



**CITY COUNCIL MEETING MINUTES  
JANUARY 16, 2018 – 5:30 P.M.**

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The agenda for the January 16, 2018, regular meeting of the Oroville City Council was posted on the bulletin board at the front of City Hall and on the City of Oroville's website located at [www.cityoforoville.org](http://www.cityoforoville.org) on Friday, January 12, 2018, at 11:12 p.m..

The January 16, 2018 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:31 p.m.

**ROLL CALL**

Present: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier  
Absent: None

**Staff Present:**

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Donald Rust, Assistant City Administrator  
Scott Huber, City Attorney  
Karolyn Fairbanks, Treasurer  
Dawn Nevers, SBF Program Specialist

Bill LaGrone, Director of Public Safety  
Ruth Wright, Director of Finance  
Amy Bergstrand, Management Analyst III

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**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Linda Dahlmeier.

**RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS**

Trudy MacPhee – Item No. 1, 11 & 12  
Randy Chapman - Item No. 8  
Celia Hirschman - Item No. 8 & 12  
John Mitchell - Item No. 8 & 12  
Stephanie Tousley – Item No. 8 & 12  
Genoa Widener – Item No. 10  
Faith Henderson – Item No. 12  
Pastor Steve Terry – Item No. 12  
Chuck Reynolds – Item No. 12  
Chris Jacobsen – Item No. 12  
Chris Saraga – Item No. 12  
Ken Malone – Item No. 12  
Helen Crane – Item No. 12  
Jessica Mackenzie – Item No. 12  
Jackie Glover – Item No. 12  
Kenneth J. Paul Sr. – Item No. 12  
Norma Wilcox – Item No. 12  
Dorinda Scofield – Item No. 12

Mark Mendez - Item No. 8  
Tasha Levinson - Item No. 8 & 12  
Bobby O'Reiley - Item No. 8, 10 & 12  
Jeff Ballard - Item No. 8 & 12  
Eric Smith - Item No. 8 & 12  
Laura Page – Item No. 12  
Mark Hicks – Item No. 12  
Annie Terry – Item No. 12  
David Pittman – Item No. 12  
Mary Barr – Item No. 12  
Bill Speer – Item No. 12  
Deborah Sage – Item No. 12  
Kris-Tina Kelley – Item No. 12  
John Miller – Item No. 12  
William Bynum – Item No. 12  
Cindy Byrns – Item No. 12  
Aramenta Hawkins – Item No. 12  
Samual Monteon – Item No. 12

John Main – Item No. 12  
Michael Tipiero – Item No. 12  
Allan Dikes – Item No. 12  
Ed Hall – Item No. 12  
James Jones – Item No. 12

Judith Schroyder – Item No. 12  
Michael Lewis – Item No. 12  
Stan Greer – Item No. 12  
Frank Johnson – Item No. 12  
Nancy Richie – Item No. 12

### PROCLAMATION / PRESENTATION

Claudia Stuart, Principal Planner, Butte County, gave a presentation on the **Oroville Area Urban Greening Plan**.

Bruce Spangler, President of **Explore Butte County**, gave a presentation updating the Council of the current progress of the Tourism Business Improvement District (TBID) marketing development.

### CONSENT CALENDAR

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

1. **THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)**

#### Administration Department

2. **MINIMUM WAGE INCREASE; INFORMATION ONLY** – staff report

The Council received information regarding the State of California requiring a minimum wage increase on January 1, 2018, from \$10.50 per hour to \$11.00 per hour. (**Liz Ehrenstrom, Human Resources Manager**)

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

#### Business Assistance & Housing Development

3. **FORECLOSURES FOR CITY PROPERTY LOCATED AT 1356 LINDEN AVENUE** – staff report

The Council considered initiating foreclosure proceedings related to the City of Oroville's security interest in the Deed of Trust against the property located at 1365 Linden Avenue. (**Amy Bergstrand, Management Analyst III**)

Council action: **Adopt Resolution No. 8682 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE ACTING CITY ADMINISTRATOR AND/OR MAYOR TO EXECUTE ALL DOCUMENTS AND ANY AMENDMENTS THERETO NECESSARY TO INITIATE AND COMPLETE FORECLOSURE PROCEEDINGS ON REAL PROPERTIES LOCATED AT 1356 LINDEN AVENUE, OROVILLE - (APN 013-032-020).**

#### Finance

4. **\$60,000 PUBLIC SAFETY TRANSFER** – staff report

The Council considered the transfer of \$60,000 for Public Safety Code Enforcement from Fund 153 to the General Fund 100. **(Ruth Wright, Director of Finance & Bill LaGrone, Director of Public Safety).**

Council action: **Approve the Interfund Transfer of \$60,000 to the General Fund.**

**5. INTEREST CHARGES ON ACCOUNTS RECEIVABLE – staff report**

The Council considered charging interest on aged accounts receivables. **(Ruth Wright, Director of Finance).**

Council action: **Approve the start of charging interest at a rate of 10% per year on past due accounts receivables.**

**6. COST ALLOCATION PLAN PROPOSAL – staff report**

The Council considered a proposal for a Cost Allocation Plan from Willdan Financial Services. **(Ruth Wright, Director of Finance)**

Council action: **Approve the Cost Allocation Plan proposal from Willdan Financial Services.**

The motion to approve the Consent Calendar, with Item No. 1 removed, was passed by the following vote:

Ayes:	Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes:	None
Abstain:	None
Absent:	None

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

**1. APPROVAL OF THE JANUARY 2, 2018 REGULAR MEETING MINUTES OF THE OROVILLE CITY COUNCIL – minutes attached**

Trudy MacPhee requested to speak on this item to correct her title at the Feather River Senior Citizen's Association.

Following public comment, a motion was made by Council Member Thomson, seconded by Vice Mayor Goodson, to:

**Approve the January 2, 2018 City Council meeting minutes with corrections on page 4 under Correspondence.**

The motion was passed by the following vote:

Ayes:	Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
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Noes: None  
Abstain: None  
Absent: None

**PUBLIC HEARINGS** – None

**Business Assistance & Housing Development**

**7. CLOSEOUT OF COMMUNITY DEVELOPMENT BLOCK GRANT 14-CDBG-9893** – staff report

The Council conducted a public hearing relating to the performance and the final accomplishments of Community Development Block Grant (CDBG) No. 14-CDBG-9893 and program income related Supplemental programs and activities associated with the grant that expired on October 31, 2017. **(Amy Bergstrand, Management Analyst III)**

The Mayor opened the public hearing.

Hearing no comments, the Mayor closed the public hearing.

Following discussion, a motion was made by Council Member Draper, seconded by Vice Mayor Goodson, to:

**Authorize the closeout of Community Development Block Grant No. 14-CDBG-9893 which expired on October 31, 2017.**

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier  
Noes: None  
Abstain: None  
Absent: None

**Community Development Department**

**8. ZC 17-01: REZONE OF 1355 WASHINGTON AVENUE FROM MXD TO MXC (1ST READING)** – staff report.

The Council conducted 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)**.

The Mayor opened the public hearing.

Mark Mendez, applicant, and Randy Chapman, Planning Commissioner, answered

questions for the City council.

Tasha Levinson, Bobby O'Reiley, John Mitchell, Stephanie Tousley, and Eric Smith spoke in support of the zoning change for the proposed project

Celia Hirschman and Jeff Ballard expressed concerns for the anticipated traffic.

Hearing no further comments, the public hearing was closed.

Following discussion by the Council, a motion was made by Council Member Thomson, seconded by Vice Mayor Goodson, to:

**Waive the first 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)**

The motion was passed by the following vote:

Ayes:	Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes:	None
Abstain:	None
Absent:	None

## **REGULAR BUSINESS**

### **Public Works Department**

#### **9. REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP) STREET REPLACEMENT PROJECT – staff report**

Staff requested this item to be continued to the February 6, 2018 regular meeting of the Oroville City Council for consideration.

### **Community Development Department**

#### **10. LETTER TO THE FEDERAL ENERGY REGULATORY COMMISSION REGARDING ISSUANCE OF A NEW LICENSE FOR THE CALIFORNIA DEPARTMENT OF WATER RESOURCES' OROVILLE FACILITIES – (FERC NO. 2100). – staff report**

The Council considered sending a letter to the Federal Energy Regulatory Commission (FERC) opposing the request from the California Department of Water Resources (DWR) to be issued a new license to continue operations of their Oroville facilities. **(Donald Rust, Acting City Administrator).**

Bobby O'Reiley and Genoa Widener spoke in support of the Council sending a letter to the Federal Energy Regulatory Commission.

Hearing no further discussion, a motion was made by Vice Mayor Goodson, seconded by Council Member Del Rosario, to:

**Send a letter to the Federal Energy Regulatory Commission (FERC) opposing the request from the California Department of Water Resources (DWR) to be issued a new license to continue operations of their Oroville facilities.**

The motion was passed by the following vote:

Ayes: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier  
Noes: None  
Abstain: None  
Absent: None

### **Administration**

**11. GOALS & OBJECTIVES - staff report**

The Council considered the development of comprehensive goals and objectives for the City of Oroville for the next few budget cycles. **(Donald Rust, Acting City Administrator).**

Trudy MacPhee provided comments to the Council regarding the proposed Goals and Objectives workshop.

Following discussion, the Council directed staff, to:

**Move forward with the scheduling of a Goals & Objectives workshop via Doodle Poll for date selection and return to a future council meeting with workshop ideas from the League of California Cities: New Mayors & Council Members Academy.**

**12. PROPOSED AMENDMENTS TO THE CITY OF OROVILLE MUNICIPAL CODE REGARDING COMMERCIAL CANNABIS REGULATIONS AND POTENTIAL TAX ON ALL COMMERCIAL CANNABIS BUSINESSES – staff report**

The Council reviewed and considered directing staff to pursue amendments to the City of Oroville Municipal Code regarding commercial cannabis regulations and pursuing a special or general tax applicable to all commercial cannabis businesses. **(Donald Rust, Acting City Administrator).**

Trudy MacPhee, Faith Henderson, Jessica Mackenzie, John Miller/George, Celia Hirschman, William Bynum, Norma Wilcox, Aramenta Hawkins, Tasha Levinson, Samuel Monteon, John Main, Judith Schroyder, Michael Tioiero, Michael Lewis, James Jones, and Stephanie Tousley spoke in support of the commercialization of cannabis in Oroville. Mark Hicks, Pastor Steve Terry, Annie Terry, Chuck Reynolds, John Mitchell, David Pittman, Chris Jacobsen, Eric Smith, Jeff Ballard, Mary Barr, Bill Speer, Ken Malone, Deborah Sage, Helen Crane, Jackie Glover, Kenneth J. Paul Sr., Cindy Byrns, Allan Dikes, Stan Greer, Ed Hall Frank Johnson and Nancy Ritchie spoke in opposition of the commercialization of cannabis in Oroville.

Chris Saraga, Khris-Tina Kelley, Bobby O'Reiley, and Dorinda Scofield had questions and encouraged the Council to conduct more research regarding the commercialization of cannabis in Oroville.

The City Council Convened to break at 9:35 p.m.

The City Council reconvened at 9:59 p.m.

Laura Page, staff member for Congressman, Doug LaMalfa, addressed the City Council on behalf of Congressman LaMalfa by reading correspondence provided to the Council.

Following discussion, a motion was made by Council Member Del Rosario, seconded by Council Member Berry, to:

- 1. Direct staff to move forward with bringing back the following items for Council action:**
  - A. An ordinance to establish comprehensive regulations related to the establishment, operation, cultivation, manufacturing/processing, sale, testing and distribution of commercial cannabis within the City of Oroville.**
  - B. An ordinance amending the City's Zoning Code establishing land use regulations for the cultivation, distribution, dispensing, manufacturing/processing, nursery, testing and transport of commercial cannabis within the City of Oroville.**
  - C. A resolution to approve contract with a consultant to provide guidance in the development of the regulatory fees for cannabis monitoring and compliance, to help develop a cannabis tax measure (ballot initiative), and to facilitate the community outreach process.**
- 2. Provide direction regarding a Special or General Election and a ballot measure to adopt an ordinance imposing a special or general tax on all commercial cannabis businesses.**
- 3. Hold a public forum for the community to ask questions and receive information.**

The motion was passed by the following vote:

Ayes:	Council Members Berry, Del Rosario, Draper, Hatley, Vice Mayor Goodson
Noes:	Council Member Thomson, Mayor Dahlmeier
Abstain:	None
Absent:	None

### **COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS**

Vice Mayor Goodson reported on the following:

- The January 15<sup>th</sup>, 2018 Dr. Martin Luther King Jr. pancake breakfast and scholarship award event held at the Southside Community Center.

Council Member Draper reported on the following:

- Corrected previous statement made at the December 19, 2017 City Council meeting regarding Item No. 9: Jamboree Housing.

## **CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

Donald Rust, Acting City Administrator reported on the following:

- Reminded the (4) attending Council Members of the upcoming league of CA Cities: New Mayors & Council Members Academy.
- Reported there is an upcoming meeting of the Homelessness Ad hoc Committee with Butte County and Council Members Hatley, Draper and Vice Mayor Goodson.
- Quote received to replace projectors in Council Chambers. The projectors will be replaced with updated flat screen televisions using the Technology Cost Recovery Fund which is restricted from use for salaries and benefits.
- The 5 minute public speaker card has been corrected to 3 minutes for public speakers.

## **CORRESPONDENCE**

- Congress of the United States, House of Representatives, Congressman Doug LaMalfa, 1<sup>st</sup> District, California, RE: Marijuana Cultivation Ordinance
- Wayne Wilson, RE: Marijuana Shops
- David W. Pittman, Re: City Council Agenda Meeting January 16, 2018 Item # 12
- Steve Simpson, RE: Weed
- Senior District Coordinator, Laura Page, Congressman Doug LaMalfa, RE: The Negative Impacts of Marijuana

## **HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS**

Trudy MacPhee provided comments to the council regarding AB 109.

Costel Angheluta discussed zoning for of his property 3387 Myers Street.

Bill Speer provided comments read an article from the Los Angeles Times.

Bobby O'Reily provided comments in support of the community.

Stephanie Tousley provided comments and concerns to the council.

John Mitchell expressed concerns for the community.

## **CLOSED SESSION**

The Council held 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 Firefighters' Association, and Oroville Management and Confidential Association.



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 Oroville 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.

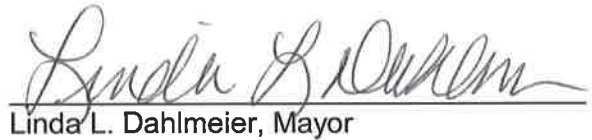
Following Closed Session, Mayor Dahlmeier reported that direction had been given and no action had been taken.

### **ADJOURNMENT**

The meeting was adjourned at 11:56 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, February 6, 2018, at 5:30 p.m.



Donald Rust, Acting City Clerk



Linda L. Dahlmeier, Mayor