OROVILLE CITY COUNCIL MEETING MINUTES AUGUST 4, 2009 – 7:00 P.M.

The agenda for the August 4, 2009 regular meeting of the Oroville City Council was posted on the bulletin board at the front of City Hall on Tuesday, July 30, 2009 at 4:00 p.m.

The August 4, 2009 regular meeting of the Oroville City Council was called to order by Mayor Jernigan at 7:00 p.m.

ROLL CALL

Present: Council Members Corkin, Hatley, Simpson, Wilcox, Vice Mayor Johansson, Mayor

Jernigan

Absent: Council Member Pittman (excused)

Staff Present:

Sharon Atteberry, City Administrator

Becky Fraser, Contracted Building Official
Les Bowers, Interim Fire Chief
Pat Clark, Business Assistance/Housing Development Director

Kirk Trostle, Chief of Police
Karolyn Fairbanks, City Treasurer
Jamie Hayes, Administrative Assistant
Rick Walls, Senior Civil Engineer

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kirk Trostle, Police Chief.

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RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Jack Berry – Item No. 13 Chris Lambert – Item No. 13

PROCLAMATIONS / PRESENTATIONS

Vice Mayor Johansson presented Roger Pearson, Interim Library Director, a proclamation recognizing "The Soloist", as the 2009/10 Book in Common for the City of Oroville.

Bill Finley, Executive Director of the Private Industry Council of Butte County, Inc., gave a presentation regarding the Solar Energy Farm at the Oroville Airport.

CONSENT CALENDAR

A motion was made by Council Member Hatley, seconded by Vice Mayor Johansson, to approve the following Consent Calendar:

APPROVAL OF THE MINUTES OF THE JULY 21, 2009 7:00 P.M. ADJOURNED REGULAR

MEETING AND THE JULY 22, 2009 7:00 P.M. SPECIAL MEETING OF THE OROVILLE CITY COUNCIL - minutes attached.

2. PURCHASE OF STREET LIGHT POLES FOR HIGHWAY 162 IN OROVILLE – staff report

The Council considered the purchase of twenty (20) steel street light poles for replacement of old wood poles along Highway 162 (Oro Dam Blvd.), in the amount of \$27,686.71, based on competitive bids received by the City. (**Rick Walls, Senior Civil Engineer**)

Council Action Requested:

- 1. Authorize the purchase of twenty (20) steel street light poles from Consolidated Electrical Distributers in an amount not to exceed \$27,686.71.
- 2. Authorize supplemental appropriation no. 2009/10-0809-04.
- 3. ROOF REPAIR OF THE LOTT HOME RENTAL KITCHEN AND PATIO staff report

The Council considered authorizing the roof repair of the Lott Home rental kitchen and patio for an amount not to exceed \$3,465. (Sharon Atteberry, City Administrator)

Council Action Requested: Approve the expenditure of \$3,465 to repair the roof of the Lott Home rental kitchen and patio.

4. PROPERTY TAX LIENS FOR DELINQUENT GARBAGE BILLS – staff report

The Council considered the placement of property tax liens for delinquent garbage bills to Norcal Waste Systems. (Diane MacMillan, Finance Director and Les Bowers, Interim Fire Chief)

Council Action Requested: Adopt Resolution No. 7401 - A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING DIRECT ASSESSMENT FOR GARBAGE LIENS FOR FISCAL YEAR 2009/10 AND AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSITION 218 CERTIFICATION OF TAX BILL LEVY.

5. BUTTE INTERAGENCY NARCOTICS TASK FORCE ADDENDUM I TO MEMORANDUM OF UNDERSTANDING – staff report

The Council considered an addendum to the Memorandum of Understanding for participation in the Butte Interagency Narcotics Task Force (BINTF). **(Kirk Trostle, Chief of Police)**

Council Action Requested: Adopt Resolution No. 7402 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN ADDENDUM I TO THE MEMORANDUM OF UNDERSTANDING WITH THE BUTTE INTERAGENCY NARCOTICS TASK FORCE – (Agreement No. 0900-4).

6. ANNUAL SPECIAL TAX FOR THE CITY'S COMMUNITY FACILITIES DISTRICTS 2006-1 (WESTSIDE PUBLIC SAFETY FACILITIES) AND 2006-2 (PUBLIC SAFETY SERVICES) FOR FISCAL YEAR 2009/10 – staff report

The Council considered the annual special tax relating to the City's Community Facilities

Districts (CFD's). (Rick Walls, Senior Civil Engineer)

Council Action Requested:

- 1. Adopt Resolution No. 7403 A RESOLUTION OF THE OROVILLE CITY COUNCIL ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-1, WESTSIDE PUBLIC SAFETY FACILITIES, FOR FISCAL YEAR 2009/10.
- 2. Adopt Resolution No. 7404 A RESOLUTION OF THE OROVILLE CITY COUNCIL ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-2, PUBLIC SAFETY SERVICES, FOR FISCAL YEAR 2009/10.
- 7. AMENDMENT TO THE AGREEMENT WITH CSG CONSULTANTS, INC. TO PROVIDE BUILDING OFFICIAL AND FIRE INSPECTION SERVICES staff report

The Council considered amending the agreement with CSG Consultants, Inc., in the amount of \$135,000, to provide on-call building official and fire inspection services for the Building Division and to extend the agreement to June 30, 2010. (Diane MacMillan, Finance Director, Les Bowers, Interim Fire Chief)

Council Action Requested:

- 1. Adopt Resolution No. 7405 A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH CSG CONSULTANTS, INC. TO PROVIDE ON-CALL BUILDING OFFICIAL AND FIRE INSPECTION SERVICES (Agreement No. 1622-11).
- 2. Authorize the necessary budget adjustments as indicated in the August 4, 2009 staff report.
- 8. CHANGES IN FUNDING DISTRIBUTION FOR 2008 USDA RURAL BUSINESS ENTERPRISE PROGRAM staff report

The Council considered changes in funding distribution for the 2008 USDA Rural Business Enterprise Grant for the Business/Technical Assistance for Small and Emerging Private Business Enterprise Program. (Pat Clark, Director of Business Assistance and Housing Development)

Council Action Requested: Approve the changes in funding distribution for outside services (150-7000-8534) for the 08-RBEG Business Technical Assistance for the Small and Emerging Private Business Enterprise Program as indicated in the August 4, 2009 staff report.

9. AMENDMENT TO THE AGREEMENT WITH LAND IMAGE FOR THE DESIGN OF THE PHASE 2 LANDSCAPING PROJECT AT HIGHWAY 70 AND MONTGOMERY STREET – staff report

The Council considered an amendment to the agreement with Land Image for the design of the Phase 2 beautification project at Highway 70 and Montgomery Street. (Rick Walls,

Senior Civil Engineer)

Council Action Requested:

- 1. Adopt Resolution No. 7406 A RESOLUTION OF THE OROVILLE CITY COUNCIL MAKING CERTAIN FINDINGS RELATING TO THE USE OF REDEVELOPMENT AGENCY FUNDS FOR THE COSTS ASSOCIATED WITH DESIGN SERVICES FOR PHASE 2 LANDSCAPING AT HIGHWAY 70 AND MONTGOMERY STREET INTERCHANGE AND THAT SUCH USE WILL BENEFIT THE OROVILLE REDEVELOPMENT AGENCY PROJECT AREA NO. 1. AND THERE ARE NO OTHER REASONABLE MEANS OF FINANCING THE REMAINDER OF THE PUBLIC IMPROVEMENTS WITHOUT USING REDEVELOPMENT AGENCY FUNDS.
- 2. Adopt Resolution No. 7407 A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH LAND IMAGE FOR ADDITIONAL CONSULTING SERVICES FOR PHASE 2 DESIGN FOR A TRANSPORTATION ENHANCEMENT ACTIVITIES (TEA) FUNDED PROJECT AT THE HIGHWAY 70 AND MONTGOMERY STREET INTERCHANGE (Agreement No. 1847-2).
- 3. Authorize supplemental appropriation no. 2009/10-0809-05 as indicated in the August 4, 2009 staff report.
- 10. AGREEMENT WITH ROSENOW SPEVACEK GROUP, INC. FOR THE OROVILLE INN COMMERCIAL AND OROVILLE INN RESIDENTIAL REVITALIZATION STRATEGIES (PLANNING/TECHNICAL ASSISTANCE GRANT ACTIVITIES) staff report

The Council considered a professional services agreement, in the amount of \$23,805, with Rosenow Spevacek Group, Inc. (RSG) for consulting services for the Oroville Inn Residential and Oroville Inn Commercial Revitalization Strategies, General and Economic Development Planning/Technical Assistance grants. (Pat Clark, Director of Business Assistance and Housing Development)

Council Action Requested: Adopt Resolution No. 7408 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ROSENOW SPEVACEK GROUP, INC. TO PREPARE THE OROVILLE INN RESIDENTIAL AND OROVILLE INN COMMERCIAL REVITALIZATION STRATEGIES – (Agreement No. 1898).

11. AGREEMENT WITH CHABIN AND ASSOCIATES FOR THE INDUSTRIAL, COMMERCIAL AND RETAIL MARKETING PLAN (PLANNING/TECHNICAL ASSISTANCE GRANT) – staff report

The Council considered a professional services agreement, in the amount of \$40,750, with Chabin and Associates for consulting services for the Industrial, Commercial and Retail Marketing Plan, Planning/Technical Assistance grant. (Pat Clark, Director of Business Assistance and Housing Development)

Council Action Requested: Adopt Resolution No. 7409 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO

EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CHABIN AND ASSOCIATES TO PREPARE THE INDUSTRIAL, COMMERCIAL AND RETAIL MARKETING PLAN, PLANNING/TECHNICAL ASSISTANCE GRANT – (Agreement No. 1899).

12. RESCIND RESOLUTION NO. 7161 AND ADOPT A NEW RESOLUTION FOR THE 08-CALHOME HOUSING PROGRAMS - staff report

The Council considered rescinding Resolution no. 7161 and adopting a new resolution that allows more flexibility in the operation of the 08-CalHome-4894 Owner-Occupied Rehabilitation and First-Time Home Buyer Mortgage Assistance Programs. (Pat Clark, Director of Business Assistance and Housing Development)

Council Action Requested: Adopt Resolution No 7410 - A RESOLUTION OF THE OROVILLE CITY COUNCIL RESCINDING RESOLUTION NO. 7161 AND AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE CALHOME PROGRAM; THE EXECUTION OF A STANDARD AGREEMENT, IF SELECTED FOR SUCH FUNDING AND ANY AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE CALHOME PROGRAM.

The motion to approve the above Consent Calendar was passed by the following vote:

Ayes: Council Members Corkin, Hatley, Simpson, Wilcox, Vice Mayor Johansson,

Mayor Jernigan

Noes: None Abstain: None

Absent: Council Member Pittman

PUBLIC HEARINGS

13. ANNUAL SANITARY SEWER SERVICE RATE INCREASES— staff report

The Council held a public hearing regarding the consideration of increases in the monthly sanitary sewer rates for Fiscal Year 2009/10. The Council also provided direction to staff regarding the possible development of a new private lateral reimbursement program. (*This item was continued from the July 21, 2009 City Council meeting.*) (Rick Walls, Senior Civil Engineer)

Rick Walls, Senior Civil Engineer, gave a Powerpoint presentation regarding the present and future sewer collection system overviews and explained the existing deficiencies and proposed remedies to rehabilitate the sewer collection system.

Mr. Walls explained that the cost to correct known existing hydraulic deficiencies (computer modeling) and deficient pipes and manholes contributing to I&I, root intrusion and SSO's is estimated at \$13 million. The estimated \$7.2 million to rehabilitate aged and deteriorated pipes and manholes would address only 20% of the collection system.

Staff evaluated several multi-year rate increase scenarios necessary to generate the additional \$13 million over the next 15 years to address system deficiencies. It was determined that rate increases ranging from 13% to 17% annually, assessed over an 8 year

period would generate the necessary additional revenue to complete the necessary collection system rehabilitation goals.

Mr. Walls also explained that the increased rates would allow for the hiring of two additional field staff to implement new I&I investigation and condition assessment programs. Condition assessment involves the televising and internal inspection of the entire collection system (pipes and manholes) as required by the Board General Order. The I&I investigation program will involve the collection of wet weather flow monitoring data within the individual basins of the collection system to quantify where the highest rates of I&I are entering. This program will be critical to developing pipe lining projects that will successfully reduce I&I, restore pipe integrity and reduce the system's future maintenance demand.

Mr. Walls also explained a proposed private lateral program that would allow for a reduction of root intrusion and I & I from privately owned laterals, which in turn would benefit the wastewater treatment plant due to reduced operating costs, and benefit both the home/business owners and the City due to the elimination of the risk associated with sewer blockages and backups, which are very expensive to respond to or clean up.

Staff conducted an online survey of fifteen outside agencies to investigate what policies they had developed to address the various problems associated with the non-maintenance of private laterals and found that:

- 13 of the 15 agencies have passed ordinances requiring the testing of private laterals under certain conditions.
- Testing of private laterals is triggered either as a result of agency inspection, property sale, or owner's requests for improvement permits (plumbing, building, etc.).
- Agencies with private lateral testing ordinances will mandate the repair or replacement of the private lateral if the results of a lateral test show that the lateral is contributing to I&I or exhibiting significant root intrusion.
- 10 of the 15 agencies have developed reimbursement programs to help defray the cost of a mandated private lateral repair or replacement.
- The average amount of financial assistance is \$2,102 or half of the cost of the lateral work, whichever is less.

Mr. Walls continued, explaining that agencies with private lateral financial assistance, or rebate programs, fund this program either through monthly sewer rates, or by assessing a separate lateral charge. Staff evaluated the benefit of a \$1.50 monthly charge per lateral and determined that at a minimum, about \$80,000 per year would be generated. If the maximum lateral repair/replacement reimbursement amount was set at \$2,000 (the average from staff's survey) a minimum of 40 lateral repair or replacement projects could benefit from the reimbursement program. Over 15 years, this would represent about 15% of all laterals city wide, and would contribute to lower I&I and a reduced occurrence of both sewer main and homeowner SSO's.

Mayor Jernigan opened the Public Hearing for comments.

Jack Berry requested information regarding the cost allocation plan of the Sewer Fund.

Chris Lambert questioned the formula used to develop the projected revenue from the

proposed sewer increases.

Hearing no further comments, Mayor Jernigan closed the public hearing.

Vice Mayor Johansson suggested that a proposed sewer reimbursement plan include a notification system for citizens to be notified of possible needed repairs to their lateral sewer lines.

The Council unanimously agreed that the current proposed rate increase was needed in order to maintain current and future sewer deficiencies, noting that the current sewer rates were well below other surrounding jurisdiction's rates.

Following further discussion, a motion was made by Council Member Corkin, seconded by Council Member Wilcox, to:

- Adopt Resolution No. 7393 A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING SEWER SERVICE CHARGES FOR FISCAL YEARS 2009/10.
- 2. 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 THE SEWER SERVICE CHARGES LEVIED ON THE 2009/10 TAX ROLL ARE IN COMPLIANCE WITH PROPOSITION 218.
- 3. Provide direction to staff regarding the development of a private lateral reimbursement program to include provisions for the testing and repair or replacement of defective private laterals.

The motion was passed by the following vote:

Ayes: Council Member Corkin, Hatley, Simpson, Wilcox, Vice Mayor Johansson,

Mayor Jernigan

Noes: None Abstain: None

Absent: Council Member Pittman

14. 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 Subdivision Zone No. 15 - Ricther Subdivision

The Council held a public hearing for the consideration of the annual levy of assessments relating to fifteen landscape and lighting maintenance assessment districts. In addition, the Council directed staff to file the Annual Engineer's Report. (*This item was continued from the July 21, 2009 City Council meeting.*)(Rick Walls, Senior Civil Engineer)

Council Member Hatley and Vice Mayor Johansson abstained from this item due to possible conflicts of interest.

Rick Walls, Senior Civil Engineer, explained that pursuant to the Landscaping and Lighting Act of 1972, which authorizes the formation and administration of such districts, an Annual Engineer's Report was prepared and accepted by the Oroville City Council and filed with the City Clerk on June 25, 2009. The purpose of the report is to document the costs involved in the operation of each maintenance assessment district, adjust the annual assessment to incorporate any surplus or deficit from the previous year, and determine the annual assessment for each parcel in each maintenance district.

Mayor Jernigan opened the Public Hearing, and hearing no comments, the Public Hearing was closed.

A motion was made by Council Member Corkin, seconded by Council Member Simpson, to:

- 1. Authorize the Mayor to sign the Proposition 218 Certification for additions 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.

The motion was passed by the following vote:

Ayes: Council Members Corkin, Simpson, Wilcox, Mayor Jernigan

Noes: None

Abstain: Council Member Hatley, Vice Mayor Johansson

Absent: Council Member Pittman

15. 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 Subdivision

Maintenance District No. 7 - Richter Subdivision

The Council held a public hearing regarding the consideration of the annual levy of assessments relating to seven benefit assessment districts. In addition, the Council directed staff to file the Annual Engineer's Report. (*This item was continued from the July 21, 2009 City Council meeting.*) (Rick Walls, Senior Civil Engineer)

Council Member Hatley abstained from this item due to possible conflict of interest.

Rick Walls, Senior Civil Engineer, explained that pursuant to the Benefit Assessment Act of 1982, which authorizes the formation and administration of such districts, an Annual Engineer's Report was prepared and accepted by the Oroville City Council and filed with the City Clerk on June 25, 2009. The purpose of the report is to document the costs involved in the operation of each maintenance district, adjust the annual assessment to incorporate any surplus or deficit from the previous year, and determine the annual assessment for each parcel in each maintenance district.

Mayor Jernigan opened the Public Hearing, and hearing no comments, the Public Hearing was closed.

A motion was made by Council Member Wilcox, seconded by Council Member Corkin, to:

- 1. Authorize the Mayor to sign the Proposition 218 Certification for additions 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.

The motion was passed by the following vote:

Ayes: Council Members Corkin, Simpson, Wilcox, Vice Mayor Johansson, Mayor

Jernigan

Noes: None

Abstain: Council Member Hatley
Absent: Council Member Pittman

16. ADOPTION OF CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 11, 2008 EDITION OF THE CALIFORNIA GREEN BUILDING CODE – staff report

The Council considered an ordinance adopting the California Green Building Code without local amendments. (Rick Walls, Senior Civil Engineer)

Becky Fraser, contracted Building Inspector, explained that the Green Building Code was recently developed and adopted by the State of California, establishing minimum standards for construction. This code is mandated by the state to be enforced locally effective August 1, 2009.

California's Health and Safety Code section 17958 mandates that the California Building Standards Commission adopt and publish the California Building Standards Code (Title 24 California Code of Regulations) every three (3) years. If approved, the ordinance would adopt the Green Building Code without any local amendments.

Ms. Fraser went on to explain that the purpose of the 2008 Green Building Code is to improve public health, safety and general welfare by enhancing the design and construction of buildings though the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental air quality.

The Green Building Code contains both mandatory and voluntary green building measures. The mandatory provisions are carbon copies of current energy regulations.

After further discussion, a motion was made by Vice Mayor Johansson, seconded by Council Member Corkin, to:

Waive the first reading and introduce by title only, Ordinance No. 1755 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE ADDING ARTICLE XX SECTION 6-20 TO CHAPTER 6 OF THE CODE OF THE CITY OF OROVILLE ADOPTING THE 2007 CALIFORNIA CODE OF THE REGULATIONS TITLE 24, PART 11, CALIFORNIA GREEN BUILDING CODE.

The motion was passed by the following vote:

Ayes: Council Members Corkin, Hatley, Simpson, Wilcox, Vice Mayor

Johansson, Mayor Jernigan

Noes: None Abstain: None

Absent: Council Member Pittman

17. 2009 HOME INVESTMENT PARTNERSHIPS PROGRAM APPLICATION – staff report

The Council considered authorizing staff to submit an application to the State Department of Housing and Community Development for Home Investment Partnerships Program funds. (Pat Clark, Director of Business Assistance and Housing Development)

Pat Clark, Director of Business Assistance and Housing Development, explained that the State Department of Housing and Community Development released a Notice of Funding Availability (NOFA) on June 1, 2009 requesting applications for funding from the Home

Investment Partnerships Program, and numerous amendments to the 2009 HOME NOFA.

Ms. Clark explained that the HOME Program offers a broad range of eligible activities, including: multifamily (new construction; moderate or substantial rehabilitation; or acquisition); owner-occupied rehabilitation; first time home buyer (acquisition only; acquisition and rehabilitation; or new construction); and tenant-based rental assistance.

After further discussion, a motion was made by Vice Mayor Johansson, seconded by Council Member Hatley, to:

Adopt Resolution No. 7411 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE 2009 HOME INVESTMENT PARTNERSHIPS PROGRAM; THE EXECUTION OF A STANDARD AGREEMENT, IF SELECTED FOR SUCH FUNDING, AND ANY AMENDMENT THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE 2009 HOME INVESTMENT PARTNERSHIPS PROGRAM.

The motion was passed by the following vote:

Ayes: Council Members Corkin, Hatley, Simpson, Wilcox, Vice Mayor

Johansson, Mayor Jernigan

Noes: None Abstain: None

Absent: Council Member Pittman

18. MONTHLY SUMMARY OF INVESTMENTS AND MONTHLY FINANCIAL REPORT FOR JUNE 2009

The Council received a copy of the Monthly Summary of Investments and the Monthly Financial Report for June 2009. (**Diane MacMillan, Director of Finance**)

The Council acknowledged receipt of the June 2009 Monthly Summary of Investments and the June 2009 Monthly Financial Report.

MAYOR/ COUNCIL REPORTS

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

Sewerage Commission - Oroville Region - SC-OR

Council Member Hatley reported that Mayor Jernigan had been appointed as the new Chairperson for the SC-OR Board.

<u>Oroville Economic Development Corporation – OEDCO</u>

Vice Mayor Johansson reported that OEDCO would be hosting their annual barbeque on August 20, 2009.

Butte County Association of Governments – BCAG

Vice Mayor Johansson reported that Oroville had no items on the agenda.

Oroville Downtown Business Association - ODBA

Council Member Corkin reported that the DBA would be hosting a First Friday event on August 7, 2009.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Sharon Atteberry, City Administrator, gave a brief overview of the State of California's current budget crisis and the impact to the City's current budget. The State is proposing to take another \$218,000 from the City's property taxes and repay in three (3) years with interest. The Oroville Redevelopment Agency will be impacted by \$2.3 million dollars.

CORRESPONDENCE

19. REQUEST FOR FUNDING SUPPORT FROM THE ARTISTS OF RIVER TOWN – staff report

The Council considered a request for funding support from the Artists of River Town, in the amount of \$500, for a juried art show to be held in September 2009.

Vice Mayor Johansson requested that this item be continued to the August 18, 2009 City Council agenda as there was no representation by the Artists of Rivertown present at this meeting to answer questions from the Council, therefore, no action was taken on the following:

Approve and determine the level of funding support for the Artists of River Town's juried art show to be held in September 2009.

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, <u>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.</u>

CLOSED SESSION

The City Council held a closed session for the following:

- 1. Pursuant to Government Code section 54957, the City Council met to consider the appointment of the Oroville Fire Chief.
- 2. Pursuant to Government Code section 54957.6, the City Council met with Labor Negotiator,

Sharon Atteberry, to discuss labor negotiations for the Oroville Mid-Managers Association (OMMA).

The Council reconvened from Closed Session and Mayor Jernigan announced that no action had been taken in Closed Session and direction had been given to staff.

<u>ADJOURNMENT</u>	
The meeting was adjourned at 9:51p.m. to August 18, 2009 at 7:00 p.m.	o an adjourned City Council meeting to be held on Tuesday,
Sharon L. Atteberry, City Clerk	Steve Jernigan, Mayor