

**CITY COUNCIL MEETING MINUTES  
FEBRUARY 16, 2016 – 5:00 P.M.**

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The agenda for the February 16, 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 Thursday, February 11, 2015, at 10:50 a.m.

The February 16, 2016 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:00 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  
Bill LaGrone, Director of Public Safety  
Allen Byers, Assistant Police Chief  
Tyson Pardee, IT Manager  
Amy Bergstrand, Management Analyst III  
Karolyn Fairbanks, City Treasurer  
Rick Farley, RDA Coordinator

Ruth Wright, Director of Finance  
Scott Huber, City Attorney  
Jamie Hayes, Assistant City Clerk  
Alex Brown, Associate Civil Engineer  
Chris Nicodemus, Police Lieutenant  
Gary Layman, Chief Building Official

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**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Dahlmeier, with assistance from local youths.

**PROCLAMATION / PRESENTATION**

Bill LaGrone, Director of Public Safety, conducted Oaths of Office for new Volunteers in Police Service Officers, Tasha Levinson, Linda Fite and Sydney Fite.

Donovan Hill gave a presentation regarding Heifer International, a nonprofit program working to eradicate poverty and hunger through sustainable, values-based holistic community development.

Sandy Linville, Chief Executive Officer of the Oroville Area Chamber of Commerce gave a presentation regarding their 5-Year Strategic Plan.

Tyson Pardee, City of Oroville IT Manager, gave a presentation regarding the City's New Website.

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

Glen King – Item No. 7  
Harrel Wilson – Item No. 13

Daniel Ledford – item No. 13  
Jesse Gilmore – Item No. 13

## **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, 4 and 7:

1. **APPROVAL OF THE MINUTES OF FEBRUARY 2, 2016 REGULAR MEETING AND FEBRUARY 9, 2016 SPECIAL MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

### **Successor Agency:**

2. **PROFESSIONAL SERVICES AGREEMENT WITH ROSENOW SPEVACEK GROUP, INC.**  
– staff report

The Council considered a Professional Services Agreement with Rosenow Spevacek Group, Inc., in an amount not to exceed \$5,000, for administrative and technical services relating to the completion of the Housing Element Annual Report for 2015, which includes additional reporting pursuant to Senate Bill 341 – Health and Safety Code section 34176.1(f). **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 16-03 – A RESOLUTION OF THE SUCCESSOR AGENCY OF THE FORMER OROVILLE REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE AUTHORIZING AND DIRECTING THE CHAIRPERSON TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ROSENOW SPEVACEK GROUP, INC. IN AN AMOUNT NOT TO EXCEED \$5,000, TO PROVIDE ADMINISTRATIVE AND TECHNICAL SERVICES RELATED TO COMPLETING THE 2015 HOUSING ELEMENT ANNUAL REPORT AND IMPLEMENTATION OF SB341 – (Agreement No. 16-01).**

### **Public Safety Department:**

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

### **Finance Department:**

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

### **Community Development Department:**

5. **MEMORANDUM OF UNDERSTANDING WITH THE BETTE DAVIS ESTATE** – staff report

The Council considered a memorandum of Understanding with Patti Huntington, executer of the Bette Davis Estate, for use of the Estate funds and reimbursement of items for the Pioneer Museum. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8464 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE BETTE DAVIS ESTATE**

**OUTLINING THE GOVERNANCE AND COLLABORATION OF THE BETTE DAVIS ESTATE DONATION – (Agreement No. 3165).**

**6. 2016 RECOLOGY RECYCLING FEE UPDATE – staff report**

The Council received an update on a Recology recycling fee increase planned to go into effect on April 1, 2016. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Direct City staff to work with Recology to increase the recycling fee for the recycling efforts that are State mandated to all California cities and communities.**

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

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**

**Public Safety Department:**

**3. AMENDMENT TO EMPLOYMENT AGREEMENT WITH ALLEN W. BYERS – staff report**

The Council considered Amendments to the Employment Agreement with Allen W. Byers, Assistant Chief of Police. **(Bill LaGrone, Personnel Director)**

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

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

**Adopt Resolution No. 8463 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND ALLEN W. BYERS – (Agreement No. 3073-1).**

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

**Finance Department:**

**4. LEAGUE OF CALIFORNIA CITIES MEMBERSHIP DUES FOR 2016 - staff report**

The Council considered approval of payment for dues to the League of California Cities for the 2016 membership. **(Ruth Wright, Director of Finance)**

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

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

**Approve the 2016 League of California Cities membership dues payment, in the amount of \$5,841.68.**

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:**

**7. DEFERRED IMPROVEMENTS AGREEMENT WITH KINGS CAR CONNECTION – staff report**

The Council considered a Deferred Improvement Agreement for the deferral of frontage improvements and the paving of the lot at 1859 Ehmman Street (APN: 012-212-080), for a period of 36 months. **(Donald Rust, Director of Community Development Department)**

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

Glen King, Applicant, answered questions posed by the Council relating to the deferral of frontage improvements and the paving of the lot at 1859 Ehmman Street.

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

**Adopt Resolution No. 8465 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING A DEFERRED IMPROVEMENTS AGREEMENT FOR PROPERTY LOCATED AT 1859 EHMANN STREET (APN: 012-212-080) – (Agreement No. 3166).**

The motion was passed by the following vote:

Ayes: Council Members Del Rosario, Pittman, Simpson, Vice Mayor Wilcox, Mayor

Noes: Dahlmeier  
Council Members Berry, Hatley  
Abstain: None  
Absent: None

**PUBLIC HEARINGS** - None

**REGULAR BUSINESS**

**Successor Agency:**

**8. LAND SALES OF FORMER OROVILLE REDEVELOPMENT AGENCY RESIDENTIAL PROPERTIES** – staff report

The Successor Agency considered options for the sale of residential property assets of the former Oroville Redevelopment Agency identified as: 3054 Spencer Avenue, 3265 Glenn Avenue, 770 Robinson Street, and parcels identified as Assessor Parcel No. 033-232-001 and 033-232-021, Oroville. **(Rick Farley, RDA Coordinator and Donald Rust, Director of Community Development)**

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

1. **Provide direction regarding the preferred method of selling residential property assets of the former Oroville Redevelopment Agency identified as: 3054 Spencer Avenue, 3265 Glenn Avenue, 770 Robinson Street, and parcels identified as Assessor Parcel No. 033-232-001 and 033-232-021, Oroville; and**
2. **Adopt Resolution No. 06-14 – A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER OROVILLE REDEVELOPMENT AGENCY AUTHORIZING AND DIRECTING THE CHAIRPERSON OR ACTING ADMINISTRATOR TO EXECUTE ALL DOCUMENTS RELATING TO THE SALE OF FORMER REDEVELOPMENT AGENCY-OWNED PROPERTIES IDENTIFIED AS: ASSESSOR PARCEL NO. 013-223-006, 068-300-095, 012-121-009, 033-232-001 AND 033-232-021.**

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 Safety Department:**

**9. FIRE DEPARTMENT BUDGET ADJUSTMENT** – staff report

The Council considered a budget adjustment for increased revenues for out-of-county fire suppression responses relating to the Fire Department. **(Bill LaGrone, Director of Public Safety)**

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

1. **Approve the budget adjustment for increased revenues and expenditures, and spending plan, as indicated in the February 16, 2016 staff report; and**
2. **Authorize the repair of the ladder truck, utilizing the lowest responsible estimate, from Hi-Tech E.V.S., in the approximate amount of \$8.250.**

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

**Finance Department:**

**10. NEW ORGANIZATIONAL FUND STRUCTURE – staff report**

The Council considered a new organizational fund structure. **(Ruth Wright, Director of Finance)**

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

**Approve the City's new organizational fund structure.**

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

**11. GENERAL FUND RESERVE POLICY – staff report**

The Council considered a City policy for setting aside a reserve to maintain an adequate level of financial resources to protect against unpredicted one-time expenditures. **(Ruth Wright, Director of Finance)**

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

**Approve the Reserve Policy with a reserve target of 8%.**

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:**

**12. ORO DAM BOULEVARD GRADING PROJECT – staff report**

The Council considered a resolution making findings and consider the award of an Emergency Construction Contract, to the lowest responsible bidder, Santos Excavating, Inc., in the amount of \$21,838, for the Oro Dam Boulevard Grading Project. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

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

1. **Adopt Resolution No. 8466 - A RESOLUTION OF THE OROVILLE CITY COUNCIL MAKING FINDINGS THAT THE ORO DAM BOULEVARD GRADING PROJECT CONSTITUES AN EMERGENCY REQUIRING THE EXECUTION OF AN EMERGENCY CONTRACT; AND**
2. **Adopt Resolution No. 8467 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN EMERGENCY CONSTRUCTION CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER, SANTOS EXCAVATING, INC. IN THE AMOUNT OF \$21,838, FOR THE ORO DAM BOULEVARD GRADING PROJECT – (Agreement No. 3167); AND**
3. **Authorize a 5% contract contingency of \$1,092 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, Mayor Dahlmeier  
Noes: None  
Abstain: None  
Absent: None

**Business Assistance and Housing Development Department:**

**13. LAND SALES OF CITY-OWNED RESIDENTIAL PROPERTIES – staff report**

The Council considered options for the sale of City-owned residential property assets identified as: 247 Canyon Highlands Drive, 2485 Nevada Avenue and 730 Bird Street, Oroville. **(Rick Farley, RDA Coordinator and Donald Rust, Director of Community Development)**

Daniel Ledford and Jesse Gilmore expressed concerns over the sale of Assessor Parcel No. 033-170-029 and 033-170-030.

Harrel Wilson stated his opposition to the appraisal amount of Assessor Parcel No. 033-170-029 and 033-170-030.

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

1. **Provide direction regarding the preferred method of selling City-owned residential property assets identified as: 247 Canyon Highlands Drive, 2485 Nevada Avenue and 730 Bird Street, Oroville; and**
2. **Adopt Resolution No. 8468 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR OR ACTING CITY ADMINISTRATOR TO EXECUTE ALL DOCUMENTS RELATING TO THE SALE OF CITY-OWNED PROPERTY IDENTIFIED AS: ASSESSOR PARCEL NO. 033-170-029, 033-170-030, 013-073-006 AND 012-064-010.**

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:**

14. **EXCLUSIVE ECONOMIC DEVELOPMENT AGREEMENT WITH SNYDER COMMERCIAL REAL ESTATE, LLC. AND COMPENSATION AGREEMENT - staff report**

The Council reviewed the Master Disposition and Development Agreement with Snyder Commercial Real Estate, LLC, for the development of the Gateway Project and compensation agreement. **(Rick Farley, RDA Coordinator and Donald Rust, Director of Community Development)**

Following discussion, the Council directed staff to provide presentations to the other taxing agencies associated with the development of the proposed Gateway Project.

**MAYOR/ COUNCIL REPORTS**

Council Member Pittman reported his attendance to the Butte County Association of Governments and the Oroville Area Chamber of Commerce Board meetings.

**CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

- Public Safety Department – activity report

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

- Removal of out building on City-owned property located on S. 5<sup>th</sup> Avenue to deter transient activity
- Denial of Memorandum of Understanding request with Monterey Institute of International Studies relating to an international business plan (IBP) related to Cultural Heritage and Preservation Projects specially focused on the Chinese Temple

**CORRESPONDENCE** - None

**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 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: Deputy Fire Chief.
4. 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 8:27 p.m. A special meeting of the Oroville City Council will be held on Tuesday, March 16, 2016, at 5:00 p.m.

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Donald Rust, Acting City Clerk

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Thil Wilcox, Vice Mayor