

**CITY COUNCIL MEETING MINUTES
JUNE 6, 2017 – 5:30 P.M.**

The agenda for the June 6, 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, June 2, 2017, at 1:15 p.m.

The June 6, 2017 regular meeting of the Oroville City Council was called to order by Vice Mayor Goodson at 5:30 p.m.

ROLL CALL

Present: Council Members Berry, Draper, Hatley, Thomson, Vice Mayor Goodson
Absent: Council Member Del Rosario (excused), Mayor Dahlmeier (excused)

Staff Present:

Donald Rust, Assistant City Administrator
Bill LaGrone, Director of Public Safety
Scott E. Huber, City Attorney
Rick Farley, EZ Zone & Business Coordinator
Jordan Daley, Accounting Technician

Ruth Wright, Director of Finance
Karolyn Fairbanks, Treasurer
Jamie Hayes, Assistant City Clerk
Dawn Nevers, Assistant Planner

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Thomson.

PROCLAMATION / PRESENTATION

Vice Mayor Goodson conducted Oaths of Office for Volunteers in Police Services (VIPS) Officers Darin Fowler and Mario Alejandro Perales.

Ruth Wright, Director of Finance, introduced Jordan Daley, Accounting Technician.

Donald Rust, Acting City Administrator, gave a presentation relating to Meeting Protocol and Decorum.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Tasha Levinson – Item No. 7

Aaron Wright – Item No. 9

CONSENT CALENDAR

A motion was made by Council Member Hatley, seconded by Council Member Thomson, to approve the following Consent Calendar, with exception to Items No. 1 and 5:

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

Public Safety Department

2. **ACCEPTANCE OF DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT ASSISTANCE PROGRAM FUNDING** – staff report

The Council considered accepting Department of Alcoholic Beverage Control (ABC) Grant Assistance Program funding, in the amount of \$42,573, to fund overtime activities to address alcohol related crimes and to ensure compliance with the California ABC Act. **(Bill LaGrone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution No. 8607 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE VICE MAYOR TO EXECUTE AN DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL CONTRACT, INCLUDING ANY EXTENSIONS OR AMENDMENTS THEREOF, AND ANY SUBSEQUENT CONTRACTS WITH THE STATE IN RELATION THERETO, IN THE AMOUNT OF \$42,573.**

Community Development Department

3. **MEMORANDUM OF UNDERSTANDING RELATING TO THE FORMATION OF THE EAST BUTTE SUB-BASIN GROUNDWATER SUSTAINABILITY PARTNERS BETWEEN THE CITY OF OROVILLE AND THERMALITO WATER AND SEWER DISTRICT** – staff report

The Council considered a Memorandum of Understanding for the formation of the East Butte Sub-Basin Groundwater Sustainability Partners between the City of Oroville and Thermalito Water and Sewer District. **(Dawn Nevers, Assistant Planner)**

Council Action Requested: **Adopt Resolution No. 8608 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING FOR THE FORMATION OF THE EAST BUTTE SUB-BASIN GROUNDWATER SUSTAINABILITY PARTNERS BETWEEN THE CITY OF OROVILLE AND THERMALITO WATER AND SEWER DISTRICT – (Agreement No. 3222).**

4. **REMOVAL OF CHINESE PISTACHE TREES** – staff report

The Council considered the removal of twenty-eight (28) Chinese Pistache trees on Myers and Robinson Streets due to girdling and circling roots causing a public safety concern. **(Dawn Nevers, Assistant Planner)**

Council Action Requested:

1. **Approve the removal of 16 Chinese Pistache trees on Myers and Robinson Streets, as indicated in this staff report.**
2. **Approve the removal of remaining 12 Chinese Pistache trees on Myers and Robinson Streets upon completion of the Tree Risk Assessment.**

Business Assistance & Housing Development Department

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

Administration Department

6. RESOLUTION OF INTENT TO AMEND THE CALPERS CONTRACT FOR EMPLOYEES SHARING ADDITIONAL COST – staff report

The Council considered a Resolution of Intent to amend the California Public Employees' Retirement System (CalPERS) contract for employees sharing additional costs. **(Liz Ehrenstrom, Human Resource Manager and Donald Rust, Assistant City Administrator)**

Council Action Requested: **Adopt Resolution No. 8609 – A RESOLUTION OF INTENTION BY THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, TO APPROVE AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION – CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF OROVILLE.**

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

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

1. APPROVAL OF THE MAY 9, 2017 AND MAY 22, 2017 SPECIAL MEETINGS AND MAY 16, 2017 REGULAR MEETING OF THE OROVILLE CITY COUNCIL – minutes attached

This item was removed from the Consent Calendar at the request of Council Member Berry for comments.

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

- 1. Approve the minutes of the May 9, 2017 special meeting and May 16, 2017 regular meeting of the Oroville City Council.**
- 2. Approve the May 22, 2017 special meeting of the Oroville City Council, and allow edits relating to the final comments made by Mayor Dahlmeier and Council Members to be inserted into the transcript.**

The motion was passed by the following vote:

Ayes: Council Members Draper, Hatley, Thomson, Vice Mayor Goodson
Noes: Council Member Berry

Abstain: None
Absent: Council Member Del Rosario, Mayor Dahlmeier

5. FEDERAL AVIATION ADMINISTRATION WESTERN PACIFIC REGION 8TH AIRPORTS CONFERENCE – staff report

The Council received information regarding the attendance of one City staff person to the Federal Aviation Administration Western Pacific Region 8th Airports Conference. **(Rick Farley, Enterprise Zone and Business Assistance Coordinator and Donald Rust, Assistant City Administrator)**

This item was removed from the Consent Calendar at the request of Council Member Hatley for comments.

This item was informational only, therefore; no action was required, nor taken.

PUBLIC HEARINGS

Finance Department

7. FISCAL YEAR 2017 – 2018 APPROPRIATIONS LIMIT – staff report

The Council conducted a public hearing and considered continuing the adoption of the Fiscal Year 2017 – 2018 Appropriations Limit. **(Ruth Wright, Director of Finance)**

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

A motion was made by Council Member Hatley, seconded by Council Member Draper, to

Adopt Resolution No. 8610 – A RESOLUTION OF THE OROVILLE CITY COUNCIL SETTING THE APPROPRIATIONS LIMIT (PROPOSITION 4) FOR FISCAL YEAR 2017 – 2018.

The motion was passed by the following vote:

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

8. 2017 – 2018 PRELIMINARY ANNUAL BUDGET – staff report

The Council conducted a public hearing relating to the 2017 – 2018 Preliminary Annual Budget. *(The Adopted Budget is required to be approved at the July 11, 2017 regular City Council meeting)* **(Ruth Wright, Director of Finance)**

Vice Mayor Goodson opened the Public Hearing.

Tasha Levinson provided comments relating to the 2017 – 2018 Preliminary Annual Budget.

Hearing no further question or comments from the audience, Vice Mayor Goodson closed the Public Hearing.

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

Approve the balance of the prior year's claim, plus 20% in the City's Vision Fund.

The motion was passed by the following vote:

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

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

Approve the transfers of \$35,000 from the City's General Fund to the City's Recycling Fund.

The motion was passed by the following vote:

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

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

Approve the closure of the City's Annexation Fund.

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

Following further discussion, the Council directed staff to continue this item to the June 20, 2017 regular City Council meeting for further consideration, therefore; no action was taken on the following:

Approve the City's 2017 – 2018 Preliminary Annual Budget.

REGULAR BUSINESS

Public Safety Department

9. ACCEPTANCE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION EXTRA DUTY AGREEMENT AND FUNDING – staff report

The Council considered accepting a California Department of Parks and Recreation Agreement, including funding in the amount of \$180,000, for extra patrols in the local State Parks and Recreation areas. **(Bill LaGrone, Director of Public Safety)**

Aaron Wright, California State Parks Supervisor, addressed questions relating to the requests for extra patrols in the local State Parks and Recreation areas.

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

Adopt Resolution No. 8611– A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE VICE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO EXECUTE AN EXTRA DUTY AGREEMENT WITH THE STATE DEPARTMENT OF PARKS AND RECREATION RELATING TO ADDITIONAL PATROLS IN THE STATE PARKS RECREATIONAL AREA IN AND AROUND OROVILLE.

The motion was passed by the following vote:

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

10. AGREEMENT WITH EL MEDIO FIRE PROTECTION DISTRICT FOR EMERGENCY VEHICLE REPAIR AND MAINTENANCE SERVICES – staff report

The Council considered an Agreement with the El Medio Fire Protection District, enabling the City to provide repair and maintenance services for El Medio's fire apparatus' with full cost recovery for labor and any necessary parts. **(Bill LaGrone, Director of Public Safety)**

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

Adopt Resolution No. 8612 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE VICE MAYOR TO EXECUTE AN AGREEMENT WITH EL MEDIO FIRE PROTECTION DISTRICT – (Agreement No. 3223).

The motion was passed by the following vote:

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

Administration Department

11. CITY ROADWAY PROJECTS – staff report

The Council considered the use of restricted funds to begin a layout design of locations and improvements needed to the City's streets and roadways. **(Donald Rust, Assistant City Administrator)**

Following discussion, the Council directed staff to return to a future meeting of the Oroville City Council to review a bid package and proposed priority list of locations and improvements needed to the City's streets and roadways for further consideration.

COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS

Council Member Draper reported her attendance to the May 25, 2017 Butte County Continuum of Care Council (CoCC) meeting. Additional information relating to the CoCC may be located at: <http://buttehomelesscoc.com/>

Vice Mayor Goodson reported her attendance to the following:

- Handi-Riders of Northern California Open House which was held on May 20, 2017, featuring their new program for Veterans, Additional information may be located at: <http://www.handi-riders.org/>
- Meeting with Tim Haines, State Water Contractors, and Council Member Del Rosario on June 2, 2017
- Scheduled Press conference with Assemblyman James Gallagher on June 7, 2017 relating to the need equal representation from the State Legislature in regards to rural communities

Council Member Hatley reported a meeting with Tim Haines, State Water Contractors on June 2, 2017.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Bill LaGrone, Director of Public Safety, reported that Wal-Mart had donated \$1,000 to the Oroville Police Department for the K-9 Program and \$1,000 for their "Shoes That Fit" Program during the VIP Open House event, held June 5, 2017.

Donald Rust, Acting City Administrator, reported on the following:

- Encroachment Permit for the installation of broadband at the Oroville Municipal Airport Park
- Meeting with Butte County Officials relating to the new development at the former Martin Ranch property
- Meetings held with FEMA representatives regarding claims filed in relation to the Oroville Dam Spillway incident
- Meeting with the Department of Water Resources regarding road repairs have been rescheduled to a later date
- Feather River Recreation and Park District request for assistance with debris removal at Riverbend Park on June 23, 2017
- Future Emergency Operations Center training for City staff and officials
- Request by Oroville Recreational Advisory Committee (ORAC) to have City Council representative sign a letter addressed to the Federal Energy Regulatory Commission (FERC) relating to the Oroville Dam Spillway incident
- Pacific Gas and Electric Company to begin work in early 2018 at the Mike Isch Parking Lot

A located on Montgomery Street

CORRESPONDENCE

- John Chiang, State of California Treasurer
- California Public Utilities Commission
- Comcast

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

Tasha Levinson and Bill Bynum made comments relating to the Settlement Agreement with the Department of Water Resources.

Helen Dennis made comments in opposition to the removal of Chinese Pistache trees on Myers and Robinson Streets due to girdling and circling roots causing a public safety concern. (See Item No. 4)

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 54956.8, the Council met with Real Property Negotiators, Acting City Administrator and City Attorney, regarding the properties identified as 1026 Safford St., Oroville, CA, 2075 Baldwin Ave., Oroville, CA, 1200 Myers St., Oroville, CA, Assessor's Parcel Number 012-061-009-000, and Assessor's Parcel Number 012-061-008-000.
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 Nos. NCWA-557112 and NCWA-284828.
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 54956.9(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.
6. Pursuant to Government Code section 54956.9(d)(4), the Council met with the Acting City Administrator and City Attorney regarding potential initiation of litigation – one case (related

to Oroville Spillway Incident).

Vice Mayor Goodson announced that there were no reportable actions taken in Closed Session and direction had been given to staff.

ADJOURNMENT

The meeting was adjourned at 9:37 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, June 16, 2017, at 5:30 p.m.

Donald Rust, Acting City Clerk

Linda L. Dahlmeier, Mayor