



## OROVILLE CITY COUNCIL

Council Chambers  
1735 Montgomery Street  
Regular Meeting

**AUGUST 5, 2014**  
**CLOSED SESSION 5:00 P.M.**  
**OPEN SESSION 6:00 P.M.**  
**AGENDA**

*“Oroville - California's best opportunity for a safe and diverse quality of life”*

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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. 6)

### RECONVENE TO OPEN SESSION

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

#### PLEDGE OF ALLEGIANCE

#### PROCLAMATION / PRESENTATION

A Proclamation recognizing **August 5, 2014** as **National Night Out**.

A Proclamation in recognition and appreciation of **Elisabeth “Mike” Isch**.

### 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 JULY 15, 2014 REGULAR MEETING AND JULY 25 SPECIAL MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

2. **RECOGNITION OF AUGUST 11, 2014 AS NATIONAL “CALL BEFORE YOU DIG DAY”** - staff report

The Council may consider a Resolution recognizing August 11, 2014 as “Call Before You Dig Day”. (**Randy Murphy, City Administrator**)

Council Action Requested: **Adopt Resolution No. 8247 - A RESOLUTION OF THE OROVILLE CITY COUNCIL RECOGNIZING AUGUST 11, 2014 AS NATIONAL “CALL BEFORE YOU DIG DAY”.**

3. **BUTTE COUNTY LOCAL HAZARD MITIGATION PLAN UPDATE** - staff report

The Council may consider the adoption of the Butte County Local Hazard Mitigation Plan update. (**Donald Rust, Director of Community Development**)

Council Action Requested: **Adopt Resolution No. 8248 - A RESOLUTION OF THE OROVILLE CITY COUNCIL ACKNOWLEDGING THE CITY OF OROVILLE’S PARTICIPATION AND ADOPTION OF THE FINAL BUTTE COUNTY LOCAL HAZARD MITIGATION PLAN UPDATE AS PART OF THE DISASTER MITIGATION ACT OF 2000.**

4. **PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN ENGINEERING FOR PUBLIC WORKS INSPECTION SERVICES** - staff report

The Council may consider a Professional Services Agreement with Willdan Engineering, in an amount not to exceed \$25,000, for Public Works Construction Inspection Services. (**Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer**)

Council Action Requested: **Adopt Resolution No. 8240 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN ENGINEERING, IN AN AMOUNT NOT TO EXCEED \$25,000, FOR PUBLIC WORKS CONSTRUCTION INSPECTION SERVICES – (Agreement No. 3077).**

5. **AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE CITY EMPLOYEES’ ASSOCIATION** - staff report

The Council may consider an Amended and Restated Memorandum of Understanding between the City of Oroville and the Oroville City Employees’ Association. (**Randy Murphy, City Administrator**)

Council Action Requested: **Adopt Resolution No. 8249 - 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 CITY EMPLOYEES’ ASSOCIATION – (Agreement No. 1432-13).**

6. **AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT AND REVISED BUDGET WITH PLACEWORKS** – staff report

The Council may consider an amendment to the Professional Services Agreement with PlaceWorks, formerly The Planning Center DC&E, in the amount of \$8,600, for planning services relating to the changes of the General Plan Land Use Map and Zoning Map for implementation of the Arts, Culture, and

Entertainment District into the City's General Plan and Zoning Code. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested:

1. **Adopt Resolution No. 8250 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH PLACEWORKS, FORMERLY THE PLANNING CENTER DC&E, FOR AN ADDITIOANL AMOUNT OF \$8,600, FOR PLANNING SERVICES RELATING TO THE CHANGES OF THE GENERAL PLAN LAND USE MAP AND ZONING MAP FOR IMPLEMENTATION OF THE ARTS, CULTURE AND ENTERTAINMENT DISTRICT INTO THE CITY'S GENERAL PLAN AND ZONING CODE – (Agreement No. 3019-2)**
2. **Direct staff to reflect any necessary changes to the 2014/15 Final Budget.**

## **PUBLIC HEARINGS**

7. **ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 1 – 8 – staff report**

The Council will conduct a public hearing regarding the annual assessments relating to the City's Consolidated Benefit Assessment Districts. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

1. **Adopt Resolution No. 8251 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2014/15.**
  2. **Authorize the Mayor to sign the Proposition 218 Certification for inclusion on the 2014/15 Butte County Tax Roll.**
  3. **Direct staff to make any necessary changes to the 2014/15 Final Budget.**
8. **ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 1 - 17 – staff report**

The Council will conduct a public hearing regarding the annual assessments relating to the City's Consolidated Landscape and Lighting Maintenance Assessment Districts. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

1. **Adopt Resolution No. 8252 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2014/15.**
2. **Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2014/15 Butte County Tax Roll.**

3. **Direct staff to make any necessary changes to the 2014/15 Final Budget.**

## **REGULAR BUSINESS**

9. **SUPPORT OF RESOLUTION RELATING TO ENVIRONMENTAL AND PUBLIC SAFETY IMPACTS OF ILLEGAL MARIJUANA GROWS** - staff report

The Council may consider providing direction to staff in regards to a proposed League of California Cities' resolution relating to the environmental and public safety impacts of illegal marijuana grows. **(Randy Murphy, City Administrator)**

Council Action Requested: **Provide direction to staff.**

10. **ACQUISITION OF REAL PROPERTY ALONG THE WEST SIDE OF ORO DAM BOULEVARD AND NORTH OF BRIDGE STREET (APN 033-470-039-000)** – staff report

The Council may consider a request by the current property owner of approximately 0.9 acres of real property, located along the west side of Oro Dam Boulevard and north of Bridge Street, to transfer the property to the City of Oroville at no cost. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Provide direction to staff, as necessary.**

11. **STREAM CHARTER SCHOOL USE PERMIT FEE WAIVER REQUEST** - staff report

The Council will receive a report and may consider a fee waiver request from the STREAM Charter School for the fees associated with a use permit as specified herein. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested:

1. **Deny the fee waiver request by the STREAM Charter School and require the applicant to pay the full (actual) cost for processing the use permit pursuant to the Current Fee Schedule; or**
2. **Deny the fee waiver request by the STREAM Charter School and require the applicant to pay the actual cost for processing the use permit through an installment payment agreement; or**
3. **Provide direction to staff, as necessary.**

12. **ANNUAL SANITARY SEWER SERVICE RATE INCREASE** - staff report

The Council may consider a Resolution certifying that the Sewer Service charges to be levied on the 2014/15 tax roll are in compliance with Proposition 218. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8253 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CERTIFICATION WITH THE BUTTE COUNTY AUDITOR CERTIFYING THAT THE SEWER SERVICE CHARGES LEVIED ON THE 2014/15 TAX ROLL ARE IN COMPLIANCE WITH PROPOSITION 218.**

13. **REQUEST BY THE OROVILLE DOWNTOWN BUSINESS ASSOCIATION TO RENAME PARKING LOT "A" TO ELISABETH "MIKE" ISCH PARKING LOT** – staff report

The Council may consider a request by the Oroville Downtown Business Association (ODBA) to rename Parking Lot "A" on Montgomery Street the Elisabeth "Mike" Isch Parking Lot in honor of her many years of service to the community of Oroville. **(Randy Murphy, City Administrator)**

Council Action Requested: **Provide direction to staff.**

**14. ANNUAL SPECIAL TAX FOR THE CITY'S COMMUNITY FACILITIES DISTRICT NO. 2006-1 (WESTSIDE PUBLIC SAFETY FACILITIES) AND DISTRICT NO. 2006-2 (PUBLIC SAFETY SERVICES) FOR FISCAL YEAR 2014/15 – staff report**

The Council may consider the annual special tax relating to the City's Community Facilities District for fiscal year 2014/15. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

1. **Adopt Resolution No. 8254 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-1, WESTSIDE PUBLIC SAFETY FACILITIES, FOR FISCAL YEAR 2014/15.**
2. **Adopt Resolution No. 8255 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-2, PUBLIC SAFETY SERVICES, FOR FISCAL YEAR 2014/15.**
3. **Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2014/15 Butte County Tax Roll.**

**SUCCESSOR AGENCY** - None

**MAYOR/ COUNCIL REPORTS**

**COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS** (A verbal report may be given regarding any committee meetings attended.)

- Appointment to the Butte County Indian Gaming Local Community Benefit Committee
- Mayor's Report – U.S. Mayors Conference

**CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

- Finance Department – activity report
- Oroville Police Department – memo

**CORRESPONDENCE**

- Butte County Mosquito & Vector Control District, received July 14, 2014
- Nanci Glassgow, received July 28, 2014
- Department of Alcoholic Beverage Control, received July 30, 2014
- California Water Service Company, received July 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 following represented groups: Oroville City Employee's Association, Oroville Fire Fighter's Association, Oroville Police Officers' Association, Oroville City Confidential Association, and Oroville Mid-Manager's Association.
2. Pursuant to Government Code Section 54957(b), the Council will meet with Labor Negotiators and City Attorney to consider the appointment, employment, evaluation of performance, discipline, and/or dismissal of a public employee related to the following position: Director of Finance.
3. Pursuant to Government Code Section 54957(b), the Council will meet with Labor Negotiators 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
4. 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
5. Pursuant to Government Code Section 54956.8, the Council will meet with Real Property Negotiators, City Administrator, Director of Community Development, Director of Finance and City Attorney, regarding the property identified as 525 Airport Parkway, Oroville."

## **ADJOURNMENT**

The meeting will be adjourned. A special meeting of the Oroville City Council will be held on Tuesday, August 12, 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.