



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

August 02, 2022
MINUTES

This agenda was posted on July 28, 2022. This meeting was recorded and may be viewed at cityoforoville.org or on YouTube.

CALL TO ORDER / ROLL CALL

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

STAFF: City Administrator Tom Lando, Police Chief Bill LaGrone, Business Assistance and Housing Development Director Amy Bergstrand, Fire Chief Chris Tenms, City Attorney Scott Huber, Code Enforcement Director Ron Belser, Assistant City Administrator Ruth Duncan, Assistant Community Development Director Dawn Nevers, Assistant City Clerk Jackie Glover, City Treasurer Karolyn Fairbanks, Assistant Planner Danny Kopshever

CLOSED SESSION

The Council held a Closed Session on the following:

1. Pursuant to Government Code Section 54957(b), the Council met 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 – Mayor Reynolds announced that direction was given; no action was taken.
2. Pledge of Allegiance – Led by Mayor Reynolds
3. Adoption of Agenda – Motion by Council Member Goodson and second by Council Member Smith to adopt the agenda. Motion passed.

AYES: Council Member Hatley, Smith, Riggs, Goodson, Pittman, Thomson, Reynolds
NOES: None
ABSTAIN: None
ABSENT: None

PUBLIC COMMUNICATION – HEARING OF NON-AGENDA ITEMS

The following individuals spoke on non-agenda items:

- Stephanie Eirish
- August Lincoln
- Bill Speer
- Amy Jernigan

The following individuals spoke on agenda items:

CONSENT CALENDAR

Motion by Council Member Goodson and second by Council Member Smith to adopt the consent calendar excluding item 6. Motion passed.

AYES: Council Member Hatley, Smith, Riggs, Goodson, Pittman, Thomson, Reynolds
NOES: None
ABSTAIN: None
ABSENT: None

1. APPROVAL OF THE MINUTES

City Council approved 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 considered 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. City Council approved 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 directed the City Administrator to proceed with the task orders discussed in the agenda packet with NorthStar Engineering.

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

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

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 adopted 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 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 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).

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

The Council considered 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.

Motion by Council Member Riggs and second by Council Member Goodson to 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. Motion passed.

AYES: Council Member Hatley, Smith, Riggs, Goodson, Pittman, Thomson, Reynolds
NOES: None
ABSTAIN: None
ABSENT: None

REGULAR BUSINESS

10. BUDGET ADJUSTMENT FOR ATTORNEY FEES

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

Motion by Council Member Smith and second by Vice Mayor Thomson to approve a budget adjustment for fiscal year 2021-22 in the amount of \$209,828.31. Motion passed.

AYES: Council Member Hatley, Smith, Riggs, Goodson, Pittman, Thomson, Reynolds
NOES: None
ABSTAIN: None
ABSENT: None

PUBLIC HEARINGS

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 received 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.

Motion by Council Member Smith and second by Vice Mayor Thomson to 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). Motion passed.

AYES: Council Member Hatley, Smith, Riggs, Goodson, Pittman, Thomson, Reynolds
NOES: None
ABSTAIN: None
ABSENT: None

Council Member Smith, Council Member Pittman, and Mayor Reynolds recused themselves from item 12 due to the proximity of their residence in regards to the item.

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

The Council held 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.

Motion by Council Member Goodson and second by Council Member Riggs to 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 authorized any necessary budget adjustments to the Annual Assessment Report. Motion passed.

AYES: Hatley, Riggs, Goodson, Thomson
NOES: None
ABSTAIN: None
ABSENT: Pittman, Smith, Reynolds (All Recused)

Council Members Smith and Pittman and Mayor Reynolds returned to the meeting.

Council Member Hatley Recused himself from item #13 and #14 due to the proximity of his residence in regards to the item.

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

The Council held 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.

Motion by Council Member Goodson and second by Council Member Riggs to 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.

AYES: Riggs, Goodson, Smith, Pittman, Thomson, Reynolds
NOES: None
ABSTAIN: None
ABSENT: Hatley (Recused)

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

The Council held 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

Motion by Council Member Goodson and second by Council Member Riggs to 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.

AYES: Riggs, Goodson, Smith, Pittman, Thomson, Reynolds
NOES: None
ABSTAIN: None
ABSENT: Hatley (Recused)

Council Member Hatley returned to the meeting.

Council Members Smith and Pittman recused themselves from the meeting due to the proximity of their property in relation to the item below.

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

The Council held 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

Motion by Vice Mayor Thomson and second by Council Member Goodson to 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.

AYES: Riggs, Goodson, Hatley, Thomson, Reynolds
NOES: None
ABSTAIN: None
ABSENT: Pittman, Smith (Recused)

Council Member Smith and Pittman returned to the meeting.

Council Member Hatley recused himself from item 16 due to the proximity of his residence in relation to item #16.

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 considered the annual special tax relating to the City's Community Facilities Districts ("CFD's").

Motion by Council Member Riggs and second by Vice Mayor Thomson to 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; and 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

AYES: Riggs, Goodson, Smith, Pittman, Thomson, Reynolds
NOES: None
ABSTAIN: None
ABSENT: Hatley (Recused)

Council Member Hatley returned to the meeting.

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 considered 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.

Motion by Council Member Goodson and second by Council Member Riggs to 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; and authorize the Mayor to sign the Proposition 218 Certificates for inclusion on the 2022/23 Butte County Tax Roll.

AYES: Hatley, Riggs, Goodson, Smith, Pittman, Thomson, Reynolds
NOES: None
ABSTAIN: None
ABSENT: None

REPORTS / DISCUSSIONS / CORRESPONDENCE

1. Council Announcements and Reports

- a. Riggs – Acknowledged Chief LaGrone for his 20 years of service with the city this month.
 - b. Pittman – Congratulated the Lao family on approval for their new museum, and mentioned the Oroville Dam Safety Committee meeting he attended.
 - c. Reynolds – Mentioned the Oroville Dam Safety committee and the state officials that participate in the group to help our community; spoke about a ride-a-long with Chief LaGrone
 - d. Smith – Attended a Ride-a-long with Chief LaGrone and spoke about his experience.
2. Future Agenda Items - None
3. Administration Reports
- a. Lando – mentioned several projects that the Community Development Department is working on.
 - b. Tenns – Gave a fire department update on the transition
 - c. Belser – Mentioned the Housing Navigator position that will be working with Code Enforcement, MLE's and Officers; spoke about projects that the department is working on, training the team has attended and equipment that the team is using.
 - d. Nevers – Mentioned a request from the Oroville Cemetery District for assistance with the removal of some trees.
 - e. Duncan – Mentioned that her name is officially changed, mentioned software trainings with the department
 - f. LaGrone – Acknowledged a few officers for administering Narcan and saving two lives recently and provided a department update.
4. Correspondence
- i. FERC Correspondence
 - ii. Pioneer Union Elementary School District Notice

ADJOURN THE MEETING

The meeting adjourned at 5:54pm.

APPROVED:



Mayor Chuck Reynolds

ATTESTED:



Assistant City Clerk Jackie Glover