

# SUPPLEMENTAL BENEFITS FUND



## STEERING COMMITTEE MEETING

Oroville City Hall – Council Chambers  
1735 Montgomery Street  
Oroville, California 95965

**OCTOBER 19, 2016**  
**4:00 P.M.**

## SPECIAL MEETING

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*This meeting may be broadcast remotely via audio and/or video conference at the following addresses:  
Cota Cole, LLP, 2261 Lava Ridge Ct, Roseville, CA 95661 (916) 780-9009*

### CALL TO ORDER

### PLEDGE OF ALLEGIANCE

### ROLL CALL

**Committee Members (voting):** Committee Members: Don Noble, FRRPD; Linda Dahlmeier, City of Oroville; Thil Chan Wilcox, City of Oroville; Vice Chairperson Victoria Smith, FRRPD; Chairperson David Pittman, City of Oroville;

**Advisory Members (non-voting):**

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

### RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

This is the time the SBF Chairperson will invite anyone in the audience wishing to address the SBF on a matter that is on the agenda. When that item comes up on the agenda, you will be asked to step to the podium, repeat your name for the record, and make your presentation, or ask questions, regarding the agenda item. Following your remarks, the SBF Steering Committee and/or staff may respond to your comments or questions. *Under Government Code section 59454.3 the time allotted for presentations may be limited. Presentations are limited to three minutes per person.*

## **REGULAR BUSINESS**

### **1. SBF PROGRAM SPECIALIST POSITION DISCUSSION**

The committee will receive information regarding the SBF Program Specialist position including historical background information as to why this position was created. This item was continued from the October 5, 2016 Regular Meeting of the SBF Steering Committee – Staff Report: Bob Marciniak, SBF Program Specialist

Committee Action Requested:

- a. Provide direction, as necessary**

### **2. FEATHER RIVER CONSOLIDATED MASTER PLAN (currently under development) –**

The committee will receive a written progress report from ESA regarding the development of the FRCMP and discuss continued development of the FRCMP.

Committee Action Requested:

- a. Provide direction to staff**

## **HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS**

This is the time the SBF Chairperson will invite anyone in the audience wishing to address the SBF Steering Committee 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 SBF Steering Committee or staff to a statement or question relating to a non-agenda item.

## **SBF CHAIRPERSON CALL FOR AGENDA ITEMS**

The SBF Chairperson will request agenda items from the Steering Committee, SBF Advisors, and SBF Staff for the January 18, 2017, Regular Quarterly Meeting of the SBF Steering Committee.

## **ADJOURNMENT**

The meeting will be adjourned. The next regular quarterly meeting of the Supplemental Benefits Fund Steering Committee will be held on Wednesday, January 18, 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.

**SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE  
STAFF REPORT**

**TO: SBF CHAIRPERSON & COMMITTEE MEMBERS**

**FROM: BOB MARCINIAK, SBF PROGRAM SPECIALIST  
DON RUST, ACTING SBF FUND ADMINISTRATOR**

**RE: SBF PROGRAM SPECIALIST POSITION**

**DATE: OCTOBER 19, 2016**

**SUMMARY**

The SBF Steering Committee will be provided with information regarding the SBF Program Specialist position that has been funded at 20 hours per week plus benefits by the SBF since June 25, 2008.

**BACKGROUND**

- In March 2006, multiple parties signed the Settlement Agreement for the licensing of the Oroville Facilities, FERC Project No. 2100. On the effective date of the Settlement Agreement the City of Oroville was designated as and assumed the duties of Fund Administrator related to "Appendix B" which were measures agreed to among the parties but not to be included in the new project license.
- Appendix B, 2.0; the Fund Administrator shall use its internal protocols to formally designate a person within its organization to serve as the responsible person for performance of all such administrative duties required to ensure the orderly and efficient operation of the Fund. Such person, or successor thereto, will serve as the principal liaison with DWR during the establishment and operation of the fund and will be authorized by the Fund Administrator to undertake actions on all administrative matters specified in the Fund Implementation Agreement.
- Recognizing the need, but not convinced that a full time employee would be required, City Administration recommended, and City Council on October 2, 2007, approved a job description for a SBF/RDA Project Coordinator. Funding for the newly created position would be split

between the RDA and the SBF. The approved position was classified as full-time, non-exempt. (Attachment A)

- Recruitment began and eight months later, the employee (Marciniak) was hired to fill the open position on June 23, 2008.
- Over the next several months the employee organized the SBF process, created work-flow procedures, met with all of the respective agencies and began an eighteen-month process with a consulting firm to write the Regional Fund Strategic Plan which was a requirement of Appendix B.
- On September 20, 2011, as the wind-down of the RDA began, the City Administrator recommended, and City Council approved, that the SBF/RDA Project Coordinator position be renamed to Program Specialist and be an exempt position funded 50% by the City General Fund and 50% by the Supplemental Benefits Fund.
- On January 2, 2014, at the request of the employee to reduce work hours, the funding for the Program Specialist position was reduced to 32 hours per week; 12 hours dedicated to the City of Oroville for community relations, tourism related activities and other administrative assignments and 20 hours dedicated to, and paid for by, the SBF.

## DISCUSSION

After over ten years, the license issuance for the Oroville FERC Project No. 2100 has not occurred. A biological opinion, now nine years past due, from the National Marine Fisheries Service (National Oceanic and Atmospheric Administration) continues to be the one remaining open item; however, the SBF has continued to operate using the initial \$1,935,000 and since 2011, subsequent \$100,000 annual releases of funds from the \$4,135,000 due at license signing; additionally, \$5,200,000 was previously provided to fund the initial two phases of Riverbend Park. Funds received have been used as follows:

New Projects:	\$6,659,963.58	85.5%
Economic Development:	\$ 298,756.93	3.9%
Studies:	\$ 392,617.45	5.7%
Administration:	\$ 298,765.93	4.7%
Available:	\$ 24,212.53	.3%
<b><u>Total:</u></b>	<b><u>\$7,735,000.00</u></b>	<b><u>100.00%</u></b>

The SBF Program Specialist dedicates twenty hours per week to SBF related activities which include all items detailed in the approved job description including monitoring and documenting all approved projects.

Succession planning of how the SBF activities are accomplished is key to the continuity of the administrative function of the SBF. The employee must have, or acquire, a thorough understanding of the SBF and the various public and private agencies that interact with the SBF including all documentation of the Settlement Agreement and the DWR Recreation Management Plan.

The Regional Fund Strategic Plan (4.4) recommends that at License Signing the SBF Program Specialist may need to become a full time position, funded by the SBF, to insure that the Strategic Plan is properly implemented, project direction and oversight is provided as well as all of the administrative tasks associated with the SBF, including but not limited to; SBF funding request solicitation and review, legal costs, Steering Committee meeting coordination and administrative support, outreach with the public, affected agencies, and other stakeholders/interested parties and monitoring, auditing, compliance, and reporting on projects awarded SBF funding.

In essence the SBF Program Specialist could fit into a City of Oroville Planning Department position with an annual allocated budget funded through an actual cost recovery agreement. Specific time spent on SBF related activities would be accounted for and charged to the fund within a previously agreed upon budget.

Based on Appendix B of the Settlement Agreement, it is the Fund Administrator's (City of Oroville) responsibility to "formally designate a person within its organization to serve as the responsible person for performance of all such administrative duties required to ensure the orderly and efficient operation of the Fund."

## **FISCAL IMPACT**

None

## **RECOMMENDATION**

Receive the information and provide direction to staff.

## **ATTACHMENTS**

- a. Appendix B, Measures agreed to among the parties but not to be included in the new project license. (DWR contract #4600007302)
- b. Existing SBF/RDA Project Coordinator job description (note: position was renamed to SBF Program Specialist in 2012).

## **APPENDIX B**

### **Measures Agreed to Among the Parties But Not to be Included in New Project License**

#### **Section B100. Project Supplemental Benefits Fund**

##### **A. General Provisions**

- 1.0 The parties agree that their intent in establishing the Project Supplemental Benefits Fund (Fund) is to:
  - 1.1 Allow the benefits of the Oroville Facilities to be extended into the local communities in the vicinity of the FERC boundary in a manner consistent with DWR's authority to provide such benefits through operation of the State Water Project (SWP).
  - 1.2 Create benefits for the parties that are in concert with and do not conflict with the actions taken by DWR pursuant to the new FERC license issued for the Oroville Facilities and the Settlement Agreement.
- 2.0 If a significant representation from the local community, as determined by DWR, enters into the Settlement Agreement, then DWR shall establish and maintain the Fund, as further provided herein.

##### **B. Fund Usage and the Oroville Facilities Boundary**

- 1.0 Subject to subsection 2.0 below, the Fund shall be used solely to support projects that are selected in accordance with Section D or as otherwise provided herein and that supplement the benefits provided by the Oroville Facilities, but which are located outside of the Oroville Facilities' boundary.
- 2.0 At DWR's sole discretion and subject to FERC approval, the Fund may be used to support projects located within the Oroville Facilities' boundary, but which are not within the jurisdiction of FERC, i.e., a non-project use of project lands. Any such use of the Oroville Facilities' lands shall be subject to such terms and conditions as DWR and/or FERC deems appropriate.

##### **C. Fund Administrator**

- 1.0 Upon the effective date of the Settlement Agreement and subject to its execution of such agreement, the City of Oroville shall be designated as and assume the duties of Fund Administrator. If the City does not execute

the Settlement Agreement or withdraws from the Settlement Agreement, then DWR shall consult with other signatories and designate a different Fund Administrator.

- 2.0 The Fund Administrator shall use its internal protocols to formally designate a person within its organization to serve as the responsible person for performance of all such administrative duties required to ensure the orderly and efficient operation of the Fund. Such person, or successor thereto, will serve as the principal liaison with DWR during the establishment and operation of the Fund and will be fully authorized by the Fund Administrator to undertake actions on all administrative matters specified in the Fund Implementation Agreement.
- 3.0 As delineated further herein, the principal duties of the Fund Administrator shall consist of:
  - 3.1 Convening meetings and implementing the decisions of a Fund Steering Committee in accordance with Section D;
  - 3.2 Performing grant funding tasks in accordance with Section F;
  - 3.3 Developing a regional Fund Strategic Plan in accordance with Section G; and
  - 3.4 Entering into a Fund Implementation Agreement with DWR and discharging obligations thereto, in accordance with Section H.

**D. Fund Steering Committee**

- 1.0 Within six months of assumption of duties by the Fund Administrator, a Fund Steering Committee composed of five voting members and three advisory members, selected in accordance with subsection 2.0 below, shall be convened by the Fund Administrator to provide direction regarding proposed projects to be funded through the Fund.
- 2.0 The voting members of the Steering Committee shall be composed of the following publicly elected officials:
  - 2.1 three members from the Oroville City Council; and
  - 2.2 two members from the Board of Directors of the Feather River Recreation and Parks District.

The members of the Steering Committee will be selected by the appropriate governing body at the beginning of each calendar year and will serve one year terms, except that the initial term will be one year plus



the time from the date the initial member(s) are selected to the beginning of the next calendar year.

- 3.0 If one or more of the local agencies named in subsection 2.0 above fail to execute the Settlement Agreement, then DWR shall consult with the Fund Administrator and other local governmental agency signatories to determine an appropriate replacement agency(s), if any, for the non-signing agency(s).
- 4.0 DWR will participate on the Steering Committee in a non-voting advisory role.
- 5.0 Subject to their execution of the Settlement Agreement, the following stakeholders may, at their discretion, become non-voting advisory members of the Steering Committee:
  - 5.1 the State Water Contractors (SWC),
  - 5.2 the Oroville Area Chamber of Commerce, and
  - 5.3 American Rivers.
- 6.0 The Steering Committee shall be the sole decision-maker, through majority vote of its members, for purposes of adopting the Fund Strategic Plan, selecting proposed projects eligible for funding, and determining the level of funding appropriate for such projects. If the majority vote on any given measure or action results solely from the votes of a single agency, a majority plus one vote will be required for approval of the measure or action.
- 7.0 At the first meeting of the Steering Committee, a Chair will be elected to provide for the orderly performance of Steering Committee functions. Thereafter, the Steering Committee will elect a new chair annually. No member agency of the Steering Committee shall serve as Chair for more than two consecutive years.
- 8.0 At the first meeting of the Steering Committee, the Fund Administrator shall propose written procedures governing committee and membership activities for consideration and adoption by the Steering Committee. In no event shall such procedures conflict with or modify any provision of the Settlement Agreement; provided, however, that members may be added to the Steering Committee upon unanimous vote of the voting members of the Steering Committee, provided they were among the original signatories to the Settlement Agreement and written concurrence of DWR.
- 9.0 Principal duties of the Steering Committee will consist of:

- 9.1 facilitating administration of the Fund in a manner consistent with the prudent use of public funds for public purposes;
  - 9.2 adopting the Fund Strategic Plan;
  - 9.3 selecting proposed projects eligible for funding; and
  - 9.4 determining the level of funding appropriate for such projects.
- 10.0 The Steering Committee will hold public meetings as necessary, but no less than annually, to take action on:
- 10.1 development and adoption of the regional Fund Strategic Plan pursuant to Section G;
  - 10.2 review and approval of proposed projects to be funded that meet the criteria of the Fund Strategic Plan;
  - 10.3 approval of the level of funding for approved projects; and
  - 10.4 election of a new chair.

**E. DWR Commitment to Establish and Maintain Fund**

- 1.0 Subject to the DWR determination required under Section A(2.0), DWR shall establish the Fund that will provide up to \$61,270,000 of unescalated funds, with a combination of initial payments and annual payments as provided below.
- 2.0 After the executed Settlement Agreement is approved by the Department of Finance, the first \$1,935,000 of these funds will be made available in accordance with an annual schedule to be determined by the Fund Administrator in consultation with the Steering Committee. Payments shall be made in arrears upon invoice by the Fund Administrator to DWR of actual expenses up to the total \$1,935,000.
- 3.0 The second \$4,135,000 of these funds, as well as any unexpended funds from those made available pursuant to Section E(2.0), will be transferred as a lump sum to the Fund Administrator upon acceptance by DWR of a new license for the Oroville Facilities with terms and conditions that are consistent with and substantially similar to the provisions set forth in the Settlement Agreement.
- 4.0 DWR shall provide the following unescalated annual payments, as appropriate for the new license term, to the Fund Administrator by June 30

of each year beginning with the first year following DWR acceptance of a new license:

- 4.1 fifty year term: \$1,000,000 per year;
  - 4.2 forty-five year term: \$900,000 per year;
  - 4.3 forty year term: \$800,000 per year.
  - 4.4 For any license term less than forty years, DWR shall use its discretion to determine the annual payment, if any, which, at a minimum, shall be less than the amount listed in section 4.3 above.
- 5.0 The Fund also includes \$3,000,000 that DWR has already committed to Riverbend Park pursuant to an agreement with Feather River Recreation and Parks District, dated September 26, 2002, and an additional \$2,200,000 that was added to this contract via a contract amendment with approval from original signatories of the Interim Settlement Agreement for Riverbend Park Improvements.
- 6.0 If in any year in which DWR has, during its May determination, approved allocations of 35% or less of the maximum contractual amount SWP contractors can annually request pursuant to their long term water supply contracts, annual payments will be re-scheduled as follows:
- 6.1 when the approved allocation is 25% or less of the total annual contractual maximum, the next annual payment shall be reduced to \$300,000;
  - 6.2 when the approved allocation is between 26% and 35% of the total annual contractual maximum, the next annual payment shall be reduced to \$500,000;
  - 6.3 the reduced amounts shall be recovered in full through five equal annual installments beginning with the subsequent first year in which the May approved allocation exceeds 35% of the total annual maximum contractual amount the SWP contractors can request; provided that, the repayment obligation will be made in the years that the allocation exceeds 35% of the total annual maximum contractual amount the SWP contractors can request. The repayment obligation shall survive termination of this agreement and shall be added to the regular annual payments identified in Section 4.
- 7.0 DWR will use its best efforts to provide a transparent and stable funding stream for the Fund, consistent with its spending authorities.

- 8.0 If in any year(s) the annual generation (MWH) at the Oroville Facilities is reduced by more than 10% due to a forced physical outage or a regulatory, legislative, or judicial action, the payment(s) to the Fund for the following year(s) will be reduced by the percentage that exceeds 10%. This reduction in payment(s) shall remain in effect only until and to the extent that the reduction in annual generation remains in effect.
- 9.0 Payments to the Fund will constitute DWR's entire contribution to the funded projects and no contributions from DWR will be solicited by any party for any project that is denied funding by the Steering Committee.
- 10.0 At DWR's discretion and per its specifications, completed projects may include recognition of DWR funding.

**F. Pursuit of Grant Funds by SWC and Steering Committee**

- 1.0 The State Water Contractors (SWC), and the Steering Committee, agree to form a partnership,<sup>1</sup> the goals of which are to (1) solicit grant funds in addition to those made available under Section E. above, and (2) obtain grant funds to supplement the Fund such that the future purchasing ability of the proposed annual payments will at least keep pace with inflation.
- 2.0 To accomplish this, the SWC agree to use best efforts to:
  - 2.1 develop a grant assistance program aimed at securing funding in an amount equal to or greater than the amount needed to keep pace with inflation;
  - 2.2 work with the Fund Administrator in exploring various political avenues that may be a productive source of various grants;
  - 2.3 work with the Fund Administrator by making available appropriately qualified in-house staff trained in locating, researching, evaluating, and writing grant proposals for effective fundraising; and
  - 2.4 make available staff resources in an amount not to exceed 50 percent time of one FTE. The staffing for obtaining grant funding will be in effect until five years prior to the expiration of the new license.

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<sup>1</sup> Use of the term "partnership" does not connote or create a legal relationship between the SWC and other parties. The parties are not partners, joint venturers or any other legal entity. Rather, use of the term "partnership" is limited to signifying a cooperative endeavor between the SWC and local interests to seek to obtain grant funds, consistent with the concepts set forth herein.

- 3.0 The Fund Administrator, in coordination with the resources of the Steering Committee voting members, agrees to make available appropriate staff and other resources to complement the grant funding efforts of the SWC without using any Fund allocations.
- 4.0 Due to the local community's existing desire for recreational and economic development benefits, it is expected that fundraising efforts should be pursued particularly aggressively during the first ten years of the new license term.
- 5.0 The SWC grant assistance program efforts and the local community grant assistance program efforts will be coordinated. The SWC's efforts will be managed by a SWC representative who shall serve in an advisory capacity to the Steering Committee. The SWC representative also will be responsible for reporting on the SWC grant assistance program activities and performance to the Steering Committee at least once a year. The SWC may designate different personnel to serve on the Steering Committee and to manage the grant funding process. The Fund Administrator shall designate a local representative who will manage the grant program activities on behalf of the Steering Committee.
- 6.0 The SWC and local community grant assistance program's performance will be evaluated by the Steering Committee during and in accordance with future updates and revisions of the regional Fund Strategic Plan described below. The purpose of the evaluation will be to: review past SWC and local community grant assistance program performance; ensure that "best efforts" by the SWC and local community have been made; and, if necessary, recommend and adjust the program's future fundraising strategy and efforts for greater fundraising effectiveness.
- 7.0 The parties agree that grant funding cannot be assured due to the competitive process for obtaining such funds. As a result, the SWC are not obligated to guarantee any level of grant funding. The sole SWC commitment is to provide staff resources and political capital to assist and work with the local community to obtain grant funds. It is further agreed that the SWC shall have no obligation to pursue any particular grant if in its judgment to do so would be detrimental to the economic or political interests of the SWC or any of its members. It is further agreed that in those cases where the SWC or any of its members are, or would be, competing with the local community for funds from the same source, there shall be no obligation on the part of the SWC to undertake any actions in pursuit of the grant.
- 8.0 At the request of either the SWC or the Steering Committee, the grant funding provision of this agreement may be reviewed after the first 10 years of the license term if the grant assistance program has not resulted

in the procurement of any grant funding. If no grant funding has been obtained, the SWC and the Steering Committee will negotiate in good faith to develop additional or alternative jointly- pursued actions or methodologies for obtaining grant funds. This renegotiation shall constitute the sole remedy for failure to obtain grant funds.

- 9.0 Payments to DWR for the Fund will constitute the SWP contractors' and their member agencies' entire contribution to local projects, and no further contributions from the SWP contractors or their member agencies will be solicited by any local party. Further, at the request of the SWC, completed projects made possible through grant funding will include recognition of SWC efforts.

**G. Regional Fund Strategic Plan**

- 1.0 At the direction of the Steering Committee, the Fund Administrator shall develop a regional Fund Strategic Plan to guide the Steering Committee in selecting and funding proposed projects in a manner that optimizes the overall benefits to the local region consistent with the availability of funds.
- 2.0 Subject to subsection 3.0 below, only those projects consistent with the goals of the Fund Strategic Plan shall be eligible for funding.
- 3.0 Prior to adoption of the Fund Strategic Plan, the Steering Committee may direct the Fund Administrator to fund administrative activities and selected projects only from funds obtained through the initial payments as provided in subsections E.2.0 and E.3.0.
- 4.0 Development of the Fund Strategic Plan shall include a series of public meetings to obtain input about the need for proposed projects. Such meetings shall be open to any person.
- 5.0 At a minimum, the Fund Strategic Plan shall include the following:
  - 5.1 phasing of projects to complement the implementation of DWR's Recreation Management Plan, including consideration for development of the recreational and economic benefits of the Feather River.
  - 5.2 a statement of goals and policies that provide a basis for optimizing Fund benefits based upon sound business practices consistent with public purposes;
  - 5.3 allocations of the overall Fund for administrative costs, capital expenditures, operation and maintenance costs, feasibility costs,

- and environmental permitting and related costs, with the intent of maximizing benefits to the local region;
- 5.4 a discussion of the consistency of the Fund Strategic Plan with identified goals for economic and recreational development in the greater Oroville region, including the potential for energy and water incentives or programs;
  - 5.5 measurable performance standards to ensure that economic and recreational benefits are distributed in a manner that is consistent with the goals of the Fund Strategic Plan and that benefits are distributed appropriately in the region;
  - 5.6 a list of the Fund Strategic Plan policies that will ensure consistency with the identified goals;
  - 5.7 protocols for ensuring the consistency of the Fund Strategic Plan with the new license for the Oroville Facilities, including the approved Recreation Management Plan;
  - 5.8 adaptive management features to ensure that the Fund Strategic Plan remains effective throughout the term of the Settlement Agreement, or, as determined by the Steering Committee, periodic review and update of the Strategic Plan no less than every 10 years;
  - 5.9 Project selection criteria, which shall include:
    - 5.9.1 priority consideration for funding projects with a documented source of matching funds or other cost-sharing mechanism and priority consideration for projects with an ability to return a portion of generated revenue to the Fund; if matching funds will be made available, the project proponent must provide documentation of such firm commitment before allocations of the Fund can be made;
    - 5.9.2 consistency with existing environmental and recreational projects, and local land use plans;
    - 5.9.3 ability of the proposal to adequately define a project description, with concept level drawings, if applicable; map; estimated cost of project (capital and O&M); amount of funds already allocated (capital and O&M), if any; name of project proponent (party that will implement project); proposed timeframe for implementation; and identification of required permits;

H. Fund Implementation Agreement

- 1.0 DWR and the Fund Administrator will use best efforts to develop and execute a Fund Implementation Agreement within four months of the effective date of the Settlement Agreement. The purpose of the Fund Implementation Agreement is to direct future performance of all administrative duties associated with implementation of the Fund. This Fund Implementation Agreement will include, but not be limited to, detailed language addressing the following duties of the Fund Administrator:
  - 1.1 entering into appropriate contracts with developers of selected projects and ensuring compliance with applicable state and federal environmental laws;
  - 1.2 monitoring the progress of selected projects and enforcing any contractual remedies for non-performance;
  - 1.3 documenting all use of the Fund in a manner consistent with auditing requirements associated with the use of public funds;
  - 1.4 working with DWR to resolve in a timely manner any of its issues related to administration of the Fund;
  - 1.5 working with the Steering Committee to implement its decisions;
  - 1.6 developing criteria to be followed during project implementation and inserted into contracts with developers, including:
    - 1.6.1 schedule and benchmark conditions for phased release of Funds, as determined appropriate by the Steering Committee;
    - 1.6.2 identification of responsible parties for securing any necessary permits and for implementing the project in accordance with conditions, timelines, benchmarks;
    - 1.6.3 requirements for periodic status reports to Administrator;
    - 1.6.4 penalties for failure to comply with conditions such as withdrawal of allocation of funds to that project.



I. **Fund Administrative Expenditures**

1.0 Portions of the Fund will be allocated for administration of the Fund and Fund Strategic Plan development, as specified below:

1.1 For the first two years beginning with the effective date of this agreement, an annual average amount of \$300,000 per year will be allocated to the Fund Administrator for administrative duties associated with establishment and initial administration costs of the Fund, including development of a Fund Strategic Plan in accordance with the applicable provisions herein. Any amount allocated to administrative costs in the first two years that is not expended for administrative duties shall be reallocated to the Fund by the Fund Administrator.

Thereafter, a maximum annual amount to be determined by the Steering Committee will be allocated to the Fund Administrator for administrative duties. Administrative duties include, but are not limited to, activities associated with management of the Fund, including implementation of the Fund Implementation Agreement, disbursement of funds allocated to projects, oversight of projects that receive an allocation of the Fund, coordination of Steering Committee meetings, public notice of Steering Committee meetings, preparation of minutes of Steering Committee meetings, and staff for the Fund Administrator, as appropriate. Any amount allocated to administrative costs that is not expended for administrative duties shall be reallocated to the Fund.

**OROVILLE CITY COUNCIL  
OROVILLE REDEVELOPMENT AGENCY**

**TO:** MAYOR AND CITY COUNCIL MEMBERS  
CHAIRPERSON AND COMMISSIONERS

**FROM:** LIZ EHRENSTROM, HUMAN RESOURCE ANALYST II

**SUBJECT:** NEW JOB DESCRIPTION FOR SBF/RDA PROJECT COORDINATOR

**DATE:** OCTOBER 2, 2007

**SUMMARY**

Council

The Council will consider a new job description for the position of Supplemental Benefits Fund/Redevelopment Agency (SBF/RDA) Project Coordinator and authorize staff to recruit for the position.

Commission

The Commission will consider the use of RDA funds to pay for 50% of the salary and benefits for the position for an amount of \$32,811.

**DISCUSSION**

The purpose of the SBF/RDA Project Coordinator is to enter into appropriate contracts with developers of selected projects and ensuring compliance with state and federal environmental laws for the Supplemental Benefit Fund. The position also monitors the progress of selected projects and enforces any contractual remedies for non-performance and works with DWR and the SBF Steering Committee to resolve any issues related to administration and/or implementation of the SBF fund. In addition, the position will assist the RDA coordinator to analyze, design, implement, coordinate, evaluate and monitor economic development and redevelopment program and projects. The position will coordinate with the City's Planning Department for compliance with general plan, zoning and CEQA compliance for projects with the City. The position will coordinate with other appropriate agencies for the SBF projects proposed outside City limits. The incumbent will also assist in recommending the elimination of under-utilized and blighted areas and conditions and to assist in the creation of economic and business opportunities and the revitalization of commercial districts. This is a two (2) year position funded 50% from the SBF and 50% from the RDA. The salary range for this position is \$38, 660.24 - \$51, 808.44.

**FISCAL IMPACT**

Funding in the amount of \$65,622 is available in the 2007/08 budget (salary and benefits).

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**RECOMMENDATION**

Council

Approve the SBF/RDA Project Coordinator job description and authorize staff to recruit for the position.

Commission

Authorize the use of RDA funds in the amount of \$32,811 for the part-time position.

**ATTACHMENT(S)**

SBF/RDA Project Coordinator job description

**OROVILLE CITY COUNCIL  
STAFF REPORT**

**TO: MAYOR AND COUNCIL MEMBERS**

**FROM: G. HAROLD DUFFEY, CITY ADMINISTRATOR  
LIZ EHRENSTROM, HUMAN RESOURCE ANALYST II**

**RE: PLACEMENT OF THE REDEVELOPMENT AGENCY  
COORDINATOR AND SBF/RDA PROJECT COORDINATOR TO  
THE POSITION OF PROGRAM SPECIALIST**

**DATE: SEPTEMBER 20, 2011**

**SUMMARY**

The Council will consider the placement of the Redevelopment Agency Coordinator and SBF/RDA Project Coordinator to the position of Program Specialist.

**DISCUSSION**

Council shall consider approving the placement of the Redevelopment Agency Coordinator and the SBF/RDA Project Coordinator to the position of Program Specialist. Staff is proposing this move based on the position's responsibilities, independent judgment and decision making requirements and that the positions directly report to the City Administrator and/or Department Head. If approved, the employees would be placed in the Confidential Unit based on the confidentiality of information of some City projects. The positions shall be salaried and would receive 48 hours of administrative leave based on their exempt status. Staff is recommending that both employees be placed at Step B of the salary schedule, which is \$54,797.62, to be effective October 3, 2011.

**FISCAL IMPACT**

No additional impact to the 2011/12 budget.

**RECOMMENDATION**

Adopt Resolution No. 7814 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE PLACEMENT OF THE REDEVELOPMENT AGENCY COORDINATOR AND SBF/RDA PROJECT COORDINATOR TO THE POSITION OF PROGRAM SPECIALIST.

**ATTACHMENT**

Resolution No. 7814  
Program Specialist Job Description

## SBF/RDA Project Coordinator

### DEFINITION

The purpose of the SBF/RDA Project Coordinator is to enter into appropriate contracts with developers of selected projects and ensuring compliance with state and federal environmental laws; monitors the progress of selected projects and enforces any contractual remedies for non-performance; works with DWR and the Steering Committee to resolve any issues related to administration and/or implementation of the SBF Fund.

### SUPERVISION RECEIVED AND EXERCISED

Receives administrative general direction from the City Administrator

This classification has no direct supervisory responsibilities, but may provide technical supervision to others.

**EXAMPLES OF ESSENTIAL FUNCTIONS** - *Essential functions may include, but are not limited to, the following:*

Convene meetings and implement decisions of a Fund Steering Committee;

Perform grant funding tasks;

Develop a regional Fund Strategic Plan;

Enter into a Fund Implementation Agreement with DWR and discharge obligations thereto;

Enter into appropriate contracts with developers of selected projects and ensure compliance with applicable state and federal environmental laws;

Monitor the progress of selected projects and enforce any contractual remedies for non-performance;

Document all use of the Fund in a manner consistent with auditing requirements associated with the use of public funds;

Work with DWR to resolve in a timely manner any of its issues related to administration of the Fund;

Work the Steering Committee to implement its decisions;

## City of Oroville

Develop criteria to be followed during project implementation and inserted into contracts with developers, including: Schedule and benchmark conditions for phased release of Funds, as determined appropriate by the Steering Committee; Identification of responsible parties for securing any necessary permits and for implementing the project in accordance with conditions, timelines, benchmarks; requirements for periodic status reports to the City Administrator; Penalties for failure to comply with conditions such as withdrawal of allocation of funds to that project.

Assists in the planning, implementation and monitoring of redevelopment and economic development activities.

Assists in soliciting proposals, and makes recommendations for contractor selection.

Assists in contract negotiations; prepares and administers contracts.

Assists in the negotiation, acquisition, clearance, site improvement, relocation, condemnation and disposition of property.

Participates in the preparation of a variety of reports required by government agencies.

Assists in establishing and maintaining accurate fiscal accounts and records.

Prepares project budgets, cost estimates, bids, contracts, correspondence and other documents.

Investigates, interprets, analyzes and prepares recommendations related to proposals for new programs, services, equipment and personnel.

Receives and responds to public inquiries, requests for assistance, concerns and complaints regarding redevelopment programs and projects.

Represents the department in various City, civic and community meetings as required.

Performs general administrative and clerical work as required, including but not limited to preparing reports and correspondence, maintaining files, entering computer data, attending meetings, etc.

Research, compile, and prepare reports and documentation on program activities; analyze programs and develop corrective action, maintain records of findings and corrective actions; prepare periodic status reports.

Coordinate plan review activities with other City departments and with outside agencies.

Recommend policies, procedures, and ordinance revisions as necessary.

Develop and implement procedural methods and practices for reviewing the SBF Fund.

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## City of Oroville

Research complex problems, analyze various approaches and implement solutions;

Perform other duties as assigned.

### **Knowledge of:**

Pertinent federal, state and local laws, regulations, codes and ordinances.

Philosophy, trends, principles and techniques of commercial, industrial and economic development and redevelopment.

Land and real estate economics.

Contract administration.

Program development, management and monitoring techniques.

Budget preparation and administration.

Research methods and sources of information related to redevelopment.

Modern office practices and technology, including the use of computers for word and data processing.

Methods of letter writing, record-keeping and report preparation.

English usage, spelling, grammar and punctuation.

Public / community relations techniques.

### **Ability to:**

Read, understand, interpret and apply pertinent federal, state and local laws, rules and regulations.

Assimilate both technical and theoretical concepts from many diverse disciplines and apply the knowledge in creative and intuitive ways to solve unique problems.

Analyze problems, identify alternative solutions, determine consequences of proposed actions and implement recommendations in support of goals.

Prepare and monitor contracts.

Organize and conduct research projects.

Communicate clearly and concisely, both orally and in writing.  
Prepare clear and concise reports.

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## City of Oroville

Make effective oral and written presentations.

Perform mathematical computations with accuracy.

Gain cooperation through discussion and persuasion.

Establish and maintain effective working relationships with those contacted in the course of work.

### **Experience:**

Two years of experience in redevelopment, economic development, fund administration and/or business development.

**AND**

### **Education:**

Bachelor's degree in public administration, planning, economics or related field.

**OR**

### **Substitution:**

Any combination of education and experience, is qualifying, if it would provide the required knowledge and abilities for the position.

### **Additional Requirements:**

Possession of a valid California Class "C" driver's license.

### **TYPICAL WORKING CONDITIONS**

Work is performed in a normal office environment.

### **TYPICAL PHYSICAL REQUIREMENTS**

Requires the mobility to work in an office environment. Requires the ability to sit at desk for long periods of time and intermittently walk, stand, stoop, kneel, crouch and reach while performing office duties; use hands to finger, handle or feel objects, tools or controls; lift and/or move objects and materials of up to 25 pounds in weight. Must be able to maintain effective audio-visual discrimination and perception needed for making observations, communicating with others, reading and writing, and operating office equipment. Must be able to use a telephone to communicate verbally and a keyboard to communicate through written means, to review information and enter/retrieve data, to see and read characters on a computer screen.

**This class specification lists the major duties and requirements of the job and is not all-inclusive. Incumbents may be expected to perform job-related duties other than those contained in this document.**

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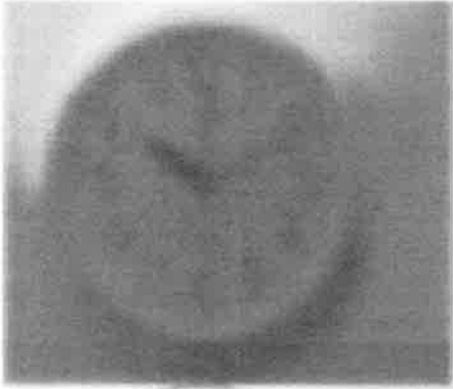




# Bob Marciniak Program Specialist

Supplemental Benefits Fund (SBF) &  
City of Oroville Community Relations

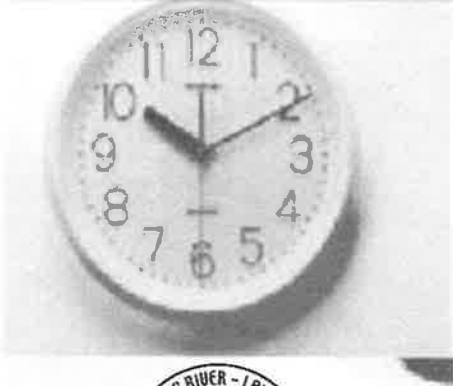




# SBF ... Commitment

20 hours per week

Assigned to the position since June 23, 2008



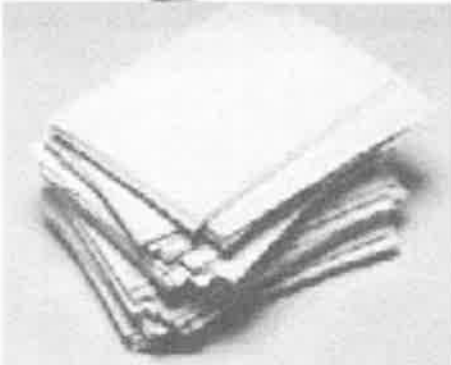
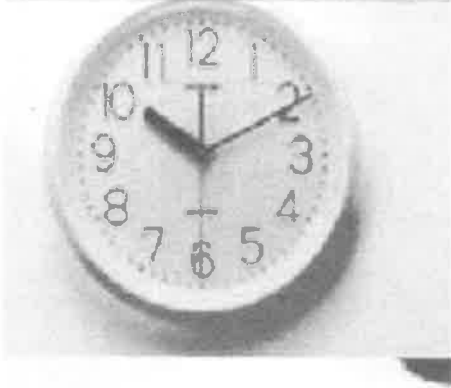
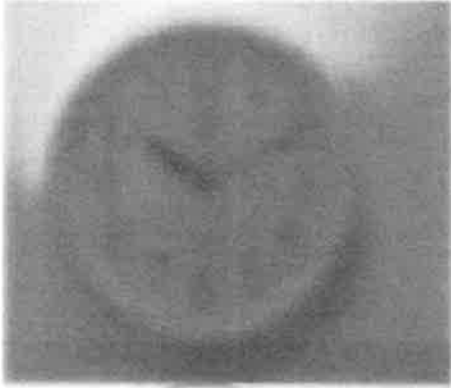
# City of Oroville ... Commitment

12 hours per week



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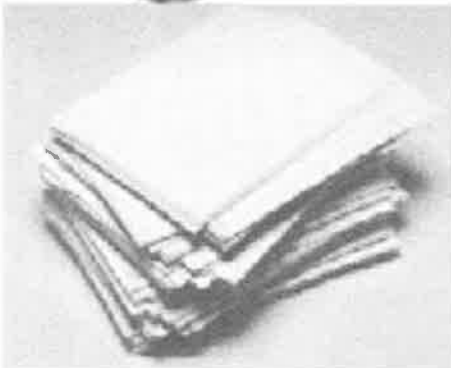
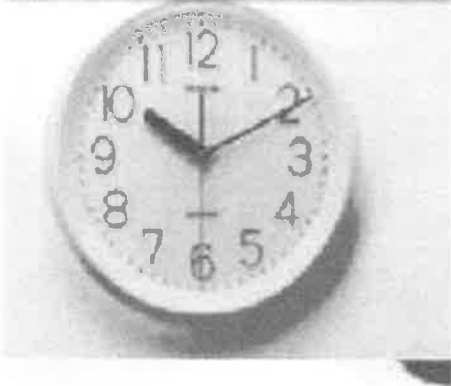
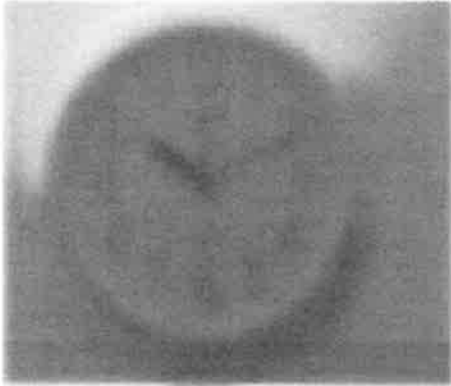
# City Assignments



- Daily News Bits
- Brochure Design & Development
- Website Updates
- Quarterly Electronic Newsletter
- Facebook Daily Updates
- Press Releases
- RFP's Interdepartmental Assistance
- Special Projects/Research
- Tourism Committee

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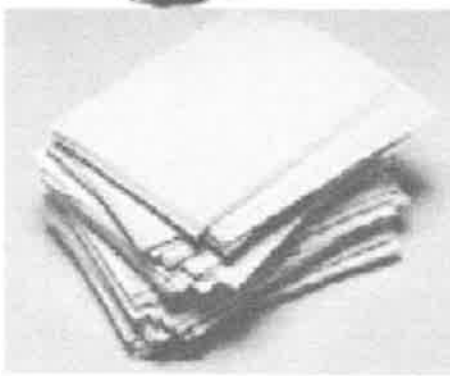
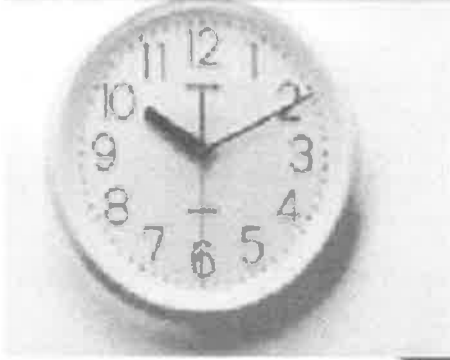
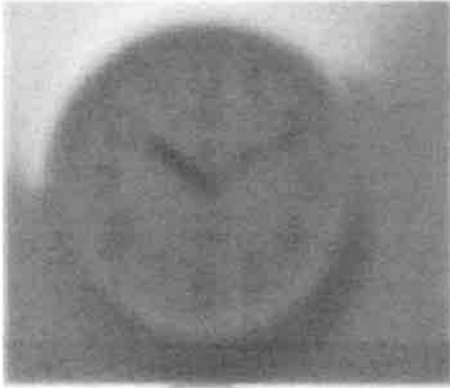
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# City Assignments



- City representative on major event committees including:
  - Wildflower & Nature Festival
  - Feather Fiesta Days
  - Salmon Festival
  - 4<sup>th</sup> of July Celebration
  - Holiday Light Parade
  - ODBA special events
  - Chamber Liaison for promotional/tourism activities

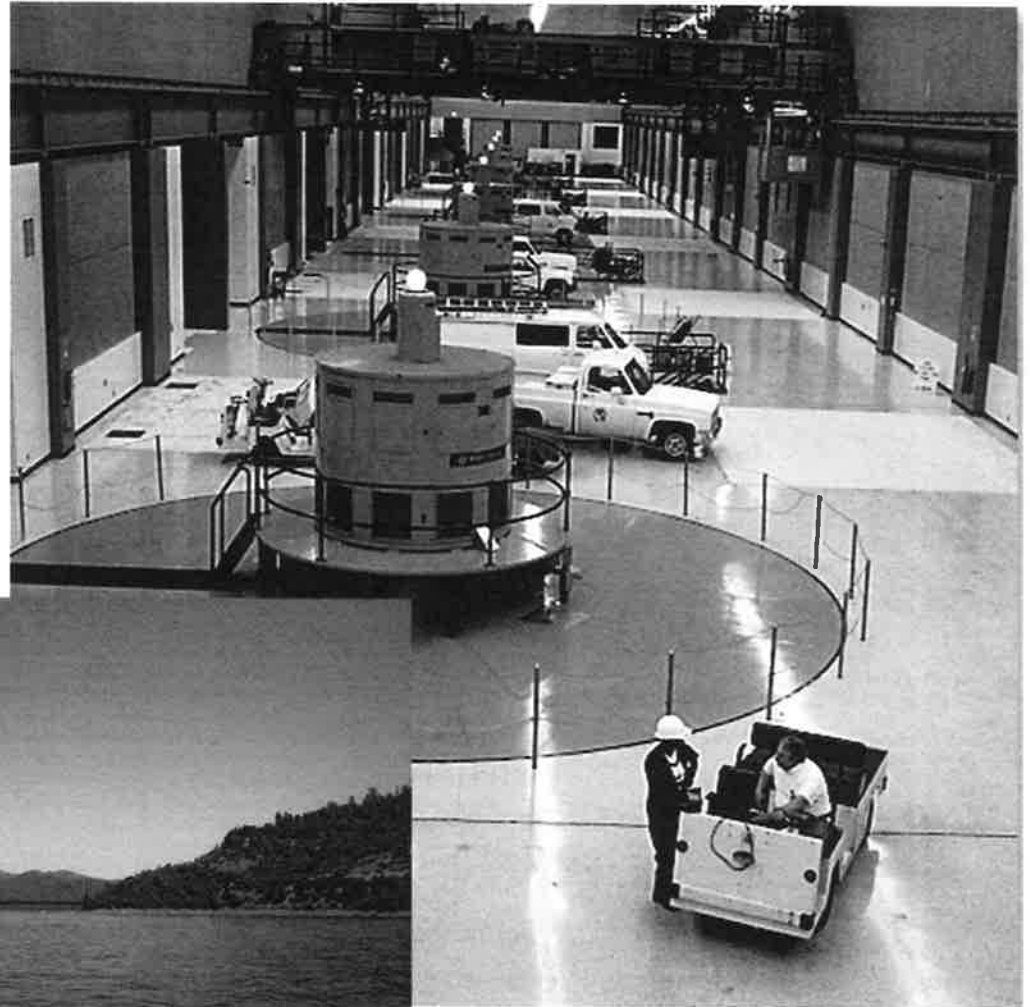
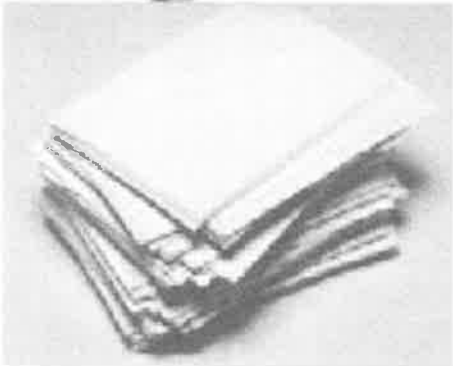
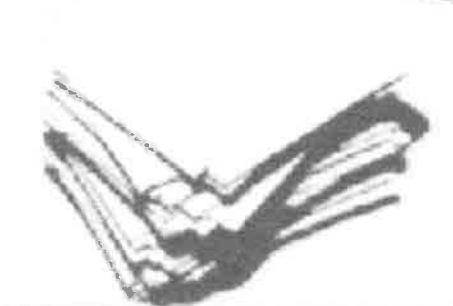
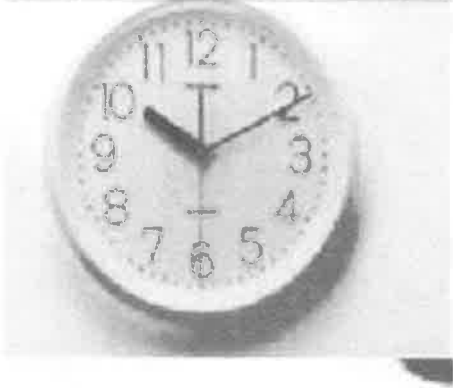
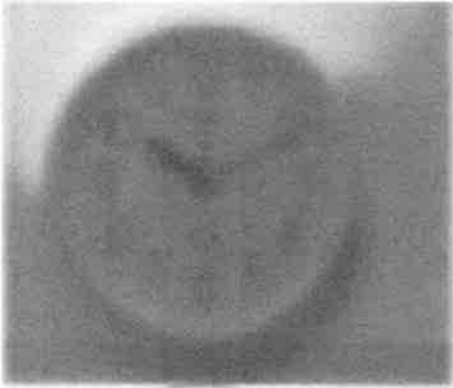


# What is the SBF?

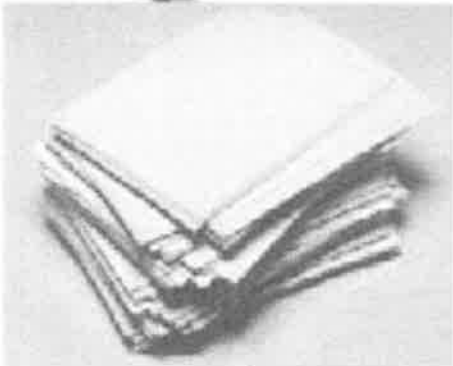
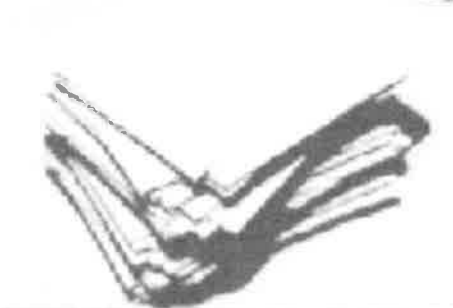
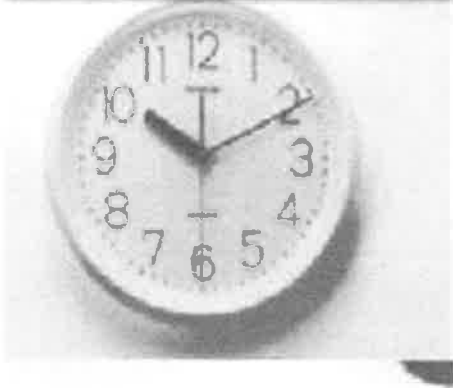
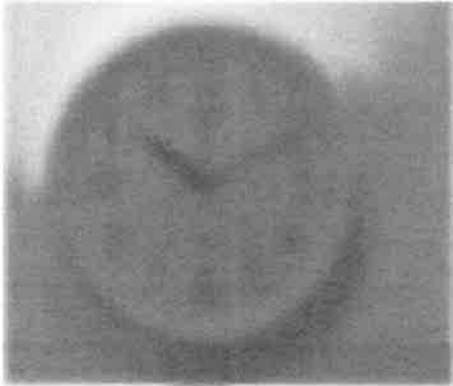


- The SBF is one of the benefits provided to the local community via the Settlement Agreement approved in early 2006 by over 50 stakeholders for the licensing of the Lake Oroville Facilities, FERC Project No. 2100 ...

# FERC Project No. 2100



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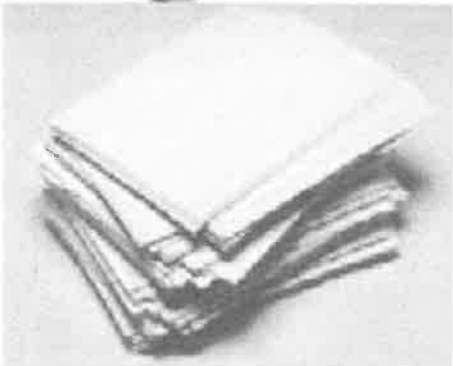
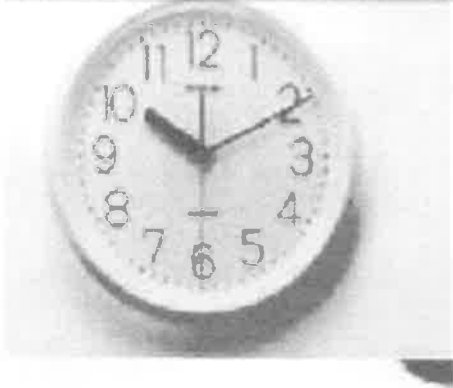
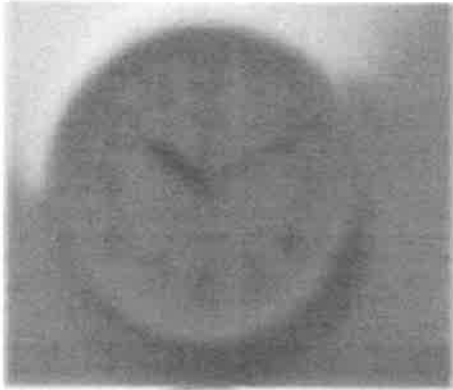
# Supplemental Benefits Fund

*(from Highlights of the Settlement Agreement for Licensing 2006)*

- To complement the recreation resources provided within the project boundary, a Project Supplemental Benefits Fund is established, providing economic resources to be used toward projects selected by local participants ...

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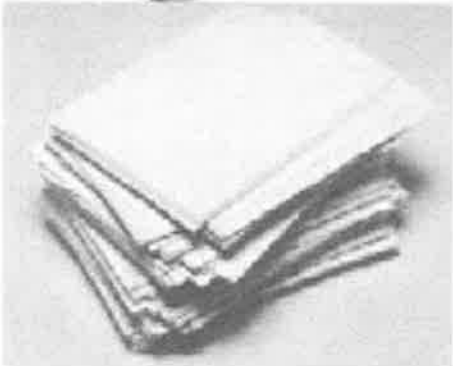
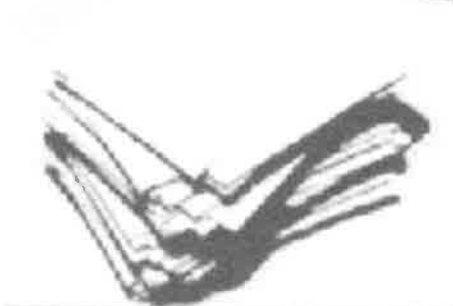
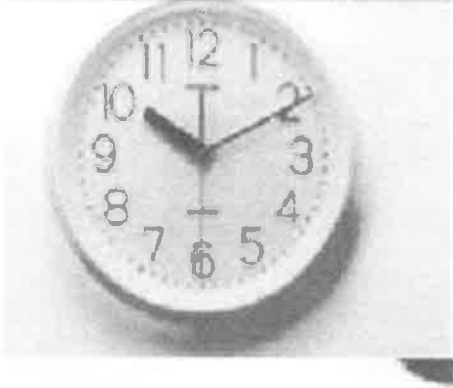
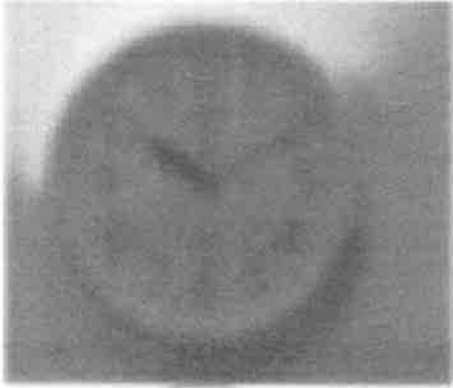




# Supplemental Benefits Fund

- ... a fund Steering Committee will govern the use of at least \$62 million in funds granted to the community over a 50-year license. In addition, The State Water Contracts & the Fund Steering Committee will adopt a partnership approach to soliciting additional grant funds.





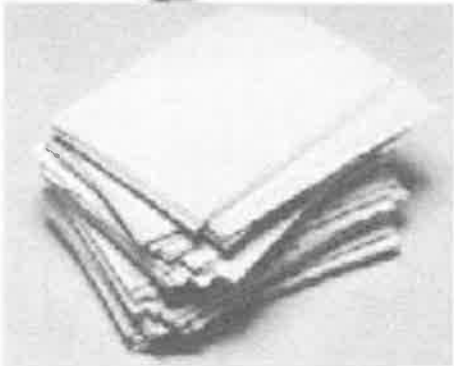
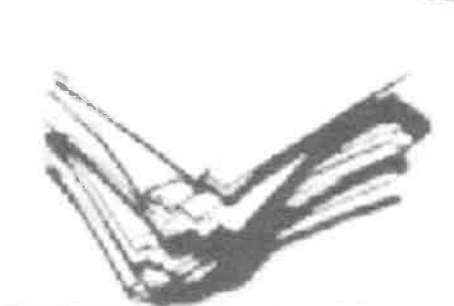
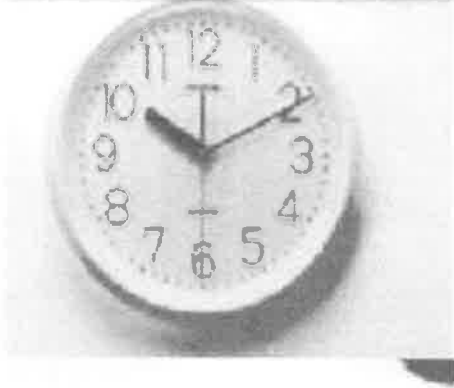
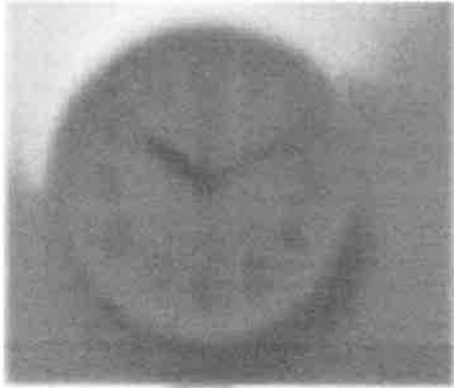
# SBF Assignments



- All aspects of SBF Public Meetings
- Facilitator for SBF ad Hoc Committees
- “Go-to” person about all things SBF
- Agency Liaison (*DWR, SWC & others*)
- Maintain SBF Web page
- Financial monitoring of the fund
- Develop all written material
- Write & administer contracts
- Water related research

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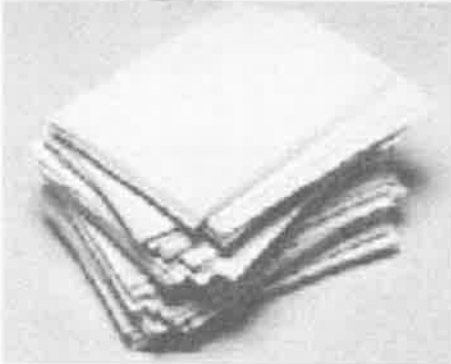
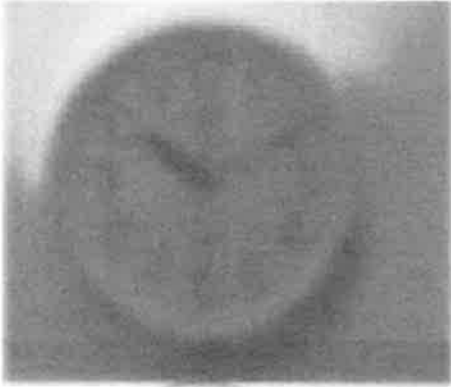
# SBF Assignments



- Maintain all SBF records
- Knowledgeable of all elements of the Settlement Agreement for FERC Project No. 2100
- Follow DWR community commitments insuring compliance to the Settlement Agreement

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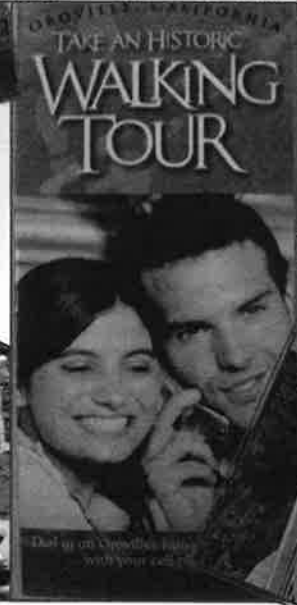
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# Program Specialist Funding

## ■ Position Funding

- SBF reimburses the City of Oroville for Salary & Benefits up to 20 hours per week plus 100% of all expendable items attributed to the SBF ...
- City of Oroville provides Salary & Benefits for 12 hours per week ...



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