



OROVILLE CITIZENS OVERSIGHT COMMITTEE

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**February 22, 2022
REGULAR MEETING
OPEN SESSION 6:00 PM
AGENDA**

PUBLIC ACCESS AND PARTICIPATION

To view the meeting or provide comment, please see the options below.

To View the Meeting:

1. Watch our live feed <https://www.youtube.com/channel/UCAoRW34swYI85UBfYqT7IbQ/>
2. Watch via Zoom
<https://zoom.us/j/95824583731?pwd=Z0d0QzZSRlpZVGZHUUdhaXBFZUxjUT09>
Meeting ID: 958 2458 3731
Passcode: **830047**
3. Listen by telephone (audio only):
Telephone: 1-669-900-6833
Meeting ID: 958 2458 3731
Passcode: **830047**

To Provide Comment to the Committee:

1. Email before the meeting by 12:00 PM your comments to publiccomment@cityoforoville.org
2. Attend in Person

If you would like to address the Committee at this meeting, you are requested to complete the blue speaker request form (located on the wall by the agendas) and hand it to the City Clerk, who is seated on the right of the Council Chamber. The form assists the Clerk with minute taking and assists the Mayor or presiding chair in conducting an orderly meeting. Providing personal information on the form is voluntary. For scheduled agenda items, **please submit the form prior to the conclusion of the staff presentation for that item.** Council has established time limitations of three (3) minutes per speaker on all items and an overall time limit of thirty minutes for non-agenda items. If more than 10 speaker cards are submitted for non-agenda items, the time limitation would be reduced to one and a half minutes per speaker. **(California Government Code §54954.3(b)).** Pursuant to Government Code Section 54954.2, the Committee is prohibited from taking action except for a brief response from the Committee or staff to statements or questions relating to a non-agenda item.

CALL TO ORDER / ROLL CALL

Committee Members: Janet Goodson, Eric Smith, Mark Grover, Bryan Flicker, Ken Malone, Kay Castro, Kae Saechao, David Quintel, Sherrie French

OPEN SESSION

1. Pledge of Allegiance
2. Oath of Office for Sherrie French

PUBLIC COMMUNICATION – HEARING OF NON-AGENDA ITEMS

This is the time to address the Committee about any item not listed on the agenda. If you wish to address the Committee on an item listed or not listed on the on the agenda, please follow the directions listed above.

REGULAR BUSINESS

1. APPROVAL OF THE MINUTES

The Committee may approve the minutes of November 30, 2021.

RECOMMENDATION

Approve the Committee minutes of November 30, 2021.

2. COUNCIL ADOPTED CODE OF CONDUCT

This document is provided to the Committee for informational purposes.

RECOMMENDATION

For informational purposes only.

3. UPDATE ON REVENUE AND EXPENSE FOR MEASURE U DISTRICT TAX

The Citizens Oversight Committee will receive an update on revenue and expenses for the Measure U District Tax.

RECOMMENDATION

Receive information

ADJOURN THE MEETING

The meeting will be adjourned to May 24, 2022 at 6pm.

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.



Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**November 30, 2021
MINUTES**

This agenda was posted on November 18, 2021. This meeting was recorded and may be viewed at cityoforoville.org or on YouTube.

CALL TO ORDER / ROLL CALL

Chairperson Smith called the meeting to order at 6:20pm.

PRESENT: Committee Members: Eric Smith, Mark Grover, Bryan Flicker, Kay Castro, Kae Saechao, Stephen Terry

ABSENT: Ken Malone, David Quintel, Janet Goodson

STAFF: Assistant City Administrator Ruth Wright, Assistant City Clerk Jackie Glover

OPEN SESSION

1. Pledge of Allegiance – Led by Chairperson Smith

PUBLIC COMMUNICATION – HEARING OF NON-AGENDA ITEMS

There were 0 public comments at this meeting.

REGULAR BUSINESS

1. APPROVAL OF THE MINUTES

Motion by Committee Member Terry and second by Committee Member Saechao to approve the minutes of August 24, 2021. Motion passed unanimously.

2. UPDATE ON REVENUE AND EXPENSE FOR MEASURE U DISTRICT TAX

The Citizens Oversight Committee received an update on revenue and expenses for Fiscal Year end of 2020/2021 and beginning of the new fiscal 2021/2022 through September 30, 2021 for the Measure U District Tax.

ADJOURN THE MEETING

Chairperson Smith adjourned the meeting at 6:49pm.

APPROVED:

ATTESTED:

Chairperson Eric Smith

Assistant City Clerk Jackie Glover

CITY OF OROVILLE

RESOLUTION NO. 8695

A RESOLUTION REPEALING RESOLUTION NO. 8003 AND ADOPTING A CODE OF CONDUCT RELATING TO THE CONDUCT OF CITY COUNCIL MEMBERS, COMMISSIONERS AND OTHER VARIOUS CITY APPOINTEES, CITY STAFF, AND MEMBERS OF THE PUBLIC

WHEREAS, it is the desire of the City Council to establish policy and guidelines, reflecting expected values and behaviors for use by and applicable to elected and appointed City officials, City officers, including Board and Commission members.

NOW, THEREFORE, BE IT RESOLVED by the Oroville City Council as follows:

1. The Council hereby adopts a Code of Conduct relating to the conduct of City Council members, Commissioners, and other various appointees, City staff and members of the public. A copy of the City's Oath of Office and Code of Conduct is attached to this Resolution and incorporated herein by reference.
2. The Mayor is hereby authorized and directed to execute this Resolution,
3. The City Clerk shall attest to the adoption of this Resolution.

PASSED AND ADOPTED by the Council of the City of Oroville at a regular meeting held on May 1, 2018, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Linda Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott E. Huber, City Attorney

Joanna Gutierrez, Interim City Clerk

OATH OR AFFIRMATION
OF ALLEGIANCE

State of California

County of _____ } ss. X

City of _____

The Execution of this Oath is required by Article XX, Section 3, of the Constitution of the State of California.

I, _____ affirm that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter for the

_____.

Subscribed and sworn to before me

this _____ day of ____, _____

CITY OF OROVILLE CODE OF CONDUCT

The City Council for the City of Oroville desires the highest level of ethical conduct for the members of the City Council and members of appointed commissions and committees. The residents and businesses of the City of Oroville are entitled to fair and accountable local government and to be represented by public officials who act in an ethical manner. The City of Oroville's strong desire to fulfill this mission therefore requires that:

- Public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- Public officials be independent, impartial, and fair in their judgment and actions;
- Public office be used for the public good, not for personal gain; and
- Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the City Council for the City of Oroville has adopted this Code of Conduct for elected officials and members of appointed commissions and committees to assure public confidence in the integrity of local government and its effective and fair operation. It is intended that this Code of Conduct apply to the designated public officials and candidates for the City Council, as well as establish expectations for the behavior of staff members and members of the public. The goal of this Code of Conduct is to promote ethical behavior and to set ethical standards, rather than be penal in nature. Asserted violations of this Code of Conduct shall not be grounds to void any action taken by the City Council, commissions or committees. Nothing in this Code of Conduct is intended to limit any powers, rights or authority inherent in the City Council.

Members of the City Council seeking election to the City Council or appointment to commissions or committees are strongly encouraged to endorse and comply with the provisions of this Code of Conduct.

City Council members and members of appointed commissions and committees are referred to generally as "public officials" or "members" in this Code of Conduct.

CHAPTER 1- CONDUCT OF MEMBERS

A. Suggested Norms and Expectations

1. Members shall:

- a. put constituents first always;
- b. treat each other, staff, and members of the public with dignity, courtesy and respect;
- c. value all opinions, be tolerant of new and different ideas, and encourage creativity and innovation;
- d. follow through on commitments and be accountable to each other;
- e. clarify when items are discussed in confidence and maintain appropriate confidentiality;
- f. be attentive to others, limiting interruptions and distractions;
- g. encourage dissent in debate while being mindful not to prolong discourse or block consensus;
- h. be candid with each other about ideas and feelings, and resolve conflicts directly;
- i. keep comments clear, concise, and on-topic to maximize opportunities for all to express themselves;
- j. continuously strive to improve how members works as a team;
- k. place clear and realistic demands on staff resources and time when requesting action;
- l. start and end meetings on time, work from an agenda, and be present, attentive, and prepared;
- m. present problems in a way that promotes discussion and resolution; and
- n. continually work to build trust in each other.

B. General Conduct

1. Members shall:

- a. treat each other and everyone with courtesy and refrain from inappropriate behavior and derogatory comments;
- b. be fair, impartial and unbiased when voting on quasi-judicial actions;
- c. use the speaker sequencing system to inform the Mayor of their wish to speak and shall be acknowledged by the Mayor before speaking;
- d. move to require the Mayor to enforce these rules and the Mayor shall do so upon an affirmative vote of a majority of the Members present;
- e. preserve order and decorum during the meeting;

- f. not delay or interrupt the proceedings or the peace of the City Council, nor disturb any Member while speaking, by conversation or otherwise, nor disobey the orders of the City Council, or the presiding officer, except as otherwise herein provided;
- g. support the laws established by the City Council; and
- h. abide by these Rules of Procedure in conducting the business of the City of Oroville

C. Conduct with Members

1. Members shall:

- a. value each other's time;
- b. attempt to build consensus on an item through an opportunity for dialogue; but when this is not possible, the majority vote shall prevail and the majority shall show respect for the opinion of the minority;
- c. have the right to dissent from, protest, or comment upon any action of the City Council;
- d. respect each other's opportunity to speak and, if necessary, agree to disagree;
- e. avoid offensive negative comments and shall practice civility and decorum during discussions and debate; and
- f. assist the Mayor's exercise of the Mayor's affirmative duty to maintain order.

D. Conduct with City Administrator and Staff

1. Members shall:

- a. speak to the City Administrator directly on issues and concerns;
- b. direct the City Administrator to implement City Council's policy decisions through the administrative functions of the City;
- c. treat staff professionally and refrain from publicly criticizing individual employees;

- d. avoid involvement in personnel issues except during City Council Closed Sessions regarding City Council appointed staff such as City Administrator, City Attorney, City Treasurer, City Clerk or City Auditor including hiring, firing, promoting, disciplining and other personnel matters;
- e. discuss directly with the City Administrator, City Attorney, City Clerk, City Treasurer, or City Auditor as appropriate, any displeasure with a department or staff; and
- f. request answers to questions on City Council agenda items from the City Administrator, City Attorney, City Clerk, City Treasurer, City Auditor or department directors/division managers prior to the meeting whenever possible.

E. Conduct with the Public

1. Members shall:

- a. make the public feel welcome;
- b. be impartial, respectful and without prejudice toward the public;
- c. listen courteously and attentively to public comment;
- d. not argue back and forth with members of the public; and
- e. make no promises to the public on behalf of the Council.

F. Conduct with Other Agencies

1. Members shall:

- a. project a positive image of the City when dealing with other agencies;
- b. show tolerance and respect for other agencies' opinions and issues and if necessary agree to disagree;
- c. represent official policies or positions of the City Council when designated as delegates of a legislative body;
- d. explicitly state when their opinions and positions do not represent the City Council when representing their individual opinions and positions, and shall not allow the inference that they do; and

- e. have the ability to lobby or discuss issues that have been adopted by the legislative bodies or are standing policies of the legislative body with other legislators, government officials or developers.

G. Conduct with Boards and Commissions

1. Members shall:

- a. treat all members of boards and commissions with appreciation and respect.
- b. refrain from participation in board and commission meetings for the purpose of influencing the outcome of said meetings.

H. Conduct with the Media

1. Members shall not discuss or go "off the record" with the media to discuss confidential or privileged information pertaining to closed sessions, attorney-client privileged or attorney work product communications including without limitation personnel, litigation or real property negotiations.
2. Providing non-confidential, non-privileged background information is acceptable.

I. Ethical Conduct

1. Members shall receive at least two hours of training in ethics, conflicts of interest, open meetings laws, competitive bidding requirements, bias prohibitions, etc., in accordance with Government Code sections 53234 et seq. 4 every two years commencing January 1, 2007.
2. Members shall conduct themselves in accordance with such training.

CHAPTER 2 - CONDUCT OF CITY STAFF

A. General Conduct:

1. City staff shall:
 - a. prepare well-written staff reports and provide accompanying documents on all agenda items in accordance with the agenda format and preparation schedule;
 - b. be available for questions from Members in accordance with the Brown Act prior to and during meetings;
 - c. respond to questions from the public during meetings when requested to do so by Members, or City Administrator;
 - d. refrain from arguing with the public or Members; and
 - e. switch any electronic equipment such as pagers and cellular telephones to silent or off mode during Council meetings.
2. Staff will remain objective on issues and should not be advocates for issues unless so directed by the legislative body.
3. As soon as possible, to the extent permitted by the Brown Act, the City Administrator and staff will inform the Mayor and Members of controversial issues having significant impacts to the City that are coming before the legislative body on short notice.
4. The City Administrator will advise management staff of potentially political or controversial issues coming before the legislative body and direct staff to be present and appropriately prepared.

CHAPTER 3 - CONDUCT OF THE PUBLIC

A. General Conduct

1. Members of the public attending City Council meetings shall observe the same rules and decorum applicable to the Members and staff as noted in Chapters 1 and 2 of these Rules.
2. All speakers must approach the podium when recognized by the Mayor and speak only from the podium. Stamping of feet, whistles, yells or shouting, and/or similar demonstrations are unacceptable public behavior and will not be allowed.
3. Lobbyists must identify themselves and the client(s), business or organization they represent before speaking to the Council.
4. Members of the public must switch any electronic equipment such as pagers and cellular telephones to a silent or off mode during Council meetings.
5. Members of the public wishing to speak to the Council should complete, and turn into the City Clerk prior to the item being called, a speaker's slip indicating the agenda item or off-agenda item which they wish to address.
6. Members of the public with questions concerning Consent Calendar items are encouraged to contact the staff person identified on the report prior to the meeting to reduce the need for discussion of Consent Calendar items.