

**CITY COUNCIL MEETING MINUTES
AUGUST 2, 2016 – 4:00 P.M.**

The agenda for the August 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 Friday, July 29, 2016, at 2:35 p.m.

The August 2, 2016 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 4:09 p.m.

ROLL CALL

Present: Council Members Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor Chan Wilcox, Mayor Dahlmeier
Absent: None

Staff Present:

Donald Rust, Director of Community Development
Bill LaGrone, Director of Public Safety
Ruth Wright, Director of Finance

Scott Huber, City Attorney
Jamie Hayes, Assistant City Clerk
Alex Brown, Associate Civil Engineer

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier.

PROCLAMATION / PRESENTATION - None

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

August Lincoln – Item No. 6

CONSENT CALENDAR

A motion was made by Council Member Pittman, seconded by Council Member Hatley, to approve the following Consent Calendar, with exception to Items No. 2 and 5:

CONSENT CALENDAR

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

Public Safety Department

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

Community Development Department

3. DONATIONS TO THE CHINESE TEMPLE AND MUSEUM COMPLEX – staff report

The Council considered acknowledging the receipt of a Chinese Masonic pin to be donated to the Chinese Temple and Museum Complex. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Council Action Requested: **Acknowledge receipt of the donation of a Chinese Masonic pin to the Chinese Temple and Museum Complex.**

4. CANING REPAIRS TO CHAIRS IN THE C. F. LOTT HOME – staff report

The Council considered a request from the Docents Association to repair the four (4) chairs in the C.F. Lott Home's dining room at the Docents Association's expense. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Council Action Requested: **Approve request from the Docents Association to repair the 4 chairs in the C.F. Lott Home's dining room at the Docents Association's expense.**

Administration Department

5. 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 Chan
Wilcox, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

ITEMS REMOVED FROM THE CONSENT CALENDAR

2. MEMORANDUM OF UNDERSTANDING WITH THE BUTTE INTERAGENCY NARCOTICS TASK FORCE – staff report

The Council considered a Memorandum of Understanding for participation in the Butte Interagency Narcotics Task Force. **(Bill LaGrone, Director of Public Safety)**

This item was removed from the Consent Calendar at the request of Council Members Hatley, for questions, which were answered by staff.

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

1. **Adopt Resolution No. 8528 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE BUTTE INTERAGENCY NARCOTICS TASK FORCE – (Agreement No. 3056-1).**
2. **Direct staff to negotiate with the Butte Interagency Narcotics Task Force on a reasonable rent for use of the City facility and return to Council for further consideration.**

The motion was passed by the following vote:

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

5. PROFESSIONAL SERVICES AGREEMENT WITH BRYCE CONSULTING – staff report

The Council may consider a Professional Services Agreement with Bryce Consulting, in an amount not to exceed \$14,420, to complete a city-wide total compensation study. **(Liz Ehrenstrom, Human Resource Manager)**

This item was removed from the Consent Calendar at the request of Council Members Hatley, for questions, which were answered by staff.

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

Adopt Resolution No. 8529 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BRYCE CONSULTING, IN AN AMOUNT NOT TO EXCEED \$14,420, TO COMPLETE A CITY-WIDE TOTAL COMPENSATION STUDY – (Agreement No. 3188).

The motion was passed by the following vote:

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

PUBLIC HEARINGS - None

REGULAR BUSINESS

Community Development Department

**As a result of a potential conflict of interest, Item 6 was divided into two separate voting items.*

6A. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT – ZONES 1-17 – staff report (Continued from July 19, 2016)

The Council considered initiating proceeds, preliminarily approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District, Zones 1-3, 5, 7-8, 10-11, and 14-17, for Fiscal Year 2016/2017. **(Alex Brown, Associate Civil Engineer, Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

Council Members Berry and Pittman recused themselves from this item due to potential conflicts of interest.

August Lincoln directed comments to the Council relating to the Consolidated Landscape and Lighting Maintenance Assessment District.

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

- 1. Adopt Resolution No. 8523A - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 1-3, 5, 7-8, 10-11, and 14-17, FOR FISCAL YEAR 2016/2017; and**
- 2. Authorize any necessary budget adjustments to the Annual Assessment Report.**

The motion was passed by the following vote:

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

6B. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT – ZONES 1-17 – staff report (Continued from July 19, 2016)

The Council considered initiating proceeds, preliminarily approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District, Zones 4, 6, 9, 12-

13, for Fiscal Year 2016/2017. **(Alex Brown, Associate Civil Engineer, Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

Council Member Hatley and Vice Mayor Chan Wilcox recused themselves from this item due to potential conflicts of interest.

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

1. **Adopt Resolution No. 8523B - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 4, 6, 9, 12-13, FOR FISCAL YEAR 2016/2017; and**
2. **Authorize any necessary budget adjustments to the Annual Assessment Report.**

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 Chan Wilcox
Absent: None

7A. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 1-8 – staff report (*Continued from July 19, 2016*)

The Council considered approving the Annual Assessment Report for the Oroville Consolidated Benefit Assessment District for Fiscal Year 2016/2017. **(Alex Brown, Associate Civil Engineer, Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

Council Member Hatley and Vice Mayor Chan Wilcox recused themselves from this item due to potential conflicts of interest.

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

1. **Adopt Resolution No. 8524A - A RESOLUTION OF THE CITY COUNCIL APPROVING THE ANNUAL ASSESSMENT REPORT AND FOR THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 1-2, AND 4-8, FOR FISCAL YEAR 2016/2017; and**
2. **Authorize any necessary budget adjustments to the Annual Assessment Report.**

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 Chan Wilcox
Absent: None

7B. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 1-8 – staff report (*Continued from July 19, 2016*)

The Council may consider approving the Annual Assessment Report for the Oroville Consolidated Benefit Assessment District for Fiscal Year 2016/2017. **(Alex Brown, Associate Civil Engineer, Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

Council Members Berry and Pittman recused themselves from this item due to potential conflicts of interest.

- 1. Adopt Resolution No. 8524 - A RESOLUTION OF THE CITY COUNCIL APPROVING THE ANNUAL ASSESSMENT REPORT AND FOR THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONE 3, FOR FISCAL YEAR 2016/2017; and**
- 2. Authorize any necessary budget adjustments to the Annual Assessment Report.**

The motion was passed by the following vote:

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

8. ANNUAL SANITARY SEWER SERVICE RATES – staff report

The Council considered a Resolution certifying that the Sewer Service charges to be levied on the 2016/2017 tax roll are in compliance with Proposition 218. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

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

Adopt Resolution No. 8530 – A RESOLUTION OF THE OROVILLE CITY COUNCIL CERTIFYING TO THE COUNTY OF BUTTE THE VALIDITY OF THE LEGAL PROCESS USED TO PLACE DIRECT CHARGES (SPECIAL ASSESSMENTS) ON THE SECURED TAX ROLL AND AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSITION 218 CERTIFICATION OF TAX BILL LEVY FOR FISCAL YEAR 2016/2017 SEWER SERVICE CHARGES.

The motion was passed by the following vote:

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

Absent: None

9. ANNUAL SPECIAL TAX FOR THE CITY'S COMMUNITY FACILITIES DISTRICT NO. 2006-1 (WESTSIDE PUBLIC SAFETY FACILITIES) AND DISTRICT NO. 2006-2 (PUBLIC SAFETY SERVICES) FOR FISCAL YEAR 2016/2017 – staff report

The Council considered the annual special tax relating to the City's Community Facilities Districts. **(Rick Walls, Interim City Engineer and Donald Rust, Director of Community Development)**

Council Member Hatley and Vice Mayor Chan Wilcox recused themselves from this item due to potential conflicts of interest.

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

- 1. Adopt Resolution No. 8531 A RESOLUTION OF THE OROVILLE CITY COUNCIL ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-1, WESTSIDE PUBLIC SAFETY FACILITIES, FOR FISCAL YEAR 2016/2017; AND**
- 2. Adopt Resolution No. 8532 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-2, PUBLIC SAFETY SERVICES, FOR FISCAL YEAR 2016/2017; AND**
- 3. Adopt Resolution No. 8533 – A RESOLUTION OF THE OROVILLE CITY COUNCIL CERTIFYING TO THE COUNTY OF BUTTE THE VALIDITY OF THE LEGAL PROCESS USED TO PLACE DIRECT CHARGES (SPECIAL ASSESSMENTS) ON THE SECURED TAX ROLL AND AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSITION 218 CERTIFICATION OF TAX BILL LEVY; AND**
- 4. Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2016/2017 Butte County Tax Roll.**

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 Chan Wilcox
Absent: None

COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS (A verbal report may be given regarding any committee meetings attended)

Mayor Dahlmeier advised that the following events would be taking place:

- City's Public Safety Department would be hosting a National Night Out event, funded by donations from the community, at the Lott Home Sank Park on Tuesday, August 2, 2016.
- Ribbon cutting ceremony would be held on Saturday, August 6, 2016 for Panda Express, who would also be making a charitable donation to the local Boys and Girls Club.
- Oroville Downtown Business Association would be hosting a "Farm to Table" dinner on the street during their First Friday event on Friday, August 5, 2016.

Council Member Pittman, reported that the Butte County Association of Governments (BCAG), would be making a presentation to the City in the near future regarding the newly adopted Highway 162 Corridor Study.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Various Committees – activity report

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

- Request to rent the living quarters at the Chinese Temple & Museum Complex and the C.F. Lott Home due to recent vandalism
 - The Council directed staff to return to a future meeting of the Oroville City Council for consideration
- Request from the State Theatre Arts Guild (STAGE) had made a request to remove and relocate items belonging to the City that are currently being stored within the State Theatre

CORRESPONDENCE

- Pacific Gas & Electric Company

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

Vice Mayor Chan Wilcox requested that the Barton Theatre Pipe Organ, which was donated to the City and STAGE, be relocated to the State Theatre, as it is currently being stored at offsite locations within the City.

Amy Jernigan, Butte County Fair Board Director, invited the Council to attend the 2016 Butte County Fair, to be held August 25 – 28, 2016.

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 the City Attorney relating to existing litigation: Diane MacMillan v. City of Oroville et al., Butte County Superior Court, Case No. 163806.
3. Pursuant to Government Code section 54956.9(a), the Council met with Acting City Administrator and City Attorney relating to existing litigation: Randolph Murphy v. City of Oroville, Butte County Small Claims Court Case No. DSC 09843.
4. Pursuant to Government Code section 54956.95, the Council met with the Acting City Administrator and 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 5:35 p.m. An adjourned meeting of the Oroville City Council will be held on Tuesday, August 9, 2016, at 4:00 p.m.

Donald Rust, Acting City Clerk

Linda L. Dahlmeier, Mayor