

**CITY COUNCIL MEETING MINUTES
OCTOBER 6, 2015 – 5:00 P.M.**

The agenda for the October 6, 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 Friday, October 2, 2015, at 2:25 p.m.

The October 6, 2015 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:01 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
Jamie Hayes, Assistant City Clerk
Rick Walls, Interim City Engineer
Ruth Wright, Director of Finance
Bob Marciniak, SBF Program Specialist
Gil Zarate, Police Lieutenant

Bill LaGrone, Director of Public Safety
Karolyn Fairbanks, Treasurer
Dean Hill, Jr. Assistant Fire Chief
Allen Byers, Assistant Police Chief
Gary Layman, Chief Building Official
Chris Nicodemus, Police Lieutenant

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier.

PROCLAMATION / PRESENTATION

Mayor Dahlmeier presented Cindy Hawthorne, Catalyst Domestic Violence Services, with a Proclamation recognizing October 2015, as "Domestic Violence Awareness Month".

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Casey Hatcher – Item No. 12
Sandy Linville – Item No. 12

Bruce Spangler – Item No. 12

CONSENT CALENDAR

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

1. **APPROVAL OF THE MINUTES OF SEPTEMBER 15, 2015 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

2. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**

3. **PUBLIC AUTHORITY AGGREGATE WATER BUDGET PROGRAM** – staff report

The Council considered enrollment in the Public Authority Aggregate Water Budget Program for the City of Oroville. **(Donald Rust, Director of Community Development and Wade Atteberry, Parks and Trees Supervisor)**

Council Action Requested: **Direct staff to enroll the City of Oroville into the Public Water Budget Program with the California Water Service Company.**

4. **POTENTIAL FUNDING OPPORTUNITIES FROM STATE AGENCIES AND CORPORATE SPONSORS** – staff report

The Council considered seeking funding opportunities from state agencies and corporate sponsors. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Authorize staff to make in-person contacts and seek sponsorship from relevant state agencies and other potential corporate sponsors.**

5. **PURCHASE OF SIX (6) GPH ANALOG BENDIX KING PROGRAMMABLE HANDHELD RADIOS WITH BATTERIES** – staff report

The Council were advised of the purchase of six (6) GPH Analog Bendix King programmable radios by the Fire Department, utilizing Fire Impact fees, in the amount of \$5,652.07, for the purchase. **(Bill LaGrone, Director of Public Safety)**

Council Action Requested: **For information purposes only.**

6. **PROFESSIONAL SERVICES AGREEMENT WITH THE OROVILLE AREA CHAMBER OF COMMERCE** – staff report

The Council considered a Professional Services Agreement with the Oroville Area Chamber of Commerce, in the amount of \$10,000, to provide assistance to the City for marketing and tourism related activities. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8429 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH THE OROVILLE AREA CHAMBER OF COMMERCE, IN THE AMOUNT OF \$10,000, TO PROVIDE ASSISTANCE TO THE CITY FOR MARKETING AND TOURISM RELATED ACTIVITIES – (Agreement No. 1412-14).**

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. CAPITAL PROJECTS/EQUIPMENT REPLACEMENT FUND TRANSFER REVERSAL – staff report

The Council considered the reversal of a transfer from the General Fund to the Equipment Replacement and Capital Projects Funds, in the amount of \$437,415. **(Ruth Wright, Director of Finance)**

This item was removed from the Consent Calendar at the request of Council Member Hatley, for additional commentary.

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

Approve the transfer from the General Fund, in the amount of \$437,415, to replenish the Equipment Replacement and Capital Projects Funds.

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

7. EXPEDITED PERMITTING PROCEDURES FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS – staff report

The Council considered adopting an ordinance adding a section to the City of Oroville Municipal Code, per Subsection (a) of Section 65850.5 of the California Government Code, regarding the implementation of consistent statewide standards to achieve the timely and cost-effective installation of solar energy systems. **(Donald Rust, Director of Community Development and Gary Layman, Chief Building Official)**

Mayor Dahlmeier opened the public hearing. Hearing no comments or questions from the audience, the public hearing was closed.

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

Waive the first reading and introduce by title only, Ordinance No. 1810 - AN ORDINANCE OF THE OROVILLE CITY COUNCIL ADOPTING THE PROPOSED AMENDMENTS TO THE OROVILLE MUNICIPAL CODE SECTION 21-1 RELATING TO THE EXPEDITED PERMITTING PROCEDURES FOR SMALL RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEMS.

The motion was passed by the following vote:

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

REGULAR BUSINESS

8. AGREEMENT WITH RICK CARPENTER ROOFING – staff report

The Council considered an Agreement with Rick Carpenter Roofing, in the amount of \$5,670, for the State Theatre Roof Repairs Project. **(Donald Rust, Director of Community Development and Gary Layman, Chief Building Official)**

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

Direct staff to return to Council with an Agreement with Rick Carpenter Roofing, in the amount of \$5,670, for the State Theatre Roof Repairs Project.

The motion was passed by the following vote:

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

9. OROVILLE OPHIR LIONS CLUB FEE WAIVER AND FACILITY USE REQUEST – staff report

The Council considered a request from the Oroville Ophir Lions Club for the use of a City facility, at no cost for three monthly meetings and a fee waiver request for the use of the Municipal Auditorium on December 4 – 6, 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 Berry, to:

1. **Approve a 50% fee waiver of the prorated charges, in the amount of \$807.50, for use of the Municipal Auditorium on December 4 - 6, 2015, with a requirement for the \$500 refundable security deposit; and**
2. **Direct staff to assist the Oroville Ophir Lions Club in locating a preferred City-owned building to utilize, at little or no cost, for three monthly meetings per month and return to Council with an update.**

The motion was passed by the following vote:

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

10. REQUEST FROM OROVILLE UNION HIGH SCHOOL DISTRICT TO USE CITY COUNCIL CHAMBERS – staff report

The Council considered a request from the Oroville Union High School District to utilize the City Council Chambers for their bi-monthly board meetings. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Following discussion, the Council declined the request made by the Oroville Union High School District to utilize the City Council Chambers for their bi-monthly board meetings.

11. AGREEMENT WITH BUTTE COUNTY FOR PLACING COMMUNITY FACILITIES DISTRICT 2006-1 AND 2006-2 SPECIAL TAXES ON PROPERTY TAX BILL – staff report

The Council considered an Agreement with Butte County for placement of the annual Community Facilities District special tax onto the property tax bills for those properties subject to the City's CFD 2006-1 and 2006-2 annual tax. **(Donald Rust, Director of Community Development and Rick Walls, Interim, City Engineer)**

Council Member Hatley and Vice Mayor Wilcox recused themselves from this item due to possible conflicts of interest.

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

1. **Adopt Resolution No. 8430 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH BUTTE COUNTY FOR THE PLACEMENT OF COMMUNITY FACILITIES DISTRICT 2006-1 TAXES ON THE PROPERTY TAX BILLS – (Agreement No. 3148); and**
2. **Adopt Resolution No. 8431 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH BUTTE COUNTY FOR THE PLACEMENT OF COMMUNITY**

**FACILITIES DISTRICT 2006-2 TAXES ON THE PROPERTY TAX BILLS –
(Agreement No. 3149).**

The motion was passed by the following vote:

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

12. BUTTE COUNTY TOURISM BUSINESS IMPROVEMENT DISTRICT – staff report

The Council considered a Resolution granting consent to the County of Butte to form a Butte County Tourism Business Improvement District and to include the jurisdiction of the City of Oroville within the District. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Casey Hatcher, Butte County Principle Management Analyst, Bruce Spangler, Holiday Inn Express General Manager and Sandy Linville, Oroville Area Chamber of Commerce President/CEO, provided a presentation and answered questions for the Council.

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

Adopt Resolution No. 8432 – A RESOLUTION OF THE COUNCIL OF THE CITY OF OROVILLE, STATE OF CALIFORNIA, GRANTING CONSENT TO THE COUNTY OF BUTTE TO FORM THE BUTTE COUNTY TOURISM BUSINESS IMPROVEMENT DISTRICT.

The motion was passed by the following vote:

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

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

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

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

- 1. Adopt Resolution No. 8433 – 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 ORO**

**DAM BOULEVARD TRAFFIC SIGNALS AND TABLE MOUNTIAN BOULEVARD
ROUNDAABOUT PROJECTS – (Agreement No. 3150); and**

2. Authorize a 5% contingency, not to exceed \$1,185.

The motion was passed by the following vote:

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

**14. ESTABLISHMENT OF A BOARD OF DIRECTORS FOR THE CITY OF OROVILLE
MUSEUM AND CULTURAL FACILITIES FOUNDATION - staff report**

The Council considered seeking applications from individuals desiring to serve as a Director on the Board of City Museums and Cultural Facilities Foundation for terms ranging from one to three years. **(Donald Rust, Director of Community Development)**

Following discussion, the Council directed staff to begin seeking applications from individuals desiring to serve as a Director on the Board of City Museums and Cultural Facilities Foundation and to return to Council within 120 days for further direction.

**15. ADDITIONAL ROADWAY IMPROVEMENTS FOR WALMART SUPERSTORE PROJECT
– staff report**

The Council considered the use of traffic impact fees, estimated at \$40,000, for the construction of additional curb, gutter and sidewalk improvements along the east side of Feather River Boulevard. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

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

Authorize the use of traffic impact fees to pay the actual cost of additional curb, gutter and sidewalk improvements for the Walmart Superstore Project, estimated at \$40,000.

The motion was passed by the following vote:

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

**16. PROFESSIONAL SERVICES AGREEMENT WITH PATRICK CLARK CONSULTING –
staff report**

The Council considered a Professional Services Agreement with Patrick Clark Consulting for Labor Negotiation Services. **(Bill LaGrone, Director of Public Safety)**

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

Adopt Resolution No. 8434 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH PATRICK CLARK CONSULTING FOR LABOR NEGOTIATION SERVICES RELATING TO ALL EMPLOYEE ASSOCIATIONS OF THE CITY OF OROVILLE - (Agreement No. 3115).

The motion was passed by the following vote:

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

SUCCESSOR AGENCY - None

MAYOR/ COUNCIL REPORTS

Council Member Pittman gave a brief report relating to Assembly Bill No. 2 (AB 2) relating to Community Revitalization Authority.

Mayor Dahlmeier appointed Council Member Simpson and herself to serve on the City's Health Insurance Review Committee.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Bill LaGrone, Director of Public Safety, gave a brief update relating to the implementation of the City's Municipal Law Enforcement Program, which is currently being conducted within the project timelines and under the projected budget.

Mr. LaGrone also advised the Council that the Agreement between the City of Oroville and the Northwest Society for the Prevention of Cruelty to Animals (NW SPCA) did include stand-by pay, in the amount of \$695 per month, relating to the Animal Control Services.

Donald Rust, Director of Community Development Services, advised the Council of a potential crude oil by rail proposal, currently being reviewed by the federal government, to utilize the Feather River Canyon to transport Valero Crude Oil Units.

CORRESPONDENCE

- California Water Service Company, received September 22 , 2015
- Butte County Administration, received September 23, 2015

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

Ron Scharbor invited the Council to attend and/or participate with the American Legion's Annual Dinner and Dance event, to be held on Saturday, October 10, 2015 at the Veteran's Memorial Building.

Eric McDonald introduced a potential business plan relating to family entertainment to the Council.

Alan Cartwright spoke to the Council in regards to City trees.

CLOSED SESSION

The Council held 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 54957(b), the Council will meet with Acting City Administrator, Personnel Officer, and City Attorney to consider the evaluation of performance related to the following position: Assistant Chief of Police.
3. Pursuant to Government Code Section 54957(b), the Council will meet with Acting City Administrator, Personnel Officer, and City Attorney to consider the evaluation of performance related to the following position: Deputy Fire Chief.
4. Pursuant to Government Code section 54956.8, the Council will meet with Real Property Negotiator, Acting City Administrator, and the City Attorney regarding the property identified as 1729 Boynton Avenue, Oroville, CA. 95966.
5. 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.

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 regular meeting of the Oroville City Council will be held on Tuesday, October 20, 2015, at 5:00 p.m.

Jamie Hayes, Assistant City Clerk

Linda L. Dahlmeier, Mayor