



**JOINT MEETING
OROVILLE CITY COUNCIL
OROVILLE PLANNING COMMISSION**

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

August 7, 2018

**JOINT MEETING
CITY COUNCIL CLOSED SESSION 5:30 P.M. – 6:00 P.M.
CITY COUNCIL OPEN SESSION 6:00 P.M.
JOINT MEETING SESSION 6:30 P.M.
MEETING AGENDA**

CALL TO ORDER

CITY COUNCIL ROLL CALL

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

APPROVAL OF AGENDA

COUNCIL WILL CONVENE TO CLOSED SESSION (5:30 P.M.)

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 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.
2. Pursuant to Government Code Section 54957(b), the Council will meet with Interim City Administrator, Personnel Officer, and/or City Attorney to consider the employment related to the following positions: City Attorney.

COUNCIL WILL RECONVENE TO OPEN SESSION (6:00 P.M.)

CLOSED SESSION - ANNOUNCEMENT OF ACTION

PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG

PROCLAMATION / PRESENTATION

- Artist of Rivertown

PUBLIC COMMUNICATION - HEARING OF NON-AGENDA ITEMS

This is the time for members of the public to address the Council on matters not listed on the agenda. The City Council has established time limitations of three minutes per speaker and an overall time limit of thirty minutes. In the event that more than 10 speaker cards are submitted for non-agenda items, the time limitation will be reduced to 1 ½ minutes per speaker, thus allowing up to 15 speakers. If more than 15 speaker cards were submitted for non-agenda items, the first 15 speakers would be randomly selected to speak at the beginning of the meeting.

The City Clerk will call the names of persons who have submitted a speaker card. Speakers are to step to the podium, state their name for the record, and make a brief presentation to the City Council. Pursuant to Government Code Section 54954.2, the Council is prohibited from taking action except for a brief response from the Council or staff to statements or questions relating to a non-agenda item.

For agenda items, citizens who have submitted a speaker card will be called to the podium by the City Clerk after which the public discussion will be closed for Council debate and decision. Speaker cards are to be presented to the City Clerk.

CITY COUNCIL WILL RECESS AND RECONVENE AT THE CONCLUSION OF THE PLANNING COMMISSION PUBLIC HEARING

CALL TO ORDER OF PLANNING COMMISSION

ROLL CALL

Commissioner Adonna Brand, Michael Britton, Randy Chapman, Wyatt Jenkins, Justin McDavitt, Vice Chairperson Carl Durling, Chairperson Damon Robison

PUBLIC HEARINGS – AGENDA ITEM 1 - 5

The Public Hearing Procedure is as follows:

- Mayor or Chairperson opens the public hearing.
- Staff presents and answers questions from Council or Commissioners.
- Hearing is opened for public comment limited to three (3) minutes. In the event of more than ten (10) speakers, time will be limited to one and a half (1.5) minutes.
 - a. Under Government Code 54954.3. the time for each presentation may be limited.
- Speakers are requested to provide a speaker card to the City Clerk
- Public comment session is closed
- Council or Commissioners debate and action.

1. PLANNING COMMISSION PUBLIC HEARING TO CONSIDER ZONING CODE AMENDMENTS TO THE CITY OF OROVILLE MUNICIPAL CODE, TITLE 17, TO ESTABLISH NEW LAND USE CLASSIFICATIONS FOR COMMERCIAL CANNABIS ACTIVITIES AND TO INCLUDE USE-SPECIFIC REGULATIONS FOR COMMERCIAL CANNABIS BUSINESSES

Planning Commission Recommendations: Conduct a public hearing and, upon conclusion, recommend that the City Council adopt the Draft Cannabis Zoning Ordinance.

ALTERNATIVES:

The alternative recommendations available to the **Planning Commission** are as follows:

1. Recommend that the Council adopt the draft ordinance with revisions to the proposed zoning controls as specified by the Commission.
2. Recommend that the Council not adopt the draft ordinance for the reasons as specified by the Commission.

ADJOURNMENT OF PLANNING COMMISSION MEETING – 5 Minute Recess

CITY COUNCIL WILL RECONVENE – Continuation of Public Hearings

2. **CITY COUNCIL WILL CONDUCT A PUBLIC HEARING, CONSIDER THE RECOMMENDATION OF THE PLANNING COMMISSION TO ADOPT ORDINANCE 1830 OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, AMENDING TITLE 17 (ZONING) OF THE OROVILLE MUNICIPAL CODE BY AMENDING SECTION 17.04.060 (DEFINITIONS); REPEALING SECTION 17.08.120 (MARIJUANA DISPENSARIES); ADDING SECTION 17.16.XX (COMMERCIAL CANNABIS BUSINESSES); AND AMENDING SECTIONS 17.28.010 (ALLOWED USES IN RESIDENTIAL DISTRICTS); 17.32.010 (ALLOWED USES IN COMMERCIAL DISTRICTS); 17.34.020 (ALLOWED USES IN INDUSTRIAL DISTRICTS); 17.36.010 (ALLOWED USES IN INDUSTRIAL DISTRICTS); 17.40.010 (ALLOWED USES IN SPECIAL PURPOSE DISTRICTS) TO ESTABLISH ZONING FOR COMMERCIAL CANNABIS ACTIVITIES WITHIN THE CITY OF OROVILLE**
3. **CITY COUNCIL WILL CONDUCT A PUBLIC HEARING TO CONSIDER ORDINANCE 1831 OF CITY COUNCIL OF CITY OF OROVILLE, CALIFORNIA, AMENDING TITLE 5 (BUSINESS LICENSES AND REGULATIONS) OF THE OROVILLE MUNICIPAL CODE BY ADDING CHAPTER 5.XX (COMMERCIAL CANNABIS) TO REGULATE THE ESTABLISHMENT AND OPERATION OF ALL COMMERCIAL CANNABIS ACTIVITIES IN THE CITY OF OROVILLE**

City Council Recommendations: Conduct the public hearing, consider the recommendation of the Planning Commission, introduce Ordinance amending Oroville Municipal Code Title 17 (Zoning) and Ordinance amending Oroville Municipal Code Title 5 (Business Licenses and Regulations) for first reading and approve reading by title only and waive the full reading.

ALTERNATIVES:

The alternative recommendations available to the **City Council** are as follows:

1. Introduce Ordinance amending Oroville Municipal Code Title 17 (Zoning) and Ordinance amending Oroville Municipal Code Title 5 (Business Licenses and Regulations) for first reading by title only and waive the full reading with revisions.
2. Decline to offer the ordinance for first reading.

4. COUNCIL WILL CONDUCT A PUBLIC HEARING ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 1-8 –

a. Hearing Number One -

Adopt Resolution No. **8722** - A resolution of the city council authorizing and directing the mayor to approve the annual assessment report, as submitted or amended, and to order the levy and collection of assessments for the Oroville consolidated benefit assessment district for fiscal year 2018/2019

Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2018/2019 Butte County Tax Roll.

Authorize all necessary budget adjustments to the Annual Assessment Report.

b. Hearing Number Two –

Adopt Resolution No. **8723** - A resolution of the city council authorizing and directing the mayor to approve the annual assessment report, as submitted or amended, and to order the levy and collection of assessments for the Oroville consolidated benefit assessment district for fiscal year 2018/2019

Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2018/2019 Butte County Tax Roll.

Authorize all necessary budget adjustments to the Annual Assessment Report.

5. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 1-17

a. Hearing Number One –

Adopt Resolution No. **8724** - A resolution of the city council authorizing and directing the mayor to approve the annual assessment report, as submitted or amended, and to order the levy and collection of assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District for fiscal year 2018/2019.

Adopt Resolution No. **8725** A resolution of the Oroville City Council certifying to the county of butte the validity of the legal process used to place direct charges (special assessments) on the secured tax roll and authorizing the mayor to execute the Proposition 218 certification of tax levy.

Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2018/2019 Butte County Tax Roll.

Authorize any necessary budget adjustments to the Annual Assessment Report.

b. Hearing Number Two –

Adopt Resolution No. **8726** - A resolution of the city council authorizing and directing the mayor to approve the annual assessment report, as submitted or amended, and to order the levy and collection of assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District for fiscal year 2018/2019.

Adopt Resolution No. **8727** A resolution of the Oroville City Council certifying to the county of butte the validity of the legal process used to place direct charges (special assessments) on the secured tax roll and authorizing the mayor to execute the Proposition 218 certification of tax levy.

Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2018/2019 Butte County Tax Roll.

Authorize any necessary budget adjustments to the Annual Assessment Report.

CONSENT CALENDAR – AGENDA ITEMS 6 - 17 - Consent calendar items are adopted in one action by the Council. Items that are removed will be discussed and voted on immediately after adoption of consent calendar items.

- 6. MINUTES-** June 26 Special Meeting, July 6 Special Meeting, July 10 Regular Meeting, July 18 Special Meeting, July 20 Special Meeting, July 25 Special Meeting.

PUBLIC SAFETY

7. APPROVE PURCHASE OF WATER RESCUE BOAT, MOTOR, TRAILER, AND EQUIPMENT

Authorize the purchase of a new Water Rescue Boat, motor, trailer, and equipment for the Fire Department from Mauer Marine, in the amount \$18,387.67.

- 8. PURCHASE OF TWENTY (20) VIEVUE LE5 BODY WORN VIDEO CAMERAS** – Authorize the purchase of twenty (20) Vievu LE5 Body Worn Cameras from Vievu, the sole source provider, in an amount not to exceed \$42,531.00 over a three-year period.

BUSINESS ASSISTANCE AND HOUSING

9. SALE CITY-OWNED RESIDENTIAL PROPERTY HOUSING ASSETS

Approve the sale of city-owned properties and expenses associated with the sale of the properties listed on the staff report dated August 7, 2018.

Adopt Resolution No. **8731**, A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE INTERIM CITY ADMINISTRATOR TO EXECUTE ALL DOCUMENTS RELATING TO THE SALE OF CITY-OWNED PROPERTIES IDENTIFIED AS: ASSESSOR PARCEL NO. 031-340-038, 012-133-005, 013-083-003, 035-520-051, 035-520-059, 068-300-095, 033-462-032, 033-452-016, 033-232-001, 033-232-021, 012-100-015, 012-135-040 AND 012-133-009

- 10. NON-FORECLOSURE OF CITY INTEREST ON PROPERTY LOCATED AT 3461 ASHLEY AVENUE-** Authorize the non-foreclosure of City loan interest on the property located at 3461 Ashley Avenue, Oroville (APN 033-451-002).

11. AUTHORIZATION TO ACQUIRE PROPERTY LOCATED AT 2420 BALDWIN AVENUE THROUGH A DEED IN LIEU OF FORECLOSURE OR BY INITIATING FORECLOSURE

Approve budget adjustment as indicated in the fiscal impact of this staff report, dated August 7, 2018

Adopt Resolution No. **8732** – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE CITY TO ACQUIRE PROPERTY LOCATED at 2420 BALDWIN AVENUE, OROVILLE (APN 012-100-015). THROUGH A DEED IN LIEU OF FORECLOSURE OR BY INITIATING FORECLOSURE

12. PROFESSIONAL SERVICES AGREEMENT WITH R. L. HASTINGS & ASSOCIATES, LLC.

Adopt Resolution No. **8733** – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH R. L. HASTINGS AND ASSOCIATES, LLC, IN THE AMOUNT OF \$4,000, FOR LABOR STANDARDS MONITORING SERVICES RELATING TO THE OROVILLE MUNICIPAL AUDITORIUM FLOORING PROJECT – (Agreement No. **3255**).

13. RATIFICATION OF THE OROVILLE RECYCLING MARKET DEVELOPMENT ZONE - ZONE INCENTIVE FUNDS APPLICATION AND AGREEMENT FOR FY 2018-19 THROUGH 2020-21

Adopt Resolution No. **8734** – A RESOLUTION OF THE OROVILLE CITY COUNCIL RATIFYING ALL DOCUMENTS RELATING TO FISCAL YEAR 2018 – 19 through Fiscal Year 2020-2021 CALRECYCLE CITY OF OROVILLE RECYCLING MARKET DEVELOPMENT ZONE – ZONE INCENTIVE FUNDS FUNDING APPLICATION AND AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ALL PROGRAM DOCUMENTS.

14. PROJECT CONTRACT WITH BALDWIN CONTRACTING COMPANY, INC. DBA KNIFE RIVER CONSTRUCTION – AIRPORT CONSTRUCT TAXIWAY K PROJECT

Adopt Resolution No. **8735** – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROJECT CONTRACT WITH THE LOWEST RESPONSIVE BIDDER, BALDWIN CONTRACTING COMPANY, INC. DBA KNIFE RIVER CONSTRUCTION IN THE AMOUNT OF \$601,878 FOR THE AIRPORT CONSTRUCT TAXIWAY K PROJECT – (Agreement No. **3256**)

FINANCE

15. ANNUAL AUDIT SERVICES - Authorize staff to release request for proposal for Auditing Services

16. CAPITAL ASSET POLICY - Authorize staff to implement a new capital asset policy

ADMINISTRATION

17. ACQUISITION OF ASSETS FROM THE DISSOLUTION OF THE OROVILLE MOSQUITO ABATEMENT DISTRICT - Authorize staff to purchase the equipment listed above in an amount not to exceed \$15,550.00 plus all required taxes and DMV fees

18. MEMORANDUM OF UNDERSTANDING WITH OROVILLE UNION HIGH SCHOOL DISTRICT, OROVILLE CITY ELEMENTARY SCHOOL DISTRICT AND THE THERMALITO UNION ELEMENTARY SCHOOL DISTRICT

Adopt Resolution No. **8728** - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE OROVILLE UNION HIGH SCHOOL DISTRICT FOR FULL-TIME SCHOOL RESOURCE OFFICER SERVICES FOR THE 2018/2019, 2019/2020, 2020/2021 SCHOOL YEARS– (Agreement No. **3252**).

Adopt Resolution No. **8729** - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE OROVILLE CITY ELEMENTARY SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER SERVICES FOR THE 2018/2019 SCHOOL YEAR – (Agreement No. **3253**).

Adopt Resolution No. **8730** - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE THERMALITO UNION ELEMENTARY SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER SERVICES FOR THE 2018/2019, 2019/2020, AND 2020/2021 SCHOOL YEARS – (Agreement No. **3254**).

19. ANNUAL SPECIAL TAX FOR THE CITY’S COMMUNITY FACILITIES DISTRICT NO. 2006-1 (WESTSIDE PUBLIC SAFETY FACILITIES) AND DISTRICT NO. 2006-2 (PUBLIC SAFETY SERVICES) FOR FISCAL YEAR 2018/2019

Adopt Resolution No. **8736** - A resolution of the city council establishing the annual special tax for community facilities district No. 2006-1, Westside Public Safety Facilities, for fiscal year 2018/2019

Adopt Resolution No. **8737** - A resolution of the city council establishing the annual special tax for community facilities district No. 2006-2, Public Safety Services, for fiscal year 2018/2019.

Adopt Resolution No. **8738** A resolution of the Oroville City Council certifying to the county of Butte the validity of the Legal process used to place direct charges (special assessments) on the secured tax roll and authorizing the mayor to execute the proposition 218 certification of tax bill levy.

Authorize the Mayor to sign the Proposition 218 Certificates for inclusion on the 2018/2019 Butte County Tax Roll.

20. HAVEN OF HOPE ON WHEELS – Discuss and/or provide direction regarding support of Haven of Hope on Wheels

21. UTILITY USER TAX - The Council may consider amending section 3.28 Oroville Municipal Code, Telephone, Gas, Water, Electricity, and Television cable user tax.

RECOMMENDATION: Due to the precarious financial situation of the City, Staff recommends no reduction or elimination of the Utility User Tax at this time. Staff further recommends that this item come back to Council in January of 2019 for further consideration.

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

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Police and Fire Written Monthly Report
- Annexation of Industrial Area
- Departmental- Monthly Reports

CORRESPONDENCE

ADJOURNMENT

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, August 21, 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.

All meetings are recorded and broadcast live on YouTube.