



**CITY COUNCIL MEETING MINUTES
NOVEMBER 7, 2017 – 5:30 P.M.**

The agenda for the November 7, 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 Thursday, November 2, 2017, at 10:40 a.m.

The November 7, 2017 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:39 p.m.

ROLL CALL

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

Staff Present:

Donald Rust, Assistant City Administrator
Bill LaGrone, Director of Public Safety
Karolyn Fairbanks, Treasurer
Dawn Nevers, Assistant Planner
Mike Massaro, Contract City Engineer

Ruth Wright, Director of Finance
David Ritchie, Assistant City Attorney
Amy Bergstrand, Management Analyst III
Liz Ehrenstrom, Human Resource Manager

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Amy Jernigan, Recology, and Council Member Linda Draper.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Bryan Brown – Item No. 10
Tim Gibbs – Item No. 16

Celia Hirschman – Item No. 16

PROCLAMATION / PRESENTATION

Council Member Draper presented Maia Ila, Homeless Emergency Action Response Team, with a Proclamation recognizing the month of November 2017 as National Homeless and Runaway Prevention Month.

CONSENT CALENDAR

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

- 1. APPROVAL OF THE OCTOBER 17, 2017 REGULAR MEETING MINUTES OF THE OROVILLE CITY COUNCIL – minutes attached**

Public Works Department

2. PAVEMENT REHABILITATION LIST FOR SUBMITTAL TO CALIFORNIA TRANSPORTATION COMMISSION FOR FUNDING – staff report

The Council considered approving by Resolution the submittal of the City's list of roads and streets prioritized for rehabilitation to the California Transportation Commission (CTC) for compliance with CTC guidelines. *(This list was submitted to the CTC by the required submittal deadline of October 16, 2017, after approval by the City Council at the October 3, 2017 Council meeting, however; the CTC requires a resolution approving the project list even though the list is non-binding and can be amended by City staff and Council. This resolution is necessary for the City to be eligible for additional transportation funding under Senate Bill 1 (SB 1) and Assembly Bill 135 (AB 135)).* **(Mike Massaro, Contract City Engineer)**

Council Action Requested: **Adopt Resolution No. 8663 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AMENDING THE 2017-2018 BUDGET TO INCORPORATE A LIST OF PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT.**

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

Finance Department

4. MONTHLY FINANCIAL REPORT AND REPORT OF INVESTMENTS FOR JULY, AUGUST & SEPTEMBER 2017 – report attached

The Council received copies of the July, August & September 2017 Monthly Financial Report and Report of Investments. **(Ruth Wright, Director of Finance)**

Council Action Requested: **Acknowledge receipt of the July, August & September 2017 Monthly Financial Reports and Reports of Investments.**

Community Development Department

5. RECOLOGY SERVICE RATE INCREASE FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE – staff report

The Council received an update on the Recology service rate increase for the collection and disposal of solid waste that will become effective January 1, 2018. **(Donald Rust, Director of Community Development)**

Council Action Requested: **None.**

6. REQUESTED PERMISSION BY STEEPLECHASE FILMS TO PUBLISH A PHOTO FROM CHINESE TEMPLE ARCHIVES – staff report

The Council considered a request by Steeplechase Films to publish one (1) photo from the Chinese Temple archives in a PBS documentary broadcast of, "The Chinese Exclusion Act".

(Donald Rust, Director of Community Development and Dawn Nevers, Assistant Planner)

Council Action Requested: **Acknowledge the approved request by Steeplechase Films to publish one (1) photo from the Chinese Temple archives in a PBS documentary broadcast of, “The Chinese Exclusion Act”, with the required acknowledgements, as indicated in the November 7, 2017 staff report.**

7. OROVILLE ARTS COMMISSION ARTS AWARD RECOGNIZING “YOUR VOICE FOR THE ARTS” – staff report

The Council considered approving the Oroville Arts Commission Art Award recognizing, “Your Voice for the Arts”, an award that recognizes an artist who has positively impacted the community through the arts. **(Donald Rust, Director of Community Development and Dawn Nevers, Assistant Planner)**

Council Action Requested: **Approve the Oroville Arts Commission Arts Award recognizing, “Your Voice for the Arts,” an award that recognizes an artist who has positively impacted the community through the arts.**

8. FINAL DRAFT NOTICE OF FUNDS AVAILABLE FOR ART IN PUBLIC PLACES/OROVILLE BEAUTIFICATION – staff report

The Council considered approving the updated 2017 final draft of the Notice of Funds Available for the Art in Public Places/Beautification funding under City of Oroville Ordinance No. 1798, Section II, Chapter 26, §17.08.135. **(Donald Rust, Director of Community Development and Dawn Nevers, Assistant Planner)**

Council Action Requested: **Approve the updated 2017 final draft of the Notice of Funds Available for the Art in Public Places/Beautification funding under City of Oroville Ordinance No. 1798, Section II, Chapter 26, §17.08.135.**

Business Assistance & Housing Development Department

9. 2017 ANNUAL LONG-TERM MONITORING REPORTS FOR HOME MULTI-FAMILY RENTAL HOUSING PROJECTS – staff report

The Council considered a Professional Services Agreement with R.L. Hastings & Associates, LLC, in the amount of \$7,500, for the preparation of HOME Investment Partnerships Program annual monitoring documentation reports for three (3) multi-family rental housing projects. **(Amy Bergstrand, Management Analyst III)**

Council Action Requested: **Adopt Resolution No. 8665 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH R. L. HASTINGS & ASSOCIATES, LLC, IN THE AMOUNT OF \$7,500, TO PREPARE THE ANNUAL LONG-TERM MONITORING REPORT FOR HOME MULTI-FAMILY RENTAL HOUSING PROJECTS - (Agreement No. 3237).**

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

Administration Department

11. REAPPOINTMENT TO THE BUTTE COUNTY MOSQUITO & VECTOR CONTROL BOARD OF TRUSTEES – staff report

The Council considered reappointing Gordon Andoe to continue serving on the Butte County Mosquito and Vector Control Board of Trustees for an additional term, ending December 31, 2021. **(Jamie Hayes, Assistant City Clerk and Donald Rust, Acting City Administrator)**

Council Action Requested: **Reappoint Gordon Andoe to serve on the Butte County Mosquito and Vector Control District for an additional term, ending December 31, 2021.**

12. AMENDMENT TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AGREEMENT REGARDING EMPLOYEES SHARING ADDITIONAL COST – staff report

The Council considered an Ordinance to amend the California Public Employees Retirement System Agreement for employees sharing additional cost. **(Liz Ehrenstrom, Human Resource Manager)**

Council Action Requested: **Waive the second reading, and adopt by title only, Ordinance No. 1825 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE AGREEMENT BETWEEN THE OROVILLE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM.**

13. AMENDMENT TO THE OROVILLE MID-MANAGER AND CONFIDENTIAL ASSOCIATION'S MEMORANDUM OF UNDERSTANDING – staff report *(Continued from October 17, 2017)*

The Council considered an Amendment to the Oroville Mid-Manager and Confidential Association's Memorandum of Understanding. **(Donald Rust, Acting City Administrator)**

Council Action Requested: **Adopt Resolution No. 8660 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE MID-MANAGER AND CONFIDENTIAL ASSOCIATION - (Agreement No. 3083-4).**

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

Public Safety Department

3. AMENDMENT OF ORIGINAL AGREEMENT TO EXTEND THE TERM OF THE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION – staff report

The Council considered an Amendment to the Agreement with the California Department of Parks and Recreation, for extra patrols in the State Parks Recreation area in and around Oroville, extending the terms through December 31, 2018. *(Funding for these patrols is supplied through this agreement, in an amount not to exceed \$180,000).* **(Bill LaGrone, Director of Public Safety)**

This item was removed from the Consent Calendar at the request of Vice Mayor Goodson.

Chief Bill LaGrone answered questions for the Council.

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

Adopt Resolution No. 8664 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH THE STATE DEPARTMENT OF PARKS AND RECREATION, EXTENDING THE TERM THROUGH DECEMBER 31, 2018.

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

Business Assistance & Housing Development Department

10. ACCEPTANCE OF 2016 HOUSING RELATED PARKS PROGRAM GRANT AND ESTABLISHMENT OF BUDGET – staff report

The Council may consider accepting the 2016 Housing Related Parks Program Grant No. 16-HRPP-11489 and establishing the budget, in the Amount of \$117,458, for improvements to the Oroville Municipal Auditorium. **(Amy Bergstrand, Management Analyst III)**

This item was removed from the consent calendar at the request of a public speaker from for comments.

Bryan Brown made comments supporting the parks and the community.

Amy Bergstrand, Management Analyst III, answered question regarding the program for the City council.

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

Accept the 2016 Housing Related Parks Program Grant No. 16-HRPP-11489 and establishing the budget, in the amount of \$117,458, for improvements to the Oroville Municipal Auditorium.

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

PUBLIC HEARINGS

Business Assistance & Housing Development Department

14. 2017 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION – staff report

The Council conducted a public hearing and may consider the submittal of an application to the State Department of Housing and Community Development for the 2017 Community Development Block Grant Program funding. **(Amy Bergstrand, Management Analyst III)**

Mayor Dahlmeier opened the hearing for public comment, seeing none, the Public Hearing was closed.

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

Adopt Resolution No. 8666 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2017 FUNDING YEAR OF THE STATE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

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

Public Works Department

15. CONTRACT WITH FRANKLIN CONSRUCTION RELATING TO THE REGIONAL SURFACE TRANSPORTATION PROGRAM STREET REPLACEMENT PROJECT BID AWARD – staff report

The Council considered awarding a Contract with the lowest responsive bidder, Franklin Construction, in the amount of \$644,813, and an additional 10% contingency, relating to the Regional Surface Transportation Program (RSTP) Street Replacement Project. **(Mike Massaro, Contract City Engineer)**

Contract City Engineer, Mike Massaro, answered questions for the Council.

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

Adopt Resolution No. 8667 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT WITH FRANKLIN CONSTRUCTION, THE LOWEST RESPONSIVE BIDDER, IN THE AMOUNT OF \$644,813, AND AN ADDITIONAL 10% CONTINGENCY, RELATING TO THE REGIONAL SURFACE TRANSPORTATION PROGRAM STREET REPLACEMENT PROJECT – (Agreement No. 3238).

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

16. **REQUEST TO AMEND ORDINANCE NO. 1794 TO RESTRICT THE SALE OF MENTHOL CIGARETTES AND OTHER FLAVORED TOBACCO PRODUCTS WITHIN CITY LIMITS – staff report**

The Council considered a request from the California Health Collaborative for an amendment to Ordinance No. 1794 restricting the sale of menthol cigarettes and other flavored tobacco products within City limits. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Deanne Blankenship, California Health Collaborative, gave a presentation regarding their educational campaign on the dangers of flavored tobacco products.

Celia Hirschman spoke in support of the requested ordinance amendment.

Tim Gibbs, The American Cancer Society, spoke in support of the requested ordinance amendment.

Following discussion, the Council directed staff to return with more details regarding appropriate licensing fees to cover the cost to adequately enforce the proposed amendment.

17. **REQUEST FOR PROPOSALS FOR CONTRACT PLANNING SERVICES TO PROCESS THE RIO D' ORO SPECIFIC PLAN ANNEXATION PETITION – staff report**

The Council considered providing staff with direction to send a Request for Proposals for

contract planning services to process the Rio d' Oro Specific Plan Annexation Petition. **(Donald Rust, Director of Community Development)**

Council Member Hatley stated, for the record, that he is opposed to the project.

Following discussion, council directed staff to move forward with the Request for Proposal for a contract planer.

18. GROUND LEASE AGREEMENT WITH MODERN BUILDING, INC. FOR THE EXPANSION OF GRAPHIC PACKAGING INTERNATIONAL – staff report

The Council considered approving a Ground Lease Agreement with Modern Building, Inc. for the phased construction of 350,000 square feet of new building space for the expansion of Graphic Packaging International which will require 13.6 acres of airport property to be leased for a non-aeronautical use. **(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. 8668 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A GROUND LEASE AGREEMENT WITH MODERN BUILDING, INC. FOR USE OF AIRPORT PROPERTY FOR A NON-AERONAUTICAL USE RELATED TO THE EXPANSION OF GRAPHIC PACKAGING INTERNATIONAL – (Agreement No. 3239).

The motion was passed by the following vote:

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

Public Safety Department

19. AUTHORIZATION FOR REPAIR OF PATROL VEHICLE AND ADMINISTRATION VEHICLE – staff report

The Council considered authorizing the repair of two (2) Police vehicles. **(Bill LaGrone, Director of Public Safety)**

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

Authorize the repair of both vehicles by Pioneer Collision Center, in an amount not to exceed \$19,172.23.

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

COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS

Council Member Draper reported on the following:

- Attendance to the Butte Local Agency Formation Commission meeting regarding the Regional Water Study.
- Tour of the Oroville Dam, also attended by Vice Mayor Goodson and Council Member Del Rosario.

Council Member Thomson reported on the following:

- Attendance to the Butte County Association of Governments meeting with discussions relating to the Oroville Hospital expansion.
- Shared thoughts on the current progress and upcoming years scheduled work with a potential economic surge in growth for the community.

Council Member Del Rosario reported on the following:

- Attendance to the Carl's Jr. Grand Opening, also attended by Mayor Dahlmeier.
- Acknowledged the loss of John Lowe.
- Attendance to the Air Quality Control Board meeting.
- Department of Water Resources has received the Golden Fleece Award.

Vice Mayor Goodson reported on the following:

- Appointed to the Juvenile Justice and Detention Board.
- The Sewer Commission-Oroville Region meeting

Mayor Dahlmeier reported on the following:

- Followed up on Vice Mayor Goodson's report regarding the Sewer Commission-Oroville Region meeting.
- Attendance to the California Public Utilities Commission meeting in Sacramento regarding potential progress relating to broadband issues.
- Attendance of the memorial service for Dean Hill Sr., also attended by Council Member Hatley.
- Spoke at the Caring for Women event.
- Spoke at Mug Shots event.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- American Planning Association California Conference: Capitalizing on Diversity - memo

Chief LaGrone reported on the following:

- Attendance to the retirement party for Poncho Zarate.
- Wrote (2) letters in support of the HYW 70 widening.
- November 18th, 2017 is the Axiom event at the Gray Nurse.

Don Rust reported on the following:

- Presented a request for the displaced fire victims to rent the vacant City homes.
- 1355 Washington Avenue purchased and a drive-thru restaurant has been proposed.
- The Jamboree Housing project will not move forward this funding round due to new restriction in the application process. Staff is working with the Housing Authority to complete steps to be prepared for the next funding round.

Finance Director Wright reported on the following:

- Attendance to the CalPERS Educational Forum; followed by a recommendation from Council Member Hatley for the Council to direct reimbursement of Ms. Rights personal out-of-pocket costs for the attendance to the Forum, with additional recommendation for attendance to the upcoming scheduled meetings to take place at the CalPERS headquarters in Sacramento.

CORRESPONDENCE

- Butte County Public Health Administration

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

Annie Terry discussed the AB109 Funds for the eradication of blight and discussed programs at the Rescue Mission.

Tasha Levinson discussed two potential cost savings options.

Bill Speer delivered a prayer for the City of Oroville and the community.

CLOSED SESSION

The Council held a Closed Session on the following:

1. Pursuant to Government Code section 54957(b), the Council met with Acting City Administrator, Personnel Officer, and City Attorney to consider the evaluation of performance and employment related to the following positions: Director of Finance, Assistant City Administrator and Director of Public Safety.
2. 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 the Spillway Incident).
3. Pursuant to Government Code section 54956.9(d)(2), the Council met with the Acting City Administrator and City Attorney regarding potential exposure to litigation – two cases.
4. 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 Firefighters' Association and Oroville Management and Confidential Association.

Following Closed Session, Mayor Dahlmeier reported that direction had been given and no action had been taken.

ADJOURNMENT

The meeting was adjourned at 9:11 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, November 21, 2017, at 5:30 p.m.



Donald Rust, Acting City Clerk



Linda L. Dahlmeier, Mayor