OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Regular Meeting

APRIL 5, 2011
CLOSED SESSION 6:00 P.M.
OPEN SESSION 7:00 P.M.

CLOSED SESSION (6:00 P.M.)

ROLL CALL

Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier

CONVENE TO CLOSED SESSION (ITEMS LISTED ON PAGE NO. 6)

RECONVENE TO OPEN SESSION

OPEN SESSION (7:00 P.M.)

PLEDGE OF ALLEGIANCE

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

This is the time the Mayor will invite anyone in the audience wishing to address the Council on a matter that is on the agenda to state your name and the agenda item on which you wish to speak. When that item comes up on the agenda, you will be asked to step to the podium, repeat your name for the record, and make your presentation. **Presentations are limited to 3 minutes.** Under Government Code Section 54954.3 the time allotted for presentations may be limited.

PROCLAMATION / PRESENTATION

A Proclamation recognizing ***April 10-16, 2011*** as ***"National Public Safety Telecommunicators' Week"***.

A Proclamation recognizing ***April 2011*** as "***Child Abuse Prevention Month"***.

A Proclamation recognizing ***April 10 through 16, 2011*** as ***"National Volunteer Week"***.

A Proclamation recognizing ***April*** as ***"Sexual Assault Awareness Month".***

A Presentation by the ***Oroville Area Chamber of Commerce*** regarding a ***Tourism Business Improvement District***.

CONSENT CALENDAR

1. APPROVAL OF THE MINUTES OF THE MARCH 2, 2011 JOINT MEETING OF THE OROVILLE CITY COUNCIL AND OROVILLE REDEVELOPMENT AGENCY AND THE MARCH 15, 2011 REGULAR MEETING OF THE OROVILLE CITY COUNCIL - minutes attached.

2. PURCHASE OF SEVEN REFURBISHED WORKSTATIONS FOR CITY HALL AND THE OROVILLE FIRE STATION – staff report

The Council will consider the purchase of seven (7) refurbished workstations to provide work spaces in City Hall and the Oroville Fire Station, from Office Warehouse, in an amount not to exceed $4,863.67. **(Donald Rust, Director of Planning and Development Services)**

Council Action Requested:

1. Authorize the purchase of seven refurbished workstations from Office Outfitters, in an amount to exceed $4,863.67.

2. Authorize the necessary budget adjustments as indicated in the April 5, 2011 staff report.

3. COOPERATIVE PURCHASING CONTRACT WITH THE HOUSTON-GALVESTON AREA COUNCIL FOR COOPERATIVE PURCHASING – staff report

The Council will consider a Cooperative Purchasing Contract with the Houston-Galveston Area Council for cooperative purchasing of municipal equipment. **(Rick Walls, Director of Public Works)**

Council Action Requested: **Adopt Resolution No. 7705 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A COOPERATIVE PURCHASING CONTRACT WITH THE HOUSTON-GALVESTON AREA COUNCIL FOR COOPERATIVE PURCHASING OF MUNICIPAL EQUIPMENT – (Agreement No. 1997).**

4. USDA RURAL DEVELOPMENT RURAL BUSINESS ENTERPRISE GRANT FOR FISCAL YEAR 2011 – staff report

The Council will consider authorizing staff to prepare and submit an application to the U.S. Department of Agriculture Rural Development for the 2011 Rural Business Enterprise Grant. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Adopt Resolution No. 7706 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING AN APPLICATION, MATCH COMMITMENT AND CONTRACT EXECUTION FOR FUNDING FROM THE RURAL BUSINESS ENTERPRISE GRANT FOR FISCAL YEAR 2011 AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ALL DOCUMENTS, AGREEMENTS AND ANY AMENDMENTS THERETO WITH THE U.S. DEPARTMENT OF AGRICULTURE FOR THE PURPOSE OF THIS GRANT.**

5. PURCHASE OF NEW FLOORING FOR THE COMMUNICATIONS CENTER AT THE OROVILLE POLICE DEPARTMENT – staff report

The Council will consider authorizing the purchase and installation of new tile flooring in the Communications Center of the Oroville Police Department, from the low bidder, Custom Tile, in the amount of $5,550. **(Bill La Grone, Chief of Police)**

Council Action Requested: **Authorize the purchase and installation of new tile flooring in the Communications Center of the Oroville Police Department, from the low bidder, Custom Tile, in the amount of $5,550.**

6. PARKING CITATION FEE STRUCTURING TO INCLUDE STATE MANDATED FEES – staff report

The Council will consider authorizing the restructuring of Parking Citation Fees to include State mandated fees. **(Bill La Grone, Chief of Police)**

Council Action Requested: **Authorize the restructuring of Parking Citation Fees to include State mandated fees.**

1. Authorize the restructuring of Parking Citation Fees to include State mandated fees.

2. Authorize the City Administrator to amend the current Fine Schedule without further Council action to include any new fees mandated by the State and collected by the City.

7. FEE WAIVER REQUEST – staff report

The Council will consider a fee waiver request for a Development Review Board review and application at 1360 High Street, Oroville, in the Downtown Historic Overlay (APN 012-133-024). **(Donald Rust, Director of Planning and Development Services)**

Council Action Requested: **Approve a fee waiver, in the amount of $901.63, from the Development Review Board fees for the demolition and reconstruction of a covered deck at 360 High Street, Oroville, in the Downtown Historic Overlay.**

8. CONSIDERATION OF REQUEST TO INITIATE ISLAND ANNEXATION PROCESS FOR PROPOSED COUNTY ISLAND AREAS – staff report

The Council will consider a request to initiate an island annexations process and direct staff to submit an application of proposed County island annexations through Butte Local Area Formation Committee. **(Donald Rust, Director of Planning and Development Services)**

Council Action Requested:

1. Adopt Resolution No. 7707 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING STAFF TO INITIATE THE ISLAND ANNEXATION PROCESS FOR SIX COUNTY ISLAND AREAS THAT ARE SUBSTANTIALLY SURROUNDED BY THE OROVILLE CITY BOUNDARY LOCATED IN THE EAST PORTION OF THE CITY OF OROVILLE, IDENTIFIED AS AREAS: 6, 14, 15, 16, 17 AND 18.

2. Direct staff to submit an application of proposed County island annexations through Butte Local Area Formation Committee.

9. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH R. CLARK CONSULTING FOR ASSESSMENT DISTRICT ADMINISTRATION SERVICES – staff report

The Council will consider an amendment to the Professional Services Agreement with R. Clark Consulting for the preparation of Annual Assessment District Reports. **(Rick Walls, Director of Public Works)**

Council Action Requested: **Adopt Resolution No. 7708 – A RESOLUTION OF THE OROVILLE CITY**

COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH R. CLARK CONSULTING (RECENTLY INCORPORATED AS SPECIAL DISTRICT SERVICES, INC.) FOR THE PREPARATION OF ASSESSMENT DISTRICT AND COMMUNITY FACILITIES DISTRICTS ANNUAL ADMINISTRATIVE REPORTS – (Agreement No. 1935-1).

10. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BRANDMAN ASSOCIATES FOR PROFESSIONAL PLANNING SERVICES RELATING TO THE WAL-MART PROJECT – (Agreement No. 1763-5).

The Council will consider an Amendment to the Professional Services Agreement with Michael Brandman Associates for Professional Planning Services relating to the Wal-Mart Project. **(Rick Walls, Director of Public Works and Donald Rust, Director of Planning and Development Services)**

Action Requested: **Adopt Resolution No. 7709 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BRANDMAN ASSOCIATES FOR PROFESSIONAL PLANNING SERVICES RELATING TO THE WAL-MART PROJECT – (Agreement No. 1763-5).**

PUBLIC HEARINGS

11. USE OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME FOR RESIDENTIAL COMMUNITY CODE ENFORCEMENT PROGRAM AND GENERAL ADMINISTRATION ACTIVITIES – staff report

The Council will conduct a public hearing and consider the transfer of $365,000 in Community Development Block Grant Program Income funds from the City Public Facility Revolving Loan Account to Grant No. 10-STBG-6731 to supplement the Residential Community Code Enforcement Program. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested:

1. **Adopt Resolution No. 7710 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME FOR THE RESIDENTIAL COMMUNITY CODE ENFORCEMENT PROGRAM AND ADMINISTRATION ACTIVITIES IN THE AMOUNT OF $365,800.**

2. **Approve Supplemental Appropriation No. 2010/11-0411-25, as indicated in the April 5, 2011 staff report.**

12. ISSUANCE OF TAX-EXEMPT BONDS FOR THE HILLVIEW RIDGE APARTMENTS II PROJECT BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY JOINT POWERS AGREEMENT – staff report

The Council will conduct a public hearing and consider the issuance of tax-exempt bonds by the California Communities Development Authority Joint Powers Agreement for the Hillview Ridge Apartments II Project. **(Pat Clark, Director of Business Assistance and Housing Development)**

Council Action Requested: **Adopt Resolution No. 7711 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE ISSUANCE, BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY OF MULTIFAMILY HOUSING, REVENUE BONDS FOR THE HILLVIEW RIDGE APARTMENTS II PROJECT.**

REGULAR BUSINESS

13. PAYMENT AGREEMENT WITH FRANKLIN FAMILY TRUST ET AL TO PROCESS A USE PERMIT AND REZONE APPLICATION – staff report

The Council will consider a Payment Agreement requested by Mary Ann Aldrich, representative of Franklin Family Trust et. al. and applicant, to allow payments for the Use Permit and Rezone Application relating to 1950 Kitrick Avenue, Oroville (APN 012-152-008). **(Donald Rust, Director of Planning and Development Services)**

Council Action Requested: **Adopt Resolution No. 7712 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A FUNDING AGREEMENT WITH FRANKLIN FAMILY TRUST ET AL TO ALLOW PAYMENTS FOR A USE PERMIT AND REZONE APPLICATION RELATING TO 1950 KITRICK AVENUE, OROVILLE – (Agreement No. 1998).**

14. APPROVAL OF THIRD QUARTER REDUCTION OF EXPENDITURES AND INCREASE OF REVENUE GENERAL FUND BUDGETS FOR FISCAL YEAR 2010/11 – staff report

The Council will consider approving the third quarter reduction of expenditures and increase of revenue General Fund budgets for fiscal year 2010/11. **(G. Harold Duffey, City Administrator and Diane MacMillan, Finance Director)**

Council Action Requested: **Approve Supplemental Appropriation No. 2010/11-0411-27 as indicated in the April 5, 2011 staff report.**

15. APPROVAL AND AUTHORIZATION OF CITY-WIDE ELECTION TO CHANGE HEALTH CARE VENDORS – staff report

The Council will consider approving and authorizing a citywide election of all employees covered under the City's medical plan to determine if the City will remain with Blue Shield Medical Insurance or move to group plans under CSAC-Excess Insurance Authority. **(G. Harold Duffey, City Administrator and Liz Ehrenstrom, Human Resource Analyst II)**

Council Action Requested: **Adopt Resolution No. 7713 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING AND AUTHORIZING A CITYWIDE ELECTION OF EMPLOYEES TO CHANGE HEALTH CARE VENDORS.**

16. PREPARATION OF A REQUEST FOR PROPOSAL FOR THE DESIGN OF A MODERN ROUNDABOUT AT THE INTERSECTION OF TABLE MOUNTAIN BOULEVARD, NELSON AVENUE AND CHEROKEE ROAD – staff report

The Council will consider authorizing the preparation of a Request for Proposal for the design and preparation of plans and specifications for the construction of a modern roundabout at the intersection of Table Mountain Boulevard, Nelson Avenue and Cherokee Road. **(Rick Walls, Director of Public Works)**

Council Action Requested:

1. **Direct staff to prepare a Request for Proposal for the design and specifications for a modern roundabout at the intersection of Table Mountain Boulevard, Nelson Avenue and Cherokee Road.**

2. **Approve Supplemental Appropriation No. 2010/11-0411-26 as indicated in the April 5, 2011 staff report.**

17. AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH OMNI MEANS RELATING TO THE PREPARATION OF THE TRAFFIC IMPACT FEE UPDATE STUDY – staff report

The Council will consider authorizing an amendment to the Professional Services Agreement with Omni Means relating to the preparation of the Traffic Impact Fee Study Update. **(Rick Walls, Director of Public Works)**

Action Requested:

1. **Adopt Resolution No. 7714– A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH OMNI MEANS RELATING TO THE PREPARATION OF THE TRAFFIC IMPACT FEE STUDY UPDATE – (Agreement No. 1964-1).**

2. **Approve Supplemental Appropriation No. 2010/11-0411-24 as indicated in the April 5, 2011 staff report.**

18. UPDATE FROM COUNCIL SUB-COMMITTEE ON COUNCIL GOALS AND OBJECTIVES – staff report

The Council will consider approving a community meeting schedule to develop a process for the Council to work on goals and objectives for fiscal year 2011/12. **(G. Harold Duffey, City Administrator)**

Council Action Requested: **Approve the community meeting schedule for the Goals and Objectives workshops.**

MAYOR/ COUNCIL REPORTS

COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS (A verbal report may be given regarding any committee meetings attended.)

Oroville Economic Development Corporation – OEDCO

Downtown Business Association – DBA

Sewerage Commission – Oroville Region – SC-OR

Butte County Association of Governments – BCAG

Butte County Air Quality Management

Butte County Indian Gaming Commission

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Tour of Neal Road Recycle & Waste Facility

CORRESPONDENCE - None

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

This is the time the Mayor will invite anyone in the audience wishing to address the Council on a matter not listed on the agenda to step to the podium, state your name for the record and make your presentation. **Presentations are limited to 3 minutes**. Under Government Code Section 54954.2, The Council is prohibited from taking action except for a brief response by the Council or staff to a statement or question relating to a non-agenda item.

RECONVENE TO CLOSED SESSION (IF NECESSARY)

CLOSED SESSION

The Council will hold a Closed Session on the following:

1. Pursuant to Government Code Section 54957, the Council will meet with Labor Negotiator, G. Harold Duffey, to hold a performance evaluation for Diane MacMillan, Finance Director.

2. Pursuant to Government Code Section 54957, the Council will meet with Labor Negotiator, G. Harold Duffey and City Attorney, Scott E. Huber, to consider the extension of the Employment Agreement for Rick Walls, Director of Public Works.

3. Pursuant to Government Code section 54956.8, the Council will meet with real property negotiators, G. Harold Duffey, City Administrator and Pat Clark, Director of Business Assistance and Housing Development, concerning the ability of negotiating the purchase of 2053 Montgomery Street, Oroville.

4. Pursuant to Government Code Section 54956.9(b), the Council will meet with City Attorney, Scott E. Huber, concerning potential litigation - three cases.

5. Pursuant to Government Code section 54956.9(a), the Council will hold the following closed sessions relating to existing litigation:

    a. City of Oroville v. Jonothan Benefield et al; Butte County Superior Court Case No. 150477.

    b. Martin v. City of Oroville; Butte County Superior Court Case No. 148232

ADJOURNMENT

The meeting will be adjourned. A special meeting of the Oroville City Council will be held on Tuesday, April 12, 2011 at 6:00 p.m.

Accommodating Those Individuals with Special Needs – In compliance with the Americans with Disabilities Act, the City of Oroville encourages those with disabilities to participate fully in the public meeting process. If you have a special need in order to allow you to attend or participate in our public meetings, please contact the City Clerk at (530) 538-2535, well in advance of the regular meeting you wish to attend, so that we may make every reasonable effort to accommodate you. Documents distributed for public session items, less than 72 hours prior to meeting, are available for public inspection at City Hall, 1735 Montgomery Street, Oroville, California.