

SUPPLEMENTAL BENEFITS FUND



SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE Regular Quarterly Meeting

Oroville City Hall – Council Chambers
1735 Montgomery Street
Oroville, California

APRIL 2, 2014
5:30 P.M.
AGENDA

CALL TO ORDER: Loren Gill, SBF Chairperson

PLEDGE OF ALLEGIANCE

ROLL CALL

Voting Members: Chairperson – Loren Gill, FRRPD; Vice Chairperson David Pittman, City of Oroville, Committee Members Victoria Coats, FRRPD; Linda Dahlmeier, City of Oroville; Gordon Andoe, City of Oroville

Advisory Members (non-voting):

Committee Members DWR – Kevin Dossey, SWC – Tim Haines, American Rivers – Steve Rother, Chamber of Commerce – Kevin Zeitler, American Rivers Alternate – Dave Steindorf

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

This is the time the SBF Chairperson will invite anyone in the audience wishing to address the SBF on a matter that is on the agenda to state your name and the agenda item on which you wish to speak. When that item comes up on the agenda, you will be asked to step to the podium, repeat your name for the record, and make your presentation or ask questions regarding the agenda item. Following your remarks, the SBF Steering Committee and/or staff may respond to your comments or questions. Under Government Code Section 54954.3 the time allotted for presentations may be limited. **Presentations are limited to three minutes per person.**

CONSENT CALENDAR

1. **APPROVAL OF THE MINUTES OF THE FEBRUARY 19, 2014, SPECIAL MEETING – minutes attached**

COMMITTEE ACTION REQUESTED: Approve the minutes.

2. **APPROVAL OF THE MINUTES OF THE MARCH 11, 2014, SPECIAL MEETING – minutes attached**

COMMITTEE ACTION REQUESTED: Approve the minutes.

3. **REIMBURSEMENT FROM THE SUPPLEMENTAL BENEFITS FUND TO THE CITY OF OROVILLE FOR ADMINISTRATIVE EXPENSES – staff report**

The Committee will consider a request for reimbursement to the City of Oroville, in the amount of \$10,665.16 for the months of January, February, and March 2014.

COMMITTEE ACTION REQUESTED: Authorize the SBF Fund Administrator to sign invoice Transmittal No. 2014-2 for reimbursement in the amount of \$10,665.16.

4. **CLOSE OUT REPORT FOR SBF GRANT NO. 1901-3, DATED JULY 13, 2012 in the amount of \$34,444, BETWEEN THE CITY OF OROVILLE AS ADMINISTRATOR OF THE SUPPLEMENTAL BENEFITS FUND, GRANTOR AND THE OROVILLE AREA CHAMBER OF COMMERCE AND UPSTATE COMMUNITY ENHANCEMENT FOUNDATION, GRANTEE – staff report**

The Committee will receive the final summary report and acknowledge acceptance that the grantee spent \$31,000 leaving \$3,444 that was not used by the grantee.

COMMITTEE ACTION REQUESTED: Accept the report and direct the SBF Program Specialist to add the \$3,444 to unencumbered SBF funds.

5. **CHANGE SBF STEERING COMMITTEE RULES OF ORDER FROM ROBERT'S RULES OF ORDER TO ROSENBERG'S RULES OF ORDER – staff report**

COMMITTEE ACTION REQUESTED: Authorize the SBF Chairperson to approve Resolution No. 14-01 adopting the Rosenberg's Rules of Order.

REGULAR BUSINESS

6. **The Committee may consider allocating up to \$6,000 for a goals and objectives workshop to develop a comprehensive vision for the Feather River as it relates to the greater Oroville area – staff report**

COMMITTEE ACTION REQUESTED: Authorize the \$6,000 allocation.

STEERING COMMITTEE ADVISOR MEMBERS AND STAFF COMMENTS

7. **SBF Program Specialist Report** (Bob Marciniak)
Written report attached
8. **DWR Advisor Report** (Bill Cochran)
Verbal report including an update on DWR current projects in the Oroville Area; NMFS Biological Report status and status of the FERC relicensing.
9. **SWC Advisor Report** (Tim Haines)

CORRESPONDENCE

None

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

This is the time the SBF Chairperson will invite anyone in the audience wishing to address the SBF on a matter not listed on the agenda to step to the podium, state your name for the record and make your presentation. **Presentations are limited to 3 minutes.** Under Government Code Section 54954.2, The SBF Steering Committee is prohibited from taking action except for a brief response by the SBF Steering Committee or staff to a statement or question relating to a non-agenda item.

SBF CHAIRPERSON CALL FOR AGENDA ITEMS

The SBF Chairperson will request agenda items from the Steering Committee, SBF Advisors, and SBF Staff for the July 2, 2014 Regular Quarterly Meeting of the SBF Steering Committee.

ADJOURNMENT

The meeting will be adjourned. The next regular quarterly meeting of the Supplemental Benefits Fund Steering Committee will be held on Wednesday, July 2, 2014 starting at 5:30 P.M. in the Oroville City Council Chambers.

Accommodating 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.

SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE



February 19, 2014 – SPECIAL MEETING

Note: the following minutes provide a succinct recap of actions taken at the meeting. A complete recorded transcript is available by contacting the SBF Program Specialist at (530) 538-2518.

The agenda for the February 19, 2014 Special Meeting of the Supplemental Benefits Fund Steering Committee was posted at the front of City Hall on Thursday February 13, 2014, at 12:21 P..M. and electronically on the City of Oroville website, www.cityoforoville.org, on February 13, 2014.

The February 19, 2014 Supplemental Benefits Fund Steering Committee Special Meeting was called to order by SBF Chairperson Loren Gill at 3:35 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Gill.

Note: *Prior to the roll call, SBF Attorney Scott Huber advised the voting and advisory members that due to a clerical error, action recommendations were not listed on the actual agenda; however they were listed on each of the following Staff Reports. Mr. Huber stated that the meeting had been posted properly and all attending or those wishing to review the meeting agenda had access to the published Staff Reports.*

ROLL CALL

Present: Voting Committee Members: Committee Members, City of Oroville; Gordon Andoe, Linda Dahlmeier; FRRPD, Victoria Coos and Vice Chairperson, David Pittman, City of Oroville and Chairperson, Loren Gill, FRRPD.

Absent Voting Committee Members: none

Advisory Committee Members (non-voting): Kevin Dossey, Department Water Resources; Kevin Zeitler, Oroville Area Chamber of Commerce; Dave Steindorf (Alternate) American Rivers

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Absent Advisory Committee Members (non-voting): Steve Rotherth – American Rivers; Tim Haines, State Water Contractors

Others Present:

Randy Murphy, SBF Fund Administrator Scott Huber, SBF Legal Counsel
Bob Marciniak, SBF Program Specialist Jamie Hayes, Recording Clerk
John Rawlings, Councilman, Town of Paradise

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS –

Debra Lucero #4 and Celeste Silva #7
Chairperson Gill introduced John Rawlings, Councilman from the Town of Paradise

CONSENT CALENDAR –

1. APPROVAL OF THE MINUTES OF THE JANUARY 15, 2014, REGULAR QUARTERLY MEETING. – minutes attached.

The motion to approve the above Consent Calendar was made by Committee Member Linda Dahlmeier, seconded, by Vice Chairman David Pittman. The motion passed by the following vote.

Ayes: Committee Members, Dahlmeier, Andoe, Coots, Vice Chairperson Pittman, and Chairperson Gill.

Noes: None
Abstain: None
Absent: None

REGULAR BUSINESS

2. Discussion 2014 Available Funds – Staff Report, Bob Marciniak, SBF Program Specialist referenced the Regional Fund Strategic Plan (RFSP) and the various suggested categories and percentages for funding use. Mr. Marciniak stated that the SBF currently has \$329,636.94 in funds that are not committed.

Chairperson Loren Gill asked why the items listed on the Agenda for today's meeting were being discussed prior to a NOFA being issued. Committee Member Linda Dahlmeier stated that at the prior meeting these items were requested to be brought back for appropriate action. Debra Lucero, Upstate Community Enhancement Foundation addressed the committee concurring with Mrs. Dahlmeier's statement.

It was determined that the listed Agenda items would be discussed with appropriate action taken.

3. PROVIDE ALLOWANCES FOR 2014 ADMINISTRATIVE AND POTENTIAL CONSULTANT EXPENSES.

Prior to allocating funds for requested projects, staff recommends that the SBF Steering Committee provide funds for the following:

1. Administrative Expenses: 07-01-2014 to 12-31-2014 (6 months) \$22,000 (fixed)
2. Potential Consultant expenses for a future Combined Riverfront Plan that would include components of the City of Oroville and FRRPD plans that are in proximity of the Feather River. \$50,000 (estimated)

COMMITTEE ACTION REQUESTED: Approve as requested.

After discussion, a motion was made by, Committee Member Linda Dahlmeier and seconded by Committee Member Gordon Andoe to approve allocating \$22,000 for Administrative Expenses and setting aside \$50,000 for future consultant expenses related to a study for a Combined Riverfront Plan. The motion passed by the following vote.

Ayes: Committee Members, Dahlmeier, Andoe, Vice Chairperson Pittman and Chairperson Gill

Noes: None
Abstain: Coots
Absent: None

4. **REQUEST FOR FUNDING OF AN EVENT COORDINATOR (UPSTATE COMMUNITY ENHANCEMENT FOUNDATION) \$30,000 (2014) and \$30,000 (2015) total consideration to be \$60,000** -- Staff Report, Bob Marciniak, SBF Program Specialist

For the past three years the SBF has assisted the community by funding an Event Coordinator for major events held in the Oroville Community. It has been determined that this a valuable compliment to the major community events which include, Feather Fiesta Days, Fourth of July, Salmon Festival and the Holiday Parade of Lights. Upstate Community Enhancement Foundation has been the Event Coordinator since 2011. Each of the events has experienced growth during this time.

COMMITTEE ACTION REQUESTED: Approve as requested .

After discussion, a motion was made by, Committee Member Linda Dahlmeier and seconded by Committee Member Gordon Andoe to approve allocating \$30,000 from current funds and \$30,000 from anticipated 2015 funds. The motion passed by the following vote:

Ayes: Committee Members, Dahlmeier, Coots, Andoe, Vice Chairperson Pittman and Chairperson Gill

Noes: None
Abstain: None
Absent: None

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5. REQUEST FOR FUNDING LANDSCAPE ARCHITECTURAL DESIGN OROVILLE AQUATIC CENTER – Staff Report, Bob Marciniak, SBF Program Specialist

The SBF ad Hoc Aquatic Center Committee has met several times to discuss the potential of an aquatic center for the Oroville Community. During the negotiations for the Settlement Agreement with DWR a need for such a fresh water center was recognized. The committee has met with representatives of California State Parks & DWR and the next step is to have an architectural design plan developed. Melton Design Group has presented a proposal for \$11,775, however Staff is recommending that an approval not to exceed \$20,000 occur which will allow for expansion of scope to include a potential connection between the Oroville North Forebay and the Nelson Avenue Sports Complex.

COMMITTEE ACTION REQUESTED: Approve as requested .

After discussion, a motion was made by, Committee Member Linda Dahlmeier and seconded by Vice Chairperson David Pittman to approve allocating \$20,000 for an architectural design plan with Melton Design Group. The motion passed by the following vote:

Ayes: Committee Members, Dahlmeier, Coots, Andoe, Vice Chairperson Pittman and Chairperson Gill

Noes: None
Abstain: None
Absent: None

6. Request for funding environmental and design elements Brad Freeman Trail (FRRPD) – Staff Report, Bob Marciniak, SBF Program Specialist

The Friends of the Nature Center, the City of Oroville and Feather River Recreation & Park District have been discussing the extension of the Brad Freeman Trail which ends below and west of the Oroville Veterans Memorial and then continues into the Feather River Nature Center & Native Plant Park. The extension of the trail is considered the "missing link" in the 41 mile long trail. The requested funds will allow for completion of the Environmental Study and to also prepare design elements for this portion of the trail. FRRPD will be the lead agency on the project.

COMMITTEE ACTION REQUESTED: Approve as requested .

After discussion, a motion was made by, Committee Member Linda Dahlmeier and seconded by Committee Member Victoria Coots to approve allocating \$30,000 for completing the Environmental Study and an architectural design plan. The motion passed by the following vote:

Ayes: Committee Members, Dahlmeier, Coots, Andoe, Vice Chairperson Pittman and Chairperson Gill

Noes: None
Abstain: None
Absent: None

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7. Request for funding (Oroville YMCA) swimming pool and ADA upgrades – Staff Report, Bob Marciniak, SBF Program Specialist.

The YMCA of Superior California, Oroville YMCA facility has requested consideration for a grant for \$200,000 to fund improvements and ADA enhancements to its swimming facility in Oroville. Celeste Silva, YMCA Service Area Director, spoke briefly about the needs of the facility and the benefits that it has provided to the community since the swimming pool was built in 1996.

COMMITTEE ACTION REQUESTED: Approve as requested, (or) approve request for a lesser amount, (or) deny request, (or) provide direction to staff.

The SBF Steering Committee, after discussion, agreed that the request should be tabled until the 2014 NOFA is issued.

PUBLIC HEARINGS

- None

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

- None

CORRESPONDENCE

- None

CALL FOR AGENDA ITEMS

The SBF Chairperson will request agenda items from the Steering Committee for the next regular meeting of the Supplemental Benefits Fund Steering Committee which will be held on Wednesday, April 2, 2014. An ad Hoc Committee comprised of Loren Gill, David Pittman, Kevin Zeitler (Claudia Knaus, Alternate) and Randy Murphy was formed to review and report back at a Special Meeting (date to be set) with recommendations for a NOFA for some, or all, of the remaining SBF available funds.

ADJOURNMENT

The meeting was adjourned at 5:10 P.M. A Regular Quarterly Meeting of the Supplemental Benefits Fund Steering Committee will be held on Wednesday, April 2, 2014 starting at 5:30 P.M. in the Council Chambers of the City of Oroville.

Loren Gill, SBF Chairperson

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SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE



March 11, 2014 – SPECIAL MEETING

Note: the following minutes provide a succinct recap of actions taken at the meeting. A complete recorded transcript is available by contacting the SBF Program Specialist at (530) 538-2518.

The agenda for the March 11, 2014, Special Meeting of the Supplemental Benefits Fund Steering Committee was posted at the front of City Hall on Thursday March 6, 2014, at 10:01 A.M. and electronically on the City of Oroville website, www.cityoforoville.org, on March 8, 2014.

The March 11, 2014, Supplemental Benefits Fund Steering Committee Special Meeting was called to order by SBF Chairperson Loren Gill at 2:02 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Gill.

ROLL CALL

Present: Voting Committee Members: Committee Members, City of Oroville; Gordon Andoe, Linda Dahlmeier; FRRPD, Victoria Coots and Chairperson, Loren Gill, FRRPD.

Absent Voting Committee Members: Vice Chairperson, David Pittman

Advisory Committee Members (non-voting): Kevin Dossey, Department Water Resources; Claudia Knaus (Alternate), Oroville Area Chamber of Commerce; Dave Steindorf (Alternate) American Rivers

Absent Advisory Committee Members (non-voting): Steve Rothert – American Rivers; Tim Haines, State Water Contractors; Kevin Zeitler, Oroville Area Chamber of Commerce

Others Present:

Randy Murphy, SBF Fund Administrator
Bob Marciniak, SBF Program Specialist

Scott Huber, SBF Legal Counsel
Jamie Hayes, Recording Clerk

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS –

None

CONSENT CALENDAR –

1. APPROVAL OF THE MINUTES OF THE FEBRUARY 19, 2014, SPECIAL MEETING. – minutes attached.

Bob Marciniak, SBF Program Specialist stated that the minutes regarding the approval of the Event Coordinator indicated that the Fourth of July was one of the events that the Event Coordinator would help support. Mr. Marciniak stated that was not the understanding of the grant recipient. Committee Member Linda Dahlmeier stated that it was her understanding that all four events were included. Committee members Andoe and Chairperson Gill agreed that was what they had understood. Mr. Marciniak was provided direction to contact the grant recipient, Upstate Community Enhancement Foundation, and clarify that all four events were included in the contract with the understanding that the Salmon Festival was the premier event.

The approval of the February 19, 2014, minutes was placed on hold.

Note: Mr. Marciniak contacted Upstate Community Enhancement Foundation and they agreed that the contract is to provide an Event Coordinator to administer the following events with the emphasis on the Salmon Festival, a premiere Butte County event and one that has the potential to become a premiere West Coast Event:

- *Manage all aspects of the Salmon Festival (80%)*
- *(Facilitate meetings only) Feather Fiesta Days (12%)*
- *(Facilitate meetings only) 4th of July Celebration at the Oroville Dam (3%)*
- *(Facilitate meetings only) Parade of Lights (5%)*

REGULAR BUSINESS

2. 2014 Notice of Funds Available (NOFA) – Staff Report, Bob Marciniak, SBF Program Specialist

At the February 19, 2014, Special Meeting of the Supplemental Benefits Fund Steering Committee an ad Hoc Committee was established to review the available funds and to prepare a NOFA for SBF Steering Committee discussion. The findings and recommendations of the ad Hoc Committee were presented.

The ad Hoc NOFA Committee recommended the following:

- Marketing/Community Development Fund

- \$100,000 be made available
- \$10,000 minimum application amount
- NOFA release date: Thursday March 13, 2014
- Applicants be required to attend a mandatory workshop (April 4, 2014)
- Applicants to provide a 25% match (cash or in/kind services)

COMMITTEE ACTION REQUESTED: Approve the 2014 NOFA as recommended by the ad Hoc NOFA Committee, (or) provide direction to staff.

After discussion, Committee Member Gordon Andoe made a motion to approve the 2014 NOFA as recommended by the ad Hoc NOFA Committee, the motion was seconded by Committee Member, Victoria Coots. The motion was approved by the following vote:

Ayes: Committee Members, Dahlmeier, Andoe, Coots and Chairperson Gill
 Noes: None
 Abstain: None
 Absent: Vice Chairperson Pittman

PUBLIC HEARINGS

- None

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

- None

CORRESPONDENCE

- None

COMMITTEE DISCUSSION

The committee discussed the need to establish goals and to follow a set plan that would be developed using information from the various stakeholder agencies of the Supplemental Benefits Fund. Specifically, attention to the Feather River, the nexus to the Feather River, plans of the City of Oroville, Feather River Recreation & Park District, DWR, State Parks and others. It was also suggested that an independent facilitator be used for the meeting. The committee agreed that a goals and planning meeting should be held in the near future. FRRPD offered their conference facility for the meeting. The SBF Program Specialist will provide available dates to the committee and work with SBF Advisor Dave Steindorf to secure the meeting facilitator.

CALL FOR AGENDA ITEMS

The SBF Chairperson will request agenda items from the Steering Committee for the next regular meeting of the Supplemental Benefits Fund Steering Committee which will be held on Wednesday, April 2, 2014.

- Provide a resolution changing the meeting protocol from Roberts Rules of Order to Rosenberg's Rules of Order

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- Provide ad Hoc Committee reports
- Provide an update from the NOFA Workshop

ADJOURNMENT

The meeting was adjourned at 3:00 P.M. A Regular Quarterly Meeting of the Supplemental Benefits Fund Steering Committee will be held on Wednesday, April 2, 2014, starting at 5:30 P.M. in the Council Chambers of the City of Oroville.

Loren Gill, SBF Chairperson

DRAFT

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**SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE
STAFF REPORT**

TO: SBF CHAIRPERSON & COMMITTEE MEMBERS

FROM: RANDY MURPHY, SBF ADMINISTRATOR
BOB MARCINIAK, SBF PROGRAM SPECIALIST

RE: AUTHORIZATION TO REQUEST REIMBURSEMENT TO THE
CITY OF OROVILLE FOR SBF ADMINISTRATIVE EXPENSES

DATE: April 2, 2014

SUMMARY

The Committee will consider approving a request for reimbursement to the City of Oroville in the amount of \$10,665.16 for SBF Administrative expenses for, January 1, 2014 through March 31, 2014.

DISCUSSION

The expenses are within the guidelines of Contract # 460007302, Exhibit A, Attachment 1, Page 10 "...administrative duties include, but are not limited to, activities associated with management of the Fund." The amount of \$10,665.16 represents actual expenses verified against City of Oroville General Ledger charges from January 1, 2014 through March 31, 2014.

FISCAL IMPACT

Reduces previously approved annual administrative budget of \$43,929.99 to \$12,070.10

RECOMMENDATION

Committee Authorization for the SBF Fund Administrator to sign Invoice Transmittal No. AE2014-2 to DWR for reimbursement in the amount of \$10,665.16

ATTACHMENTS

Transmittal No. AE2014-2
Budget Reconciliation

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CITY OF OROVILLE

Bob Marciniak, SBF Program Specialist
1735 MONTGOMERY STREET • OROVILLE, CA 95965-4897

530-538-2518

Fax 530-538-2468

Email: marciniakb@cityoforoville.org

Date: April 2, 2014

To: Lynne Esparaza
DWR

Subject: Reimbursement of Administrative Expenses \$10,665.16

FERC Project No. 2100 Contract #460007302

INVOICE # AE2014-2

Note: Reimbursement to the City of Oroville for administrative expenses; January 1, 2014 through March 31, 2014. Supporting documents are attached.

Approvals:

Randy Murphy, SBF Fund Administrator

Cc: DWR Accounting Office/Contracts Payable Unit/Sacramento, CA

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Supplemental Benefits Fund (SBF)

**Performa Budget/Actual Expenses/Variance
Administrative Expenses***

City of Oroville Fiscal Year: 07/01/2013 to 06/30/2014

<u>Month</u>	<u>Year</u>	<u>Budget</u>	<u>Actual</u>	<u>Budget Variance</u>	<u>DWR Billed</u>
July	2013	\$3,398.00	(\$3,372.63)	\$25.37	yes
August	2013	\$3,323.00	(\$3,147.36)	\$175.64	yes
September	2013	\$3,473.00	(\$3,147.24)	\$325.76	yes
October	2013	\$3,524.00	(\$3,360.91)	\$163.09	yes
November	2013	\$4,621.00	(\$4,864.63)	(\$243.63)	yes
December	2013	\$3,449.00	(\$3,300.97)	\$148.03	yes
January	2014	\$3,524.00	(\$3,132.27)	\$391.73	
February	2014	\$3,449.00	(\$3,831.99)	(\$382.99)	
March	2014	\$3,599.00	(\$3,700.90)	(\$101.90)	
April	2014	\$4,671.00		\$4,671.00	
May	2014	\$3,449.00		\$3,449.00	
June	2014	\$3,449.00		\$3,449.00	

Totals: \$43,929.00 (\$31,858.90) \$12,070.10

*** Administrative Expenses include the following:**

SBF Coordinator/ City of Oroville Salary & Benefits	50%
Office expenses related to SBF	100%
Legal Expenses related to SBF	100%
Miscellaneous expenses related to SBF	100%

Actual details of line expenses are provided on the analysis of SBF Administrative expenses submitted with the City of Oroville reimbursement request.

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Analysis of SBF Administrative Expenses to be submitted for reimbursement

<u>Category</u>	<u>Jan-14</u>	<u>Feb-14</u>	<u>Mar-14</u>
Program Specialist Salary	2,101.74	2,335.30	2,335.29
Temp Salaries	0.00	0.00	0.00
Meeting Clerk	0.00	0.00	0.00
Overtime	0.00	0.00	0.00
Medicare	29.93	32.99	32.80
Pers	254.18	282.42	282.42
Bond	138.92	154.36	154.36
Health Insurance	458.70	575.33	570.77
Workmans Comp	10.71	11.92	11.92
Unemployment Ins	12.50	15.62	15.62
Postage Due	0.00	0.00	0.00
Office Supplies	53.73	8.05	73.72
Postage/Xerox	0.00	0.00	0.00
Meeting Expenses	0.00	0.00	0.00
Travel	0.00	0.00	0.00
Printing	71.86	0.00	0.00
Stores Expense	0.00	0.00	0.00
Legal	0.00	416.00	224.00
Medical/Physical	0.00	0.00	0.00
Advertising/Legal Notices	0.00	0.00	0.00
<u>Total</u>	<u>\$3,132.27</u>	<u>\$3,831.99</u>	<u>\$3,700.90</u>
<u>Total/GL</u>	<u>\$3,132.27</u>	<u>\$3,831.99</u>	<u>\$3,700.90</u>
<u>Difference</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>

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**SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE
STAFF REPORT**

TO: SBF CHAIRPERSON & COMMITTEE MEMBERS

**FROM: RANDY MURPHY, SBF ADMINISTRATOR
BOB MARCINIAK, SBF PROGRAM SPECIALIST**

RE: CLOSE OUT OF 2012 SBF GRANT

DATE: APRIL 2, 2014

SUMMARY

The Committee may consider approving the close out of the Oroville Area Chamber of Commerce and Upstate Community Enhancement Foundation grant to fund an Event Coordinator and Event Equipment in Oroville, California.

DISCUSSION

The SBF Steering Committee on July 13, 2012 approved the following grant which matured on December 31, 2013.

- \$34,444.00 to Oroville Area Chamber of Commerce and Upstate Community Enhancement Foundation to fund an Event Coordinator and Event Equipment in Oroville, California.
- The \$3,444.00 results from a deduction of \$1,500 from the August 2013 payment (4th of July Fireworks show not held) and \$1,944 remaining from contingency expenditures not used.

FISCAL IMPACT

Closing the grant returns \$3,444.00 to the SBF not committed funds category.

RECOMMENDATION

Approve the close out of the Oroville Area Chamber of Commerce and Upstate Community Enhancement Foundation grant to fund an Event Coordinator and Event Equipment in Oroville, California.

ATTACHMENTS

Grant reconciliation

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Oroville Area Chamber of Commerce & Upstate Community Enhancement Foundation

NOTE: Letter dated March 27, 2013 authorizes all payments to be made directly to Upstate Community Enhancement Foundation

SBF/2013 NOFA .(1901-4) Marketing & Community Benefit Fund Salmon Festival 75%
Grant approved July 17, 2012 Feather Fiesta Days 15%
 Parade of Lights 5%
 Parade of Lights 5%

Grant Amount: \$34,444.00

<u>Invoice Date</u>	<u>Amount</u>	<u>Expense Summary</u>
January 4/1/2013	-\$2,500.00	
February 5/24/2013	-\$2,500.00	
March 5/24/2013	-\$2,500.00	Note: \$30,000 for monthly activities
April 5/24/2013	-\$2,500.00	\$4,444 for incidentals
May 6/3/2013	-\$2,500.00	
June 7/8/2013	-\$2,500.00	
July 8/1/2013	-\$1,000.00	\$30,000 contract adjusted by 5% as there was no activity for a 4th of July program.
August 9/3/2013	-\$2,500.00	
September 10/2/2013	-\$2,500.00	
October 11/4/2013	-\$2,500.00	
October 11/4/2013	-\$2,500.00	(Contingency expenses related to the Salmon Festival)
November 12/1/2013	-\$2,500.00	
December 1/2/2014	-\$2,500.00	

Available Balance: \$3,444.00

Note: (80% of grant funds)) Meeting activities included facilitation, chairing, providing minutes & follow-up. (Salmon Festival 75%) (Feather Fiesta Days 15%) (Fourth of July 5%) (Parade of Lights 5%)

Event activities included attendance at all events, video & photography, coordinating event activities, set-up/take-down, as appropriate.

(20% of grant funds) Contingency expenditures

Signage, staging, chairs, rentals, advertising & entertainment for the Salmon Festival

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**SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE
STAFF REPORT**

TO: SBF CHAIRPERSON & COMMITTEE MEMBERS

**FROM: RANDY MURPHY, SBF ADMINISTRATOR
BOB MARCINIAK, SBF PROGRAM SPECIALIST**

**RE: AMENDMENT TO SBF RESOLUTION NO. 06-01 TO ADOPT
ROSENBERG'S RULES OF ORDER**

DATE: April 2, 2014

SUMMARY

THE SBF STEERING COMMITTEE WILL CONSIDER AN AMENDMENT TO THE SUPPLEMENTAL BENEFITS FUND, RESOLUTION NO. 06-1, A RESOLUTION OF THE SUPPLEMENTAL BENEFITS STEERING COMMITTEE ESTABLISHING RULES OF GOVERNANCE, TO ADOPT ROSENBERG'S RULES OF ORDER.

DISCUSSION

Rules of Parliamentary procedure are designed to facilitate the decision making process. The Supplemental Benefits Fund Steering Committee had previously approved Robert's Rules of Order as the formal rules of procedure for the SBF Steering Committee. The Oroville City Council and the Feather River Recreation & Parks District Board of Directors are currently following Rosenberg's Rules of Order.

Originally written in 1876, "Robert's Rules" were loosely based on the rules of procedure governing the U.S. House of Representative and can be useful in a large parliamentary system because they provide a ridged structure of the introduction of ideas and a method of decision.

However, a growing number of California's cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations are recognizing that Robert's Rules are cumbersome, very technical, and do not invite sufficient public comment or participation in the decision making process. Parliamentary rules should be simple enough to be understood, remembered and consistently applied.

Robert's Rules of Order are extensive and span hundreds of pages. In addition, they have been published by a number of companies and editors, creating some confusion as to which is the "official version". In some instances, Robert's Rules of Order create an obstacle rather than facilitate efficient decision-making procedures.

Rosenberg's Rules of Order were created by Judge Dave Rosenberg. Apart from his service as a Superior Court Judge, Mr. Rosenberg has served as a member and chair of numerous state, regional, and local boards, both appointed and elected. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small municipal bodies.

Rosenberg's Rules of Order were created with a few goals in mind. First, that rules include sufficient detail to establish order, but not so complex as to prevent consistent and accurate application. Second, rules should be clear and concise to foster wider understanding and participation. Third, rules should be user-friendly and should invite the public to the table. Finally, rules should stimulate discussion and facilitate decision-making by enforcing the will of the majority while allowing the expression of the minority view.

Rosenberg's Rules of Order are accessible online and are approximately ten printed pages. In Mr. Rosenberg's words, "These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed."

For any rules that are desired by the SBF Steering Committee which are not specifically enumerated in Rosenberg's Rules of Order, a separate SBF Steering Committee policy can be adopted to enact the desired rule.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends that the SBF Steering Committee amend SBF Resolution 06.01 to adopt Rosenberg's Rules of Order.

ATTACHMENT(S)

Page 5, Resolution No. 06.01
Resolution No. 14.01
Rosenberg's Rules of Order

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- 1.16 Any non-voting advisor or member of the public may address the Steering Committee on items appearing on the agenda at the time the item is considered during the course of the meeting.

The public comment period shall be limited to no more than three minutes for each speaker.

To be allowed time to address the Steering Committee, each speaker must fill out a speaker request slip before discussion on the agenda item begins.

Upon addressing the Steering Committee, each speaker must first state his or her name and place of residence and then identify the subject or subjects upon which he or she intends to speak.

- 1.17 Matters which are required to be heard in a noticed public hearing shall be conducted in the following manner:

1.17.1 Matters noticed to be heard by the Steering Committee shall commence no earlier than the time specified in the notice of hearing, or as soon thereafter as is reasonably possible, and shall continue until the same has been completed or until other disposition of the matter has been made.

1.17.2 Any hearing being held or noticed or ordered to be held may, by order or notice of continuance, be continued to any subsequent meeting.

1.17.3 The chairperson shall conduct the public hearing as follows:

a. Request that staff present the staff report.

b. Request that non-voting advisors comment on the public hearing subject.

c. The chairperson shall then recognize persons who wish to address the Steering Committee. No person shall address the Steering Committee for more than three minutes without permission of the chairperson.

d. The chairperson shall then close the public testimony portion of the public hearing. The Steering Committee members may still, however, ask questions of staff or members of the public.

- 1.18 The Steering Committee shall conduct its meetings based on the most recently revised edition of Robert's Rule of Order. In the event of any conflict between Robert's Rules and this resolution, the latter shall govern. All Steering Committee actions shall be authorized by resolution or by motion.

SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE

RESOLUTION NO. 01-2014

**A RESOLUTION OF THE SUPPLEMENTAL BENEFITS FUNDS
STEERING COMMITTEE AMENDING THE RULES OF GOVERNANCE**

WHEREAS, the Supplemental Benefits Fund Steering Committee desires to amend its Rules of Governance to adopt the Rosenberg's Rules of Order

NOW THEREFORE, be it hereby resolved by the Supplemental Benefits Fund Steering Committee as follows:

1. Section 1.18 of the Supplemental Benefits Fund Steering Committee Rules of Governance shall be amended to read:

"The Steering Committee shall conduct its meetings based on the most recently revised edition of Rosenberg's Rules of Order. In the event of nay conflict between Rosenberg's Rules of Order and this resolution, the latter shall govern."

2. The SBF Fund Administrator shall attest to the adoption of this Resolution.

PASSED AND ADOPED by the Supplemental Benefits Fund Steering Committee at a regular meeting on April 2, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Loren Gill, Chairperson

APPROVED AS TO FORM:

Scott Huber, SBF Counsel

Randy Murphy
SBF Fund Administrator



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg

5-5



MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes *Western City* magazine.

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ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.

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INTRODUCTION

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the "ayes" and then asking for the "nays" normally does this. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body."

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member's desired approach with the words "I move ..."

A typical motion might be: "I move that we give a 10-day notice in the future for all our meetings."

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, "A motion at this time would be in order."
2. **Suggesting a motion to the members of the body**, "A motion would be in order that we give a 10-day notice in the future for all our meetings."
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of "those present" then you treat abstentions one way. However, if the rules of the body say that you count the votes of those "present and voting," then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are "present and voting."

Accordingly, under the "present and voting" system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are "present"), but you treat the abstention votes on the motion as if they did not exist (they are not "voting"). On the other hand, if the rules of the body specifically say that you count votes of those "present" then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like "no" votes.

*How does this work in practice?
Here are a few examples.*

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are "present and voting." If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three "yes," one "no" and one "abstain" also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members "present." Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a "no" vote. Accordingly, if the votes were three "yes," one "no" and one "abstain," then the motion fails. The abstention in this case is treated like a "no" vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an "abstention" vote? Any time a member votes "abstain" or says, "I abstain," that is an abstention. However, if a member votes "present" that is also treated as an abstention (the member is essentially saying, "Count me for purposes of a quorum, but my vote on the issue is abstain.") In fact, any manifestation of intention not to vote either "yes" or "no" on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote "absent" or "count me as absent?" Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually "absent." That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, "point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be, "point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.



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**SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE
STAFF REPORT**

TO: SBF CHAIRPERSON & COMMITTEE MEMBERS

**FROM: RANDY MURPHY, SBF ADMINISTRATOR
BOB MARCINIAK, SBF PROGRAM SPECIALIST**

RE: GOALS AND OBJECTIVES WORKSHOP

DATE: APRIL 2, 2014

SUMMARY

The Committee may consider approving allocating up to \$6,000 for a Goals and Objectives workshop to develop a comprehensive vision for the Feather River as it relates to the greater Oroville area.

DISCUSSION

The SBF Steering Committee on March 11, 2014 directed staff to source a facilitator with an understanding of the Supplemental Benefits Fund to facilitate a future workshop to develop a comprehensive vision for the Feather River as it relates to the Greater Oroville Area. ESA, a firm that assisted in the relicensing efforts of the Oroville Project 2100 and was the lead firm for the City of Oroville Downtown Waterfront Redevelopment Concept Plan has expressed an interest in facilitating a goal setting and planning workshop for the SBF. ESA has provided a letter of interest, a summary of relevant experience and a 2014 schedule of fees. ESA suggest that Mr. Eric Zigas and Mr. Ray Weiss conduct the workshop(s). For the initial four to six hour workshop it is anticipated that the cost would be close to \$6,000.

FISCAL IMPACT

Reduces SBF unallocated funds by \$6,000.

RECOMMENDATION

Authorize the expenditure of up to \$6,000 for a Goals & Objectives workshop.

ATTACHMENTS

- Letter dated March 27, 2014 from ESA
- ESA Relevant Experience
- ESA 2014 Schedule of Fees

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2600 Capitol Avenue
Suite 200
Sacramento, CA 95816
916.564.4500 phone
916.564.4501 fax

www.esassoc.com

March 27, 2014

Bob Marciniak, Program Specialist
City of Oroville
1735 Montgomery Street
Oroville, CA 95965

Subject: *Supplemental Benefits Fund Facilitation Support*

Dear Bob:

ESA has a long history with the development and negotiation of the Oroville area's Supplemental Benefits Fund (SBF). Specifically, we understand its origins, intent, and relationship to the Lake Management Plan which was developed for the facilities located inside the FERC boundary. How the SBF assets are assigned to projects outside the FERC boundary, how they complement the Lake Management Plan, how they relate to the River and how they promote economic benefits to the greater Oroville area, is the responsibility of the SBF Committee.

In order to guide the SBF Committee's review of project applications and ultimately the allocation of funds that will become available upon issuance of the long-term FERC license, ESA would like to partner with the City and the SBF Committee in the development of a vision for the Feather River and the greater Oroville area.

We understand Mayor Linda Dahlmeier would like to work with the Committee to set some Goals and Objectives, and we would like to offer our assistance in facilitating that process. We offer our services to assist the Committee with the history of how the City came into the SBF and reflect on how the SBF was meant to benefit the greater Oroville area. Several of the current Committee members participated in the settlement process and could offer their own perspectives. Collectively, we could walk the Committee through a Goals and Objectives/Visioning session. Depending on how quickly the Committee can reach consensus (and a definition of consensus), the development of a Vision Statement/Goals and Objectives may take several workshops. We would propose that ESA Bay Area Water Group Director Eric Zigas and ESA Program Manager Ray Weiss participate in the facilitated sessions. To that end, we are providing our resumes, an hourly rate sheet and some representative project examples successfully completed by Eric and Ray that addressed similar issues and concerns for your review.

The SBF provides a real opportunity for investment in the area's future. The SBF is not as large as it may seem, and the investments must be made wisely – there will be no second chance. We look forward to working with the Committee and helping them arrive at a common vision for the River. Please contact us directly for any and all questions.

Sincerely,

Eric Zigas
Director, Bay Area Water Group

Ray Weiss
Program Manager, Central Valley/Sierra Region

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ESA

Relevant Experience



City of Oroville Waterfront Redevelopment Concept Plan

Location: Oroville, California
Client: City of Oroville, Community Development Department

City of Oroville Downtown Waterfront Redevelopment Concept Plan

ESA helped WRT develop a redevelopment concept plan for the City of Oroville's downtown waterfront area. ESA biologists and planners conducted an ecological characterization of the study area and participated in various stakeholder interviews and public workshops, which resulted in the identification of programming needs for several locations throughout the waterfront area; the development of preliminary site planning concepts; and the identification of environmental, regulatory, and permitting issues associated with their implementation. ESA translated the descriptions of the public open spaces identified in the Concept Plan into Protection, Mitigation, and Enhancement measures (PM&Es), and submitted them to DWR for consideration in the collaborative process associated with the Oroville FERC Facilities Relicensing (FERC Project # 2100).

ESA continued to monitor the progress of the PM&Es and represented the City of Oroville/Oroville Redevelopment Agency's recreation/redevelopment interests in the collaborative process. As Primary Negotiator for the City in the development of a historic multi-party Settlement Agreement, ESA represented the socio-economic benefits to the City and the greater Oroville area from recreation development and positioned the City in the negotiation process with the State Water Contractors and the DWR. The negotiations resulted in the development of the Supplemental Benefit Fund, which included a combination of upfront cash for recreation development and an annual payment for development of projects outside the FERC project boundary.

County of Plumas General Plan Update and EIR

Beginning in 2009, ESA co-lead the preparation of the County's comprehensive general plan update and EIR. As an introductory step in the process, we facilitated a "general plan basics" workshop for the Plumas County Board of Supervisors, Planning Commission members, and interested stakeholders. Subsequent steps included the preparation of a General Plan Briefing Report summarizing key environmental, economic, and planning issues of specific importance to the County, and a county-wide visioning process with public workshops throughout the County. ESA also contributed



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to preparation of the General Plan Policy Document with policy and technical analyses for several general plan elements including the open space/conservation, water resources, noise, and public health and safety elements. ESA has completed preparation of the Draft and Final EIR for the general plan update and supported County staff on final hearings and adoption of the general plan with County decision makers. The updated General Plan was adopted in December 2013.



Feather River Recreation and Park District Master Plan

ESA prepared a System Inventory and Conditions Report as the first phase of a Parks Master Plan. Activities included gathering and documenting existing conditions for the FRRPD's facilities, including their parks, trails, and other recreation opportunities; identified regional demographic and recreation trends, and; authored a systems inventory and conditions report to support the District's Master Plan update effort. The Master Plan process was intended to guide the District's actions over the next 10 to 20 year period. To this end, ESA facilitated the collaborative development of mission and vision statements for the District based on regional demographic and recreation trends, and community values. ESA worked with the District to develop a scope of work for Phase II, which consisted of three concurrent master planning efforts to address recreational programming, community parks, and the Feather River parkway.



DWR On-Call Environmental Contracts

ESA provides ongoing on-call contract management services for DWR's Division of Engineering Division of Operations and Maintenance, and State Water Project (SWP) Accounting Office, totaling over \$40 million in contract value since 2000. Our work includes supporting DOE to move the South Bay Aqueduct Project, East Branch Extension Phase II Project, and Lake Perris Retrofit Program through CEQA, mitigation development, and permitting process to construction; supporting Division of Operations and Maintenance throughout the SWP; and assessing impacts related to Long-Term Contract Extensions to the SWP Contractors. ESA's project managers and technical specialists have provided the following concept to completion services throughout these contracts: project development, CEQA/NEPA, agency coordination, stakeholder outreach, right of way assistance, sensitive species surveys, cultural resources survey, Phase I site assessments, mitigation development, regulatory permitting and agency coordination with USFWS, USACE, CDFW, NMFS, SHPO, construction monitoring, SWPPP compliance, emergency response, conservation easement planning, NPDES permitting, and long-term reporting.



ERIC ZIGAS

Director II

Eric Zigas is a geographer/planner and has served as Project Manager on numerous water resources planning assignments over the past 35 years. The majority of these projects have involved complicated scopes and large teams of subconsultants, including engineering and environmental specialists. He has developed and implemented planning methodologies, and has facilitated clients and their communities in policy-level decision-making processes. Eric has directed the analyses of natural resource parameters for right-of-way studies, river corridor studies, and recreational developments. He also has prepared a considerable amount of environmental documentation to meet FERC, CEQA and NEPA requirements.

Education

B.A., Geography, State
University of New York at
Buffalo

Relevant Experience

Oroville Waterfront Redevelopment Concept Plan and PM&E Measures.

Project Director. Eric participated in developing the Downtown Oroville Waterfront Redevelopment Concept Plan, and converted the description of the public open spaces identified in the Concept Plan into Protection, Mitigation and Enhancement Measures (PM&Es), which were subsequently submitted to the California Department of Water Resources (DWR) for consideration in the alternative relicensing process of FERC Project 2100 (Oroville Facilities). Eric continued to monitor the progress of the PM&Es and represented the City of Oroville/Oroville Redevelopment Agency's recreation/redevelopment interests in the collaborative process through participation in several of the established technical workgroups. Eric was ultimately the Primary Negotiator for the City in the development of the multi-party Settlement Agreement; he worked with the technical and legal team to represent the socio-economic benefits to the City from recreation development and positioned the City in the negotiation process with the State Water Contractors and the DWR. The negotiations resulted in the development of the Supplemental Benefit Fund, which included a combination of upfront cash for recreation development and an annual payment for development of projects outside the FERC project boundary.

Feather River Recreation and Park District Phase 1 Master Plan Update.

Project Director. Eric managed the preparation of a comprehensive System Inventory and Conditions Report which documents baseline conditions and provided the District with a starting point for the development of master plans for their community parks, the Feather River corridor and recreational programming services. In addition to guiding the facilities inventory and photo documentation, Eric facilitated a series of meetings to capture the public's perception, and conducted an all day workshop with the Board of Directors that concluded in the development and ultimate acceptance of a revised Mission and Vision statement.

Poe Hydroelectric Project Relicense Application. Project Director. Eric oversaw the development of the Exhibit E reports on recreation, cultural resources, fishery resources and bald eagles for the FERC application for the client, California Entities. The Feather River recreation effort included the

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Relevant Experience (Continued)

development and implementation of a user count survey instrument, evaluation of the use count statistics including projections of future use, and the development of a recreation plan to support the needs of the recreation users, including whitewater interests. This was a competitive application process being conducted under a court-ordered timeframe.

CALFED Los Vaqueros Reservoir Expansion Studies. *Senior Technical Associate.* Eric was responsible for the development of project objectives, evaluation criteria, and the development of alternatives, and has produced the Planning Report to document the process. Through the development of the Planning Report, Eric worked with the technical team to advance the description of project facilities; describe reservoir operations; explain project economics, financing and institutional arrangements, and; identify potential project benefits, environmental effects and approaches to mitigation. This information was presented to the customers and the public in a series of workshops, and Eric assisted in the development of the presentation and workshop materials. He continued to provide senior QA/QC on the resulting CEQA documents.

California American Water Company's Coastal Water Project CEQA Review. *Project Manager.* Eric managed the preparation of CEQA documentation for the California Public Utilities Commission (CPUC) on the California American Water Company's (CalAm's) Coastal Water Project (CWP). CalAm filed an application with the CPUC seeking a Certificate of Public Convenience and Necessity (CPCN) and ratemaking treatment for a new water supply to replace existing supplies drawn from the Carmel River/Carmel Valley Aquifer to serve its Monterey Division customers. Eric managed an extensive pre-consultation process, development of an NOP, scoping meetings in Monterey and preparation of a comprehensive EIR on the Applicant's proposal as well as revised alternatives that included subsurface intakes and a desalination plant at North Marina in addition to the community-developed Regional Water Supply Project. The EIR was certified in December 2009 and the project "Settlement Agreement" was approved by the CPUC in December 2010. Eric continues to manage the CEQA process for the CPUC on the revised proposal by CalAm for the Monterey Peninsula Water Supply Project.

Soquel Creek Water District (SqCWD) Well Master Plan. *Project Director.* Directed an EIR for the Soquel Creek Water District's Well Master Plan (WMP). The WMP aims to improve redundancy and flexibility in the existing water production and distribution system while redistributing pumping away from coastal and depressed groundwater areas. Issues addressed in the EIR included: the cumulative effects of proposed pumping changes on the Purisima Formation; potential impacts to adjacent non-District wells; the potential effects of well system pumping changes on streams; growth inducement potential; and potential contamination issues. The EIR was a project-level document that is consistent with the 2006 Integrated Resources Plan, Urban Water Management Plan (UWMP), and the Soquel-Aptos Groundwater Management Plan (GMP).

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RAY WEISS

Director I

Ray is a community planner with 19 years of experience managing the preparation of environmental studies under local, state, and federal agency jurisdiction, including EIRs, ISs, EISs, EAs, and joint documents. He specializes in management of the preparation of environmental documents for public and private development proposals, including specific plans, master plans, general plan amendments, and water and wastewater facilities; and transportation and utility corridor projects. He has special technical expertise in environmental and resources economics, land use and community planning, and policy consistency analysis. Fluent in Spanish, he has extensive experience in active public participation, including workshops, charettes, and surveys; and in presenting technical information in an understandable manner at public hearings and in written documents. He currently is working with a large consulting team in preparing general plan updates for the cities of Lincoln and Stockton. Prior to joining ESA, he served as project manager for a local environmental consulting firm; and as Data Analyst for the Sacramento Area Council of Governments, where he managed data collection and analysis for a regional transportation survey.

Education

B.A., Economics with a special emphasis in environmental and resource economics, California State University, Sacramento

19 Years Experience

Professional Affiliations

Association of Environmental Professionals

American Planning Association

Awards

CCAPA – 2008 Award of Merit for Comprehensive Planning: Small Jurisdiction City of Lincoln General Plan Update

CCAPA – 2001 Comprehensive Planning Award – Inyo County General Plan Update Project

Relevant Experience

City of Oroville Waterfront Redevelopment Concept Plan and Preparation of Protection, Mitigation and Enhancement (PM&E) Measures. *Project Manager.*

Ray led ESA’s technical team that supported a design team in developing a redevelopment concept plan. Support included conducting and providing an ecological characterization of the area, participation in stakeholder interviews, and facilitating and participating in public workshops. The description of the public open spaces identified in the Concept Plan were translated into Resource Actions and submitted to the California Department of Water Resources for consideration in the alternative relicensing process of FERC Project 2100. ESA continued to monitor the progress and represent the City’s recreation/redevelopment interests in the collaborative process through participation in several of the established workgroups.

County of Plumas General Plan Update and EIR. *Project Manager.*

ESA also has experience working in Plumas County. In 2009, ESA co-lead the preparation of the County’s comprehensive general plan update and EIR. As an introductory step in the process, we facilitated a "general plan basics" workshop for the Plumas County Board of Supervisors, Planning Commission members, and interested stakeholders. Subsequent steps included the preparation of a General Plan Briefing Report summarizing key environmental, economic, and planning issues of specific importance to the County, and a county-wide visioning process with public workshops throughout the County. ESA also contributed to preparation of the General Plan Policy Document with policy and technical analyses for several general plan elements including the open space/conservation, water resources, noise, and public health and safety elements. ESA has completed preparation of the Draft and Final EIR for the general plan update and supported County staff on final hearings and adoption of the general plan with County decision makers. The updated General Plan was adopted in December 2013.

6-7

Relevant Experience (Continued)

Stanislaus Council of Governments (StanCOG) 2011 Regional Transportation Plan and EIR. *Project Director.* ESA managed a multidisciplinary consulting team to complete the 2011 RTP and EIR within an accelerated schedule. The 2011 RTP is unique in that it utilized the two foundational concepts of fiscal constraint and system planning as part of its development. Consequently, the stakeholder involvement process for the RTP was very extensive with Ray providing public facilitation and Spanish translation services throughout the process. ESA also took the lead in preparing the program-level EIR and worked with the larger consultant team to develop a Sustainable Communities Strategy.

County of Placer, Tahoe City Intermodal Transit Center EIR/EIS Recirculation. *Project Manager.* Ray managed the evaluation of several alternative sites for the proposed transit project. He assisted the Placer County Department of Public Works in development of the appropriate environmental ranking criteria, participated in specific site surveys, and evaluated up to 10 different alternative sites. Specific environmental criteria included biological resources, cultural/historic resources, air quality/noise impacts, water quality effects, and potential business relocations. ESA's scope of work was expanded to include preparation and completion of a recirculated EIR/EIS for the project. The project was approved by the Placer County Board of Supervisors in 2007 and the first phase of the project has been completed.

County of Yolo/Cities of Davis and Woodland - Alternative Transportation Corridor Study. *Project Manager and Public Facilitation.* For ESA, Ray provided project management and public facilitation services for preparation of an environmental constraints study addressing several alternative vehicle/bicycle/pedestrian corridors connecting the cities of Davis and Woodland. Key environmental issues included wetlands/creek crossings, impacts to agricultural resources, and public health and safety issues (including health issues related to aerial spraying for surrounding agricultural lands).

County of Placer – Dollar Point Multi-Use Trail. *ESA Project Manager.* As a sub-consultant to a larger planning team, Ray managed the preparation of several technical studies (Phase I, Natural Environmental Study Report, Archaeological Study Report, and Air Quality) for a new trail project in the near the Community of Tahoe City. The approximately 2.5 mile long trail will complete the trail link between Tahoe City and the existing Dollar Point trail.

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Exhibit B

Environmental Science Associates & Subsidiaries 2014 Schedule of Fees

I. Personnel Category Rates

Charges will be made at the Category hourly rates set forth below for time spent on project management, consultation or meetings related to the project, field work, report preparation and review, travel time, etc. Time spent on projects in litigation, in depositions and providing expert testimony will be charged at the Category rate times 1.5.

Labor Category	Level I	Level II	Level III
Senior Director	225	240	255
Director	190	205	215
Managing Associate	155	170	185
Senior Associate	130	140	150
Associate	95	110	120
Project Technicians	75	90	110

- (a) The range of rates shown for each staff category reflects ESA staff qualifications, expertise and experience levels. These rate ranges allow our project managers to assemble the best project teams to meet the unique project requirements and client expectations for each opportunity.
- (b) From time to time, ESA retains outside professional and technical labor on a temporary basis to meet peak workload demands. Such contract labor may be charged at regular Employee Category rates.
- (c) ESA reserves the right to revise the Personnel Category Rates annually to reflect changes in its operating costs.

II. ESA Expenses

A. Travel Expenses

1. Transportation
 - a. Company vehicle – IRS mileage reimbursement rate
 - b. Common carrier or car rental – actual multiplied by 1.15
2. Lodging, meals and related travel expenses – direct expenses multiplied by 1.15

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B. Communications Fee

In-house costs for phone, e-mail, fax, regular postage, walk-up copier, and records retention – project labor charges multiplied by 3%

C. Printing/Reproduction Rates

Item	Rate/page
8 1/2 x 11 b/w	\$0.05
11 x 17 b/w	\$0.10
8 1/2 x 11 color	\$1.00
11 x 17 color	\$1.50
Covers	\$0.50
Binding	\$1.00
HP Plotter	\$25.00
CD	\$10.00
Digital Photography	\$20.00 (up to 50 images)

D. Equipment Rates

Item	Rate/Day	Rate/Week	Rate/Month
Project Specific Equipment:			
Vehicles – Standard size	\$ 40 ^a	\$ 180	
Vehicles – 4x4 /Truck	85		
Laptop Computers	50	200	\$ 500
LCD Projector	200	600	
Noise Meter	50		
Electrofisher	300	1,200	
Sample Pump	25		
Auto Level	40		
Total Station	200	600	
RTK-GPS	300	1,200	
RTS-GPS Smartnet Subscription	50	200	
Field Traps	40		
Digital Planimeter	40		
Cameras/Video/Cell Phone	20		200
Miscellaneous Small Equipment	5		
Computer Time (i.e. GIS)	120 ^b		
Trimble GPS	75	350	900
Tablet GPS	100	400	1,000
Laser Level	60		
Garmin GPS or equivalent	25		250
Stilling Well / Coring Pipe (3 inch aluminum)	\$3/ft		
Hydrologic Data Collection, Water Current, Level and Wave Measurement Equipment:			
ISCO 2150 Area Velocity Flow Logger	\$ 25	\$ 100	\$ 400
Logging Rain Gage	10	40	125
Marsh-McBirney Hand-Held Current Meter	50	200	
FloWav Surface Velocity Radar	50	200	
Logging Water Level - Pressure Transducer	10	40	125

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Item	Rate/Day	Rate/Week	Rate/Month
Logging Barometric Pressure Logger	10	40	125
Well Probe	20	80	
Bottom-Mounted Tripod / Mooring	25	100	400
Handheld Suspended Sediment Sampler	20		250
Water Quality Equipment:			
Logging Turbidimeter/Water Level Recorder	\$ 25	\$ 100	\$ 400
In-Situ Troll 9500 logging water quality multiprobe		200	800
Logging Temperature Probe	3	10	40
Hach Hand-Held Turbidimeter Recording Conductivity Meter w/Datalogger	50	200	
Refractometer	20	80	
YSI Hand-Held Salinity Meter or pH meter	30	120	
Hand-Held Conductivity/Dissolved Oxygen Probe (YSI 85)	40	160	
Water Quality Sonde			800
YSI 650 with 6920 Multi Probe	180	500	1500
ISCO 6712 Portable Sampler w/ISCO 2105 Module	40	250	900
Sedimentation / Geotechnical Equipment:			
Peat Corer	\$ 75	\$ 300	
60lb Helly-Smith Bedload Sampler with Bridge Crane	175	700	
Suspended Sediment Sampler with Bridge Crane	75	300	
Vibra-core	100	400	
Shear Strength Vane	50	200	
Auger (brass core @ \$ 5/each)	20	80	
Boats:			
14 foot Aluminum Boats with 15 HP Outboard Motor	\$ 100	\$ 400	
Single or Double Person Canoe	30	120	
17' Boston Whaler w/ 90 HP Outboard	500	2,000	
<small> a Actual project charges will be either the IRS mileage reimbursement rate or the daily rate, whichever is higher. b GIS computer time will be charged at \$15.00 per hour. </small>			

III. Subcontracts

Subcontract services will be invoiced at cost multiplied by 1.15.

IV. Other

There shall be added to all charges set forth above amounts equal to any applicable sales or use taxes legally levied in lieu thereof, now or hereinafter imposed under the authority of a federal, state, or local taxing jurisdiction.

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**SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE
SBF Program Specialist Update**

TO: SBF CHAIRPERSON & COMMITTEE MEMBERS
FROM: BOB MARCINIAK, SBF PROGRAM SPECIALIST
RE: SBF Update (JANUARY, FEBRUARY, MARCH 2014)
DATE: January 15, 2014

1. SBF Financial Summary

A summary is attached which details all funds from the inception of the SBF.

2. Outstanding Approved/Committed Projects

Awarded to:	\$ Committed	Status
Chamber of Commerce & Upstate Community Enhancement Foundation	2013 Event Coordinator 3,444.00	To be closed

3. SBF Coordinator Activity Summary

- **January 2014:** Steering Committee Meeting preparation; legal research; attending meetings; transcription of minutes; process of payment reimbursements; filing; correspondence & email. NOFA processing, press releases. Aquatic Center ad Hoc Committee field trip. Documentation of current approved projects and research. 2014 NOFA preparation.
- **February 2014:** Steering Committee Meeting preparation; legal research; attending meetings; process of payment reimbursements; filing; correspondence. Extensive research ad Hoc Committee. Documentation of current approved projects and research. 2014 NOFA preparation.
- **March 2014:** Steering Committee Meeting preparation; legal research; attending meetings; process of payment reimbursements; filing; correspondence. Documentation of current approved projects and research. 2014 NOFA preparation.

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SBF Fund Reconciliation

DWR

Released

Updated by: Bob Marciniak 3/27/2014



Contract Amount
 2011 DWR Release (December) \$1,935,000.00
 2012 DWR Release (January) \$100,000.00
 2013 DWR Release (January) \$100,000.00
 2014 DWR Release (January) \$100,000.00
Total Contract/to date: \$2,335,000.00

Code	Commitments	Funded	Residual (Hold-back)	Committed	Not Committed (Available)	Pending	Line Total
1	2008 NOFA/FRRPD Soccer/All Purpose Fields	-1,012,221.74	\$0.00	\$0.00	\$0.00	\$0.00	-1,012,221.74
1	2008 NOFA/Table Mountain Golf Course	-30,000.00	\$0.00	\$0.00	\$0.00	\$0.00	-30,000.00
1	2011 NOFA/City of Oroville: Police GEM electrical vehicles	-35,098.49	\$0.00	\$0.00	\$0.00	\$0.00	-35,098.49
1	2011 NOFA/FRRPD: Soccer Field #4	0.00	\$0.00	\$0.00	-\$167,818.37	\$0.00	-167,818.37
1	2012 NOFA/Forebay Aquatic Center	-\$46,000.00	\$0.00	\$0.00	\$0.00	\$0.00	-46,000.00
2	2008 NOFA/Small Projects	-\$37,871.68	\$0.00	\$0.00	-\$4,400.00	\$0.00	-37,871.68
2	2012 NOFA/FRRPD/Disc Golf	-\$4,544.00	\$0.00	\$0.00	-\$3,544.00	\$0.00	-4,544.00
2	2012 NOFA/FRRPD/Marketing Gymnastics	-\$4,170.00	\$0.00	\$0.00	-\$374.00	\$0.00	-4,544.00
2	2012 NOFA/FRRPD/Website Development	-\$6,844.00	\$0.00	\$0.00	-\$344.00	\$0.00	-6,844.00
2	2012 NOFA/Rotary Club of Oroville	-\$3,624.00	\$0.00	\$0.00	\$0.00	\$0.00	-3,624.00
3	2009/2010 Economic Development/Chamber	-\$76,427.85	\$0.00	\$0.00	\$0.00	\$0.00	-76,427.85
3	2011 NOFA/Oroville Area Chamber of Commerce	-\$35,000.00	\$0.00	\$0.00	\$0.00	\$0.00	-35,000.00
3	2011 NOFA/Economic Development/Chamber	-\$58,585.69	\$0.00	\$0.00	\$0.00	\$0.00	-58,585.69
3	2012 NOFA/Chamber/UCEF Event Coordinator	-\$28,500.00	\$0.00	-\$5,944.00	\$0.00	\$0.00	-34,444.00
4	2007 Administrative Expenses	0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
4	2008 Administrative Expenses	-\$22,009.95	\$0.00	\$0.00	\$0.00	\$0.00	-22,009.95
4	2009 Administrative Expenses	-\$44,079.66	\$0.00	\$0.00	\$0.00	\$0.00	-44,079.66
4	2009/2010 Admin/Regional Fund Strategic Plan	-\$173,050.00	\$0.00	\$0.00	\$0.00	\$0.00	-173,050.00
4	2010 Administrative Expenses	-\$31,041.82	\$0.00	\$0.00	\$0.00	\$0.00	-31,041.82
4	2011 Administrative allocation for future consultants	-\$1,500.00	\$0.00	\$0.00	\$0.00	\$0.00	-1,500.00
4	2011 Administrative Expenses	-\$39,474.35	\$0.00	\$0.00	\$0.00	\$0.00	-39,474.35
4	2012 Administrative Expenses allocation	-\$41,441.09	\$0.00	\$0.00	\$0.00	\$0.00	-41,441.09
4	2012 Consultant Expense/City of Oroville WW/ES	-\$69,971.56	\$0.00	\$0.00	\$0.00	\$0.00	-69,971.56
4	2012 Consultant Expense/City of Oroville WW/ES	\$0.00	\$0.00	-\$141,800.00	\$0.00	\$0.00	-141,800.00
4	2013 Administrative Allocation 07/01/2013-06/30/2014	-\$43,929.99	\$0.00	-\$12,071.00	\$0.00	\$0.00	-43,929.99
4	2013 Administrative Expenses (01/01 to 06/30/2013)	-\$20,521.19	\$0.00	\$0.00	\$0.00	\$0.00	-20,521.19
4	2013 YTD Not Committed	-\$53,156.57	\$0.00	\$0.00	-\$1,156.67	\$0.00	-1,156.67
4	2014 DWR Allocation	-\$100,000.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00
4	2014 Administrative Expenses (07/01/2014-12/31/2014)	0.00	\$0.00	-\$22,000.00	\$0.00	\$0.00	-22,000.00
4	2014 Administrative Expenses/Future Riverfront Consultant	0.00	\$0.00	-\$50,000.00	\$0.00	\$0.00	-50,000.00
3	2014 Event Coordinator	0.00	\$0.00	-\$30,000.00	\$0.00	\$0.00	-30,000.00
4	2014 Consultant/Design Oroville Aquatic Center	0.00	\$0.00	-\$20,000.00	\$0.00	\$0.00	-20,000.00
4	2014 Consultant/Design/Environmental Brad Freeman Trail	0.00	\$0.00	-\$30,000.00	\$0.00	\$0.00	-30,000.00
Code	Sub totals:	-1,845,548.06	\$0.00	-\$311,815.00	-\$177,637.04	\$0.00	-2,335,000.10

1 NOFA/Large
 2 NOFA/Small
 3 Chamber
 4 Admin. Expenses

RECAP:
 Funded \$1,845,548.06
 Residual \$0.00
 Committed \$311,815.00
 Not Committed/Available \$177,637.04
 Pending \$0.00

Total/Contract/to date: \$2,335,000.10

\$ @ DWR \$190,744.88
 \$ @ City of Oroville \$309,372.31
\$500,117.19

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