



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

MARCH 7, 2017
REGULAR MEETING
CLOSED SESSION 5:30 P.M.
OPEN SESSION 6:30 P.M.
AGENDA

CLOSED SESSION (5:30 P.M.)

ROLL CALL

Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier

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

RECONVENE TO OPEN SESSION

OPEN SESSION (6:30 P.M.)

PLEDGE OF ALLEGIANCE

PROCLAMATION / PRESENTATION

Oaths of Office for newly appointed Volunteers in Police Services Representatives **Tracy Parkinson, Rustin Fox and Joseph R. Fitzer**

Special Recognition of Services for the City of Oroville relating to **Dean Hill, Jr.** and **Steve Hoffman**

Proclamation recognizing **Arbor Day** in the City of Oroville

CONSENT CALENDAR

1. **APPROVAL OF THE MINUTES OF THE FEBRUARY 21, 2017 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

Finance Department

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

The Council will receive a copy of the January 2017 Monthly Financial Report and Report of Investments. **(Ruth Wright, Director of Finance)**

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

3. **STAFF VACANCY IN THE FINANCE DEPARTMENT** – staff report

The Council will receive information regarding the filling of a budgeted staff vacancy in the Finance Department. **(Ruth Wright, Director of Finance)**

Council Action Requested: **Informational only.**

Community Development Department

4. **PURCHASE OF A NEW AIR COMPRESSOR** – staff report

The Council will receive information regarding a new air compressor that has been purchased from Bobcat of Chico, in the amount of \$24,658.35, for the City's Sewer Division. **(Donald Rust, Director of Community Development)**

Council Action Requested: **None.**

5. **PURCHASE OF NEW BRUSH CHIPPER** – staff report

The Council may consider the purchase of a new brush chipper, utilizing funds from the Park Development Impact Fees Fund, in the amount of \$30,918.78, from RDO Equipment Company. **(Donald Rust, Director of Community Development)**

Council Action Requested:

1. **Authorize staff to utilize the piggyback process through the National Joint Powers Alliance regarding the request purchase of the new Vermeer BC1000XL model.**
2. **Approve the purchase of a new brush chipper, utilizing funds from the Park Development Impact Fees Fund, in the amount of \$30,918.78, from RDO Equipment Company.**

6. **DISPOSAL OF SURPLUS VEHICLES AND EQUIPMENT** – staff report

The Council may consider declaring decommissioned vehicles and equipment as surplus for their disposal through auction and/or trade-in value. **(Donald Rust, Director of Community Development)**

Council Action Requested:

1. **Declare the vehicles and equipment identified in the March 7, 2017 staff report as surplus and authorize the items to be auctioned off.**
2. **Utilize the \$5,000 trade-in value of the City's old brush chipper towards the purchase of a new brush chipper.**

Business Assistance & Housing Development Department

7. FORECLOSURE OF CITY PROPERTY LOCATED AT 3085 FLORENCE AVENUE – staff report

The Council may consider initiating foreclosure proceedings related to the City of Oroville's security interest in the Deed of Trust against the property located at 3085 Florence Avenue, Oroville. **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8587 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR AND/OR CITY ADMINISTRATOR TO EXECUTE ALL DOCUMENTS AND ANY AMENDMENTS THERETO NECESSARY TO INITIATE AND COMPLETE FORECLOSURE PROCEEDINGS ON REAL PROPERTY LOCATED AT 3085 FLORENCE AVENUE, OROVILLE (APN 013-225-023).**

PUBLIC HEARINGS

Business Assistance & Housing Development

8. ISSUANCE OF TAX EXEMPT BONDS FOR THE SIERRA HEIGHTS SENIOR APARTMENTS – staff report

The Council will conduct a public hearing relating to the issuance of tax exempt bonds for the senior housing project, Sierra Heights Senior Apartments, and a resolution approving the issuance of bonds. **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8588 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE ISSUANCE OF BONDS BY THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY, NOT TO EXCEED \$15,000,000, FOR THE BENEFIT OF WILLOW PARTNERS, TO PROVIDE FINANCING FOR THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A 52-UNIT SENIOR MULTIFAMILY RENTAL HOUSING PROJECT, GENERALLY KNOWN AS SIERRA HEIGHTS APARTMENTS.**

Community Development Department

9. OROVILLE SUSTAINABLE CODE UPDATES – staff report (*1st Reading*)

The Council will conduct a public hearing to review and consider adopting the Oroville Sustainable Code updates and certification of the Final Supplemental Environmental Impact Report. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Waive the first reading, and introduce by title only, Ordinance No. 1819 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE ADOPTING ALL PROPOSED NEW AND AMENDED DOCUMENTS, COLLECTIVELY KNOWN AS “OROVILLE SUSTAINABLE CODE UPDATES,” CERTIFYING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT, ADOPTING THE AMENDED FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS AND ADOPTING THE AMENDED MITIGATION MONITORING AND REPORTING PROGRAM.**

REGULAR BUSINESS

Public Safety Department

10. FORMATION OF AD-HOC COMMITTEES TO REVIEW THE SPILLWAY INCIDENT – staff report

The Council may establish ad-hoc committees to review the City's response to the Oroville Dam Spillway

incident and provide recommended actions to improve response and to improve public awareness during emergency situations. **(Bill LaGrone, Director of Public Safety)**

Council Action Requested:

1. **Appoint three (3) council members to serve on the Administrative Ad-hoc committee.**
2. **Appoint (3) council members to serve on the Operational Ad-hoc committee.**

Community Development Department

11. TREE REMOVALS AT 1550 ROBINSON STREET – staff report *(Continued from February 7, 2017)*

The Council may consider the removal of two (2) Chinese Pistache trees, located at 1550 Robinson Street, and the planting of suitable replacements. **(Wade Atteberry, Public Works Supervisor and Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize the removal of two Chinese Pistache trees, located at 1550 Robinson Street, and the planting of suitable replacements.**

12. TREE REMOVAL REQUEST BY BUSINESS OWNERS AT 1440 MYERS STREET – staff report

The Council may consider the removal of three (3) Grecian Laurel trees, located at 1440 Myers Street, and the planting of suitable replacements. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Authorize the removal of three (3) Grecian Laurel trees, located at 1440 Myers Street, and the planting of suitable replacements.**

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

The Council may consider 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 (GPI) which will require 13.6 acres of airport property to be leased for a non-aeronautical use. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8589 – 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-AERNAUTICAL USE RELATED TO THE EXPANSION OF GRAPHIC PACKAGING INTERNATIONAL - (Agreement No. 3211).**

14. PROFESSIONAL SERVICES AGREEMENT WITH BENNETT ENGINEERING – staff report

The Council may consider a Professional Services Agreement with Bennett Engineering, in the amount of \$120,000, annually, for the next five years, for professional engineering services. **(Donald Rust, Acting City Administrator)**

Council Action Requested:

1. **Authorize staff to piggyback on the Request for Proposals process recently undertaken by the cities of Biggs and Gridley for professional engineering services.**
2. **Adopt Resolution No. 8590 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BENNETT ENGINEERING, IN THE AMOUNT OF \$120,000, ANNUALLY,**

FOR FIVE YEARS, FOR PROFESSIONAL ENGINEERING SERVICES – (Agreement No. 3212).

15. PROFESSIONAL SERVICES AGREEMENT WITH GHIRARDELLI ASSOCIATES, INC. – staff report

The Council may consider an Amendment to the Professional Services Agreement with Ghirardelli Associates, Inc., in an amount not to exceed \$100,000, to provide qualified professional civil engineering services for the City's Engineering Division. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8591 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH GHIRARDELLI ASSOCIATES, INC., IN AN AMOUNT NOT TO EXCEED \$100,000, TO PROVIDE QUALIFIED PROFESSIONAL CIVIL ENGINEERING SERVICES FOR THE CITY'S ENGINEERING DIVISION – (Agreement No. 3191-2).**

**16. AMENDMENTS TO SECTIONS OF THE OROVILLE MUNICIPAL CODE RELATING TO TREE PRESERVATION AND UPDATE OF THE TREE REMOVAL PERMIT APPLICATION – staff report
(Continued from September 6, 2016)**

The Council will review the proposed updates to sections of the Oroville Municipal Code relating to tree preservation and the tree removal permit application. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Council Action Requested: **Provide direction, as necessary.**

17. SPONSORSHIP OF THE OROVILLE CHAMBER OF COMMERCE AND OROVILLE ECONOMIC ALLIANCE ANNUAL DINNER – staff report

The Council may consider a Silver sponsorship of the Oroville Chamber of Commerce and Oroville Economic Alliances' Leading the Way, 2017 annual dinner event. **(Donald Rust, Acting City Administrator)**

Council Action Requested: **Provide direction, as necessary.**

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

Mayor Appointments

- Housing Loan Advisory Committee (1)
- Economic Development Loan Advisory Committee (1)
- Executive Committee (3)
- Tourism Committee (1)

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Finance Department Report – activity report

CORRESPONDENCE

- Donald Remley, Ed.D. on behalf of ACSA Region 2 Retired Leaders & Managers Charter

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.

CLOSED SESSION

The Council will hold a Closed Session on the following:

1. 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 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 54956.9(a), the Council will meet 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.
3. Pursuant to Government Code section 54956.9(a), the Council will meet with the Acting City Administrator, and the City Attorney relating to existing litigation: Coryell v. City of Oroville, et al., United States District Court, Eastern District of California, Case No. 15-cv-00476.
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 – one case.
5. 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 – two cases.

ADJOURNMENT

The meeting will be adjourned. A special meeting of the Oroville City Council will be held on Tuesday, March 14, 2017, at 4:30 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.