

**OROVILLE CITY COUNCIL MEETING - MINUTES
JULY 19, 2005- 7:00 PM**

The agenda for the July 19, 2005 meeting of the Oroville City Council was posted on the bulletin board at the front of City Hall on Friday, July 15, 2005 at 3:00 p.m.

The July 19, 2005 adjourned regular meeting of the Oroville City Council was called to order at 7:00 p.m. by Mayor Andoe.

ROLL CALL

PRESENT: Council Members Berry, Corkin, Prouty, Sharkey, Simpson, Vice Mayor Jernigan, Mayor Andoe
ABSENT: None

Staff Present:

Sharon Atteberry, City Administrator/City Clerk	Mitchel Brown, Chief of Police
Dwight Moore, City Attorney	Charles Miller, Director of Parks and Trees
Diane MacMillan, Director of Finance	David Pittman, Fire Chief
Lauri Pittman, Administrative Assistant	Eric Teitelman, Community Development/Public Works
Pat Clark, Business Assistance/Housing Development	Elizabeth Ehrenstrom, Human Resource Analyst II

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Eric Teitelman, Director of Community Development and Public Works.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS - None

PROCLAMATION / PRESENTATION - None

CONSENT CALENDAR

A motion was made by Council Member Berry, seconded by Council Member Corkin, to approve the following Consent Calendar, with the exception of item no. 7:

- 1. APPROVAL OF THE MINUTES OF THE JULY 5, 2005 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
- 2. FISCAL YEAR 2005/06 APPROPRIATIONS LIMIT** – staff report

The Council adopted the F/Y 2005/06 appropriations limit. (*Diane MacMillan, Finance Director*)

Council Action Requested: **Adopt Resolution No. 6508 – A RESOLUTION OF THE OROVILLE CITY COUNCIL SETTING THE APPROPRIATIONS LIMIT (PROPOSITION 4) FOR FISCAL YEAR 2005/06.**

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3. ACCEPTANCE OF THE OFFICE OF TRAFFIC SAFETY GRANT AND AGREEMENT WITH STATE OF CALIFORNIA FOR THE GRANT – staff report

The Council considered accepting the Office of Traffic Safety Grant for improving safety at pedestrian crosswalks, to be used in conjunction with the Safe Routes to School grant through the Department of Transportation, and execution of an agreement between the City of Oroville and the State of California in order to implement this OTS grant. *(Eric Teitelman, Director of Community Development and Public Works)*

Council Action Requested:

1. **Adopt Resolution No. 6509 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE DIRECTOR OF COMMUNITY DEVELOPMENT AND PUBLIC WORKS TO EXECUTE ALL DOCUMENTS REQUIRED FOR THE ACCEPTANCE OF THE OFFICE OF TRAFFIC SAFETY (OTS) GRANT, AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE STATE OF CALIFORNIA FOR SAID GRANT – (Agreement No. 1609).**
2. **Approve supplemental appropriation no. 2005/06-0705-09 as indicated in the fiscal impact of the July 19, 2005 staff report.**

4. 2004 HOME INVESTMENT PARTNERSHIP GRANT – staff report

The Council considered accepting the 2004 Home Investment Partnerships Program Grant in the amount of \$1,200,000 and establishing the budget for program activities. *(Pat Griffin, Director of Business Assistance and Housing Development)*

Council Action Requested:

1. **Accept the 2004 Home Investment Partnerships Program Grant agreement no. 04-HOME-0750 in the amount of \$1,200,000 – (Agreement No. 1610)**
2. **Approve supplemental appropriation no. 2005/06-0705-10 as indicated in the fiscal impact of the July 19, 2005 staff report.**

5. BUDGET CARRYOVER FOR A PORTION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT NO. 03-EDBG-928 – staff report

The Council considered approving a supplemental appropriation to carryover \$344,316 in funds remaining in 2004/05 fiscal year to the 2005/06 fiscal year. *(Pat Griffin, Director of Business Assistance and Housing Development)*

Council Action Requested: **Approve supplemental appropriation no. 2005/06-0705-11 to carryover \$344,316 to the 2005/06 fiscal year line items as indicated in the fiscal impact of the July 19, 2005 staff report.**

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6. ACCEPT COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT NO. 04-EDBG-0627 AND ESTABLISH A BUDGET FOR PROGRAM ACTIVITIES – staff report

The Council considered accepting the 2004/05 Community Development block Grant (CDBG) Program Economic Development Allocation in the amount of \$300,000, and approving a supplemental appropriation establishing the budget for program activities. *(Pat Griffin, Director of Business Assistance and Housing Development)*

Council Action Requested:

1. **Accept the 2004/05 CDBG agreement no. 04-EDBG-0627 in the amount of \$300,000 – (Agreement No. 1611).**
2. **Approve supplemental appropriation no. 2005/06-0705-13 as indicated in the fiscal impact of the July 19, 2005 staff report.**

7. ITEM REMOVED FROM CONSENT CALENDAR – SEE BELOW

8. REASONABLE ACCOMMODATION POLICY – staff report

The Council considered adoption of a Reasonable Accommodation Policy to assist individuals with disabilities to the extent required by law. *(Sharon Atteberry, City Administrator)*

Council Action Requested: **Approve Resolution No. 6511 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING THE REASONABLE ACCOMMODATION POLICY FOR INDIVIDUALS WITH DISABILITIES.**

The motion to approve the above Consent Calendar, with the exception of item no. 7, passed by the following vote:

AYES: Council Members Berry, Corkin, Prouty, Sharkey, Simpson, Vice Mayor Jernigan, Mayor Andoe
NOES: None
ABSENT: None
ABSTAIN: None

ITEM REMOVED FROM CONSENT CALENDAR

7. PROFESSIONAL SERVICES FOR THE BUSINESS AND MICRO-ENTERPRISE BUSINESS TECHNICAL ASSISTANCE PROGRAMS – staff report

The Council will consider approving a supplemental appropriation and an agreement with Tri-County Economic Development Corporation to provide services for the City's Micro-enterprise Business Technical Assistance Program and the Business Technical Assistance Program. *(Pat Griffin, Director of Business Assistance and Housing Development)*

This item was removed from the Consent Calendar at the request of staff, and will be brought back to a future meeting.

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Council Action Requested:

1. **Approve supplemental appropriation No. 2005/06-070-12 as indicated in the fiscal impact.**
2. **Adopt Resolution No. 6510 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT FOR SERVICES BETWEEN THE CITY OF OROVILLE AND TRI-COUNTY ECONOMIC DEVELOPMENT CORPORATION – (Agreement No. 1612).**

PUBLIC HEARINGS - None

REGULAR BUSINESS

9. **ITEM REMOVED FROM REGULAR BUSINESS – SEE BELOW**
10. **MONTHLY FINANCIAL REPORT FOR JUNE 2005 AND MONTHLY SUMMARY OF INVESTMENTS FOR MAY 2005.**

The Council received a copy of the Monthly Financial Report for June 2005 and the Monthly Summary of Investments for May 2005. (*Diane MacMillan, Interim Finance Director*)

Following questions and discussion by the Council:

Receipt of the June 2005 Monthly Financial Report and May 2005 Summary of Investments was acknowledged.

ITEM REMOVED FROM REGULAR BUSINESS

9. **POLICIES ON WORKPLACE VIOLENCE AND UNLAWFUL WORKPLACE HARASSMENT – staff report**

The Council will consider a new policy on Workplace Violence and an updated City policy on Unlawful Workplace Harassment. (*Liz Ehrenstrom, Human Resource Analyst II*)

This item was removed from Regular Business at the request of staff and will be brought back to a future meeting.

Council Action Requested: **Approve the City's Workplace Violence and Unlawful Workplace Harassment policies.**

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MAYOR/ COUNCIL REPORTS

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

Chamber of Commerce Meeting

The meeting was cancelled due to a lack of a quorum.

Oroville Recreation Area Committee Meeting - (ORAC)

Council Member Sharkey was unable to attend the meeting, but said there has been much concern expressed regarding the 5 MPH speed limit that is in place but has not been enforced by the Department of Fish & Game. Once the relicensing is complete it is believed that they will begin to enforce the speed limit, which will effectively stop all recreation at the afterbay. Council Members Corkin and Sharkey have spoken with Assemblyman Keene regarding this issue. Council Member Sharkey asked for the Council's support to protect the recreation at the afterbay and present it at the next ORAC meeting.

Butte County Association of Governments - (BCAG)

Mayor Andoe reported that he received an e-mail from John Clark of BCAG that the California Transportation Commission approved \$89.5M dollars for the Highway 149 construction, and will be going out to bid in the fall.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

1. Parks & Trees – monthly reports
2. Public Works Department – activities report
3. Chamber of Commerce – activities report

Sharon Atteberry, City Administrator, informed the Council that the nuisance and weed abatement ordinances will be coming back to the Council at the next meeting. Staff is working on more ordinances to be brought to the Council for consideration, along with policy updates.

Ms. Atteberry reported that the Pulse of the City event will be held on Thursday, July 21. This event is sponsored by the Chamber of Commerce. The City will report on the revitalization of downtown (growth, subdivisions, nicer green areas, Hewitt Park, Gateway Park, and levee improvement). The City will educate attendees on the role of the City, the role of the Chamber, and the role of the DBA.

She reported that Howard Levine of Grass Valley will come to Oroville to speak at a downtown revitalization conference regarding how Grass Valley became so successful. The City is also working with Andy Plescia and Randy Boem to speak at a conference in October.

The California Downtown Association state-wide conference is scheduled for September 28-30, 2005 in Palm Springs. Council Members, the DBA President and a DBA board member are invited to attend this conference. They have outstanding topics, such as learning more about the business improvement district, which includes information on downtown parking problems. During the same week is the conference on Deals Making from September 27-29, 2005.

Ms. Atteberry said there has been interest among some property owners in the historical downtown regarding the Mills Act and how it would affect their property, and perhaps they could save some property tax by restoring their property consistent with the Mills Act. The City has prepared an information packet regarding the Mills Act that is available for distribution.

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CORRESPONDENCE - None

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

CLOSED SESSION

The meeting was adjourned to closed session at 8:11 p.m. to discuss the following:

1. Pursuant to Government Code Section 54957 the Council held performance evaluations for the following:

Mitchel Brown, Chief of Police
David Pittman, Fire Chief

2. Pursuant to Government Code section 54947.6, the City Council met with Labor Negotiator, Sharon Atteberry, to discuss labor negotiations for the following:

Oroville Firefighters Association	Oroville Mid-Managers Association
Oroville Police Officers Association – Sworn	Oroville City Employees Association
Oroville Police Officers Association – Non-Sworn	

3. Pursuant to Government Code Section 54956.9(a), the Council held a closed session with City Attorney Dwight L. Moore concerning the following existing litigation:

City of Oroville v. Jack Underwood et al., Butte County Superior Court case no. 134281.

The meeting was reconvened at 10:01 p.m., and Mayor Andoe announced that no action was taken on items no. 1 and no. 2, and direction was given to staff. Item no. 3 was continued to a future meeting.

ADJOURNMENT

The meeting was adjourned at 10:02 p.m. An adjourned meeting of the Oroville City Council will be held on Tuesday, September 26, 2005 at 5:30 p.m.

Sharon Atteberry, City Clerk

Gordon Andoe, Mayor