



## OROVILLE CITY COUNCIL

Council Chambers  
1735 Montgomery Street  
Regular Meeting

**MARCH 4, 2014**  
**CLOSED SESSION 5:00 P.M.**  
**OPEN SESSION 6:00 P.M.**  
**AGENDA**

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### **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. 6)**

#### **RECONVENE TO OPEN SESSION**

### **OPEN SESSION (6:00 P.M.)**

#### **PLEDGE OF ALLEGIANCE**

#### **PROCLAMATION / PRESENTATION**

A Proclamation recognizing and observing **March 7<sup>th</sup> – 14<sup>th</sup>, 2014** as **Arbor Day** concurrently with **Conservation Week**.

A Presentation by **Melanie Lightbody, Butte County Librarian**, regarding the **Oroville Library Closure and Renovation Project**.

A Presentation by the **Oroville Fire Department** relating to **PALS**.

#### **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 FEBRUARY 18, 2014 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

2. **FORECLOSURE OF CITY PROPERTIES LOCATED AT 2485 NEVADA AVENUE AND 730 BIRD STREET** – staff report

The Council may consider initiating foreclosure proceedings related to the City of Oroville's security interest in the Deed of Trusts against the properties located at 2485 Nevada Avenue and 730 Bird Street, Oroville. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Adopt Resolution No. 8188 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR AND/OR MAYOR TO EXECUTE ALL DOCUMENTS AND ANY AMENDMENTS THERETO NECESSARY TO INITIATE AND COMPLETE FORECLOSURE PROCEEDINGS ON REAL PROPERTIES LOCATED AT 2485 NEVADA AVENUE (APN013-073-006) AND 730 BIRD STREET (APN 012-064-010), OROVILLE.**

3. **CARRYOVER OF FUND RELATED TO GRANT NO. 12-CDBG-8405 AND RE-ESTABLISHMENT OF BUDGET** – staff report

The Council may consider approve a supplemental appropriation to carryover Grant No. 12-CDBG-8405 and re-establish grant funds from fiscal year 2012/13 to 2013/14. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Approve Supplemental Appropriation No. 2013/14-0314-41 as indicated in the March 4, 2014 staff report.**

4. **SUPPLEMENTAL APPROPRIATION TO ESTABLISH A BUDGET FOR THE RURAL BUSINESS ENTERPRISE GRANT REVOLVING LOAN FUND** – staff report

The Council may consider a supplemental appropriation to move \$51,412 from fund balance to establish a budget for the Rural Business Enterprise Grant Revolving Loan Fund. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Approve Supplemental Appropriation No. 2013/14-0314-42 as indicated in the March 4, 2014 staff report.**

5. **REQUEST FOR PROPOSALS FROM THE FEATHER RIVER RECREATION AND PARK DISTRICT** – staff report

The Council may consider a report regarding the City's response to two (2) Requests for Proposals for janitorial and landscape maintenance services for the Feather River Recreation and Park District. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Direct staff to bring any selected bids back to the Council for final approval of contractual agreements for providing janitorial and landscape maintenance services.**

6. **ACCEPTANCE OF DONATION OF ARTWORK: ARTS BROCHURE** – staff report

The Council may consider the donation of original artwork from Monikah Niemczynowicz. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Accept the donation of original artwork from Monikah Niemczynowicz.**

**7. EXTENSION OF MORATORIUM OF ARTIFACT DONATIONS TO THE CITY'S MUSEUMS AND CULTURAL FACILITIES** – staff report

The Council may consider a report to extend the moratorium of artifact donations for any museum owned and operated by the City. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Direct staff to bring a report back on the status of the artifacts at the July 1, 2014 regular meeting of the Oroville City Council.**

**8. FEATHER RIVER CONCEPT PLAN** – staff report

The Council may consider a strategy for forming a comprehensive and strategic river plan for the Feather River through the Supplemental Benefits Fund Steering Committee. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Direct staff to begin forming the designated program management team for forming a comprehensive and strategic river plan for the Feather River through the SBF Steering Committee, in coordination with Feather River Recreation and Park District, and other stakeholder groups.**

**9. RECYCLE FUND UPDATE AND POTENTIAL PURCHASE OF SURFACING MATERIAL FOR CITY PARK PLAYGROUNDS** – staff report

The Council may receive an updated report on the City of Oroville's Recycle Fund and may consider the purchase of surfacing material for City park playgrounds. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Approve the purchase of surfacing material for City park playgrounds with green as the recommended mulch color selection.**

**10. ALCOHOL PERMIT POLICY** – staff report

The Council may consider directing staff to prepare a City policy specifying the fees for an alcohol permit and how they are applied. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Direct staff to return to Council with an Alcohol Permit Policy detailing the alcohol permit fees and how they are applied.**

**11. MEMORANDUM OF UNDERSTANDINGS WITH THE BUTTE INTERAGENCY NARCOTICS TASK FORCE** – staff report

The Council may consider a Memorandum of Understanding for participation in the Butte Interagency Narcotics Task Force (BINTF). In addition, the Council may consider a Memorandum of Understanding with BINTF relating to the rental of a City building to conduct business within the City of Oroville. **(Bill La Grone, Director of Public Safety)**

Council Action Requested:

1. **Adopt Resolution No. 8189 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE BUTTE INTERAGENCY NARCOTICS TASK FORCE FOR PARTICIPATION IN THE BUTTE INTERAGENCY NARCOTICS TASK FORCE PROGRAM – (Agreement No. 3056).**
2. **Adopt Resolution No. 8190 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE BUTTE INTERAGENCY NARCOTICS TASK FORCE TO RELATING TO THE RENTAL OF A CITY BUILDING TO CONDUCT OPERATIONS WITHIN THE CITY OF OROVILLE – (Agreement No. 3057).**

## **PUBLIC HEARINGS**

12. **AMENDMENT TO THE FRANCHISE AGREEMENT WITH RECOLOGY BUTTE COLUSA COUNTIES –**  
staff report

The Council will conduct a public hearing and may consider an amendment to the Franchise Agreement with Recology Butte Colusa Counties, increasing the Franchise Fee from 5% to 10%. **(Rick Farley, Interim Recycling Coordinator)**

Council Action Requested: **Adopt Resolution No. 8191 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE FRANCHISE AGREEMENT WITH RECOLOGY BUTTE COLUSA COUNTIES INCREASING THE FRANCHISE FEE FROM 5% TO 10% - (Agreement No. 474-5).**

## **REGULAR BUSINESS**

13. **INFORMATION TECHNOLOGY DEPARTMENT UPDATE –** staff report

The Council will receive an update on the list presented to Council on December 3, 2013, regarding projects being worked on by the IT Manager. **(Randy Murphy, City Administrator and Tyson Pardee, IT Manager)**

Council Action Requested: **None.**

14. **CONSIDERATION OF INSTALLMENT PAYMENTS FROM NOELA PHILLIPS –** staff report

The Council may consider the authorization of installment payments from Ms. Noela Phillips for rendered City services. **(Donald Rust, Director of Public Works)**

Council Action Requested: **Authorize the Finance Department to receive five (5) monthly installment payments of \$50, with the final payment in the amount of \$49.62, for Noela Phillips for rendered City services.**

15. **FELLOWS CLUB FEE WAIVER APPEAL FOR USE OF THE STATE THEATRE –** staff report

The Council may consider an appeal from the Fellows Club of Oroville for a fee waiver denial in the amount of \$400, for use of the State Theatre. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Direct staff, as necessary.**

**16. FUNDING FOR STORM DRAIN INVENTORY PROJECT – staff report**

The Council may consider increasing the current funding level for the on-going Storm Drain Inventory Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Approve Supplemental Appropriation No. 2013/14-0314-43 as indicated in the March 4, 2014 staff report.**

**17. REQUEST TO ENTER INTO AN EXCLUSIVE NEGOTIATING AGREEMENT FOR THE POTENTIAL REJUVENATION OF THE OROVILLE INN – staff report**

The Council will receive a status report of the progress and provide direction to staff regarding a request to enter into an exclusive negotiation agreement for the potential rejuvenation (reuse) of the Oroville Inn located at 2066 Bird Street, Oroville (APN: 012-035-005). **(Randy Murphy, City Administrator and Scott Huber, City Attorney)**

Council Action Requested: **Direct staff to prepare an Exclusive Negotiation Agreement with Tracy & Associates, Inc., for the potential restoration of the interior and exterior of the Oroville Inn.**

**18. REVIEW OF THE PUBLIC WORKS OPERATIONS AND A GRANT FUNDED POSITION – staff report**

The Council will receive a report providing a review of the Public Works operations budget and a grant funded position that remains without a funding source. **(Donald Rust, Director of Community Development)**

Council Action Requested:

1. **Authorize the elimination of the Cement Finisher position.**
2. **Recruit and hire the Public Works Operator II (or Park Maintenance Technician II position as part of the amended Franchise Agreement with Recology).**
3. **Authorize the necessary budget adjustments to accomplish Recommendation Items No. 1 and 2.**

**19. GENERAL FUND MID-YEAR 2013/14 BUDGET REVIEW AND APPROVAL OF BUDGET ADJUSTMENTS – staff report (Continued from February 18, 2014)**

The Council will hear the mid-year General Fund budget review and may consider budget adjustments for fiscal year 2013/14. **(Randy Murphy, City Administrator)**

Council Action Requested: **Provide staff with direction or recommendations, as necessary.**

**20. SELECTION OF THE 2014 SAMUEL J. NORRIS AWARD FOR EXCELLENCE RECIPIENT – staff report**

The Council may consider the selection of a recipient for the 2014 Samuel J. Norris Award for Excellence. **(Randy Murphy, City Administrator)**

Council Action Requested: **Select a recipient for the 2014 Samuel J. Norris Award for Excellence, to be presented at the Oroville Economic Development Corporation's Annual Awards Dinner on March 27, 2014, at the Southside Community Center.**

**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

- Butte County Library, received February 18, 2014
- Department of Toxic Substances Control, received February 24, 2014
- United States Department of Commerce, National Oceanic & Atmospheric Administration, received February 24, 2014
- Letter to Assembly Member Jimmy Gomez, dated February 20, 2014

## 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 Fire Fighters' Association.
2. 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: Director of Finance.
3. 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: Director of Business Assistance and Housing Development.
4. Pursuant to Government Code section 54956.9(b), the Council will meet with the City Administrator and the City Attorney regarding potential litigation – one case.

## ADJOURNMENT

The meeting will be adjourned. The next regular meeting of the Oroville City Council will be held on Tuesday, March 18, 2014 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.