

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

The agenda for the July 1, 2014 regular meeting of the Oroville City Council was posted on the bulletin board at the front of City Hall and on the City of Oroville's website located at www.cityoforoville.org on Friday, June 25, 2014, at 4:14 p.m.

The July 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	Scott Huber, City Attorney
Bill La Grone, Director of Public Safety	Karolyn Fairbanks, City Treasurer
Donald Rust, Director of Planning & Development Services	Dawn Nevers, Administrative Assistant
Luis Topete, Associate Planner	Glenn Lazof, Interim Director of Finance
Dean Hill, Battalion Chief	Allen Byers, Police Lieutenant
Gary Layman, Building Official	

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier.

PROCLAMATION / PRESENTATION

Vince Carano, President of the Oroville Downtown Business Association, made a presentation to the Council in appreciation of City of Oroville employees.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Alice Tidwell – Item No. 10	Bill Williams – Item No. 10
Stu Shaner – Item No. 10	Ron Strong – Item No. 10
Jim Lenhoff – Item no. 10	Victoria Coots – Item No. 10 and 12
David Jewell – Item No. 10	Celia Hirschman – Item No. 10 and 12
Joe Hottuiger – Item No. 10	Don Batten - Item No. 10
Jared Cooley – Item No. 12	Skip George - Item No. 16

CONSENT CALENDAR

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

1. **APPROVAL OF THE MINUTES OF THE JUNE 17, 2014 REGULAR MEETING AND JUNE 24, 2014 SPECIAL MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
2. **APPLICATION TO PLACE THE LOTT HOME ON THE NATIONAL REGISTER OF HISTORIC PLACES** – staff report

The Council considered directing staff to work with the Friends of the Parks to process the required paperwork to place the Lott Home on the National Register of Historic Places. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Direct staff to work with the Friends of the Parks to process the required paperwork to place the Lott Home on the National Register of Historic Places.**

3. **SETTING FORTH A CHARGE OF \$277 FOR CANDIDATE'S STATEMENT** – staff report

The Council considered setting forth a \$277 deposit to be levied against each candidate wishing to include a candidate's statement in the 2014 General Municipal Election pamphlet. **(Randy Murphy, City Administrator)**

Council Action Requested: **Adopt Resolution No. 8226 – A RESOLUTION OF THE OROVILLE CITY COUNCIL DETERMINING THAT A CHARGE OF \$277 IS LEVIED AGAINST EACH CANDIDATE FOR THE CANDIDATE'S STATEMENT SENT TO THE VOTERS FOR THE CITY OF OROVILLE'S GENERAL MUNICIPAL ELECTION TO BE HELD NOVEMBER 4, 2014.**

4. **MODIFICATIONS TO THE LEASE TO PURCHASE PROGRAM** – staff report

The Council considered modifications to the Lease to Purchase Program guidelines. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Authorize the modifications to the Lease to Purchase Program guidelines.**

5. **MODIFICATIONS TO THE AUTHORIZED SIGNATURES FOR VARIOUS HOUSING AND ECONOMIC DEVELOPMENT GRANTS** – staff report

The Council considered modifications to the authorized signatures for various housing and economic development housing grants. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Adopt Resolution No. 8227 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING MODIFICATIONS TO THE AUTHORIZED SIGNATURES FOR VARIOUS HOUSING AND ECONOMIC DEVELOPMENT GRANTS.**

6. **ITEM WAS REMOVED FROM THE CENSENT CALENDAR (SEE BELOW)**

7. **ACCEPTANCE OF A UNITED STATES ENVIRONMENTAL PROTECTION AGENCY COMMUNITY-WIDE BROWNFIELD ASSESSMENT GRANT RELATING TO PROPERTIES WITHIN THE INDUSTRIAL AREA (IU2) PROJECT AREA** – staff report

The Council considered the acceptance of a \$400,000 United States Environmental Protection Agency Grant to conduct a community-wide brownfield assessment of properties within the Industrial Area (IU2) project area. **(Donald Rust, Director of Community Development)**

Council Action Requested:

1. **Adopt Resolution No. 8228 - A RESOLUTION OF THE OROVILLE CITY COUNCIL ACCEPTING \$400,000 FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S FOR A COMMUNITY-WIDE BROWNFIELD ASSESSMENT GRANT PROGRAM AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATING TO THE GRANT.**
 2. **Direct staff to reflect the necessary appropriations in the City's final budget for Fiscal Year 2014/2015 on August 12, 2014.**
8. **ACCEPTANCE OF A UNITED STATES ENVIRONMENTAL PROTECTION AGENCY SITE-SPECIFIC BROWNFIELD ASSESSMENT GRANT – staff report**

The Council considered the acceptance of a \$350,000 United States Environmental Protection Agency Grant to conduct a site-specific brownfield assessment of a 39-acre property located at the intersection of Oro Dam Boulevard (east) and Veatch Street (APN 035-270-016). **(Donald Rust, Director of Community Development)**

1. **Adopt Resolution No. 8229 - A RESOLUTION OF THE OROVILLE CITY COUNCIL ACCEPTING \$350,000 FROM THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY'S 2014 SITE-SPECIFIC BROWNFIELD ASSESSMENT GRANT PROGRAM AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ALL DOCUMENTS RELATING TO THE GRANT.**
2. **Direct staff to reflect the necessary appropriations in the City's final budget for Fiscal Year 2014/2015 on August 12, 2014.**

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

6. **SERVICE AGREEMENT WITH ARAMARK FOR UNIFORM CLEANING SERVICES – staff report**

The Council considered a three (3) year Service Agreement with Aramark for uniform cleaning services. **(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:

1. **Approve the three (3) year Service Agreement with Aramark for uniform cleaning services.**
2. **Authorize staff to continue using Ameripride for uniform cleaning services until August 1, 2014, or until the services begin with Aramark.**

The motion was passed by the following vote:

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

PUBLIC HEARING

9. ZONING CODE AMENDMENT - DIGITAL DISPLAY SIGNS – staff report

The Council held a public hearing and considered amending the City's Municipal Code Sections 26-04.020, 26-19.030 and 26-19.045 regarding digital display signs. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

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 Bunker, to:

Waive the first reading and introduce by title only, Ordinance No. 1806 – AN ORDINANCE OF THE OROVILLE CITY COUNCIL AMENDING THE OROVILLE MUNICIPAL CODE SECTIONS 26-04.020, 26-19.030 AND 26-19.045 REGARDING DIGITAL DISPLAY SIGNS.

The motion was passed by the following vote:

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

REGULAR BUSINESS

10. LIMA SHAY LOCOMOTIVE WITHIN HEWITT PARK – staff report

The Council considered the potential sale of the Lima Shay Locomotive currently located in Hewitt Park. **(Donald Rust, Director of Community Development)**

Community members and supporters of keeping the Shay Locomotive, including: Alice Tidwell, Bill Williams, Stu Shaner, Ron Strong, Jim Lenhoff, Victoria Coots, Celia Hirschman, David Jewell, Joe Hottuiger, and Don Batten. All spoke in support of the City keeping the Shay Locomotive to preserve the City's history.

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

- 1. Direct staff not to sell the Shay Locomotive currently located in Hewitt Park.**
- 2. Form an Ad hoc Committee to work with City staff on the potential restoration of the Shay Locomotive currently located in Hewitt Park.**

The motion was passed by the following vote:

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

11. AMENDMENT TO LEGAL AGREEMENT WITH COTA COLE, LLP –staff report

The Council considered an amendment to the Legal Services Agreement with Cota Cole, LLP, for City Attorney Services. **(Randy Murphy, City Administrator)**

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

Adopt Resolution No. 8230 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE LEGAL SERVICES AGREEMENT WITH COTA COLE, LLP, FOR CITY ATTORNEY SERVICES – (Agreement No. 2004-3).

The motion was passed by the following vote:

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

12. COLLABORATION BETWEEN FEATHER RIVER RECREATION AND PARK DISTRICT AND THE CITY OF OROVILLE FOR SHARING RESOURCES – staff report

The Council received information and relating to the collaboration between Feather River Recreation and Park District and the City for the use of the Municipal Auditorium for their sports programs, the return of Bedrock Park to the City, and the funding of a Reserve Police Officer. **(Randy Murphy, City Administrator)**

Oroville Police Department, Detective, Jared Cooley, spoke in opposition to the use of funding of a Reserve Police Officer.

Victoria Coots and Celia Hirschman spoke in support of collaboration between the, Feather River Recreation and Park District and the City funding of the Reserve Police Officer.

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

Authorize staff to continue the negotiations with Feather River Recreation and Park District and return this item to next regular City Council meeting on July 15, 2014.

The motion was passed by the following vote:

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

*Vice Mayor Wilcox excused herself briefly from the meeting.

13. DISCUSSION OF GAS TAX REVENUES FOR THE CITY – staff report

The Council received a report on how gas taxes are distributed to the City. **(Randy Murphy, City Administrator)**

14. EMPLOYMENT AGREEMENT FOR ASSISTANT CHIEF OF POLICE – staff report

The Council considered an Employment Agreement between the City of Oroville and Allen W. Byers for the position of Assistant Chief of Police. **(Randy Murphy, City Administrator)**

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

- 1. Adopt Resolution No. 8231 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND ALLEN W. BYERS FOR THE POSITION OF ASSISTANT CHIEF OF POLICE – (Agreement No. 3073).**
- 2. Authorize staff to perform the necessary personnel and budgetary actions in order to activate and fund the position of Assistant Chief of Police.**

The motion was passed by the following vote:

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

15. EMPLOYMENT AGREEMENT FOR DEPUTY FIRE CHIEF/FIRE MARSHAL – staff report

The Council considered an Employment Agreement between the City of Oroville and Dean J. Hill, Jr. for the position of Deputy Fire Chief/Fire Marshal. **(Randy Murphy, City Administrator)**

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

1. **Adopt Resolution No. 8232 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND DEAN J. HILL, SR. FOR THE POSITION OF DEPUTY FIRE CHIEF/FIRE MARSHAL – (Agreement No. 3074).**
2. **Authorize staff to perform the necessary personnel and budgetary actions in order to activate and fund the position of Deputy Fire Chief/Fire Marshall.**

The motion was passed by the following vote:

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

16. CITY'S FINAL OFFER TO THE OROVILLE FIREFIGHTERS' ASSOCIATION REGARDING STAFFING STRUCTURE – staff report

The Council considered imposing the City's final offer to the Oroville Firefighters' Association regarding the staffing structure at the Oroville Fire Department. **(Randy Murphy, City Administrator)**

Oroville Firefighters' Association President, Skip George, spoke in opposition of the proposed Fire Department staffing structure.

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

Implement the Fire Department staffing structure and order its implementation July 2, 2014, or as soon as practicable thereafter, but not later than the onset of the next 24 day cycle.

The motion was passed by the following vote:

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

17. ADOPTION OF FISCAL YEAR 2015 BUDGET – staff report

The Council considered the adoption of the preliminary budget, as revised, to be the Fiscal year 2015 working budget. **(Randy Murphy, City Administrator and Glenn Lazof, Interim Director of Finance)**

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

Adopt the revised budget for Fiscal Year 2015.

The motion was passed by the following vote:

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

MAYOR/ COUNCIL REPORTS

Council Member Pittman gave a brief update on the upcoming 2014 Lake Oroville Dam Veteran's 4th of July Fireworks Show coordinated by the Rotary Club of Oroville.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Bill LaGrone, Director of Public Safety, gave an update on the progress of patrolling the community parks and transit stations.

Donald Rust, Director of Community Development, announced the award of two (2) grants, and updated the Council of the resolved issue with local contractor, Malcom Hall.

Glenn Lazof, Interim Director of Finance, gave an update in regards to the progress in the Finance Department:

- The new customer window for bus pass purchases is now operating
- A Request For Proposals has been posted for a new Auditor, with a deadline of August 29th, 2014
- Cost accounting for participating City departments has begun

Randy Murphy, City Administrator, presented the correspondence from the Butte County Fair regarding donation requests for the awards program.

CORRESPONDENCE

- Pacific Gas & Electric Company, received June 16, 2014
- Butte County Fair, received June 23, 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 following represented groups: Oroville City Employee's Association, Oroville Fire Fighter's Association, Oroville City Confidential Association, and Oroville Mid-Manager's Association.
2. 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: Assistant Fire Chief.
3. 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.
4. 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: Director of Finance.
5. Pursuant to Government Code section 54956.9(b), the Council met with the City Administrator and the City Attorney regarding potential litigation – two cases

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 9:16 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, July 15, 2014, at 5:00 p.m.

Randy Murphy, City Clerk

Linda L. Dahlmeier, Mayor