



## OROVILLE CITY COUNCIL

Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

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

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#### 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

Proclamation recognizing the month of *November 2017* as *National Homeless and Runaway Prevention Month*

#### CONSENT CALENDAR

1. **APPROVAL OF THE OCTOBER 17, 2017 REGULAR MEETING MINUTES OF THE OROVILLE CITY COUNCIL** – minutes attached

## Public Works Department

### 2. **PAVEMENT REHABILITATION LIST FOR SUBMITTAL TO CALIFORNIA TRANSPORTATION COMMISSION FOR FUNDING** – staff report

The Council may consider approving by Resolution the submittal of the City's list of roads and streets prioritized for rehabilitation to the California Transportation Commission (CTC) for compliance with CTC guidelines. *(This list was submitted to the CTC by the required submittal deadline of October 16, 2017, after approval by the City Council at the October 3, 2017 Council meeting, however; the CTC requires a resolution approving the project list even though the list is non-binding and can be amended by City staff and Council. This resolution is necessary for the City to be eligible for additional transportation funding under Senate Bill 1 (SB 1) and Assembly Bill 135 (AB 135)).* **(Mike Massaro, Contract City Engineer)**

Council Action Requested: **Adopt Resolution No. 8663 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AMENDING THE 2017-2018 BUDGET TO INCORPORATE A LIST OF PROJECTS FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT.**

## Public Safety Department

### 3. **AMENDMENT OF ORIGINAL AGREEMENT TO EXTEND THE TERM OF THE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION** – staff report

The Council may consider an Amendment to the Agreement with the California Department of Parks and Recreation, for extra patrols in the State Parks Recreation area in and around Oroville, extending the terms through December 31, 2018. *(Funding for these patrols is supplied through this agreement, in an amount not to exceed \$180,000).* **(Bill LaGrone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution No. 8664 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH THE STATE DEPARTMENT OF PARKS AND RECREATION, EXTENDING THE TERM THROUGH DECEMBER 31, 2018.**

## Finance Department

### 4. **MONTHLY FINANCIAL REPORT AND REPORT OF INVESTMENTS FOR JULY, AUGUST & SEPTEMBER 2017** – report attached

The Council will receive a copies of the July, August & September 2017 Monthly Financial Report and Report of Investments. **(Ruth Wright, Director of Finance)**

Council Action Requested: **Acknowledge receipt of the July, August & September 2017 Monthly Financial Reports and Reports of Investments.**

## Community Development Department

### 5. **RECOLOGY SERVICE RATE INCREASE FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE** – staff report

The Council will receive and update on the Recology service rate increase for the collection and disposal of solid waste that will become effective January 1 ,2018. **(Donald Rust, Director of Community Development)**

Council Action Requested: **None.**

**6. REQUESTED PERMISSION BY STEEPLECHASE FILMS TO PUBLISH A PHOTO FROM CHINESE TEMPLE ARCHIVES – staff report**

The Council may consider a request by Steeplechase Films to publish one (1) photo from the Chinese Temple archives in a PBS documentary broadcast of, “The Chinese Exclusion Act”. **(Donald Rust, Director of Community Development and Dawn Nevers, Assistant Planner)**

Council Action Requested: **Acknowledge the approved request by Steeplechase Films to publish one (1) photo from the Chinese Temple archives in a PBS documentary broadcast of, “The Chinese Exclusion Act”, with the required acknowledgements, as indicated in the November 7, 2017 staff report.**

**7. OROVILLE ARTS COMMISSION ARTS AWARD RECOGNIZING “YOUR VOICE FOR THE ARTS” – staff report**

The Council may consider approving the Oroville Arts Commission Art Award recognizing, “Your Voice for the Arts”, an award that recognizes an artist who has positively impacted the community through the arts. **(Donald Rust, Director of Community Development and Dawn Nevers, Assistant Planner)**

Council Action Requested: **Approve the Oroville Arts Commission Arts Award recognizing, “Your Voice for the Arts,” an award that recognizes an artist who has positively impacted the community through the arts.**

**8. FINAL DRAFT NOTICE OF FUNDS AVAILABLE FOR ART IN PUBLIC PLACES/OROVILLE BEAUTIFICATION – staff report**

The Council may consider approving the updated 2017 final draft of the Notice of Funds Available for the Art in Public Places/Beautification funding under City of Oroville Ordinance No. 1798, Section II, Chapter 26, §17.08.135. **(Donald Rust, Director of Community Development and Dawn Nevers, Assistant Planner)**

Council Action Requested: **Approve the updated 2017 final draft of the Notice of Funds Available for the Art in Public Places/Beautification funding under City of Oroville Ordinance No. 1798, Section II, Chapter 26, §17.08.135.**

**Business Assistance & Housing Development Department**

**9. 2017 ANNUAL LONG-TERM MONITORING REPORTS FOR HOME MULTI-FAMILY RENTAL HOUSING PROJECTS – staff report**

The Council may consider a Professional Services Agreement with R.L. Hastings & Associates, LLC, in the amount of \$7,500, for the preparation of HOME Investment Partnerships Program annual monitoring documentation reports for three (3) multi-family rental housing projects. **(Amy Bergstrand, Management Analyst III)**

Council Action Requested: **Adopt Resolution No. 8665 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH R. L. HASTINGS & ASSOCIATES, LLC, IN THE AMOUNT OF \$7,500, TO PREPARE THE ANNUAL LONG-TERM MONITORING REPORT FOR HOME MULTI-FAMILY RENTAL HOUSING PROJECTS - (Agreement No. 3237).**

**10. ACCEPTANCE OF 2016 HOUSING RELATED PARKS PROGRAM GRANT AND ESTABLISHMENT OF BUDGET – staff report**

The Council may consider accepting the 2016 Housing Related Parks Program Grant No. 16-HRPP-11489 and establishing the budget, in the Amount of \$117,458, for improvements to the Oroville Municipal

Auditorium. (Amy Bergstrand, Management Analyst III)

Council Action Requested: **Accept the 2016 Housing Related Parks Program Grant No. 16-HRPP-11489 and establishing the budget, in the amount of \$117,458, for improvements to the Oroville Municipal Auditorium.**

### Administration Department

11. **REAPPOINTMENT TO THE BUTTE COUNTY MOSQUITO & VECTOR CONTROL BOARD OF TRUSTEES** – staff report

The Council may consider reappointing Gordon Andoe to continue serving on the Butte County Mosquito and Vector Control Board of Trustees for an additional term, ending December 31, 2021. (Jamie Hayes, Assistant City Clerk and Donald Rust, Acting City Administrator)

Council Action Requested: **Reappoint Gordon Andoe to serve on the Butte County Mosquito and Vector Control District for an additional term, ending December 31, 2021.**

12. **AMENDMENT TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AGREEMENT REGARDING EMPLOYEES SHARING ADDITIONAL COST** – staff report

The Council may consider an Ordinance to amend the California Public Employees Retirement System Agreement for employees sharing additional cost. (Liz Ehrenstrom, Human Resource Manager)

Council Action Requested: **Waive the second reading, and adopt by title only, Ordinance No. 1825 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE AGREEMENT BETWEEN THE OROVILLE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM.**

13. **AMENDMENT TO THE OROVILLE MID-MANAGER AND CONFIDENTIAL ASSOCIATION'S MEMORANDUM OF UNDERSTANDING** – staff report (*Continued from October 17, 2017*)

The Council may consider an Amendment to the Oroville Mid-Manager and Confidential Association's Memorandum of Understanding. (Donald Rust, Acting City Administrator)

Council Action Requested: **Adopt Resolution No. 8660 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE MID-MANAGER AND CONFIDENTIAL ASSOCIATION - (Agreement No. 3083-4).**

### PUBLIC HEARINGS

#### Business Assistance & Housing Development Department

14. **2017 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION** – staff report

The Council will conduct a public hearing and may consider the submittal of an application to the State Department of Housing and Community Development for the 2017 Community Development Block Grant Program funding. (Amy Bergstrand, Management Analyst III)

Council Action Requested: **Adopt Resolution No. 8666 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING AN APPLICATION FOR FUNDING AND THE EXECUTION OF A GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE 2017 FUNDING YEAR OF THE STATE**

**COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**

**REGULAR BUSINESS**

**Public Works Department**

15. **CONTRACT WITH FRANKLIN CONSTRUCTION RELATING TO THE REGIONAL SURFACE TRANSPORTATION PROGRAM STREET REPLACEMENT PROJECT BID AWARD** – staff report

The Council may consider awarding a Contract with the lowest responsive bidder, Franklin Construction, in the amount of \$644,813, and an additional 10% contingency, relating to the Regional Surface Transportation Program (RSTP) Street Replacement Project. **(Mike Massaro, Contract City Engineer)**

Council Action Requested: **Adopt Resolution No. 8667 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONTRACT WITH FRANKLIN CONSTRUCTION, THE LOWEST RESPONSIVE BIDDER, IN THE AMOUNT OF \$644,813, AND AN ADDITIONAL 10% CONTINGENCY, RELATING TO THE REGIONAL SURFACE TRANSPORTATION PROGRAM STREET REPLACEMENT PROJECT – (Agreement No. 3238).**

**Community Development Department**

16. **REQUEST TO AMEND ORDINANCE NO. 1794 TO RESTRICT THE SALE OF MENTHOL CIGARETTES AND OTHER FLAVORED TOBACCO PRODUCTS WITHIN CITY LIMITS** – staff report

The Council may consider a request from the California Health Collaborative for an amendment to Ordinance No. 1794 restricting the sale of menthol cigarettes and other flavored tobacco products within City limits. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

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

17. **REQUEST FOR PROPOSALS FOR CONTRACT PLANNING SERVICES TO PROCESS THE RIO D' ORO SPECIFIC PLAN ANNEXATION PETITION** – staff report

The Council may consider providing staff with direction to send a Request for Proposals for contract planning services to process the Rio d' Oro Specific Plan Annexation Petition. **(Donald Rust, Director of Community Development)**

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

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

The Council may consider approving a 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 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. 8668 – 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-AERONAUTICAL USE RELATED TO THE EXPANSION OF GRAPHIC PACKAGING INTERNATIONAL – (Agreement No. 3239).**

## Public Safety Department

19. **AUTHORIZATION FOR REPAIR OF PATROL VEHICLE AND ADMINISTRATION VEHICLE** – staff report

The Council may consider authorizing the repair of two (2) Police vehicles. (**Bill LaGrone, Director of Public Safety**)

Council Action Requested: **Authorize the repair of both vehicles by Pioneer Collision Center, in an amount not to exceed \$19,172.23.**

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

## CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- American Planning Association California Conference: Capitalizing on Diversity - memo

## CORRESPONDENCE

- Butte County Public Health Administration

## 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(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.
2. 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).
3. 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.
4. 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.

## **ADJOURNMENT**

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, November 21, 2017, at 5:30 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.