OROVILLE CITY COUNCIL MEETING MINUTES
JANUARY 5, 2009 – 7:00 P.M.

The agenda for the January 5, 2009 regular meeting of the Oroville City Council was posted on the bulletin board at the front of City Hall on Thursday, December 31, 2009 at 3:54 p.m.

The January 5, 2009 regular meeting of the Oroville City Council was called to order by Mayor Jernigan at 7:17 p.m.

ROLL CALL

Present: Council Members Hatley, Pittman, Simpson, Wilcox, Vice Mayor Johansson, Mayor Jernigan
Absent: Council Member Corkin (excused)

Staff Present:

Sharon Atteberry, City Administrator
Diane MacMillan, Finance Director
Charles Hurley, Fire Chief
Pat Clark, Business Assistance/Housing Development Director
Rick Farley, Business Assistance/Enterprise Zone Coordinator
Bill LaGrone, Police Sergeant
Rick Walls, Senior Civil Engineer
Jamie Hayes, Administrative Assistant
Karolyn Fairbanks, Treasurer

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by, Bill LaGrone, Police Sergeant.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Craig Sanders – Item No. 6

PROCLAMATIONS / PRESENTATIONS - None

CONSENT CALENDAR

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

1. **APPROVAL OF THE MINUTES OF THE DECEMBER 15, 2009 7:00 P.M. ADJOURNED REGULAR MEETING OF THE OROVILLE CITY COUNCIL** - minutes attached.

2. **UNIFORM SERVICE SUPPLIED BY AMERIPRIDE UNIFORM SERVICE FOR PUBLIC WORKS CREW –** staff report

   The Council considered an annual purchase order/rental service agreement with AmeriPride Uniform Service for uniform service for the Public Works crew. **(Sharon Atteberry, City**

Administrator)

Council Action Requested: **Approve the issuance of a purchase order for one year of uniform service for the Public Works crew from AmeriPride Uniform Service per the attached quote, with the option to renew for at least an additional two years (one year at a time) providing pricing and services are acceptable to the City.**

3. AGREEMENT WITH BUTTE COLLEGE SMALL BUSINESS DEVELOPMENT CENTER FOR PROFESSIONAL SERVICES – staff report

The Council considered an agreement in the amount of $6,000 with Butte College Small Business Development Center (SBDC) to provide professional services to local business owners. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested:

1. **Adopt Resolution No. 7468 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF OROVILLE AND BUTTE COLLEGE SMALL BUSINESS DEVELOPMENT CENTER - (AGREEMENT NO. 1341-9).**

2. **Approve the necessary budget adjustment.**

4. RENEWAL OF AGREEMENT FOR FIRE DISPATCH SERVICES – staff report

The Council considered the renewal of the Fire Dispatch Service Agreement with the California Department of Forestry and Fire Protection (CalFire). **(Charles Hurley, Fire Chief)**

Council Action Requested:

1. **Adopt Resolution No. 7469 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A "COOPERATIVE AGREEMENT FOR FIRE DISPATCH SERVICES" WITH THE STATE OF CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION FOR THE CITY OF OROVILLE – (Agreement No. 1154-2).**

2. **Approve supplemental appropriation no. 2009/10-0110-24 as indicated in the fiscal impact of the staff report dated January 5, 2010.**

5. PROPOSED AIRPORT GROUND LEASE WITH MR. MERLE REPPERT – staff report

The Council considered an Airport Ground Lease with Mr. Merle Reppert. **(Rick Walls, Senior Civil Engineer)**

Council Action Requested: **Adopt Resolution No. 7470 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE AN AIRPORT GROUND LEASE AGREEMENT WITH MR. MERLE REPPERT FOR 5,600 SQ. FT. OF LAND LOCATED AT THE SOUTHERN AREA OF THE OROVILLE MUNICIPAL AIRPORT– (Agreement No. 1914).**

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

Ayes:	Council Member Hatley, Pittman, Simpson, Wilcox, Vice Mayor Johansson, Mayor Jernigan
Noes:	None
Abstain:	None
Absent:	Council Member Corkin

PUBLIC HEARINGS - None

REGULAR BUSINESS

6. GENERAL PLAN POLICY INTERPRETATION – staff report

The Council considered adopting a resolution interpreting Policy P2.1 from the Circulation and Transportation Element of the City's 2030 General Plan regarding level of service (LOS). **(Rick Walls, Senior Civil Engineer)**

Rick Walls, Senior Civil Engineer, explained that Policy P2.1 from the Circulation and Transportation Element of the City's 2030 General Plan (GP) states as follows:

"Maintain a minimum operating standard of LOS D as defined in the most current edition of the *Highway Capacity Manual* or subsequent revisions for all arterial, collector streets and intersections, except the following facilities where a LOS E will be acceptable. LOS E operations will be considered acceptable for intersection and roadway segment operations along Oroville Dam Boulevard between Highway 70 and Olive Highway."

Mr. Walls explained that interpretation of this General Plan policy was needed because Policy P2.1 does not discuss LOS for intersections separately from road segments. The interpretation is necessary to make clear the City's policy requirements for intersection LOS. The interpretation states that intersections may operate at a lower LOS than the associated roadway segments if the roadway segment is at the LOS under General Plan Policy P2.1.

Craig Sanders spoke in opposition of the need for interpretation of the P2.1 Policy.

Following discussion, a motion was made by Council Member Pittman, seconded by Vice Mayor Johansson, to:

Adopt Resolution No. 7471 - A RESOLUTION OF THE OROVILLE CITY COUNCIL INTERPRETING OROVILLE GENERAL PLAN POLICY.

The motion was passed by the following vote:

Ayes:	Council Members Pittman, Wilcox, Vice Mayor Johansson, Mayor Jernigan
Noes:	Council Members Hatley, Simpson
Abstain:	None
Absent:	Council Member Corkin

7. APPOINTMENT TO THE SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE

The Mayor considered the appointment of three (3) voting members to the Supplemental Benefits Fund Steering Committee (SBF).

The Council voted unanimously to appoint Council Members Corkin, Simpson and Wilcox as voting members to the Supplemental Benefits Fund Steering Committee

MAYOR/ COUNCIL REPORTS

COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS

Sewerage Commission – Oroville Region – SC-OR

Council Member Hatley reported that SC-OR had held their end of the year meeting.

Butte County Association of Governments – BCAG

Vice Mayor Johansson reported that no meetings had been held.

Oroville Downtown Business Association – ODBA

Council Member Wilcox reported that no meetings had been held.

Oroville Economic Development Corporation – OEDCO

Council Member Simpson reported that no meetings had been held.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Committee selection for the Industrial, Commercial and Retail Marketing Plan

Sharon Atteberry, City Administrator, explained that the City had received the Industrial, Commercial and Retail Marketing Plan ("Plan") and was ready to begin utilizing the Plan based on the information received in order to attract new retail, commercial and industrial businesses to the community and to create job opportunities.

Ms. Atteberry continued to explain that the Plan was in fact a roadmap to be used in conjunction with RDA and other economic development tools that the City has been developing through a variety of federal, state and local programs.

Ms. Atteberry requested that the Council select an ad hoc committee, along with stakeholders and other community members to work on the roadmap.

The Mayor requested that this item be continued to the January 19, 2010, adjourned City Council meeting, to allow time to review other Council Member's commitments.

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS - None

CLOSED SESSION

The Council held a closed session for the following:

1. Pursuant to Government Code section 54956.9 (a), the City Council met with Dwight L. Moore, City Attorney, regarding existing litigation – Walnut Hill Estate Enterprises, LLC et al. v. City of Oroville, Superior Court of Butte County, Case No. 148865.

2. Pursuant to Government Code section 54956.9(a) the City Council met with Dwight L. Moore, City Attorney, regarding pending litigation - Frank Belser v. City of Oroville Butte County Superior Court Case No. 148617.

3. Pursuant to Government Code section 54956.9 (b), the City Council met with Dwight L. Moore, City Attorney, to consider the initiation of litigation for one potential criminal case.

4. Pursuant to Government Code section 54957, the City Council held a performance evaluation for Charles Hurley, Fire Chief.

5. Pursuant to Government Code section 54957 the City Council held a performance evaluation for Sharon Atteberry, City Administrator.

The Council reconvened from Closed Session and Mayor Jernigan announced that no action had been taken in Closed Session and direction had been given to staff, therefore, no action was taken on the following:

Adopt Resolution No. 7472 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH PETERS, RUSH, HABIB AND MCKENNA – (Agreement No. 1575-9).

ADJOURNMENT

The meeting was adjourned at 11:00 p.m. to an adjourned City Council meeting to be held on Tuesday, January 19, 2010 at 7:00 p.m.

Sharon L. Atteberry, City Clerk

Steve Jernigan, Mayor