

"INTERACTIVE AGENDA" Click on the agenda item in the index box to the left for agenda item details.



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Regular Meeting

SEPTEMBER 16, 2014
CLOSED SESSION 5:00 P.M.
OPEN SESSION 6:00 P.M.
AGENDA

"Oroville - California's best opportunity for a safe and diverse quality of life"

CLOSED SESSION (5:00 P.M.)

ROLL CALL

Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier

CONVENE TO CLOSED SESSION (ITEMS LISTED ON PAGE NO. 4)

RECONVENE TO OPEN SESSION

OPEN SESSION (6:00 P.M.)

PLEDGE OF ALLEGIANCE

PROCLAMATION / PRESENTATION

A Presentation by *CVS Pharmacy* relating to *MED RETURN DRUG COLLECTION UNIT*
A Presentation by *Mayor Linda Dahlmeier* relating to the *U.S. Conference of Mayors*

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

This is the time the Mayor will invite anyone in the audience wishing to address the Council 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, Council and/or staff may respond to your comments or questions. **Presentations are limited to three minutes per person.** Under Government Code Section 54954.3 the time allotted for presentations may be limited.

CONSENT CALENDAR

1. **APPROVAL OF THE MINUTES OF THE SEPTEMBER 2, 2014 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

2. **AMENDMENTS TO BUDGET POLICY** – staff report

Council may consider revisions to the purchasing section of Budget Policy 16, provided that the Council has approved adequate budget appropriations as follows: Increase the City Administrator Purchasing Authority to \$10,000. **(Randy Murphy, City Administrator and Glenn Lazof, Interim Director of Finance)**

Council Action Requested: **Approve the attached changes to Budget Policy 16:**

3. **2014 - 2015 FULL TIME EQUIVALENTS** – staff report

Council may consider the Summary of Personnel Table and direct staff regarding adjustments. **(Randy Murphy, City Administrator and Glenn Lazof, Interim Director of Finance)**

Council Action Requested: **Approve Summary of Positions table, (Traditional Format) with revisions as directed by Council.**

4. **FINAL ADJUSTMENTS FISCAL YEAR 2013-2014 BUDGET** – staff report

The Council may consider approving revisions to the 2013 2014 (Previous) Fiscal Year Budget. **(Randy Murphy, City Administrator and Glenn Lazof, Interim Director of Finance)**

Council Action Requested: **Approve Fiscal Year 2013 2014 Budget revisions in the table attached.**

5. **FACILITY USE FEE WAIVER REQUEST FROM THE CALIFORNIA STATE OLD TIME FIDDLER'S ASSOCIATION, INC.** – staff report

The Council may consider a fee waiver request from the California State Old Time Fiddler's Association, Inc. for use of the Municipal Auditorium for the Feather River Gospel Hoedown and the 49th Annual California State Old Time Fiddle and Picking Championships. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Per the Oroville Municipal Code section 26-10.200, staff recommends a 50% fee waiver, in the amount of \$1,582.50, and recommends the City continue to require the \$500 refundable security deposit.**

6. **MUNICIPAL AUDITORIUM FEE WAIVER REQUEST FOR THE CHRISTMAS CRAFT FAIRE**

The Council may consider a fee waiver request from the Bird Street Media Project – KROV 91.1 Oroville Community Radio, for use of the Municipal Auditorium on December 5th and 6th for the Christmas Craft Faire. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Per the City's facility and park fee waiver policy as found in Section 26-10.200 of the City Code, staff recommends a 50% fee waiver in the amount of \$677.50 and that the \$500.00 refundable security deposit still be collected.**

7. NEW DONATION TO THE C.F. LOTT HOME COMPLEX

The Council may consider acknowledging the receipt of an Eastlake Victorian settee and chair for acceptance. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Acknowledge receipt of donation for the C.F. Lott Home and recommend that the City Council accept the donation.**

8. DONATIONS TO VARIOUS MUSEUMS

The Council may consider acknowledging the receipt and acceptance of numerous donations for various City Museums from multiple donors. **(Donald Rust, Director of Community Development and Bob Marciniak, Program Specialist)**

Council Action Requested: **Acknowledge receipt of donations for various City Museums and recommend that the City Council accept the donations.**

9. DONATIONS TO VARIOUS MUSEUMS

The Council may receive information about eleven (11) items that the volunteer Docent group has not recommended for acceptance. **(Donald Rust, Director of Community Development and Bob Marciniak, Program Specialist)**

Council Action Requested: **Accept the recommendations of the Park Commission, (or) provide direction to staff.**

PUBLIC HEARINGS - None

REGULAR BUSINESS

10. DESIGNATION OF PREFERENTIAL PARKING AREAS – staff report

The Council may consider designating certain areas within the City of Oroville **(Attachment A)** as preferential parking areas in accordance with City Ordinance No. 1633. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Adopt Resolution No. 8261 – A RESOLUTION OF THE OROVILLE CITY COUNCIL DESIGNATING CERTAIN AREAS OF THE CITY OF OROVILLE AS PREFERENTIAL PARKING AREAS IN ACCORDANCE WITH CITY ORDINANCE NO. 1633.**

11. MINER'S ALLEY BREWING COMPANY REQUEST TO PURCHASE CITY PROPERTY FOR AN OUTDOOR DINING VENUE – staff report

The Council may consider a proposal from the owners of the Miner's Alley Brewing Company to purchase a City owned property for the purpose of establishing an outdoor dining venue as part of their restaurant and brew house. **(Donald Rust, Director of Community Development and Luis Topete, Associate Planner)**

Council Action Requested: **Direct staff as necessary.**

12. ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION GRANT OFFER FOR SAFETY GRADING AND DRAINAGE DESIGN AT OROVILLE MUNICIPAL AIRPORT – staff report

The Council may consider the approval of a grant offer from the Federal Aviation Administration (FAA) for design work related to safety grading and drainage at Oroville Municipal Airport. (**Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer**)

Council Action Requested: **Adopt Resolution No. 8262 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR GRANT FUNDS TO BE RECEIVED UNDER THE CITY'S 2014 AIRPORT CAPITAL IMPROVEMENT PROGRAM FOR SAFETY GRADING AND DRAINAGE DESIGN.**

SUCCESSOR AGENCY – None

MAYOR/ COUNCIL REPORTS

COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS (A verbal report may be given regarding any committee meetings attended.)

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Finance Department – activity report and purchase order carryover's
- Public Safety – Activity Report

CORRESPONDENCE - None

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

This is the time the Mayor will invite anyone in the audience wishing to address the Council 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 Council is prohibited from taking action except for a brief response by the Council or staff to a statement or question relating to a non-agenda item.

CLOSED SESSION

The Council will hold a Closed Session on the following:

1. Pursuant to Government Code section 54957.6, the Council will meet with Labor Negotiators and City Attorney to discuss labor negotiations for the following represented groups: Oroville City Employees' Association, Oroville Fire Fighters' Association and Oroville Police Officers' Association.
2. Pursuant to Government Code Section 54957(b), the Council will meet with Labor Negotiators and City Attorney to consider the appointment, employment, evaluation of performance, discipline, and/or dismissal of a public employee related to the following position: Director of Finance

3. Pursuant to Government Code Section 54957(b), the Council will meet with Labor Negotiators and City Attorney to consider the appointment, employment, evaluation of performance, discipline, and/or dismissal of a public employee related to the following position: City Administrator
4. Pursuant to Government Code Section 54957(b), the Council will meet with Labor Negotiators and City Attorney to consider the appointment, employment, evaluation of performance, discipline, and/or dismissal of a public employee related to the following position: Director of Public Safety
5. Pursuant to Government Code section 54956.9(b), the Council will meet with the City Administrator and the City Attorney regarding potential litigation – three cases

ADJOURNMENT

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, October 7, 2014 at 5:00 p.m.

Accommodating Those Individuals with Special Needs – In compliance with the Americans with Disabilities Act, the City of Oroville encourages those with disabilities to participate fully in the public meeting process. If you have a special need in order to allow you to attend or participate in our public meetings, please contact the City Clerk at (530) 538-2535, well in advance of the regular meeting you wish to attend, so that we may make every reasonable effort to accommodate you. Documents distributed for public session items, less than 72 hours prior to meeting, are available for public inspection at City Hall, 1735 Montgomery Street, Oroville, California.

**CITY COUNCIL MEETING MINUTES
SEPTEMBER 2, 2014 – 5:00 P.M.**

The agenda for the September 2, 2014 regular meeting of the Oroville City Council was posted on the bulletin board at the front of City Hall and on the City of Oroville's website located at www.cityoforoville.org on Friday, August 29, 2014, at 3:56 p.m.

The September 2, 2014 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:07 p.m.

ROLL CALL

Present: Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox,
Mayor Dahlmeier
Absent: None

Staff Present:

Randy Murphy, City Administrator
Bill LaGrone, Director of Public Safety
Donald Rust, Director of Community Development
Glenn Lazof, Interim Director of Finance
Gary Layman, Chief Building Official
Rick Walls, Interim City Engineer

Scott Huber, City Attorney
Karolyn Fairbanks, City Treasurer
Jamie Hayes, Assistant City Clerk
Luis Topete, Associate Planner
Rick Farley, Business Assistance Manager

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier.

PROCLAMATION / PRESENTATION

Joe Wilson, PG&E Government Relations Representative, gave a presentation relating to Pipeline Safety.

Celia Hirschman posed questions relating to the Pipeline Safety presentation.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS -None

CONSENT CALENDAR

A motion was made by Council Member Bunker, seconded by Council Member Pittman, to approve the following Consent Calendar, with the exception of Item No. 5:

1. **APPROVAL OF THE MINUTES OF THE AUGUST 19, 2014 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

2. FEE WAIVER REQUEST BY THE OROVILLE HMONG NEW YEAR FESTIVAL COMMITTEE – staff report

The Council considered a fee waiver request from the Oroville Hmong New Year Festival Committee, in the amount of \$6,415, for Police Services relating to the Oroville Hmong New Year Festival, to be held October 11th and 12th, 2014. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Waive 65% of the total fees in the amount of \$6,415, and have the applicant pay the remainder of the fees in the amount of \$3,454 for the Oroville Hmong New Year Festival, to be held October 11th and 12th, 2014.**

3. DESIGNATION OF NATIONAL ENVIRONMENTAL PROTECTION AGENCY CERTIFYING OFFICER FOR THE HOME INVESTMENT PARTNERSHIP PROGRAM– staff report

The Council considered the designation of a National Environmental Protection Agency (NEPA) Certifying Officer for the Home Investment Partnership Program. **(Randy Murphy, City Administrator and Amy Bergstrand, Management Analyst III)**

Council Action Requested: **Designate the Director of Community Development; or his/her designee as the National Environmental Protection Agency Certifying Officer for the Home Investment Partnership Program.**

4. DENIAL OF GOVERNMENT CLAIM – staff report

The Council considered denying the Government Claim, received August 1, 2014, and filed by the Law Office of John L. Burris on behalf of Lori Deaun Coryell against the City of Oroville. **(Scott E. Huber, City Attorney)**

Council Action Requested: **Deny the Government Claim, received by the City on August 1, 2014, and filed by the Law Office of John L. Burris on behalf of Lori Deaun Coryell and authorize the City Attorney to send a letter denying the claim.**

5. THIS ITEM WAS REMOVED FROM THE CONSENT CALENDAR (SEE BELOW)

6. APPOINTMENT TO THE SOUTHSIDE OROVILLE COMMUNITY CENTER ADVISORY COMMITTEE – staff report

The Council considered appointing Marlene Del Rosario, as the City resident representative, to serve on the Southside Oroville Community Center Advisory Committee. **(Randy Murphy, City Administrator and Jamie Hayes, Assistant City Clerk)**

Council Action Requested: **Appoint city resident Marlene Del Rosario to serve on the Southside Oroville Community Center Advisory Committee for a term ending June 30, 2015.**

7. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE MANAGEMENT AND CONFIDENTIAL ASSOCIATION – staff report

The Council considered a Memorandum of Understanding (MOU) between the City of Oroville and the Oroville Management and Confidential Association (OMCA). **(Randy Murphy, City Administrator)**

Council Action Requested: **Adopt Resolution No. 8260 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE MANAGEMENT AND CONFIDENTIAL ASSOCIATION – (Agreement No. 3083).**

The motion to approve the above Consent Calendar was passed by the following vote:

Ayes: Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor
Wilcox, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

ITEMS REMOVED FROM THE CONSENT CALENDAR

5. CONSTRUCTION CONTRACT WITH SIERRA TRAFFIC MARKINGS – staff report

The Council considered a Construction Contract with Sierra Traffic Markings (Sierra), in the amount of \$8,106, for the completion of road re-striping associated with the City's 2014 Road Repair Project. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

This item was removed from the Consent Calendar at the request of Glenn Lazof, Interim Director of Finance, for budget clarification.

A motion was made by Council Member Bunker, seconded by Council Member Pittman, to:

- 1. Adopt Resolution No. 8259 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CONSTRUCTION CONTRACT WITH SIERRA TRAFFIC MARKINGS IN AN AMOUNT NOT TO EXCEED \$8,106 FOR THE STRIPING OF VARIOUS CITY ROADS – (Agreement No. 3082)**
- 2. Approve Supplemental Appropriation No. 2014/15-0902-00, as indicated in this staff report, dated September 2, 2014.**

The motion was passed by the following vote:

Ayes: Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor
Wilcox, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

REGULAR BUSINESS

8. DISCUMBRANCE OF FUNDS FOR COMMUNITY DEVELOPMENT BLOCK GRANT ECONOMIC DEVELOPMENT ENTERPRISE FUND GRANT – staff report

The Council considered the disencumbrance of the Community Development Block Grant (CDBG) Economic Development Enterprise Fund Grant No. 10-EDEF-7258 remaining funds, in an approximate amount of \$107,660.24. **(Randy Murphy, City Administrator and Amy Bergstrand, Management Analyst III)**

A motion was made by Council Member Bunker, seconded by Council Member Simpson, to:

- 1. Authorize the disencumbrance of the Community Development Block Grant (CDBG) Economic Development Enterprise Fund Grant No. 10-EDEF-7258 remaining funds, in an approximate amount of \$107,660.24.**
- 2. Approve Supplemental Appropriation No. 2014/15-0902-01 as indicated in the fiscal impact of this staff report, dated September 2, 2014.**

The motion was passed by the following vote:

Ayes: Council Members Andoe, Berry, Bunker, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: None

9. COST REDUCTION REQUEST BY THE EL MEDIO FIRE DISTRICT – staff report

The Council may consider a cost reduction request by the El Medio Fire District in the amount of \$25,000 per year for Dispatching Services. **(Bill La Grone, Director of Public Safety)**

Following discussion, the Council directed staff to return this item to the September 16, 2014 regular City Council meeting for further discussion.

MAYOR/ COUNCIL REPORTS

Mayor Dahlmeier gave a brief report on an issue relating to food disbursements within the Community Parks for the homeless community.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Finance Department – activity report

Donald Rust, Director of Community Development gave a brief report relating to the American Planning Association's National meeting, to be held in April 2015, where the City Consultant will be presenting the City's Climate Action Plan.

City Administrator, Randy Murphy, announced a vacancy on the Airport Land Use Commission.

CORRESPONDENCE

- California Water Service Company, received August 15, 2014

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON NON-AGENDA ITEMS

Council Member Pittman, announced an upcoming Rotary meeting to be held at the City Fixed base Operator's Building located at the Oroville Municipal Airport.

Daniel Menzies and Victoria Moseley spoke to the Council in regards to Policing Services.

CLOSED SESSION

The Council held a Closed Session on the following:

1. Pursuant to Government Code section 54957.6, the Council met with Labor Negotiators and the City Attorney to discuss labor negotiations for the following represented groups: Oroville City Employees' Association, Oroville Fire Fighters' Association, Oroville Police Officers' Association, Oroville City Confidential Association and Oroville Mid-Managers' Association.
2. Pursuant to Government Code section 54957(b), the Council met with Labor Negotiators and the City Attorney to consider the appointment, employment, evaluation of performance, discipline and/or dismissal of a public employee relating to the following position: Director of Finance.
3. Pursuant to Government Code section 54957(b), the Council met with Labor Negotiators and the City Attorney to consider the appointment, employment, evaluation of performance, discipline and/or dismissal of a public employee relating to the following position: City Administrator.
4. Pursuant to Government Code section 54956.9(b), the Council met with the City Administrator and the City Attorney regarding potential litigation – two cases

Mayor Dahlmeier announced that no reportable actions had been taken in Closed Session and direction had been given to staff.

ADJOURNMENT

The meeting was adjourned at 6:59 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, October 16, 2014, at 5:00 p.m.

Randy Murphy, City Clerk

Linda L. Dahlmeier, Mayor

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

FROM: GLENN LAZOF, INTERIM FINANCE DIRECTOR

RE: REVISIONS TO BUDGET POLICY 16

DATE: SEPTEMBER 16, 2014

SUMMARY

Council may consider revisions to the purchasing section of Budget Policy 16, provided that the Council has approved adequate budget appropriations as follows: Increase the City Administrator Purchasing Authority to \$10,000.

DISCUSSION

Current policy is that purchases over \$5,000 must be approved by Council. Staff had suggested to Finance Committee that the threshold be increased to \$25,000, which is the same as the threshold for the formal bids requirement. The Committee recommended an increase to \$10,000.

This action does not impact the requirement that all purchases have adequate budgetary authority. Nothing in the proposed changes will impact current requirements for informal and formal bids. Staff plans two training sessions for staff to whom purchasing authority has been delegated to ensure adherence to these and other policies.

FISCAL IMPACT

Operational savings will result from more cost effective purchasing procedures. It is estimated to cost the city over \$500 to place a consent item on the agenda. Therefore requiring Council approval on \$5,000 purchase order increases the effective cost 10%.

RECOMMENDATION

Approve the attached changes to Budget Policy#16:

Attachment

Full Text of Budget Policy 16

Exhibit A

Oroville City Council - Budget Policy

The Annual Adopted Budget is based upon the estimated needs of the City's various funds and departments and the needs of the Successor Agency and the Public Financing Authority. This policy applies to the City, Successor Agency and the Public Financing Authority, and in addition and supplemental to any provisions contained in State Law, the City Charter of the City of Oroville and the Municipal Code, and other applicable resolutions contracts, agreements, etc.

In the event that any portion of this policy at any time becomes in conflict with either Federal or State Law, or the Charter or the Code, this policy will not apply in that instance.

Administration of the Annual Adopted Budget and the related policies is the overall responsibility of the City Administrator/Executive Director, who is assisted by the Finance Director. The Finance Director is responsible for providing technical assistance to the Department Heads in administering budgets assigned to them and compliance with related policies; however, Department Heads are held accountable for the budgets under their control.

The City Administrator/Executive Director, shall have the same duties and responsibilities for the Successor Agency and the Oroville Public Financing Authority as for the City. The Finance Director shall have the same duties and responsibilities for the Successor Agency and Oroville Public Financing Authority, as for the City. Department Heads and other management staff who administer budgets for the Successor Agency and the Oroville Public Financing Authority shall have the same duties and responsibilities as they have for the City of Oroville.

The goal of this budget policy is to strike a balance between the responsibility of the City Council, Successor Agency and the Oroville Public Financing Authority to provide oversight and policy direction on budget issues and the reasonable flexibility needed in the administration of the Budget, so that the work of the City and its related agencies can be carried out efficiently.

As outlined in Article VIII, Section 1 of the City Charter, if and when an emergency occurs, such as a war, natural disaster, or major accident/civil disturbance, the Mayor shall assume general control of the City Government, and all its branches and be responsible for the suppression of disorder and the restoration of normal condition.

In addition to the above, and for the purposes of City and its related agencies, budget administration emergencies also includes a potential or actual threat to public safety or serious damage to public and/or private property.

Budgetary actions taken pursuant to an emergency are required to be documented. Department Heads who make emergency expenditures must prepare a signed statement documenting the emergency expenditure. Documentation must be attached to the request for payment or invoice, which is submitted to the Finance Department for processing. Where the cost exceeds \$5,000, a copy of the documentation must be sent to the City Clerk/Secretary of the Successor Agency/Oroville Public Financing Authority and the Council/Commissioners, along with the monthly report.

1. Definitions:

The term “**appropriation**” is defined as the amounts approved for the expenditure or the use of funds by the City Council (or the governing body of an agency for which the Council provides policy direction such as the Oroville Successor Agency or Oroville Public Financing Authority), together with such subsequent supplemental appropriations and/or budget adjustments which are subsequently approved.

The term “**supplemental appropriation**” shall mean an increase to the amounts previously approved for expenditure in the Adopted Budget which may have an impact on the fund balance because it is funded by either the spendable portion of the fund balance or by a combination of additional revenues not anticipated in the Adopted Budget and the spendable portion of fund balance.

The term “**budget adjustment**” shall mean an increase to one or more line item appropriations, which has no impact on fund balance, because it is either funded by a corresponding decrease in one or more line items within the same fund or unanticipated revenues to that fund which were not included in the Adopted Budget, with the result that the ending fund balance is not impacted.

The term “**line item**” shall mean a single appropriation amount to a specific account.

Categories of Expenditures/Uses of Funds:

a. Transfers Between Departments Within a Fund

Transfers between various departments and line items within a fund are subject to the same rules applicable to transfers between line items within the same department and are allowed as long as approved by the Finance Director and City Administrator/Executive Director. For example, a transfer of up to \$5,000 between the office supplies account of the Parks Administration Budget to the Vehicle Maintenance Account of the Parks Operations budget is allowed as long as it is approved by the Finance Director and the City Administrator/Executive Director .

b. Operating Expenditures

Salaries and Benefits - 5000 series accounts: are the accounts which are used for the payment of salaries and benefits. Included in this category are various types of

salary accounts such as management, clerical, outdoor labor, safety, temporary salaries and various categories of other compensation such as, overtime, compensation time, vacation pay, uniform allowances, Police reserve pay and volunteer firefighter allowances.

Services and Supplies - 6000 and 7000 series accounts: are the accounts which are used for the payment of non-payroll related operating expenditures such as office and specialized departmental supplies, repair and maintenance, contract services, printing, travel, training, grant activities, community promotional, marketing and industrial recruitment activities, etc.

c. Non-Operating Expenditures

Other Charges - 8900 series accounts: are the accounts which are used for certain non-operating expenses, primarily those related to debt service such as principal and interest payments.

Fixed Assets – 8000 - 8899 series accounts: are the accounts which are used for all capital expenditures, including land, buildings, equipment and infrastructure.

d. Uses of Funds

Transfers-Out - 9000 series accounts: are the accounts which are used for making transfers-out of one fund into another fund. Transfers-out are made to reimburse a fund for expenditures made on behalf of the other fund or where a separate fund is required for legal or accounting purposes.

2. Expenditure Control Budget, Carry-overs, C.I.P. Projects Work in Process

The City and its related agencies operate under the **Expenditure Control Budget** concept.

The Expenditure Control Budget effectively counters the tendency to “spend it or lose it” by allowing Department Heads to carry-over unused appropriations in the Services and Supplies and Non-Operating/Uses of Funds series of accounts, subject to Council/Commissioners approval. Salaries and Benefits appropriations are not subject to carry-over, unless approved by the Council/Commissioners.

A carry-over of unanticipated revenues can also be used to increase the following year’s appropriations, subject to Council/Commissioners approval. Actual revenues for both the department and the fund as a whole, are required to be equal to or greater than revenues in the Adopted Budget and actual expenditures for the department must also come in within budget.

Grants are often accounted for on a multi-year basis. Whenever it is necessary to account for grants on a multi-year basis, an appropriation will be established for the total

anticipated expenditures for the entire grant period. The balance of the appropriations will then be carried over from one year to the next, subject to Council/Commissioners approval.

Work in Process on Capital Projects - at the end of the fiscal year the remaining balance of appropriations of capital projects which are in process shall be carried over to the next fiscal year, subject to Council/Commissioners approval.

3. Changes to the Adopted Budget

The Finance Director and a Department Head acting under the direction of the City Administrator/Executive Director, shall have the authority to take into consideration off-setting revenues which are in excess of budgeted revenues and to authorize a budget adjustment to appropriate for the related expenditures covered by these off-setting revenues of up to \$5,000. Normally these off-setting revenues are donations or reimbursements.

Whenever the Council/Commissioners approve an action which necessitates a budget adjustment it is understood that the Council/Commissioners also approve the corresponding budget adjustment. For example: The Council/Commissioners approve the purchase of \$5,500 worth of computer equipment. In the Fiscal Impact section of the staff report sent to Council/Commissioners the report details the purchase is being funded by salary savings and that a transfer will have to be made from Salaries and Benefits line items to increase appropriations in the computer equipment account in order to make the purchase. The Finance Director and the Department Head acting under the direction of the City Administrator/Executive Director are authorized to make a budget adjustment based upon the Council/Commissioners actions in approving the purchase.

a. Operating Expenditures

Salaries and Benefits - 5000 series accounts:

The Finance Director and a Department Head, acting under the direction of the City Administrator/Executive Director are authorized to approve a budget adjustment to transfer appropriations from the appropriate Salaries and Benefits line item(s) to the Contracted Services line item, in order to make an appropriation to hire a temporary employee on a contractual basis.

The Finance Director acting under the direction of the City Administrator/Executive Director may make such budget adjustment transfers between line items in the Salaries and Benefits series accounts as are necessary to properly account for Salaries and Benefits costs, as long as the total amount budgeted for Salaries and Benefits is not exceeded.

Whenever the cost of a line item in the Salaries and Benefits series accounts (such as

overtime or vacation payoffs) exceeds the amount budgeted and it is not possible to make a budget adjustment within the Salaries and Benefits series accounts because there are no line items which can be reduced, the Finance Director and a Department Head, acting under the direction of the City Administrator/Executive Director, are authorized to make a budget adjustment of up to \$5,000 by reducing line items in the Services and Supplies series accounts of the affected budget.

In all other instances whenever a budget has been exceeded because of obligations which have already been incurred, or are expected to be exceeded, Council/Commissioners approval will be required in order to increase the appropriations.

Services and Supplies - 6000 and 7000 series accounts:

Whenever it appears that a line item in the Services and Supplies series accounts will exceed the amount budgeted or has already exceeded the amount budgeted because of obligations which have already been incurred, the Finance Director and the Department Head, acting under the direction of the City Administrator/Executive Director, are authorized to make a budget adjustment of up to \$5,000 by reducing other line items in the Services and Supplies series accounts of the affected budget.

The Finance Director and a Department Head, acting under the direction of the City Administrator/Executive Director, are authorized to make budget adjustments of up to \$5,000 by reducing other line items in the Services and Supplies series accounts of the affected budget in order to purchase equipment, pay for overtime, vacation pay or any other payroll related expenditures or to increase appropriations in Non-Operational/Uses of Funds/Transfers-Out series accounts such as debt service, fixed assets and transfers-out, providing Council/Commissioners authorization has been obtained if required elsewhere in this policy.

In all other instances, when a line item in the Adopted Budget has been exceeded due to obligations which have already been incurred, or are expected to be exceeded, Council/Commissioners approval will be required in order to increase the appropriations.

b. Non-Operating Expenditures

Other Charges - 8900 series accounts and Fixed Assets – 8000 - 8899 series accounts:

The Finance Director and a Department Head, acting under the direction of the City Administrator/Executive Director, are authorized to make budget adjustments of up to \$5,000, between line items in the Non-Operating/Uses of Funds series accounts by reducing/increasing other line items within the Non-Operating/Uses of Funds series accounts or by reducing/increasing line items in the Services and Supplies series

accounts, as long as the total amount of appropriations for the budget does not increase and provided Council/Commissioners approval has been obtained if required elsewhere in this policy.

In instances when a line item in the Non-Operating-8000 series account in the Adopted Budget has been exceeded due to obligations which have already been incurred, or are expected to be exceeded, Council/Commissioners approval will be required in order to increase the appropriations if the obligation exceeds the \$5,000 limit.

c. Uses of Funds

Transfers-Out - 9000 series accounts:

The Finance Director acting under the direction of the City Administrator/Executive Director is authorized to make those transfers-out which correspond to the amounts authorized in the budget. Occasionally, transfers will not be budgeted or the actual amounts will differ from the budgeted amounts. In that case the actual amounts which are required shall be used. For example, if the actual amount which should be transferred to the other fund, per the cost allocation plan, is greater than the amount budgeted, the Finance Director shall transfer the actual amount so long as the amount transferred will not cause the entire budget to be exceeded. If appropriations are exceeded, as soon as practical thereafter, and at least once prior to the year end closing, the Finance Director shall initiate action to increase the appropriations.

A budget adjustment of up to \$5,000 may be made by the Finance Director and a Department Head, acting under the direction of the City Administrator/Executive Director, by reducing other line items anywhere except in the Salaries and Benefits series accounts of the affected budget, provided the total appropriations of the affected budget are not increased.

In all other instances, Council/Commissioners approval will be required in order to increase the appropriations.

2. Business Expenses, Conferences, Meeting, Training and Travel

d. City Employees, City Treasurer, City Attorney, Members of Boards and Commissions

Department Heads, acting under the direction of the City Administrator/Executive Director, are authorized to make expenditures for business and travel expenses related to City/Agency/Authority business and attendance at such professional conferences/training sessions/meetings as they deem appropriate, up to the amount appropriated in their departmental budget for such expenses. The Supervisor must authorize the subordinate's attendance and must approve the expenditure. In the case of non-employees, the Department Head responsible for the budget which is being

charged will approve the expenditure. All expenditures must be in accordance with all policies including the City's Travel and Reimbursement Policy which shall apply to the City and any related agencies which fall under its administrative jurisdiction.

b. Mayor and Council Members/Oroville Successor Agency/Public Financing Authority Commissioners

During each fiscal year, every Council Member/Commissioner is, without Council approval allowed to attend: 1) the annual League of Cities Conference; 2) one other conference /meeting / training session which does not cost more than \$500; and 3) small conferences/meetings/training sessions costing less than \$150. The full Council/Commission must approve all other travel/conference/meeting or training expenditures. Payments to Council/Commissioners are made in accordance with the City's Travel and Reimbursement Policy and are subject to budgetary limitations.

5. Grant Expenditures

From time to time the City or its related agencies become eligible for Federal or State grants. In the event a grant is received, one of the following courses of action shall be taken:

a. If the Council/Commissioners have previously approved the grant and no matching funds are required, the Finance Director and the Department Head, acting under the direction of the City Administrator/Executive Director are authorized to make the required budget adjustment.

b. If the Council/Commissioners have previously approved the grant and the grant requires matching funds which have already been appropriated, the Finance Director and a Department Head, acting under the direction of the City Administrator/Executive Director, are authorized to make the required budget adjustment.

c. If the grant requires matching funds, and an appropriation has not been made, a supplemental appropriation or a budget adjustment must be approved by the Council/Commissioners unless the staff report and Resolution detailing the funding requirements for the match for the grant have been previously approved by the Council/Commissioners, along with the grant application. In the event previous approval for the funding of the match was obtained, the Finance Director and a Department Head, acting under the direction of the City Administrator/Executive Director are authorized to make the required budget adjustment.

In all other instances, Council/Commissioners approval will be required in order to increase the appropriations.

6a. Expenditures Under \$105,000

Council/Commissioners approval is not required prior to making an expenditure less than \$105,000 if the item is within the budget authorization of the City Administrator/Executive Director or his/her designee and prior Council/Commissioners approval is not required by State Law or City Codes or policies.

Before making expenditures for supplies, equipment and services, which exceed \$2,000 a purchase order must be authorized by both the department and the Finance Director. If the purchase is between \$2,000 and \$25,000 it is subject to the informal bidding requirements contained in the City Code and in Ordinance 1595.

6b. Expenditures between \$2,000 and \$105,000

Council/Commissioners approval is not required prior to making expenditures between \$2,000 and \$105,000. The limit applies only to a single invoice or the purchase of a single item. Multiple purchases from the same vendor which are under the limit individually do not require prior Council/Commissioners approval as long as the purchases are not being intentionally made in smaller amounts in order to avoid obtaining Council/Commissioners approval.

6c. Expenditures Greater Than \$5,000

Council/Commissioners approval is not required prior to making an expenditure greater than \$5,000 if there are sufficient appropriations in the current Adopted Budget (as revised pursuant to this policy) of the department to cover the expenditure and:

1. The expenditure represents a progress payment, which does not exceed the 10% Contingency approved as part of a contract or agreement previously approved or awarded by the Council/Commissioners; *OR*

2. The expenditure represents a partial payout of an economic development loan previously approved by the Council/Commissioners; *OR*

3. The expenditure is for an insurance policy, providing an effort has been made to obtain quotes from as many agents as possible and the expenditure is within 10% of the previous year or for payroll and the related benefit expenses (except as noted elsewhere in this policy), utility costs, postage, insurance premiums, concrete, road maintenance supplies and materials, fuel, communication expenses, debt service expenditures, contracted services (except where Council/Commissioners approval is required) payments to other governmental agencies, CDBG activities which are covered under grant procedures previously adopted by the Council/Commissioners, other grant activities, State Theater performance expenses and trust and agency fund disbursements, or any other expenditure which in the judgment of the City Administrator/Executive Director is routine.

6d. Authorization to go out to Bid where a Sealed Competitive Bid is Required

If the budget provides for the expenditure, Council/Commissioners authorization is not required prior to going out to bid, unless otherwise required by State Law or City Codes or policies.

7. Public (Capital) Projects as defined by the Public Contract Code of the State of California (Section 22000-22045)

7a. Exception to section 22032 of the Public Contract Code of the State of California is as follows:

(a) Public projects of forty-five thousand dollars (\$45,000) or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order.

(b) Public projects of Twenty-five Thousand (\$25,000) or less may be let to contract by informal procedures as set forth in the article. Council will be apprised of the results on a Council agenda within 15 days but in no case later than 30 days.

(c) Public projects over Twenty-five Thousand (\$25,000) will follow the competitive bid procedures outlined in Section 2-63.101 thru 2-63.701 of the Oroville City Code as re-enacted in Ordinance 1595.

(d) Items budgeted and appropriated by the Council during the annual budget approval process shall be deemed approved and funds appropriated. Staff is not required to return for authorization for purchase of items but must follow the appropriate procurement process.

8. Staffing and Payroll Related Expenditures

Appropriations to the Salaries and Benefits - 5000 series accounts in the Adopted Budget assume full staffing for the full fiscal year. However, as a result of such factors as attrition, sick leave, training requirements, resignations, retirements, emergencies and other related situations, it may not be possible to fill all of the allocated positions as planned, additional staffing may be needed, or positions may need to be filled at a different skill level than provided in the Adopted Budget.

A Department Head working in conjunction with the Personnel Officer, and acting under the direction of the City Administrator/Executive Director, may make a temporary promotional appointment or hire a temporary employee at any level on the salary range, or contract for a temporary employee (normally this will be done through a temporary employment agency) in order to: 1) temporarily fill any authorized position which has been vacated due to the resignation, retirement, termination, sickness or other temporary absence of the incumbent; or, 2) fill a position in the event of an emergency. If the expense related to temporary help will cause any line items in the Adopted Budget to be exceeded, a budget adjustment or supplemental appropriation must precede the action, except in cases of emergency.

Council/Commissioners approval is required for all other reclassifications, salary adjustments, equity adjustments, costs of living raises or any other changes to the Salary and Pay Schedule listing in the Adopted Budget (except for temporary positions which are not listed).

Council/Commissioners approval is also required for all other changes, such as new non-emergency temporary positions, changes in titles, reclassifications or any other changes to the Summary of Personnel listing in the Adopted Budget.

The City Administrator/Executive Director and the Personnel Officer, may hire an employee at an advanced step in the salary range up to step G if justification is provided to the Council/Commissioners at the time of the hiring decision and:

Competitive factors in the job market for a particular job title, or a candidate's specific experience and qualifications are such that it will not be possible to employ the most qualified candidate at the beginning step on the salary range.

The accrual of overtime and any payments of overtime shall be in accordance with the provisions of any approved M.O.U., employee contract or resolution and/or the Personnel Rules and Regulations and Personnel Policies.

On a bi-annual basis, the Personnel Officer will prepare a report to the Council/Commissioners on all positions filled, except for Department Heads. The report will contain the applicable steps and ranges for each position and indicate whether the employee is temporary or permanent.

9. Donations

Donations may be accepted by the Finance Director and a Department Head, acting under the direction of the City Administrator/Executive Director. As soon as possible, after accepting the donation it will be placed on the consent calendar so that the donation can be acknowledged by the Council/Commissioners. The procedure necessary to make a Budget Adjustment in order to increase appropriations is detailed elsewhere in this policy.

Revised Date: September 16, 2014

Previous Revisions: October 6, 1986, June 1, 1988, August 5, 1997, March 6, 2012

Initiated by: City Administrator/Executive Director

Approved By: City Council/Oroville Successor Agency/ Oroville Public Financing Authority

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

**FROM: RANDY MURPHY, CITY ADMINISTRATOR
GLENN LAZOF, INTERIM FINANCE DIRECTOR**

RE: SUMMARY OF POSITIONS TABLE

DATE: SEPTEMBER 16, 2014

SUMMARY

Council may consider the Summary of Personnel Table and direct staff regarding adjustments.

DISCUSSION

Following input from the Executive Committee, staff has also included a slide based on Power Point budget presentation some years previously. The traditional FTE table, which has been a standard part of the budget presentation since at least the adoption of the 1998 Fiscal Year budget, follows that slide.

The total count of positions on the slide counts all positions, regardless of source of funding, and each part-time position is counted as one position on the slide. The total on the FTE Table represents partial FTE's and therefore the Total FTE's are less than the total positions in the slide. Note that many General Fund positions should be eligible for some non-general fund support, based on cost accounting and implementation of an indirect cost plan. Items shown as partially General Funded indicate known commitments from other sources. Even for the positions shown as partially General Fund, every effort will be made to minimize the cost to the General Fund.

At first glance revising a table summarizing FTE's may seem to be a simple task. The number of FTE's is correct, but how and where to display them is a more subjective issue. For example, the home department when department share positions is generally where that position spends the most time on the organizational chart, the projection of which might not always be that clear.

Regarding the traditional FTE Tables, updates include clarification of titles, (and department names), and ongoing discussions of under which department shared positions should occur. This information has been shared and reviewed by departments, a process that will continue as needed. We recognize that there are

legitimate differences of opinion as to how to display some positions, and as to whether non-general funds may ever be available. Therefore Staff has added additional notes where there has been known confusion or controversy.

Frozen positions are not reflected in the FTE count on the Table but are noted near the titles. This is a compromise between the desire to restrict the FTE count to funded FTE's while still continuing to track and report on frozen positions. For purposes of this report when described as noted, we mean it is reflected where Job Titles are listed but not included in the FTE count. Positions which have been moved from one department to another would be reflected by having no prior year history in their new department, but their history will also be listed under the former departments. For example the Information Technology Manager now shows under City Administrator (Control Agency for the new Information Technology Department), but the history appears under Finance Department where the position was formerly located.

Funding sources are not now, and have not in the past, been consistently reflected in the traditional table in prior budget documents. For example, the Director of Finance has always been shown as 1 FTE in the Finance Department, although .3 FTE was historically charged to the Redevelopment Agency. Staff would recommend against changing this practice because we need the flexibility to maximize revenue from all non-general fund sources as efficiently as possible, while ensuring that the number of positions overall is controlled by the Council.

There are several positions that we previously asked the Council to weigh in on as to whether to include in the budget for the current fiscal year. Based on feedback thus far both tables now reflect increasing the .4 FTE Building Inspector to full time and one additional Public Works Operator II (Equipment Operator). The positions not included at this time are the Public Works Director and Accounting Manager. It is fair to say that a good case can be made for each of these positions. The Council is encouraged to provide additional direction if this does not reflect your wishes. Staff will fund only those you direct be funded. (See chart of recommended positions attached).

Finally, Council has expressed concern regarding future funding for the four SAFER Grant Funded Firefighters. The Safer Grant funding expires April 2016. The City Administrator plans to present a list of options for these positions to the full council when we bring forward the pending final budget revision for FY 2015, seeking further direction.

Detailed notes:

Office of the City Administrator:

The RDA Economic Development Position has been renamed dropping RDA from the title. The position is noted as frozen. It has been noted on the summary table that the .2 of the Program Specialist is frozen. Per the note, this was a voluntary freeze of a portion of this position by the incumbent. The Information Technology Manager Position has been moved from the Finance Department and the GIS Specialist from

Public Works, effective this year. Both positions are in the new Information Technology Department. The Administrative Assistant Position impacted by the Assistant City Clerk reorganization is not reflected in the FTE count for current year.

Business Assistance and Housing Development:

Director of Business and Housing Assistance is listed as a Frozen Position. The Administrative/ Program Analyst II is listed as a Frozen Position. The Administrative Assistant is listed as a Frozen Position.

The Code Enforcement Staff Assistant (aka Staff Assistant), Code Compliance and Construction Specialist (aka Code Community Housing Specialist), and Code Enforcement Specialist positions are moved to the Community Development Department beginning with the current year. The previous table, included with the unapproved August 12 revision, listed 2 Code Enforcement Specialists instead of a Senior Code Enforcement and regular Code Enforcement.

Finance Department: The Manager of Information Technology has been moved to the new Information Technology Department under the City Administrator. The two frozen positions are listed as such, as well as the ongoing recruitment. As in all departments, frozen positions are not included in the FTE count on the traditional table.

Fire: The four frozen positions (The Chief and 3 engineers) are noted. Also noted is staffing per an amendment to the OFFA contract wherein two captains serve as interim Battalion Chiefs. (There is only one regular Battalion Chief position.) The grant funded and intern positions are also identified. There is one Fire Administrative Position noted as frozen.

Police: The five frozen positions (1 sworn 4 non-sworn) are listed as well as 3.5 (3 sworn and .5 non-sworn) vacancies. The .5 Evidence Technician position has been clarified, the other half is filled by an individual who is also a .5 CSO. The status of the Lieutenant is noted as frozen and the new Assistant Police Chief Position is reflected. The single FTE shown for a Detective is filled by a rotational assignment between Police Officers.

Parks and Trees: The four frozen positions are noted.

Public Works: Four frozen positions (Public Works Director, Associate Civil Engineer, Administrative Assistant, and a Public Works Operator II) are listed, but as with all frozen positions, are not included in the FTE count. It is also hoped that the Cement Finisher will be able to take advantage of a promotional opportunity into the frozen Public Works Operator II position. The Cement Finisher position would then be recommended to be frozen instead. At this time, the Cement Finisher is listed at the FTE count.

Two corrections have been made to the Summary of Positions presented August 12. The August 12 Summary Table erroneously listed a Public Works Manager position

when instead the city has a Public Works Supervisor (Sewer). Staff also transposed our Senior Civil Engineer and the frozen Associate Civil Engineer positions.

As noted previously, the GIS specialist has been moved to the new Information Technology Department.

Community Development: The Department name has been corrected. Two frozen positions (Administrative Assistant and Assistant Planner) are noted. The three code enforcement related positions including those moved from Business and Housing Assistance department are now included in the current year count for this department. Staff clarified (for current year) that our FTE's include both regular and senior code enforcement positions, the prior year history may still require some updating. The Grant funded positions have been noted.

Lastly a transposition of the filled Associate Planner with the frozen Assistant Planner position had been corrected

TOTALS: Formulas for Department Totals have been updated to reflect adjustments in the table. Consistent with the department detail, the FY 2015 total on the table does not include frozen positions.

FISCAL IMPACT

None: This table reflects information that is supplemental to the budget. Personnel expenses not reflected in the adopted budget continue to be included in pending revisions. This page will replace the Summary of Personnel Tables in the Final Budget, once approved by Council.

RECOMMENDATION

- 1) Approve Summary of Positions table, (Traditional Format) with revisions as directed by Council.

ATTACHMENTS

Positions Slide Format
Summary of Positions Table
Recommended Positions PDF

132 City Positions Including:

- 27 Frozen Positions +
- .2 Partial Voluntary Freeze
- 3 Partial Non General Funded Positions
- 12 Non General Fund Positions
- 1 Filled with Rotational Out of Class Assignment

32 General Fund Positions with potential for partial support from other sources.

57 General Fund Positions Unlikely to receive other Funding

Police

- | | | |
|----------------------|--|---|
| 1. Police Chief | 17. Officer | 30. Public Safety Communication Specialist |
| 2. Assistant Chief | 18. Officer | 31. Public Safety Communication Specialist |
| 3. Sergeant | 19. Officer | 32. Public Safety Communication Specialist |
| 4. Sergeant | 20. Officer | 33. Public Safety Communication Specialist |
| 5. Sergeant | 21. Officer | 34. Public Safety Communication Specialist |
| 6. Sergeant | 22. Officer | 35. Public Safety Communication Specialist |
| 7. Sergeant | 23. Officer | 36. Public Safety Communication Specialist |
| 8. Officer (Vacant) | 24. Officer | 37. Evidence Technician (.5) |
| 9. Officer (Vacant) | 25. CSO | 38. Police Records Technician |
| 10. Officer (Vacant) | 26. CSO (.5 Vacant) | 39. Administrative Assistant |
| 11. Officer | 27. Detective (Filled Rotational Assign.) | FROZEN: |
| 12. Officer | 28. Public Safety Communication Specialist | <u>Lieutenant</u> |
| 13. Officer | 29. Public Safety Communication Specialist | <u>Officer</u> |
| 14. Officer | | <u>Community Service Officer</u> |
| 15. Officer | | <u>Administrative Assistant</u> |
| 16. Officer | | <u>Public Safety Communication Specialist Supv.</u> |
| | | <u>Crime Analyst/ IT Officer</u> |

Administration

1. City Administrator
 2. Assistant City Clerk
 3. **Program Specialist (SBF 62.5% of .8 FTE)**
 4. Administrative Assistant
 5. Human Resource Analyst II
 6. Information Technology Manager (Moved from Finance)
 7. GIS Specialist (Moved from Public Works)
- FROZEN:**
Program Specialist (Voluntary . 2 FTE)
Economic Development Manager

Business Assistance & Housing

1. Management Analyst III
 2. Enterprise Zone / Business Ass. Coordinator
 3. **Building Maintenance Tech II (Housing and City Hall/GF)**
 4. Program Analyst I
 5. Code and Construction Compliance Specialist (Grant Funded until June 2016)
- FROZEN:**
Director of Business Assistance and Housing
Administrative / Program Analyst II
Administrative Assistant

Public Works

1. Senior Civil Engineer
2. Public Works Supervisor
3. Construction Inspector
4. Cement Finisher
5. Lead Mechanic
6. Equipment Mechanic
7. Public Works Operator III
8. Public Works Operator III
9. Public Works Operator II
10. Public Works Operator II
11. Public Works Operator II (Franchise Fee Funded)
12. Public Works Operator I
13. Public Works Operator I
14. Signal Technician/Electrician

FROZEN:

Director of Public Works
Associate Civil Engineer
Administrative Assistant
Public Work Operator II (may be unfrozen during year and instead the Cement Finisher would be frozen)

Parks and Trees

1. Public Works Supervisor
2. Park Maintenance Technician III
3. Park Maintenance Technician II
4. Park Maintenance Technician II
5. Park Maintenance Technician II
6. Park Maintenance Technician I
7. Seasonal Worker (.33)

FROZEN:

Director of Parks and Trees
Administrative (Staff Assistant)
Cultural Facilities Coordinator
Technical Director/ Facility Operator

Fire

1. Deputy Fire Chief
2. Battalion Chief (Filled by 2 Captains out of class)
3. Fire Captain
4. Fire Captain
5. Fire Engineer
6. Fire Engineer
7. Fire Engineer
8. Fire Engineer
9. Fire Engineer
10. Fire Engineer
11. Fire Engineer
12. Firefighter
13. Firefighter
14. Firefighter (5 IG Grant)
15. Firefighter (SAFER)
16. Firefighter (SAFER)
17. Firefighter (SAFER)
18. Firefighter (SAFER)
19. Intern Firefighter (IG)
20. Intern Firefighter (IG)

FROZEN:

Fire Chief
Fire Engineer
Fire Engineer
Fire Engineer
Administrative Assistant

Finance

1. Director of Finance
 2. Accountant
 3. Acct Tech
 4. Acct Tech
 5. Acct Tech
- FROZEN:**
Accounting Manager
Accountant

Community Development Department

1. Director of Planning & Dev. Services
2. Building Official
3. Counter Technician
4. Building Inspector
5. Senior Code Enforcement Specialist (Moved from BAHD)
6. Code Enforcement Specialist (Moved from BAHD)
7. Associate Planner
8. Code Enforcement Staff Assistant (Grant Funded until 2016)

FROZEN:
Planning Administrative Assistant
Assistant Planner

SUMMARY OF PERSONNEL

September 16, 2014

Department	2011-12 Actual	2012-13 Expected	2013-14 Actual	2014-15 Revised
Office of the City Administrator				
City Administrator	1.00	1.00	1.00	1.00
Assistant City Clerk	0.00	0.00	1.00	1.00
Administrative Assistant	2.00	2.00	1.00	1.00
Economic Development Manager (Frozen)	1.00	1.00	0.00	0.00
Program Specialist (.2 FTE Frozen -Voluntary)	2.00	2.00	0.80	0.80
Human Resource Analyst II	1.00	1.00	1.00	1.00
Information Technology Manager (Moved from Finance)				1.00
GIS Specialist				1.00
Total	7.00	7.00	4.80	6.80
Business Assistance & Housing Dev.				
Director of Business Asst. & Housing Dev. (Frozen)	1.00	1.00	1.00	0.00
Management Analyst III	1.00	1.00	1.00	1.00
Administrative/Program Analyst II (Frozen)	2.00	2.00	0.00	0.00
Program Analyst I	1.00	1.00	1.00	1.00
Enterprise Zone Business Assistance Coordinator (/ED Coord.)	1.00	1.00	1.00	1.00
Administrative Assistant (Frozen)	1.00	1.00	0.00	0.00
Code Enforcement Staff Assistant (Moved to Planning and Comm. Dev.)	1.00	1.00	1.00	0.00
Housing Dev./Bldg Maint. Supervisor (frozen)	1.00	1.00	1.00	0.00
Building Maintenance Tech. II	1.00	1.00	1.00	1.00
Code and Construction Compliance Specialist	0.00	0.00	0.00	1.00
Code Enforcement Specialist (Moved to Planning and Comm. Dev.)	1.00	1.00	1.00	0.00
Total	11.00	11.00	8.00	5.00
Finance Department				
Director of Finance (Recruitment)	1.00	1.00	1.00	1.00
Accounting Manager (Frozen)	1.00	1.00	1.00	0.00
Accountant (1 Frozen)	2.00	2.00	1.00	1.00
Accounting Technician	3.00	3.00	3.00	3.00
IT Manager (Moved to Administration, new IT department,)	1.00	1.00	1.00	0.00
Total	8.00	8.00	7.00	5.00
Fire Department				
Fire Chief (Frozen)	1.00	1.00	0.00	0.00
Deputy Fire Chief	1.00	1.00	0.00	1.00
Battalion Chief (Currently 2 interims)	1.00	1.00	1.00	1.00
Fire Captain	3.00	3.00	3.00	3.00
Fire Engineer (3 Frozen)	9.00	9.00	6.00	6.00
Fire Fighter (4 Safer Grant funded to April 2016, .5 Other Grant, also 2 interns not counted in FTE's)	3.00	3.00	9.00	7.00
Fire Administrative Assistant (Frozen)	0.80	1.00	0.00	0.00
Total	18.80	19.00	19.00	18.00
Police Department				
Chief	1.00	1.00	1.00	1.00
Assistant Chief	0.00	0.00	1.00	1.00
Lieutenant (Frozen)	2.00	1.00	1.00	0.00
Sergeant	4.00	5.00	5.00	5.00
Police Officer - (1 frozen, 3 vacant)	18.00	18.00	12.00	17.00
Detective (Filled and funded by a Rotational Assignment of Police Officers.)	1.00	1.00	1.00	0.00
Administrative Assistant (Frozen)	2.00	2.00	2.00	1.00
Public Safety Communication Specialist Supervisor (Frozen)	0.00	0.00	0.00	0.00
Public Safety Communication Specialist	7.00	7.00	7.00	9.00
Crime Analyst/IT Officer (Frozen)	1.00	1.00	1.00	0.00
Evidence Technician	0.00	1.00	0.50	0.50
Police Records Technician (Grant funded only)	0.00	0.75	0.75	0.00
Police Records Technician	1.00	1.00	1.00	1.00
Community Service Officers - (1 Frozen, .5 vacant)	3.00	3.00	3.00	2.00
Total	40.00	41.75	36.25	37.50

SUMMARY OF PERSONNEL

September 16, 2014

Department	2011-12 Actual	2012-13 Expected	2013-14 Actual	2014-15 Revised
Parks & Trees Department				
Director of Parks & Trees (Frozen)	1.00	1.00	0.00	0.00
Administrative (Staff) Assistant (Frozen)	1.00	1.00	0.00	0.00
Parks Maintenance Technician III	2.00	2.00	1.00	1.00
Public Works Supervisor	0.00	0.00	1.00	1.00
Cultural Facilities Coordinator (Frozen)	1.00	1.00	0.00	0.00
Technical Director/Facility Operator - (Frozen)	1.00	1.00	0.00	0.00
Seasonal Worker (4 months)	0.00	0.00	0.00	0.33
Parks Maintenance Technician II	3.00	3.00	3.00	3.00
Parks Maintenance Technician I	1.00	1.00	1.00	1.00
Total	10.00	10.00	6.00	6.33
Public Works				
Director of Public Works (Frozen)	1.00	1.00	0.00	0.00
Sr. Civil Engineer	1.00	1.00	1.00	1.00
Associate Civil Engineer (Frozen)	1.00	1.00	0.00	0.00
Administrative Assistant (Frozen)	1.00	1.00	0.00	0.00
GIS Specialist (Moved to Administration, new IT departm	1.00	1.00	1.00	0.00
Public Works Supervisor	1.00	1.00	1.00	1.00
Lead Mechanic	1.00	1.00	1.00	1.00
Equipment Mechanic	1.00	1.00	1.00	1.00
Public Works Operator III	2.00	2.00	2.00	2.00
Public Works Operator II - 2 sewer and 1 street funded by Recology Franchise Fee. Also there is a Frozen PWO which the Cement Finisher may promote into leaving the Cement Finisher vacant instead. Total not included in count = 1 Frozen consideration.	3.00	3.00	2.00	3.00
Public Works Operator I	2.00	2.00	2.00	2.00
Construction Inspector	1.00	1.00	1.00	1.00
Cement Finisher (See note Public Works Operator II re: Promo opportunity)	1.00	1.00	1.00	1.00
Signal Technician/Electrician	1.00	1.00	1.00	1.00
Total	18.00	18.00	14.00	14.00
Community Development Department				
Director of Community Development Services	0.00	1.00	1.00	1.00
Planning Administrative Assistant (Frozen)	1.00	1.00	0.00	0.00
Associate Planner	1.00	1.00	0.00	1.00
Assistant Planner (Frozen)	1.00	1.00	1.00	0.00
Counter Technician	1.00	1.00	1.00	1.00
Building Official	1.00	1.00	1.00	1.00
Building Inspector	1.00	1.00	0.40	1.00
Senior Code Enforcement Specialist	0.00	0.00	0.00	1.00
Code Enforcement Specialist (Moved from BAHD)	0.00	0.00	0.00	1.00
Code Enforcement Staff Assistant (80&Grant Funded June 2016)	1.00	1.00	1.00	1.00
Total	7.00	8.00	5.40	8.00
Department Summary				
Office of the City Administrator	7.00	7.00	4.80	6.80
Business Assistance & Housing Dev.	11.00	11.00	8.00	5.00
Finance Department	8.00	8.00	7.00	5.00
Fire Department	18.80	19.00	19.00	18.00
Police Department	40.00	41.75	36.25	37.50
Parks & Trees Department	10.00	10.00	6.00	6.33
Public Works	18.00	18.00	14.00	14.00
Planning & Development Services	7.00	8.00	5.40	8.00
Total	119.80	122.75	100.45	100.63

Recommended Positions					
Title	Start Date	Budget Impact	Annual Ongoing Cost	Incl.	Notes
Director of Public Works	1-Jan-15	\$ 66,300	\$ 132,600	No	Incl. Savings from Assign out of class.
Accounting Manager	1-Jan-15	\$ 47,800	\$ 95,600	No	
Building Inspector .4 FTE to full time	1-Jul-15	\$ 51,200	\$ 51,200	Yes	
Equipment Operator (Public Works Operator II)	15-Nov	\$ 50,200	\$ 70,900	Yes	
Included Total		\$ 101,400	\$ 122,099		
Not Included Total		\$ 114,100	\$ 228,200		
Total		\$ 215,500	\$ 350,300		

**OROVILLE COUNCIL/OROVILLE PUBLIC FINANCING AUTHORITY
STAFF REPORT**

**TO: MAYOR AND COUNCIL MEMBERS
CHAIRPERSON AND COMMISSIONERS
RANDY MURPHY, CITY ADMINISTRATOR**

FROM: GLENN LAZOF, INTERIM FINANCE DIRECTOR

RE: FINAL REVISIONS TO FISCAL YEAR 2013-2014 BUDGET

DATE: SEPTEMBER 16, 2014

SUMMARY

The Council may consider approving revisions to the 2013-2014 (Previous) Fiscal Year Budget.

DISCUSSION

Per Budget Policy 16 when a line item in the Adopted Budget has been exceeded due to obligations which have already been incurred, or are expected to be exceeded, Council/Commissioners approval will be required in order to increase the appropriations. When appropriations are exceeded by actual expenditures by more than \$5,000 within a fund or department, or between the Personnel Series, Operating Series, Capital Series, or Transfers final authorization is needed by the Council.

For this review, budget control at line item level is interpreted to mean at the 5000 (Personnel), 6-7000 (Operating), 8000 (Capital), and 9000 (Transfers). Supporting that interpretation:

- 1) That is the level at which the budget has been approved by Council as far back as I looked, which was 20 years.
- 2) MOM, (the Financial System) is not set for any level of budget control, and the detail level would not be possible at current staffing levels.¹
- 3) A \$5,000 limit for changes in detailed line items would require frequent council action, with a commensurate increase in workload for staff and council.
- 4) Under this interpretation, even the \$5,000 change at the series level is a restrictive policy. (\$5,000 represents less than 2% of expenditure appropriations)

¹ Budget control will be a key component of the new accounting system being proposed, including a warning notice when expenses are within a certain percentage of appropriations

for twenty-eight general fund departments and special funds, and less than 5% of forty-two).

This review represents a significant improvement of reporting to the Council. 2 For example, in the previous fiscal year, 2012-2013, the final appropriations were exceeded in 50 instances with no Council action to be found to provide budgetary authority.

Staff plans to bring forward a complete revision of Budget Policy 16 which will include clarifications to ensure that the Cities Policy reflects industry best practices and are without ambiguity.3 One of the proposed changes will be to require quarterly budget reviews, as staff has pledged for this fiscal year. This will give the Council still more opportunities to measure budget performance.

A listing of smaller revisions, approved by the Finance Director and City Administrator, as permitted by Budget Policy 16, will also be provided to Council for information purposes.

FISCAL IMPACT

General Fund revisions net to zero, (except for the extraordinary City Loan Payment - a.k.a State Clawback). For other (Special) funds, the table has grouped those where the revisions, net to zero within the fund, those that were covered by the fund balance, and those are not covered by fund balance.

RECOMMENDATION

Approve Fiscal Year 2013-2014 Budget revisions in the table attached.

ATTACHMENT

Table of Proposed Budget Revisions

2 Finance staff is unaware of any time that a Council review of previous year trial balance expenditures to actual expenditures has occurred.

3 An interim revision regarding purchasing has been proposed at this meeting.

Proposed Fiscal Year 2013 2014 Budget Revisions

General Fund 001						
Department	OBJT	Description	Dept #	Current	Adj	Revision
City Attorney	7000	Outside Service	1100	\$ 279,118	\$30,183	\$ 309,301
City Clerk	5999	Salary and Benefits	1200	\$ 77,896	\$21,215	\$ 99,111
	6999	Operating Expense		\$ 49,350	(\$21,215)	\$ 28,135
City Admin.	5999	Salary and Benefits	1400	\$ 263,590	(\$44,183)	\$ 219,407
Finance	5999	Salary and Benefits	1500	\$ 547,484	\$18,931	\$ 566,415
	6999	Operating Expense	1500	\$ 146,453	(\$32,659)	\$ 113,794
Planning	5999	Salary and Benefits	1600	\$ 220,518	\$10,837	\$ 231,355
	6999	Operating Expense		\$ 85,978	\$2,891	\$ 88,869
Police	5999	Salary and Benefits	2500	\$ 4,193,765	\$37,291	\$ 4,231,056
	6999	Operating Expense		\$ 421,081	(\$28,338)	\$ 392,743
	8430	Equipment-\$500		\$ -	\$5,047	\$ 5,047
Net Adjustments to General Fund (zero)					\$ (0)	\$ -

General Fund 001 - Extraordinary Adjustment for City Loan State Clawback						
Department	OBJT	Description	Dept #	Current	Adj	Revision
Non-Dept		7010:Charges by Oth Gov't	1700	\$ 20,496	\$1,852,000	\$ 1,872,496

Other Funds

Revisions to these funds are net zero (increases = reductions).

Fund	Title	Description	Current	Adj	Revision
158	Law Enfor Grants	Salary and Benefits	\$ -	\$70,077	\$ 70,077
		Direct Labor Charges	\$ 324,935	(\$70,077)	\$ 254,858
184	Land Light Dists	Salary and Benefits	\$ -	\$8,841	\$ 8,841
		Operating Expense	\$ 40,822	(\$8,841)	\$ 31,981
440	Bus Man CTR	Operating Expense	\$ 26,566	\$7,366	\$ 33,932
		Charges Fr Oth Funds	\$ 161,541	(\$7,366)	\$ 154,175

The Following are supported by the cash balance within these special funds:

Fund	Title	Description	Current	Adj	Revision
100	Comm Promotion	Operating Expense	\$ 13,000	\$5,232	\$ 18,232
111	Local Transit	Chg Fr Other Fund	\$ -	\$91,000	\$ 91,000
113	Canine Fund	Operating Expense	\$ -	\$9,342	\$ 9,342
125	Gas Tx 2106	Transfer to Other Fund	\$ 60,221	\$1,651	\$ 61,871
127	Gas Tx 2105	Transfer to Other Fund	\$ 247,526	\$9,042	\$ 256,568
140	Housing Admin	Salary and Benefits	\$ 529,126	\$17,613	\$ 546,739
141	Housing Program	Salary and Benefits	\$ 5,000	\$1,264	\$ 6,264
		Operating Expense	\$ 411,630	\$9,247	\$ 420,877
		Building Acquisition	\$ -	\$135,661	\$ 135,661
		Direct Labor Charge	\$ 40,200	\$30,550	\$ 70,750
198	Successor Agency	Direct Labor Charge	\$ 33,855	\$86,748	\$ 120,603
451	CDBG ED RLF	Charges Fr Oth Funds	\$ 15,500	\$599	\$ 16,099
453	Micro Ent Loan	Operating Expense	\$ -	\$75,266	\$ 75,266
		Direct Labor Charge	\$ -	\$30,306	\$ 30,306
455	Home HSG RLF	Charges Fr Oth Funds	\$ -	\$244,797	\$ 244,797
550	Workers Comp	Pre-1990 Claims	\$ 29,788	\$54,954	\$ 84,742

The following over expended funds do not have a positive cash balance at this time.

Further research is required.

Fund	Title	Description	Current	Adj	Revision
199	RDA Housing	Transfer	\$ 300,000	\$105,000	\$ 405,000
230	City Debt Service	Interest and Principal	\$ 696,441	\$3,483	\$ 699,924
451	CDBG Econ Dev.	Charges fr. Other Fund	\$ 15,500	\$599	\$ 16,099
452	CDBG Housing	Outside Services	\$ -	\$17	\$ 17

**OROVILLE CITY COUNCIL
STAFF REPORT**

**TO: MAYOR AND COUNCIL MEMBERS
RANDY MURPHY, CITY ADMINISTRATOR**

**FROM: DONALD RUST, DIRECTOR (530) 538-2433
LUIS A. TOPETE, ASSOCIATE PLANNER (530) 538-2408
COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: MUNICIPAL AUDITORIUM FEE WAIVER REQUEST FROM THE CALIFORNIA
STATE OLD TIME FIDDLER'S ASSOCIATION, INC.**

DATE: SEPTEMBER 16, 2014

SUMMARY

The Council may consider a fee waiver request from the California State Old Time Fiddler's Association, Inc. for use of the Municipal Auditorium for the Feather River Gospel Hoedown and the 49th Annual California State Old Time Fiddle and Picking Championships.

BACKGROUND

The Feather River Gospel Hoedown and the 49th Annual California State Old Time Fiddle and Picking Championships will take place in March of 2015. The tentative schedule is as follows:

Date	Times	Activity
Thursday, 03/19/2015	10:00 a.m. – 10:00 p.m.	Setup/Feather River Gospel & Hoedown
Friday, 03/20/2015	7:00 a.m. – 10:00 p.m.	Setup/Meeting/Event
Saturday, 03/21/2015	7:00 a.m. – 11:00 p.m.	Setup/Contest
Sunday, 03/22/2015	8:00 a.m. – 12:00 p.m.	Meeting/Cleanup

The fees for the rental of the Municipal Auditorium for the above dates/hours are as follows:

Date	Times	Cost
Thursday, 03/19/2015	8 hours + 4 extra hours	\$765.00
Friday, 03/20/2015	8 hours + 7 extra hours	\$870.00
Saturday, 03/21/2015	8 hours + 8 extra hours	\$905.00
Sunday, 03/22/2015	8 hours	\$625.00
Total:		\$3,165.00

Rental fees for the Municipal Auditorium are \$625 for the first eight (8) hours and \$35.00 per

hour for each hour over eight (8) hours. Additionally, a \$500.00 refundable security deposit is required and not included in the above calculation.

DISCUSSION

On February 19, 2013 the Oroville City Council passed and adopted Ordinance No.1793, an Ordinance of the Oroville City Council amending Chapter 22, Section 7, rescinding departmental policy and procedure document 32, and adding Section 26-10.200 to the Oroville Municipal Code (OMC) for the purpose of enacting a new facility and park fee waiver policy.

Per the aforementioned policy, fee waivers do not relieve the applicant from payments and obligations for security/damage deposit and fee waivers apply only to the use of City facilities and parks. Additionally, the policy specifies that fees, up to 50%, may be waived for non-profit groups. Although the existing policy allows for a fee waiver of up to 50%, the applicant is requesting a full waiver of all fees to be charged which requires Council action.

FISCAL IMPACT

The total fees for the rental of the Municipal Auditorium for the proposed event are \$3,165.00. \$1,582.00 represents 12% of the entire amount last recommended for the fee waiver reserve per the reserve policy. Combined with the previously granted fee waivers since July 1, the recommendation will result in 62% of the reserve expended with 79% of the fiscal year remaining.

RECOMMENDATION

Per the OMC Section 26-10.200, staff recommends a 50% fee waiver, in the amount of \$1,582.50, and recommends the City continue to require the \$500 refundable security deposit.

ATTACHMENTS

- A – Facility Use Fee Waiver Application
- B – Application for Use of Facility

To Wade
 To Lois (Fee Waiver) Submit by Email
 Added to spreadsheet

COPY



CITY OF OROVILLE
PARKS AND TREES DEPARTMENT (530) 538-2415, FAX (530) 538-2417
Email: info@cityoforoville.org

APPLICATION FOR USE OF FACILITY

SECTION I - To be completed by requestor.

Oroville Municipal Auditorium:

Organization/Group California State Old Time Fiddler's Association, Inc. (CSOTFA) Date 8/22/14

Contact Name Marian E. Walker

Title Treasurer, CSOTFA District I Address Mail: P.O. Box 50, Res: 141 Eagle Vista Dr., Oroville 95966

City Oroville State CA Zip 95965-0050

Telephone (530) 589-0453 Cell Phone _____ Fax (530) 589-4456

Email Address: Marian: zeke103@digitalpath.net AND CC: Contest Co-Chair: Brett Johnson: brett@housemusic.com

AREA TO BE USED: Main Hall Meeting Room Kitchen Grounds Parking Lot

DAY/DATE REQUESTED:

See 2015 Tentative Schedule Attached

Setup/Event: Date Thurs, 3/19/15 From 10 am To 10 pm Setup/Feather River Gospel & Hoedown

Date Friday, 3/20/15 From 7 am To 10 pm Setup/Meeting/Event

Date Sat, 3/21/15 From 7 am To 11 pm Setup/Contest

Cleanup: Date Sun, 3/22/15 From 8 am To Noon Meeting/Cleanup

TYPE OF ACTIVITY:

- Dance/Concert
- Class Reunion
- Other (describe): 49th Annual California State Old Time Open Fiddle & Picking Championships & Feather River Hoedown
- Wedding
- Family Reunion
- Meeting
- Reception
- Anniversary
- Community Event
- Dinner/Luncheon/Breakfast
- Bazaar/Market, etc.
- Non-profit Organization 501 (c) (3)

Anticipated Number Attending Event 500-700

Is Event Open to the Public? Yes No

Charging Admission? Yes No

Accepting Donations? Yes No

Selling Goods to the Public? Yes No

Serving Food and/or Beverages? Yes No

Serving Alcoholic Beverages? Yes No

Selling Alcoholic Beverages? Yes No

Using Candles for Decoration? Yes No

FACILITY REQUIREMENTS:

HOURS - BUILDING: Sunday – Thursday: Function must end by 11:00 pm with clean-up completed by 12:00 pm;
Friday & Saturday: Function must end by 1:00 am with clean-up completed by 2:00 am
GROUNDS: Daily: Outside activities are limited to the hours between 8:00 am and 10:00 pm

SMOKING -- ABSOLUTELY NO SMOKING ALLOWED INSIDE CITY FACILITIES, NOR WITHIN 20 FEET OF A MAIN EXIT, ENTRANCE OR OPERABLE WINDOW. (AB 846)

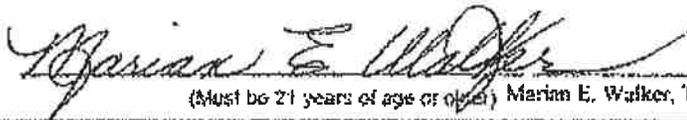
INSURANCE - CERTIFICATE OF INSURANCE naming the City of Oroville and their officers, agents, and employees added as additionally insured for the date(s) that the Oroville Municipal Auditorium is being used in the amount of \$1,000,000.

ALCOHOLIC BEVERAGES -

1. SECURITY GUARDS may be REQUIRED if selling or serving alcoholic beverages.
2. If required Renter shall provide a copy of the paid SECURITY AGREEMENT prior to event.
3. If required Security guards are required 1/2-hour prior to event and must remain until the end of the event.
4. All alcoholic beverages served or sold MUST REMAIN ON PREMISES.
5. Alcoholic beverages shall not be served, sold or consumed by anyone UNDER THE AGE OF 21 on the premises.
6. Use of alcoholic beverages on the premises must be IN COMPLIANCE WITH THE REGULATIONS OF THE STATE OF CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL.

APPLICANT GUARANTEES THAT ALL INFORMATION PROVIDED HEREIN IS A TRUE AND CORRECT REPRESENTATION OF THE INTENDED EVENT. FALSIFICATION OF ANY DISCLOSURE FOR THE PURPOSE OF AVOIDING THE HIRING OF SECURITY PERSONNEL, MANIPULATING THE COSTS OF RENTAL FEES OR DEPOSITS OR CIRCUMVENTING ANY OF THE OTHER REQUIREMENTS OF THE RENTAL AGREEMENT SHALL RENDER THIS APPLICATION AND ANY SUBSEQUENT RENTAL AGREEMENT VOID WITH FORFEITURE OF ANY PORTION OF THE SECURITY DEPOSIT AS DEEMED NECESSARY. IN THE EVENT THAT THE SECURITY DEPOSIT IS NOT RECEIVED FROM APPLICANT WITHIN SEVENTY-TWO (72) HOURS OF NOTIFICATION OF APPROVAL TO RENT, APPROVAL MAY BE RESCINDED AND THE PREMISES MAY BE RENTED TO ANOTHER PARTY.

Requested By:



(Must be 21 years of age or older) Marian E. Walker, Treasurer CSOTFA, District I

DATE: 8/22/14

You may fax your application to 530-538-2417 or e-mail it to info@cityoforoville.org (by clicking on the e-mail button on page 1). The City of Oroville may require an original signature on an application at any point during the process.

OROVILLE MUNICIPAL AUDITORIUM FEE SCHEDULE

Initial here: new \$625.00 for the first eight (8) hours includes one staff member

Initial here: new \$35.00 per hour for each hour over eight (8) hours

Initial here: new \$35.00 per hour for each City staff required over eight (8) hours (minimum of one staff member is required for all events)

Initial here: new \$500.00 refundable security deposit required

Upon completion submit this application by e-mail, mail, fax, or hand deliver to:

City of Oroville
Parks and Trees Department
1735 Montgomery Street
Oroville, CA 95965

Fax (530) 538-2417
Email: info@cityoforoville.org

SECTION II - to be completed by City of Oroville

The request for use of the Oroville Municipal Auditorium is: approved _____ denied _____

Special conditions for approval:

Reason(s) for denial:

Signature: _____ Date: _____

Applicant notified on: _____ by telephone: _____ email: _____ letter: _____

TENTATIVE 2015 SCHEDULE for the 49th Annual California State Old Time Open Fiddle & Picking Championships

Friday March 20, 2015 at OROVILLE MUNICIPAL AUDITORIUM

- 1:30 PM CSOTFA GENERAL MEMBERSHIP MEETING (All members PLEASE attend) in the Auditorium
- 2:30 PM Registration opens
- 3:00 PM Opening Ceremony-Flag Salute-Invocation-Reading of the Deceased
- 3:15 PM Fiddle contestants meet with Judges in the Auditorium
- 3:30 PM Senior-Senior Fiddle Preliminaries (70 years & over)
- 4:30 PM Senior Fiddle Preliminaries (60 – 69 years)
- 5:25 PM Senior-Senior (70 years & over) Top 5 Finalists
- 5:50 PM Senior (60 – 69 years) Top 5 Finalists
- 6:15 PM AWARDS: Senior-Senior, Oldest Fiddler, Senior
- 6:30 PM ANYTHING GOES
- To follow AWARDS

Saturday March 21, 2015 at OROVILLE MUNICIPAL AUDITORIUM

- 7:30 AM Registration Opens (Young Adults first PLEASE)
- 7:45 AM Fiddle Contestants meet with Judges in the Auditorium
- 8:00 AM Young Adults (18 – 36 years) Fiddle Preliminaries
- 8:30 AM Junior (13 – 17 years) Fiddle Preliminaries
- 9:35 AM Junior-Junior (9 – 12 years) Fiddle Preliminaries
- 11:20 AM Pee Wee (8 years & under) Fiddle Preliminaries
- LUNCH BREAK**
- 1:00 PM Adult (37 – 59 years) Fiddle Preliminaries
- 2:10 PM Open (any age) Fiddle Preliminaries
- 2:50 PM Junior Twin Fiddle (17 years & under): ONE ROUND ONLY fast/slow tunes, 4 min. limit
- 3:15 PM Open Twin Fiddle (any age): ONE ROUND ONLY fast/slow tunes, 4 min. limit
- 3:40 PM Open Picking (any age): ONE ROUND ONLY fast/slow tunes, 4 min. limit
- 4:15 PM Junior Picking (17 years & under): ONE ROUND ONLY fast/slow tunes, 4 min. limit
- DINNER BREAK**

-
- 6:00 PM Opening Ceremonies –Presentation of Colors-Invocation-Mayor's Welcome
- 6:15 PM Pee Wee (8 years & under) Top 5 Fiddle Finalists
- 6:40 PM Junior-Junior (9 – 12 years) Top 5 Fiddle Finalists
- 7:05 PM Junior (13 – 17 years) Top 5 Fiddle Finalists
- 7:30 PM AWARDS: Huffman Service Award, Twin Fiddle, Open Picking, Junior Picking, Pee Wee, Youngest Boy & Girl Fiddler
- 7:45 PM JUDGES ENTERTAIN
- 8:05 PM AWARDS: Junior-Junior, and Junior
- 8:15 PM Adult (37 – 59 years) Top 5 Fiddle Finalists
- 8:40 PM Young Adult (18 – 36 years) Top 5 Fiddle Finalists
- 9:05 PM Open (any age) Top 5 Fiddle Finalists
- 9:30 PM AWARDS: Adult, Young Adult, Accompanist, Open

Sunday March 22, 2015 at OROVILLE MUNICIPAL AUDITORIUM

- 8:00 AM CSOTFA State Officers & Board of Directors Meeting – in the Blue Room CSOTFA Members are welcome to attend

NOTE: On Sunday, March 15, 2015 at OROVILLE MUNICIPAL AUDITORIUM will be the Feather River Grand & Haydown - 5PM to 10PM



DISCOVER GOLD . . . DISCOVER OROVILLE

CITY OF OROVILLE
Parks and Trees Department

1735 MONTGOMERY STREET - OROVILLE, CALIFORNIA 95965
Phone: 530-538-2415 Fax 530-538-2417

FACILITY USE FEE WAIVER APPLICATION

For Office Use Only

FY _____ APPL# _____ AMTS _____ APPROVED _____ DENIED _____

Important: Please complete the entire form, including budget and narrative requirements. Incomplete forms will be returned. Your completed application with supplemental materials must be submitted to the address listed above a minimum of sixty (60) days prior to the event date.

Section A - Applicant Information

California State Old Time Fiddler's Association, Inc. (CSOTFA)
Applicant Legal Organization Name DBA (including doing business as...Organization Name)

CSOTFA, District 1 Meets at Feather River Senior Center, 1335 Meyers Street, Oroville, CA 95966 - 4th Sunday of each month.
Organization Local Address

POB 1703 Oroville, CA 95965, 1703
Organization Mailing Address City/State Zip Code

Marian E. Walker Treasurer, District 1
Contact Person Title

(530) 589-0453 Evening Phone (530) 589-4456
Daytime Phone Fax

Marian E. Walker: zeke103@digitalpath.net AND CC Contest Co-Chair Brett Johnson: brett@housesmusic.com
Email address

Type of Organization: _____ 501 (c) (Please specify type of 501 status): 501 (c) (3)
_____ Government Entity Other (Explain) See Attached Document

Requesting Waiver For (name of event/program) Feather River Gospel & Hoedown & The 49th Annual California State Old Time Fiddle & Pickin' Championships.

Is this activity an annual event or a one time only event? _____ Annual _____

City Facility Requested Municipal Auditorium, 1200 Meyers Street, Oroville, CA 95965

Total Facility Fee Charged \$ _____

Total Fee Waiver Requested \$ All of the fees to be charged.

Section B - Budget Information Applicant Name California State Old Time Fiddlers Assoc.

The following information is required in order for the City to consider waiving the Facility Use Fee. Only direct event or program fee may be listed.

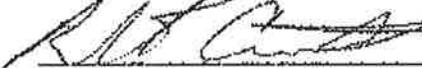
EVENT OR PROGRAM EXPENSES

EVENT OR PROGRAM INCOME

<p>A. Salaries / Fees</p> <p>1. Artists/Performers/Speakers/Contracted Staff</p> <p>Judges \$1,475 MC \$250 \$ <u>2,825.00</u></p> <p>Sound \$1,100</p> <p>2. Administrative \$ _____</p> <p>3. Program Staff \$ _____</p> <p>4. Other (Specify) \$ _____</p> <p>A. Total Salaries / Fees \$ <u>2,825.00</u></p> <p>B. Space Rental (non - City) \$ _____</p> <p>C. Remaining Costs (Itemized)</p> <p>1. Equipment rental \$ <u>404.38</u></p> <p>2. Printing \$ <u>923.50</u></p> <p>3. Supplies \$ <u>418.18</u></p> <p>4. Food Judges room lunch & snacks \$ <u>635.44</u></p> <p>5. Trophies \$ <u>593.40</u></p> <p>6. Travel \$ _____</p> <p>7. Insurance \$ _____</p> <p>8. Other (explain) <small>Division Winners - Cash Awards</small> \$ <u>4,225.00</u></p> <p>C. Total Remaining Costs \$ <u>7,199.90</u></p> <p>D. City Facility Use Fees \$ _____</p> <p>Attach additional pages as needed to illustrate details of expenses listed above.</p> <p>TOTAL Event/Program Operating Expenses (A+B+C+D) \$ <u>10,024.90</u></p>		<p>A. Registration income \$ <u>1,191.00</u></p> <p><u>120</u> participants x \$ <u>6-\$20</u> registration fee</p> <p>B. Donations or Sponsorships</p> <p>1. Corporate / Business \$ <u>4,748.46</u></p> <p>2. Foundations \$ _____</p> <p>3. Clubs / Organizations \$ <u>1,427.00</u></p> <p>4. Other (specify) <small>Raffle \$160.00 RV Parking Fees \$200</small> \$ <u>1,120.05</u></p> <p>B. Total Donations/Sponsorship Total \$ <u>7,295.51</u></p> <p>C. Other Income <small>Donations made at door by attendees</small> \$ <u>668.70</u></p> <p>Explain Other Income Source: _____</p> <p>TOTAL Event/Program OPERATING INCOME (A+B+C) \$ <u>9,155.21</u></p>
--	--	---

SECTION C

Authorized Signatures: The signature below is that of a person authorized to testify as to the accuracy of this application.

 Robert Curtis, State Treasurer Aug 19, 2014

Signature Title Date

Reviewed by Committee/staff member: _____ Date: _____ Signature: _____

Fee Waiver approved _____ Fee Waiver Denied _____

Program Narratives (attach additional pages if necessary)

1. Explain the event/program: (See attached Tentative 2015 Schedule)

On Thursday night, 3/19/15 - The Feather River Gospel & Hoedown will have musicians performing from all over California to provide entertainment for the Public. On Friday evening & Saturday (all day) there will a competition for beginner, intermediate & advanced fiddlers & pickers. The winners are eligible to compete at the National level in Weiser, Idaho in June 2015 & the prize money will help further their pursuit of a musical education/career. Along with the competition there will be entertainment provided by; the Judges (all talented fiddlers & pickers) & various other prominent fiddlers & pickers, as the agenda allows.

The CSOTFA's mission statement is:
"We are dedicated to the preservation & perpetuation of old-time music. Our primary interest is to revive old-time music for good will, public interest, historical value & personal enjoyment."
Please note: This is a FAMILY EVENT.

2. Is this the first year for this event/program or has it been offered previously? If it has been offered previously, please list number of years it has been offered.

This is the 49th Annual California State Open Fiddle & Picking Championships & at least 35 years of those 49 years have been held in Oroville, California for the most part at the Municipal Auditorium. It has become a tradition.

3. What age groups are targeted? All (See attached Tentative 2015 Schedule)

4. What are the event/program dates? 3/19/15 (Feather River Gospel & Hoedown), 3/20-22/15 (Contest)

5. Is there an admission/access charge? Yes _____ No **Is it open to the public?** Yes No _____

6. What City Facility is needed for this event/program? Municipal Auditorium, 1200 Meyers St., Oroville, CA

7. Have you paid City Facility Use Fees for the event/program before? No

a. If yes, list amount paid _____

b. If no, who authorized previous fee waiver? City Council

8. Describe the public value and benefit to the Oroville community: This is an event that brings people from all over

California to Oroville; people who spend their money with local businesses, entertain the community prior & during the Contest at various businesses, schools & organizations in the Oroville area. Although, some stay in their RV's, SOME STAY IN LOCAL HOTELS & EAT IN LOCAL RESTAURANTS (even in some cases especially those in RV's). In addition, this is a Family Event & certainly promotes & encourages Family & all it implies.

9. Explain why paying City Facility Use Fee causes a significant financial burden for this event/program.

With the fee waiver the event still is in the red (see page 2), so without the fee waiver it would be extremely difficult, if not impossible to continue putting on the event. In order, for the event to be put on WITHOUT the fee waiver the Registration fees would have to be increased & the prize money decreased, so instead of encouraging participation, it would discourage participation.

P.O. Box 2508
Cincinnati OH 45201

In reply refer to: 0248574162
Apr. 14, 2011 LTR 4168C EO
23-7288853 000000 00

00009037

BODC: TE

CALIFORNIA STATE OLD TIME FIDDLERS
ASSOC INC
% BILL WHITFIELD
PO BOX 829
ALAMO CA 94507-0829



001507

Employer Identification Number: 23-7288853
Person to Contact: MS. SMITH
Toll Free Telephone Number: 1-677-829-5500

Dear TAXPAYER:

This is in response to your Apr. 05, 2011, request for information regarding your tax-exempt status.

Our records indicate that you were recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in JULY 2000.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section 509(a)(2).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Please refer to our website www.irs.gov/eo for information regarding filing requirements. Specifically, section 6033(j) of the Code provides that failure to file an annual information return for three consecutive years results in revocation of tax-exempt status as of the filing due date of the third return for organizations required to file. We will publish a list of organizations whose tax-exempt status was revoked under section 6033(j) of the Code on our website beginning in early 2011.

TENTATIVE 2015 SCHEDULE for the 49th Annual California State Old Time Open Fiddle & Picking Championships

Friday, March 20, 2015 at OROVILLE MUNICIPAL AUDITORIUM

- 1:30 PM CSOTFA GENERAL MEMBERSHIP MEETING (All members PLEASE attend) in the Auditorium
- 2:30 PM Registration opens
- 3:00 PM Opening Ceremony-Flag Salute-Invocation-Reading of the Deceased
- 3:15 PM Fiddle contestants meet with Judges in the Auditorium
- 3:30 PM Senior-Senior Fiddle Preliminaries (70 years & over)
- 4:30 PM Senior Fiddle Preliminaries (60 – 69 years)
- 5:25 PM Senior-Senior (70 years & over) Top 5 Finalists
- 5:50 PM Senior (60 – 69 years) Top 5 Finalists
- 6:15 PM AWARDS: Senior-Senior, Oldest Fiddler, Senior
- 6:30 PM ANYTHING GOES
To follow AWARDS

Saturday, March 21, 2015 at OROVILLE MUNICIPAL AUDITORIUM

- 7:30 AM Registration Opens (Young Adults first PLEASE)
- 7:45 AM Fiddle Contestants meet with Judges in the Auditorium
- 8:00 AM Young Adults (18 – 36 years) Fiddle Preliminaries
- 8:30 AM Junior (13 – 17 years) Fiddle Preliminaries
- 9:35 AM Junior-Junior (9 – 12 years) Fiddle Preliminaries
- 11:20 AM Pee Wee (8 years & under) Fiddle Preliminaries
LUNCH BREAK
- 1:00 PM Adult (37 – 59 years) Fiddle Preliminaries
- 2:10 PM Open (any age) Fiddle Preliminaries
- 2:50 PM Junior Twin Fiddle (17 years & under): ONE ROUND ONLY fast/slow tunes, 4 min. limit
- 3:15 PM Open Twin Fiddle (any age): ONE ROUND ONLY fast/slow tunes, 4 min. limit
- 3:40 PM Open Picking (any age): ONE ROUND ONLY fast/slow tunes, 4 min. limit
- 4:15 PM Junior Picking (17 years & under): ONE ROUND ONLY fast/slow tunes, 4 min. limit

DINNER BREAK

-
- 6:00 PM Opening Ceremonies – Presentation of Colors-Invocation-Mayor's Welcome
 - 6:15 PM Pee Wee (8 years & under) Top 5 Fiddle Finalists
 - 6:40 PM Junior-Junior (9 – 12 years) Top 5 Fiddle Finalists
 - 7:05 PM Junior (13 – 17 years) Top 5 Fiddle Finalists
 - 7:30 PM AWARDS: Huffman Service Award, Twin Fiddle, Open Picking, Junior Picking, Pee Wee, Youngest Boy & Girl Fiddler
 - 7:45 PM JUNGES ENTERTAIN
 - 8:05 PM AWARDS: Junior-Junior, and Junior
 - 8:15 PM Adult (37 – 59 years) Top 5 Fiddle Finalists
 - 8:40 PM Young Adult (18 – 36 years) Top 5 Fiddle Finalists
 - 9:05 PM Open (any age) Top 5 Fiddle Finalists
 - 9:30 PM AWARDS: Adult, Young Adult, Accompanist, Open

Sunday, March 22, 2015 at OROVILLE MUNICIPAL AUDITORIUM

- 8:00 AM CSOTFA State Officers & Board of Directors Meeting – In the Blue Room:CSOTFA Members are welcome to attend

NOTE: Thursday, March 19, 2015 at OROVILLE MUNICIPAL AUDITORIUM will be the Feather River Cusnel & Hoedown - 5PM to 10PM

**OROVILLE CITY COUNCIL
STAFF REPORT**

**TO: MAYOR AND COUNCIL MEMBERS
RANDY MURPHY, CITY ADMINISTRATOR**

**FROM: DONALD RUST, DIRECTOR (530) 538-2433
LUIS A. TOPETE, ASSOCIATE PLANNER (530) 538-2408
COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: MUNICIPAL AUDITORIUM FEE WAIVER REQUEST FOR THE CHRISTMAS
CRAFT FAIRE**

DATE: SEPTEMBER 16, 2014

SUMMARY

The Council may consider a fee waiver request from the Bird Street Media Project – KROV 91.1 Oroville Community Radio, for use of the Municipal Auditorium on December 5th and 6th for the Christmas Craft Faire.

BACKGROUND

On September 4, 2014 the City of Oroville Community Development Department received a fee waiver request from the Bird Street Media Project – KROV 91.1 Oroville Community Radio, for use of the Municipal Auditorium on December 5th and 6th for the Christmas Craft Faire. The event has been previously held (2003-2010) but was cancelled from 2011-2013. The applicant is proposing to use the auditorium on Friday for a period of 4 hours for general setup and for approximately 10.5 hours (6:30am to 5:00pm) on Saturday for vendor setup, the event, and cleanup.

DISCUSSION

Fees for the Municipal Auditorium are \$625.00 for the first 8 hours and \$35.00 for each additional hour. Additionally, a \$500.00 refundable security deposit is required. The total fees are as follows:

Date	Activity	Hours	Fee
Friday (12/5/2014)	General Setup	4	\$625.00
Saturday (12/6/2014)	Vendor Setup/Event/Cleanup	10.5	\$730.00
Total:			\$1,355.00

Per the City fee waiver policy (Ordinance No. 1793) adopted on February 19, 2013, non-profit groups may qualify for up to a 50% fee waiver when the following conditions are met:

1. Non-profit organizations, as defined by the Internal Revenue Service (IRS), having IRS approved tax exempt status, formed for civic or educational purposes; and
2. The event, program, activity or improvement is of public benefit to the City of Oroville and/or surrounding community, or a significant portion of its residents; and
3. The event, program, activity, or improvement is open to the public; and
4. The event, program activity, or improvement does not significantly impact City Departments, services, operations or activities.

Additionally, all fee waiver requests must be received by the City at least 90 days prior to the actual date of the event. Any fee waivers that may be granted do not relieve the applicant from providing required insurance/indemnification, from obtaining other permits as required for the event, and from providing required security/damage deposit.

Per the existing fee waiver policy, the applicant qualifies for a 50% fee waiver. However, applicant is requesting a full waiver of all fees.

FISCAL IMPACT

Total fees that would be collected for the rental of the Municipal Auditorium if no fee waiver is granted would be \$1,355.00. Fiscal impact varies according to Council action taken. \$1,355.00 represents 10% of the entire amount last recommended for the fee waiver reserve per the reserve policy. Combined with the previously granted fee waivers for the current fiscal year, and others under consideration at this meeting since July 1, the recommendation will result in 72% of the reserve expended with 79% of the fiscal year remaining.

RECOMMENDATION

Per the City's facility and park fee waiver policy as found in Section 26-10.200 of the City Code, staff recommends a 50% fee waiver in the amount of \$677.50 and that the \$500.00 refundable security deposit still be collected.

ATTACHMENTS

A – Facility Use Fee Waiver Application



RECEIVED

SEP 04 2014

DISCOVER GOLD . . . DISCOVER OROVILLE

CITY OF OROVILLE
PLANNING DEPT.

CITY OF OROVILLE

Parks and Trees Department

1735 MONTGOMERY STREET - OROVILLE, CALIFORNIA 95965
Phone: 530-538-2415 Fax 530-538-2426

FACILITY USE FEE WAIVER APPLICATION
APPLICATION MUST BE RECEIVED AT LEAST 90 DAYS PRIOR TO DATE OF THE EVENT

For Office Use Only

FY _____ APPL# _____ AMT\$ _____ APPROVED _____ DENIED _____

Important: Please complete the entire form, including budget and narrative requirements. Incomplete forms will be returned. Your completed application with supplemental materials must be submitted to the address listed above a minimum of ninety (90) days prior to the event date.

Section A - Applicant Information

Bird Street Media Project - KROV 91.1 Oroville Community Radio
Applicant Legal Organization Name DBA (including doing business as... Organization Name)

2360 Ore Quincey Hwy
Organization Local Address

P.O. Box 9 Oroville Ca 95966
Organization Mailing Address City/State Zip Code

Tom Griffin GM/Chairperson
Contact Person Title

530-680-0304 530-680-0304 _____
Daytime Phone Evening Phone Fax

info@oroville-radio.org
Email address

Type of Organization: _____ 501 (c) (Please specify type of 501 status): 501 C3
_____ Government Entity _____ Other (Explain)

Requesting Waiver For (name of event/program) Christmas Craft Faire

Is this activity an annual event or a one time only event? Annual

City Facility Requested Municipal Auditorium

Total Facility Fee Charged \$ 1025⁰⁰

Total Fee Waiver Requested \$ 1025⁰⁰

Section B - Budget Information Applicant Name Bird Street Media Project - KROV 91.1

The following information is required in order for the City to consider waiving the Facility Use Fee. Only direct event or program fee may be listed.

EVENT OR PROGRAM EXPENSES

EVENT OR PROGRAM INCOME

<p>A. Salaries / Fees</p> <p>1. Artists/Performers/Speakers/Contracted Staff \$ <u>0</u></p> <p>2. Administrative \$ <u>0</u></p> <p>3. Program Staff \$ <u>0</u></p> <p>4. Other (Specify) \$ <u>0</u></p> <p>A. Total Salaries / Fees \$ <u>0</u></p> <p>B. Space Rental (non - City) \$ <u>0</u></p> <p>C. Remaining Costs (Itemized)</p> <p>1. Equipment rental \$ <u>0</u></p> <p>2. Printing \$ <u>200.00</u></p> <p>3. Supplies \$ <u>0</u></p> <p>4. Food \$ <u>0</u></p> <p>5. Trophies \$ <u>0</u></p> <p>6. Travel \$ <u>0</u></p> <p>7. Insurance \$ <u>300.00</u></p> <p>8. Other (explain) City person. \$ <u>100.00</u></p> <p>C. Total Remaining Costs \$ _____</p> <p>D. City Facility Use Fees \$ <u>1625 ?</u></p> <p>Attach additional pages as needed to illustrate details of expenses listed above.</p> <p>TOTAL Event/Program Operating Expenses (A+B+C+D) \$ <u>1625.00</u></p>	<p>A. Registration Income \$ <u>2000.00</u> 52 participants x \$ 40.00 registration fee</p> <p>B. Donations or Sponsorships</p> <p>1. Corporate / Business \$ _____</p> <p>2. Foundations \$ _____</p> <p>3. Clubs / Organizations \$ _____</p> <p>4. Other (specify) 1. item ea. part. \$ <u>1300</u></p> <p>B. Total Donations/Sponsorship Total \$ <u>3380.00</u></p> <p>C. Other Income \$ _____</p> <p>Explain Other Income Source: <u>all we ask each registrant to donate a prize for raffle valued at \$ 25.00</u></p> <p>TOTAL Event/Program OPERATING INCOME (A+B+C) \$ <u>3380.00 approx</u></p> <p><u>all 52 prizes @ \$ 25.00 = 1300.00</u></p>
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SECTION C

Authorized Signatures: The signature below is that of a person authorized to testify as to the accuracy of this application.

Signature: Title: CEO Date: 8-29-14

Reviewed by City Administrator/ his/her designee Date _____ Signature: _____

Fee Waiver approved _____

Fee Waiver Denied _____

Program Narratives (attach additional pages if necessary)

1. Explain the event/program:

Annual Christmas Craft Fair. (first Saturday of December)

2. Is this the first year for this event/program or has it been offered previously? If it has been offered previously, please list number of years it has been offered.

Offered previously 2003, 04, 05, 06, 07, 08, 09, 10, ~~11~~,
Not offered 2011, offered in 2012, cancelled in 2013

3. What age groups are targeted? All - family

4. What are the event/program dates? December 6, 2014 7:00am - 4:00pm

5. Is there an admission/access charge? Yes ___ No Is it open to the public? Yes No ___

6. What City Facility is needed for this event/program? Municipal Auditorium

7. Have you paid City Facility Use Fees for the event/program before? yes

a. If yes, list amount paid 350 + 300 cleaning deposit

b. If no, who authorized previous fee waiver? ___

7. Describe the public value and benefit to the Oroville community: Brings vendors and buyers from all around the North State to town for holiday shopping

7. Explain why paying City Facility Use Fee causes a significant financial burden for this event/program.

once all fees paid BSMP/KROV would barely come out with \$700⁰⁰ - \$1000⁰⁰ not substantial for radio station operating cost to produce event.

Luis A.Topete

From: KROV Information <info@orovilleradio.org>
Sent: Friday, September 05, 2014 2:24 PM
To: Luis A.Topete
Subject: Re: Facility Use Fee Waiver Application: Christmas Craft Faire

Thank you Luis, we would also like to have the last part of the day on Friday, the 5th to set up the vendor spots inside, this generally takes about four hrs. Our hours of operation would be from 8am-3pm, we would like to have the building open at around 6:30 am for vendor set up and we will be out of the building, cleaned by no later then 5pm, expected by 4pm, thank you, Tom Griffis

On Thu, Sep 4, 2014 at 2:08 PM, Luis A.Topete <topetela@cityoforoville.org> wrote:

Attached.

Luis A. Topete

City of Oroville | Associate Planner

[530.538.2408](tel:530.538.2408) | topetela@cityoforoville.org

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

FROM: DONALD RUST, DIRECTOR OF COMMUNITY DEVELOPMENT

RE: NEW DONATION TO THE C.F. LOTT HOME COMPLEX

DATE: SEPTEMBER 16, 2014

SUMMARY

The Council may consider acknowledging the receipt of an Eastlake Victorian settee and chair for acceptance.

DISCUSSION

The Park Commission on, September 8, 2014 received information about the new donation and recommended acceptance by the City Council. The donor has suggested that the Eastlake Victorian settee and chair be placed in the Nancy Price Room, the Docent House, or the C.F. Lott Home. The donated items are in compliance with Park Commission Policies & Procedures #19 which calls for items accepted and placed in the C.F. Lott Home to have particular emphasis on the years 1849 to 1918.

FISCAL IMPACT

There is no fiscal impact at this time.

RECOMMENDATION

Acknowledge receipt of donation for the C.F. Lott Home and recommend that the City Council accept the donation.

ATTACHMENT(S)

Summary & Research
Temporary Receipt
Deed of Gift

August 19, 2014

Subject: Eastlake Victorian Settee & Chair

Donor: Marguerite L. Marciniak

Contact: Marguerite Marciniak (530) 679-0878

Complied by: Bob Marciniak, Program Specialist

Summary:

The donor has requested that the Eastlake Victorian settee and chair be placed in the Nancy Price Room, the Docent House, or the C.F. Lott Home which per Park Commission Policies & Procedures #19 calls for items accepted and placed in the C.F. Lott Home to have particular emphasis on the years 1849 to 1918.

The donated items are reflective of the "Eastlake Movement" which was a nineteenth-century architectural and household design reform movement started by architect and writer Charles Eastlake (1836-1906). The movement is generally considered part of the late Victorian period in terms of broad antique furniture designations. In architecture the "Eastlake" is part of the Queen Anne style of Victorian architecture. Mr. Eastlake's book "Hints on Household Taste in Furniture, Upholstery, and Other Details" (1883), states that, "Furniture and décor in people's homes should be made by hand or machine workers who took personal pride in their work. Manufacturers in the United States used the drawings and ideas in the book to create mass-produced Eastlake Style or Cottage furniture."

The geometric ornaments, spindles, low relief carvings and incised lines were designed to be affordable and easy to clean, nevertheless, many of the designs which resulted are artistically complex. (From, Wikipedia, the free encyclopedia)

The chair and settee belonged to Mrs. Marciniak's mother, Gladys Marie Gott, who in 1967 acquired them from a friend in the Whittier, CA area. Mrs. Gott had the two pieces reupholstered in 1968. Mrs. Marciniak acquired them in 1989 from her mother's estate. Both pieces have remained in good condition

The donor has not placed a value on the items; however internet research places each item in the \$195.00 to \$850.00 range.

CITY OF OROVILLE Museums
DEPARTMENT OF PARKS AND TREES
TEMPORARY RECEIPT

Tracking Number: _____

Permanent Accession number _____

Number assigned after acceptance

The following object(s) are submitted to the City of Oroville Parks Commission for consideration of donation to the collection of C. F. Lott Home Museum. Evaluation will be made with consideration of the relevance of the object(s) to the Scope of Collections policy statement and acquisitions criteria of C. F. Lott Home Museum or for placement in on of the City of Oroville Docent facilities. The Parks Commission cannot guarantee that any objects by donation will be displayed or exhibited in the museum. No employee of the City of Oroville can undertake to appraise or attach a value to any object.

Received from: Marguerite L. Marciniak

Phone: (530) 679-0878

Address: 10 Orange Avenue Bangor, CA 95914

Description of Item(s) (continue on back):

- A) Needlepoint settee/unknown age (picture attached)
- B) Matching needlepoint arm chair/unknown age (picture attached)

It is understood that the above object(s) are on temporary loan to the Oroville Parks Commission for purposes of evaluation. In the event that the Commission does not accept this object(s) the object(s) must be removed from the Museum within 30 days of notification. Any object not removed by this deadline shall automatically become the property of the City of Oroville and shall be subject to disposal.

Final acceptance or rejection of this gift will be made at the next meeting of the Oroville Parks Commission, on September 8, 2014.

The Museum shall exercise the same care with respect to the object(s) covered by this receipt as it does with respect to its own property of similar kind or nature, **however**, object(s) left for consideration to the collection are left at your own risk.

The object(s) will be returned to the donor/authorized agent, upon surrender and signature of this receipt. If object(s) are not accepted into the collection of the Museum, do you want the object(s) returned?

YES, return the object(s) **NO**, do not return the object(s). Disposition to be appropriate.

I have read and agreed to the conditions stated:

Donor: Marguerite Marciniak

Date: 8/18/14

Received by: [Signature]

Date: 8/19/14

**City of Oroville Museums
Department of Parks & Trees**

Deed of Gift

Accession Number:

Donor: Marguerite L. Marciniak Phone: (530) 679-0878

Address: 10 Orange Avenue

Bangor, CA 95914

I do hereby give and convey to the City of Oroville, without limiting conditions, the following item(s):

One (1) upholstered settee and One (1) matching upholstered chair.

Description of Item(s): (continue on back)

Red needlepoint fabric (reupholstered in 1968) the settee and chair belonged to my late mother (Gladys Marie Gott) and she acquired them from a friend in the Whittier, CA area in 1967. The actual age of the two pieces is unknown. Similar settees and chairs were common in the 1800's.

Acceptance of gift(s) is subject to the following conditions:

1. The object(s) accepted shall become the permanent property of the City of Oroville. As such object(s) may be subject to conservation treatments, study and/or disposal.
2. This gift shall be subject to no restrictions or conditions.
3. Due to limited space and changing exhibitions, the exhibition of any object is entirely at the discretion of museum staff.
4. Object(s) may be photographed or otherwise reproduced, exhibited or studied.
5. Evaluation by a commercial appraiser for income tax purposes is the responsibility of the donor. Values assigned by museum staff are not valid for this purpose.

I do hereby declare that I am the lawful owner of the above listed object(s) and/or have legal authority to make this gift, and that I have read and am familiar with the provisions of this Deed.

Signature of Donor Marguerite Marciniak Date 8/18/14

Accepted by _____ Date _____

**OROVILLE PARK COMMISSION
STAFF REPORT**

TO: CHAIRPERSON AND PARK COMMISSIONERS

**FROM: DONALD RUST, DIRECTOR OF COMMUNITY DEVELOPMENT
BOB MARCINIAK, PROGRAM SPECIALIST**

RE: DONATIONS TO VARIOUS MUSEUMS

DATE: SEPTEMBER 8, 2014

SUMMARY

The Commission will consider acknowledging the receipt of numerous donations for various City Museums from multiple donors and recommend that the City Council accept the donations.

DISCUSSION

Since the last Park Commission meeting, the docent volunteer group assigned to clear the backlog of donated items has made great progress. The items listed on the attached spreadsheet have been researched and the docent volunteer group recommends that the items be accepted. Procedurally if accepted, the next step is final acceptance by the City Council, the donor notified and a signed Deed of Gift be acquired. Donors of most of the backlog items are unknown and therefore a Deed of Gift will not be able to be acquired. Staff is recommending that if these items are approved for acceptance that the required Deed of Gift be waived by the City Council.

FISCAL IMPACT

There is no fiscal impact at this time.

RECOMMENDATION

Acknowledge receipt of donations for various City Museums and recommend that the City Council accept the donations.

ATTACHMENT (S)

Spreadsheet of processed items

Note: Pictures and detailed information regarding each item is available upon request.

Donations reviewed by the Docent Task Force & recommended for acceptance

Presented to the Oroville Park Commission on September 8, 2014

Presented to the Oroville City Council on September 16, 2014

<u>File #</u>	<u>Museum</u>	<u>Item</u>	<u>Donor</u>	<u>Date Received</u>
2	C.F. Lott Home	3 framed sets of cards 1900-1920	Barbara J. Holly	11/9/2011
2	C.F. Lott Home	4 framed photographs 1908-1940	Barbara J. Holly	11/9/2011
2	C.F. Lott Home	19 various photographs 1908-1940	Barbara J. Holly	11/9/2011
13	C.F. Lott Home	90 years old handmade baby clothes	Patricia Goodhue	1/9/2013
12	C.F. Lott Home	Prayer Book/Loot Family 1869	Hearold Combs	3/22/2013
15	C.F. Lott Home	Crocheted bedspread	Vikki Young	5/13/2013
4	C.F. Lott Home	Thank you note from Cornelia Lott	Ines Carrell	1/29/2014
4	C.F. Lott Home	Map of Oroville/Butte County	Ines Carrell	1/29/2014
4	C.F. Lott Home	Fire Alarm List	Ines Carrell	1/29/2014
4	C.F. Lott Home	1920 dress pattern	Ines Carrell	1/29/2014
22	C.F. Lott Home	Maid's dress 1910	Ines Carrell	1/29/2014
3	C.F. Lott Home	Black jet beaded evening cape 1890's	Esther Neet	1/29/2014
5	C.F. Lott Home	Late 20th Century black/white dress	unknown	2/26/2014
11	C.F. Lott Home	Leather purse	unknown	unknown
11	C.F. Lott Home	Ladies pipe used by Hattie McAtee (?)	Ines McAtee Carrell	unknown
19	C.F. Lott Home	Piano scarf	Ines McAtee Carrell	unknown
20	C.F. Lott Home	White batiste dress 1900-1910	unknown	unknown
21	C.F. Lott Home	White eyelet dress 1930's	unknown	unknown
23	C.F. Lott Home	Victorian handmade filet (neckline fill-in)	unknown	unknown
24	C.F. Lott Home	Victorian dress 1900	unknown	unknown
25	C.F. Lott Home	Organdy pillow cover 1930-1940	unknown	unknown
26	C.F. Lott Home	Victorian sleeping hat 1880-1910	unknown	unknown
27	C.F. Lott Home	Victorian or Edwardian filet (neckline fill-in) 1880-1900	unknown	unknown
29	C.F. Lott Home	White lawn apron early 1900's	unknown	unknown

<u>File #</u>	<u>Museum</u>	<u>Item</u>	<u>Donor</u>	<u>Date Received</u>
30	C.F. Lott Home	Crocheted reticule (a drawstring purse) 1900's	unknown	unknown
31	C.F. Lott Home	Home sewn/pink reticule 1920's	unknown	unknown
32	C.F. Lott Home	Woman's small Edwardian deerskin gloves 1910-1920	unknown	unknown
33	C.F. Lott Home	White batiste embroidered maids apron 1920	unknown	unknown
34	C.F. Lott Home	White cotton/scalloped edging 1900's	unknown	unknown
35	C.F. Lott Home	Various filet & neckline trims 1900's	unknown	unknown
36	C.F. Lott Home	Godey's dress patterns dated 1848	unknown	unknown
38	C.F. Lott Home	White kidskin shoes 1910	unknown	unknown
40	C.F. Lott Home	Petticoat with train for wedding gown	unknown	unknown
41	C.F. Lott Home	Petticoat white with lace 1900	unknown	unknown
42	C.F. Lott Home	Full slip/cotton	unknown	unknown
43	C.F. Lott Home	Dress/beige & white striped lawn 1910-1920	unknown	unknown
44	C.F. Lott Home	Collection so silk widow's weeds accessories 1900	unknown	unknown
45	C.F. Lott Home	Child's two piece black mourning outfit	unknown	unknown
46	C.F. Lott Home	White gloves 1920's	unknown	unknown
47	C.F. Lott Home	White cotton baby dress & coat 1890	unknown	unknown
48	C.F. Lott Home	Table scarf/Mexican drawn art work/1910-1920	unknown	unknown
49	C.F. Lott Home	Reading glasses in leather case 1890-1920	unknown	unknown
50	C.F. Lott Home	2 gold table skirts/card table size 1920	unknown	unknown
51	C.F. Lott Home	2 square white table skirts 1920	unknown	unknown
52	C.F. Lott Home	2 French pillow covers 1920	unknown	unknown
55	C.F. Lott Home	Blouse, melon colored, sheer with colored beading 1920's	unknown	unknown
56	C.F. Lott Home	Plain green cotton child's dress 1920's	unknown	unknown
57	C.F. Lott Home	Brown child's cape & hat 1920's	unknown	unknown
58	C.F. Lott Home	Brown woman's hat 1920	unknown	unknown
14	Chinese Temple	Chinese Vase circa 1940	Betty J. Couddy (?)	2/1/2010
1	Chinese Temple	3 piece yellow silk coat, vest & pants	unknown	unknown
6	Chinese Temple	Mandarin skirt	Joan M. Root	unknown
7	Chinese Temple	Chinese silk jacket 1946/Dress 1910	Lynndee Caput	unknown
8	Chinese Temple	Orange embroidered coat	unknown	unknown
9	Chinese Temple	Chinese baby shoes	unknown	unknown

<u>File #</u>	<u>Museum</u>	<u>Item</u>	<u>Donor</u>	<u>Date Received</u>
10	Chinese Temple	Ivory carving circa 1940	unknown	unknown
17	Chinese Temple	1880's magnolia patterned sleeve cuff	unknown	unknown
28	Pioneer History Museum	White handkerchief handmade with lace 1885-1900	unknown	unknown
37	Pioneer History Museum	Cardboard merchandise box/Union Suits 1890-1910	unknown	unknown
39	Pioneer History Museum	Man's sleeping gown	unknown	unknown
53	Pioneer History Museum	Pink cotton dress with bonnet	unknown	unknown
54	Pioneer History Museum	Printed cotton dress with blue trim	unknown	unknown
16	Pioneer History Museum	Pioneer Poke Bonnet	Pat & Joanne Braunagel	1/15/2009
18	Pioneer History Museum	Cotton bloomers 1880-1900	unknown	unknown

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

**FROM: DONALD RUST, DIRECTOR OF COMMUNITY DEVELOPMENT
BOB MARCINIAK, PROGRAM SPECIALIST**

RE: DONATIONS TO VARIOUS MUSEUMS

DATE: SEPTEMBER 16, 2014

SUMMARY

The Council may receive information about eleven (11) items that the volunteer Docent group has not recommended for acceptance.

DISCUSSION

The docent volunteer group assigned to clear the backlog of donated items has made great progress. The items listed on the attached spreadsheet have been researched and the docent volunteer group recommends that the items not be accepted. Ten of the eleven items listed are from unknown donors. The spreadsheet was presented to the Park Commission on, September 8, 2014. The Park Commission recommended that all items be initially offered to the Butte County Historical Society (BCHS). If BCHS does not accept the items then all are to be destroyed with the exception of item # NA-10 which if not accepted by BCHS will be offered to the Auburn Historical Society (AHS), if the AHS does not accept the item it will be placed in the Pioneer History Museum Gift Shop for purchase.

FISCAL IMPACT

There is no fiscal impact at this time.

RECOMMENDATION

Accept the recommendations of the Park Commission, (or) provide direction to staff.

ATTACHMENT (S)

Spreadsheet of items not recommended for acceptance.

Note: Pictures and detailed information regarding each item is available upon request.

Donations reviewed by the Docent Task Force & recommended to not be accepted

**Presented to the Oroville Park Commission on September 8, 2014
Presented to the Oroville City Council on September 16, 2014**

<u>File #</u>	<u>Item</u>	<u>Donor</u>	<u>Date Received</u>	<u>Disposition</u>
NA-1	Batiste Blouse with machine stitched embroidery 1940-1970	unknown	unknown	
NA-2	8 X 10" brown & gold fabric wall hanging period unknown	unknown	unknown	
NA-3	White batiste dickey machine made 1940	unknown	unknown	
NA-4	2 white batiste chemises, machine made	unknown	unknown	
NA-5	Four lengths of trim/black jet/crocheted/one with lace	unknown	unknown	
NA-6	One handkerchief white with edging	unknown	unknown	
NA-7	Petticoat white lawn, plain	unknown	unknown	
NA-8	Lace panel, probably cut from a nightgown or dress	unknown	unknown	
NA-9	White Victorian bodice circa 1890 (very bad shape)	unknown	unknown	
NA-10	4 ink prints/10X13" by Lewis Jones	Pat Fore	7/28/2010	
NA-11	Nesting baskets wovern, beaded with green silk towel	unknown	unknown	

Potential disposition of items not accepted:

- 1 destruction
- 2 give to a local thrift store
- 3 give to a local antique store
- 4 offer the item to the Butte County Historical Society

**OROVILLE CITY COUNCIL
STAFF REPORT**

**TO: MAYOR AND COUNCIL MEMBERS
RANDY MURPHY, CITY ADMINISTRATOR**

**FROM: DONALD RUST, DIRECTOR (530) 538-2433
LUIS A. TOPETE, ASSOCIATE PLANNER (530) 538-2408
COMMUNITY DEVELOPMENT DEPARTMENT**

RE: DESIGNATION OF PREFERENTIAL PARKING AREAS

DATE: SEPTEMBER 16, 2014

SUMMARY

The Council may consider designating certain areas within the City of Oroville (**Attachment A**) as preferential parking areas in accordance with City Ordinance No. 1633.

BACKGROUND

For several years the City of Oroville has been receiving complaints from residents living in the vicinity of the Pacific Coast Producers' (PCP) business operations. Particularly during the harvest season when the company's canning operations change to twenty four (24) hours per day, seven (7) days per week, many PCP employees have historically parked in the residential areas for the duration of their shift. As a result of the ongoing complaints from residents, and no significant change in the parking behavior of PCP employees, staff believes the creation of a preferential parking area may be the best solution to resolve this ongoing problem.

DISCUSSION

On May 2, 2000 the Oroville City Council passed and adopted Ordinance No.1633 (**Attachment B**), adding Division 3 to Article IV of Chapter 13 of the City of Oroville Municipal Code (OMC) relating to Preferential Parking Areas. The purpose of Ordinance No.1633 is to enhance the quality of life of those persons residing in any area of the City which is zoned for and predominantly devoted to residential uses, and which contains streets congested with vehicles parked by persons who do not reside in such area, by providing a means to limit the parking of vehicles along the streets within such area only to those persons who do reside in the area as well as a resident's guests.

OMC Section 13-77.10.2 states that the City Council may, by resolution, designate an area of the City as a preferential parking area if the Council finds that:

- a) Such area is zoned for and predominantly devoted to residential uses;

- b) That the area contains streets which are congested with vehicles parked by persons who do not reside in the area; and
- c) That limiting the parking of vehicles along the streets in the area to those persons who do reside in the area is necessary in order to enhance the quality of life of such residents.

In determining whether limiting the parking of vehicles along the streets within such an area to those persons who reside in the area is necessary to enhance the quality of life of such persons, the city council shall consider the effect of vehicles parked by persons who do not reside in the area on:

- a) Ambient noise levels;
- b) Air pollution levels and other environmental characteristics of the area;
- c) Pedestrian and vehicular traffic safety in the area; and
- d) The burden on persons who reside in the area in gaining access to their residences.

Additional details regarding preferential parking areas (applications, restrictions, terms of permits, etc.) can be found in **Attachment C & D**.

FISCAL IMPACT

Preferential Parking Permits will be \$30.00, guest and replacement passes will be \$15.00 (all passes shall require annual renewal), and City fines for parking without a permit in a preferential parking area will be \$40.00. Per the California Government Code Sections 70372, 76000, 76100 and 76101, an additional surcharge of \$9.50 (\$5.00 to County and \$4.50 to State) shall be collected for all parking violations for a total of \$49.50.

The breakdown of the \$9.50 surcharge is as follows:

Description	California Government Code	Amount
County Courthouse Construction Fund	76100	\$2.50
County Criminal Justice Construction Fund	76101	\$2.50
Immediate and Critical Account of State Court Facilities Construction Fund	70372	\$3.00
State Court Facilities Construction Fund	70372	\$1.50
Total		\$9.50

SB 857 which required a \$3.00 fee be added to all parking citation penalty amounts to fund trial court operations was due to sunset on July 1, 2013, unless extended or repealed by subsequent legislation or budget proposals. The fee has passed its sunset date and has not yet been extended as is therefore not included in the aforementioned mandated state surcharges for parking citations. As State and outside agency surcharges for parking citations change over time, the City's fines for parking violations shall automatically be adjusted to incorporate all current state surcharges. City staff will track all costs related to

this preferential program. We will report back on the variance between cost and revenue in 12 months.

RECOMMENDATION

Adopt Resolution No. 8261 – A RESOLUTION OF THE OROVILLE CITY COUNCIL DESIGNATING CERTAIN AREAS OF THE CITY OF OROVILLE AS PREFERENTIAL PARKING AREAS IN ACCORDANCE WITH CITY ORDINANCE NO. 1633.

ATTACHMENTS

- A – Preferential Parking Areas (Map)
- B – Ordinance No. 1633
- C – OMC Section 13-77.10.1 thru 13-77.10.14 (Preferential Parking Permits)
- D – Resolution No. 8261
- E – Letter from Charles Kopp at 2136 Pine Street
- F – Letter form Stacy L. Casebeer at 2166 Pine Street
- G – Letter from Joseph Spada at 2150 Pine Street

CITY OF OROVILLE
ORDINANCE NO. 1633
AN ORDINANCE ADDING DIVISION 3
TO ARTICLE IV OF CHAPTER 13 OF
THE OROVILLE CITY CODE RELATING TO
PREFERENTIAL PARKING AREAS

THE OROVILLE CITY COUNCIL DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Division 3 is hereby added to Article IV of Chapter 13 the Oroville City Code to read as follows:

DIVISION 3

PREFERENTIAL PARKING AREAS

Sections:

- 13.77.1.1 Purpose.
- 13.77.1.2 Designation of preferential parking areas-Required findings and considerations.
- 13.77.1.3 Restrictions on parking withing designated preferential parking areas-Exemptions from restrictions.
- 13.77.1.4 Preferential parking permits-Issuance of permits-Limitation on number of permits.
- 13.77.1.5 Preferential parking permits-Term of permits.
- 13.77.1.6 Preferential parking permits-Form and content of permits.
- 13.77.1.7 Preferential parking permits-Application for permit-Action by finance director in event of excess permit applications.
- 13.77.1.8 Preferential parking permits-Prohibited use of permits.

- 13.77.1.9 Preferential parking guest passes-Issuance of guest passes.
- 13.77.1.10 Preferential parking guest passes-Term of guest passes.
- 13.77.1.11 Preferential parking guest passes-Form and content of guest passes.
- 13.77.1.12 Preferential parking guest passes-Application for guest passes.
- 13.77.1.13 Preferential parking guest passes-Prohibited use of guest passes.
- 13.77.1.14 Continuing violations.
- 13.77.1.1 **Purpose.**

This division is adopted pursuant to the provisions of Section 22507 of the California Vehicle Code. Its purpose is to enhance the quality of life of those persons residing in any area of the city which is zoned for and predominantly devoted to residential uses, and which contains streets congested with vehicles parked by persons who do not reside in such area, by providing a means to limit the parking of vehicles along the streets within such area only to those persons who do reside in the area, as well as a resident's guest. However, this Division shall not be construed to allow parking within a preferential parking area in violation of any other provision of this title.

13.77.1.2 **Designation of preferential parking areas-Required findings and considerations.**

- A. The city council may, by resolution, designate an area of the city as a preferential parking area if the council finds that such area is zoned for an predominantly devoted to residential uses; that the area contains streets which are congested with vehicles parked by persons who do not reside in the area; and that limiting the parking of vehicles along the streets in the area to those persons who do reside in the area is necessary in order to enhance the quality of life of such residents.

- B. In determining whether limiting the parking of vehicles along the streets within such an area to those persons who reside in the area is necessary to enhance the quality of life of such persons, the city council shall consider the effect of vehicles parked by persons who do not reside in the area on ambient noise levels, air pollution levels and other environmental characteristics of the area; pedestrian and vehicular traffic safety in the area; and the burden on persons who reside in the area in gaining access to their residences.
- C. In its resolution designating an area of the city as a preferential parking area, the city council shall specifically describe such area and shall set forth the days and hours when the parking restrictions applicable to the area hereinafter provided for by this division will be in effect.

**13.77.1.3 Restrictions on parking within designated preferential parking areas-
Exemption from restrictions.**

It shall be unlawful for any person to stop, stand, or park a vehicle on any street within an area designated by resolution of the city council as a preferential parking area on the days and during the hours when preferential parking restrictions are in effect, except:

- A. A vehicle registered to or controlled and exclusively used by a person residing in the designated preferential parking area when such vehicle properly displays a valid preferential parking permit issued in the manner hereinafter provided by this division;
- B. A vehicle being used by the guest of a person residing in the designated preferential parking area when such vehicle properly displays a valid preferential parking guest pass issued in the manner hereinafter provided by this division, and is parked on the street in front of the parcel of real property for which the guest pass was issued;

C. The following additional vehicles, which shall be exempt from the parking restrictions applicable to a preferential parking area:

1. An emergency vehicle, including but not limited to an ambulance, fire engine, or police vehicle;
2. A vehicle which is under the control of a person providing services to a parcel of real property located in a designated preferential parking area, including but not limited to a delivery vehicle, and
3. A vehicle registered to or used by disabled persons when such vehicle displays a distinguishing license plate or placard issued by the California Department of Motor Vehicles.

13.77.1.4 Preferential parking permits-Limitations on number of permits.

A preferential parking permit may be issued by the finance director for any vehicle which is registered to or under the control of and exclusively used by a person residing on a parcel of real property located within the boundaries of a designated preferential parking area; provided, however, that the number of preferential parking permits which may be issued by the finance director for vehicles which are registered to, or under the control of an exclusively used by persons residing in the same dwelling unit on a parcel of real property located within the boundaries of a preferential parking area shall not exceed a total of three; and, provided further, that the cumulative number of permits which may be issued for a parcel having two or more dwelling units shall not exceed a total of five.

13.77.1.5 Preferential parking permits-Term of permits.

The term of a preferential parking permit issued pursuant to the provisions of this division

shall be for the one-year period commencing on July 1 of the year for which such permit was issued and terminating on June 30 of the next succeeding year; provided that, where a permit is issued subsequent to July 1, then the term of such permit shall commence on the date of issuance.

13.77.1.6 Preferential parking permits-Form and content of permits.

Each preferential parking permit issued pursuant to the provisions of this division shall identify the vehicle for which it is issued as one registered to or under the control of and exclusively used by a person residing in the particular preferential parking area to which it applies; and shall include instructions describing the manner in which the permits is to be displayed in such vehicle.

13.77.1.7 Preferential parking permits-Application for permit-Action by finance director in event of excess permit applications.

- A. Applications for preferential parking permits shall be filed with the finance director and be in a form approved by the city administrator, and shall be accompanied by the following documents and fees:
1. Documentary proof, satisfactory to the finance director, that the person making the application resides in the preferential parking area for which the permit is to be issued;
 2. A copy of the certificate of registration for the vehicle for which the permit is to be issued and, where the vehicle is not registered to the person making the application, documentary proof, satisfactory to the finance director, that such person is entitled to the exclusive use and control of such vehicle; and
 3. A preferential parking permit application fee in an amount established by resolution

of the city council.

- B. Where the number of preferential parking permit applications filed with the finance director for a particular dwelling unit and/or parcel of real property exceeds the number of permits which may be issued for such dwelling unit and/or parcel pursuant to the provisions of this division, the finance director shall issue the number of permits authorized by this division to the persons having filed applications for same in the order in which such applications were received.

13.77.1.8 Preferential parking permits-Prohibited use of permits.

A person having been issued a preferential parking permit pursuant to the provisions of this division shall not:

- A. Cause or permit such permit to be displayed on a vehicle other than the vehicle for which it was issued; or
- B. Continue to display such permit on the vehicle for which it was issued after such person no longer resides within the preferential parking area for which the permit was issued.

13.77.1.9 Preferential parking guest passes-Issuance of guest passes.

A total of two preferential parking guest passes may be issued by the finance director to the owner of any parcel of real property located within a designated preferential parking area which contains one or more dwelling units or to such owner's designated agent.

Upon being issued the guest passes authorized by this section, the owner of the property to which such passes were issued or such owner's designated agent shall make them available, on a nondiscriminatory basis, to each person residing on the parcel for which they were issued who, in turn, shall be entitled to provide such passes to those persons visiting them as guests or to

persons who are present on the property providing services to that resident.

13.77.1.10 Preferential parking guest passes-Term of guest passes.

The term of a preferential parking guest pass issued pursuant to the provisions of this division shall be for the one year period commencing on July 1 of the year for which such permit was issued and terminating on June 30 of the next succeeding year; provided that where a guest pass is issued subsequent to July 1, then the term of such guest pass shall commence on the date of issuance.

13.77.1.11 Preferential parking guest passes-Form and content of guest passes.

A preferential parking guest pass issued pursuant to the provisions of this division shall identify the vehicle in which it is displayed as one being used by a guest of a person residing within the preferential parking area for which the guest pass was issued, shall set forth the address of particular parcel of real property within such preferential parking area for which the guest pass was issued, as well as the days and hours during which a vehicle displaying the guest pass may lawfully park within the preferential parking area; and shall include instructions describing the manner in which the permit is to be displayed in such vehicle.

13.77.1.12 Preferential parking guest passes-Application for guest passes.

Applications for a preferential parking guest pass shall be filed with the finance director and be in a form approved by the city administrator, and shall be accompanied by the following documents and fees:

- A. Documentary proof, satisfactory to the finance director, that the person applying for such guest pass is the owner of a particular parcel of real property within a designated preferential parking area for which the guest pass is to be issued, and where the guest pass

is being issued to such owner's designated agent, documentary proof of such agency, satisfactory to the finance director, and

- B. Preferential parking guest pass application fee in an amount established by resolution of the city council.

13.77.1.13 Preferential parking guest passes-Prohibited use of guest passes.

A. The owner of a parcel of real property located within a designated preferential parking area who has been issued a guest pass pursuant to the provisions of this division shall not:

1. Provide such guest pass to any person other than a person who resides on such parcel for use by such resident's guests;
2. Require a person who resides on such parcel to pay a fee or provide any other form of consideration in exchange for the right to use such guest pass; or
3. Discriminate against any person who resides on such parcel in connection with the use of such guest pass; provided, however, that the owner of such parcel and/or such owner's designated agent shall not be prohibited from making reasonable rules relating to the use of guest passes by persons who reside on the parcel.

B. A person who resides within a designated preferential parking area and who has been provided with a guest pass pursuant to the provisions of this division shall not:

1. Use such guest pass in any vehicle which is registered to or under the control of such person; or
2. Provide such guest pass to any person other than a person visiting such resident as his or her guest or a person on the property for the purpose of providing services to that resident.

13.77.1.14 Continuing violations.

Any violation of the parking restrictions within a preferential parking area adopted by this division which continues for more than a two hour period in duration shall be deemed to be a separate infraction punishable by a separate penalty in an amount hereinafter required by this title.

Section 2. The City Clerk shall attest to the adoption of this ordinance.

PASSED AND ADOPTED by the City Council of the City of Oroville at a regular

Council meeting on May 2, _____, 2000 by the following vote:

AYES: Alt, Andoe, Hatley, Koslin, Morgan, Sands, Diver

NOES: None

ABSTAIN: None

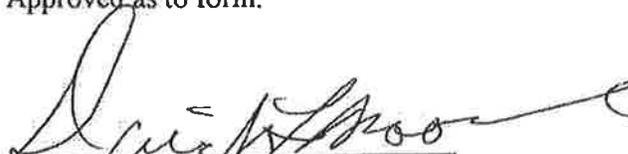
ABSENT: None



MAYOR

Approved as to form:

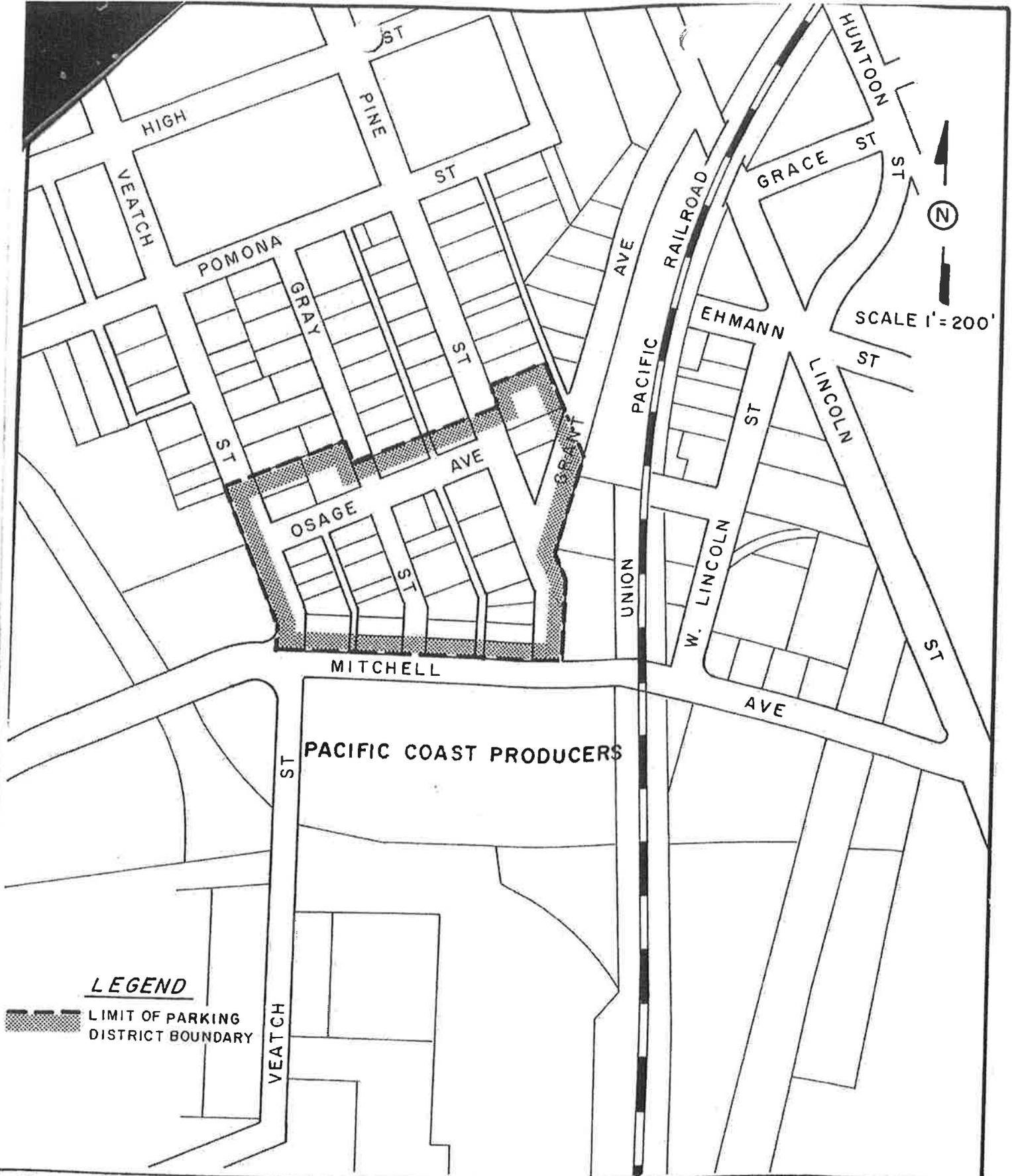
Attest:



CITY ATTORNEY



CITY CLERK



LEGEND

 LIMIT OF PARKING DISTRICT BOUNDARY

CITY OF OROVILLE — DEPARTMENT OF PUBLIC WORKS

DRAWN BY T.F. CHECKED BY A.C.
 DATE _____ SCALE _____ AS SHOWN
 APPROVED BY _____
 DIRECTOR OF PUBLIC WORKS - R.C.E. 20,244

**PLAT FOR
 CANNERY AREA PARKING
 DISTRICT**

13-77.10.1 Purpose.

This division is adopted pursuant to the provisions of Section 22507 of the California Vehicle Code. Its purpose is to enhance the quality of life of those persons residing in any area of the city which is zoned for and predominantly devoted to residential uses, and which contains streets congested with vehicles parked by persons who do not reside in such area, by providing a means to limit the parking of vehicles along the streets within such area only to those persons who do reside in the area, as well as a resident's guest. However, this division shall not be construed to allow parking within a preferential parking area in violation of any other provision of this title. (Ord. 1633 § 1)

13-77.10.2 Designation of preferential parking areas—Required findings and considerations.

(a) The city council may, by resolution, designate an area of the city as a preferential parking area if the council finds that such area is zoned for and predominantly devoted to residential uses; that the area contains streets which are congested with vehicles parked by persons who do not reside in the area; and that limiting the parking of vehicles along the streets in the area to those persons who do reside in the area is necessary in order to enhance the quality of life of such residents.

(b) In determining whether limiting the parking of vehicles along the streets within such an area to those persons who reside in the area is necessary to enhance the quality of life of such persons, the city council shall consider the effect of vehicles parked by persons who do not reside in the area on ambient noise levels, air pollution levels and other environmental characteristics of the area; pedestrian and vehicular traffic safety in the area; and the burden on persons who reside in the area in gaining access to their residences.

(c) In its resolution designating an area of the city as a preferential parking area, the city council shall specifically describe such area and shall set forth the days and hours when the parking restrictions applicable to the area hereinafter provided for by this division will be in effect. (Ord. 1633 § 1)

13-77.10.3 Restrictions on parking within designated preferential parking areas—Exemptions from restrictions.

It is unlawful for any person to stop, stand, or park a vehicle on any street within an area designated by resolution of the city council as a preferential parking area on the days and during the hours when preferential parking restrictions are in effect, except:

(a) A vehicle registered to or controlled and exclusively used by a person residing in the designated preferential parking area when such vehicle properly displays a valid preferential parking permit issued in the manner hereinafter provided by this division;

(b) A vehicle being used by the guest of a person residing in the designated preferential parking area when such vehicle properly displays a valid preferential parking guest pass issued in the manner hereinafter provided by this division, and is parked on the street in front of the parcel of real property for which the guest pass was issued;

(c) The following additional vehicles, which shall be exempt from the parking restrictions applicable to a preferential parking area:

(1) An emergency vehicle, including but not limited to an ambulance, fire engine, or police vehicle;

(2) A vehicle which is under the control of a person providing services to a parcel of real property located in a designated preferential parking area, including but not limited to a delivery vehicle; and

(3) A vehicle registered to or used by disabled persons when such vehicle displays a distinguishing license plate or placard issued by the California Department of Motor Vehicles. (Ord. 1633 § 1)

13-77.10.4 Preferential parking permits—Issuance of permits—Limitation on number of permits.

A preferential parking permit may be issued by the finance director for any vehicle which is registered to or under the control of and exclusively used by a person residing on a parcel of real property located within the boundaries of a designated preferential parking area; provided, however, that the number of preferential parking permits which may be issued by the finance director for vehicles which are registered to, or under the control of and exclusively used by persons residing in the same dwelling unit on a parcel of real property located within the boundaries of a preferential parking area shall not exceed a total of three; and, provided further, that the cumulative number of permits which may be issued for a parcel having two or more dwelling units shall not exceed a total of five. (Ord. 1633 § 1)

13-77.10.5 Preferential parking permits—Term of permits.

The term of a preferential parking permit issued pursuant to the provisions of this division shall be for the one-year period commencing on July 1st of the year for which such permit was issued and terminating on June 30th of the next succeeding year; provided that, where a permit is issued subsequent to July 1st, then the term of such permit shall commence on the date of issuance. (Ord. 1633 § 1)

13-77.10.6 Preferential parking permits—Form and content of permits.

Each preferential parking permit issued pursuant to the provisions of this division shall identify the vehicle for which it is issued as one registered to or under the control of and exclusively used by a person residing in the particular preferential parking area to which it applies; and shall include instructions describing the manner in which the permit is to be displayed in such vehicle. (Ord. 1633 § 1)

13-77.10.7 Preferential parking permits—Application for permit—Action by finance director in event of excess permit applications.

(a) Applications for preferential parking permits shall be filed with the finance director and be in a form approved by the city administrator, and shall be accompanied by the following documents and fees:

(1) Documentary proof satisfactory to the finance director, that the person making the application resides in the preferential parking area for which the permit is to be issued;

(2) A copy of the certificate of registration for the vehicle for which the permit is to be issued and, where the vehicle is not registered to the person making the application, documentary proof, satisfactory to the finance director, that such person is entitled to the exclusive use and control of such vehicle; and

(3) A preferential parking permit application fee in an amount established by resolution of the city council.

(b) Where the number of preferential parking permit applications filed with the finance director for a particular dwelling unit and/or parcel of real property exceeds the number of permits which may be issued for such dwelling unit and/or parcel pursuant to the provisions of this division, the finance director shall issue the number of permits authorized by this division to the persons having filed applications for same in the order in which such applications were received. (Ord. 1633 § 1)

13-77.10.8 Preferential parking permits—Prohibited use of permits.

A person having been issued a preferential parking permit pursuant to the provisions of this division shall not:

(a) Cause or permit such permit to be displayed on a vehicle other than the vehicle for which it was issued; or

(b) Continue to display such permit on the vehicle for which it was issued after such person no longer resides within the preferential parking area for which the permit was issued. (Ord. 1633 § 1)

13-77.10.9 Preferential parking guest passes—Issuance of guest passes.

A total of two preferential parking guest passes may be issued by the finance director to the owner of any parcel of real property located within a designated preferential parking area which contains one or more dwelling units or to such owner's designated agent.

Upon being issued the guest passes authorized by this section, the owner of the property to which such passes were issued or such owner's designated agent shall make them available, on a nondiscriminatory basis, to each person residing on the parcel for which they were issued who, in turn, shall be entitled to provide such passes to those persons visiting them as guests or to persons who are present on the property providing services to that resident. (Ord. 1633 § 1)

13-77.10.10 Preferential parking guest passes—Term of guest passes.

The term of a preferential parking guest pass issued pursuant to the provisions of this division shall be for the one year period commencing on July 1st of the year for which such permit was issued and terminating on June 30th of the next succeeding year; provided that where a guest pass is issued subsequent to July 1st, then the term of such guest pass shall commence on the date of issuance. (Ord. 1633 § 1)

13-77.10.11 Preferential parking guest passes—Form and content of guest passes.

A preferential parking guest pass issued pursuant to the provisions of this division shall identify the vehicle in which it is displayed as one being used by a guest of a person residing within the preferential parking area for which the guest pass was issued, shall set forth the address of particular parcel of real property within such preferential parking area for which the guest pass was issued, as well as the days and hours during which a vehicle displaying the guest pass may lawfully park within the preferential parking area; and shall include instructions describing the manner in which the permit is to be displayed in such vehicle. (Ord. 1633 § 1)

13-77.10.12 Preferential parking guest passes—Application for guest passes.

Applications for a preferential parking guest pass shall be filed with the finance director and be in a form approved by the city administrator, and shall be accompanied by the following documents and fees:

(a) Documentary proof, satisfactory to the finance director, that the person applying for such guest pass is the owner of a particular parcel of real property within a designated preferential parking area for which the guest pass is to be issued, and where the guest pass is being issued to such owner's designated agent, documentary proof of such agency, satisfactory to the finance director; and

(b) Preferential parking guest pass application fee in an amount established by resolution of the city council. (Ord. 1633 § 1)

13-77.10.13 Preferential parking guest passes—Prohibited use of guest passes.

(a) The owner of a parcel of real property located within a designated preferential parking area who has been issued a guest pass pursuant to the provisions of this division shall not:

(1) Provide such guest pass to any person other than a person who resides on such parcel for use by such resident's guests;

(2) Require a person who resides on such parcel to pay a fee or provide any other form of consideration in exchange for the right to use such guest pass; or

(3) Discriminate against any person who resides on such parcel in connection with the use of such guest pass; provided, however, that the owner of such parcel and/or such owner's

designated agent shall not be prohibited from making reasonable rules relating to the use of guest passes by persons who reside on the parcel.

(b) A person who resides within a designated preferential parking area and who has been provided with a guest pass pursuant to the provisions of this division shall not:

(1) Use such guest pass in any vehicle which is registered to or under the control of such person; or

(2) Provide such guest pass to any person other than a person visiting such resident as his or her guest or a person on the property for the purpose of providing services to that resident. (Ord. 1633 § 1)

13-77.10.14 Continuing violations.

Any violation of the parking restrictions within a preferential parking area adopted by this division which continues for more than a two-hour period in duration shall be deemed to be a separate infraction punishable by a separate penalty in an amount hereinafter required by this title. (Ord. 1633 § 1)

**CITY OF OROVILLE
RESOLUTION NO. 8261**

**A RESOLUTION OF THE OROVILLE CITY COUNCIL DESIGNATING CERTAIN AREAS OF
THE CITY OF OROVILLE AS PREFERENTIAL PARKING AREAS IN ACCORDANCE WITH
CITY ORDINANCE NO. 1633**

WHEREAS, on May 2, 2000 the Oroville City Council passed and adopted Ordinance No.1633, adding Division 3 to Article IV of Chapter 13 of the City of Oroville Municipal Code (OMC) relating to Preferential Parking Areas; and

WHEREAS, the purpose of Ordinance No.1633 is to enhance the quality of life of those persons residing in any area of the City which is zoned for and predominantly devoted to residential uses, and which contains streets congested with vehicles parked by persons who do not reside in such area, by providing a means to limit the parking of vehicles along the streets within such area only to those persons who do reside in the area as well as a resident's guests; and

WHEREAS, OMC Section 13-77.10.2 states that the City Council may, by resolution, designate an area of the City as a preferential parking area if the Council finds that:

- a) Such area is zoned for and predominantly devoted to residential uses;
- b) That the area contains streets which are congested with vehicles parked by persons who do not reside in the area; and
- c) That limiting the parking of vehicles along the streets in the area to those persons who do reside in the area is necessary in order to enhance the quality of life of such residents; and

WHEREAS, the City Council has identified certain areas within the City (**Exhibit A**) for which the aforementioned findings have been made for the designation of preferential parking areas; and

WHEREAS, in determining whether limiting the parking of vehicles along the streets specified in **Exhibit A** to those persons who reside in the area is necessary to enhance the quality of life of such persons, the City Council has considered the effect of vehicles parked by persons who do not reside in the area on ambient noise levels, air pollution levels and other environmental characteristics of the area; pedestrian and vehicular traffic safety in the area; and the burden on persons who reside in the area in gaining access to their residences; and

WHEREAS, the restrictions of the preferential parking areas identified in **Exhibit A** shall be in effect every day of the week, twenty four (24) hours per day; and

WHEREAS, OMC Section 13-77.10.12(b) states that applications for a preferential parking guest pass shall be accompanied by an application fee in an amount established by resolution of the City Council; and

NOW, THEREFORE, BE IT RESOLVED BY THE OROVILLE CITY COUNCIL AS FOLLOWS:

- A. The areas in the City of Oroville identified in **Exhibit A** are 1) zoned for and predominantly devoted to residential uses; 2) contain streets which are congested with vehicles parked by persons who do not reside in the area; and 3) limiting the parking of vehicles along the streets in the area to those persons who do reside in the area is necessary in order to enhance the quality of life of such residents.
- B. Therefore, the areas of the City of Oroville identified in **Exhibit A** are hereby designated by resolution of the City Council as preferential parking areas every day of the week, twenty four (24) hours per day.
- C. The City Council hereby approves the following application fees:
- Preferential Parking Permit: \$30.00 (annual payment)
 - Guest pass: \$15.00 (annual payment)
 - Replacement: \$15.00
- D. The City Council hereby approves the following fines for violations of parking in a preferential parking area without a permit:

City Citation Fee	State Surcharge	Total
\$40.00	\$9.50	\$49.50

A Notice of Issuance of Parking Citation will be mailed to the registered owner of the vehicle. The registered owner is allowed 14 days from the date of the notice to make payment. If payment is not received within the time required by California law, a \$20 late payment penalty will be added. Failure to pay the Parking Citation will result in referral of all unpaid amounts to the Department of Motor Vehicles for collection with the registration of the vehicle, as provided by California Vehicle Code §40220 (a).

- E. As state and outside agency surcharges for parking citations change over time the City's fines for parking violations shall automatically be adjusted to incorporate all current state surcharges.
- F. Anyone wishing to file an appeal must do so within ten (10) days of receiving the notice of violation. All appeals will be heard by the Executive Committee whose decision shall be final.

PASSED AND ADOPTED by the City Council of the City of Oroville at a regular meeting held on September 16, 2014, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Linda L. Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott E. Huber, City Attorney

Randy Murphy, City Clerk

To the Oroville City Council

My name is Charles Kopp. I live at 2136 Pine St. Every year at this time the people who work at PCP start taking up all the parking spaces on our street. It is VERY annoying! I and my neighbors would like it very much if you could do something about it. It doesn't seem like too much to ask that they do not park in front of our houses! I hereby join with my neighbors to petition the council to take action on this matter.

Sincerely

Charles Kopp

A handwritten signature in cursive script that reads "Charles D. Kopp". The signature is written in dark ink and is positioned to the right of the printed name "Charles Kopp".

To whom it may concern,

Regarding the new resolution for preferential parking areas

While this resolution is a good start, it is far from being a total solution. The issue with parking congestion around the PCP facility has been ongoing for many, many years. My great grandmother owned the house I now own when Pine Street was a dirt road, there were no sidewalks and the PCP parking lot was an open dirt lot. Even then, when the employees from PCP could easily park in that open dirt lot, they still parked up against our fence where a sidewalk is now. It has not changed in 50 years no matter how much the city has been asked to help its own citizens. These PCP employees park in red zones, in front of hydrants and are NEVER cited. There were 2 cars in front of the hydrant at Pine & Mitchell last night (8/21/14) for an entire shift. If the cannery were not in season and someone on my street had a party with a guest parked there, they would have been cited. I was even given a 72 hour notice to move my car from in front of my own house, a car which I drive to work 5 days a week!! This police behavior borders on harassment and is a huge double standard. So now we are thrown this small token of a resolution "to get people off our (the city council) backs", and I find several issues with it.

First, and foremost, this should have been done MANY years ago as thousands of cities in this country have done. There are examples everywhere, including the area north of the Chico State campus. Second, the people who live in the area proposed to be a Preferential Parking area should not have to pay to fix an issue the city and PCP are responsible for creating. The city already gives PCP a huge area for parking for free (\$1 a year?). How much more should we have to endure of this disruptive behavior from a company's employees that any other company would fire them for? I worked at PCP briefly and I was never told not to park in front of residences and when I asked a co-worker not to he just laughed and said he would park wherever he wants and who cares if someone comes home from work and can't park near their house. This is the prevailing attitude I find every season with PCP employees. All that aside, I am tired of picking up all the garbage left on the sidewalks and street from these people taking a break or having lunch. I could fill my trash can in 2 days with all the garbage they litter about. I have even come home to find several of the PCP employees IN MY YARD on my lawn furniture eating lunch. Even though my yard is fenced in and my gate was closed.

I have also watched as the delivery trucks block traffic for long periods of time, trap people on the train tracks and honk horns endlessly. Use of those air horns is ILLEGAL in a city. They will park them in the middle of the street and then walk away for up to 30 minutes, even though they have a staging area. They will also just pull out in front of anyone driving down Mitchell

→
OVER

without regard to any potential accidents, several of which I have witnessed them to cause. Again, without ever being cited as any citizen of the area would be. If the police would ticket these violations half of the time they occur, they city could generate a goodly amount of revenue. And Mitchell Ave. is a main thoroughfare of the police as they drive it at very high speeds, both ways, with no lights or sirens, every day.

So, it is not just that there is "some congestion" affecting "quality of life of the residents". There are many issues that the city has never bothered to address for whatever reason. I have seen the value of my house decline with the addition the paved, fenced in parking lot and the increase in vandalism WHILE THE CANNERY IS IN SEASON. If enough homeowners would sign on, we actually have grounds for a 'takings lawsuit' for the "loss in real property value due to the unresponsiveness of the city to remedy the cause of the property value loss" after repeated requests from said homeowners. (Recommendation from the law firm Faegre & Benson LLP).

If the situation in the residential areas around PCP has gotten this bad, why has the city just sat on its hands and passed a hollow, unenforced ordinance (No. 1633)? And now we are supposed to be relieved by a resolution that cites the ordinance and then makes the residents, that have been ignored by the city and abused by PCP employees, pay for the remedy to those abuses? Regardless of the amount it takes to enforce the law and make employees of a COMMERCIAL enterprise stop using RESIDENTIAL areas for parking, the offending commercial enterprise should bear the burden of that remedy, NOT the residents they have continually wronged.

PCP has so many tax breaks and incentives from the city and county that adding the cost of this resolution, as a tax or fee, should not be an issue. Alternatively, since the city has ignored, and by doing so degraded the property value and quality of life of, residents of the area in discussion, the city should implement the remedy for the residents who already pay property taxes; property taxes which are supposed to secure this type of preference in the first place. When Pine Street was made into a 'No Tolerance' drug zone, we had to pay for signs to be put up and pay for a police officer to patrol the neighborhood on a bicycle. I think we have endured enough abuse and incurred enough costs just to live in this city when it would take so little to make the huge issues go away.

Sincerely,
Stacy L. Casebeer
2166 Pine Street
Oroville, CA 95965
(530) 534-3735
Bindox@GMail.com

08/21/2014

Parking Ordinance Draft

Good morning Luis,

Thank you for setting up our meeting concerning the parking issues created by P.C.P. and it's employees.

While I completely agree that this is an on going safety and quality of life issue, I believe that the recommended areas of implementation of the ordinance are a little more than even I had expected, and after speaking with a couple of neighbors, the scope and cost of this ordinance may be a bit too much for some people.

I can see where Veatch, Gray and Pine Streets are affected, I think that carrying the parking Zone may be better served to include the areas between Osage St. and Mitchell as opposed to carrying the zone all the way to Pamona St.

I wonder if maybe we should start small, just the west side of Pine St. and see how P.C.P. and their employees react.

The experiment could be expanded based on parking habits that are observed.

As far as the cost to residents for permits, I do not have a problem with that, but I think of those, that could not afford, and would be forced to incur those fees.

I would like to see P.C.P. incur those fees for the initial implementation of this ordinance, as they are the cause, and ultimately the fix for this problem.

I truly believe that if we can impart to P.C.P. that there are far less drastic, and less expensive solutions to this problem, that we can help them implement such solutions.

Here are some Ideas I have kicked around.

- * Make every employee read and sign, as a condition of employment, a parking schematic, that would include prescribed and prohibited parking areas.

- *Have P.C.P. clean up the area where they store all of their obsolete and unused machinery (the Bone yard) and create more parking areas there.

- * Suggest that P.C.P. invest in shuttle busses or carts, to help employees get to the plant.

In closing, I really appreciate all the effort you have expended to this point, and I offer any help that you may need from me.

I am expecting some feedback from some of my neighbors, which I will forward to you as I receive it.

Please keep me posted on any developments, and if you think we should canvass the residents of Gray and Veatch streets, I would be happy to help develop a mailer, or actually accompany a city official in that effort.

Thank you, again for your help with this issue,
Joseph Spada
2150 Pine St. Oroville, Ca 95965
(530)370-2895

**OROVILLE CITY COUNCIL
STAFF REPORT**

**TO: MAYOR AND COUNCIL MEMBERS
RANDY MURPHY, CITY ADMINISTRATOR**

**FROM: DONALD RUST, DIRECTOR (530) 538-2433
LUIS A. TOPETE, ASSOCIATE PLANNER (530) 538-2408
COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: MINER'S ALLEY BREWING COMPANY REQUEST TO PURCHASE CITY
PROPERTY FOR AN OUTDOOR DINING VENUE**

DATE: SEPTEMBER 16, 2014

SUMMARY

The Council may consider a proposal from the owners of the Miner's Alley Brewing Company to purchase a City owned property for the purpose of establishing an outdoor dining venue as part of their restaurant and brew house.

BACKGROUND

The Miner's Alley Brewing Company (applicant) has submitted a proposal to the City for the potential purchase of City owned property identified as Assessor Parcel Number (APN): 012-035-015. The subject property is the existing bus stop and turn-around located at the southeast corner of Myers Street and Montgomery Street. The intent is to use this property as an outdoor venue as part of the restaurant and brew house.

DISCUSSION

A rendering of the proposed site plan for the outdoor venue has been provided (**Attachment B**). The outdoor venue would be used for weddings, parties, community events, festivals, live entertainment, outdoor dining, and a projection screen would be provided for sporting events. To maintain control over any alcoholic beverages that may be served to customers in this outdoor area, a perimeter fence with emergency gates would need to be erected per the requirements of the Department of Alcoholic Beverage Control. All patrons would be required to enter the premises through the restaurant's main entrance. A black wrought iron fence with 2 gates would be installed at the property line.

The applicant's target date for completion of the venue, if approved, is April 2015. Several items to consider for the realization of this proposal include the following:

- Butte County Association of Governments (BCAG) is currently using the bus stop/turn around and has no future plans to stop using this location with the approval of the City. If property is repurposed as proposed, City would need to contact BCAG so that

another location can be provided for their bus service.

- The City could either grant an easement or other appropriate legal instrument to allow the Miner's Alley Brewing Company to access and use the property, lease the property, or sell the property. Applicant has proposed to purchase the property from the City.
- The Arts, Culture and Entertainment District planning document adopted by the City Council on November 19, 2013 emphasizes the importance of supporting restaurants with outdoor dining to help achieve the revitalization of downtown and increase the attraction of the downtown area.

The applicant has requested to purchase the subject property from the City with the following terms:

- City carries a note for \$30,000.00 for a term of 10 years at 3.5% interest, payable in monthly installments of \$295.80.

Applicant has provided information for comparable properties which includes a sale for APN: 012-033-019 from 2004 and an expired listing for APN: 012-042-001 for 2006 (**Attachments C and D**).

FISCAL IMPACT

Acceptance of the aforementioned offer would result in the collection of \$30,000.00 over a term of 10 years at 3.5% interest, valued at approximately \$5,500.00, to the general fund. However, the property will need to be appraised to determine the current fair market value to allow the City to establish the appropriate selling price of the property.

RECOMMENDATION

Direct staff as necessary.

ATTACHMENTS

- A – Applicant Letter
- B – Rendering of Proposed Outdoor Venue
- C – Comparable #1
- D – Comparable #2
- E – Photos of Existing Bus Stop/ Turn-Around

MINERS ALLEY BREWING COMPANY

July 22, 2014

City of Oroville

1735 Montgomery St.

Oroville, CA 95965

RECEIVED

JUL 22 2014

CITY OF OROVILLE
PLANNING DEPT.

Dear City Council:

Miner's Alley Brewing Company would like to submit the following proposal for your consideration:

Use of parcel #012-035-015, commonly known as the corner of Myers St. and Montgomery St. (bus stop & turn-around) for an outdoor venue. Our restaurant and brew house is in a perfect location to utilize the space for dining and events while increasing the appeal of our downtown community.

Attached is an artist's rendering of our proposed site plan. Our vision is to provide an attractive venue for events, an outdoor seating area for our patrons, increase our seating capacity, draw potential businesses to downtown with increased foot-traffic, rival the casinos and Chico with upscale outdoor banquet facilities, and help make our Historic Downtown a shopping & dining destination. Uses would include weddings, parties, community events, festivals, live entertainment, projection screen for sporting events, and outdoor dining while keeping with the historic scenery of downtown Oroville.

For these goals to be obtained there are a few items to consider:

- Currently our building plans include the construction of a doorway that enters into the City's property. (See attached building plan.) The property lines for our neighboring parcels are two adjoining walls that would require an easement or Grant Deed for construction to proceed.
- To maintain control over any alcoholic beverages that may be served to customers in this outdoor area, a perimeter fence with emergency gates would need to be erected per the Department of Alcoholic Beverage Control. All patrons would be required to enter the premises through our main entrance. A black wrought iron fence with 2 gates would be installed at the property line.

RECEIVED

JUL 22 2014

CITY OF OROVILLE
BUILDING DEPT.

JUL
3:55
P.M.

- Currently the corner is used for a bus stop and turn-around. The creation of this outdoor venue would enhance the appeal of the downtown experience for shoppers, diners and businesses.
- Our indoor dining facility is capable of serving 75 people. Expansion into the new space would allow us to fully serve an additional 100 customers on a regular basis. During an event, we would have the capacity to serve up to 300 people with buffet service and second bar service.
- Our target date for completion of the venue is April 2015. The first event to be held will be a wedding with plenty of photos for future advertising purposes.

After careful consideration of the site, the requirements for our use, and the real estate market of downtown Oroville, we have concluded that it would be mutually beneficial for Miner's Alley Brewing Company to purchase the property from the City. We propose the City carry a note for \$30,000.00 for a term of 10 years at 3.5% interest, payable in monthly installments of \$295.80. Selling the property would release the City from all expenses associated with maintenance of the property while generating monthly revenue, interest, fees, and property tax. This would also allow Miner's Alley Brewing Company to expand affordably and have control over the property for requirements and improvements.

Attached are a comparable sale for parcel #012-033-019 from 2004 and an expired listing for parcel #012-042-001 from 2006. These properties were the only land comparables available as there are no current sales recorded.

With the information provided, it is our hope that the City Council will accept our offer and support us in achieving our vision of creating a historic downtown venue. If more information is necessary or if there are any questions, we are happy to discuss this offer further.

Sincerely,



Connie Parks & Steve Vandervort

Miner's Alley Brewing Company

2053 Montgomery St.

Oroville, CA 95965

(530) 693-4388 Office * (530) 680-7066 Connie * (530) 353-9155 Steve

RECEIVED

JUL 22 2014

CITY OF OROVILLE
BUILDING DEPT.

pa
3:55
P.M.

SENIOR CENTER BLDG

STAGE @ HIGHEST POINT - 4' 2" FROM GRADE TO TOP

PROPOSED UTILITY DOOR PROPERTY LINE

WATER FEATURE



ENTRANCE "FARM FROM MINERS ALLEY"

TRAMPED DETAILS (EXAMINE)

20 FEET'S LAMPS ALONG TERRACE AVAILABLE

STAGE - 4' ELEVATION TO MATCH CEILING THE FOOT FEATURE TOP

POST & BEAM AVAILABLE TO SUPPORT ROOF

WHERE NEAR ACCESS

BLACK WILDOBST PAUL LOKING CO. 2 1/2\"/>

1/2\"/>

LEAVE OPENING CURB & RESPONSIBILITY PAINT BLUE & GREEN

WIPERS

BRICKS - 1\"/>

CONCRETE WALKWAY

POST SUPPORT & SERVICE ENTRANCE 1\"/>

BY PROVISION OF UTILITIES

1\"/>

"MINERS ALLEY OUTDOOR VENUE"

012-033-019-000, CA, Butte County



N/A	N/A	10,019	\$42,000
Beds	Bldg Sq Ft	Lot Sq Ft	Sale Price
N/A	1900	MISC	08/27/2004
Baths	Yr Built	Type	Sale Date

Owner Information

Owner Name:	Chrysler Gage	Tax Billing Address:	2017 Bidwell Ave
Owner Name 2:	Chrysler Christie	Tax Billing City & State:	Chico, CA
Mail Owner Name:	Gage & Christie Chrysler	Tax Billing Zip:	95926

Location Information

Zoning:	C1	Comm College District Code:	Butte Jt
School District:	Oroville Un	Census Tract:	28.00

Tax Information

APN :	012-033-019-000	Tax Area:	004003
% Improved:	19%		
Legal Description:	MONTGOMERY ST		

Assessment & Tax

Assessment Year	2013	2012	2011
Assessed Value - Total	\$53,194	\$52,152	\$51,131
Assessed Value - Land	\$43,010	\$42,167	\$41,341
Assessed Value - Improved	\$10,184	\$9,985	\$9,790
YOY Assessed Change (\$)	\$1,042	\$1,021	
YOY Assessed Change (%)	2%	2%	

Tax Year	Total Tax	Change (\$)	Change (%)
2011	\$557		
2012	\$572	\$15	2.67%
2013	\$576	\$5	0.84%

Special Assessment Tax Amount

Special Assessment	Tax Amount
Oroville Elementary Bond 2002	\$9.50
Oro High Dist Bond 2008	\$9.10
Oroville Mosquito Abate	\$5.88
Oro High Dist Bond 2002 A	\$4.48
Oro High Dist Bond 2002 B	\$3.80
Butte College 2002 B Bond	\$3.70
Butte College 2002 C Bond	\$3.70
Butte College 2002a Rfnd Bond	\$3.70
Feather River Rec	\$0.60
Total Of Special Assessments	\$44.46

Characteristics

County Land Use:	Vacant - Commercial Property	Year Built:	1900
Universal Land Use:	Miscellaneous	Effective Year Built:	1900
Lot Acres:	0.23	# of Buildings:	1
Lot Area:	10,019		

Last Market Sale & Sales History

Courtesy of Sherri Vandervort, Sunset Vista Realty, Lakeside, California Regional MLS

The data within this report is compiled by Carolagic from public and private sources. If desired, the accuracy of the data contained herein can be independently verified by the recipient of this report with the applicable county or municipality.

Property Detail

Generated on 07/20/2014

Page 1 of 2

Recording Date: **10/06/2004**
 Sale Date: **08/27/2004**
 Sale Price: **\$42,000**
 Document Number: **61357**
 Sale Type: **Full**

Deed Type: **Grant Deed**
 Owner Name: **Chrysler Gage**
 Owner Name 2: **Chrysler Christie**
 Seller: **Busk Rodney Trust**

Recording Date	02/17/2005	10/13/2004	10/06/2004	00/1986
Sale Date	02/10/2005		08/27/2004	
Sale Price			\$42,000	
Nominal	Y			
Buyer Name	Sicke S & S 2004 Family Trust	Butte Creek Inv Corp	Chrysler L G III & Christine A Busk Rodney Trust	
Seller Name	Sicke Steve & Stephanie	Chrysler L Gage III & Christine A	Busk Rodney Trust	
Document Number	9410	62720	61357	13986
Document Type	Grant Deed	Deed (Reg)	Grant Deed	Deed (Reg)

Property Map



*Lot Dimensions are Estimated.

Courtesy of Sherri Vandervort, Sunset Vista Realty, Lakeside, California Regional MLS

The data within this report is compiled by CoreLogic from public and private sources. If desired, the accuracy of the data contained herein can be independently verified by the recipient of this report with the applicable county or municipality.

Property Detail

Generated on 07/20/2014
 Page 2 of 2



Status: **Expired**
 ML#: **OR200603072**
 APN: **012042001000**
 Original List Price: **\$33,000**
 Price Per Sqft: **6.89**
 County: **Butte**
 Sqft Lot: **4,791**
 Senior Community:
 DOM: **177**
 Gross Equity:
 Present Loans:
 Have:
 Cross Street: **Oliver**

Area: **Not Defined**

Map Book:

Sale Type:

Driving Directions: **corner of Montgomery and Oliver**

Description

Corner lot, has driveway cut on Montgomery and two on Oliver. All utilities in street. Before making offer please call the agent for details

Features

View:

Utilities:

Community Features:

Lot Features: **Corner Lot, Lot-Level/Flat**

Disclosures: **Incorporated**

Fencing:

Sewer/Septic:

Land

Lot Number:

Block Number:

Lot Dimensions: **53.5 X 93**

Tract Number:

Acres: **0.11**

Assessment:

Special Assessments:

Association Name 1:

Association Name 2:

Zone:

Builder's Tract:

Comm/Cmplx:

Tract Map:

CLM

Parcel Map Number:

Parcel Number:

Possible New Zone:

Association Phone 1:

Association Phone 2:

Association Dues 1:

Association Dues 2:

Distance To

Bus:

Church:

Electric:

Freeway:

Gas:

Phone Service:

Schools:

Sewer:

Stores:

Street Frontage:

Water:

Present/Potential Use

Present Use:

Potential Usage:

Infrastructure

Improvements:

Water Well:

Well in Feet:

Water Table Depth in Feet:

Water Gal. of Water Per Minute: **0.00**

Well Hole/Casting Est. Size in inches:

Additional Land Info

Cleared:

Fenced:

Fence Condition:

Ingress/Egress:

Soil Type:

Topography:

Water District Name:

Well Report:

Well Pump Motor Horsepower: **0.00**

Elevation:

Current Geological Report:

Survey:

Analysis

Improvement Total \$/=: **/0.00%**

Personal Property \$/=: **/0.00%**

Land Value \$/=: **/0.00%**

Usable Land Percentage:

Tax Information

Tax Rate: **0.00**

Tax Rate Total: **0.00**

Tax Rate Year:

Tax Area:

Lease/Fees

Land Fee/Lease:

Land Lease Amount:

Land Lease Expires:

Lease Per:

Terms

Listing Terms: **Cash**

Office/MLS

S.O. Comp: **5.000**
Dual Var Rate of Com: **No**
Sign On Property:
Listing Office: **(ORColdwell) Coldwell
Banker Lake Realty**
Listing Agent: **(ORSUN) Thurman Clark**
LA CalBRE: **01006238**
Date of Listing: **05/08/2006**
Modified Date: **04/29/2011**
Expiration Date: **11/01/2006**

Showing Instructions: **Go Direct**
LO Phone: **530-534-9777**
LO Fax: **530-534-9789**
List Type: **Exclusive Right To Sell**
Service Type:
Listing Paid:
Ad Number:
Int Send List/Address: **Yes/No**
VOW AVM?/Comm?: **Yes/Yes**

Phone Contact Priority

1. LA Cell:
2. LA Direct:
3. LA Email:
chrissaellarealestate@msn.com

Contingency:
Showing Remarks:
Agent Remarks:

Comparable Information

Purchase Contract:
DOM/CDOM:
Selling Agent:
SA CalBRE:

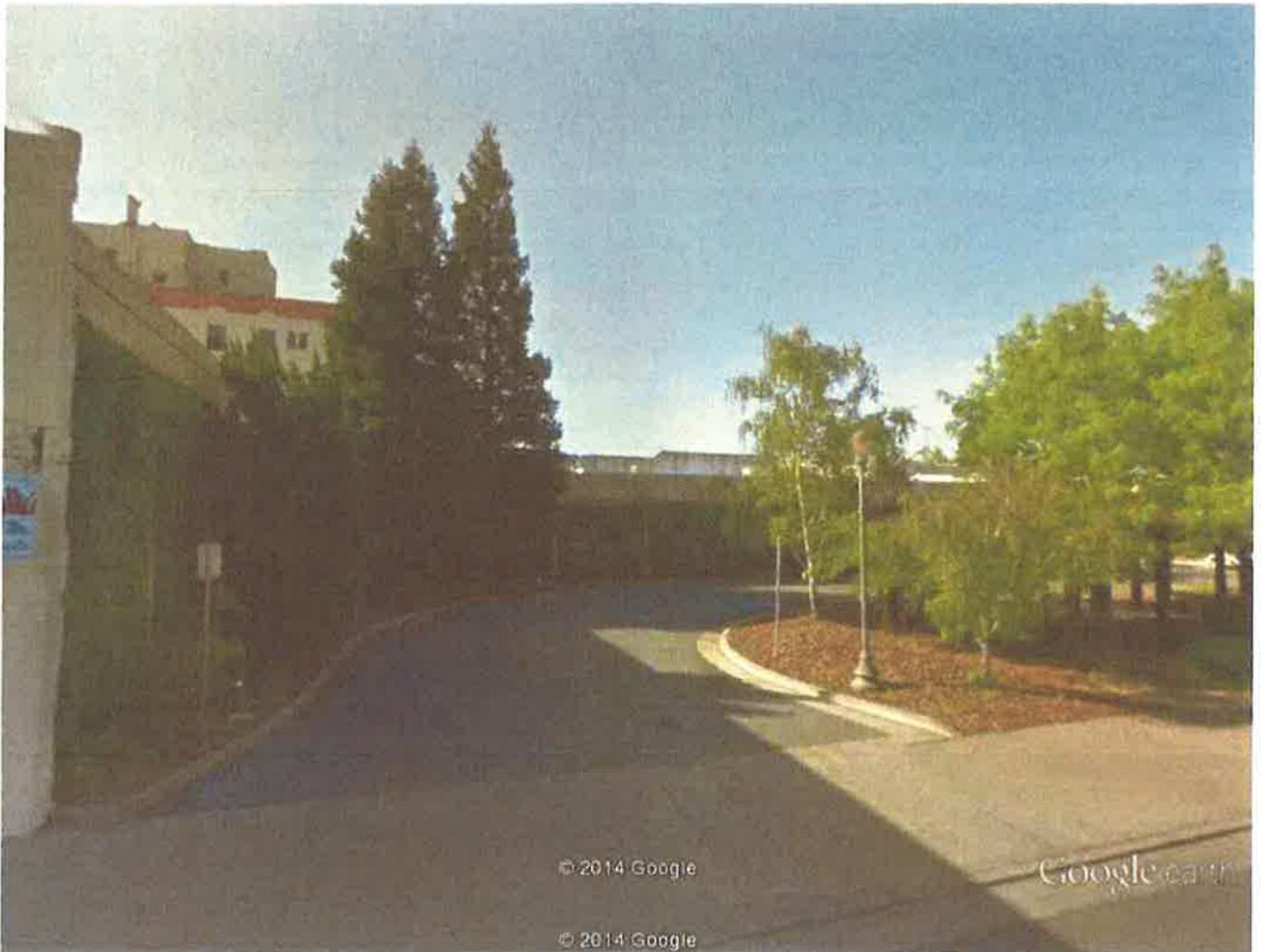
End Date:
Selling Office:
Co-Selling Office:
Financing Used:

Selling Price:
List Price: **\$33,000**
Original
Price:



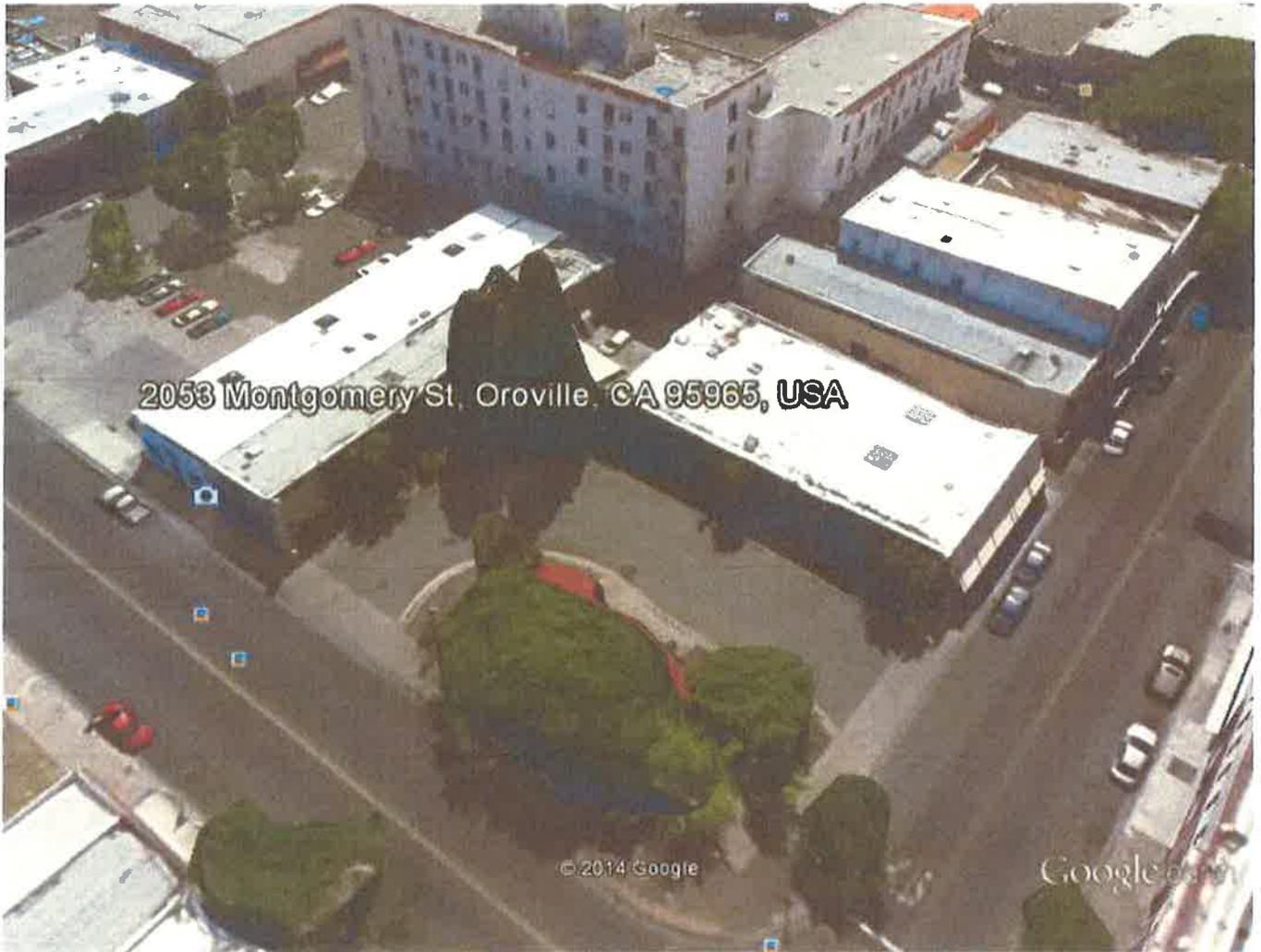
Google earth





Google earth





Google earth

feet
meters





Google earth



**OROVILLE CITY COUNCIL
STAFF REPORT**

**TO: MAYOR DAHLMEIER, COUNCIL MEMBERS AND
RANDY MURPHY, CITY ADMINISTRATOR**

**FROM: DONALD RUST, DIRECTOR (530) 538-2433
RICK WALLS, INTERIM CITY ENGINEER
COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: ACCEPTANCE OF FEDERAL AVIATION ADMINISTRATION GRANT
OFFER FOR SAFETY GRADING AND DRAINAGE DESIGN AT
OROVILLE MUNICIPAL AIRPORT**

DATE: SEPTEMBER 16, 2014

SUMMARY

The Council may consider the approval of a grant offer from the Federal Aviation Administration (FAA) for design work related to safety grading and drainage at Oroville Municipal Airport.

DISCUSSION

The City's 2014 Airport Capital Improvement Program (ACIP) which has been approved by the FAA includes a project for the preparation of plans and specifications for Runway 2-20 safety grading and airport drainage design. The soil grades within the Runway Safety Area for Runway 2-20 are higher than the runway is in one small area near Runway 2-20 and do not conform to FAA's Runway Safety Area requirements. This 9,000 square foot area requires grading to lower the elevation within the Runway Safety Area. The existing drain lines under Runway 2-20 are undersized and flooding of the runway occurs during heavy storms. It is proposed to construct an additional drainage culvert bored under Runway 2-20 based on the Drainage Study recently completed for the Oroville Municipal Airport. The FAA Grant No. 3-06-0178-020 provides funding for the design of these two projects. A summary of the project and grant costs is presented below.

Design Cost – Reinard Brandley:	\$57,000 ⁽¹⁾
City Admin Cost:	\$13,100
Total Cost:	\$70,100

Revenue - FAA Grant at 90%:	\$63,090
Revenue - State matching Grant at 5%:	\$3,155

Balance City Cost:	\$3,855
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(1) Includes \$10,000 in reimbursement for previously completed project environmental document.

The design work would be completed by Reinard Brandley, Airport Engineer (Brandley). An amendment to the existing Professional Services Agreement with Brandley to complete this work will be presented to the Council on October 7, 2014. In addition, City staff time managing the project will be reimbursed through the grant. The construction work for this project will be advertised for bid in early 2015.

This grant offer was received from the FAA on Thursday, September 4, 2014. The FAA offer letter states that the grant agreement, must be executed by the City and the City Attorney by September 16, 2014 and must be received as accepted by the City no later than September 17, 2014.

FISCAL IMPACT

This project will require a net outlay of City funds of \$3,855 which will be paid from the Airport Fund.

RECOMMENDATION

Adopt Resolution No. 8262 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR GRANT FUNDS TO BE RECEIVED UNDER THE CITY'S 2014 AIRPORT CAPITAL IMPROVEMENT PROGRAM FOR SAFETY GRADING AND DRAINAGE DESIGN

ATTACHMENT(S)

Resolution No. 8262
FAA Grant Agreement No. 3-06-0178-020-2014

**CITY OF OROVILLE
RESOLUTION NO. 8262**

A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION FOR GRANT FUNDS TO BE RECEIVED UNDER THE CITY'S 2014 AIRPORT CAPITAL IMPROVEMENT PROGRAM FOR SAFETY GRADING AND DRAINAGE DESIGN

BE IT HEREBY RESOLVED by the Oroville City Council as follows:

1. Time is of the essence in executing a Federal Aviation Administration (FAA) grant agreement by September 16, 2014.
2. The City has been offered \$63,090 in grant funding for the Airport Safety Grading and Drainage Design to be completed under the City's 2014 ACIP.
3. The Mayor is hereby authorized and directed to execute an agreement (Grant No. 3-06-1078-20-2014) with the Federal Aviation Administration.
4. The City Clerk shall attest to the adoption of this Resolution.

PASSED AND ADOPTED by the Oroville City Council at an adjourned meeting held on September 16, 2014 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Linda L. Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott E. Huber, City Attorney

Randy Murphy, City Clerk



U.S. Department
of Transportation
Federal Aviation
Administration

GRANT AGREEMENT

PART I – OFFER

Date of Offer September 3, 2014

Airport/Planning Area Oroville Municipal

AIP Grant Number 3-06-0178-020-2014

DUNS Number 086123437

TO: City of Oroville
(herein called the “Sponsor”) (For Co-Sponsors, list all Co-Sponsor names. The word “Sponsor” in this Grant Agreement also applies to a Co-Sponsor.)

FROM: **The United States of America** (acting through the Federal Aviation Administration, herein called the “FAA”)

WHEREAS, the Sponsor has submitted to the FAA a Project Application dated August 25, 2014, for a grant of Federal funds for a project at or associated with the Oroville Municipal Airport, which is included as part of this Grant Agreement; and

WHEREAS, the FAA has approved a project for the Oroville Municipal Airport (herein called the “Project”) consisting of the following:

Drainage Improvements for Runway 2/20 [Design], Improve Runway 02/20 Safety Area [Design]

which is more fully described in the Project Application.

NOW THEREFORE, According to the applicable provisions of the former Federal Aviation Act of 1958, as amended and recodified, 49 U.S.C. 40101, et seq., and the former Airport and Airway Improvement Act of 1982 (AAIA), as amended and recodified, 49 U.S.C. 47101, et seq., (herein the AAIA grant statute is referred to as “the Act”), the representations contained in the Project Application, and in consideration of (a) the Sponsor’s adoption and ratification of the Grant Assurances dated April 3, 2014, and the Sponsor’s acceptance of this Offer, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurances and conditions as herein provided,

THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay ninety (90) percent of the allowable costs incurred accomplishing the Project as the United States share of the Project.

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is \$63,090.

For the purposes of any future grant amendments which may increase the foregoing maximum obligation of the United States under the provisions of 49 U.S.C. § 47108(b), the following amounts are being specified for this purpose:

\$0.00 for planning

\$63,090 for airport development or noise program implementation

\$0.00 for land acquisition.

2. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.
3. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with the regulations, policies and procedures of the Secretary. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
4. **Completing the Project Without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the project without undue delays and in accordance with this agreement, and the regulations, policies and procedures of the Secretary. The Sponsor also agrees to comply with the assurances which are part of this agreement.
5. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
6. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor on or before September 16, 2014, or such subsequent date as may be prescribed in writing by the FAA.
7. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner in any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.
8. **United States Not Liable for Damage or Injury.** The United States is not be responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.
9. **System for Award Management (SAM) Registration And Universal Identifier.**

- A. **Requirement for System for Award Management (SAM):** Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain their information current in the SAM until the Sponsor submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
- B. **Requirement for Data Universal Numbering System (DUNS) Numbers**
1. The Sponsor must notify potential subrecipient that it cannot receive a contract unless it has provided its DUNS number to the Sponsor. A subrecipient means a consultant, contractor, or other entity that enters into an agreement with the Sponsor to provide services or other work to further this project, and is accountable to the Sponsor for the use of the Federal funds provided by the agreement, which may be provided through any legal agreement, including a contract.
 2. The Sponsor may not make an award to a subrecipient unless the subrecipient has provided its DUNS number to the Sponsor.
 3. **Data Universal Numbering System:** DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D & B) to uniquely identify business entities. A DUNS number may be obtained from D & B by telephone (currently 866-492-0280) or the Internet (currently at <http://fedgov.dnb.com/webform>).

10. Electronic Grant Payment(s). Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi eInvoicing System for Department of Transportation (DOT) Financial Assistance Awardees.

11. Informal Letter Amendment of AIP Projects. If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000 or five percent (5%), whichever is greater, the FAA can issue a letter to the Sponsor unilaterally reducing the maximum obligation. The FAA can also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. If the FAA determines that a change in the grant description is advantageous and in the best interests of the United States, the FAA can issue a letter to the Sponsor amending the grant description.

By issuing an Informal Letter Amendment, the FAA has changed the grant amount or grant description to the amount or description in the letter.

12. Air and Water Quality. The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this grant.

13. Financial Reporting and Payment Requirements. The Sponsor will comply with all federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.

14. Buy American. Unless otherwise approved in advance by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for which funds are provided under this grant.

The Sponsor will include a provision implementing Buy American in every contract.

15. Maximum Obligation Increase For Nonprimary Airports. In accordance with 49 U.S.C. § 47108(b), as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer:

- A. May not be increased for a planning project;
- B. May be increased by not more than 15 percent for development projects;
- C. May be increased by not more than 15 percent or by an amount not to exceed 25 percent of the total increase in allowable costs attributable to the acquisition of land or interests in land, whichever is greater, based on current credible appraisals or a court award in a condemnation proceeding.

16. Audits for Public Sponsors. The Sponsor must provide for a Single Audit in accordance with 2 CFR Part 200. The Sponsor must submit the Single Audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. The Sponsor must also provide one copy of the completed 2 CFR Part 200 audit to the Airports District Office.

17. Suspension or Debarment. The Sponsor must inform the FAA when the Sponsor suspends or debars a contractor, person, or entity.

18. Ban on Texting While Driving.

- A. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
 - 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
 - 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
 - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
 - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- B. The Sponsor must insert the substance of this clause on banning texting when driving in all subgrants, contracts and subcontracts.

19. Trafficking in Persons.

- A. Prohibitions: The prohibitions against trafficking in persons (Prohibitions) that apply to any entity other than a State, local government, Indian tribe, or foreign public entity. This includes private Sponsors, public Sponsor employees, subrecipients of private or public Sponsors (private entity) are:
 - 1. Engaging in severe forms of trafficking in persons during the period of time that the agreement is in effect;
 - 2. Procuring a commercial sex act during the period of time that the agreement is in effect; or
 - 3. Using forced labor in the performance of the agreement, including subcontracts or subagreements under the agreement.

- B. In addition to all other remedies for noncompliance that are available to the FAA, Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), allows the FAA to unilaterally terminate this agreement, without penalty, if a private entity –
1. Is determined to have violated the Prohibitions; or
 2. Has an employee who the FAA determines has violated the Prohibitions through conduct that is either—
 - a. Associated with performance under this agreement; or
 - b. Imputed to the Sponsor or subrecipient using 2 CFR part 180, “OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” as implemented by the FAA at 49 CFR Part 29.

SPECIAL CONDITIONS

Design Grant: This grant agreement is being issued in order to complete the design of the project. The Sponsor understands and agrees that within 2 years after the design is completed that the Sponsor will accept, subject to the availability of the amount of federal funding identified in the Airport Capital Improvement Plan (ACIP), a grant to complete the construction of the project in order to provide a useful and useable unit of work. The Sponsor also understands that if the FAA has provided federal funding to complete the design for the project, and the Sponsor has not completed the design within **four (4)** years from the execution of this grant agreement, the FAA may suspend or terminate grants related to the design.

The Sponsor’s acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to

the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

**UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION**

Robin K. Hunt

(Signature)

Robin K. Hunt

(Typed Name)

Manager

(Title)

PART II – ACCEPTANCE

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.¹

Executed this _____ day of _____, _____.

City of Oroville

(Name of Sponsor)

(Signature of Sponsor's Designated Official Representative)

By:

(Typed Name of Sponsor's Designated Official Representative)

Title:

(Title of Sponsor)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of _____. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____ this _____ day of _____.

By _____

(Signature of Sponsor's Attorney)

¹ Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.



ASSURANCES

Airport Sponsors

A. General.

1. These assurances shall be complied with in the performance of grant agreements for airport development, airport planning, and noise compatibility program grants for airport sponsors.
2. These assurances are required to be submitted as part of the project application by sponsors requesting funds under the provisions of Title 49, U.S.C., subtitle VII, as amended. As used herein, the term "public agency sponsor" means a public agency with control of a public-use airport; the term "private sponsor" means a private owner of a public-use airport; and the term "sponsor" includes both public agency sponsors and private sponsors.
3. Upon acceptance of this grant offer by the sponsor, these assurances are incorporated in and become part of this grant agreement.

B. Duration and Applicability.

1. **Airport development or Noise Compatibility Program Projects Undertaken by a Public Agency Sponsor.**

The terms, conditions and assurances of this grant agreement shall remain in full force and effect throughout the useful life of the facilities developed or equipment acquired for an airport development or noise compatibility program project, or throughout the useful life of the project items installed within a facility under a noise compatibility program project, but in any event not to exceed twenty (20) years from the date of acceptance of a grant offer of Federal funds for the project. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the airport is used as an airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with federal funds. Furthermore, the duration of the Civil Rights assurance shall be specified in the assurances.

2. **Airport Development or Noise Compatibility Projects Undertaken by a Private Sponsor.**

The preceding paragraph 1 also applies to a private sponsor except that the useful life of project items installed within a facility or the useful life of the facilities developed or equipment acquired under an airport development or noise compatibility program project shall be no less than ten (10) years from the date of acceptance of Federal aid for the project.

3. Airport Planning Undertaken by a Sponsor.

Unless otherwise specified in this grant agreement, only Assurances 1, 2, 3, 5, 6, 13, 18, 25, 30, 32, 33, and 34 in Section C apply to planning projects. The terms, conditions, and assurances of this grant agreement shall remain in full force and effect during the life of the project; there shall be no limit on the duration of the assurances regarding Airport Revenue so long as the airport is used as an airport.

C. Sponsor Certification.

The sponsor hereby assures and certifies, with respect to this grant that:

1. General Federal Requirements.

It will comply with all applicable Federal laws, regulations, executive orders, policies, guidelines, and requirements as they relate to the application, acceptance and use of Federal funds for this project including but not limited to the following:

Federal Legislation

- a. Title 49, U.S.C., subtitle VII, as amended.
- b. Davis-Bacon Act - 40 U.S.C. 276(a), et seq.¹
- c. Federal Fair Labor Standards Act - 29 U.S.C. 201, et seq.
- d. Hatch Act – 5 U.S.C. 1501, et seq.²
- e. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Title 42 U.S.C. 4601, et seq.^{1 2}
- f. National Historic Preservation Act of 1966 - Section 106 - 16 U.S.C. 470(f).¹
- g. Archeological and Historic Preservation Act of 1974 - 16 U.S.C. 469 through 469c.¹
- h. Native Americans Grave Repatriation Act - 25 U.S.C. Section 3001, et seq.
- i. Clean Air Act, P.L. 90-148, as amended.
- j. Coastal Zone Management Act, P.L. 93-205, as amended.
- k. Flood Disaster Protection Act of 1973 - Section 102(a) - 42 U.S.C. 4012a.¹
- l. Title 49, U.S.C., Section 303, (formerly known as Section 4(f))
- m. Rehabilitation Act of 1973 - 29 U.S.C. 794.
- n. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252) (prohibits discrimination on the basis of race, color, national origin);
- o. Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 et seq.), prohibits discrimination on the basis of disability).
- p. Age Discrimination Act of 1975 - 42 U.S.C. 6101, et seq.
- q. American Indian Religious Freedom Act, P.L. 95-341, as amended.
- r. Architectural Barriers Act of 1968 -42 U.S.C. 4151, et seq.¹
- s. Power plant and Industrial Fuel Use Act of 1978 - Section 403- 2 U.S.C. 8373.¹
- t. Contract Work Hours and Safety Standards Act - 40 U.S.C. 327, et seq.¹
- u. Copeland Anti-kickback Act - 18 U.S.C. 874.1
- v. National Environmental Policy Act of 1969 - 42 U.S.C. 4321, et seq.¹
- w. Wild and Scenic Rivers Act, P.L. 90-542, as amended.
- x. Single Audit Act of 1984 - 31 U.S.C. 7501, et seq.²
- y. Drug-Free Workplace Act of 1988 - 41 U.S.C. 702 through 706.

- z. The Federal Funding Accountability and Transparency Act of 2006, as amended (Pub. L. 109-282, as amended by section 6202 of Pub. L. 110-252).

Executive Orders

- a. Executive Order 11246 - Equal Employment Opportunity¹
- b. Executive Order 11990 - Protection of Wetlands
- c. Executive Order 11998 – Flood Plain Management
- d. Executive Order 12372 - Intergovernmental Review of Federal Programs
- e. Executive Order 12699 - Seismic Safety of Federal and Federally Assisted New Building Construction¹
- f. Executive Order 12898 - Environmental Justice

Federal Regulations

- a. 2 CFR Part 180 - OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement).
- b. 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. [OMB Circular A-87 Cost Principles Applicable to Grants and Contracts with State and Local Governments, and OMB Circular A-133 - Audits of States, Local Governments, and Non-Profit Organizations].^{4, 5, 6}
- c. 2 CFR Part 1200 – Nonprocurement Suspension and Debarment
- d. 14 CFR Part 13 - Investigative and Enforcement Procedures 14 CFR Part 16 - Rules of Practice For Federally Assisted Airport Enforcement Proceedings.
- e. 14 CFR Part 150 - Airport noise compatibility planning.
- f. 28 CFR Part 35- Discrimination on the Basis of Disability in State and Local Government Services.
- g. 28 CFR § 50.3 - U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964.
- h. 29 CFR Part 1 - Procedures for predetermination of wage rates.¹
- i. 29 CFR Part 3 - Contractors and subcontractors on public building or public work financed in whole or part by loans or grants from the United States.¹
- j. 29 CFR Part 5 - Labor standards provisions applicable to contracts covering federally financed and assisted construction (also labor standards provisions applicable to non-construction contracts subject to the Contract Work Hours and Safety Standards Act).¹
- k. 41 CFR Part 60 - Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor (Federal and federally assisted contracting requirements).¹
- l. 49 CFR Part 18 - Uniform administrative requirements for grants and cooperative agreements to state and local governments.³
- m. 49 CFR Part 20 - New restrictions on lobbying.
- n. 49 CFR Part 21 – Nondiscrimination in federally-assisted programs of the Department of Transportation - effectuation of Title VI of the Civil Rights Act of 1964.
- o. 49 CFR Part 23 - Participation by Disadvantage Business Enterprise in Airport Concessions.

- p. 49 CFR Part 24 – Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs.^{1 2}
- q. 49 CFR Part 26 – Participation by Disadvantaged Business Enterprises in Department of Transportation Programs.
- r. 49 CFR Part 27 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.¹
- s. 49 CFR Part 28 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities conducted by the Department of Transportation.
- t. 49 CFR Part 30 - Denial of public works contracts to suppliers of goods and services of countries that deny procurement market access to U.S. contractors.
- u. 49 CFR Part 32 – Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)
- v. 49 CFR Part 37 – Transportation Services for Individuals with Disabilities (ADA).
- w. 49 CFR Part 41 - Seismic safety of Federal and federally assisted or regulated new building construction.

Specific Assurances

Specific assurances required to be included in grant agreements by any of the above laws, regulations or circulars are incorporated by reference in this grant agreement.

Footnotes to Assurance C.1.

¹ These laws do not apply to airport planning sponsors.

² These laws do not apply to private sponsors.

³ 49 CFR Part 18 and 2 CFR Part 200 contain requirements for State and Local Governments receiving Federal assistance. Any requirement levied upon State and Local Governments by this regulation and circular shall also be applicable to private sponsors receiving Federal assistance under Title 49, United States Code.

⁴ On December 26, 2013 at 78 FR 78590, the Office of Management and Budget (OMB) issued the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards in 2 CFR Part 200. 2 CFR Part 200 replaces and combines the former Uniform Administrative Requirements for Grants (OMB Circular A-102 and Circular A-110 or 2 CFR Part 215 or Circular A-102) as well as the Cost Principles (Circulars A-21 or 2 CFR part 220; Circular A-87 or 2 CFR part 225; and A-122, 2 CFR part 230). Additionally it replaces Circular A-133 guidance on the Single Annual Audit. In accordance with 2 CFR section 200.110, the standards set forth in Part 200 which affect administration of Federal awards issued by Federal agencies become effective once implemented by Federal agencies or when any future amendment to this Part becomes final. Federal agencies, including the Department of Transportation, must implement the policies and procedures applicable to Federal awards by promulgating a regulation to be effective by December 26, 2014 unless different provisions are required by statute or approved by OMB.

⁵ Cost principles established in 2 CFR part 200 subpart E must be used as guidelines for determining the eligibility of specific types of expenses.

⁶ Audit requirements established in 2 CFR part 200 subpart F are the guidelines for audits.

2. Responsibility and Authority of the Sponsor.

a. Public Agency Sponsor:

It has legal authority to apply for this grant, and to finance and carry out the proposed project; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

b. Private Sponsor:

It has legal authority to apply for this grant and to finance and carry out the proposed project and comply with all terms, conditions, and assurances of this grant agreement. It shall designate an official representative and shall in writing direct and authorize that person to file this application, including all understandings and assurances contained therein; to act in connection with this application; and to provide such additional information as may be required.

3. Sponsor Fund Availability.

It has sufficient funds available for that portion of the project costs which are not to be paid by the United States. It has sufficient funds available to assure operation and maintenance of items funded under this grant agreement which it will own or control.

4. Good Title.

a. It, a public agency or the Federal government, holds good title, satisfactory to the Secretary, to the landing area of the airport or site thereof, or will give assurance satisfactory to the Secretary that good title will be acquired.

b. For noise compatibility program projects to be carried out on the property of the sponsor, it holds good title satisfactory to the Secretary to that portion of the property upon which Federal funds will be expended or will give assurance to the Secretary that good title will be obtained.

5. Preserving Rights and Powers.

a. It will not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions, and assurances in this grant agreement without the written approval of the Secretary, and will act promptly to acquire, extinguish or modify any outstanding rights or claims of right of others which would interfere with such performance by the sponsor. This shall be done in a manner acceptable to the Secretary.

- b. It will not sell, lease, encumber, or otherwise transfer or dispose of any part of its title or other interests in the property shown on Exhibit A to this application or, for a noise compatibility program project, that portion of the property upon which Federal funds have been expended, for the duration of the terms, conditions, and assurances in this grant agreement without approval by the Secretary. If the transferee is found by the Secretary to be eligible under Title 49, United States Code, to assume the obligations of this grant agreement and to have the power, authority, and financial resources to carry out all such obligations, the sponsor shall insert in the contract or document transferring or disposing of the sponsor's interest, and make binding upon the transferee all of the terms, conditions, and assurances contained in this grant agreement.
- c. For all noise compatibility program projects which are to be carried out by another unit of local government or are on property owned by a unit of local government other than the sponsor, it will enter into an agreement with that government. Except as otherwise specified by the Secretary, that agreement shall obligate that government to the same terms, conditions, and assurances that would be applicable to it if it applied directly to the FAA for a grant to undertake the noise compatibility program project. That agreement and changes thereto must be satisfactory to the Secretary. It will take steps to enforce this agreement against the local government if there is substantial non-compliance with the terms of the agreement.
- d. For noise compatibility program projects to be carried out on privately owned property, it will enter into an agreement with the owner of that property which includes provisions specified by the Secretary. It will take steps to enforce this agreement against the property owner whenever there is substantial non-compliance with the terms of the agreement.
- e. If the sponsor is a private sponsor, it will take steps satisfactory to the Secretary to ensure that the airport will continue to function as a public-use airport in accordance with these assurances for the duration of these assurances.
- f. If an arrangement is made for management and operation of the airport by any agency or person other than the sponsor or an employee of the sponsor, the sponsor will reserve sufficient rights and authority to insure that the airport will be operated and maintained in accordance Title 49, United States Code, the regulations and the terms, conditions and assurances in this grant agreement and shall insure that such arrangement also requires compliance therewith.
- g. Sponsors of commercial service airports will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on airport. Sponsors of general aviation airports entering into any arrangement that results in permission for the owner of residential real property adjacent to or near the airport must comply with the requirements of Sec. 136 of Public Law 112-95 and the sponsor assurances.

6. Consistency with Local Plans.

The project is reasonably consistent with plans (existing at the time of submission of this application) of public agencies that are authorized by the State in which the project is located to plan for the development of the area surrounding the airport.

7. Consideration of Local Interest.

It has given fair consideration to the interest of communities in or near where the project may be located.

8. Consultation with Users.

In making a decision to undertake any airport development project under Title 49, United States Code, it has undertaken reasonable consultations with affected parties using the airport at which project is proposed.

9. Public Hearings.

In projects involving the location of an airport, an airport runway, or a major runway extension, it has afforded the opportunity for public hearings for the purpose of considering the economic, social, and environmental effects of the airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the Secretary, submit a copy of the transcript of such hearings to the Secretary. Further, for such projects, it has on its management board either voting representation from the communities where the project is located or has advised the communities that they have the right to petition the Secretary concerning a proposed project.

10. Metropolitan Planning Organization.

In projects involving the location of an airport, an airport runway, or a major runway extension at a medium or large hub airport, the sponsor has made available to and has provided upon request to the metropolitan planning organization in the area in which the airport is located, if any, a copy of the proposed amendment to the airport layout plan to depict the project and a copy of any airport master plan in which the project is described or depicted.

11. Pavement Preventive Maintenance.

With respect to a project approved after January 1, 1995, for the replacement or reconstruction of pavement at the airport, it assures or certifies that it has implemented an effective airport pavement maintenance-management program and it assures that it will use such program for the useful life of any pavement constructed, reconstructed or repaired with Federal financial assistance at the airport. It will provide such reports on pavement condition and pavement management programs as the Secretary determines may be useful.

12. Terminal Development Prerequisites.

For projects which include terminal development at a public use airport, as defined in Title 49, it has, on the date of submittal of the project grant application, all the safety equipment required for certification of such airport under section 44706 of Title 49, United States Code, and all the security equipment required by rule or regulation, and

has provided for access to the passenger enplaning and deplaning area of such airport to passengers enplaning and deplaning from aircraft other than air carrier aircraft.

13. Accounting System, Audit, and Record Keeping Requirements.

- a. It shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of this grant, the total cost of the project in connection with which this grant is given or used, and the amount or nature of that portion of the cost of the project supplied by other sources, and such other financial records pertinent to the project. The accounts and records shall be kept in accordance with an accounting system that will facilitate an effective audit in accordance with the Single Audit Act of 1981.
- b. It shall make available to the Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, for the purpose of audit and examination, any books, documents, papers, and records of the recipient that are pertinent to this grant. The Secretary may require that an appropriate audit be conducted by a recipient. In any case in which an independent audit is made of the accounts of a sponsor relating to the disposition of the proceeds of a grant or relating to the project in connection with which this grant was given or used, it shall file a certified copy of such audit with the Comptroller General of the United States not later than six (6) months following the close of the fiscal year for which the audit was made.

14. Minimum Wage Rates.

It shall include, in all contracts in excess of \$2,000 for work on any projects funded under this grant agreement which involve labor, provisions establishing minimum rates of wages, to be predetermined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a-276a-5), which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work.

15. Veteran's Preference.

It shall include in all contracts for work on any project funded under this grant agreement which involve labor, such provisions as are necessary to insure that, in the employment of labor (except in executive, administrative, and supervisory positions), preference shall be given to Vietnam era veterans, Persian Gulf veterans, Afghanistan-Iraq war veterans, disabled veterans, and small business concerns owned and controlled by disabled veterans as defined in Section 47112 of Title 49, United States Code. However, this preference shall apply only where the individuals are available and qualified to perform the work to which the employment relates.

16. Conformity to Plans and Specifications.

It will execute the project subject to plans, specifications, and schedules approved by the Secretary. Such plans, specifications, and schedules shall be submitted to the Secretary prior to commencement of site preparation, construction, or other performance under this grant agreement, and, upon approval of the Secretary, shall be incorporated into this grant agreement. Any modification to the approved plans,

specifications, and schedules shall also be subject to approval of the Secretary, and incorporated into this grant agreement.

17. Construction Inspection and Approval.

It will provide and maintain competent technical supervision at the construction site throughout the project to assure that the work conforms to the plans, specifications, and schedules approved by the Secretary for the project. It shall subject the construction work on any project contained in an approved project application to inspection and approval by the Secretary and such work shall be in accordance with regulations and procedures prescribed by the Secretary. Such regulations and procedures shall require such cost and progress reporting by the sponsor or sponsors of such project as the Secretary shall deem necessary.

18. Planning Projects.

In carrying out planning projects:

- a. It will execute the project in accordance with the approved program narrative contained in the project application or with the modifications similarly approved.
- b. It will furnish the Secretary with such periodic reports as required pertaining to the planning project and planning work activities.
- c. It will include in all published material prepared in connection with the planning project a notice that the material was prepared under a grant provided by the United States.
- d. It will make such material available for examination by the public, and agrees that no material prepared with funds under this project shall be subject to copyright in the United States or any other country.
- e. It will give the Secretary unrestricted authority to publish, disclose, distribute, and otherwise use any of the material prepared in connection with this grant.
- f. It will grant the Secretary the right to disapprove the sponsor's employment of specific consultants and their subcontractors to do all or any part of this project as well as the right to disapprove the proposed scope and cost of professional services.
- g. It will grant the Secretary the right to disapprove the use of the sponsor's employees to do all or any part of the project.
- h. It understands and agrees that the Secretary's approval of this project grant or the Secretary's approval of any planning material developed as part of this grant does not constitute or imply any assurance or commitment on the part of the Secretary to approve any pending or future application for a Federal airport grant.

19. Operation and Maintenance.

- a. The airport and all facilities which are necessary to serve the aeronautical users of the airport, other than facilities owned or controlled by the United States, shall be operated at all times in a safe and serviceable condition and in accordance with the minimum standards as may be required or prescribed by applicable Federal,

state and local agencies for maintenance and operation. It will not cause or permit any activity or action thereon which would interfere with its use for airport purposes. It will suitably operate and maintain the airport and all facilities thereon or connected therewith, with due regard to climatic and flood conditions. Any proposal to temporarily close the airport for non-aeronautical purposes must first be approved by the Secretary. In furtherance of this assurance, the sponsor will have in effect arrangements for-

- 1) Operating the airport's aeronautical facilities whenever required;
 - 2) Promptly marking and lighting hazards resulting from airport conditions, including temporary conditions; and
 - 3) Promptly notifying airmen of any condition affecting aeronautical use of the airport. Nothing contained herein shall be construed to require that the airport be operated for aeronautical use during temporary periods when snow, flood or other climatic conditions interfere with such operation and maintenance. Further, nothing herein shall be construed as requiring the maintenance, repair, restoration, or replacement of any structure or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the sponsor.
- b. It will suitably operate and maintain noise compatibility program items that it owns or controls upon which Federal funds have been expended.

20. Hazard Removal and Mitigation.

It will take appropriate action to assure that such terminal airspace as is required to protect instrument and visual operations to the airport (including established minimum flight altitudes) will be adequately cleared and protected by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

21. Compatible Land Use.

It will take appropriate action, to the extent reasonable, including the adoption of zoning laws, to restrict the use of land adjacent to or in the immediate vicinity of the airport to activities and purposes compatible with normal airport operations, including landing and takeoff of aircraft. In addition, if the project is for noise compatibility program implementation, it will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the airport, of the noise compatibility program measures upon which Federal funds have been expended.

22. Economic Nondiscrimination.

- a. It will make the airport available as an airport for public use on reasonable terms and without unjust discrimination to all types, kinds and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the airport.
- b. In any agreement, contract, lease, or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or

to engage in any aeronautical activity for furnishing services to the public at the airport, the sponsor will insert and enforce provisions requiring the contractor to-

- 1) furnish said services on a reasonable, and not unjustly discriminatory, basis to all users thereof, and
 - 2) charge reasonable, and not unjustly discriminatory, prices for each unit or service, provided that the contractor may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
- c. Each fixed-based operator at the airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed-based operators making the same or similar uses of such airport and utilizing the same or similar facilities.
 - d. Each air carrier using such airport shall have the right to service itself or to use any fixed-based operator that is authorized or permitted by the airport to serve any air carrier at such airport.
 - e. Each air carrier using such airport (whether as a tenant, non-tenant, or subtenant of another air carrier tenant) shall be subject to such nondiscriminatory and substantially comparable rules, regulations, conditions, rates, fees, rentals, and other charges with respect to facilities directly and substantially related to providing air transportation as are applicable to all such air carriers which make similar use of such airport and utilize similar facilities, subject to reasonable classifications such as tenants or non-tenants and signatory carriers and non-signatory carriers. Classification or status as tenant or signatory shall not be unreasonably withheld by any airport provided an air carrier assumes obligations substantially similar to those already imposed on air carriers in such classification or status.
 - f. It will not exercise or grant any right or privilege which operates to prevent any person, firm, or corporation operating aircraft on the airport from performing any services on its own aircraft with its own employees [including, but not limited to maintenance, repair, and fueling] that it may choose to perform.
 - g. In the event the sponsor itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by commercial aeronautical service providers authorized by the sponsor under these provisions.
 - h. The sponsor may establish such reasonable, and not unjustly discriminatory, conditions to be met by all users of the airport as may be necessary for the safe and efficient operation of the airport.
 - i. The sponsor may prohibit or limit any given type, kind or class of aeronautical use of the airport if such action is necessary for the safe operation of the airport or necessary to serve the civil aviation needs of the public.

23. Exclusive Rights.

It will permit no exclusive right for the use of the airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, the providing of the services at an airport by a single fixed-based operator shall not be construed as an exclusive right if both of the following apply:

- a. It would be unreasonably costly, burdensome, or impractical for more than one fixed-based operator to provide such services, and
- b. If allowing more than one fixed-based operator to provide such services would require the reduction of space leased pursuant to an existing agreement between such single fixed-based operator and such airport. It further agrees that it will not, either directly or indirectly, grant or permit any person, firm, or corporation, the exclusive right at the airport to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity, and that it will terminate any exclusive right to conduct an aeronautical activity now existing at such an airport before the grant of any assistance under Title 49, United States Code.

24. Fee and Rental Structure.

It will maintain a fee and rental structure for the facilities and services at the airport which will make the airport as self-sustaining as possible under the circumstances existing at the particular airport, taking into account such factors as the volume of traffic and economy of collection. No part of the Federal share of an airport development, airport planning or noise compatibility project for which a grant is made under Title 49, United States Code, the Airport and Airway Improvement Act of 1982, the Federal Airport Act or the Airport and Airway Development Act of 1970 shall be included in the rate basis in establishing fees, rates, and charges for users of that airport.

25. Airport Revenues.

- a. All revenues generated by the airport and any local taxes on aviation fuel established after December 30, 1987, will be expended by it for the capital or operating costs of the airport; the local airport system; or other local facilities which are owned or operated by the owner or operator of the airport and which are directly and substantially related to the actual air transportation of passengers or property; or for noise mitigation purposes on or off the airport. The following exceptions apply to this paragraph:
 - 1) If covenants or assurances in debt obligations issued before September 3, 1982, by the owner or operator of the airport, or provisions enacted before September 3, 1982, in governing statutes controlling the owner or operator's financing, provide for the use of the revenues from any of the airport owner or

operator's facilities, including the airport, to support not only the airport but also the airport owner or operator's general debt obligations or other facilities, then this limitation on the use of all revenues generated by the airport (and, in the case of a public airport, local taxes on aviation fuel) shall not apply.

- 2) If the Secretary approves the sale of a privately owned airport to a public sponsor and provides funding for any portion of the public sponsor's acquisition of land, this limitation on the use of all revenues generated by the sale shall not apply to certain proceeds from the sale. This is conditioned on repayment to the Secretary by the private owner of an amount equal to the remaining unamortized portion (amortized over a 20-year period) of any airport improvement grant made to the private owner for any purpose other than land acquisition on or after October 1, 1996, plus an amount equal to the federal share of the current fair market value of any land acquired with an airport improvement grant made to that airport on or after October 1, 1996.
 - 3) Certain revenue derived from or generated by mineral extraction, production, lease, or other means at a general aviation airport (as defined at Section 47102 of title 49 United States Code), if the FAA determines the airport sponsor meets the requirements set forth in Sec. 813 of Public Law 112-95.
- b. As part of the annual audit required under the Single Audit Act of 1984, the sponsor will direct that the audit will review, and the resulting audit report will provide an opinion concerning, the use of airport revenue and taxes in paragraph (a), and indicating whether funds paid or transferred to the owner or operator are paid or transferred in a manner consistent with Title 49, United States Code and any other applicable provision of law, including any regulation promulgated by the Secretary or Administrator.
 - c. Any civil penalties or other sanctions will be imposed for violation of this assurance in accordance with the provisions of Section 47107 of Title 49, United States Code.

26. Reports and Inspections.

It will:

- a. submit to the Secretary such annual or special financial and operations reports as the Secretary may reasonably request and make such reports available to the public; make available to the public at reasonable times and places a report of the airport budget in a format prescribed by the Secretary;
- b. for airport development projects, make the airport and all airport records and documents affecting the airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request;
- c. for noise compatibility program projects, make records and documents relating to the project and continued compliance with the terms, conditions, and assurances of this grant agreement including deeds, leases, agreements, regulations, and other instruments, available for inspection by any duly authorized agent of the Secretary upon reasonable request; and

- d. in a format and time prescribed by the Secretary, provide to the Secretary and make available to the public following each of its fiscal years, an annual report listing in detail:
 - 1) all amounts paid by the airport to any other unit of government and the purposes for which each such payment was made; and
 - 2) all services and property provided by the airport to other units of government and the amount of compensation received for provision of each such service and property.

27. Use by Government Aircraft.

It will make available all of the facilities of the airport developed with Federal financial assistance and all those usable for landing and takeoff of aircraft to the United States for use by Government aircraft in common with other aircraft at all times without charge, except, if the use by Government aircraft is substantial, charge may be made for a reasonable share, proportional to such use, for the cost of operating and maintaining the facilities used. Unless otherwise determined by the Secretary, or otherwise agreed to by the sponsor and the using agency, substantial use of an airport by Government aircraft will be considered to exist when operations of such aircraft are in excess of those which, in the opinion of the Secretary, would unduly interfere with use of the landing areas by other authorized aircraft, or during any calendar month that –

- a. Five (5) or more Government aircraft are regularly based at the airport or on land adjacent thereto; or
- b. The total number of movements (counting each landing as a movement) of Government aircraft is 300 or more, or the gross accumulative weight of Government aircraft using the airport (the total movement of Government aircraft multiplied by gross weights of such aircraft) is in excess of five million pounds.

28. Land for Federal Facilities.

It will furnish without cost to the Federal Government for use in connection with any air traffic control or air navigation activities, or weather-reporting and communication activities related to air traffic control, any areas of land or water, or estate therein, or rights in buildings of the sponsor as the Secretary considers necessary or desirable for construction, operation, and maintenance at Federal expense of space or facilities for such purposes. Such areas or any portion thereof will be made available as provided herein within four months after receipt of a written request from the Secretary.

29. Airport Layout Plan.

- a. It will keep up to date at all times an airport layout plan of the airport showing
 - 1) boundaries of the airport and all proposed additions thereto, together with the boundaries of all offsite areas owned or controlled by the sponsor for airport purposes and proposed additions thereto;
 - 2) the location and nature of all existing and proposed airport facilities and structures (such as runways, taxiways, aprons, terminal buildings, hangars and

roads), including all proposed extensions and reductions of existing airport facilities;

- 3) the location of all existing and proposed nonaviation areas and of all existing improvements thereon; and
 - 4) all proposed and existing access points used to taxi aircraft across the airport's property boundary. Such airport layout plans and each amendment, revision, or modification thereof, shall be subject to the approval of the Secretary which approval shall be evidenced by the signature of a duly authorized representative of the Secretary on the face of the airport layout plan. The sponsor will not make or permit any changes or alterations in the airport or any of its facilities which are not in conformity with the airport layout plan as approved by the Secretary and which might, in the opinion of the Secretary, adversely affect the safety, utility or efficiency of the airport.
- b. If a change or alteration in the airport or the facilities is made which the Secretary determines adversely affects the safety, utility, or efficiency of any federally owned, leased, or funded property on or off the airport and which is not in conformity with the airport layout plan as approved by the Secretary, the owner or operator will, if requested, by the Secretary (1) eliminate such adverse effect in a manner approved by the Secretary; or (2) bear all costs of relocating such property (or replacement thereof) to a site acceptable to the Secretary and all costs of restoring such property (or replacement thereof) to the level of safety, utility, efficiency, and cost of operation existing before the unapproved change in the airport or its facilities except in the case of a relocation or replacement of an existing airport facility due to a change in the Secretary's design standards beyond the control of the airport sponsor.

30. Civil Rights.

It will promptly take any measures necessary to ensure that no person in the United States shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any activity conducted with, or benefiting from, funds received from this grant.

- a. Using the definitions of activity, facility and program as found and defined in §§ 21.23 (b) and 21.23 (e) of 49 CFR § 21, the sponsor will facilitate all programs, operate all facilities, or conduct all programs in compliance with all non-discrimination requirements imposed by, or pursuant to these assurances.
- b. Applicability
 - 1) Programs and Activities. If the sponsor has received a grant (or other federal assistance) for any of the sponsor's program or activities, these requirements extend to all of the sponsor's programs and activities.
 - 2) Facilities. Where it receives a grant or other federal financial assistance to construct, expand, renovate, remodel, alter or acquire a facility, or part of a facility, the assurance extends to the entire facility and facilities operated in connection therewith.

- 3) Real Property. Where the sponsor receives a grant or other Federal financial assistance in the form of, or for the acquisition of real property or an interest in real property, the assurance will extend to rights to space on, over, or under such property.

c. Duration.

The sponsor agrees that it is obligated to this assurance for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the assurance obligates the sponsor, or any transferee for the longer of the following periods:

- 1) So long as the airport is used as an airport, or for another purpose involving the provision of similar services or benefits; or
- 2) So long as the sponsor retains ownership or possession of the property.

d. Required Solicitation Language. It will include the following notification in all solicitations for bids, Requests For Proposals for work, or material under this grant agreement and in all proposals for agreements, including airport concessions, regardless of funding source:

“**The (Name of Sponsor)**, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises and airport concession disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”

e. Required Contract Provisions.

- 1) It will insert the non-discrimination contract clauses requiring compliance with the acts and regulations relative to non-discrimination in Federally-assisted programs of the DOT, and incorporating the acts and regulations into the contracts by reference in every contract or agreement subject to the non-discrimination in Federally-assisted programs of the DOT acts and regulations.
- 2) It will include a list of the pertinent non-discrimination authorities in every contract that is subject to the non-discrimination acts and regulations.
- 3) It will insert non-discrimination contract clauses as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a sponsor.
- 4) It will insert non-discrimination contract clauses prohibiting discrimination on the basis of race, color, national origin, creed, sex, age, or handicap as a

covenant running with the land, in any future deeds, leases, license, permits, or similar instruments entered into by the sponsor with other parties:

- a) For the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b) For the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
- f. It will provide for such methods of administration for the program as are found by the Secretary to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the acts, the regulations, and this assurance.
- g. It agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the acts, the regulations, and this assurance.

31. Disposal of Land.

- a. For land purchased under a grant for airport noise compatibility purposes, including land serving as a noise buffer, it will dispose of the land, when the land is no longer needed for such purposes, at fair market value, at the earliest practicable time. That portion of the proceeds of such disposition which is proportionate to the United States' share of acquisition of such land will be, at the discretion of the Secretary, (1) reinvested in another project at the airport, or (2) transferred to another eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order, (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund. If land acquired under a grant for noise compatibility purposes is leased at fair market value and consistent with noise buffering purposes, the lease will not be considered a disposal of the land. Revenues derived from such a lease may be used for an approved airport development project that would otherwise be eligible for grant funding or any permitted use of airport revenue.
- b. For land purchased under a grant for airport development purposes (other than noise compatibility), it will, when the land is no longer needed for airport purposes, dispose of such land at fair market value or make available to the Secretary an amount equal to the United States' proportionate share of the fair market value of the land. That portion of the proceeds of such disposition which is proportionate to the United States' share of the cost of acquisition of such land will, (1) upon application to the Secretary, be reinvested or transferred to another

eligible airport as prescribed by the Secretary. The Secretary shall give preference to the following, in descending order: (1) reinvestment in an approved noise compatibility project, (2) reinvestment in an approved project that is eligible for grant funding under Section 47117(e) of title 49 United States Code, (3) reinvestment in an approved airport development project that is eligible for grant funding under Sections 47114, 47115, or 47117 of title 49 United States Code, (4) transferred to an eligible sponsor of another public airport to be reinvested in an approved noise compatibility project at that airport, and (5) paid to the Secretary for deposit in the Airport and Airway Trust Fund.

- c. Land shall be considered to be needed for airport purposes under this assurance if (1) it may be needed for aeronautical purposes (including runway protection zones) or serve as noise buffer land, and (2) the revenue from interim uses of such land contributes to the financial self-sufficiency of the airport. Further, land purchased with a grant received by an airport operator or owner before December 31, 1987, will be considered to be needed for airport purposes if the Secretary or Federal agency making such grant before December 31, 1987, was notified by the operator or owner of the uses of such land, did not object to such use, and the land continues to be used for that purpose, such use having commenced no later than December 15, 1989.
- d. Disposition of such land under (a) (b) or (c) will be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the airport.

32. Engineering and Design Services.

It will award each contract, or sub-contract for program management, construction management, planning studies, feasibility studies, architectural services, preliminary engineering, design, engineering, surveying, mapping or related services with respect to the project in the same manner as a contract for architectural and engineering services is negotiated under Title IX of the Federal Property and Administrative Services Act of 1949 or an equivalent qualifications-based requirement prescribed for or by the sponsor of the airport.

33. Foreign Market Restrictions.

It will not allow funds provided under this grant to be used to fund any project which uses any product or service of a foreign country during the period in which such foreign country is listed by the United States Trade Representative as denying fair and equitable market opportunities for products and suppliers of the United States in procurement and construction.

34. Policies, Standards, and Specifications.

It will carry out the project in accordance with policies, standards, and specifications approved by the Secretary including but not limited to the advisory circulars listed in the Current FAA Advisory Circulars for AIP projects, dated _____ (the latest approved version as of this grant offer) and included in this grant, and in accordance

with applicable state policies, standards, and specifications approved by the Secretary.

35. Relocation and Real Property Acquisition.

- a. It will be guided in acquiring real property, to the greatest extent practicable under State law, by the land acquisition policies in Subpart B of 49 CFR Part 24 and will pay or reimburse property owners for necessary expenses as specified in Subpart B.
- b. It will provide a relocation assistance program offering the services described in Subpart C and fair and reasonable relocation payments and assistance to displaced persons as required in Subpart D and E of 49 CFR Part 24.
- c. It will make available within a reasonable period of time prior to displacement, comparable replacement dwellings to displaced persons in accordance with Subpart E of 49 CFR Part 24.

36. Access By Intercity Buses.

The airport owner or operator will permit, to the maximum extent practicable, intercity buses or other modes of transportation to have access to the airport; however, it has no obligation to fund special facilities for intercity buses or for other modes of transportation.

37. Disadvantaged Business Enterprises.

The sponsor shall not discriminate on the basis of race, color, national origin or sex in the award and performance of any DOT-assisted contract covered by 49 CFR Part 26, or in the award and performance of any concession activity contract covered by 49 CFR Part 23. In addition, the sponsor shall not discriminate on the basis of race, color, national origin or sex in the administration of its DBE and ACDBE programs or the requirements of 49 CFR Parts 23 and 26. The sponsor shall take all necessary and reasonable steps under 49 CFR Parts 23 and 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts, and/or concession contracts. The sponsor's DBE and ACDBE programs, as required by 49 CFR Parts 26 and 23, and as approved by DOT, are incorporated by reference in this agreement. Implementation of these programs is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the sponsor of its failure to carry out its approved program, the Department may impose sanctions as provided for under Parts 26 and 23 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1936 (31 U.S.C. 3801).

38. Hangar Construction.

If the airport owner or operator and a person who owns an aircraft agree that a hangar is to be constructed at the airport for the aircraft at the aircraft owner's expense, the airport owner or operator will grant to the aircraft owner for the hangar a long term lease that is subject to such terms and conditions on the hangar as the airport owner or operator may impose.

39. Competitive Access.

- a. If the airport owner or operator of a medium or large hub airport (as defined in section 47102 of title 49, U.S.C.) has been unable to accommodate one or more requests by an air carrier for access to gates or other facilities at that airport in order to allow the air carrier to provide service to the airport or to expand service at the airport, the airport owner or operator shall transmit a report to the Secretary that-
 - 1) Describes the requests;
 - 2) Provides an explanation as to why the requests could not be accommodated;
and
 - 3) Provides a time frame within which, if any, the airport will be able to accommodate the requests.
- b. Such report shall be due on either February 1 or August 1 of each year if the airport has been unable to accommodate the request(s) in the six month period prior to the applicable due date.

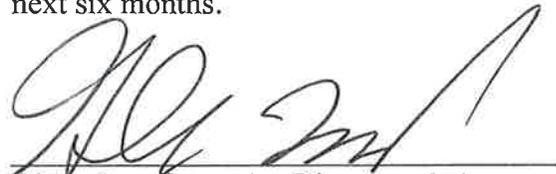
**REPORT OF
INVESTMENTS**

AUGUST 2014

**CITY OF OROVILLE/OROVILLE SUCCESSOR AGENCY
OROVILLE PUBLIC FINANCING AUTHORITY
MONTHLY SUMMARY OF INVESTMENTS
August 2014**

CERTIFICATION:

I certify that the information provided above is correct to the best of my knowledge and that (1) all investments are made in accordance with the investment policy and the laws of the State of California and (2) that sufficient funds are available to meet the anticipated expenditures for the next six months.



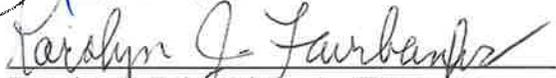
Glenn Lazof, Interim Director of Finance

Sept 9, 2014
Date



Randolph Murphy, City Administrator

9/9/14
Date

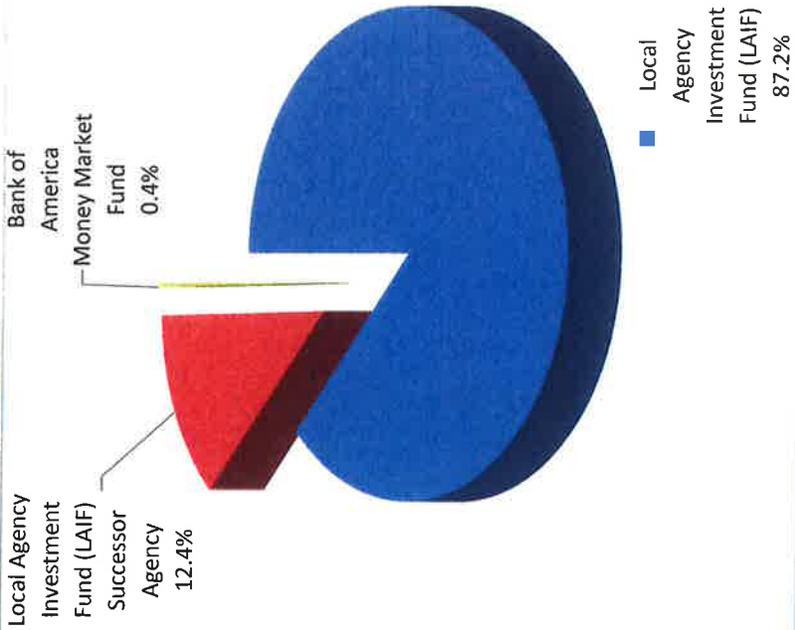


Karolyn J. Fairbanks, City Treasurer

9/10/14
Date

City of Oroville
Investment Portfolio Report
 8/31/2014

Summary of Investments			
	Yield	Jul-14	Aug-14
Local Agency Investment Fund (LAIF)	0.244%	18,368,343	18,368,343
Local Agency Investment Fund (LAIF) Successor Agency	0.244%	2,614,843	2,614,843
Bank of America Money Market Fund	0.03%	79,364	79,368
Total Pooled Investments		21,062,550	21,062,554



City Investment Portfolio - Investments held in Trust			
	Yield to Maturity	Market Value	
2002 Tax Allocation Revenue Bonds Blackrock Provident Institutional Funds Union Bank	0.01%	1,438,571	
2004 Series A Tax Allocation Revenue Bonds Bayerische Landesbank Blackrock Provident T Fund	4.40% 0.01%	425,406 9,411	
2004 Series B Tax Allocation Revenue Bonds Bayerische Landesbank Blackrock Provident T Fund	4.40% 0.01%	75,973 1,681	
Total		1,951,041	

Distribution of Pooled Investments			
	% Split	Fair Value	
Local Agency Investment Fund (LAIF)	87.2%	18,368,343	
Local Agency Investment Fund (LAIF) Successor Agency	12.4%	2,614,843	
Bank of America Money Market Fund	0.4%	79,368	
Total Pooled Investments	100%	21,062,554	

**MONTHLY FINANCIAL
REPORT**

AUGUST 2014

**REPORT OF
BUDGETED APPROPRIATIONS
V.S.
ACTUAL EXPENDITURES**

AUGUST 2014



CITY OF OROVILLE, CALIFORNIA
FINANCIAL SUMMARY
FOR THE PERIOD ENDED
August 31, 2014

	REVENUES					EXPENDITURES				
	Actual Current Month August 2014	Actual July through June 2015	Budget Total Year 2014-2015	Remaining Budget	% of year Remaining 83%	Actual Current Month August 2014	Actual July through June 2015	Budget Total Year 2014-2015	Remaining Budget	% of year Remaining 83%
CITY DEPARTMENTS										
GENERAL FUND										
City Council	-	-	-	-	-	8,822	15,454	87,100	71,646	82%
Mayor	-	-	-	-	-	3,144	5,265	32,600	27,335	84%
City Attorney	-	-	-	-	-	9,843	9,745	317,000	307,255	97%
City Clerk	-	-	50	50	100%	13,406	24,498	194,700	170,202	87%
Human Resources	-	-	550	550	100%	8,842	18,092	156,100	138,008	88%
City Admin.	-	-	-	-	-	15,882	27,912	245,500	217,589	89%
Economic Develop./Comm. Enh.	-	-	25,067	25,067	100%	2,954	5,599	25,067	19,468	78%
Information Technology	-	-	10,900	10,900	100%	15,870	34,165	251,300	217,135	86%
Finance	1,910	3,622	105,532	101,910	97%	36,033	134,209	684,999	550,790	80%
Post Employment Costs	379	1,379	117,300	115,921	99%	3,338	6,675	117,300	110,625	94%
City Treasurer	-	-	-	-	-	2,376	4,622	24,600	19,978	81%
Planning	982	5,980	46,200	40,220	87%	21,064	41,413	272,328	230,915	85%
City Hall	3,046	3,571	-	(3,571)	-	7,386	14,263	96,501	82,238	85%
Arlene Rhyme	234	234	160	(74)	-	836	1,090	7,400	6,310	85%
Fire Department	1,587	3,722	232,620	228,898	98%	152,298	289,355	2,411,000	2,121,645	88%
Police Department	10,826	51,108	1,367,031	1,315,923	96%	379,513	960,888	5,197,580	4,236,692	82%
Building/Code Enforcement	24,526	50,615	228,000	177,385	78%	23,936	42,479	301,000	258,521	86%
Public Works Admin.	1,217	2,200	63,800	61,600	97%	7,322	21,881	235,300	213,419	91%
Streets/Storm	483	3,983	478,042	474,059	99%	112,360	148,394	729,000	580,606	80%
Parks & Trees	3,495	7,717	64,350	56,633	88%	49,879	92,206	670,500	578,294	86%
Pioneer Museum	134	237	1,700	1,464	86%	65	566	4,500	3,934	87%
Bolt's Museum	366	716	3,000	2,285	76%	1,565	2,107	10,600	8,493	80%
Chinese Temple	365	365	-	(365)	-	620	620	-	(620)	-
Lott Home	22	22	-	(22)	-	903	903	-	(903)	-
Liability/Property Insurance	522,596	526,040	9,809,710	9,283,670	95%	-	254,666	291,100	36,434	13%
Non Departmental*						807	40,157	50,000	9,843	20%
Totals	572,165	661,508	12,554,012	11,892,504	95%	879,062	2,197,225	12,413,075	10,215,850	82%

* Revenues include Property Tax, Utility Users, Transient Occupancy, Motor Vehicle, and Proceeds of Property Sales. Expenditures include fees for credit card services and charges for Butte County Services.

CITY OF OROVILLE

EXPENSE REPORT ALL BUDGETED FUNDS AUGUST 2014

FUND Description	Actual Current Month	Year To Period Actual	Budget Total Year	Remaining Budget	Rem%
001 General Fund	879,062	2,197,225	12,413,075	10,215,850	82%
100 Comm. Promotion	0	0	17,000	17,000	100%
101 Sewer Fund	54,288	448,480	3,039,121	2,590,641	85%
104 SWRCON/FEE FUND	0	0	100	100	100%
105 Drainage Fees	0	0	100	100	100%
106 Park Dev Fees	0	0	3,500	3,500	100%
107 NOTTIF	0	0	2,000	2,000	100%
108 Traffic Impact	0	0	25,500	25,500	100%
109 DRAINAGE/CTYWDE	0	0	5,600	5,600	100%
112 GAXTX RSTP FUND	3,230	3,230	415,000	411,770	99%
113 CANINE FUND	0	0	8,500	8,500	100%
116 TECH FEE FUND	206	6,706	37,200	30,494	82%
119 RECYCLING FUND	1,787	2,365	29,880	27,515	92%
120 GTx 2107/2107.5	0	0	113,300	113,300	100%
125 GTx 2106 Fund	0	0	76,173	76,173	100%
127 Gas Tax 2105	0	0	242,330	242,330	100%
130 Spec. Aviation	7,453	55,142	426,944	371,802	87%
140 Housing Admin	29,345	104,246	372,000	267,754	72%
141 HSG PRG FUND	6,175	40,349	75,000	34,651	46%
149 HOME FUND	33,156	106,063	119,938	13,875	12%
150 CDBG Fund	125,639	248,760	323,394	74,634	23%
151 EDBG FUND	0	0	392,500	392,500	100%
156 Pub Sfty Aug	0	0	135,000	135,000	100%
157 SUPPLAWENFORCMT	0	0	90,531	90,531	100%
158 L.L.E.BLOCK GRT	584	651	257,550	256,899	100%
161 O/MISC GRANTS	0	150	0	-150	
166 GRANT-FIRE FUND	34,304	54,829	711,802	656,973	92%
180 OPFA	0	0	1,400,475	1,400,475	100%
184 LLMD ALL ZONES	3,578	5,550	33,267	27,717	83%
185 BAD ALL ZONES	56	1,256	2,140	884	41%
186 WESTSIDE PUB/S/F	0	0	900	900	100%
187 PUB/SAFETY SERV	0	0	840	840	100%
190 SUPPBENEFITFUND	3,515	32,934	200,150	167,216	84%
198 RDA General	2,236	2,149	2,181,328	2,179,179	100%
230 CITY DEBT SERV	0	676,150	723,833	47,683	7%
276 OAD93-1 Dbt Ser	0	0	4,532	4,532	100%
280 OPFA 92 Redmptn	0	0	1,914,574	1,914,574	100%
305 Equip Replcmnt	0	0	332,712	332,712	100%
306 New Capital Equip	0	0	28,641	28,641	100%
307 CAPITAL PROJ	0	0	327,761	327,761	100%
410 Local Transit	1,010	146,815	548,713	401,898	73%
440 BUSINESS DEVCTR	6,801	8,263	26,053	17,790	68%
450 CTY/HOUSG EDRLF	1,375	84,600	153,000	68,400	45%
451 CDBG EcoDev RLF	0	0	15,500	15,500	100%
453 MICRO-ENP RLF	106,817	281,166	0	-281,166	
454 CAL-HOME RLF	0	33,863	0	-33,863	
460 City RLF	0	0	10,000	10,000	100%
520 Stores Revolv.	248	496	45,300	44,804	99%
540 Veh Maint Fund	18,441	36,487	476,333	439,846	92%
550 Wrkrs Comp.	1,311	72,868	601,298	528,430	88%
552 UNEMP-SELF INS	947	1,924	77,808	75,884	98%
555 SELF INS VISION	1,620	2,272	57,000	54,728	96%
705 PLAN RET FUND	0	0	10	10	100%
710 ANNEXATION FUND	0	0	37,000	37,000	100%
Total of all FUNDS	1,323,186	4,654,986	28,532,206	23,877,220	84%

**REPORT OF
CASH RECEIPTS
AND
REVENUES**

AUGUST 2014

CITY OF OROVILLE

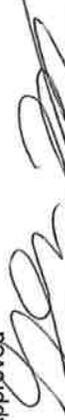
REVENUE REPORT ALL BUDGETED FUNDS AUGUST 2014

FUND Description	Actual Current Month	Year To Period Actual	Budget Total Year	Remaining Budget	Rem%
001 General Fund	572,165	661,508	12,554,012	11,892,504	95%
100 Comm. Promotion	0	0	6,200	6,200	100%
101 Sewer Fund	330,389	330,389	2,489,577	2,159,188	87%
104 SWRCON/FEE FUND	44,718	46,843	40,500	-6,343	-16%
105 Drainage Fees	0	0	2,470	2,470	100%
106 Park Dev Fees	33,824	34,685	16,620	-18,065	-109%
107 NOTTIF	0	0	200	200	100%
108 Traffic Impact	0	1,579	108,610	107,031	99%
109 DRAINAGE/CTYWDE	60,442	61,934	29,440	-32,494	-110%
111 LOCAL TRANSP	0	0	50	50	100%
112 GAXTX RSTP FUND	0	0	125,618	125,618	100%
113 CANINE FUND	0	60	8,800	8,740	99%
116 TECH FEE FUND	1,650	3,743	35,030	31,287	89%
118 SB1186 C/FUND	30	53	0	-53	
119 RECYCLING FUND	0	5,000	17,400	12,400	71%
120 GTx 2107/2107.5	0	0	96,100	96,100	100%
125 GTx 2106 Fund	0	0	64,210	64,210	100%
127 Gas Tax 2105	0	0	242,330	242,330	100%
130 Spec. Aviation	35,115	91,510	439,200	347,690	79%
140 Housing Admin	29,529	37,689	363,070	325,381	90%
141 HSG PRG FUND	1,776	4,841	68,790	63,949	93%
149 HOME FUND	66,137	141,688	76,938	-64,750	-84%
150 CDBG Fund	250,000	250,000	115,334	-134,666	-117%
151 EDBG FUND	0	0	279,922	279,922	100%
155 Asset Seizure	508	508	40	-468	
156 Pub Sfty Aug	0	0	92,000	92,000	100%
157 SUPPLAWENFORCMT	0	6,089	80,330	74,241	92%
158 L.L.E.BLOCK GRT	0	0	32,050	32,050	100%
159 LAW ENF.IMP.FEE	3,440	3,478	2,830	-648	-23%
160 MISC FUND	102,590	105,825	0	-105,825	
163 FIRE SUP IMPFEE	1,738	1,787	900	-887	-99%
166 GRANT-FIRE FUND	0	0	711,802	711,802	100%
168 PEG FEE FUND	5,813	5,813	0	-5,813	
169 GEN GOVT DEVIMP	3,979	4,056	2,789	-1,267	-45%
180 OPFA	0	0	1,400,475	1,400,475	100%
184 LLMD ALL ZONES	0	0	33,146	33,146	100%
185 BAD ALL ZONES	0	0	1,120	1,120	100%
186 WESTSIDE PUB/S/F	0	0	34,940	34,940	100%
187 PUB/SAFETY SERV	0	0	35,200	35,200	100%
190 SUPPBENEFITFUND	0	20,645	200,150	179,505	90%
198 RDA General	0	0	2,181,328	2,181,328	100%
210 '74 Swr Bonds	0	0	331	331	100%
230 CITY DEBT SERV	50,756	101,788	743,833	642,045	86%
276 OAD93 Debt Service	0	0	1,914,574	1,914,574	100%
280 OPFA 92 Redmptn	0	0	11,024	11,024	100%
305 Equip Replcmnt	0	0	1,140	1,140	100%
306 New Capital Eqp	853	29,980	508,888	478,908	94%
307 CAPITAL PROJ	217	217	72,500	72,283	100%
395 2004 CONST.BOND	0	0	153,420	153,420	100%
396 BOND FUND 2001	0	0	15,500	15,500	100%
410 Local Transit	0	0	365,500	365,500	100%
440 BUSINESS DEVCTR	0	0	416	416	100%
450 CTY/HOUG EDRLF	0	0	6,663	6,663	100%
451 CDBG EcoDev RLF	0	1,783	170	-1,613	
453 MICRO-ENP RLF	0	0	9,101	9,101	100%
454 CAL-HOME RLF	2,166	4,993	38,000	33,007	87%
455 HOME Hsg RLF	38,470	76,474	551,900	475,426	86%
460 City RLF	25,422	49,598	330,000	280,402	85%
498 RDA RLF	2,525	5,000	31,340	26,340	84%
520 Stores Revolv.	3,308	6,589	44,000	37,411	85%
540 Veh Maint Fund	450	990	1,881	891	47%
550 Wrkrs Comp.	0	0	40	40	100%
Total of all FUNDS	1,668,009	2,097,134	26,789,742	24,692,608	92%

General Fund 001	OBJT	Description	Dept #	Current	Adj	Revision
City Council	5930	Health Insurance	1000	\$ 59,817	\$3,316	\$ 63,133
	6999	Operating Expense		\$ 21,520	(\$3,317)	\$ 18,203
Mayor	5930	Health Insurance	1100	\$ 19,365	\$1,327	\$ 20,692
	6999	Operating Expense		\$ 5,473	\$2,296	\$ 7,769
City Administrator	5999	Personnel Expense	1400	\$ 263,590	(\$3,700)	\$ 259,890
	6999	Operating Expense		\$ 18,339	\$78	\$ 18,417
Finance	6999	Personnel Expense	1500	\$ 146,453	(\$388)	\$ 146,065
Treasurer	5930	Health Insurance	1550	\$ 23,954	\$1,297	\$ 25,251
	6999	Operating		\$ 2,676	(\$909)	\$ 1,767
Fire	6999	Operating	2000	\$ 148,113	(\$375)	\$ 147,738
	8430	Comm. Eq		\$ 894	\$375	\$ 1,269
Bldg/ Code Enforce	5999	Personnel Expense	2990	\$ 270,063	(\$4,735)	\$ 265,348
	9010	Dir Labor Alloc.		\$ -	\$4,735	\$ 4,735
Net Adjustments to General Fund (zero)				\$ -	\$ -	\$ -

Other Funds	Title	Description	Current	Adj	Revision	
116	Tech Fee Fund	Outside Service	\$ -	\$344	\$ 344	
		Computer Equipment	\$ 14,500	(\$344)	\$ 14,156	
119	Recycling Fund	Equip-\$500	\$ 35,000	(\$2,921)	\$ 32,079	
		Direct Labor Alloc	\$ 22,921	\$2,921	\$ 25,842	
130	Airport	Personnel Expense	\$ 34,717	\$2,077	\$ 36,794	
		Operating Expense	\$ 549,506	(\$2,077)	\$ 547,429	
151	Econ Dev Bick Grt	Operating Expense	\$ 590,295	(\$654)	\$ 589,641	
		Chrg Fr Oth Fund	\$ 465,123	\$654	\$ 465,777	
166	Fire Grants	Personnel Expense	\$ 59,349	\$3,879	\$ 63,228	
		Operating Expense	\$ 23,700	\$298	\$ 23,998	
		Commun Equip	\$ 306,680	(\$4,176)	\$ 302,504	
540	Vehicle Maint	Personnel Expense	\$ 151,809	\$1,192	\$ 153,001	
		Operating Expense	\$ 320,193	(\$1,192)	\$ 319,001	
Net Adjustments (Zero)				\$ -	\$ -	\$ -

Approved



Glenn Lazof Interim Finance Director



Randy Murphy City Administrator

City of Oroville
Purchase Order Carryover's
from
2013-14 to 2014-15

Purchase Order #	Vendor Name	Amount	GL Account Number	Carryover Budget Adjustment	Fund/Department Description
150030012	LIEBERT, CASSIDY &	44,890	001-7000-1100		
NDPT40009	COTA COLE LLP	22,835	001-7000-1100	67,725	General Fund - City Attorney
NDPT40014	VISION INTERNET PRO	100	001-7000-1200	100	General Fund - City Clerk
NDPT40014	VISION INTERNET PRO	100	001-7000-1300	100	General Fund - Human Resources
NDPT40014	VISION INTERNET PRO	100	001-7000-1400	100	General Fund - City Administrator
900010008	COTA COLE LLP	15,000	001-7000-1450	15,000	General Fund - Economic Development/Community Enhancement
NDPT40014	VISION INTERNET PRO	100	001-7000-1500	100	General Fund - Finance
160030013	PLANNING CENTER - D	44,802	001-7000-1600		
NDPT40014	VISION INTERNET PRO	100	001-7000-1600	44,902	General Fund - Planning
NDPT40014	VISION INTERNET PRO	100	001-7000-2000	100	General Fund - Fire Department
NDPT40014	VISION INTERNET PRO	100	001-7000-2500	100	General Fund - Police Department
299030001	INTERWEST CONSULTIN	969	001-7000-2990		
NDPT40014	VISION INTERNET PRO	100	001-7000-2990	1,069	General Fund - Building/Code Enforcement
300090058	RON GRAVES	3,275	001-7000-3000		
NDPT40014	VISION INTERNET PRO	100	001-7000-3000	3,375	General Fund - Public Works Administration
NDPT40014	VISION INTERNET PRO	100	001-7000-5000	100	General Fund - Parks & Trees
140000007	PETERS,RUSH,HABIB,&M	13,837	001-7000-7100	13,837	General Fund - Liability/Property Insurance
150090018	MGT OF AMERICA, INC	2,309	001-7000-7200		
NDPT00004	MGT OF AMERICA, INC	300	001-7000-7200		
NDPT10013	MGT OF AMERICA, INC	1,400	001-7000-7200		
NDPT20007	MGT OF AMERICA, INC	1,400	001-7000-7200		
900010008	COTA COLE LLP	6,340	001-7000-7200		
140020008	MCLAUGHLIN WATER	15,215	001-7000-7200		
NDPT30012	COTA COLE LLP	2,223	001-7000-7200		
NDPT40015	WILLDAN FINANCIAL SERVICES	649	001-7000-7200		
NDPT30005	NORTHWEST SPCA	1,674	001-7600-7200	31,510	General Fund - Other
300030063	AMERIPRIDE UNIFORM	333	101-7000-4000		
NDPT40014	VISION INTERNET PRO	100	101-7000-4000		
NDPT40015	WILLDAN FINANCIAL SERVICES	649	101-7000-4000	1,082	Sewer Fund - Sewer Department
NDPT40015	WILLDAN FINANCIAL SERVICES	5,580	104-7000-4550	5,580	Sewer Connection Fee Fund
NDPT40015	WILLDAN FINANCIAL SERVICES	5,580	105-7000-7400	5,580	
160090001	ROYSTON, HANAMOTO	2,463	106-7000-7400		
NDPT40015	WILLDAN FINANCIAL SERVICES	5,580	106-7000-7400	8,044	
NDPT40015	WILLDAN FINANCIAL SERVICES	5,580	107-7000-7400	5,580	
NDPT40015	WILLDAN FINANCIAL SERVICES	5,580	108-7000-7400		
300040019	MRO ENGINEERS	7,935	108-8150-9601	13,515	Traffic Impact Fund - Street Projects
NDPT40015	WILLDAN FINANCIAL SERVICES	5,580	109-7000-7400	5,580	Drainage Fee Fund - Drainage Special Revenue Fund
160030004	CREW SYSTEMS, INC	3,500	116-8425-7660	3,500	Technology Fee Fund
300030034	REINARD W. BRANDLEY	10,862	130-7000-3500		

City of Oroville
Purchase Order Carryover's
from
2013-14 to 2014-15

300030055	REINARD W. BRANDLEY	5,603	130-7000-3500		
300040020	REINARD W. BRANDLEY	48,095	130-7000-3500		
NDPT40014	VISION INTERNET PRO	100	130-7000-3500		
NDPT40015	WILLDAN FINANCIAL SERVICES	649	130-7000-3500	65,308	Airport Fund
890030016	PETALUMA ECUMENICAL	43,593	141-7000-8910		
NDPT40015	WILLDAN FINANCIAL SERVICES	649	141-7000-8910	44,242	Housing Program Fund - Housing
890030011	CATALYST DOMESTIC VIOLENCE	123,171	150-7000-8570	123,171	Community Development Block Grant Fund - 12CDBG 8405 Catalyst
890030012	YMCA	86,863	150-7000-8571	86,863	Community Development Block Grant Fund - 12CDBG 8405 YMCA
NDPT40015	WILLDAN FINANCIAL SERVICES	5,580	159-7000-7400	5,580	Law Enforcement Impact Fee Fund
160030013	PLANNING CENTER	170,949	160-7000-1610	170,949	Miscellaneous Fund - Planning Grants
300040050	OMNI MEANS	7,707	160-8195-3200	7,707	Miscellaneous Fund - Streets/Roads Grants
NDPT40015	WILLDAN FINANCIAL SERVICES	5,580	163-7000-7400	5,580	Fire Suppression Fund - Impact Fees
NDPT40015	WILLDAN FINANCIAL SERVICES	5,580	169-7000-7400	5,580	General Government - Impact Fees
NDPT40015	WILLDAN FINANCIAL SERVICES	649	184-7000-1712	649	LLMD - Vista Del Oro
NDPT40015	WILLDAN FINANCIAL SERVICES	649	185-7000-1850	649	BAD - Linkside 1
NDPT40015	WILLDAN FINANCIAL SERVICES	650	186-7000-1903	650	Westside Fund - Vista Del Oro
NDPT40015	WILLDAN FINANCIAL SERVICES	650	187-7000-1953	650	Public Safety Fund - Vista Del Oro
NDPT40017	GREG MELTON	17,300	190-7000-9920		
NDPT40018	UPSTATE COMMUNITY E	45,000	190-7000-9920	62,300	Supplemental Benefit Fund
900030001	ROSENOW SPEVACEK GROUP	29,484	198-7000-9000	29,484	Successor Agency Fund
900010008	COTA COLE LLP	7,054	198-7000-9050	7,054	Successor Agency Fund - Blight
900030003	R. L. HASTINGS & ASSOC.	10,000	141-7000-8910	10,000	Housing Program Fund
NDPT40015	WILLDAN FINANCIAL S	649	305-7000-7799	649	Equipment Replacement Fund - Non Departmental
300030033	NORTHSTAR ENGINEER!	2,342	307-8150-9804	2,342	Equipment Replacement Fund - Drainage Projects
300020078	NORTHSTAR ENGINEER!	21,478	307-8195-9601	21,478	Equipment Replacement Fund - Street Projects
300020046	HDR ENGINEERING, INC	177,451	397-7000-9604	177,451	Bond Fund - Drainage Projects
300030073	WALLACE ENVIRONMENT	2,069	440-7000-8600		
300040038	WALLACE ENVIRONMENT	5,785	440-7000-8600	7,855	Business Development Center - Manufacturing Development
890020013	VADA BOUFFARD	26,375	450-7000-8450	26,375	Housing - Economic Development Fund
890040005	R D PRATER CONSTRUCTION	34,179	453-7961-8453	34,179	Microenterprise Revolving Loan Fund
890030015	R. L. HASTINGS & ASSOC.	3,120	460-7000-8460	3,120	City Revolving Loan Fund
NDPT40015	WILLDAN FINANCIAL SERVICES	649	550-7000-7300	649	Workers Compensation Fund
NDPT40015	WILLDAN FINANCIAL SERVICES	649	552-7000-7352	649	Workers Compensation Fund
NDPT40015	WILLDAN FINANCIAL SERVICES	650	555-7000-7355	650	Self Insurance Vision Fund
NDPT40012	PLANNING CENTER	733	620-2500-0000		
NDPT40013	FIRST CARBON SOLUTIONS	12,600	620-2500-0000	13,333	Special Deposits Payable Fund
	Total's	1,141,729		1,141,729	

**OROVILLE CITY COUNCIL
MONTHLY REPORT**

**TO: MAYOR AND CITY COUNCIL MEMBERS AND
RANDY MURPHY, CITY ADMINISTRATOR**

FROM: BILL LAGRONE, POLICE AND FIRE CHIEF

**RE: POLICE DEPARTMENT MONTHLY REPORT FOR AUGUST 2014
FIRE DEPARTMENT MONTHLY REPORT FOR AUGUST 2014**

DATE: SEPTEMBER 16, 2014

SUMMARY

The Council may receive a monthly report regarding the activities, revenues, and general information for the Police and Fire Departments.

Staffing:

Positions	Total staffed	Total Authorized	Total Vacant/Frozen
Police Officer	21	26	2/3
Dispatcher	9	9	0
Community Service Officers / Evidence	2	3	0/1
Administrative Personnel	2	4	0/2

Positions	Total staffed	Total Authorized	Total Vacant/Frozen
Firefighters	7	7	0/0
Fire Engineer	3	6	0/3
Fire Captain	3	3	0/0
Administrative Personnel	3	3	0/0

Police Revenue Update:

Account Number and Description	August 2013 Revenues *Comparison Purposes only	August 2014 Revenues	Fiscal 13/14 Year to Date Revenues *Comparison Purposes only	Fiscal 14/15Year to Date Revenues	Percentage of Projected Revenue
4300 / Vehicle Fines	\$ 0.00	\$ 1,730.25	\$ 0.00	\$ 1,730.25	UNK %
4350 / Parking Fines	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	UNK%
4390 / Other Fines	\$ 0.00	\$ 3,318.96	\$ 0.00	\$ 3,318.96	UNK%
4670 / Other Fees	\$17,372.53	\$18,367.00	\$17,372.53	\$18,367.00	UNK%

Projected Yearly Revenues	Actual year to date Revenue	Percentage
\$ 315,197.00	\$51,108.00 *	16.2%

*Estimation only

Fire Revenue Update:

Account Number and Description	August 2013 Revenues *Comparison Purposes only	August 2014 Revenues	Fiscal 13/14 Year to Date Revenues *Comparison Purposes only	Fiscal 14/15Year to Date Revenues	Percentage of Projected Revenue
Permits / 4280	\$10.86	\$5.00	\$ 300.00	\$613.00	10%
Inspections / 4281	\$449.00	\$1,018.00	\$ 633.00	\$1,715.00	5%
Plan Check / 4670	\$3,741.00	\$564.00	\$ 1,001.00	\$894.00	9.9%

Project Yearly Revenues	Actual year to date Revenue	Percentage
\$49,378.00	\$3,722.00	7.5%

Police Overtime YTD:

Overtime Budgeted	Overtime Expended YTD	Percentage Expended
\$168,500.00	\$49,940.00	29.6%

Fire Overtime Utilization:

Date	Strike Team	Continues Professional Training incurred overtime	Sick	Vacation	Special Assignment	Out of Class	All Other <small>(comp time, industrial leave, holiday, shift hold over)</small>
August 2014	645 hrs	0 hrs	0 hrs	96 hrs	110 hrs	*96 hrs	0 hrs
TOTAL Last Quarter of Calendar Year	645 hrs	0 hrs	0 hrs	96 hrs	334 hrs	240 hrs	0 hrs

*Engineer back-fill for Caption out on Strike Team.

Fire Overtime YTD:

Overtime Budgeted	Overtime Expended YTD	Percentage Expended
\$200,000.00	\$33,535.00	17%

Overtime expended during the month of August was due to the Web Fire, Beaver Fire, and Red Flag Warning days. September report will have a breakdown of these activities.

Department Activity:

Events Year to Date 2014	Average Response Time for Crimes against persons <small>*Priority 1 crimes</small>	Average Response Time for all types of calls for Service	National Average Response Time
21,667	6.01	5.45 minutes	8 - 11 minutes

Downtown Foot and Park Patrols:

	Park Patrols	Downtown Patrols
August 2014	102	45
Year to Date	1057	406

Parking Enforcement Citations Issued:

August 2014	Year to Date 2014	August 2013	Year to date 2013
27	163	88	322

Police Activity:

	August 2013	August 2014	Year to date 2013	Year to date 2014
Arrest				
Misdemeanor	213	192	1,549	1,411
Felony	78	72	517	520

	August 2013	August 2014	Year to date 2013	Year to date 2014
Citations				
	320	145	2,036	1,422

Uniform Crime Reporting:

Crimes of Violence	August 2014	Year to Date August – August
Homicide	0	0
Rape	1	5
Robbery	2	16
Aggravated Assault	8	37

Population per 2010 Census 15,000
Violent Crimes YTD 58
Violent Crime Rate 0.004

Fire Department Activity:

Incidents	August 2014
Fallen no injury / Medical Alarm	16
Dumpster Fire / Unoccupied Vehicle Fire	2
Downtown/Apartment/Commercial/Hospital, Etc.	1
Vegetation Fire	18
1, 2, or 3 Family Homes	6
Hydrant Sheared off / Water line break outside	3
Alarm Sounding / Smoke / Fireworks	8
Medical Aid / non CPR	223
Traffic Collision	19
Minor Hazardous Spill	1
Gas Odor/Power Lines Down	1
Assist Other Agency	3
Total Incidents	301

Events Year to Date 2014	Average Response Time (Dispatch to Arrival)
2,146	5:52 minutes

Fire Marshall Inspections:

	August 2014	2014 Year to Date	August 2013	2013 Year to Date
Plan Checks	16	98	7	29
Occupancy	6	76	10	107
Fire Inspections	14	33	2	50

Fire Intern Hours:

	Intern Hours	Total Hours Worked in August 2013	Funds Used Fiscal Year to Date
August 2014	\$2,400.00	240	\$4,500.00

SPCA Statics:

Service Calls by Priority:

Priority Level	Number of Calls	Total Minutes per call type	Average response times
Urgent	21	167	7.94
Priority	52	474	9.11
At Officer Convenience	43	397	9.23
After Hours	23	286	12.43

Animal Intake and Outcome Stats:

Total Animals taken in from City	Total Animals outgoing	Cats	Dogs	Other	Bird	Livestock
115	131	49	55	6	3	2

*The remaining difference from intakes to outcome total represents animals that have not yet had an outcome and are still in the facility.

Animal Outcomes:

Outcome Type	Outcome Total
Adoption	11 - (4 Cat) (7 Dogs)
Disposal	13 - (5 Dogs) (6 Cats) (2 Other)
Euthanasia	71 - (21 Dogs) (40 Cats) (3 Birds) (7 Other)
Relocate	1 - (1 Bird)
RTO	34 - (29 Dogs) (3 Cats) (2 Livestock)
Transfer	1 - (1 Dog)

*Others are wild animals such as bats, skunks, snakes, possums, etc....

SPCA After-hours call outs:

August 2014	Fiscal Year to Date
23	156

Shoes for Kids:

Shoes Provided	Socks Provided
1	6

This program provides shoes and socks for children of our Community. This program is funded by Department member donations and community donations.

Volunteers:

Total Number of V.I.P.S. Volunteer Hours for 2014:

Volunteer Hours converted to dollar amount:

Value of Volunteer hour in California \$21.36

$$1708 \times 21.36 = \$36,482.88$$

Total Number of Staff Volunteer Hours for 2014:

Volunteer Hours converted to dollar amount:

Value of Volunteer hour in California \$21.36

$$855.9 \times \$21.36 = \$18,282.02$$

FISCAL IMPACT

No impact to the General Fund.

RECOMMENDATIONS

Receive and file the August, 2014, monthly report regarding the activities, revenues, and other general information of the Police Department.



OROVILLE PUBLIC FINANCING AUTHORITY

Council Chambers
1735 Montgomery Street

SEPTEMBER 16, 2014

Immediately following the
Oroville City Council Meeting
MEETING AGENDA

ROLL CALL

Commissioners Andoe, Berry, Bunker, Pittman, Simpson, Vice Chairperson Wilcox, Chairperson Dahlmeier

CONSENT CALENDAR

1. **FINAL ADJUSTMENTS FISCAL YEAR 2013-2014 BUDGET** – staff report

The Commission may consider approving revisions to the 2013-2014 (Previous) Fiscal Year Budget. **(Randy Murphy, City Administrator and Glenn Lazof, Interim Director of Finance)**

Commission Action Requested: **Approve Fiscal Year 2013 2014 Budget revisions in the table attached.**

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

This is the time the Chairperson will invite anyone in the audience wishing to address the Commission 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 five minutes.** The Council is prohibited by State Law from taking action or possible discussion on any item presented, if it is not listed on the agenda, except under special circumstances as defined in the Governmental Code.

ADJOURNMENT

The meeting will be adjourned. The Oroville Public Financing Authority meets on an as needed basis.

**OROVILLE COUNCIL/OROVILLE PUBLIC FINANCING AUTHORITY
STAFF REPORT**

**TO: MAYOR AND COUNCIL MEMBERS
CHAIRPERSON AND COMMISSIONERS
RANDY MURPHY, CITY ADMINISTRATOR**

FROM: GLENN LAZOF, INTERIM FINANCE DIRECTOR

RE: FINAL REVISIONS TO FISCAL YEAR 2013-2014 BUDGET

DATE: SEPTEMBER 16, 2014

SUMMARY

The Council may consider approving revisions to the 2013-2014 (Previous) Fiscal Year Budget.

DISCUSSION

Per Budget Policy 16 when a line item in the Adopted Budget has been exceeded due to obligations which have already been incurred, or are expected to be exceeded, Council/Commissioners approval will be required in order to increase the appropriations. When appropriations are exceeded by actual expenditures by more than \$5,000 within a fund or department, or between the Personnel Series, Operating Series, Capital Series, or Transfers final authorization is needed by the Council.

For this review, budget control at line item level is interpreted to mean at the 5000 (Personnel), 6-7000 (Operating), 8000 (Capital), and 9000 (Transfers). Supporting that interpretation:

- 1) That is the level at which the budget has been approved by Council as far back as I looked, which was 20 years.
- 2) MOM, (the Financial System) is not set for any level of budget control, and the detail level would not be possible at current staffing levels.¹
- 3) A \$5,000 limit for changes in detailed line items would require frequent council action, with a commensurate increase in workload for staff and council.
- 4) Under this interpretation, even the \$5,000 change at the series level is a restrictive policy. (\$5,000 represents less than 2% of expenditure appropriations

¹ Budget control will be a key component of the new accounting system being proposed, including a warning notice when expenses are within a certain percentage of appropriations

for twenty-eight general fund departments and special funds, and less than 5% of forty-two).

This review represents a significant improvement of reporting to the Council. ² For example, in the previous fiscal year, 2012-2013, the final appropriations were exceeded in 50 instances with no Council action to be found to provide budgetary authority.

Staff plans to bring forward a complete revision of Budget Policy 16 which will include clarifications to ensure that the Cities Policy reflects industry best practices and are without ambiguity.³ One of the proposed changes will be to require quarterly budget reviews, as staff has pledged for this fiscal year. This will give the Council still more opportunities to measure budget performance.

A listing of smaller revisions, approved by the Finance Director and City Administrator, as permitted by Budget Policy 16, will also be provided to Council for information purposes.

FISCAL IMPACT

General Fund revisions net to zero, (except for the extraordinary City Loan Payment - a.k.a State Clawback). For other (Special) funds, the table has grouped those where the revisions, net to zero within the fund, those that were covered by the fund balance, and those are not covered by fund balance.

RECOMMENDATION

Approve Fiscal Year 2013-2014 Budget revisions in the table attached.

ATTACHMENT

Table of Proposed Budget Revisions

² Finance staff is unaware of any time that a Council review of previous year trial balance expenditures to actual expenditures has occurred.

³ An interim revision regarding purchasing has been proposed at this meeting.

Proposed Fiscal Year 2013 2014 Budget Revisions

General Fund 001						
Department	OBJT	Description	Dept #	Current	Adj	Revision
City Attorney	7000	Outside Service	1100	\$ 279,118	\$30,183	\$ 309,301
City Clerk	5999	Salary and Benefits	1200	\$ 77,896	\$21,215	\$ 99,111
	6999	Operating Expense		\$ 49,350	(\$21,215)	\$ 28,135
City Admin.	5999	Salary and Benefits	1400	\$ 263,590	(\$44,183)	\$ 219,407
Finance	5999	Salary and Benefits	1500	\$ 547,484	\$18,931	\$ 566,415
	6999	Operating Expense	1500	\$ 146,453	(\$32,659)	\$ 113,794
Planning	5999	Salary and Benefits	1600	\$ 220,518	\$10,837	\$ 231,355
	6999	Operating Expense		\$ 85,978	\$2,891	\$ 88,869
Police	5999	Salary and Benefits	2500	\$ 4,193,765	\$37,291	\$ 4,231,056
	6999	Operating Expense		\$ 421,081	(\$28,338)	\$ 392,743
	8430	Equipment>\$500		\$ -	\$5,047	\$ 5,047
Net Adjustments to General Fund (zero)					\$ (0)	

General Fund 001 - Extraordinary Adjustment for City Loan State Clawback						
Department	OBJT	Description	Dept #	Current	Adj	Revision
Non-Dept		7010:Charges by Oth Govt	1700	\$ 20,496	\$1,852,000	\$ 1,872,496

Other Funds

Revisions to these funds are net zero (increases = reductions).

Fund	Title	Description	Current	Adj	Revision
158	Law Enfor Grants	Salary and Benefits	\$ -	\$70,077	\$ 70,077
		Direct Labor Charges	\$ 324,935	(\$70,077)	\$ 254,858
184	Land Light Dists	Salary and Benefits	\$ -	\$8,841	\$ 8,841
		Operating Expense	\$ 40,822	(\$8,841)	\$ 31,981
440	Bus Man CTR	Operating Expense	\$ 26,566	\$7,366	\$ 33,932
		Charges Fr Oth Funds	\$ 161,541	(\$7,366)	\$ 154,175

The Following are supported by the cash balance within these special funds:

Fund	Title	Description	Current	Adj	Revision
100	Comm Promotion	Operating Expense	\$ 13,000	\$5,232	\$ 18,232
111	Local Transit	Chg Fr Other Fund	\$ -	\$91,000	\$ 91,000
113	Canine Fund	Operating Expense	\$ -	\$9,342	\$ 9,342
125	Gas Tx 2106	Transfer to Other Fund	\$ 60,221	\$1,651	\$ 61,871
127	Gas Tx 2105	Transfer to Other Fund	\$ 247,526	\$9,042	\$ 256,568
140	Housing Admin	Salary and Benefits	\$ 529,126	\$17,613	\$ 546,739
141	Housing Program	Salary and Benefits	\$ 5,000	\$1,264	\$ 6,264
		Operating Expense	\$ 411,630	\$9,247	\$ 420,877
		Building Acquisition	\$ -	\$135,661	\$ 135,661
		Direct Labor Charge	\$ 40,200	\$30,550	\$ 70,750
198	Successor Agency	Direct Labor Charge	\$ 33,855	\$86,748	\$ 120,603
451	CDBG ED RLF	Charges Fr Oth Funds	\$ 15,500	\$599	\$ 16,099
453	Micro Ent Loan	Operating Expense	\$ -	\$75,266	\$ 75,266
		Direct Labor Charge	\$ -	\$30,306	\$ 30,306
455	Home HSG RLF	Charges Fr Oth Funds	\$ -	\$244,797	\$ 244,797
550	Workers Comp	Pre-1990 Claims	\$ 29,788	\$54,954	\$ 84,742

The following over expended funds do not have a positive cash balance at this time. Further research is required.

Fund	Title	Description	Current	Adj	Revision
199	RDA Housing	Transfer	\$ 300,000	\$105,000	\$ 405,000
230	City Debt Service	Interest and Principal	\$ 696,441	\$3,483	\$ 699,924
451	CDBG Econ Dev.	Charges fr. Other Fund	\$ 15,500	\$599	\$ 16,099
452	CDBG Housing	Outside Services	\$ -	\$17	\$ 17