

ADJOURNED REGULAR CHICO CITY COUNCIL MEETING — May 3, 2016
Minutes

- 1.1. **Special Council Meeting - 5:00 p.m.**
- 1.2. **Call to Order - Mayor Sorensen called the May 3, 2016 - Special City Council meeting to order at 5:00 p.m. in the Council Chamber, 421 Main Street.**
- 1.3. **Roll Call**

Present: Coolidge, Fillmer, Ritter, Schwab, Stone, Morgan, Sorensen
Absent: None

For the record, Councilmember Fillmer arrived at 5:12 p.m.

- 1.4. **Pledge of Allegiance**
2. **REGULAR AGENDA**
- 2.1. **ESPLANADE CORRIDOR SAFETY AND ACCESSIBILITY STUDY - Reconsideration of a prior action.**

At its meeting of April 19, 2016, the City Council voted unanimously to suspend its Council meeting procedures as outlined in AP&P 10-10 regarding reconsiderations of prior actions. Council then voted unanimously to agendaize reconsideration of what was items # 9, 10, and 11 of the staff report for the April 14, 2016 Special Council meeting, and thereby reconsider the alternatives presented. This is effectively a reconsideration of the intersections at the Esplanade and E 1st Avenue, Lincoln Avenue, Sacramento Avenue and Memorial Way. (Report - Brendan Ottoboni, Public Works Director-Engineering)

Item 2.1. Esplanade Reconsideration

A motion was made by Sorensen and seconded by Schwab to set aside the previous Council direction provided on April 14, 2016 regarding the Esplanade Corridor Study Items 9 - 11, move approval of the staff recommendation to continue to pursue options and solutions to address the safety and traffic circulation concerns, and to solicit input from Ms. Amy Huberland regarding the historical and cultural aspects of the Esplanade; and to have staff return with that information in the first quarter of 2017.

The motion carried by the following vote:

AYES: Ritter, Schwab, Stone, Sorensen
NOES: Coolidge, Fillmer, Morgan

A motion was made by Coolidge and seconded by Fillmer to remove the inclusion of roundabouts in future studies of the Esplanade Corridor.

Councilmember Morgan requested a friendly amendment to include that as staff moves forward with the study, changes to Items 1 - 8, may also require consideration. The friendly amendment was accepted.

The motion carried by the following vote:

AYES: Coolidge, Fillmer, Ritter, Stone, Morgan, Sorensen
NOES: Schwab

The Council recessed for a 10-minute break. The meeting was reconvened and all members were present.

3. **ADJOURNMENT - Adjourned at 5:50 p.m. to the May 3, 2016 Regular City Council meeting in the Council Chamber.**

Date Approved: /drp 6/7/16

Deborah R. Presson, MMC, City Clerk

- 1.1. REGULAR CITY COUNCIL MEETING - 6:00 p.m.
- 1.2. Call to Order - Mayor Sorensen called the May 3, 2016 Regular City Council meeting to order at 6:00 p.m. in the Council Chamber, 421 Main Street.
- 1.3. Invocation - Police Chaplain
- 1.4. Pledge of Allegiance to the Flag
- 1.5. Roll Call

Present: Coolidge, Fillmer, Ritter, Schwab, Stone, Morgan, Sorensen
 Absent: None

2. CONSENT AGENDA

A motion was made by Schwab and seconded by Sorensen to approve the Consent Agenda, as read.

The motion carried by the following vote:

AYES: Coolidge, Fillmer, Ritter, Schwab, Stone, Morgan, Sorensen
 NOES: None

2.1. ORDINANCE NO. 2480 - ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING CHAPTER 14.60 OF THE CHICO MUNICIPAL CODE RELATING TO THE USE OF CITY STREETS AND SIDEWALKS FOR SALES OF FOOD, CUT FLOWERS, AND BEVERAGES - Final reading and adoption

Adopted - an ordinance amending Chapter 14.60 of the Chico Municipal Code (CMC) to address public health and safety concerns related to street vendors within the central business district. The amendments would allow the City to appropriately respond to problem vendors on a case-by-case basis, without unnecessarily impacting all vendors' ability to conduct business in the downtown area. The Director of Public Works - Engineering recommended the final reading and adoption of the ordinance by reading of title only.

Item 2.1. Vendor Hawk Ordinance

2.2. ORDINANCE NO. 2481 - ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO REPEALING AND REPLACING CHAPTER 15.40 OF THE CHICO MUNICIPAL CODE REGARDING SEWER DISCHARGE REQUIREMENTS - Final reading and adoption

Adopted - an ordinance that repeals and replaces Chapter 15.40 of the Chico Municipal Code in its entirety to be consistent with the United States Environmental Protection Agency (USEPA) and the Code of Federal Regulations (CFR), specifically 40.CFR 403, as required by the State Water Resources Board. The Director of Public Works - Operations and Maintenance recommended the final reading and adoption of the ordinance by reading of title only.

Item 2.2. Sewer Ordinance

2.3. ADOPTION OF SEWER IN LIEU RESOLUTIONS - VARIOUS

Adopted- resolutions authorizing sewer assessments to be collected on the tax roll, in lieu of full and immediate payment of the sewer system connection fees. The Public Works Director-Engineering recommended adoption of the resolutions. (For the record, the following resolutions were adopted in error and will be brought back for Council consideration when corrected.)

Item 2.3. Sewer in Lieus

- A. RESOLUTION NO. 26-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 945 ASPEN STREET - ASSESSOR'S PARCEL NO. 004-353-021 (Petition from property owner Philip Jameson)
- B. RESOLUTION NO. 27-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 1088 EAST NINTH STREET - ASSESSOR'S PARCEL NO. 004-320-022 (Petition from property owner Tom Steffen)
- C. RESOLUTION NO. 28-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 758 EAST 20TH STREET - ASSESSOR'S PARCEL NO. 005-442-016 (Petition from property owner Mary T. Johnson)
- D. RESOLUTION NO. 29-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 1415 GUILLET STREET - ASSESSOR'S PARCEL NO. 005-417-006 (Petition from property owners Jane Annette and Keith Adison Willoughby Woods)
- E. RESOLUTION NO. 30-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 1459 GUILLET STREET - ASSESSOR'S PARCEL NO. 005-417-012 (Petition from property owner Matthew S. Benson)
- F. RESOLUTION NO. 31-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 1825 LABURNUM AVENUE - ASSESSOR'S PARCEL NO. 003-392-006 (Petition from property owners Norman B. and Sherry K. Atkin)
- G. RESOLUTION NO. 32-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 5 MONTCLAIR DRIVE - ASSESSOR'S PARCEL NO. 015-350-015 (Petition from property owner Nancy L. Strom)
- H. RESOLUTION NO. 33-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 258 PANAMA AVENUE - ASSESSOR'S PARCEL NO. 006-052-010 (Petition from property owners Richard Guevarra and Phil Guevarra)
- I. RESOLUTION NO. 34-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 1287 PARQUE DRIVE - ASSESSOR'S PARCEL NO. 015-420-027 (Petition from property owners Michael W. and Heidi Ann Hovey)
- J. RESOLUTION NO. 35-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 151 SKYCREEK COURT - ASSESSOR'S PARCEL NO. 047-560-106 (Petition from property owners Darby B. and Kathleen Makel)
- K. RESOLUTION NO. 36-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 1628 SUNSET AVENUE - ASSESSOR'S PARCEL NO. 003-423-001 (Petition from property owners Richard C. and Barbara Joyce Turner)
- L. RESOLUTION NO. 37-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO LEVYING ASSESSMENT INSTALLMENTS IN LIEU OF THE

PAYMENT OF SEWER SYSTEM CONNECTION FEES INCIDENT TO THE CONNECTION OF PREMISES TO THE CITY SEWER SYSTEM - 945 WEST 12TH AVENUE - ASSESSOR'S PARCEL NO. 043-040-072 (Petition from property owners Glenna G. and Harold W. Lombard)

- 2.4. RESOLUTION NO. 38-16 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO INITIATING PROCEEDINGS AND ORDERING THE PRELIMINARY ENGINEER'S REPORT FOR THE ANNUAL ASSESSMENTS FOR THE HUSA RANCH/NOB HILL NEIGHBORHOOD PARK LANDSCAPING AND LIGHTING DISTRICT NO. LLD 001-08 FOR FISCAL YEAR 2016/2017.

RESOLUTION NO. 39-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO PRELIMINARILY APPROVING THE ANNUAL ENGINEER'S REPORT, AND DECLARING THE CITY'S INTENTION TO LEVY ANNUAL ASSESSMENTS FOR THE HUSA RANCH/NOB HILL NEIGHBORHOOD PARK LANDSCAPING AND LIGHTING DISTRICT NO. LLD 001-08 FOR FISCAL YEAR 2016/2017, AND APPOINTING A TIME AND PLACE FOR A PUBLIC HEARING

Adopted - resolutions to initiate proceedings and declare the Council's intent to levy and collect the annual assessments for the Husa Ranch/Nob Hill Neighborhood Park Landscaping and Lighting District No. LLD 001-08 for the 2016/2017 fiscal year, and to set a public hearing on June 7, 2016 regarding this proposed assessment. The Public Works Director - Operations recommended adoption of the resolutions.

Item 2.4. Husa Ranch Resolution

- 2.5. RESOLUTION NO. 40-16 - RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF CHICO TO ABANDON AND VACATE A PUBLIC UTILITY EASEMENT PURSUANT TO THE PUBLIC STREETS, HIGHWAYS, AND SERVICE EASEMENTS VACATION LAW (BROWN - USE PERMIT 15-09 / APNs 007-160-044)

Adopted - a resolution of intention to abandon and vacate a three foot wide public utility easement located south of Eaton Road, between Burnap Avenue and Cohasset Road. The Public Works Director recommended adoption of the resolution scheduling a public hearing on June 7, 2016.

Item 2.5. Resolution of Intention

- 2.6. ITEMS REMOVED FROM THE CONSENT - None

3. CLOSED SESSION

Council recessed to Closed Session in Conference Room 2.

Public Comment - None

- 3.1. CONFERENCE WITH LABOR NEGOTIATOR (Gov. Code Sec. 54957.6)

Negotiator: Mark Orme, City Manager and Jamie Cannon, Human Resources & Risk Manager

Employee Organizations: Public Safety Management, Chico Employees Association, Confidentials, Chico Public Safety Association, Service Employees International Union - Trades & Craft Unit, Local 39

- 3.2. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (1 case)

Pursuant to Cal. Gov. Code Sec. 54956.9(d)(1): BILL WEBB CONSTRUCTION, INC. V. THE COUNTY OF BUTTE, ET AL. CASE NO. 16CV00186

- 3.3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION: The City Council reviewed the City Manager's performance. (Gov. Code Section 54957) - *This item was continued to the Special May 9, 2016 Council meeting.*

- 3.4. RECONVENED FROM CLOSED SESSION TO CITY COUNCIL MEETING

- 3.5. CLOSED SESSION ANNOUNCEMENT - The City Council met in Closed Session regarding the items as noted above. No action was taken; direction was provided.

The Council voted unanimously to continue the personnel evaluation of the City Manager to the Special Council meeting scheduled for Monday, May 9, 2016 at 6:00 p.m.

4. HEARINGS

Item 4.1. Weed Abatement

- 4.1. HEARING ON RESOLUTION DECLARING WEEDS, RUBBISH, REFUSE, AND DEBRIS TO BE A PUBLIC NUISANCE - ORDERING ABATEMENT AND REMOVAL, SETTING A DEADLINE FOR ABATEMENT, AND PROVIDING ASSESSMENT OF THE COST OF ABATEMENT

Hearing to consider all objections to a resolution adopted 4/19/16, which declared a public nuisance relating to the abatement of weeds, rubbish, refuse and/or debris. (Report - John Rollo, Code Enforcement Officer)

Mayor Sorensen opened the public hearing. No one spoke and the hearing was closed.

A motion was made by Stone and seconded by Ritter to adopt the following resolution which will: (1) overrule any objections to the previously adopted resolution; (2) establish 6/01/16 as the last day for voluntary abatement; and direct the Community Development Director to: (3) abate any item(s) not voluntarily removed; (4) maintain an accounting of costs associated with the abatement; and (5) provide the Council with a report of the costs to be recovered from property owners.

RESOLUTION NO 41-16 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO OVERRULING OBJECTIONS TO RESOLUTION DECLARING WEEDS, RUBBISH, REFUSE, AND DEBRIS TO BE A PUBLIC NUISANCE AND ORDERING ABATEMENT AND REMOVAL OF THE WEEDS, RUBBISH, REFUSE, AND DEBRIS, AND PROVIDING FOR AN ASSESSMENT OF THE COST OF SUCH ABATEMENT AND REMOVAL

The motion carried by the following vote:

AYES: Coolidge, Fillmer, Ritter, Schwab, Stone, Morgan, Sorensen
NOES: None

- 4.2. HEARING TO CONSIDER DESIGNATING 799 HILL VIEW WAY (THOMSON) AS A LANDMARK ON THE HISTORIC RESOURCES INVENTORY

The Architectural Review and Historic Preservation Board forwarded a unanimous recommendation to designate the property located at 799 Hill View Way as a landmark on the City of Chico Historic Resources Inventory. Based on the historical information submitted with the application, the property qualifies for listing on the City's Inventory by meeting two of the three significance criteria required by Chapter 19.37 (Historic Preservation) of the Chico Municipal Code. (Report - Bob Summerville, AICP, Senior Planner)

Item 4.2. Hearing Thomson Historic Resources Inventory

Ex Parte Communications

Councilmember Schwab - Announced she has been in the house currently being considered for the Historical Resources Inventory.

Mayor Sorensen opened the hearing to the public. Thomas Thomson spoke. The hearing was closed.

A motion was made by Schwab and seconded by Coolidge to adopt the following resolution:

RESOLUTION NO. 42-16 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO DESIGNATING 799 HILL VIEW WAY (THOMSON) AS A LANDMARK ON THE HISTORIC RESOURCES INVENTORY

The motion carried by the following vote:

AYES: Coolidge, Fillmer, Ritter, Schwab, Stone, Morgan, Sorensen
NOES: None

4.3. HEARING ON CHICO SCRAP METAL DEVELOPMENT AGREEMENT

Hearing regarding a proposed architectural review, rezone (text amendment), and development agreement for Chico Scrap Metal located on a 2.02 acre site. The proposal includes: 1) approval of site improvements and landscaping to improve aesthetics and neighborhood compatibility; 2) elimination of amortization requirements found in the Chapman/Mulberry Neighborhood Plan and the Chico Municipal Code; 3) approval of a Development Agreement under which Chico Scrap Metal would modify and regulate its activities in order to improve its compatibility with the surrounding neighborhood. A Negative Declaration has been prepared to satisfy the requirements of the California Environmental Quality Act (CEQA). (Report - Jake Morley, Associate Planner).

Item 4.3. Chico Scrap Metal Dev. Agreement

Item 4.3. Chico Scrap - Attachments

Ex Parte Communication

The City Attorney noted prior acknowledgements of ex parte communications do not need to be restated for the record.

Addressing the Council on this item were Patrick Kelly, Jeff Lerche, Ronald Angle, John Howlett, Kathy Faith, Dan Everhart, Sean Cooney, Santy Gray, Debra Abbott, Mamie Dinani, Trudy Duisenberg, Robyn DiFalco, Lisa Duarte, Norma Wilcox, Lupe Arim-Law, Chris Nelson, Grace Marvin, Richard Harriman, Jane Martin, Vince Haynie, Julian Zenner, Adrienne Edwards, Doug Fogel, Jon Luvaas, Mike Trolinder, Benson, Michelle O'Hara, Karen Laslo, and Kim Scott.

Council recessed at 9:20 p.m. for a 10 minute break. The meeting was reconvened and all members were present.

A motion was made by Stone and seconded by Ritter to deny the Chico Scrap Metal project, as presented.

The motion failed by the following vote:

AYES: Ritter, Schwab, Stone
NOES: Coolidge, Fillmer, Morgan, Sorensen

A motion was made by Sorensen and seconded by Morgan to introduce the following ordinances and adopt the resolution which implements:

1) approval of site improvements and landscaping to improve aesthetics and neighborhood compatibility; 2) elimination of amortization requirements found in the Chapman/Mulberry Neighborhood Plan and the Chico Municipal Code; 3) approval of a Development Agreement under which Chico Scrap Metal would modify and regulate its activities in order to improve its compatibility with the surrounding neighborhood, with the City Manager to not execute the Development Agreement until after the second reading and adoption of the ordinance in order to allow additional time for staff to identify possible alternatives; and 4) adoption of the Negative Declaration and Approving Architectural Review (AR 15-17) For Chico Scrap Metal, which was prepared to satisfy the requirements of the California Environmental Quality Act (CEQA).

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO AMENDING TITLE 19 OF THE CHICO MUNICIPAL CODE AND AMENDING THE CHAPMAN/MULBERRY NEIGHBORHOOD PLAN (RZ 15-06) TO REMOVE LANGUAGE PERTAINING TO AMORTIZATION OF CHICO SCRAP METAL – Introductory Reading

RESOLUTION NO. 43-16 - RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO ADOPTING NEGATIVE DECLARATION AND APPROVING ARCHITECTURAL REVIEW (AR 15-17) FOR CHICO SCRAP METAL

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO APPROVING DEVELOPMENT AGREEMENT (DA 15-01) BETWEEN THE CITY OF CHICO AND CHICO SCRAP METAL – Introductory reading

The motion carried by the following vote:

AYES: Coolidge, Fillmer, Morgan, Sorensen
NOES: Ritter, Schwab, Stone

4.4. HEARING ON FINAL ANNUAL ACTION PLAN FOR THE USE OF FEDERAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS FOR 2016-2017

The City receives an annual award of community development and housing funds from the Federal Department of Housing and Urban Development (HUD). The 2016-2017 CDBG award will be \$713,253 and \$395,906 in HOME funds. At its April 5, 2016 meeting, the City Council conducted a hearing on the draft 2016-17 Annual Plan and directed staff to: (1) amend CDBG Public Service allocations, (2) take public comment during the 30-day period; and (3) schedule a second hearing for the adoption of the final Annual Action Plan at its meeting of May 3, 2016. (Report - Marie Demers, Housing Manager)

Item 4.4. HUD Annual Hearing

Mayor Sorensen opened the hearing to the public. Addressing the Council was Peter Hoffman. The hearing was closed.

Councilmember Ritter requested that during the next funding cycle, Housing staff provide the Council with the ad hoc committee results or video, if available.

Councilmember Fillmer also requested that the funding notification list be expanded to be much broader instead of the current practice of only notifying recipients selected during the last funding cycle.

A motion was made by Ritter and seconded by Fillmer to approve the Plan and authorize its submittal to the Department of Housing & Urban Development.

The motion carried by the following vote:

AYES: Coolidge, Fillmer, Ritter, Schwab, Stone, Morgan, Sorensen
NOES: None

5. **REGULAR AGENDA**

5.1. **RATIFICATION OF MEMORANDUM OF UNDERSTANDING - CHICO EMPLOYEES' ASSOCIATION**

Adoption of a resolution which modified the pay and benefit provisions applicable to the Chico Employees' Association, resulting from recently concluded negotiations. (Report - Mark Orme, City Manager)

Item 5.1.CEA MOU Ratification

A motion was made by Coolidge and seconded by Fillmer to adopt the following resolution:

RESOLUTION NO. 44-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO APPROVING "MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF CHICO AND CHICO EMPLOYEES' ASSOCIATION REGARDING PAY, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR JANUARY 1, 2016 THROUGH JUNE 30, 2019 (2016 CEA MOU)"

The motion carried by the following vote:

AYES: Coolidge, Fillmer, Ritter, Schwab, Stone, Morgan, Sorensen
NOES: None

5.2. **RATIFICATION OF PAY AND BENEFITS RESOLUTION - CONFIDENTIALS**

Adoption of a resolution which modified the pay and benefit provisions applicable to the Confidential Unit, resulting from recently concluded negotiations. (Report - Mark Orme, City Manager)

Item 5.2. COnfidentials PBR

A motion was made by Fillmer and seconded by Morgan to adopt the following resolution:

RESOLUTION NO 45-16 - RESOLUTION OF THE COUNCIL OF THE CITY OF CHICO APPROVING "PAY AND BENEFITS RESOLUTION BETWEEN CITY OF CHICO AND CONFIDENTIAL UNIT REGARDING PAY, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR JANUARY 1, 2016 THROUGH JUNE 30, 2019 (2016 CNF PBR)"

The motion carried by the following vote:

AYES: Coolidge, Fillmer, Ritter, Schwab, Stone, Morgan, Sorensen
NOES: None

5.3. **CONSIDERATION OF APPROVAL OF A SUPPLEMENTAL APPROPRIATION/BUDGET MODIFICATION NO. 2016-ASD-008 - Continued to a Special Meeting scheduled for May 9, 2016.**

Item 5.3. Supplemental Appropriation

5.4. **PRESENTATION PART 2 OF 2 OF FY 2016-17 DRAFT PROPOSED BUDGET - Continued to a Special Meeting scheduled for May 9, 2016.**

Item 5.4. Budget Presentation #2

5.5. **CONSIDERATION OF PARTICIPATING IN PG&E'S TURN-KEY PROGRAM TO RETROFIT CITY STREETLIGHTS WITH LIGHT EMITTING DIODE (LEDS).**

Staff proposed partnering with PG&E to take advantage of their LED Street Light Turn-Key Replacement Program, and current incentives to replace the remaining 3,873 City-owned street lights with the latest Light Emitting Diode (LED) technology. Retrofitting the street lights will save \$243,183 (34%) in annual electric utility costs, while providing improved nighttime visibility and public safety. Additionally, LED fixtures last 3 to 5 times longer than the current legacy High Pressure Sodium lights; saving significant maintenance costs and staffing resources. (Report - Erik Gustafson, Public Works Direction - Operations)

Item 5.5. Streetlight Retrofit

A motion was made by Coolidge and seconded by Schwab to approve the project, and authorize the City Manager to enter into an agreement with PG&E for the Turn-key Street Light Replacement Program, as authorized by 2015-16 City of Chico Budget Policy G.6.c., and authorize the financing of the project internally using Workers Compensation Funds at 0% interest, with a return on investment (ROI) of 3.5 years.

The motion carried by the following vote:

AYES: Coolidge, Fillmer, Ritter, Schwab, Morgan, Sorensen
NOES: Stone

5.6. **CONSIDERATION OF A REQUEST FROM COUNCILMEMBER STONE TO AGENDIZE A DISCUSSION TO WAIVE CHAMBER FACILITY USE FEES - Continued to a Special Meeting scheduled for May 9, 2016.**

Item 5.6. Fee Waiver for Facility Use Fees

5.7. **COUNCIL DIRECTION TO THE CITY ATTORNEY TO REVIEW A REQUEST FROM THE PUBLIC WORKS DIRECTOR AND CITY CLERK FOR A POSSIBLE BALLOT MEASURE AMENDING THE CHARTER - Continued to a Special Meeting scheduled for May 9, 2016.**

Item 5.7. Ballot Measure

5.8. **ITEMS ADDED AFTER THE POSTING OF THE AGENDA - None**

6. **BUSINESS FROM THE FLOOR**

Charles Withuhn addressed the Council regarding the Park's Department budget. Mayor Sorensen noted that Mr. Withuhn was actually speaking to Item 7.2.b.

7. **REPORTS AND COMMUNICATIONS - The following reports and communication items were provided for the Council's information. No action can be taken on items under this section unless the Council agrees to include it on a subsequent agenda.**

7.1. **CITY MANAGER'S REPORT - Verbal Report, City Manager Orme**

7.2. **CITIZEN REQUESTS - Pursuant to AP&P 10-10, a majority vote of Council was needed in order to agendize this item for discussion at a future meeting. If agendized, public comment will be taken at that meeting.**

A. **Doug Rowell, Chico Yellow Cab, submitted a request to agendize a discussion regarding Uber drivers.**

Item 7.2. A - Chico Yellow Cab request

Addressing the Council regarding this matter were Doug Rowell, Gianni Caponera, Sean Posey, Martin Watenews, Harry McGhie, Tom Edwards and Charles Hamilton.

A motion was made by Stone and seconded by Schwab to direct the City Attorney to provide the Council with an overview of available ordinances from other cities addressing the situation between taxi and Uber drivers.

The motion carried by the following vote:

AYES: Coolidge, Fillmer, Ritter, Schwab, Stone, Morgan, Sorensen
NOES: None

B. **Chico Tree Advocates submitted a request to agendize a discussion regarding a proposal for Chico's trees.**

Item 7.2.B Chico Tree Advocates Request

Robyn McCollum addressed the Council on this item.

It was noted by staff that discussions are already underway regarding the Park's Department budget which will be included in the June budget discussion(s).

7.3. **MONTHLY FINANCIAL REPORT AND BUDGET MONITORING REPORTS**

The Council was provided with the Monthly Financial Report and Budget Monitoring Reports through March 31, 2016 which were reviewed with the Finance Committee at its meeting held on April 27, 2016. (Frank Fields, Administrative Services Director)

Item 7.3. Monthly Financial Reports

8. **ADJOURNMENT - Adjourned at 10:34 p.m. to an Adjourned Regular City Council meeting on Tuesday, May 17, 2016, at 6:00 p.m. in the City Council Chamber.**

Date Approved: /drp 6/7/16

Deborah R. Presson, MMC, City Clerk
