

**CITY COUNCIL MEETING MINUTES
FEBRUARY 2, 2016 – 5:00 P.M.**

The agenda for the February 2, 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 on Thursday, January 28, 2015, at 1:10 p.m.

The February 2, 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:

Donald Rust, Director of Community Development
Bill LaGrone, Director of Public Safety
Allen Byers, Assistant Police Chief
Tyson Pardee, IT Manager
Amy Bergstrand, Management Analyst III

Ruth Wright, Director of Finance
Sean DeBurgh, Acting City Attorney
Jamie Hayes, Assistant City Clerk
Rick Walls, Interim City Engineer
Rob Buckhout, Battalion Chief

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier.

PROCLAMATION / PRESENTATION

Mayor Dahlmeier presented a Proclamation to Courtney Parker, Catalyst Domestic Violence Services, recognizing February 2016 as National Teen Dating Violence Prevention & Awareness Month.

Sheldon Chavan, Chavan & Associate, LLP, gave a presentation regarding the 2014-2015 Annual Financial Statement.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

John Scott – Item No. 6

Tracy Craig – Item No. 17

CONSENT CALENDAR

A motion was made by Council Member Pittman, seconded by Council Member Del Rosario, to approve the following Consent Calendar, with exception of Item No. 3, 6 and 8:

1. **APPROVAL OF THE MINUTES OF JANUARY 19, 2015 REGULAR MEETING AND JANUARY 26, 2016 SPECIAL MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

Finance Department:

2. **MONTHLY FINANCIAL REPORT AND REPORT OF INVESTMENTS FOR DECEMBER 2015** – report attached

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

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

Community Development Department:

3. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
4. **PROPERTY ASSESSED CLEAN ENERGY FINANCING FOR COMMERCIAL AND RESIDENTIAL PROPERTIES – YGRENE WORKS** – staff report

The Council considered consenting to the inclusion of properties within the jurisdiction of the City of Oroville in the California Home Finance Authority PACE Programs and Associate Membership in the California Home Financing Authority. **(Donald Rust, Director of Community Development)**

Council Action Requested:

1. **Adopt Resolution No. 8455 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY’S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY PROGRAM TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO – (Agreement No. 3163); AND**
2. **Adopt Resolution No. 8456 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY’S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO – (Agreement No. 3164).**
5. **PROPERTY ASSESSED CLEAN ENERGY FINANCING FOR COMMERCIAL AND RESIDENTIAL PROPERTIES – CALIFORNIA HERO PROGRAM** – staff report

The Council considered authorizing the California HERO Program to be available to owners of property within the City to finance renewable energy, energy efficiency and water efficiency improvements and electric vehicle charging infrastructure and amend the Western Riverside Council of Governments Joint Powers Agreement to add the City of Oroville as an Associate Member in order that the California HERO Program may be offered to the owners of property located within the City who wish to participate in the Program. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8457 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE CITY’S JURISTICTION IN THE CALIFORNIA HERO PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING THE AMENDMENT TO A CERTAIN JOINT POWERS AGREEMENT RELATED THERETO.**

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

7. **PROPOSED CITY OF OROVILLE MURAL POLICY** – staff report

The Council considered the proposed Mural Policy for the placement of murals within the City limits. **(Luis Topete, Associate Planner and Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8458 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING A MURAL POLICY FOR THE PLACEMENT OF MURALS WITHIN THE OROVILLE CITY LIMITS.**

- 8. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
- 8. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
- i9. **EQUIPMENT PURCHASES FOR CITY’S MECHANIC SHOP** – staff report
- 9. **EQUIPMENT PURCHASES FOR CITY’S MECHANIC SHOP** – staff report

The Council considered equipment purchases for the City’s mechanic shop. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize the purchase of equipment for the City’s mechanic shop, as indicated in the February 2, 2016 staff report.**

10. **STATUS OF THERMALITO WATER AND SEWER DISTRICT EAST TRUNK LINE REPLACEMENT PROJECT** – staff report

The Council received a status update regarding the Thermalito Water and Sewer District’s East Trunk Line Project. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

- g Council Action Requested: **None.**
- Council Action Requested: **None.**

Administration Department:

11. **UPDATE – JANUARY 2016 SUPPLEMENTAL BENEFITS FUND FUNDING REPORT**
– staff report

The Council, serving as the Supplemental Benefits Fund (SBF) Administrator, received information regarding SBF funding and expenditures for January 1, 2016 through January 30, 2016. **(Bob Marciniak, SPF Program Specialist and Donald Rust, Director of Community Development)**

Council Action Requested: **None.**

12. AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE MANAGEMENT AND CONFIDENTIAL ASSOCIATION – staff report

The Council considered an Amendment to the Memorandum of Understanding between the City of Oroville and the Oroville Management and Confidential Association **(Bill LaGrone, Acting Personnel Officer)**

Council Action Requested: **Adopt Resolution No. 8462 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE MANAGEMENT AND CONFIDENTIAL ASSOCIATION – (Agreement No. 3083-1).**

The motion to approve the Consent Calendar 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

Community Development Department:

3. PROPERTY ASSESSED CLEAN ENERGY FINANCING FOR COMMERCIAL AND RESIDENTIAL PROPERTIES – OPEN PACE PROGRAM – staff report

The Council considered consenting to the inclusion of properties within the territory of the City in the California Statewide Communities Development Authority (CSCDA) Open PACE Programs; authorizing the CSCDA to accept applications from property owners, conduct contractual assessment proceedings and levy contractual assessments within the territory of the City; and authorizing other related actions. **(Donald Rust, Director of Community Development)**

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

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

Adopt Resolution No. 8454 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE CONSENTING TO THE INCLUSION OF PROPERTIES WITHIN THE TERRITORY OF THE CITY IN THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY OPEN PACE PROGRAMS; AUTHORIZING THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY TO ACCEPT APPLICATIONS FROM PROPERTY OWNERS, CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY; AND AUTHORIZING OTHER RELATED ACTIONS.

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

6. FUNDING APPROVAL OF CALRECYCLE TIRE-DERIVED PRODUCT GRANT – staff report

The Council received an update on the funding approval of the CalRecycle Tire-Derived Grant Application, in the amount of \$62,965. **(Donald Rust, Director of Community Development)**

This item was removed from the Consent Calendar at the request of John Scott, a public speaker, to state his opposition to the use of tire-derived products.

Following discussion, the Council directed staff to return to a future meeting of the Oroville City Council with information relating to environmental determinations relating to tire-derive products.

8. LETTER OF REQUEST FOR NEW MEMORANDUM OF UNDERSTANDING WITH THE MONTEREY INSTITUTE OF INTERNATIONAL STUDIES/MIDDLEBURY COLLEGE – staff report

The Council considered a Letter of Request to enter into a new Memorandum of Understanding between the City of Oroville and the Monterey Institute of International Studies/Middlebury College for an international business plan related to Cultural Heritage and Preservation Projects specifically focused on the Chinese Temple. **(Donald Rust, Director of Community Development)**

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

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

Authorize the Mayor to sign a Letter of Request to enter into a new Memorandum of Understanding between the City of Oroville and the Monterey Institute of International Studies/Middlebury College relating to an international business plan related to

Cultural Heritage and Preservation Projects specially focused on the Chinese Temple.

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 - None

REGULAR BUSINESS

Community Development Department:

13. REQUEST TO APPOINT AN OFFICIAL LIAISON TO THE LEAGUE OF CALIFORNIA CITIES – staff report

The Council considered appointing a Council Member as the liaison to serve as the official point of contact for the Sacramento Valley Division of the California Cities. **(Donald Rust, Director of Community Development)**

Mayor Dahlmeier was appointed as the liaison to serve as the official point of contact for the Sacramento Valley Division of the California Cities, and Vice Mayor Wilcox as the alternate.

14. REQUEST FROM THE CALIFORNIA STATE OLD TIME FIDDLERS FOR OVERNIGHT RV PARKING – staff report

The Council considered permitting the overnight parking of approximately fifty RVs, from March 14 – 21, 2016, in specific areas for the 50th Annual California State Old Time Fiddle and Picking Championships. **(Donald Rust, Director of Community Development)**

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

Permit the overnight parking of approximately fifty RVs, from March 14 – 21, 2016, in specific areas for the 50th Annual California State Old Time Fiddle and Picking Championships.

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

15. **PROFESSIONAL SERVICES AGREEMENT WITH HARRIS AND ASSOCIATES** – staff report

The Council considered a Professional Services Agreement with Harris and Associates, in the amount of \$9,000, annually, for Assessment District Administrative Reporting Services relating to the preparation of annual assessment district reports. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development Department)**

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

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

Adopt Resolution No. 8459 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH HARRIS & ASSOCIATES, IN THE AMOUNT OF \$9,000, ANNUALLY, FOR THE PREPARATION OF ASSESSMENT DISTRICT AND COMMUNITY FACILITIES DISTRICTS ANNUAL ADMINSTRATIVE REPORTS – (Agreement No. 3163)

The motion was passed by the following vote:

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

16. **PROFESSIONAL SERVICES AGREEMENT WITH NRC ENVIRONMENTAL SERVICES, INC.** – staff report

The Council considered a Professional Services Agreement with NRC Environmental Services, Inc., in the amount of \$19,000, for the excavation and disposal of waste oil impacted soil located on City-owned property near Parker Avenue, Oroville. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development Department)**

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

Adopt Resolution No. 8460 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH NRC ENVIRONMENTAL SERVICES, INC., IN THE AMOUNT OF \$19,000, FOR THE EXCAVATION AND DISPOSAL OF WASTE OIL IMPACTED SOIL LOCATED ON CITY-OWNED PROPERTY IDENTIFIED AS (APN: 035-270-025) – (Agreement No. 3164).

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

17. ADDITIONAL OUTREACH EFFORTS FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S COMMUNITY-WIDE BROWNFIELDS ASSESSMENT GRANT – staff report

The Council considered authorizing additional outreach efforts for the participation in the City's U.S. Environmental Protection Agency's Community-Wide Brownfields Assessment Grant. **(Donald Rust, Director of Community Development)**

Tracy Craig, SCS Engineers, spoke to the Council in regards to future outreach efforts relating to the participation in the City's U.S. Environmental Protection Agency's Community-Wide Brownfields Assessment Grant.

Direct staff to conduct additional outreach efforts for the participation in the City's U.S. Environmental Protection Agency Community-Wide Brownfields Assessment Grant, through the assistance of Craig Communications.

18. HIRING OF TEMPORARY EMPLOYEE FOR TRAFFIC EQUIPMENT INSTALLATION PROJECT – staff report

The Council considered hiring a temporary employee to assist the City's Electrician/Signal Technician with the installation of new traffic control equipment. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize the hiring of a temporary employee to assist the City's Electrician/Signal Technician with the installation of new traffic control equipment.**

Business Assistance and Housing Development Department:

19. MODIFICATIONS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME SUPPLEMENTAL APPLICATIONS – staff report

The Council provided additional direction to staff regarding the prioritization of Community Development Block Grant Program Income Supplemental Applications. **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8461 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE AMENDMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT NO. 14-CDBG-9893 STATE STANDARD AGREEMENT TO INCLUDE THE MODIFICATIONS TO SUPPLEMENTAL ACTIVITIES.**

Administration Department:

20. PURCHASE OF NETWORK UPGRADES FOR CITY HALL – staff report

The Council considered the purchase of a new server, utilizing the Western States Contracting Alliance pricing, from Dell, in the amount of \$7,728.80. **(Tyson Pardee, IT Manager and Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize the purchase of a new server, utilizing the Western States Contracting Alliance pricing, from Dell, in the amount of \$7,728.80.**

21. PURCHASE OF NETWORK UPGRADES FOR THE PUBLIC SAFETY DEPARTMENT –
staff report

The Council considered the purchase of a new server, data storage device (SAN), two (2) network switches and VMware licensing to upgrade the devices, utilizing the Western States Contracting Alliance pricing, from Dell, in the amount of \$24,448.95. **(Tyson Pardee, IT Manager and Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize the purchase of a new server, data storage device (SAN), two (2) network switches and VMware licensing to upgrade the devices, utilizing the Western States Contracting Alliance pricing, from Dell, in the amount of \$24,448.95.**

22. 2016 STATE OF THE CITY ADDRESS VENUE – staff report

The Council considered venue options for the 2016 State of the City Address. **(Donald Rust, Director of Community Development)**

The Council provided directions regarding the State of the City event. Staff will return with one final staff report.

MAYOR/ COUNCIL REPORTS

Vice Mayor Wilcox commended the Lineman's College for their volunteer services at the Chinese Temple and Museum Complex.

Council Member Pittman gave a brief report relating to the Butte County Association of Governments lobbyist activities relating to grant funding opportunities and an update on the current activity surrounding the proposed Oroville Shooting Range.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

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

- Theft Issues at J & J Auto
- Delay with Presentation by Butte County regarding Community Choice Aggregate Program
- Proposed Sustainable Rural Community Strategy for Oroville, CA.
Mayor Dahlmeier, Vice Mayor Wilcox and Council Member Pittman were appointed to a Cap & Trade Funding Ad hoc Committee
- Butte County Disaster Council Meeting, to be held March 23, 2016
Assigned to Mayor Dahlmeier, Acting City Administrator and Director of Public Safety to attend
- Butte County Homeless Meeting, to be held April 15, 2016

Assigned to Mayor Dahlmeier, Council Member Del Rosario and Pittman (alternate), Acting City Administrator and Director of Public Safety to attend

- Letter of Request for Carl's Jr.
- ICSC Conference in Monterey
Mayor Dahlmeier, Council Member Del Rosario, Director of Community Development, and Associate Planner to attend, March 8 – 10, 2016

Ruth Wright, Director of Finance, introduced the newly hired Accounting Technician, Hope Musler.

CORRESPONDENCE

- Erica Valdez, received January 13, 2016

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

Mayor Dahlmeier addressed issues relating to broadband services within the City of Oroville.

Vince Brown addressed the Council over concerns relating to homeless people residing along the Feather River and local parks.

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 Police Officers' Association – Sworn and Non-Sworn, Oroville Firefighters' Association, and the 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 Community Development.
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: Assistant Police Chief.
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: Deputy Fire Chief.
5. Government Code section 54956.9(d), the Council met with the Acting City Administrator and the City Attorney regarding potential litigation – two cases.

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 8:16 p.m. A special meeting of the Oroville City Council will be held on Tuesday, February 9, 2016, at 10:00 a.m.

Donald Rust, Acting City Clerk

Linda L. Dahlmeier, Mayor