

**CITY COUNCIL MEETING MINUTES
FEBRUARY 3, 2015 – 5:00 P.M.**

The agenda for the February 3, 2015 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, January 30, 2015, at 5:00 p.m.

The February 3, 2015 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:04 p.m.

ROLL CALL

Present: Council Members Berry, Del Rosario, Hatley, 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
Allen Byers, Assistant Police Chief
Dean Hill, Jr., Assistant Fire Chief

Scott Huber, City Attorney
Jamie Hayes, Assistant City Clerk
Ruth Wright, Director of Finance
Karolyn Fairbanks, Treasurer

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Girl Scout Troop 70251 including, Lily Kingsbury, Avielle Worden, Libeay Durbin, Jaidyn Gramps, Taylor Jones and Sydney Edwards.

PROCLAMATION / PRESENTATION

Mayor Dahlmeier conducted an Oath of Office for Reserve Police Officer Marnie Gedney. Police Chief Bill La Grone presented Officer Gedney with a Police badge.

Mayor Dahlmeier presented Allysa Cozine, Catalyst Domestic Violence Services, with a Proclamation recognizing February 2015 as Teen Dating Violence Awareness Month.

Jamie Hayes, Assistant City Clerk, gave a presentation relating to the City Clerk's Office.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Mary Cirnigliaro – Item No. 7

CONSENT CALENDAR

A motion was made by Vice Mayor Wilcox, seconded by Council Member Hatley, to approve the following Consent Calendar, with exception to Item No. 2:

1. **APPROVAL OF THE MINUTES OF THE JANUARY 20, 2015 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
2. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
3. **AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT AND REVISED BUDGET WITH PLACEWORKS** – staff report

The Council considered an Amendment to the Professional Services Agreement with PlaceWorks, formerly The Planning Center DC&E, in the amount of \$2,717, for a representative to be present at a public workshop to give a presentation to the City Council and Planning Commission on the Sustainable Code Updates. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested:

1. **Adopt Resolution No. 8324 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH PLACEWORKS, FOR AN ADDITIONAL AMOUNT OF \$2,717, RELATING TO A PUBLIC WORKSHOP PRESENTATION REGARDING SUSTAINABLE CODE UPDATES – (Agreement No. 3019-3); and**
2. **Direct staff to reflect any necessary changes to the 2014/15 Final Budget.**

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

ITEMS REMOVED FROM THE CONSENT CALENDAR

2. **REQUEST FOR USE OF THE POLICE K-9 TRAINING FIELD** – staff report

The Council considered a request by Tiffany Thompson-Damm to access the City's Police K-9 training field at the Table Mountain Golf Course in exchange for in-kind services of maintenance and repair to the field and its equipment. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

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

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

Member Simpson, to:

Authorize Tiffany Thompson-Damm to access the City's Police K-9 training field for one (1) year in exchange for in-kind services of maintenance and repairs to the field and equipment.

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor
Wilcox, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

PUBLIC HEARINGS

4. STORMWATER MANAGEMENT ORDINANCE – staff report

The Council conducted a public hearing and considered a draft Stormwater Management Ordinance regarding the addition of Chapter 27 to the Oroville Municipal Code relating to Stormwater Management. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Mayor Dahlmeier opened the public hearing. Hearing no comments or questions from the audience, the public hearing was closed.

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

Waive the first reading and introduce by title only, Ordinance No. 1807 – AN ORDINANCE OF THE OROVILLE CITY COUNCIL ADDING CHAPTER 27 TO THE MUNICIPAL CODE OF THE CITY OF OROVILLE RELATING TO STORMWATER MANAGEMENT.

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor
Wilcox, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

REGULAR BUSINESS

5. APPOINTMENT TO THE CITY OF OROVILLE'S ARTS COMMISSION – staff report

The Council may consider appointing a Greater Oroville area resident to the City of Oroville's Arts Commission to fill the vacancy created by former Commissioner Monikah Niemczynowicz. **(Randy Murphy, City Administrator and Jamie Hayes, Assistant City Clerk)**

At the request of staff, this item was continued to the March 3, 2015 regular City Council meeting therefore, no action was taken on the following:

Council Action Requested: **Select an appointment to serve on the City of Oroville's Arts Commission for the remainder of former Commissioner Niemczynowicz's term, ending June 30, 2017.**

6. FEE WAIVER REQUEST BY BUTTE COUNTY – staff report

The Council considered a fee waiver request by Butte County, in the amount of \$3,600, relating to a right-of-entry for the installation of a fiber optic communication line at the Butte County Hall of Records Construction Project, located on the corner of Nelson Avenue and Del Oro Avenue. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Following discussion, Council directed staff to return with additional information relating to the the installation of a fiber optic communication line at the Butte County Hall of Records Construction Project, located on the corner of Nelson Avenue and Del Oro Avenue.

7. DONATION REQUEST BY FEATHER RIVER SENIOR CITIZEN'S ASSOCIATION – staff report

The Council provided staff with direction regarding a potential donation 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)**

Mary Cirnigliaro, Feather River Senior Citizen's Association Manager, answered questions pertaining to the recent building reroofing project.

Following discussion, Council directed staff to continue this item to the February 17, 2015 regular City Council meeting for further consideration.

8. SAMUEL J. NORRIS AWARD FOR EXCELLENCE – staff report

The Council provided staff with direction on the criteria and location relating to the 2015 Samuel J. Norris Award for Excellence. **(Randy Murphy, City Administrator)**

Following discussion, Council directed staff to limit the retention of nominations to two years and to continue searching for a venue in which to present the annual 2015 Samuel J. Norris Award for Excellence.

9. WORKSHOP FOR OROVILLE SUSTAINABILITY UPDATES – staff report

The Council considered directing staff on a time and date to have a joint public workshop between the City Council and Planning Commission for an overview on multiple documents collectively referred to as the "Sustainability Code Updates" which both bodies will be reviewing for a decision within the next two months. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Following discussion, Council directed staff to coordinate with the Planning Commission on

a time and date to hold a joint public workshop for an overview on multiple documents collectively referred to as the "Sustainability Code Updates".

10. CHANGE ORDER FOR PURCHASE OF NEW POLICE VEHICLES, FIRE VEHICLE, AND PUBLIC WORKS VEHICLES – staff report

The Council considered a change order, in the amount of \$2,585.99, for the vehicle purchase of (1) 2015 Ford F350 Fire vehicle, and (2) 2015 Ford F350 Parks and Trees Dump trucks from Oroville Ford. **(Bill La Grone, Director of Public Safety, Donald Rust, Director of Community Development and Ruth Wright, Director of Finance)**

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

Approve the additional expenditures of \$2,585.99 relating to the vehicle purchase of (1) 2015 Ford F350 Fire vehicle, and (2) 2015 Ford F350 Parks and Trees Dump trucks from Oroville Ford.

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

11. ESTABLISHMENT OF ALL CITY OF OROVILLE DEPARTMENT'S TO PARTICIPATE IN THE FEDERAL/STATE SURPLUS PROPERTY PROGRAM – staff report

The Council considered the establishment of all City of Oroville Department's to participate in the Federal/State Surplus Property Program. **(Donald Rust, Director of Community Development)**

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

Adopt Resolution No. 8325 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING ALL CITY OF OROVILLE DEPARTMENT'S TO PARTICIPATE IN THE FEDERAL/STATE SURPLUS PROPERTY PROGRAM – (Agreement No. 3103).

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

SUCCESSOR AGENCY

12. 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., in an amount not to exceed \$6,500, for administrative and technical services related to the completion of the Housing Element Annual Report for years 2013 and 2014, as well as additional reporting required pursuant to SB 341 – Health and Safety Code 34176.1(f). **(Randy Murphy, City Administrator and Amy Bergstrand, Management Analyst III)**

A motion was made by Commissioner Pittman, seconded by Commissioner Simpson, to:

Adopt Resolution No. 15-01 – A RESOLUTION OF THE SUCCESSOR 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 \$6,500, TO PROVIDE ADMINISTRATIVE AND TECHNICAL SERVICES RELATED TO COMPLETING THE 2013 AND 2014 HOUSING ELEMENT ANNUAL REPORT AND IMPLEMENTATION OF SB 341 – (Agreement No. 12-01-03).

The motion was passed by the following vote:

Ayes:	Commissioners Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Chairperson Wilcox, Chairperson Dahlmeier
Noes:	None
Abstain:	None
Absent:	None

MAYOR/ COUNCIL REPORTS

Council Member Pittman reported his attendance to the Sustainable Groundwater Management Act Workshop and the Butte County Continuum of Care Council meeting.

Vice Mayor Wilcox reported her attendance to the 2015 City Docent Recognition Dinner.

Vice Mayor Wilcox also acknowledged the correspondence letter from the State of California Office of Historic Preservation, relating to the Chinese Temple Museum Complex.

Council Member Hatley made a request for items to be considered at the February 17, 2015 regular City Council meeting.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Director of Public Safety, Bill La Grone, reported that an Annexation meeting would be conducted by Butte County on February 5, 2015

Director of Community Development, Donald Rust, reported that an Annexation meeting would be conducted by Butte County on February 5, 2015 to discuss the City's annexation of South Oroville. In addition, Mr. Rust also announced an Economic Planning and Development Award relating to the Oroville Arts, Culture & Entertainment District from the American Planning Association.

Director of Finance, Ruth Wright gave an update to the City's Credit Card Program and the Accounting Software demonstrations.

City Administrator, Randy Murphy, reported his attendance to the League of California Cities Conference held in San Francisco, CA. Mr. Murphy also reported that the Butte County Selection Committee would be potentially appointing two members to the Airport Land Use Commission on March 12, 2015.

Mr. Murphy made a request for the Council to consider an Ad hoc committee relating to the review of the City Charter.

CORRESPONDENCE

- Butte County Mosquito & Vector Control District, received January 20, 2015
- State of California Office of Historic Preservation, received January 27, 2015
- Housing Authority of the County of Butte, received January 26, 2015

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

Shawn Webber spoke to the Council in regards to the Hope Center volunteering their services to clean-up Hewitt Park.

The following individuals spoke in opposition to the removal of trees along Feather River Boulevard by Pacific Gas & Electric Company:

Bill Williams
Rob Romaguera
Judith Elia
Bill Bynum

Shawn Webber
Marsha Henderson
Alan Cartwright
Gary Sims

Linda Draper
Don Fultz
Kevin Thompson
Greta Howard

CLOSED SESSION

The Council held a Closed Session on the following:

Council Member Berry recused himself from Item No. 3.

Council Member Del Rosario recused herself from Item No. 4.

1. Pursuant to Government Code Section 54957(b), the Council met with Labor Negotiators and City Attorney to consider the evaluation of performance related to the following position: City Administrator.
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(a), the Council met 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.
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 9:22 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, February 17, 2015, at 5:00 p.m.



Randy Murphy, City Clerk



Linda L. Dahlmeier, Mayor