



## OROVILLE CITY COUNCIL

Council Chambers  
1735 Montgomery Street  
Regular Meeting

**OCTOBER 21, 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 *New Business Acknowledgement* and *Welcome to Oroville* for *Miner's Alley Brewing Company*.

A *New Business Acknowledgement* and *Welcome to Oroville* for *Reclaimed Dreams*.

A *New Business Acknowledgement* and *Welcome to Oroville* for *T & C Roadside Service*.

*Certificates of Appreciation* for *Roger Barrett* and *Erik Barrett* relating to the *Restoration of the City's 1922 Buick Touring Car*.

A *Proclamation* recognizing the *Month of October 2014* as *National Bullying Prevention Month*.

A **Presentation** by the **Oroville Kiwanis Club** relating to the **Donation of Bicycle Helmets for Community Children**.

A **Presentation** by **Greg Romsdal, Graphic Packaging International and Mike Phulps, Metal Works**, relating to **Celebrating Manufacturing & Education**.

## **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 OCTOBER 7, 2014 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
2. **PROFESSIONAL SERVICES AGREEMENT WITH THE OROVILLE AREA CHAMBER OF COMMERCE** – staff report

The Council may consider a Professional Services Agreement with the Oroville Area Chamber of Commerce, in the amount of \$10,000, to provide assistance to the City for marketing and tourism related activities. **(Randy Murphy, City Administrator)**

Council Action Requested: **Adopt Resolution No. 8279– A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH THE OROVILLE AREA CHAMBER OF COMMERCE TO PROVIDE ASSISTANCE TO THE CITY FOR TOURISM RELATED ACTIVITES, IN THE AMOUNT OF \$10,000 – (Agreement No. 1412-13).**

3. **INSTALLATION OF BACK-UP GENERATOR AND PROPANE TANK FOR THE BUTTE WOODS LIFT STATION** – staff report

The Council may consider the use of approximately \$5,500 in Sewer Funds for the purchase and installation of a back-up generator and propane tank for the Butte Woods Lift Station. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Authorize the use of approximately \$5,500 in Sewer Funds for the installation and purchase of a back-up generator and propane tank for the Butte Woods Lift Station.**

4. **MUNICIPAL AUDITORIUM FEE WAIVER REQUEST FROM THE COMMUNITY ACTION AGENCY OF BUTTE COUNTY, INC.** – staff report

The Council may consider a fee waiver request from the Community Action Agency of Butte County, Inc. for use of the Municipal Auditorium on December 24, 2014 for the Annual Christmas Dinner. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Approve a 50% fee waiver in the amount of \$312.50 and collect the \$500.00**

refundable security deposit per Section 26-10.200 of the City Municipal Code.

## **PUBLIC HEARINGS**

5. **INITIATION OF PROCEEDINGS FOR THE ANNEXATION OF SOUTH OROVILLE (AREAS A & B)** – staff report

The Council may conduct a public hearing and consider the initiation of proceedings for the annexation of South Oroville, identified as Areas A & B in the “*South Oroville Areas A & B Annexation Study*”, completed by Ralph Anderson & Associates on June 27, 2014 on behalf of the City of Oroville and Butte County. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested:

1. **Adopt Resolution No. TBD – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE INITIATION OF APPLICATION BY THE CITY OF OROVILLE REQUESTING THE BUTTE COUNTY LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS FOR THE ANNEXATION OF SOUTH OROVILLE “AREA – A”; and**
  2. **Adopt Resolution No. TBD – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE INITIATION OF APPLICATION BY THE CITY OF OROVILLE REQUESTING THE BUTTE COUNTY LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS FOR THE ANNEXATION OF SOUTH OROVILLE “AREA – B”.**
- or*
3. **Adopt Resolution No. TBD – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE INITIATION OF APPLICATION BY THE CITY OF OROVILLE REQUESTING THE BUTTE COUNTY LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS FOR THE ANNEXATION OF SOUTH OROVILLE “AREAS - A & B”.**

## **REGULAR BUSINESS**

6. **SELECTION OF CHAVAN AND ASSOCIATES AS INDEPENDENT AUDITOR FOR THE CITY OF OROVILLE** – staff report

The Council may consider the selection of Chavan and Associates as the Independent Auditor for the City of Oroville. **(Randy Murphy, City Administrator and Glenn Lazof, Interim Director of Finance)**

Council Action Requested:

1. **Adopt Resolution No. 8280 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE SELECTION OF CHAVAN AND ASSOCIATES AS THE INDEPENDENT AUDITOR FOR THE CITY OF OROVILLE/OROVILLE PUBLIC FINANCING AUTHORITY/OROVILLE SUCCESSOR AGENCY AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH CHAVAN AND ASSOCIATES FOR INDEPENDENT AUDITOR SERVICES IN THE AMOUNT OF 21,900 – (Agreement No. 3090).**
  2. **Approve Supplemental Appropriation No. 2013/14-1014-XX as indicated in the October 21, 2014 staff report.**
7. **CONSTRUCTION CONTRACT WITH MIDSTATE BARRIER, INC.** – staff report

The Council may consider a Construction Contract with Midstate Barrier, Inc. in the amount of \$25,250 for the repair of damaged guardrail sections at four locations within City limits. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8281 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT WITH MIDSTATE BARRIER INC., IN THE AMOUNT OF \$25,250, AND A 10% CONTINGENCY IN THE AMOUNT OF \$2,525, FOR THE REPAIR OF METAL BEAM GUARDRAIL AT FOUR LOCATIONS WITHIN CITY LIMITS – (Agreement No. 3091).**

**8. RESOLUTIONS IN SUPPORT OF LEAGUE OF CALIFORNIA CITIES POSITION FOR FOUR PROPOSITIONS ON NOVEMBER 4, 2014 BALLOT – staff report**

The Council may consider adopting a position in alliance with the League of California Cities (League) on Propositions 1, 2, 46 and 47 on the November 4, 2014 ballot. **(Randy Murphy, City Administrator)**

Council Action Requested:

1. **Adopt Resolution No. 8282 – A RESOLUTION OF THE OROVILLE CITY COUNCIL SUPPORTING PROPOSITION 1 – WATER QUALITY, SUPPLY, AND INFRASTRUCTURE IMPROVEMENT ACT OF 2014, ON THE NOVEMBER 4, 2014 BALLOT.**
2. **Adopt Resolution No. 8283 – A RESOLUTION OF THE OROVILLE CITY COUNCIL SUPPORTING PROPOSITION 2 – RAINY DAY BUDGET STABILIZATION FUND ACT, ON THE NOVEMBER 4, 2014 BALLOT.**
3. **Adopt Resolution No. 8284 – A RESOLUTION OF THE OROVILLE CITY COUNCIL OPPOSING PROPOSITION 46: TROY AND ALANA PACK PATIENT SAFETY ACT OF 2014, ON THE NOVEMBER 4, 2014 BALLOT.**
4. **Adopt Resolution No. 8285 – A RESOLUTION OF THE OROVILLE CITY COUNCIL OPPOSING PROPOSITION 47: SAFE NEIGHBORHOODS AND SCHOOLS ACT, ON THE NOVEMBER 4, 2014 BALLOT.**

**9. PURCHASE OF ARCGIS SERVER, CITY WORKS SERVER AND TRAK-IT ARCGIS SERVER STANDARD VIEWER LICENSE – staff report**

The Council may consider the purchase of ArcGIS Server, City Works Server and a TRAK-iT ArcGIS Server Standard Viewer License, in the amount of \$27,905. **(Donald Rust, Director of Community Development and Tyson Pardee, IT Manager)**

Council Action Requested:

1. **Approve the purchase of ArcGIS Server, City Works Server and a TRAK-IT ArcGIS Server Standard Viewer License, in the amount of \$27,905.**
2. **Approve Supplemental Appropriation No. 2014/15-1021-XX as indicated in the October 21, 2014 staff report.**

**10. ESTABLISHMENT OF A NEIGHBORHOOD ADVISORY COMMITTEE – staff report**

The Council may consider the establishment of seven (7) neighborhood advisory committees that would

meet on a regular basis to discuss community/neighborhood concerns and issues with a Council member and City staff. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Provide direction as necessary.**

**11. AGREEMENT WITH TRACY & ASSOCIATES, INC. FOR THE SALE OF OROVILLE INN – staff report**

The Council may consider the sale of Assessor's Parcel Number 012-035-005-000, commonly referred to as 2060, 2066, 2066A, 2066B, 2070, 2076, and 2090 Bird Street, Oroville to Tracy & Associates, Inc. **(Randy Murphy, City Administrator and Scott Huber, City Attorney)**

Council Action Requested: **Adopt Resolution No. 8086 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT FOR THE SALE OF ASSESSOR'S PARCEL NO. 012-035-005-000, COMMONLY REFERRED TO AS 2060, 2066, 2066A, 2066B, 2060, 2070, 2076, and 2090 BIRD STREET, OROVILLE ("OROVILLE INN") TO TRACY & ASSOCIATES, INC. – (Agreement No. 3092).**

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

The Council will receive a copy of the Monthly Summary of Investments and the Monthly Financial Reports for September 2014. **(Randy Murphy, City Administrator)**

Council Action Requested: **Acknowledge receipt of the September 2014 Monthly Summary of Investments and Monthly Financial Reports.**

**SUCCESSOR AGENCY**

**13. SELECTION OF CHAVAN AND ASSOCIATES AS INDEPENDENT AUDITOR FOR THE CITY OF OROVILLE – staff report**

The Commission may consider the selection of Chavan and Associates as the Independent Auditor for the City of Oroville. **(Randy Murphy, City Administrator and Glenn Lazof, Interim Director of Finance)**

Commission Action Requested: **Approve the selection of Chavan and Associates as the Independent Auditor for the Oroville Successor Agency.**

**14. APPROVAL OF BUDGET POLICY NO. 16 – CITY OF OROVILLE BUDGET AND PURCHASING POLICY – staff report**

The Commission may consider approving Budget Policy No.16 – City of Oroville Budget and Purchasing Policy for the Oroville Public Financing Authority/Oroville Successor Agency. **(Glenn Lazof, Interim Director of Finance)**

Commission Action Requested: **Approve Budget Policy No.16 – City of Oroville Budget and Purchasing Policy.**

**MAYOR/ COUNCIL REPORTS**

**COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS** (A verbal report may be given regarding any

committee meetings attended.)

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

- Public Safety Department – activity report

### **CORRESPONDENCE**

- Butte County Mosquito & Vector Control District Quarterly Report, received October 13, 2014
- State Department of Housing & Community Development Division of Financial Assistance, received October 13, 2014
- South Feather Water and Power Agency, received October 15, 2014
- Department of Alcoholic Beverage Control, received October 15, 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 Employees' Association, Oroville Police Officers' Association, and Oroville Fire Fighters' 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 54956.8, the Council will meet with Real Property Negotiators, City Administrator and City Attorney, regarding the property identified as 2066 Bird Street, Oroville.
4. Pursuant to Government Code section 54956.9(a), the Council will meet with the City Administrator, Director of Community Development, and City Attorney relating to existing litigation: Americanwest Bank v. Oroville Economic and Community Development Corp., et al., Butte County Superior Court, Case No. 161808.
5. 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.

### **ADJOURNMENT**

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, November 4,

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.