

**CITY COUNCIL MEETING MINUTES  
MAY 17, 2016 – 5:00 P.M.**

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The agenda for the May 17, 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, May 12, 2016, at 12:38 p.m.

The May 17, 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 (arrived late), Hatley, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier  
Absent: None

**Staff Present:**

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Donald Rust, Director of Community Development  
Jamie Hayes, Assistant City Clerk  
Allen Byers, Assistant Police Chief  
Ruth Wright, Director of Finance  
Marnie Gedney, Fire Lieutenant

Bill LaGrone, Director of Public Safety  
Scott Huber, City Attorney  
Karolyn Fairbanks, City Treasurer  
Dean Hill, Assistant Fire Chief  
Isaac Ruiz, Fire Captain

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**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Dahlmeier.

**PROCLAMATION / PRESENTATION**

Mike Feyh, The Burn Institute, presented Marnie Gedney, Fire Lieutenant, with a plaque for contributing "Fill the Boot Campaign" donations received from the Oroville community, in the amount of \$12,000 in 2016, and \$83,000 over the past 7 years.

Mayor Dahlmeier presented Dan Pritchard and Kent Fowler with a Proclamation recognizing the 135<sup>th</sup> Year Anniversary of the Native Sons of the Golden West, Argonaut Parlor No. 8.

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

Bill Black – Item No. 3  
Janet Goodson – Item No. 7  
Linda Draper – Item No. 7  
Cheri Bunker – Item No. 8

Scott Lawrence – Item No. 7  
Bobby O'Reilly – Item No. 7  
Chante Vincent – Item No. 7

## **CONSENT CALENDAR**

A motion was made by Vice Mayor Wilcox, seconded by Council Member Pittman, to approve the following Consent Calendar, with exception to Item No. 3:

1. **APPROVAL OF THE MINUTES OF MAY 3, 2016 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

### **Finance Department**

2. **MONTHLY FINANCIAL REPORT AND REPORT OF INVESTMENTS FOR APRIL 2016** – report attached

The Council received a copy of the Monthly Financial Report and Report of Investments for April 2016. **(Ruth Wright, Director of Finance)**

Council Action Requested: **Acknowledge receipt of the April 2016 Monthly Financial Report and Report of Investments.**

### **Community Development Department**

3. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**
4. **PROPOSED GROUNDWATER BASIN BOUNDARY MODIFICATION FOR THE NORTH YUBA SUBBASIN** – staff report

The Council considered supporting a modification to the North Yuba Subbasin proposed by the Yuba County Water Agency. **(Rick Walls, Interim City Engineer, and Donald Rust, Director of Community Development Department)**

Council Action Requested: **Adopt Resolution No. 8498 - A RESOLUTION OF THE OROVILLE CITY COUNCIL ELECTING TO SUPPORT A GROUNDWATER BASIN BOUNDARY MODIFICATION OF THE NORTH YUBA SUBBASIN REQUESTED BY THE YUBA COUNTY WATER AGENCY FOR SUBMISSION TO THE CALIFORNIA DEPARTMENT OF WATER RESOURCES.**

5. **DEFERRED IMPROVEMENTS AGREEMENT FOR PROPERTY LOCATED AT 3420 MYERS STREET** – staff report

The Council considered a Deferred Improvements Agreement for the property located at 3420 Myers Street, for a period of 36 months. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8499 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING A DEFERRED IMPROVEMENTS AGREEMENT FOR THE PROPERTY LOCATED AT 3420 MYERS STREET (APN: 035-103-009) – (Agreement No. 3176).**

**6. ABM BUILDING SOLUTIONS, LLC – LETTER OF AUTHORIZATION FOR PRELIMINARY ENERGY ASSESSMENT – staff report**

The Council considered approving a letter of authorization for the completion of a preliminary energy assessment of City facilities by ABM Building Solutions, LLC. **(Donald Rust, Director of Community Development Department)**

Council Action Requested: **Direct staff to sign the attached Letter of Authorization for a Preliminary Energy Assessment, at no cost to the City of Oroville.**

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**

**3. AMENDMENT TO PARK COMMISSION POLICIES AND PROCEDURES - UNITED STATES FLAG POLICY NO. 44 – staff report**

The Council considered amendments to the Park Commission’s Policies and Procedures - United States Flag Policy No. 44. **(Donald Rust, Director of Community Development Department)**

This item was removed from the Consent Calendar at the request of a citizen.

Bill Black spoke in support of the amended Park Commission’s Policies and Procedures - United States Flag Policy No. 44.

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

**Adopt the amended Park Commission’s Policies and Procedures - United States Flag Policy No. 44.**

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**

### **Public Safety Department**

7. **AMENDMENT AND ADDITION OF CHAPTER 3.18 TO THE OROVILLE MUNICIPAL CODE REGARDING A TRANSACTION AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION** – staff report

The Council conducted a public hearing regarding an amendment and addition of Municipal Code 3.18 Transaction and Use Tax, and ballot language relating to a 1% local sales tax for municipal services. **(Bill LaGrone, Director of Public Safety)**

Mayor Dahlmeier opened the public hearing for questions and comments from the public.

Comments were made by Janet Goodson, and Chante Vincent.

Scott Lawrence expressed concerns relating to the proposed 1% local sales tax increase.

Linda Draper spoke in support of the proposed 1% sales tax increase.

Bobby O'Reilly spoke in opposition to the proposed 1% sales tax increase.

Hearing no further comments or questions, Mayor Dahlmeier closed the public hearing.

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

1. **Direct staff to remove specific language located in section 3.18.030 - Purpose In Ordinance No. 1816; and**
2. **Waive the first reading and introduce by title only, Ordinance No. 1816 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE AMENDING AND ADDING CHAPTER 3.18 TO THE OROVILLE MUNICIPAL CODE REGARDING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION (WITH AMENDMENTS).**

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. **REQUEST TO UPDATE THE COMMUNITY DEVELOPMENT DEPARTMENT'S PORTION OF THE CITY'S MASTER FEE SCHEDULE - CONSUMER PRICE INDEX ANNUAL ADJUSTMENTS** – staff report

The Council conducted a public hearing and considered updating the Community Development Department's portion of the City's Master Fee Schedule to adjust for inflation using the annual percentage change in Consumer Price Index as published by the Bureau of Labor Statistics. **(Donald Rust, Director of Community Development Department)**

Mayor Dahlmeier opened the public hearing for questions and comments from the public.

Cheri Bunker spoke in opposition to the proposed adjustments to the Community Development Department's portion of the City's Master Fee Schedule.

Hearing no further comments or questions, Mayor Dahlmeier closed the public hearing.

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

1. **Direct staff to review and amend the proposed fees relating to making appeals to the City Council; and**
2. **Waive the first reading, and introduce by title only, Ordinance No. 1815 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE UPDATING THE COMMUNITY DEVELOPMENT DEPARTMENT'S PORTION OF THE CITY'S MASTER FEE SCHEDULE; CONSUMER PRICE INDEX ANNUAL ADJUSTMENTS.**

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**

### **Community Development Department**

***\*Items No. 9 and 10 were consolidated.***

- \*9. PROFESSIONAL SERVICES AGREEMENT WITH REINARD W. BRANDLEY FOR CONSTRUCTION INSPECTION SERVICES FOR THE AIRPORT SAFETY GRADING AND DRAINAGE IMPROVEMENT PROJECT – staff report**

The Council considered a Professional Services Agreement with Reinard W. Brandley, Consulting Airport Engineer, in the amount of \$30,120 for Construction Inspection and Construction Management Services for the Safety Grading and Drainage Improvements Project at Oroville Municipal Airport. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development Department)**

Council Action Requested: **Adopt Resolution No. 8500 - A RESOLUTION OF THE**

**OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH REINARD W. BRANDLEY, IN THE AMOUNT OF \$30,120, FOR CONSTRUCTION INSPECTION AND CONSTRUCTION MANAGEMENT SERVICES FOR THE NORTH APRON REHABILITATION PROJECT – (Agreement No. 3177).**

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

**\*10. PROFESSIONAL SERVICES AGREEMENT WITH REINARD W. BRANDLEY FOR CONSTRUCTION INSPECTION SERVICES FOR THE PRECISION AND APPROACH PATH INDICATOR AND RUNWAY END IDENTIFIER LIGHT INSTALLATION PROJECT – staff report**

The Council considered a Professional Services Agreement with Reinard W. Brandley, Consulting Airport Engineer, in the amount of \$25,360 for Construction Inspection and Construction Management Services for the Furnish and Install Precision and Approach Path Indicator and Runway End Identifier Light Runway 02 Project at Oroville Municipal Airport. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development Department)**

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

**Adopt Resolution No. 8500 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH REINARD W. BRANDLEY, IN THE AMOUNT OF \$30,120, FOR CONSTRUCTION INSPECTION AND CONSTRUCTION MANAGEMENT SERVICES FOR THE NORTH APRON REHABILITATION PROJECT – (Agreement No. 3177); and**

**Adopt Resolution No. 8501 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH REINARD W. BRANDLEY, IN THE AMOUNT OF \$25,360, FOR CONSTRUCTION INSPECTION AND CONSTRUCTION MANAGEMENT SERVICES FOR THE FURNISH AND INSTALL PRECISION AND APPROACH PATH INDICATOR AND RUNWAY END IDENTIFIER LIGHT RUNWAY 02 PROJECT CONSTRUCTION INSPECTION AND CONSTRUCTION MANAGEMENT SERVICES FOR THE NORTH APRON REHABILITATION PROJECT – (Agreement No. 3178).**

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. **PROFESSIONAL SERVICES AGREEMENT WITH TRAFFIC WORKS FOR THE PREPARATION OF A CYCLE 3 ACTIVE TRANSPORTATION PROGRAM GRANT APPLICATION FOR THE STATE HIGHWAY 162 SIDEWALK INFILL PROJECT** – staff report

The Council considered a Professional Services Agreement with Traffic Works, in the amount of \$14,500 for the preparation of a Cycle 3 Active Transportation Program (ATP) Grant application for the State Highway 162 Sidewalk Infill Project (Project). **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development Department)**

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

**Adopt Resolution No. 8502 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH TRAFFIC WORKS FOR THE PREPARATION OF A CYCLE 3 ACTIVE TRANSPORTATION PROGRAM GRANT APPLICATION FOR A FIXED FEE NOT TO EXCEED \$14,500 – (Agreement No. 3179).**

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

12. **COST OPTIONS FOR THE CONSTRUCTION OF SPEED HUMPS ALONG SPENCER AVENUE** – staff report

The Council considered cost options and provide direction for the construction of speed humps along Spencer Avenue. **(Donald Rust, Director of Community Development Department)**

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

**Direct staff to install six (6) premanufactured speed humps along Spencer Avenue.**

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

**13. DEVELOPMENT OF PRIORITY LIST FOR THE USE OF EXCESS BOND PROCEEDS – staff report**

The Council provided direction for the development of projects using the approximately \$3,395,434 of excess bond proceeds for implementation of projects. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development Department)**

Following discussion, the Council directed staff to move forward with the implementation of the nine selected projects totaling \$2,921,000 of excess bond proceeds.

**Business Assistance and Housing Development Department**

**14. GATEWAY PROJECT COMPENSATION AGREEMENT – staff report**

The Council considered approving a Compensation Agreement with the Snyder Real Estate Holdings, LLC, for the Gateway Project. **(Rick Farley, RDA Coordinator and Donald Rust, Director of Community Development Department)**

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

**Adopt Resolution No. 8503 – A RESOLUTION OF THE OROVILLE CITY COUNCIL EXPRESSING APPROVAL FOR THE CONTRIBUTION OF THE MONTGOMERY STREET AND FEATHER RIVER BOULEVARD PROPERTIES TO THE GATEWAY PROJECT IN THE CITY OF OROVILLE, CALIFORNIA, AND APPROVING A COMPENSATION AGREEMENT BETWEEN THE CITY OF OROVILLE AND SNYDER REAL ESTATE HOLDINGS, LLC, IN THE AMOUNT OF ONE DOLLAR.**

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

**MAYOR/ COUNCIL REPORTS**

Vice Mayor Wilcox reported on the Oroville Area Chamber of Commerce/Oroville Economic Alliance Dinner and the presentation of the Samuel J. Norris Award for Excellence to Dean Hill, Sr.

In addition, Vice Mayor Wilcox reported on the Oroville Airport Fly-In event, hosted by the Experimental Aircraft Association (EAA), Chapter 1112.

Council Member Berry reported on the 2016 Scholastic Achievement Awards, hosted by the Oroville Fellows Club.

## **CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

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

- Parking permit signs will be installed and permits will be issued to residents residing near Pacific Coast Producers
- Rio de Oro Open House to be held on Wednesday, May 25, 2016, at Hof Brau, 109 Table Mountain Boulevard at 5:30 p.m.
- Request for Council direction regarding a request by the New York Times for use of City-owned photograph
  - The Council directed staff to defer to City policy when processing a request for use of City-owned property.

## **CORRESPONDENCE**

- Department of Toxic Substance Control – Work Notice – PG&E Work Site in Parking Lot “A”
- Comcast

## **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 54956.9(a), the Council met with the Acting City Administrator and City Attorney relating to existing litigation: Bill Webb Construction, et al., v. County of Butte, et al., Butte County Superior Court, Case No. 16CV000186.
3. Pursuant to Government Code section 54956.95, the Council met with the Acting City Administrator, Personnel Officer and City Attorney relating to Worker’s Compensation Claim No. NCWA-556295.
4. 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 staff had been directed to freeze all open personnel positions and Department Heads were directed to explore all options to eliminate the City’s budget deficit for the 2016/2017 fiscal year.

As Council reconvened from Closed Session, following open session, 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 8:48 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, June 7, 2016, at 5:00 p.m.

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Donald Rust, Acting City Clerk

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Linda L. Dahlmeier, Mayor