



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

May 21, 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:

1. Conference with Legal Counsel – Existing Litigation (§ 54956.9)
Case Name(s) Unspecified: Disclosure would jeopardize existing settlement negotiations
2. Conference with Legal Counsel – Significant exposure to litigation pursuant to § 54956.9(b): (2 Cases)
3. Conference with Labor Negotiators (Gov. C. §54957.6)

Agency designated representatives: Brian Ring, City Administrator; David Ritchie, Asst. City Attorney; Elizabeth Ehrenstrom, HR Manager

Unrepresented Employees: Department Heads

OPEN SESSION

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

PRESENTATIONS AND PROCLAMATIONS

1. Proclamation Recognizing Public Works Week, May 19-25, 2024

The City Council will consider adopting a resolution in recognition of Public Works Week, held May 19-25 2024.

RECOMMENDATION -

ADOPT RESOLUTION NO. 9250 AND AUTHORIZE THE MAYOR TO SIGN.

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 - 5** 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. **NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION RESOLUTIONS**

The City Council is requested to adopt the resolutions necessary for the City's municipal election to be called and consolidated with the 2024 General Statewide Election that is conducted by Butte County Elections Department.

RECOMMENDATION -

Adopt Resolution No. 9253 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF BUTTE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD TUESDAY, NOVEMBER 5, 2024, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE

Adopt Resolution No. 9255 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES' STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024

Adopt Resolution No. 9254 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, NOVEMBER 5, 2024, FOR THE ELECTION OF CERTAIN OFFICERS OF THE CITY AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

2. **PAVEMENT REHABILITATION LIST FOR SUBMITTAL TO CALIFORNIA TRANSPORTATION COMMISSION (CTC) FOR FUNDING COMPLIANCE**

The Council may consider adopting the attached resolution and authorize the City Engineer and Financial Director to submit a list of prioritized roads and streets for rehabilitation to the CTC for compliance with CTC guidelines. The CTC requires the submittal for the City to be eligible for additional funding under Senate Bill 1 (SB 1) and Assembly Bill 135 (AB 135).

RECOMMENDATION -

ADOPT RESOLUTION NO. 9251 - A RESOLUTION of the city council of the city of Oroville Adopting a list of projects for Fiscal Year 2024-25 funded by SB 1: The Road Repair and Accountability Act of 2017

3. **AWARD OF PROFESSIONAL SERVICES AGREEMENT TO HARRIS & ASSOCIATES FOR DEVELOPMENT OF THE PAVEMENT MANGAGEMENT SYSTEM**

The Council may direct staff to award a professional services agreement to Harris & Associates for a City-wide roadway study and the development of a Pavement Management System.

RECOMMENDATION -

DIRECT THE CITY ADMINISTRATOR TO PROCEED WITH THE ISSUING OF PROFESSIONAL SERVICES AGREEMENT WITH HARRIS & ASSOCIATES.

4. **PENSION FUNDING POLICY UPDATE**

Staff recommends the City Council approve and review the City's Pension Funding Policy.

RECOMMENDATION –

ADOPT THE POLICY TO WITH AN EFFECTIVE DATE OF 5/21/24.

5. **APPROVAL OF THE MAY 7, 2024 CITY COUNCIL REGULAR MEETING MINUTES**

The Council will consider the drafted May 7, 2024 City Council Regular Meeting Minutes for approval.

RECOMMENDATION -

APPROVE MAY 7, 2024 CITY COUNCIL REGULAR MEETING MINUTES AND AUTHORIZE THE MAYOR TO SIGN.

REGULAR BUSINESS

6. **ANNUAL USE OF “MILITARY EQUIPMENT” AS DEFINED IN THE OROVILLE MUNICIPAL CODE**

In accordance with Ordinance No. 1865, the Oroville Police Department shall annually submit a Military Equipment Report. This report shall be submitted and publicly released, and within 30 days hold at least one well-publicized and conveniently located meeting, where the public can ask questions.

RECOMMENDATION -

RECEIVE PUBLIC INPUT AND APPROVE REPORT.

7. **EDWARDS MINI STORAGE PROJECT AT 2560 FEATHER RIVER BOULEVARD, ZONING AMENDMENT ZC 24-01 – ESTABLISHMENT OF A MINI-STORAGE OVERLAY (MS-O) DISTRICT**

The Council will review and consider approving Zoning Code Amendment ZC 24-01 for the establishment of a Mini-Storage Overlay (MS-O) District for the property located at 2560 Feather River Boulevard.

RECOMMENDATION(S) -

ADOPT THE NOTICE OF EXEMPTION AS THE APPROPRIATE LEVEL OF ENVIRONMENTAL REVIEW FOR THIS PROJECT.

WAIVE THE FIRST READING AND INTRODUCE BY TITLE ONLY, ORDINANCE NO. 1898 -- AN ORDINANCE OF THE CITY OF OROVILLE CITY COUNCIL APPROVING ZONING CODE AMENDMENT ZC 24-01 ESTABLISHING A MINI-STORAGE OVERLAY (MS-O) DISTRICT ON APPROXIMATELY 3.46 ACRES OF LAND LOCATED AT 2560 FEATHER RIVER BOULEVARD.

8. **FUND BALANCE POLICY AMENDMENTS**

Staff recommends the City Council approve the recommended amendments to the City's Fund Balance Policy.

RECOMMENDATION –

ADOPT THE AMENDMENTS TO THE CITY'S FUND BALANCE POLICY.

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

9. P5:15PM - PUBLIC HEARING - CONTINUED FROM MARCH 19, 2024 - FEATHER RIVER RECREATION AND PARK DISTRICT NEXUS FEE STUDY AND PROPOSED FEE INCREASES

The Council shall resume the public hearing which was initiated on December 5, 2023, continued to December 19, 2023, and again continued to March 19, 2024 with regard to consideration of adopting the Feather River Recreation and Park District Park Impact Fee Nexus Study along with an eight-year phased in approach to implement the new Park impact fees.

RECOMMENDATION -

CONDUCT PUBLIC HEARING AND TAKE NO ACTION ON THIS TOPIC.

10. 5:20PM – SECOND READING OF ZONING CODE AMENDMENT (ZC) 24- 02; CHANGING THE SECTION’S TITLE FROM SECOND DWELLING UNITS TO ACCESSORY DWELLING UNITS AND AMENDING MUNICIPAL CODE SECTION 17.16.010

The Council will again consider adopting ZC 24-02, changing the title of Municipal Code Section 17.16.010 from Second Dwelling Units to Accessory Dwelling Units, and establishing regulations and standards for accessory dwelling units.

RECOMMENDATION -

APPROVE THE SECOND READING WITH REVISIONS AND INTRODUCE BY TITLE ONLY, ORDINANCE 1878 – AN ORDINANCE OF THE OROVILLE CITY COUNCIL AMENDING SECTION 17.16.010 OF THE ZONING ORDINANCE OF THE CITY OF OROVILLE CONSISTENT WITH STATE LAW RELATING TO ACCESSORY DWELLING UNITS.

11. 5:20PM – PUBLIC HEARING - SECOND READING OF ZONING CHANGE (ZC) 24- 03, AMENDING MUNICIPAL CODE SECTIONS 17.16.150, 17.32.010, 17.34.020, AND 17.36.010 REGARDING MOBILE FOOD VENDORS

The Council will consider adopting Zoning Change ZC 24-03, establishing regulations and standards for mobile food vendor villages and updating regulations for individual food vendors (OMC 17.16.015 et al.)

RECOMMENDATION -

APPROVE THE SECOND READING AND INTRODUCE BY TITLE ONLY, ORDINANCE 9215 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE AMENDING SECTION 17.16.150, 17.32.010, 17.34.020, AND 17.36.010 OF THE OROVILLE MUNICIPAL CODE REGARDING MOBILE FOOD VENDING

12. 5:25PM - CALIFORNIA WATER SERVICE FLUORIDATION

The Council will consider whether California Water Service (CalWater) should continue to be required to add fluoride to drinking water that is provided to its customers residing within the City of Oroville.

RECOMMENDATION

RECEIVE PUBLIC INPUT ON THE FLUORIDATION OF DRINKING WATER PROVIDED BY CALWATER; AND

PROVIDE ANY DIRECTION TO STAFF.

PUBLIC COMMUNICATION – HEARING OF NON-AGENDA ITEMS

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FUTURE AGENDA ITEMS / CORRESPONDENCE

1. Future Agenda Items
2. Correspondence
 - i. **Oroville Police Department Monthly Report**
 - ii. **Arbor Day Foundation Names Oroville Ca 2023 Tree City USA Press Release**

ADJOURN THE MEETING

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on June 4, 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.