



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Regular Meeting

DECEMBER 3, 2013
CLOSED SESSION 5:00 P.M.
OPEN SESSION 6:00 P.M.
AGENDA

CLOSED SESSION (5:00 P.M.)

ROLL CALL

Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier

CONVENE TO CLOSED SESSION (ITEMS LISTED ON PAGE NO. 5 AND 6)

RECONVENE TO OPEN SESSION

OPEN SESSION (6:00 P.M.)

PLEDGE OF ALLEGIANCE

PROCLAMATION / PRESENTATION

Oath of Office for Reserve Officer Marcus Tennigkeit.

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 or ask questions regarding the agenda item. Following your remarks, Council and/or staff may respond to your comments or questions. **Presentations are limited to three minutes per person.** Under Government Code Section 54954.3 the time allotted for presentations may be limited.

CONSENT CALENDAR

1. **APPROVAL OF THE MINUTES OF THE NOVEMBER 19, 2013 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
2. **RENEWAL OF MEMORANDUM OF UNDERSTANDING WITH BUTTE COUNTY HOMELESS CONTINUUM OF CARE COUNCIL** – staff report

The Council may consider the renewal of the Memorandum of Understanding by and between the Housing Authority of the County of Butte (Housing Authority), County of Butte Department of Behavioral Health, County of Butte Department of Employment and Social Services, City of Chico, City of Gridley, City of Oroville, Caminar, Inc., Community Action Agency, and Northern Valley Catholic Social Service.

Additionally, the Council may consider authorizing the use of Housing Program Funds, in the amount of \$2,000, for the purpose of funding staff to support for Butte County Homeless Continuum of Care Council. **(Pat Clark, Director of Business Assistance and Housing Development) (Continued from November 3, 2013)**

Council Action Requested:

1. **Adopt Resolution No. 8143 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE HOUSING AUTHORITY OF THE COUNTY OF BUTTE, COUNTY OF BUTTE DEPARTMENT OF BEHAVIORAL HEALTH, COUNTY OF BUTTE, DEPARTMENT OF EMPLOYMENT AND SOCIAL SERVICES, CITY OF CHICO, CITY OF GRIDLEY, CITY OF OROVILLE, CAMINAR, INC, COMMUNITY ACTION AGENCY AND NORTHERN VALLEY CATHOLIC SOCIAL SERVICES FOR THE PURPOSE OF FUNDING STAFF SUPPORT FOR THE BUTTE COUNTY HOMELESS CONTINUUM OF CARE COUNCIL AND AUTHORIZE THE USE OF HOUSING PROGRAM FUNDS – (Agreement No. 1865-3).**
2. **Authorize the use of Housing Program funds, in the amount of \$2,000, for the purpose of funding staff to support the Butte County Continuum of Care Council.**
3. **REVISED JOB DESCRIPTION AND SALARY RANGE FOR THE POSITION OF INFORMATION TECHNOLOGY MANAGER** – staff report

The Council may consider the revised job description and salary range for the Information Technology Manager position. **(Randy Murphy, City Administrator and Liz Ehrenstrom, Human Resource Manager II)**

Council Action Requested: **Adopt Resolution No. 8152 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE REVISED JOB DESCRIPTION AND SALARY RANGE FOR THE POSITION OF INFORMATION TECHNOLOGY MANAGER.**

4. **ALLOCATION OF GRANT FUNDS FOR MANAGEMENT OF CLIMATE ACTION PLAN** – staff report

The Council may consider the allocation of remaining funds, in the amount of \$9,146, from the Strategic Growth Council - 2011 Sustainable Communities Planning Grant, to pay The Planning Center/DC&E to manage ICF International's work on the Climate Action Plan. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Adopt Resolution No. 8153 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE ALLOCATION OF THE REMAINING \$9,146 BUDGET FROM THE STRATEGIC GROWTH COUNCIL – 2011 SUSTAINABLE COMMUNITIES PLANNING GRANT TO PAY**

THE PLANNING CENTER/DC&E TO MANAGE THE COMPLETION OF THE CITY'S CLIMATE ACTION PLAN.

5. RECLASSIFICATION OF POLICE LIEUTENANT AND BATTALION CHIEF – staff report

The Council may consider the reclassification of the Police Lieutenant and the Battalion Chief. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: Direct staff to analyze the fiscal impact of the proposed changes and return to Council for a final recommendation.

6. DRAFT MUNICIPAL SERVICE REVIEW UPDATE – SPHERE OF INFLUENCE PLAN FOR EL MEDIO FIRE PROTECTION DISTRICT – staff report

The Council may consider sending a written recommendation to the Butte Local Agency Formation Commission expressing the City's disagreement with the proposed Sphere of Influence expansion of the El Medio Fire Protection District. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: Adopt Resolution No. 8154 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXEUTE A LETTER EXPRESSING THE CITY'S DISAGREEMENT WITH THE PROPOSED SPHERE OF INFLUENCE EXPANSION OF THE EL MEDIO FIRE PROTECTION DISTRICT.

7. USE OF CITY COUNCIL CHAMBERS AND VARIOUS CONFERENCE ROOMS – staff report

The Council will discuss the use of the City Council Chambers and various conference rooms by outside agencies and may determine whether a use fee or use policy should be adopted for future activities. **(Donald Rust, Director of Community Development)**

Council Action Requested: Provide direction to staff regarding the creation of a policy and associated fees for the usage of the City Council Chambers and various conference rooms by outside agencies.

8. UTILIZATION OF VARIOUS CITY FACILITIES – staff report

The Council may consider the utilization of various City facilities, including the Chinese Temple and Museum Annex Building, State Theatre, levee tower on Arline Rhine Memorial Drive, Municipal Auditorium, Centennial Cultural Center Advanced Technology Center, City Corporation Yard and all other City facilities. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: Direct staff to process an evaluation and prepare a report of the various facilities and return to the Council by February 18, 2014 with an update.

9. REMOVAL OF TWO PALM TREES FROM THE PETALUMA ECUMENICAL PROPERTIES' ORANGE TREE SENIOR APARTMENTS PROJECT SITE – staff report

The Council will receive a report on the removal of two (2) palm trees from the Petaluma Ecumenical Properties' Orange Tree Senior Apartment project site located at 1511 Robinson Street (APN 012-141-004). **(Donald Rust, Director of Community Development)**

Council Action Requested: None

PUBLIC HEARINGS - None

REGULAR BUSINESS

10. APPOINTMENT TO THE OROVILLE PLANNING COMMISSION – staff report

The Council may consider appointing a qualified City resident to serve of the Oroville Planning Commission. **(Randy Murphy, City Administrator)**

Council Action Requested: Select a qualified applicant to serve on the Oroville Planning Commission for the remainder of former Commissioner Gordon's term, which will expire on June 30, 2014.

11. BUDGET CARRYOVER OF ALL FUNDS, CAPITAL PROJECTS AND GRANTS AND RESERVE FOR PAYROLL – staff report

The Council may consider Supplemental Appropriation No. 2013/14-1213-24 to carryover the balances of all Funds, Capital projects and Grant budget appropriations from Fiscal Year 2012/13 to Fiscal Year 2013/14 and appropriate a reserve for the 27th payroll. **(Diane MacMillan, Director of Finance)**

Council Action Requested: Approve Supplemental Appropriation No. 2013/14-1213-24 as indicated in the December 3, 2013 staff report.

12. NORTHWEST SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS AGREEMENT CONCESSIONS AND POSSIBLE RESTRUCTURING – staff report

The Council may consider whether to restructure the Northwest Society for the Prevention of Cruelty to Animals (NW SPCA) Agreement for Animal Control Services. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: Authorize the City Administrator to negotiate a variation of proposal No. 3, as indicated in the December 3, 2013 staff report.

13. FEATHER RIVER BOULEVARD REVITALIZATION PLAN (FINAL DRAFT) – staff report

The Council may consider adopting the final draft of the Feather River Boulevard Revitalization Plan. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: Adopt Resolution No. 8155 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING THE FINAL DRAFT OF THE FEATHER RIVER BOULEVARD REVITALIZATION PLANNING DOCUMENT.

14. AMENDMENT TO EXISTING AGREEMENT WITH FIRST CARBON SOLUTIONS (FORMERLY MICHAEL BRANDMAN ASSOCIATES) FOR THE PROPOSED WALMART SUPERCENTER – staff report

The Council may consider an amendment to the existing agreement with First Carbon Solutions (formerly Michael Brandman Associates) for the proposed Walmart Supercenter. **(Donald Rust, Director of Community Development)**

Council Action Requested:

- 1. Adopt Resolution No. 8156 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH FIRST CARBON SOLUTIONS (FORMERLY MICHAEL BRANDMAN ASSOCIATES) TO PROVIDE SERVICES FOR THE REVISIONS TO THE ENVIRONMENTAL IMPACT REPORT RELATED TO THE GREENHOUSE GAS ANALYSIS, IN THE AMOUNT OF**

\$49,000, FOR THE PROPOSED WALMART SUPERCENTER – (Agreement No. 1763-6).

- 2. Adopt Resolution No. 8157 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE PLANNING CENTER/DC&E TO PROVIDE PEER REVIEW SERVICES OF THE GREENHOUSE GAS ANALYSIS FOR THE CITY OF OROVILLE, IN THE AMOUNT OF \$9,542, FOR THE PROPOSED WALMART SUPERCENTER – (Agreement No. 3048).**

SUCCESSOR AGENCY - None

MAYOR/ COUNCIL REPORTS

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

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

CORRESPONDENCE

- Sister Cities International, received November 22, 2013
- Thomas Tenorio, Community Action Agency, received November 22, 2013
- Butte County Public Health, received September 17, 2013
- CalRecycle, received November 21, 2013

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

The Council will hold a Closed Session on the following:

1. Pursuant to Government Code section 54957.6, the Council will meet with Labor Negotiators and City Attorney to discuss labor negotiations for the Oroville Police Officers' Association – Sworn and Non-Sworn.
2. Pursuant to Government Code section 54957.6, the Council will meet with Labor Negotiators and City Attorney to discuss labor negotiations for the Oroville Fire Fighters' Association.
3. Pursuant to Government Code section 54956.9(a), the Council will meet with the City Administrator and City Attorney relating to existing litigation: City of Oroville v. Department of Finance, et al., Sacramento County Superior Court, Case No. 34-2013-80001543.
4. Pursuant to Government Code Section 54957(b), the Council will meet with Labor Negotiators and City Attorney to consider employment related to the following position: Assistant City Administrator.

5. Pursuant to Government Code section 54956.9(b), the Council will meet with the City Administrator and the City Attorney regarding potential litigation – four cases
6. Pursuant to Government Code Section 54957(b), the Council will meet with the City Administrator and City Attorney to consider the evaluation of performance related to the following position: City Administrator.

ADJOURNMENT

The meeting will be adjourned. The next regular meeting of the Oroville City Council will be held on Tuesday, December 17, 2013 at 5:00 p.m.

Accommodating Those Individuals with Special Needs – In compliance with the Americans with Disabilities Act, the City of Oroville encourages those with disabilities to participate fully in the public meeting process. If you have a special need in order to allow you to attend or participate in our public meetings, please contact the City Clerk at (530) 538-2535, well in advance of the regular meeting you wish to attend, so that we may make every reasonable effort to accommodate you. Documents distributed for public session items, less than 72 hours prior to meeting, are available for public inspection at City Hall, 1735 Montgomery Street, Oroville, California.

**CITY COUNCIL MEETING MINUTES
NOVEMBER 19, 2013 – 4:00 P.M.**

The agenda for the November 19, 2013 regular meeting of the Oroville City Council was posted on the bulletin board at the front of City Hall on Friday, November 15, 2013, at 3:37 p.m.

The November 19, 2013 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 4:07 p.m.

ROLL CALL

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

Staff Present:

Randy Murphy, City Administrator	Scott E. Huber, City Attorney
Diane MacMillan, Director of Finance	Bill La Grone, Chief of Police
Donald Rust, Director of Planning & Development Services	Jamie Hayes, Deputy City Clerk
Pat Clark, Director of Business Asst. & Housing Development	Bob Marciniak, Program Specialist

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Merritt Silva, Oroville Foothill 4-H Club.

PROCLAMATIONS / PRESENTATIONS

Mayor Dahlmeier conducted an Oath of Office for Firefighter, Chris Tennes.

Mayor Dahlmeier presented Megan Wills with a New Business Acknowledgement and Welcome to Oroville for Porterhouse Restaurant.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Tom Griffis – Item No. 8	Ron Ullman – Item No. 8
David Townsend – Item No. 9	Michael Smiley – Item No. 10
Machelle Conn – Item No. 12	Bob Zollner – Item No. 16
Bud Englund – 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 Items No. 8 and 9:

- 1. APPROVAL OF THE MINUTES OF THE OCTOBER 15, 2013 REGULAR MEETING OF THE OROVILLE CITY COUNCIL – minutes attached**

2. ADOPTION OF CALIFORNIA CODE OF REGULATIONS TITLE 24, 2013 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE AND OTHE RELATED CODES – staff report

The Council considered adopting the most recent editions of the California Code of Regulations Title 24, 2013 edition of the California Building Standards Code with applicable amendments relating to the City of Oroville. (Donald Rust, Director of Community Development)

Council Action Requested: **Waive the second reading and adopt by title only, Ordinance No. 1800 - 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, 2013 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, UNIFORM HOUSING CODE 1997 EDITION, UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS 1997 EDITION, AND AMENDING CERTAIN PORTIONS OF THE CALIFORNIA CODE OF REGULATIONS TITLE 24.**

3. MARTIN RANCH GENERAL PLAN AMENDMENT, ZONE CHANGE, TENTATIVE PARCEL MAP AND PLANNED DEVELOPMENT OVERLAY – staff report

The Council considered a General Plan Amendment, Rezone, Tentative Parcel map, and Planned Development Overlay for a property located northeast of Table Mountain Boulevard at Garden Drive (APN: 031-030-031). (Donald Rust, Director of Community Development and Luis Topete, Associate Planner)

Council Action Requested: **Waive the second reading and adopt by title only, Ordinance No. 1801 – AN ORDINANCE OF THE OROVILLE CITY COUNCIL MAKING FINDINGS AND APPROVING GENERAL PLAN AMENDMENT NO. 13-01, REZONE NO. 13-06, AND THE ASSOCIATED PLANNED DEVELOPMENT OVERLAY THAT WILL BE INCORPORATED INTO THE CITY ZONING CODE AS SECTION 26-42.030-1 FOR THE PROPERTY LOCATED ON TABLE MOUNTAIN BOULEVARD - MARTIN RANCH PROJECT (APN 031-030-031).**

4. ADOPTION OF THE 2013 EDITION OF THE CALIFORNIA FIRE CODE – staff report

The Council considered adopting the most recent edition of the 2013 California Fire Code with the applicable amendments relating to the City of Oroville. (Bill La Grone, Director of Safety Services and Dean Hill, Jr., Fire Marshall)

Council Action Requested: **Waive the second reading and adopt by title only, Ordinance No. 1802 – AN ORDINANCE OF THE OROVILLE CITY COUNCIL REPEALING CHAPTER 10 OF THE 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, 2013 EDITION OF THE CALIFORNIA BUILDING STANDARDS.**

5. ELIMINATION OF EMPLOYER PAID MEMBER CONTRIBUTIONS AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTION THROUGH PERS FOR SAFETY MANAGEMENT – staff report

The Council considered the elimination of employer paid member contributions (EPMC) and reporting the value of those contributions as special compensation (enhancement) for Safety Management employees. (Randy Murphy, City Administrator and Liz Ehrenstrom, Human Resource Analyst II)

Council Action Requested: **Adopt Resolution No. 8150 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE ELIMINATION OF EMPLOYER PAID MEMBER CONTRIBUTIONS AND REPORTING THE VALUE OF EMPLOYER PAID CONTRIBUTIONS THROUGH CALPERS FOR SAFETY MANAGEMENT EMPLOYEES.**

6. PROFESSIONAL SERVICES AGREEMENT WITH CHARLES LAFLAMME – staff report

The Council considered a Professional Services Agreement with Charles LaFlamme, in the amount of \$3,500, to complete a supplemental appraisal of the Table Mountain Golf Course property. (Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)

Council Action Requested: **Adopt Resolution No. 8149 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CHARLES LAFLAMME, IN THE AMOUNT OF \$3,500, TO COMPLETE A SUPPLEMENTAL LAND APPRAISAL FOR THE TABLE MOUNTAIN GOLF COURSE PROPERTY – (Agreement No. 3047).**

7. PROFESSIONAL SERVICES AGREEMENT WITH WALLACE ENVIRONMENTAL CONSULTING, INC – staff report

The Council considered a Professional Services Agreement with Wallace Environmental Consulting, Inc., in an amount not to exceed \$16,000, for Environmental Permitting Services. (Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)

Council Action Requested:

1. Adopt Resolution No. 8148 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH WALLACE ENVIRONMENTAL CONSULTING, INC., IN AN AMOUNT NOT TO EXCEED \$16,000, FOR ENVIRONMENTAL PERMITTING SERVICES – (Agreement No. 3046).

2. Approve Supplemental Appropriation No. 2013/14-1113-23 as indicated in the November 19, 2013 staff report.

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

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

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

8. FEE WAIVER REQUEST BY BIRD STREET MEDIA PROJECT – staff report

The Council considered a fee waiver request by Bird Street Media Project, in the amount of \$660, for use of the Municipal Auditorium for their annual Christmas Craft Faire to be held on December 7, 2013. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

This item was removed from the Consent Calendar by Council Member Bunker for additional comments.

Ron Ullman and Tom Griffis, Bird Street Media Project Board Members, spoke in support of the fee waiver request.

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

Waive 100% of the fees, in the amount of \$1,320, for the Bird Street Media annual Christmas Craft faire at the Municipal Auditorium.

This motion failed due to a lack of a second motion.

A motion was made by Council Member Bunker, seconded by Council Member Andoe, to:

Waive 50% of the fees for use of the Municipal Auditorium for an annual Christmas Craft Faire, by Bird Street Media Project, in the amount of \$660.

The motion was passed by the following vote:

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

9. FEE WAIVER REQUEST BY THE OROVILLE COMMUNITY CONCERT BAND AND CHORUS – staff report

The Council considered a fee waiver request by the Oroville Community Concert Band and Chorus, in the amount of \$1,500, for use of the Oroville State Theatre for their annual Concert Series, including rehearsals, from December 3, 2013 through July 4, 2014. **(Donald Rust, Director of Community Development)**

This item was removed from the Consent Calendar by for additional comments.

David Townsend, Oroville Community Concert Band and Chorus, asked questions pertaining to the fee structure and spoke in support of the fee waiver request for use of the

Oroville State Theatre for their annual Concert Series.

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

Approve a 50% fee waiver, in an amount of \$1,500, for the Oroville Community Concert Band and Chorus for use of the Oroville State Theatre for their annual Concert Series, including rehearsals, from December 3, 2013 through July 4, 2014, upon receipt of proof of insurance, and payment of the remaining 50% of fees associated with rehearsal times and the security/cleaning deposit, pursuant to the City of Oroville Fee Waiver Policy.

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

PUBLIC HEARING

10. ARTS, CULTURE AND ENTERTAINMENT DISTRICT – FINAL DRAFT – staff report

The Council conducted a public hearing to review/comment on the final draft of the City's Arts, Culture and Entertainment District planning document. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Michael Smiley, BMS Design Group, gave an overview of the City's Arts, Culture and Entertainment District planning document.

Mayor Dahlmeier opened the public hearing. Hearing no comments or questions from the audience, the Public Hearing was closed.

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

Adopt Resolution No. 8151 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING THE FINAL DRAFT OF THE ARTS, CULTURE AND ENTERTAINMENT DISTRICT PLANNING DOCUMENT.

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

REGULAR BUSINESS

11. ACCESSION OF ARTIFACTS – staff report

The Council considered accepting the receipt of donations to the Chinese Temple and Museum and the C.F. Lott Home from multiple donors. (**Donald Rust, Director of Community Development and Bob Marciniak, Program Specialist**)

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

Accept the receipt of donations to the Chinese Temple and Museum and the C.F. Lott Home from multiple donors.

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

12. ACCEPTANCE OF COMPLETED METAL EAGLE SCULPTURE PROJECT – staff report

The Council received an update on the completion of the Metal Eagle Sculpture Project which was created through the use of Supplemental Benefits Fund grant funding awarded to the Artists of River Town. (**Donald Rust, Director of Community Development and Bob Marciniak, Program Specialist**)

Machelle Conn spoke in support of introducing the Metal Eagle Sculpture Project to the community prior to locating a permanent home for the project.

Following discussion, the Council directed staff to move the Metal Eagle Sculpture Project to the City Council Chambers for a 60-day trial period until a final placement location may be determined.

13. ANNUAL RENEWAL FOR THE OPERATION AND MAINTENANCE FOR THREE SPECIFIC SOFTWARE PROGRAMS – staff report

The Council considered the payment of the required annual operation and maintenance cost for three (3) specific software programs, including Spatial Adventures (walking cell phone tour), Buxton (economic development software) and ObiMobile (City of Oroville mobile application). (**Donald Rust, Director of Community Development and Luis Topete, Associate Planner**)

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

Authorize the payment of the required annual operation and maintenance cost for three (3) specific software programs, including Spatial Adventures (walking cell phone tour), Buxton (economic development software) and ObiMobile (City of Oroville mobile application).

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

14. TABLE MOUNTAIN GOLF CLUB, INC. FEE WAIVER REQUEST FOR CONSTRUCTION OF NEW PATIO COVER – staff report

The Council considered a fee waiver request from Table Mountain Golf Club, Inc. for all City fees associated with the construction of a new patio cover and installation of a monument sign at 1115 Wes Barrett Lane, Oroville. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Following discussion, the Council directed staff to do additional research on the Table Mountain Golf Club, Inc. construction project and return to Council with additional information.

15. REVIEW OF THE CITY'S CURRENT FACILITY AND PARK FEE WAIVER ORDINANCE – staff report

The Council reviewed the current Facility and Park Fee Waiver Ordinance and considered any changes and/or amendments to the Ordinance. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

At the request of Vice Mayor Wilcox, this item was considered prior to the consideration of Items No. 8 and 9, which were removed from the Consent Calendar.

Following discussion, the Council directed this item back to the Executive Committee for further considerations in regards to the current Facility and Park Fee Waiver Ordinance.

16. REVISIT FIRE DEPARTMENT MINIMUM STAFFING – staff report

The Council will revisit the minimum staffing of the Fire Department and provide direction to staff. **(Randy Murphy, City Administrator)**

This item was considered at the conclusion of the Consent Calendar items.

Bob Zollner spoke in opposition to minimum staffing of the Fire Department.

Bud Englund read aloud a letter from Skip George, Oroville Fire Fighter's Association President, opposing minimum staffing of the Fire Department.

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

Authorize the minimum staffing in the Fire Department to three (3) permanent Fire personnel beginning January 1, 2014.

The motion was passed by the following vote:

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

17. MONTHLY SUMMARY OF INVESTMENTS AND MONTHLY FINANCIAL REPORTS FOR SEPTEMBER 2013 – reports attached

The Council received and acknowledged a copy of the Monthly Summary of Investments and the Monthly Financial Reports for September 2013. (**Diane MacMillan, Director of Finance**)

MAYOR/ COUNCIL REPORTS

Council Member Pittman reported that while the Oroville Chamber memberships were holding strong, the Gridley Chamber of Commerce had recently closed.

Council Member Pittman also reported that Mike Glaze, Oroville Economic Alliance, had given a brief presentation relating to proposed economic development opportunities in Oroville.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Business Assistance and Housing Development Department – activity report
- Police & Fire Department – activity report

City Administrator, Randy Murphy, reported that City staff had met with the County of Butte relating to a regional tourism study. The County has requested funding from each community to participate in a tourism study, an approximate cost of \$116,000 - \$180,000.

Mr. Murphy reported that staff had met with Sacramento Metro Fire to discuss their implemented policy to collect fees for medical services provided by the Fire Department. This item will be presented to Council for consideration at a future City Council meeting.

Mr. Murphy reported that reported that the League of California Cities would be providing updated information relating to pension reforms, storm water fees and additional restrictions on local government.

Mr. Murphy reported that staff was currently working with OpenGov to provide financial transparency to the General Public.

Mr. Murphy reported that staff had met with Senator Jim Nielsen relating to Fire Fees. Senator Nielsen expressed his support the City in improving the City of Oroville.

Mr. Murphy also reported that he had spoken with Ivan Garcia, Butte County Association of Governments, as well as a Caltrans representative in regards to repurposing the earmarked funds, in the amount of \$1,725,000, for Highway 70/Georgia Pacific to the State Route 70 corridor between Ophir Road and Palermo Road. BCAG will be seeking support from Congressman LaMalfa on this issue.

CORRESPONDENCE

- Melanie Waugh, President of the Oroville Downtown Business Association, received November 12, 2013
- Pacific Gas & Electric Company, received November 15, 2013

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

Council Member Bunker reported that a Memorial Plaque dedication would be held on November 23, 2013, at 2:00 pm in honor of Captain Randy Roby who perished in a tragic accident in 1996.

Council Member Bunker requested the Council to consider allowing an organized youth contest relating to painting the exterior windows of the Oroville Inn for the holidays.

CLOSED SESSION

The Council held a Closed Session on the following:

1. Pursuant to Government Code section 54957.6, the Council met with Labor Negotiators and City Attorney to discuss labor negotiations for the Oroville Police Officers' Association – Sworn and Non-Sworn.
2. Pursuant to Government Code section 54957.6, the Council met with Labor Negotiators and City Attorney to discuss labor negotiations for the Oroville Fire Fighters' Association.
3. Pursuant to Government Code section 54956.9(a), the Council met with the City Administrator and City Attorney relating to existing litigation: In the Matter of the Application of California Water Service Company, California Public Utilities Commission, Application No. 17-07-007.
4. Pursuant to Government Code section 54956.9(a), the Council met with the City Administrator and City Attorney relating to existing litigation: City of Oroville v. Department of Finance, et al., Sacramento County Superior Court, Case No. 34-2013-80001543.
5. Pursuant to Government Code Section 54956.8, the Council met with Real Property Negotiators (City Administrator and City Attorney), regarding the property identified as Feather River Water Rights, Oroville.
6. Pursuant to Government Code Section 54957(b), the Council met with the City Administrator and City Attorney to consider the evaluation of performance related to the following position: City Administrator.
7. Pursuant to Government Code section 54956.9(b), the Council met with the City Administrator, Director of Business Assistance and Housing Development, and the City Attorney regarding potential litigation – three cases

Mayor Dahlmeier announced that no actions had been taken in Closed Session and direction had been given to staff.

ADJOURNMENT

The meeting was adjourned at 9:03 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, December 17, 2013 at 5:00 p.m.

Randy Murphy, City Clerk

Linda L. Dahlmeier, Mayor

