

**CITY COUNCIL MEETING MINUTES  
FEBRUARY 17, 2015 – 5:00 P.M.**

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The agenda for the February 17, 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](http://www.cityoforoville.org) on Friday, February 13, 2015, at 3:51 p.m.

The February 17, 2015 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:05 p.m.

**ROLL CALL**

Present: Council Members Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor Wilcox (arrived late), Mayor Dahlmeier

Absent: None

**Staff Present:**

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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  
Amy Bergstrand, Management Analyst III  
Liz Ehrenstrom, Human Resource Analyst II

Scott Huber, City Attorney  
Jamie Hayes, Assistant City Clerk  
Ruth Wright, Director of Finance  
Karolyn Fairbanks, Treasurer  
Rick Farley, RDA Coordinator  
Rick Walls, Interim City Engineer

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**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Dahlmeier.

**PROCLAMATION / PRESENTATION** - None

**RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS**

Korey Honea – Item No. 5  
Ashley Finkenkiller – Item No. 6  
Cecelia Carmona – Item No. 6  
Cheri Bunker – Item No. 7  
Matt Ball – Item No. 10

Jennifer McCarthy – Item No. 5, 7  
Jodi Hunsperger – Item No. 6  
Don Overschlek – Item No. 6  
Mike Phulps – Item No. 7

**CONSENT CALENDAR**

A motion was made by Vice Mayor Wilcox, seconded by Council Member Berry, to approve the following 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 considered 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 considered 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 considered an Amendment to the Agreement with Feather River Recreation and Park District 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).**

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**

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

The Council conducted a public hearing and considered 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)**

Korey Honea, Butte County Sheriff, and Jennifer McCarthy, Butte County Economic and Community Development Manager answered questions relating to the Jail Facility Development Impact Fee.

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

Following further discussion, this item was continued to the March 3, 2015 regular City Council meeting for further consideration therefore; no action was taken on the following:

- 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 received information and a presentation regarding the City's participation in Work Experience (WEX) and Skills Training and Employment Program (STEP) programs. **(Randy Murphy, City Administrator and Liz Ehrenstrom, Human Resource Analyst II)**

Ashley Finkenkiller, Cecelia Carmona, Jodi Hunsperger and Don Overschlek spoke in support of the WEX and STEP programs.

Following discussion the Council directed staff to continue participating 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 considered 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)**

Cheri Bunker spoke in support of the creation of an economic development partnership for the City of Oroville.

Jennifer McCarthy, Butte County Economic and Community Development Manager and Mike Phulps, Metal Works, spoke in support of the Oroville Economic Alliance’s marketing efforts and encouraged the City to participate with the partnership.

Following discussion, a motion was made by Council Member Pittman, seconded by Council Member Del Rosario, to:

- 1. Direct staff to continue to participate and cooperate with the local manufacturing economic development partners; and**
- 2. Authorize the expenditure of up to \$30,464, payable to Oroville Economic Development Corporation, Inc., in order to sponsor the creation of a Value Proposition for the greater Oroville Area; and**
- 3. Continue this item to the March 3, 2015 regular City Council meeting for further consideration.**

The motion was passed by the following vote:

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

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

The Council considered 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)**

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

**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).**

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

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

The Council considered 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)**

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

- 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.**

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

**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. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Matt Ball, Butte County Mosquito and Vector Control District General Manager, spoke in support of extending the Ground Lease Agreement.

Following further discussion, a motion was made by Council Member Simpson, seconded by Council Member Del Rosario, to:

- 1. Approve a monthly rental of \$300 with an annual Consumer Price Index adjustment of one (1) times the annual Consumer Price Index 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).**

The motion was passed by the following vote:

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

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

The Council considered 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)**

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

**Approve funding, in the amount of \$2,000, for media support of the annual Feather Fiesta Days, to be held on May 9, 2015.**

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

- 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)**

This item was tabled to a future meeting of the City Council therefore; no action was taken on this item.

- 13. PURCHASE OF NEW CITY STREET SWEEPER – staff report**

The Council considered 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)**

Following discussion, this item was continued to the March 3, 2015 regular City Council meeting therefore; no action was taken on the following:

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

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

**Adopt modifications to the Council Policy, to include language indicating the consensus of two (2) Council Members to place an item onto the agenda.**

The motion was passed by the following vote:

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

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

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

The Council acknowledged 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 considered 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)**

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

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).**

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**

Mayor Dahlmeier reported gave a brief report relating to the February 9, 2015 Executive Committee meeting.

Council Member Pittman reported that the Chamber of Commerce Board of Directors had extended an invitation to include the presentation of the 2015 Samuel J. Norris Award for Excellence at the Chamber's Annual Awards Dinner in April 2015.

Council Member Pittman also gave a brief report relating to the Sustainable Groundwater Management Act and the necessary steps that will be needed to maintain compliance with the new law.

Council Member Pittman announced that the Supplemental Benefits Fund Steering Committee had heard appeals from Applicants and awarded funds to the following entities: Feather River Recreation and Parks District (\$20,000), Oroville Veterans' Memorial Park (\$37,000), and Forebay Aquatic Center (\$54,000).

### **CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

- Public Safety Department – activity report

Director of Public Safety, Bill La Grone, reported that approximately \$16,000 had been received from the State for fire services provided to outside jurisdictions.

Director of Community Development, Donald Rust, reported that a joint workshop had been scheduled for Friday, February 27, 2015, between the City Council and the Planning Commission, relating to the General Code Updates.

City Attorney, Scott Huber, reported that the City's Ordinance language, relating to e-cigarettes, had been selected and adopted by approximately 45 other California cities.

Mayor Dahlmeier reported that the City of Oroville had been named as one of the Best Commuter Cities in California.

### **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

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

Chris Connell spoke to the Council regarding the removal of tree debris from his property.

Alan Cartwright and Hellen Dennis spoke in opposition to the Sycamore trees that were removed by Pacific Gas & Electric Company along Feather River Boulevard and called for the resignation of certain Council Members.

### **CLOSED SESSION**

The Council held a Closed Session on the following:

Council Member Del Rosario recused herself from Item No. 6.

Council Member Berry recused himself from Item No. 5

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: Director of Community Development.
2. 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: Public Safety Director.
3. 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.
4. 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.
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: 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 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.
7. Pursuant to Government Code section 54956.9(a), the Council met 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 met with the City Administrator and the City Attorney regarding potential litigation – three 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 11:10 p.m. A special joint meeting of the Oroville City Council will be held on Friday, February 27, 2015, at 11:00 a.m.

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Randy Murphy, City Clerk

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Linda L. Dahlmeier, Mayor