

**CITY COUNCIL MEETING MINUTES
OCTOBER 21, 2014 – 5:00 P.M.**

The agenda for the October 21, 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, October 17, 2014, at 2:34 p.m.

The October 21, 2014 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:10 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 LaGrone, Director of Public Safety
Donald Rust, Director of Community Development
Glenn Lazof, Interim Director of Finance
Rick Walls, Interim City Engineer

Scott Huber, City Attorney
Karolyn Fairbanks, City Treasurer
Jamie Hayes, Assistant City Clerk
Luis Topete, Associate Planner
Allen Byers, Asst. Police Chief

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier, with assistance from Xavier Goeds.

PROCLAMATION / PRESENTATION

Mayor Dahlmeier presented Steve Vandervort & Connie Parks with a New Business Acknowledgement and Welcome to Oroville for Miner's Alley Brewing Company.

Mayor Dahlmeier presented Kari Wallace with a New Business Acknowledgement and Welcome to Oroville for Reclaimed Dreams.

Mayor Dahlmeier presented Terry Ray with a New Business Acknowledgement and Welcome to Oroville for T & C Roadside Service.

Mayor Dahlmeier presented Certificates of Appreciation to Roger Barrett and Erik Barrett relating to the Restoration of the City's 1922 Buick Touring Car.

Mayor Dahlmeier presented Susan Huckanen, Butte County Office of Education, with a Proclamation recognizing the Month of October 2014 as National Bullying Prevention Month.

The Oroville Kiwanis Club/Key Club members, Jasmine Saephan, Xavier Goeds and Carlos Ramirez, gave a presentation relating to the Donation of \$300 for the purchase of bicycle helmets

for community children.

Audrey Taylor, Chabin Concepts, Greg Romsdal, Graphic Packaging International, Mike Phulps, Metal Works, and Bill Gaines, Transfer Flow, gave a presentation relating to the North State Grow Manufacturing Roundtable & Expo. A special recognition was made for the Las Plumas High School Robotics Team for receiving the Best of Show Award.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Reverend Steve Terry – Item No. 4
Donna Heller – Item No. 5
David Engeldeil – Item No. 5
Tasha Levinson – Item No. 5
Shelton Chavan – Item No. 6

Tom Tenorio – Item No. 4
Tim Heller – Item No. 5
April Heller – Item No. 5
Korey Honea – Item No. 5

CONSENT CALENDAR

A motion was made by Council Member Bunker, seconded by Council Member Pittman, to approve the following Consent Calendar, with exception to Item No. 4:

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 considered 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 ACTIVITIES, 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 considered 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. THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)

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

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

The Council considered 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)**

This item was removed from the Consent Calendar at the request of Council Member Bunker for discussion.

Reverend Steve Terry, Oroville Rescue Mission, and Tom Tenorio, Community Action Agency of Butte County, Inc., spoke in support of a full fee waiver for use of the Municipal Auditorium on December 24, 2014 for the Annual Christmas Dinner.

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

Approve a 100% fee waiver for the Community Action Agency of Butte County, Inc. for use of the Municipal Auditorium on December 24, 2014 for the Annual Christmas Dinner.

The motion 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 HEARINGS

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

The Council conducted a public hearing and considered 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)

Mayor Dahlmeier opened the public hearing.

Donna Heller, Tim Heller, David Engeldeil and April Heller expressed concerns relating to the proposed annexation of South Oroville.

Tasha Levinson made a statement relating to petitioning to protest the annexation of South Oroville.

Korey Honea addressed public safety concerns relating to South Oroville.

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 Vice Mayor Wilcox, to:

1. **Adopt Resolution No. 8287 – 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. 8288 – 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”.**

The motion was passed by the following vote:

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

REGULAR BUSINESS

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

The Council considered 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)**

Shelton Chavan, Chavan and Associates, offered a brief introduction to the services offered by Chavan & Associates.

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

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. 2014/15-1014-02 as indicated in the October 21, 2014 staff report.**

The motion 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

7. CONSTRUCTION CONTRACT WITH MIDSTATE BARRIER, INC. – staff report

The Council considered 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)**

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

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).

The motion 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

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

The Council considered 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)**

A motion was made by Council Member Pittman, yet failed due to the lack of a second motion therefore; the following action was not taken:

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 considered 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)**

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

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. 2014/15-1021-03 as indicated in the October 21, 2014 staff report.**

The motion 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

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

The Council considered 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)**

Celia Hirschman spoke in support of the creation of Neighborhood Advisory Committees.

Following discussion, the Council directed staff to continue with the establishment of neighborhood advisory committees to discuss community/neighborhood concerns and issues with a Council member and City staff.

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

The Council considered 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)**

Marty Grant and Will Pagarigan spoke in support of the sale of the Oroville Inn to Tracy & Associates, Inc.

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

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, 2070, 2076, and 2090 BIRD STREET, OROVILLE ("OROVILLE INN") TO TRACY & ASSOCIATES, INC. – (Agreement No. 3092).

The motion 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

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

The Council received and acknowledged receipt of the Monthly Summary of Investments and the Monthly Financial Reports for September 2014. **(Randy Murphy, City Administrator)**

SUCCESSOR AGENCY

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

The Commission considered 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)**

A motion was made by Commissioner Bunker, seconded by Vice Chairperson Wilcox, to:

Approve the selection of Chavan and Associates as the Independent Auditor for the Oroville Successor Agency.

The motion was passed by the following vote:

Ayes: Commissioners Andoe, Berry, Bunker, Pittman, Simpson, Vice Chairperson Wilcox, Chairperson Dahlmeier
Noes: None
Abstain: None
Absent: None

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

The Commission considered 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)**

A motion was made by Commissioner Bunker, seconded by Commissioner Pittman, to:

Approve Budget Policy No.16 – City of Oroville Budget and Purchasing Policy.

The motion was passed by the following vote:

Ayes: Commissioners Andoe, Berry, Bunker, Pittman, Simpson, Vice Chairperson Wilcox, Chairperson Dahlmeier
Noes: None
Abstain: None
Absent: None

MAYOR/ COUNCIL REPORTS

Council Member Pittman reported his attendance to the Oroville Rescue Mission's Anniversary Ceremony, which was attended by several regional dignitaries as well.

Mr. Pittman also reported his attendance to the Coalition of Care Council meeting.

Mayor Dahlmeier reported her attendance to the Hmong New Year Festival, as well as Vice Mayor Wilcox and Council Member Berry.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Public Safety Department – activity report

Bill La Grone, Director of Public Safety, reported that Catalyst and Drug Endangered Children Advocacy Program is currently displaced and seeking a new location. The Council directed staff to search for a resolution to locating a new potential location within the City limits.

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

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

Council Member Bunker requested consideration for sponsorship funding of the 2015 Economic Forecast Conference.

Council Member Pittman gave a brief presentation relating to the statistics on the Ebola epidemic in Liberia and other surrounding regions.

Lori Coyell-Coleman and Max Coleman spoke to the Council in opposition of the Butte County District Attorney's findings report relating to the death of a family member.

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 Employees' Association, Oroville Police Officers' Association, and Oroville Fire Fighters' 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 54956.8, the Council met 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 met 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 met with the City Administrator and the City Attorney regarding potential litigation – two cases.

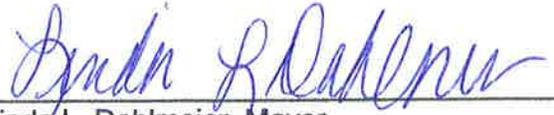
Mayor Dahlmeier announced that no reportable actions had been taken in Closed Session and direction had been given to staff.

ADJOURNMENT

The meeting was adjourned at 8:30 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, November 4, 2014, at 5:00 p.m.



Randy Murphy, City Clerk



Linda L. Dahlmeier, Mayor