

**CITY COUNCIL MEETING MINUTES
NOVEMBER 3, 2015 – 5:00 P.M.**

The agenda for the November 3, 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 Thursday, October 29, 2015, at 2:45 p.m.

The November 3, 2015 regular meeting of the Oroville City Council was called to order by Vice Mayor Wilcox at 5:02 p.m.

ROLL CALL

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

Staff Present:

Donald Rust, Director of Community Development
Bill LaGrone, Director of Public Safety
Jamie Hayes, Assistant City Clerk
Rick Walls, Interim City Engineer
Amy Bergstrand, Management Analyst III
Gil Zarate, Police Lieutenant
Chris Nicodemus, Police Lieutenant

Ruth Wright, Director of Finance
Scott Huber, City Attorney
Karolyn Fairbanks, Treasurer
Allen Byers, Assistant Police Chief
Gary Layman, Chief Building Official
Dean Hill, Assistant Fire Chief
Ron Belser, Police Officer

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Wilcox.

PROCLAMATION / PRESENTATION

Bill LaGrone, Director of Public Safety, conducted Oaths of Office for Municipal Law Enforcement Officers: Delane Iverson, Pa Nhia Vang, Pa Cha Vang, Katie Webber, Ryan Rubinoff, Robert Raiter, Brett Elven, and Avery Sintes, Fire Engineer, Donald Robinson, Police Sergeant Joe Hooks, and Police Lieutenants Gil Zarate and Chris Nicodemus.

Council Member Pittman presented Emily Bateman, Homeless Emergency Action Response Team, with a Proclamation recognizing November 2015 as Homeless and Runaway Youth Awareness Month.

Sandy Linville, President/CEO, Oroville Area Chamber of Commerce, and Calen Curteman, Curteman & Associates, gave a presentation regarding the Oroville Economic Index and Business Confidence Survey.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Bruce Tolar – Item No. 12

Jim Moravac – Item No. 13

CONSENT CALENDAR

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

1. **APPROVAL OF THE MINUTES OF OCTOBER 20, 2015 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

Successor Agency:

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

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

Council Action Requested: **Adopt Resolution No. 15-14 - A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER OROVILLE REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE AUTHORIZING AND DIRECTING THE CHAIRPERSON TO SIGN A RESOLUTION RECOMMENDING TO THE OVERSIGHT BOARD OF THE SUCCESSOR AGENCY TO THE CITY OF OROVILLE THAT THE FOUR (4) PROPERTIES: 2044, 2060 AND 2062 MONTGOMERY STREET, AND 1305 MYERS STREET BE SOLD FOR THE APPRAISED VALUE.**

Finance Department:

3. **PURCHASE OF COST ALLOCATION SOFTWARE FROM COSTTREE, LLC** – staff report

The Council received information regarding the recent purchase of CostTree, LLC. cost allocation software. **(Ruth Wright, Director of Finance)**

Council Action Requested: **Information only.**

Community Development Department:

4. **TREE REMOVAL AT ORO DAM BOULEVARD AND ACACIA AVENUE** – staff report

The Council considered the removal of a Chinese Pistache tree at Oro Dam Boulevard and Acacia Avenue. **(Wade Atteberry, Parks and Trees Supervisor and Donald Rust, Director of Community Development)**

Council Action Requested: **Direct staff to remove the Chinese Pistache tree at Oro Dam Boulevard and Acacia Avenue.**

5. **RATIFICATION OF TIRE-DERIVED PRODUCT GRANT APPLICATION** – staff report

The Council considered ratifying the submission of a Tire-Derived Product Grant Application

to CalRecycle on October 14, 2015, in the amount of \$62,965. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8440 – A RESOLUTION OF THE OROVILLE CITY COUNCIL RATIFYING ALL DOCUMENTS RELATING TO THE CALRECYCLE FISCAL YEAR 2015/2016 TIRE-DERIVED GRANT APPLICATION, IN THE AMOUNT OF \$62,965.**

Business Assistance & Housing Development Department:

6. **PROFESSIONAL SERVICES AGREEMENT WITH ROY L. HASTINGS & ASSOCIATES, LLC – staff report**

The Council considered a Professional Services Agreement with Roy L. Hastings & Associates, LLC., in the amount of \$5,000, for Labor Standards Monitoring Services relating to the Oroville Municipal Auditorium Heating and Colling Repairs Project. **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8441 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ROY L. HASTINGS & ASSOCIATES, IN THE AMOUNT OF \$5,000, FOR LABOR STANDARDS MONITORING SERVICES RELATING TO THE OROVILLE MUNICIPAL AUDITORIUM HEATING AND COOLING REPAIRS PROJECT – (Agreement No. 3155).**

The motion was passed by the following vote:

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

PUBLIC HEARINGS - None

REGULAR BUSINESS

Public Safety Department:

7. **UN-FREEZING POLICE OFFICER POSITION - staff report**

The Council considered un-freezing a Police Officer position and authorizing staff to fill the position. **(Bill LaGrone, Director of Public Safety)**

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

Authorize staff to recruit and hire a Police Officer position.

The motion failed to pass by the following vote:

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

Following further discussion, the Council directed staff to return with this item at the November 17, 2015 regular meeting of the City Council for further consideration.

8. FIRE INSPECTOR POSITION - staff report

The Council considered the implementation of a Fire Inspector position for the Fire Department to complete State Fire Marshal required annual fire inspections and annual weed abatement inspections. **(Bill LaGrone, Director of Public Safety)**

Following discussion, the Council directed staff to return with this item at the November 17, 2015 regular meeting of the City Council for further consideration.

Finance Department:

9. ACCOUNTS RECEIVABLE WRITE-OFFS - staff report

The Council considered uncollectable account receivables for write-off, including which year to apply the write-off. **(Ruth Wright, Director of Finance)**

The Council directed staff to write-off the uncollectable account receivables as of June 30, 2016.

10. REPORT OF INVESTMENTS FOR SEPTEMBER 2015 – report attached

The Council received a copy of the Report of Investments for September 2015. **(Ruth Wright, Director of Finance)**

The Council acknowledged receipt of the September 2015 Report of Investments.

Community Development Department:

11. REIMBURSEMENT FROM PACIFIC GAS AND ELECTRIC COMPANY – staff report

The Council considered accepting a reimbursement in the amount of \$6,841, from Pacific Gas & Electric Company, for asphalt paving at the Table Mountain Boulevard Roundabout

Project. (Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)

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

Accept the reimbursement in the amount of \$6,841, from Pacific Gas & Electric Company for asphalt paving at the Table Mountain Boulevard Roundabout Project, and direct staff to deposit into the Table Mountain Boulevard Roundabout Project Construction 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

12. TABLE MOUNTAIN GOLF CLUB FEE WAIVER – staff report

The Council considered a request from the Table Mountain Golf Club for a waiver of City fees associated with the projects described in the November 3, 2015 staff report. **(Luis Topete, Associate Planner and Donald Rust, Director of Community Development)**

Bruce Tolar, General Manager of Table Mountain Golf Club, spoke to the Council regarding the waiver of City fees.

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

Approve a 50% fee waiver for facility improvements at the Table Mountain Golf Course, per the City's Non-Profit Fee Waiver Policy.

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

13. "WELCOME TO OROVILLE" DIGITAL DISPLAY SIGN PUBLIC FACILITY LEASE AGREEMENT – STOTT OUTDOOR ADVERTISING – staff report

The Council considered a Lease Agreement with Stott Outdoor Advertising to lease City-owned property located at the northwest corner of the intersection of Georgia Pacific Road

and Feather River Boulevard, just east of the Highway 70 (Caltrans) right-of-way, for the installation, operation, maintenance, and marketing of a digital display sign. **(Luis Topete, Associate Planner, and Donald Rust, Director of Community Development)**

Jim Moravac, Stott Outdoor Advertising, spoke to the Council regarding the proposed digital display signage.

Following discussion, a motion was made by Council Member Pittman, seconded by Council Member Simpson, to adopt the following, with minor edits:

Adopt Resolution No. 8429 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH STOTT OUTDOOR ADVERTISING FOR THE INSTALLATION, OPERATION, MAINTENANCE, AND MARKETING OF A DIGITAL DISPLAY SIGN ON CITY-OWNED PROPERTY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION AT GEORGIA PACIFIC ROAD AND FEATHER RIVER BOULEVARD – (Agreement No. 3147).

The motion was passed by the following vote:

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

14. ATTENDANCE TO POST- REDEVELOPMENT SEMINAR – staff report

The Council considered directing staff to attend a post-redevelopment seminar aimed at examining the current programs and strategies available for development finance in post-redevelopment California and how communities can achieve the goals of redevelopment with available authorities and financing opportunities, as well as discuss promising new strategies. **(Donald Rust, Director of Community Development)**

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

Authorize two staff members and Council Members Del Rosario and Pittman to attend the post-redevelopment seminar in Sacramento on November 17, 2015.

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

15. MESA AVENUE STORMWATER DRAINAGE IMPROVEMENTS – staff report

The Council considered a Resolution making findings and the award of an Emergency Construction Contract to the lowest bidder, Duke Sherwood Construction, Inc., in the amount of \$13,802, for the Mesa Avenue Alley Stormwater Drainage Improvements Project. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

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

1. **Adopt Resolution No. 8442 – A RESOLUTION OF THE OROVILLE CITY COUNCIL MAKING FINDINGS THAT THE MESA AVENUE ALLEY STORMWATER DRAINAGE IMPROVEMENT PROJECT CONSTITUTES AN EMERGENCY REQUIRING THE EXECUTION OF AN EMERGENCY CONTRACT; AND**
2. **Adopt Resolution No. 8443 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN EMERGENCY CONTRACT WITH THE LOWEST BIDDER, DUKE SHERWOOD CONTRACTING, INC., IN THE AMOUNT OF \$13,802, FOR THE MESA AVENUE ALLEY STORMWATER DRAINAGE IMPROVEMENTS PROJECT – (Agreement No. 3156); AND**
3. **Authorize a 10% contract contingency of \$1,380 to only be used for unanticipated and legitimate change orders.**

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

16. **APPOINTING AN AD HOC SUB-COMMITTEE TO COMPLETE AN URBAN FOREST MANAGEMENT PLAN, VEGETATION MANAGEMENT PLAN, AND AMEND THE EXISTING TREE ORDINANCE AND OTHER RELEVANT CITY MUNICIPAL CODE SECTIONS – staff report**

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

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

1. **Direct staff to complete the Urban Forest Management Plan, amendments to the existing Tree Ordinance and other relevant code sections, and a new Vegetation Management Plan for the areas along the Feather River and bring back to the Council review and adoption;**
2. **Appoint Council Member Berry to the ad hoc sub-committee; and**
3. **Appoint the following to the ad hoc sub-committee to oversee, provide input, and help draft the documents and ordinance amendments:**
 - **Two (2) Park Commissioners, to be appointed at the November 9, 2015 Park Commission meeting**
 - **Four (4) local citizens**
 - **City Staff - Wade Atteberry, Luis Topete, Gary Layman and Donald Rust**

The motion was passed by the following vote:

Ayes: Council Members Berry, Hatley, Pittman, Vice Mayor Wilcox
 Noes: Council Member Simpson
 Abstain: Council Member Del Rosario
 Absent: Mayor Dahlmeier

MAYOR/ COUNCIL REPORTS - None

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Activity Reports:

- Finance Department
- Public Safety Department

Donald Rust, Director of Community Development, reported on the following:

- 2015/2016 Leaf Pick-Up Program
- California State Parks Visitor Appreciation Day at the Clay Pit, November 14, 2015
- Potential Grant Writing Projects
- Funding request by the Oroville Economic Development Corporation

Scott Huber, City Attorney, gave a brief update regarding State Marijuana Regulations.

Discussion:

- Non-Profit Fee Waiver Policy
 Following discussion, the Council directed staff to continue with the current Non-Profit Fee Waiver Policy.

- City & Private Property Drainage Issues
Following discussion, the Council directed staff to continue resolving potential drainage issues within City limits.

CORRESPONDENCE

- California Water Service Company, received October 21, 2015
- Butte County Mosquito & Vector Control District, received October 19, 2015
- Butte County Mosquito & Vector Control District, received October 21, 2015
- James Lenhoff, Oroville Heritage Council, received October 28, 2015

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON NON-AGENDA ITEMS - None

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 54957(b), the Council met with Acting City Administrator, Personnel Officer, and City Attorney to consider the evaluation of performance related to the following position: Director of Public Safety.
3. Pursuant to Government Code Section 54957(b), the Council met with Acting City Administrator, Personnel Officer, and City Attorney to consider the evaluation of performance related to the following position: Director of Planning and Community Development.
4. Pursuant to Government Code Section 54957(b), the Council met with Acting City Administrator, Personnel Officer, and City Attorney to consider the evaluation of performance related to the following position: Director of Finance.
5. Pursuant to Government Code section 54956.9(d), the Council met with the Acting City Administrator and the City Attorney regarding potential litigation – one case.

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 8:50 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, November 17, 2015, at 5:00 p.m.

Donald Rust, Acting City Clerk

Linda L. Dahlmeier, Mayor