

**CITY COUNCIL MEETING MINUTES
MARCH 21, 2017 – 5:30 P.M.**

The agenda for the March 21, 2017, 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, March 17, 2017, at 8:30 a.m.

The March 21, 2017 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:30 p.m.

ROLL CALL

Present: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Absent: None

Staff Present:

Donald Rust, Assistant City Administrator
Bill LaGrone, Director of Public Safety
Scott E. Huber, City Attorney
Amy Bergstrand, Management Analyst III
Rick Farley, RDA Coordinator

Ruth Wright, Director of Finance
Karolyn Fairbanks, Treasurer
Jamie Hayes, Assistant City Clerk
Liz Ehrenstrom, Human Resource Manager

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

Cheryl Smith – Item No. 6
Ethan Phillips – Item No. 12
Gary Norwood – Item No. 12

August Lincoln – item No. 11
Todd Jiron – Item No. 13

CONSENT CALENDAR

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

- 1. APPROVAL OF THE MINUTES OF THE MARCH 7, 2017 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

Community Development Department

2. FEE WAIVER REQUEST FOR USE OF THE MUNICIPAL AUDITORIUM: BEAUTY ON THE RIVER 2018 QUILT SHOW – staff report

The Council considered a fee waiver request from the Oroville Piecemakers Quilt Guild for use of the Municipal Auditorium for the Beauty on the River 2018 Quilt Show. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize the \$500 waiver request that meets the City’s Facility/Park Fee Waiver policy.**

The motion to approve the Consent Calendar was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

PUBLIC HEARINGS

Community Development Department

3. ZONING CHANGE 16-01: ENCLOSURES FOR SOLID WASTE AND RECYCLABLE MATERIALS (1st Reading) – staff report

The Council conducted a public hearing to consider approving an amendment to Title 17 of the Oroville Municipal Code (Zoning Ordinance) relating to the provision of areas for collecting and loading recyclable materials and solid waste in development projects. **(Luis Topete, Associate Planner and Donald Rust, Director of Community Development)**

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

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

Adopt Ordinance No. 1820 – AN ORDINANCE OF THE OROVILLE CITY COUNCIL ADOPTING AMENDMENTS TO TITLE 17 OF THE OROVILLE MUNICIPAL CODE RELATING TO THE PROVISION OF AREAS FOR COLLECTING AND LOADING RECYCLABLE MATERIALS AND SOLID WASTE IN DEVELOPMENT PROJECTS

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier

Noes: None
Abstain: None
Absent: None

REGULAR BUSINESS

Business Assistance & Housing Development

4. PROFESSIONAL SERVICES AGREEMENT WITH ROY L. HASTINGS & ASSOCIATES, LLC. – staff report

The Council considered a Professional Services Agreement with Roy L. Hastings & Associates, LLC., in the amount of \$22,500, for administrative subcontractor services and \$2,250 per month for labor standards monitoring for the 2016 HOME Program, Sierra Heights Apartments Rental New Construction Project. **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

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

Adopt Resolution No. 8592 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH ROY L. HASTINGS, LLC, TO PROVIDE ADMINSTRATIVE SUBCONTRACTOR SERVICES FOR THE 2016 HOME PROGRAM RENTAL NEW CONSTRUCTION PROJECT– (Agreement No. 3213).

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

5. SUBMITTAL OF LOCAL GOVERNMENTS HOUSEHOLD HAZARDOUS WASTE GRANT APPLICATION IN COLLABORATION WITH BUTTE COUNTY – staff report

The Council considered authorizing staff to collaborate with Butte County to submit a 2017 Local Household Hazardous Waste Program Grant HD29 application to the California Department of Resources Recycling and Recovery (CalRecycle). **(Rick Farley, Enterprise Zone and Business Assistance Coordinator and Donald Rust, Director of Community Development)**

A motion was made by Vice Mayor Goodson, seconded by Council Member Draper, to:

Adopt Resolution No. 8593 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE COLLABORATION WITH BUTTE COUNTY TO SUBMIT A 2017-18 LOCAL GOVERNMENTS HOUSEHOLD HAZARDOUS WASTE PROGRAM GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE).

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

Community Development Department

6. OROVILLE CEMETERY LANDSCAPE PROPOSAL – staff report

The Council received information regarding the proposed landscape design for the frontage of the Oroville Cemetery. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Cheryl Smith, General Manager, Oroville Cemetery District, spoke to the Council in regards to the Districts involvement in the proposed landscape design and maintenance of the Oroville Cemetery.

7. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SCS ENGINEERS FOR A TIME EXTENSION AND REALLOCATION OF REMAINING U.S. EPA 2014 SITE-SPECIFIC BROWNFIELDS ASSESSMENT GRANT FUNDS – staff report

The Council considered an amendment to the Professional Services Agreement with SCS Engineers for the purpose of extending the expiration date of the Agreement and transferring funds between tasks, in the amount of \$16,057. **(Donald Rust, Director of Community Development)**

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

Adopt Resolution No. 8594 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH SCS ENGINEERS FOR A TIME EXTENSION AND REALLOCATION OF REMAINING U.S. EPA 2014 SITE-SPECIFIC BROWNFIELDS ASSESSMENT GRANT FUNDS – (Agreement No. 3102-2)

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

8. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BSK ASSOCIATES FOR A TIME EXTENSION AND REALLOCATION OF REMAINING U.S. EPA 2014 COMMUNITY-WIDE BROWNFIELDS ASSESSMENT GRANT FUNDS – staff report

9.

The Council considered an amendment to the Professional Services Agreement with BSK Associates for the purpose of extending the expiration date of the Agreement and transferring funds between tasks, in the amount of \$94,142. **(Donald Rust, Director of Community Development)**

Following discussion, a motion was made by Vice Mayor Goodson, seconded by Council Member Thomson, to:

Adopt Resolution No. 8595 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH BSK ASSOCIATES FOR A TIME EXTENSION AND REALLOCATION OF REMAINING U.S. EPA 2014 COMMUNITY-WIDE BROWNFIELDS ASSESSMENT GRANT FUNDS – (Agreement No. 3101-2)

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

10. **APPROVE A MEMORANDUM OF UNDERSTANDING TO FORM THE EAST BUTTE SUB-BASIN GROUNDWATER SUSTAINABILITY PARTNERS** – staff report

The Council considered approving a Memorandum of Understanding forming the East Butte Sub-Basin Groundwater Sustainability Partners. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Following discussion, a motion was made by Council Member Draper, seconded by Vice Mayor Goodson, to:

Adopt Resolution No. 8596 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING FORMING THE EAST BUTTE SUB-BASIN GROUNDWATER SUSTAINABILITY PARTNERS – (Agreement No. 3214).

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

11. **APPLICATION AND LETTER ACKNOWLEDGING PARTNERSHIP FOR THE 2017 CALIFORNIA CULTURAL DISTRICTS PILOT PROGRAM** – staff report

The Council may consider a letter acknowledging partnership and subsequent application for the 2017 California Cultural Districts pilot program. **(Dawn Nevers, Assistant Planner, Evan Burt, City Intern and Donald Rust, Director of Community Development)**

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

Adopt Resolution No. 8597 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO ACKNOWLEDGE THE PARTNERSHIP WITH THE INTENT TO DEVELOP THE HISTORIC DOWNTOWN OROVILLE ARTS, CULTURAL & ENTERTAINMENT DISTRICT PARTNERSHIP UNDER THE CALIFORNIA CULTURAL DISTRICT.

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

12. 2017 INTERNATIONAL COUNCIL OF SHOPPING CENTERS EVENT - staff report

The Council considered allowing two (2) Council Members to attend the International Council of Shopping Centers RECon event, to be held May 21st – 24th, 2017, in Las Vegas, Nevada. **(Donald Rust, Director of Community Development)**

August Lincoln spoke in opposition to the attendance to the International Council of Shopping Centers RECon event.

Following further discussion, this item failed due to lack of a motion, therefore; no action was taken on the following:

Authorize 2 Council Members to attend the International Council of Shopping Centers International RECon event, to be held May 21st – 24th, 2017, in Las Vegas, Nevada.

13. CREATION OF TWO ADDITIONAL PART-TIME MUSEUM STAFF POSITIONS - staff report

The Council considered creating two additional part-time Museum Staff positions. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Ethan Phillips spoke to the Council regarding the Native Sons of the Golden West's offer to retake and operate the Pioneer Museum.

Following discussion, the Council directed staff to return with this item at a future date for further consideration, pending review of the 2017/2018 Fiscal Year budget.

14. PREMANUFACTURED SPEED HUMPS AT ROUNDABOUT ENTRANCES – staff report

The Council considered providing staff with direction for the construction of speed humps at

the entrances to the two roundabouts within City limits. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Todd Jiron spoke in opposition to the placement of speed humps at the entrances of the City's roundabouts.

Following further discussion, the Council directed staff to forego the placement of speed humps at the entrances of the City's roundabouts.

COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS

Council Member Draper reported her attendance to the Bird Street School's Arbor Day event, which was held on March 9, 2017.

Mayor Dahlmeier made the following appointments:

- Housing Loan Advisory Committee – Council Member Del Rosario
- Economic Development Loan Advisory Committee – Vice Mayor Goodson
- Executive Committee – Mayor Dahlmeier, Vice Mayor Goodson, Council Member Berry
- Tourism Committee - Council Member Thomson

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Memo – International Council of Shopping Centers – 2017 Monterey Idea Exchange

Scott E. Huber, City Attorney, gave the Council a brief update relating to the Public Records Act.

Donald Rust, Acting City Administrator, gave updates of the following:

- Super WalMart opening delayed to June 7, 2017 due to the Oroville Spillway incident
- State Theatre water pipe repairs
- Emergency Administrative Ad hoc Committee & Emergency Operational Ad hoc Committee meeting reports – Discussions were held regarding:
 - Public Informational Officer
 - Emergency Operations Center

CORRESPONDENCE - None

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

Cheri Bunker advised that the Oroville Exchange Club would be hosting the 47th Annual Search for Talent event on Saturday, March 25, 2017, at the Oroville State Theatre.

Jamie Hayes, Assistant City Clerk, reported that the Butte County Grand Jury would be hosting an informational meeting the functions and history of the Grand Jury, on March 22, 2017, at the

Oroville Library.

Council Member Del Rosario, on behalf of the City Council, presented a plaque to Donald Rust, Acting City Administrator, noting his exemplary leadership during the Oroville Dam Spillway incident.

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 54956.95, the Council met with the Acting City Administrator, Personnel Officer and City Attorney relating to Worker's Compensation Claim No. NCWA-556721
3. Pursuant to Government Code section 54956.9(a), the Council met with the Acting City Administrator, and the City Attorney relating to existing litigation: WGS Dental, et al., v. City of Oroville, et al., Butte County Superior Court, Case No. 152036, Third District Court of Appeals, Case No. C 077181.
4. Pursuant to Government Code section 54956.9(a), the Council met with the Acting City Administrator, and the City Attorney relating to existing litigation: Coryell v. City of Oroville, et al., United States District Court, Eastern District of California, Case No. 15-cv-00476.
5. Pursuant to Government Code section 54956.95, the City Council met with Acting City Administrator and City Attorney regarding potential litigation – two cases.

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 7:55 p.m. A special meeting of the Oroville City Council will be held on Tuesday, March 28, 2017, at 9:00 a.m.

Donald Rust, Acting City Clerk

Janet Goodson, Vice Mayor