



## OROVILLE CITY COUNCIL

Council Chambers  
1735 Montgomery Street  
Regular Meeting

**MAY 6, 2008**  
**7:00 P.M.**  
**AGENDA**

---

### **ROLL CALL**

Council Members Berry, Corkin, Hatley, Howard, Prouty, 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 recognizing the week of *May 11<sup>th</sup> – 17<sup>th</sup>* as “*National Police Week*”.

A Proclamation recognizing the *Seventh Annual Ishi Gathering & Seminar*.

### **CONSENT CALENDAR**

1. **APPROVAL OF THE MINUTES OF THE APRIL 10, 2008 5:30 P.M. ADJOURNED SPECIAL MEETING AND THE APRIL 15, 2008 7:00 P.M. ADJOURNED REGULAR MEETING OF THE OROVILLE CITY COUNCIL** - minutes attached.
2. **AMENDED AND RESTATED AGREEMENT WITH THE OROVILLE AREA CHAMBER OF COMMERCE** – staff report

The Council will consider an amended and restated agreement with the Oroville Area Chamber of Commerce to provide assistance to the City for marketing the Enterprise Zone in the amount of \$30,000. (**Sharon Atteberry, City Administrator**)

Council Action Requested: **Adopt Resolution No. 7127 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDED AND RESTATED AGREEMENT WITH THE OROVILLE AREA CHAMBER OF COMMERCE – (Agreement No. 1412-6).**

3. **PURCHASE OF COMPUTER SERVER** – staff report

The Council will consider authorizing the expenditure of funds for the purchase of one computer server from Dell Corporation for the Oroville Police Department. **(Kirk Trostle, Chief of Police)**

Council Action Requested: **Authorize the Police Department to award the contract to Dell Corporation for one computer server using the Western States Contracting Alliance master price agreement.**

4. **AGREEMENT WITH AIRPORT BUSINESS SOLUTIONS FOR THE COMPREHENSIVE REVITALIZATION PLAN FOR OROVILLE MUNICIPAL AIRPORT FIXED BASE OPERATIONS FACILITY** – staff report

The Council will consider a professional services agreement with Airport Business Solutions for consulting services for the Comprehensive Revitalization Plan for the Oroville Municipal Airport Fixed Base Operations facility. The Council will also consider authorizing the use of additional airport funds in the amount of \$11,270 for the Comprehensive Revitalization Plan for the Oroville Municipal Airport Fixed Base Operations facility. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested:

1. **Adopt Resolution No. 7128 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH AIRPORT BUSINESS SOLUTIONS TO PREPARE THE COMPREHENSIVE REVITALIZATION PLAN FOR THE OROVILLE MUNICIPAL AIRPORT FIXED BASE OPERATIONS FACILITY – (Agreement No. 1820).**
2. **Authorize the use of Airport funds, in the amount of \$11,270, for the additional costs that will be needed for the Comprehensive Revitalization Plan for the Oroville Municipal Airport Fixed Base Operations facility as indicated in the May 6, 2008 staff report.**

5. **CDBG ECONOMIC DEVELOPMENT OVER-THE-COUNTER APPLICATION** – staff report

The Council will consider amending and restating the resolution authorizing the submittal of a Community Development Block Grant Economic Development Over-the Counter grant equaling \$2,396,000 for grant administration and providing an economic development loan to Pacific Coast Producers. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested:

1. **Adopt Resolution No. 7129 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AMENDING AND RESTATING RESOLUTION NO. 7050 APPROVING AN APPLICATION FOR FUNDING FROM THE ECONOMIC DEVELOPMENT ALLOCATION OF THE STATE CDBG PROGRAM AND IDENTIFYING THE RESPONSIBLE PARTY FOR GRANT ADMINISTRATION.**
2. **Adopt Resolution No. 7130 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE LOAN DOCUMENTS FOR A \$2,180,500 ECONOMIC DEVELOPMENT LOAN TO PACIFIC COAST PRODUCERS – (Agreement No. 1822).**

6. **AMENDMENT TO THE AGREEMENT WITH CSG CONSULTANTS, INC. TO ASSIST THE BUILDING DIVISION ON AN INTERIM BASIS** – staff report

The Council will consider amending an agreement with CSG Consultants, Inc. to assist the Building Division with services relating to building plan check reviews and approvals of various building related activities, for an amount not to exceed \$25,000. **(Eric Teitelman, Director of Community Development and Public Works)**

Commission Action Requested:

1. **Adopt Resolution No. 7131 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDED AGREEMENT WITH CSG CONSULTANTS, INC. TO ASSIST THE BUILDING DIVISION WITH SERVICES RELATING TO BUILDING PLAN CHECK REVIEWS – (Agreement No. 1622-7).**
2. **Approve supplemental appropriation no. 2007/08-0508-44 as indicated in the May 6, 2008 staff report.**

7. **CONTRACT FOR JASON ABEL CONSTRUCTION TO COMPLETE CONSTRUCTION OF BOLT TOOL MUSEUM FRONTAGE IMPROVEMENTS – staff report**

The Council will consider authorizing a contract with Jason Abel Construction to complete the construction of the Bolt Tool Museum frontage improvements. **(Eric Teitelman, Director of Community Development and Public Works)**

Council Action Requested: **Adopt Resolution No. 7132 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT WITH JASON ABEL CONSTRUCTION IN THE AMOUNT OF \$93,000 FOR THE COMPLETION OF THE BOLT TOOL MUSEUM FRONTAGE IMPROVEMENTS – (Agreement No. 1823).**

8. **UNDERGROUND UTILITY EASEMENT MODIFICATION TO PG&E FOR THE INCREASED ELECTRICAL SERVICE AT THE STATE THEATER IN SUPPORT OF THE HEATING AND A/C SYSTEM UPGRADES – staff report**

The Council will consider an underground utility easement modification agreement with PG&E for the increased electrical service at the State Theater to complete the heating and A/C system upgrades. **(Eric Teitelman, Director of Community Development and Public Works)**

Council Action Requested: **Adopt Resolution No. 7133 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN UNDERGROUND ELECTRICAL UTILITY EASEMENT MODIFICATION AGREEMENT WITH PG&E FOR THE INCREASED ELECTRICAL SERVICE AT THE STATE THEATER TO SUPPORT COMPLETION OF THE HEATING AND A/C SYSTEM UPGRADES – (Agreement No. 1824).**

9. **OROVILLE MUNICIPAL AIRPORT DRAINAGE STUDY – staff report**

The Council will consider an agreement with Rolls Anderson & Rolls for preparation of an analysis and drainage study for the Oroville Municipal Airport. **(Eric Teitelman, Director of Community Development and Public Works)**

Council Action Requested: **Adopt Resolution No. 7134 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH ROLLS ANDERSON & ROLLS FOR CONSULTING SERVICES FOR THE OROVILLE MUNICIPAL AIRPORT DRAINAGE STUDY – (Agreement No. 1825).**

## **PUBLIC HEARINGS**

10. **MODIFY HOME INVESTMENT PARTNERSHIP, CDBG AND REDEVELOPMENT AGENCY FIRST-TIME HOME BUYER PROGRAM GUIDELINES – staff report**

The Council will conduct a public hearing to provide the citizens of Oroville an opportunity to comment on the modifications to the HOME Investment Partnership, Community Development Block Grant and Redevelopment Agency First-Time Home Buyer program guidelines. The Council will also consider authorizing the modifications. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Authorize the requested modifications to the Home Investment Partnership and CDBG program guidelines for First-Time Home Buyer programs.**

**11. PROPOSED GRADING, SUBDIVISION AND ZONING ORDINANCE UPDATE AND CITY DESIGN GUIDELINES – staff report**

The Council will consider adopting a new Grading, Subdivision and Zoning Ordinance and Design Guidelines as recommended by the General Plan Steering Committee and City of Oroville Planning Commission. **(Eric Teitelman, Director of Community Development and Public Works)**

Council Action Requested:

1. **Adopt Resolution No. 7135 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING A NEGATIVE DECLARATION FOR THE ADOPTION OF AMENDMENTS TO CHAPTERS 9B, 23 AND 26 OF THE CODE OF THE CITY OF OROVILLE.**
2. **Adopt Resolution No. 7136 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING DESIGN REVIEW GUIDELINES APPLICABLE TO DEVELOPMENT WITHIN THE CITY OF OROVILLE.**
3. **Waive the first reading, and introduce by title only, Ordinance No. 1749 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE REPEALING CHAPTER 9B, 23, AND 26 AND ADDING NEW CHAPTERS 9B, 23, AND 26 TO THE CODE OF THE CITY OF OROVILLE PERTAINING TO GRADING, EXCAVATION, SEDIMENT CONTROL, SUBDIVISIONS, AND ZONING.**
4. **Waive the first reading, and introduce by title only, Ordinance No. 1750 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE AMENDING AND REPEALING VARIOUS CHAPTERS AND SECTIONS OF THE CODE OF THE CITY OF OROVILLE TO ENSURE THAT CROSS REFERENCES TO NEW CHAPTERS 9, 23 AND 26 ARE CORRECT.**

**REGULAR BUSINESS** - None

**MAYOR/ COUNCIL REPORTS**

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

Sewerage Commission Oroville Region – SC-OR

Supplemental Benefit Fund Steering Committee – SBF

Airport Land Use Commission – ALUC

Butte County Association of Governments – BCAG

Oroville Recreation Area Committee – ORAC

Oroville Economic Development Corporation – OEDCO

Downtown Business Association – DBA

**CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

1. Police Department Repairs – update.
2. ATC Building Repairs – update.
3. Hammon Park and Hewitt Park Improvements.
4. Budget Schedule for Fiscal Year 2008/09.
5. Planning Commission Vacancy.

## **CORRESPONDENCE**

### **1. OROVILLE UNION HIGH SCHOOL DISTRICT BOND MEASURE – Oasis Group**

The Council will consider approving a resolution in support of the Oroville Union High School District requesting voter approval of a \$12 million dollar bond measure on the November, 2008 general election ballot.

Council Action Requested by the Oasis Group: **Adopt Resolution No. XXXX - A RESOLUTION OF THE OROVILLE CITY COUNCIL SUPPORTING THE OROVILLE UNION HIGH SCHOOL DISTRICT REQUEST FOR VOTER APPROVAL OF A \$12 MILLION DOLLAR BOND MEASURE ON THE NOVEMBER, 2008 GENERAL ELECTION BALLOT.**

## **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**

1. Pursuant to Government Code section 54956.8, the Council will meet with real property negotiators Sharon Atteberry, City Administrator, and Dwight Moore, City Attorney, concerning authorization for the proposed sale of approximately 24.63 acres of City-owned property located on 5<sup>th</sup> Avenue, Oroville.
2. Pursuant to Government Code section 54956.9(a), the City Council will hold a closed session with the City Attorney, Dwight L. Moore, relating to the following existing litigation:
  - Noel v. City of Oroville et al., U.S. District Court Eastern District, Case Civil 05-07-728.
  - Feather River Recreation and Park District v. City of Oroville et al., Butte County Superior Court case numbers 142794; 142795; 142796.
  - Robison v. City of Oroville arbitration.
  - Hueton v. City of Oroville arbitration.
3. Pursuant to Government Code Section 54956.9(a), the Council will hold a closed session with the City Attorney Dwight Moore relating to the following claims:
  - Claim No. 2007069534 – Nadine Vaughn
  - Claim No. 2008073678 – Greg Borene
  - Claim No. 2008073994 – Jan & Greg Passmore

4. Pursuant to Government Code Section 54957 Council will hold a performance evaluation for Charlie Miller, Director of Parks & Trees, Eric Teitelman, Director of Community Development & Public Works, Pat Clark, Director of Business Assistance and Housing Development, Diane MacMillan, Director of Finance, and Kirk Trostle, Chief of Police.
5. Pursuant to Government Code section 54957, the City Council will meet to discuss the Interim Fire Chief position.

### **ADJOURNMENT**

The meeting will be adjourned. An adjourned regular meeting of the Oroville City Council will be held on Tuesday, May 20, 2008 at 7:00 p.m.