



**CITY COUNCIL MEETING MINUTES  
FEBRUARY 6, 2018 – 5:30 P.M.**

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The agenda for the February 6, 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 Thursday, February 1, 2018, at 4:31 p.m.

**Note:** The following minutes are action minutes and provide a succinct recap of actions taken at the meeting. A complete audio recording is available by contacting the City Clerk at (530) 538-2401. You may also watch live meetings or past meetings via the internet by going to [www.cityoforoville.org](http://www.cityoforoville.org) and clicking on the City Council Agendas & Minutes page and click WATCH LIVE MEETINGS.

The February 6, 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	Bill LaGrone, Director of Public Safety
Derek Cole, City Attorney	Ruth Wright, Director of Finance
Karolyn Fairbanks, Treasurer	Dawn Nevers, SBF Program Specialist
Mike Massaro, Contract City Engineer	Rick Farley, EZ and BAC

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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**

Bill Speer – Item No. 1, 2, & 3	Peggie Adamson – Item No. 4
Bobby O'Reiley – Item No. 4 & 6	Melissa Anderson – Item No. 4
Rayanne West – Item No. 4	Macie Hughes – Item No. 4
Bruce Baldwin – Item No. 4	Michelle Mori – Item No. 4
Eric Smith – Item No. 4	Dolores Vasquez – Item No. 4
Ashek K. Vasudeva – Item No. 4	Kavinder (Kinny) K. Chatkra – Item No. 4
Mitch Dorghalli – Item No. 4	Elias Dorghalli – Item No. 4
Suresh Vasudeva – Item No. 4	Sam Sayegh – Item No. 4
Stephanie Tousley – Item No. 4	Carin Chwastyk – Item No. 4
Kent Fowler – Item No. 4	Pastor Steve Terry – Item No. 4
Cheri Bunker – Item No. 4	Souhel A. Khalil – Item No. 4
Lorraine Christensen – Item No. 4	Annie Terry – Item No. 4

**PROCLAMATION / PRESENTATION**

Dan Blair, Business Relations Representative, PG&E and Tracy Craig of Craig Communications, gave a presentation on ***Parking Lot A – Soils remediation Outline***  
**CONSENT CALENDAR**

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

**Information Technology Division**

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

**Community Development Department**

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

**ITEMS REMOVED FROM THE CONSENT CALENDAR**

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

Bill Speer provided comments to the Council regarding the minutes.

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

**Approve the minutes with the correct spelling of Bill Speers name and the identification of the correspondence from Congressman Doug LaMalfa read by Laura Page of Congressman LaMalfa’s office.** (Note: correspondence is available upon request at City Hall)

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

**Information Technology Division**

2. DATA RECOVERY – staff report

The Council received 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.

Bill Speer provided comments to the Council regarding the data recovery.

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

**Community Development Department**

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

The Council reviewed and considered 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).**

Bill Speer provided comments to the Council regarding the rezone of 1355 Washington Avenue.

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

**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)**

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

**PUBLIC HEARINGS** – None

**Community Development Department**

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

The Council reviewed and considered 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).**

The Mayor opened the public hearing.

Peggie Adamson, Ashek K. Vasudeva, Kavinder (Kinny) K. Chatkra, Mitch Dorghalli, Elias Dorghalli, Suresh Vasudeva, Sam Sayegh, Pastor Steve Terry, Cheri Bunker, Souhel A. Khalil, Lorraine Christensen and Annie Terry spoke in opposition of the potential fee increase for tobacco retailer licenses.

Bobby O'Reiley, Melissa Anderson, Rayanne West, Macie Hughes, Bruce Baldwin, Michelle Mori, Eric Smith, Dolores Vasquez, Stephanie Tousley, and Carin Chwastyk spoke in support of the potential fee increase for tobacco retailer licenses.

Hearing no further comments, the Mayor closed the public hearing.

Following discussion, a motion was made by Council Member Del Rosario, to: continue the item to a future date. Hearing no second, the motion died.

A motion was then made by Council Member Berry, seconded by Vice Mayor Goodson, to:

**Deny the increase to the Tobacco Retail License fee from the \$36.00 to \$238.64.**

The motion was passed by the following vote:

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

The Council convened to recess at 8:03 p.m.

The Council reconvened from recess at 8:13 p.m.

## **REGULAR BUSINESS**

### **Public Works Department**

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

The Council received 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)**

Mike Massaro, Contract City Engineer, gave a presentation to Council regarding the status of the Highway 7-0 Corridor Project.

Ivan Garcia, Programming Manager, Butte County Association of Governments, answered questions for the Council.

Council action: **Informational only.**

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

The Council considered 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)**

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

**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).**

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

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

The Council considered 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)**

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

**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).**

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

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

The Council considered 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)**

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

**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).**

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

#### **Finance Department**

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

The Council reviewed and considered 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).**

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

**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.**

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**

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

At the request of the City Attorney, the item be pulled and will return at an appropriate time.

## **COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS**

Council Member Draper reported on the following:

- Attendance to the League of CA Cities conference, the Homelessness Continuum of Care meeting, the Butte County & City of Oroville Homelessness ad hoc committee also attended by Council Member Hatley and Vice Mayor Goodson, the Docent Appreciation Luncheon and the Hmong New Year Celebration Dinner.

Vice Mayor Goodson reported on the following:

- Attendance to the League of CA Cities conference, Oroville Strong meeting, Feather River Recreation & Park District meeting, SC-OR meeting, Oroville Realtors Banquet, and the Hmong New Year Celebration Dinner.
- Spoke at Oakdale Heights 4<sup>th</sup> Grade presentation.

Council Member Del Rosario reported on the following:

- Attended the Martin Luther King Jr. Breakfast, the League of CA Cities conference, and the Hmong New Year Celebration dinner.

Mayor Dahlmeier reported on the following:

- Economic Development Forecast Conference, a Broadband Meeting, a guest at the Daughters of the Revolution Luncheon, Chico City Transit meeting, Docent Appreciation Luncheon, Neighborhood Watch meeting, LAFCO meeting, and the Annual City Selection meeting.

Council Member Thomson reported on the following:

- Attendance to the League of CA Cities conference.

## **CITY ADMINISTRATOR/ ADMINISTRATION REPORTS**

Bill LaGrone, Director of Public Safety reported on the following:

- Attendance to a breakfast to benefit the SPCA and the Butte County & City of Oroville Homelessness ad hoc committee.

Ruth Wright, Director of Finance reported on the following:

- Intent to attend the upcoming CalPERS meeting, ready to budget for Fiscal Year 2018/2019.

Donald Rust, Acting City Administrator reported on the following:

- Request from California Public Utilities Commission (CPUC) to utilize the Council chambers for a public forum regarding broadband.
- A video that was sent to the Council Members regarding cannabis, the video was from the International Association of Chiefs of Police (IACP) from October 2017 Annual Conference.

## **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
- Stephanie 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

Received after the Agenda was posted:

- Susan Amos. RE: Cannabis
- Jessica MacKenzie, RE: Yes on Cannabis!
- Paul Correa, RE: In support of Cannabis
- Claude the Dragon, RE: Cannabis
- Chico Cannabis Association, RE: Cannabis, Moving Forward
- Nightingale, RE: Cannabis
- John Scott, RE: Commercial Cannabis in Oroville
- Mark Mendez, RE: Retail Dispensary Consultant
- Aaron Andrus, RE: Thanks for your Courage (Cannabis)
- Larry Tracy, RE: Letter in support of Cannabis dispensaries
- Judith Schreuder, RE: Cannabis
- Mike Hill, RE: Cannabis Ordinance
- Dolores Santoni, RE: Commercial Cannabis Priority Area
- Susan Place, RE: Cannabis Licensing
- North State In-Tune Music Foundation, RE: Dream Big Music Festival Sponsorship Letter

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

Bobby O'Reiley provided information and comments to the Council regarding community meetings, social media, and public speakers.

Bill Speer provided comments to the Council and prayed for the City and State.

Eric Smith provided comments to the Council regarding Item No. 10.

Stephanie Tousley provided comments and concerns to the council regarding religion, respect for others and support for cannabis.



Steve Christensen provided comments to the Council regarding a Council Members misstatement at a previous council meeting.

John Mitchell expressed concerns for out of date information being provided to the homeless community.

Travis Edington thanked the Council for keeping the city safe.

### **CLOSED SESSION**

The Council held 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.

Following Closed Session, Mayor Dahlmeier reported that direction had been given to the City Attorney on Closed Session Items No. 1, 4 & 5, and direction was given to the Acting City Administrator on Closed Session Items No. 2 & 3.

### **ADJOURNMENT**

The meeting was adjourned at 9:15 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, February 20, 2018, at 5:30 p.m.



Donald Rust, Acting City Clerk



Linda L. Dahlmeier, Mayor