

**CITY COUNCIL MEETING MINUTES
JULY 7, 2015 – 5:30 P.M.**

The agenda for the July 7, 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 Wednesday, July 1, 2015, at 2:55 p.m.

The July 7, 2015 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:33 p.m.

ROLL CALL

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

Staff Present:

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

Scott Huber, City Attorney
Jamie Hayes, Assistant City Clerk
Karolyn Fairbanks, Treasurer
Gary Layman, Chief Building Official
Dawn Nevers, Administrative Assistant

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Deliah Robison.

PROCLAMATION / PRESENTATION

Mayor Dahlmeier, on behalf of the Council, presented a Certificate of Appreciation to Deliah Robison for her award winning submission to the Destination America's Red, White and You Contest.

Administrative Assistant Dawn Nevers presented the Feather River Nature Center Docents with a \$5,000 donation from Destination America.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

CONSENT CALENDAR

A motion was made by Council Member Pittman, seconded by Council Member Berry, to approve the following Consent Calendar:

1. **APPROVAL OF THE MINUTES OF JUNE 16, 2015 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

2. **RE-APPOINTMENTS TO THE SOUTHSIDE OROVILLE COMMUNITY CENTER ADVISORY COMMITTEE** – staff report

The Council considered re-appointing Marlene Del Rosario, as a City resident representative, and David Goodson, as a Southside Oroville community resident, to serve on the Southside Oroville Community Center Advisory Committee. **(Donald Rust, Director of Community Development and Jamie Hayes, Assistant City Clerk)**

Council Action Requested: **Re-appoint Council Member Del Rosario, as the City resident representative and David Goodson, as the Southside Oroville community resident to serve on the Southside Oroville Community Center Advisory Committee for terms ending June 30, 2019.**

3. **SUPPLEMENTAL BENEFITS FUND AGREEMENT WITH CITY OF OROVILLE** – staff report

The Council, serving as the Supplemental Benefits Fund Administrator, considered a Grant Agreement with the City of Oroville, in the amount of \$48,403.20, for assistance in funding the Municipal Law Enforcement Services Program. **(Donald Rust, Director of Community Development and Bob Marciniak, SBF Program Specialist)**

Council Action Requested: **Adopt Resolution No. 8389 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A GRANT AGREEMENT BETWEEN THE CITY OF OROVILLE, AS FUND ADMINISTRATOR OF THE SUPPLEMENTAL BENEFITS FUND, AND THE CITY OF OROVILLE, IN THE AMOUNT OF \$48,403.20, FOR ASSISTANCE IN FUNDING THE MUNICIPAL LAW ENFORCEMENT SERVICES PROGRAM – (Agreement No. 3135).**

4. **FUNDING FOR UNIFORM CLEANING SERVICES** – staff report

The Council considered funding for uniform cleaning services for the 2015/2016 fiscal year. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Authorize funding, in the amount of \$4,600, for uniform cleaning services, as indicated in the July 7, 2015 staff report.**

5. **LETTER OF AGREEMENT WITH BUTTE COLLEGE**– staff report

The Council considered a Letter of Agreement with Butte College for use of the Instructional Firearms Range by the Oroville Police Department for personnel training, in the amount of \$150, annually. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution No. 8390 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A LETTER OF AGREEMENT WITH BUTTE COLLEGE FOR USE OF THE INSTRUCTIONAL FIREARMS RANGE, IN AN AMOUNT NOT TO EXCEED \$150**

ANNUALLY – (Agreement No. 1841-6).

6. BROWNFIELDS TARGETED SITE INVESTIGATION GRANT PROGRAM – staff report

The Council considered the submittal of a Brownfields Targeted Site Investigation Program Grant Application for environmental investigation services for the property identified as 1724 Robinson Street (APN 012-086-007). **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Adopt Resolution No. 8391 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A BROWNFIELDS TARGETED SITE INVESTIGATION PROGRAM GRANT APPLICATION FOR THE 2015-2016 GRANT CYCLE FOR ENVIRONMENTAL INVESTIGATION SERVICES AT 1724 ROBINSON STREET (APN 012-086-007).**

7. OUT OF COUNTY FIRE RESPONSE WAGE REIMBURSEMENT AGREEMENT – staff report

The Council considered an Agreement with the California Governor's Office of Emergency Services Fire Rescue Division. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution No. 8392 – A RESOLUTION OF THE OROVILLE CITY COUNCIL IDENTIFYING THE TERMS AND CONDITIONS FOR THE OROVILLE FIRE DEPARTMENT'S RESPONSE AWAY FROM THEIR OFFICIAL DUTY STATIONS AND ASSIGNED TO AN EMERGENCY INCIDENT.**

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

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

The Council considered appointing David Tamori, Greater Oroville area resident, to the City of Oroville Arts Commission to fill a vacancy created by former Commissioner Allen Young. **(Donald Rust, Acting City Administrator and Jamie Hayes, Assistant City Clerk)**

Applicant David Tamori addressed the Council in regards to his desire to serve on the Oroville Arts Commission.

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

Appoint David Tamori to serve on the City of Oroville's Arts Commission for a four year term, ending June 30, 2019.

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. PROJECT CONTRACT WITH TIM PAXIN'S PACIFIC EXCAVATION, INC. – staff report

The Council considered a Project Contract with the lowest responsible bidder, Tim Paxin's Pacific Excavation, Inc., in the amount of \$369,177, for the Oro Dam Boulevard, Orange Avenue and Acacia Avenue Traffic Signals Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

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

1. **Adopt Resolution No. 8393 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROJECT CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER, TIM PAXIN'S PACIFIC EXCAVATION, INC., IN THE AMOUNT OF \$369,177, FOR THE ORO DAM BOULEVARD, ORANGE AVENUE AND ACACIA AVENUE TRAFFIC SIGNALS PROJECT – (Agreement No. 3136).**
2. **Authorize a 10% contingency, not to exceed \$36,918, for the Oro Dam Boulevard, Orange Avenue and Acacia Avenue Traffic Signal 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

10. FUNDING OPTIONS FOR PUBLIC SAFETY DEPARTMENT VEHICLE PURCHASE – staff report

The Council considered funding options for the recent purchase of vehicles for the Public Safety Department. **(Ruth Wright, Director of Finance)**

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

Authorize the use of restricted funds, in the amount of \$273,459, to reduce the loan

relating to the purchase of vehicles for the Public Safety Department.

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

11. ADOPTION OF THE 2015/2016 BUDGET – staff report

The Council considered the adoption of the Fiscal Year 2015/2016 Annual Budget. **(Ruth Wright, Director of Finance)**

Alan Cartwright made comments and posed questions, which were answered by staff, relating to the replacement, care and maintenance of City trees.

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

Adopt Resolution No. 8394 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING THE ANNUAL BUDGET FOR FISCAL YEAR 2015/2016, WITH AMENDMENTS.

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

12. NEW FINANCE ANALYST AND MUNICIPAL LAW ENFORCEMENT OFFICER POSITIONS – staff report

The Council considered a job description for the position of Finance Analyst for the Finance Department and for the position of Municipal Law Enforcement Officer for the Public Safety Department. **(Bill La Grone, Personnel Director and Liz Ehrenstrom, Human Resource Manager)**

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

Approve the description for the position of Finance Analyst for the Finance Department, with amendments, and for the position of Municipal Law Enforcement Officer for the Public Safety Department and authorize staff fill the positions.

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. LOAN ASSISTANCE FOR SIERRA HEIGHTS SENIOR APARTMENTS – staff report

The Commission considered committing to a loan, in the amount of \$660,000, to assist Willow Partners, LLC with the development of Sierra Heights Senior Apartments, an affordable senior rental housing project. **(Donald Rust, Director of Community Development and Amy Bergstrand, Management Analyst III)**

A motion was made by Commissioner Del Rosario, seconded by Commissioner Pittman, to:

Adopt Resolution No. 15-12 – A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY COMMITTING HOUSING PROGRAM FUNDS, IN THE AMOUNT OF \$660,000, TO BE USED FOR THE DEVELOPMENT OF MULTI-FAMILY RENTAL NEW CONSTRUCTION, WHICH WILL SUPPLEMENT OTHER STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT 2015 HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS, AND DIRECT THE CHAIRPERSON TO EXECUTE ALL DOCUMENTS RELATED TO THE LOAN DISBURSEMENT OF THESE FUNDS, INCLUDING ANY AMENDMENTS THERETO.

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 on the Supplemental Benefits Fund Steering Committee meeting which was held on Wednesday, July 1, 2015.

Council Member Del Rosario reported on the South Oroville Meet and Greet which was held on June 20, 2015. The Council commended the donation of two bicycles by Greenline Cycle, which were awarded to two deserving children that had attended the event.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Finance Department – activity report

Bill La Grone, Director of Public Safety, gave a brief report relating to Fire Department responses to

two separate incidents located at Olive Highway and Oro Dam Boulevard and Bridge Street and Orange Avenue. Mr. La Grone also reported that Police Officer Carpenter was recuperating well from a shooting injury.

Donald Rust, Acting City Administrator and Director of Community Development, reported on the following:

- National Night Out to be held August 4, 2015 at Sank Park
- Request from the Oroville Economic Alliance to utilize the City's GIS Specialist
- American Planning Association Planning for Health Coalition Grant
- 2015 Annual U.S. EPA Brownfields Conference in Chicago, IL
- Removal of BBQ at the Feather River Nature Center
- Sale of six (6) RDA properties
- Employee Recognition Events

CORRESPONDENCE

- Pacific Gas & Electric Company, received June 16, 2015

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

William Black spoke to the Council in regards to concerns over flag etiquette.

Linda Draper spoke to the Council in regards to concerns relating to Vice Mayor Wilcox' residency.

Anthony Thomas spoke to the Council regarding space based weapons.

CLOSED SESSION

The Council held a Closed Session on the following:

1. 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.
2. Pursuant to Government Code section 54956.9(d), the Council met with the Acting City Administrator and the City Attorney regarding potential litigation – two cases.
3. Pursuant to Government Code section 54956.9(a), the Council met 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.

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 8:42 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, July 21, 2015, at 5:00 p.m.

Donald Rust, Acting City Clerk

Thil Wilcox, Vice Mayor