



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Regular Meeting

FEBRUARY 17, 2015
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 Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier

CONVENE TO CLOSED SESSION (ITEMS LISTED ON PAGE NO. 6 AND 7)

RECONVENE TO OPEN SESSION

OPEN SESSION (6:00 P.M.)

PLEDGE OF ALLEGIANCE

PROCLAMATION / PRESENTATION - None

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 FEBRUARY 3, 2015 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
2. **AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH R. L. HASTINGS & ASSOCIATES, LLC.** – staff report

The Council may consider an Amendment to the Professional Services Agreement with Roy L. Hastings & Associates, LLC, relating to Labor Standards Monitoring Services for the Chinese Temple Museum Project, extending the term of the Agreement through February 19, 2016. **(Randy Murphy, City Administrator and Amy Bergstrand, Management Analyst III)**

Council Action Requested: **Adopt Resolution No. 8326 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH ROY L. HASTINGS AND ASSOCIATES, LLC, EXTENDING THE TERM OF THE AGREEMENT THROUGH FEBRUARY 19, 2016, FOR LABOR STANDARDS MONITORING SERVICES RELATING TO THE REPAIRS AND UPGRADES TO THE CHINESE TEMPLE MUSEUM – (Agreement No. 3004-1).**

3. **NON-FORECLOSURE OF CITY-OWNED PROPERTIES** – staff report

The Council may consider the non-foreclosure of City interest on properties located at 3354 Argonaut Avenue (APN 033-481-015), 3463 Morningside Drive (APN 068-310-014) and 2795 Montgomery Street (APN 013-032-006), Oroville, which are not financially feasible for the City to cure the underlying first loan mortgage defaults and payoff 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 the properties located at 3354 Argonaut Avenue (APN 033-481-015), 3463 Morningside Drive (APN 068-310-014) and 2795 Montgomery Street (APN 013-032-006), Oroville.**

4. **AMENDMENT TO AGREEMENT WITH FEATHER RIVER RECREATION AND PARK DISTRICT** – staff report

The Council may consider an Amendment to the Agreement with Feather River Recreation and Park District (FRRPD) relating to the Supplemental Benefits Fund grant to FRRPD for Environmental and Design Elements of a portion of the Brad Freeman Trail. **(Randy Murphy, City Administrator and Bob Marciniak SBF Program Specialist)**

Council Action Requested: **Adopt Resolution No. 8327 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF OROVILLE AS FUND ADMINISTRATOR OF THE SUPPLEMENTAL BENEFITS FUND AND FEATHER RIVER RECREATION AND PARK DISTRICT, EXTENDING THE TERM OF THE AGREEMENT TO APRIL 1, 2016 – (Agreement No. 3058-1).**

PUBLIC HEARINGS

5. **AGREEMENT WITH BUTTE COUNTY FOR COLLECTION OF DEVELOPMENT IMPACT FEES OF JAIL FACILITIES** – staff report

The Council will conduct a public hearing and may consider an Agreement with Butte County for collection of the County's existing Jail Facility Development Impact Fee on behalf of the County for new residential construction within the City limits. **(Randy Murphy, City Administrator)**

Council Action Requested:

1. **Adopt Resolution No. 8328 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE COUNTY OF BUTTE FOR THE COLLECTION OF DEVELOPMENT IMPACT FEES WITHIN THE INCORPORATED AREA OF THE CITY OF OROVILLE FOR JAIL FACILITIES – (Agreement No. 3104).**
2. **Adopt Resolution No. 8329 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING A 10% ADMINISTRATIVE FEE RELATED TO THE COLLECTION OF BUTTE COUNTY DEVELOPMENT IMPACT FEES FOR ITS JAIL FACILITIES.**

REGULAR BUSINESS

6. **CITY PARTICIPATION IN WORK EXPERIENCE (WEX) AND SKILLS TRAINING AND EMPLOYMENT PROGRAM (STEP) – staff report**

The Council will receive information and a presentation regarding the City's participation in Work Experience (WEX) and Skills Training and Employment Program (STEP) programs and may consider additional direction to staff. **(Randy Murphy, City Administrator and Liz Ehrenstrom, Human Resource Analyst II)**

Council Action Requested: **Provide additional direction to staff regarding continued participation in the Work Experience and Skills Training and Employment Program programs.**

7. **CREATION OF AN ECONOMIC DEVELOPMENT PARTNERSHIP FOR BETTERMENT OF THE GREATER OROVILLE AREA – staff report**

The Council may consider providing funds to create a Value Proposition to be used in conjunction with Oroville Economic Alliance's (OEA) marketing efforts in order to be better prepared for the opportunities that will result from those efforts. **(Randy Murphy, City Administrator)**

Council Action Requested:

1. **Direct staff to continue to participate and cooperate with the local manufacturing economic development partners; *and***
2. **Authorize the expenditure of up to \$50,000, payable to Oroville Economic Development Corporation, Inc., in order to sponsor the creation of a Value Proposition for the greater Oroville Area; *or***
3. **Direct staff to include the expenditure in the fiscal year 2015/16 budget; *or***
4. **Direct staff, as necessary.**

8. **UTILITY AGREEMENT WITH THERMALITO WATER AND SEWER DISTRICT – staff report**

The Council may consider a Utility Agreement with Thermalito Water and Sewer District, relating to the City's Table Mountain Boulevard Roundabout Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8330 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A UTILITY AGREEMENT WITH THE THERMALITO WATER AND SEWER DISTRICT RELATING TO THE CITY’S TABLE MOUNTAIN BOULEVARD ROUNDABOUT PROJECT - (Agreement No. 3105).**

9. 2120 BIRD STREET UNDERGROUND STORAGE TANK ENVIRONMENTAL INVESTIGATION – staff report

The Council may consider authoring funds for the completion of an underground storage tank environmental investigation at 2120 Bird Street, Oroville. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

- 1. Authorize staff to prepare and issue a Request for Bids for the completion of an underground storage tank environmental investigation at 2120 Bird Street, Oroville.**
- 2. Provide direction to staff regarding the sharing of environmental investigation cost with the property owner of 2120 Bird Street, Oroville.**

10. AMENDMENT TO AIRPORT GROUND LEASE AGREEMENT WITH BUTTE COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT – staff report

The Council may consider an Amendment to the Airport Ground Lease Agreement with the Butte County Mosquito and Vector Control District (District). **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

- 1. Approve a rental option for the Butte County Mosquito and Vector Control District’s Amended Airport Ground Lease Agreement, as indicated in this staff report, dated February 17, 2015; and**
- 2. Adopt Resolution No. 8331 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AIRPORT GROUND LEASE AGREEMENT WITH THE BUTTE COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT - (Agreement No. 3106).**

11. FUNDING REQUEST FOR FEATHER FIESTA DAYS BY UPSTATE COMMUNITY ENHANCEMENT FOUNDATION ON BEHALF OF THE FEATHER FIESTA DAYS COMMITTEE – staff report

The Council may consider a funding request from the Upstate Community Enhancement Foundation, on behalf of the Feather Fiesta Days Committee, in the amount of \$2,000, for media support of the annual Feather Fiesta Days, to be held May 9, 2015. **(Randy Murphy, City Administrator)**

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

12. ASSISTANCE REQUEST BY FEATHER RIVER SENIOR CITIZEN’S ASSOCIATION – staff report (Continued from the February 3, 2015 regular City Council agenda)

The Council may provide direction to staff regarding providing potential assistance to the Feather River Senior Citizen’s Association, in the amount of \$2,646, for their recent building reroofing project located at 1335 Myers Street. **(Randy Murphy, City Administrator)**

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

13. PURCHASE OF NEW CITY STREET SWEEPER – staff report

The Council may consider the purchase of a new City street sweeper from Municipal Maintenance Equipment, utilizing the competitive bid program through HGACBuy. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Authorize the purchase of a 2015 Schwarze street sweeper, from Municipal Maintenance Equipment, utilizing the competitive bid program through HGACBuy, for an amount not to exceed \$262,179, plus a 10% contingency and approve the adjustments to the 2014 - 2015 budget, as indicated in the February 17, 2015 staff report.**

14. REVIEW OF COUNCIL POLICY FOR PLACING ITEMS ON THE CITY COUNCIL AGENDA – staff report

The Council may consider Amendments to a Council Policy for placing items on the City Council Agenda. **(Scott Huber, City Attorney)**

Council Action Requested: **Adopt modifications to the Council Policy, or direct staff, as necessary.**

15. MONTHLY SUMMARY OF INVESTMENTS AND MONTHLY FINANCIAL REPORTS FOR JANUARY 2015 – reports attached

The Council will receive a copy of the Monthly Summary of Investments and the Monthly Financial Reports for January 2015. **(Ruth Wright, Director of Finance)**

Council Action Requested: **Acknowledge receipt of the January 2015 Monthly Summary of Investments and Monthly Financial Reports.**

SUCCESSOR AGENCY

16. ADOPTION OF THE JULY THROUGH DECEMBER 2015 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 15-16A) AND THE SUCCESSOR AGENCY ADMINISTRATIVE BUDGET – staff report

The Successor Agency may consider approving the Recognized Obligation Payment Schedule (ROPS 15-16A) for the July 1, 2015 – December 31, 2015 time period, as well as the Successor Agency Administrative Budget. **(Rick Farley, RDA Coordinator)**

Commission Action Requested:

- 1. Adopt Resolution No. 15-02 - A RESOLUTION OF THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE JULY THROUGH DECEMBER 2015 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 15-16A) PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 (m).**
- 2. Adopt Resolution No. 15-03 - A RESOLUTION OF THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE JULY 1, 2015 THROUGH JUNE 30, 2016 ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 (j).**

MAYOR/ COUNCIL REPORTS

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

Executive Committee Report

Chamber of Commerce

Supplemental Benefits Fund Steering Committee

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Public Safety Department – activity report

CORRESPONDENCE

- Phil Moret, received January 29, 2015
- Pacific Gas & Electric Company, received February 2, 2015
- Butte County Tobacco Prevention Coalition, received February 4, 2015
- California Water Service Company, received February 4, 2015

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(b), the Council will meet with Labor Negotiators and City Attorney to consider the evaluation of performance related to the following position: Director of Community Development.
2. Pursuant to Government Code Section 54957(b), the Council will meet with Labor Negotiators and City Attorney to consider the evaluation of performance related to the following position: Public Safety Director.
3. Pursuant to Government Code Section 54957(b), the Council will meet with Labor Negotiators and City Attorney to consider the evaluation of performance related to the following position: City Administrator.
4. 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.

5. 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.
6. Pursuant to Government Code section 54956.9(a), the Council will meet with the City Administrator, Director of Community Development, Chief of Police, and the City Attorney relating to existing litigation: Pacific Gas and Electric Company v. Save Oroville Trees, et al., Butte County Superior Court, Case No. 163598, and consolidated actions.
7. Pursuant to Government Code section 54956.9(a), the Council will meet with the City Administrator, and the City Attorney relating to existing litigation: Diane MacMillan v. City of Oroville, et al., Butte County Superior Court, Case No. 163806.
8. Pursuant to Government Code section 54956.9(d), the Council will meet with the City Administrator and the City Attorney regarding potential litigation – three cases.

ADJOURNMENT

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, March 3, 2015 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.