

**CITY COUNCIL MEETING MINUTES
MARCH 18, 2014 – 5:00 P.M.**

The agenda for the March 18, 2014 regular meeting of the Oroville City Council was posted on the bulletin board at the front of City Hall on Friday, March 14, 2014, at 11:00 a.m.

The March 18, 2014 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:11 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
Bob Marciniak, Program Specialist
Donald Rust, Director of Planning & Development Services
Pat Clark, Director of Bus. Asst. & Housing Development
Rick Walls, Interim City Engineer

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 – None

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

CONSENT CALENDAR

A motion was made by Council Member Pittman, seconded by Council Member Berry to approve the following Consent Calendar, with exception to item no. 3, 4 and 5:

1. **APPROVAL OF THE MINUTES OF THE FEBRUARY 26, 2014 SPECIAL MEETING AND THE MARCH 4, 2014 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
2. **AMENDMENT TO THE CITY OF OROVILLE'S PERSONNEL RULES AND REGULATIONS TO INCORPORATE A VIRTUAL PRIVATE NETWORK POLICY** – staff report

The Council considered an amendment to the City of Oroville's Personnel Rules and Regulations relating to a Virtual Private Network Policy. (Randy Murphy, City Administrator and Liz Ehrenstrom, Human Resource Analyst II)

Council Action Requested: **Adopt Resolution No. 8192 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE AMENDMENT TO THE CITY OF OROVILLE’S PERSONNEL RULES AND REGULATIONS RELATING TO A VIRTUAL PRIVATE NETWORK POLICY.**

3. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
4. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
5. **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

3. **PAYMENT PLAN FOR A MOBILE FOOD VENDOR PERMIT – staff report**

The Council considered approving a payment plan as requested by Brad Mckeehan for the issuance of a mobile food vendor permit. (**Donald Rust, Director of Community Development and Luis Topete, Associate Planner**)

At the request of Council Member Berry, this item was removed from the Consent Calendar for questions, which were answered by staff.

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

Adopt Resolution No. 8196 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING BRAD MCKEEHAN TO PAY A CITY MOBILE FOOD VENDOR PERMIT IN INSTALLMENT PAYMENTS OVER A SIX-MONTH TIME PERIOD AS SPECIFIED.

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

4. **SUPPLEMENTAL BENEFITS FUND FUNDING AGREEMENT WITH UPSTATE COMMUNITY ENHANCEMENT FOUNDATION – staff report**

The Council, serving as the Supplemental Benefits Fund Administrator, considered a Funding Agreement, in the amount of \$60,000, with Upstate Community Enhancement

Foundation for Event Coordinator Services for 2014 and 2015. **(Randy Murphy, City Administrator and Bob Marciniak, SBF Program Specialist)**

At the request of Mayor Dahlmeier, this item was removed from the Consent Calendar for questions, which were answered by staff.

City Administrator, Randy Murphy, advised the Council of correction relating to the fund account listed on the staff report.

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

1. **Adopt Resolution No. 8194 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A FUNDING AGREEMENT BETWEEN THE CITY OF OROVILLE, AS FUND ADMINISTRATOR OF THE SUPPLEMENTAL BENEFITS FUND, AND UPSTATE COMMUNITY ENHANCEMENT FOUNDATION, IN THE AMOUNT OF \$60,000, FOR SERVICES RELATED TO AN EVENT COORDINATOR – (Agreement No. 3059).**
2. **Approve Supplemental Appropriation No. 2013/14-0314-45 as indicated in the March 18, 2014 staff report.**

The motion was passed by the following vote:

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

5. **SUPPLEMENTAL BENEFITS FUND FUNDING AGREEMENT WITH MELTON DESIGN GROUP – staff report**

The Council, serving as the Supplemental Benefits Fund Administrator, considered a Funding Agreement, in an amount not to exceed \$20,000, with Melton Design Group for Landscape Architectural Design Concept Services related to the envisioned Oroville Aquatic Center. **(Randy Murphy, City Administrator and Bob Marciniak, SBF Program Specialist)**

Following discussion on item no. 4, no further discussion was warranted on this item.

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

1. **Adopt Resolution No. 8195 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A FUNDING AGREEMENT BETWEEN THE CITY OF OROVILLE, AS FUND ADMINISTRATOR OF THE SUPPLEMENTAL BENEFITS FUND, AND MELTON DESIGN FROUP, IN AN AMOUNT NOT TO EXCEED \$20,000, FOR LANDSCAPE ARCHITECTURAL DESIGN CONCEPT SERVICES RELATED TO THE ENVISIONED OROVILLE AQUATIC CENTER – (Agreement No. 3060).**

2. **Approve Supplemental Appropriation No. 2013/14-0314-44 as indicated in the March 18, 2014 staff report.**

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 - None

REGULAR BUSINESS

6. **COST RECOVERY FOR EMERGENCY MEDICAL RESPONSE – staff report**

The Council considered providing direction to staff regarding the study and potential implementation of cost recovery fees for responses to emergency medical incidents. **(Bill LaGrone, Director of Public Safety)**

Following discussion, the Council directed staff to:

1. **Determine the best method to conduct a Cost Recovery Fee Study.**
 2. **Determine the best method for third party billing and collection of Cost Recovery Fees.**
 3. **Return to Council with information regarding a Cost Recovery Fee Study for further consideration.**
7. **FEATHER RIVER RECREATION AND PARK DISTRICT (FRRPD) AGREEMENTS – staff report**

The Council received an update on the various agreements that exist between the Feather River Recreation and Park District (FRRPD) and the City of Oroville. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **None.**

8. **PERMIT FEE REFUND POLICY – staff report**

The Council considered directing City staff to draft a refund policy for City permitting processes. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Following discussion, the Council directed staff to:

Prepare a refund policy for City permit fees.

9. **POTENTIAL ISLAND ANNEXATIONS – staff report**

The Council considered reviewing potential islands at the fringes of the City limits and directing staff on which islands, if any, the Council would like to pursue for annexation. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Following discussion, the Council directed staff to:

Direct staff on which islands, if any, the Council would like to pursue for annexation. Staff shall work closely with LAFCO and bring back an update on feasibility, application requirements and fiscal impacts before the submittal of any applications.

10. **OROVILLE OPHIR LIONS CLUB USE OF THE CENTENNIAL CULTURAL CENTER – staff report**

The Council considered a request from the Oroville Ophir Lions Club's for a 50% discount for the bi-monthly use of the Centennial Cultural Center (CCC). **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

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

Approve the request from the Oroville Ophir Lions Club for a 50% discount for the bi-monthly use of the Centennial Cultural Center.

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

11. **TEMPORARY TRAFFIC CONTROL POLICY – staff report**

The Council considered a Temporary Traffic Control (TTC) Policy for public works operations that occur in the public right of way. **(Donald Rust, Director of Community Development, Rick Walls, Interim City Engineer)**

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

Adopt the Temporary Traffic Control Policy for public works operations that occur in the public right of way.

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. **1880 BIRD STREET SIDEWALKS CONSTRUCTION REIMBURSEMENT – staff report**

The Council considered a reimbursement in the amount of \$750, to Better Builders Construction (BBC), for the removal and replacement of approximately 125 square feet of sidewalk adjacent to 1880 Bird Street. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

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

Authorize the reimbursement of approximately \$750 to Better Builders Construction, for the material costs associated with the removal and replacement of sidewalk adjacent to 1880 Bird Street, Oroville. Reimbursement will be based on actual cost which may be slightly more or less than \$750.

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

13. **ACQUISITIONS OF RIGHT OF WAY – staff report**

The Council considered a counteroffer received from Greyhawk Investors for the purchase of right-of-way (ROW) for the Table Mountain Boulevard Roundabout Project (Project). **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

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

Adopt Resolution No. 8197 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING BENDER ROSENTHAL TO REVISE THE PURCHASE CONTRACT WITH GREYHAWK INVESTORS TO REFLECT A PURCHASE PRICE OF \$15,000 FOR THE 0.06 ACRE PROPERTY ON THE NORTHWEST CORNER OF TABLE MOUNTAIN BOULEVARD AND NELSON AVENUE.

The motion was passed by the following vote:

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

14. **AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN ENGINEERING TO PROVIDE FINAL PAYMENT – staff report**

The Council considered an amendment to the Professional Services Agreement with Willdan Engineering, increasing the amended agreement amount of \$45,000 to \$57,785.50 for Plan Review and Building inspection Services through February 14, 2014.**(Randy**

Murphy, City Administrator and Donald Rust, Director of Community Development)

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

Adopt Resolution No. 8198 – Adopt Resolution No. 8198 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH WILLDAN ENGINEERING, INCREASING THE AMENDED AGREEMENT AMOUNT OF \$45,000 TO \$57,785.80 FOR PLAN REVIEW AND BUILDING INSPECTION SERVICES THROUGH FEBRUARY, 2014 - (Agreement No. 3044-2).

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

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

The Council considered the selection of a recipient for the 2014 Samuel J. Norris Award for Excellence. **(Randy Murphy, City Administrator) (Continued from March 4, 2014)**

Following a ballot vote, Mayor Dahlmeier announced Wendell P. Hammon had been selected as the 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 Member Bunker announced the Oroville Economic Development Corporation's annual Awards Dinner on March 27, 2014, at the Southside Community Center, located at 2959 Lower Wyandotte Road, Oroville.

Council Member Bunker reported that the Butte Air Quality Management District Board had held a public hearing to consider a petition filed by Sierra Silica Resources for a Regular Variance relating to the construction of a sand drying and sizing plant at 650 Georgia Pacific Way, Oroville. Council Member Bunker advised that Council that the Variance was approved.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Police & Fire Department – activity report

Public Safety Director, Bill Lagrone, reported that the City had recently successfully hired six new Firefighters.

Director of Community Development, Donald Rust, reported that:

- Caltrans had recently approved the Digital Gateway Signage Project, to be constructed at Georgia Pacific and Highway 70
- Stanford Avenue School had hosted an Arbor Day event, with Mayor Dahlmeier serving as a guest speaker
- Department of Water Resources (DWR) had recently contacted the City of Oroville to request that the City to represent the North State as a “test-run” community in relation to DWR’s General Plan Update.
- Lord’s Gym had submitted correspondence relating to a “mudder” race event to be held on June 21st, 2014

Director of Business Assistance and Housing Development, Pat Clark, reported that staff would be submitting the 2014/15 Community Development Block Grant Application to the State of California. If funding is received, staff has suggested possible projects to include Housing Rehabilitation funds for sewer lateral installations.

City Administrator, Randy Murphy, reported that the League of California Cities was requesting nominations for their Board of Directors.

CORRESPONDENCE

- Marci Reaven, Vice President, History Exhibits New York Historical Society, dated March 10, 2014
- League of California Cities, dated March 6, 2014

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

Council Member Pittman reported on a recent Rotarian Vocational Project in Liberia that he had returned from which provided hygiene training and water well maintenance training to the local region.

CLOSED SESSION

The Council held a Closed Session on the following:

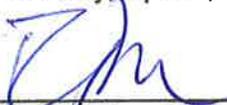
1. Pursuant to Government Code section 54957.6, the Council met with Labor Negotiators and City Attorney to discuss labor negotiations for the Oroville Fire Fighters’ Association.
2. Pursuant to Government Code section 54957.6, the Council met with Labor Negotiators and City Attorney to discuss labor 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 54956.9(b), the Council met with the City Administrator and the City Attorney regarding potential litigation – two cases.
7. 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.

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 8:48 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, April 1, 2014 at 5:00 p.m.



Randy Murphy, City Clerk



Linda L. Dahlmeier, Mayor

