

**CITY COUNCIL MEETING MINUTES  
MAY 19, 2015 – 5:00 P.M.**

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The agenda for the May 19, 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, May 15, 2015, at 1:55 p.m.

The May 19, 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:**

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Donald Rust, Director of Community Development  
Bill La Grone, Director of Public Safety  
Ruth Wright, Director of Finance  
Allen Byers, Assistant Police Chief  
Rick Walls, Interim City Engineer

Scott Huber, City Attorney  
Jamie Hayes, Assistant City Clerk  
Liz Ehrenstrom, Human Resource Analyst II  
Karolyn Fairbanks, Treasurer  
Amy Bergstrand, Management Analyst III

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**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Dahlmeier.

**PROCLAMATION / PRESENTATION**

Mayor Dahlmeier presented Ashley Coffey with a New Business Acknowledgement and Welcome to Oroville for Pieces of Love Quilt Shop by Ashley Coffey;

Mayor Dahlmeier presented Nikki Navarro with a New Business Acknowledgement and Welcome to Oroville for About Soul Beauty.

David Slajchert, Willow Partners, LLC, gave a presentation relating to a proposed Affordable Senior Housing Project in Oroville.

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

Anastacia Snyder – Item No. 11      Cheri Bunker – Item No. 13  
Rodney Lahmann – Item No. 15

## **CONSENT CALENDAR**

A motion was made by Vice Mayor Wilcox, seconded by Council Member Del Rosario, to approve the following Consent Calendar, with exception to Item No. 2 and 3:

1. **APPROVAL OF THE MINUTES OF MAY 5, 2015 REGULAR MEETING AND MAY 11, 2015 SPECIAL MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
2. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
3. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
4. **PROFESSIONAL SERVICES AGREEMENT WITH HDR ENGINEERING** – staff report

The Council considered an Amendment to the Professional Services Agreement with HDR Engineering, in the amount of \$2,089, for the Supplemental Levee Investigation Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8359 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH HDR ENGINEERING, IN THE AMOUNT OF \$2,089, FOR THE SUPPLEMENTAL LEVEE INVESTIGATION PROJECT – (Agreement No. 2011-2).**

5. **OCC INTERNATIONAL, LLC (DBA: ZEONETIX) LOAN PAYOFF** – staff report

The Council received information regarding the recent payoff of the OCC International, LLC., (dba: Zeonetix), Community Development Block Grant Business Assistance loan. **(Donald Rust, Director of Community Development and Rick Farley, Business Assistance Coordinator)**

Council Action Requested: **None.**

6. **MOTOR GRADER RENTAL** – staff report

The Council considered the rental of a motor grader from the lowest bidder, I-5 Rentals, in the amount of \$6,275, for the construction of fire breaks, and grading and/or leveling City-owned properties. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize the rental of a motor grader from the lowest bidder, I-5 Rentals, in the amount of \$6,275, for the construction of fire breaks, and grading and/or leveling City-owned properties.**

7. **CONSTRUCTION CONTRACT WITH BETTER BUILDERS CONSTRUCTION, INC.** – staff report

The Council considered a Construction Contract with lowest responsible bidder, Better Builders Construction, Inc, in the amount of \$2,650, for Public Safety Department Repair Project. **(Donald Rust, Director of Community Development and Gary Layman, Chief Building Official)**

Council Action Requested:

1. **Adopt Resolution No. 8360 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER, BETTER BUILDERS CONSTRUCTION, INC, IN THE AMOUNT OF \$2,650, FOR THE PUBLIC SAFETY DEPARTMENT REPAIR PROJECT – (Agreement No. 3123).**

2. **Authorize a 10% contingency, not to exceed \$265.**

8. **USE PERMIT PAYMENT PLAN REQUEST – VODOO TATTOO – staff report**

The Council considered a request from Erika Copping, owner of Voodoo Tattoo, for a \$250 monthly payment plan to process a use permit that is required to relocate the business to 1374 Myers Street. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Adopt Resolution No. 8361 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING A \$250 MONTHLY PAYMENT PLAN FOR ERIKA COPPING TO PROCESS A REQUIRED USE PERMIT TO RELOCATE VODOO TATTOO TO 1374 MYERS STREET, OROVILLE.**

9. **CITY RECORDS RETENTION POLICY – staff report**

The Council considered a Records Retention Policy for the City of Oroville. **(Donald Rust, Director of Community Development and Scott E. Huber, City Attorney)**

Council Action Requested: **Adopt Resolution No. 8362 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING A RECORDS RETENTION POLICY FOR THE CITY OF OROVILLE.**

10. **MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE CITY EMPLOYEES' ASSOCIATION – staff report**

The Council considered a Memorandum of Understanding between the City of Oroville and the Oroville City Employees' Association for the period of May 19, 2015 through June 30, 2018. **(Liz Ehrenstrom, Human Resource Analyst)**

Council Action Requested: **Adopt Resolution No. 8363 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE CITY EMPLOYEES' ASSOCIATION – (Agreement No. 1432-13).**

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. SEWER FUND RECLASSIFICATION – staff report

The Council considered the reclassification of the Sewer Fund from a Special Revenue Fund to an Enterprise Fund. **(Ruth Wright, Director of Finance)**

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

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

**Adopt Resolution No. 8357 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING CITY ADMINISTRATION TO OPERATE AND BUDGET FOR THE SEWER SPECIAL REVENUE FUND AS AN ENTERPRISE FUND UNDER RELEVANT STATUTES AND OTHER APPLICABLE AUTHORITIES AND RENAMING THE OROVILLE SEWER SPECIAL REVENUE FUND TO THE OROVILLE SEWER ENTERPRISE FUND.**

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

### 3. PROFESSIONAL SERVICES AGREEMENT WITH BROADBENT AND ASSOCIATES, INC. – staff report

The Council considered a Professional Services Agreement with the lowest responsible bidder, Broadbent and Associates, Inc., in the amount of \$9,425, for the 2120 Bird Street Underground Storage Tank Investigation Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

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

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

1. **Adopt Resolution No. 8358 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BROADBENT & ASSOCIATES, INC., THE LOWEST RESPONSIBLE BIDDER, IN THE AMOUNT OF \$9,425 FOR THE 2120 BIRD STREET UNDERGROUND STORAGE TANK INVESTIGATION PROJECT – (Agreement No. 3122).**

2. **Authorize a 10% contingency, not to exceed \$942, for the Project.**

The motion was passed by the following vote:

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

## **PUBLIC HEARINGS**

### **11. AMENDMENT OF SUPPLEMENTAL PROGRAMS AND PROJECTS RELATING TO THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM – staff report**

The Council conducted a Public Hearing to consider approval of supplemental programs and projects to be amended into the 12-CDBG-8405 and 14-CDBG-9893 grant administered under the State Community Development Block Grant Program. **(Donald Rust, Director of Community Development and Amy Bergstrand, Management Analyst III)**

Mayor Dahlmeier opened the public hearing.

Anastacia Snyder, Catalyst Domestic Violence Services, thanked the Council for their continued financial support.

Hearing no further comments or questions from the audience, the public hearing was closed.

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

**Adopt Resolution No. 8364 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE AMENDMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT NO. 12-CDBG-8405 AND NO. 14-CDBG-9893 STATE STANDARD AGREEMENTS TO INCLUDE SUPPLEMENTAL ACTIVITIES.**

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**

### **12. RE-INSTATEMENT OF THE ADMINISTRATIVE ASSISTANT POSITION – staff report**

The Council considered the re-instatement of the Administrative Assistant position in the Department of Business Assistance and Housing Development. **(Donald Rust, Director of Community Development and Amy Bergstrand, Management Analyst III)**

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

1. **Approve the Re-instatement of the Administrative Assistant position at Step "A".**
2. **Approve the inclusion of the Administrative Assistant position in the fiscal year 2015/2016 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

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

The Council considered 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)**

Cheri Bunker spoke in opposition to the opening of escrow with Fidelity National Title relating to the Table Mountain Boulevard Roundabout Project.

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

**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.**

The motion was passed by the following vote:

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

**14. PURCHASE OF TRAFFIC MANAGEMENT SOFTWARE, EQUIPMENT AND HARDWARE – staff report**

The Council considered the purchase of QuicNet Pro, traffic management software, traffic equipment and hardware from the lowest responsible bidder, McCain, Inc., in the amount of \$112,841. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

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

**Authorize the purchase of QuicNet Pro, traffic management software, traffic equipment and hardware from the lowest responsible bidder, McCain, Inc. in the amount of \$112,841.**

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

**15. LICENSE AGREEMENT WITH RODNEY LAHMANN – staff report**

The Council considered a License Agreement with Rodney Lahmann for property located at Assessors Parcel No. 033-350-028. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Rodney Lahmann spoke in opposition to a License Agreement for property located at Assessors Parcel No. 033-350-028.

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

**Repair the culvert at the property located at Assessors Parcel No. 033-350-028.**

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

**16. ADDITIONAL FUNDING FOR THE CHINESE TEMPLE REPAIRS AND CONSERVATION WORK PROJECT – staff report**

The Council considered additional funding, in the amount of \$28,787, for the Chinese Temple Repairs and Conservation Work Project. **(Donald Rust, Director of Community Development and Amy Bergstrand, Management Analyst III)**

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

**Approve additional funding, in the amount of \$28,787, for the Chinese Temple Repairs and Conservation Work Project.**

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

**17. COMMERCIAL LEASE AGREEMENT WITH NICOLE KOPEL, MEGAN MARSH AND SANTOS REYES DBA: OROVILLE SOAP SHOP FOR THE RENTAL OF OFFICE SPACE AT 1465 MYERS STREET – staff report**

The Council considered a Commercial Lease Agreement with Nicole Kopel, Megan Marsh and Santos Reyes dba: Oroville Soap Shop, for the rental of a commercial unit at the Historic State Theatre, 1465 Myers Street, Suite 3. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

A motion was made by Vice Mayor Wilcox, seconded by Council Member Hatley, to:

**Adopt Resolution No. 8366– A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A COMMERCIAL LEASE AGREEMENT WITH NICOLE KOPEL, MEGAN MARSH AND SANTOS REYES DBA: OROVILLE SOAP SHOP, FOR THE RENTAL OF A COMMERCIAL UNIT AT THE HISTORIC STATE THEATRE, 1465 MYERS STREET, SUITE 3 – (Agreement No. 3125).**

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

**18. MUNICIPAL LAW ENFORCEMENT SERVICES – staff report**

The Council considered the implementation of the Municipal Law Enforcement Services concept for lower level criminal and code violation issues. **(Bill La Grone, Director of Public Safety)**

Following discussion, this item was tabled to a future meeting of the Oroville City Council therefore; no action was taken on the following:

- 1. Authorize the implementation of the Municipal Law Enforcement Services concept for lower level criminal and code violation issues.**
- 2. Authorize the hiring of eight (8) Community Service Officers and the purchasing of necessary equipment as outlined in the May 19, 2015 staff report.**

**19. MONTHLY SUMMARY OF INVESTMENTS AND MONTHLY FINANCIAL REPORTS FOR APRIL 2015 – reports attached**

The Council received and acknowledged receipt of the Monthly Summary of Investments and the Monthly Financial Reports for April 2015. **(Ruth Wright, Director of Finance)**

**SUCCESSOR AGENCY** - None

### **MAYOR/ COUNCIL REPORTS**

Council Member Pittman reported that the Chamber of Commerce had recently hired Dr. Sandy Linville as the Chief Executive Officer, replacing former CEO Claudia Knaus.

Council Member Pittman also reported his attendance to a tour of Graphic Packaging International, Inc, 525 Executive Parkway, Oroville, CA.

Mayor Dahlmeier gave a brief report on the Feather Fiesta Days events, praising the many volunteers and community members for their dedicated efforts in contributing to a successful event.

Mayor Dahlmeier also reported that USA Today had published an article regarding the Destination America's Red, White and You Contest – "American Towns with Memorable Fireworks Celebrations This July 4<sup>th</sup>", featuring Oroville as a 2015 nominee for the award, which should be announced in late May 2015. *(The City was advised on May 28, 2015 that they had been selected as one of the two recipients of this prestigious award)*

Mayor Dahlmeier praised the Oroville Economic Alliance for their continued efforts in marketing Oroville globally, citing that their efforts have procured a ranking of one of the Top 5 Micro Cities in American Cities of the Future for one of the nation's top prospective markets for foreign direct investment, based upon a variety of metrics including: investment assistance programs, economic incentives, strategic initiatives for engaging with investors and promotional activities.

Vice Mayor Wilcox reported that over 700 vehicles participated in the Show and Shine Car Show during the Feather Fiesta Days event. In addition, Vice Mayor Wilcox also reported that the City's 1922 Buick was driven by Council Member Pittman in the Feather Fiesta Days Parade thanks to the generous contributions made by the Friends of the Parks and the City of Oroville Docent's Association.

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

Donald Rust, Director of Community Development, reported on the following:

- State Highway 162 Community Outreach Traffic Corridor Study to be held on Thursday, May 21, 2015, 5:30 p.m. – 7:30 p.m. at the Centennial Cultural Center, 1931 Arlin Rhine Memorial Drive, Oroville
- Rosenow Spevacek Group, Inc. prepared an analysis on Governor Brown's revised budget proposal which provides changes that may affect the Dissolution Act. Staff will be preparing a letter of opposition to the proposal
- Chamber of Commerce Business-to-Business event to be held May 28, 2015, 5:30 p.m. – 7:00 p.m. at the African American Family & Cultural Center, 3300 Spencer Avenue, Oroville
- City of Oroville's Arts, Culture & Entertainment District will be presented at the State of California's American Planning Association Conference, October 3 – 6, 2015, in Oakland, CA

**CORRESPONDENCE** - None

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

Cheri Bunker spoke to the Council regarding the Oroville Economic Development Corporation's monthly membership meeting on May 27, 2015, 8:00 a.m. at the Bird Street Café, featuring Guest Speaker, Sam Driggers, CalAsian Chamber of Commerce Director of Global Initiatives.

**CLOSED SESSION**

The Council held a Closed Session on the following:

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 54957.6, the Council met 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.
4. Pursuant to Government Code Section 54956.8, the Council met with Real Property Negotiators, Acting City Administrator and City Attorney, regarding the property identified as 2066 Bird Street, Oroville.
5. Pursuant to Government Code section 54956.9(d), the Council met with the Acting City Administrator and the City Attorney regarding potential litigation – one case.

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 8:36 p.m. A special meeting of the Oroville City Council will be held on Tuesday, May 26, 2015, at 3:00 p.m.

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Donald Rust, Acting City Clerk

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Linda L. Dahlmeier, Mayor