

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

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The agenda for the August 5, 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](http://www.cityoforoville.org) on Thursday, July 31, 2014, at 11:36 a.m.

The August 5, 2014 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:12 p.m.

**ROLL CALL**

Present: Council Members Andoe, Bunker, Pittman, Simpson (arrived late), Vice Mayor Wilcox, Mayor Dahlmeier  
Absent: Council Member Berry

**Staff Present:**

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Randy Murphy, City Administrator	Scott Huber, City Attorney
Allen Byers, Assistant Police Chief	Karolyn Fairbanks, City Treasurer
Donald Rust, Director of Planning & Development Services	Jamie Hayes, Assistant City Clerk
Luis Topete, Associate Planner	Glenn Lazof, Interim Director of Finance
Dean Hill, Deputy Fire Chief/Fire Marshall	Gary Layman, Chief Building Official

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**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Dahlmeier.

**PROCLAMATION / PRESENTATION**

Mayor Dahlmeier presented Joy Hudson and Peggy Ott, Volunteers in Police Services, with a Proclamation recognizing August 5, 2014 as National Night Out.

The Council observed a moment of silence in honor of City employee, Mark Conway.

**RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS**

Joe Wilson – Item No. 2	August Lincoln – Item No. 8 and 12
Eva Lincoln – Item No. 8	Toby Erickson – Item No. 11
Mike Donnelly – Item No. 11	

**CONSENT CALENDAR**

A motion was made by Council Member Bunker, seconded by Vice Mayor Wilcox, to approve the following Consent Calendar, with exception to Item No. : 2 and 5

**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. THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**

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

The Council considered 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 considered 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. THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**

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

The Council considered 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 ADDITIONAL 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.**

The motion to approve the above Consent Calendar was passed by the following vote:

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

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

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

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

This item was removed from the Consent Calendar to allow for a brief presentation by Joe Wilson, Pacific Gas & Electric Company.

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

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

The motion was passed by the following vote:

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

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

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

This item was removed from the Consent Calendar at the request of City Administrator, Randy Murphy, therefore no action was taken on the following:

**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).**

## **PUBLIC HEARING**

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

The Council conducted 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 Member Andoe and Vice Mayor Wilcox recused themselves from this item due to possible conflicts of interest.

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 Council Member Bunker, seconded by Council Member Pittman, to:

- 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.**

The motion was passed by the following vote:

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

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

The Council conducted 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 Member Andoe and Vice Mayor Wilcox recused themselves from this item due to possible conflicts of interests.

Mayor Dahlmeier opened the public hearing.

August and Eve Lincoln spoke in opposition to the annual assessments relating to the City's

Consolidated Landscape and Lighting Maintenance Assessment Districts.

Hearing no comments further or questions from the audience the public hearing was closed.

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

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.**

The motion was passed by the following vote:

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

## **REGULAR BUSINESS**

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

The Council considered 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)**

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

**Support the proposed League of California Cities' resolution relating to the environmental and public safety impacts of illegal marijuana grows.**

The motion was passed by the following vote:

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

### **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 considered 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)**

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

**Deny the request to acquire approximately 0.9 acres of real property, located along the west side of Oro Dam Boulevard and north of Bridge from the current property owner.**

The motion was passed by the following vote:

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

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

The Council received a report and considered 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)**

Toby Erickson and Mike Donnelly spoke in support of the fee waiver request relating to the STREAM Charter School, for the fees associated with a use permit.

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

- 1. Amend the permit fee to \$1,500 relating to the STREAM Charter School use permit; and**
- 2. Approve installment payments, in the amount of \$150 per month for 10 months, for the payment of the STREAM Charter School's use permit.**

The motion was passed by the following vote:

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

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

The Council considered 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)**

August Lincoln spoke in opposition to the Sewer Service charges to be levied on the 2014/15 tax roll.

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

**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.**

The motion was passed by the following vote:

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

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

The Council considered a request by the Oroville Downtown Business Association 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)**

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

**Approve the request by the Oroville Downtown Business Association 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.**

The motion was passed by the following vote:

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

**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 considered 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)**

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

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.**

The motion was passed by the following vote:

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

### **MAYOR/ COUNCIL REPORTS**

Mayor Dahlmeier, with consensus from the Council, re-appointed Council Member Pittman to serve on the Butte County Indian Gaming Local Community Benefit Committee.

Mayor Dahlmeier announced her appointment as Chairperson to the Butte Local Agency Formation Commission.

Council Member Pittman commended the Oroville Police Department, Butte County Sheriff's Office, Feather River Parks and Recreation, Recology and Catalyst for their successful clean-up of the Dog Park located in Riverbend Park.

### **CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

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

Donald Rust announced the award and funding of U.S. Environmental Protection Agency Brownsfield grant funds in the amount of \$750,000. A Request for Proposals relating to environmental site assessments and community outreach activities relating to the grant.

Mr. Rust also commended City employee, Amanda Wilkey, for her outstanding work performance.

### **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

### **RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON NON-AGENDA ITEMS**

Breck Wright, Oroville Police Officer, spoke to the Council in regards to current Police staffing levels.

Bud Tracy, Tracy Realty Company, announced the increased student capacity at the Northwest Lineman's College from 112 students to 160 students.

### **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 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 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 met 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 met with the City Administrator and the City Attorney regarding potential litigation – two cases
5. Pursuant to Government Code Section 54956.8, the Council met 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.

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 7:45 p.m. A special meeting of the Oroville City Council will be held on Tuesday, August 12, 2014, at 5:00 p.m.

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Randy Murphy, City Clerk

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Linda L. Dahlmeier, Mayor