



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Regular Meeting

SEPTEMBER 15, 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. 7)

RECONVENE TO OPEN SESSION

OPEN SESSION (6:00 P.M.)

PLEDGE OF ALLEGIANCE

PROCLAMATION / PRESENTATION

Proclamation recognizing **September 13 – 19, 2015** as “**National Assisted Living Week**”

Proclamation recognizing **September 28 – October 4, 2015** as “**Diaper Need Awareness Week**”

Presentation by **Butte County** relating to the **Urban Greening Plan**

Presentation by **Butte County Association of Governments** relating to **Butte Regional Conservation Plan**

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 SEPTEMBER 1, 2015 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached
2. **SUPPLEMENTAL BENEFITS FUND AGREEMENT WITH ENVIRONMENTAL SCIENCE ASSOCIATES** – staff report

The Council, serving as the Supplemental Benefits Fund Administrator, may consider a Professional Services Agreement, in the amount of \$68,950, with Environmental Science Associates for the preparation of the Feather River Consolidated Master Plan. **(Donald Rust, Director of Community Development and Bob Marciniak, SBF Program Specialist)**

Council Action Requested: **Adopt Resolution No. 8426 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF OROVILLE, AS THE SUPPLEMENTAL BENEFITS FUND ADMINISTRATOR, AND ENVIRONMENTAL SCIENCE ASSOCIATES, IN THE AMOUNT OF \$68,950, FOR THE PREPARATION OF THE FEATHER RIVER CONSOLIDATED MASTER PLAN – (Agreement No. 3145).**

3. **PURCHASE OF COST ALLOCATION SOFTWARE AND LICENSE AND SERVICE AGREEMENT WITH COSTTREE, LLC** – staff report

The Council may consider the purchase of cost allocation software, in the amount of \$4,000, and a License and Service Agreement with Costtree LLC. **(Ruth Wright, Director of Finance)**

Council Action Requested:

1. **Approve the purchase of cost allocation software from Costtree LLC in the amount of \$4,000; and**
2. **Adopt Resolution No. 8427 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORTIZING AND DIRECTING THE MAYOR TO EXECUTE A LICENSE AND SERVICE AGREEMENT WITH COSTTREE, LLC. RELATING TO COST ALLOCATION SOFTWARE – (Agreement No. 3146).**

4. **PURCHASE OF STORMWATER COMPLIANCE MATERIALS** – staff report

The Council may consider the purchase of stormwater compliance materials from WGR Southwest, in the amount of \$2,825, for the City's Small MS4 Statewide General Permit. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **Authorize the purchase of stormwater compliance materials from WGR Southwest, in the amount of \$2,825, for the City's Small MS4 Statewide General Permit.**

5. **STATE THEATRE BUILDING REPAIRS BY B & B PAINTING AND DRYWALL** – staff report

The Council will receive an update regarding B & B Painting and Drywall's repair work on the exterior of the State Theatre's commercial spaces. **(Donald Rust, Director of Community Development and Amy Bergstrand, Management Analyst III)**

Council Action Requested: **None.**

6. ADOPTION OF STANDARDIZED FORMAT AND STYLE METHODOLOGY FOR THE OROVILLE CITY MUNICIPAL CODE – staff report

The Council may consider a standard of formatting and stylistic methodology to be utilized in the codification of the Oroville City Municipal Code. **(Donald Rust, Director of Community Development; Jamie Hayes, Assistant City Clerk and Scott Huber, City Attorney)**

Council Action Requested: **Approve the standard for formatting and stylistic methodology to be utilized in the codification of the Oroville City Municipal Code, as indicated in the September 15, 2015 staff report.**

7. FORMATION OF A CITY GRANT WRITING TEAM – staff report

The Council may consider the formation of a City grant writing team for the interdepartmental collaboration in the identification, evaluation, preparation, review and submittal of potential grant applications. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Direct the City personnel, identified in the September 15, 2015 staff report, or his/her designee, to participate as members of a City grant writing team for the interdepartmental collaboration in the identification, evaluation, preparation, review and submittal of potential grant applications.**

8. PROPOSED ARTWORK ONTO PACIFIC GAS AND ELECTRIC COMPANY CABINET – staff report

The Council may consider a proposed art project to decorate a PG&E cabinet located at 2280 6th Street, Oroville, with the re-production of a 2014 peace poster contest drawing and other complimentary designs. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Approve the placement of the proposed art project to decorate a PG&E cabinet located at 2280 6th Street, Oroville, with the re-production of a 2014 peace poster contest drawing and other complimentary designs.**

9. CHICO CERTIFIED FARMERS MARKET – staff report

The Council will receive an update on the solution to the safety concerns expressed by the manager of the Chico Certified Farmers Market. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **None.**

10. SURPLUS OF VARIOUS ITEMS OF PERSONAL PROTECTIVE EQUIPMENT – staff report

The Council may consider the surplus of various items of Personal Protective Equipment that is no longer in service at the Fire Department. **(Bill LaGrone, Director of Public Safety)**

Council Action Requested: **Authorize the surplus and transfer of various items of Personal Protective Equipment to the Butte College Fire Academy and to local humanitarian groups for the donation of this equipment to impoverished countries, as indicated in the September 15, 2015 staff report.**

11. FEE WAIVER REQUEST BY THE OROVILLE HMONG NEW YEAR FESTIVAL COMMITTEE – staff report

The Council may consider a fee waiver request from the Oroville Hmong New Year Festival Committee, in the amount of \$6,415, for Police Services relating to the 2015 Oroville Hmong New Year Festival, to be

held October 11 – 12, 2015 at the Nelson Avenue Sports Complex. **(Bill LaGrone, Director of Public Safety)**

Council Action Requested: **Waive 65% of the fees, in the amount of \$6,415, and have the applicant pay the remainder of the fees, in the amount of \$3,454, for the 2015 Oroville Hmong New Year Festival.**

12. JOB RELATED TRAINING FOR CITY STAFF – staff report

The Council will receive a report regarding the enrollment of two employees in job related training. **(Donald Rust, Director of Community Development and Amy Bergstrand, Management Analyst III)**

Council Action Requested: **None.**

PUBLIC HEARINGS - None

13. STREAMLINE SOLAR PERMITTING

The Council will conduct a public hearing to review and consider adopting an ordinance amending the City of Oroville Municipal Code regarding the implementation of consistent statewide standards to achieve the timely and cost-effective installation of solar energy systems per AB 2188. **(Donald Rust, Director of Community Development and Gary Layman, Chief Building Official)**

Council Action Requested: **Waive the first reading and introduce by title only, Ordinance No. 1810 – AN ORDINANCE OF THE OROVILLE CITY COUNCIL AMENDING THE CITY OF OROVILLE MUNICIPAL CODE REGARDING THE IMPLEMENTATION OF CONSISTENT STATEWIDE STANDARDS TO ACHIEVE THE TIMELY AND COST-EFFECTIVE INSTALLATION OF SOLAR ENERGY SYSTEMS PER AB 2188.**

REGULAR BUSINESS

14. PURCHASE OF UPGRADE FOR LASERFICHE – staff report

The Council may consider the purchase of an upgrade for Laserfiche, a document scanning retention program, from Ray Morgan Company, in the amount of \$25,965. **(Donald Rust, Director of Community Development and Tyson Pardee, IT Manager)**

Council Action Requested: **Authorize the purchase of an upgrade for Laserfiche from Ray Morgan Company, in the amount of \$25,965.**

15. ZC 15-01: SIGN CODE AMENDMENT – REQUIREMENTS FOR THE DOWNTOWN HISTORIC OVERLAY AND HISTORIC PRESERVATION DISTRICTS – staff report (*Continued from September 1, 2015*)

The Council may 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 second reading and adopt 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.**

16. 2014 COMMUNITY DEVELOPMENT BLOCK GRANT AND ESTABLISHMENT OF A BUDGET FOR PROGRAM AND PROJECT ACTIVITIES – staff report

The Council may consider accepting the 2014 Community Development Block Grant Allocation, Agreement No. 14-CDBG-9893, in the amount of \$500,001, and approving a supplemental appropriation to establish the budget for related program activities. **(Donald Rust, Director of Community Development and Amy Bergstrand, Management Analyst III)**

Council Action Requested:

1. **Accept the 2014 Community Development Block Grant Allocation, Agreement No. 14-CDBG-9893, in the amount of \$500,001; and**
2. **Approve Supplemental Appropriation No. 2015/16-xxxx-xx as indicated in the fiscal impact of this Staff Report, dated September 15, 2015.**

17. ACCEPTANCE OF TIRE-DERIVED GRANT FROM CALRECYCLE – staff report *(Continued from August 18, 2015)*

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.**

18. REGULATIONS REGARDING UNITED STATES FLAG USE ETIQUETTE – staff report

The Council may consider directing staff to develop regulations regarding proper etiquette for use of the United States flag. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

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

19. COMPLETION OF THE URBAN FOREST MANAGEMENT PLAN, AMENDMENTS TO THE EXISTING TREE ORDINANCE AND NEW VEGETATION MANAGEMENT PLAN – staff report

The Council may consider initiating the process to complete an Urban Forest Management Plan, amend the existing Tree Ordinance and other relevant City Municipal Code sections, complete a Vegetation Management Plan for the areas along the Feather River, and appoint an Ad hoc sub-committee to oversee, provide input, and help draft the documents and ordinance amendments. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested:

1. **Direct staff to come back with a proposed work plan and budget for the completion of an Urban Forest Management Plan, amendments to the existing Tree Ordinance and other relevant City Municipal Code sections, and a new Vegetation Management Plan for the areas along the Feather River; and**
2. **Appoint an Ad hoc sub-committee to oversee, provide input, and help draft the documents and ordinance amendments, consisting of:**
 - **Two (2) Council Members;**

- **Two (2) Park Commissioners;**
- **Three (3) Save Oroville Trees Representatives;**
- **City Staff**

20. 2015 MAYORS WATER SUMMIT – staff report

The Council may consider allowing the Mayor and two staff members to attend the 2015 Mayors Water Summit scheduled for October 15 -16, 2015, in Los Angeles. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize staff to make arrangements for the Mayor and two staff members to attend the 2015 Mayors Water Summit scheduled for October 15 -16, 2015, in Los Angeles.**

21. REIMBURSEMENT OF EXPENDITURES PERTAINING TO U.S. CONFERENCE OF MAYORS - staff report

The Council may consider an additional reimbursement for overages, totaling \$1,644.48, to the Mayor for expenses pertaining to the U.S. Conference of Mayors, which was held in San Francisco in June of 2015. **(Donald Rust, Director of Community Development)**

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

22. ATTENDANCE TO 2015 ANNUAL CONFERENCES – staff report

The Council may consider members of the Executive Management staff to attend the 2015 annual conference for the League of California Cities, American Planning Association – California Chapter, California Public Employee Labor Relation Association and the City Clerk – New Law and Election Seminar. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize staff to attend the 2015 annual conferences, as indicated in the September 15, 2015 staff report.**

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

The Council may consider Sale and Purchase Agreements for two (2) former Oroville Redevelopment Agency properties, 750 Montgomery Street and 1330 Downer Street, Oroville, pursuant to the Long Range Property Management Plan, approved by the State Department of Finance. **(Donald Rust, Director of Community Development and Rick Farley, RDA Coordinator)**

Council Action Requested: **Provide direction to staff, as necessary.**

24. MONTHLY FINANCIAL REPORT FOR JULY 2015 AND MONTHLY SUMMARY OF INVESTMENTS AND MONTHLY FINANCIAL REPORTS FOR AUGUST 2015 – reports attached

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

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

SUCCESSOR AGENCY - None

25. ADOPTION OF THE JANUARY THROUGH JUNE 2016 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 15-16B) – staff report

The Successor Agency may consider approving the Recognized Obligation Payment Schedule (ROPS 15-16B) for the January 1, 2016 through June 30, 2016 time period. **(Rick Farley, RDA Coordinator)**

Commission Action Requested: **Adopt Resolution No. 15-13 – A RESOLUTION OF THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE JANUARY THROUGH JUNE, 2016 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 15-16B) PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(M).**

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

CORRESPONDENCE - None

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(a), the Council will meet with the Acting City Administrator, and the City Attorney relating to existing litigation: Diane MacMillan v. City of Oroville, et al., Butte County Superior Court, Case No. 163806.
3. Pursuant to Government Code section 54956.9(d), the Council will meet with the Acting City Administrator and the City Attorney regarding potential litigation – Claims filed by Randolph P. Murphy.
4. Pursuant to Government Code section 54956.9(d), the Council will meet with the Acting City Administrator and the City Attorney regarding potential litigation – one case.

ADJOURNMENT

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, October 6, 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.