



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

OCTOBER 3, 2017
REGULAR MEETING
CLOSED SESSION 5:30 P.M.
OPEN SESSION 6:30 P.M.
AGENDA

CLOSED SESSION (5:30 P.M.)

ROLL CALL

Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier

CONVENE TO CLOSED SESSION (ITEMS LISTED ON PAGE NO. 4 & 5)

RECONVENE TO OPEN SESSION

OPEN SESSION (6:30 P.M.)

PLEDGE OF ALLEGIANCE

PROCLAMATION / PRESENTATION

Proclamation recognizing *October 2017* as *Domestic Violence Awareness Month*

Presentation by the *Department of Water Resources* relating to the *Oroville Dam Spillway Project*

Presentation by *Habitat for Humanity* regarding *Affordable Housing*

CONSENT CALENDAR

1. **APPROVAL OF THE SEPTEMBER 19, 2017 REGULAR MEETING MINUTES OF THE OROVILLE CITY COUNCIL** – minutes attached

Public Works Department

2. **PAVEMENT REHABILITATION LIST FOR SUBMITTAL TO CALIFORNIA TRANSPORTATION COMMISSION FOR FUNDING** – staff report

The Council may consider approving the submittal of a list of roads and streets prioritized for rehabilitation to the California Transportation Commission (CTC) for compliance with CTC guidelines. **(Mike Massaro, Contract City Engineer)**

Council Action Requested: **Approve the submittal of the draft prioritization list of roads and streets for rehabilitation to the California Transportation Commission.**

Public Safety Department

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

The Council may consider 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 7-8, 2017. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Approve a 65% waiver of police service fees, in the amount of \$3,692, and direct the applicant to pay the remainder of the fees, in the amount of \$1,988, for the Oroville Hmong New Year Festival 2017.**

4. **AGREEMENT FOR RADIO REPAIR AND MAINTENANCE WITH THE GOVERNOR'S OFFICE OF EMERGENCY SERVICES** – staff report

The Council may consider accepting the California Governor's Office of Emergency Services Agreement, in the amount of \$30,000, for public safety radio system repair and maintenance services. **(Bill La Grone, Director of Public Safety)**

Council Action Requested: **Adopt Resolution No. 8656 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE AGREEMENT WITH THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES, IN THE AMOUNT OF \$30,000, FOR PUBLIC SAFETY RADIO SYSTEM REPAIR AND MAINTENANCE SERVICES – (Agreement No. 3235).**

Community Development Department

5. **REQUEST BY BUTTE COUNTY TO ALLOW FOR PACIFIC GAS & ELECTRIC COMPANY TO RELEASE DATA FOR THE COMMUNITY CHOICE AGGREGATE STUDY** – staff report

The Council may consider authorizing the Mayor to sign an attestation form authorizing Pacific Gas & Electric Company (PG&E) to release data to Butte County's consultant, EES Consulting, Inc. for use in the Community Choice Aggregate Study. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8657 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO SIGN AN ATTESTATION FORM AUTHORIZING PG&E TO RELEASE DATA TO BUTTE COUNTY AND EES CONSULTING, INC. FOR THE PURPOSE OF INVESTIGATING COMMUNITY CHOICE AGGREGATION.**

6. ADOPTION OF THE LAST AND FINAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND THE SUCCESSOR AGENCY ADMINISTRATIVE BUDGET – staff report

The Council, serving as the Successor Agency to the former Oroville Redevelopment Agency, may consider approving the Last and Final Recognized Obligation Payment Schedule for the time period of January 1, 2018 through June 30, 2031, and the Successor Agency Administrative Budget for that same time period. **(Rick Farley, RDA Coordinator)**

Council Action Requested:

1. **Adopt Resolution No. 17-05 - A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE LAST AND FINAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 (m) AND 34191.6.**
2. **Adopt Resolution No. 17-06 - A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE LAST AND FINAL ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 (j).**

Administration Department

7. APPOINTMENT TO THE OROVILLE PARK COMMISSION – staff report

The Council may consider appointing Krystina Riggs, a qualified City resident, to serve on the Oroville Park Commission for the remainder of a vacant seats term, ending June 30, 2022. **(Jamie Hayes, Assistant City Clerk)**

Council Action Requested: **Appoint Krystina Riggs to serve on the Oroville Park Commission for the remainder of a vacant seats term, ending June 30, 2022.**

PUBLIC HEARINGS

8. 2017 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION – staff report

The Council will continue the public hearing from September 5 & 17, 2017, and consider the submittal of 2017 Community Development Block Grant (CDBG) Application and provide direction to staff indicating the priority of the proposed activities to be submitted to State. **(Amy Bergstrand, Management Analyst III)**

Council Action Requested: **Provide direction, as necessary.**

REGULAR BUSINESS

Community Development Department

9. SUPPORT OF CITIZENS' CLIMATE LOBBY NATIONAL REVENUE – NEUTRAL CARBON FEE AND DIVIDEND ACT – staff report

The Council may consider a resolution in support of the National Revenue – Neutral Carbon Fee and Dividend Program. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8658 - A RESOLUTION OF THE OROVILLE CITY**

COUNCIL URGING THE UNITED STATES CONGRESS TO ENACT A REVENUE NEUTRAL CARBON TAX.

10. OROVILLE REGIONAL WATER SERVICE REVIEW (UPDATE) – staff report

The Council may consider providing direction on the Oroville Regional Water Service Review as no proposals were received after the circulation of a Request for Proposals. **(Donald Rust, Director of Community Development)**

Council Action Requested: **Provide direction, as necessary.**

Administration Department

11. ATTENDANCE TO 2017/2018 ANNUAL CONFERENCES, SEMINARS, FORUMS AND TRAINING COURSES – staff report

The Council may consider authorizing Councilmembers and staff to attend the Fiscal Year 2017/2018 annual conferences, seminars, forums and trainings. **(Donald Rust, Acting City Administrator)**

Council Action Requested: **Authorize staff to attend the conferences identified in the October 3, 2017 staff report.**

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

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

CORRESPONDENCE

- Federal Energy Regulatory Commission

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 Firefighters' Association, and Oroville Management and Confidential Association.

2. Pursuant to Government Code section 54956.9(d)(4), the Council will meet with the Acting City Administrator and City Attorney regarding potential initiation of litigation – one case (related to Oroville Spillway Incident).
3. Pursuant to Government Code section 54956.9(d)(2), the Council will meet with the Acting City Administrator and City Attorney regarding potential exposure to litigation – one case.

ADJOURNMENT

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, October 17, 2017, at 5:30 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 19, 2017 – 5:30 P.M.**

The agenda for the September 19, 2017, 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 Thursday, September 14, 2017, at 3:30 p.m.

The September 19, 2017 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 5:38 p.m.

ROLL CALL

Present: Council Members Del Rosario, Draper, Hatley, Vice Mayor Goodson, Mayor Dahlmeier
Absent: Council Member Berry (excused)

Staff Present:

Donald Rust, Assistant City Administrator	Ruth Wright, Director of Finance
Bill LaGrone, Director of Public Safety	Amy Bergstrand, Management Analyst III
Scott E. Huber, City Attorney	Karolyn Fairbanks, Treasurer
Gil Zarate, Police Lieutenant	Mike Massaro, (Contracted) City Engineer
Dawn Nevers, Assistant Planner	Rob Buckhout, Acting Deputy Chief

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Shannon Greer and Shane Thomas.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Jackie Glover – Item No. 7	Mikah Salsi – Item No. 7
Shannon Greer – Item No. 7	Shane Thomas – Item No. 7
Shawna Evans – Item No. 7	Sandra Neal – Item No. 7
Tyler Edwards – Item No. 7	Jackie Kent – Item No. 7
Desarae Morales – Item No. 7	John Mitchell – Item No. 7
Scott Koch – Item No. 7	

PROCLAMATION / PRESENTATION - None

CONSENT CALENDAR

A motion was made by Vice Mayor Goodson, seconded by Council Member Thomson, to approve the following Consent Calendar:

- 1. APPROVAL OF THE SEPTEMBER 5, 2017 REGULAR MEETING MINUTES OF THE**

OROVILLE CITY COUNCIL – minutes attached

Public Works Department

2. **REGIONAL SURFACE TRANSPORTATION PLAN STREET REPLACEMENT PROJECT**
– staff report

The Council considered approving the City Engineer to issue a Pavement Rehabilitation Project for bidding. **(Mike Massaro, Contract City Engineer)**

Council Action Requested: **Authorize the issuance of Request for Bids relating to the Pavement Rehabilitation Project.**

Business Assistance & Housing Development Department

3. **SALE OF CITY OWNED PROPERTY AT 2075 BALDWIN AVENUE** – staff report

The Council considered the sale of City-owned property located at 2075 Baldwin Avenue, Oroville, to 2585 Oro Dam, LLC, in the amount of \$196,000. **(Donald Rust, Acting City Administrator)**

Council Action Requested: **Adopt Resolution No. 8651 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR OR THE ACTING CITY ADINISTRATOR TO EXECUTE ALL DOCUMENTS FOR THE SALE OF THIS CITY-OWNED PROPERTY LOCATED AT 2075 BALDWIN AVENUE, OROVILLE).**

Finance Department

4. **BUTTE COUNTY TOURISM BUSINESS IMPROVEMENT DISTRICT REFUND** – staff report

The Council received information regarding a cost reimbursement from the Butte County Tourism Business Improvement District. **(Ruth Wright, Director of Finance)**

Council Action Requested: **None.**

Community Development Department

5. **GRANT OF UTILITY EASEMENT TO PACIFIC GAS AND ELECTRIC COMPANY** – staff report

The Council considered grating an Easement Deed to Pacific Gas & Electric Company for an 840-square foot section of Parking Lot A (APN 012-032-032). **(Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8652 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN EASEMENT DEED TO PACIFIC GAS AND ELECTRIC COMPANY GRANTING UTILITY EASEMENT RIGHTS WITHIN A 840-SQUARE FOOT AREA LOCATED AT APN: 012-032-032 AND FOR THE PLACEMENT OF A LARGER ELECTRICAL**

TRANSFORMER AT SAID LOCATION.

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

Ayes: Council Members Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: Council Member Berry

PUBLIC HEARINGS

Business Assistance and Housing Development

6. 2017 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION - staff report (*Continued from September 5, 2017*)

The Council continued the public hearing from September 5, 2017 and considered the submittal of 2017 Community Development Block Grant Application and provide direction to staff indicating the priority of the proposed activities to be submitted to State. (**Amy Bergstrand, Management Analyst III**)

The following individuals spoke in regards to proposed activities relating to the 2017 Community Development Block Grant Application:

Jackie Glover	Mikah Salsi	Jackie Kent
Shannon Greer	Shane Thomas	Desarae Morales
Shawna Evans	Sandra Neal	John Mitchell
Tyler Edwards	Scott Koch	

Following discussion, the Council continued this item to October 3, 2017 for further consideration.

REGULAR BUSINESS

Public Safety Department

7. ADOPTION OF COMMUNITY EMERGENCY OPERATION PLAN – staff report

The Council considered adopting the final version of the Emergency Operation Plan for the City of Oroville. (**Bill LaGrone, Director of Public Safety**)

Following discussion, a motion was made by Council Member Del Rosario, seconded by Council Member Draper, to:

- 1. Amend Page No. 18 of the Emergency Operation Plan to include the annexed areas of South Oroville.**

2. Adopt Resolution No. 8653 – A RESOLUTION OF THE OROVILLE CITY COUNCIL ADOPTING THE EMERGENCY OPERATION PLAN FOR THE CITY OF OROVILLE.

The motion was passed by the following vote:

Ayes: Council Members Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: Council Member Berry

Community Development Department

8. HIGHLANDS APARTMENT PARKING LOT REPAIRS – staff report

The Council considered authorizing a payment to Fairbanks Paving Company to make repairs to the central parking lot area of the Highlands Apartment complex, located at 222 Table Mountain Boulevard, in the amount of \$21,700, due to impacts from the Table Mountain Roundabout Construction Project. **(Donald Rust, Director of Community Development)**

Following discussion, a motion was made by Vice Mayor Goodson, seconded by Council Member Draper, to:

Authorize the payment of \$21,700, to Fairbanks Paving Company to make repairs to the central parking lot area of the Highlands Apartment complex, located at 222 Table Mountain Boulevard.

The motion was passed by the following vote:

Ayes: Council Members Del Rosario, Draper, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes: Council Member Hatley
Abstain: None
Absent: Council Member Berry

9. PROFESSIONAL SERVICES AGREEMENT WITH BENNETT ENGINEERING SERVICES – staff report

The Council considered a Professional Services Agreement with Bennett Engineering Services, in the amount of \$414,708, for the Engineering Design of Sanitary Sewer Projects. **(Mike Massaro, Contracted City Engineer)**

Following discussion, a motion was made by Council Member Draper, seconded by Council Member Del Rosario, to:

Adopt Resolution No. 8654 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH BENNETT ENGINEERING SERVICES, IN THE AMOUNT OF \$414,708, FOR THE PREPARATION OF PLANS AND SPECIFICATIONS FOR THE

ENGINEERING DESIGN OF SANITARY SEWER PROJECTS – (Agreement No. 3234).

The motion was passed by the following vote:

Ayes: Council Members Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: Council Member Berry

Administration Department

10. UNIT MODIFICATION AGREEMENT AND PETITION FOR FORMAL RECONGNITION OF THE OROVILLE PUBLIC SAFETY MID-MANAGERS ASSOCIATION - staff report

The Council considered: (1) an agreement to modify the existing Oroville Mid-Management Confidential (OMCA) bargaining unit by removing two positions from that unit, (2) the Acting City Administrator's decision to establish a new public safety mid-management bargaining unit, and (3) the related petition for formal recognition by the Oroville Public Safety Mid-Managers Association (OPSMMA) to represent the newly formed bargaining unit. **(Donald Rust, Acting City Administrator)**

Following discussion, a motion was made by Council Member Hatley, seconded by Council Member Del Rosario, to:

Adopt Resolution No. 8655 - Adopt Resolution No. 8655 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE APPROVING THE TENTATIVE AGREEMENT WITH OMCA TO MODIFY THE OMCA BARGAINING UNIT, APPROVING THE ACTING CITY ADMINISTRATOR'S DECISION TO ESTABLISH A NEW BARGAINING UNIT, AND APPROVING THE PETITION FOR FORMAL RECOGNITION OF THE OROVILLE PUBLIC SAFETY MID-MANAGERS ASSOCIATION EMPLOYEE ORGANIZATION FOR MEETING AND CONFERRING WITH THE CITY OF OROVILLE REGARDING WAGES, HOURS AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT.

The motion was passed by the following vote:

Ayes: Council Members Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier
Noes: None
Abstain: None
Absent: Council Member Berry

COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS

Council Member Del Rosario gave a report on the League of California Cities Annual Conference, which was held September 13 – 15, 2017, in Sacramento.

Council Member Draper reported her attendance to a Supplemental Benefits Fund Feather River

Master Plan Ad hoc committee meeting, Butte County Homeless Continuum of Care Council Ad hoc meeting and the League of California Cities Annual Conference.

Vice Mayor Goodson reported her attendance to the following: American Association of University Women's Luncheon, League of California Cities Annual Conference, Chamber of Commerce and Oroville Economic Alliance meetings.

Mayor Dahlmeier reported her attendance to the following: Oroville Association of Realtor's Oroville 20/20 event, Feather River Recreation and Park District's Feather River Clean-up at Riverbend Park, League of Women Voter's Panel relating to the Oroville Dam, Feather Falls Rib Cook-off event and the STAGE Fundraising Dinner.

Council Member Thomson reported his attendance to the Liberty Pole Admission's Day event and Oroville Tourism Committee.

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

- Finance Department – activity report

Bill LaGrone, Director of Public Safety, gave a brief report regarding the Federal Aviation Administration Conference in South Lake Tahoe.

Ruth Wright, Director of Finance, provided a brief report regarding financial options relating to California Public Employees Retirement System (CalPERS).

Donald Rust, Acting City Administrator, provided the Council with an invitation to the Gillick Way Dedication ceremony, in honor of Larry Gillick, Butte County's longest serving Sheriff, which will be hosted by the Butte County Sheriff's Office on September 29, 2017. In addition, Mr. Rust provided a brief report regarding the League of California Cities Annual Conference.

CORRESPONDENCE – None

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

Justin King discussed homeless, employment opportunities and temporary transient housing.

Bryan Brown discussed issues relating to homelessness and the Open Door Church.

Marsha Henderson discussed issues relating to homelessness and the Open Door Church.

Celia Hirshman discussed public safety tax, CalPERS, homeless issues and future funding for the City of Oroville.

John Mitchell discussed homeless issues.

Matt Murray, Department of Water Resources, provided a brief report relating to the Oroville Dam Spillway Project.

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 City Attorney to discuss labor negotiations for the following represented groups: Oroville Firefighters' Association, and Oroville Management and Confidential Association.
2. Pursuant to Government Code section 54956.9(d)(4), the Council met with the Acting City Administrator and City Attorney regarding potential initiation of litigation – one case (related to Oroville Spillway Incident).
3. Pursuant to Government Code section 54956.9(d)(2), the Council met with the Acting City Administrator and City Attorney regarding potential exposure to litigation – one case.
4. Pursuant to Government Code section 54956.95, the Council met with the Acting City Administrator, Personnel Officer and City Attorney relating to Worker's Compensation Claim No. NCWA-76362.

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

ADJOURNMENT

The meeting was adjourned at 10:08 p.m. A regular meeting of the Oroville City Council will be held on Tuesday, October 3, 2017, at 5:30 p.m.

Donald Rust, Acting City Clerk

Linda L. Dahlmeier, Mayor

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR DAHLMEIER AND COUNCIL MEMBERS

**FROM: MIKE MASSARO, CONTRACT CITY ENGINEER
PUBLIC WORKS DEPARTMENT**

**RE: PAVEMENT REHABILITATION LIST FOR SUBMITTAL TO
CALIFORNIA TRANSPORTATION COMMISSION FOR FUNDING**

DATE: OCTOBER 3, 2017

SUMMARY

The Council may consider approving the submittal of a list of roads and streets prioritized for rehabilitation to the California Transportation Commission (CTC) for compliance with CTC guidelines. The CTC requires submittal by October 16, 2017, for the City to be eligible for additional funding under Senate Bill 1 (SB 1) and Assembly Bill 135 (AB 135).

DISCUSSION

Initial unofficial estimated Maintenance of Effort (MOE) amounts of required annual general fund spending for receipt of funds under the Road Repair and Accountability Act of 2017 (SB1 Beall) are now available. The Road Repair and Accountability Act of 2017 (SB1 Beall) includes a substantial boost in Local Streets and Roads Funding over the Highway Users Tax Account allocations that cities and counties have been receiving. The Act establishes a new "Road Maintenance and Rehabilitation Account (RMRA) in the state treasury and allocates amounts to cities and counties from that account based on statutory formulas.

The Road Repair and Accountability Act contains a local agency maintenance of effort (MOE) requirement that applies to funds allocated through the RMRA. The Act states that the MOE requirement is to ensure that these new roads funds do not supplant existing levels of city and county general revenue spending on streets and roads. The MOE for the receipt of RMRA funds state that a city or county must maintain general fund spending for street, road, and highway purposes at no less than average of 2009–10, 2010–11, and 2011–12 years. In making this calculation certain one-time funds may be excluded. A city or county that fails to comply in a particular year may make it up with in additional expenditures in the following year.

The Act provides that the State Controller may perform audits to ensure compliance with these MOE rules. If the State Controller determines that a city or county has not met it's MOE, the agency will be required to reimburse the state for the funds it received

during that fiscal year. However, a city or county that fails to comply in a particular fiscal year may expend during that fiscal year and the following fiscal year a total amount that is sufficient to comply. Any funds withheld or returned as a result of a failure to comply will be reapportioned to the other counties and cities whose expenditures are in compliance.

In order to maintain compliance with state requirements and assure that the City of Oroville continues to receive its share of funding, City Staff must submit our prioritized list of roads and streets for rehabilitation and repair. This list should be considered a DRAFT and is merely submitted at this time to meet state mandated deadlines. The CTC does not “approve” or “deny” project lists, they simply gather all of the cities project lists.

City Staff have affirmed that future road rehabilitation lists will be brought to the Planning Commission for comment and to the City Council for confirmation and approval. Therefore, the attached list of projects will be reviewed and revised going forward. The list provided to CTC can and will be updated in a few months with Planning Commission and City Council comments.

FISCAL IMPACT

No immediate impact to the City’s local transportation fund or general fund. However, submittal of list to CTC will assure future allocations of funding from the State to the City for road repair and rehabilitation.

RECOMMENDATIONS

Approve the submittal of the draft prioritization list of roads and streets for rehabilitation to the California Transportation Commission.

ATTACHMENTS

A – Local Streets and Roads Forms List for CTC

Senate Bill (SB) 1 Proposed Project List Form**Part 1: General Information****Local Streets and Roads Program***** Agency Name:** (Select from dropdown list)**LoCode:**

Oroville

5142

*** Agency Address:***** City:***** ZIP Code:**

1735 Montgomery Street

Oroville

CA

95965

*** Agency Contact:***** Agency Contact Title:**

Michael Massaro

Contract City Engineer

*** Agency Contact Phone No.:** (i.e. 1234567890)*** Agency Contact Email Address:**

(916) 549-6935

mmassaro@ben-en.com

Funding for Fiscal Year:

FY 17/18

*** Budget Support Documentation:?**

Please briefly describe the budget support documentation being provided.

Spreadsheet from Pavement Management System

Average Network PCI:**Measurement Date:**

(Month)

(Year)

Additional Information: ?

Project List is based on prior condition assessment and prioritization list from pavement management system.

Project Flexibility:

Pursuant to SHC Section 2034(a)(1), this project list shall not limit the flexibility of an eligible city or county to fund projects in accordance with local needs and priorities, so long as the projects are consistent with SHC Section 2030(b). After submittal of the project list to the Commission, in the event a city or county elects to make changes to the project list pursuant to the statutory provision noted above, formal notification of the Commission is not required. However, the Project Expenditure Report form that is due to the Commission by October 1st each year, will provide an opportunity for jurisdictions to annually communicate such changes to the Commission as part of the regular reporting process.

*** Required information**

Part 2: Project Information

Local Streets and Roads Program

* Required

Proposed Project (PP#)	LoCode	* Project Title	Project ID (if any)	Project Type ?		* Project Description ?	* Project Location ?	* Estimated Completion Date		* Estimated Useful Life (# of Yr)		Legislative District(s)		Additional Project Elements (Does the project include element(s) as described in SHC 2030 (c)-(f)? (Select Y/N from dropdown list))						
				Type (Select from dropdown list)	Explanation (if "Other" is selected, please explain) ?			Pre-Construction (mm/yyyy)	Construction (mm/yyyy)	Min.	Max.	State Senate	State Assembly	Sustainability ?	Technologies ?	Climate Change ?	Complete Streets Elements ?	Description of Elements		
PP01	5142	ORO DAM BL		Road Maintenance & Rehabilitation		repave - resurface	Highlands to Valley View Dr	12/2018	06/2019	5	15									
PP02	5142	ORANGE AV		Road Maintenance & Rehabilitation		repave - resurface	Long Bar	01/2018	06/2018	5	15									
PP03	5142	ORANGE AV		Road Maintenance & Rehabilitation		repave - resurface	Laurel Ave to Long Bar	01/2018	06/2018	5	15									
PP04	5142	ORANGE AV		Road Maintenance & Rehabilitation		repave - resurface	Felice Ct to Acacia Ave	01/2018	06/2018	5	15									
PP05	5142	ORANGE AV		Road Maintenance & Rehabilitation		repave - resurface	Long Bar	01/2018	06/2018	5	15									
PP06	5142	ORANGE AV		Road Maintenance & Rehabilitation		repave - resurface	Bridge St. to Linden Ave.	01/2018	06/2018	5	15									
PP07	5142	ORO QUINCY HY		Road Maintenance & Rehabilitation		repave - resurface	Myrtle Dr to Casa Loma Way			5	15									
PP08	5142	MONTGOMERY ST		Road Maintenance & Rehabilitation		repave - resurface	Washington Ave to Norton Ave			5	15									
PP09	5142	HIGHLANDS BL		Road Maintenance & Rehabilitation		repave - resurface	Rockridge Rd to Canyon Highlands Dr			5	15									
PP10	5142	FEATHER RIVER BL		Road Maintenance & Rehabilitation		repave - resurface	Pomona Ave to High St.			5	15									
PP11	5142	SPENCER AV		Road Maintenance & Rehabilitation		repave - resurface	Mitchell to Wilcox			5	15									
PP12	5142	BAGGETT MARYSVILLE RD		Road Maintenance & Rehabilitation		repave - resurface	Georgia Pacific Wy to City Limits			5	15									
PP13	5142	VEATCH ST		Road Maintenance & Rehabilitation		repave - resurface	Oro Dam			5	15									
PP14	5142	STH AV		Road Maintenance & Rehabilitation		repave - resurface	Georgia Pacific Wy to Simpco Lane			5	15									
PP15	5142	FEATHER RIVER BL		Road Maintenance & Rehabilitation		repave - resurface	Oro Dam Bl to Mitchell Ave			5	15									
PP16	5142	STH AV		Road Maintenance & Rehabilitation		repave - resurface	High St. to Spruce St.			5	15									
PP17	5142	CHEROKEE RD		Road Maintenance & Rehabilitation		repave - resurface	la Colina Dr to city limits			5	15									
PP18	5142	CASEY CT		Road Maintenance & Rehabilitation		repave - resurface	Nelson Bl			5	15									
PP19	5142	LARKIN RD		Road Maintenance & Rehabilitation		repave - resurface	Mineral Way to Oro Dam Bl			5	15									
PP20	5142	GLEN DR		Road Maintenance & Rehabilitation		repave - resurface	Oro Dam Bl			5	15									
PP21	5142	WORTHY AV		Road Maintenance & Rehabilitation		repave - resurface	Grand Ave to end			5	15									
PP22	5142	MOONSHINE CT		Road Maintenance & Rehabilitation		repave - resurface	Butte Woods Dr			5	15									
PP23	5142	WOODCREST DR		Road Maintenance & Rehabilitation		repave - resurface	Oro Quincy Hwy			5	15									
PP24	5142	GLEN DR		Road Maintenance & Rehabilitation		repave - resurface	Glen Circle Dr to Glen view way			5	15									
PP25	5142	SPENCER AV		Road Maintenance & Rehabilitation		repave - resurface	Wyandotte Ave to Corto St			5	15									
PP26	5142	BAGGETT PALMERO RD		Road Maintenance & Rehabilitation		repave - resurface	Railroad Ave to Ophir Rd			5	15									
PP27	5142	FAY WY		Road Maintenance & Rehabilitation		repave - resurface	Olive Hwy to Fay Way			5	15									
PP28	5142	OAK PARK AV		Road Maintenance & Rehabilitation		repave - resurface	Acacia Ave to Valley View Dr.			5	15									
PP29	5142	STAUSS AV		Road Maintenance & Rehabilitation		repave - resurface	Stanford Ave to Canyon Highlands Dr			5	15									
PP30	5142	WHITCOMB AV		Road Maintenance & Rehabilitation		repave - resurface	Morningstar Ave to Worthy Ave			5	15									
PP31	5142	STH AV		Road Maintenance & Rehabilitation		repave - resurface	Simpco Ln to Rainys Way			5	15									
PP32	5142	COVENTRY DR		Road Maintenance & Rehabilitation		repave - resurface	Rockridge Rd to Linda Dr			5	15									

Part 2: Project Information

Local Streets and Roads Program

* Required

Proposed Project (PP#)	LoCode	* Project Title	Project ID (if any)	Project Type ?		* Project Description ?	* Project Location ?	* Estimated Completion Date		* Estimated Useful Life (# of Yr)		Legislative District(s)				Additional Project Elements (Does the project include element(s) as described in SHC 2030 (c)-(f)? (Select Y/N from dropdown list) ?					
				Type (Select from dropdown list)	Explanation (if "Other" is selected, please explain) ?			Pre-Construction (mm/yyyy)	Construction (mm/yyyy)	Min.	Max.	State Senate		State Assembly		Sustainability ?	Technologies ?	Climate Change ?	Complete Streets Elements ?	Description of Elements	
PP33	5142	OAK AV		Road Maintenance & Rehabilitation		repave - resurface	Oro Quincy Hwy to Pine Oaks Rd			5	15										
PP34	5142	SAFFORD ST		Road Maintenance & Rehabilitation		repave - resurface	Feather River Bl to 5th St			5	15										
PP35	5142	VALLEY VIEW DR		Road Maintenance & Rehabilitation		repave - resurface	Oro Dam Bl to Service St.			5	15										
PP36	5142	COARSE GOLD RD		Road Maintenance & Rehabilitation		repave - resurface	Sutter Mill Rd to Nelson Ave			5	15										
PP37	5142	MOURNING DOVE LN		Road Maintenance & Rehabilitation		repave - resurface	Coarse Gold Rd to Golden Eagle Rd			5	15										
PP38	5142	BUTTE WOODS DR		Road Maintenance & Rehabilitation		repave - resurface	End to Pleasant Oak Ln			5	15										
PP39	5142	GOLDEN EAGLE RD		Road Maintenance & Rehabilitation		repave - resurface	Sutter Mill Rd			5	15										
PP40	5142																				
PP41	5142																				
PP42	5142																				
PP43	5142																				
PP44	5142																				
PP45	5142																				
PP46	5142																				
PP47	5142																				
PP48	5142																				
PP49	5142																				
PP50	5142																				

Senate Bill (SB) 1 Proposed Project List Form

Local Streets and Roads Program

Agency Name:		Agency Contact:
	Oroville	Michael Massaro (916) 549-6935
LoCode:	5142	mmassaro@ben-en.com

FY
17/18

Summary of Proposed Project List

Project No.	Project Title	Project Description	Project Location	Estimated Completion Date (mm/dd/yyyy)		Estimated Useful Life (# of yrs)	
				Pre-Construction	Construction	Min.	Max.
PP01	ORO DAM BL	repave - resurface	Highlands to Valley View Dr	12/2018	06/2019	5	15
PP02	ORANGE AV	repave - resurface	Long Bar	01/2018	06/2018	5	15
PP03	ORANGE AV	repave - resurface	Laurel Ave to Long Bar	01/2018	06/2018	5	15
PP04	ORANGE AV	repave - resurface	Felice Ct to Acacia Ave	01/2018	06/2018	5	15
PP05	ORANGE AV	repave - resurface	Long Bar	01/2018	06/2018	5	15
PP06	ORANGE AV	repave - resurface	Bridge St. to Linden Ave.	01/2018	06/2018	5	15
PP07	ORO QUINCY HY	repave - resurface	Myrtle Dr to Casa Loma Way			5	15
PP08	MONTGOMERY ST	repave - resurface	Washington Ave to Norton Ave			5	15
PP09	HIGHLANDS BL	repave - resurface	Rockridge Rd to Canyon Highlands Dr			5	15
PP10	FEATHER RIVER BL	repave - resurface	Pomona Ave to High St.			5	15
PP11	SPENCER AV	repave - resurface	Mitchell to Wilcox			5	15
PP12	BAGGETT MARYSVILLE RD	repave - resurface	Georgia Pacific Wy to City limits			5	15
PP13	VEATCH ST	repave - resurface	Oro Dam			5	15
PP14	5TH AV	repave - resurface	Georgia Pacific Wy to Simpco Lane			5	15
PP15	FEATHER RIVER BL	repave - resurface	Oro Dam Bl to Mitchell Ave			5	15
PP16	5TH AV	repave - resurface	High St. to Spruce St.			5	15
PP17	CHEROKEE RD	repave - resurface	la Colina Dr to city limits			5	15
PP18	CASEY CT	repave - resurface	Nelson Bl			5	15
PP19	LARKIN RD	repave - resurface	Mineral Way to Oro Dam Bl			5	15
PP20	GLEN DR	repave - resurface	Oro Dam Bl			5	15
PP21	WORTHY AV	repave - resurface	Grand Ave to end			5	15
PP22	MOONSHINE CT	repave - resurface	Butte Woods Dr			5	15
PP23	WOODCREST DR	repave - resurface	Oro Quincy Hwy			5	15

Senate Bill (SB) 1 Proposed Project List Form

Local Streets and Roads Program

Agency Name:		Agency Contact:
Oroville		Michael Massaro
		(916) 549-6935
LoCode:	5142	mmassaro@ben-en.com

FY
17/18

Summary of Proposed Project List

Project No.	Project Title	Project Description	Project Location	Estimated Completion Date (mm/dd/yyyy)		Estimated Useful Life (# of yrs)	
				Pre-Construction	Construction	Min.	Max.
PP24	GLEN DR	repave - resurface	Glen Circle Dr to Glen view way			5	15
PP25	SPENCER AV	repave - resurface	Wyandotte Ave to Corto St			5	15
PP26	BAGGETT PALMERO RD	repave - resurface	Railroad Ave to Ophir Rd			5	15
PP27	FAY WY	repave - resurface	Olive Hwy to Fay Way			5	15
PP28	OAK PARK AV	repave - resurface	Acacia Ave to Valley View Dr.			5	15
PP29	STAUSS AV	repave - resurface	Stanford Ave to Canyon Highlands Dr			5	15
PP30	WHITCOMB AV	repave - resurface	Morningstar Ave to Worthy Ave			5	15
PP31	5TH AV	repave - resurface	Simpco Ln to Rainys Way			5	15
PP32	COVENTRY DR	repave - resurface	Rockridge Rd to Linda Dr			5	15
PP33	OAK AV	repave - resurface	Oro Quincy Hwy to Pine Oaks Rd			5	15
PP34	SAFFORD ST	repave - resurface	Feather River Bl to 5th St			5	15
PP35	VALLEY VIEW DR	repave - resurface	Oro Dam Bl to Service St.			5	15
PP36	COARSE GOLD RD	repave - resurface	Sutter Mill Rd to Nelson Ave			5	15
PP37	MOURNING DOVE LN	repave - resurface	Coarse Gold Rd to Golden Eagle Rd			5	15
PP38	BUTTE WOODS DR	repave - resurface	End to Pleasant Oak Ln			5	15
PP39	GOLDEN EAGLE RD	repave - resurface	Sutter Mill Rd			5	15
PP40							
PP41							
PP42							
PP43							
PP44							
PP45							
PP46							

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR DAHLMEIER AND COUNCIL MEMBERS

FROM: BILL LA GRONE, DIRECTOR OF PUBLIC SAFETY

**RE: FEE WAIVER REQUEST BY THE OROVILLE HMONG NEW
YEAR FESTIVAL COMMITTEE**

DATE: OCTOBER 3, 2017

SUMMARY

The Council may consider 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 7-8, 2017.

DISCUSSION

The Oroville Hmong New Year Festival will be held on October 7-8, 2017 at the Nelson Avenue Sports Complex. This event will run from 8:00 AM to 4:00 PM each day. An average daily attendance in the past has been approximately 5,000 people, however in recent years, attendance has been declining. This event has occurred for the past nineteen years with few major incidents that required law enforcement intervention. The Hmong community has always been supportive and responsive to the needs of Law Enforcement to make this event safe and successful.

In 2016, the Hmong community paid for Police Services for the New Year celebration. This fee was based upon the Police Department supplying officers over the two-day celebration. The hourly rate was \$71 per hour. The Council has annually authorized a discount of 65%. The reason for the discount is this event is organized by non-profit organizations that depend upon the proceeds from this event to fund their organizations over the course of the year.

This is a worthy event that is well attended by both local community members and out of town visitors. It is the recommendation of the Police Department that the fees for this event be reduced to help support the Hmong Community and to show our support of this event. *(See Chart below for details of fees.)*

PROPOSED FEE FOR 2017

Hours	Rate	Total	Discount	Total Proposed Fee
80	\$71	\$5,680.00	65% = -\$3,692	\$1,988

This is a City sponsored event which has the potential to have a positive impact on business activity, recreation, and community activity and destination point improvement.

FISCAL IMPACT

Partial wavier of Police Services fees will result in a negative impact of \$3,692 on the overtime budget of the Oroville Police Department.

RECOMMENDATIONS

Approve a 65% waiver of police service fees, in the amount of \$3,692, and direct the applicant to pay the remainder of the fees, in the amount of \$1,988, for the Oroville Hmong New Year Festival 2017.

ATTACHMENTS

A – Request from the Oroville Hmong New Year Festival Committee



Ze Xiong, President
Hmong United Community of Oroville, Inc.
P.O. Box 1409
Oroville, CA 95965
(530) 282-8385



Kay Cha, President
Lao Veterans of America, Inc.
P.O. Box 5521
Oroville, CA 95965
(530) 720-6513

Oroville Hmong New Year Festival 2017

Teng Vang – Chair of Event P.O. Box 5163 Oroville, California 95966, Email: Orovillehmongnewyear@gmail.com

August 30th, 2017

City of Oroville
Attn: Mayor Linda Dahlmeier and City Council members
1735 Montgomery Street
Oroville, CA 95965

Re: Oroville Hmong New Year Festival October Fee waiver

Dear Honorable Mayor and City Council members:

I am writing this letter on behalf of the Oroville Hmong community, the Oroville Hmong New Year Festival Planning Committee, Lao Veteran of America and the Hmong United Community of Oroville to request the city for a fee waiver for the Oroville Police Department to provide safety and security to the Oroville Hmong New Year Festival. The event is scheduled for October 7th and 8th, 2017 at the Nelson Sports Complex on 2255 Nelson Ave, Oroville, CA 95965. We are a non-profit organization joining together with the Hmong community to host this rich cultural event. All planning committees and individuals involved in this event are volunteers; no one gets paid for their time and services.

Despite the long standing history of this event, we have no budget sets aside to operate it. Every year the community struggles to make ends meet by leasing booths and collecting minimal admission fee to pay off the expenses required for the success of this event. As we make our way to the days, we are able to collect a small amount of admission fee and booth leasing that barely be enough to cover all the expenses. After all expenses are paid, all proceeds are donated to the two local Hmong charitable non-profit organizations to help individual with the unfortunate event and other community needs.

As always, we will need the help of the city to make this event possible and successful. Safety and security for our participants is our number one priority and we cannot do this alone without your help. The Oroville Hmong New Year Festival is one of the largest annual events held in the city of Oroville and has been for many years, drawing thousands of people from the surrounding cities as well as from out of state. Therefore, we would like to ask for your leadership and support to waive the Oroville Police Department's fee for providing the security and services to the Oroville Hmong New Year Festival. We sincerely hope that the City of Oroville and its Hmong citizens can work together to make this event successful.

Should you have any question regarding this letter, I can be reached at (530) 282-6086. Thank you in advance for your support and consideration.

Sincerely,

Teng Vang,
Chair/Event Coordinator

CC: Mayor Linda Dahlmeier, Vice-mayor Janet Godson, Council member Art Hatley, Council member Jack Berry, Council member Marlene Del Rosario, Council member Scott Thomson, and Council member Linda Draper

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR DAHLMEIER AND COUNCIL MEMBERS

**FROM: BILL LAGRONE, DIRECTOR
PUBLIC SAFETY DEPARTMENT**

**RE: AGREEMENT FOR RADIO REPAIR AND MAINTENANCE WITH THE
GOVERNOR'S OFFICE OF EMERGENCY SERVICES**

DATE: OCTOBER 3, 2017

SUMMARY

The Council may consider accepting the California Governor's Office of Emergency Services Agreement, in the amount of \$30,000, for public safety radio system repair and maintenance services.

DISCUSSION

The Oroville Public Safety Department (Department) utilizes a radio system to communicate with officers and firefighters throughout the City. This radio system is vital piece of safety equipment and must be maintained at the highest standards. Over the past several years, radio technicians in this area have been declining. The Department's primary radio vendor has struggled to keep up with the needs of the consumer. Due to the shortage of technicians, and the vendor's inability to meet our needs in a timely manner, it has become necessary to utilize the services of the Governor's Office of Emergency Services for radio repairs. The technicians are familiar with the Department's radio system and have assisted the Department previously with emergency repairs, at no cost.

The term of this Agreement is for three years, 2017 – 2020 and will be approximately \$10,000 per year, not exceed \$30,000 for the three-year term. The Agreement calls for 24/7/365 availability and response from the vendor. For additional details see proposed Agreement.

FISCAL IMPACT

Funding for this Agreement is included in the Department's operational budget. Police, Maintenance-Equipment 2401-6130. Appropriations are available in the amount of \$10,319.

RECOMMENDATIONS

Adopt Resolution No. 8656 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE THE AGREEMENT WITH THE CALIFORNIA GOVERNORS'S OFFICE OF EMERGENCY SERVICES, IN THE AMOUNT OF \$30,000, FOR PUBLIC SAFETY RADIO SYSTEM REPAIR AND MAINTENANCE SERVICES – (Agreement No. 3235).

ATTACHMENTS

- A - Resolution No. 8656
- B - Agreement No. 3235

**CITY OF OROVILLE
RESOLUTION NO. 8656**

**A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND
DIRECTING THE MAYOR TO EXECUTE THE AGREEMENT WITH THE CALIFORNIA
GOVERNOR'S OFFICE OF EMERGENCY SERVICES FOR PUBLIC RADIO SYSTEM
REPAIR AND MAINTENANCE SERVICES**

(Agreement No. 3235)

NOW THEREFORE, be it hereby resolved by the Oroville City Council as follows:

1. The Mayor of Oroville is authorized and directed to execute the attached Agreement with the California Governor's Office of Emergency Services for public radio system repair and maintenance services.
2. The City Clerk shall attest to the adoption of this Resolution.

PASSED AND ADOPTED, by the Oroville City Council at a regular meeting on October 3, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Linda L. Dahlmeier, Mayor

APPROVED TO AS FORM:

ATTEST:

Scott E. Huber, City Attorney

Donald Rust, Acting City Clerk

STATE OF CALIFORNIA
STANDARD AGREEMENT

STD 213 (Rev 06/03)

AGREEMENT NUMBER

6005-2017

REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:

AGENCY'S NAME

City of Oroville Police Department

CONTRACTOR'S NAME

California Governor's Office of Emergency Services

2. The term of this September 1, 2017 through August 31, 2020

Agreement is:

3. The Maximum amount of \$30,000.00

Agreement is: Thirty Thousand Dollars and Zero Cents

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A – Statement of Work	3 Pages
Exhibit B – Budget Detail and Payment Provisions	1 Page
Exhibit B1 – Cost Worksheet	1 Page
Exhibit C – General Terms and Conditions (04/2017)*	1 Page
Attachment 1 – List Of Equipment To Be Maintained	1 Page

Items shown with an Asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at www.ols.dgs.ca.gov/Standard+Language

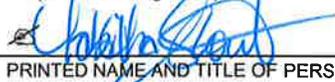
IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR

CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.)

California Governor's Office of Emergency Services

BY (Authorized Signature)



DATE SIGNED (Do not type)

8.30.17

PRINTED NAME AND TITLE OF PERSON SIGNING

Tabitha Stout, Assistant Director of Administrative Services

ADDRESS

3650 Schriever Avenue
 Mather, CA 95655

Agency

AGENCY NAME

City of Oroville Police Department

BY (Authorized Signature)



DATE SIGNED (Do not type)

PRINTED NAME AND TITLE OF PERSON SIGNING

Bill LaGrone, Chief of Police

ADDRESS

2055 Lincoln Street
 Oroville, CA 95966

California Department of General Services Use Only

Exempt per:

EXHIBIT A
STATEMENT OF WORK (SOW)

CITY OF OROVILLE POLICE DEPARTMENT RADIO MAINTENANCE

1. OBJECTIVE

This is an Agreement between the State of California, California Governor's Office of Emergency Services (Cal OES), Public Safety Communications (PSC), hereinafter referred to as "the Cal OES" and the City of Oroville Police Department, hereinafter called "the Agency".

The Agency requests to have the Cal OES provide radio maintenance and repair services to the Agency's radio equipment under State Government Code Section 14931 to render service to federal/local political subdivisions.

2. TERM/PERIOD OF PERFORMANCE

- A. The period of performance for this Agreement shall be for three (3) years, with the option to extend for one (1) additional year.
- B. The Cal OES shall not be authorized to provide or commence the performance of services as described in the SOW of this Agreement until written approval has been obtained from all entities. Any delivery or performance of service that is commenced prior to the signing of the Agreement shall be considered voluntary on the part of the Cal OES and non-compensable.
- C. Consistent with the terms and conditions of the original solicitation, and upon mutual consent, the Agency and the Cal OES may execute written amendments for changes to this Agreement that were evaluated and considered. No amendment or variation of the terms of this Agreement shall be valid unless made in writing, and agreed upon by both parties and approved, as required. No verbal understanding or agreement not incorporated into the Agreement is binding on any of the parties.

3. BUDGETED AMOUNT

The award of this Agreement shall not exceed \$30,000.00.

4. PROJECT TASKS AND DELIVERABLES

- A. The Cal OES agrees to provide radio maintenance and repair service to the Agency on a mutually agreeable schedule. In the event of a conflict between the Cal OES and the Agency service requirements, service to the Cal OES equipment will have priority.
- B. The Cal OES agrees to perform emergency radio repair services 24/7/365 to the Agency's equipment listed in Attachment 1.
- C. The Cal OES agrees to perform annual preventive maintenance or on an agreed upon schedule. The Cal OES shall notify the Agency in advance prior to turning off any operation equipment as necessary to perform maintenance and or repairs. The Cal OES will replace parts as necessary, and bill costs to the Agency.

- D. The Cal OES will perform equipment repairs due to accidents or acts of nature, equipment modification, installation, and other work not within the category of normal maintenance upon request of Agency, the Cal OES will work with the Agency on pricing of repair.
- E. The Cal OES will provide radio system engineering services to the Agency. Engineering services include systems and equipment design engineering, specification preparation and review, and equipment evaluation and testing. Engineering services will be provided on an individual basis upon written request by the Agency. A written estimate of costs for such engineering services will be provided by the Cal OES to the Agency prior to proceeding with any work.

5. THE AGENCY RESPONSIBILITIES

- A. The Agency shall designate a point of contact, to whom all communication may be addressed, with the authority to act on all aspects of the services. This person will review the SOW and associated documents to ensure understanding of the responsibilities of both parties.
- B. The Agency agrees to provide to the Cal EOS an accounting of all radio equipment to be maintained and serviced along with instruction manuals and schematics to its system equipment. (Attachment 1 is required annually for recurring maintenance of the Agency equipment. Complete Attachment 1 utilizing the equipment description and codes as outlined in attached TDM Chapter 3415.2.2) annually.
- C. The Agency agrees to be responsible for establishing a method for verifying charges made and invoiced by the Cal EOS.
- D. The Agency agrees to indemnify, defend, and save harmless the Cal OES, its officers, agents, and employees from any and all claims and losses accruing or resulting in connection with the performance of this agreement, and from any and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or damaged by the Agency in the performance on this Agreement.

6. CANCELLATION

The Cal OES may exercise its option to terminate this Agreement at any time with 30 calendar days prior written notice. If at such time the Agreement terminates, the Cal OES and the Agency will mutually agree upon any pro-rated monthly reimbursement cost due to the Cal OES for services rendered.

7. NOTICES

All notices required by or relating to this Agreement shall be in writing and shall be sent to the parties of this Agreement at their address as set below unless changed from time to time, in which event each party shall notify the other in writing, and all such notices shall be deemed duly given if deposited, postage prepaid, in the United States mail and directed to the address listed on the following page.

8. PROJECT REPRESENTATIVES

The technical representatives during the term of this Agreement will be:

State: California Governor's Office of Emergency Services	Agency: City of Oroville Police Department
Name: Jacob Gomez	Name: Tyson Pardee
Address: 601 Sequoia Pacific Blvd., Sacramento, CA 95811	Address: 2055 Lincoln Street Oroville, CA 95966
Phone: (916) 657-9695	Phone: (530) 538-2493 (530) 308-1276 Cell
e-mail: Jacob.Gomez@caloes.ca.gov	e-mail: tpardee@cityoforoville.org

Direct all Agreement inquiries to:

State: CA Governor's Office of Emergency Services	Agency: City of Oroville Police Department
Unit: Accounting and Purchasing Branch	Attention: Darinka Carey, Accounting
Attention: Colleen Catabran	Address: 2055 Lincoln Street Oroville, CA 95966
Address: 3650 Schriever Ave Mather, CA 95655	Phone: (530) 538-2481
Phone: (916) 845-8161	Fax:
Fax: (916) 845-8303	e-mail:
e-mail: Colleen.Catabran@caloes.ca.gov	

EXHIBIT B
BUDGET DETAIL AND PAYMENT PROVISIONS

1. Costs for maintenance services to be provided by the Cal OES shall be fully reimbursed by the Agency at the hourly rates in accordance with the Cost Sheet, Exhibit B-1. The Agency will pay for services as they are rendered. Travel to and from the site of service will be at the hourly rate. Emergency overtime calls for repair services after normal CAL OES working hours and on official State holidays will be at the specified hourly rate with a minimum four-hour charge.
2. Parts necessary to repair the Agency equipment will be billed separately from hourly services at the CAL OES's cost to procure the parts. Invoices will be presented monthly as necessary.
3. The CAL OES will invoice the Agency on a monthly basis in arrears for actual work performed. The Agency is required to schedule invoices for payment to the CAL OES no later than 15 days after receipt of invoice. If errors are found in the invoice or the Agency disputes invoice charges or services rendered, the CAL OES is to be notified immediately. Partial payment of an invoice without the CAL OES's approval is not allowed. Failure to comply with the CAL OES's payment policy as outlined above may result in cancellation of this Agreement.
4. The Cal OES reserves the right to review the hourly rate on July 1st of each year, and will be allowed to increase or decrease the rate, as a result of the review, throughout the term of the Agreement.
5. The Cal OES will provide their Service Descriptions and Rates sheet at the beginning of each Fiscal Year after rates are determined. Exhibit B-1 provides the Fiscal Year 2017/2018 and 2018/2019 Service Descriptions and Rates sheet.

**EXHIBIT B-1
COST SHEET**

Service Descriptions & Rates

Radio Engineering Services: \$155.00 per hour

Radio engineering services associated with a new or existing Public Safety and Public Service communication system includes system planning and design, site and coverage surveys, FCC licensing and frequency coordination, technical specification preparation, equipment evaluation and testing, project management, installation, and modification engineering. Travel time associated with engineering work is charged at the hourly rate. Equipment and parts are additional.

Radio Maintenance Services:

Equipment Installation and Modification: \$131.00 per hour

Installation, modification, and relocation of radio and related equipment at Agency facilities during normal business hours. Travel time is charged at the hourly rate. Parts are additional.

Depot Repairs \$131.00 per hour

Handheld/mobile radio equipment is delivered and picked up by Agency at PSC Depot facilities. If requested, arrangements may be made for PSC pickup and/or delivery; however, shipping charges will apply.

Annual Maintenance Service Program (Fixed Rate): Estimates available upon request

The program covers all breakdown repair and preventive maintenance for equipment covered by the program, including travel, emergency call-back and parts for a fixed annual rate. The fixed rate is based on a 3-year average of repair hours for individual agencies covered by the program.

Mobile Radio Equipment Installation/Removal (Flat Rate): Estimates available upon request

Installation, removal and modification of mobile radios, undercover installations, Code 3 installations and related equipment. Travel time is charged at a flat rate.

Emergency Repair/Installation (Hourly Rate): \$131.00 per hour

Technician call-back for emergency repairs or installation activities after normal working hours, weekends and holidays. Travel time is charged at the hourly rate. Parts are additional. (Minimum four hours charged per Department of Personnel Administration Rule 599.708.)

For additional information, contact the Cal OES Public Safety Communications at (916) 657-9405.

EXHIBIT C
GENERAL TERMS AND CONDITIONS (GTC 04/2017)

The General Terms and Conditions, GTC 04/2017, are hereby incorporated by reference and made a part of this Agreement as if attached hereto. This document may be viewed by visiting the following link:

<http://www.dgs.ca.gov/LinkClick.aspx?fileticket=x6TrRwzYLxs%3d&tabid=6133&portalid=32&mid=10>

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ATTACHMENT 1
LIST OF EQUIPMENT TO BE MAINTAINED

Attached is TDM 3415.2.2 (Equipment Code definitions) for assistance in determining equipment types and code abbreviations.

Code	Manufacturer	Model Number	Serial Number	QTY	Location
FS	Motorola	Quantar repeater	509CJF1925	1	PD - Cemetery
CE	Motorola	AstroTac3000 comparator		1	PD - Equipment room
FR	Motorola	Quantar receiver	743CKH0024	1	PD – Voter (BINTIF)
FR	Motorola	Quantar receiver	743CKH0025	1	PD – Voter (County Center)
FR	Motorola	Quantar receiver	743CKH0026	1	PD – Voter (State parks office)
FR	Motorola	Quantar receiver	743CKH0027	1	PD - Equipment room
FS	Motorola	GTR8000 repeater		2	PD/Fire – Levee site (Backup)
FS	Kenwood	TKR-750		1	PD – Secondary Network
FS	Kenwood	TKR-740		1	Fire – Primary Radio
CE	Motorola	Digital interface unit (DIU)			PD equipment room
A	Motorola	XTL2500		35	Vehicle radios
HT	Motorola	XTS1500		19	Portable radios
A	Motorola	XTS2500		10	Portable radios
A	Motorola	APX 6000		10	Portable radios
A	Motorola	APX 7000		20	Portable radios
A	Kenwood	TK-2180		10	Portable radios

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR DAHLMEIER AND COUNCIL MEMBERS

**FROM: DAWN NEVERS, ASSISTANT PLANNER
DONALD RUST, DIRECTOR (530) 538-2433
COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: REQUEST BY BUTTE COUNTY TO ALLOW FOR PACIFIC GAS &
ELECTRIC COMPANY TO RELEASE DATA FOR THE COMMUNITY
CHOICE AGGREGATE STUDY**

DATE: OCTOBER 3, 2017

SUMMARY

The Council may consider authorizing the Mayor to sign an attestation form authorizing Pacific Gas & Electric Company (PG&E) to release data to Butte County's consultant, EES Consulting, Inc. for use in the Community Choice Aggregate Study.

BACKGROUND

The County has been researching the option of Community Choice Aggregation (CCA). On June 14, 2016, the Board of Supervisors directed staff to seek a consultant to perform a feasibility study related to CCA to determine the financial viability of such an option in Butte County. A Request for Qualifications and Proposals was issued and was followed up by interviews with both of the two firms that submitted proposals (both firms being from out of the area). EES Consulting, Inc. (out of Kirkland, Washington) was ranked the highest by the interview panel and was also the lowest responsive bidder.

CCA became an option in California in 2002 with the passage of State Assembly Bill 117. The bill gave California cities and counties the ability to aggregate the electric loads of residents, businesses, and public facilities to facilitate the purchase and sale of electricity in a more competitive market. The Investor Owned Utility (IOU), such as PG&E, would no longer be responsible for the purchase and supply of energy. The IOU would still own all the infrastructure (power poles, power lines, etc.) associated with power distribution and would continue to deliver power using the IOU's lines. IOU's are obligated to continue to deliver electricity, perform billing, and provide customer service to the CCA customers under the same terms and conditions of their own customers. The potential benefits of a CCA are lower cost electricity for businesses and residents, as well as more energy options that could assist in the reduction of environmental impacts.

DISCUSSION

At this time, EES Consulting, Inc. will begin work on the CCA feasibility study, the City has received a request to sign an attestation form to allow PG&E to release City of Oroville information to Butte County for the purpose of enabling Butte County to investigate community choice aggregation.

RECOMMENDATIONS

Adopt Resolution No. 8857 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO SIGN AN ATTESTATION FORM AUTHORIZING PG&E TO RELEASE DATA TO BUTTE COUNTY AND EES CONSULTING, INC. FOR THE PURPOSE OF INVESTIGATING COMMUNITY CHOICE AGGREGATION.

ATTACHMENTS

A – Resolution No. 8857

B – Attestation Form

**CITY OF OROVILLE
RESOLUTION NO. 8657**

A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO SIGN AN ATTESTATION FORM AUTHORIZING PG&E TO RELEASE DATA TO BUTTE COUNTY AND EES CONSULTING, INC. FOR THE PURPOSE OF INVESTIGATING COMMUNITY CHOICE AGGREGATION

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

1. The Mayor is hereby authorized and directed to sign an attestation form to allow PG&E to release City of Oroville information to Butte County and EES Consulting, Inc. for the purpose of investigating community choice aggregation.
2. The City Clerk shall attest to the adoption of this Resolution.

PASSED AND ADOPTED by the Oroville City Council at a regular meeting on October 3, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Linda L. Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott E. Huber, City Attorney

Donald Rust, Acting City Clerk



DECLARATION BY MAYOR OR CHIEF COUNTY ADMINISTRATOR REGARDING INVESTIGATION, PURSUIT OR IMPLEMENTATION OF COMMUNITY CHOICE AGGREGATION

I, _____ [name], state as follows:

1. I am the mayor, chief county administrator, or chief executive officer of _____
_____ [name of city, county, or public agency,].
2. I am authorized to make this declaration on behalf of _____
_____ [check appropriate box]
 - a city, or
 - a county, or
 - an eligible public agency

which is investigating, pursuing or implementing community choice aggregation as a community choice aggregator as defined by Section 331.1 of the California Public Utilities Code ("CCA" or "Potential CCA").

3. I understand that all of the confidential information provided by PG&E to the city, county, or public agency indicated above is subject to the terms and conditions of the Nondisclosure Agreement between these two entities and is provided for the sole purpose of enabling the city, county or public agency to investigate, pursue or implement community choice aggregation.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this _____ day of _____, 20____, at _____, _____ [city, state].

[Signature]

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR DAHLMEIER AND COUNCIL MEMBERS

**FROM: RICK FARLEY, RDA COORDINATOR
BUSINESS ASSISTANCE AND HOUSING DEVELOPMENT
DEPARTMENT**

**RE: ADOPTION OF THE LAST AND FINAL RECOGNIZED
OBLIGATION PAYMENT SCHEDULE AND THE SUCCESSOR
AGENCY ADMINISTRATIVE BUDGET**

DATE: OCTOBER 3, 2017

SUMMARY

The Council, serving as the Successor Agency to the former Oroville Redevelopment Agency, may consider approving the Last and Final Recognized Obligation Payment Schedule for the time period of January 1, 2018 through June 30, 2031, and the Successor Agency Administrative Budget for that same time period.

DISCUSSION

California Health & Safety Code Section 34177(o), requires successor agencies to adopt a Recognized Obligation Payment Schedule (ROPS) before each fiscal period. Pursuant to Health and Safety Code Section 34191.6 beginning in January 1, 2016, successor agencies may submit a Last and Final ROPS for approval if all of the following conditions are met: 1) the remaining debt is limited to administrative costs and payments pursuant to enforceable obligations with defined payment schedules, 2) all remaining obligations have been previously listed on a ROPS and approved for payment by DOF pursuant to HSC Section 34177, and 3) the Successor Agency is not party to outstanding or unresolved litigation. The Oroville Successor Agency meets all the conditions to submit a Last and Final ROPS.

The Last and Final ROPS is a schedule of necessary payments for each enforceable obligation of the former Oroville Redevelopment Agency for each fiscal year period until the final enforceable obligation is paid and retired, in this case FY 2030-31. It replaces the annual ROPS that have been due each year on February 1, and has the advantage of removing future ROPS preparation and filings, thereby reducing the administrative burden on a successor agency, Oversight Board, County, and DOF. Additionally, the Dissolution Act allows for a different payment formula for City loans which can be more favorable under a Last and Final ROPS, as explained further below.

City Loan

The Successor Agency is recommending filing a Last and Final ROPS at this time so that the City may receive repayment of the City loan that was entered into between the City of Oroville and the former Oroville Redevelopment Agency (RDA) in 1987 and subsequently in 1995. The original principal loaned to the RDA totaled \$1.8 million and the RDA made interest payments each year, and repaid the total outstanding principal and interest due of \$1,852,500 in January 2012. However, DOF disallowed the January 2012 loan repayment through the due diligence review process, and required the City to return the \$1,852,500 to the Butte County Auditor-Controller for distribution to affected taxing entities. Although the Successor Agency disputed DOF's determination, it returned the funds to the Auditor-Controller on December 20, 2013 under protest.

Subsequently, AB 1484 set up a statutory process that allows successor agencies to repay city loans once they receive their Finding of Completion from DOF. The Oroville Successor Agency received their Finding of Completion on May 6, 2014. As part of this new statutory process, redevelopment oversight boards must also make a finding that city loans were for legitimate redevelopment purposes in order for them to be deemed enforceable obligations payable on the ROPS. Accordingly, the Oroville Oversight Board adopted OB Resolution 01-14 finding the loan was for legitimate redevelopment purposes on February 24, 2014 and that resolution was approved by DOF in their letter dated April 11, 2014.

In accordance with HSC Section 34191.4(b)(2), once these loans are deemed enforceable obligations, repayment of the loans is subject to specified requirements and limitations, including scheduled repayments on the ROPS cannot exceed 50% of the annual incremental growth of residual RPTTF revenues using a FY 2012-13 base year. When the ROPS process initially began in 2012, successor agencies were also undergoing a due diligence review process (DDR). Most successor agencies kept cash balances in reserve until the DDR mandated that those cash balances be paid to their county auditor-controller's office for distribution to taxing entities. They received Redevelopment Property Tax Trust Fund (RPTTF) to pay enforceable obligations instead of using their cash balances. Oroville's Successor Agency however, based on AB x1 26 and DOF's direction, voluntarily exhausted reserve cash balances to pay for ROPS obligations in FY 2012-13 instead of receiving RPTTF, and received only \$125,000 of administrative allowance from RPTTF in FY 2012-13. This resulted in a very high residual RPTTF amount in FY 2012-13. The Successor Agency began receiving RPTTF to fund the majority of its ROPS obligations in FY 2013-14, which significantly decreases the amount of residual RPTTF available in future years. Based on this formula, the City Loan would not be able to be start repayment until FY 2030-31.

The Oroville Successor Agency has filed multiple meet and confers with DOF disputing the calculation of the 2012-13 base year, and most recently during ROPS 17-18 to try and reverse DOF's continued denial of the City's Loan Repayment. City staff met with the County Auditor-Controller and state legislators Assemblyman James Gallagher and Senator Jim Nielsen who sent a joint letter to DOF in support of the Successor Agency to try to resolve the issue through the ROPS process. On May 17, 2017 DOF issued a determination letter to the meet and confer continuing to deny the City loan repayment. As it appears that with all

legal, political, and administrative options exhausted, DOF has not shown any interest or willingness in moving its position on the City loan repayment formula, thereby forcing the Successor Agency to either wait another 14 years for repayment of this loan to the City, or pursue a Last and Final ROPS which would allow the loan to begin repayment the second half of this fiscal year.

As an added incentive for successor agencies to support a Last and Final ROPS, the formula to determine the maximum amount of funds available for repayment of City loans and other approved deferrals or loans is materially different and in many cases much greater. It is not based on the 2012-13 base year residual, and is instead a simple 15 percent of the residual RPTTF in each six-month period. Should the Oroville Successor Agency file a Last and Final ROPS, the formula for City loan repayment would allow the City's loan to be repaid starting in FY 17-18B period and completed in FY 2020-21.

Administrative Allowance

The Successor Agency has historically received the full allowable \$250,000 each fiscal year for the administrative allowance. With a Last and Final ROPS, the recurring administrative cost allowance would significantly reduced, to match the significantly reduced administrative duties of the Successor Agency. DOF has indicated that the administrative cost allowance on a Last and Final ROPS should be expected to be reduced to approximately \$2,500 or less per approved line item per year, which is similar to what other successor agencies who have filed a Last and Final ROPS have had their administrative cost allowance reduced to. With additional Successor Agency reporting requirements including the Prior Period Adjustment, and Successor Agency properties not yet sold or transferred, the initial administrative allowance request for 17-18B and FY 18-19 is \$15,000. FY 19-20 requests \$10,000, and thereafter the administrative allowance is reduced down to \$5,000 to maintain bond payments, fiscal agent fees, and reporting requirements.

Pursuant to Health and Safety Code Section 34177(j), the Successor Agency is required to prepare a proposed administrative budget and submit it for final approval to the Oversight Board. The administrative budget is required to include estimated amounts for Successor Agency administrative costs for the ROPS period as well as the source of payment for the administrative costs. The attached Administrative Budget covers the Last and Final ROPS time period starting with 17-18B period through FY 2030-31. with the RPTTF as the source of payment.

Last and Final ROPS Enforceable Obligations

The majority of the enforceable obligations on the Last and Final ROPS remain unchanged from prior ROPS. The remaining enforceable obligations listed on the Last and Final ROPS are as follows:

- Bond fiscal agent fees;
- Administrative cost allowance;
- Robert Taylor Participation Agreement;
- Debt service payments on the 2015 Tax Allocation Refunding Bonds; and
- 2015 TARB Continuing Disclosure Fee

The Robert Taylor Participation Agreement will be paid off and retired in ROPS 21-22A period, and the debt service payments, fiscal agent fees, and continuing disclosure fees for the 2015 Tax Allocation Refunding Bonds will be paid off and retired in ROPS 30-31B period. After that, all Successor Agency enforceable obligations will be paid and the redevelopment agency would be completely dissolved with no further action needed by the Successor Agency or the City.

DOF Review

Upon Oversight Board approval, the Last and Final ROPS will be immediately submitted to the Department of Finance (DOF) for review. The Last and Final ROPS will also be transmitted to the State Controller's Office and the Butte County Auditor-Controller for their review. DOF has up to 100 days to review the Last and Final ROPS, however they have indicated a willingness to work with the Successor Agency to try to complete the review in time for the ROPS 17-18B distribution of RPTTF on January 2, 2018. Future disbursements of property tax revenue to pay ROPS obligations by the Auditor-Controller will continue to be on June 1 for A periods and January 2 for B periods. Once DOF approves a successor agency's Last and Final ROPS, the successor agency may submit up to two requests to amend it and cannot include any new items.

FISCAL IMPACT

Adoption and transmittal of the Recognized Obligation Payment Schedule is necessary to receive money from the Redevelopment Property Tax Trust Fund (RPTTF) to pay ongoing bond payments and other enforceable obligations of the former Redevelopment Agency. This Last and Final ROPS will cover the time period of January 1, 2018 through June 30, 2031. It is anticipated that there will be enough RPTTF to pay for enforceable obligations until all enforceable obligations are paid for and retired in 2031.

RECOMMENDATIONS

1. Adopt Resolution No. 17-05 - A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE LAST AND FINAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 (m) AND 34191.6.
2. Adopt Resolution No. 17-06 - A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE LAST AND FINAL ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 (j).

ATTACHMENTS

- A - Resolution No. 17-05
- B - Last and Final Recognized Obligation Payment Schedule
- C - Resolution No. 17-06
- D - Last and Final Administrative Budget

**OROVILLE SUCCESSOR AGENCY
RESOLUTION NO. 17-05**

A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING A LAST AND FINAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 (m) AND 34191.6

WHEREAS, pursuant to Health and Safety Code Section 34177 (m) the Successor Agency is required to approve a Recognized Obligation Payment Schedule (ROPS) for each upcoming fiscal year, and

WHEREAS, pursuant to Health and Safety Code Section 34191.6 beginning in January 1, 2016, successor agencies may submit a Last and Final ROPS for approval if all of the following conditions are met: 1) the remaining debt is limited to administrative costs and payments pursuant to enforceable obligations with defined payment schedules, 2) all remaining obligations have been previously listed on a ROPS and approved for payment by DOF pursuant to HSC Section 34177, and 3) the Successor Agency is not party to outstanding or unresolved litigation, and

WHEREAS, the Oroville Successor Agency meets the conditions required to submit a Last and Final ROPS, and

WHEREAS, the Oroville Successor Agency has evaluated the implications of preparing a Last and Final ROPS and has determined that it not only reduces the administrative burden for dissolving the former Oroville Redevelopment Agency but offers the opportunity to repay the former Redevelopment Agency's loan payable to the City of Oroville much sooner than would otherwise be allowable, and

WHEREAS, upon Successor Agency approval of the ROPS, the Successor Agency is required to submit the ROPS to the Oversight Board of the Oroville Successor Agency for approval and the Oversight Board is required to submit the ROPS to the Department of Finance and the County Auditor-Controller.

BE IT HEREBY RESOLVED by the Successor Agency as follows:

SECTION 1. The Oroville Successor Agency approves the Last and Final Recognized Obligation Payment Schedule for the period of January 1, 2018 through June 30, 2031.

SECTION 2. The Secretary shall attest to the adoption of this Resolution.

PASSED and ADOPTED by the Successor Agency to the Oroville Redevelopment Agency at a regular meeting on October 3, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED AS TO FORM:

Scott E. Huber, Agency Counsel

Linda L. Dahlmeier, Chairperson

ATTEST:

Donald Rust, Acting Secretary

Last and Final Recognized Obligation Payment Schedule (ROPS) - Summary
Filed for the July 1, 2017 through June 30, 2048 Period

Successor Agency:	<u>Oroville</u>
County:	<u>Butte</u>
Initial ROPS Period	<u>ROPS 17-18A</u>
Final ROPS Period	<u>ROPS 46-47B</u>

Requested Funding for Enforceable Obligations	Total Outstanding Obligation
A Enforceable Obligations Funded as Follows (B+C):	\$ -
B Bond Proceeds	-
C Other Funds	-
D Redevelopment Property Tax Trust Fund (RPTTF) (E+F):	\$ 23,370,616
E RPTTF	23,275,616
F Administrative RPTTF	95,000
G Total Outstanding Enforceable Obligations (A+D):	\$ 23,370,616

Certification of Oversight Board Chairman:
Pursuant to Section 34177 (o) of the Health and Safety code, I hereby
certify that the above is a true and accurate Recognized Obligation
Payment Schedule for the above named agency.

Name	Title
/s/ _____	
Signature	Date

ATTACHMENT "B"

Last and Final Recognized Obligation Payment Schedule (ROPS) - Summary Filed for the July 1, 2017 through June 30, 2048 Period

Successor Agency:	<u>Oroville</u>
County:	<u>Butte</u>
Initial ROPS Period	<u>ROPS 17-18A</u>
Final ROPS Period	<u>ROPS 46-47B</u>

Requested Funding for Enforceable Obligations	Total Outstanding Obligation
A Enforceable Obligations Funded as Follows (B+C):	\$ -
B Bond Proceeds	-
C Other Funds	-
D Redevelopment Property Tax Trust Fund (RPTTF) (E+F):	\$ 23,370,616
E RPTTF	23,275,616
F Administrative RPTTF	95,000
G Total Outstanding Enforceable Obligations (A+D):	\$ 23,370,616

Certification of Oversight Board Chairman:
Pursuant to Section 34177 (o) of the Health and Safety code, I hereby
certify that the above is a true and accurate Recognized Obligation
Payment Schedule for the above named agency.

<u>Linda L. Dahlmeier</u>	Chairperson/Mayor
Name	Title
/s/ _____	
Signature	Date

Oroville Last and Final Recognized Obligation Payment Schedule (ROPS) - ROPS Detail
July 1, 2017 through June 30, 2048

A Period					
July - December					
ROPS Period	Fund Sources				Six-Month Total
	Bond Proceeds	Other Funds	RPTTF	Admin RPTTF	
	\$ -	\$ -	\$ 1,453,180	\$ 80,000	\$ 1,533,180
ROPS 17-18A	-	-	-	-	\$ -
ROPS 18-19A	-	-	470,824	15,000	\$ 485,824
ROPS 19-20A	-	-	483,540	10,000	\$ 493,540
ROPS 20-21A	-	-	496,518	5,000	\$ 501,518
ROPS 21-22A	-	-	2,298	5,000	\$ 7,298
ROPS 22-23A	-	-	-	5,000	\$ 5,000
ROPS 23-24A	-	-	-	5,000	\$ 5,000
ROPS 24-25A	-	-	-	5,000	\$ 5,000
ROPS 25-26A	-	-	-	5,000	\$ 5,000
ROPS 26-27A	-	-	-	5,000	\$ 5,000
ROPS 27-28A	-	-	-	5,000	\$ 5,000
ROPS 28-29A	-	-	-	5,000	\$ 5,000
ROPS 29-30A	-	-	-	5,000	\$ 5,000
ROPS 30-31A	-	-	-	5,000	\$ 5,000
ROPS 31-32A	-	-	-	-	\$ -
ROPS 32-33A	-	-	-	-	\$ -
ROPS 33-34A	-	-	-	-	\$ -
ROPS 34-35A	-	-	-	-	\$ -
ROPS 35-36A	-	-	-	-	\$ -
ROPS 36-37A	-	-	-	-	\$ -
ROPS 37-38A	-	-	-	-	\$ -
ROPS 38-39A	-	-	-	-	\$ -
ROPS 39-40A	-	-	-	-	\$ -
ROPS 40-41A	-	-	-	-	\$ -
ROPS 41-42A	-	-	-	-	\$ -
ROPS 42-43A	-	-	-	-	\$ -
ROPS 43-44A	-	-	-	-	\$ -
ROPS 44-45A	-	-	-	-	\$ -
ROPS 45-46A	-	-	-	-	\$ -
ROPS 46-47A	-	-	-	-	\$ -

B Period						
January - June						
ROPS Period	Fund Sources				Six-Month Total	Twelve-Month Total
	Bond Proceeds	Other Funds	RPTTF	Admin RPTTF		
	\$ -	\$ -	\$ 21,822,436	\$ 15,000	\$ 21,837,436	\$ 23,370,616
ROPS 17-18B	-	-	1,857,043	15,000	\$ 1,872,043	\$ 1,872,043
ROPS 18-19B	-	-	1,848,849	-	\$ 1,848,849	\$ 2,334,673
ROPS 19-20B	-	-	1,864,435	-	\$ 1,864,435	\$ 2,357,975
ROPS 20-21B	-	-	1,632,781	-	\$ 1,632,781	\$ 2,134,299
ROPS 21-22B	-	-	1,618,694	-	\$ 1,618,694	\$ 1,625,992
ROPS 22-23B	-	-	1,617,044	-	\$ 1,617,044	\$ 1,622,044
ROPS 23-24B	-	-	1,617,544	-	\$ 1,617,544	\$ 1,622,544
ROPS 24-25B	-	-	1,620,144	-	\$ 1,620,144	\$ 1,625,144
ROPS 25-26B	-	-	1,614,394	-	\$ 1,614,394	\$ 1,619,394
ROPS 26-27B	-	-	1,613,244	-	\$ 1,613,244	\$ 1,618,244
ROPS 27-28B	-	-	1,615,794	-	\$ 1,615,794	\$ 1,620,794
ROPS 28-29B	-	-	1,617,094	-	\$ 1,617,094	\$ 1,622,094
ROPS 29-30B	-	-	365,063	-	\$ 365,063	\$ 370,063
ROPS 30-31B	-	-	1,320,313	-	\$ 1,320,313	\$ 1,325,313
ROPS 31-32B	-	-	-	-	\$ -	\$ -
ROPS 32-33B	-	-	-	-	\$ -	\$ -
ROPS 33-34B	-	-	-	-	\$ -	\$ -
ROPS 34-35B	-	-	-	-	\$ -	\$ -
ROPS 35-36B	-	-	-	-	\$ -	\$ -
ROPS 36-37B	-	-	-	-	\$ -	\$ -
ROPS 37-38B	-	-	-	-	\$ -	\$ -
ROPS 38-39B	-	-	-	-	\$ -	\$ -
ROPS 39-40B	-	-	-	-	\$ -	\$ -
ROPS 40-41B	-	-	-	-	\$ -	\$ -
ROPS 41-42B	-	-	-	-	\$ -	\$ -
ROPS 42-43B	-	-	-	-	\$ -	\$ -
ROPS 43-44B	-	-	-	-	\$ -	\$ -
ROPS 44-45B	-	-	-	-	\$ -	\$ -
ROPS 45-46B	-	-	-	-	\$ -	\$ -
ROPS 46-47B	-	-	-	-	\$ -	\$ -

Oroville Last and Final Recognized Obligation Payment Schedule (ROPS) - ROPS Detail
July 1, 2017 through June 30, 2048
(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I
Item #	Project Name/Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Obligation
4	Fiscal Agent Fees, and Arbitrage	Fees	3/1/2012	9/15/2030	Union Bank - Willdan	Fees for fiscal agent services	Oroville RDA Project Area #1	\$ 23,370,613
8	*Levee Investigation	Professional Services	6/21/2011	6/21/2012	HDR Engineering	Professional Services Agreement with HDR, FEMA Levee Certification Project		\$114,800
9	Oroville Enterprise Zone	Professional Services	12/10/2007	6/30/2021	City of Oroville	MOU between the State of California - HCD and the City to perform Enterprise Zone Activities		
10	Oroville Inn Code Enforcement Legal Services	Professional Services	4/6/2010	9/15/2030	Cota Cole	Professional Services Agreement with Cota Cole for Code Enforcement Legal Services		
12	*Successor Agency Administrative Allowance	Admin Costs	2/1/2012	9/15/2031	City of Oroville	Staffing costs overhead, building, insurance, utility costs, equipment, etc	Oroville RDA Project Area #1	\$95,000
20	Robert M Taylor Corporation Participation Agreement	OPA/DDA/Construction	12/15/1986	1/1/2021	City of Oroville	Developer Participation Agreement dated December 15, 1986, whereby the Oroville RDA agrees to reimburse the participant a portion of the assessed value of the underlying developed property on an annual basis through the tax year 2021.	Oroville RDA Project Area #1	\$9,001
21	City of Oroville Loan	City/County Loan (Prior 06/28/11), Cash exchange	10/19/1987	12/31/2030	City of Oroville	Loan from City to former RDA to provide seed money for CIP projects and property acquisition	Oroville RDA Project Area #1	2,175,312
22	Housing Successor Entity Administrative Cost Allowance	Housing Entity Admin Cost	2/18/2014	9/15/2030	Oroville Housing Successor Entity	Administrative cost allowance for the housing successor entity permitted by Assembly Bill 471, codified in HSC Section 34171(p)		
23	2015 Tax Allocation Revenue Refunding Bonds	Refunding Bonds Issued After 6/27/12	3/12/2015	9/15/2031	Union Bank	Refunding of 2002, 2004A and 2004B tax allocation bonds issued to fund non-housing projects	Oroville RDA Project Area #1	\$20,896,000
24	Pre-Disposition Costs - Property Disposition by Successor Agency	Property Dispositions	1/1/2015	9/15/2031	Appraisers, Brokers/ Agents, Environmental consultants, Title companies, Escrow	Preparation of properties for disposition by Successor Agency - Disposition documentation, title and escrow services, environmental due diligence, appraisal fees, broker and agent fees, other pre-disposition costs associated with disposition of properties.		
25	Interim Property Management - Property Disposition by Successor Agency	Property Dispositions	1/1/2015	9/15/2031	Property Agents, Maintenance Contractors	Preparation and maintenance of agency properties for disposition by Successor Agency - Interim Property Management		
26	City of Oroville Bond Expenditure Agreement	Bond Funded Project - Pre-2011	12/16/2015	9/15/2031	City of Oroville	Bond expenditure agreement between City of Oroville and the Successor Agency to transfer excess bond proceeds to the City.		

**OROVILLE SUCCESSOR AGENCY
RESOLUTION NO. 17-06**

A RESOLUTION OF THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE JANUARY 1, 2018 THROUGH JUNE 30, 2048 ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 (j)

WHEREAS, pursuant to Health and Safety Code Section 34177 (j) the Successor Agency is required to approve the Successor Agency Administrative Budget; and

WHEREAS, the Administrative Budget shall include 1) an estimate of the 12-month fiscal period, 2) sources of payment for the costs identified, and 3) arrangements for administrative and operations services provided by the City or other agency; and

WHEREAS, the Oroville Successor Agency meets the conditions required to submit a Last and Final ROPS for the time period of January 1, 2018 through June 30, 2048, and this will be the final Administrative Budget adopted for the Successor Agency.

BE IT HEREBY RESOLVED by the Successor Agency as follows:

SECTION 1. The Oroville Successor Agency approves the Oroville Successor Agency Administrative Budget for the period of January 1, 2018 through June 30, 2048.

SECTION 2. The Secretary shall attest to the adoption of this Resolution.

PASSED and ADOPTED by the Successor Agency to the Oroville Redevelopment Agency at a regular meeting on October 3, 2017 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Linda L. Dahlmeier, Chairperson

APPROVED AS TO FORM:

ATTEST:

Scott E. Huber, Agency Counsel

Donald Rust, Acting Secretary

**OROVILLE SUCCESSOR AGENCY
ADMINISTRATIVE BUDGET
FISCAL YEAR 2017-18B THROUGH 2030-31
FOR LAST AND FINAL ROPS**

Expense Category	17-18B	FY 18-19	FY 19-20	FY 20-21 to 30-31
Successor Agency Personnel				
Salaries – Finance Director	\$1,130	\$1,130	\$1,130	\$1,130
Salaries – Finance Department staff	\$345	\$345	\$345	\$345
Salaries – Finance Department staff	\$225	\$225	\$225	\$225
Salaries – Successor Agency staff	\$2,000	\$2,000	\$2,000	\$2,000
Salaries – City Manager	\$1,300	\$1,300	\$1,300	\$1,300
<i>SUBTOTAL</i>	<i>\$5,000</i>	<i>\$5,000</i>	<i>\$5,000</i>	<i>\$5,000</i>
Maintenance and Operation				
Contracted Services – PPA and SA Services	\$5,000	\$5,000	\$2,500	\$0
Legal Services	\$5,000	\$5,000	\$2,500	\$0
<i>SUBTOTAL</i>	<i>\$10,000</i>	<i>\$10,000</i>	<i>\$5,000</i>	<i>\$0</i>
TOTAL EXPENDITURES	\$15,000	\$15,000	\$10,000	\$5,000

The funding source is the Successor Agency’s Administrative Cost Allowance from the Redevelopment Property Tax Trust Fund. 17-18B through 19-20 include Contracted and Legal Services to assist with disposition of LRPMP property, Prior Period Adjustments, and other necessary SA services as needed.

**CITY OF OROVILLE
STAFF REPORT**

TO: MAYOR DAHLMEIER AND COUNCIL MEMBERS

**FROM: JAMIE HAYES, ASSISTANT CITY CLERK
ADMINISTRATION DEPARTMENT**

RE: APPOINTMENT TO THE OROVILLE PARK COMMISSION

DATE: OCTOBER 3, 2017

SUMMARY

The Council may consider appointing Krystina Riggs, a qualified City resident, to serve on the Oroville Park Commission for the remainder of a vacant seats term, ending June 30, 2022.

DISCUSSION

The Oroville Park Commission is responsible for oversight and advising the City Council regarding the management, maintenance and operations of the City-owned parks, museums and cultural facilities as well as the general maintenance and management of City trees, plants and lawns within the City limits.

Article X of the City Charter allows for five (5) appointments to the City's Park Commission. Applicants must reside within the City limits.

The Park Commission currently has two vacancies. Staff is currently advertising on our Facebook page and at City Hall for qualified applicants to apply for these vacant seats on the Commission due to the resignation of former Commissioners Prouty and Sehorn. To date, Ms. Riggs is the only applicant to have applied to serve on the Park Commission.

FISCAL IMPACT

None.

RECOMMENDATION

Appoint Krystina Riggs to serve on the Oroville Park Commission for the remainder of a vacant seats term, ending June 30, 2022.

ATTACHMENTS

A – Request for Appointment



City of Oroville
SEP 20 2017
Administration

CITY OF OROVILLE
APPLICATION FOR APPOINTMENT TO CITY COMMITTEE OR COMMISSION
(Please Read Instructions)

RETURN TO: CITY CLERK'S OFFICE, 1735 MONTGOMERY STREET, OROVILLE, CA 95965
Completed applications are considered public records per Government Code §6252.

Name of committee/commission you are applying for:

Note: If you are applying for more than one committee/commission, number in order of preference.

- Planning Commission
- Arts Commission
- Housing Loan Advisory Committee
- Economic Development Loan Advisory Committee
- Park Commission - openings (2)
- Southside Community Center Advisory Committee
- Art, Cultural, Entertainment District Advisory Committee
- Oroville Mosquito Abatement District Committee
- Other: _____

APPLICANT INFORMATION

Name (print): Krystina Riggs

Residence Address: 1727 Hammon Ave

Mailing Address (if different): _____

Telephone: 530-6938712 E-Mail Address: Krysi@theaxiom.org

Are you a qualified elector** of the City? Yes No

EMPLOYMENT INFORMATION

Occupation: Director

Current Employer: The Axiom

Current Employer Address: 1420 Myers

Telephone: 530-533-8010

EXPERIENCE/BACKGROUND

(Additional information/resume may be provided on page 2 of this application)

Education: Bachelors in Health & Community Service CSU Chico

Memberships of Organizations: None currently

Have you served on any committee/commission in the past? Yes No

If yes, list committee/commission and dates served: _____

OPTIONAL

How did you hear about this recruitment? City hall visit / Jamie

VERIFICATION

By signing this application, I certify that I am a registered voter in the City of Oroville.

Date: 8/22/17

Signature: K. Rogers

Please use this space for any other additional information that you would like to provide in support of your application.



BASIC SUPPLEMENTAL INFORMATION QUESTIONNAIRE

This supplemental questionnaire is a required part of your application package and must be returned along with your "Application for Appointment" to the City Clerk's Office. If you have any questions, please call the City Clerk's Office at 538-2535.

1. Why would you want to serve on the Committee/Commission?

I would like to serve on the parks commission because I want to improve quality of life, and recreation opportunities for residents. I believe our parks are a valuable aspect of our community & I'd like to help maintain, improve, & develop them!

2. What unique qualifications and/or skills would you bring to the Committee/Commission?

My degree is heavily focused on community development strategies. Additionally, I have 10 years of youth development & community work. I believe my skills, experience, and motivation to see Oroville grow & improve will serve the commission well.

3. Do you have any conflicts or potential conflicts that would make you ineligible to vote on any items? How often do you think these conflicts might arise?

None that I can think of, possibly that I'm the director of the Axiom but I don't foresee any issues there.

Date: 8/22/17

Signature: K Rogers

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR DAHLMEIER AND COUNCIL MEMBERS

**FROM: AMY BERGSTRAND, MANAGEMENT ANALYST III
BUSINESS ASSISTANCE/HOUSING DEVELOPMENT**

**RE: 2017 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
APPLICATION**

DATE: OCTOBER 3, 2017 (Continued from September 5 & 19, 2017)

SUMMARY

The Council will continue the public hearing from September 5 & 19, 2017 and consider the submittal of 2017 Community Development Block Grant (CDBG) Application and provide direction to staff indicating the priority of the proposed activities to be submitted to State.

DISCUSSION

On September 1, 2017, the State CDBG Department released CDBG Notice of Funding Availability (NOFA) to State CDBG non-entitlement cities and counties. The application is due Friday, December 1, 2017. On September 5 & 19, 2017, staff conducted a public hearing reviewing the changes to the 2017 NOFA, applications maximum funding limits and eligible activities and council requested staff bring back a list of options to consider.

The Funding limit for the 2017 NOFA is \$5,000,000 with only two (2) activities and one (1) Supplemental activity.

Eligible Activities are listed below:

- 1) Enterprise Fund (EF) Activity
 - a. Business Assistance and Micro-enterprise (ME) up to \$500,000
- 2) Housing Activity
 - a. Housing Rehabilitation Program (1-4) (HR), or Homeownership Assistance Program (HA) or Housing Combo-HR and HA up to \$1,000,000.
 - b. Housing Project-Multi-Family Rental (5 or more units) Rehabilitation with or without Acquisitions, up to \$3,000,000.
 - c. Housing Project-Acquisitions of Real Property-for Multi-Family Housing Projects up to \$3,000,000.
- 3) Public Improvements or Public Improvements in Support of Housing New Construction Activity, up to \$5,000,000.
- 4) Public Facility Activity, up to \$5,000,000.
- 5) Public Service Activity, up to \$500,000 for two (2) separate public service programs (including code enforcement) counts as one (1) activity.
- 6) Planning and Technical Assistance Activity, up to \$100,000.
- 7) ED Over the Counter (OTC), up to \$3,000,000.

FISCAL IMPACT

There is no impact to the General Fund.

RECOMMENDATION

Provide direction, as necessary.

ATTACHMENT

A - List of potential CDBG eligible projects

2017 CDBG ELIGIBLE ACTIVITIES

Activity	Description	Maximum Funding Limit	Rank
Homeownership Assistance, Housing Rehabilitation, or Housing Combo	Choose either Homeownership Assistance, Housing Rehab or a combination of both. If you choose both, you can move funding around in response to the need of the community, with approval from the state.	\$1,000,000	
Housing Project-Multi-Family Rental (5 or more units)	Financing the costs of repairs and general property improvements to renter-occupied units, loans for refinancing existing indebtedness by property being rehabilitated, improvements to increase efficient use of energy, conversion of commercial properties into housing units., conversion of non-residential structures, projects with at least 51 % of the units occupied by or restricted for low/mod households.	\$3,000,000	
Housing Project-Multi-Family Acquisitions of Real Property	Acquisition of Property for the purpose of housing projects. Acquisitions of existing rental housing, the majority (51%) of units are to be occupied by low- or moderate income residents, resident purchase of mobile home park, Acquisition of vacant land as part of an affordable housing development project.	\$3,000,000	
Public Improvements	The costs of construction, reconstruction, rehabilitation or installation of public improvement projects, including water and sewer facilities, flood and drainage facilities,	\$5,000,000	

	street improvements (including Sidewalks, curbs, and gutters), and utilities. <u>Project must be located in and serve predominately residential area.</u>		
Public Facilities	<p>Acquisition, rehabilitation, or new construction of buildings and grounds used to provide one or more eligible CDBG Public Service, the acquisition of real property (including air rights, water rights, easements, rights of ways and other interest therein) if the property is Blighted, deteriorating, underdeveloped, or inappropriately developed from a standpoint of sound community development and growth, appreciate for rehabilitation or conservation activities or, the acquisitions of land for use as a park serving primarily a residential neighborhood that is predominately low/mod income, temporary housing for persons with special needs.</p> <p>A Use Limitation Agreement would be required for at least 5 years after the closeout of the CDBG contract to ensure eligible public services will continue to be provided.</p>	\$5,000,000	
Public Services	<p>Up to two (2) public services will count as one activity, to include labor, supplies, materials and other costs.</p> <p>Code Enforcement must <u>only take place in primarily residential areas</u> where 51% of the residents are low/mod income. CDBG funds may not be used to pay for Code Enforcement in every area or</p>	\$500,000	

	<p>neighborhood of the city's entire jurisdiction, can only pay for staff salaries for Code Enforcement Officers issuing citations for code violation and must be carried out in deteriorating or deteriorated areas where enforcement may be expected to arrest the decline of the area and have measurable outcomes and success is documented.</p> <p>Oroville is currently funding the following four (4) public services to expire in October 2017:</p> <ul style="list-style-type: none"> • Boys and Girls Club • Catalyst • Code Enforcement • YMCA 		
Planning & Technical Assistance	<p>One (1) PTA Activity</p> <p>CD and ED planning studies focused on research, analysis and planning for community needs concerning housing, public improvement, community facilitates, public services, local planning issues, business development, job creation or retention., etc.</p>	\$100,000	
SC-OR Project	<p>Staff received a request from SC-OR to apply for funding on their behalf to construct a new Primary Influent Pump Station (PIPS) with a designed capacity of 16mgd for the regional wastewater treatment plant. The total project cost is estimated to be \$4.5 million and they have applied for USDA rural development funds which could potentially fund up to 53% of the project.</p>	\$2,500,000/approx.	

**CITY OF OROVILLE
STAFF REPORT**

TO: MAYOR DAHLMEIER AND COUNCIL MEMBERS

**FROM: DONALD RUST, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: SUPPORT OF CITIZENS' CLIMATE LOBBY NATIONAL REVENUE-
NEUTRAL CARBON FEE AND DIVIDEND ACT**

DATE: OCTOBER 3, 2017

SUMMARY

The Council may consider approving a resolution in support of the National Revenue-Neutral Carbon Fee and Dividend Program.

DISCUSSION

Many believe greenhouse gas emissions from human activities, such as the burning of fossil fuels, are a key contributor to the current rise in global temperatures and increase in severe climate events. Research from climate scientists and the National Academy of Sciences indicates that a reduction in the concentration of greenhouse gases in the atmosphere, from the current 400 parts per million to 350 parts per million, is needed to avoid future disruptive environmental, health, agricultural, and economic harm.

A study conducted by the non-partisan Regional Economic Models, Inc. found that a Revenue-Neutral Carbon Fee and Dividend Program would be the most successful in lowering CO₂ emissions, which is the most common greenhouse gas. If widely implemented, this program would likely result in CO₂ levels at or below 350 parts per million by 2050.

Passage of the attached resolution would confirm the City of Oroville's support for Citizens' Climate Lobby National Revenue-Neutral Carbon Fee and Dividend Act. By approving the attached resolution, the City requests the United States Congress immediately enact legislation and the United States President sign into law a National Revenue-Neutral Carbon Fee and Dividend Program.

On March 31, 2015, the City Council adopted the "Sustainable Code Updates" which included the adoption of the City of Oroville Community Climate Action Plan (CAP). In the plan, the City has set a target to reduce GHG emissions from community activities to 11% below 2010 levels by 2020—a goal referred to in the CAP as the 2020 emissions reduction target, which is consistent with larger statewide initiatives adopted through Assembly Bill 32, also known as the California Global Warming Solutions Act.

The CAP describes the City's plan for achieving its emissions reduction goal and also outlines a plan that will better prepare the City to address and adapt to potential economic, environmental, and social effects of climate change. Thus, the City has already take steps in support of the efforts to reduce CO₂ emissions.

FISCAL IMPACT

There is no impact to the General Fund.

RECOMMENDATION

Adopt Resolution No. 8658 - A RESOLUTION OF THE OROVILLE CITY COUNCIL URGING THE UNITED STATES CONGRESS TO ENACT A REVENUE NEUTRAL CARBON TAX.

ATTACHMENTS

A – Resolution No. 8658

B – Citizens' Climate Lobby Legislative Proposal: Carbon Fee and Dividend Program

**CITY OF OROVILLE
RESOLUTION NO. 8658**

A RESOLUTION OF THE OROVILLE CITY COUNCIL URGING THE UNITED STATES CONGRESS TO ENACT A REVENUE NEUTRAL CARBON TAX

WHEREAS, the average surface temperature on Earth has been increasing steadily, with the ten warmest years ever recorded all occurring since 1998; and

WHEREAS, climate scientists overwhelmingly agree that an increase in greenhouse gases in the atmosphere, carbon dioxide (CO₂) in particular, is causing the increase in global temperature; and

WHEREAS, humans burning carbon-based fossil fuels, such as coal, oil and natural gas, is the primary cause of the substantial and continuing increase of CO₂ in the atmosphere; and

WHEREAS, in May, 2013, the global atmospheric concentration of CO₂ reached 400 parts per million, the highest level in the last 800,000 years; and

WHEREAS, it's predicted that by 2100 average global temperature will be 2°F to 11.5°F higher than now depending on the level of future greenhouse gas emissions; and

WHEREAS, climate change caused by global warming-related greenhouse gas emissions including CO₂ already is leading to large-scale problems including ocean acidification and rising sea levels; more frequent, extreme, and damaging weather events such as heat waves, storms, heavy rainfall, flooding and droughts; more frequent and intense wildfires; disrupted ecosystems affecting biodiversity and food production; and an increase in heat-related deaths; and

WHEREAS, we are approaching a dangerous threshold whereby, if it is crossed, humans will no longer be able to influence the course of future global warming, as tropical forests, peat bogs, permafrost and the oceans switch from absorbing carbon to releasing it; and

WHEREAS, the relentless increase in global atmospheric CO₂ concentration shows that broader, more powerful policies are needed to supplement local and regional efforts to reduce emissions; and

WHEREAS, burning fossil fuels also has embedded human health costs from releasing pollutants that cause lung disease, respiratory illnesses, and cancer; and

WHEREAS, presently the environmental, health, and social costs of CO₂ emissions are not included in prices paid for fossil fuels, but rather these externalized costs are borne directly and indirectly by all Americans and global citizens; and

WHEREAS, to begin to correct this market failure, the United States Congress must enact a national carbon tax on fossil fuels, based on the amount of CO₂ the fuel will emit when burned; and

WHEREAS, for efficient administration, fossil fuels can be taxed once, as far upstream in the economy as practical, or at the port of entry into the United States; and

WHEREAS, a national carbon tax starting at a relatively low rate and increasing steadily over future years is a market-based solution designed to minimally disrupt the economy while sending a clear and predictable price signal to businesses to develop and use non-carbon-based energy resources; and

WHEREAS, a national carbon tax would incentivize manufacturers, businesses, and consumers throughout the economy to produce and use less fossil fuel, and would spur investment in and deployment of clean energy resources and energy efficient processes, without favoring any particular technology, and would thereby reduce CO₂ emissions to the atmosphere; and

WHEREAS, job creation from development of clean energy and energy efficiency businesses would be expected to exceed job creation from further development of fossil fuel businesses; and

WHEREAS, according to Citizen's Climate Lobby if 100% of carbon tax revenue is returned to households in equal shares, approximately two-thirds of Americans will break even or come out ahead as their dividends match or exceed direct and indirect price increases due to the tax, protecting lower and middle income households; and

WHEREAS, border adjustments, such as carbon content-based tariffs on products imported from countries without comparable carbon pricing, and refunds to our exporters of carbon taxes paid, should maintain the competitiveness of U.S. businesses in global markets; and

WHEREAS, a national carbon tax may be implemented quickly and efficiently, and respond to the urgency of the climate crisis, because the federal government already has in place mechanisms, such as the Internal Revenue Service, needed to implement and enforce the tax, and already collects taxes from fossil fuel producers and importers; and

WHEREAS, a national carbon tax could make the United States a leader in mitigating climate change and in the clean energy technologies of the 21st Century, and would incentivize other countries to enact similar carbon taxes, reducing global CO₂ emissions without the need for complex international agreements; and

WHEREAS, the goals of a national carbon tax to reduce CO₂ emissions and transition to a green economy are consistent with state and local programs designed to mitigate climate change, such as California AB32; and

WHEREAS, the market incentive provided by a steadily rising national carbon tax implemented in 2015 may result in significant and increasing near-term reduction in overall U.S. CO₂ emissions, and thereby helping Oroville to meet or exceed its own goals; and

WHEREAS, continued widespread use of fossil fuels and global climate change pose a present and growing risk to the health and welfare of Oroville residents and to its economy, and a U.S. national, revenue-neutral carbon tax will significantly mitigate those risks and promote health and prosperity in our City, our region, and the world.

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

1. The Oroville City Council urges the United States Congress to enact without delay a revenue-neutral tax on carbon-based fossil fuels.
2. The tax rate should start low and increase steadily and predictably to achieve the goal of reducing U.S. CO₂ emissions to 10% of 1990 levels by 2050.
3. All tax revenue should be returned to households to protect low and middle income Americans from impact of rising prices due to the tax.
4. The international competitiveness of the U.S. businesses should be protected by using border tariffs and tax refunds.
5. Staff will send copies of this resolution to Congressman Doug LaMalfa, Senator Jim Nielsen, and Assemblyman James Gallagher.
6. The City Clerk shall attest to the adoption of this Resolution.

/

/

/

PASSED AND ADOPTED by the Oroville City Council at a regular meeting on October 3, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Linda L. Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott E. Huber, City Attorney

Donald Rust, Acting City Clerk

Legislative proposal: Carbon Fee and Dividend

Findings:

1. Causation: Whereas the weight of scientific evidence indicates that greenhouse gas emissions from human activities including the burning of fossil fuels and other sources are causing rising global temperatures,
2. Mitigation (Return to 350 ppm or below): Whereas the weight of scientific evidence also indicates that a return from the current concentration of more than 400 parts per million (“ppm”) of carbon dioxide (“CO₂”) in the atmosphere to 350 ppm CO₂ or less is necessary to slow or stop the rise in global temperatures,
3. Endangerment: Whereas further increases in global temperatures pose imminent and substantial dangers to human health, the natural environment, the economy, national security, and an unacceptable risk of catastrophic impacts to human civilization,
4. Co-Benefits: Whereas the measures proposed in this legislation will benefit the economy, human health, the environment, and national security, even without consideration of global temperatures, as a result of correcting market distortions, reductions in non-greenhouse-gas pollutants, reducing the outflow of dollars to oil-producing countries and improvements in the energy security of the United States,
5. Benefits of Carbon Fees: Whereas phased-in carbon fees on greenhouse gas emissions (1) are the most efficient, transparent, and enforceable mechanism to drive an effective and fair transition to a domestic-energy economy, (2) will stimulate investment in alternative-energy technologies, and (3) give all businesses powerful incentives to increase their energy-efficiency and reduce their carbon footprints in order to remain competitive,
6. Equal Monthly Per-Person Dividends: Whereas equal monthly dividends (or “rebates”) from carbon fees paid to every American household can help ensure that families and individuals can afford the energy they need during the transition to a greenhouse gas-free economy and the dividends will stimulate the economy,

Therefore the following legislation is hereby enacted:

1. Collection of Carbon Fees/Carbon Fee Trust Fund: Upon enactment, impose a carbon fee on all fossil fuels and other greenhouse gases at the point where they first enter the economy. The fee shall be collected by the Treasury Department. The fee on that date shall be \$15 per ton of CO₂ equivalent emissions and result in equal charges for each ton of CO₂ equivalent emissions potential in each type of fuel or greenhouse gas. The Department of Energy shall propose and promulgate regulations setting forth CO₂ equivalent fees for other greenhouse gases including at a minimum methane, nitrous oxide, sulfur hexafluoride, hydrofluorocarbons (HFCs), perfluorocarbons, and nitrogen trifluoride. The Treasury shall also collect the fees imposed upon the other greenhouse gases. All fees are to be placed in the Carbon Fees Trust Fund and rebated to American households as outlined in #3 below.
2. Emissions Reduction Targets: To align US emissions with the physical constraints identified by the Intergovernmental Panel on Climate Change (IPCC) to avoid irreversible climate change, the yearly increase in carbon fees including other greenhouse gases, shall be at least \$10 per ton of CO₂

equivalent each year. Annually, the Department of Energy shall determine whether an increase larger than \$10 per ton per year is needed to achieve program goals. Yearly price increases of at least \$10 per year shall continue until total U.S. CO₂-equivalent emissions have been reduced to 10% of U.S. CO₂-equivalent emissions in 1990.

3. Equal Per-Person Monthly Dividend Payments: Equal monthly per-person dividend payments shall be made to all American households (½ payment per child under 18 years old, with a limit of 2 children per family) each month. The total value of all monthly dividend payments shall represent 100% of the net carbon fees collected per month.
4. Border Adjustments: In order to ensure there is no domestic or international incentive to relocate production of goods or services to regimes more permissive of greenhouse gas emissions, and thus encourage lower global emissions, Carbon-Fee-Equivalent Tariffs shall be charged for goods entering the U.S. from countries without comparable Carbon Fees/Carbon Pricing. Carbon-Fee-Equivalent Rebates shall be used to reduce the price of exports to such countries. The State Department will determine rebate amounts and exemptions if any.

**CITY OF OROVILLE
STAFF REPORT**

TO: MAYOR DAHLMERIER AND COUNCIL MEMBERS

**FROM: DONALD RUST, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT**

RE: OROVILLE REGIONAL WATER SERVICE REVIEW (UPDATE)

DATE: OCTOBER 3, 2017

SUMMARY

The Council may consider providing direction on the Oroville Regional Water Service Review as no proposals were received after the circulation of a Request for Proposals.

BACKGROUND

The City of Oroville is currently serviced by three separate water purveyors, the Thermalito Water and Sewer District (TWSD), South Feather Water and Power (SFWP), and the California Water Service Company (Cal Water). At the April 5, 2016 City Council meeting, the Council heard a presentation from Jack Kiely regarding water supply in the greater Oroville area, with a focus on the disparity in water rates charged between the different water purveyors. At the same meeting, Justin Skarb with Cal Water also gave a presentation regarding Cal Water, indicating that their water system in Oroville is not for sale. A discussion followed regarding a wide range of topics related to the presentations, including, but not limited to, municipal bonds, ownership, water rates, maintenance, age of existing water system and current state of City finances.

At the January 3, 2017 Council meeting, the Council directed staff to bring back an agenda item regarding a regional water service review of the greater Oroville area. Such study, if conducted, would closely reflect the information that is contained in a Municipal Service Review with a detailed scope of the information contained in the document yet to be determined. The goal is to produce an informational document that will provide an analysis/service comparison of the existing water purveyors in the greater Oroville area by an independent third party. The document would serve as a source of objective information that can be used to help guide any future decisions regarding water service. Information the document may contain includes existing conditions and facilities, infrastructure needs and deficiencies, rates comparison and analysis, water quality, summary of determinations, etc.

The completion of the study would be overseen by the Butte Local Agency Formation Commission (LAFCo) who would circulate a Request for Proposal (RFP) for the completion of the work. The contents of the RFP would be critical in ensuring the study

will be completed as intended and provide all information of interest. The study may or may not provide recommendations, depending on the findings and direction provided to the consultant. However, under no circumstance will any finding or recommendation of the study obligate the City to any future action.

On January 17, 2017, the City Council adopted Resolution No. 8572, supporting the completion of a regional water service review of the greater Oroville area.

DISCUSSION

As requested by the Oroville City Council, LAFCo directed its staff to administer the process of preparing a study of the potable water providers in the Oroville region.

LAFCo staff convened the stakeholders (City of Oroville, SFWP, TWSD, Cal Water, Lower Oroville Water Rates) to develop a scope of work and RFP for this effort. The RFP was circulated to five firms recommended by the stakeholders with no proposals being received. Indications are that the RFP was broad in scope and could not be adequately addressed for the funds available.

As the City of Oroville made the request of LAFCo to administer the study, and not exceed the funds available to them, LAFCo is requesting the City's guidance on how it may wish to proceed at this point.

FISCAL IMPACT

There is no impact to the General Fund. Cost of study will be paid for by an independent third party and have been estimated to be approximately \$30,000 or less for completion. City is a pass-through agency for these funds. Funds have been deposited with LAFCo for completion of the study.

RECOMMENDATION

Provide direction, as necessary.

ATTACHMENTS

- A – Butte LAFCo Update Letter
- B – Resolution No. 8572



BUTTE LOCAL AGENCY FORMATION COMMISSION

1453 Downer Street, Suite C • Oroville, California 95965-4950
(530)538-7784 • Fax (530)538-2847 • www.buttelafco.org

September 20, 2017

Mayor Dahlmeier and City Council
c/o Don Rust, Acting City Administrator
1735 Montgomery Street
Oroville, CA 95965

Re: Oroville Region Water Study

Dear Mr. Rust:

As requested by the Oroville City Council, the Butte Local Agency Formation Commission (LAFCO) directed its staff to administer the process of preparing a study of the potable water providers in the Oroville region. The City deposited \$30,000 with LAFCO to complete the study.

LAFCO Staff convened the stakeholders (City of Oroville, South Feather Water and Power Agency, Thermalito Water and Sewer District, CalWater, Lower Oroville Water Rates) to develop a scope of work and request for proposals (RFP) for this effort. The RFP was circulated to five firms recommended by the stakeholders with no proposals being received. Indications are that the RFP was broad in scope and could not be adequately addressed for the funds available.

As the City of Oroville made the request of LAFCO to administer the study (not to exceed the funds available to them), I am requesting the City's guidance on how it may wish to proceed at this point. Please let me know if I can be of any further assistance to you or the City Council.

Sincerely,

Steve Lucas

Stephen Lucas
Executive Officer

cc: LAFCO

**CITY OF OROVILLE
RESOLUTION NO. 8572**

**A RESOLUTION OF THE OROVILLE CITY COUNCIL SUPPORTING THE COMPLETION
OF A REGIONAL WATER SERVICE REVIEW OF THE GREATER OROVILLE AREA**

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

1. The City Council requests the Butte Local Area Formation Commission to provide a regional water service review of the greater Oroville area contingent upon the receipt of funding from an independent funder, subject to the following:
 - a. This Resolution does not obligate the City to any financial contribution of the study; and
 - b. Under no circumstance will any finding or recommendation of the study obligate the City to any future action.

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

PASSED AND ADOPTED by the Oroville City Council at a regular meeting on January 17, 2017, by the following vote:

AYES: Council Members Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier

NOES: None

ABSTAIN: None

ABSENT: None



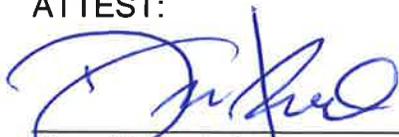
Linda L. Dahlmeier, Mayor

APPROVED AS TO FORM:



Scott E. Huber, City Attorney

ATTEST:



Donald Rust, Acting City Clerk

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR DAHLMEIER AND COUNCIL MEMBERS

**FROM: DONALD RUST, ACTING CITY ADMINISTRATOR
ADMINISTRATION DEPARTMENT**

**RE: ATTENDANCE TO 2017/2018 ANNUAL CONFERENCES, SEMINARS,
FORUMS AND TRAINING COURSES**

DATE: OCTOBER 3, 2017

SUMMARY

The Council may consider authorizing Councilmembers and staff to attend the Fiscal Year 2017/2018 annual conferences, seminars, forums and trainings.

DISCUSSION

As the State of California is in a continual state of change, new legislation is frequently passed that affects cities and requires appropriate measures be enacted at the local level to ensure compliance. Although each jurisdiction is unique, the problems and achievements of one jurisdiction may often be experienced and/or applicable to other jurisdictions facing similar challenges. Statewide conferences allow an opportunity for councilmembers and staff to learn what others are doing around the state, network, share experiences, and stay current with the latest trends and potential legislation and that may have an impact on City. To ensure that Councilmembers and Executive Management staff remain informed on the latest information, staff believes that conferences, seminars and training are investments that will help move the City forward with strong and connected leadership. Staff is recommending the Council allow members of the City Council and Executive Management staff to attend the following conferences:

- International Council of Shopping Centers (ICSC) Conferences – Monterey, CA and Las Vegas, NV;
- Superion (Formerly Sungard) Users Group Training Event (SUGA);
- Brownfield Training Conferences;
- League of California Cities (Various) Conferences
- Annual Laserfiche Empower Conference;

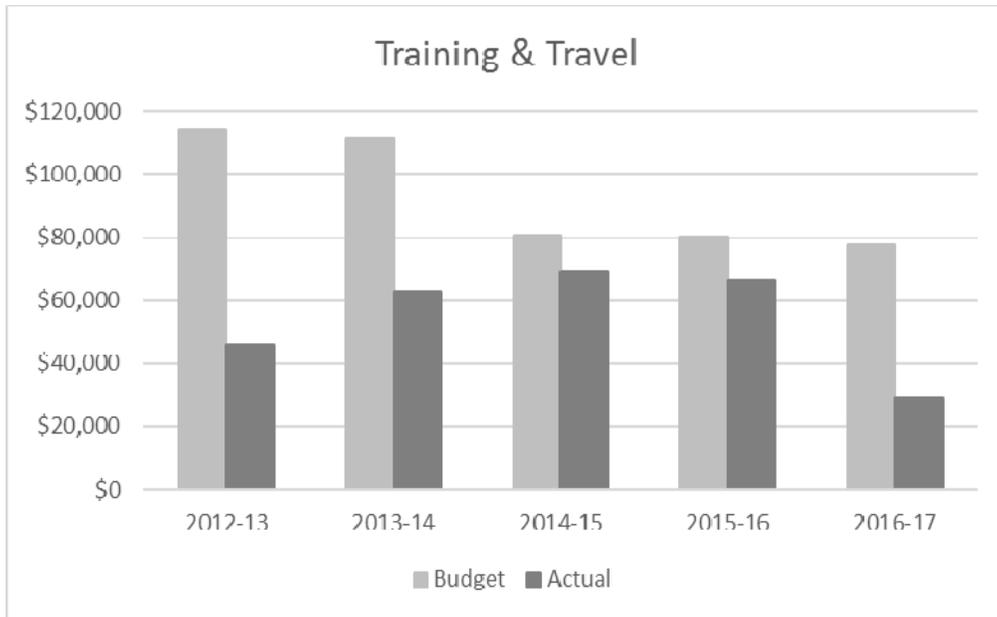
- California Society of Municipal Finance Officer’s Annual Conference;
- Government Finance Officers Association Annual Conference;
- Association of California Airports Conferences;
- California Public Employers Labor Relations Association;
- California Public Employees Retirement System (CALPERS) Conferences; and
- Specific Public Safety (Fire or Law Enforcement) Conferences / Training Courses

FISCAL IMPACT

Funds are available in the Departmental budget for each department member that attends the events. The table below indicates the current fiscal year budget and the actual cost for the past five (5) years for all departments.

Fiscal Year	Public Safety	Finance & Information Technology	Community Development	City Administration	Total	
					Budget	Actual
2017/2018	\$15,800	\$14,500	\$23,520	\$10,100	\$63,920	\$17,313
2016/2017	\$14,155	\$3,980	\$8,586	\$2,279	\$77,437	\$29,001
2015/2016	\$29,311	\$5,316	\$25,328	\$6,393	\$80,110	\$66,438
2014/2015	\$28,297	\$5,087	\$17,349	\$18,155	\$80,588	\$68,888
2013/2014	\$25,915	\$2,303	\$11,337	\$23,132	\$111,466	\$62,687
2012/2013	\$29,796	\$149	\$8,575	\$7,330	\$114,255	\$45,850

Below is a graph that show each Fiscal Year budgeted versus actual cost for conferences and training for the entire city’s operation:



RECOMMENDATIONS

For informational purposes only. Any conferences or training courses that exceed the approved departmental budget must be approved by the City Council.

ATTACHMENTS

None



CITY OF OROVILLE
FINANCE OFFICE
1735 MONTGOMERY STREET
OROVILLE, CA 95965-4897
530-538-2410

MONTHLY FINANCE REPORT

TO: MAYOR DAHLMEIER AND COUNCIL MEMBERS
FROM: RUTH WRIGHT, FINANCE DIRECTOR
RE: FINANCE DEPARTMENT REPORT
DATE: OCTOBER 3, 2017

CALPERS PENSION CRISIS – STATISTICS

Estimated PERS increases for the City (doubles in the sixth year):

Average cost of PERS to total payroll							
2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
31.0%	37.8%	44.1%	52.4%	58.3%	63.6%	63.7%	64.9%

Payroll expense to total budget

- 2016 17 77.55%
- 2015 16 74.96%
- 2014 15 74.16%

Hypothetical Termination Liability

If the City were to terminate with CalPERS the City would owe an estimated **\$73,620,712** to cover all participants through retirement.

The City will pay an estimated **\$5,647,251 additional** pension costs by the year 2023 to cover the unfunded liability and the discount rate reduction.

160 FERC ¶ 62,226
UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

California Department of Water Resources

Project No. 2100-183

ORDER AMENDING RECREATION PLAN

(Issued September 13, 2017)

1. On August 3, 2017, the California Department of Water Resources (licensee or DWR) filed a request to amend the recreation plan¹ for the Feather River Hydroelectric Project No. 2100. The licensee is requesting an amendment to implement recreation improvements to existing project recreation facilities that will offset the temporary closure of other project recreation facilities near the project's damaged Lake Oroville spillways. The project is located on the Feather River in Butte County, California.

I. Licensee's Proposal

2. The licensee filed a similar request on June 1, 2017, to implement recreation improvements proposed under the relicensing proceeding for the project, and Commission staff amended the recreation plan accordingly in an order dated July 12, 2017.² The licensee is now implementing the improvements approved in that order, and after further evaluation, the licensee has identified additional near-term improvements that could be implemented to further expand recreational opportunities at the project. The licensee currently proposes to amend the existing project recreation plan to: (1) expand and pave the Stage 2 parking lot³ and add one or two lanes to the existing Stage 2 boat ramp at the Bidwell Canyon Recreation Area; and (2) add a new Stage 2 parking lot and boat ramp at the Loafer Creek Recreation Area. The improvement work at Bidwell Canyon is part of the Settlement Agreement executed among 51 signatories as

¹ See *Cal. Dep't of Water Res.*, 68 FERC ¶ 61,358 (Sept. 22, 1994) (Order on Revised Recreation Plan); *Cal. Dep't of Water Res.*, 124 FERC ¶ 62,182 (Sept. 10, 2008) (Order Approving Amendment to Recreation Plan); *Cal. Dep't of Water Res.*, 160 FERC ¶ 62,021 (July 12, 2017) (Order Amending Recreation Plan).

² See *Cal. Dep't of Water Res.*, 160 FERC ¶ 62,021.

³ Stage 2 parking and boat launch facilities and are identified as such because they are the second set of facilities to come available as the lake level drops.

dock lane between elevations 745 and 700 feet above mean sea level (msl). If technically feasible, the licensee will add a fifth lane at the same elevations.

B. Loafer Creek Recreation Area

5. The Loafer Creek Recreation Area includes an eight-lane boat ramp, a day-use area, picnic facilities, a swim beach, and a camping area for tents, RVs, groups, and equestrians. The licensee proposes to construct a paved access road north of the existing day use area and a Stage 2 parking lot and boat ramp facility. The approximately 0.75-mile-long access road would start behind the day use area restroom facility and drop below the ordinary high water level to approximately 810 feet msl to a paved parking lot for up to 200 vehicles/trailers (approximately three acres). The licensee would construct a new boat ramp with up to eight lanes at approximately 810 feet msl and 640 feet msl, to the extent technically feasible.

6. According to the filing, the proposed improvements at both recreation areas will require clearing, grading, graveling, paving, and installing new informational signs. The proposed parking lots and boat ramps would be located at elevations currently under water, so construction will begin when the lake level drops to an appropriate level, which will likely be between September and December 2017. Also, the licensee states that cultural resource surveys, coordination with the local Native American tribes, engineering studies, surveys for special-status species, and Clean Water Act Section 401 and 404 permits are required prior to beginning construction of these facilities.

II. Environmental Analysis

7. Commission staff issued a Final Environmental Impact Statement (FEIS) on May 18, 2007,⁸ for the relicensing of the Feather River Project. The FEIS included an analysis of the potential effects of the recreation-related actions proposed in the 2006 Recreation Management Plan.⁹ Commission staff concluded that studies submitted by DWR indicated a need to replace or upgrade existing recreational facilities and to construct additional facilities.¹⁰ Commission staff also found that the proposed recreational improvement measures would be beneficial to the recreating public since they would "reduce identified environmental and health and safety concerns, improve access to project waters, and . . . respond to the need for additional day and overnight

⁸ The FEIS was issued under Project No. 2100-052.

⁹ FEIS at 201-280 (Section 3.3.6 Recreational Resources).

¹⁰ *Id.* at 235.

part of the on-going relicensing process⁴, and is included in the Recreation Management Plan prepared in 2006 for relicensing.⁵ The improvement work at Loafer Creek has not been previously considered. The licensee proposes to begin implementing these recreation improvements as soon as is feasible in order to help offset lower recreational capacity resulting from the temporary closures of the Lake Oroville spillway recreation facilities and the Thermalito Diversion Pool during DWR's emergency response and recovery activities.⁶ These improvements would remain in place after the reopening of the spillway facilities, which will result in a net increase in parking and boat launching capacity at Lake Oroville.

3. California Governor Edmund G. Brown, Jr. signed Executive Order B-39-17 on April 6, 2017,⁷ which suspended the California Environmental Quality Act for actions necessary to expedite response and recovery of the gated spillway at the Oroville Dam, including the restoration of impacts to fish and wildlife resources, or related facilities. It also directed the DWR to develop plans for additional access points to Lake Oroville for recreational use and to work to obtain necessary approvals to implement those plans expeditiously. The actions proposed in the licensee's application are consistent with this executive order. DWR discussed the proposed recreation improvements with the Oroville Recreation Advisory Committee at its June 23, 2017 meeting, as well as in follow-up discussions. Some members of the committee have expressed a desire for additional recreation projects, but the committee supports the construction of the facilities proposed in this request.

A. Bidwell Canyon Complex

4. The Bidwell Canyon Complex is one of the major attractions at the Oroville facilities. According to the licensee's filing, the complex includes a seven-lane boat ramp, a full-service marina with parking, a day-use area with picnic facilities, 75 tent or RV campsites, 279 paved vehicle/trailer parking spaces, and an unpaved parking area for approximately 30 vehicles/trailers near the boat ramp. The licensee proposes to expand and pave the existing Stage 2 gravel parking lot to create up to 80 paved vehicle/trailer parking spaces. Under this proposal, the licensee will add a fourth launch lane and a boat

⁴ See Settlement Agreement filed March 24, 2006, under Project No. 2100-052.

⁵ DWR March 28, 2006 Settlement Agreement Recreation Management Plan (filed in Project No. 2100-052).

⁶ DWR estimates that these areas will be closed for at least two years since they are located within the construction zone for the response and recovery project for the Lake Oroville spillways.

⁷ See <https://www.gov.ca.gov/news.php?id=19744>.

developed capacity."¹¹ This finding is also applicable to the proposed improvements at Loafer Creek, as these improvements are similar to those that the licensee proposed in the 2006 Recreation Management Plan. The only unavoidable adverse effect identified in the FEIS with respect to the new and/or expanded recreation facilities was the temporary decrease in recreation capacity at the project during recreational facility reconstruction, potentially inconveniencing visitors.¹²

8. All of the proposed improvements will involve some closure of areas during construction, resulting in short-term effects on recreation. The construction (i.e., clearing, grading, graveling, paving), operation, and maintenance of these recreation improvements would result in some ground disturbance and physical modification of the reservoir shoreline, which could result in localized increases in erosion. These effects to construction areas outside the expanded parking area would be short-term, and the implementation of short- and long-term erosion control measures will reduce potential erosion and sedimentation of the reservoir. Almost all of the affected areas are located below the ordinary high water mark, and thus are devoid of vegetation. Only the upper half of the proposed access road to the Loafer Creek Stage 2 parking lot would be located above the ordinary high water mark, and its construction requires some vegetation removal. In this area, vegetation consists of blue oak woodland and mixed oak woodland/chaparral plant communities.

9. Cultural resources are known to occur in the vicinity of some of the proposed recreation improvements. Ground-disturbing activities have the potential to affect those cultural resources. DWR is currently in the process of reviewing records and performing site visits to better determine any potential effects to cultural resources. DWR states that it will follow the protocols set forth in the Historic Properties Management Plan filed on January 17, 2008, to minimize those potential effects.¹³ The specific protocols from the plan that DWR will follow during the planning and construction phases of the proposed recreation access improvements are as follows:¹⁴

If it is determined that historic or cultural resource sites are within a proposed project site, DWR will avoid the site or evaluate and consult on project impacts. The preferred action would be to avoid potential impacts

¹¹ *Id.* at 247.

¹² *Id.* at 374-382.

¹³ The Historic Properties Management Plan was filed under Project No. 2100-152.

¹⁴ DWR provided this information in an email to Commission staff that was filed in the record on June 29, 2017, under Project No. 2100-000.

to sites by re-designing or moving the project location as necessary, if feasible. If project changes are not feasible and potential impacts to sites cannot be avoided, formal evaluation would be conducted to determine if the resource is eligible to the NRHP [National Register of Historic Places] or the [California Register of Historic Places].

For resources determined to be eligible, measures to reduce the adverse effects of the proposed project would be developed. Consultation in these situations would include DWR, [California Department of Parks and Recreation], FERC, SHPO [State Historic Preservation Officer], and Tribal representatives. If the proposed action could adversely affect historic properties, a site-specific treatment plan intended to resolve those effects will be developed by DWR and submitted to appropriate agencies for review and comment. If the proposed action could affect a Traditional Cultural Property or an NRHP-eligible archaeological site containing prehistoric materials, DWR will also submit the treatment plan to the Tribes. Following the comment period, DWR will submit the site-specific treatment plan to the SHPO, along with comments received from the interested parties, for review and comment.

If undocumented archaeological resources are discovered at the proposed construction sites, DWR will ensure that the find is adequately documented, mapped, and incorporated into the cultural resources database for the project. Appropriate management actions, if any, will be determined by DWR at this time in consultation with appropriate parties. If the discovery involves an archaeological resource that is at risk of imminent damage through construction-related activities, potentially destructive work will be halted. DWR will ensure that an evaluation of a prehistoric discovery is made by a qualified archaeologist. Consultation with appropriate agencies and Tribes will be conducted in relation to resource evaluations and management actions, as necessary. Potentially destructive construction work will resume only after authorization by DWR.

In the event that human remains are identified in non-archaeological contexts within the project area, applicable State and federal laws will be followed.

10. The Fish and Wildlife Service issued a Biological Opinion on April 9, 2007, that addressed the effects of issuing a new license for the Feather River Project on several federally-listed threatened and endangered species.¹⁵ The Biological Opinion states that

¹⁵ The Biological Opinion was filed with the Commission on April 16, 2007,

the proposed project is not located within critical habitat for any federally-listed species under the jurisdiction of the Fish and Wildlife Service.

11. The bald eagle, valley elderberry longhorn beetle, and Layne's ragwort are the only federally-listed and special-status species that could occur in the locations of the proposed recreation improvements. The licensee states that surveys for special-status and federally-listed species have been recently completed in the areas proposed for this recreation-related construction, and that no species or critical habitat were observed, including elderberry shrubs. However, if elderberry shrubs are found in the vicinity of the proposed Loafer Creek access road improvement area, then DWR will implement the proposed conservation measures described in the Biological Opinion to eliminate or minimize the potential effects from implementing this proposed recreation improvement.

12. DWR will implement short- and long-term erosion control measures (permanent hardscape or vegetative ground cover) to reduce the potential effects of sedimentation that could result from ground disturbance associated with the construction of these recreation improvements. In order to minimize effects on cultural resources, DWR will follow the protocols set forth in the Historic Properties Management Plan, as discussed above. DWR will implement measures to minimize the proliferation of invasive plant species by revegetating disturbed areas with native species where necessary, performing follow-on monitoring to promote the growth of newly established native plant species, and monitoring for and eradicating invasive plants. Finally, DWR will schedule construction activities and temporary closures of recreation areas, to the extent possible, to minimize effects on recreational access.

III. Discussion

13. The proposed additional parking capacity and boat launches would allow greater access to Lake Oroville for public boaters and would therefore provide a substantial benefit to the public's recreational use of project lands and waters. The proposed improvements are consistent with the existing project recreational use in the area and would not have significant environmental effects. Staff analysis of recreation improvements for the relicensing of the Feather River Project found that additional facilities were warranted at the project to meet recreational demand.¹⁶ Allowing for the implementation of the additional facilities and improvements will also mitigate for the closure of recreation facilities in the vicinity of the damaged Lake Oroville spillways. However, approval of these improvements does not in any way prejudice or pre-

under Project No. 2100-000.

¹⁶ The FEIS noted that summer boaters are frequently unable to access the reservoir due to low water levels or lack of parking, or both. FEIS at 228-229.

determine any decision or requirement that may become part of the license. Based on our review of the application, the proposed amendment to the project's recreation plan should be approved.

14. The licensee must complete all studies and coordination, and obtain all the necessary federal, state, and local permits prior to the commencement of any ground-disturbing activity relating to these improvements. The licensee must also adhere to the measures identified in their application, as discussed above, to reduce the impacts of the closure of recreation facilities, erosion, and invasive plant species, and to avoid the potential impacts to cultural resources and endangered species. The licensee is also reminded that the proposed facilities must not endanger health, create a nuisance, or otherwise be incompatible with the overall project purposes. The licensee must also ensure that the construction, operation, and maintenance of the proposed facilities will occur in a manner that will protect the scenic, recreational, and environmental values of the project.

15. Ordering paragraph (B) requires the licensee to file documentation of completion of construction of the recreation site improvements included in the amended plan, including the location, layout, and number of parking spaces or boat ramps. The licensee included the specific changes to the numbers and text of the existing recreation plan in Appendix B of the August 3, 2017 filing. However, because the number of parking spaces and boat ramps may change somewhat due to final designs and site conditions encountered during construction, we will require the licensee to re-file these specific, detailed changes to the recreation plan with the documentation of completion of construction.

The Director orders:

(A) The application for an amendment to the recreation plan for the Feather River Hydroelectric Project (FERC No. 2100), filed on August 3, 2017, by the California Department of Water Resources, is approved. The measures proposed by the licensee as part of this application to protect environmental resources, including cultural resources and endangered species, are also approved and must be implemented to protect project resources.

(B) Within 90 days of completing construction of the approved recreation site improvements, California Department of Water Resources must file with the Commission a report documenting the completed recreation site improvements approved in this order. The documentation must include the specific revisions to the recreation plan reflecting the actual number of parking spaces and boat ramps at the specific sites at the project. The documentation may include photographs, aerial photographs, as-built drawings, concept drawings that reflect the as-built condition, or other methods that

clearly demonstrate that the recreation sites improvements have been constructed in substantial conformity as approved.

(C) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 8251 (2012), and the Commission's regulations at 18 C.F.R. § 385.713 (2017). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

Robert J. Fletcher
Land Resources Branch
Division of Hydropower Administration
and Compliance