



## OROVILLE CITY COUNCIL

Council Chambers  
1735 Montgomery Street  
Regular Meeting

**NOVEMBER 18, 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. 5 & 6)**

### **RECONVENE TO OPEN SESSION**

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

#### **PLEDGE OF ALLEGIANCE**

#### **PROCLAMATION / PRESENTATION**

*Oath of Office for Ruth Wright, Director of Finance.*

*Oath of Office for Shane Carpenter, Police Officer.*

*A New Business Acknowledgement and Welcome to Oroville for Great Clips.*

*A New Business Acknowledgement and Welcome to Oroville for Pro Championship Wrestling.*

*A New Business Acknowledgement and Welcome to Oroville for STREAM Charter School.*

## **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 NOVEMBER 4, 2014 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
2. **NON-FORECLOSURE OF CITY INTEREST ON PROPERTIES LOCATED AT 2732 SPENCER AVENUE AND 750 GARDELLA AVENUE** – staff report

The Council may consider the non-foreclosure of City interest on properties located at 2732 Spencer Avenue (APN 013-212-020) and 750 Gardella Avenue (APN 012-181-006), Oroville, which are not financially feasible for the City to cure the underlying first loan mortgage defaults and payoffs of the first mortgage loans. **(Randy Murphy, City Administrator and Amy Bergstrand, Management Analyst III)**

Council Action Requested: **Authorize the non-foreclosure of City loan interest on properties located at 2732 Spencer Avenue and 750 Gardella, Avenue, Oroville.**

3. **INSTALLATION OF CABLE FOR CHRISTMAS DECORATIONS** – staff report

The Council may consider a request from the Oroville Downtown Business Association for the installation of a cable for Christmas decorations at Myers Street and Montgomery Street, by City staff. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Approve the request from the Oroville Downtown Business Association for the installation of a cable for Christmas decorations at Myers Street and Montgomery Street, by City staff.**

4. **ANNUAL MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION** – staff report

The Council may consider an annual Memorandum of Understanding with the California Department of Forestry and Fire Protection (CalFire), in the amount of \$225.38 per day, for fire hazard mitigation work at various locations within the City of Oroville. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8293 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN ANNUAL MEMORANDUM OF UNDERSTANDING WITH THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION FOR FIRE HAZARD MITIGATION WORK AT VARIOUS LOCATIONS WITHIN THE CITY OF OROVILLE – (Agreement No. 3094).**

5. **ACCEPTANCE OF 2014 HOUSING RELATED PARKS PROGRAM GRANT** – staff report

The Council may consider accepting the 2014 Housing Related Parks Program Grant No. 14-HRPP-9240 and establishing the budget in the amount of \$316,700 for improvements to Oroville Municipal Auditorium.

(Randy Murphy, City Administrator and Amy Bergstrand, Management Analyst III)

Council Action Requested:

1. **Accept the 2014 Housing Related Parks Grant Agreement No. 14-HRRP-9240, in the amount of \$316,700, for improvements to the Oroville Municipal Auditorium.**
2. **Resolution No. 8294 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE APPLICATION AND CONTRACT EXECUTION OF A STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT HOUSING-RELATED PARKS PROGRAM GRANT IN THE AMOUNT OF \$316,700.**
3. **Approve Budget Adjustment No. 2014/15-1114-XX to establish a budget as indicated in the November 18, 2014 staff report.**

6. **LEEVE CERTIFICATION INVESTIGATION – staff report**

The Council may consider the use of discretionary funds to complete a Phase 2 levee investigation. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8295 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING HDR ENGINEERING TO PROCEED WITH A PHASE 2 LEEVE INVESTIGATION.**

7. **COOPERATIVE WORK AGREEMENT WITH CALTRANS – staff report**

The Council may consider a Cooperative Work Agreement with Caltrans for the Table Mountain Boulevard Roundabout Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8296 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A COOPERATIVE WORK AGREEMENT WITH CALTRANS FOR THE TABLE MOUNTAIN BOULEVARD ROUNDABOUT PROJECT – (Agreement No. 3095).**

8. **AMENDMENT TO AGREEMENT WITH NORTHWEST SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS – staff report**

The Council may consider an amendment to the Agreement with the Northwest Society for the Prevention of Cruelty to Animals (NW SPCA) relating to Animal Control and Boarding Services. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution 8297 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH THE NORTHWEST SOCIETY FOR THE PREVENTION OF CRUELTY OF ANIMALS TO INCLUDE A 3% COST INCREASE FOR FISCAL YEARS 2014/2015 AND 2015/2016- (Agreement No. 2041-1).**

9. **CONTRACT FOR SERVICES AGREEMENT WITH EVAN’S APPRAISAL SERVICES, INC. – staff report**

The Council may consider a Contract for Services Agreement with Evan’s Appraisal Services, Inc., in an amount not to exceed \$6,000, for Appraisal Services relating to four City-owned/RDA-owned properties. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Ratify the City Administrator’s execution of the Contract for Services**

**Agreement with Evan's Appraisal Services, Inc., in an amount not to exceed \$6,000, for Appraisal Services – (Agreement No. 3096).**

## **PUBLIC HEARINGS**

### **10. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME SUPPLEMENTAL APPLICATIONS – staff report**

The Council will conduct a public hearing and discuss the submittal of Community Development Block Grant Program Income Supplemental Applications associated with Grant No. 12-CDBG-8405 and 14-CDBG-9893, and provide direction to staff to indicate the priority of the proposed activities to be submitted to the State for consideration. **(Randy Murphy, City Administrator and Amy Bergstrand, Management Analyst III)**

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

## **REGULAR BUSINESS**

### **11. FEE WAIVER REQUEST BY CALVARY BAPTIST CHURCH YOUTH MINISTRIES FOR USE OF THE MUNICIPAL AUDITORIUM – staff report**

The Council may consider an appeal of the staff level denial of a facility use fee waiver request by Calvary Baptist Church Youth Ministries for use of the Municipal Auditorium for their New Year's Eve Celebration and for one Sunday evening per month for sporting events. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested:

- 1. Deny the fee waiver request by Calvary Baptist Church Youth Ministries for use of the Municipal Auditorium for their New Year's Eve Celebration and for one Sunday evening per month for sporting events; or**
- 2. Approve a maximum fee waiver of 50% of the pro-rated fees associated with the fee waiver request by Calvary Baptist Church Youth Ministries for use of the Municipal Auditorium for their New Year's Eve Celebration and for one Sunday evening per month for sporting events.**

### **12. STORMWATER MANAGEMENT ORDINANCE – staff report**

The Council will hear a presentation regarding a draft stormwater management ordinance and is asked to provide direction regarding adding Chapter 27 to the Oroville Municipal Code relating to Stormwater Management. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Provide direction to staff relating to the proposed draft stormwater management ordinance.**

### **13. REQUEST FROM A&M VAPES, INC. TO AMEND ORDINANCE NO. 1794 REGARDING ELECTRONIC CIGARETTES – staff report**

The Council may consider a request from Aaron Andrus, President and CEO of A&M Vapes, Inc. to provide feedback on Mr. Andrus' presentation to the Council on October 17, 2014, requesting an amendment to Ordinance No. 1794 for the purpose of categorizing electronic cigarettes separate from the conventional cigarettes. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

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

**SUCCESSOR AGENCY** – None

**MAYOR/ COUNCIL REPORTS**

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

- Orange Tree Apartments – Grand Opening
- Veterans Day Parade

**CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

- Housing Loan Advisory Committee Vacancy
- Park Commission Vacancy

**CORRESPONDENCE**

- Recology, received October 30, 2014
- Butte County Office of Education, received October 31, 2014
- Coldwell Banker Commercial, received November 4, 2014
- California Water Service Company, received November 4, 2014
- Mark A. Lundberg, Butte County Public Health Officer, received November 6, 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, Director of Public Safety and City Attorney to discuss labor negotiations for the following represented groups: 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 Public Safety.

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: Director of Community Development.
4. Pursuant to Government Code section 54956.9(b), the Council will meet with the City Administrator and the City Attorney regarding potential litigation – one case.

### **ADJOURNMENT**

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, December 2, 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.