

**CITY COUNCIL MEETING MINUTES
DECEMBER 2, 2014 – 5:00 P.M.**

The agenda for the December 2, 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 Wednesday, November 26, 2014, at 3:21 p.m.

The December 2, 2014 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:05 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	Scott Huber, City Attorney
Bill La Grone, Director of Public Safety	Jamie Hayes, Assistant City Clerk
Donald Rust, Director of Community Development	Ruth Wright, Director of Finance
Luis Topete, Associate Planner	Allen Byers, Assistant Police Chief
Karolyn Fairbanks, Treasurer	Liz Ehrenstrom, Human Resource Analyst III
Dean Hill, Jr., Assistant Fire Chief	

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier, with assistance from her Granddaughter, Alijah Lopez.

PROCLAMATION / PRESENTATION

Liisa Stark, Union Pacific Railroad Director of Public Affairs, gave a presentation relating to Transporting Crude Oil by Rail.

Ken Sweet expressed concerns relating to transporting crude oil by rail through the Feather River Canyon.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Skip George – Item No. 10

Allen Young – Item No. 15

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. 10:

- 1. **APPROVAL OF THE MINUTES OF THE NOVEMBER 18, 2014 REGULAR MEETING OF THE OROVILLE CITY COUNCIL – minutes attached**

Deleted: SEPTEMBER 16
Deleted: AND SEPTEMBER 23, 2014 SPECIAL MEETING

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

The Council considered 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).**

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- 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 considered 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)

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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).**

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

The Council considered 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 considered 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. 2014/15-1202-05.**

6. FEDERAL AVIATION ADMINISTRATION LAND USE CHANGE AUTHORIZATION – [staff report](#)

The Council considered 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.**

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7. AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH REINARD W. BRANDLEY – [staff report](#)

The Council considered 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).**

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8. AMENDMENT TO AIRPORT GROUND LEASE WITH ROGER M. GRUBBS – [staff report](#)

The Council considered 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)**

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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).**

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

The Council considered 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. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**

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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

10. **[REVISIONS AND ADOPTION OF OROVILLE FIRE DEPARTMENT'S MANUAL POLICY NO. 1615 – APPARATUS STAFFING – \[staff report\]\(#\)](#)**

The Council considered 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)

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This item was removed from the Consent Calendar for the inclusion of a discussion with Item No. 10, 11 and 16.

Skip George, President of the Oroville Fire Fighters' Association (OFFA), confirmed the OFFA's concurrence with revisions to the Oroville Fire Department Policy Manual Policies 1615 – Apparatus Staffing, 1655 – Training Benchmarks and 1670 – Lieutenant Classification, as well as the establishment of two Battalion Chiefs.

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

1. **[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; and](#)**

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2. **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**
3. **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; and**
4. **Adopt Resolution No. 8308 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE RESTRUCTURING 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**
5. **Approve Budget Adjustment No. 2014/15-1202-06 as indicated in the December 2, 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

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 considered 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)**

**This item was discussed and decided consecutively with Item No. 10.*

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 considered 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)**

Comment [GL1]: I can't see how this impacts the OPFA or Successor Agency as this revision only impacts the use of General Fund Balance.

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

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

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

13. COST RECOVERY FOR EMERGENCY MEDICAL RESPONSE – staff report

The Council considered 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)**

Following discussion, the Council directed staff to:

1. **Work with Butte County Emergency Medical Service for any potential cost recovery strategies; and**
2. **Continue to participate in the Butte County Fire Advanced Life Support Committee.**
3. **Prepare an ordinance relating to the potential cost recovery for the abuse of Emergency Medical Services.**

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

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

Following discussion, the Council directed staff to:

1. **Continue to enforce Police patrols throughout the community parks.**
 2. **Utilize Assembly Bill 109 – Public Safety Realignment funding to create a pilot program to offset the impacts of homelessness by guiding individuals to local resources, such as homeless shelters and day programs.**
 3. **Utilize Code the Enforcement Division to enforce local ordinances to increase an enforcement presence within the community parks.**
15. **STIPEND INCREASE - CITY COUNCIL, MAYOR, AND TREASURER STIPENDS** – staff report

The Council considered 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)**

Allen Young spoke in support of stipend increases for the Mayor, Council Members, and Treasurer.

Following discussion, a motion was made by Council Member Simpson, seconded by Council Member Bunker, 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.

The motion was passed by the following vote:

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

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

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

**This item was discussed and decided consecutively with Item No. 10.*

1. **Adopt Resolution No. 8308 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE RESTRUCTURING 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. 2014/15-1202-03 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 received a copy of the Monthly Summary of Investments and the Monthly Financial Reports for October 2014. **(Randy Murphy, City Administrator)**

The Council acknowledged receipt of the October 2014 Monthly Summary of Investments and Monthly Financial Reports.

MAYOR/ COUNCIL REPORTS

Vice Mayor Wilcox reported that the Chinese Temple Complex had recently been featured in the Sacramento Bee.

Council Member Bunker reported that the Oroville Economic Development Corporation would be hosting a Christmas Social at the Bird Street Café on December 10, 2014.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Ruth Wright, Director of Finance, reported that a Request for Proposals was currently open regarding Integrated Financial Accounting Software.

Bill La Grone, Director of Public Safety, reported that City Fire Department personnel were attending a Union Pacific Railroad sponsored training relating to disaster mitigation.

City Administrator, Randy Murphy, reported a Caltrans alert relating to deer season.

UPCOMING EVENTS

- December 5, 2014 – Christmas Tree Lighting
- December 13, 2014 – Christmas Light Parade

CORRESPONDENCE - None

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

The following individuals spoke in opposition to the removal of Sycamore Trees located on Feather River Boulevard:

Ken Sweet	Dennis Norton	Alan Cartwright
Celia Hirschman	Kent Fowler	Bill Bynum

Joe Wilson, PG&E Representative, participated in the discussion of the removal of trees. Following discussion, an Ad-hoc Committee was appointed comprised of Council Member Berry

and Council Member Bunker, to review the proposed removal of trees. A report relating to this issue will be heard at the December 6, 2014 regular City Council meeting.

Laura Coleman and Hersh Ray Coleman spoke to the Council in regards to the death of their son, Victor Coleman.

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

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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 9:18 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, December 16, 2014, at 5:00 p.m.

Randy Murphy, City Clerk

Thil Wilcox, Vice Mayor