



## OROVILLE CITY COUNCIL

Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**July 19, 2022**  
**REGULAR MEETING**  
**CLOSED SESSION 4:00 PM**  
**OPEN SESSION 4:30 PM**  
**AGENDA**

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### 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](mailto: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.

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### 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 54957.6, the Council will meet with Labor Negotiators and City Attorney to discuss labor negotiations for the following represented groups: Oroville Police Officers Association (Sworn and Non-Sworn), Oroville Public Safety Mid-Managers Association, Oroville Management and Confidential Association, Oroville City Employees Association, all unrepresented employees.
2. Pursuant to Government Code section 54956.9(d)(2), the Council will meet with the City Administrator and City Attorney regarding potential exposure to litigation – One case.

## 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 – 11** 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

The City Council may approve the minutes of June 21, 2022

#### RECOMENDATION

Approve the Minutes of June 21, 2022

### 2. AMENDMENT TO GRANT NO. 20-CDBG-CV-2-3-00112

The Council will consider approving the submittal of an amendment to Community Development Block Grant (CDBG) No. 20-CDBG-CV-2-3-00112.

#### RECOMMENDATION

**Adopt Resolution No. 9067** - APPROVING AN AMENDMENT TO THE STANDARD AGREEMENT GRANT NO. 20-CDBG-CV-2-3-00112 FOR THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CORONAVIRUS RESPONSE ROUND 2 and 3 (CDBG-CV2 and CV3, NOFA DATED DECEMBER 18, 2020; and

Adopt RESOLUTION 9068 APPROVING AN AMENDMENT TO THE STANDARD AGREEMENT GRANT NO. 20-CDBG-CV-2-3-00113 FOR THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM CORONAVIRUS RESPONSE ROUND 2 and 3 (CDBG-CV2 and CV3) NOFA DATED DECEMBER 18, 2020.

**3. FORECLOSURE OF 16 MIDWAY DRIVE**

The City Council may consider the foreclosure on property located at 16 Midway Drive, Oroville (APN 033-233-007).

**RECOMMENDATION**

Authorize the foreclosure of City's loan interest on the property located at 16 Midway Drive, Oroville CA (APN 033-233-007.); and

**Adopt Resolution No. 9069** - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ALL DOCUMENTS AND ANY AMENDMENTS THERETO NECESSARY TO INITIATE AND COMPLETE FORECLOSURE PROCEEDINGS ON REAL PROPERTY LOCATED AT 16 MIDWAY DRIVE, OROVILLE, CALIFORNIA

**4. REAPPOINTMENT OF INCUMBENTS TO THE PLANNING COMMISSION**

City Council will consider reappointments of two incumbents, whose terms are expiring, to the Planning Commission.

**RECOMMENDATION**

Reappoint Carl Durling and Wyatt Jenkins to the Planning Commission with terms expiring June 30, 2026.

**5. ARTS COMMISSION RECOMMENDATION TO CITY COUNCIL TO ADOPT THE DECLARATION OF THE RIGHTS OF ALL STUDENTS TO EQUITY IN ARTS LEARNING**

The City Council will receive information and consider the Arts Commission recommendation to adopt the *Declaration of the Rights of All Students to Equity in Arts Learning* resolution.

**RECOMMENDATION**

**Adopt Resolution No. 9081** - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, TO ADOPT THE DECLARATION OF THE RIGHTS OF ALL STUDENTS TO EQUITY IN ARTS LEARNING

**6. CONTRACT WITH BUTTE CONSTRUCTION COMPANY FOR ROOF REPLACEMENT AND FACADE REPAIRS AND IMPROVEMENTS OF THE WEST WING OF CITY HALL**

The Council may consider accepting the proposal from Butte Construction Company and approval of project contract for roof replacement, façade repairs and other improvement activities to the west wing of the City Hall facility.

**RECOMMENDATION**

Approve Res. No. 9082 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO SIGN AND ACCEPT THE PROPOSAL WITH BUTTE CONSTRUCTION COMPANY AUTHORIZING BUTTE CONSTRUCTION COMPANY TO COMPLETE THE PROPOSED ROOF REPLACEMENT AND FACADE REPAIRS OF THE WEST WING OF CITY HALL IN THE AMOUNT OF \$391,258.99 and a 15% contingency in the amount of \$58,688.85 should any deficiencies be discovered during the project; and

Authorize and direct staff to sign and accept the proposal from Butte Construction Company, authorizing the proposed roof replacement, façade repairs and improvements of the west wing of City Hall, in the amount of **\$391,258.99 (base bid plus alternatives 2 & 4) and a 15% contingency in the amount of \$58,688.85 should any deficiencies be discovered during the project, for a total of \$449,947.84; and**

Authorize and direct staff to approve the proposed alternatives, should the discovery of their deficiency determine the need for replacement in the amount not to exceed the \$80,331.00 as estimated in the Bid Proposal.

**7. CONSIDER REQUEST FOR A SIXTY-DAY EXTENSION OF THE WARMING / COOLING CENTER OPERATIONS AGREEMENT**

The Council will consider a request for 60-day extension of the agreement with the Oroville Rescue Mission to provide both a Warming / Cooling center for community members.

**RECOMMENDATION**

Approve Amendment No. 1 to Agreement No. 3382 for a 60-day extension of the with the Oroville Rescue Mission to continue until August 29th, 2022.

Authorize staff to publish a new request for Proposal for the next year and establish a budget not to exceed \$20,000.00 per year to fund the next years agreement.

**8. CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS**

The Council may receive information regarding unanticipated revenue.

**RECOMMENDATION**

Receive information and provide direction.

**9. ADVERTISE VACANCY AND SEEK APPLICATIONS FOR PARK COMMISSION**

City Council will consider authorizing staff to advertise the vacant position and seek applications for the Park Commission resulting from a vacancy which occurred by operation of law.

**RECOMMENDATION**

Authorize staff to advertise the Park Commission vacancy and seek applications for the position.

**10. DECLARE BY RESOLUTION, AUTHORIZING SUBMITTAL OF APPLICATION(S) FOR ALL CALRECYCLE GRANT AND PAYMENT PROGRAMS FOR WHICH THE CITY OF OROVILLE IS ELIGIBLE**

The Council will consider approving a resolution authorizing the City Administrator submittal of applications for all CalRecycle grant and payment programs for which the City of Oroville is eligible for.

**RECOMMENDATION**

**Adopt Resolution No. 9070** - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, STATE OF CALIFORNIA, AUTHORIZING SUBMITTAL OF APPLICATION(S) FOR ALL CALRECYCLE GRANT AND PAYMENT PROGRAMS FOR WHICH THE CITY OF OROVILLE IS ELIGIBLE

**11. AGREEMENT TO PURCHASE 2923 MYERS STREET FOR FUTURE MIXED-USE AFFORDABLE MULTI-FAMILY HOUSING PROJECT**

The Council will review and consider entering into an agreement with Mr. Charles Hawley for the purchase of the property identified as 2923 Myers Street (APN: 035-520-004).

**RECOMMENDATION**

**Adopt Resolution No. 9071** - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH CHARLES HAWLEY FOR THE PURCHASE OF THE PROPERTY IDENTIFIED AS 2923 MYERS STREET (APN: 035-520-004) – (Agreement No. 3424)

## **REGULAR BUSINESS**

**12. BRIDGE AGREEMENT WITH ALL ASSOCIATIONS / PERSONNEL FOR FISCAL YEAR 2022 / 2023**

The City Council will consider authorizing staff to meet and confer with all associations to implement the bridge agreement below. This agreement is necessary to retain personnel and recruit new personnel. The term of this agreement will be for the remainder of this fiscal year.

**RECOMMENDATION**

Authorize staff to meet and confer with all labor groups and personnel to implement this proposal. Once agreement is reached authorize and direct the Mayor to sign the agreement, as outlined above. If agreement can not be reached for the agreement outlined above direct Staff to return to Council with alternative agreement prior to implementation; and

**Adopt Resolution No. 9072** - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE SIDE LETTER BRIDGE AGREEMENT. IF AGREEMENT CAN NOT BE REACHED STAFF IS DIRECTED TO RETURN TO COUNCIL WITH ALTERNATIVE AGREEMENT PRIOR TO IMPLEMENTATION

**13. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 1-6, 8-10, 12-15, 18**

The Council may consider initiating proceedings, preliminarily 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. 9077** - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY 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.

Authorize any necessary budget adjustments to the Annual Assessment Report.

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

The Council may consider initiating proceedings, preliminarily 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. 9080** - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY 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.

Authorize any necessary budget adjustments to the Annual Assessment Report.

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

The Council may consider initiating proceedings, preliminarily 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. 9078** - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY 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

Authorize any necessary budget adjustments to the Annual Assessment Report.

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

The Council may consider initiating proceedings, preliminarily 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. 9079** - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY 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

Authorize any necessary budget adjustments to the Annual Assessment Report.

**17. PLACEMENT OF SOLID WASTE LIENS ON THE 2022-23 PROPERTY TAX ROLL**

The Council may consider the placement of solid waste liens from Recology on the 2022-23 property tax roll.

**RECOMMENDATION**

**Adopt Resolution No. 9073** – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING DIRECT ASSESSMENT FOR DELINQUENT SOLID WASTE LIENS ON THE 2022-2023 PROPERTY TAX ROLL AND AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSITION 218 CERTIFICATION OF TAX BILL LEVY.

**18. ANNUAL SANITARY SEWER SERVICE TO BE LEVIED ON THE 2022-23 TAX ROLL**

The Council may consider a Resolution certifying that the Sewer Service charges to be levied on the 2022-23 tax roll are in compliance with Proposition 218.

**RECOMMENDATION**

**Adopt Resolution No. 9074** - 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 FOR FISCAL YEAR 2022–23 SEWER SERVICE CHARGES

## 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](mailto: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](mailto:publiccomment@cityoforoville.org)

**19. 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**

This item will be continued to August 2, 2022.



**20. GENERAL PLAN AMENDMENT GPA 22-01 TO CHANGE LAND USE DESIGNATION OF 22 DOWNTOWN PARCELS IN AND AROUND THE FORMER FORD DEALERSHIP – PARCELS FRONTING LINCOLN, SAFFORD, OAK AND BRODERICK STREETS -- TO MIXED USE, AND FIRST READING OF ORDINANCE 1867 TO REZONE THE 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 General plan Amendment GP22-01 and Zoning Change ZC 22-03 to rezone 22 downtown parcels to MXD (Downtown Mixed Use) in order to encourage mixed use and commercial development.

**RECOMMENDATION**

The Planning Commission and Staff recommend the following actions:

Certify the Notice of Exemption

Conduct a public hearing and approve General Plan Amendment GPA 22-01 and Zoning Change ZC 22-03

**Adopt Resolution No. 9075** – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE ADOPTING GENERAL PLAN AMENDMENT GPA 21-04 AND ZONING CODE AMENDMENT ZC 22-03 TO CHANGE THE LAND USE DESIGNATION OF 21 PARCELS ON SAFFORD, BRODERICK, OAK AND LINCOLN STREETS TO MIXED USE AND THE ZONING 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-, 008).

**Waive first reading and introduce by title only Ordinance no. 1867**-- AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE APPROVING ZONING CHANGE ZC 22-03 TO REZONE APPROXIMATELY 2.56 ACRES OF LAND COMPRISING 21 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).

**21. HOUSING ELEMENT UPDATE (2022-2030)**

The City Council will conduct a public hearing to review the Draft 2022 General Plan Housing Element Update and consider its adoption.

**RECOMMENDATION**

Staff recommends the following actions:

Conduct a public hearing regarding the Housing Element

Determine that the Housing Element is exempt from environmental review under CEQA, and

Adopt the Draft Element, including the Amendments described in Attachment 2, and

Authorize submittal to the California Department of Housing and Community Development (HCD) for their certification; and

Adopt Resolution 9075.

## REPORTS / DISCUSSIONS / CORRESPONDENCE

1. Council Announcements and Reports
2. Future Agenda Items
3. Administration Reports
  - i. Council Updates on Departmental Activities and Reports for June 2022
4. Correspondence
  - i. PG&E Notice
  - ii. Notice of Election and Nomination Period

## ADJOURN THE MEETING

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on August 2, 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](http://cityoforoville.org) and YouTube.