

**CITY COUNCIL MEETING MINUTES
JULY 21, 2015 – 5:30 P.M.**

The agenda for the July 21, 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 Tuesday, July 14, 2015, at 3:50 p.m.

The July 21, 2015 regular meeting of the Oroville City Council was called to order by Vice Mayor Wilcox at 5:31 p.m.

ROLL CALL

Present: Council Members Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor Wilcox
Absent: Mayor Dahlmeier (excused)

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
Dean Hill, Jr. Assistant Fire Chief

Scott Huber, City Attorney
Jamie Hayes, Assistant City Clerk
Karolyn Fairbanks, Treasurer
Allen Byers, Assistant Police Chief
Rick Farley, RDA Coordinator

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Allen Young.

PROCLAMATION / PRESENTATION

Council Member Del Rosario, on behalf of the Council, presented a Certificate of Appreciation to Allen Young for serving on the Oroville Arts Commission for a four year term.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Bill Bynum – Item No. 4	Ryan DeBrotherton – Item No. 4
Annette DeBrotherton – Item No. 4	Victor Owens – Item No. 4
Casey Hatcher-Item No. 6	Bruce Spangler – Item No. 6
Cheri Bunker – Item No. 6	

CONSENT CALENDAR

A motion was made by Council Member Hatley, seconded by Council Member Pittman, to approve the following Consent Calendar, with exception to Item No. 4:

1. APPROVAL OF THE MINUTES OF JULY 7, 2015 REGULAR MEETING OF THE

OROVILLE CITY COUNCIL – minutes attached

2. USDA RURAL DEVELOPMENT COMMUNITY FACILITIES GRANT FOR FIREFIGHTING PERSONAL PROTECTIVE EQUIPMENT FOR FISCAL YEAR 2015/2016 – staff report

The Council considered the submittal of a USDA Rural Development Community Facilities Grant Application for fiscal year 2015/2016 to purchase Personal Protective Equipment for the City of Oroville Fire Department. **(Bill La Grone, Director of Public Safety and Amy Bergstrand, Management Analyst III)**

Council Action Requested: **Adopt Resolution No. 8395 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING AN APPLICATION, MATCH COMMITMENT, AND CONTRACT EXECUTION FOR FUNDING FROM THE USDA RURAL BUSINESS COMMUNITY FACILITIES GRANT FOR FIREFIGHTING PERSONAL PROTECTIVE EQUIPMENT FOR FISCAL YEAR 2015-2016 AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ALL DOCUMENTS, AGREEMENTS AND ANY AMENDMENTS THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSE OF THIS GRANT.**

3. USDA RURAL DEVELOPMENT COMMUNITY FACILITIES GRANT FOR MUNICIPAL LAW ENFORCEMENT OFFICER PERSONAL PROTECTIVE EQUIPMENT AND EQUIPMENT FOR FISCAL YEAR 2015/2016 – staff report

The Council considered the submittal of a USDA Rural Development Community Facilities Grant Application for the fiscal year 2015/16 to purchase Personal Protective Equipment and other related equipment for the Municipal Law Enforcement Officers. **(Bill La Grone, Director of Public Safety and Amy Bergstrand, Management Analyst III)**

Council Action Requested: **Adopt Resolution No. 8396 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING AN APPLICATION, MATCH COMMITMENT, AND CONTRACT EXECUTION FOR FUNDING FROM THE USDA RURAL DEVELOPMENT COMMUNITY FACILITIES GRANT FOR MUNICIPAL LAW ENFORCEMENT OFFICER PPERSONAL PROTECTIVE EQUIPMENT AND OTHER RELATED EQUIPMENT FOR FISCAL YEAR 2015-2016 AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ALL DOCUMENTS, AGREEMENTS AND ANY AMENDMENTS THERETO WITH THE STATE OF CALIFORNIA FOR THE PURPOSE OF THIS GRANT.**

4. THIS ITEM WAS REMOVED FROM THE CONSENT CALENDER (SEE BELOW)

5. EMPLOYEE RECOGNITION EVENTS – staff report

The Council considered approving two employee recognition events scheduled for August 8th and mid-December and allocate a combined maximum expenditure not to exceed \$2,500 for supplies needed. **(Donald Rust, Director of Community Development and Gary Layman, Chief Building Official)**

Council Action Requested: **Approve the maximum expenditure of \$1,000 for the August 8th employee appreciation BBQ at the Centennial Cultural Center and \$1,500 for the mid-December employee appreciation holiday gathering at the Table Mountain Golf Course.**

The motion was passed by the following vote:

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

4. REMOVAL OF BBQ AT THE FEATHER RIVER NATURE CENTER – staff report

The Council considered directing staff to remove an existing BBQ at the Feather River Nature Center.

(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.

Ryan & Annette DeBrotherton and Bill Bynum spoke in opposition to the removal of the BBQ at the Feather River Nature Center.

Victor Owens expressed concern over homeless issues such as vandalism and theft.

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

Direct staff to remove the BBQ at the Feather River Nature Center.

PUBLIC HEARINGS - None

REGULAR BUSINESS

6. PRESENTATION: BUTTE COUNTY TOURISM BUSINESS IMPROVEMENT DISTRICT – staff report

The Council received a presentation and information relating to the Butte County Tourism Business Improvement District. **(Donald Rust, Director of Community Development)**

Bruce Spangler, Holiday Inn Express, and Casey Hatcher, Butte County, gave a presentation relating to the proposed Butte County Tourism Business Improvement District.

Cheri Bunker, Oroville Economic Development Corporation, spoke in support of a Butte County Tourism Business Improvement District.

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

by Council Member Pittman, to:

Authorize the Acting City Administrator to return to Council with a Resolution of Consent for the Butte County Tourism Business Improvement District, if requested by the Butte County Board of Supervisors.

The motion was passed by the following vote:

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

7. 2015 NATIONAL BROWNFIELDS TRAINING CONFERENCE – staff report

The Council considered giving direction for one staff person and one Council Member to attend the 2015 National Brownfields Training Conference in Chicago, IL, on September 2-4, 2015. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

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

Approve Council Member Berry and Director of Community Development, Donald Rust, to attend the 2015 National Brownfields Training Conference on September 2-4, 2015, provided that all expenses are grant funded with no impact to the City's General Fund.

The motion was passed by the following vote:

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

8. NATIONAL NIGHT OUT / COUNCIL MEETING SCHEDULING – staff report

The Council considered directing staff on a potential time and location change for the August 4th regular City Council meeting. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Following discussion, the Council directed staff to begin Closed Session at 2:30 p.m. and Open Session at 3:00 p.m. for the August 4, 2015 regular City Council meeting in order to allow the Council to participate with National Night Out festivities which will be in Sank Park.

9. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 1 – 8 – staff report

The Council may consider initiating proceedings, preliminarily approving the Annual

Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Benefit Assessment District for Fiscal Year 2015/2016. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

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

1. **Adopt Resolution No. 8397 - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2015/2016.**
2. **Authorize any necessary budget adjustments to the Annual Assessment Report.**

10. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS, ZONES 1 – 17- staff report

The Council may consider initiating proceedings, preliminarily approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District for Fiscal Year 2015 -2016. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

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

1. **Adopt Resolution No. 8398 - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2015/2016.**
2. **Authorize any necessary budget adjustments to the Annual Assessment Report.**

11. ANNUAL SANITARY SEWER SERVICE RATE INCREASES – staff report

The Council considered a Resolution certifying that the Sewer Service charges to be levied on the 2015/2016 tax roll are in compliance with Proposition 218. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

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

Adopt Resolution No. 8399 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CERTIFICATION WITH THE BUTTE COUNTY AUDITOR CERTIFYING THAT THE SEWER SERVICE CHARGES

LEVIED ON THE 2015/2016 TAX ROLL ARE IN COMPLIANCE WITH PROPOSITION 218.

The motion was passed by the following vote:

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

12. PLACEMENT OF DELINQUENT GARBAGE BILLS ON THE 2015/2016 PROPERTY TAX ROLL – staff report

The Council considered the placement of delinquent garbage bills to Recology on the 2015/2016 property tax roll. **(Ruth Wright, Director of Finance)**

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

Adopt Resolution No. 8400 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING DIRECT ASSESSMENT FOR DELINQUENT GARBAGE BILLS FOR 2014/2015 ON THE 2015/2016 PROPERTY TAX ROLL AND AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSITION 218 CERTIFICATION OF TAX BILL LEVY.

The motion was passed by the following vote:

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

SUCCESSOR AGENCY

13. LAND SALES OF RDA PROPERTIES TO BE SOLD – staff report

The Commission considered options for the sale of six (6) commercial property assets of the former Oroville Redevelopment Agency. **(Donald Rust, Director of Community Development and Rick Farley, RDA Coordinator)**

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

Direct staff to sell the six commercial property assets of the former Oroville Redevelopment Agency.

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 activities relating to AB 113 at the State Capital.

Council Member Pittman also reported that the Chamber of Commerce had recently hired Sandy Linville as their new Chief Executive Officer.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Department of Public Safety – activity report

Bill La Grone, Director of Public Safety, gave a brief report on the status of the Municipal Law Enforcement Office located at the Municipal Auditorium.

Ruth Wright, Director of Finance, gave a brief status report on the conversion to Sungard Financial Software and the completion of the 2015/2016 Budget.

Donald Rust, Director of Community Development, gave a report on the following:

- Special Meeting – Budget Workshop scheduled for August 11, 2015 at 10:00 a.m.
- Tree Removal Permit issued to Pacific Gas & Electric Company relating to the Storm Drain Project at the Municipal Auditorium parking lot
- State Theatre Artists Guild (STAGE) Annual Report relating to the operation and management of the State Theatre
- Presentation at the American Planning Association’s Annual Conference relating to the City of Oroville’s Arts, Culture and Entertainment District
- West Nile Virus identified in Butte County
- Oversight of the \$5,000 donation from Destination America to the Feather River Nature Center

Scott Huber, City Attorney, commended an opposition letter, written by Scott Ochoa, City Manager of Glendale, California, relating to AB 113.

CORRESPONDENCE

- California Water Service Company, received July 14, 2015

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

Anthony Thomas spoke to the Council regarding his opposition to space based weapons.

Cheri Bunker invited the Council to attend the Annual Oroville Economic Development Corporation’s Fundraiser BBQ, to be held August 12, 2015 at Riffles Recreation Park.

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.

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

ADJOURNMENT

The meeting was adjourned at 8:37 p.m. A special meeting of the Oroville City Council will be held on Thursday, July 29, 2015, at 4:00 p.m.

Donald Rust, Acting City Clerk

Linda L. Dahlmeier, Mayor