



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Regular Meeting

AUGUST 18, 2015
CLOSED SESSION 5:00 P.M.
OPEN SESSION 6:00 P.M.
AGENDA

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. 8)

RECONVENE TO OPEN SESSION

OPEN SESSION (6:00 P.M.)

PLEDGE OF ALLEGIANCE

PROCLAMATION / PRESENTATION

A Proclamation declaring **August, 2015** as "**Play Ball Month**"

A Presentation regarding **Space Based Weapons** and **Chemical Trails**

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 AUGUST 4, 2015 REGULAR MEETING AND AUGUST 11, 2015, SPECIAL MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
2. **ACCEPTANCE OF TIRE-DERIVED PRODUCT GRANT FROM CALRECYCLE** – staff report

The Council may consider accepting the 2014/2015 Tire Derived Product Grant from CalRecycle, in the amount of \$35,932. (**Donald Rust, Director of Community Development and Rick Farley, Interim Recycling Coordinator**)

Council Action Requested: **Adopt Resolution No. 8406 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A GRANT AGREEMENT WITH CALRECYCLE, FOR GRANT FUNDS, IN THE AMOUNT OF \$35,932, TO BE RECEIVED UNDER THE FISCAL YEAR 2014/2015 TIRE DERIVED PRODUCT GRANT PROGRAM.**

3. **UTILITY USERS TAX AGREEMENT WITH THE STATE BOARD OF EQUALIZATION** – staff report

The Council may consider a Utility Users Tax Agreement with the State Board of Equalization for the administration and collection of prepaid mobile telephone services, surcharges and local charges, effective January 1, 2016. (**Ruth Wright, Director of Finance**)

Council Action Requested:

1. **Adopt Resolution No. 8407 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE MAYOR AND CITY ATTORNEY TO EXECUTE CERTAIN DOCUMENTS REQUIRED BY THE STATE BOARD OF EQUALIZATION TO COLLECT THE CITY'S UTILITY USERS TAX ON PREPAID WIRELESS SERVICES; AND**
2. **Adopt Resolution No. 8408 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE EXAMINATION OF PREPAID MOBILE TELEPHONE SERVICES SURCHARGE AND LOCAL CHARGE RECORDS.**

4. **LEASE AGREEMENT WITH RAY MORGAN COMPANY** – staff report

The Council may consider a sixty (60) month Lease Agreement with Ray Morgan Company for a new Canon Image Runner photocopier/scanner/fax machine, in the monthly amount of \$198.80. (**Bill La Grone, Director of Public Safety**)

Council Action Requested: **Adopt Resolution No. 8409 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A 60-MONTH LEASE AGREEMENT, IN THE MONTHLY AMOUNT OF \$198.80, THROUGH A PIGGYBACK BID WITH RAY MORGAN COMPANY, FOR THE LEASE OF ONE (1) CANON IMAGE RUNNER PHOTOCOPIER/SCANNER/FAX MACHINE, FOR THE POLICE DEPARTMENT – (Agreement No. 3138).**

5. **PURCHASE OF POLICE PATROL CANINES AND TRAINING** – staff report

The Council may consider the purchase of two (2) Police Patrol Canines and handler certification training utilizing donations received from the community and Asset Forfeiture monies. (**Bill La Grone, Director of Public Safety**)

Council Action Requested:

1. **Authorize the purchase of two (2) Police Patrol Canines and training, in an amount not to exceed \$13,500/each, through the sole source provider, Meyer's Police Canine Training.**
2. **Adopt Resolution No. 8410 – A RESOLUTION OF THE OROVILLE CITY COUNCIL**

AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT WITH MEYER'S POLICE CANINE TRAINING FOR MONTHLY MAINTENANCE TRAINING OF BOTH POLICE PATROL CANINES, IN AN AMOUNT NOT TO EXCEED \$300/MONTH, PER POLICE PATROL CANINE – (Agreement No. 3139).

6. **RESOLUTION OF SUPPORT FOR LOCAL TRANSPORTATION INFRASTRUCTURE FUNDING –** staff report

The Council may consider a Resolution of Support for local transportation infrastructure funding. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8411 – A RESOLUTION OF THE OROVILLE CITY COUNCIL URGING THE STATE TO PROVIDE NEW SUSTAINABLE FUNDING FOR STATE AND LOCAL TRANSPORTATION INFRASTRUCTURE.**

7. **U.S. DEPARTMENT OF JUSTICE ASSET FORFEITURE PROGRAM EQUITABLE SHARING AGREEMENT AND CERTIFICATION –** staff report

The Council may consider authorizing the Oroville Police Department's participation in the U.S. Department of Justice Asset Forfeiture Program. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution 8412 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTIE AN EQUITABLE SHARING AGREEMENT AND CERTIFICATION FOR THE U.S. DEPARTMENT OF JUSTICE ASSET FOREFEITURE PROGRAM - (Agreement No. 3140).**

8. **ELECTRICAL SERVICE AGREEMENT WITH PACIFIC GAS AND ELECTRIC COMPANY –** staff report

The Council may consider an Electric Service Agreement with pacific Gas and Electric Company for new electrical service to be installed for the City's Table Mountain Boulevard Roundabout Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Adopt Resolution No. 8413 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN ELECTRIC SERVICE AGREEMENT WITH PACIFIC GAS & ELECTRIC COMPANY FOR THE TABLE MOUNTAIN BOULEVARD ROUNDABOUT PROJECT – (Agreement No. 3141).**

9. **REQUEST TO INSTALL MEMORIAL BENCH AND PLAQUE IN SANK PARK –** staff report

The Council may consider a the installation of a memorial bench and bronze plaque in Sank Park **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Approve the installation of a memorial bench and 3" x 5" bronze plaque with Mr. and Mrs. Ingram paying for the purchase, installation and future maintenance costs as may be needed.**

10. **PURCHASE OF TWELVE (12) VIEVU LE3 BODY WORN VIDEO CAMERAS –** staff report

The Council may consider the purchase of twelve (12) Viewu LE3 Body worn cameras, from Viewu, the sole source provider, in an amount not to exceed \$9,780. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Authorize the purchase twelve (12) Viewu LE3 Body Worn Cameras from Viewu, the sole source provider, in an amount not to exceed \$9,780.**

11. **PURCHASE OF DELL LAPTOP COMPUTER –** staff report

The Council may consider the purchase of a new Dell laptop computer for the Business Assistance and

Housing Development Department, in an approximate amount of \$1,342. (**Donald Rust, Director of Community Development and Amy Bergstrand, Management Analyst III**)

Council Action Requested: **Authorize the purchase of a new Dell laptop computer for the Business Assistance and Housing Development Department, in an amount not to exceed \$1,342.**

PUBLIC HEARINGS

12. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 2, 3, 5 – 12, 14, 15 and 17 – staff report

The Council may conduct a public hearing to consider its intention to levy and collect assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District, Zones 2, 3, 5 – 12, 14, 15 and 17 for Fiscal Year 2015/2016. (**Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer**)

Council Action Requested:

1. **Adopt Resolution No. 8414 - A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT ZONES 2, 3, 5 – 12, 14, 15 and 17 FOR FISCAL YEAR 2015/2016.**
2. **Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2015/2016 Butte County Tax Roll.**

13. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 1, 4, 13 and 16 – staff report

The Council may conduct a public hearing to consider its intention to levy and collect assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District, Zones 1, 4, 13 and 16 for Fiscal Year 2015/2016. (**Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer**)

Council Action Requested:

1. **Adopt Resolution No. 8415 - A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT ZONES 1, 4, 13 and 16 FOR FISCAL YEAR 2015/2016.**
2. **Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2015/2016 Butte County Tax Roll.**

14. ZC 15-01: SIGN CODE AMENDMENT – REQUIREMENTS FOR THE DOWNTOWN HISTORIC OVERLAY AND HISTORIC PRESERVATION DISTRICTS – staff report

The Council may conduct a public hearing to consider amending Section 26-19.105 of the Oroville Municipal Code relating to the City's sign regulations in the Downtown Historic Overlay/Historic Preservation District. (**Donald Rust, Director of Community Development and Luis Topete, Associate Planner**)

Council Action Requested: **Waive the first reading and introduce by title only, Ordinance No. 1809– AN ORDINANCE OF THE OROVILLE CITY COUNCIL ADOPTING THE PROPOSED AMENDMENTS TO THE OROVILLE MUNICIPAL CODE SECTION 26-19.150 RELATING TO THE CITY’S SIGN REGULATIONS IN THE DOWNTOWN HISTORIC OVERLAY / HISTORIC PRESERVATION DISTRICT.**

REGULAR BUSINESS

15. 16TH ANNUAL ECONOMIC FORECAST CONFERENCE SPONSORSHIP – staff report

The Council may consider sponsoring the 16th Annual Economic Forecast Conference. **(Donald Rust, Director of Community Development and Rick Farley, Enterprise Zone and Business Assistance Coordinator)**

Council Action Requested: **Approve the \$5,000 “Silver” level sponsorship in support of the 16th Annual Economic Forecast Conference, to be held January 14, 2015, at the Gold Country Event Center.**

16. PROJECT CONTRACT WITH R&R HORN, INC. – staff report

The Council may consider a Project Contract with the lowest responsible bidder, R&R Horn, Inc. in the amount of \$1,540,821, for the Table Mountain Boulevard Roundabout Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

- 1. Adopt Resolution No. 8416 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROJECT CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER, R&R HORN, INC, IN THE AMOUNT OF \$1,540,821, FOR THE TABLE MOUNTAIN BOULEVARD ROUNDABOUT PROJECT – (Agreement No. 3142).**
- 2. Authorize a 10% contract contingency for grant participating items only of \$124,820.**

17. PROFESSIONAL SERVICES AGREEMENT WITH HOLDREGE & KULL – staff report

The Council may consider a Professional Services Agreement with the lowest responsible bidder, Holdrege & Kull, in the amount of \$23,704, for materials testing services for the Table Mountain Boulevard Roundabout and Oro Dam Boulevard Traffic Signals Projects. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

- 1. Adopt Resolution No. 8417 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH HOLDREGE & KULL, IN THE AMOUNT OF \$23,704, FOR MATERIALS TESTING SERVICES FOR THE TABLE MOUNTAIN BOULEVARD ROUNDABOUT AND ORO DAM BOULEVARD TRAFFIC SIGNALS PROJECTS – (Agreement No. 3143).**
- 2. Authorize a 5% contingency, not to exceed \$1,185.**

18. ANNUAL SPECIAL TAX FOR THE CITY’S COMMUNITY FACILITIES DISTRICT NO. 2006-1 (WESTSIDE PUBLIC SAFETY FACILITIES) AND DISTRICT NO. 2006-2 (PUBLIC SAFETY SERVICES) FOR FISCAL YEAR 2015/2016 – staff report

The Council may consider the annual special tax relating to the City's Community Facilities Districts. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

1. **Adopt Resolution No. 8418 - A RESOLUTION OF THE CITY COUNCIL ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-1, WESTSIDE PUBLIC SAFETY FACILITIES, FOR FISCAL YEAR 2015/2016.**
2. **Adopt Resolution No. 8419 - A RESOLUTION OF THE CITY COUNCIL ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-2, PUBLIC SAFETY SERVICES, FOR FISCAL YEAR 2015/2016**
3. **Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2015/2016 Butte County Tax Roll.**

19. AMENDMENT TO NORTHWEST SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS AGREEMENT – staff report

The Council may consider an Amendment to the Northwest Society for the Prevention of Cruelty to Animals Agreement to include the newly annexed Area A, in South Oroville. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution 8420 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH THE NORTHWEST SOCIETY FOR THE PREVENTION OF CRUELTY OF ANIMALS TO INCLUDE A \$40,000 INCREASE FOR FISCAL YEAR 2015/2016 FOR NEWLY ANNEXED AREA A, IN SOUTH OROVILLE, AND TO REMOVE THE CAP ON AFTERHOURS CALLS FOR SERVICE REIMBURSEMENT- (Agreement No. 2041-2).**

20. PURCHASE OF UPGRADE FOR THE CITY'S WEBSITE – staff report

The Council may consider the purchase of an upgrade for the City's website, www.cityoforoville.org, in the amount of \$26,500 plus the first year's maintenance fees of \$5,500 for a total of \$32,000. **(Donald Rust, Director of Community Development and Tyson Pardee, IT Manager)**

Council Action Requested: **Authorize the purchase of an upgrade for the City's website, in the amount of \$26,500 plus the first year's maintenance fees of \$5,500 for a total of \$32,000.**

21. RE-INSTATEMENT OF ASSOCIATE ENGINEER POSITION – staff report

The Council may consider the re-instatement of an Associate Engineer for the Community Development Department. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

1. **Approve the re-instatement of the Associate Engineer position at \$108,000 (Step D).**
2. **Authorize the recruitment for a new Associate Engineer.**

22. NEW HIRES – SEWER DIVISION PUBLIC WORKS OPERATOR 1 – staff report

The Council may consider the recruitment for two new Public Works Operator I's for the Sewer Division. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Authorize the recruitment for two (2) new Pubic Works Operator I's.**

23. PURCHASE AND SALE AGREEMENTS OF FORMER REDEVELOPMENT AGENCY PROPERTIES – staff report

The Council may consider recommending approval of the Sale and Purchase Agreements to the Oversight Board for the Successor Agency of the City of Oroville of six (6) of the former Oroville Redevelopment Agency properties pursuant to the Long-Range Property Management Plan, as authorized by the State Department of Finance. **(Donald Rust, Director of Community Development and Rick Farley, RDA Coordinator)**

Commission Action Requested: **Adopt Resolution No. 8421 - A RESOLUTION OF THE OROVILLE CITY COUNCIL RECOMMENDING TO THE OVERSIGHT BOARD THAT SIX (6) PROPERTIES, 750 MONTGOMERY STREET, 2044, 2060 and 2062 MONTGOMERY STREET, 1330 DOWNER STREET AND 1305 MYERS STREET, BE SOLD FOR THE APPRAISED VALUE PURSUANT TO THE RESPECTIVE PROPERTY PURCHASE AGREEMENTS.**

24. WAIVER OF ADMISSION FEES FOR THE GRAND RE-OPENING OF THE CHINESE TEMPLE AND MUSEUM COMPLEX – staff report

The Council may consider waiving the admission fees for the Grand Re-opening of the Chinese Temple and Museum Complex, to be held Thursday, August 27, 2015, from 3:00 p.m. – 7:00 p.m. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Approve the waiver of admission fees for the Grand Re-opening of the Chinese Temple and Museum Complex.**

25. MONTHLY SUMMARY OF INVESTMENTS FOR JULY 2015 – report attached

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

Council Action Requested: **Acknowledge receipt of the July 2015 Monthly Summary of Investments.**

SUCCESSOR AGENCY - None

MAYOR/ COUNCIL REPORTS

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

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Finance Department – activity report
- Public Safety Department – activity report

CORRESPONDENCE

- Public Utilities Commission of the State of California, received August 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 54957.6, 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.
2. 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.
3. 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.

ADJOURNMENT

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, September 1, 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.