention. Mr. Carr indicated that he would consult with the city engineer to discuss this with Council.

Mayor Dobbs stated concerns about how high the amount of supplies was on the water budget and Mr. Carr stated he would look into the amount.

C. Approval of a professional service contract for a chief plant operator for the City’s wastewater treatment plant

Mr. Carr briefed the Council on the current need for a certified wastewater treatment plant operator and that he had contacted the Regional Wastewater Board for advice. Mr. Carr said there is an individual residing and working in the area with a grade 1 certificate who was willing to work as a contractor for the City of Orland. This contractor would offer supervision of the ponds, testing and reporting, and training of a current employee.

Council members asked questions regarding the operator's hours and obligations, expressing concerns about turnover within the department.

ACTION: Councilmember Roundy moved, seconded by Councilmember McDermott, to approve the emergency action as presented for the contract chief plant operator of the City's wastewater treatment plant. Motion carried by a voice vote 4-0.

City Attorney Greg Einhorn informed the Council that they are approving a contract tonight with specific terms (month-to-month with a 30-day notice) and amount (\$3000). He mentioned that the final version of the contract would be presented on the consent calendar at the May 21 or June 4th meeting.

ORAL AND WRITTEN COMMUNICATIONS

PUBLIC COMMENTS:

Orland resident Joser Rosales informed the Council of his collaboration with the County on establishing an Arts Council. He requested a letter of recommendation from either the Mayor or the City Manager to support his efforts for grant funding applications.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Roundy:

- Attended the Regional Waste Management meeting;
- Attended the Orland Volunteer Fire Department recruitment day;

Vice Mayor Romano:

- Nothing to Report

Councilmember McDermott:

- Attended the Planning Commission Meeting April 18th;
- Announced that the May Planning Commission meeting has been cancelled.

Mayor Dobbs:

- Attended Mill Street School Carnival;
- Glenn County Fair starting next week.

CITIZEN COMMENTS ON CLOSED SESSION – NONE
MEETING ADJOURNED TO CLOSED SESSION AT 8:11 PM
CLOSED SESSION ENDED AT 9:26 PM
RECONVENED TO REGULAR SESSION - Called to order by Mayor Chris Dobbs at 9:26 PM.
REPORT FROM CLOSED SESSION – No reportable action.
MEETING ADJOURNED AT 9:27 PM

Jennifer Schmitke, City Clerk

Chris Dobbs, Mayor



ORLAND LIBRARY COMMISSION MINUTES
Monday, March 11, 2024

CALL TO ORDER

Meeting called to order at 5:05 p.m. by Sherry Romano

ROLL CALL

Commissioners Present: Anne Butler; Dick Jolley; Sherry Romano

Commissioners Absent: Joe Lopez, Mary Anne Deeming

Staff/Council Present: Librarian J. Meza

ORAL & WRITTEN COMMUNICATIONS: None

ITEMS FOR DISCUSSION OR ACTION

1. Election of Officers was postponed to next meeting due to absence of Chair & Vice Chair
2. Approve minutes of previous meeting. The minutes of the Monday, January 8th meeting were approved unanimously.
3. **Reports from City Librarian on financial and monthly statistics:** Librarian provided statistical reports for January and February, 2024.
4. **Library Programs, Events and Grants:** Librarian discussed participation in Glenn STEM Expo; next step in Building Forward Grant activities generator and materials have been ordered; Conservation Ambassadors have been contacted and date for Wild Things program is being scheduled; library has introduced new language learning service free to library card holders- Mango Languages.
5. **State Library Budget:** Librarian discussed proposed state budget cuts that would eliminate the library’s online database access to tutoring and training services.
6. **Library 5 Year Plan:** Librarian requested input from commissioners.

COMMISSIONER AND/OR FRIENDS OF THE LIBRARY REPORTS: The Friends of the Library approved funding approximately \$9,400 of the entry way improvements. Commissioners requested that bike rack be installed and discussion item of the library budget at next meeting.

Future Agenda Items: Election of officers

ADJOURN: 5:35 p.m.



CITY OF ORLAND ARTS COMMISSION MINUTES
Tuesday, April 17, 2024

The Wednesday, April 17, 2024 meeting was called to order at 7:01 PM by Chairman Rae Turnbull at the Orland Art Center. Commissioners present were: Jill & Steve Elliott, and Jim Scribner. Also in attendance: Council Liaison Bruce Roundy and Community Liaison Laurie LaGrone. Commissioners Absent: Mason Greeley, Mary Rose Kennedy and Paddy Turnbull. The minutes of the March 20, 2024 meeting were approved as emailed with no corrections or additions (motion made by Steve Elliott, seconded by Jim Scribner - motion carried). Financial Reports covering March 1, 2024 through March 31, 2024 provided by Letty Espinosa were accepted as presented with no corrections or additions (motion made by Jim Scribner, seconded by Steve Elliott – motion carried).

Need for an agenda item to be added to “Items for Discussion and Action” was requested, motion made by Steve Elliott, seconded by Jim Scribner - motion carried.

COMMISSIONER REPORTS AND ACTION:

- A. Commission Chair Rae Turnbull reported on the Docent Appreciation event which included introduction of the new sales receipt books designed for Gallery Art sales, docent hours, safety protocols, and awareness of Arts Commission projects.
- B. Commission Chair Rae Turnbull reported on feedback from our ad spots on Public Radio.
- C. Commissioner Jill Elliott reported on the current state of our Patrons of the Arts roster.
- D. Commissioner Jim Scribner reported on the construction additions to the area behind the back alley entrance to the Gallery, which is also the Gallery’s special access for the handicapped.

ITEMS FOR DISCUSSION AND ACTION:

- A. Ideas for how to deal with replacement or retirement of donated items which are property of the Orland Art Center were discussed. A motion was made by Steve Elliott, seconded by Jim Scribner (motion carried) that when the need arises to replace or retire a donated item every effort will be made to communicate with donors.

There being no further business, the meeting adjourned at 8:01 p.m.

Next scheduled meeting: Wednesday, May 15, 2024 at 7:00 p.m.

Respectfully submitted by Jill Elliott and Rae Turnbull



CITY OF ORLAND STAFF REPORT
MEETING DATE: May 21, 2024

TO: Honorable Mayor and Council
FROM: Peter Carr, City Manager
SUBJECT: **Ratify Chief Plant Operator Professional Services Agreement (Action)**

BACKGROUND:

The City wastewater collection system and wastewater treatment facility (WWTF) require oversight by a State-certified Grade 1 operator. In consultation with the Regional Board of the State Department of Water Resources, City management has determined that a professional services contract with a Grade 1 operator is a suitable method to address the City’s current needs.

ANALYSIS:

As discussed with the City Council at its meeting May 7th, management proposes the services of Grade 1 operator Lewis Hall, of Orland. Per the attached draft agreement, Mr. Hall will be named Chief Plant Operator (CPO) on a month-to-month services agreement basis, billing monthly at \$3000 per month, providing oversight, reporting, and employee training as needed. This consulting arrangement satisfies the requirements of the State and the needs of the City.

At least one City employee is willing to learn the required skills and become a certified operator after completion of required courses, tests and operator-in-training (OIT) hours. It is the objective of the City to remain in regulatory compliance while training one or more City employee operators to become certified within one year. The services agreement can be terminated at any time with 30 days’ notice.

Attachment: Professional Services Agreement City of Orland – Lewis Hall

RECOMMENDATION:

Approve the proposed CPO agreement and authorize the City Manager to execute it.

FISCAL IMPACT OF RECOMMENDATION:

Up to \$36,000 for a year from the Sewer Fund. An undetermined but significant amount of time for the Public Works Director and City Engineer in WWTF oversight, reporting and training will be offset by the consultant’s services.

**INDEPENDENT CONTRACTOR AGREEMENT
LIMITED TERM
City of Orland – Lewis Hall**

This Independent Contractor Agreement (Agreement) is made and entered into this 15th day of May, 2024 by and between the City of Orland (City), and Lewis Hall (Contractor).

RECITALS:

- A. City has determined that it is desirable to retain Contractor to provide Certified Water Treatment Plant Operator services on a limited term and temporary basis, as the City does not currently have staff able to perform the contracted services; and
- B. Contractor represents that he possesses the qualifications, experience, and facilities necessary to perform the services contemplated herein and has proposed to provide those services; and
- C. Contractor represents and warrants that Contractor is an independently established business entity formed as a sole proprietorship that customarily provides services of the same nature as the services provided for City under this Agreement; and
- D. Contractor represents and warrants that Contractor advertises these services to and may contract with entities other than City; and
- E. Contractor represents and warrants that Contractor maintains a separate business location and has all required business licenses and tax registration, if any, in order to perform services under this Agreement; and
- F. The City desires to retain Contractor to perform the proposed services.

City and Contractor agrees as follows:

AGREEMENT:

- 1. Scope of Services. City retains Contractor to perform all of the non-exclusive professional services described in Exhibit “A” which is attached hereto and incorporated herein by this reference which shall include providing Certified Water Treatment Plant Operator services (“Services”).
- 2. Term. Services under this Agreement shall commence on May 8, 2024, and shall continue on a month-to-month basis.
- 3. Compensation. The compensation to be paid by City to Contractor for the professional services described in Exhibit “A” shall be Three Thousand (\$3,000.00) per month.
- 4. Invoice and Payments. Contractor shall submit invoices for services rendered during the preceding month. The City shall pay invoices that are undisputed within thirty (30) days of receipt and

approval. The parties agree to exercise good faith and diligence in the resolution of any disputed invoice amounts.

5. City's Representative. City hereby designates Peter R. Carr, or his or her designee, to act as its representative for the performance of this Agreement (City's Representative). City's Representative shall have the power to act on behalf of City for all purposes under this Agreement. Contractor shall not accept direction or orders from any person other than City's Representative or his or her designee.

6. Contractor's Representative. Contractor hereby designates Lewis Hall to act as its representative for the performance of this Agreement (Contractor's Representative). Contractor's Representative shall have full authority to represent and act on behalf of Contractor for all purposes under this Agreement. Contractor's Representative shall supervise and direct the Services, using his best skill and attention, and shall be responsible for all means, methods, techniques, sequences and procedures and for the satisfactory coordination of all portions of the Services under this Agreement.

7. Notice. Any invoices, notices, or other documents required to be given under this Agreement shall be delivered via email as follows:

If to the City:

citymanager@cityoforland.com

If to Contractor:

hccsdgm22@gmail.com

Notice shall be deemed to be effective at the time of transmission.

8. Independent Contractor.

A. It is understood and agreed, and is the intention of the parties hereto, that Contractor is an independent contractor, and not the employee or agent of City for any purpose whatsoever. City shall have no right to and shall not control the manner or prescribe the method by which the professional services are performed by Contractor herein and Contractor shall have the right to provide the same or similar services to entities other than City without restriction. Contractor shall be entirely and solely responsible for its acts and the acts of its agents, employees, and subcontractors while engaged in the performance of services hereunder. Contractor shall have no claim under this Agreement or otherwise against City for vacation pay, sick leave, retirement benefits, Social Security, workers compensation, disability, or unemployment insurance benefits or other employee benefits of any kind. The parties acknowledge that City shall not withhold from Contractor's compensation any funds for income tax, FICA, disability insurance, unemployment insurance or similar withholding and Contractor is solely responsible for the timely payment of all such taxes and related payments to the state and federal governments, for itself and for its employees, agents, and subcontractors who might render services in connection with this Agreement. The Contractor shall inform all persons who perform any services pursuant to this Agreement of the provisions of this section.

B. In the event that the Contractor's activities under this Agreement, or any of them, are found by any state or federal agency to be those of an employee rather than an independent contractor, Contractor agrees to indemnify City and hold City harmless for any damages, costs, or taxes imposed upon it pursuant to the Internal Revenue Code or state or federal taxing laws, including but not limited to any penalties and interest which City may be assessed by such state or federal agency for failing to withhold from the compensation paid to Contractor under this Agreement any amount which may have been required to be withheld by law.

C. In the event that the Contractor's activities under this Agreement, or any of them, are found by the California Public Employee's Retirement System (CalPERS) to be those of an employee rather than an independent contractor, Contractor shall defend (with legal counsel reasonably acceptable to the City), indemnify and hold harmless the City, its officers, employees, and agents, from and against any and all claims, losses, costs, contributions, arrears, interest, damages, penalties, expenses and liabilities of every kind, nature and description (including incidental and consequential damages, court costs, attorneys' fees, litigation expenses and fees of expert contractors or expert witnesses incurred in connection therewith and costs of investigation) that arise out of, pertain to, or relate to, directly or indirectly, in whole or in part, the Services provided under this Agreement.

9. Authority of Contractor. It is understood that Contractor is to provide information, research, advice, recommendations, and consultation services to the City. Contractor shall possess no authority with respect to any City decision. Contractor may verify test results and sign reports to Regional Board on the City's behalf. Contractor may certify City employees' training hours. The City is responsible for and shall make all governmental decisions related to work of Contractor.

10. Indemnification. To the fullest extent permitted by law, Contractor shall defend, indemnify and hold City, its officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury, in law or equity, to property or persons, including wrongful death, in any manner arising out of or incident to any alleged negligent acts, omissions or willful misconduct of Contractor, its officials, officers, employees, agents, and subcontractors arising out of or in connection with the performance of the Services under this Agreement, including without limitation the payment of all consequential damages, attorneys' fees and other related costs and expenses. Contractor shall defend, at Contractor's own cost, expense and risk, any and all such aforesaid suits, actions or other legal proceedings of every kind that may be brought or instituted against City, its officials, officers, employees, agents or volunteers. Contractor shall pay and satisfy any judgment, award or decree that may be rendered against City or its officials, officers, employees, agents or volunteers, in any such suit, action or other legal proceeding. Contractor shall reimburse City and its officials, officers, employees, agents and/or volunteers, for any and all legal expenses and costs, including reasonable attorneys' fees, incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Contractor's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by City or its officials, officers, employees, agents or volunteers. Notwithstanding the foregoing, to the extent Contractor's Services are subject to Civil Code section 2782.8, the above indemnity shall be limited, to the extent required by Civil Code section 2782.8, to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Contractor. This section shall survive any expiration or termination of this Agreement.

11. Insurance. Without limiting Contractor's indemnification of the City, Contractor shall procure and maintain for the duration of this Agreement, insurance against claims for injuries to persons or damage

to property that may arise from, or be in connection with, the performance of the work hereunder by Contractor, Contractor’s agents, representatives, employees, and subcontractors.

A. Minimum Scope and Limit of Insurance.

1. Coverage shall be at least as broad as:

(i) Commercial General Liability (CGL): Insurance Services Office Form CG 00 01 covering CGL on an “occurrence” basis, including products and completed operations, property damage, bodily injury and personal & advertising injury with limits no less than \$1,000,000 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location (ISO CG 25 03 or 25 04) or the general aggregate limit shall be twice the required occurrence limit.

(ii) Automobile Liability: Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if Contractor has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than \$100,000 per accident for bodily injury and property damage.

(iii) Workers’ Compensation insurance as required by the State of California, with Statutory Limits, and Employer’s Liability Insurance with limit of no less than \$1,000,000 per accident for bodily injury or disease. *(Not required if Contractor certifies that it has no employees).*

Contractor certifies that it has no employees: _____
Signature of Contractor

2. If Contractor maintains broader coverage and/or higher limits than the minimums shown above, the City requires and shall be entitled to the broader coverage and/or the higher limits maintained by the Contractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

The coverage types and limits required pursuant to this Agreement shall in no way limit the liability of Contractor.

12. Professional Services.

A. All work performed under this Agreement shall be performed and completed in a professional manner. All services shall be performed in the manner and according to the professional standards observed by a competent practitioner of the profession in which Contractor and any subcontractors are engaged.

B. Contractor represents and warrants that it is professionally qualified to perform the Services described herein; acknowledges that City is relying upon Contractor's qualifications to perform these Services in a professional manner; and agrees that City's full or partial acceptance of any work does not release Contractor from its obligation to perform the Services in accordance with this Agreement unless City expressly agrees otherwise in writing.

C. Contractor shall not be considered to be in default because of any nonperformance caused by occurrences beyond its reasonable control. The compensation specified in this Agreement may be reduced to account for such nonperformance.

13. Responsibility of Contractor.

A. Contractor shall be solely responsible for the quality and accuracy of its work and the work of its subcontractors performed in connection with this Agreement. Any review, approval, or concurrence therewith by the City shall not be deemed to constitute acceptance or waiver by the City of any error or omission as to such work.

B. Contractor shall coordinate the activities of all subcontractors and is responsible to ensure that all work product is consistent with one another to produce a unified, workable, and acceptable whole functional product. City shall promptly notify Contractor of any defect in Contractor's performance.

C. The Services shall be performed by Contractor or under its supervision.

14. Compliance with Law. Contractor shall comply with all applicable federal, state, and local statutes, ordinances, regulations, rules, and orders, including but not limited to those concerning equal opportunity and non-discrimination.

15. Labor Certification. By its signature hereunder, Contractor certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Services.

16. Conflict with Laws or Regulations/Severability.

A. This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court or other legal authority, or is agreed by the parties, to be in conflict with any code or regulation governing its subject, the conflicting provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of the agreement to either party is lost, the Agreement may be terminated at the option of the affected party. In all other cases, the remainder of the Agreement shall continue in full force and effect.

B. Contractor shall keep itself fully informed of and in compliance with all local, state and federal laws, rules and regulations in any manner affecting the performance of the Services, including all Cal/OSHA requirements, and shall give all notices required by law. Contractor shall be liable for all violations of such laws and regulations in connection with Services. If Contractor performs any work knowing it to be contrary to such laws, rules and regulations and without giving written notice to City, Contractor shall be solely responsible for all costs arising therefrom. Contractor shall defend, indemnify and hold City, its officials, officers, employees and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

17. Termination. Either party shall have the right to terminate this Agreement at any time for any reason upon thirty (30) days advance written notice to the other party.

18. Subcontracting and Assignment. Contractor shall not subcontract or assign any portion of the work to be performed under this Agreement without the prior written consent of City. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement.

19. No Third-Party Beneficiaries. There are no intended third-party beneficiaries of any right or obligation assumed by the Parties.

20. Prohibited Interests. Contractor maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Contractor, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Contractor, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

21. Employment Adverse to City. Contractor shall notify City, and shall obtain City's written consent, prior to accepting work to assist with or participate in a third-party lawsuit or other legal or administrative proceeding against City during the term of this Agreement.

22. Conflict of Employment. Employment by Contractor of personnel currently on the payroll of City shall not be permitted in the performance of this Agreement, even though such employment may occur outside of the employee's regular working hours or on weekends, holidays or vacation time. Further, the employment by Contractor of personnel who have been on City's payroll within one year prior to the date of execution of this Agreement, where this employment is caused by and or dependent upon Contractor securing this or related Agreements with City, is prohibited.

23. Waivers. Waiver of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.

24. Amendments. Any amendments to this Agreement shall be in writing and executed by both parties.

25. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of any successors to or assigns of the parties.

26. Jurisdiction. This Agreement shall be administered and interpreted under the laws of the State of California and any action brought hereunder shall be brought in the Superior Court in and for the County of Glenn.

27. Time of Essence. Time is of the essence for each and every provision of this Agreement.

28. Cooperation; Further Acts. The parties shall fully cooperate with one another and shall take any additional acts or sign any additional documents as may be necessary, appropriate or convenient to attain the purposes of this Agreement.

29. Provisions Required by Law Deemed Inserted. Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to be inserted and this Agreement shall be read and enforced as though it were included. If through mistake or otherwise, any provision is not inserted or is not correctly inserted, then upon application of either party, the Agreement shall be amended to make the insertion or correction. All references to statutes and regulations shall include all amendments, replacements, and enactments in the subject which are in effect as of the date of this Agreement, and any later changes which do not materially and substantially alter the positions of the parties.

30. Entire Agreement. This Agreement constitutes the entire Agreement between the parties for the provision of services to City by Contractor and supersedes all prior oral and written agreements and communications.

31. Construction. This Agreement reflects the contributions of both parties and accordingly the provisions of Civil Code section 1654 shall not apply in interpreting this Agreement.

32. Survival. All rights and obligations hereunder that by their nature are to continue after any expiration or termination of this Agreement, including, but not limited to, the indemnification and confidentiality obligations, and the obligations related to receipt of subpoenas or court orders, shall survive any such expiration or termination.

33. Authority to Enter Agreement. Contractor has all requisite power and authority to conduct its business and to execute, deliver, and perform the Agreement. Contractor warrants that the individual who has signed this Agreement has the legal power, right, and authority to make this Agreement and bind the Contractor.

34. Counterparts/Electronic, Facsimile, and PDF Signatures. This Agreement may be executed in any number of counterparts, each of which will be an original, but all of which together will constitute one instrument. Each Party of this agreement agrees to the use of electronic signatures, such as digital signatures that meet the requirements of the California Uniform Electronic Transactions Act (“CUETA”) Cal. Civ. Code §§ 1633.1 to 1633.17), for executing this agreement. The Parties further agree that the electronic signatures of the Parties included in this agreement are intended to authenticate this writing and to have the same force and effect as manual signatures. Electronic signature means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record pursuant to the CUETA as amended from time to time. The CUETA authorizes use of an electronic signature for transactions and contracts among Parties in California, including a government agency. Digital signature means an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature, and shall be reasonably relied upon by the Parties. For purposes of this section, a digital signature is a type of "electronic signature" as defined in subdivision (i) of Section 1633.2 of the Civil Code. Facsimile signatures or signatures transmitted via pdf document shall be treated as originals for all purposes.

CITY OF ORLAND: _____ Date: _____
PETER R. CARR, ORLAND CITY MANAGER

CONTRACTOR: _____ Date: _____
LEWIS HALL

**INDEPENDENT CONTRACTOR AGREEMENT
LIMITED TERM
City of Orland – Lewis Hall**

EXHIBIT A

Contractor shall serve as Chief Plant Operator for City of Orland.
As such, Contractor shall:

- Visit the Orland wastewater treatment facility (WWTF) at least weekly; and
- Oversee sewer system collection and WWTF operations; and
- Ensure required testing is performed and test results analyzed; and
- Recommend to management actions to be taken to maintain compliance with State and Regional Water Quality regulations; and
- Recommend to management actions to be taken to correct or improve WWTF operations; and
- Complete and forward to City Administration the required quarterly reports, timely; and
- Teach and train one or more City employees toward obtaining their own Grade 1 license.



CITY OF ORLAND STAFF REPORT
MEETING DATE: May 21, 2024

TO: Honorable Mayor and Council

FROM: Pete Carr, City Manager

SUBJECT: **Award Air Conditioning System Bid for Recreation Center (Action)**

City staff requests Council approval of a construction proposal for installation of a centralized air conditioning system for the Recreation Center.

BACKGROUND

The Recreation Center was constructed in 2008 with \$800,000 in State Parks grant funds. A ceiling-mounted swamp cooler was provided which never served the facility adequately. The heating system was separate and is adequate. A growing community, expanding Rec programs, frequent air quality issues, and hotter, longer summers demand a more robust system to cool and filter the indoor air.

ANALYSIS

City staff sought three or more bid proposals and obtained three ranging from \$69,000 to \$104,500. Staff recommends Option 2 of the Greg’s Heating & Air proposal at \$74,410 for its and superior system features (two 10-ton units, ground-mounted, with supply & return ducts and filters) and cost-effectiveness. City crew can prepare a concrete pad adjacent to the building. Rec Director, Rec Commissioners and City Attorney are supportive of this project being funded from Development Impact Fees (DIF) -- Parks Capital Improvement category.

Attachments (3): Bid proposals for air conditioning system for the Rec Center

RECOMMENDATION

Award bid for Rec Center air conditioning system to Greg’s Heating & Air, authorize City Manager to execute the contract.

Fiscal Impact of Recommendation:

\$75,000 from Parks DIF, no General Fund impact.

PROPOSAL/CONTRACT

GREG'S HEATING & A/C INC.
740 East Walker St., Orland, Ca. 95963
530-865-9677
License #1081892

Name: [Redacted]
Address: [Redacted]
Phone: [Redacted]
Date: April 16, 2024
Job Location:

We hereby submit specifications and estimates for:

Lely Park Gym

Option 1

Two York 10 ton package gas/electric unit,
Unit runs perpendicular to the gym and will be
approx. 11' out from gym to end of the unit

TOTAL \$ 71,310.00

Option 2

Two York 10 ton package gas/electric unit,
Unit runs parallel to the gym and will be
approx. 6' out from gym to opposing side of the unit

TOTAL \$ 74,410.00

Excludes: economizers, gas and HERs test

Units will set on the ground,
supply duct up sidewall approx. 12',
return straight out from unit (low sidewall)

Includes prevailing wage, HERs test and taxes.

Excludes painting, patching, framing, electrical.

We propose hereby to furnish material and labor – complete in accordance with above specifications for the sum of:

dollars \$ _____

Payment to be made as follows: **Payment due upon completion**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alterations or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workers Compensation Insurance.

NOTE: This proposal may be withdrawn by us if not accepted within _____

Authorized Signature _____ Date _____

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to work as specified. Payment will be made as outlined above. Acceptance of this Proposal constitutes a Contract.

Date of Acceptance: _____ Print _____

Signature _____

PROJECT PROPOSAL



CONTRACTOR/OWNER NAME -

City of Orland - Rec Center Gymnasium
 1002 Hambright Ave.
 Orland, 95963

530-517-1667

rswinhart@cityoforland.com

PROJECT SCOPE -

Supply and install Samsung 12 Ton VRF heat pump system to serve gymnasium
 (6) 32K Highwall Heads

**** SEE PAGE TWO FOR ALTERNATES ****

WORK INCLUDES -

- Thermostat, Delivery and placement, Prevailing wage
- Controls, Wire controls, Piping, refriger. Line

WORK EXCLUDES -


- Permit, Structural engineering, Ducting
- Electrical, Electrical disconnect, Phase Wiring
- Concrete pad for ODU, Floor Protection

This proposal will become a contract between us if accepted by you on or before
 and subsequently approved by our credit department.

June 1, 2024

PRICE -

\$69,239.24

Customer Signature	Date
Rob Swinhart	
Printed Customer Name	Date
	5/1/24
Salesperson Signature	Date

Thank you!

PROJECT PROPOSAL

"Your Comfort Is Our Business"



3025 Southgate Lane
Chico, CA 95928

CONTRACTOR/OWNER NAME -

City of Orland - Rec Center Gymnasium

INITIAL

ALTERNATE #1:

Steel cages around highwall heads
(Highly Recommend)

ADD: **\$2,360.00**

INITIAL

ALTERNATE #2:

Install fresh air fan though wall
for make up air

ADD: **\$10,800.00**

Customer Signature

Date

Rob Swinhart

Printed Customer Name

Date

Thank you!



CA LICENSE # 405424
NV LICENSE # 0042314
DIR # 1000954654
Phone # (530) 891-4926

WORKMANSHIP

Our work will be performed in the highest workmanlike manner and will comply with existing governing codes and regulations.

WARRANTY AND SERVICE

1. After installation, a qualified representative will start, test and provide instructions on the use of the equipment.
2. All equipment, material and labor furnished by us will bear a **1 YEAR LABOR** warranty from the date of installation against defects in workmanship and material. In addition, the equipment is protected in accordance with the manufacturer's warranty.
3. Service under our warranty, except for emergency calls, will only be provided during normal working hours and does not include filter and fuse replacement, lighting pilot lights, setting thermostats or resetting breakers.

GENERAL

1. During installation, we shall take all reasonable precautions to avoid injury to persons and damage to property.
2. Title to the equipment will remain with us until all sums due to us have been paid.
3. We shall have the right to transfer any or all notes held hereunder and title or right of possession will pass to the legal holder.
4. Any equipment or labor in addition to that required by this proposal will be paid for by you at our normal rates.
5. It is understood that this proposal sets forth our entire agreement.
6. This Proposal will become a contract between us if accepted by you and thereafter approved in writing by our duly authorized representative.
7. The proposal as outlined herein must be accepted by buyer within 30 days from the date of submittal, or said proposal is withdrawn.
8. Should either party herein bring suit to enforce the terms of this agreement, it is mutually agreed that the losing party shall pay to the successful party his cost and reasonable attorney fees.
9. 18% Annual Service Charge (1.5% monthly) will apply to all past due accounts.
10. Contractors are required by law to be licensed and regulated by the Contractor's State License Board. Any questions concerning a contractor may be referred to the Registrar, Contractor's State License Board, PO Box 26000, Sacramento, CA 95826.

Customer Signature

Date

METAL BUILDING SOLUTIONS, INC

License # 800033
4233 County Road F.
Orland, Ca 95963
530-624-7225

4-01-24

City of Orland
815 Fourth Street
Orland, Ca 95963

Attn. Ed Vonasek
Quote # 24-019
Project Reference: Install HVAC System in Gym area

Dear Ed,

As per your request I have prepared a quote proposal to install an HVAC System in the Rec Dept. Building in Orland. This proposal has been prepared in accordance with the information that was provided during our job walk.

This project has been quoted using prevailing wage

The proposal is as follows:

Furnish & Install (2) York 10 ton package gas/electric units (units to be located on the west sidewall of Bldg.)

Form & pour concrete pads for units to be placed

Duct work to run up approx. 12' off F/F for supply & turn into the building with Economizers for air distribution

Air returns to be at ground level & run straight into units

Inspect and perform HERs test

Install new 1" Gas supply line from existing ceiling mount Furnace to each new unit

Electrical disconnects for each unit are Not Included in this proposal, it is assumed that Steve Halsey will perform this work for the city

Total Cost for this project.....\$ 104,560.00

This price includes materials, sale tax, freight and labor

Page 2 of 2
Quote # 24-019

This proposal does not include engineered plans, permits, permit fees, impact fees, school fees or anything not specifically mentioned above.


Payment terms are 50% down with acceptance of this proposal for material costs, completed work to be billed out as completed or as portions are completed. All permit fees and or impact fees/school fees are due when they are required for permit submittal. These fees are Not Included in this proposal.

This quote is valid for 15 days after proposal date. After 15 days the price must be re-confirmed

Ed,

Thank you for this opportunity to provide you with a proposal for this project

Respectfully,



Jason Baldrige

If you are satisfied with this proposal and would like to have Metal Building Solutions complete the above-mentioned work, please sign and date below.

Signature/Owner Date

Print Name/Owner



CITY OF ORLAND STAFF REPORT
MEETING DATE: May 21, 2024

TO: Honorable Mayor and Council

FROM: Pete Carr, City Manager

SUBJECT: Agreement to Allow Caltrans Access to City Right of Way (Action)

BACKGROUND

OJ500 is a project being planned for Glenn County, on Route 32, to rehabilitate pavement and drainage systems and upgrade facilities to Americans with Disabilities Act (ADA) standards. The property located at 517 Walker Street in Orland is within the project area and Caltrans is asking for a Temporary Construction Easement (TCE). The TCE is needed for curb, gutter, and sidewalk construction and is anticipated to be required for 29 months.

ANALYSIS

The City is asked to approve a Right of Way State Highway Contract in the amount of \$3,500.00, and associated documents. "EXHIBIT A" Map shows the proposed Temporary Construction Easement area. The City Attorney and City Engineer have reviewed these documents.

Attachment: Proposed Agreement for OJ500 Right of Way Easement and Map

RECOMMENDATION

Approve the contract allowing Caltrans a temporary easement to work in the City right of way as part of OJ500 and authorize the City Manager to execute it.

Fiscal Impact of Recommendation:

\$3500 revenue to General Fund in a future fiscal year (FY 25-28).

RIGHT OF WAY CONTRACT
STATE HIGHWAY

RW 8-3 (Rev. 6/95)

CONFIDENTIAL	4. G.
This document contains personal information, and pursuant to Civil Code 1798.21, it shall be kept confidential in order to protect against unauthorized disclosure.	

APN: 040-184-002

District	County	Route	P.M.	E.A. / Project ID.	Program	Fed. Ref.	Name	Parcel
03	GLE	032	.05	OJ500 / 0319000291	SHOPP	N/A	CITY OF ORLAND	38699-1

_____, California

_____, 2024

CITY OF ORLAND
 Grantor

RIGHT OF WAY CONTRACT - STATE HIGHWAY

This Document No. **38699-1** in the form of **TEMPORARY CONSTRUCTION EASEMENT (TCE)** to the State of California, covering the property as delineated on the attached map identified as Exhibit "A", particularly described in Clause 9 below has been executed and delivered to **JOSHUA DEGROODT**, Right of Way Agent for the State of California.

In consideration of which, and the other considerations hereinafter set forth, it is mutually agreed as follows:

1. (A) The parties have herein set forth the whole of their agreement. The performance of this agreement constitutes the entire consideration for said document and shall relieve the State of all further obligation or claims on this account, or on account of the location, grade or construction of the proposed public improvement.
- (B) Grantee requires said property described as Parcel No. **38699-1** for State highway purposes, a public use for which Grantee has the authority to exercise the power of eminent domain. Grantor is compelled to sell, and Grantee is compelled to acquire the property.
- (C) Both Grantor and Grantee recognize the expense, time, effort, and risk to both parties in determining the compensation for the property by eminent domain litigation. The compensation set forth herein for the property is in compromise and settlement, in lieu of such litigation.

- (D) The parties to this agreement shall, pursuant Section 21.7(a) of Title 49, Code of Federal Regulations, comply with all elements of Title VI of the Civil Rights Act of 1964. This requirement under Title VI and the Code of Federal Regulations is to complete the USDOT- Non-Discrimination Assurance requiring compliance with Title VI of the Civil Rights Act of 1964, 49 C.F.R. Part 21 and 28 C.F.R. Section 50.3.
- (E) No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that is the subject of this agreement.
2. The State shall pay the undersigned Grantor the sum of **\$3,500.00 (\$2,500.00 in Fair Market Value Just Compensation plus a \$1,000.00 Incentive Payment as described in Clause 3 below)** for the property rights conveyed in this transaction.
 3. In addition to Fair Market Value Just Compensation, it is agreed by and between the parties hereto that the amount in **Clause 2 above includes a payment of \$1,000.00 as an incentive** to the Grantor for the timely signing of this Right of Way Contract. This Incentive Payment offer will expire sixty (60) days from the Initiation of Negotiations, which occurred on _____.
 4. The State shall pay all escrow and recording fees, interest, notary fees, and related miscellaneous expenses incurred in this transaction, and if title insurance is desired by the state, the premium charged therefore. Said escrow and recording charges shall not, however, include documentary transfer taxes (as State is exempt from such taxes). This transaction shall be handled through an internal escrow by the State of California, Department of Transportation, District 03, 703 B Street, Marysville, California, 95901.
 5. The undersigned Grantor warrants that **CITY OF ORLAND** is the owner in fee simple of the property affected by the Temporary Construction Easement, that **CITY OF ORLAND**, has the exclusive right to grant this right.
 6. It is understood and agreed by and between the parties, hereto that this Agreement inures to the benefit of, and is binding on, the parties, their respective heirs, personal representatives, successors, and assignees.
 7. In consideration of the State's waiving the defects and imperfections in all matters of record title, the undersigned Grantor covenants and agrees to

indemnify and hold the State of California harmless from any and all claims that other parties may make or assert on the title to the premises. The Grantor's obligation herein to indemnify the State shall not exceed the amount paid to the Grantor under this contract.

8. Grantor warrants that there are no oral or written leases on all or any portion of the property exceeding a period of one month, and the Grantor agrees to hold State harmless and reimburse State for any and all of its losses and expenses occasioned by reason of any lease of said property held by any tenant of Grantor for a period exceeding one month. Grantor acknowledges that a waiver will be required from any lessee that has a lease term exceeding one month. Said waiver is to be provided prior to the close of escrow.
9. It is understood and agreed that the amount payable in Clause 2 above includes compensation in full for the actual possession and use of the TCE, identified as Parcel No. **38699-1**, for the period commencing on **July 7, 2025** and terminating on **December 8, 2027**. If said parcel is no longer necessary for construction purposes, this TCE may be terminated prior to the above date by the Grantee upon written notice to the Grantor.

This TCE identified as Parcel No. **38699-1** is needed for curb, gutter, and sidewalk construction. Said easement shall be for a period of **twenty-nine (29)** months.

Permission is hereby granted the State or its authorized agent to enter upon Grantor's land where necessary within the TCE area shown on the map marked Exhibit "A" attached hereto and made a part hereof.

10. All work done under this agreement shall conform to all applicable building, fire and sanitary laws, ordinances, and regulations relating to such work, and shall be done in a good and workmanlike manner. All structures, improvements or other facilities, when removed, and relocated, or reconstructed by the State, shall be left in as good condition as found.

THIS AREA LEFT INTENTIONALLY BLANK

NOTE: The State of California or its officers or agents shall not be responsible for the accuracy or completeness of digital images of this map.



BY	REVISIONS	DATE	BY	REVISIONS	DATE	BY	REVISIONS	DATE	BY	REVISIONS	DATE	BY	REVISIONS	DATE

PARCEL#	TITLE CODE	GRANTOR/GUARTEE	AREAS (square feet or as noted)				REMARKS	RECORDATION		
			TOTAL	REQUIRED	[UF] EXCESS	[UF] REMAINDER		TYPE	DATE	DOC.#
38684-1	TCE	THE MOHAMMAD ILIAN FAMILY TRUST	14,374	561			SEE R/W CONTRACT FOR EXPIRATION DATE			
38685-1	TCE	SOUTHERN PACIFIC RAILROAD	LARGE	2208			SEE R/W CONTRACT FOR EXPIRATION DATE			
38685-2	TCE	SOUTHERN PACIFIC RAILROAD	LARGE	1714			SEE R/W CONTRACT FOR EXPIRATION DATE			
38686-1	TCE	HOBBS, WILBUR RAY	17,563	22			SEE R/W CONTRACT FOR EXPIRATION DATE			
38687-1	TCE	WAGNER, FRANCIS L FRANCIS L WAGNER	3,920	40			SEE R/W CONTRACT FOR EXPIRATION DATE			
38698-1	TCE	AUTOZONE DEVELOPMENT CORP	38,768	227			SEE R/W CONTRACT FOR EXPIRATION DATE			
38699-1	TCE	CITY OF ORLAND	32,244	506			SEE R/W CONTRACT FOR EXPIRATION DATE			

GRANTOR NOTES	NOTES
Areas shown do not include underlying fee, unless indicated. Ac=acres Indicates Underlying Fee (UF) Area Indicates Indeterminate UF TITLE CODES: A=Access Rights Only F=Fee E=Easement (Ease) TCE=Temp Construction Ease T=Other Temp Ease (see Remarks) O=Other (see Remarks) TYPE: GD=Grant deed ED=Easement deed QC=Quitclaim DD=Director's deed DE=Director's easement deed DK=Director's quitclaim deed FC=Final Order of Condemnation HE=Highway easement deed REL=Relinquishment VAC=Vacation JUA=Joint use agreement CCUA=Consent to common use agreement Document or Instrument number	Coordinates and bearings are on CCS 83 (2017.50) Zone 2. Distances and stationing are grid distances. Divide by .99998143 to obtain ground distances. All distances are in feet unless otherwise noted. LEGEND <ul style="list-style-type: none"> Access Prohibited Access Superseded Existing R/W Superseded Access Opening (Private) Indicates Radial Bearing Indicates Found Monument as noted Indicates calculated point. (Does not imply monument set) Title to State Required for Others

STATE OF CALIFORNIA
CALIFORNIA STATE TRANSPORTATION AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY APPRAISAL MAP

A-0J500.2

FOR PREVIOUS R/W INFORMATION SEE MAP(S)

FULL SIZE MAP SCALE: 1" = 50'

FEET 0 25 50 100 150

TO DESIGN: 11-30-2023 EA(s): 0J500 FA#:#
DRAFTED BY: C. BARR CHECKED BY: R. KEY

DISTRICT	COUNTY	ROUTE	SHEET PM	SHEET NO.	TOTAL SHEETS
03	GLE	32	0.10	2	9

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

CITY OF ORLAND

INCORPORATED 1909

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



CITY MANAGER

Peter R. Carr

California Arts Council
2750 Gateway Oaks Drive
Suite 300
Sacramento, CA 95833

To Whom It May Concern:

On behalf of the Orland City Council, I am writing in support of Nevada County Arts Council's application to mentor Glenn County in the creation of a State-Local Partner agency here.

We look forward to encouraging the Arts Council as it mentors us through the process of forming a 501c3 agency in service to Glenn County and our community. During this time, a standing committee will be formed and we anticipate key stakeholders, including local artists, local businesses, our Chambers of Commerce, and the County, will educate the public and encourage support for a Glenn County arts council.

Orland already enjoys a productive municipal arts commission, a cadre of talented artists, numerous outdoor art pieces and the indoor Orland Arts Center. We are pleased to have local resident Joser Rosales working with us on the development of a State-Local Partner agency. Joser is both an accomplished local artist and a civic-minded youth advocate, and has worked as a commissioner for both economic development and parks & recreation. He is currently working with youth interns on an inspiring mural initiative on an Orland school campus as part of Upstate California Creative Corps.

We believe that being part of the State-Local Partner program will benefit our community with art projects, open up opportunities for collaboration across groups, and serve our local constituents. We look forward to contributing to the process in a way that results in a uniquely Glenn County agency.

Kind regards,

Chris Dobbs
Mayor



CITY OF ORLAND

CITY COUNCIL

MEETING DATE: May 21, 2024

TO: City of Orland City Council
FROM: Scott Friend, AICP – City Planner
MEETING DATE: May 21, 2024; 6:30 p.m., Carnegie Center, 912 Third Street, Orland, CA 95963

SUBJECT: **General Plan Amendment (GPA) #2023-02: Supplement to the 2021-2029 6th Cycle City of Orland Housing Element. Public Hearing.** Adoption of the revised City of Orland Housing Element for the 6th Cycle covering the years between 2021-2029.

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”.

Summary:

The 2021-2029 Housing Element was adopted by the Orland City Council on March 1, 2022. Upon adoption, the document was sent to the California Department of Housing and Community Development (HCD) for a determination of 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 determined that certain revisions/additions were necessary. This determination has resulted in revisions being made to the previously adopted 2021-2029 Housing Element. These revisions require that the City re-adopt and re-submit the revised Housing Element. The proposed action is the readoption of the City’s 6th cycle Housing Element.

At its regular meeting of March 21, 2024, the Planning Commission of the City of Orland conducted a noticed public hearing and, following deliberations on the matter, voted 3-1 to send the document to the City Council with a recommendation for approval as presented.

Recommendation:

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

2) Adopt City Council Resolution No. 2024-___, approving General Plan Amendment (GPA) 2023-02 and adopting the *revised* 2021-2029 City of Orland 6th Cycle Housing Element Update and approving the CEQA exemption as presented.

Discussion:

State law requires General Plan Housing Elements be updated on eight-year cycles, and that the Element must be reviewed and approved by the California Housing and Community Development Department (HCD). The Housing Element is the only element of the General Plan that is required to be certified by a State agency. The currently “cycle” for Housing Elements is the 6th Cycle. The Housing Element is one of nine mandatory elements or components of a public agency General Plan (*California Government Code section 65302- Land Use, Circulation, Conservation, Noise, Environmental Justice, Open Space, Safety, Air Quality and Housing*). Elements may be combined and often General Plans contain less than nine formal elements (e.g.: Air Quality is often combined with Safety; Open Space and Conservation are often combined). The City of Orland’s General Plan contains all of the required elements and/or components.

The 2021-2029 City of Orland Housing Element was recommended for approval to the City Council by the Planning Commission on November 18, 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 that 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.

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 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 21, 2023, Planning Commission staff report for General Plan Amendment (GPA) #2023-02: 2021-2029 6th Cycle Housing Element Update is included as **Attachment D** and the Planning Commission staff report dated March 21, 2024 is included as **Attachment E**.

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 F - Notice of Exemption**.

Recommendation:

The Planning Commission recommends that the City Council approve the proposed General Plan Amendment through adoption of City Council Resolution #2024-___ included as **Attachment G**; approve the adoption of the Notice of Exemption included as **Attachment F**, and make the findings outlined in the staff report.

If the City Council determines that it intends to approve the matter as recommended, the following motion is offered for Council consideration:

Sample Motions:

- 1. California Environmental Quality Act (CEQA):

Move that the City Council determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section §15061(b)(3), the common sense exemption.

- 2. General Plan Amendment:

Move that the City Council adopt Resolution 2024-___ approving GPA #2023-02 as presented herein and making findings for the amendment of the General Plan.

GPA #2023-02
City of Orland City Council Meeting – May 21, 2024
Page | 4

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 – Planning Commission Staff Report – dated *December 21st, 2023***
- **Attachment E – Planning Commission Staff Report – dated *March 21, 2024***
- **Attachment F – California Environmental Quality Act (CEQA) Notice of Exemption (NOE)**
- **Attachment G – General Plan Amendment Approval Resolution – Resolution CC 2024 - ____**

** All staff reports noted above are presented without referenced attachments.*

**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
Page 2

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 ~~strikethrough~~/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

CITY COUNCIL AGENDA ITEM #:

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

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.

GPA #2023-02
City of Orland City Council Meeting – April 16, 2024
Page | 4

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**

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
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
Page | 2**

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

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
Page 2

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.

CONTACTS



Ellen Demson

Associate
San Francisco, CA
(415) 995-5824
EDemson@hansonbridgett.com



**Niran
Somasundaram**

Associate
San Francisco, CA
(415) 995-5872
NSomasundaram@hansonbridgett.com



Sean Marciniak

Partner
San Francisco, CA
(925) 746-8471
SMarciniak@hansonbridgett.com

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
Direct phone: (530) 934-1531 ext. 161531
Email: rnygard@countyofglenn.net

Janelle Kelly, Program Manager II
Glenn County Health & Human Services
Direct phone: (530) 934-1538
Email: jkelly@countyofglenn.net

Jessica Candela, Community Development Project Manager
Housing Tools (Consultant)
Direct phone: (530) 332-8906
Email: jcandela@housing-tools.com

5. A.



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**

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
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
Page | 2**

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
 Page | 3

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

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

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
Page 2

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

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 Council of the City of Orland has determined that this project is exempt from further CEQA review 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

		<u>City Planner</u>
Signature:	Date	Title
<input checked="" type="checkbox"/> Signed by Lead Agency	Date Received for Filing At OPR:	

**CITY OF ORLAND
CITY COUNCIL RESOLUTION CC #2024-___**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORLAND RE-ADOPTING THE REVISED CITY OF ORLAND HOUSING ELEMENT (GPA #2024-01), WHICH IS THE CITY’S 6TH CYCLE HOUSING ELEMENT COVERING THE YEARS 2021-2029, BY REPEALING AND REPLACING THE EXISTING ADOPTED 6TH CYCLE HOUSING ELEMENT PREVIOUSLY APPROVED BY THE CITY COUNCIL, AND, AUTHORIZING STAFF TO SUBMIT THE RE-ADOPTED 6TH CYCLE HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) FOR CERTIFICATION, AND, APPROVAL OF EXEMPTION UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT

WHEREAS, State law requires cities and counties to prepare and adopt a General Plan; and

WHEREAS, State law requires that all General Plans shall contain a Housing Element to provide policy direction related to the development of housing within the city or county; and

WHEREAS, pursuant to California Government Code Section 65580, all General Plans are required to contain a Housing Element and Housing Elements are required to be periodically updated as required by the State of California; 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, General Plan Amendment (GPA #2024-01) is a required action for the city to adopt the 6th Cycle Housing Element covering the years 2021-2029 to replace the previously approved 6th Cycle Housing Element; and

WHEREAS, the City of Orland has worked with staff from the State Department of Housing and Community Development (HCD) for many months to prepare a revised 6th Cycle Housing Element; and

WHEREAS, the HCD has provided the City with a letter dated November 21, 2023 documenting that the City’s revised draft 6th Cycle Housing Element (1) was made available to the public for seven (7) days as required by Government Code section 65585; (2) meets the statutory requirements required by the Government Code, and (3) will substantially comply with State Housing Element Law (Gov. Code Section 65580 *et seq.*) when it is adopted, submitted to and approved by HCD.

WHEREAS, the revised draft 6th Cycle Housing Element has been available to the public both in hard copy at City Hall and digitally via the City’s website since November of 2023, and

WHEREAS, on April 18, 2024, the Planning Commission of the City of Orland held a noticed public hearing at their regularly scheduled April meeting to take public input, consider and make a recommendation to the City Council approving the 6th Cycle Housing Element referenced in the HCD’s November 1, 2023 letter; and

WHEREAS, on April 18, 2024, the Planning Commission determined that the proposed General Plan Amendment (GPA #2024-01) met the statutory requirement to be determined to be exempt from further CEQA review pursuant to Section 15061(b)(3), known as the “General Rule” or “Common Sense” exemption as the Commission found that 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

WHEREAS, the City Council has determined the General Plan Amendment (GPA #2024-01) adopting the City’s revised 6th Cycle Housing Element to be exempt from further review under the California Environmental Quality Act pursuant to Section 15061(b)(3); and

WHEREAS, the City Council finds that the adoption of the 2021-2029 Housing Element Update as so revised is consistent with the City of Orland’s General Plan policies and programs and makes findings for the adoption of the amendment.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Orland does hereby approve and adopt General Plan Amendment #2024-01 approving the revised 6th Cycle City of Orland 2021-2029 Housing Element and associated CEQA Exemption.

NOW THEREFORE BE IT FURTHER RESOLVED that the City Council of the City of Orland does hereby authorize staff to submit the 6th Cycle Housing Element to HCD for certification, in accordance with the procedures set forth by State law.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Orland, California at a regular meeting held on the 21st day of May 2024.

Christopher Dobbs, Mayor

I, Jennifer T. Schmitke, City Clerk of the City of Orland, certify that the foregoing Resolution No. 2024-___ was duly adopted at a regular meeting of the City Council of the City of Orland held on May 21, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: APPROVED AS TO FORM

Jennifer T. Schmitke, City Clerk

Gregory P. Einhorn, City Attorney



CITY OF ORLAND STAFF REPORT
MEETING DATE: May 21, 2024

TO: Honorable Mayor and Council

FROM: Pete Carr, City Manager

SUBJECT: **Consider Ordinance to Regulate Camping Equipment in City Parks**
(Discussion/Direction)

BACKGROUND

The City prohibits overnight use of the parks by ordinance. Napping or sleeping in parks during the daytime, generally, is not a prohibited activity. Left unaddressed is whether camping equipment can be used in the parks in the daytime. A recently reported public safety incident in Library Park prompted concern in this regard.

ANALYSIS

Mayor Dobbs suggests that the City Council consider enacting an ordinance which could be codified into the enforceable Orland Municipal code disallowing the use of specified camping equipment in the parks without respect to hours of day.

RECOMMENDATION

Provide direction at Council discretion. Staff could bring back proposed ordinance language to address the Council’s direction given.

Fiscal Impact of Recommendation:

N/A



CITY OF ORLAND STAFF REPORT
MEETING DATE: May 21, 2024

TO: Honorable Mayor and Council

FROM: Paul W. Rabo, City Engineer

SUBJECT: **Proposed Project Funded by SB 1: The Road Repair and Accountability Act (Discussion/Action)**

BACKGROUND:

Senate Bill 1 (SB1), the Road Repair and Accountability Act of 2017, was passed by the Legislature and signed into law in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide. SB 1 includes accountability and transparency provisions that will ensure the residents of Orlando are aware of the projects proposed for funding and which projects have been completed each fiscal year. Since 2017 the City has used SB 1 funds in the reconstruction of Tehama Street and downtown alleys and for the design of the M ½ reconstruction.

ANALYSIS:

Staff has reviewed the Pavement Management Program Update 2021 Final Report (PMP) prepared by NCE to determine where and how SB 1 funds should be used. Projects included in Resolution 2024-09 have been selected from Appendix F of the PMP. The proposed projects fall under Scenario 2 of the PMP in which the City uses its existing budget and SB 1 funds to maintain and rehabilitate City streets. Streets proposed to receive crack sealing and a slurry seal are currently in “good” condition and will remain in “good” condition after the maintenance. Streets receiving a rubberized cape seal will improve from a “fair” to “good” condition. Streets receiving an overlay will improve from a “poor” to “good” condition. The City will receive approximately \$211,188 in the next SB 1 funding cycle.

RECOMMENDATION:

Adopt Resolution 2024-09 and authorize the City Manager or his designee to submit to the California Transportation Commission the City’s 2024/2025 SB 1 project list.

FISCAL IMPACT OF RECOMMENDATION:

The City will receive SB 1 funds to augment City funds for the maintenance and rehabilitation of City streets.

RESOLUTION NO. 2024-09

RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2024-25 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must adopt by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project’s completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive an estimated \$211,188 in RMRA funding in Fiscal Year 2024-25 from SB 1; and

WHEREAS, this is the eighth year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a robust public process to ensure public input into our community’s transportation priorities/the project list; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community’s priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City perform maintenance on various streets including Jacob Street, Kyle Court, Linwood Drive, Suisun Street, Stanton Way, Tehama Street and Seventh street; and

WHEREAS, the 2020 California Statewide Local Streets and Roads Needs Assessment found that the City’s streets and roads are in an at-risk condition and this revenue will help us increase the overall quality of our road system; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the City Council of the City of Orland, State of California, as follows:

1. The foregoing recitals are true and correct.
2. The following list of proposed projects will be funded in-part or solely with Fiscal Year 2024-25 Road Maintenance and Rehabilitation Account revenues:
 - a. **Gracelyn Street** pavement maintenance from Hambright Avenue to Jacob Street including crack sealing and Type II slurry seal. Estimated useful life: 5 years at minimum, 8 years at a maximum. Anticipated year of construction 2024/2025.
 - b. **Jacob Street** pavement maintenance from Gracelyn Street to Coby Lane including crack sealing and Type II slurry seal. Estimated useful life: 5 years at minimum, 8 years at a maximum. Anticipated year of construction 2024/2025.
 - c. **Coby Lane** pavement maintenance from Hambright Avenue to Jacob Street including crack sealing and Type II slurry seal. Estimated useful life: 5 years at minimum, 8 years at a maximum. Anticipated year of construction 2024/2025.
 - d. **Linwood Drive** pavement maintenance from Walker Street to Paigewood Drive including crack sealing and Type II slurry seal. Estimated useful life: 5 years at minimum, 8 years at a maximum. Anticipated year of construction 2024/2025.
 - e. **Suisun Street** pavement maintenance from Fourth Street to Third Street including a rubberized cape seal. Estimated useful life: 6 years at minimum, 10 years at a maximum. Anticipated year of construction 2024/2025.
 - f. **Stanton Way** pavement maintenance from Bryant Street to Stony Creek Drive including crack sealing and Type II slurry seal. Estimated useful life: 5 years at minimum, 8 years at a maximum. Anticipated year of construction 2024/2025.
 - g. **Tehama Street** pavement maintenance from Sixth Street to Third Street including crack sealing and Type II slurry seal. Estimated useful life: 5 years at minimum, 8 years at a maximum. Anticipated year of construction 2024/2025.
 - h. **Seventh Street** rehabilitation from Walker Street to Tehama Street including a mill and thick overlay. Estimated useful life: 15 years at minimum, 20 years at a maximum. Anticipated year of construction 2024/2025.

PASSED AND ADOPTED by the City Council of the City of Orland, State of California this 21st day of May 2024, by the following vote:

AYES:
NAYS:
ABSENT:

Chris Dobbs, Mayor

Attest:

Jennifer Schmitke, City Clerk



CITY OF ORLAND STAFF REPORT
MEETING DATE: May 21, 2024

TO: Honorable Mayor and Council
FROM: Pete Carr, City Manager
SUBJECT: **Fiscal Year 2024-25 Budget Discussion #4: Fund Balances; General Fund Expenditures; ARPA (Discussion/Direction)**

City staff will brief Council and seek direction on ongoing progress in preparing a draft proposed budget for the next fiscal year.

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 operations and projects consistent with Council direction. Staff will continue to analyze revenue projections and collect cost estimates to produce an evolving budget picture in anticipation of an adoptable budget before July 1st.

ANALYSIS

This evening’s discussion will build on the previous three discussions about capital projects, fleet replacement schedules, staffing, Measure A Public Safety Fund, Gas Tax, and the Schedule of Debts. We will consider the balances of all major funds with particular focus on the General Fund and Measure A Public Safety Fund. We will revisit the Gas Tax Street Fund budget, and review the American Rescue Plan Act (ARPA) fund with its many project subcategories.

Direction received from Council this evening will further inform staff analysis as we proceed with formulation of the final proposed budget which is planned, ideally, for presentation to Council for consideration of adoption on June 4th.

Fund Balances

While still awaiting our final FY23 audit report to confirm starting balances for funds for this fiscal year, our best estimates indicate starting fund balances for FY25 as follows:

- General Fund \$1.76M
- Public Safety \$1.15M
- Gas Tax \$991k
- Water \$4.27M
- Sewer \$1.03M

For General Fund, this is more than double the balance five years ago; it slightly exceeds our formula-based minimum threshold but is well short of our \$3.3M target.

General Fund

With \$6.74M in expected revenue against \$6.68M in planned expenditures, the proposed budget is balanced with less than 1% to the positive for future emergencies and improvement project needs.

To help the General Fund be balanced, certain costs (street lighting and a portion of street maintenance labor) are necessarily shifted back to Gas Tax Streets; prior to FY24 these costs resided in Gas Tax. Economic development expenditures are grouped under Council but not set out as a separate fund. No funding is provided to continue the Queen Bee Bucks gift card promotion. Pool expenses are shown separately from most other Rec expenses. All other budget changes are consistent with previous budget discussions.

ARPA

The ARPA budget consists of projects and programs paid for by this one-time allotment of post-Covid recovery funding. If staff has an updated budget worksheet ready by May 21, it will be presented at the meeting.

Attachments (2):

1. Summary of Major Fund Balances
2. General Fund and Gas Tax Budgets FY25

RECOMMENDATION

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

Fiscal Impact of Recommendation:

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

City of Orland Summary of Major Fund Balances

Fund Code	Fund Name	Fund Balance per Audit July 1, 2023	Projected 2023-2024		Fund Balance Projected June 30, 2024	Budgeted 2024-2025		Fund Balance Budgeted June 30, 2025
			Revenues and Transfers In	Expenditures Transfers Out		Revenues	Expenditures	
00	General Fund	1,990,665	6,396,479	6,627,281	1,759,863	6,739,595	6,690,734	1,808,724
01	Measure A Safety Fund	1,146,222	1,447,000	1,447,000	1,146,222	1,515,000	1,515,000	1,146,222
21	Street Related Funds (Gas Tax)	720,308	547,000	276,000	991,308	1,590,000	2,056,000	525,308
35	Development Impact Fund	2,950,330	600,000	600,000	2,950,330	200,000	200,000	2,950,330
26	Water Enterprise Fund	3,720,891	2,010,000	1,463,099	4,267,792	2,069,000	1,711,038	4,625,754
27	Sewer Enterprise Fund	456,745	1,374,000	796,728	1,034,017	1,412,000	996,703	1,449,314
28	Sewer Industries Fund	326,781	104,000	5,500	425,281	11,100	11,100	425,281
06	ARPA Fund	-	-	872,000	(872,000)	-	1,050,000	(1,922,000)
	Totals	11,311,942	12,478,479	12,087,608	11,702,813	13,536,695	14,230,575	11,008,933

City of Orland
2024 - 2025 Budget General - Fund Summary and Projections
 (Not Including Measure A Public Safety Fund)

Audited Fund Balance, June 30, 2023 \$ 4,308,638
 Less: Included in Measure A \$ (1,146,222)
 Less: Included in ARPA \$ (1,043,943)
 Less: General Plan Surcharge \$ (127,808)
Recognized Fund Balance: June 30, 2023 \$ 1,990,665

2023-2024, PROJECTED:

Projected Revenues \$ 6,396,479
 Projected Expenditures \$ (6,627,281)
Projected Fund Balance: June 30, 2024 \$ 1,759,863

2024-2025, Budgeted

Anticipated Revenues \$ 6,739,595
 Budgeted Expenditures \$ (6,690,734)
 Revenue Over/(Under) Expenditures: \$ 48,861
Budgeted Fund Balance: June 30, 2025 \$ 1,808,724

Budgeted General Fund Reserve Expressed as a Percentage of Budgeted Expenditures 27.0%

	Percentage of Budgeted Expenditures	
Minimum Acceptable General Fund Reserve (Under)/Over Acceptable General Fund Reserve	25%	\$ 1,672,683
Desired General Fund Reserve (Under)/Over Desired General Fund Reserve	50%	\$ 3,345,367
		\$ (1,536,643)

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

Revenue Source	2022-2023 Actual	2023-2024 Adopted Budget	2023-2024 Projected Revenues	2024-2025 Proposed Budget
Taxes				
Property Taxes (including Motor Vehicle In Lieu)	\$2,102,724	\$2,050,000	\$2,195,000	\$2,260,000
Sales Tax -- not including Measure A	2,405,389	2,625,000	2,400,000	2,772,000
Less Allocation to County		(22,000)	(\$30,000)	(62,000)
Prop 172/Public Safety Augmentation	33,221	31,000	35,000	33,000
COPS/SLESA Public Safety Grant	165,271	170,000	170,000	170,000
Business Licenses	31,441	27,000	31,000	31,000
Franchise Fees (PGE, ATT, WM, etc.)	285,418	240,000	305,000	320,250
Hotel User's Tax (TOT)	85,802	90,000	60,000	60,000
Investment Income	9,144	10,000	40,000	60,000
Rents and Royalties	59,655	54,100	56,000	56,000
Solar CREBS Credit, General Fund Portion	7,187	7,500	7,000	7,000
Inter-Governmental				
Orland Library Cost Share (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	\$0	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	160,000
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				
Cal Fire Dozer Grant	127,700		\$0	
Police Related Fines, Etc.	16,959		35,000	25,000
Grant/Program Reimbursements			100,000	
Reimbursements				
SB-2 Planning Grant	25,865		108,000	0
Other Revenues	16,035	53,000	20,000	20,000
Administrative Allocation to Enterprise Funds				
	241,630	230,000	248,879	256,345
Totals	<u>\$6,448,117</u>	<u>\$6,160,600</u>	<u>\$6,396,479</u>	<u>\$6,739,595</u>

City of Orland
2024-2025 Budget- Summary General Fund Expenditures By Department
 Department Detailed Expenditures in Following Sections

Department	2023-2024 Budgeted Expenditures	2023-2024 Projected Expenditures	2024-2025 Budgeted Expenditures
City Council	\$ 73,450	\$ 124,910	\$ 103,935
City Manager	\$ 437,772	\$ 461,378	\$ 517,387
City Clerk	\$ 71,483	\$ 73,983	\$ 78,382
City Accounting	\$ 258,732	\$ 265,432	\$ 298,354
City Attorney	\$ 52,400	\$ 52,400	\$ 52,400
City Planning	\$ 173,700	\$ 244,000	\$ 194,300
City Police	\$ 2,543,880	\$ 2,607,380	\$ 2,843,642
City Fire	\$ 295,840	\$ 303,090	\$ 437,378
City Building Inspection	\$ 191,460	\$ 201,860	\$ 212,372
City Engineer	\$ 28,500	\$ 28,500	\$ 29,500
City Facilities Maintenance	\$ 212,324	\$ 209,568	\$ 182,252
City Streets	\$ 412,712	\$ 409,830	\$ 113,961
City Parks Maintenance	\$ 274,588	\$ 276,488	\$ 249,197
City Fleet Maintenance, After Allocation to Specific Departments	\$ 191,604	\$ 248,004	\$ 212,505
City Recreation/ City Pool	\$ 329,595	\$ 372,495	\$ 402,767
City Library	\$ 658,434	\$ 688,684	\$ 701,691
	Shown Before Reimbursements		
General Fund Portion of Debt Service (*)	\$ 60,999	\$ 59,279	\$ 60,711
	<u><u>\$ 6,267,473</u></u>	<u><u>\$ 6,627,281</u></u>	<u><u>\$ 6,690,734</u></u>

Debt Service Excludes PERS Pension Obligation Bonds and PERS Unfunded Liabilities which are included in individual departments

City Council
2024-2025 Budget
Fund 00, Department 5010

Object Code	Description	2022-2023		2023-2024		2023-2024		2024-2025	
		Actual	Budget	Projected	Proposed	Projected	Proposed		
013	City Council Members' Stipends	18,000	18,000	18,000	18,000	18,000	40,750		
110	Office Expenses	2,445	1,600	1,600	1,600	1,600	2,500		
150	Econ Dev - Chamber of Commerce	11,251	32,500	32,500	32,500	32,500	32,500		
545	Econ Dev - Façade/Improvement Grants	17,513	5,500	5,500	7,000	7,000	7,000		
240	Econ - Membership (3CORE)	5,500	6,200	6,200	5,500	5,500	5,500		
122	Special Department Expense - Technology	8,472	1,000	1,000	4,500	4,500	4,500		
150	Publications	82	600	600	200	200	200		
160	Communications	217	507	507	400	400	400		
200	Equipment Maintenance	5,522	4,900	4,900	45,000	45,000	0		
220	Grant Support (MPDG)	4,874	0	0	5,685	5,685	5,685		
240	Membership, Other	1,436	2,000	2,000	0	0	0		
122	Website Hosting and Maintenance	342	1,150	1,150	2,000	2,000	2,000		
250	Travel/Training				1,725	1,725	2,100		
280	Insurance/Bonds				800	800	800		
640	Capital Improvements								
	Other								
	Subtotal	76,161	73,450	124,910	124,910	124,910	103,935		
	Total General Fund Appropriations	\$ 76,161	\$ 73,450	\$ 124,910	\$ 124,910	\$ 124,910	\$ 103,935		

City Manager
2024-2025 Budget
Fund 00, Department 5050

Object Code	Description	2022-2023		2023-2024		2023-2024		2024-2025	
		Actual	Budget	Budget	Projected	Projected	Proposed		
010-045	Salaries and Benefits	\$ 234,187	\$ 355,569	\$ 355,569	\$ 355,569	\$ 355,569	\$ 397,645		
	PERS unfunded liability/Pension Obligation Bonds	67,927	47,503	47,503	47,503	47,503	66,442		
110	Office Expenses	1,094	2,000	2,000	850	850	2,000		
122	Special Departmental- Technology	9,672	6,200	6,200	6,200	6,200	6,500		
160	Communications	1,563	1,500	1,500	1,600	1,600	1,700		
210	Professional and Contract Services	2,320	1,000	1,000	1,000	1,000	1,000		
210	Grant Writing and Studies *		10,000	10,000	25,850	25,850	10,000		
240	Membership and Dues	114	2,000	2,000	2,000	2,000	2,000		
250	Travel/Training	2,037	500	500	5,000	5,000	2,000		
270	Fuel	0	9,500	9,500	200	200	9,500		
280	Insurance/Bonds	11,860	2,000	2,000	14,256	14,256	17,100		
095	Employee Recognition	1,250			1,350	1,350	1,500		
	Subtotal	332,024	437,772	437,772	461,378	461,378	517,387		
640	Capital Items -- replace admin vehicle	22,674					0		
	Total General Fund Appropriations	\$ 354,698	\$ 437,772	\$ 437,772	\$ 461,378	\$ 461,378	\$ 517,387		
	* Reimbursable with Program Funding				25,850				

City Clerk
2024-2025 Budget
Fund 00, Department 5020

Object Code	Description	2022-2023		2023-2024		2023-2024		2024-2025	
		Actual	Budget	Budget	Projected	Projected	Proposed		
010-045	Salaries and Benefits	\$ -	\$ 44,481	\$ 44,481	\$ 44,481	\$ 44,481	\$ 45,925		
	PERS unfunded liability/Pension Obligation Bonds	77	102	102	102	102	177		
110, 450	Office Expenses/Supplies	2,557	2,500	2,500	2,500	2,500	2,700		
120	Special Departmental - Other	35							
122	Special Departmental - Technology	8,344	6,200	6,200	6,200	6,200	6,500		
125	Election Charges	2,686	0	0	0	0	6,000		
150	Publications	135	500	500	200	200	200		
160	Communications	868	1,000	1,000	1,000	1,000	1,000		
200	Equipment Maintenance		0	0	0	0	500		
210	Professional and Contract Services	5,539	4,000	4,000	4,000	4,000	250		
240	Membership and Dues	200	200	200	250	250	200		
242	Filings		0	0	200	200	200		
250	Travel/Training	1,806	500	500	500	500	500		
280	Insurance/Bonds	5,616	4,500	4,500	6,750	6,750	8,100		
640	Agenda Management Software		7,500	7,500	7,800	7,800	6,330		
	Subtotal	27,863	71,483	71,483	73,983	73,983	78,382		
Total General Fund Appropriations		\$ 27,863	\$ 71,483	\$ 71,483	\$ 73,983	\$ 73,983	\$ 78,382		

City Attorney
2024-2025 Budget
Fund 00, Department 5040

Object Code	Description	2022-2023 Actual	2023-2024 Budget	2023-2024 Projected	2024-2025 Proposed
210	Professional Services - Retainer	\$ 54,345	\$ 50,400	\$ 50,400	\$ 50,400
	Other		2,000	2,000	2,000
	Subtotal	54,345	52,400	52,400	52,400
Total General Fund Appropriations		\$ 54,345	\$ 52,400	\$ 52,400	\$ 52,400

City Accounting Department
2024-2025 Budget
Fund 00, Department 5030

Object Code	Description	2022-2023		2023-2024		2024-2025	
		Actual	Budget	Projected	Proposed		
010-045	Salaries and Benefits	\$ 153,844	\$ 161,645	\$ 161,645	\$ 179,661		
	PERS unfunded liability/Pension Obligation Bonds	14,037	10,137	10,137	13,943		
110	Office Expenses/Bank Fees	5,782	7,000	8,000	7,000		
120	Special Departmental - Other	199		200			
122	Special Departmental - Technology	10,604	6,200	7,500	6,500		
122	Accounting Software- Tyler			4,000	17,500		
160	Communications-Internet/Phones	1,109	1,000	1,200	1,000		
210	Professional Services-Consultant	43,041	39,000	39,000	39,000		
223	Professional Services - Independent Audit	25,900	30,000	30,000	30,000		
224	Professional Services - PERS GASB 68		3,000	3,000	3,000		
240	Memberships	0	250	250	250		
250	Travel/Training	25	500	500	500		
280	Insurance/Bonds						
	Subtotal	254,541	258,732	265,432	298,354		
	Total General Fund Appropriations	\$ 254,541	\$ 258,732	\$ 265,432	\$ 298,354		

City Planning Department
2024-2025 Budget
Fund 00, Department 5060

Object Code	Description	2022-2023	2023-2024	2023-2024	2023-2024	2024-2025
		Actual	Budget	Budget	Projected	Proposed
110	Office Expenses	3,026	3,000	3,000	3,000	3,100
122	Special Departmental-Technology	8,344	5,000	5,000	5,000	5,200
120	Special Departmental-other	-	0	0	12,000	0
150	Publications (Legal Notices/Filing Fees)	4,310	2,000	2,000	2,000	2,000
160	Communications	899	700	700	1,000	1,000
210	Professional and Contract Services	141,101	132,000	132,000	200,000	150,000
210	Grant writing & studies		10,000	10,000		10,000
210	Contract Services - Chico State GIS		11,000	11,000	11,000	11,000
210	City Contribution to LAFCO	9,805	10,000	10,000	10,000	12,000
240	Memberships	0	0	0	0	0
250	Travel/Training	0	0	0	0	0
	Subtotal	167,485	173,700	173,700	244,000	194,300
Total General Fund Appropriations		\$ 167,485	\$ 173,700	\$ 173,700	\$ 244,000	\$ 194,300

**City Police
2024-2025 Budget**

Funds 00 and 04, Departments 5110 and 5115
(Not Including Measure A Public Safety Fund)

Object Code	Description	2022-2023		2023-2024		2023-2024		2024-2025	
		Actual	Budget	Budget	Projected	Projected	Proposed		
010-045	Salaries and Benefits	\$ 1,741,864	\$ 2,016,150	\$ 2,016,150	\$ 2,016,150	\$ 2,179,158			
	PERS unfunded liability/Pension Obligation Bonds	214,799	216,830	216,830	216,830	262,884			
110	Office Expenses	7,822	6,500	6,500	6,500	6,500			6,500
120	Special Dept. Expense - Supplies	7,740	30,000	30,000	30,000	30,000			30,000
122	Special Department-Technology	19,989	30,000	30,000	31,200	32,700			32,700
160	Communications	3,348	0	0	0	0			0
200	Equipment and Building Maintenance	536	0	0	0	0			0
210	Professional and Contract Services	33,663	30,000	30,000	30,000	30,000			30,000
222	Animal Control Services from Glenn County	55,000	55,000	55,000	55,000	55,000			55,000
240	Membership and Dues	1,329	900	900	900	900			900
250	Travel/Training	24,479	20,000	20,000	35,000	35,000			35,000
270	Fuel	68,042	60,000	60,000	68,000	70,000			70,000
280	Insurance/Bonds	97,988	78,500	78,500	117,800	141,500			141,500
	Subtotal	\$ 2,276,599	\$ 2,543,880	\$ 2,543,880	\$ 2,607,380	\$ 2,843,642			
550	Capital Outlay								
	Total General Fund Appropriations	\$ 2,276,599	\$ 2,543,880	\$ 2,543,880	\$ 2,607,380	\$ 2,843,642			

**City Fire
2024-2025 Budget**

Fund 00, Department 5120

(Not Including Measure A Public Safety Fund)

Object Code	Description	2022-2023		2023-2024		2023-2024		2024-2025	
		Actual	Budget	Budget	Projected	Projected	Proposed		
010-045	Salaries and Benefits*	\$ 176,610	\$ 255,546	\$ 255,546	\$ 255,546	\$ 255,546	\$ 386,167		
045	PERS unfunded liability/Pension Obligation Bonds	2,651	2,337	2,337	2,337	2,337	3,354		
110	Workers' Compensation Insurance (Includes Volunteers)	9,788	12,157	12,157	12,157	12,157	12,157		
120	Office Expenses	1,867	3,000	3,000	3,500	3,500	3,500		
122	Special Departmental-other	302							
140	Special Departmental-Technology	8,104	7,900	7,900	7,900	7,900	8,300		
160	Uniforms	1,400							
170	Communications	533							
210	Utilities	10,453	6,000	6,000	9,000	9,000	9,000		
250	Professional and Contract Services	1,200	1,400	1,400	1,400	1,400	1,400		
280	Travel/Training	0	0	0	0	0	0		
	Insurance/Bonds	9,364	7,500	7,500	11,250	11,250	13,500		
	Maintenance and Operations	222,272	295,840	295,840	303,090	303,090	437,378		
550	Capital Outlay								
	Total General Fund Appropriations	\$ 222,272	\$ 295,840	\$ 295,840	\$ 303,090	\$ 303,090	\$ 437,378		

*Cost share reimbursement from the County per contract.

City Building Inspection & Code Enforcement
2024-2025 Budget
Fund 00, Department 5070

Object Code	Description	2022-2023		2023-2024		2023-2024		2024-2025	
		Actual	Budget	Projected	Proposed	Actual	Budget	Projected	Proposed
010-045	Salaries and Benefits	\$ 48,130	\$ 58,923	\$ 58,923	\$ 64,976	\$ 48,130	\$ 58,923	\$ 58,923	\$ 64,976
	PERS unfunded liability/Pension Obligation Bonds	13,667	9,937	9,937	13,596	13,667	9,937	9,937	13,596
110	Office Expenses	5,610	3,500	3,500	7,500	5,610	3,500	3,500	7,500
122	Special Department Expense - Technology Upgrades	13,604	6,000	6,000	12,600	13,604	6,000	6,000	12,600
160	Communications and Public Notices	1,469	1,400	1,400	1,500	1,469	1,400	1,400	1,500
200	Equipment Maintenance and Leases	228	200	200	200	228	200	200	200
210	Professional Services (Plan Review)	26,855	35,000	35,000	35,000	26,855	35,000	35,000	35,000
220	Contract Services (Inspection)	78,925	75,000	75,000	75,000	78,925	75,000	75,000	75,000
240	Dues and Memberships	0	200	200	0	0	0	0	0
250	Travel/Mileage	4,668	1,300	1,300	5,800	4,668	1,300	5,800	2,000
450	Supplies	332				332			
640	Capital Items								
	Subtotal	193,488	191,460	191,460	212,372	193,488	191,460	201,860	212,372
Total General Fund Appropriations		\$ 193,488	\$ 191,460	\$ 191,460	\$ 212,372	\$ 193,488	\$ 191,460	\$ 201,860	\$ 212,372

City Engineer
2024-2025 Budget
Fund 00, Department 5160

Object Code	Description	2022-2023 Actual	2023-2024 Budget	2023-2024 Projected	2024-2025 Proposed
210	Engineering Services	39,006	28,500	28,500	29,500
	Subtotal	39,006	28,500	28,500	29,500
Total General Fund Appropriations		\$ 39,006	\$ 28,500	\$ 28,500	\$ 29,500

City Facilities Maintenance
2024-2025 Budget
Fund 00, Department 5190

Object Code	Description	2022-2023		2023-2024		2023-2024		2024-2025	
		Actual	Budget	Budget	Projected	Projected	Proposed		
010-045	Salaries and Benefits	\$ 119,430	\$ 130,790	\$ 130,790	\$ 130,790	\$ 130,790	\$ 117,307		
	PERS unfunded liability/Pension Obligation Bonds	7,911	13,034	13,034	13,034	13,034	9,445		
170	Utilities	11,268	11,000	11,000	19,000	19,000	11,000		
190/450	Miscellaneous Supplies and Services	35,686	25,000	25,000	28,000	28,000	25,000		
280	Insurance/Bonds	3,120	2,500	2,500	3,750	3,750	4,500		
640	Capital Improvements		25,000	25,000	0	0	10,000		
640	Capital Equipment	30	5,000	5,000	5,000	5,000	5,000		
	Subtotal	177,445	212,324	212,324	199,574	199,574	182,252		
190	Recreation Center Roof Repair				9,994	9,994	-		
546	Carnegie Center Upgrades								
	Total General Fund Appropriations	\$ 177,445	\$ 212,324	\$ 212,324	\$ 209,568	\$ 209,568	\$ 182,252		

City Streets Maintenance
General Fund Portion
2024-2025 Budget
Fund 00, Department 5170

Object Code	Description	2022-2023		2023-2024		2023-2024		2024-2025	
		Actual	Budget	Budget	Projected	Projected	Proposed		
010-045	Salaries and Benefits	\$ 101,177	\$ 269,645	\$ 269,645	\$ 269,645	\$ 269,645	\$ 219,951		
	PERS unfunded liability/Pension Obligation Bonds	17,079	26,067	26,067	26,067	26,067	17,710		
	Less: Gasoline Tax Wages & Benefits	(75,000)	-	-	-	-	(150,000)		
120	Special Departmental Supplies	20,292	2,100	2,100	2,100	2,100	2,100		
140	Uniforms	2,382	2,200	2,200	2,200	2,200	2,200		
160	Communications-Cell Phones						4,800		
170	Utilities/Street Lights	76,838	75,000	75,000	75,000	75,000	0		
200	Equipment Maintenance	7,464	15,000	15,000	7,500	7,500	8,000		
203	Fleet Maintenance Allocation	0	15,000	15,000	0	0	0		
210	Professional Services	439							
280	Insurance/Bonds	9,612	7,700	7,700	7,700	7,700	9,200		
	Subtotal	160,283	412,712	412,712	390,212	390,212	113,961		
550	Capital Outlay	50,404			19,618	19,618			
	Total General Fund Appropriations	\$ 210,687	\$ 412,712	\$ 412,712	\$ 409,830	\$ 409,830	\$ 113,961		

Note: The majority of the City's street maintenance costs are paid through the Highway Users Tax special revenue fund which is shown separately on page 29.

City Fleet Maintenance
2024-2025 Budget
Fund 00, Department 5180-5183

Object Code	Description	2022-2023		2023-2024		2023-2024		2024-2025	
		Actual	Budget	Actual	Budget	Projected	Proposed		
010-045	Salaries and Benefits	\$ 228,388	\$ 302,370	\$ 302,370	\$ 302,370	\$ 302,370	\$ 234,615		
	PERS unfunded liability/Pension Obligation Bonds	1233	634	634	634	634	18,890		
110	Office Expenses	-	5,000	5,000	1,000	1,000	1,000		
120/200/450	Equipment Maintenance/Supplies, Admin	46,249	15,000	15,000	52,000	52,000	55,000		
120/200/450	Equipment Maintenance/Supplies, Police	3,799	15,000	15,000	5,000	5,000	15,000		
120/200/450	Equipment Maintenance/Supplies, Fire	79,524	25,000	25,000	65,000	65,000	65,000		
170	Utilities	-	3,300	3,300	-	-	-		
200	Equipment Maintenance, Other	-	3,300	3,300	-	-	1,000		
	Subtotal	359,193	369,604	369,604	426,004	426,004	390,505		
	Allocation of Expenditures to Specific Departments:								
	Police (Measure A)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)	(60,000)		
	Fire (Measure A)	(40,000)	(50,000)	(50,000)	(50,000)	(50,000)	(50,000)		
	Street Funds/Gas Tax	(15,000)	(15,000)	(15,000)	(15,000)	(15,000)	(15,000)		
	Parks	(15,000)	(15,000)	(15,000)	(15,000)	(15,000)	(15,000)		
	Water	(7,500)	(22,000)	(22,000)	(22,000)	(22,000)	(22,000)		
	Sewer	(7,500)	(16,000)	(16,000)	(16,000)	(16,000)	(16,000)		
	Total Non-Allocated General Fund Appropriations	\$ 214,193	\$ 191,604	\$ 191,604	\$ 248,004	\$ 248,004	\$ 212,505		

City Parks Maintenance
2024-2025 Budget
Fund 00, Department 5250

Object Code	Description	2022-2023		2023-2024		2023-2024		2024-2025	
		Actual	Budget	Budget	Projected	Projected	Proposed		
010-045	Salaries and Benefits	\$ 196,977	\$ 156,948	\$ 156,948	\$ 156,948	\$ 156,948	\$ 131,971		
	PERS unfunded liability/Pension Obligation Bonds	\$ 25,927	\$ 15,640	\$ 15,640	\$ 15,640	\$ 15,640	\$ 10,626		
110	Office Expenses	25	150	150	150	150	150		
120/450	Dept. Expenses - Repair, Supplies & Services	26,575	30,000	30,000	30,000	30,000	30,000		
140	Uniforms	2,382	1,500	1,500	1,500	1,500	1,500		
160	Communications	220	550	550	550	550	550		
170	Utilities	14,883	3,500	3,500	4,500	4,500	3,500		
200	Equipment Maintenance & Lease	6,445	12,000	12,000	10,000	10,000	12,000		
210	Professional Services	16,177							
280	Insurance/Bonds	7,240	5,800	5,800	8,700	8,700	10,400		
270	Fuel	0	1,500	1,500	1,500	1,500	1,500		
560	Tree Replacement	-	3,000	3,000	3,000	3,000	3,000		
	Fleet Maintenance Allocation	15,000	15,000	15,000	15,000	15,000	15,000		
	Subtotal	311,851	245,588	245,588	247,488	247,488	220,197		
640	Capital Outlay	0	29,000	29,000	29,000	29,000	29,000		
	Total General Fund Appropriations	\$ 311,851	\$ 274,588	\$ 274,588	\$ 276,488	\$ 276,488	\$ 249,197		

City Recreation and Pool 2023-2024 Budget

Fund 00, Departments 5260 and 5261

Object Code	Description	2022-2023		2023-2024		2023-2024		2024-2025	
		Actual	Budget	Budget	Projected	Proposed	Projected	Proposed	
010-045	5260 Salaries and Benefits, Recreation	\$ 159,625	\$ 113,253	\$ 113,253	\$ 113,253	\$ 152,134	\$ 113,253	\$ 152,134	
010-045	5261 Salaries and Benefits, Pool	\$ 80,087	\$ 79,623	\$ 79,623	\$ 79,623	\$ 101,423	\$ 79,623	\$ 101,423	
010-050	5260 PERS unfunded liability/Pension Obligation Bonds-Rec/Pool	24328	22,319	22,319	22,319	34,010	22,319	34,010	
110	Office Expenses	2,095	6,000	6,000	6,000	6,000	6,000	6,000	
120	Supplies - Recreation	45,567	6,000	6,000	25,000	6,000	25,000	6,000	
120	Supplies - City Pool	75,132	18,000	18,000	48,000	18,000	48,000	18,000	
122	Special Department-Tech (+Rec Desk)	11,804	10,400	10,400	10,400	10,900	10,400	10,900	
160	Communications	1,937	4,500	4,500	4,500	4,500	4,500	4,500	
170	Utilities	11,235	8,000	8,000	9,000	9,000	9,000	9,000	
170	Utilities - City Pool	16,014	13,000	13,000	17,000	18,000	17,000	18,000	
190	Building Maintenance	718	10,000	10,000	1,000	1,000	1,000	1,000	
200	Equipment Maintenance	4,929	200	200	200	200	200	200	
210	Professional and Contract Services	3,825	8,000	8,000	2,000	3,000	2,000	3,000	
250	Training and Travel	69							
270	Gas and Oil	2,481	2,500	2,500	2,500	2,500	2,500	2,500	
280	Insurance/Bonds	9,736	7,800	7,800	11,700	14,100	11,700	14,100	
450/460	Pool Supplies and Chemicals	22,403	20,000	20,000	20,000	22,000	20,000	22,000	
	Other	2,025							
	Subtotal	474,010	329,595	329,595	372,495	402,767	372,495	402,767	
540	Capital Outlay	56,850							
	Total General Fund Appropriations	\$ 530,860	\$ 329,595	\$ 329,595	\$ 372,495	\$ 402,767	\$ 372,495	\$ 402,767	

City Library
2024-2025 Budget
Fund 00, Department 5200

Object Code	Description	2022-2023		2023-2024		2024-2025	
		Actual	Budget	Projected	Proposed		
010-045	Salaries and Benefits	\$ 461,101	\$ 532,207	\$ 532,207	\$ 557,852		
	PERS unfunded liability/Pension Obligation Bonds	\$ 84,847	\$ 59,827	\$ 59,827	\$ 65,539		
110	Office Expenses	3,219	4,700	5,500	4,700		
120/450	Special Department Expense, Supplies	11,364	10,500	18,000	10,500		
122	Special Department-Technology	8,104	6,200	6,200	6,500		
160	Communications	6,660	2,000	3,200	2,000		
170	Utilities	22,475	10,000	19,000	10,000		
200	Equipment Maintenance	3,934	5,500	10,000	5,500		
210	Professional and Contract Services	7,388	10,000	10,000	10,000		
250	Travel/Training	5,794	3,000	3,000	3,000		
280	Insurance/Bonds	18,100	14,500	21,750	26,100		
	Subtotal	632,986	658,434	688,684	701,691		
	ADA Corrections, Library Facilities Capital Outlay						
	Total General Fund Appropriations	\$ 632,986	\$ 658,434	\$ 688,684	\$ 701,691		

**City of Orland Street Funds -- Gas Tax
2024- 2025 Budget**

	HUTA Fund (21)	STIP Fund	S.B. 1 Road Maint. Rehab Fund (34)	Totals
Audit Balance, June 30, 2023	\$ 396,556	\$ -	\$ 323,752	\$ 720,308
Anticipated Revenues, 2023-2024	\$ 342,000	\$ -	\$ 205,000	\$ 547,000
Budgeted Expenditures, 2023-2024	\$ (110,000)	\$ -	\$ (166,000)	\$ (276,000)
Less: Expected Capital Expenditure Carryover	\$ -	\$ -	\$ -	\$ -
Projected Fund Balances at June 30, 2024	\$ 628,556	\$ -	\$ 362,752	\$ 991,308
2024-25 BUDGET				
Estimated HUTA Apportionments Payable -- State of CA	\$ 230,000	\$ -	\$ 220,000	\$ 450,000
Projected RSTP Revenues	\$ 140,000	\$ -	\$ -	\$ 140,000
Projected STIP Revenues	\$ -	\$ 1,000,000	\$ -	\$ 1,000,000
Total Projected Revenues	\$ 370,000	\$ 1,000,000	\$ 220,000	\$ 1,590,000
Planned expenditures FY25:				
Street Maintenance Wages and Benefits Allocation	\$ 150,000	\$ -	\$ -	\$ 150,000
Fleet Maintenance Allocation	\$ 15,000	\$ -	\$ -	\$ 15,000
Street Lighting and Utilities Allocation	\$ 75,000	\$ -	\$ -	\$ 75,000
Road Patching and Sealing	\$ 10,000	\$ -	\$ 76,000	\$ 86,000
Road Maintenance	\$ 60,000	\$ -	\$ 220,000	\$ 280,000
Sidewalk Program	\$ 50,000	\$ -	\$ -	\$ 50,000
Shasta Street Project	\$ 150,000	\$ -	\$ -	\$ 150,000
Road M1/2 Construction	\$ 32,000	\$ 1,000,000	\$ 70,000	\$ 1,102,000
Streets Master Plan Update	\$ 25,000	\$ -	\$ -	\$ 25,000
Street Related Capital Additions	\$ 100,000	\$ -	\$ 23,000	\$ 123,000
Total Budgeted Expenditures	\$ 667,000	\$ 1,000,000	\$ 389,000	\$ 2,056,000
Projected Balance at June 30, 2025	\$ 331,556	\$ -	\$ 193,752	\$ 525,308