



## OROVILLE CITY COUNCIL

Council Chambers  
1735 Montgomery Street  
Regular Meeting

**DECEMBER 2, 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”*

---

### **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 Presentation by *Union Pacific* relating to the *Oil by Rail Project*.

#### **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 18, 2014 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

2. **LEASE AGREEMENT WITH CATALYST DOMESTIC VIOLENCE SERVICES** – staff report

The Council may consider a Lease Agreement with Catalyst Domestic Violence Services to utilize a portion of the Centennial Cultural Center located at 1931 Arlin Rhine Memorial Drive, Oroville, for approximately six (6) months. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution No. 8298 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH CATALYST DOMESTIC VIOLENCE SERVICES FOR RENT OF OFFICE SPACE AT THE CENTENNIAL CULTURAL CENTER LOCATED AT 1931 ARLIN RHINE MEMORIAL DRIVE, OROVILLE – (Agreement No. 3097).**

3. **SIDE LETTER TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE POLICE OFFICERS’ ASSOCIATION – NON-SWORN UNIT** – staff report

The Council may consider a Side Letter to the Memorandum of Understanding (MOU) between the City of Oroville and the Oroville Police Officers’ Association – Non-Sworn Unit (OPOA-NSU), relating to Article 7.2 – Shift Schedule and Rotation. **(Randy Murphy, City Administrator and Liz Ehrenstrom, Human Resource Analyst II)**

Council Action Requested: **Adopt Resolution No. 8299 - 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 – NON SWORN UNIT – (Agreement No. 1448-8).**

4. **MADAM RUBY’S USE PERMIT PAYMENT PLAN REQUEST** – staff report

The Council may consider a request from Madam Ruby, located at 1751 Oro Dam Boulevard, Suite No. 7, for a monthly payment plan for the processing of a use permit. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Adopt Resolution No. 8300 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING A USE PERMIT PAYMENT PLAN FOR THE BUSINESS IDENTIFIED AS “MADAM RUBY” LOCATED AT 1751 ORO DAM BOULEVARD, SUITE NO. 7 (APN: 035-050-051).**

5. **PURCHASE OF A SOLAR INVERTER FOR THE CITY HALL SOLAR SYSTEM** – staff report

The Council may consider the purchase of a solar inverter for the City Hall solar system from the lowest responsible bidder, Alameda Electric, in the amount of \$21,447. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

1. **Authorize the purchase of a solar inverter from Alameda Electrical Distributors, in an amount not to exceed \$21,446.25.**

2. **Authorize a transfer from Contingency to Supplemental Adjustment No. 2014/151202-XX.**

6. **FEDERAL AVIATION ADMINISTRATION LAND USE CHANGE AUTHORIZATION – staff report**

The Council may consider a Land Use Change Authorization with the Federal Aviation Administration for the Oroville Municipal Airport. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8301– A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A LAND USE CHANGE AUTHORIZATION WITH THE FEDERAL AVIATION ADMINISTRATION FOR THE OROVILLE MUNICIPAL AIRPORT.**

7. **AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH REINARD W. BRANDLEY – staff report**

The Council may consider an Amendment to the Professional Services Agreement with Reinard W. Brandley, in the amount of \$4,667, for engineering services relating to the Oroville Municipal Airport. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8302 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH REINARD W. BRANDLEY, IN THE AMOUNT OF \$4,667, FOR THE PREPARATION OF A CATEGORICAL EXCLUSION FOR THE RUNWAY 2 PAPI AND RUNWAY K PROJECTS AT THE OROVILLE MUNICIPAL AIRPORT – (Agreement No 2006-10).**

8. **AMENDMENT TO AIRPORT GROUND LEASE WITH ROGER M. GRUBBS – staff report**

The Council may consider a 10-year extension to the Airport Ground Lease with Roger M. Grubbs. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8303 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A TEN YEAR EXTENSION OF THE AIRPORT GROUND LEASE AGREEMENT WITH ROGER M. GRUBBS – (Agreement No. 1351-2).**

9. **FUND BALANCE POLICY IN ACCORDANCE WITH GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB) STATEMENT NO. 54 – staff report**

The Council may consider formally adopting the Fund Balance Policy which defines the fund balance categories in accordance with Government Accounting Standards Board (GASB) Statement No. 54. **(Randy Murphy, City Administrator and Ruth Wright, Director of Finance)**

Council Action Requested: **Adopt Resolution No. 8304 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING THE FUND BALANCE POLICY.**

10. **REVISIONS AND ADOPTION OF OROVILLE FIRE DEPARTMENT’S MANUAL POLICY NO. 1615 – APPARATUS STAFFING – staff report**

The Council may consider the revision and adoption of the Oroville Fire Department’s Manual Policy No. 1615 relating to Apparatus Staffing. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution No. 8305 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE REVISIONS TO THE OROVILLE FIRE DEPARTMENT’S POLICY NO. 1615 AND ADOPTING THE POLICY AS PART OF THE OFFICIAL OROVILLE FIRE DEPARTMENT POLICY MANUAL.**

**PUBLIC HEARINGS** - None

**REGULAR BUSINESS**

11. **REVISIONS AND ADOPTION OF THE OROVILLE FIRE DEPARTMENT POLICY NO. 1655 – TRAINING BENCHMARKS AND POLICY NO. 1670 – LIEUTENANT CLASSIFICATION** – staff report

The Council may consider the revisions and adoption of the Oroville Fire Department Manual Policy No. 1655 – Training Benchmarks and Policy No. 1670 – Lieutenant Classification. **(Bill La Grone, Director of Public Safety)**

Council Action Requested:

1. **Adopt Resolution No. 8306 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE REVISIONS TO THE OROVILLE FIRE DEPARTMENT'S MANUAL POLICY NO. 1655 – TRAINING BENCHMARKS AND POLICY NO. 1670 – LIEUTENANT CLASSIFICATION AND ADOPTING THE POLICIES AS PART OF THE OFFICIAL OROVILLE FIRE DEPARTMENT POLICY MANUAL; and**
2. **Direct staff to negotiate necessary changes to the Memorandum of Understanding between the City of Oroville and the Oroville Fire Fighters' Association regarding the Oroville Fire Department Manual Policy No. 1655 – Training Benchmarks and Policy No. 1670 – Lieutenant Classification.**

12. **RECOMMENDED REVISION TO CITY RESERVE POLICY, INCREASING THE FEE WAIVER RESERVE** – staff report

The Council may consider adopting the proposed Reserve Policy, increasing the Fee Waiver Reserve. **(Randy Murphy, City Administrator, Ruth Wright, Director of Finance and Glenn Lazof, Finance Project Manager)**

Council Action Requested: **Adopt Resolution No. 8307 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING THE RECOMMENDED REVISION TO CITY RESERVE POLICY, INCREASING THE FEE WAIVER RESERVE.**

13. **COST RECOVERY FOR EMERGENCY MEDICAL RESPONSE** – staff report

The Council may consider providing direction to staff regarding the drafting of an ordinance regarding excessive or abusive use of the Emergency Medical System. **(Bill La Grone, Director of Public Safety)**

Council Action Requested:

1. **Provide direction to staff relating to the proposed Cost recovery Ordinance; and.**
2. **Direct staff to continue to monitor for any potential cost recovery protocols; and**
3. **Direct staff to continue to participate in the Butte County Fire ALS Committee.**

14. **CAMPING AND STORAGE OF PERSONAL PROPERTY IN PUBLIC AREAS – PROPOSED ORDINANCE** – staff report

The Council will hear a presentation regarding a request from several Council Members related to camping and storage of personal property in public areas. **(Scott Huber, City Attorney)**

Council Action Requested: **Provide direction to staff related to a proposed ordinance relating to camping and storage of personal property in public areas.**

**15. STIPEND INCREASE - CITY COUNCIL, MAYOR, AND TREASURER STIPENDS** – staff report

The Council/Commission may consider adopting recommended revisions to Fiscal Year 2015 budget relating to City Council, Mayor, and Treasurer Stipends. **(Randy Murphy, City Administrator, Ruth Wright, Director of Finance and Glenn Lazof, Finance Project Manager)**

Council Action Requested:

1. **Option A - Take no action, leaving City Council, Mayor, and Treasurer Stipends at their current level; or**
2. **Option B (Requires a super majority) - Approve monthly Stipends as follows: Mayor \$500, City Council and Treasurer \$400, effective December 2014; and**
3. **Approve Supplemental Adjustment No. 2014/15-1202-XX; or**
4. **Option C (Requires a simple majority) - Direct staff to reflect an increase in monthly Stipends as follows Mayor \$500, City Council and Treasurer \$400, effective July 2015, in the 2015 - 2016 adopted budget.**

**16. STRUCTURE OF THE OROVILLE FIRE DEPARTMENT** – staff report

The Council may consider making the Battalion Chief position within the Fire Department permanent. **(Bill La Grone, Director of Public Safety)**

Council Action Requested:

1. **Adopt Resolution No. 8308 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE RESTRUCTING OF THE FIRE DEPARTMENT TO INCLUDE TWO BATTALION CHIEFS AND ADOPT THE SALARY SCHEDULE OF THE POLICE LIEUTENANT AS THE SALARY SCHEDULE FOR FIRE BATTALION CHIEFS; and**
2. **Approve Budget Adjustment No. 2014/15-1202-XX as indicated in the December 2, 2014 staff report.**

**17. MONTHLY SUMMARY OF INVESTMENTS AND MONTHLY FINANCIAL REPORTS FOR OCTOBER 2014** – reports attached

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

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

**MAYOR/ COUNCIL REPORTS**

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

- Sewerage Commission – Oroville Region
- Butte County Association of Governments

## **CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

**CORRESPONDENCE** - None

## **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 and Oroville Fire Fighters' Association.
2. 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.
3. 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.
4. Pursuant to Government Code section 54956.9(b), the Council will meet with the City Administrator and the City Attorney regarding potential litigation – three cases.
5. Pursuant to Government Code section 54956.95, the Council will meet with City Administrator, City Attorney and Human Resource Officer relating to Worker's Compensation Case No. TBD.

## **ADJOURNMENT**

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, December 16, 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.