CITY COUNCIL MEETING MINUTES
JULY 15, 2014 – 5:00 P.M.

The agenda for the July 15, 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, July 11, 2014, at 11:17 a.m.

The July 15, 2014 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:02 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
Bill La Grone, Director of Public Safety
Donald Rust, Director of Planning & Development Services
Luis Topete, Associate Planner
Dean Hill, Battalion Chief
Gary Layman, Chief Building Official
Scott Huber, City Attorney
Karolyn Fairbanks, City Treasurer
Jamie Hayes, Assistant City Clerk
Glenn Lazof, Interim Director of Finance
Allen Byers, Police Lieutenant
Amy Bergstrand, Management Analyst III

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier.

PROCLAMATION / PRESENTATION

Mayor Dahlmeier announced a New Business Acknowledgement and Welcome to Oroville for The Italian Kitchen.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

The following individuals spoke on behalf of Item No.s 14 and 15:

Skip George
Breck Wright
David Bryning
Bob Zollner
Regina Elena
Ronee Wright
Raine Deigh
Darinka Carey
Gary Vrooman
John Bruschi
Lee Hutchins

CONSENT CALENDAR

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

1. **APPROVAL OF THE MINUTES OF THE JULY 1, 2014 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

2. **LEASE AND SALE OF CITY-OWNED PROPERTY LOCATED AT 33 CANYON HIGHLANDS DRIVE** – staff report

   The Council considered the lease and sale of City-owned property located at 33 Canyon Highlands Drive, Oroville (APN 033-462-049), to a qualified City of Oroville Lease to Purchase Home Ownership Program applicant. **(Randy Murphy, City Administrator and Amy Bergstrand, Management Analyst III)**

   Council Action Requested: **Adopt Resolution No. 8233 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE LEASE AND SALE OF 33 CANYON HIGHLANDS DRIVE, OROVILLE, TO DENISE JOHNSON AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE ALL DOCUMENTS RELATING TO THE LEASE AND SALE OF THE ABOVE-MENTIONED PROPERTY, INCLUDING ANY AMENDMENTS THERETO.**

3. **MODIFICATIONS TO THE HOME INVESTMENT PARTNERSHIP FIRST TIME HOME BUYER LOAN PROGRAM GUIDELINES** – staff report

   The Council considered proposed modifications to the City of Oroville's Home Investment Partnership First Time Home Buyer Program Guidelines. **(Randy Murphy, City Administrator and Amy Bergstrand, Management Analyst III)**

   Council Action Requested: **Authorize the modifications to the City of Oroville's Home Investment Partnership First Time Home Buyer Program Guidelines, as indicated in the July 15, 2014 staff report.**

4. **ZONING CODE AMENDMENT - DIGITAL DISPLAY SIGNS** – staff report

   The Council 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)**

   Council Action Requested: **Waive the second reading and adopt 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.**

5. **SUPPLEMENTAL BENEFITS FUND FUNDING AGREEMENT WITH FEATHER RIVER RECREATION AND PARK DISTRICT** – staff report

   The Council, serving as the Supplemental Benefits Fund Administrator, considered approving a Funding Agreement, in the amount of $30,000, with Feather River Recreation and Park District for installation of an irrigation well at the Nelson Sports Complex. **(Randy Murphy, City Administrator and Bob Marciniak, SBF Program Specialist)**

   Council Action Requested: **Adopt Resolution No. 8234 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A FUNDING AGREEMENT BETWEEN THE CITY OF OROVILLE, SERVING AS FUND**

ADMINISTRATOR OF THE SUPPLEMENTAL BENEFITS FUND, AND FEATHER RIVER RECREATION AND PARK DISTRICT, IN THE AMOUNT OF $30,000, FOR INSTALLATION OF AN IRRIGATION WELL AND THE NELSON SPORTS COMPLEX – (Agreement No. 3076).

6. **STRONG MOTION INSTRUMENTATION AND SEISMIC HAZARD MAPPING FEE INCREASE** – staff report

The Council considered adopting a fee increase on building permits for the strong motion instrumentation and seismic hazard mapping required for all cities and counties within the State of California. **(Donald Rust, Director of Community Development and Gary Layman, Chief Building Official)**

Council Action Requested: **Adopt Resolution No. 8235 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING THE FEE INCREASE ON BUILDING PERMITS FOR THE STRONG MOTION INSTRUMENTATION AND SEISMIC HAZARD MAPPING REQUIRED FOR ALL CITIES AND COUNTIES WITHIN THE STATE OF CALIFORNIA AS INDICATED IN SENATE BILL 861, CHAPTER 35, SECTION 2705.**

7. **PLACEMENT OF DELINQUENT GARBAGE BILLS ON THE 2014/15 PROPERTY TAX ROLL** – staff report

The Council considered the placement of delinquent garbage bills to Recology on the 2014/15 property tax roll. **(Glenn Lazof, Interim Director of Finance)**

Council Action Requested: **Adopt Resolution No. 8236 - A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING DIRECT ASSESSMENTS FOR DELINQUENT GARBAGE BILLS FOR FISCAL YEAR 2013/14 ON THE 2014/15 PROPERTY TAX ROLL AND AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSITION 218 CERTIFICATION OF TAX BILL LEVY.**

8. **REVISIONS AND APPOINTMENTS TO THE BUILDING CODE AND DISABLED ACCESSIBILITY APPEALS BOARD** – staff report

The Council considered a revision of the Building Code and Disabled Accessibility Appeals Board and the appointment of a new Chairperson and Vice Chairperson with one (1) temporary appointment until staff has advertised for application submittals from interested parties to fill the one (1) position available for the 2014-20017 term. **(Donald Rust, Director of Community Development and Gary Layman, Chief Building Official)**

Council Action Requested: **Adopt Resolution No. 8237 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE IMPLEMENTATION OF THE BUILDING CODE AND DISABLED ACCESSIBILITY APPEALS BOARD AND APPOINTING SCOTT GIBSON AS THE CHAIRPERSON, AND NEIL GRABER AS VICE CHAIRPERSON TO THE BOARD AND APPROVING THE PROPOSED LIST OF EXPERTS APPROVED BY THE CHIEF BUILDING OFFICIAL.**

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

PUBLIC HEARING - None

REGULAR BUSINESS

9. **COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME USE POLICY** – staff report

The Council received a report outlining the required changes, effective July 1, 2014, to the Program Income and Revolving Loan Account policies in the State of California's Community Development Block Grant Program. **(Randy Murphy, City Administrator and Amy Bergstrand, Management Analyst III)**

10. **ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTNENACE ASSESSMENT DISTRICT, ZONES 1 - 17** – staff report

The Council considered the annual assessments for the City's Consolidate Landscape and Lighting Maintenance Assessment District, zones 1 - 17. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Members Andoe, Berry and Vice Mayor Wilcox recused themselves from this item due to possible conflicts of interest.

(The following motion included Item No. 10 and 11)

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

Adopt Resolution No. 8238 – A RESOLUTION OF THE OROVILLE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENTS REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2014/15.

The motion was passed by the following vote:

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

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

The Council considered the annual assessments for the City's Consolidate Benefit Assessment District, zones 1 - 8. **(Donald Rust, Director of Community Development**

and Rick Walls, Interim City Engineer)

Council Members Andoe, Berry and Vice Mayor Wilcox recused themselves from this item due to possible conflicts of interest.

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

Adopt Resolution No. 8239 – A RESOLUTION OF THE OROVILLE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENTS REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2014/15.

The motion was passed by the following vote:

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

12. PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN ENGINEERING FOR PUBLIC WORKS CONSTRUCTION INSPECTION SERVICES – staff report

The Council considered a Professional Services Agreement with Willdan Engineering, in an amount not to exceed $20,000, for Public Works Construction Inspection Services. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

At the request of Donald Rust, Director of Community Development, this item was pulled and may be presented at a later date therefore; no action was taken on the following:

Adopt Resolution No. 8240 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN ENGINEERING, IN AN AMOUNT NOT TO EXCEED $20,000, FOR PUBLIC WORKS CONSTRUCTION INSPECTION SERVICES – (Agreement No 3077).

13. U.S. DEPARTMENT OF JUSTICE ASSET FOREFEITURE PROGRAM EQUITABLE SHARING AGREEMENT AND CERTIFICATION – staff report

The Council considered a U.S. Department of Justice Equitable Sharing Agreement and Certification allowing the Oroville Police Department to participate in the Asset Forfeiture Program. **(Bill LaGrone, Director of Public Safety)**

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

Adopt Resolution No. 8241 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A U.S. DEPARTMENT OF JUSTICE EQUITABLE SHARING AGREEMENT AND CERTIFICATION ALLOWING THE OROVILLE POLICE DEPARTMENT TO PARTICIPATE IN THE ASSET FORFEITURE PROGRAM – (Agreement No. 3078).

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

14. AUTHORIZATION TO PREPARE AND RELEASE A REQUEST FOR PROPOSAL FOR FIRE PROTECTION SERVICES FOR THE CITY OF OROVILLE – staff report

The Council provided direction to the Director of Public Safety to prepare and release a Request for Proposal for Fire Protection Services for the City of Oroville. **(Randy Murphy, City Administrator and Bill LaGrone, Chief of Police)**

**Item No. 14 and 15 were discussed and considered together.*

Skip George, Regina Ellena, Gary Vrooman, Breck Wright, John Bruschi, David Bryning, Lee Hutchins, Bob Zollner, Darinka Carey, Ronee Wright and Raine Deigh spoke in opposition to the release of the Request for Proposals for Police and Fire Protection Services.

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

Adopt Resolution No. 8242 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SAFETY TO PREPARE AND RELEASE A REQUEST FOR PROPOSALS TO INVESTIGATE THE POSSIBILITY OF CONTRACTING WITH BUTTE COUNTY/CALFIRE, OR ANOTHER DULY AUTHORIZED FIRE SERVICE PROVIDER TO PROVIDE CITY FIRE SERVICES AND TO REPORT BACK TO THE CITY COUNCIL FOR ACTION.

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. AUTHORIZATION TO PREPARE AND RELEASE A REQUEST FOR PROPOSAL FOR LAW ENFORCEMENT SERVICES FOR THE CITY OF OROVILLE – staff report

The Council provided direction to the Director of Public Safety to prepare and release a Request for Proposal for the proposed consolidation of Police Services with the Butte County Sheriff's Department, or another duly authorized law enforcement provider. **(Randy Murphy, City Administrator and Bill LaGrone, Chief of Police)**

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

Adopt Resolution No. 8243 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SAFETY TO PREPARE AND RELEASE A REQUEST FOR PROPOSALS FOR THE PROPOSED CONSOLIDATION OF POLICE SERVICES WITH THE BUTTE COUNTY SHERIFF'S DEPARTMENT, OR OTHER DULY AUTHORIZED LAW ENFORCEMENT PROVIDER AND TO REPORT BACK TO THE CITY COUNCIL FOR ACTION.

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. **MONTHLY SUMMARY OF INVESTMENTS AND MONTHLY FINANCIAL REPORTS FOR JUNE 2014** –reports attached

The Council received and acknowledged receipt of the June 2014 Monthly Summary of Investments and Monthly Financial Reports. **(Glenn Lazof, Interim Director of Finance)**

MAYOR/ COUNCIL REPORTS

Mayor Dahlmeier appointed Council members Bunker and Pittman, to serve on the Shay Locomotive Restoration Ad hoc Committee.

Council Member Pittman, reported a site visited to the Northwest Lineman's College by PG&E President, Christopher P. Johns.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Donald Rust, Director of Community Development, reported:

- Two federal grants had been submitted and received by the Environmental Protection Agency
- Planning Commission Public hearing Scheduled for July 28, 2014 at 7:00 p.m. regarding Super Walmart Project Second Partially Recirculated Final Environmental Impact Report
- Federal Findings report relating to Oil by Rail

Jamie Hayes, Assistant City Clerk, reported that the 2014 General Municipal Election's nomination filing period would be open for interested parties to apply for one Mayor seat, three City Council seats and one Treasurer seat from July 14, 2014 through August 8, 2014.

Randy Murphy, City Administrator, addressed correspondence from 3Core regarding a California business report.

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

Vice Mayor Wilcox reported that the City-owned 1922 Buick Restoration Project had been completed, with assistance by the Friends of the Park, City of Oroville Docent Association and the Parks and Trees Department.

Marlene Del Rosario spoke in regards to the August 5, 2014 National Night Out event to be held in Sank Park between the hours of 4:00 p.m. and 9:00 p.m.

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 Fighters' 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 met with Labor Negotiators, and the 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.

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 8:25 p.m. A special meeting of the Oroville City Council will be held on Tuesday, July 25, 2014, at 2:00 p.m.

Randy Murphy, City Clerk

Linda L. Dahlmeier, Mayor