

**OROVILLE CITY COUNCIL MEETING MINUTES
JANUARY 2, 2008 – 7:00 P.M.**

The agenda for the January 2, 2008 regular meeting of the Oroville City Council was posted on the bulletin board at the front of City Hall on Thursday, December 27, 2007, at 3:09 p.m.

The January 2, 2008 regular meeting of the Oroville City Council was called to order by Mayor Jernigan at 7:20 p.m.

ROLL CALL

Present: Council Members Berry, Corkin, Hatley, Prouty, Vice Mayor Johansson, Mayor Jernigan
Absent: Council Member Howard (Excused)

Staff Present:

Diane MacMillan, Finance Director/Acting City Administrator	Dwight Moore, City Attorney
Eric Teitelman, Community Development/Public Works Director	Kirk Trostle, Chief of Police
Pat Clark, Business Assistance/Housing Development Director	Nathan Trauernicht, Interim Fire Chief
Charles Miller, Director of Parks and Trees	Karolyn Fairbanks, City Treasurer
Sharon Mize, Administrative Assistant	
Rick Farley, Business Assistance and Enterprise Zone Coordinator	

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Charles Miller, Director of Parks and Trees.

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

PROCLAMATIONS/ PRESENTATIONS

Council Member Art Hatley presented a Proclamation of Recognition and Appreciation to retired Fire Chief David Pittman.

Council Member Jim Prouty presented a Proclamation of Recognition and Appreciation to retired Chief of Police, Mitch Brown.

Mayor Steve Jernigan presented David Pittman and Mitch Brown with engraved plaques that expressed the City's appreciation for their dedicated service.

OATH OF OFFICE FOR NEWLY APPOINTED CHIEF OF POLICE

Mayor Jernigan administered the Oath of Office to newly appointed Chief of Police, Kirk Trostle.

The Council adjourned for a short recess at 7:40 p.m. and reconvened at 7:53 p.m.

CONSENT CALENDAR

A motion was made by Council Member Hatley, seconded by Council Member Berry, to approve the following Consent Calendar with the exception of item no. 4:

1. **APPROVAL OF THE MINUTES OF THE DECEMBER 18, 2007 7:00 P.M. ADJOURNED REGULAR MEETING OF THE OROVILLE CITY COUNCIL** - minutes attached.
2. **ADOPTING THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2007 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE AND OTHER BUILDING RELATED CODES** – staff report

The Council considered approving the most recent additions of the construction codes with the applicable amendments relating to the City of Oroville. **(Eric Teitelman, Director of Community Development and Public Works)**

Council Action Requested: **Approve the second reading, by title only, and adopt Ordinance No. 1747 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE REPEALING CHAPTER 6 AND ADDING A NEW CHAPTER 6 OF THE CODE OF THE CITY OF OROVILLE MUNICIPAL CODE, AND ADOPTING BY REFERENCE THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2007 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE AND THE UNIFORM HOUSING CODE 1997 EDITION, AND THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS 1997 EDITION AND AMENDING CERTAIN PORTIONS OF THE CALIFORNIA CODE OF REGULATIONS TITLE 24.**

3. **ADOPTING THE 2007 EDITION OF THE CALIFORNIA FIRE CODE BASED ON THE 2006 INTERNATIONAL FIRE CODE, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS** – staff report

The Council considered approving the most recent edition of the California Fire code with the applicable amendments relating to the City of Oroville. **(Nathan Trauernicht, Interim Fire Chief)**

Council Action Requested: **Approve the second reading by title only, and adopt Ordinance No. 1748 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE REPEALING CHAPTER 10 OF THE CITY OF OROVILLE MUNICIPAL CODE AND ADDING A NEW CHAPTER 10 TO THE CITY OF OROVILLE MUNICIPAL CODE, AND ADOPTING BY REFERENCE PART 9, CALIFORNIA FIRE CODE INCLUDING THE APPENDIX CHAPTERS, OF THE CALIFORNIA CODE OF REGULATIONS TITLE 24, 2007 EDITION OF THE CALIFORNIA BUILDING STANDARDS.**

4. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW).**
5. **SALE OF CITY OWNED PROPERTY LOCATED AT 34 ACACIA AVENUE, OROVILLE** - staff report

The Council considered selling the residential City-owned property located at 34 Acacia Avenue, Oroville, to a qualified First-Time Home Buyer (FTHB) for \$215,000.00. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Accept the offer submitted by Beth Perry along with the attached counter offer to purchase 34 Acacia Avenue, Oroville, for \$215,000.**

6. MODIFICATIONS TO THE CALHOME REHABILITATION PROGRAM GUIDELINES AND THE CALHOME REUSE GUIDELINES – staff report

The Council considered authorizing modifications to the CalHome Rehabilitation Program Guidelines and the CalHome Reuse Guidelines. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Authorize the requested modifications to the CalHome Rehabilitation Program Guidelines and the CalHome Reuse Guidelines.**

7. LANDSCAPE MAINTENANCE AGREEMENT WITH CALTRANS FOR EXISTING AND FUTURE HIGHWAY 70 & MONTGOMERY STREET LANDSCAPING IMPROVEMENTS – staff report

The Council considered a Landscape Maintenance Agreement with Caltrans for the recently completed landscaping at the Highway 70 & Montgomery Street Interchange. **(Eric Teitelman, Director of Community Development and Public Works)**

Council Action Requested: **Adopt Resolution No. 7066 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A LANDSCAPE MAINTENANCE AGREEMENT WITH CALTRANS FOR EXISTING AND FUTURE LANDSCAPING IMPROVEMENTS AT THE HIGHWAY 70 & MONTGOMERY STREET INTERCHANGE - (Agreement No. 1795).**

8. PHASE CONVERTER FOR RIVERVIEW TERRACE SEWER STATION – staff report

The Council considered the purchase of a phase converter for the Riverview Terrace Lift Station. **(Charles Miller, Director of Parks and Trees)**

Council Action Requested:

- 1. Authorize the purchase of a Phase Converter for the Riverview Terrace Lift Station from Rexel Norcal Valley for \$2,665.36.**
- 2. Authorize the necessary budget adjustment.**

9. AGREEMENT WITH BUTTE COLLEGE SMALL BUSINESS DEVELOPMENT CENTER FOR PROFESSIONAL SERVICES – staff report

The Council considered approving an agreement in the amount of \$6,000.00 with Butte College Small Business Development Center (SBDC) to provide professional services to local business owners. **(Pat Clark, Director of Business Assistance and Housing Development)**

Development)

Council Action Requested:

1. **Adopt Resolution No. 7067 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF OROVILLE AND BUTTE COLLEGE SMALL BUSINESS DEVELOPMENT CENTER (AGREEMENT NO. 1341-7).**
2. **Approve Supplemental Appropriation No. 2007/08-0108-31 as indicated in the fiscal impact of the staff report dated January 2, 2008.**

The motion to approve the above Consent Calendar, with the exception of item no. 4, was passed by the following vote:

Ayes: Council Members Berry, Corkin, Hatley, Prouty, Vice Mayor Johansson, Mayor Jernigan
Noes: None
Abstain: None
Absent: Council Member Howard

ITEM(S) REMOVED FROM THE CONSENT CALENDAR

4. ECONOMIC DEVELOPMENT LOAN REQUEST – staff report

The Council considered authorizing a \$245,000 economic development loan to Water Over Stone, Inc. dba Stone and Boulder Wholesale, 2805 Richter Avenue, Oroville, as recommended by the City's Economic Development Loan Committee. **(Pat Clark, Director of Business Assistance and Housing Development)**

This item was removed from the Consent Calendar at the request of Council Member Prouty due to a conflict of interest.

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

Adopt Resolution No. 7065 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE LOAN DOCUMENTS FOR A \$245,000 ECONOMIC DEVELOPMENT LOAN TO WATER OVER STONE, INC. DBA STONE AND BOULDER WHOLESALE. (Agreement No. 1794)

The motion was passed by the following vote:

Ayes: Council Members Berry, Corkin, Hatley, Vice Mayor Johansson, Mayor Jernigan
Noes: None
Abstain: Council Member Prouty
Absent: Council Member Howard

PUBLIC HEARINGS

10. 2007/2008 CALIFORNIA COMMUNITY ECONOMIC ENTERPRISE FUND APPLICATION – staff report

The Council opened the public hearing to solicit comments from the public and considered authorizing staff to submit an application to the State Department of Housing and Community Development to request funding from the 2007/2008 California Community Economic Enterprise Component of the Economic Development Allocation of the Community Development Block Grant Program. **(Pat Clark, Director of Business Assistance and Housing Development)**

Rick Farley, Business Assistance and Enterprise Zone Coordinator, explained that this economic development grant is for \$500,000 and \$50,000 will be used for micro-enterprise business loans.

Mayor Jernigan opened the Public Hearing. Hearing no comments or questions from the public, the Public Hearing was closed.

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

Adopt Resolution No. 7068 - A RESOLUTION APPROVING AN APPLICATION AND CONTRACT EXECUTION FOR FUNDING FROM THE CALIFORNIA COMMUNITY ECONOMIC ENTERPRISE FUND COMPONENT OF THE STATE ENTERPRISE AND ECONOMIC DEVELOPMENT SECTION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSES OF THIS GRANT.

The motion was passed by the following vote:

Ayes:	Council Members Berry, Corkin, Hatley, Prouty, Vice Mayor Johansson,
Mayor	Jernigan
Noes:	None
Abstain:	None
Absent:	Council Member Howard

REGULAR BUSINESS - None

MAYOR/ COUNCIL REPORTS

COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS

Sewage Commission of Oroville Region – SC-OR

Council Member Hatley reported that SC-OR is designing the restroom off the control room to make

it ADA compatible and will prepare and send out a bid package to have the upgrades done. Council Member Hatley also reported that Ray Souza, SC-OR Manager/Superintendent, met with Senator Aanestad, the California Water Board and the Regional Water Board regarding the new regulations

for water discharge from waste water facilities. Council Member Hatley reported that SC-OR had a video conference regarding the Private Lateral Program. The Private Lateral Program is a program to repair laterals to reduce the inflow and infiltration (I & I).

Airport Land-Use Commission – ALUC

Eric Teitelman, Director of Community Development and Public Works, reported that ALUC made some changes to the language that pertains to how land areas for minimum densities around the airport are calculated.

Butte County Association of Governments – BCAG

Mayor Jernigan reported that the BCAG meeting for December had been cancelled.

Oroville Economic Development Corporation – OEDCO

Council Member Prouty reported that OEDCO did not have a meeting in December.

Downtown Business Association - DBA

Due to the absence of Council Member Howard there was no report regarding the DBA.

Oroville Recreation Area Commission – ORAC

Vice Mayor Johansson reported that there was no meeting in December and ORAC would probably hold quarterly meetings from this point forward.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Diane MacMillan, Finance Director/Acting City Administrator, reported that staff is looking into the availability of formal training regarding the Brown Act for the Council and City Commissions.

Ms. MacMillan also reported that the City is currently accepting applications for nominations for the Samuel J. Norris Award for Excellence.

CORRESPONDENCE - None

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS - None

CLOSED SESSION

The Council adjourned to Closed Session to discuss the following:

Pursuant to Government Code Section 54956.9(a), the City Council held a closed session and met with the City Attorney about the following pending litigation:

Eric Akins v. City of Oroville
Workers' Compensation Claim No. 2003013494

The Council reconvened at 8:18 p.m. and Mayor Jernigan announced that no action was taken in Closed Session and direction was given to staff.

ADJOURNMENT

The meeting was adjourned at 8:20 p.m. An adjourned regular meeting of the Oroville City Council will be held on Tuesday, January 15, 2008 at 7:00 p.m.

Sharon L. Atteberry, City Clerk

Steven Jernigan, Mayor