

**CITY COUNCIL MEETING MINUTES
MAY 3, 2016 – 5:00 P.M.**

The agenda for the May 3, 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 Tuesday, April 26, 2015, at 11:45 a.m.

The May 3, 2016 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:04 p.m.

ROLL CALL

Present: Council Members Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor Wilcox (arrived late), Mayor Dahlmeier
Absent: None

Staff Present:

Donald Rust, Director of Community Development
Jamie Hayes, Assistant City Clerk
Allen Byers, Assistant Police Chief
Ruth Wright, Director of Finance
Gary Layman, Chief Building Official
Amy Bergstrand, Management Analyst III

Bill LaGrone, Director of Public Safety
Scott Huber, City Attorney
Karolyn Fairbanks, City Treasurer
Dean Hill, Assistant Fire Chief
Liz Ehrenstrom, Human Resource Mgr.
Gil Zarate, Police Lieutenant

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier.

PROCLAMATION / PRESENTATION

Mayor Dahlmeier presented Bobby Jones with a Proclamation recognizing May 2016 as Mental Health Awareness Month.

John J. Burdette, III, ABM Building Solutions, gave a presentation relating to Helping Optimize Building and Budgets. Following the presentation, the Council directed staff to return to Council with an Agreement relating to the development of a feasibility study for proposed infrastructure improvement funding by ABM Building Solutions, at no cost to the City.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

David Quintel – Item No. 6
Adonna Brand – Item No. 6
Robert Wentz – Item No. 7
Bill Sharman – Item No. 8

Cindy Peebles – Item No. 6
Trish Alehertea – Item No. 6
Mike Phulps – Item No. 7

CONSENT CALENDAR

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

1. **APPROVAL OF THE MINUTES OF APRIL 19, 2016 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

Community Development Department

2. **AMENDMENT TO THE ENTRY AGREEMENT WITH PACIFIC GAS AND ELECTRIC COMPANY** – staff report

The Council considered an Amendment to the Entry Agreement with Pacific Gas and Electric Company to continue the environmental investigation at a PG&E manufactured gas plant (MPG) site formerly located within the northeast corner of Montgomery Street and Huntoon Street (Municipal Auditorium parking lot). **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8491 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A FOURTH AMENDMENT TO THE ENTRY AGREEMENT WITH PACIFIC GAS AND ELECTRIC COMPANY FOR AN ENVIRONMENTAL INVESTIGATION AT A PACIFIC GAS AND ELECTRIC COMPANY MANUFACTURED GAS PLANT SITE FORMELY LOCATED WITHIN THE NORTHEAST CORNER OF MONTGOMERY STREET AND HUNTOON STREET (APN'S 012-032-031, 012-032-032 AND A PORTION OF 012-032-033) – (Agreement No. 1934-4).**

Business Assistance and Housing Development Department

3. **ACCEPTANCE OF USDA RURAL DEVELOPMENT COMMUNITY FACILITIES GRANT, ESTABLISHMENT OF A BUDGET AND PURCHASE OF FIREFIGHTING EQUIPMENT** – staff report

The Council considered accepting the 2016 USDA Community Facilities Grant, in the amount of \$24,129, establishing a budget and the purchase of Structural/Wildland Personal Protective Equipment, in an amount not to exceed \$68,940. **(Amy Bergstrand, Management Analyst III and Bill LaGrone, Director of Public Safety)**

Council Action Requested:

1. **Accept the USDA Rural Development Community Facilities Grant in the amount of \$24,129; and**
2. **Authorize the purchase of Structural/Wildland Personal Protective Equipment through the exclusive distributor, L.N. Curtis and Sons, in an amount not to exceed \$68,940; and**

3. **Approve a supplemental appropriation as indicated in May 3, 2016 staff report.**

4. **FORECLOSURE FOR CITY PROPERTIES LOCATED AT 3711 ASHLEY AVENUE AND 3555 ARGONAUT AVENUE – staff report**

The Council considered initiating foreclosure proceedings relating to the City of Oroville's security interest in the Deed of Trusts against the property located at 3711 Ashley Avenue and 3555 Argonaut Avenue, Oroville. **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

Council Action Requested:

1. **Adopt Resolution No. 8492 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE ACTING CITY ADMINISTRATOR AND/OR MAYOR TO EXECUTE ALL DOCUMENTS AND ANY AMENDMENTS THERETO NECESSARY TO INITIATE AND COMPLETE FORECLOSURE PROCEEDINGS ON REAL PROPERTY LOCATED AT 3711 ASHLEY AVENUE, OROVILLE (APN 033-452-016); and**

2. **Adopt Resolution No. 8493 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE ACTING CITY ADMINISTRATOR AND/OR MAYOR TO EXECUTE ALL DOCUMENTS AND ANY AMENDMENTS THERETO NECESSARY TO INITIATE AND COMPLETE FORECLOSURE PROCEEDINGS ON REAL PROPERTY LOCATED AT 3555 ARGONAUT AVENUE, OROVILLE (APN 033-462-032).**

Administration Department

5. **AGREEMENT WITH LIEBERT CASSIDY WHITMORE RELATING TO THE NORTH STATE EMPLOYMENT RELATIONS CONSORTIUM – staff report**

The Council considered an Agreement with Liebert Cassidy Whitmore to receive training and legal advice as a member of the North State Employment Relations Consortium. **(Liz Ehrenstrom, Human Resource Manager)**

Council Action Requested: **Adopt a Resolution No. 8494 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH LIEBERT CASSIDY WHITMORE, IN THE AMOUNT OF \$4,100, FOR TRAINING AND LEGAL SERVICES AND THE INCLUSION OF MEMBERSHIP IN THE NORTHSTATE EMPLOYMENT RELATIONS CONSORTIUM, EFFECTIVE JULY 1, 2016 THROUGH JUNE 30, 2017 – (Agreement No. 3175).**

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

PUBLIC HEARINGS

Business Assistance and Housing Development Department

6. MODIFICATIONS TO ALL THREE (3) HOME OWNERSHIP GUIDELINES - staff report

The Council conducted a public hearing regarding a proposed modification to the City of Oroville Community Development Block Grant Home Ownership Program, CalHome Mortgage Assistance Program and the Home Investment Partnership First Time Home Buyer Program Guidelines. **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

David Quintel, Adonna Brand, Cindy Peebles and Trish Alehertea spoke in support of the modifications to the Community Development Block Grant Home Ownership Program, CalHome Mortgage Assistance Program and to the HOME Investment Partnership First Time Home Buyer Program Guidelines.

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

Authorize the modifications to the Community Development Block Grant Home Ownership Program, CalHome Mortgage Assistance Program and to the HOME Investment Partnership First Time Home Buyer Program Guidelines.

The motion was passed by the following vote:

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

REGULAR BUSINESS

Community Development Department

7. FEE WAIVER REQUEST FOR FEES ASSOCIATED WITH A REMODEL OF THE ORO DAM AUTO CENTER – staff report

The Council considered a fee waiver request from Benny Brown and Bob Byrd to waive all applicable fees associated with a remodel of the Toyota/Chevy dealership, known as the Oro Dam Auto Center. **(Donald Rust, Director of Community Development)**

Robert Wentz and Mike Phulps spoke in support of City staff negotiating with Benny Brown and Bob Byrd through a development agreement regarding the remodel of the Toyota/Chevy dealership, known as the Oro Dam Auto Center.

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

1. **Deny the fee waiver request from Benny Brown and Bob Byrd to waive all applicable fees associated with a remodel of the Toyota/Chevy dealership; and**
2. **Direct City staff to negotiate a development agreement, in lieu of a fee waiver, relating to the remodel of the Toyota/Chevy dealership, and return to Council for review and approval.**

The motion was passed by the following vote:

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

Administration Department

8. **AMENDMENTS TO EMPLOYMENT AGREEMENTS WITH DEAN J. HILL, JR., DEPUTY FIRE CHIEF, ALLEN W. BYERS, ASSISTANT POLICE CHIEF, AND BILL LAGRONE DIRECTOR OF PUBLIC SAFETY – staff report**

The Council considered Amendments to the Employment Agreements with Dean Hill, Allen Byers and Bill LaGrone. **(Scott E. Huber, City Attorney)**

Bill Sharman spoke in opposition to the Amendments relating to the Employment Agreements with Dean Hill, Allen Byers and Bill LaGrone.

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

1. **Adopt Resolution No. 8495 – 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 DEAN J. HILL, JR. – (Agreement No. 3074-1); and**
2. **Adopt Resolution No. 8496 – 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. 3073-2); and**
3. **Adopt Resolution No. 8497 – 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 BILL LAGRONE – (Agreement No. 1969-8).**

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

MAYOR/ COUNCIL REPORTS

Council Member Pittman reported his attendance to the Butte County Association of Governments Grand Opening of Butte Regional Transit Facility, in Chico.

Mayor Dahlmeier commented on marketing activities relating to the Oroville Sustainability Report.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Oroville Downtown Business Association – April activity report
- Public Safety Department – activity report

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

- City of Oroville participation in a California Association of Local Economic Development Webinar relating to the City's successful processing of the former Redevelopment Agency properties
- California Department of Housing and Community Development's invitation to Jamboree Housing Corporation to participate in submitting an application for the Affordable Housing and Sustainable Communities Program for the Jamboree Oroville Family Apartments Project

Bill LaGrone, Director of Public Safety, reported on the South Oroville Spring Clean-up.

CORRESPONDENCE

- Lynndee Caput, received April 25, 2016

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

Chante Vincent, Stars and Stripes Towing, discussed issues relating to the development of an impound yard within City limits.

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 54957(b), the Council met with the Acting City Administrator, Personnel Officer, and City Attorney to consider the employment related to the following position: Deputy Fire Chief.
4. Pursuant to Government Code section 54957(b), the Council met with the Acting City Administrator, Personnel Officer, and City Attorney to consider the employment related to the following position: Assistant Chief of Police.
5. Pursuant to Government Code section 54957(b), the Council met with the Acting City Administrator, Personnel Officer, and City Attorney to consider the employment related to the following position: Chief of Police.
6. 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 7:33 p.m. A special meeting of the Oroville City Council will be held on Tuesday, May 17, 2016, at 1:30 p.m.

Donald Rust, Acting City Clerk

Linda L. Dahlmeier, Mayor