



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

The agenda for the November 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 Thursday, November 16, 2017, at 9:10 a.m.

The November 21, 2017 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:33 p.m.

ROLL CALL

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

Staff Present:

Donald Rust, Assistant City Administrator	Ruth Wright, Director of Finance
Bill LaGrone, Director of Public Safety	Scott Huber, City Attorney
Karolyn Fairbanks, Treasurer	Dawn Nevers, Assistant Planner
Bob Marciniak, Program Specialist	Mike Massaro, Contract City Engineer

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Linda Dahlmeier.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

PROCLAMATION / PRESENTATION

Mayor Dahlmeier presented Major Larry J. Feist, a representative of the Oroville Salvation Army, with a Proclamation recognizing December 9th, 2017 as Red Kettle Day.

Mayor Dahlmeier presented the community of Oroville with a Proclamation recognizing November 28th, 2017 as Giving Tuesday.

Bob Marciniak gave a presentation updating the Council of the salmon sculptures following the completion of their relocation.

CONSENT CALENDAR

A motion was made by Vice Mayor Goodson, seconded by Council Member Draper, to approve the following Consent Calendar, with exception to Item No. 3:

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

Administration Department

2. **RATIFICATION OF CONFLICT OF INTEREST CODE** – staff report

The Council considered a Resolution to ratify the City of Oroville Conflict of Interest Code. **(Dawn Nevers, Assistant Planner)**

Council Action: **Adopt Resolution No. 8669 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, RATIFYING THE CONFLICT OF INTEREST CODE FOR THE CITY OF OROVILLE.**

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

Public Works Department

4. **PROJECT UPDATE ON MONTGOMERY STREET ROUNDABOUT PEDISTRIAN SAFETY (continued from September 5, 2017)** – staff report

The Council considered approving a budget of \$40,000 proceed with the with the design of the flashing beacon system at the Montgomery Street Roundabout. **(Mike Massaro, Contract City Engineer)**

Council Action: **Approve the design and the installation of the flashing beacons and rumble strips by the City's Public Works personnel.**

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

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

Administration Department

3. **AMENDMENT TO EMPLOYMENT AGREEMENT FOR ASSISTANT CHIEF OF POLICE – staff report**

The Council considered an Amendment to the Employment Agreement between the City of Oroville and Allen W. Byers for the position of Assistant Chief of Police. **(Bill LaGrone, Acting Personnel Officer)**

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

Chief Bill LaGrone answered questions for the Council.

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

Adopt Resolution No. 8670 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND ALLEN W. BYERS FOR THE POSITION OF ASSISTANT CHIEF OF POLICE – (Agreement No. 3073-2). WITH AN INCREASED ADJUSTMENT OF THE CURRENT CONTRACT BY 5% AND A CONTRIBUTION OF AN ADDITIONAL 5% OF TOTAL PAY TO HIS PERS OBLIGATION.

The motion was passed by the following vote:

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

PUBLIC HEARINGS - None

REGULAR BUSINESS

Community Development Department

5. OROVILLE FACILITIES PROJECT (OROVILLE DAM) – FERC NO. 2100 REQUEST FOR SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT – staff report

The Council considered sending the Federal Energy Regulatory Commission (FERC) a letter in support of the preparation of a Supplemental Environmental Impact Statement (Supplemental EIS) prior to issuing a long-term operating license for the California Department of Water Resources (California DWR) Oroville Facilities Project (FERC No. 2100). **(Donald Rust, Director of Community Development)**

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

Approve the attached letter of support.

The motion was passed by the following vote:

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

Absent: Council Member Thomson

Public Works Department

6. CANYON HIGHLANDS & ORO-QUINCY HWY INTERSECTION SAFETY OPTIONS – staff report

The Council provided direction, based on the Technical Memorandum provided, on whether or not to proceed to a project estimate phase. If approved, Bennett Engineering will provide a scope and fee for re-design of this intersection to improve safety. **(Mike Massaro, Contract City Engineer)**

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

Following discussion, the Council directed staff to:

Place a radar trailer at the location.

COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS

Council Member Draper reported on the following:

- Attendance to the Housing Loan Advisory Committee meeting on Thursday, November 9th, also attended by Vice Mayor Goodson.
- Clarified comments made at the November 7, 2017 City Council meeting.

Vice Mayor Goodson reported on the following:

- Attendance to the Chamber of Commerce and Oroville Economic Alliance presentation.
- Attendance to the Sewer Commission-Oroville Region (SC-OR) meeting

Council Member Del Rosario reported on the following:

- Attendance to the State Theater Arts Guild (STAGE) and the Homeless Continuum of Care meetings.
- Made a public apology to Bill Speer for comments made during the November 7, 2017 City Council Meeting.

Mayor Dahlmeier reported on the following:

- Reminded the audience of Giving Tuesday.
- Attendance to the Northwest Lineman College Rodeo
- Attendance of the Downtown Business Association Dinner, Boys & Girls Club Annual Luncheon and the YMCA Pot Luck.
- Attendance to the CalPERS board meeting in Sacramento, also attended by Finance Director, Ruth Wright and Acting City Administrator, Don Rust.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Chief LaGrone reported on the following:

- Wished everyone a Happy Thanksgiving and a Happy Birthday to Scott Huber.
- Made the statement that “We’re not just raking leaves, we’re changing the world”.

Finance Director Wright reported on the following:

- Attendance to the CalPERS board meeting.
- Announced upcoming absence to the December 5, 2017 City Council Meeting.

Don Rust reported on the following:

- Attendance to a meeting on homelessness at Butte County.
- Discussed the potential return of an update to the existing tree ordinances.
- Announced that Jamboree Housing and staff will continue moving forward with an application for the low-income housing project.
- Discussed the letter received from Steve Christensen.
- Announced upcoming vacation time.

CORRESPONDENCE

- Letter Form Steve Christensen

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

Stephanie Tousley asked Scott Huber for clarification regarding discussions at previous Council meetings.

George Gold discussed public comments made at a previous Council meeting.

Bill Speer discussed his findings of the separation of church and state and the Brown Act.

Dominic Roybal provided the Council with information regarding the trees that were removed from the grounds of the Orange Tree Senior Apartments.

Bill Bynum expressed concerns over recent tree removals as well as views on a separation of church and state.

Victoria Smith discussed her findings on the history of religion in government and constitutional rights.

John Mitchell expressed thanks to the Council and concerns for recent division in the community.

Annie Terry announced that upcoming Thanksgiving Dinner on November 22, 2017 at 3:00 p.m. at the El Medio Fire Department and is open to the public.

CLOSED SESSION

The Council held a Closed Session on the following:

1. Pursuant to Government Code section 54957(b), the Council will meet with Acting City Administrator, Personnel Officer, and City Attorney to consider the evaluation of performance and employment related to the following positions: Deputy City Clerk/City Clerk.

2. Pursuant to Government Code section 54957(b), the Council will meet 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.
3. Pursuant to Government Code section 54956.9(d)(4), the Council will meet with the Acting City Administrator and City Attorney regarding potential initiation of litigation – one case (related to the Spillway Incident).
4. Pursuant to Government Code section 54956.9(d)(2), the Council will meet with the Acting City Administrator and City Attorney regarding potential exposure to litigation – two cases.
5. Pursuant to Government Code section 54957.6, the Council will meet 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 8:21 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, December 21, 2017, at 5:30 p.m.



Donald Rust, Acting City Clerk



Linda L. Dahlmeier, Mayor