

**CITY COUNCIL MEETING MINUTES  
JANUARY 5, 2016 – 5:00 P.M.**

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The agenda for the January 5, 2016, 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 Wednesday, December 30, 2015, at 2:38 p.m.

The January 5, 2016 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, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor Wilcox,  
Mayor Dahlmeier  
Absent: None

**Staff Present:**

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Donald Rust, Director of Community Development  
Scott Huber City Attorney  
Bill LaGrone, Director of Public Safety  
Allen Byers, Assistant Police Chief  
Gary Layman, Chief Building Official

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

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**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Lucas and Conner Musler.

**PROCLAMATION / PRESENTATION**

Oroville Economic Development Corporation representatives, Mike Phulps, Kent Fowler and Tammy Flicker, presented Bill LaGrone, Director of Public Safety, with a plaque in appreciation of his services.

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

Jessica McKenzie – Item No. 10  
Bud Tracy – Item No. 14

Cheri Bunker – Item No. 13

**CONSENT CALENDAR**

A motion was made by Vice Mayor Wilcox, seconded by Council Member Pittman, to approve the following Consent Calendar:

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

**Finance Department:**

**2. CHANGE IN PAYROLL ACCRUALS – staff report**

The Council considered a change in payroll accruals relating to personal time and administrative leave. **(Ruth Wright, Director of Finance)**

Council Action Requested:

- 1. Approve the accrual of one half year of personal time and administrative leave on January 1, 2016 and the accrual of a full year of personal time and administrative leave on July 1, 2016;**
- 2. Approve the accrual of vacation and sick leaves based on twenty-six (26) pay dates versus twenty-four (24) pay dates.**

**3. MONTHLY FINANCIAL REPORT AND REPORT OF INVESTMENTS FOR NOVEMBER 2015 – report attached**

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

Council Action Requested: **Acknowledge receipt of the November 2015 Monthly Financial Report and Report of Investments.**

**Community Development Department:**

**4. CALIFORNIA STATEWIDE LOCAL STREETS AND ROADS NEEDS ASSESSMENT FUNDING – staff report**

The Council considered authorizing a City contribution in the amount of \$200 to help fund the statewide Local Streets and Roads Needs Assessment headed by the League of California Cities and the California State Association of Counties. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize a City contribution, in the amount of \$200, to help fund the statewide Local Streets and Roads Needs Assessment headed by the League of California Cities and the California State Association of Counties.**

**5. CENTENNIAL CULTURAL CENTER LESSEE STATUS UPDATES WITH CATALYST DOMESTIC VIOLENCE SERVICES – staff report**

The Council received updates pertaining to Catalyst Domestic Violence Services' current lease of the Centennial Cultural Center. **(Donald Rust, Director of Community Development Department)**

Council Action Requested: **None.**

6. **REQUESTED PERMISSION BY THE CHINESE IN NORTHWEST AMERICA RESEARCH COMMITTEE TO PUBLISH PHOTOS FROM CHINESE TEMPLE ARCHIVES** – staff report

The Council considered a request by the Chinese in Northwest America Research Committee to publish three (3) photos from the Chinese Temple archives in a tourist guidebook. **(Donald Rust, Director of Community Development Department)**

Council Action Requested: **Approve the request by the Chinese in Northwest America Research Committee to publish three (3) photos from the Chinese Temple archives in a tourist guidebook, with the required acknowledgements.**

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**

**Finance Department:**

7. **MASTER FEE SCHEDULE ORDINANCE** – staff report

The Council conducted a public hearing to consider a Master Fee Schedule Ordinance. **(Ruth Wright, Director of Finance)**

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

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

**Waive the first reading and introduce by title only, Ordinance No. 1811 - AN ORDINANCE OF THE OROVILLE CITY COUNCIL ADOPTING THE MASTER FEE SCHEDULE FOR THE CITY OF OROVILLE.**

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

**Community Development Department:**

8. **ORDINANCE ADDING SECTION 2-130 TO ARTICLE IX OF THE OROVILLE MUNICIPAL CODE OF THE CITY OF OROVILLE RELATING TO FEATHER RIVER RECREATION AND PARK DISTRICT PARK DEVELOPMENT IMPACT FEES** – staff report

The Council conducted a public hearing and considered the addition of Article IX, Section 2-130, to move and replace the impact fees applicable to Feather River Recreation and Park District Park Development Impact Fees. **(Donald Rust, Director of Community Development)**

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

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

**Waive the first reading and introduce by title only, Ordinance No. 1812 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE ADDING SECTION 2-130 TO THE OROVILLE MUNICIPAL CODE OF THE CITY OF OROVILLE RELATING TO FEATHER RIVER RECRATION AND PARK DISTRICT PARK DEVELOPMENT IMPACT FEES.**

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

**9. SUSTAINABLE GROUNDWATER MANAGEMENT ACT – staff report**

The Council conducted a public hearing to consider becoming a groundwater sustainability agency under the authority of the State Sustainable Groundwater Management Act. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

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

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

- 1. Adopt Resolution No. 8452 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ELECTING TO BE A GROUNDWATER SUSTAINABILITY AGENCY FOR THE PORTIONS OF THE EAST BUTTE AND NORTH YUBA GROUNDWATER SUBBASINS LOCATED WITHIN THE CITY OF OROVILLE JURISTICTIONAL LIMITS; AND**
- 2. Appoint Rick Walls, Interim City Engineer, Donald Rust, Director of Community Development, Council Member Del Rosario, Council Member Pittman and Council Member Hatley (as an alternate) to work with the Butte County Department of Water and Resource Conservation and participate in the State Sustainable Groundwater Management Act Groundwater Sustainability Plan development process.**

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

**Administration Department:**

**10. URGENCY ORDINANCE – BAN ON PROCESSING AND DELIVERY OF MEDICAL MARIJUANA**  
– staff report

The Council conducted a public hearing and considered the approval of an urgency ordinance related to a ban on the processing and delivery of medical marijuana in the City of Oroville. **(Scott E. Huber, City Attorney)**

Mayor Dahlmeier opened the public hearing.

Jessica McKenzie spoke in opposition to the urgency of the proposed ban on processing and delivery of medical marijuana.

Hearing no further comments or questions from the audience, the public hearing was closed.

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

**Adopt Urgency Ordinance 1813 – AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE PROHIBITING ALL COMMERCIAL MEDICAL MARIJUANA PROCESSING AND DELIVERY WITHIN THE CITY LIMITS.**

The motion was passed by the following vote:

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

**11. MUNICIPAL CODE RENUMBERING, RECODIFICATION, AND REPUBLICATION ORDINANCE**  
– staff report

The Council conducted a public hearing and considered the approval of an ordinance related to the renumbering, recodification, and republication of the Oroville Municipal Code. **(Donald Rust, Director of Community Development, Jamie Hayes, Assistant City Clerk and Scott E. Huber, City Attorney)**

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

A motion was made by Vice Mayor Wilcox, seconded by Council Member Berry, to:

**Waive the first reading and introduce by title only, Ordinance No. 1814- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE APPROVING THE RENUMBERING, RECODIFICATION AND REPUBLISHING OF THE OROVILLE MUNICIPAL CODE.**

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

## **REGULAR BUSINESS**

### **Finance Department:**

#### **12. ACCOUNTING TECHNICIAN RECRUITMENT – staff report**

The Council considered a compensation request relating to the recruitment of an Accounting Technician position. **(Ruth Wright, Director of Finance)**

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

**Authorize staff to offer employment for the position of Accounting Technician at Step F of the approved salary schedule.**

The motion failed by the following vote:

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

Following the vote, the Council requested that this item return to the January 19, 2016 regular meeting of the Oroville City Council for further consideration.

### **Community Development Department:**

#### **13. OUTSTANDING CITY CONTRIBUTION OF INITIAL FUNDING FOR REGIONAL TOURISM BUSINESS IMPROVEMENT DISTRICT FOR MARKETING PURPOSES - staff report *(Continued from December 1, 2015 and December 15, 2015)***

The Council considered 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)**

Cheri Bunker commented on the City's outstanding contribution of \$5,040 to Butte County.

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

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

The motion was passed by the following vote:

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

**14. PROPOSED EXTENSION OF AIRPORT GROUND LEASE AGREEMENT WITH GRID TRAINING CORPORATION DBA: NORTHWEST LINEMAN COLLEGE – staff report**

The Council considered starting the process to extend a proposed extension of an Airport Ground Lease Agreement with Grid Training Corporation dba: Northwest Lineman College. **(Donald Rust, Director of Community Development)**

Bud Tracy, Tracy Realty Company, spoke in support of the Airport Ground Lease extension with the Northwest Lineman College.

Following discussion, the Council directed staff to begin discussions with the Northwest Lineman College in regards to a 10 year lease extension.

**15. BUDGET ADJUSTMENT FOR TRAFFIC OFFICER POSITION – staff report**

The Council considered a budget adjustment between General Fund Departments to fund a Traffic Officer position. **(Ruth Wright, Director of Finance)**

Following discussion, the Council directed staff to continue this item to the January 19, 2016 regular City Council meeting for further consideration therefore; no action was taken on the following:

**Approve a budget adjustment from the Planning and/or Streets Departments to the Public Safety Department upon the hiring of a Traffic Officer position.**

**MAYOR/ COUNCIL REPORTS**

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

## **CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

Ruth Wright, Director of Finance reported on the following:

- Sungard Financial Software update
- Annual City Financial Audit Update – Presentation to be given on February 2, 2016

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

- 2016 Center for Economic Development Conference – to be held January 14, 2016 at Gold Country Casino
- South Oroville Community Outreach Workshop – to be held January 12, 2016 at the Southside Oroville Community Center

**CORRESPONDENCE** - None

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

Sandy Linville advised that the Oroville Area Chamber of Commerce will be hosting the Northern California Chamber Alliance meeting on January 13, 2016 at Gold Country Casino.

Teri (last name unavailable), addressed the Council in regards to recent crime issues and public safety concerns.

## **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 8:29 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, January 19, 2016, at 5:00 p.m.

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Donald Rust, Acting City Clerk

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Linda L. Dahlmeier, Mayor