



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Regular Meeting

APRIL 21, 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. 7 AND 8)

RECONVENE TO OPEN SESSION

OPEN SESSION (6:00 P.M.)

PLEDGE OF ALLEGIANCE

PROCLAMATION / PRESENTATION

Certificate of Appreciation for John-Ross Franklin Floyd for earning the rank of Eagle Scout

Certificate of Appreciation recognizing Cissy Smith as a Champion for Change

Proclamation in recognition of Lee Walker Hollen

Oath of Office to be administered to Police Officer Joshua Meadors

Presentation by NHA Advisors relating to Bond Refunding

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 MARCH 31, 2015 AND APRIL 6, 2015 SPECIAL MEETINGS AND APRIL 7, 2015 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

2. **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 relating to the Supplemental Benefits Fund grant for irrigation water well at the Nelson Sports Complex. **(Donald Rust, Director of Community Development and Bob Marciniak, Program Specialist)**

Council Action Requested: **Adopt Resolution No. 8346 - 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 JULY 1, 2015 – (Agreement No. 3058-2).**

3. **AMENDMENT TO THE SUPPLEMENTAL BENEFITS FUND IMPLEMENTATION AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES** – staff report

The Council may consider an Amendment to the Supplemental Benefits Fund Implementation Agreement between the City of Oroville and the State of California Department of Water Resources, extending the term through July 20, 2016. **(Donald Rust, Director of Community Development and Bob Marciniak, Program Specialist)**

Council Action Requested: **Adopt Resolution No. 8347 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE SUPPLEMENTAL BENEFITS FUND IMPLEMENTATION AGREEMENT BETWEEN THE CITY OF OROVILLE AND THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES, EXTENDING THE TERM THROUGH JULY 20, 2016 – (Agreement No. 1688-6).**

4. **COMMERCIAL LEASE AGREEMENT WITH SATEH SAM HASROUN FOR THE RENTAL OF OFFICE SPACE AT 1461 MYERS STREET** – staff report

The Council may consider entering into a Commercial Lease Agreement with Sateh Sam Hasroun, publisher of The Digger Shopper and News, for rental of a commercial unit at the Historic State Theatre, 1461 Myers Street, Suite 2. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Adopt Resolution No. 8348 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A COMMERCIAL LEASE AGREEMENT WITH SATEH SAM HASROUN FOR OFFICE SPACE LOCATED AT 1461 MYERS STREET, SUITE 2 – (Agreement No. 3118).**

5. **SUNGARD PUBLIC SECTOR USERS' GROUP ASSOCIATION CONFERENCE** – staff report

The Council may consider approval of the expenditure for City related business travel for the IT Manager to attend the Sungard Public Sector Users' Group Association (SUGA) Conference on May 17 – 21, 2015 in Atlanta, GA. **(Ruth Wright, Director of Finance)**

Council Action Requested: **Approve the expenditure for City related business travel for the IT Manager to attend the Sungard Users' Group Association Conference on May 17 – 21, 2015 in Atlanta, GA.**

6. **BAD DEBT AND COLLECTION POLICY** – staff report

The Council may consider a Bad Debt and Collection Policy for the City of Oroville. **(Ruth Wright, Director of Finance)**

Council Action Requested: **Adopt Resolution No. 8349 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING A BAD DEBT AND COLLECTION POLICY.**

7. **GENERAL FUND BUDGET ADJUSTMENT AND TRANSFER** – staff report

The Council may consider a General Fund Budget adjustment and transfer for the City Administrator's budget. **(Ruth Wright, Director of Finance)**

Council Action Requested: **Approve the General Fund Budget adjustment and transfer for the City Administrator's budget as indicated in the April 21, 2015 staff report.**

8. **MAILING OF PROP 218 INCREASES FOR SEWERAGE COMMISSION – OROVILLE REGION** – staff report

The Council may consider the mailing of Prop 218 notices to Oroville sewer customers regarding sewer treatment rate increases planned by the Sewerage Commission – Oroville Region. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Authorize staff to prepare and issue a Purchase Order to the Work Training Center, in the amount of \$2,528.67 for the mailing of 3,886 Prop 218 rate increase notices to Oroville sewer customers.**

9. **PIONEER MUSEUM RAMPS GRADING PROJECT** – staff report

The Council may consider a Permit to Enter and Construct with Right-of-Entry with Butte County for a small ramps grading project to be completed by the County on both City and County property behind the Pioneer Museum. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8350 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PERMIT TO ENTER AND CONSTRUCT WITH RIGHT-OF-ENTRY WITH BUTTE COUNTY FOR THE PIONEER MUSEUM RAMPS CONSTRUCTION PROJECT – (Agreement No. 3119).**

10. **PURCHASE OF MICROSOFT OFFICE 365** – staff report

The Council may consider the purchase of Microsoft Office 365, from the sole source provider, SADA Systems, a Microsoft Partner, in the amount of \$10,610.76, for hosted email, email retention, email legal hold, and Microsoft Office licensing, and an additional \$5,000 for IT services relating to this purchase. **(Donald Rust, Director of Community Development and Tyson Pardee, IT Manager)**

Council Action Requested:

1. **Authorize the purchase of Microsoft Office 365, from the sole source provider, SADA Systems, a Microsoft Partner, in the amount of \$10,610.76, for hosted email, email retention, email legal hold, and Microsoft Office licensing.**
2. **Authorize the expenditure of \$5,000 from the sole source provider, SADA Systems, a Microsoft Partner, for IT services relating to the purchase of Microsoft Office 365.**

11. OPENING OF ESCROW FOR TABLE MOUNTAIN BOULEVARD ROUNDABOUT PROJECT – staff report

The Council may consider the opening of escrow with Fidelity National Title for the purchase of real property at Assessor's Parcel No. 031-052-027 relating to the Table Mountain Boulevard Roundabout Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Authorize the payment of \$19,825 to Fidelity National Title to fund the escrow for the purchase of Right-of-Way from Star Highlands of Oroville (APN 031-052-027), relating to the Table Mountain Boulevard Roundabout Project.**

12. 2015 U.S. CONFERENCE OF MAYORS – SAN FRANCISCO, CA – staff report

The Council may receive a report regarding the status of the U.S. Conference of Mayors, to be held in San Francisco, and Mayor Dahlmeier's attendance of the 2015 event. **(Donald Rust, Director of Community Development)**

Council Action Requested: **None.**

13. MEMORANDUM OF UNDERSTANDING WITH OROVILLE UNION HIGH SCHOOL DISTRICT – staff report

The Council may consider a Memorandum of Understanding with the Oroville Union High School District for a full-time School Resource Officer. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution No. 8351 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE OROVILLE UNION HIGH SCHOOL DISTRICT FOR A FULL-TIME SCHOOL RESOURCE OFFICER FOR THE 2015/2016 SCHOOL YEAR – (Agreement No. 1932-6).**

14. ASSET FORFEITURE REVENUE SHARING – staff report

The Council may receive information regarding the sharing of assets seized in cooperation with the Butte County Interagency Narcotics Task Force and the Gridley/Biggs Police Department. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **None.**

15. PURCHASE OF FORENSIC CELL PHONE EXAMINER EQUIPMENT – staff report

The Council may consider the purchase of Forensic Cell Phone Examiner Equipment, from the sole source provider, Cellebrite, in the amount of \$14,054. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Authorize the purchase of Forensic Cell Phone Examiner Equipment, from the sole source provider, Cellebrite, in the amount of \$14,054.**

16. AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION – CALFIRE – staff report

The Council may consider an Agreement with Cal Fire for mutual aid participation in the Butte Unit Strategic Fire Plan. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution No. 8352 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH CAL FIRE FOR PARTICIPATION IN THE BUTTE UNIT STRATEGIC FIRE PLAN – (Agreement No. 3120).**

PUBLIC HEARINGS

17. AMENDMENTS TO SECTIONS 20-1 AND 20-11 OF THE OROVILLE MUNICIPAL CODE – SEWER COLLECTION – staff report

The Council will hold a public hearing and may consider amending Sections 20-1 and 20-11 of the Oroville Municipal Code relating to the Sanitary Sewer Collection System. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Waive the first reading and introduce by title only, Ordinance No. 1808 - AN ORDINANCE OF THE OROVILLE CITY COUNCIL AMENDING SECTIONS 20-1 AND 20-11 OF THE CODE OF THE CITY OF OROVILLE RELATING TO THE SANITARY SEWER COLLECTION SYSTEM.**

18. DEVELOPMENT IMPACT FEES – staff report

The Council will hold a public hearing and may consider adopting Development Impact Fees as specified in the Development Impact Fee Report, completed by Willdan Financial Services. **(Donald Rust, Director of Community Development and Glenn Lazof, Finance Project Manager)**

Council Action Requested: **Adopt Resolution No. 8353 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING DEVELOPMENT IMPACT FEES.**

REGULAR BUSINESS

19. FACILITY AND PARK FEE WAIVER POLICY – staff report

The Council may consider giving staff direction on the existing Facility and Park Fee Waiver Policy. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Direct staff, as necessary.**

20. FEE WAIVER REQUEST FOR USE OF THE LOTT HOME/SANK PARK BY THE AMAPOLA CHAPTER – ORDER OF THE EASTERN STAR – staff report

The Council may consider a fee waiver request for use of the Lott Home/Sank Park by the Amapola Chapter – Order of the Eastern Star for their annual BBQ fundraiser and family day. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Direct staff, as necessary.**

21. **TREE REMOVAL MORATORIUM** – staff report

The Council may consider giving staff direction regarding a potential tree removal moratorium. (**Donald Rust, Director of Community Development**)

Council Action Requested: **Direct staff, as necessary.**

22. **SUPPLEMENTAL APPROPRIATION FOR CITY HOUSING ECONOMIC DEVELOPMENT REVOLVING LOAN FUND** – staff report

The Council may consider a supplemental appropriation to increase the previously approved budget for the City Housing Economic Development Revolving Loan Fund. (**Ruth Wright, Director of Finance**)

Council Action Requested: **Approve Supplemental Appropriation No. 2014/15-XXXX-XX, as indicated in the April 21, 2015 staff report.**

23. **MONTHLY SUMMARY OF INVESTMENTS AND MONTHLY FINANCIAL REPORTS FOR MARCH 2015** – reports attached

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

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

SUCCESSOR AGENCY

24. **PROFESSIONAL SERVICES AGREEMENT WITH ROSENOW SPEVACEK GROUP, INC.** – staff report

The Commission may consider a Professional Services Agreement with Rosenow Spevacek Group, Inc. (“RSG”), in the amount of \$5,500, annually, for five years, to provide Continuing Disclosure and Dissemination Agent Services as required by the Continuing Disclosure Certificate for the Successor Agency’s Tax Allocation Refunding Bonds Series 2015A and Series 2015B. (**Rick Farley, RDA Coordinator**)

Commission Action Requested: **Adopt Resolution No. 15-08 - A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER OROVILLE REDEVELOPMENT AGENCY APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH ROSENOW SPEVACEK GROUP, INC, IN THE AMOUNT OF \$5,500, ANNUALLY, FOR FIVE YEARS, FOR CONTINUING DISCLOSURE AND DISSEMINATION AGENT SERVICES AS REQUIRED BY THE CONTINUING DISCLOSURE CERTIFICATE FOR THE SUCCESSOR AGENCY’S TAX ALLOCATION REFUNDING BONDS SERIES 2015A AND SERIES 2015B – (Agreement No. 15-01).**

25. **TRANSFER OF LAND AT 2044 MONTGOMERY STREET** – staff report

The Commission may consider the transfer of a triangular portion of land at 2044 Montgomery Street to the adjacent property owner at 2040 Montgomery Street through a lot line adjustment. (**Rick Farley, RDA Coordinator**)

Commission Action Requested: **Adopt Resolution No. 15-09 – A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER OROVILLE REDEVELOPMENT AGENCY AUTHORIZING THE TRANSFER OF A TRIANGULAR PORTION OF LAND AT 2044 MONTGOMERY STREET TO THE ADJACENT PROPERTY OWNER AT 2040 MONTGOMERY STREET THROUGH A LOT LINE ADJUSTMENT WITH FAIR COMPENSATION.**

MAYOR/ COUNCIL REPORTS

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

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Public Safety Department – activity report

CORRESPONDENCE

- Butte County Air Quality Management District, received April 9, 2015
- Table Mountain Golf Club, received April 10, 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 appointment, and/or employment of a public employee related to the following position: City Administrator.
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: Director of Community Development.
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: Public Safety Director.
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 Firefighters' Association, and Oroville Management and Confidential Association.
5. Pursuant to Government Code section 54956.9(a), the Council will meet with the Acting City Administrator 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 54956.95, the Council will meet with the Acting City Administrator and City Attorney relating to Worker's Compensation Claim No. NCWA-556295.
7. 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.

8. Pursuant to Government Code section 54956.9(d), the Council will meet with the Acting City Administrator and the City Attorney regarding potential litigation – two cases.

ADJOURNMENT

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, May 5, 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.