

**CITY COUNCIL MEETING MINUTES  
SEPTEMBER 6, 2016 – 4:00 P.M.**

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The agenda for the September 6, 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 Wednesday, August 31, 2016, at 8:25 a.m.

The September 6, 2016 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 4:03 p.m.

**ROLL CALL**

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

**Staff Present:**

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Donald Rust, Director of Community Development  
Bill LaGrone, Director of Public Safety  
Ruth Wright, Director of Finance  
Allen Byers, Assistant Police Chief  
Amy Bergstrand, Management Analyst III  
Dean Hill, Assistant Fire Chief

Scott Huber, City Attorney  
Jamie Hayes, Assistant City Clerk  
Karolyn Fairbanks, Treasurer  
Joe Hooks, Police Sergeant  
Bob Marciniak, Program Specialist

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**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Dahlmeier.

**PROCLAMATION / PRESENTATION**

Mayor Dahlmeier presented a Proclamation to members of the Daughters of the American Revolution Feather River Chapter recognizing September 17 – 23, 2016 as Constitution Week.

Vice Mayor Chan Wilcox read aloud a Proclamation recognizing September 16, 2016 as National Stepfamily Day.

Council Member Hatley presented a Proclamation in recognition and appreciation of Bud and Laila Bolt.

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

Tasha Levinson – Item No. 6

## **CONSENT CALENDAR**

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

1. **APPROVAL OF THE MINUTES OF THE AUGUST 9, 2016 ADJOURNED MEETING, AUGUST 9, 2016 SPECIAL MEETING, AUGUST 12, 2016 SPECIAL MEETING AND AUGUST 16, 2016 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

### **Community Development Department**

2. **SUPPORT FOR CALIFORNIA ADMISSIONS DAY CELEBRATION AT THE LIBERTY POLE IN PARKING LOT A** – staff report

The Council reviewed the request by Alberta Tracy for the City of Oroville to be named as supporters of the Admissions Day Celebration flyer. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Council Action Requested: **None.**

3. **REQUEST BY STEEPLECHASE FILMS, INC. TO PUBLISH A PHOTO FROM THE CHINESE TEMPLE & MUSEUM COMPLEX ARCHIVES** – staff report

The Council considered a request by Steeplechase Films, Inc. to publish one (1) photo from the Chinese Temple & Museum Complex archives. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Council Action Requested: **Approve the request by Steeplechase Films, Inc. to publish one photo from the Chinese Temple & Museum Complex archives in the Chinese Exclusion Act documentary, with the required acknowledgements.**

### **Business Assistance & Housing Development Department**

4. **OROVILLE ECONOMIC ALLIANCE BBQ RECYCLING DEVELOPMENT ZONE BOOTH SPONSORSHIP** – staff report

The Council considered sponsoring an Oroville Recycling Development Zone booth at the Oroville Economic Alliance Annual BBQ, in the amount of \$500. *(Funding would be paid through the Cal Recycle Recycling Development Zone grant funds. There would be no impact to the City's General Fund)* **(Rick Farley, Enterprise Zone and Business Assistance Coordinator)**

Council Action Requested: **Approve the \$500 booth sponsorship in support of the Oroville Economic Alliance's Annual BBQ, to be held on September 28, 2016, at Riffles Resort.**

**Administration Department**

**5. RESPONSE TO 2015-2016 BUTTE COUNTY GRAND JURY REPORT – staff report**

The Council considered approving the response to the 2015-2016 Butte County Grand Jury Report related to unfunded pension liabilities and homelessness in the City of Oroville. **(Scoot E. Huber, City Attorney)**

Council Action Requested: **Approve the City of Oroville’s response to the 2015-2016 Butte County Grand Jury Report and authorize the Mayor to sign the response on behalf of the City Council.**

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

**PUBLIC HEARINGS**

**Community Development Department**

**6. RESOLUTION OF APPLICATION FOR THE ANNEXATION OF RIVERVIEW TERRACE DRIVE (ANX 16-01) – staff report**

The Council conducted a public hearing and considered a Resolution of Application to initiate proceedings for the annexation of the area herein referred to as Riverview Terrace Drive. **(Donald Rust, Director of Community Development)**

Mayor Dahlmeier opened the Public Hearing.

Tasha Levinson posed questions regarding funding required by Butte County Local Agency Formation Commission (LAFCo) to process the annexation of Riverview Terrace, which were answered by staff.

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

A motion was made by Vice Mayor Chan Wilcox, seconded by Council Member Del Rosario, to:

- 1. Adopt Resolution No. 8543 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE INITIATION OF APPLICATION BY THE CITY OF OROVILLE REQUESTING THE BUTTE COUNTY LOCAL AGENCY FORMATION COMMISSION TO TAKE PROCEEDINGS FOR THE ANNEXATION OF THE AREA HEREIN IDENTIFIED AS RIVERVIEW TERRACE DRIVE (ANX 16-01).**
- 2. Authorize a budget transfer, in the amount of \$6,390, from the General Fund, utilizing available fund balance.**

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

**Business Assistance & Housing Development Department**

**7. MODIFICATIONS TO THE HOME INVESTMENT PARTNERSHIP PROGRAM AND COMMUNITY DEVELOPMENT BLOCK GRANT HOMEBUYER MORTGAGE ASSISTANCE PROGRAM GUIDELINES – staff report**

The Council conducted a public hearing to solicit comments regarding requested modifications to the Community Development Block Ownership Program.

Thereafter, the Council considered authorizing the modifications to the HOME Investment Partnership and Community Development Block Grant Mortgage Assistance Program Guidelines. **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

Mayor Dahlmeier opened the Public Hearing. Hearing no questions or comments from the public, Mayor Dahlmeier closed the Public Hearing.

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

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

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

**REGULAR BUSINESS**

**Community Development Department**

**8. REQUEST TO PURCHASE CITY OWNED PROPERTY ADJACENT TO THE RON HARMON MINE – staff report**

The Council considered a request from Ron Harmon, owner of the Ron Harmon Mine, to purchase an approximately 5.49-acre City owned property (APN: 035-470-015) adjacent to

his mine located south of the intersection at Baggett-Marysville Road and Palermo-Baggett Road. **(Luis Topete, Associate Planner and Donald Rust, Director of Community Development)**

Following discussion, the Council directed staff to have the approximate 5.49-acres of City owned property (APN: 035-470-015), appraised for market value and to return to Council for approval of the sale.

**9. DEACCESSION OF VARIOUS MUSEUM ARTIFACTS - staff report**

The Council considered the recommendation from the Park Commission to dispose of the deaccessioned museum artifacts, as the Oroville Docents see fit, in accordance with procedures detailed in Ordinance No. 8129, Park Commission Policy No. 45. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Following discussion, the Council directed staff to continue with the deaccession of museum artifacts, as indicated in the September 6, 2016 staff report.

**10. AMENDMENTS TO SECTIONS OF THE OROVILLE MUNICIPAL CODE RELATING TO TREE PRESERVATION AND UPDATE OF THE TREE REMOVAL PERMIT APPLICATION – staff report**

The Council considered reviewing updates to sections of the Oroville Municipal Code relating to tree preservation, and an update of the tree removal permit application. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Following discussion, the Council directed staff to make amendments to the City's Municipal Code relating to tree preservation, and the tree removal permit application and to return to Council for approval.

**11. REQUEST TO WAIVE ADMISSION FEE FOR VARIOUS PROMOTIONAL EVENTS HELD AT THE OROVILLE MUSEUMS – staff report**

The Council considered approving a request to waive the admission fees for various promotional events to be held at the C.F. Lott Home (Lott Home), Pioneer Museum, and Chinese Temple & Museum Complex to be hosted by the Oroville Docents. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Following discussion, the Council approved the request to waive the admission fees for various promotional events to be held at the C.F. Lott Home, Pioneer Museum, and Chinese Temple & Museum Complex, to be hosted by the Oroville Docents.

**12. REQUEST TO LEASE/PURCHASE CITY OWNED PROPERTY TO ASSIST IN THE DEVELOPMENT OF A NEIGHBORHOOD MARKET – staff report**

The Council considered a request from Varun Sharma, property owner of 4354 Lincoln Boulevard (APN: 035-200-032), to lease or purchase a portion of City owned property identified as APN: 035-130-027, for the development of a parking lot to service his proposed business. **(Donald Rust, Director of Community Development)**

Following discussion, the Council directed staff to have the City owned property, identified as APN: 035-130-027, appraised for market value and to return to Council for approval of the sale.

**13. UPDATED PUBLIC DRAFT OF THE PARKS, TRAILS & OPEN SPACE MASTER PLAN – staff report**

The Council reviewed the completed public draft of the Parks, Trails & Open Space Master Plan and provide direction to staff, as necessary. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Following discussion, the Council approved the completed public draft of the Parks, Trails & Open Space Master Plan. *(The Parks, Trails & Open Space Master Plan will return to the Council for a public hearing in October 2016 for a final review and potential adoption by the City Council.)*

**Business Assistance & Housing Development Department**

**14. 2015 HOME INVESTMENT PARTNERSHIP GRANT – staff report**

The Council considered accepting the 2015 Home Investment Partnerships Program Grant in the amount of \$1,000,000; and establishing the budget for program activities.

In addition, the Council considered approving a budget adjustment to establish the budget for program activities for the 2015 Home Investments Partnerships Program Grant in the amount of \$75,000. **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

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

- 1. Accept the 2015 Home Investment Partnerships Program Grant Agreement No. 15-HOME-10631 in the amount of \$1,000,000.**
- 2. Approve a budget adjustment as indicated in the fiscal impact of the September 6, 2016 staff report.**

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

**15. NON-FORECLOSURE OF CITY INTEREST ON PROPERTY LOCATED AT 3475 CHARLENE AVENUE – staff report**

The Council considered the non-foreclosure of City interest on the property located at 3475 Charlene Avenue, Oroville, which is not financially feasible for the City to cure the

underlying first loan mortgage defaults and payoff of the first mortgage loans. (**Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development**)

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

**Authorize the non-foreclosure of City loan interest on the property located at 3475 Charlene Avenue, Oroville (APN 033-440-008).**

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

**16. 17<sup>th</sup> ANNUAL ECONOMIC FORECAST CONFERENCE SPONSORSHIP – staff report**

The Council considered sponsoring the 17<sup>th</sup> Annual Economic Forecast Conference, in the amount of \$5,000. (*Funding would be paid through the Cal Recycle Recycling Development Zone grant funds. There would be no impact to the City's General Fund*). (**Rick Farley, Enterprise Zone and Business Assistance Coordinator**)

At the request of Donald Rust, Director of Community Development, this item was continued to a future meeting of the Oroville City Council for further consideration.

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

Mayor Dahlmeier reported her attendance to the First Friday event in Historic Downtown Oroville, and commended the new and current businesses for the bustling activities downtown.

**CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

- Public Safety Department – activity report

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

- Use of State Theatre for 2016 Candidate Forum, hosted by the Oroville Exchange Club on October 6, 2016 at 6:00 p.m. relating to the November 8, 2016 General Municipal Election.
- United States Environmental Protection Agency request for City staff to present at an upcoming conference in San Francisco. Associate Planner, Luis Topete will attend.
- Request by Council Members Del Rosario and Pittman to address issues relating to burned out homes and properties to be presented by Bill LaGrone, Director of Public Safety, at the September 20, 2016 regular City Council meeting.

## **CORRESPONDENCE**

- Pacific Gas & Electric Company

## **HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS**

Breck Wright addressed the Council regarding Ballot Measure R – Public Safety Solutions for Oroville – Sales Tax Measure.

Teri Sisino invited the Council to attend the 2016 Candidate Forum hosted by the Oroville Exchange Club on October 8, 2016 at 6:00 p.m. relating to the November 8, 2016 General Municipal Election.

Council Member Pittman discussed the poor internet connectivity in the local area due to the wildfire activity near Paradise.

Council Member Pittman commended the Northwest SPCA for their exemplary services to both the animals in their care and the local community.

## **CLOSED SESSION**

*\*Per Government Code section 54954.2, Scott E. Huber, City Attorney, presented the Council with a request to add an additional item to Item No. 3 of the Closed Session Items to include two potential litigation cases rather than one.*

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

Amend Item No. 3 – Closed Session, to include an additional potential litigation case, amending it from one case to two cases.

The motion was passed by the following vote:

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

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 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.

3. \*Pursuant to Government Code section 54956.95, the City Council met with 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 6:42 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, September 20, 2016, at 5:00 p.m.

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Donald Rust, Acting City Clerk

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Linda L. Dahlmeier, Mayor