OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Adjourned Regular Meeting

JULY 21, 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

A Proclamation in recognition and appreciation of the ***"Friends of the Parks"*** for ***"purchasing the paint for the Lott Home"*** and a Proclamation in recognition and appreciation of the "***Noon Rotary Club***" for "***painting the Lott Home"***

CONSENT CALENDAR

1. **APPROVAL OF THE MINUTES OF THE OROVILLE CITY COUNCIL AND THE OROVILLE REDEVELOPMENT AGENCY, THE JUNE 29, 2009 7:00 P.M. SPECIAL MEETING AND THE JULY 7, 2009 7:00 P.M. REGULAR MEETING OF THE OROVILLE CITY COUNCIL** - minutes attached.

2. **AMENDMENT TO THE AGREEMENT WITH STOEL RIVES** – staff report

   The Council will consider an amendment to the agreement with Stoel Rives for legal services relating to land use matters and litigation. **(Dwight L. Moore, City Attorney)**

   Council Action Requested: **Adopt Resolution No. 7392 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH STOEL RIVES RELATING TO LAND USE MATTERS AND LITIGATION – (Agreement No. 1788-5).**

PUBLIC HEARINGS

3. ANNUAL GRANTEE PERFORMANCE REPORTS AND FINAL GRANTEE PERFORMANCE – staff report

The Council will conduct a public hearing to provide an opportunity for the public to ask questions and comment on the performance of active Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), CalHome, Rural Business Enterprise Grant (RBEG), and Revolving Loan Fund (RLF) Programs and project activities for the fiscal year 2008/2009. In addition, staff has prepared the close-out report of the 06-HOME-2358 First Time Home Buyer Mortgage Assistance Program. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Conduct a public hearing for questions and comments.**

4. SANITARY SEWER RATE INCREASES – staff report

The Council will hold a public hearing to consider increasing the sanitary sewer rates by 13% to 17% over the next 8 fiscal years, and adopting a $1.50 per month private lateral charge for the private lateral program and authorizing the Mayor to sign a certification with the Butte County Auditor certifying that the sewer charges levied on the fiscal year 2009/10 tax bill are in compliance with Proposition 218. **(Rick Walls, Senior Civil Engineer)**

Council Action Requested:

1. **Adopt Resolution No. 7393 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING SEWER SERVICES CHARGES FOR FISCAL YEARS 2009/10 THROUGH 2016/17.**

2. **Adopt Resolution No. 7394 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING A $1.50 PER MONTH PRIVATE LATERAL CHARGE FOR THE PRIVATE LATERAL PROGRAM FOR FISCAL YEARS 2009/10 THROUGH 2016/17.**

3. **Adopt Resolution No. 7395 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO SIGN A CERTIFICATION WITH THE BUTTE COUNTY AUDITOR CERTIFYING THAT SEWER SERVICE CHARGES LEVIED ON THE 2009/10 TAX ROLL ARE IN COMPLIANCE WITH PROPOSITION 218.**

5. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS – staff report

Zone No. 1 - Grandview Estates
Zone No. 2 - The Buttes
Zone No. 3 - Deer Creek Estates, Phase 1
Zone No. 4 - Calle Vista Estates, Unit 1
Zone No. 5 - Cherokee Estates, Phase 1
Zone No. 6 - Sherwood Estates, Units 1 & 2
Zone No. 7 - Grayhawk
Zone No. 8 - Cherokee Estates, Phase 2
Zone No. 9 - Linkside Place, Phase 1
Zone No. 10 - Foothill Estates
Zone No. 11 - Mission Olive Ranch
Zone No. 12 - Vista Del Oro
Zone No. 13 - Calle Vista Estates, Unit 2
Zone No. 14 - Martin Ranch
Zone No. 15 - Ricther

The Council will hold a public hearing to consider the annual levy of assessments relating to fifteen landscape and lighting maintenance assessment districts. In addition, the Council will direct staff to file the Annual Engineer's Report. **(Rick Walls, Senior Civil Engineer)**

Council Action Requested:

1. **Authorize the Mayor to sign the Proposition 218 Certification for addition to the 2009/10 tax roll.**

2. **Adopt Resolution No. 7396 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO AMEND AND/OR APPROVE THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR THE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS.**

3. **Adopt Resolution No. 7397 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS OF ZONES WITHIN THE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS.**

4. **Authorize any necessary budget adjustments to match the assessments.**

6. **ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED BENEFIT ASSESSMENT DISTRICTS** – staff report

Maintenance District No. 1 - Linkside Place, Phase 1
Maintenance District No. 2 - Foothill Estates
Maintenance District No. 3 - Mission Olive Ranch
Maintenance District No. 4 - Vista Del Oro
Maintenance District No. 5 - Calle Vista, Unit 2
Maintenance District No. 6 - Martin Ranch
Maintenance District No. 7 - Richter

The Council will hold a public hearing to consider the annual levy of assessments relating to seven benefit assessment districts. In addition, the Council will direct staff to file the Annual Engineer's Report. **(Rick Walls, Senior Civil Engineer)**

Council Action Requested:

1. **Authorize the Mayor to sign the Proposition 218 Certification for addition to the 2009/10 tax roll.**

2. **Adopt Resolution No. 7398 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO AMEND AND/OR APPROVE THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR THE CONSOLIDATED BENEFIT ASSESSMENT DISTRICTS.**

3. **Adopt Resolution No. 7399 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS OF ZONES WITHIN THE CONSOLIDATED BENEFIT ASSESSMENT DISTRICTS.**

4. **Authorize any necessary budget adjustments to match the assessments.**

REGULAR BUSINESS

7. ASSIGNMENT OF LICENSE AGREEMENT FROM STEVE JASCO AND AKM, L.P. TO PREMIER WEST BANK – staff report

The Council will consider consenting to the assignment of the license agreement between the City and Steve Jasco and AKM, L.P. to Premier West Bank. **(Dwight L. Moore, City Attorney)**

Council Action Requested: **Adopt Resolution No. 7400 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONSENT TO ASSIGNMENT OF THE LICENSE AGREEMENT BETWEEN THE CITY OF OROVILLE AND STEVE JASCO AND AKM, L.P. DATED FEBRUARY 1, 2005 TO PREMIER WEST BANK.**

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 Area Chamber of Commerce

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

1. Building Division – activity report
2. Police Department – activity report
3. Code Enforcement – activity report
4. Business Assistance and Housing Development – activity report
5. Parks and Trees – activity report

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 regarding the following:

1. Pursuant to Government Code section 54956.9(a), the City Council will meet with the City Attorney Dwight L. Moore, relating to the existing litigation for Roberson v. City of Oroville arbitration.

2. Pursuant to Government Code section 54956.9 (c), the Council will meet with Dwight L. Moore, City Attorney, to consider initiating litigation for one case.

ADJOURNMENT

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, August 4, 2009 at 7:00 p.m.