OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Regular Meeting

JUNE 2, 2009
7:00 P.M.
AGENDA

ROLL CALL

Council Members Corkin, Hatley, Pittman, Simpson, Wilcox, Vice Mayor Johansson, Mayor Jernigan

PLEDGE OF ALLEGIANCE

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

This is the time the Mayor will invite anyone in the audience wishing to address the Council on a matter that is on the agenda to state your name and the agenda item on which you wish to speak. When that item comes up on the agenda, you will be asked to step to the podium, repeat your name for the record, and make your presentation. **Presentations are limited to 3 minutes.** Under Government Code Section 54954.3 the time allotted for presentations may be limited.

PROCLAMATION / PRESENTATION

CONSENT CALENDAR

1. **APPROVAL OF THE MINUTES OF THE MAY 19, 2009 4:30 P.M. JOINT MEETING OF THE OROVILLE CITY COUNCIL AND THE OROVILLE PLANNING COMMISSION AND MAY 19, 2009 7:00 P.M. ADJOURNED REGULAR MEETING OF THE OROVILLE CITY COUNCIL** - minutes attached.

2. **AMENDMENT TO AGREEMENT WITH MUSSELMAN PICTURES RELATING TO THE VIDEO RECORDING OF CITY COUNCIL AND REDEVELOPMENT AGENCY COMMISSION MEETINGS** – staff report

   The Council will consider an amendment to the agreement with Musselman Pictures relating to video recording of City Council and Redevelopment meetings. **(Sharon Atteberry, City Administrator)**

   Council Action Requested: **Adopt Resolution No. 7346 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH MUSSELMAN PICTURES TO VIDEO RECORD THE CITY COUNCIL AND REDEVELOPMENT MEETINGS - (Agreement No. 1810-2).**

3. **SECURITY CAMERAS FOR THE CITY CORPORATION YARD** – staff report

The Council will consider authorizing the expenditure of funds in the amount of $3,632.64 approved in the 2008/2009 budget for the purchase of security cameras and equipment for the City Corporation yard. **(Charles Miller, Director of Parks and Trees)**

Council Action Requested: **Authorize the expenditure of funds in the amount of $3,632.64 approved in the 2008/2009 budget for the purchase of security cameras and equipment for the City Corporation Yard.**

4. **ECONOMIC DEVELOPMENT LOAN REQUEST** – staff report

The Council will consider authorizing a $245,000 economic development loan to HPHM – Oroville, CA LLC (HPHM), to assist with the land purchase for the new Sonic Burger to be built on Oro Dam Boulevard, Oroville, as recommended by the City's Economic Development Loan Committee. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Adopt Resolution No. 7347 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE LOAN DOCUMENTS FOR A $245,000 ECONOMIC DEVELOPMENT LOAN TO HPHM – OROVILLE, CA LLC - (Agreement No. 1887).**

5. **2009 *GRAFFITI HURTS®* NATIONAL GRANT PROGRAM** – staff report

The Council will consider the submittal of a grant application for $2,500 to Keep America Beautiful Inc. for their 2009 *Graffiti Hurts®* National Grant Program. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Authorize staff to submit a grant application to Keep America Beautiful, Inc. for the 2009 *Graffiti Hurts®* National Grant Program in the amount of $2,500 for an eligible activity.**

6. **AGREEMENT WITH NOR CAL EXCAVATING, INC FOR THE BOYNTON AVENUE 6" SEWER LINE REPLACEMENT PROJECT** – staff report

The Council will consider an agreement with Nor Cal Excavating, Inc., in the amount of $ 85,121.43 for the Boynton Avenue 6" Sewer Line Replacement Project. **(Eric Teitelman, Director of Community Development and Public Works)**

Council Action Requested:

1. **Approve Resolution No. 7348 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH NOR CAL EXCAVATING, INC. FOR THE BOYNTON AVENUE 6" SEWER LINE REPLACEMENT CONSTRUCTION PROJECT – (Agreement No. 1888)**

2. **Authorize a 25% contingency in the amount of $21,280 for change orders if necessary.**

7. **USDA RURAL DEVELOPMENT COMMUNITY FACILITIES GRANT FOR FISCAL YEAR 2009** – staff report

The Council will consider authorizing the Business Assistance and Housing Development staff to prepare and submit an application for the fiscal year 2009 Community Facilities Grant requesting funds to purchase a police vehicle. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Adopt Resolution No. 7349 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING AN APPLICATION, MATCH COMMITMENT, AND CONTRACT EXECUTION FOR FUNDING FROM THE RURAL BUSINESS COMMUNITY FACILITIES GRANT FOR FISCAL YEAR 2009 AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ALL DOCUMENTS, AGREEMENTS AND ANY AMENDMENTS THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSE OF THIS GRANT.**

8. AMENDMENT TO AGREEMENT WITH MICHAEL BRANDMAN ASSOCIATES FOR PROFESSIONAL PLANNING SERVICES FOR THE WAL MART PROJECT – staff report

The Council will consider an amendment to the agreement with Michael Brandman Associates for professional planning services for additional traffic analysis for the Wal Mart Project. **(Eric Teitelman, Director of Community Development and Public Works)**

Council Action Requested: **Adopt Resolution No. 7350 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH MICHAEL BRANDMAN ASSOCIATES FOR PROFESSIONAL PLANNING SERVICES - (Agreement No. 1763-1).**

PUBLIC HEARINGS

9. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR FISCAL YEAR 2009/10 – staff report

The Council will conduct a public hearing to discuss the fiscal year 2009/10 Community Development Block Grant (CDBG) Program funding, CDBG Program Income, and to solicit input and comments from the citizens of Oroville. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Open the public hearing to discuss the fiscal year 2009/10 Community Development Block Grant Program and solicit public input and comments.**

10. APPLICATION FOR 2008/09 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, ECONOMIC DEVELOPMENT ALLOCATION, OVER-THE-COUNTER COMPONENT – staff report

The Council will conduct a public hearing to provide an opportunity for questions and comments on the Community Development Block Grant (CDBG) application process, and consider authorizing staff to submit an application to the State Department of Housing and CDBG Economic Development Allocation funds through the 2008/09 Over-The-Counter (OTC) Component requesting $1,115,000. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Adopt Resolution No. 7351- A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING AN APPLICATION FOR FUNDING FROM THE ECONOMIC DEVELOPMENT ALLOCATION OF THE STATE CDBG PROGRAM AND IDENTIFYING THE RESPONSIBLE PARTY FOR GRANT ADMINISTRATION.**

11. USE OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME FOR RESIDENTIAL COMMUNITY CODE ENFORCEMENT AND GENERAL ADMINISTRATION ACTIVITIES - staff report

The council will conduct a public hearing to solicit input and comments on the proposed use of the Community Development Block Grant (CDBG) Program Income funds for an activity that is neither non-revolving nor specifically designated in the City of Oroville's Program Income Reuse Plan and consider approving a supplemental appropriation utilizing $132,880 in unanticipated Program Income to fund the Residential Community Code Enforcement Program and $23,918 for General

Administration activities. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested:

1. **Adopt Resolution No. 7352 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE TRANSFER OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM INCOME IN THE AMOUNT OF $156,798 FROM THE CDBG HOMEOWNERS ASSISTANCE REVOLVING LOAN FUND FOR RESIDENTIAL COMMUNITY CODE ENFORCEMENT PUBLIC SERVICES PROGRAM AND GENERAL ADMINISTRATION OF THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) 2006 CDBG GRANT NO. 06-STBG-2607.**

2. **Approve supplemental appropriation no. 2008/09/0609-41 transferring $156,798 as indicated in the Fiscal Impact of this staff report dated June 2, 2009.**

12. REVIEW OF THE PRELIMINARY ANNUAL BUDGET FOR FISCAL YEAR 2009-10 AND FINANCIAL PLAN FOR FISCAL YEAR 2010-11 – staff report

The Council will conduct a public hearing to receive comments regarding the Preliminary Annual Budget for fiscal year 2009-10 and Financial Plan for 2010-11, and set dates for additional study sessions.

Council Action Requested:

1. **Provide direction to staff for setting study sessions dates for discussion of any possible changes to the Preliminary Budget for fiscal year 2009-10 to be reflected in the Adopted Budget.**

2. **Authorize the reduction of employee positions for the 2009/10 fiscal year budget as indicated in the proposed Preliminary Budget.**

REGULAR BUSINESS

13. A SUBLEASE AGREEMENT FOR PROPERTY LOCATED AT THE OROVILLE AIRPORT BUSINESS PARK – staff report

The Council will consider a sublease agreement relating to property located at 2015 Challenger Avenue, within the Oroville Airport Business Park. **(Sharon Atteberry, City Administrator)**

Council Action Requested: **Adopt Resolution No. 7353 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A SUBLEASE AGREEMENT FOR PROPERTY LOCATED AT THE OROVILLE AIRPORT BUSINESS PARK ASSIGNING THE PROPERTY FROM NEWPORT CORPORATION TO THE PRIVATE INDUSTRY COUNCIL OF BUTTE COUNTY, INC. – (Agreement No. 1889).**

14. PLANNING CONSULTANT TO PROVIDE PLANNING MANAGER SERVICES – staff report

The Council will consider an agreement with Jacobson, Dolter & Dawson, Inc., to provide professional planning manager services. **(Eric Teitelman, Director of Community Development and Public Works)**

Council Action Requested: **Adopt Resolution No. 7354 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE MAYOR TO SIGN A AGREEMENT WITH JACOBSON, DOLTER & DAWSON, INC., TO PROVIDE PROFESSIONAL PLANNING MANAGER SERVICES – Agreement No.1890.**

MAYOR/ COUNCIL REPORTS

COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS (A verbal report may be given regarding any committee meetings attended.)

Sewerage Commission – Oroville Region – SC-OR

Oroville Economic Development Corporation – OEDCO

Butte County Association of Governments – BCAG

Oroville Downtown Business Association – ODBA

Supplemental Benefits Fund Steering Committee (SBF)

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- 2009 Edward Byrne Memorial Justice Assistance Grant Program – report from Kirk Trostle, Chief of Police
- Report from Interim Fire Chief Les Bowers on fire training project.

CORRESPONDENCE – None

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

This is the time the Mayor will invite anyone in the audience wishing to address the Council on a matter not listed on the agenda to step to the podium, state your name for the record and make your presentation. **Presentations are limited to 3 minutes**. Under Government Code Section 54954.2, The Council is prohibited from taking action except for a brief response by the Council or staff to a statement or question relating to a non-agenda item.

CLOSED SESSION

The City Council will hold a closed session for the following:

1. Pursuant to Government Code section 54957, the City Council will meet with Sharon Atteberry, Labor Negotiator, to hold performance evaluations for Eric Teitelman, Director of Community Development and Public Works, Pat Clark, Director of Business Assistance and Housing Development, Diane MacMillan, Director of Finance, Charles Miller, Director of Parks and Trees, Kirk Trostle, Chief of Police, and Les Bowers, Interim Fire Chief.

2. Pursuant to Government Code section 54957.6, the City Council will meet with Labor Negotiator, Sharon Atteberry, to discuss labor negotiations for the Oroville Mid-Managers Association (OMMA), Oroville City Employees Association (OCEA), Oroville Fire Fighters Association (OFFA) and Oroville Police Officers Association, Sworn and Non-Sworn (OPOA).

ADJOURNMENT

The meeting will be adjourned. An adjourned regular meeting of the Oroville City Council will be held on Tuesday, June 16, 2009 at 7:00 p.m.