



ORLAND CITY COUNCIL REGULAR MEETING

Tuesday, September 17, 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, Jeffrey A. Tolley, Vice Mayor Matt Romano and Mayor Chris Dobbs

Councilmembers absent:

None

Staff present:

City Manager Pete Carr; Director of Administrative Services Rebecca Webster; City Attorney Greg Einhorn; Police Chief Joe Vlach; City Clerk Jennifer Schmitke

PLEDGE OF ALLEGIANCE

CITIZEN COMMENTS ON CLOSED SESSION

County resident Valerie Johnson expressed frustration with the City Manager managing the City's Facebook page, highlighting a lack of response to a July post about a Councilmember.

Orland resident Julie Henderson shared her concerns on the same July Facebook post.

Orland resident Sharon Lazorko voiced her support for Pete Carr, praising his contributions to the community.

Orland resident Jan Walker, a former business owner, emphasized the importance of supporting local businesses, reflected on her past experiences with a former City Manager and shared her concerns about the Hive tents being taken down.

Orland resident Billy Irvin, a former City Council member, spoke about his time working on code enforcements with City Staff and suggested that an independent party should manage the City's social media, underscoring that the City is bigger than any one individual.

Orland resident Donna Grundy raised concerns about potential retaliation against the Hive.

Orland resident Terrie Barr expressed concerns about her businesses being treated unfairly and shared her experiences working with Pete Carr and City staff.

Orland resident Tammie Olivarez stated frustrations about having to dismantle a tent at the Hive, expressing concern for her employees and customers.

Orland resident Byron Denton voiced his support for Pete Carr's contributions to the city.

County resident MARRISA HOKE raised concerns about the City's water prices for County residents.

Mayor Dobbs concluded the comments on the closed session item, noting they would resume after the regular open session. He then officially began the regularly scheduled meeting at 6:30.

CONSENT CALENDAR

- A.** Warrant List (Payable Obligations)
- B.** Approve City Council Minutes from September 3, 2024
- C.** Receive and File Economic Development Commission Minutes from August 13, 2024
- D.** Receive and File Library Commission Minutes from May 13, 2024
- E.** Resolution to Update Contract Execution Authority -- IRWM Water Project

ACTION: Councilmember McDermott moved, seconded by Councilmember Tolley, to approve the consent calendar as presented. Motion carried by a voice vote 5-0.

PRESENTATIONS - Update of Operations: Westside Ambulance

Scott Studybaker, a board member of Westside Ambulance, provided an update on the co-funded 12-hour ambulance project between the City and County. He shared that once the ambulance arrives, it will be fully equipped and ready for immediate deployment. Westside Ambulance has already hired EMTs and paramedics in preparation for the new service. Mr. Studybaker also submitted a proposal to the Council outlining the anticipated costs of the existing ambulance service. Westside staff member Paul Kiawah spoke about local demographics and expressed concerns about cash flow, raising the possibility of challenges in keeping Westside operational long-term.

Mayor Dobbs inquired about the next meeting with the County Supervisors, to which Mr. Studybaker responded that he is awaiting a spot on their agenda. Mayor Dobbs expressed his desire to reconvene with the ambulance ad hoc committee following that meeting. Mayor Dobbs also inquired about including the City of Willows in the initiative, and Mr. Studybaker indicated that they may be interested if their proposed measure passes.

Mayor Dobbs, Vice Mayor Romano, and Councilmembers Roundy and McDermott voiced their support for the new ambulance and expressed interest in adding the contract to an agenda for discussion within the next month. Councilmember Tolley raised specific questions regarding staffing costs, including detailed line items for each employee, and suggested a deeper discussion on the matter in a future agenda item.

Mr. Irvin raised questions about the possibility of hiring an outside ambulance service under the current contract with Westside Ambulance. He also inquired if Measure A funds could be used to support the new ambulance operations. Additionally, Mr. Irvin asked whether the ambulance could be dedicated solely to Orland if the County opted not to contribute financially.

Councilmember McDermott explained that state regulations and exclusive operating agreements prevent the City from running its own ambulance service. In response to Mr. Irvin's inquiry about adding an EMT truck to the Fire Department, McDermott noted that while a Basic Life Support (BLS) technician

could be added, EMTs are limited in the care they can provide compared to paramedics, who are authorized to administer medication and offer more advanced services.

Mr. Denton shared his opinion of support for the new ambulance service and stated his support for the Volunteer Fire Department and Measure J.

Patrick Comstock, Deputy Director of Operations for the Sierra Sacramento Valley (SSV) EMS Agency, addressed the Council to answer questions regarding Exclusive Operating Agreements (EOAs) and contracts. Councilmember McDermott thanked Mr. Comstock for attending the meeting and asked him to clarify concerns about Westside Ambulance's financial stability and the possibility of the area being left without ambulance services. In response, Mr. Comstock discussed the existing agreement between Westside and SSV, as well as the challenges posed by Medicare and Medi-Cal reimbursement issues related to ambulance services.

Ms. Barr expressed her concerns about the impact of CHIP, senior housing, and the new County behavioral health building emphasizing the need to consider the demographics of these residents when planning additional ambulance services. She stressed the importance of moving forward with the ambulance service, stating that the City should not delay its implementation.

Ms. Johnson expressed her belief that any nonprofit providing valuable services to the community deserves the City's support. She voiced her strong backing for the new ambulance service.

ADMINISTRATIVE BUSINESS

A. Camping Prohibition

City Attorney Greg Einhorn briefed the Council on a proposed ordinance to restrict camping equipment and prohibit camping in city parks, particularly during the day, that was initiated earlier in the year by Mayor Dobbs.

The Council emphasized the importance of balancing enforcement with civil liberties, such as permitting picnic blankets and shade tents. Moving forward, Mr. Einhorn will present a draft ordinance at a future meeting for the Council's review.

Police Chief Joe Vlach explained that the proposed ordinance would serve as an essential tool for the department, helping to bridge gaps in the regulation of public property use. He emphasized that adopting the ordinance would allow the City to proactively address potential issues before they arise.

The Councilmembers concurred on the importance of being proactive and well-prepared, expressing their support for drafting the ordinance.

Mayor Dobbs requested that the City Attorney provide examples of similar ordinances from other cities for reference. Councilmember McDermott added that City Librarian Jody Meza mentioned the positive impact the alcohol ban at Library Park has had, noting it has made a significant difference in the park's atmosphere.

Mr. Irvin inquired about the consequences for individuals who fail to comply with the ordinance. Chief Vlach spoke of enforcement measures the police department used in the past and potential penalties for non-compliance.

Orland resident Jill Hendry voiced her gratitude to the staff and Council for their proactive approach, thanking them for addressing the issue before it escalates.

Orland resident Earl Megginson, reflected on how his church had previously played a role in addressing homelessness in the community.

Orland resident Joanie Woods raised concerns about the new benches in the downtown area and expressed her satisfaction with the Council's proactive steps toward potential solutions for homelessness in the downtown district.

Susie Smith suggested reaching out to the County's Behavioral Health Department for their insights on how to assist homeless individuals who may attempt to sleep in the park.

Ms. Grundy shared a personal story and called for greater accountability for homeless individuals using drugs near the Creek.

Heather LeDonne, an Orland resident, voiced her support for the camping ordinance while also raising concerns about semi-trucks parking outside truck stop properties.

Ron Lane, another Orland resident, expressed concerns about doors being left open at the fairgrounds. In response, Chief Vlach clarified that the fairgrounds fall under the jurisdiction of the California Highway Patrol, as it is state property.

B. Modoc Street Parcel Annexation

Mayor Dobbs and Councilmember Roundy recused themselves from the discussion because one serves as the Chairperson and the other as a alternate commission member for LAFCo. (Mayor Dobbs and Councilmember Roundy left the meeting room at 7:51 PM)

Mr. Carr provided an update on the annexation of a parcel near the north end of Modoc Street (APN 046-080-016). After the Planning Commission's approval in 2023, the City Council formally approved the annexation in February 2024, including pre-zoning and a Conditional Use Permit (CUP) to maintain the property's use as a church.

Mr. Carr shared that at the recent meeting, Glenn LAFCo voted 3-1 to reject the City's annexation request, ignoring their own staff's recommendation for approval and offering no justification for their decision. The City has swiftly requested reconsideration and is preparing for the upcoming hearing. Mr. Carr assured the Council that staff will continue to provide updates as the situation unfolds.

Councilmember McDermott expressed disappointment with LAFCo's decision to reject the annexation request for the Modoc property, noting that despite the City following all proper procedures and no written protests being filed.

Vice Mayor Romano asked about the next steps if LAFCo does not approve the project. Mr. Einhorn explained that LAFCo would need to issue a formal resolution stating the reasons for disapproval, at which point the City could request reconsideration then potentially pursue a legal challenge. Vice Mayor Romano also addressed concerns he has heard about the project, including issues related to street width, potential flooding, and community apprehension about the type of housing that may be developed. Mr. Einhorn confirmed that the City Planner adhered to all necessary protocols, including conducting a public hearing where questions and concerns were thoroughly discussed with the Planning Commission. Vice Mayor Romano spoke about the history of the church in the community and expressed concerns about the church being unfairly targeted.

Mr. Denton shared he had no part in any discussions regarding the Church of Latter-day Saints.

Ms. Johnson expressed that the truth about the LAFCo meeting is not being fully revealed, noting that many residents in the area oppose the proposed new subdivision on Modoc Street. Ms. Johnson suggested that anyone associated with the church should recuse themselves from the discussion, adding that she felt the City should not react so strongly to the results of the meeting.

Ms. Hendry, a resident near Modoc, expressed that she personally had no issues with the project. However, she inquired about potential restrictions that could be implemented on possible new construction and how the streets might be improved.

Ms. Woods shared she has a home on Modoc and expressed her concerns about the potential increase in traffic resulting from the project.

Valley Mirror writer Todd Bishop sought clarification on the distinction between the applicants and the property owners regarding the annexation. Mr. Carr indicated that the City Planner would be best suited to address that question. Mr. Bishop further inquired about who would be responsible for paying for water if the project is annexed and the church subscribes to water or sewer services. Mr. Carr explained that the property owner would be responsible for the water and sewer bills.

Mr. Irvin raised a question to Mr. Einhorn regarding the need for Vice Mayor Romano to recuse himself due to his connection to the church/property. Mr. Irvin pointed out that if Vice Mayor Romano were to recuse himself, the Council would lack a quorum with only two members remaining. Mr. Einhorn explained that Councilmember Roundy and Mayor Dobbs had recused themselves to ensure they could fully participate in the next LAFCo meeting. He clarified that the current discussion is purely informational and does not require a vote, so Vice Mayor Romano does not need to recuse himself. Councilmember McDermott also inquired about the necessity of recusal, to which Mr. Einhorn confirmed that Vice Mayor Romano does not have a financial interest in the project.

Ms. LeDonne expressed concerns that Vice Mayor Romano and Mr. Carr's involvement with the church constitutes a conflict of interest, suggesting they should not participate in discussions related to the project. She also voiced suspicions about potentially secretive efforts to secure approval for the project. Vice Mayor Romano apologized for any emotional remarks he made regarding the church and clarified that he had recused himself during the original vote at the February 6th meeting, which resulted in a 4-0 decision to take the annexation to LAFCo.

Ms. Barr inquired whether Pete Carr and Scott Friend were the only two City representatives at the meeting. Mr. Carr clarified that only Scott Friend was present to represent the City. Ms. Barr then asked if there were any video recordings or minutes available for the LAFCo meeting. Councilmember McDermott provided guidance on how she could access the minutes and video through the County LAFCo website.

Orland resident Tammie Olivarez raised concerns about the perspectives of those living near the proposed annexation, suggesting that the City should facilitate more roundtable meetings to engage the community in discussion. Councilmember McDermott appreciated this comment because he believes the community needs to be engaged to help the Council make decisions.

Mr. Denton explained that he attends meetings to stay informed about what is happening in the community. He emphasized that if residents want to be involved, they need to attend community meetings and review agendas and minutes.

Ms. Barr disagreed with Mr. Denton, expressing her belief that the City isn't sharing enough information about projects. She agreed with Ms. Olivarez and supported the idea of holding more community roundtable discussions.

Orland resident Carolyn Denton shared her views supporting the annexation and spoke about her experiences with neighborhood growth.

Ms. Johnson appreciated Vice Mayor Romano's decision to recuse himself from the vote and acknowledged his passion about the project, but she felt that the Council members should remain neutral.

Orland resident Sharon Lazorko noted that City Council and Commission agendas are emailed to her and encouraged others to sign up for the City's email lists to stay informed.

Mr. Carr clarified that the City's concern extends beyond this particular case but all future annexation applications that could be impacted by it.

Mayor Dobbs and Councilmember Roundy returned to the meeting at 8:41 PM.

ORAL AND WRITTEN COMMUNICATIONS PUBLIC COMMENTS:

Mr. Tolle clarified a comment he made during candidates' night about the new County mental health building, drawing on his experience working in mental health during his time as a police chief.

Ms. Barr raised concerns about a correction to the September 3rd City Council minutes. She clarified she "was concerned with the safety of the tank and the fact that it has not been properly considered how to protect the tank from any wayward vehicle. As far as the Bucke's building goes I am concerned for the historical value of the building, not at all for the structural integrity of it, we all know it needs worked on but at the same time I hate to see it torn down." She also voiced frustration about needing approval from the Mayor and City Manager to be placed on a City Council agenda. Mayor Dobbs explained that the agenda is set by him and the City Manager but reassured her that he is open to hearing any concerns. Councilmember McDermott suggested she approach the Planning Commission to begin the process of getting her concerns about parking on their agenda where they can then recommend to the Council.

Orland resident Quinn expressed support for the Hive, while Mr. Denton shared his views on the water tank project. Ms. Woods expressed her appreciation for the Olivarez family and their contributions to the community.

Mr. Irvin asked whether the City had made a public announcement about the need to take down the tent at the Hive, seeking transparency and potential assistance to help the business remain operational. Mayor Dobbs responded that the tent issue had been a code enforcement matter, noting that the tents were originally put up temporarily during COVID.

Ms. Grundy inquired about the difference between the canopy at Sakura Hut and the tent at the Hive. Councilmember McDermott cited fire safety concerns, while Mayor Dobbs promised to investigate the other tent.

Ms. Barr provided additional context, recalling a meeting she had with City staff and the City Manager about the Hive's tent and their concerns about upcoming events. She explained that efforts are

underway to build a permanent structure, and she has hired an architect, engineers, draftsmen, a solar company, and is working on obtaining an ABC license. She mentioned that Mr. Carr had promised to work with the Hive on the project until communication ceased on July 2nd, when Mr. Carr reportedly directed City Building Inspector Wyatt Paxton to "go after" Tammy and Ray Olivarez in an email—two weeks after she spoke out about the new water tower location. Ms. Barr stated they were aware of the need to remove the tents and were working on a solution until they received a 10-day notice. Mayor Dobbs reassured her that the issue is on his radar, and he will investigate further.

Ms. Walker commented that the situation with the Hive appeared vindictive.

Mr. Denton referenced a past situation with Farwood, where the owners worked with the Planning Commission on a solution, and suggested the Hive do the same.

Ms. Olivarez expressed her frustration after receiving the abatement letter about the Hive's tent and shared how she felt there was a lack of support or options from the City. She encouraged the community to review supportive Facebook comments about the Hive.

Orland resident Marilyn Ponci urged the Council to take strong action on the camping ordinance. She also expressed concern about the financial impact of the tent removal on the Hive and asked the City to consider offering assistance to the business.

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember Tolley:

- Attended the candidate night put on by the Orland Chamber of Commerce (the video is on YouTube, Facebook and Instagram);
- Attended the Economic Development Commission meeting September 10th;
- Was invited and attended the Glenn County Gun Owners meeting;
- Had a few code enforcements this month;
- Attended the VIPs awards night.

Councilmember Roundy:

- Attended the Public Works and Safety Commission meeting September 12th;
- Will be attending the Transportation and Transit September 19th.

Councilmember McDermott:

- Will be attending the September 19th Planning Commission meeting.

Vice Mayor Romano:

- Attended the Public Works and Safety Commission Special Meeting September 12th and welcomed the public to come to the meetings.

Mayor Dobbs:

- Thanked the Orland Chamber of Commerce for putting on the candidate's night.

CITIZEN COMMENTS ON CLOSED SESSION

Ms. Barr asked if all business got the same ultimatum to take tents down and stated her concerns about being targeted because she voiced her concerns about the water tank.

Mr. Denton asked the community to look at all Pete Carr has done for the community and shared his appreciation for all Mr. Carr has done.

MEETING ADJOURNED TO CLOSED SESSION AT 9:22 PM

RECONVENEVED TO REGULAR SESSION - Called to order by Mayor Chris Dobbs at 9:50 PM.
REPORT FROM CLOSED SESSION – No reportable action.

MEETING ADJOURNED AT 9:50 PM

Jennifer Schmitke, City Clerk

Chris Dobbs, Mayor