



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

FEBRUARY 6, 2018
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. 5)

RECONVENE TO OPEN SESSION

OPEN SESSION (6:30 P.M.)

PLEDGE OF ALLEGIANCE

PROCLAMATION / PRESENTATION

PG&E, Dan Blair – *Parking Lot A – Soils remediation Outline*

CONSENT CALENDAR

1. **APPROVAL OF THE January 16, 2018 REGULAR MEETING MINUTES OF THE OROVILLE CITY COUNCIL** – minutes attached

Information Technology Division

2. **DATA RECOVERY** – staff report

The Council will receive information regarding data that was inadvertently deleted from one of the storage

devices at the Police Department and data recovery was necessary to recover the lost data.

Council action requested: **For informational purposes only.**

Community Development Department

3. **ZC 17-01: REZONE OF 1355 WASHINGTON AVENUE FROM MXD TO MXC (2nd READING)** – staff report.

The Council will conduct a public hearing to review and consider approving a recommendation by the Oroville Planning Commission to Rezone the property identified as 1355 Washington Avenue (APN: 013-030-010) from Downtown Mixed Use (MXD) to Corridor Mixed Use (MXC). (**Donald Rust, Director of Community Development**).

Council action requested: **Waive the second reading, and introduce by title only, Ordinance No. 1826 – AN ORDINANCE OF THE OROVILLE CITY COUNCIL MAKING FINDINGS AND APPROVING THE REZONE OF 1355 WASHINGTON AVENUE (APN: 031-030-010) FROM DOWNTOWN MIXED USE (MXD) TO CORRIDOR MIXED USE (MXC)**

PUBLIC HEARINGS

Community Development Department

4. **POTENTIAL FEE INCREASE FOR TOBACCO RETAILER LICENSES** – staff report

The Council may review and consider approving a recommendation from the Oroville Planning Commission to increase the fee for a Tobacco Retail License from \$36 to \$238.64, for a total fee increase of \$202.64. (**Donald Rust, Director of Community Development**).

Council action requested: **Adopt Resolution No. 8685 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING A FEE INCREASE FOR TABACOO RETAIL LICENSES**

REGULAR BUSINESS

Public Works Department

5. **HWY 70 CORRIDOR PROJECT UPDATE** – staff report

The Council may receive an update regarding the status of the Highway 70 Corridor Project, followed by a short presentation, developed by the Butte County Association of Governments (BCAG) will be provided by Mike Massaro, Contract City Engineer. (**Mike Massaro, Contract City Engineer**)

Council action requested: **Informational only.**

6. **AMENDMENT TO THE AIRPORT PRECISION APPROACH PATH IIDICATORS AND RUNWAY END IDENTIFIER LIGHTS CONSTRUCTION CONTRACT WITH PACIFIC UNDERGROUND SERVICES, INC.** – staff report

The Council may consider an amendment to the construction contract with Pacific Underground Services, Inc. in the amount of \$3,615.00 for the Oroville Municipal Airport to furnish and install a Precision Approach Path Indicators (PAPI) and Runway End Identifier Lights (REIL) system for the Runway 02. FAA Grant # 3-06-0178-021-2016. (**Rick Farley, Enterprise Zone and Business Assistance Coordinator**)

Council action requested: **Adopt Resolution No. 8686 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROJECT CONTRACT WITH PACIFIC UNDERGROUND SERVICES, INC. IN THE AMOUNT OF \$3,615.00 – (Agreement No. 3190-1).**

7. AMENDMENT TO THE AIRPORT PIPELINE AND GRADING CONSTRUCTION CONTRACT WITH ALL-AMERICAN CONSTRUCTION, INC. – staff report

The Council may consider an amendment to the construction contract with All-American Construction, Inc. in the amount of \$7,223.93 for the Oroville Airport drainage and grading project. FAA Grant # 3-06-0178-021-2016. **(Rick Farley, Enterprise Zone and Business Assistance Coordinator)**

Council action requested: **Adopt Resolution No. 8687 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROJECT CONTRACT WITH ALL-AMERICAN CONSTRUCTION, INC. IN THE AMOUNT OF \$7,223.93 – (Agreement No. 3189-1).**

8. AMENDMENT TO THE FIXED BASE OPERATOR LEASE AGREEMENT WITH TOM HAGLER DBA: TABLE MOUNTAIN AVIATION – staff report

The Council will consider an Amendment to the Fixed Base Operator (FBO) Lease Agreement with Tom Hagler dba: Table Mountain Aviation, extending the lease for an additional five (5) years to November 1, 2021. **(Rick Farley, Enterprise Zone and Business Assistance Coordinator)**

Council action requested: **Adopt Resolution No. 8688 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE FIXED BASE OPERATOR LEASE AGREEMENT WITH TOM HAGLER DBA: TABLE MOUNTAIN AVIATION, EXTENDING THE LEASE FOR AN ADDITIONAL FIVE YEARS – (Agreement No. 1761-6).**

Finance Department

9. CALIFORNIA STATE DEPARTMENT OF FINANCE (DOF) APPROVAL OF THE LAST AND FINAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) – staff report

The Council may review and consider approving and accepting the unanticipated revenue in the amount of \$3,586,616 and allocate \$2,869,294 to be deposited into the City's new Section 115 Pension Trust account to mitigate future increases in pension costs. **(Ruth Wright, Finance Director).**

Council action requested: **Adopt Resolution No. 8689 A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING AND ACCEPTING THE UNANTICIPATED REVENUE IN THE AMOUNT OF \$3,586,616 AND ALLOCATE \$2,869,294 FROM THE CALIFORNIA STATE DEPARTMENT OF FINANCES APPROVAL OF THE LAST AND FINAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE TO BE DEPOSITED INTO THE CITY'S NEW SECTION 115 PENSION TRUST ACCOUNT TO MITIGATE FUTURE INCREASES IN PENSION COSTS.**

Administration

10. AMENDED EMPLOYMENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND DONALD L. RUST TO SERVE AS CITY ADMINISTRATOR – staff report

The Council will consider an amendment to the employment agreement between the City and Donald L. Rust for service as City Administrator. **(Scott E. Huber, City Attorney).**

Council action requested: **8Adopt Resolution No. 8690 - A RESOLUTION OF THE OROVILLE CITY**

COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDED EMPLOYMENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND DONALD L. RUST TO SERVE AS CITY ADMINISTRATOR. (Agreement No. 3244-1).

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

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

CORRESPONDENCE

- Jeanne Checchi, RE: Marijuana Issue
- William Bynum, RE: Commercial Cannabis
- Tasha Levinson, RE: Cannabis Proposal
- Chris Samuel, RE: Cannabis – Moving Forward Together
- Pam Moody, RE: Cannabis Availability
- Elizabeth J. Colleran, RE: Cannabis
- Stephaine Tousley, RE: Cannabis Dispensaries
- Ceyhun Inci, RE: Cannabis Dispensaries
- Don Fultz, RE: Pot and Tax
- Deborah Penner, RE: Cannabis – Yes! From a health professional
- Gail D’Arcy, RE: Commercial Cannabis
- Ron Massey, RE: Dispensaries
- S. Bianco, RE: Cannabis Dispensary Decision
- Nicole Andrews, RE: I Support Commercial Cannabis
- Michael Lewis, RE: Commercial Cannabis
- Jaime Lopez, RE: Pro Cannabis Shops and Grow Warehouses
- Wm Daniel Webster, RE: Commercial Cannabis
- Gene Leis, RE: Cannabis
- Pam Leis, RE: Dispensary

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 54956.95, the Council will meet with the Acting City Administrator, Personnel Officer and City Attorney relating to Worker's Compensation Claim No. NCWA-79968.
2. 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, Oroville Police Officers Association (Sworn and Non-Sworn), Oroville Public Safety Mid-Managers Association, Oroville Management and Confidential Association, and Oroville City Employees Association.
3. Pursuant to Government Code Section 54957(b), the Council will meet with Acting City Administrator, Personnel Officer, and City Attorney to consider the employment related to the following position: Deputy City Clerk.
4. 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: City of Oroville v. Department of Water Resources, Butte County Superior Court, Case No. 18-CV-00163.
5. 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.

ADJOURNMENT

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, February 20, 2018, 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.