

**CITY COUNCIL MEETING MINUTES
APRIL 18, 2017 – 5:30 P.M.**

The agenda for the April 18, 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, April 13, 2017, at 1:20 p.m.

The April 18, 2017 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:31 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	Ruth Wright, Director of Finance
Bill LaGrone, Director of Public Safety	Karolyn Fairbanks, Treasurer
Scott E. Huber, City Attorney	Jamie Hayes, Assistant City Clerk
Gary Layman, Chief Building Official	Dawn Nevers, Assistant Planner
Rick Farley, Enterprise Zone and Bus. Asst. Coordinator	

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier.

PROCLAMATION / PRESENTATION

Mayor Dahlmeier gave an Oath of Office for newly sworn Volunteer in Police Services (VIPS) Officer Barbara Joann Hurley.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Jeff Ballard – Item No. 7	John Mitchell – Item No. 7
Ken Malone – Item No. 7	Abe Huerta – Item No. 7

CONSENT CALENDAR

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

- 1. APPROVAL OF THE APRIL 4, 2017 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

Finance Department

2. **MONTHLY FINANCIAL REPORT AND REPORT OF INVESTMENTS FOR FEBRUARY AND MARCH 2017** – report attached

The Council received a copy of the February and March 2017 Monthly Financial Report and Report of Investments. (Ruth Wright, Director of Finance)

Council Action Requested: **Acknowledge receipt of the February and March 2017 Monthly Financial Report and Report of Investments.**

3. **AGREEMENT WITH SPYGLASS GROUP, LLC** - - staff report

The Council considered an Agreement with SpyGlass Group, LLC for telecommunication audit services. (Ruth Wright, Director of Finance)

Council Action Requested: **Adopt Resolution No. 8599 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH SPYGLASS GROUP, LLC FOR TELECOMMUNICATION AUDIT SERVICES – (Agreement No. 3216).**

Business Assistance & Housing Development Department

4. **COMMERCIAL LEASE AGREEMENT WITH BILL RHOADES AND COLBY FLOWERS DBA: STATE BARBER SHOP** – staff report

The Council considered a Commercial Lease Agreement with Bill Rhoades and Colby Flowers dba: State Barber Shop, for the rental of a commercial unit at the Historic State Theatre, 1455 Myers Street, Suite 1. (Rick Farley, Enterprise Zone & Business Assistance Coordinator and Donald Rust, Director of Community Development)

Council Action Requested: **Adopt Resolution No. 8600 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A COMMERCIAL LEASE AGREEMENT WITH BILL RHOADES AND COLBY FLOWERS DBA: STATE BARBER SHOP, FOR THE OFFICE SPACE LOCATED AT 1455 MYERS STREET, SUITE 1 – (Agreement No. 3217).**

Community Development Department

5. **ZONING CHANGE 16-01: ENCLOSURES FOR SOLID WASTE AND RECYCABLE MATERIALS (2nd Reading)** – staff report

The Council considered adopting 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. (Donald Rust, Director of Community Development)

Council Action Requested: **Waive the second reading and adopt by title only, 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

Public Safety Department

6. **REQUEST BY OROVILLE CITY ELEMENTARY SCHOOL DISTRICT FOR USE OF CITY OF OROVILLE'S RADIO TOWER – staff report**

The Council considered a request from the Oroville City Elementary School District to place their emergency communication infrastructure into one of the City of Oroville Public Safety Department's radio towers. **(Scott E. Huber, City Attorney)**

Council Action Requested: **Allow the Oroville City Elementary School District to place their emergency communication infrastructure into one of the City of Oroville Public Safety Department's radio towers.**

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

7. **ZONING CHANGE 17-01: EXPANSION OF EXISTING MEDICAL MARIJUANA LAND USE REGULATIONS TO APPLY TO RECREATIONAL AND MEDICAL MARIJUANA (1st Reading) – staff report**

The Council conducted a public hearing and considered an amendment to Title 17 of the Oroville Municipal Code (Zoning Ordinance) to expand the existing land use regulations regarding medical marijuana to apply to recreational and medical marijuana. **(Donald Rust, Director of Community Development)**

Mayor Dahlmeier opened the Public Hearing for comments and questions from the public.

Jeff Ballard, John Mitchell, Ken Malone and Abe Huerta spoke in support of the amendment to Title 17 of the Oroville Municipal Code to expand the existing land use regulations regarding medical marijuana to apply to recreational and medical marijuana.

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

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

Waive the first reading, and introduce by title only, Ordinance No. 1821 – AN ORDINANCE OF THE OROVILLE CITY COUNCIL ADOPTING AMENDMENTS TO TITLE

17 OF THE OROVILLE MUNICIPAL CODE EXPANDING EXISTING LAND USE REGULATIONS REGARDING MEDICAL MARIJUANA TO APPLY TO RECREATIONAL AND MEDICAL MARIJUANA.

The motion was passed by the following vote:

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

REGULAR BUSINESS

Community Development Department

8. RE-EVALUATION OF PRIORITY LIST FOR THE USE OF EXCESS BOND PROCEEDS -- staff report

The Council considered a re-evaluation and provide direction for use of the approximately \$3,403,149 of excess bond proceeds for implementation of development projects. **(Donald Rust, Acting City Administrator)**

Following discussion, the Council directed staff to continue this item to a future meeting of the Oroville City Council for further considerations.

9. REPLACEMENT OF WATER SUPPLY LINE AND VALVE IN STATE THEATER BASEMENT – staff report

The Council considered the cost of the plumbing expenses for the replacement of a leaking water supply line and valve in the State Theatre's basement. **(Donald Rust, Director of Community Development)**

Following discussion, the Council directed staff to offer the State Theatre Artists' Guild (STAGE) one of the following options:

1. The City will pay the \$2,800 expense for the replacement of the leaking water supply line and valve at the State Theatre, contingent upon the water supply line being capped off and discontinued from future use; or
2. STAGE will pay the \$2,800 expense for the replacement of the leaking water supply line and valve at the State Theatre, and be held liable for all future maintenance relating to the continued use of the said water supply line and valve.

Administration Department

10. OROVILLE DAM COALITION LETTER – staff report

The Council considered joining with a coalition of community groups, local governments and agencies, businesses, labor groups and individuals by participating with a coalition letter,

with use of the City's logo in the coalition's letterhead, to be sent to the Governor's office and the Secretary of Natural Resource's office, specifying concerns, requests, and questions related to the recent Oroville Dam Spillway incident. **(Donald Rust, Acting City Administrator)**

Saulo Londono, representative for Senator Jim Nielsen, spoke to the Council in regards to the intent of sending the coalition letter to the Governor's office and the Secretary of Natural Resource's office, specifying concerns, requests, and questions related to the recent Oroville Dam Spillway incident.

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

Agree to have the City of Oroville participate in a coalition of community groups, local governments and agencies, businesses, labor groups, and individuals in the herein identified, coalition letter, with use of the City logo in the coalition's letterhead, to be sent to the Governor's office and the Secretary of Natural Resources' office, specifying concerns, requests, and questions related to the recent Oroville Dam Spillway incident.

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

Vice Mayor Goodson and Council Member Draper reported their attendance to the Butte County Board of Supervisors meeting, held on April 11, 2017, relating to the review of the Federal Energy Regulatory Commission's relicensing of Lake Oroville.

Council Member Berry reported his attendance to the Oroville Veterans Memorial Committee meeting, held on April 17, 2017.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Bill LaGrone, Director of Public Safety, gave a brief report in regards to Congressman Doug LaMalfa's Town Hall meeting, held on Monday, April 17, 2017, at the Oroville State Theatre.

Donald Rust, Acting City Administrator reported on the following:

- Invitation from Senator Jim Nielsen to the Council to attend a Senate Natural Resources & Water Committee Hearing at the State Capital on Tuesday, April 25, 2017, regarding the Oroville Dam Spillway incident
- Butte County Countywide Homeless Continuum of Care Council's (CoCC) amendment to their Governance Charter allowing for the appoint of elected officials to serve on the CoCC
 - Mayor Dahlmeier, in concurrence with the Council, authorized Council Member

- Draper to make a request to the CoC to serve as a governing appointee
- Letter of Opposition relating to AB 1250 (Jones-Sawyer) relating to municipal governments ability to utilize outside contractors
 - The Council concurred with the submission of the Letter of Opposition to be sent to Senator Jim Nielson and Assemblyman James Gallagher regarding AB 1250.
- Notice to the Council in regards to the League of California Cities invitation to serve on the 2017/2018 Board of Directors
- Withdrawal of request by Nor Cal Drag Racing for special event

CORRESPONDENCE

- Federal Energy Regulatory Commission

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

Council Member Berry made comments relating to the City's Shopping Cart Ordinance.

John Mitchell spoke in regards to parking issues surrounding Pacific Coast Cannery, which are currently enforced by City Ordinance No. 1633.

Aaron Wright, California State Parks Supervisor, reported that the State Parks Department would be overseeing the Rabe Road Clay Pit jurisdiction as of June 1, 2017.

CLOSED SESSION

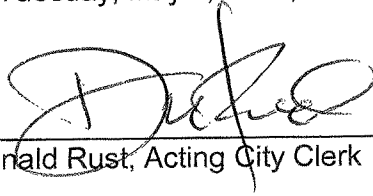
The Council held a Closed Session on the following:

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 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 position: Director of Finance.
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(d)(4), the Council met with the Acting City Administrator and City Attorney regarding potential initiation of 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 9:27 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, May 2, 2017, at 5:30 p.m.



Donald Rust, Acting City Clerk



Linda L. Dahlmeier, Mayor

