



## OROVILLE CITY COUNCIL

Council Chambers  
1735 Montgomery Street  
Regular Meeting

**MAY 6, 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. 7)**

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

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

#### **PLEDGE OF ALLEGIANCE**

#### **PROCLAMATION / PRESENTATION**

A *New Business Acknowledgement* and *Welcome to Oroville* for *Sunset Vista Realty*.

A Presentation by *Muni Services* relating to *Municipal Revenue Enhancement Services*.

A Presentation by City staff relating to the *Samuel J. Norris Award for Excellence*.

#### **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 APRIL 15, 2014 REGULAR MEETING, APRIL 28, 2014 AND APRIL 29, 2014 SPECIAL MEETINGS OF THE OROVILLE CITY COUNCIL** – minutes attached

2. **ZONING CODE 14-01: HOUSING ELEMENT CODE AMENDMENTS** – staff report

The Council may consider adopting certain amendments to Chapter 26 of the Oroville Municipal Code for the purpose of fulfilling City objectives as specified in the 2009-2014 Housing Element of the General Plan. **(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. 1804 – AN ORDINANCE OF THE OROVILLE CITY COUNCIL AMENDING CHAPTER 26 OF THE OROVILLE MUNICIPAL CODE FOR THE PURPOSE OF FULFILLING CITY OBJECTIVES AS SPECIFIED IN THE 2009-2014 HOUSING ELEMENT OF THE GENERAL PLAN.**

3. **AMERIPRIDE SERVICES AGREEMENT FOR UNIFORM CLEANING SERVICES** – staff report

The Council may consider extending the funding for the existing Ameripride Services Service Agreement for uniform cleaning services through June 30, 2014. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize staff to increase the amount of the Ameripride Services Service Agreement from \$3,000 to \$5,000 for uniform cleaning services and extend the Agreement through June 30, 2014.**

4. **BUILDING SAFETY MONTH AND AMNESTY PROGRAM FOR MAY/JUNE 2014** – staff report

The Council may consider approving waiver of previously assessed Code Enforcement fines and/or fees when related to the Building Permit Amnesty Program for May/June 2014. **(Donald Rust, Director of Community Development and Gary Layman, Chief Building Official)**

Council Action Requested: **Authorize the waiver of previously assessed Code Enforcement fines and/or fees when related to the Building Permit Amnesty Program for May/June 2014.**

5. **AUDITOR ROTATION AND SELECTION POLICY** – staff report

The Council may consider an Auditor Rotation and Selection Policy, which will require the City to engage in a competitive process to select an auditor every 3 – 5 years. **(Glenn Lazof, Interim Director of Finance)**

Council Action Requested: **Adopt Resolution No. 8209 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING AN AUDITOR ROTATION AND SELECTION POLICY.**

6. **PURCHASE OF DAVE CLARK BEHIND HEAD HEADSETS WITH MICROPHONES** – staff report

The Council may consider the purchase of twenty (20) Dave Clark Behind Head headsets with microphones from the lowest responsible bidder, Day Wireless Systems, in an amount not to exceed \$6,774.50, and establishing a budget for utilizing City Fire Suppression Impact Fees for the purchase. **(Bill LaGrone, Director of Public Safety)**

Council Action Requested:

1. **Authorize the use of Fire Suppression Impact Fees for the purchase of twenty (20) Dave Clark**

Behind Head headsets with microphones.

2. Approve Supplemental Appropriation No. 2013/14-0506-XX to establish a budget for the purchase in the Fire Suppression Impact Fee Fund as indicated in the May 6, 2014 staff report.
3. Authorize the purchase of twenty (20) Dave Clark Behind Head headsets with microphones from the lowest responsible bidder, Day Wireless Systems, in an amount not to exceed \$6,774.50.

**7. CALLING AND SETTING THE DATE AND CONSOLIDATION OF THE NOVEMBER 4, 2014 GENERAL MUNICIPAL ELECTION – staff report**

The Council may consider calling and setting the date of the November 4, 2014 General Municipal Election, setting forth the offices to be voted upon, and requesting consolidation of the election with Butte County. **(Randy Murphy, City Administrator/City Clerk and Jamie Hayes, Deputy City Clerk)**

Council Action Requested:

1. **Adopt Resolution No. 8210 – A RESOLUTION OF THE OROVILLE CITY COUNCIL REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF BUTTE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 4, 2014, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE.**
2. **Adopt Resolution No. 8211 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 4, 2014, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO CHARTER CITIES FOR THE ELECTION OF ONE (1) MAYOR, THREE (3) CITY COUNCIL MEMBERS AND ONE (1) TREASURER.**

**8. EAST TRUNK LINE REPLACEMENT PROJECT – staff report**

The Council will receive an update regarding the Thermalito Water and Sewer District East Trunk Line Replacement Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **None.**

**9. LOCAL AGENCY INVESTMENT FUND INVESTMENT RESOLUTION – staff report**

The Council may consider an Investment Resolution with the Local Agency Investment Fund (LAIF) for the City of Oroville. **(Karolyn J. Fairbanks, City Treasurer)**

Council Action Requested: **Adopt Resolution No. 8212 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND FOR THE CITY OF OROVILLE.**

**PUBLIC HEARINGS** -None

**REGULAR BUSINESS**

**10. PACIFIC COAST PRODUCERS PARKING ISSUE IN LOCAL RESIDENTIAL NEIGHBORHOOD – staff report**

The Council may consider directing staff to address the parking concerns held by local residential neighborhoods regarding Pacific Coast Producers employee parking during the harvest season. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Direct staff on the appropriate action(s) to take to resolve the parking issue identified in the May 6, 2014 staff report.**

**11. STANDARD INTERAGENCY AGREEMENT WITH REGIONAL GOVERNMENT SERVICES – staff report**

The Council may consider a Standard Interagency Agreement with Regional Government Services (RGS), in the amount of \$110,000, and ratify the expenditure of \$25,000 for Interim Director and Municipal Finance Advisory Services. **(Randy Murphy, City Administrator)**

Council Action Requested:

1. **Ratify the expenditure of \$25,000 for Interim Director and Municipal Finance Advisory Services provided by Regional Government Services.**
2. **Adopt Resolution No. 8213 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A STANDARD INTERAGENCY AGREEMENT WITH REGIONAL GOVERNMENT SERVICES, IN THE AMOUNT OF \$110,000, FOR INTERIM DIRECTOR AND MUNICIPAL FINANCE SERVICES, AS NEEDED – (Agreement No. 3065).**

**12. 2014 ROAD MAINTENANCE PROJECT – staff report**

The Council will hear an update regarding the planned Road Maintenance Project for 2014 and subsequent years. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

1. **Authorize staff to coordinate with Butte County for the chip sealing only or chip sealing and fog sealing of Nelson Avenue and Table Mountain Boulevard under the authority of the Mutual Aid Agreement to Provide Road Maintenance Services.**
2. **Authorize staff to issue a Request for Bids to complete pre-seal road repairs.**
3. **Authorize staff to issue a Request for Bids to complete the re-striping work for Nelson Avenue and Table Mountain Boulevard.**
4. **Authorize staff to explore the option of piggy backing a low bidder Slurry Seal Contract for Nelson Avenue from a slurry seal bid opening conducted by Butte County on April 15, 2014.**

**13. LEGISLATIVE GUIDING PRINCIPLES AND PRIORITIES – staff report**

The Council may consider establishing a legislative guiding principle and priority policy to all City Administration to respond quickly to support or oppose legislative actions that impact the City of Oroville. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Direct staff to work with an ad-hoc committee to establish a legislative guiding principle and priority policy to allow City Administration to respond quickly to support or oppose legislative actions that impact the City of Oroville.**

14. **STATE THEATRE REQUEST FOR PROPOSALS UPDATE-** staff report

The Council will receive an update on the Request for Proposals relating to the operations and management of the historic Oroville State Theatre. **(Donald Rust, Director of Community Development, Bob Marciniak, Program Specialist, and Luis Topete, Associate Planner)**

Council Action Requested: **Reject all Proposals relating to the operations and management of the historic Oroville State Theatre and direct staff to:**

1. **Continue to operate the State Theatre at a loss.**

**OR**

2. **Increase the rental fee for the State Theatre; and**
3. **Continue seeking long-term management, operations and maintenance through tenant occupancy; and**
4. **Establish the Foundation and Board of Directors to help seek a long-term solution and charitable donation for the State Theatre; and**
5. **Continue seeking grant funding for the operations and management of the historic Oroville State Theatre.**

**OR**

6. **Direct staff as necessary.**

15. **CONSIDERATION OF RECRUITING FOR THE VACANT POSITION OF DIRECTOR OF FINANCE AND POSSIBLE MODIFICATIONS TO THE CURRENT JOB DESCRIPTION –** staff report

The Council may consider recruiting for the vacant position of Director of Finance and may review and consider modifications to the related job description. **(Randy Murphy, City Administrator)**

Council Action Requested:

1. **Provide direction regarding the recruitment and selection for a new Director of Finance, including the use of an outside agency in order to facilitate the process**
2. **Provide direction regarding any modifications of the existing job description and salary range.**

16. **APPOINTMENT TO THE PLANNING COMMISSION AND RE-APPOINTMENTS TO THE PLANNING AND PARK COMMISSIONS –** staff report

The Council may consider the appointment of a qualified City resident to serve on the Oroville Planning Commission for the remainder of former Commissioner Singh's term ending June 30, 2016. The Council may also consider re-appointing Carl Durling, Tua Vang and Wyatt Jenkins to the Oroville Planning Commission for four year terms ending June 30, 2018 and Machel Conn and Beth Brown Standley to the Oroville Park Commission for five year terms ending June 30, 2019. **(Randy Murphy, City Administrator/City Clerk and Donald Rust, Director of Community Development)**

Council Action Requested:

1. Reappoint Planning Commissioners Durling, Jenkins and Vang to serve on the Oroville Planning Commission to serve at least one full 4 year term ending June 30, 2018.
  2. Appoint a qualified City resident to fill the current vacancy on the Oroville Planning Commission from the list of remaining candidates that applied for the Planning Commission vacancy from the December 3, 2014 Council meeting to serve the remainder of former Commissioner Singh's term ending June 30, 2016.
  3. Reappoint Park Commissioners Brown-Stanley and Conn to the Oroville Park Commission to serve an additional five year term ending June 30, 2019.
17. **REVISIONS TO THE DEPUTY FIRE CHIEF AND ASSISTANT POLICE CHIEF JOB DESCRIPTIONS AND ESTABLISHMENT OF SALARY RANGES** – staff report

The Council may consider revisions to the job descriptions and the establishment of salary ranges for the Deputy Fire Chief and Assistant Police Chief positions. (**Bill LaGrone, Director of Public Safety and Liz Ehrenstrom, Human Resource Analyst II**)

Council Action Requested: **Adopt Resolution No. 8214 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING REVISIONS TO THE JOB DESCRIPTIONS AND ESTABLISHING SALARY RANGES FOR THE DEPUTY FIRE CHIEF AND ASSISTANT POLICE CHIEF POSITIONS.**

**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**

- California Department of Social Services, received April 17, 2014
- Palermo Union School District, received May 2, 2014
- Butte County Association of Governments, received April 30, 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 City Employee's Association.
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 Fighter's Association Association.
3. Pursuant to Government Code section 54957.6, the Council will meet 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 will meet 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 will meet with the City Administrator and City Attorney to consider the appointment, employment, evaluation of performance, discipline, and/or dismissal of a public employee related to the following position: City Administrator.
6. Pursuant to Government Code Section 54957(b), the Council will meet with Labor Negotiators, City Attorney and Director of Public Safety to consider the appointment, employment, evaluation of performance, discipline, and/or dismissal of a public employee related to the following position: Assistant Chief of Police.
7. Pursuant to Government Code section 54956.9(b), the Council will meet with the City Administrator and the City Attorney regarding potential litigation – two cases.
8. Pursuant to Government Code section 54956.9(a), the Council will meet 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.
9. Pursuant to Government Code section 54956.9(a), the Council will hold the following closed sessions relating to existing litigation: City of Oroville, et al. v. Department of Finance, et al., Sacramento County Superior Court Case No. 34-2013-80001543.

## **ADJOURNMENT**

The meeting will be adjourned. The next regular meeting of the Oroville City Council will be held on Tuesday, May 20, 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.