

**CITY COUNCIL MEETING MINUTES
MAY 6, 2014 – 5:00 P.M.**

The agenda for the May 6, 2014 regular meeting of the Oroville City Council was posted on the bulletin board at the front of City Hall on Friday, May 2, 2014, at 3:19 p.m.

The May 6, 2014 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:02 p.m.

Due to a technical equipment error, this meeting is only available in an audio format.

ROLL CALL

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

Staff Present:

Randy Murphy, City Administrator
Rick Walls, Interim City Engineer
Donald Rust, Director of Planning & Development Services
Liz Ehrenstrom, Human Resource Analyst II
Glenn Lazof, Interim Director of Finance

Scott E. Huber, City Attorney
Bill La Grone, Director of Public Safety
Jamie Hayes, Deputy City Clerk
Karolyn Fairbanks, City Treasurer
Gary Layman, Building Official

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier.

PROCLAMATIONS / PRESENTATIONS

Mayor Dahlmeier presented Mike Capelle with a New Business Acknowledgement and Welcome to Oroville for Sunset Vista Realty.

Bret Harmon, Muni Services, gave a Presentation relating to Municipal Revenue Enhancement Services.

The Council heard a Presentation created by City staff relating to the Samuel J. Norris Award for Excellence.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

John Fran – Item No. 14
Jim Moll – Item No. 14
Nancy Weston – Item No. 14
Jim Christensen – Item No. 14
Celia Hirschman – Item No. 14
David Dewey – Item No. 14

Forrest Hartmann – Item No. 14
Nancy Silva – Item No. 14
Larry Grundmann – Item No. 14
Sharon Wedin – Item No. 14
Jackie Glover – Item No. 14
Paul Fairbanks – Item No. 10

CONSENT CALENDAR

A motion was made by Council Member Pittman, seconded by Council Member Bunker, to approve the following 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 considered 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. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
4. **BUILDING SAFETY MONTH AND AMNESTY PROGRAM FOR MAY/JUNE 2014 – staff report**

The Council considered 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. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
6. **PURCHASE OF DAVE CLARK BEHIND HEAD HEADSETS WITH MICROPHONES – staff report**

The Council considered 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 considered 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 received 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 considered 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.**

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. AMERIPRIDE SERVICES AGREEMENT FOR UNIFORM CLEANING SERVICES – staff report

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

At the request of Council Member Bunker, this item was removed from the Consent Calendar for clarification.

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

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.

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

5. AUDITOR ROTATION AND SELECTION POLICY – staff report

The Council considered 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)**

At the request of Interim Director of Finance, Glenn Lazof, this item was removed from the Consent Calendar to acknowledge a verbiage amendment located on the proposed Auditor Rotation and Selection Policy.

A motion was made by Council Member Bunker, seconded by Vice Mayor Wilcox, to:

Adopt Resolution No. 8209 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING AN AUDITOR ROTATION AND SELECTION 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 -None

REGULAR BUSINESS

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

The Council considered 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**)

Paul Fairbanks, Plant Manager of Pacific Coast Producers (PCP), spoke in support of working with City staff to resolve the parking concerns relating to PCP employee parking during the harvest season.

Following discussion, the Council directed staff to take appropriate action(s) 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 considered 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**)

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

- 1. Ratify the expenditure of \$25,000 for Interim Director and Municipal Finance Advisory Services provided by Regional Government Services.**
- 2. Return to Council on May 20, 2014, to consider the adoption of: 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).**

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. 2014 ROAD MAINTENANCE PROJECT – staff report

The Council heard 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)**

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

- 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-stripping 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.**

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. LEGISLATIVE GUIDING PRINCIPLES AND PRIORITIES – staff report

The Council considered 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)**

Following discussion, the Council directed staff to work with an ad-hoc committee, comprised of Mayor Dahlmeier and Council Member Bunker, 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 received 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)**

Members and supporters of the State Theatre Arts Guild, Inc. (STAGE), including: John Frank, Forrest Hartmann, Jim Moll, Nancy Silva, Nancy Weston, Larry Grundmann, Jim Christensen, Sharon Wedin, Jackie Glover and David Dewey, spoke in support of the City negotiating with STAGE for the operation and maintenance of the Oroville State Theatre.

Celia Hirshman made comments relating to the Request for Proposals relating to the operations and management of the historic Oroville State Theatre.

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

- 1. Reject all Proposals relating to the operations and management of the historic Oroville State Theatre.**
- 2. Direct staff to negotiate with STAGE relating to the operations and management of the historic Oroville State Theatre.**

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

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

Following discussion, the Council directed staff begin the recruitment process for the vacant position of Director of Finance and research other municipalities for conformity of the job description and salary range.

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

The Council considered 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 also considered re-appointing Carl Durling, Tua Vang and Wyatt Jenkins to the Oroville Planning Commission for four year terms ending June 30, 2018 and Mabelle 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**)

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

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. **Reappoint Park Commissioners Brown-Stanley and Conn to the Oroville Park Commission to serve an additional five year term ending June 30, 2019.**

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

Following a ballot vote, the Council appointed Michael Britton, Sr. to fill the current vacancy on the Oroville Planning Commission for the remainder of former Commissioner Singh's term, ending June 30, 2016.

17. REVISIONS TO THE DEPUTY FIRE CHIEF AND ASSISTANT POLICE CHIEF JOB DESCRIPTIONS AND ESTABLISHMENT OF SALARY RANGES – staff report

The Council considered 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**)

Following discussion, the Council unanimously approved the job descriptions for the Deputy Fire Chief and Assistant Police Chief positions and directed staff to return with this item at the May 20, 2014 regular meeting of the Oroville City Council for further consideration therefore, no action was taken on the following:

Adopt Resolution No. 8214 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING ESTABLISHED SALARY RANGES FOR THE DEPUTY FIRE CHIEF AND ASSISTANT POLICE CHIEF POSITIONS.

SUCCESSOR AGENCY - None

MAYOR/ COUNCIL REPORTS

The Council gave a brief report on the April 28, 2014 and April 29, 2014 special meetings of the Oroville City Council relating to setting goals for 2014/15.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Director of Public Safety, Bill LaGrone, commended Liz Ehrenstrom, Human Resource Analyst II, for

assisting with personnel issues relating to a recent incident with the Oroville Police Department. Director of Community Development, Donald Rust, reported a sewerage spill at the Olive Lift Station, the hiring of a Code Compliance Specialist, Steven Ayers and a potential offer by an Australian entity to purchase a train engine currently located in Hewitt Park.

Glenn Lazof, Interim Director of Finance, reported that the 2014/15 proposed City budget would be presented at the May 20, 2014 regular City Council meeting.

City Administrator, Randy Murphy, reported that the Butte Council Association of Governments was considering the closure of bathrooms located at the Spencer Street Transit Station due to continued loitering and vandalism.

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

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON NON-AGENDA ITEMS - None

CLOSED SESSION

The Council held a Closed Session on the following:

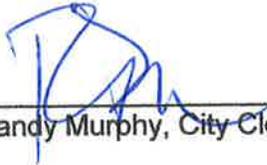
1. Pursuant to Government Code section 54957.6, the Council met with Labor Negotiators and City Attorney to discuss labor negotiations for the Oroville City Employee's Association.
2. Pursuant to Government Code section 54957.6, the Council met with Labor Negotiators and City Attorney to discuss labor negotiations for the Oroville Fire Fighter'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 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 met 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 met with the City Administrator and the City Attorney regarding potential litigation – two cases.

8. 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.
9. Pursuant to Government Code section 54956.9(a), the Council held 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.

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 10:02 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, May 20, 2014 at 5:00 p.m.



Randy Murphy, City Clerk



Linda L. Dahlmeier, Mayor