

**CITY COUNCIL MEETING MINUTES  
DECEMBER 15, 2015 – 5:00 P.M.**

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The agenda for the December 15, 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](http://www.cityoforoville.org) on Thursday, December 10, 2015, at 8:35 a.m.

The December 15, 2015 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:05 p.m.

**ROLL CALL**

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

**Staff Present:**

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Donald Rust, Director of Community Development  
Scott Huber City Attorney  
Bill LaGrone, Director of Public Safety  
Amy Bergstrand, Management Analyst III  
Gary Layman, Chief Building Official  
Dean Hill, Assistant Fire Chief

Ruth Wright, Director of Finance  
Karolyn Fairbanks, Treasurer  
Jamie Hayes, Assistant City Clerk  
Rick Walls, Interim City Engineer  
Allen Byers, Assistant Police Chief  
Chris Nicodemus, Police Lieutenant

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**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Dahlmeier.

**PROCLAMATION / PRESENTATION** - None

**RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS**

Jill Allen – Item No. 8 and 14  
Tasha Levinson – Item No. 8  
Alan Jones – Item No. 15  
Mike Phulps – Item No. 15

Allan Young – Item No. 14  
Alan Cartwright – Item No. 8  
Sandy Linville – Item No. 15  
Annette DeBrotherton – Item No. 15

**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. 3 and 7:

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

**Finance Department:**

**2. INVESTMENT POLICY ADOPTION FOR 2016 - staff report**

The Council considered adopting the 2016 Investment Policy for the City of Oroville. **(Karolyn Fairbanks, City Treasurer)**

Council Action Requested: **Adopt Resolution No. 8449 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE ADOPTION OF THE 2016 INVESTMENT POLICY FOR THE CITY OF OROVILLE.**

**Community Development Department:**

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

**4. PURCHASE OF CONSTANT CURRENT REGULATOR FOR OROVILLE AIRPORT RUNWAY LIGHTING SYSTEM – staff report**

The Council considered the purchase of a Crouse-Hinds Constant Current Regulator from the lowest responsible bidder, Consolidated Electrical Distributors, in the amount of \$7,554. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

Council Action Requested:

- 1. Authorize the purchase of a Crouse-Hinds Constant Current Regulator from the lowest responsible bidder, Consolidated Electrical Distributors, in the amount of \$7,554; and**
- 2. Direct City staff to seek reimbursement through the Caltrans Division of Aeronautics Aid to Airports grant program.**

**5. OROVILLE AREA URBAN GREENING PLAN – staff report**

The Council considered acceptance of the Oroville Area Urban Greening Plan as a master planning document to guide and coordinate voluntary greening projects in the City of Oroville. **(Luis Topete, Associate Planner and Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8450 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ACCEPTING THE OROVILLE AREA URBAN GREENING PLAN AS A MASTER PLANNING DOCUMENT TO GUIDE AND COORDINATE VOLUTARY GREENING PROJECTS IN THE CITY OF OROVILLE.**

**6. DONATION OF TWENTY-FOUR SYCAMORE SAPLINGS FROM SAVE OROVILLE TREES - staff report**

The Council considered receiving a donation of twenty-four (24) Sycamore sapling trees from the Save Oroville Trees group. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Direct staff to accept the donation of 24 Sycamore sapling trees from Save Oroville Trees.**

**Business Assistance and Housing Development Department:**

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

The motion was passed by the following vote:

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

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**3. LETTERS OF SUPPORT FOR NORTHSTATE SHOOTING PARK – staff report**

The Council considered directing the Mayor to sign letter of support directed to Senator Jim Nielson and Assemblyman James Gallagher to assist in the pursuit of acquiring project funding for the development of the North State Shooting Park. **(Donald Rust, Director of Community Development)**

This item was removed from the Consent Calendar at the request of Council Member Pittman for comments.

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

**Authorize the Mayor to sign letters of support directed to Senator Jim Nielson and Assemblyman James Gallagher to assist in the pursuit of acquiring project funding for the development of the North State Shooting Park.**

The motion was passed by the following vote:

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

**7. NON-FORECLOSURE OF CITY-OWED PROPERTY – staff report**

The Council considered the non-foreclosure of City interest on a property located at 3475 Charlene Avenue, Oroville, (APN 033-440-008), which is not financially feasible for the City to cure the underlying first loan mortgage defaults and payoff of the first mortgage loans. **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

This item was removed from the Consent Calendar at the request of Donald Rust, Director of Community Development, to be presented to Council at a later date therefore; no action was taken on the following:

**Authorize the non-foreclosure of City loan interest on the property located at 3475 Charlene Avenue, Oroville.**

**PUBLIC HEARINGS** - None

**REGULAR BUSINESS**

**Community Development Department:**

**8. TREE REMOVALS ALONG BIRD STREET - staff report**

The Council considered directing staff to remove trees along Bird Street and replace with appropriate trees. **(Wade Atteberry, Public Works Supervisor and Donald Rust, Director of Community Development)**

Jill Allen and Tasha Levinson expressed concerns relating to the removal of trees along Bird Street.

Alan Cartwright spoke in opposition to the removal of trees along Bird Street and elsewhere in the City.

**Following further discussion the Council directed staff to remove the trees along Bird Street, make sidewalk, curb and gutter repairs and replace trees with a suitable replacement.**

***\* Item No. 9 was considered in conjunction with Item No. 11.***

**\*9. ASSISTANT PLANNER POSITION, JOB DESCRIPTION AND SALARY SCHEDULE – staff report**

The Council considered the in-house recruitment and approval of a job description and salary schedule for an Assistant Planner position for the Planning Division. **(Donald Rust, Director of Community Development)**

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

- 1. Approve the job description and salary schedule for the Assistant Planner position; and**
- 2. Authorize an in-house recruitment for an Assistant Planner.**

The motion was passed by the following vote:

Ayes: Council Members Berry, Hatley, Pittman, Vice Mayor Wilcox, Mayor Dahlmeier

Noes: Council Member Simpson  
Abstain: None  
Absent: Council Member Del Rosario

**10. SENIOR PLANNER POSITION, JOB DESCRIPTION AND SALARY SCHEDULE – staff report**

The Council may consider the in-house recruitment and approval of a job description and salary schedule for a Senior Planner position for the Planning Division. **(Donald Rust, Director of Community Development)**

This item was pulled for consideration at a future meeting of the City Council therefore; no action was taken on the following:

- 1. Approve the job description and salary schedule for the Senior Planner position; and**
- 2. Authorize an in-house recruitment for a Senior Planner.**

*\* Item No. 11 was considered in conjunction with Item No. 9.*

**\*11. ASSOCIATE CIVIL ENGINEER AND SALARY SCHEDULE – staff report**

The Council may consider the continued recruitment and approval of a revised salary schedule for the Associate Civil Engineer position for the Community Development and Public Works Departments. **(Donald Rust, Director of Community Development)**

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

- 1. Approve the revised salary schedule for the Associate Civil Engineer position; and**
- 2. Authorize the continued recruitment of an Associate Civil Engineer at Step E of the salary schedule.**

The motion was passed by the following vote:

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

**12. INDUSTRIAL UNIT TWO CLEAN-UP PROJECT – staff report**

The Council considered approving a partnership program between Recology, Roplast, Rescue Mission, Metal Works, Sierra Pacific Industries, and the City of Oroville to help clean-up a specific area in the Southern portion of the City known as Industrial Unit Two (IU2). **(Donald Rust, Director of Community Development)**

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

**Authorize the City's Streets Operations Division to participate in the partnership program for the clean-up of the southern portion of the City, identified as Industrial Unit Two, as specified in the December 15, 2015 staff report.**

The motion was passed by the following vote:

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

**Business Assistance and Housing Development Department:**

**13. PROJECT CONTRACT WITH MODERN BUILDING, INC. – staff report**

The Council may consider a Project Contract with the lowest responsible bidder, Modern Builders, Inc., in the amount of \$262,460, for the Municipal Auditorium Heating and Cooling Repairs Project. **(Gary Layman, Chief Building Official and Amy Bergstrand, Management Analyst III)**

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

- 1. Adopt Resolution No. 8451 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROJECT CONTRACT WITH MODERN BUILDERS, INC., IN THE AMOUNT OF \$262,460, FOR THE MUNICIPAL AUDITORIUM HEATING AND COOLING REPAIRS PROJECT – (Agreement No. 3161); and**
- 2. Authorize a 10% contingency, in the amount of \$26,246 to only be used for unanticipated and legitimate change orders.**

The motion was passed by the following vote:

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

**Administration Department:**

**14. AGREEMENT WITH SACRAMENTO VALLEY LIMITED PARTNERSHIP, D/B/A VERIZON WIRELESS FOR THE INSTALLATION OF COMMUNICATION EQUIPMENT – staff report *(Continued from December 1, 2015)***

The Council considered an Agreement with Sacramento Valley Limited Partnership d/b/a Verizon Wireless, to install communication equipment on the tower located at the corner of Arlin Rhine Memorial Drive and Lincoln Street, in Oroville. **(Donald Rust, Director of Community Development and Scott Huber, City Attorney)**

Allen Young and Jill Allen spoke in opposition to the installation of communication equipment on the tower located at the corner of Arlin Rhine Memorial Drive and Lincoln Street, in Oroville.

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

**Adopt Resolution 8448 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH SACRAMENTO VALLEY LIMITED PARTNERSHIP D/B/A VERIZON WIRELESS FOR THE INSTALLATION OF COMMUNICATION EQUIPMENT - (Agreement No. 3160).**

The motion was passed by the following vote:

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

**15. OROVILLE AREA CHAMBER OF COMMERCE REQUEST FOR FUNDING OF AN ECONOMIC FORECASTING TOOL – staff report**

The Council considered the Oroville Area Chamber of Commerce request for \$4,500 to help fund the membership dues and sponsorship of the Oroville Economic Index and Business Confidence Survey. **(Donald Rust, Director of Community Development)**

Sandy Linville, CEO, Oroville Chamber of Commerce (Chamber), gave a presentation and answered questions posed by the Council.

Alan Jones, Mike Phulps and Annette DeBrotherton, spoke in support of the City co-funding the Oroville Economic Index and Business Confidence Survey.

Following further discussion, the Council directed staff to assist the Chamber with local financial information in support of an economic development tool. In addition, the Council requested the Chamber to seek additional funding options relating to the Oroville Economic Index and Business Confidence Survey and to return to Council at a later date for consideration of funding in the City's 2016/2017 fiscal year budget.

**16. OUTSTANDING CITY CONTRIBUTION OF INITIAL FUNDING FOR REGIONAL TOURISM BUSINESS IMPROVEMENT DISTRICT FOR MARKETING PURPOSES - staff report (Continued from December 1, 2015)**

The Council may consider directing staff to pay an outstanding City contribution of \$5,040 to Butte County for the initial funding of a regional tourism business improvement district for marketing purposes. **(Donald Rust, Director of Community Development)**

This item was continued to the January 5, 2016 regular meeting of the Oroville City Council therefore; no action was taken on the following:

**Approve the payment of \$5,040 for the City's contribution to Butte County for the initial funding of a regional tourism business improvement district for marketing purposes.**

**Community Development Department (Amended to add this item):**

**17. PURCHASE OF PIPE PATCHES FOR SEWER DIVISION - staff report**

The Council considered the purchase of fifty (50) sewer pipe patches from the sole source provider, Ferguson Waterworks, in the amount of \$19,000. **(Rick Walls, Interim City Engineer, and Donald Rust, Director of Community Development)**

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

- 1. Authorize the purchase of 50 sewer pipe patches from the sole source provider, Ferguson Waterworks, in the amount of \$19,000; and**
- 2. Authorize the future purchase of pipe patch patches as needed to re-supply the pipe-patching program.**

The motion was passed by the following vote:

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

**MAYOR/ COUNCIL REPORTS**

The Council confirmed the re-appointment of Chad Gunderson to the Oroville Mosquito Abatement District Board for a two-year term ending December 31, 2017.

The Council confirmed the re-appointment of Gordon Andoe to the Butte County Mosquito & Vector Control District Board for a two-year term ending December 31, 2017.

Council Member Pittman gave a brief report regarding the Oroville Area Chamber of Commerce Board meeting.

Council Member Berry commended the Municipal Law Enforcement Program.

**CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

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

- New Intern hired for the City's Planning Department
- Infrastructure repairs needed in City Parking Lot A
- November City Tree Report
- Appointment of Donald Rust to the League of California Cities Community Services Committee
- Citizen concerns relating to 790 Montgomery Street
- 2016 Center for Economic Development Conference to be held January 14, 2016 at Gold Country Casino
- Participation in the Clean Power Tour regarding Sonoma Community Choice Aggregate relating to potential local electrical power for Butte County

### **CORRESPONDENCE**

- GSS, Inc, dated November 30, 2015
- League of California Cities, dated December 1, 2015

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

Council Member Pittman expressed concerns relating to the recent theft of memorial plaques in Riverbend Park.

Alan Cartwright spoke in opposition to the removal of trees within the City.

### **CLOSED SESSION**

The Council will hold 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 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: Assistant Chief of Police

6. 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: Deputy Fire Chief
7. 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. 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 8:23 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, January 5, 2016, at 5:00 p.m.

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Donald Rust, Acting City Clerk

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Linda L. Dahlmeier, Mayor