



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

April 05, 2022
SPECIAL MEETING
CLOSED SESSION 4:00 PM
OPEN SESSION 4:30 PM
AMENDED 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 City Administrator, Personnel Officer, and/or City Attorney to consider the public employment related to the following position: Police Chief
2. Pursuant to Government Code section 54956.8, the Council will meet with Real Property Negotiators, City Administrator and City Attorney, regarding property commonly known as 2923 Myers Street (APN 035-520-004).
3. 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.
4. Pursuant to Government Code section 54956.9(a), the Council will meet with the City Administrator, and the City Attorney relating to existing litigation: Raiter v. City of Oroville, United States District Court, Eastern District of California, Case No.2:22-cv-00530.

OPEN SESSION

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

PRESENTATIONS AND PROCLAMATIONS

1. Presentation by Chandler Asset Management regarding Investment Management Services
2. Oroville Hmong Community Cultural Center Presentation

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 March 15, 2022

RECOMMENDATION

Approve the minutes of March 15, 2022

2. OPERATIONAL BUDGETING SOFTWARE

The Council may consider approving the authorization of software for operational budgeting for internal budgeting collaboration.

RECOMMENDATION

Approve the Mayor to sign a contract with ClearGov.

3. CHANGE ORDER FOR HOUSING TOOLS PREPARATION OF THE CITY OF OROVILLE HOUSING ELEMENT

The Council may consider a change order to the contract with Housing Tools to prepare the update of the City's Housing Element.

RECOMMENDATION

Authorize the change order in an amount not to exceed \$8,592.

4. SANK PARK FEE WAIVER REQUEST BY AMERICAN ASSOCIATION OF UNIVERSITY WOMEN

The Council will consider a fee waiver request for the use of the Lott Home – Sank Park by the Oroville chapter of the American Association of University Woman (AAUW), in the amount of \$400 on April 29, 2022.

RECOMMENDATION

Approve the fee waiver request for the use of the Lott Home – Sank Park by the Oroville branch of AAUW, in the amount of \$400 on April 29, 2022.

5. ACCEPT THE STATEWIDE PARK DEVELOPMENT OF PARKS AND RECREATION GRANT AWARD AND ESTABLISH AN ENCUMBRANCE FOR HEWITT PARK, PHASE II

The Council may consider accepting the Statewide Park Development of Parks and Recreation Grant award, project number XS-04-014, Hewitt Park, Phase II in the amount of \$4,583,710 and establish an encumbrance for program activities.

RECOMMENDATION

Accept the Statewide Park Development of Parks and Recreation Grant, project number XS-04-014, Hewitt Park, Phase II in the amount of \$4,583,710: and

Approve the Encumbrance amounts for the listed activities

6. AGREEMENT WITH PLACEWORKS, INC. AND BUDGET ADJUSTMENT FOR AN AMENDMENT TO THE GENERAL PLAN CIRCULATION ELEMENT TO INCORPORATE “ VEHICLE MILES TRAVELED” ANALYSIS.

The City Council will consider an agreement with Placeworks, Inc. to amend the Circulation Element of the General Plan to incorporate Vehicle Miles Traveled (VMT) analysis as required by the State. The action includes creating a Budget Adjustment for the agreement.

RECOMMENDATION

Adopt Resolution No. 9040 -- A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF OROVILLE AND PLACEWORKS, INC. (Agreement 3409), WITH A CORRESPONDING BUDGET ADJUSTMENT.

7. EXECUTE ADDENDUM TO THE THREE-YEAR CONTRACT FOR GOAT GRAZING VEGETATION MANAGEMENT TO ADD ONE LOCATION

The Council may approve an addendum to the three-year contract for goat grazing vegetation management services to add one location.

RECOMMENDATION

Authorize Staff to execute Addendum No. 1 to add the approximate 6.4-acre area of the drainage basin in the amount of \$5,500 annually bringing the contract total to \$85,510 annually. For a full three-year contract total of \$256,530.00

8. SALE OF POLICE CANINE, FRANKIE

The Council will consider a sale agreement with Breck Wright to sell the Police Canine, Frankie.

RECOMMENDATION:

Adopt Resolution No. 9042 - A resolution of the Oroville City Council authorizing and directing the Mayor to execute an agreement for the sale of Police Canine, Frankie, to Breck Wright (Agreement No. 3410)

9. AUTHORIZATION TO PURCHASE NEW POLICE VEHICLES

The Council will consider authorizing the purchase of (5) 2022 Ford Police Interceptor Utility vehicles from Oroville Ford.

RECOMMENDATION

Authorize the Public Safety Department to purchase (5) Police vehicles from Oroville Ford utilizing State Contract pricing as outlined in the staff report.

10. DISPOSAL OF SURPLUS VEHICLES AND EQUIPMENT

The Council will consider declaring decommissioned vehicles and equipment as surplus for their disposal through auction.

RECOMMENDATION

Declare the vehicles and equipment identified in the April 5, 2022 staff report as surplus and authorize the items to be auctioned off.

11. AUTHORIZATION TO PURCHASE NEW VEHICLES FOR CODE ENFORCEMENT

The Council may consider the purchase of (2) two 2022 Ford Escapes and (2) two 2022 Ford F150 trucks for the Code Enforcement Department.

RECOMMENDATION

Authorize the Finance Director to adjust affected budgets, as necessary.

PUBLIC HEARINGS – 5:30 PM

The Public Hearing Procedure is as follows:

- Mayor or Chairperson opens the public hearing.
- Staff presents and answers questions from Council
- 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
- Council debate and action

12. MODIFICATIONS TO THE CDBG/HOME COMBINED HOMEBUYER PROGRAM GUIDELINES

The Council will conduct a public hearing to solicit comments regarding requested modifications to the Combined CDBG/HOME Homebuyer Program Guidelines.

RECOMMENDATION

Adopt Resolution No. 9040 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING MODIFICATIONS TO THE COMBINED COMMUNITY DEVELOPMENT BLOCK, HOME INVESTMENT PARTNERSHIP PROGRAM FIRST TIME HOMEBUYER PROGRAM GUIDELINES.

13. FIRST READING OF ZONING CODE AMENDMENT ZC22-01, PROPOSED REVISION OF OROVILLE MUNICIPAL CODE TO ADD CHAPTER 17.16.240 RELATING TO THE REGULATION OF MASSAGE ESTABLISHMENTS AND INDEPENDENT MASSAGE PROVIDERS.

The Council will consider adding OMC Chapter **17.16.240** relating to the City's regulation of massage and other therapeutic bodywork businesses. These regulations are intended to protect the health, safety and welfare of clients, the public and individuals while respecting legitimate massage businesses, and complying with the Massage Therapy Act of 2008.

RECOMMENDATION

Conduct a Public Hearing on the proposed Massage Ordinance; and

Waive first reading and approve Ordinance 1863 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE ADDING CHAPTER 17.16.240 OF THE ZONING CODE OF THE CITY OF OROVILLE RELATING TO the regulation of massage establishments and independent massage providers; and

Adopt Resolution No. 9041 - A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING ZONING CHANGE ZC 22-01 AND ADOPTING AN ORDINANCE ADDING CHAPTER 17.16.240 OF THE ZONING CODE OF THE CITY OF OROVILLE RELATING TO the regulation of massage establishments and independent massage providers.

14. FIRST READING OF ZONING CODE AMENDMENT ZC22-02 RELATING TO BINGO GAMES AND AMENDING OROVILLE MUNICIPAL CODE SECTION 5.24.250 TO BE CONSISTENT WITH STATE REGULATIONS.

The City Council will consider approving an amendment to Section 5.24.250 of the Oroville Municipal Code consistent with State law relating to the operation of bingo games, to increase the amount of proceeds allowed for operating costs per month from \$1,000 to \$2,000.

RECOMMENDATION

Conduct a Public Hearing on proposed Zoning Change 22-02; and

Waive first reading and approve Ordinance No. 1864 - AN ORDINANCE OF THE OROVILLE CITY COUNCIL AMENDING SECTION 5.24.250 OF THE ZONING CODE OF THE CITY OF OROVILLE CONSISTENT WITH STATE LAW RELATING TO THE OPERATION OF BINGO GAMES TO INCREASE THE AMOUNT OF PROCEEDS ALLOWED PER MONTH FROM \$1,000 TO \$2,000 FOR OPERATING COSTS; and

Adopt Resolution No. 9043 –with zoning change ZC 22-02 amending section 5.24.250 of the Oroville municipal code relating to bingo games and allowing deduction of prizes of up to \$2,000 per month for operating costs.

15. ACCEPTANCE AND RECOGNITION OF CAL WATER ANNUAL FIREFIGHTER GRANT PROGRAM

The Council may consider accepting the annual Cal Water Firefighter grant funds through Cal Water and to purchase extrication equipment with grant funds.

RECOMMENDATION

Accept the grant funding from Cal Water and authorize the purchase of new extrication equipment not to exceed \$35,022.48

16. INVESTMENT MANAGEMENT SERVICES

The Council may consider an agreement for investment management services.

RECOMMENDATION

Option A – keep things the way they are currently

Option B – Invest a portion of the cash held in LAIF with Chandler Asset Management, any amount between 10 to 25 million.

17. NEGOTIATE DEVELOPMENT AGREEMENT AND PREPARE NECESSARY STUDIES FOR APNS 078-010-047 AND 078-020-035

Authorize the City Administrator to enter into a contract to prepare an Environmental Impact Report and related studies, including a development agreement for property located on Ophir Road APNs 078-010-047 and 078-020-035, and allocate \$300,000 to pay for this work.

RECOMMENDATION

Authorize the City Administrator to enter into a contract to prepare an Environmental Impact Report and related studies, including a development agreement for property located on Ophir Road APNs 078-010-047 and 078-020-035, and allocate \$300,000 to pay for this work

18. PUBLIC SAFETY FACILITY REMODEL PROJECT – AGREEMENT AMENDMENT NO. 1

The Council may consider Amendment No. 1 to Agreement No. 3394 D.H. Slater & Sons, Inc. for the additional cost of change orders due to discovery during demolition and remodel of the Dispatch Center and Emergency Operation Center (EOC) at the Public Safety Building.

RECOMMENDATION

Request Council approval for a contract Amendment No. 1 in the amount of **\$400,000.00**

REPORTS / DISCUSSIONS / CORRESPONDENCE

1. Council Announcements and Reports
2. Future Agenda Items
3. Administration Reports
4. Correspondence
 - i. FERC Correspondence
 - ii. Notice of PG&E's request to increase rates between 2023-2026
 - iii. OUHSD Correspondence

ADJOURN THE MEETING

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on April 19, 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.