

The Council appreciates your cooperation in turning off all cell phones during the meeting!

CITY OF CHICO CITY COUNCIL AGENDA

December 4, 2018

CITY COUNCIL MEETING – 6:00 P.M.

CITY COUNCIL

Andrew Coolidge
Karl Ory
Ann Schwab
Mark Sorensen
Randall Stone
Reanette Fillmer, Vice Mayor
Sean Morgan, Mayor

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CITY CLERK'S OFFICE
411 Main Street
Chico, CA 95928

OR ON THE WEB AT:
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Posted on: 11/28/18
Posting Location: 421 Main St.
Prior to: 6:00 p.m.

Note: Pursuant to Government Code 54957.5 – Effective 7/1/08: Documents produced and distributed less than 72 hours prior to or during an open session of a regular meeting to a majority of the legislative body regarding any item on the agenda will be made available for public inspection at the meeting and at the City Clerk's office at the Municipal Center located at 411 Main St. from 8 a.m. to 5:00 p.m.



COUNCIL APPOINTEES

Mark Orme
City Manager

Vincent C. Ewing
City Attorney

Deborah R. Presson
City Clerk

CITY STAFF

Chris Constantin
Assistant City Manager

Michael O'Brien
Chief of Police

Steven Standridge
Fire Chief

Scott Dowell
Administrative Services Dir.

Brendan Ottoboni
Public Works Dir. – Engineering

Erik Gustafson
Public Works Dir. - Operations

The Chico City Council welcomes you to this meeting and invites you to participate in matters before the Council.

Information and Procedures Concerning Conduct of City Council Meetings

PUBLIC PARTICIPATION:

- All members of the public may address Council on any item listed on the agenda.
- All members of the public may address Council on non-agenda items from Business from the Floor.
- Each speaker will be asked to complete a speaker card and turn it in to the City Clerk prior to the conclusion of the staff presentation and will state his/her name at the podium before speaking.
- Persons demonstrating rude, boisterous or profane behavior will be called to order by the Mayor. If such conduct continues, the Mayor may call a recess, requesting the removal of such person(s) from the Council Chamber, adjourn the meeting or take some other appropriate action.

TIME LIMIT:

- Three minute time limit for each speaker unless Council specifies a different time limit based on the time allotted for the item and the number of speakers.
- Speakers may address Council only one time on each agenda item after turning in a Speaker Card to the City Clerk.
- A speaker may not defer his/her time to other speakers.
- Groups or organizations are encouraged to select a spokesperson to speak on their behalf. Each subsequent speaker is encouraged to submit new information, and rather than repeating comments made by prior speakers to simply indicate their agreement with a prior speaker's comments.

WRITTEN MATERIAL:

- Council is unable to read written materials presented at the meeting. If any person intends to appear before the Council and provide written material, it should be delivered to the City Clerk's office 8 days in advance of the meeting (sooner if there are holidays prior to the meeting) in order that copies may be included with the agenda and to give Council an opportunity to review the material in advance.

AMERICAN DISABILITIES ACT:

- Please contact the City Clerk at 896-7250 should you require an agenda in an alternative format or if you need to request a disability-related modification or accommodation in order to participate in a meeting. This request should be received at least three working days prior to the meeting in order to accommodate your request.
- Anyone who has difficulty hearing the proceedings of a meeting may be provided with a portable listening device by requesting one from the City Clerk.



SPECIAL PRESENTATIONS:

- Special presentations which include slides, films, etc. during the course of a meeting will only be allowed with prior approval of the Mayor.

BUSINESS FROM THE FLOOR:

- A member of the general public may address the Council on any matter not appearing on the agenda that is of interest to such person and is within the jurisdiction of the Council.
- No action can be taken by Council on any items brought forward at this time. Council may request this item to be brought back at a subsequent meeting.

AGENDA COPIES

- Available at the meeting.
- May be mailed to an individual at an annual cost set forth in the City's Fee Schedule.
- May be picked up in advance in the City Clerk's Office without charge.

CLOSED SESSION:

- A description of the items, if any, to be discussed in closed session are always listed on the agenda. Any action taken during this time will be announced when the Council reconvenes to open session.

COPIES OF AGENDA ITEMS:

- Available for public inspection in the City Clerk's Office prior to a meeting.
- Copies may be obtained after payment of applicable copy fees.

USE OF CELL PHONES DURING MEETINGS:

- The Council appreciates your cooperation in turning off all cell phones

ITEMS NOT APPEARING ON POSTED AGENDA This agenda was posted on the Council Chamber Building Bulletin Board at least 72 hours in advance of this meeting. In order for the Council to take action on an item not appearing on the posted agenda, other than merely acknowledging receipt of correspondence or other information, the Council must make one of the following determinations:

1. Determine by a majority vote that an emergency exists as defined in Government Code Sec. 54956.5.
2. Determine by a two-thirds vote, or by a unanimous vote if less than two-thirds of the Council is present, that there is a need to take immediate action and that the need for action came to the attention of the City subsequent to the agenda being posted.
3. Determine that the item appeared on a posted agenda for a meeting occurring not more than 5 calendar days prior to this meeting, and the item was continued to this meeting.

The Chico City Council encourages citizens to participate in the development of city policies and the implementation of City programs.

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The Council and staff shall work to preserve appropriate order and decorum during all City meetings.



REGULAR CHICO CITY COUNCIL MEETING – December 4, 2018

Chico Municipal Center, Council Chamber, 421 Main Street

- 1.1. **REGULAR CITY COUNCIL MEETING** – 6:00 p.m.
 - 1.2. Call to Order – 6:00 p.m. in the Council Chamber, 421 Main Street
 - 1.3. Invocation – Pastor Ed Krzyzek, Grace Community Church
 - 1.4. Presentation of Colors by Chico Police & Fire Rescue Honor Guard
 - 1.5. Pledge of Allegiance to the Flag
 - 1.6. Roll Call
 - 1.7. City Manager Update – Camp Fire
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2. **CONSENT AGENDA** - All matters listed under the Consent Agenda are to be considered routine and enacted by one motion. Public Comment, if any, will be taken prior to the Consent Agenda consideration.
 - 2.1. **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 6, 2018**

Adopt - a resolution declaring the results of the General Municipal Election held on 11/8/16 in the City of Chico pursuant to Article 4 (commencing with Section 10260), Chapter 2, Division 10 of the Elections Code. The election results received from the Butte County Clerk have been certified by the City Clerk and are attached to the resolution as Exhibit "A." (**Report – Deborah R. Presson, City Clerk**)
 - 2.2. **APPROVAL OF MOU CORRECTIONS – LOCAL 39 (L39)**

Request to approve the corrections made to the pay and benefit provisions applicable to Stationary Engineers, Local 39 Unit, resulting from recently concluded negotiations. (**Mark Orme, City Manager**)
 - 2.3. **REQUEST FOR FUNDING TO SUPPLEMENT THE STATE 911 VIPER PROJECT**

The Chief of Police recommends Council approve an appropriation of \$67,000 from Fund 338 to supplement the purchase of console furniture for the Chico Police Dispatch Center from residual funding of the VIPER 911 Project. (**Michael O'Brien, Chief of Police**)
 - 2.4. **ITEMS REMOVED FROM CONSENT**
 3. **OFFICIAL CEREMONY**
 - 3.1. **RECOGNITION OF OUTGOING COUNCILMEMBERS**
 - ❖ Councilmember Andrew Coolidge
 - ❖ Councilmember and Vice Mayor Reanette Fillmer
 - ❖ Councilmember and former Mayor Mark Sorensen
 - 3.2. **SWEARING-IN OF COUNCILMEMBERS** – *City Clerk Deborah Presson*
 - ❖ Alex Brown
 - ❖ Scott Huber
 - ❖ Kasey Reynolds
 - 3.3. **SELECTION OF MAYOR AND VICE MAYOR** - *City Clerk Deborah Presson*

4. **RECEPTION** – The City Council will recess to a brief reception in Council Conference Room 1 and reconvene following the Official Ceremony for a regular meeting in the Council Chamber.



5. **CALL TO ORDER** – After the re-organization of the City Council, the City Council meeting will be called to order by the Mayor.

- 5.1. Roll Call

6. **REGULAR AGENDA**

- 6.1. **UPDATE ON COMMUNITY CHOICE AGGREGATION (CCA) AND AUTHORIZE STAFF TO CONTINUE WITH MARKET ANALYSIS, IDENTIFY STARTUP COST OPTIONS AND ESTABLISH A CAPITAL IMPROVEMENT PROJECT**

In August 2017, Butte County contracted with EES Consulting to perform an initial feasibility study for implementing Community Choice Aggregation (CCA) in unincorporated areas of Butte County, City of Chico, City of Oroville, and the Town of Paradise. The feasibility study results were presented to the Board of Supervisors on July 24, 2018; and to the Chico City Council on August 7, 2018. Both the County Board of Supervisors and the Chico City Council directed staff to proceed with further market analysis, initiate the community outreach process and start to analyze funding options for startup costs.

Initial community outreach has concluded, and startup costs are identified. However, the Public Utilities Commission (PUC) ruled in October 2018 to increase the Power Charge Indifference Adjustment (PCIA) charged to CCA customers, which requires further analysis. The PUC also necessitates filing a year in advance to secure energy capacity in the grid system prior to a CCA start up. Executive staff from both the City and County concluded that it would be best to continue the analysis and file with the PUC towards the end of 2019 for a 2021 startup. This will allow ample time to finalize the PCIA analysis, seek final approval from each agency's respective governing boards, budget for startup costs, form a Joint Powers Authority (JPA) governance, and file with the PUC. **(Report - Erik Gustafson, Public Works Director-Operations and Maintenance)**

Recommendation: *The Public Works Director of Operations and Maintenance recommends that the City Council authorize staff to 1) Continue with market analysis, 2) Identify startup cost options and 3) Establish a Capital Improvement Project (CIP) for these startup costs through the FY19-20 budget process.*

- 6.2. **DISCUSSION REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC SERVICE FUNDING PROCESS AND REPORTING REQUIREMENTS FOR AWARDEES**

The City allocates fifteen percent (15%) of its annual federal Community Development Block Grant (CDBG) funds to partner with local organizations for the provision of public services benefitting low- and moderate-income residents. At its 9/18/18 meeting, the Council requested a discussion regarding reporting to be required in future grant awards and the selection process to ensure its openness and transparency. **(Report - Marie Demers, Housing Manager)**

Recommendation: *The Deputy Community Development Director recommends listing meetings related to the CDBG Public Services funding on the City's Meetings Calendar and adding a provision in Public Service grant agreements to allow City representatives the opportunity to attend board meetings of grant awardees.*

7. PUBLIC HEARINGS

7.1. **EMERGENCY ORDINANCE FOR TEMPORARY HOUSING AND SUPPORT FACILITIES FOR CAMP FIRE EVACUEES**

On November 8, 2018, the Camp Fire devastated the Town of Paradise and surrounding area resulting in the largest and deadliest fire in the history of California. In total 13,972 residences, 528 commercial, and 4,293 other structures were lost to the Camp Fire. Chico, as the largest neighboring city with commercial, institutional and residential infrastructure and services, saw an unprecedented influx of Camp Fire evacuees in need of a wide range of emergency and nonemergency services, and particularly temporary housing. Current zoning regulations do not adequately address this acute and time critical need to provide temporary housing and/or facilities. Requests for temporary housing accommodations started almost immediately after the fire started, and are increasing in urgency and number of proposals.

The proposed emergency ordinance provides for temporary housing to be located on vacant and developed residential, commercial and industrially zoned property with a temporary dwelling unit permit, and for temporary support facilities (child and day care facilities, classrooms, etc.) with a temporary use permit. The ordinance would be a temporary emergency ordinance in effect for five (5) years, and includes an administrative approval permit with notification to surrounding properties, and provides for an appeal process directly to the City Council. **(Report – Brendan Vieg, Deputy Director, CDD)**

Recommendation: *The Deputy Community Development Director and the City Manager recommend that the City Council 1) hold a public hearing regarding the emergency ordinance for temporary housing and support facilities for Camp Fire evacuees; and 2) adopt the emergency ordinance to add Chapter 19.76.210 to the Chico Municipal Code by reading of the ordinance in full.*

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHICO ADDING CHAPTER 19.76.210 TO THE CHICO MUNICIPAL CODE REGARDING DISASTER RECOVERY

7.2. **ACCESSORY DWELLING UNIT FEE REDUCTIONS IN RESPONSE TO THE CAMP FIRE HOUSING SHORTAGE**

On November 8, 2018, the Camp Fire devastated the Town of Paradise and surrounding area resulting in the largest and deadliest fire in the history of California. In total 13,972 residences, 528 commercial buildings, and 4,293 other structures were lost to the Camp Fire. Chico as the largest neighboring city with commercial, institutional and residential infrastructure and services saw an unprecedented influx of Camp Fire evacuees in need of a wide range of emergency and nonemergency services, and particularly temporary housing. This catastrophic event had an immediate impact on the need for additional housing. Staff is recommending that the City Council consider stimulating Accessory Dwelling Unit (ADU) production by temporarily reducing development impact fees for one (1) year. **(Report – Brendan Vieg, CDD, Deputy Director)**

Recommendation: *The Deputy Community Development Director recommends that the City Council 1) hold a public hearing regarding a resolution temporarily reducing ADU development impact fees for one (1) year; 2) adopt the following resolution temporarily reducing ADU development impact fees for one (1) year and amending the Municipal Fee Schedule; and 3) Provide direction to staff for any further amendments to the ADU regulations that would stimulate ADU production.*

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHICO TEMPORARILY REDUCING THE DEVELOPMENT IMPACT FEES FOR ACCESSORY DWELLING UNITS FOR ONE YEAR IN RESPONSE TO THE CAMP FIRE HOUSING SHORTAGE

8. **REPORTS AND COMMUNICATIONS** - *The following reports and communication items are 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.*
 - 8.1. **CITY MANAGER'S REPORT** - *Verbal Report, City Manager Orme*
 - 8.2. **COUNCILMEMBER REQUESTS** - *Pursuant to AP&P 10-10, a majority vote of Council will be needed in order to agendize these items for discussion at a future meeting. If agendized, public comment will be taken at that meeting.*
 - A. Councilmember Schwab has submitted a request to discuss the appointment process for the City's Board and Commissions.
 - B. Councilmember Schwab has submitted a request to have a presentation at the December 18, 2018 Council meeting by Chico State students regarding solutions for homelessness.
 - 8.3. **MONTHLY FINANCIAL REPORT AND BUDGET MONITORING REPORTS** – *Information only*
9. **BUSINESS FROM THE FLOOR** - *Members of the public may address the Council at this time on any matter not already listed on the agenda, with comments being limited to three minutes or as determined by the Mayor based on the number of speakers. The Council cannot take any action at this meeting on requests made under this section of the agenda.*
10. **ADJOURNMENT** - *Adjourn to the Adjourned Regular City Council meeting on December 18, 2018, at 6:00 p.m. in the Council Chamber at 421 Main St. Chico, CA.*