



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

August 02, 2022
REGULAR MEETING
CLOSED SESSION 4:00 PM
OPEN SESSION 4:30 PM
AGENDA

PUBLIC ACCESS AND PARTICIPATION

To view the meeting, attend the meeting or provide comment, please see the options below. All comments emailed will be provided to the Council Members for their consideration.

To View the Meeting:

1. Watch our live feed <https://www.youtube.com/channel/UCAoRW34swYI85UBfYqT7IbQ/>
2. Watch via Zoom
<https://zoom.us/j/96870319529?pwd=dW9kMGRZSFo5MFFNQk5wVDUzRkRrZz09>
Meeting ID: 968 7031 9529
Passcode: 67684553
3. Listen via Telephone
Telephone: 1-669-900-6833
Meeting ID: 968 7031 9529
Passcode: 67684553

To Provide Comment to the Council:

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

If you would like to address the Council 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 an item, the time limitation would be reduced to one and a half minutes per speaker for that item. If more than 15 speaker cards are submitted for non-agenda items, the first 15 speakers will be randomly selected to speak at the beginning of the meeting, with the remaining speakers given an opportunity at the end. **(California Government Code §54954.3(b)).** 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.

CALL TO ORDER / ROLL CALL

Council Members: David Pittman, Eric Smith, Krysi Riggs, Art Hatley, Janet Goodson, Vice Mayor Scott Thomson, Mayor Chuck Reynolds

CLOSED SESSION

The Council will hold a Closed Session on the following:

1. Pursuant to Government Code Section 54957(b), the Council will meet with the City Administrator and the Personnel Officer related to the following positions: Police Chief, City Attorney and City Administrator.

OPEN SESSION

1. Announcement from Closed Session
2. Pledge of Allegiance
3. Adoption of Agenda

PUBLIC COMMUNICATION – HEARING OF NON-AGENDA ITEMS

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

CONSENT CALENDAR

Consent calendar **items 1 - 9** 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.

1. APPROVAL OF THE MINUTES

City Council may approve the minutes of January 18, 2022, April 5, 2022, and July 19, 2022.

RECOMMENDATION

Approve the minutes of January 18, 2022, April 5, 2022 and July 19, 2022.

2. SR162 ATP PROJECT - UNION PACIFIC RAILROAD PERMITTING COST TO FUND CALTRANS COORDINATION AND REVIEW

The Council will consider authorizing a payment in the amount of \$38,000 to Caltrans under the City's current cooperative agreement on SR162 Oro Dam Highway to fund Union Pacific Railroad's (UPRR) encroachment permit review of the sidewalk addition at the railroad grade separation of Oro Dam Highway.

RECOMMENDATION

Staff recommends authorizing the payment of \$38,000 to Caltrans under the City and Caltrans' cooperative agreement (03-0675) to fund Caltrans acquisition of an encroachment permit with UPRR for the advancement of the SR 162 ATP project.

3. CAPITAL PROJECT TASK ORDERS

The Council may direct staff regarding the issuing of a task order and the amendment to another task order for the design of capital improvement projects.

RECOMMENDATION

Staff recommends that the Council direct the City Administrator to proceed with the task orders discussed above to NorthStar Engineering.

4. TECHNICAL AMENDMENT TO THE PAVEMENT LIST FOR SUBMITTAL TO CALIFORNIA TRANSPORTATION COMMISSION (CTC) FOR FUNDING COMPLIANCE

The Council may consider directing staff to provide the California Transportation Commission (CTC) with more information. The additional information will be provided as a Technical Amendment to Attachment A of Council Resolution 9064.

RECOMMENDATION

Authorize staff to provide the requested technical amendment

5. AUTHORIZATION TO PURCHASE (1) JOHN DEERE GATOR, (1) CAT 420 BACKHOE LOADER, (1) 120GC MOTOR GRADER, & (1) 500GALLON ELLIPTICAL TANK.

The Council may consider the purchase of, (1) John Deere Gator in the amount of \$16,164.59, (1) CAT 420 Backhoe Loader in the amount of \$160,929.16, (1) 120GC Motor Grader in the amount of \$261,381.53, & (1) 500Gallon Elliptical Tank Trailer in the amount of \$17,770.09.

RECOMMENDATION

Authorize the purchase of (1) John Deere Gator, (1) CAT 420 Backhoe Loader, (1) 120GC Motor Grader, & (1) 500Gallon Elliptical Tank.

6. APPROVAL OF TRAFFIC SIGNAL MAST ARM REPLACEMENT AND ELECTRICAL COMPONENTS BY ST. FRANCIS ELECTRIC FOLLOWING TRAFFIC ACCIDENT

The Council may consider authorizing payment of invoice from St. Francis Electric for the furnishing and replacement of the Type 19 mast arm traffic signal at the intersection of Myers Street and Mitchell Avenue.

RECOMMENDATION

Authorize staff to process the invoice from St. Francis Electric for the furnishing and replacement of the Type 19 mast arm traffic signal at the intersection of Myers Street and Mitchell Avenue.

7. SECOND READING OF ORDINANCE 1867 TO REZONE TWENTY-TWO PARCELS TO DOWNTOWN MIXED USE (APN's 012-021-008, -011, -012, -015, -018, -020, -021, -022, -023, -028, & -029, APN's 012-028-003, -004, -005, -006, -007, -008, -009, -015, & -016, AND APN'S 012-031-007 & -008)

The City Council may consider approving Zoning Change ZC 22-03 to rezone 22 downtown parcels to MXD (Downtown Mixed Use) to encourage mixed use and commercial development and adopting Ordinance 1867. (Second Reading)

RECOMMENDATION

Adopt Ordinance no. 1867 -- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE APPROVING ZONING CHANGE ZC 22-03 TO REZONE APPROXIMATELY 2.79 ACRES OF LAND COMPRISING 22 PARCELS ON SAFFORD, BRODERICK, OAK AND LINCOLN STREETS TO DOWNTOWN MIXED-USE (APN's 012-021-008, -011, -012, -015, -018, -020, -021, -022, -023, -028, -029 AND APN's 012-028-003, -004, -005, -006, -007, -008, -009, -015, -016, AND APN 012-031-007 and -008). (APN's 012-021-008, -011, -012, -015, -018, -020, -021, -022, -023, -028, -029 AND APN's 012-028-003, -004, -005, -006, -007, -008, -009, -015, -016, AND APN 012-031-007 & 008).

8. RESOLUTION APPROVING AN INCREASED ALLOCATION OF FUNDING AND THE EXECUTION OF AN AMENDED GRANT AGREEMENT AND ANY AMENDMENTS THERETO FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM

The Council will consider the approval of an updated resolution to increase the allocation of funding and the execution of an amended grant agreement and any amendment thereto from the Community Development Block Grant Disaster Recovery (CDBG-DR) Program.

RECOMMENDATION

Adopt Resolution No. 9083 - A RESOLUTION OF THE CITY COUNCIL OF CITY OF OROVILLE, CALIFORNIA APPROVING AN INCREASED ALLOCATION OF FUNDING AND THE EXECUTION OF AN AMENDED GRANT AGREEMENT AND ANY AMENDMENT THERETO FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROGRAM

9. LEASE AGREEMENT WITH THE HMONG COMMUNITY FOR THE GIRDLER BUILDING TO ESTABLISH A HMONG HISTORICAL MUSEUM

The Council will consider a lease agreement with the Lao Veterans of America, Inc for the building located at 1675 Broderick Street, commonly known as the "Girdler building", for the establishment of a Hmong historical and cultural Museum.

RECOMMENDATION

Adopt Resolution No. 9084 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH THE LAO VETERANS OF AMERICA, INC., FOR THE BUILDING LOCATED AT 1675 BRODERICK STREET FOR THE ESTABLISHMENT OF A HMONG HISTORICAL AND CULTURAL CENTER– (Agreement No.3426).

REGULAR BUSINESS

10. BUDGET ADJUSTMENT FOR ATTORNEY FEES

The Council may consider a budget adjustment to cover attorney fees for fiscal year 2021-22.

RECOMMENDATION

Approve a budget adjustment for fiscal year 2021-22 in the amount of \$209,828.31

PUBLIC HEARINGS

The Public Hearing Procedure is as follows:

- Mayor or Chairperson opens the public hearing and staff will present the item and answer Council questions.
- The hearing is opened for public comment limited to three (3) minutes per speaker. In the event of more than ten (10) speakers, time will be limited to one and a half (1.5) minutes. 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 and then the Council will debate and take action
- Those wishing to speak at the public hearings below, but unable to attend before 5pm, may request that the council consider holding the public hearing after 5pm by emailing cityclerk@cityoforoville.org or calling 530-538-2535. Please submit request 24 hours before the meeting.
- Individuals may email comments for council consideration to publiccomment@cityoforoville.org

11. CONSIDERATION OF A RESOLUTION ELECTING TO HAVE THE CITY OF OROVILLE BECOME SUBJECT TO THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES AND CONSIDERATION OF AN ORDINANCE AMENDING TITLE 2 OF THE OROVILLE MUNICIPAL CODE AMENDING CHAPTER 2.24 BUREAU OF PURCHASE, CONCERNING THE IMPLEMENTATION OF UNIFORM CONSTRUCTION COST ACCOUNTING ACT PROCEDURES

The Council may receive information for consideration of a resolution to adopt an ordinance adding by adding Article 4. to Chapter 2.24 of Title 2. Administration and Personnel of the Oroville Municipal Code electing the City of Oroville become subject to the California Uniform Public Construction Cost Accounting Act.

RECOMMENDATION

Adopt Resolution No. 9085 electing to have the City of Oroville become subject to the California Uniform Public Construction Cost Accounting procedures, and

Waive the first reading and introduce by title only, Ordinance No. 1866 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE, ADDING ARTICLE 4. SECTION 2.24.190 through 2.24.220 TO THE OROVILLE MUNICIPAL CODE TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT (Section 22000, et seq. of the Public Contract Code)

12. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 1, 7, 11, 16, 17

The Council will hold a public hearing approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District for Fiscal Year 2022/23.

RECOMMENDATION

Adopt Resolution No. 9086 - 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 2022/23; and

Authorize any necessary budget adjustments to the Annual Assessment Report.

13. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 2-6, 8-10, 12-15, 18

The Council will hold a public hearing approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District for Fiscal Year 2022/23.

RECOMMENDATION

Adopt Resolution No. 9087 - 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 2022/23; and

Authorize any necessary budget adjustments to the Annual Assessment Report.

14. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 1, 4, 5, 9

The Council will hold a public hearing approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Benefit Assessment District for Fiscal Year 2022/23

RECOMMENDATION

Adopt Resolution No. 9088 - 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 2022/23; and

Authorize any necessary budget adjustments to the Annual Assessment Report.

15. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 2, 3, 6- 8

The Council will hold a public hearing approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Benefit Assessment District for Fiscal Year 2022/23

RECOMMENDATION

Adopt Resolution No. 9089 - 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 2022/23; and

Authorize any necessary budget adjustments to the Annual Assessment Report.

16. 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 2021/22

The City Council will consider the annual special tax relating to the City's Community Facilities Districts ("CFD's").

RECOMMENDATION

Adopt Resolution No. 9090 - 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 2022/23

Adopt Resolution No. 9091 - A RESOLUTION OF THE CITY COUNCIL ESTABLISHING THE ANNUAL SPECIAL TAX FOR COMMUNITY FACILITIES DISTRICT NO. 2006-2, PUBLIC SAFETY SERVICES, FOR FISCAL YEAR 2022/23

17. A RESOLUTION CERTIFYING TO THE COUNTY OF BUTTE THE VALIDITY OF THE LEGAL PROCESS USED TO PLACE DIRECT CHARGES ON THE SECURED TAX ROLL FOR FISCAL YEAR 2022/23

The City Council will approve a resolution certifying to the County of Butte the validity of the legal process used to place direct charges on the secured tax toll for fiscal year 2022/23.

RECOMENDATION

Adopt Resolution No 9092 A RESOLUTION OF THE OROVILLE CITY COUNCIL CERTIFYING TO THE COUNTY OF BUTTE THE VALIDITY OF THE LEGAL PROCESS USED TO PLACE DIRECT CHARGES 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 2022/23 Butte County Tax Roll.

REPORTS / DISCUSSIONS / CORRESPONDENCE

1. Council Announcements and Reports
2. Future Agenda Items
3. Administration Reports
4. Correspondence
 - i. FERC Correspondence
 - ii. Pioneer Union Elementary School District Notice

ADJOURN THE MEETING

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on August 16, 2022 at 4:00 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.

Recordings - All meetings are recorded and broadcast live on cityoforoville.org and YouTube.