

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

The agenda for the March 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 on Friday, March 13, 2015, at 10:05 a.m..

The March 17, 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 (arrived late), 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
Amy Bergstrand, Management Analyst III

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Simpson.

PROCLAMATION / PRESENTATION

Tyson Pardee, Information Technology Manager, gave a presentation relating to the City's Information Technology Division.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Chris McAtee – Item No. 9
Nancy Weston – Item No. 11

Jim Moll – Item No. 11

CONSENT CALENDAR

A motion was made by Council Member Pittman, seconded by Council Member Hatley, to approve the following Consent Calendar, with exception to Items No. 3, 4, 5 and 6:

1. **APPROVAL OF THE MINUTES OF THE FEBRUARY 27, 2015 JOINT MEETING OF THE OROVILLE CITY COUNCIL AND OROVILLE PLANNING COMMISSION AND MARCH 3, 2015 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
2. **NEW DONATIONS TO THE C.F. LOTT HOME AND THE CHINESE TEMPLE AND MUSEUM COMPLEX** – staff report

The Council considered the receipt of new donations to the C.F. Lott Home and the Chinese Temple and Museum Complex. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Per the Park Commission, accept the new donations to the C.F. Lott Home and the Chinese Temple and Museum Complex.**

3. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
4. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
5. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
6. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**

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

3. **PURCHASE ORDER INCREASE FOR REINARD BRANDLEY** – staff report

The Council considered increasing the amount of Purchase Order No. 300050027 by \$2,149 for engineering services relating to the Oroville Municipal Airport. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

This item was removed from the Consent Calendar at the request of Council Member Del Rosario for questions, which were answered by staff.

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

Authorize staff to increase the amount of Purchase Order No. 300050027, by \$2,149, to pay the final invoice for the completed CE services relating to the Oroville Municipal Airport.

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

4. PURCHASE ORDER INCREASE FOR SOLAR INVERTER – staff report

The Council considered increasing the amount of Purchase Order No. NDPT50012 by \$765 for a solar system inverter purchased for City Hall. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

This item was removed from the Consent Calendar at the request of Council Member Del Rosario for questions, which were answered by staff.

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

Authorize staff to increase the amount of Purchase Order No. NDPT50012 by \$765.00 to pay the final invoice for the purchase of a solar system inverter for City Hall.

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

5. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT AND REVISED BUDGET WITH BSK ASSOCIATES – staff report

The Council considered an Amendment to the Professional Services Agreement with BSK Associates, in the amount of \$9,000, for project management and reporting services relating to the U.S. EPA 2014 Community-Wide Brownfields Assessment Grant. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

This item was removed from the Consent Calendar at the request of Council Member Del Rosario for questions, which were answered by staff.

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

Adopt Resolution No. 8340 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BSK ASSOCIATES, FOR AN ADDITIONAL AMOUNT OF \$9,000, RELATING TO PROJECT MANAGEMENT AND REPORTING FOR THE U.S. EPA 2014 COMMUNITY-WIDE BROWNFIELDS ASSESSMENT GRANT – (Agreement No. 3101-1)

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

6. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT AND REVISED BUDGET WITH SCS ENGINEERS – staff report

The Council considered an Amendment to the Professional Services Agreement with SCS Engineers, in the amount of \$30,000, for work associated with an updated Phase I Environmental Site Assessment, GIS collaboration and scoping meeting attendance, and additional Phase II Environmental Site Assessment activities. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

This item was removed from the Consent Calendar at the request of Council Member Del Rosario for questions, which were answered by staff.

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

Adopt Resolution No. 8341 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SCS ENGINEERS, FOR AN ADDITIONAL AMOUNT OF \$30,000 RELATING TO UPDATING THE PHASE I ESA, GIS COLLABORATION AND SCOPING MEETING ATTENDANCE, AND ADDITIONAL PHASE II ESA ACTIVITIES FOR THE U.S. EPA 2014 SITE-SPECIFIC BROWNFIELDS ASSESSMENT GRANT – (Agreement No. 3102-1)

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 - None

REGULAR BUSINESS

7. SELECTION OF THE 2015 SAMUEL J. NORRIS AWARD FOR EXCELLENCE RECIPIENT – staff report

The Council considered the selection of a recipient for the 2015 Samuel J. Norris Award for excellence. **(Randy Murphy, City Administrator and Jamie Hayes, Assistant City Clerk)**

The Council selected Charlie Gee/Gee Family as the recipient of the 2015 Samuel J. Norris Award for Excellence, which will be presented at the Oroville Chamber of Commerce's Annual Awards Dinner on April 23, 2015 at Feather Falls Casino.

8. HOUSING ELEMENT ANNUAL PROGRESS REPORTS (2013 & 2014) – staff report

The City Council received the Housing Element Annual Progress Report for the years ending December 31, 2013 and December 31, 2014. APRs to the State Department of Housing and Community Development and the Governor's Office of Planning and Research. **(Amy Bergstrand, Management Analyst III)**

Following discussion, the Council directed staff to submit the Annual Performance Reports to the State Department of Housing and Community Development and the Governor's Office of Planning and Research.

9. PURCHASE OF NEW ACCOUNTING SOFTWARE – staff report

The Council considered an Agreement with SunGard Public Sector, for professional services related to the implementation of a new financial management system, in the amount of \$76,552. The Council also considered annual fees in the amount of \$39,420 for upgrades and license fees for a term of 5 years. **(Ruth Wright, Finance Director)**

Chris McAtee, Sungard Public Sector, spoke to the Council in regards to the new financial management system.

Following discussion, a motion was made by Council Member Hatley, seconded by Vice Mayor Wilcox, to adopt the following, with minor language changes to Agreement No. 3112:

Adopt Resolution No. 8342 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH SUNGARD PUBLIC SECTOR FOR IMPLEMENTATION OF FINANCIAL MANAGEMENT SOFTWARE, IN THE AMOUNT OF \$76,552, AND \$39,420 ANNUALLY FOR UPGRADES AND LICENSE FEES WITH A 3% ANNUAL INCREASE NOT TO EXCEED \$44,368 BY THE FIFTH YEAR – (Agreement No. 3112)

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. QUARTERLY BUDGET REVIEW – staff report

The Council considered recommended General Fund budget adjustments. **(Ruth Wright, Finance Director)**

Following discussion, the Council approved the General Fund budget adjustments, as indicated in the March 17, 2015 staff report.

11. MASTER AGREEMENT FOR THE OPERATION, GENERAL MAINTENANCE, AND MANAGEMENT OF THE OROVILLE STATE THEATRE – staff report

The Council considered a Master Agreement with the State Theatre Arts Guild, Inc. (STAGE) to take over the operation, general maintenance and management of the Oroville State Theatre. **(Donald L. Rust, Director of Community Development)**

Jim Moll and Nancy Weston, STAGE Representatives, spoke to the Council in regards to the proposed Master Agreement.

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

Authorize the Mayor to execute the final Master Agreement with STAGE to take over the operation, general maintenance and management of the Oroville State Theatre, following minor amendments to the Agreement by staff.

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. WESTSIDE SAFETY FACILITY – staff report

The Council heard a presentation on the potential conversion of the ATC building to the new Westside Safety Facility. **(Bill La Grone, Director of Public Safety)**

Following a presentation provided by Bill La Grone, Director of Public Safety, a motion was made by Council Member Pittman, seconded by Council Member Berry, to:

Authorize staff to prepare and release a Request for Bids for the Phase I of construction at the ATC building for the conversion of one half of the building to a Fire Facility.

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

13. DISCLOSURE POLICY – staff report

The Council considered adopting a Disclosure Policy. **(Ruth Wright, Finance Director)**

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

Approve the proposed Disclosure Policy.

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 that the 2015 Special Olympics would be held at Harrison Stadium on May 1, 2015.

Council Member Pittman also reported that the Oroville Area Chamber of Commerce was providing new membership services.

Council Member Simpson reported that the California Parks and Recreation Department had recently increased fees for local fishing tournaments, in addition to the normal parking and launching fees. The Council directed staff to prepare a letter opposing the increased fees relating to Lake Oroville and the surrounding State recreational locations.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Bill La Grone, Director of Public Safety, reported that the Fire Pals had recently performed for St Thomas School.

Donald Rust, Director of Community Development, gave a brief report relating to staff's attendance to the ICSC conference held in Monterey, CA. In addition, Mr. Rust reported that a local citizen was interested in donating a piano to the City.

Randy Murphy, City Administrator, reported that tax allocation refunding bonds, in the amount of \$18,905,000, to refund the former Oroville Redevelopment Agency's previously incurred 2002 Loan, 2004A Loan and 2004B Loan were nearing their closing date. The purpose of the refunding is to produce debt service savings as authorized by Health and Safety Code Section 34177.5(a)(1).

CORRESPONDENCE

- Comcast, received February 24, 2015

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

Cheri Bunker spoke to the Council in regards to a local Secret Witness Program that was available

for assistance in locating the individual(s) responsible of the recent theft of a Salmon sculpture.

CLOSED SESSION

The Council held a Closed Session on the following:

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: 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 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(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.
6. Pursuant to Government Code section 54956.9(d), the Council met with the City Administrator and the City Attorney regarding potential litigation – two cases.

Mayor Dahlmeier announced that there were no reportable actions taken in Closed Session and direction had been given to staff.

ADJOURNMENT

The meeting was adjourned at 9:33 p.m. A special meeting of the Oroville City Council will be held on Tuesday, March 24, 2015, at 5:00 p.m.

Donald Rust, Acting City Clerk

Linda L. Dahlmeier, Mayor