



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Regular Meeting

MARCH 3, 2015
CLOSED SESSION 5:00 P.M.
OPEN SESSION 6:00 P.M.
AMENDED 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. 8 and 9)

RECONVENE TO OPEN SESSION

OPEN SESSION (6:00 P.M.)

PLEDGE OF ALLEGIANCE

PROCLAMATION / PRESENTATION

Proclamation recognizing *March 16th – 22nd, 2015* as *Old Time Fiddle Week*.

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 17, 2015 REGULAR MEETING AND FEBRUARY 23, 2015 SPECIAL MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

2. **LOANING OF A PIONEER MUSEUM ARTIFACT** – staff report

The Council may consider a Loan Agreement with Lee Dummel, a local “Old West” historian, for the loaning of the “Wells Fargo Strongbox” artifact in full compliance with the City’s Museum and Cultural Facilities Policy and Procedure No. 36, “Artifact Loans to Other Institutions”. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Direct staff to prepare a Loan Agreement between Mr. Lee Dummel and the Oroville Park Commission for the loaning of the “Wells Fargo Strongbox” artifact in full compliance with the City’s Museum and Cultural Facilities Policy and Procedure No. 36, “Artifact Loans to Other Institutions”.**

3. **FEE WAIVER REQUEST BY THE OROVILLE BRANCH OF THE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN** – staff report

The Council may consider a full fee waiver request, in the amount of \$250, by the American Association of University Women for use of the Lott Home at Sank Park for their annual Tech Trek picnic, scheduled for May 15, 2015 between the hours of 4:00 pm – 9:00 pm. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Per the City’s Facility and Park Fee Waiver Policy, deny the full fee waiver request and approve a 50% waiver, in the amount of \$125, for use of the Lott Home at Sank Park by the American Association of University Women’s for their annual Tech Trek picnic, scheduled for May 15, 2015.**

4. **NEW DONATIONS TO THE CHINESE TEMPLE AND MUSEUM COMPLEX** – staff report

The Council may consider the receipt of new donations to the Chinese Temple and Museum Complex. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Per the Park Commission’s recommendation, accept the new donations to the Chinese Temple and Museum Complex.**

5. **PARTICIPATION IN THE BLUE STAR MUSEUM PROGRAM** – staff report

The Council may consider participating in the Blue Star Museum Program. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Per the Park Commission’s recommendation, approve the City’s participation in the Blue Star Museum Program as a public benefit to honor military personnel and their families.**

6. **FUNDING REQUEST FROM FRIENDS OF THE PARKS** – staff report

The Council may consider a funding request, in the amount of \$700, from Friends of the Parks to help fund the final repair needed to complete the upholstery for the 1922 Buick. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Approve the Friends of the Parks funding request, in the amount of \$700, for the completion of the 1922 Buick upholstery project.**

7. AGREEMENT WITH HOF BRAU RESTAURANT – staff report

The Council may consider an Agreement with Hof Brau Restaurant for the preparation of sack meals for on-duty Fire personnel who are actively fighting fires. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution No. 8332 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH HOF BRAU RESTAURANT FOR THE PREPARATION OF SACK MEALS FOR ON-DUTY FIRE PERSONNEL WHO ARE ACTIVELY FIGHTING FIRES – (Agreement No. 3107).**

8. MEMORANDUM OF UNDERSTANDING BETWEEN 9TH RECONNAISSANCE WING BEALE AIR FORCE BASE – staff report

The Council may consider a Memorandum of Understanding between the 9th Reconnaissance Wing Beale Air Force and the Oroville Police Department relating to the Oroville NEXRAD site. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution No. 8333 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SAFETY TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE 9TH RECONNAISSANCE WING BEALE AIR FORCE BASE AND THE OROVILLE POLICE DEPARTMENT RELATING TO THE OROVILLE NEXRAD SITE – (Agreement No. 3108).**

9. FEE WAIVER REQUEST BY THE OROVILLE DOWNTOWN BUSINESS ASSOCIATION – staff report

The Council may consider a fee waiver request, in the amount of \$606.32, by the Oroville Downtown Business Association for the fees associated with the issuance of an administrative permit for the operation of a farmers market in Historic Downtown Oroville. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Per the City's Facility and Park Fee Waiver Policy, deny the full fee waiver request by the Oroville Downtown Business Association and approve a 50% waiver, in the amount of \$303.16, for the operation of a farmers market in Historic Downtown Oroville.**

10. STORMWATER MANAGEMENT ORDINANCE – staff report

The Council may consider the adoption of a 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)**

Council Action Requested: **Waive the second reading and adopt 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.**

11. PURCHASE OF TASERS AND UTILIZATION OF TASER ASSURANCE PLAN – staff report

The Council may consider the purchase of twenty-four (24) Tasers, from the sole source provider, Taser International, and the Taser Assurance Plan for the Police Department Tasers which would maintain and replace Tasers at the end of their lifecycle. . **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Authorize the purchase of twenty-four (24) Tasers, from the sole source provider, Taser International, and the Taser Assurance Plan for the Police Department.**

12. AMENDMENT TO FUNDING AGREEMENT WITH THE DEPARTMENT OF WATER RESOURCES – staff report

The Council may consider an Amendment to the Funding Agreement with the Department of Water Resources relating to the City's Levee Supplemental Investigation Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8334 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE FUNDING AGREEMENT WITH THE DEPARTMENT OF WATER RESOURCES RELATING TO THE CITY'S SUPPLEMENTAL LEVEE INVESTIGATION - (Agreement No. 2010-1).**

13. AMENDMENT TO STANDARD INTERAGENCY AGREEMENT WITH REGIONAL GOVERNMENT SERVICES – staff report

The Council may consider an Amendment to the Standard Interagency Agreement (Agreement) with Regional Government Services (RGS), in the amount of \$25,500, as needed for Finance Project Management. **(Randy Murphy, City Administrator and Ruth Wright, Director of Finance)**

Council Action Requested: **Adopt Resolution No. 8335– A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE STANDARD INTERAGENCY AGREEMENT WITH REGIONAL GOVERNMENT SERVICES, IN THE AMOUNT OF \$25,500 FOR FINANCE PROJECT MANAGEMENT, AS NEEDED – (Agreement No. 3065-2).**

14. AMENDMENT TO THE LOCAL AGENCY INVESTMENT FUND INVESTMENT RESOLUTION – staff report

The Council may consider an Amendment to the Investment Resolution with the Local Agency Investment Fund for the City of Oroville. **(Karolyn J. Fairbanks, City Treasurer)**

Council Action Requested: **Adopt Resolution No. 8336 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND FOR THE CITY OF OROVILLE.**

15. THERMALITO WATER AND SEWER DISTRICT EAST TRUNK LINE PROJECT – staff report

The Council may consider an update to the cost sharing arrangements for the Thermalito Water and Sewer District's (TWSD) East Trunk Line Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

1. **Authorize monthly payments to TWSD in the amount of \$10,577.26 beginning February 2015; and**
2. **Authorize monthly payments to TWSD in the amount of \$21,280.21 beginning May 2015 and ending January 2016; and**
3. **Authorize monthly payments to TWSD in the amount of \$15,028.81 beginning February 2016 and ending June 2016. Monthly payments beyond FY 2015 – 2016 will be budgeted on an annual basis.**

16. SUPPLEMENTAL BENEFITS FUND AGREEMENTS WITH RECIPIENTS OF THE 2014 NOTICE OF FUNDS AVAILABLE – staff report

The Council, serving as the Supplemental Benefits Fund (SBF) Administrator, may consider approving Agreements with the three recipients of the 2014 SBF Notice of Funds Available. **(Randy Murphy, City Administrator and Bob Marciniak, SBF Program Specialist)**

Council Action Requested:

1. **Adopt Resolution No. 8337 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF OROVILLE, AS FUND ADMINISTRATOR OF THE SUPPLEMENTAL BENEFITS FUND, AND FEATHER RIVER RECREATION AND PARKS DISTRICT, IN THE AMOUNT OF \$20,000 FOR ENVIRONMENTAL STUDY EXPENSES RELATED TO A PORTION OF THE BRAD FREEMAN TRAIL - (Agreement No. 3109).**
2. **Adopt Resolution No. 8338 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF OROVILLE, AS FUND ADMINISTRATOR OF THE SUPPLEMENTAL BENEFITS FUND, AND THE FOREBAY AQUATIC CENTER/FEATHER RIVER ROWING CLUB IN THE AMOUNT OF \$54,000 FOR FUNDING AN EVENT COORDINATOR(S) AND RELATED OFFICE EXPENSES - (Agreement No. 3110).**
3. **Adopt Resolution No. 8339 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF OROVILLE, AS FUND ADMINISTRATOR OF THE SUPPLEMENTAL BENEFITS FUND, AND THE OROVILLE VETERANS' MEMORIAL PARK, IN THE AMOUNT OF \$37,000 FOR FUNDING A PORTION OF THE FLAGPOLE MONUMENT PROJECT - (Agreement No. 3111).**

PUBLIC HEARINGS - None

REGULAR BUSINESS

17. CREATION OF AN ECONOMIC DEVELOPMENT PARTNERSHIP FOR THE BETTERMENT OF THE GREATER OROVILLE AREA (CONTINUED FROM FEBRUARY 17, 2015) – staff report

The Council may consider providing funds to create a Value Proposition to be used in conjunction with Oroville Economic Alliance's 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 partner with the local manufacturing economic development partners, and commit \$20,000 from the Community Promotion Fund; or**
2. **Direct staff to continue to participate and partner with the local manufacturing economic development partners, and commit \$20,000 from the Contingency Fund; or**
3. **Do not commit any more resources to this endeavor.**

18. AGREEMENT WITH BUTTE COUNTY FOR COLLECTION OF DEVELOPMENT IMPACT FEES FOR JAIL FACILITIES – staff report *(Continued from February 17, 2015)*

The Council may consider an Agreement with Butte County for collection of the County's existing Jail Facility Development Impact Fee (Jail DIF) 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.**

19. APPOINTMENT TO THE CITY OF OROVILLE ARTS COMMISSION – staff report

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

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.**

20. REVIEW OF ESTIMATED COSTS FOR CONTRACTING POLICE AND FIRE SERVICES – staff report

The Council will hear a presentation regarding the responses to the request for cost estimates from the Butte County Sheriff's Office and Butte County – Cal Fire for Police and Fire Services and other potential solutions to fund and staff the Public Safety Department. The Council may provide direction to the Public Safety Director as to which alternative to pursue. **(Bill La Grone, Director of Public Safety)**

Council Action Requested:

1. **Direct the Public Safety Director to pursue contract negotiations with Butte County Cal Fire for Fire Protection Services; and/or**
2. **Direct the Public Safety Director to pursue contract negotiations with the Butte County Sheriff's Office for Law Enforcement Services for the City of Oroville; or**
3. **Direct staff to initiate a Public Safety Sales Tax initiative, as a special election as soon as practicable; or**
4. **Direct staff to initiate the Public Safety Sales Tax Initiative, including the retention of a consultant in order to include a Public Safety Sales Tax Initiative as part of the 2016 General Municipal Election process.**

21. PURCHASE OF A CITY STREET SWEEPER – staff report *(Continued from February 17, 2015)*

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:

1. **Do not approve the purchase of a new City street sweeper or alternative bid process; or**
2. **Authorize staff to prepare a purchase order to purchase a 2015 Schwarze street sweeper for a price not to exceed \$246,743 using available financing through a leasing agent, and acceptance of use of Houston-Galveston Area Council HGACBuy alternative bid process. Financing option would be over a 5 year repayment plan; or**
3. **Authorize staff to prepare a purchase order to purchase a 2015 Schwarze street sweeper for a price not to exceed \$246,743 by authorizing an interfund loan to and necessary budget adjustment to the General Fund from the Sewer Fund, and acceptance of use of Houston-Galveston Area Council HGACBuy alternative bid process. This self-financing option would save the City approximately \$20,000 in interest costs. Self-financing option would be over a 5 year repayment plan; or**
4. **Direct staff, as necessary.**

22. CONSIDERATION OF A CITY SITTING, LAYING AND CAMPING ORDINANCE – staff report

The Council may consider restrictions on camping and blocking public rights of way in the City of Oroville. **(Bill La Grone, Director of Public Safety)**

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

***24. CONSIDERATION OF HERITAGE TREE ORDINANCE – staff report**

The Council may consider a proposed heritage tree ordinance for adoption to the Oroville Municipal Code. **(Randy Murphy, City Administrator and Scott Huber, City Attorney)**

*Amendment added to the City Council Agenda on February 27, 2015.

Council Action Requested: **Provide direction to staff.**

SUCCESSOR AGENCY

23. PRELIMINARY OFFICIAL STATEMENT, REFUNDING OF REDEVELOPMENT AGENCY BONDS – staff report

The Commission will consider approving the attached Preliminary Official Statement for the upcoming bond refunding. **(Ruth Wright, Director of Finance_**

Commission Action Requested: **Adopt Resolution No. 15-04 – A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER OROVILLE REDEVELOPMENT AGENCY APPROVING THE FORM OF THE PRELIMINARY OFFICAL STATEMENT TO DEEM IT FINAL UNDER RULE 15C2-12 AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH.**

MAYOR/ COUNCIL REPORTS

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

- Committee Appointments

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

CORRESPONDENCE

- Comcast, received February 24, 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, Oroville Police Officers' Association – Sworn and Non-Sworn, Oroville Management and Confidential 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, 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.

6. 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.
7. Pursuant to Government Code section 54956.9(d), the Council will meet with the City Administrator and the City Attorney regarding potential litigation – one case.

ADJOURNMENT

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, March 17, 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.