



## OROVILLE CITY COUNCIL

Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**January 02, 2024**  
**REGULAR MEETING**  
**CLOSED SESSION 4:00 PM**  
**OPEN SESSION 4:30 PM**  
**AGENDA**

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### PUBLIC ACCESS AND PARTICIPATION

Please review the options below for ways to participate or observe the Council Meetings.

#### To Observe the Meeting:

1. Live Feed: <https://www.youtube.com/channel/UCAoRW34swYl85UBfYqT7IbQ/>
2. Zoom Link: <https://zoom.us/j/96870319529?pwd=dW9kMGRZSFo5MFFNQk5wVDUzRkRrZz09>
3. Zoom Application: Meeting ID: 968 7031 9529 Passcode: 67684553
4. By Phone: Telephone: 1-669-900-6833 Meeting ID: 968 7031 9529 Passcode: 67684553

#### To Provide Comment to the Council:

1. Attend the meeting in person
2. Send an Email by 2:00 PM the day of the meeting to [publiccomment@cityoforoville.org](mailto:publiccomment@cityoforoville.org). All comments emailed will be provided to the Council Members for their consideration.

**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 (1.5) 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: Tracy Johnstone, Krysi Riggs, Scott Thomson, Janet Goodson, Shawn Webber,  
Vice Mayor Eric Smith, Mayor David Pittman

## **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 the Personnel Officer and City Attorney to discuss labor negotiations related to the following bargaining units: Oroville Police Officers Association - Sworn and Non-Sworn.

## **OPEN SESSION**

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

## **PRESENTATIONS AND PROCLAMATIONS**

1. **Resolution Recognizing Eric Smith and the Oroville Chamber of Commerce**

The City Council may consider adopting Resolution No. 9205 entitled "Resolution Recognizing Eric Smith and the Oroville Chamber of Commerce".

ACTION REQUESTED -

ADOPT RESOLUTION NO. 9205.

## **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.

## **REPORTS / DISCUSSIONS**

1. Council Announcements and Reports
2. Administration Reports

## **CONSENT CALENDAR**

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.

1. **Consider and Adopt the Side Letter Agreements Between the City of Oroville and the Oroville City Employee's Association, Oroville Management Association, Oroville Police Officer's Association Both Sworn And Non-Sworn To Extend Memorandum Of Understandings Until A New Memorandum Of Understanding Is Approved By Council Or Impasse Procedures, Including Fact-Finding If Applicable, Are Exhausted**

The City Council will consider and adopt the side letter agreements between the City of Oroville and the Oroville City Employee's Association (OCEA), the Oroville Management Association (OMA), the Oroville Police Officer's Association Sworn and Non-Sworn (OPOA-S) (OPOA-NS).

ACTION REQUESTED -

ADOPT RESOLUTION NO'S. 9206, 9207, and 9208 - RESOLUTIONS OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE SIDE LETTER AGREEMENTS WITH THE OROVILLE CITY EMPLOYEE'S ASSOCIATION, OROVILLE MANAGEMENT ASSOCIATION, OROVILLE POLICE OFFICER'S ASSOCIATION BOTH SWORN AND NON-SWORN UNITS.

## **REGULAR BUSINESS**

### **1. Appointment of Vice Mayor for 2024**

The Council will select the Vice Mayor of the Oroville City Council for 2024.

ACTION REQUESTED -

THE CITY COUNCIL WILL LEAVE THE CURRENT VICE MAYOR IN PLACE;

OR

NOMINATION AND APPOINTMENT OF A NEW VICE MAYOR BY AT LEAST FOUR

MEMBERS OF THE CITY COUNCIL.

### **2. Council Appointment to Committees, Commissions and Boards**

The Mayor may appoint Council Members to various Committees, Commissions and Boards or leave assignments the status quo. Once the Mayor has made these assignments, the Council will vote to confirm the assignments.

ACTION REQUESTED -

MAYOR ASSIGN COUNCIL MEMBERS TO VARIOUS ASSIGNMENTS, DISCUSS ASSIGNMENTS AND VOTE TO CONFIRM OR DENY ASSIGNMENTS.

### **3. Mobile and Fixed Surveillance Systems**

The Council will consider accepting bids for the purchase or lease of a mobile surveillance trailer and fixed cameras. The Council will provide staff direction on the purchase or lease of a mobile surveillance trailer and fixed cameras.

ACTION REQUESTED -

ACCEPT BIDS FROM LIVE VIEW TECHNOLOGIES AND RECON VIEW AND AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO A ONE-YEAR LEASE AGREEMENT WITH LIVE VIEW TECHNOLOGIES (LVT) FOR A MOBILE SURVEILLANCE TRAILER IN AN AMOUNT NOT TO EXCEED \$45,000.00

DIRECT STAFF TO RETURN TO COUNCIL WITH ANY ADDITIONAL PURCHASES OR LEASES FROM THESE PROPOSALS AS NECESSARY.

OR

PROVIDE STAFF WITH ALTERNATIVE DIRECTION.

**4. Employment Agreement Between The City of Oroville and Jess Darnell**

The Council will consider an employment agreement between the City of Oroville and Jess Darnell for the position of Assistant Chief of Police for the City of Oroville.

ACTION REQUESTED –

ADOPT RESOLUTION NO. 9209 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND JESS DARNELL TO SERVE AS ASSSITANT CHIEF OF POLICE – (Agreement No. 3489).

**5. Employment Contract Amendment with Ruth Duncan, Director, Finance**

The Council will consider an amendment to the employment contract with Ruth Duncan, Director, Finance.

ACTION REQUESTED -

ADOPT RESOLUTION NO. 9210 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND RUTH DUNCAN – (AGREEMENT NO. 3093-3).

**6. Employment Contract Amendment with Ron Belser, Director, Code Enforcement**

The Council will consider an amendment to the employment contract with Ron Belser, Director, Code Enforcement.

ACTION REQUESTED -

ADOPT RESOLUTION NO. 9211 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND RONNIE BELSER – (AGREEMENT NO. 3400-1).

**7. Council Member Compensation – Senate Bill 329**

Current Council Member Compensation is set by City Charter. In addition, Council Members are currently provided a stipend memorialized in the City wide Salary Schedule. Senate Bill 329 increases the limits for City Council member compensation. The Council is being asked to consider this change and provide direction to staff.

ACTION REQUESTED -

PROVIDE DIRECTION TO STAFF.

## 8. Approve Material Pre-Purchase Agreements For Hewitt Park and Project Update

Staff is seeking Council approval to pre-purchase materials for the park in an effort to save more than \$100,000 in project funding and is providing an update to the Hewitt Park project.

ACTION REQUESTED -

APPROVE THE PRE-PURCHASE OF MATERIALS AND EQUIPMENT AS DEEMED NECESSARY FOR THE PROJECT IN AN EFFORT TO REDUCE COSTS.

## 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)

## 9. First Reading of Zoning Code Amendment (ZC) 23-02 Adding Section 17.12.120 to the Oroville Municipal Code (OMC) Establishing Regulations for Al Fresco Dining and Al Fresco Seating, And Amending Section 17.12.070 (Parking), 17.32.010 (Allowed Uses In Commercial Districts), 17.34.020 (Allowed Uses In Mixed-Use Districts), and 12.04.030 (Placing Produce, Merchandise, Etc., n Streets and Sidewalks)

The Council will consider adopting ZC 23-02, establishing regulations and standards for al fresco dining and al fresco seating in commercial and mixed-use districts within the City. ZC 23-02 would add Section 17.12.120 to the Oroville Municipal Code (OMC), amend Section 17.12.070 pertaining to parking standards for businesses proposing al fresco dining areas, amend Sections 17.32.010 and 17.34.020 by adding al fresco dining and seating areas as a Use-Specific Regulation in Commercial and Mixed-Use Districts, and amend Section 12.04.030 to allow the placement of dining and seating areas in the public right-of-way.

ACTION REQUESTED -

WAIVE FIRST READING AND APPROVE ORDINANCE NO. 1876 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE ADOPTING ZC 23-02 AND AMENDING THE OROVILLE MUNICIPAL CODE BY ADDING SECTION 17.12.120 ESTABLISHING REGULATIONS AND STANDARDS FOR AL FRESCO DINING AND AMENDING SECTION 17.12.070 "PARKING," SECTION 17.32.010 "ALLOWED USES IN COMMERCIAL DISTRICTS," SECTION 17.34.020 "ALLOWED USES IN MIXED-USE DISTRICTS," AND SECTION 12.04.030 "PLACING PRODUCE, MERCHANDISE, ETC., ON STREETS AND SIDEWALKS"

AND

ADOPT RESOLUTION NO. XXXX AMENDING THE CITY'S MASTER SCHEDULE OF USER AND REGULATORY FEES BY ADDING AL FRESCO SEATING AREA PERMIT TO THE PLANNING FEES

**10. First Reading Of Zoning Code Amendment (ZC) 23-03, Amending Section 17.12.060 (Tree Preservation), Section 17.12.065 (Oak Tree Loss Mitigation) And Section 17.48.070 (Tree Removal Permits) Of The Oroville Municipal Code (OMC)**

The Council will consider adopting ZC 23-03, amending the City's oak tree loss mitigation standards, requirements, and applicability as found in Section 17.12.065 of the Oroville Municipal Code (OMC). ZC 23-03 would also amend Section 17.12.060 pertaining to tree preservation requirements and Section 17.48.070 pertaining to the City's tree removal permit requirements.

ACTION REQUESTED -

WAIVE FIRST READING AND APPROVE ORDINANCE NO. 1877 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE AMENDING SECTION 17.12.060 "TREE PRESERVATION", SECTION 17.12.065 "OAK TREE LOSS MITIGATION", AND SECTION 17.48.070 "TREE REMOVAL PERMITS"

AND

ADOPT RESOLUTION NO. 9213 AMENDING THE CITY'S MASTER SCHEDULE OF USER AND REGULATORY FEES BY ADDING AN OAK TREE MITIGATION IN-LIEU FEE TO THE PLANNING FEES

## **PUBLIC COMMUNICATION - HEARING OF NON-AGENDA ITEMS**

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## **FUTURE AGENDA ITEMS / CORRESPONDENCE**

1. Future Agenda Items
2. Correspondence
  - i. **Notice of Pacific gas and Electric Company's Request to Increase Rates in Its 2023 Wildfire Mitigation and Catastrophic Events Application (A.23-12-001)**

## **ADJOURN THE MEETING**

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on MONTH xx, 20xx 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.