



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

April 05, 2022
**SPECIAL MEETING
MINUTES**

This agenda was posted on April 4, 2022 at 1:22pm. 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 Bill LaGrone, Assistant City Clerk Jackie Glover, Business Assistance and Housing Development Director Amy Bergstrand, Acting Fire Chief Chris Tennes, City Attorney Scott Huber, Code Enforcement Director Ron Belser, Assistant City Administrator Ruth Wright, Assistant Community Development Director Dawn Nevers, Principal Planner Wes Ervin, City Treasurer Karolyn Fairbanks

CLOSED SESSION

The Council held a Closed Session on the following:

1. Pursuant to Government Code Section 54957(b), the Council met 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 met 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 met 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 met 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 – Mayor Reynolds announced that direction was given on items 1, 2 and 4; no action was taken.
 - a. City Attorney Huber reported that the Council acted on item 3 to reject a claim. Motion made by Vice Mayor Thomson and second by Council Member Smith to reject the claim. Motion Passed 7-0.
2. Pledge of Allegiance – Led by Mayor Reynolds

3. Adoption of Agenda – Motion by Vice Mayor Thomson and second by Council Member Smith to adopt the agenda. Motion passed unanimously.

AYES: Hatley, Smith, Pittman, Goodson, Riggs, Thomson, Reynolds

NOES: None

ABSTAIN: None

ABSENT: None

PRESENTATIONS AND PROCLAMATIONS

1. The Council received a presentation by Chandler Asset Management regarding Investment Management Services
2. The Council received a Presentation from Lao Veterans of America, Inc. regarding a Hmong Museum in Oroville, CA

PUBLIC COMMUNICATION – HEARING OF NON-AGENDA ITEMS

The following individuals spoke on non-agenda items:

- The Cameraman
- Daniel Ballard
- Stephanie Eirish
- Dee Hunter
- Bill Speer
- Kay Castro
- Lorenzo Nunez

The Following individuals spoke on agenda items:

- Bill Speer, Item 7, Future Agenda Items
- The Cameraman – Closed session, Item 9, 10, 11
- Lorenzo Nunez – Item 14

CONSENT CALENDAR

Motion by Council Member Goodson and second by Council Member Smith to adopt the consent calendar excluding items 7, 9, 10, 11. Motion passed.

AYES: Hatley, Smith, Pittman, Goodson, Riggs, Thomson, Reynolds

NOES: None

ABSTAIN: None

ABSENT: None

1. APPROVAL OF THE MINUTES

The City Council approved the minutes of March 15, 2022

2. OPERATIONAL BUDGETING SOFTWARE

The Council considered approving software for operational budgeting for internal budgeting collaboration; and approved the Mayor to sign a contract with ClearGov.

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

The Council considered a change order to the contract with Housing Tools to prepare the update of the City's Housing Element; and authorized 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 approved 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 accepted 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 the listed program 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 adopted 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.

8. SALE OF POLICE CANINE, FRANKIE

The Council adopted 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).

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

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

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

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

Motion by Council Member Smith and second by Vice Mayor Thomson to approve items 9, 10, 11 of the consent calendar. Motion passed.

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

ABSENT: None

9. AUTHORIZATION TO PURCHASE NEW POLICE VEHICLES

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

10. DISPOSAL OF SURPLUS VEHICLES AND EQUIPMENT

The Council declared 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 approved the purchase of (2) two 2022 Ford Escapes and (2) two 2022 Ford F150 trucks for the Code Enforcement Department and authorized the Finance Director to adjust budgets as necessary.

PUBLIC HEARINGS – 5:30 PM

Mayor Reynolds opened the public hearings at 5:37pm

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

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

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

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

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 considered 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.

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

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

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 considered 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.

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

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

REGULAR BUSINESS

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

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

Motion by Council Member Goodson and second by Council Member Pittman to accept the grant funding from Cal Water and authorize the purchase of new extrication equipment not to exceed \$35,022.48. Motion passed.

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

16. INVESTMENT MANAGEMENT SERVICES

The Council considered an agreement for investment management services.

Motion by Mayor Reynolds and second by Vice Mayor Thomson to invest 10 Million of the cash held in LAIF with Chandler Asset Management.

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

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

The Council considered authorizing 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.

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

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

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

The Council considered 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.

Motion by Council Member Goodson and second by Council Member Hatley to approve a contract Amendment No. 1 in the amount of \$400,000.00. Motion passed.

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

REPORTS / DISCUSSIONS / CORRESPONDENCE

1. Council Announcements and Reports
 - a. Hatley – Mentioned that county residents are being charged the 1% sales tax for online sales with certain businesses
 - b. Smith – Spoke about the upcoming Feather Fiesta Days activities, mentioned to go to Visitoroville.com or FeatherFiestaDays.org for information.
 - c. Pittman – Attended the Oroville Dam Citizens Advisory Meeting and provided an update.
 - d. Reynolds – Praised the Chamber of Commerce dinner, attended the Wildflower Festival
2. Future Agenda Items
 - a. Ballot initiative – CalFire or Keep Fire Department in House and consider changing start date of CalFire contract to November 15, 2022 – Pittman, Hatley
 - b. Oaktree Ordinance - Smith

3. Administration Reports

- a. Bergstrand – Gave an update on projects and applications that the department is working on; mentioned that the housing rehab program is accepting applications
- b. Tenns – Fire at B and Lincoln, no injuries, under investigation; type 6 engine is still delayed with a May or June delivery.
- c. Huber – Military Equipment Use Ordinance coming forward soon
- d. Belser – Two new employees coming on board in April, Cases are increasing and closing at a higher rate, everyone is learning and growing.
- e. Wright – Mentioned all of the software upgrades and changes, audit is finished for and on the website.
- f. Nevers – Hewitt Park Grant accepted, will have a community meeting at the Parks Commission Meeting on April 12, 2022

4. Correspondence

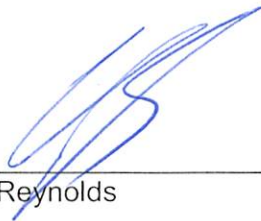
- i. FERC Correspondence
- ii. Notice of PG&E's request to increase rates between 2023-2026
- iii. OUHSD Correspondence

Council Reconvened to closed session at 7:04pm.

ADJOURN THE MEETING

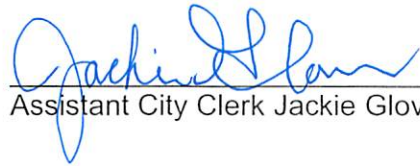
Mayor Reynolds adjourned the meeting at approximately 6:57pm.

APPROVED:



Mayor Chuck Reynolds

ATTESTED:



Assistant City Clerk Jackie Glover