

**CITY COUNCIL MEETING MINUTES
APRIL 1, 2014 – 5:00 P.M.**

The agenda for the April 1, 2014 regular meeting of the Oroville City Council was posted on the bulletin board at the front of City Hall on Friday, March 28, 2014, at 2:15 p.m.

The April 1, 2014 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:03 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
Amy Bergstrand, Management Analyst III
Donald Rust, Director of Planning & Development Services
Pat Clark, Director of Bus. Asst. & Housing Development
Gary Layman, Building Official

Scott E. Huber, City Attorney
Bill La Grone, Director of Public Safety
Jamie Hayes, Deputy City Clerk
Karolyn Fairbanks, City Treasurer
Luis Topete, Associate Planner

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier.

PROCLAMATIONS / PRESENTATIONS

Council Member Pittman presented Kelsey Smith, Rape Crisis Intervention & Prevention, with a Proclamation recognizing April, 2014, as Sexual Assault Awareness Month.

Vice Mayor Wilcox presented Gloria Balch, Valley Oak Children Services, with a Proclamation recognizing April, 2014, as Child Abuse Prevention Awareness Month.

Butte County Undersheriff, Kory Honea and Chief Financial Officer, Greg Iturria, gave a presentation regarding the Collection of Development Impact Fees for Jail Facilities.

Nick Martin, Sierra Business Council, gave a presentation relating to the City of Oroville Community and Municipal Operations 2010 Baseline Greenhouse Gas Emissions Inventories Final Report.

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

CONSENT CALENDAR

A motion was made by Council Member Bunker, seconded by Council Member Berry, to approve the following Consent Calendar:

1. **APPROVAL OF THE MINUTES OF THE FEBRUARY 18, 2014 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

2. **BUDGET CARRYOVER OF GRANT FUNDS AND PURCHASE ORDER FROM FISCAL YEAR 2012/13 TO 2013/14** – staff report

The Council considered a supplemental appropriation to carryover the remaining balance of Housing grants and remaining purchase order from fiscal year 2012/13 to 2013/14. **(Randy Murphy, City Administrator and Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Approve Supplemental Appropriation No. 2013/14-0214-46 as indicated in the April 1, 2014 staff report.**

3. **DISPOSAL OF SURPLUS PROPERTY** – staff report

The Council considered the disposal of items listed on the Surplus Property List. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Declare the items listed as surplus property and authorize the items to be added to the Surplus Property List and City staff to contact an auction house, internet sales company or scrap dealer to maximize the value and/or disposal of the surplus property.**

4. **PROPOSED MODIFICATIONS TO THE PARKS AND TREES POLICIES AND PROCEDURES, SPECIFICALLY POLICIES NO. 7, 19, 21, 24, 35 AND 36** – staff report

The Council considered proposed modifications to the Parks and Trees Policies and Procedures, specifically Policies No. 7, 19, 21, 24, 35 and 36. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt the modifications to the Parks and Trees Policies and Procedures No, 7, 19, 21, 24, 35 and 36, and associated forms.**

5. **SUPPLEMENTAL BENEFITS FUND FUNDING AGREEMENT WITH FEATHER RIVER RECREATION AND PARK DISTRICT** – staff report

The Council, serving as the Supplemental Benefits Fund Administrator, considered a Funding Agreement, in the amount of \$20,000, with Feather River Recreation and Park District for environmental and design elements of a portion of the Brad Freeman Trail, beginning below the Oroville Veteran's Memorial Park and continuing to the Feather River Nature Center and Native Plant Park. **(Randy Murphy, City Administrator and Bob Marciniak, SBF Program Specialist)**

Council Action Requested:

1. **Adopt Resolution No. 8193 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A FUNDING AGREEMENT BETWEEN THE CITY OF OROVILLE, SERVING AS THE FUND ADMINISTRATOR OF THE SUPPLEMENTAL BENEFITS FUND, AND FEATHER RIVER RECREATION AND PARK DISTRICT, IN THE AMOUNT OF \$20,000, FOR ENVIRONMENTAL AND DESIGN ELEMENTS RELATED TO THE**

BRAD FREEMAN TRAIL – (Agreement No. 3058).

2. **Approve Supplemental Appropriation No. 2013/14-0314-47 as indicated in the April 1, 2014 staff report.**

**Please note that an amendment was made to the proposed Supplemental Appropriation No. changing it from 2013/14-0314-46 to 2013/14-0314-47.*

6. **PAYMENT TO NORTHSTAR ENGINEERING FOR SURVEYING SERVICES COMPLETED FOR MARTIN V. CITY OF OROVILLE – staff report**

The Council considered authorizing payments of \$2,265 to Northstar Engineering for completed surveying services associated with the Martin v. City of Oroville Settlement Agreement. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize staff to increase the Northstar Engineering purchase order by \$2,265 to allow payment of both Invoice No. 65809 and a future invoice not to exceed \$375 for surveying services associated with the Martin v. City of Oroville Settlement Agreement.**

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

PUBLIC HEARING

7. **2014/15 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION – staff report**

The Council conducted a public hearing and considered the submittal of an Application by the City of Oroville to the State Department of Housing and Community Development for fiscal year 2014/15 Community Development Block Grant Program funding. **(Pat Clark, Director of Business Assistance and Housing Development)**

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

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

Adopt Resolution No. 8199 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING A 2014/15 APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO RELATING TO THE CALIFORNIA STATE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

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

8. MODIFICATIONS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING REHABILITATION PROGRAM GUIDELINES – staff report

The Council conducted a public hearing and considered modifications to the Community Development Block Grant Housing Rehabilitation Program Guidelines. **(Pat Clark, Director of Business Assistance and Housing Development)**

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

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

Adopt Resolution No. 8200 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING MODIFICATIONS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING REHABILITATION PROGRAM GUIDELINES.

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

9. PARTICIPATION IN THE YGRENE PROPERTY ASSESSED CLEAN ENERGY PROGRAM WITHIN BUTTE COUNTY – staff report

The Council considered the adoption of a resolution to participate in the Ygrene Property Assessed Clean Energy (PACE) Program within Butte County. **(Donald Rust, Director of Community Development)**

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

Adopt Resolution No. 8201 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND GRANTING CONSENT FOR THE INCLUSION OF LAND WITHIN THE TERRITORIAL JURISTITION OF THE CITY OF OROVILLE IN THE COUNTY OF BUTTE COMMUNITY FACILITIES DISTRICT 2013-1 (CLEAN ENERGY).

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

10. **CITY OF OROVILLE'S MASTER FEE SCHEDULE** – staff report

The Council received a report regarding the current Master Fee Schedule and a process to provide an annual review and updates to the Master Fee Schedule. **(Donald Rust, Director of Community Development)**

Community Development Director, Donald Rust, reported that the current Fire Fee Schedule was not accurate and would require additional amendments prior to being adopted by the Council.

Following discussion, the Council directed staff to return to the Council on a future date with a Master Fee Schedule and Cost recovery and Fee Policy for the City of Oroville.

11. **AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE FIRE FIGHTERS' ASSOCIATION** – staff report

The Council considered an Amended and Restated Memorandum of Understanding between the City of Oroville and the Oroville Fire Fighters' Association (OFFA). **(Randy Murphy, City Administrator)**

City Administrator, Randy Murphy, reported a correction to the proposed Memorandum of Understanding relating to Article 21.1 – Sick Leave.

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

1. **Adopt Resolution No. 8202 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE FIRE FIGHTERS' ASSOCIATION – (Agreement No. 1436-10).**
2. **Adopt Resolution No. 8203 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING EMPLOYER PAID MEMBER CONTRIBUTIONS THROUGH CALPERS FOR THE OROVILLE FIRE FIGHTERS' ASSOCIATION.**

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

SUCCESSOR AGENCY - None

MAYOR/ COUNCIL REPORTS

Council Member Bunker and Mayor Dahlmeier gave a brief report relating to the Oroville Economic Development Corporation's Annual Awards event, including highlights from the State of the City Address and presentation of the Samuel J. Norris Award, which was presented posthumously to the family of Wendell P. Hammon.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Bill La Grone, Director of Public Safety, reported that the current crime rate in the City of Oroville was below 1%.

Don Rust, Director of Community Development, reported his attendance at the Northwest Lineman College's graduation and the League of California Cities Planning Commissioner Academy. In addition, Mr. Rust reported that the Feather River Recreation and Park District had rejected received bids relating to janitorial and landscape maintenance services.

Pat Clark, Director of Business Assistance and Housing Development, reported that staff was currently working with individuals on small business loans. In addition, Ms. Clark reported that the City had currently granted a Lease to Purchase Loan.

Randy Murphy, City Administrator, reported:

- Two (2) proposals had been received by the City relating to the Operation and Maintenance of the State Theatre
- Oroville Planning Commission currently has a vacancy due to the resignation of Commissioner Singh
- FBO Grand Opening at the Oroville Municipal Airport would be held May 1, 2014

CORRESPONDENCE

- Board of Judges, Superior Court of California, County of Butte – received March 17, 2014
- Pacific Gas & Electric Company - received March 17, 2014
- Butte County Mosquito & Vector Control District – received March 25, 2014

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

Council Member Pittman suggested that citizens interested in the public safety activity within the City may register for crime alerts on the City's website: www.cityoforoville.org.

In addition, Mr. Pittman also reported that the Northwest Lineman College's graduating students had donated over \$8,000 to the Shriners Club for use at the Shriners Hospitals for Children.

Celia Hirschman made a request to reinstate the Historic Advisory Committee. Ms. Hirschman also

thanked the Council for the newly purchased Neighborhood Watch signage provided to the Montgomery Street Neighborhood Watch Group.

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 Fire Fighters' Association.
2. Pursuant to Government Code section 54957.6, the Council met with Labor Negotiators and City Attorney to discuss labor negotiations for the Oroville City Employee's Association.
3. Pursuant to Government Code section 54957.6, the Council met with Labor Negotiators and City Attorney to discuss labor negotiations for the Oroville City Confidential Association.
4. Pursuant to Government Code section 54957.6, the Council met with Labor Negotiators and City Attorney to discuss labor negotiations for the Oroville Mid Manager's Association.
5. 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: Director of Finance.
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 and the City Attorney regarding potential litigation – one case.
8. Pursuant to Government Code Section 54957(b), the Council met with Labor Negotiators and City Attorney to consider employment related to the following position: Assistant Chief of Police.
9. Pursuant to Government Code section 54956.9(a), the Council met with the City Administrator and City Attorney relating to existing litigation: Walnut Hill Estate Enterprises v. County of Butte, et al., United States District Court, Eastern District of California, Case No. 2:14-cv-00640.
10. Pursuant to Government Code section 54956.9(a), the Council met with the City Administrator and City Attorney relating to existing litigation: Americanwest Bank v. Oroville Economic and Community Development Corp., et al., Butte County Superior Court, Case No. 161808.
11. Pursuant to Government Code section 54956.9(a), the Council met with the City Administrator and City Attorney relating to existing litigation: Martin, et al. v. City of Oroville, and Related Cross Actions, Butte County Superior Court Case No. 148232.

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 8:38 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, April 15, 2014 at 5:00 p.m.

Randy Murphy, City Clerk

Linda L. Dahlmeier, Mayor