

**CITY COUNCIL MEETING MINUTES
DECEMBER 16, 2014 – 5:00 P.M.**

The agenda for the December 16, 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, December 12, 2014, at 2:30 p.m.

The December 16, 2014 regular meeting of the Oroville City Council was called to order by Vice Mayor Wilcox at 5:09 p.m.

ROLL CALL

Present: Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox
Absent: Mayor Dahlmeier (excused)

Staff Present:

Randy Murphy, City Administrator
Bill La Grone, Director of Public Safety
Donald Rust, Director of Community Development
Luis Topete, Associate Planner
Karolyn Fairbanks, Treasurer
Dean Hill, Jr., Assistant Fire Chief

Scott Huber, City Attorney
Jamie Hayes, Assistant City Clerk
Ruth Wright, Director of Finance
Allen Byers, Assistant Police Chief
Glenn Lazof, Finance Project Manager

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by members of the Oroville Boxing Club.

PROCLAMATION / PRESENTATION

Joe Wilson, Pacific Gas & Electric Company Government Relations Representative, gave a presentation relating to their Pipeline Safety Program.

The following individuals spoke in opposition to PG&E removing Sycamore trees along Feather River Boulevard:

Duane Jones	Jill Allen	Bill Bynum	Mark Brackett
Sue Gunn	Gloria Rutenschror	Dennis Rutenschror	Greta Howard
Danile Ballard	Dawn Garcia	Allen Young	Tasha Levinson
Kirk Draper	Linda Draper	Leslie Kuykendall	Mathew Trum
Alan Carwright	Celia Hirschman	Placiolo Torres	Starr Sullens
Theresa Horton	Marlee Braxton		

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Steve Horn – Item No. 10

CONSENT CALENDAR

A motion was made by Council Member Pittman, seconded by Council Member Bunker, to approve the following Consent Calendar, with exception to Item No. 5, 6 and 8:

1. **APPROVAL OF THE MINUTES OF THE DECEMBER 2, 2014 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

2. **ENVIRONMENTALLY PREFERABLE PURCHASING AND PRACTICES POLICY** – staff report

The Council considered an Environmentally Preferable Purchasing and Practices Policy. **(Randy Murphy, City Administrator)**

Council Action Requested: **Adopt Resolution No. 8309 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING THE ENVIRONMENTALLY PREFERABLE PURCHASING AND PRACTICES POLICY.**

3. **RATIFICATION OF THE TIRE-DERIVED PRODUCT GRANT APPLICATION** – staff report

The Council considered ratifying the submission of a Tire-Derived Product Grant Application to CalRecycle on December 3, 2014 in the amount of \$36,000. **(Randy Murphy, City Administrator)**

Council Action Requested: **Adopt Resolution No. 8310 – A RESOLUTION OF THE OROVILLE CITY COUNCIL RATIFYING ALL DOCUMENTS RELATING TO THE FISCAL YEAR 2014-2015 TIRE-DERIVED PRODUCT GRANT.**

4. **AMENDMENT TO AIRPORT GROUND LEASE WITH PAUL SATUR** – staff report

The Council considered a Amendment to the Airport Ground Lease Agreement with Paul Satur, Trustee of the Paul Satur Revocable Trust, reassigning the Lease to Priss Harman. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8311 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AIRPORT GROUND LEASE AGREEMENT WITH PAUL SATUR, TRUSTEE OF THE PAUL SATUR REVOCABLE TRUST, REASSIGNING THE LEASE TO PRISS HARMAN – (Agreement No. 1746-2).**

5. **THIS ITEM WAS REMOVED FROM THE CONSENT AGENDA (SEE BELOW)**

6. **THIS ITEM WAS REMOVED FROM THE CONSENT AGENDA (SEE BELOW)**

7. **INVESTMENT POLICY ADOPTION FOR 2015** – staff report

The Council considered adopting the 2015 Investment Policy for the City of Oroville. **(Karolyn Fairbanks, City Treasurer)**

Council Action Requested: **Adopt Resolution No. 8312 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE ADOPTION OF THE 2015 INVESTMENT POLICY FOR THE CITY OF OROVILLE.**

8. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**

9. **AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH QUALITY CODE PUBLISHING** – staff report

The Council considered an Amendment to the Professional Services Agreement with Quality Code Publishing to provide codification services relating to the City's Municipal Code, in an amount not to exceed \$15,550. **(Randy Murphy, City Administrator and Jamie Hayes, Assistant City Clerk)**

Council Action Requested: **Adopt Resolution No. 8313 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH QUALITY CODE PUBLISHING TO PROVIDE CODIFICATION SERVICES RELATING TO THE CITY'S MUNICIPAL CODE, IN AN AMOUNT NOT TO EXCEED \$15,550 – (Agreement No. 3027-1).**

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
Noes:	None
Abstain:	None
Absent:	Mayor Dahlmeier

ITEMS REMOVED FROM THE CONSENT CALENDAR

5. **UPDATE TO THE CITY OF OROVILLE'S MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE** – staff report

The Council received information regarding the approval by the Butte Local Agency Formation Commission of the City of Oroville's updated Municipal Service Review and Sphere of Influence. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

At the request of Council Member Andoe and Council Member Bunker, this item was removed from the Consent Calendar for questions, which were answered by staff.

6. **TIME EXTENSION OF THE INTERIM NEGOTIATION PERIOD OF THE MASTER LEASE AGREEMENT FOR THE OPERATION, MAINTENANCE AND MANAGEMENT OF THE OROVILLE STATE THEATRE**– staff report

The Council received a report regarding the need for a time extension to complete negotiations with the State Theatre Arts Guild, Inc. to take over the operation, maintenance and management of the Oroville State Theatre. **(Donald Rust, Director of Community Development)**

At the request of Council Member Bunker, this item was removed from the Consent Calendar for questions, which were answered by staff.

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

Direct staff to continue to negotiate the Final Master Lease Agreement with the State Theatre Arts Guild, Inc. for the operation, maintenance and management of the Oroville State Theatre.

The motion was passed by the following vote:

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

8. DECLARATION AND DISPOSAL/DONATION OF SURPLUS PROPERTY – staff report

The Council considered the declaration and disposal/donation of items listed on the Surplus Property List. **(Randy Murphy, City Administrator and Tyson Pardee, IT Manager)**

At the request of Council Member Bunker, this item was removed from the Consent Calendar for questions, which were answered by staff.

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

Declare the items listed as surplus and authorize that the items be added to the Surplus Property List and donated or disposed of.

The motion was passed by the following vote:

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

PUBLIC HEARINGS - None

REGULAR BUSINESS

10. REQUEST FROM COMPREHENSIVE MANAGEMENT, INC. TO PURCHASE CITY-OWNED PROPERTY FOR THE DEVELOPMENT OF A PARKING LOT – staff report

The Council considered a request from Dr. Steven H. Horn to purchase a City-owned property, identified as APN: 012-160-055, for the development of a parking lot to service his existing business, Comprehensive Management, Inc. located at 1877 Myers Street. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Applicant, Dr. Steven H. Horn, answered questions pertaining to the development of a parking lot to service his existing business, Comprehensive Management, Inc. located at 1877 Myers Street.

Following discussion, the Council directed staff to continue to work with the Applicant on the potential purchase of City-owned property, identified as APN: 012-160-055, for the development of a parking lot to service his existing business, Comprehensive Management, Inc.

11. OUTDOOR BOAT STORAGE LAND USE ENTITLEMENT AND PAYMENT PLAN – staff report

The Council provided staff with direction regarding a required land use entitlement for the outdoor storage of boats at 2319 W. Lincoln Street (APN 012-230-012) and consider a payment plan for the processing of a use permit. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

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

1. **Require the Applicant to abide with the use permit approval process for the intended land use of outdoor boat storage per Oroville Municipal Code section 26-16.140(B); and**
2. **Adopt Resolution No. 8314 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING A USE PERMIT PAYMENT PLAN FOR THE BUSINESS IDENTIFIED AS “PRECISION CRAFT BOATWORKS” LOCATED AT 2139 W. LINCOLN STREET.**

The motion was passed by the following vote:

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

12. PURCHASE OF NEW POLICE VEHICLES, FIRE VEHICLE AND PUBLIC WORKS VEHICLES – staff report

The Council considered the purchase of (12) 2015 Ford Police Interceptor Utility vehicles, (1) 2015 Ford F350 Fire vehicle, (1) 2015 Ford F150 Public Works vehicle, and (2) 2015 Ford F350 Parks and Trees Dump Trucks from Oroville Ford. **(Bill La Grone, Director of Public Safety and Donald Rust, Director of Community Development)**

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

Council Member Bunker, to:

1. **Authorize the Public Safety Department to purchase of (13) Police/Fire vehicles from Oroville Ford utilizing State Contract pricing and authorize the “piggy back” purchase of emergency equipment and installation from Lehr Auto Electric and Emergency Equipment utilizing the City of Woodland’s Purchase Agreement, pursuant to Government Code section 54205.**
2. **Authorize the Public Works Department purchase of (3) Public Works vehicles from Oroville Ford utilizing State Contract pricing.**
3. **Authorize the City Purchasing Officer to dispose of vehicles which may be surpluses following the purchase of said vehicles.**
4. **Authorize the Finance Director to adjust affected budgets, as necessary.**

The motion was passed by the following vote:

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

13. MONTHLY SUMMARY OF INVESTMENTS AND MONTHLY FINANCIAL REPORTS FOR NOVEMBER 2014 – reports attached

The Council receive and acknowledged receipt of the Monthly Summary of Investments and the Monthly Financial Reports for November 2014. **(Ruth Wright, Director of Finance)**

SUCCESSOR AGENCY

14. ADOPTION OF REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN – staff report

The Commission considered the revised Long-Range Property Management Plan, which includes four additional properties, pursuant to Health and Safety Code section 34191.5 for the liquidation of non-housing physical property assets of the former Oroville Redevelopment Agency. **(Rick Farley, RDA Coordinator)**

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

Adopt Resolution No. 14-07 – A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE REVISED LONG-RANGE PROPERTY MANAGEMENT PLAN PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.5.

The motion was passed by the following vote:

Ayes: Commissioners Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox
Noes: None
Abstain: None

Absent: Chairperson Dahlmeier

15. BOND EXPENDITURE AGREEMENT BETWEEN THE CITY OF OROVILLE AND THE OROVILLE SUCCESSOR AGENCY FOR THE USE OF EXCESS BOND PROCEEDS- staff report

The Council/Commission considered a Bond Expenditure Agreement between the City of Oroville and the Oroville Successor Agency for the transfer of approximately \$3,368,183 of excess bond proceeds to the City of Oroville for implementation of projects consistent with the original bond covenants. **(Rick Farley, RDA Coordinator)**

A motion was made by Commissioner/Council Member Bunker, seconded by Commissioner/Council Member Berry, to:

1. **Adopt Resolution No. 8315 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE BOND EXPENDITURE AGREEMENT BETWEEN THE CITY OF OROVILLE AND THE OROVILLE SUCCESSOR AGENCY – (Agreement No. 3099).**
2. **Adopt Resolution No. 14-08 – A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE AUTHORIZING AND DIRECTING THE CHAIRPERSON TO EXECUTE THE BOND EXPENDITURE AGREEMENT BETWEEN THE OROVILLE SUCCESSOR AGENCY AND THE CITY OF OROVILLE– (Agreement No. 14-01).**

The motion was passed by the following vote:

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

16. PROCEEDINGS FOR REFUNDING CERTAIN TAX ALLOCATION BONDS – staff report

The Commission considered the issuance of bonds in order to refund the former Redevelopment Agency's 2002 Loan Obligation, 2004A Loan Obligation and 2004B Loan Obligation, approving the execution and delivery of an indenture of trust, and authorizing certain other actions in connection therewith. **(Rick Farley, RDA Coordinator)**

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

Adopt Resolution No. 14-09 – A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY TO THE FORMER OROVILLE REDEVELOPMENT AGENCY AUTHORIZING THE ISSUANCE AND SALE OF TAX ALLOCATION REFUNDING BONDS, AND APPROVING THE FORM OF AN INDENTURE OF TRUST AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

The motion was passed by the following vote:

Ayes: Commissioners Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox
Noes: None

Abstain: None
Absent: Chairperson Dahlmeier

MAYOR/ COUNCIL REPORTS

Council Member Pittman gave a brief update on a recent study conducted by the Japanese Government relating to the impacts of vaporizing (e-cigarettes).

Council Member Simpson commended Laurie Sousa and the Kiwanis Club for their participation in the Fire Hydrant Painting Project.

Council Member Pittman commended the City staff for completing the City Park Trail Clean-Up Project.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Finance Department – activity report
- Public Safety Department – activity report

Director of Public Safety, Bill La Grone, commended Assistant Fire Chief, Dean Hill, Jr. for assisting community businesses during the recent winter storms.

City Attorney, Scott E. Huber, gave a brief report on the City's compliance with SB 7 (Steiberg) relating to the Labor Code and Public Works.

UPCOMING EVENTS

Oroville Economic Development Corporation (OEDCo) Annual Awards Dinner – March 5, 2015

CORRESPONDENCE

- Department of Housing & Community Development, received December 1, 2014
- Comcast, received December 4, 2014
- Pacific Gas & Electric Company, received December 8, 2014
- Butte County Department of Public Health, received December 10, 2014

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON NON-AGENDA ITEMS - None

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: Public Safety Director.
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: Community Development Director.
4. 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.
5. 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: Raymond Redwine v. Gil Zarate, Butte County Superior Court, Case No. 163119.
6. Pursuant to Government Code section 54956.9(b), the Council met with the City Administrator and the City Attorney regarding potential litigation – three cases.

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

ADJOURNMENT

The meeting was adjourned at 8:57 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, January 6, 2015, at 7:00 p.m.

Randy Murphy, City Clerk

Linda L. Dahlmeier, Mayor