

**CITY COUNCIL MEETING MINUTES
NOVEMBER 4, 2014 – 5:00 P.M.**

The agenda for the November 4, 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 Thursday, October 30, 2014, at 1:41 p.m.

The November 4, 2014 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:04 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 Community Development
Rick Farley, EZ & Business Assistance Coordinator

Scott Huber, City Attorney
Jamie Hayes, Assistant City Clerk
Allen Byers, Asst. Police Chief
Glenn Lazof, Interim Director of Finance

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Donald Rust, Director of Community Development.

PROCLAMATION / PRESENTATION

Robert Stresak, Executive Director of the Peace Officer Standards and Training Commission, presented Chief La Grone with an Executive Certificate for completion of Peace Officer Standards and Training.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Mike Phulps – Item No. 5
Don Dozier – Item No.6
Celia Hirschman – Item No. 7

John Turner – Item No. 6
Mike Hamilton – item No. 6

CONSENT CALENDAR

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

1. **APPROVAL OF THE MINUTES OF THE OCTOBER 21, 2014 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
2. **SIDE LETTER TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE POLICE OFFICERS’ ASSOCIATION - SWORN UNIT** - staff report

The Council considered a Side Letter to the Memorandum of Understanding between the City of Oroville and the Oroville Police Officers’ Association - Sworn Unit, relating to Article 13.9 – Shift Schedule and Rotation. **(Randy Murphy, City Administrator and Liz Ehrenstrom, Human Resource Analyst II)**

Council Action Requested: **Adopt Resolution No. 8289 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A SIDE LETTER TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE POLICE OFFICERS’ ASSOCIATION - SWORN UNIT – (Agreement No. 1447-10).**

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 HEARINGS - None

REGULAR BUSINESS

3. **EMPLOYMENT AGREEMENT FOR FINANCE DIRECTOR POSITION** – staff report

The Council considered an Employment Agreement between the City of Oroville and Ruth Wright for the position of for the Finance Director. **(Randy Murphy, City Administrator)**

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

1. **Approve minor amendments to the Employment Agreement with Ruth Wright relating to benefits; and**
2. **Adopt Resolution No. 8290 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND RUTH WRIGHT FOR THE POSITION OF FINANCE DIRECTOR – (Agreement No. 3093).**

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

4. AMENDMENT TO STANDARD INTERAGENCY AGREEMENT WITH REGIONAL GOVERNMENT SERVICES – staff report

The Council considered an amendment to the Standard Interagency Agreement (Agreement) with Regional Government Services (RGS), in the amount of \$43,000 for transition support and finance project management services. **(Randy Murphy, City Administrator)**

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

Adopt Resolution No. 8291 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE STANDARD INTERAGENCY AGREEMENT WITH REGIONAL GOVERNMENT SERVICES, IN THE AMOUNT OF \$43,000 FOR TRANSITION SUPPORT AND FINANCE PROJECT MANAGEMENT SERVICES, AS NEEDED – (Agreement No. 3065-1).

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

5. 15TH ANNUAL ECONOMIC FORECAST CONFERENCE SPONSORSHIP – staff report

The Council considered sponsoring the 15th Annual Economic Forecast Conference. **(Rick Farley, Enterprise Zone and Business Assistance Coordinator)**

Mike Phulps, Metal Works, spoke in support of sponsoring the 15th Annual Economic Forecast Conference.

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

Approve a \$5,000 “Silver” level sponsorship in support of the 15th Annual Economic Forecast Conference to be held January 22, 2015.

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

6. ECONOMIC DEVELOPMENT INCENTIVES – OLD HICKORY SHEDS - staff report

The Council provided staff with direction regarding potential economic development incentives for Old Hickory Sheds. **(Randy Murphy, City Administrator)**

John Turner, CEO, and Mike Hamilton Franchise Owner of Old Hickory Sheds, spoke in support of a reduction in cost recovery fees and/or potential incentives relating to the permitting process for Old Hickory Sheds.

Don Dozier spoke in opposition to the Zoning Code requirements and permitting fees.

The Council directed staff to:

1. **Amend the City’s Zoning Code No. 26-16.130(c1) – Outdoor Display & Sales, relating to height restrictions; and**
2. **Collect an Administrative Permit Fee in the amount of \$600 from Old Hickory Sheds; and**
3. **IF NECESSARY, provide a short-term loan to be paid back via the tax increment realized by the sales of the products offered.**

7. FINAL FISCAL YEAR 2014/2015 BUDGET - staff report

The Council considered adopting recommended revisions to the Fiscal Year 2015 budget. **(Randy Murphy, City Administrator and Glenn Lazof, Interim Director of Finance)**

(Note: This item required a minimum of a 5/7 vote in order to pass)

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

Adopt Resolution No. 8292 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING THE FINAL FISCAL YEAR 2014/2015 BUDGET, AS SUBMITTED ON NOVEMBER 4, 2014.

The motion failed to pass due to the following vote:

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

Celia Hirschman made a statement in regards to the City’s budget.

A motion was made by Vice Mayor Wilcox, seconded by Council Member Bunker, to:

Adopt Resolution No. 8292 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING THE FINAL FISCAL YEAR 2014/2015 BUDGET, AS SUBMITTED ON NOVEMBER 4, 2014, WITH THE EXCLUSION OF THE PROPOSED INCREASES TO THE

MAYOR/COUNCIL/TREASURER STIPEND.

The motion was passed by the following vote:

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

SUCCESSOR AGENCY

8. AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH ROSENOW SPEVACEK GROUP, INC – staff report

The Commission considered an amendment to the Professional Services Agreement with Rosenow Spevacek Group, Inc., for an amount not to exceed \$15,000, for technical services relating to the implementation of AB1x 26 and AB 1484. **(Rick Farley, Enterprise Zone and Business Assistance Coordinator)**

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

Adopt Resolution No. 14-06 – A RESOLUTION OF THE SUCESSOR AGENCY OF THE FORMER OROVILLE REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE AUTHORIZING AND DIRECTING THE CHAIRPERSON TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH ROSENOW SPEVACEK GROUP, INC., IN AN AMOUNT NOT TO EXCEED \$15000, TO PROVIDE TECHNICAL SERVICES FOR IMPLEMENTATING AB1X 26 AND AB 1484 – (Agreement No. 12-01-02).

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

MAYOR/ COUNCIL REPORTS - None

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Finance Department – activity report

Donald Rust, Director of Community Development, reported that a public hearing would be held by Butte Local Agency Formation Commission (LAFCo) on Thursday, November 6, 2014 relating to the City’s Sphere of Influence.

In addition, Mr. Rust also reported that the Orange Tree Apartments had been issued a Certificate of Occupancy, with 31 units filled and an additional 18 units to be filled in the near future. A Grand

Opening will be held on Monday, November 17, 2014.

City Administrator, Randy Murphy, advised the Council of the 2015 Employee Recognition Luncheon, to be held on Friday, December 5, 2014. The Council confirmed the closing of City Hall between the hours of 11:30 am – 1:30 pm in observance of the event.

CORRESPONDENCE

- Downtown Oroville Riverfront District, received October 17, 2014
- Freda Flint, received October 22, 2014
- California Health Collaborative, receive October 23, 2014
- American Lung Association, received October 30, 2014

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

Breck Wright, Police Officer, announced the 2015 “Shop with a Cop” Program, to be held on Wednesday, December 10, 2014. The Program aspires to offer approximately 100 local economically disadvantaged students an opportunity to shop for themselves and family member for the holiday season. Donations may be provided to the Oroville Police Officers’ Association.

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 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 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: Assistant City Administrator.
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 8:11 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, November 18, 2014, at 5:00 p.m.

Randy Murphy, City Clerk

Linda L. Dahlmeier, Mayor