



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

August 20, 2024

REGULAR MEETING

CLOSED SESSION 4:00 PM

OPEN SESSION 4:30 PM

AGENDA

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. 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.

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: No Closed Session items.

OPEN SESSION

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

PRESENTATIONS AND PROCLAMATIONS

None this meeting.

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 1 - 9** 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. AUTHORIZATION TO TRANSFER THE CITY OF OROVILLE 2012 HAULMARK CARGO TRAILER #73 TO THE HOPE CENTER/CITY WORKS PROGRAM

The Council will consider authorizing the transfer of City of Oroville enclosed cargo trailer #73 to the Hope Center/City Works Program.

ACTION REQUESTED – APPROVE RESOLUTION 9305 TO TRANSFER 2012 HAULMARK CARGO TRAILER TO THE #73.

2. SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES WITH JENNIFER ARBUCKLE CONSULTING

The Council will consider amending the professional services agreement with Jennifer Arbuckle Consulting for grant management and SB 1383 Compliance, extending the term through Fiscal Year 2024/25 (FY 2024/25) and increasing hourly rate from \$95/hour to \$125/hour.

ACTION REQUESTED - APPROVE RESOLUTION 9306 FOR SECOND AMENDMENT TO AGREEMENT #3386 WITH JENNIFER ARBUCKLE CONSULTING FOR GRANT MANAGEMENT AND SB 1383 COMPLIANCE AND AUTHORIZE THE MAYOR TO SIGN.

3. BUDGET ADJUSTMENT FOR SALARY AND WAGES FOR CODE ENFORCEMENT DEPARTMENT

The Council will consider a budget adjustment of \$34,486.95 in the salary and wages budget for the Code Enforcement Department for fiscal year 2024-25 to account for the advancement of Code Enforcement Technicians who have attained certifications to promote to Technician III.

ACTION REQUESTED - ADOPT RESOLUTION 9294 APPROVING BUDGET ADJUSTMENT (REQUIRES 5/7 VOTE).

4. NELSON AVE GRIND & PAVE – BUDGET ADJUSTMENT

The Council will review and consider approving a supplemental budget adjustment in the amount of \$50,000 for an additional 3,000 square feet of grind and pave near the Nelson Ave. and Highway 70 off-ramp intersection.

ACTION REQUESTED - APPROVE SUPPLEMENTAL BUDGET ADJUSTMENT OF \$50,000.00 (INCREASE FROM PREVIOUSLY APPROVED \$283,526.56 TO \$333,526.56) FROM SB1 FUNDING AND AUTHORIZE PAYMENT TO KNIFE RIVER FOR ADDITIONAL GRIND AND PAVE (REQUIRES 5/7 VOTE).

5. AGREEMENT WITH J&C INVESTIGATIONS FOR OROVILLE POLICE DEPARTMENT BACKGROUND INVESTIGATIONS

The Council shall consider an agreement with J&C Investigations for background investigations for the Oroville Police Department.

ACTION REQUESTED - APPROVE RESOLUTION 9307 FOR AGREEMENT WITH J&C INVESTIGATIONS FOR BACKGROUND INVESTIGATION SERVICES AND AUTHORIZE MAYOR TO SIGN.

6. LETTER OF SUPPORT FOR LINCOLN STREET SENIOR APARTMENTS

The Council will consider a letter of support to the Richman Group for the proposed Lincoln Street Senior Apartments.

ACTION REQUESTED - APPROVE LETTER OF SUPPORT TO THE RICHMAN GROUP TO APPLY FOR CDBG DR-MHP, ROUND ONE FUNDS AND AUTHORIZE THE MAYOR TO SIGN.

7. LETTER OF SUPPORT FOR FOGG AVENUE APARTMENTS

The Council will consider a letter of support to the Housing Authority of the County of Butte (HACB) for the proposed Fogg Avenue Apartments.

ACTION REQUESTED - APPROVE LETTER OF SUPPORT TO THE HOUSING AUTHORITY OF THE COUNTY OF BUTTE APPLY FOR CDBG DR-MHP, ROUND ONE FUNDS AND AUTHORIZE THE MAYOR TO SIGN.

8. REQUEST FOR THE CITY TO PURCHASE A TABLE AT THE OROVILLE ECONOMIC ALLIANCE ANNUAL BBQ

It is requested that the City Council purchase a table at the Oroville Economic Alliance Annual BBQ on Thursday, August 29 at Riffles Resort.

ACTION REQUESTED - PURCHASE A TABLE OF 8 FOR \$540 DOLLARS.

9. APPROVAL OF THE 08.06.2024 CITY COUNCIL REGULAR MEETING MINUTES

The Council may consider approving the August 6, 2024 City Council Regular Meeting Minutes.

ACTION REQUESTED - APPROVE MINUTES AND AUTHORIZE THE MAYOR TO SIGN.

REGULAR BUSINESS

10. U. S. SUPREME COURT DECISION IN GRANTS PASS V. JOHNSON AND STATE OF CALIFORNIA EXECUTIVE ORDER N-1-24

Staff will provide a high-level factual overview of the recent U.S. Supreme Court Decision in Grants Pass. Johnson, along with the State of California's Executive Order N-1-24. In addition, staff will provide a summary of the proactive efforts that have been implemented in the City to assist unhoused individuals in need.

ACTION REQUESTED - PROVIDE STAFF WITH DIRECTION OR ADDITIONAL IDEAS FOR MOVING FORWARD WITH PROGRAMS.

11. CONSIDERATION TO MODIFY TOWER AND GROUND LEASE AGREEMENT WITH VERIZON WIRELESS

The Council will consider a change in the relationship between the City and Verizon Wireless with regard to the current Tower and Ground Lease Agreement. Consideration will include an amendment to the current lease agreement that would reduce current rent by 36%, or a new 40-year easement agreement that would provide for a one-time payment of \$360,000.

ACTION REQUESTED – CONSIDER APPROVING AN AMENDMENT TO THE CURRENT VERIZON LEASE AND PROVIDE DIRECTION TO STAFF.

12. BUDGET ADJUSTMENT FOR ADDITIONAL MASTIC TO PREP FOR MYERS AND MONTGOMERY MICRO SURFACING PROJECTS

The Council will consider approving a \$100,000.00 budget adjustment for mastic placement along Myers and Montgomery to prepare the road's surfaces for micro surfacing expected to occur this Fall. Funding would come from unspecified road improvements assigned in the FY 2024/25 budget.

ACTION REQUESTED - APPROVE \$100,000.00 BUDGET ADJUSTMENT TO BE USED FOR ADDITIONAL MASTIC PLACEMENT, FOCUSING ON CRACKING AND POTHOLING ON MYERS AND MONTGOMERY STREETS (5/7 VOTE REQUIRED).

13. AGREEMENT TO PURCHASE PARCEL OF LAND AT 1859 EHMANN STREET, OROVILLE, CA 95966

The Council will consider authorizing the purchase parcel of property at 1859 Ehmann St., Oroville, CA (also known as parcel 012-212-080-000) to be used for parking expansion at the City of Oroville Public Safety Facility.

ACTION REQUESTED - APPROVE THE PURCHASE OF PARCEL OF PROPERTY AT 1859 EHMANN ST., OROVILLE, CA (ALSO KNOWN AS PARCEL 012-212-080—000) AND AUTHORIZE STAFF TO SIGN ALL APPLICABLE PAPERWORK.

14. AUTHORIZATION TO PURCHASE EMERGENCY EQUIPMENT AND INSTALLATION OF EMERGENCY EQUIPMENT IN NEW POLICE VEHICLES

The Council will consider authorizing the expenditure of funds previously authorized in the FY 2024 / 2025 budget for the purchase and installation of Emergency Equipment in (5) five new Police vehicles.

ACTIONS REQUESTED -

- 1. AUTHORIZE THE PURCHASE OF THE EMERGENCY VEHICLE EQUIPMENT AND INSTALLATION OF THE EMERGENCY EQUIPMENT BY SUTTER BUTTES COMMUNICATION FOR A TOTAL PRICE OF \$116,000.15.**
- 2. AUTHORIZE THE REALLOCATION OF PREVIOUSLY ALLOCATED FUNDING FOR ONE TRANSIT VAN TO BE UTILIZED FOR THE PURPOSE OF FUNDING EMERGENCY EQUIPMENT UPFITTING, AND PURCHASE OF PRIOR YEAR VEHICLE CARGO BOX PURCHASE. (\$27,348.75)**

15. CONTRACT FOR CONTINUED CHILD ABUSE INVESTIGATIVE SERVICES WITH THE BUTTE COUNTY DISTRICT ATTORNEY

The Council will consider a new contract with the Butte County District Attorney's Office to continue investigative services for specific child abuse cases.

ACTION REQUESTED - ADOPT RESOLUTION 9308 - APPROVING AGREEMENT WITH THE BUTTE COUNTY DISTRICT ATTORNEY'S OFFICE FOR INVESTIGATIVE SERVICES IN AN AMOUNT NOT TO EXCEED \$400,000 AND AUTHORIZE THE MAYOR TO SIGN.

16. AGREEMENT WITH BUTTE COUNTY FOR PARTIAL REIMBURSEMENT FOR ALLEY MAINTENANCE OF COUNTY SERVICE AREA 17 ZONE 2 ALLEYS.

The Council may consider authorizing the execution of an agreement with the County of Butte for partial reimbursement for alley maintenance of service area 17 Zone 2 alleys.

ACTION REQUESTED - APPROVE RESOLUTION 9309 EXECUTING AN AGREEMENT WITH THE COUNTY OF BUTTE FOR PARTIAL REIMBURSEMENT FOR ALLEY MAINTENANCE OF SERVICE AREA 17 ZONE 2 ALLEYS AND AUTHORIZE THE MAYOR TO SIGN.

17. EMPLOYMENT CONTRACT AMENDMENT WITH FRED MAYO, PUBLIC WORKS DIRECTOR

The Council will consider an amendment to the employment contract with Fred Mayo, Public Works Director that would advance Mr. Mayo from step F, \$158,025 annual salary to Step G, \$166,345 annual salary.

ACTION REQUESTED – ADOPT RESOLUTION 9310 AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND FRED MAYO –(AGREEMENT NO. XXXX)

18. EMPLOYMENT CONTRACT AMENDMENT WITH PATRICK PIATT, COMMUNITY DEVELOPMENT DIRECTOR

The Council will consider an amendment to the employment contract with Patrick Piatt, Community Development Director, that would advance Mr. Piatt from Step D, \$142,619 annual salary to Step E, \$150,123 annual salary.

ACTION REQUESTED - ADOPT RESOLUTION 9311 AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND PATRICK PIATT – (AGREEMENT NO. XXXX).

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 or calling 530-538-2535. Please submit request 24 hours before the meeting.
- Individuals may email comments for council consideration to publiccomment@cityoforoville.org

19. 5:15 PM - RE: GENERAL PLAN AMENDMENT GPA24-01 AND ZONING CODE AMENDMENT ZC24-01

The Planning Commission shall conduct a public hearing and may recommend to the City Council approval of Zoning Code Amendment ZC24-03 to rezone APNs 012-085-006 and 012-085-005 from Public or Quasi-Public Facilities (PQ) to Downtown Mixed Use (MXD). Includes General Plan Amendment GPA24-01 to change the land use designation from Public to Mixed Use.

ACTIONS REQUESTED -

- 1. CONDUCT A PUBLIC HEARING ON THE PROPOSED REZONE AND GENERAL PLAN AMENDMENT.**
- 2. RECOMMEND THAT THE CITY COUNCIL:**
 - a. ADOPT THE NOTICE OF EXEMPTION AS THE APPROPRIATE LEVEL OF ENVIRONMENTAL REVIEW FOR THE PROJECT.**
 - b. APPROVE GENERAL PLAN AMENDMENT GPA24-01**
 - c. APPROVE ZONE CHANGE ZC24-03**
- 3. ADOPT RESOLUTION NO. P2024-10**

PUBLIC COMMUNICATION - HEARING OF NON-AGENDA ITEMS

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1. Future Agenda Items
2. Correspondence

ADJOURN THE MEETING

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on September 3, 2024 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.