OROVILLE CITY COUNCIL MEETING MINUTES
MARCH 6, 2012 – 5:30 P.M.

The agenda for the March 6, 2012 regular meeting of the Oroville City Council was posted on the bulletin board at the front of City Hall on Friday, March 2, at 1:36 p.m.

The March 6, 2012 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:32 p.m.

ROLL CALL

Present: Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Absent: None

Staff Present:

G. Harold Duffey, City Administrator
Artur da Rosa, Director of Public Works
Pat Clark, Director of Business Asst & Housing Development
Don Rust, Director of Planning & Development Services
Diane MacMillan, Director of Finance
Liz Ehrenstrom, Human Resource Analyst II
Sam Driggers, Economic Development Manager
Scott Huber, City Attorney
Bill La Grone, Chief of Police
Karolyn Fairbanks, City Treasurer
Jamie Hayes, Administrative Assistant
Charles Hurley, Fire Chief
Amy Bergstrand, Mgmt. Analyst III
Rick Walls, Senior Civil Engineer

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Girl Scout and Boy Scout Troops of Oroville.

PROCLAMATIONS / PRESENTATIONS

Mayor Dahlmeier presented a Proclamation in recognition of March 11–17, 2012 as Girl Scouts' Week in commemoration of the 100th Anniversary of Girl Scouts of the USA.

Vice Mayor Wilcox presented a Proclamation to Ben Clark, Old Time Fiddlers State Director, in recognition of March 11–17, 2012 as Old Time Fiddle Music Week.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Ronald Davis – Item No. 16 Dave Steindorf – Item No. 16

CONSENT CALENDAR

A motion was made by Council Member Pittman, seconded by Council Member Bunker, to approve the following Consent Calendar, with exception to Item No. 6 and 7:

1. **APPROVAL OF THE MINUTES OF THE FEBRUARY 21, 2012 REGULAR MEEETING OF THE OROVILLE CITY COUNCIL** - minutes attached.

2. **AMENDMENT TO THE OROVILLE MUNICIPAL CODE SECTION 2-16, RELATING TO CITY COUNCIL MEETINGS** – staff report

   The Council considered an amendment to the City of Oroville Municipal Code, section 2-16, relating to City Council Meetings. **(Scott E. Huber, City Attorney)**

   Council Action Requested: **Waive the second reading and adopt by title only, Ordinance No. 1786 – AN ORDINANCE OF THE OROVILLE CITY COUNCIL AMENDING SECTION 2-16 OF THE CITY OF OROVILLE MUNICIPAL CODE RELATING TO CITY COUNCIL MEETINGS.**

3. **AMENDMENTS TO THE OROVILLE ZONING CODE TO IMPROVE THE EFFICIENCY OF THE DEVELOPMENT REVIEW BOARD PROCESS** – staff report

   The Council considered Amendments to sections 26-53 and 26-56 of the Oroville Zoning Code regarding the Development Review Board in order to improve the efficiency of the development review process. **(Donald Rust, Director of Planning and Development Services)**

   Council Action Requested: **Waive the second reading and adopt by title only, Ordinance No 1787 – AN ORDINANCE OF INTENTION OF THE OROVILLE CITY COUNCIL AMENDING THE OROVILLE ZONING REGULATIONS BY AMENDING SECTIONS 26-53 AND 26-56 OF THE CODE OF THE CITY OF OROVILLE.**

4. **UPDATES TO THE THERMALITO MASTER DRAINAGE PLANS AND NEXUS STUDY AND REVISIONS TO THE THERMALITO DRAINAGE IMPACT FEES** – staff report

   The Council considered adopting the updated Thermalito Master Drainage Plans and Nexus Study and revisions to the Thermalito Drainage Impact Fees. **(Art da Rosa, Director of Public Works and Rick Walls, Senior Civil Engineer)**

   Council Action Requested: **Waive the second reading and adopt by title only, Ordinance No. 1788 – AN ORDINANCE OF THE OROVILLE CITY COUNCIL AMENDING CHAPTER 7C OF THE CODE OF THE CITY OF OROVILLE RELATING TO THE ADOPTION OF REVISED STORM DRAINAGE DEVELOPMENT IMPACT FEES FOR THE THERMALITO DRAINAGE AREA.**

5. **REQUEST TO RENAME THE LOTT HOME COACH HOUSE MEETING ROOM** – staff report

   The Council considered a request by the City of Oroville Docents to rename the Lott Home Coach House Meeting Room to the Nancy Price Room. **(G. Harold Duffey, City Administrator)**

   Council Action Requested: **Approve the request by the Oroville City Docents to rename the Lott Home Coach House Meeting Room to the Nancy Price Room.**

6. THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)

7. THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)

8. CONTRACT WITH CHICO ELECTRIC FOR INSTALLATION OF ELECTRICAL WIRING FOR NEW SECURITY GATES – staff report

The Council considered a Contract with the lowest bidder, Chico Electric, for the installation of electrical wiring necessary to operate new security gates at the Oroville Public Safety Facility, in an amount not to exceed $6,250. **(Bill LaGrone, Chief of Police)**

Council Action Requested: **Adopt Resolution No. 7874 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT WITH THE LOWEST BIDDER, CHICO ELECTRIC, FOR THE INSTALLATION OF ELECTRICAL WIRING FOR NEW SECURITY GATES LOCATED AT THE OROVILLE PUBLIC SAFETY FACILITY, IN AN AMOUNT NOT TO EXCEED $6,250 – (AGREEMENT NO. 2047).**

9. AMENDMENTS TO BUDGET POLICY NO. 16 – staff report

The Council considered adopting an amended City Budget Policy No. 16. **(G. Harold Duffey, City Administrator and Diane MacMillan, Director of Finance)**

Council Action Requested: **Adopt Resolution No. 7875 - A RESOLUTION AUTHORIZING THE ADOPTION OF AN AMENDED BUDGET POLICY NO. 16 BY THE CITY OF OROVILLE.**

10. DEVELOPMENT REVIEW BOARD FEE WAVIER REQUEST – staff report

The Council considered a Development Review Board fee waiver request by Gregory Fagan, in the amount of $901.063, for the exterior alteration of 1018 Robinson Street, Oroville, in the Downtown Historic Overlay (APN 012-077-009). **(Donald Rust, Director of Planning and Development Services)**

Council Action Requested: **Approve the Development Review Board fee waiver request by Gregory Fagan, in the amount of $901.63, for the exterior altercation of 1018 Robinson Street, Oroville, in the Downtown Historic Overlay.**

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

Ayes:	Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Noes:	None
Abstain:	None
Absent:	None

<u>ITEM(S) REMOVED FROM THE CONSENT CALENDAR</u>

6. CORRECTIONS TO THE RESOLUTION FOR EMPLOYER PAID MEMBER CONTRIBUTIONS FOR THE OROVILLE MID-MANAGERS' ASSOCIATION – staff report

The Council considered a correction to the Resolution to pay Employer Paid Member Contributions for the Oroville Mid-Managers' Association members. **(G. Harold Duffey, City Administrator and Liz Ehrenstrom, Human Resource Analyst II)**

This item was removed from the Consent Calendar at the request of Council Member Simpson for questions, which were answered by staff.

Following discussion, a motion was made by Council Member Simpson, seconded by Council Member Bunker, to:

1. **Adopt Resolution No. 7872 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AMENDING RESOLUTION NO. 7857 RELATING TO THE EMPLOYER PAID MEMBER CONTRIBUTIONS THROUGH CALPERS FOR THE OROVILLE MID-MANAGERS' ASSOCIATION TO INCLUDE MISCELLANEOUS MEMBERS.**

2. **Adopt Resolution No. 7873 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AMENDING RESOLUTION NO. 7857 RELATING TO THE EMPLOYER PAID MEMBER CONTRIBUTIONS THROUGH CALPERS FOR THE OROVILLE MID-MANAGERS' ASSOCIATION TO INCLUDE SAFETY MEMBERS.**

The motion was passed by the following vote:

Ayes:	Council members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Noes:	None
Abstain:	None
Absent:	None

7. UPDATE ON THE USE OF THE CITY'S BUILDING LOCATED AT 1426 SAFFORD STREET – staff report

The Council received an informational update on the use of the City's building located at 1426 Safford Street, Oroville. **(G. Harold Duffey, City Administrator and Liz Ehrenstrom, Human Resource Analyst II)**

This item was removed from the Consent Calendar at the request of Mayor Dahlmeier, who requested that this item, as well as other City facilities, be presented to the Facilities Committee for further review and returned to Council for further action.

PUBLIC HEARINGS - None

REGULAR BUSINESS

11. AGREEMENT WITH BIDCAL.COM FOR DISPOSAL OF SURPLUS PROPERTY – staff report

The Council considered an Agreement with BidCal.com to conduct an online auction for the disposal of items listed on the City Surplus Property List. **(Art da Rosa, Director of Public Works)**

Art da Rosa, Director of Public Works, reported that the Fire Department Bronco would be removed from the City Surplus Property List at the request of El Medio Fire District. El Medio Fire District will be seeking approval to purchase this item from the City of Oroville.

Following discussion, a motion was made by Council Member Bunker, seconded by Council Member Simpson, to:

1. **Declare the items listed on Exhibit A as surplus and authorize that the items be added to the City Surplus Property List.**

2. **Adopt Resolution No. 7876 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH BIDCAL.COM TO CONDUCT AN ONLINE AUCTION FOR THE DISPOSAL OF SURPLUS ITEMS LISTED ON THE CITY SURPLUS PROPERTY LIST – (Agreement No. 2048).**

3. **Authorize the sale of the Oroville Fire Department Ford Bronco to be sold to the El Medio Fire District, upon District approval.**

The motion was passed by the following vote:

Ayes:	Council Member Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Noes:	None
Abstain:	None
Absent:	None

12. CITY IMPROVEMENT STANDARDS ST-01A AND ST-01B – staff report

The Council received information regarding the City of Oroville Improvement Standards ST-01A and ST-01B, replacing existing standard ST-01. **(Art da Rosa, Director of Public Works)**

Council Action Requested: **None.**

13. FIXED BASE OPERATOR REMODEL – staff report

The Council considered a planned renovation to the Fixed Base Operator building at the Oroville Municipal Airport. **(Art da Rosa, Director of Public Works and Rick Walls, Airport Manager)**

Following discussion, a motion was made by Vice Mayor Wilcox, seconded by Council Member Bunker, to:

Authorize staff to advertise for bids and return to the Council within 60 days with a Construction Contract recommendation for the lowest responsible bidder.

The motion was passed by the following vote:

Ayes:	Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Noes:	None
Abstain:	None
Absent:	None

14. REQUEST TO MODIFY APPROVED CONDITIONS OF APPROVAL FOR TSM 05-06 AND PREPARATION OF NEXUS STUDY FOR OAK TREE MITIGATION – staff report

The Council provided direction to staff regarding a new updated Nexus Study for oak tree mitigation and draft ordinance, and a request to modify Condition No. 79 and 84 of the approved Conditions of Approval for the Final Map for Acacia Park Subdivision (TSM 05-06). **(Donald Rust, Director of Planning and Development Services)**

Following discussion, a motion was made by Council Member Simpson, seconded by Council Member Bunker, to:

1. **Direct staff to work with the property owner/developer and their consultant to provide a new/updates nexus study regarding oak tree mitigation and draft oak tree mitigation ordinance for review and adoption pursuant to Sections 26-56.090 – Amendments and Rezonings.**

2. **Direct staff to work with the new property owner/developer and their consultant to provide modifications to the Conditions of Approval 79 and 84 for Acacia Estates (TSM 05-06).**

The motion was passed by the following vote:

Ayes:	Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Noes:	None
Abstain:	None
Absent:	None

15. ACCEPTANCE OF DONATION OF ARTWORK – staff report

The Council considered accepting the donation of original artwork from Dee Boyd. **(G. Harold Duffey, City Administrator and Scott E. Huber, City Attorney)**

Following discussion, a motion was made by Council Member Bunker, seconded by Council Member Pittman, to:

1. **Accept the donation of original artwork by Dee Boyd.**

2. **Adopt Resolution No. 7877 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO**

EXECUTE AN AGREEMENT WITH DEE BOYD ACCEPTING A DONATION OF ORIGINAL ARTWORK – (Agreement No. 2049).

The motion was passed by the following vote:

Ayes:	Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Noes:	None
Abstain:	None
Absent:	None

16. PROFESSIONAL SERVICES AGREEMENT WITH PLEI FOR ECONOMIC AND BUSINESS DEVELOPMENT CONSULTING SERVICES RELATING TO THE OROVILLE WHITEWATER PARK – staff report

The Council considered a Professional Services Agreement with PLEI for economic and business development consulting services that will be done concurrently with the environmental study of the Whitewater Park Project currently in process, in an amount not to exceed $16,000. **(Sam Driggers, Economic Development Manager)**

Ronald Davis spoke in opposition to the proposed Whitewater Park Project.

Dave Steindorf, American Whitewater, spoke in support of the studies needed for the proposed Whitewater Park Project.

Following discussion, a motion was made by Council Member Andoe, seconded by Council Member Pittman, to:

Adopt Resolution No. 7878 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH PLEI, FOR ECONOMIC AND BUSINESS DEVELOPMENT CONSULTING SERVICES RELATING TO THE WHITEWATER PARK PROJECT, IN AN AMOUNT NOT TO EXCEED $12,800 – (Agreement No. 2050).

The motion was passed by the following vote:

Ayes:	Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Noes:	None
Abstain:	None
Absent:	None

17. ACCEPTANCE OF PROPERTY FROM HOMELAND SECURITY GRANT – staff report

The Council considered accepting property received from a Homeland Security Grant. **(Bill La Grone, Chief of Police and Scott E. Huber, City Attorney)**

Following discussion, a motion was made by Council Member Bunker, seconded by Council Member Berry, to:

1. Accept the property received from a Homeland Security Grant.

2. **Adopt Resolution No. 7879 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A HOMELAND SECURITY GRANT TO ACCEPT PROPERTY RECEIVED – (Agreement No. 2051).**

The motion was passed by the following vote:

Ayes:	Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Noes:	None
Abstain:	None
Absent:	None

SUCCESSOR AGENCY

18. AMENDMENTS TO BUDGET POLICY NO. 16 – staff report

The Commission considered adopting an amended City Budget Policy No. 16. **(G. Harold Duffey, City Administrator and Diane MacMillan, Director of Finance)**

Following discussion, a motion was made by Commissioner Bunker, seconded by Commissioner Pittman, to:

Adopt Resolution No. 01-12 – A RESOLUTION AUTHORIZING THE ADOPTION OF AN AMENDED BUDGET POLICY NO. 16 BY THE OROVILLE SUCCESSOR AGENCY.

The motion was passed by the following vote:

Ayes:	Commissioners Andoe, Berry, Bunker, Pittman, Vice Chairperson Wilcox, Chairperson Dahlmeier
Noes:	Commissioner Simpson
Abstain:	None
Absent:	None

MAYOR/ COUNCIL REPORTS

Appointments to the Oversight Board (1)

Mayor Dahlmeier appointed G. Harold Duffey, City Administrator, to serve on the Oversight Board as a City of Oroville employee representative.

Butte County Association of Governments (BCAG)

Mayor Dahlmeier reported that BCAG was working on several Oroville area projects, including grant funding opportunities.

Butte County Air Quality Governing Board

Council Member Bunker reported that the Butte County Air Quality Budget Committee was currently reviewing the Fee Schedule of Charges.

Oroville Economic Development Corporation (OEDCO)

Mayor Dahlmeier congratulated Ray Sousa for accepting the 2012 Samuel J. Norris Award for Excellence Award.

Council Member Bunker reported that the Annual OEDCO Dinner at Feather Falls Casino had been a sell-out event.

Council Member Bunker also reported that Mike Phelps and Mike Walsh had been appointed to the OEDCO Board.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS - None

CORRESPONDENCE - None

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON NON-AGENDA ITEMS

Peter Gibson spoke to the Council regarding the upcoming Hope Center Benefit Concert, to be held May 18, 2012 at the Municipal Auditorium. Mr. Gibson revoked his request for a Municipal Auditorium Fee Waiver.

Danielle Ludwig invited the Council to attend the Girl Scouts of America's 100 year celebration on March 12, 2012, 6:30 p.m. at the Municipal Auditorium.

UPCOMING EVENTS

- Arbor Day Observance at Oakdale Heights Elementary School, March 9th, – 10:15 a.m.
- Old Time Fiddler's Open Fiddle & Picking Championships at the Municipal Auditorium, March 15th-18th.

CLOSED SESSION

The Council held a Closed Session on the following:

Pursuant to Government Code section 54956.9(a), the Council will held the following closed session related to existing litigation: Friends of Oroville, et al. v. City of Oroville, et al., Butte County Superior Court Case No. 152682; California Court of Appeals, Third Appellate District, Case No. C070448.

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

ADJOURNMENT

The meeting was adjourned at 8:33 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, March 20, 2012 at 5:00 p.m.

G. Harold Duffey, City Clerk	Linda L. Dahlmeier, Mayor/Chairperson