

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



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**JANUARY 17, 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. 5)

RECONVENE TO OPEN SESSION

OPEN SESSION (6:30 P.M.)

PLEDGE OF ALLEGIANCE

PROCLAMATION / PRESENTATION

Presentation regarding updates to the "*Welcome to Oroville*" digital sign

CONSENT CALENDAR

1. **APPROVAL OF THE MINUTES OF THE JANUARY 3, 2017 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

Finance Department

2. **UNCOLLECTABLE DEBT WRITE OFFS** – staff report

The Council will receive information regarding debts to the City that are no longer collectable. **(Ruth Wright, Director of Finance)**

Council Action Requested: **For information only.**

3. MONTHLY FINANCIAL REPORT AND REPORT OF INVESTMENTS FOR DECEMBER 2016 – report attached

The Council will receive a copy of the December 2016 Monthly Financial Report and November and December 2016 Report of Investments. **(Ruth Wright, Director of Finance)**

Council Action Requested: **Acknowledge receipt of the December 2016 Monthly Financial Report and November and December 2016 Report of Investments.**

Community Development Department

4. REQUEST FOR MAYOR TO SIGN LETTER TO SEND TO AT&T – staff report

The Council may consider a request for the Mayor to sign and send a letter to AT&T regarding the increasingly unstable infrastructure of the phone and internet services throughout Oroville. **(Dawn Nevers, Assistant Planner and Donald Rust, Director of Community Development)**

Council Action Requested: **Approve the Mayor's signing of a letter to AT&T regarding the increasingly unstable infrastructure of the phone and internet services throughout Oroville.**

Business Assistance and Housing Development Department

5. ADOPTION OF THE JULY 2017 THROUGH JUNE 2018 ANNUAL 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 Recognized Obligation Payment Schedule (ROPS 17-18) and the Successor Agency Administrative Budget for July 1, 2017 through June 30, 2018. **(Rick Farley, RDA Coordinator and Donald Rust, Director of Community Development)**

Council Action Requested:

1. Adopt Resolution No. 17-01 - A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE JULY 2017 THROUGH JUNE 2018 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 17-18) PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 (m).

2. Adopt Resolution No. 17-02 - A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE JULY 1, 2017 THROUGH JUNE 30, 2018, ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 (j).

6. 2016 HOME INVESTMENT PARTNERSHIPS PROGRAM APPLICATION – staff report

The Council may consider the submittal of an Application to the State Department of Housing and Community Development for 2016 Home Investment Partnerships (HOME) Program funding in the amount of \$700,000.

In addition, the Council, serving as the Successor Agency to the former Oroville Redevelopment Agency, may consider committing Housing Program funds, equaling \$50,000, for additional administrative support for HOME program activities. **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

Council Action Requested:

1. **Adopt Resolution No. 8571 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING, IN THE AMOUNT OF \$700,000, UNDER THE 2016 HOME INVESTMENT PARTNERSHIPS PROGRAM; THE EXECUTION OF A STANDARD AGREEMENT IF SELECTED FOR SUCH FUNDING, AND ANY AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE 2016 HOME INVESTMENT PARTNERSHIPS PROGRAM.**
2. **Adopt Resolution No. 17-03 - A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY COMMITTING SUCCESSOR AGENCY HOUSING PROGRAM FUNDS, IN THE AMOUNT OF \$50,000, TO BE USED AS LEVERAGE MATCH FOR THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT 2016 HOME INVESTMENT PARTNERSHIPS PROGRAM.**

Administration Department

7. **APPOINTED REPRESENTATIVES SERVING ON THE BUTTE COUNTY AIRPORT LAND USE COMMISSION** – staff report

The Council will receive information relating to the appointed representatives to the Butte County Airport Land Use Commission. (**Jamie Hayes, Assistant City Clerk and Donald Rust, Acting City Administrator**)

Council Action Requested: **Informational only.**

8. **ATTENDANCE TO 2017 ANNUAL CONFERENCES** – staff report

The Council may consider approving the attendance to two conferences in the 2017 calendar year for the IT Manager. (**Tyson Pardee, IT Manager and Donald Rust, Acting City Administrator**)

Council Action Requested:

1. **Authorize the IT Manager to attend the Laserfiche Conference.**
2. **Authorize the IT Manager and Accounting Technician to attend the SUGA Conference as indicated in the January 17, 2017 staff report.**

PUBLIC HEARINGS - None

REGULAR BUSINESS

Community Development Department

9. **OROVILLE REGIONAL WATER SERVICE REVIEW** – staff report

The Council may consider approving a resolution requesting the Butte Local Area Formation Committee (LAFCo) to provide a regional water service review of the greater Oroville area contingent upon receipt of the funding from an independent third party funder. (**Donald Rust, Director of Community Development and Scott E. Huber, City Attorney**)

Council Action Requested: **Adopt Resolution No. 8572 – A RESOLUTION OF THE OROVILLE CITY COUNCIL SUPPORTING THE COMPLETION OF A REGIONAL WATER SERVICE REVIEW OF THE**

GREATER OROVILLE AREA.

Business Assistance & Housing Development Department

10. 2016 HOUSING-RELATED PARKS PROGRAM – staff report

The Council may provide direction regarding preferred park project(s) to include as part of the 2016 Housing-Related Parks Program Grant Application. **(Amy Bergstrand, Management Analyst III and Donald Rust, Director of Community Development)**

Council Action Requested: **Adopt Resolution No. 8573 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE APPLICATION AND CONTRACT EXECUTION OF A STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT 2016 HOUSING-RELATED PARKS PROGRAM GRANT, IN THE AMOUNT NOT TO EXCEED \$300,000.**

Administrative Department

11. POTENTIAL NEW LOCATION FOR STATE HIGHWAY 70 AND MONTGOMERY STREET METAL FISH SCULPTURES – staff report

The Council may consider potential new locations for the State Highway 70 and Montgomery Street Metal Fish Sculptures. **(Bob Marciniak, Program Specialist and Donald Rust, Director of Community Development)**

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

12. COMPUTER AND TECHNOLOGY UPGRADES FOR THE CITY COUNCIL AND COUNCIL CHAMBERS – staff report

The Council may consider approving computer and technology upgrades relating to the City Council and Council Chambers. **(Tyson Pardee, IT Manager and Donald Rust, Acting City Administrator)**

Council Action Requested: **Authorize the purchase computer and technology upgrades relating to the City Council and Council Chambers, as indicated in the January 17, 2017 staff report.**

13. APPOINTMENT TO THE OROVILLE PLANNING COMMISSION – staff report

The Council may consider appointing a qualified City resident to serve on the Oroville Planning Commission. **(Jamie Hayes, Assistant City Clerk, Donald Rust, Acting City Administrator)**

Council Action Requested: **Appoint a qualified candidate to serve on the Oroville Planning Commission for the remainder of former Commissioner Vandervort's term, which expires on June 30, 2018.**

14. SELECTION OF DATE FOR AB 1825 HARASSMENT TRAINING, AB 1234 ETHICS TRAINING, AND CITY HALL 101 WORKSHOP – staff report

The Council may consider selecting a date for training on AB 1825 Harassment Training, AB1234 Ethics Training, and City Hall 101 workshop. **(Liz Ehrenstrom, Human Resource Manager, Donald Rust, Acting City Administrator)**

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

15. DISSOLUTION OF THE OROVILLE PUBLIC FINANCING AUTHORITY – staff report

The Council may consider the elimination of the Oroville Public Financing Authority. **(Scott E. Huber, City Attorney)**

Council Action Requested: **Adopt Resolution No. 8574 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE DISSOLUTION OF THE OROVILLE PUBLIC FINANCING AUTHORITY.**

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

- Mayor's 2017 – 2019 Committee Appointments

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

CORRESPONDENCE

- California Water Service Company

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

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

CLOSED SESSION

The Council will hold a Closed Session on the following:

1. Pursuant to Government Code section 54957.6, the Council will meet with Labor Negotiators and City Attorney to discuss labor negotiations for the following represented groups: Oroville City Employees Association, Oroville Police Officers' Association – Sworn and Non-Sworn, Oroville Firefighters' Association, and Oroville Management and Confidential Association.
2. Pursuant to Government Code section 54957(b), the Council will meet with Acting City Administrator, Personnel Officer, and City Attorney to consider the evaluation of performance and employment related to the following position: Director of Public Safety.
3. Pursuant to Government Code section 54957(b), the Council will meet with Acting City Administrator, Personnel Officer, and City Attorney to consider the evaluation of performance and employment related to the following position: Assistant City Administrator/Director of Planning and Community Development.
4. Pursuant to Government Code section 54957(b), the Council will meet with Acting City Administrator, Personnel Officer, and City Attorney to consider the evaluation of performance and employment related to the following position: Director of Finance.
5. Pursuant to Government Code section 54956.95, the City Council will meet with Acting City Administrator and City Attorney regarding potential litigation – two cases.

ADJOURNMENT

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, February 7, 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
JANUARY 3, 2017 – 7:00 P.M.**

The agenda for the January 3, 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, December 29, 2016, at 11:38 a.m.

The January 3, 2017 regular meeting of the Oroville City Council was called to order by Mayor Dahlmeier at 7:02 p.m.

ROLL CALL

Present: Council Members Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor Chan Wilcox,
Mayor Dahlmeier
Absent: None

Staff Present:

Donald Rust, Director of Community Development
Bill LaGrone, Director of Public Safety
Scott Huber, City Attorney
Liz Ehrenstrom, Human Resource Manager

Ruth Wright, Director of Finance
Jamie Hayes, Assistant City Clerk
Karolyn Fairbanks, City Treasurer

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Dahlmeier, with assistance from children sitting in the audience.

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

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 City Employees Association, Oroville Police Officers' Association – Sworn and Non-Sworn, Oroville Firefighters' Association, and Oroville Management and Confidential Association.

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

CONSENT CALENDAR

A motion was made by Council Member Del Rosario, seconded by Vice Mayor Chan Wilcox, to approve the following Consent Calendar, with exception to Item No. 3:

1. **APPROVAL OF THE MINUTES OF THE DECEMBER 20, 2016 REGULAR MEETING OF THE OROVILLE CITY COUNCIL** – minutes attached

Administration Department

2. **CANVASSING VOTES FROM THE NOVEMBER 8, 2016 CITY OF OROVILLE ELECTION** – staff report

The Council considered reciting the fact of the General Municipal Election consolidated with the Statewide General Election held on November 8, 2016 canvassing and declaring the results and such matters as provided by law. (**Jamie Hayes, Assistant City Clerk and Donald Rust, Acting City Clerk, City Administrator**)

Council Action Requested: **Adopt Resolution No. 8570 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION CONSOLIDATED WITH THE STATEWIDE GENERAL ELECTION HELD ON NOVEMBER 8, 2016 CANVASSING AND DECLARING THE RESULTS AND SUCH MATTERS AS PROVIDED BY LAW.**

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

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

Ayes:	Council Members Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor Chan Wilcox, Mayor Dahlmeier
Noes:	None
Abstain:	None
Absent:	None

OATH OF OFFICE FOR THE NEWLY ELECTED COUNCIL MEMBERS

Mayor Dahlmeier administered the Oaths of Office to newly elected Council Members Janet Goodson, Scott Thomson and Linda Draper, who were then seated at the dais.

PROCLAMATION / PRESENTATION

Mayor Dahlmeier presented a Proclamation in recognition and appreciation of departing Council Member David Pittman. Director of Public Safety, Bill LaGrone presented Mr. Pittman with a custom designed jacket and glass plaque.

Mayor Dahlmeier presented a Proclamation in recognition and appreciation of departing Council

Member Allen “JR” Simpson. Director of Finance, Ruth Wright, presented Mr. Simpson with a custom designed jacket and glass plaque.

Mayor Dahlmeier presented a Proclamation in recognition and appreciation of departing Vice Mayor Thil Chan Wilcox. City Attorney, Scott Huber, presented Ms. Chan Wilcox with a custom designed jacket and glass plaque.

SELECTION OF VICE MAYOR

4. APPOINTMENT OF VICE-MAYOR

The Council selected a Vice Mayor for the Oroville City Council. **(Scott Huber, City Attorney)**

A motion was made by Mayor Dahlmeier, seconded by Council Member Goodson, to:

Appoint Council Member Thomson to serve as Vice Mayor for the City of Oroville.

The motion failed by the following vote:

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

A motion was made by Council Member Hatley to appoint Council Member Berry to serve as Vice Mayor for the City of Oroville.

The motion failed due to a lack of a second motion.

A motion was made by Mayor Dahlmeier, seconded by Council Member Berry, to:

Appoint Council Member Goodson to serve as the Vice Mayor for the City of Oroville.

The motion was passed by the following vote:

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

ITEMS REMOVED FROM THE CONSENT CALENDAR

3. APPROVAL OF CITY’S FORMAL MEETING SCHEDULE FOR 2017 – staff report

The Council considered the approving the City’s formal meeting schedule for 2017. **(Jamie Hayes, Assistant City Clerk and Donald Rust, Acting City Administrator)**

A motion was made by Mayor Dahlmeier, seconded by Council Member Draper, to:

1. **Amend the regular City Council meeting times to begin at 5:30 p.m. for Closed Session, and 6:30 p.m. for Open Session.**
2. **Approve the City's formal meeting schedule for 2017, as amended.**

The motion was passed by the following vote:

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

REGULAR BUSINESS

4. **CITY COUNCIL APPOINTMENTS TO THE SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE, OVERSIGHT BOARD AND HOUSING LOAN ADVISORY COMMITTEE – staff report**

The Council considered appointments to the Supplemental Benefits Fund Steering Committee, Oversight Board and Housing Loan Advisory Committee for 2017 - 2019. **(Jamie Hayes, Assistant City Clerk and Donald Rust, Acting City Administrator)**

A motion was made by Mayor Dahlmeier, seconded by Vice Mayor Goodson, to:

1. **Appoint Mayor Dahlmeier, Council Member Draper and Council Member Thomson to serve on the Supplemental Benefits Fund Steering Committee for the term of 2017 - 2019.**
2. **Appoint Council Member Thomson to serve on the Oversight Board for the term of 2017 - 2019.**
3. **Appoint Council Member Draper and Vice Mayor Goodson to serve on the Housing Loan Advisory Committee for the term of 2017 - 2019.**

The motion was passed by the following vote:

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

5. **SELECTION OF THE 2017 SAMUEL J. NORRIS AWARD FOR EXCELLENCE RECIPIENT – staff report**

The Council considered the selection of a recipient for the 2017 Samuel J. Norris Award for Excellence. (**Jamie Hayes, Assistant City Clerk and Donald Rust, Acting City Administrator**)

Following a ballot vote, the Council nominated Stewart ‘Stu’ Shaner as the recipient for the 2017 Samuel J. Norris Award for Excellence, to be presented at the State of the City Address on February 3, 2017, at the Oroville State Theatre.

COUNCIL ANNOUNCEMENTS/COMMITTEE REPORTS - None

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS

Bill LaGrone, Director of Public Safety, reported the recent passing of Volunteer in Police Services (VIPS) representative, Allen Blagg. Council Member Del Rosario requested that Mr. Blagg’s VIPS badge no. 2 be retired from service.

CORRESPONDENCE

- AT&T U-verse Franchise Agreement

HEARING OF INDIVIDUALS ON NON-AGENDA ITEMS

Council Members Del Rosario and Draper, Jack Keily and Stephanie Tousley Inci, spoke in support of the City to initiating a request to the Butte Local Agency Formation Commission (LAFCo) for a regional water service review, at the expense of a third party funder.

Carole Kloss addressed the newly seated City Council Members.

David Goodson invited the Council and community to attend the Martin Luther King community celebration on January 16, 2017 at Martin Luther King Park.

ADJOURNMENT

The meeting was adjourned, with a moment of silence in honor of VIP Allen Blagg, at 9:24 p.m. A special meeting of the Oroville City Council will be held on Thursday, January 12, 2017, at 2:00 p.m.

Donald Rust, Acting City Clerk

Linda L. Dahlmeier, Mayor

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: RUTH WRIGHT, DIRECTOR
FINANCE DEPARTMENT**

RE: UNCOLLECTIBLE DEBT WRITE OFFS

DATE: JANUARY 17, 2017

SUMMARY

The Council will receive information regarding debts to the City that are no longer collectible.

DISCUSSION

Periodically, the City's Accounts Receivable list is reviewed and evaluated for debts that are no longer collectible. At the time debts become uncollectible they are removed from the general ledger.

Reasonable efforts have been taken to collect the debt but for various reasons the City is not able to collect.

Current year write offs are booked as a loss expenditure. Debts that are written off are immediately sent to a collection agency who will make more aggressive attempts at collection. (with the exception of the bankruptcy's).

FISCAL IMPACT

Loss expenditure of \$76,224.00 to the General Fund.

RECOMMENDATION

Informational only.

ATTACHMENTS

A - List of uncollectible accounts receivable written off December 31, 2016.



CITY OF OROVILLE
ACCOUNTS RECEIVABLE-UNCOLLECTIBLE DEBTS
DECEMBER 31, 2016

Name	Total	Remarks
David Alves Trust	1,400.00	Penalty Citations dated back to 2013
Bluff's General Partnership	19,400.00	Received letter of Bankruptcy
Bluff's General Partnership	41,800.00	Received letter of Bankruptcy
Barbara Davis	300.00	Penalty Citations dated back to 2013
Andrew Duensing	200.00	Penalty Citations dated back to 2013
Myrtle Edgerly	6,400.00	Penalty Citations dated back to 2012 and 2013
Ruben Garcia	2,050.00	Penalty Citations dated back to 2013
Dennis & Jererann Garwood	200.00	Penalty Citations dated back to 2013
General Bluffs Partnership Etal	100.00	Received letter of Bankruptcy
Harris Family Enterprises LLC	1,100.00	Penalty Citations dated back to 2013
Donald Holladay	674.00	Penalty Citations dated back to 2013
Jin Xing Gu Or Li San Yuk	200.00	Penalty Citations dated back to 2012
Misty Logan	200.00	Penalty Citations dated back to 2012
Cheim C. & Nalin Saetern	1,600.00	Penalty Citations dated back to 2012 and 2013
Ron & Shelly Slightom	600.00	Penalty Citations dated back to 2012 and 2013
Total Debt to Write Off	<u><u>76,224.00</u></u>	

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

FROM: RUTH WRIGHT, FINANCE DIRECTOR

RE: MONTHLY FINANCE REPORTS

DATE: JANUARY 17, 2017

SUMMARY

The Council will receive the Revenue and Expenditure Report for December, 2016 and the Investment Report for November and December, 2016.

DISCUSSION

Attached for review are the monthly finance reports for December, 2016.

FISCAL IMPACT

None

RECOMMENDATION

Informational only.

ATTACHMENTS

A - Revenue and Expenditure Report
B - Investment Report



CITY OF OROVILLE

FINANCE DEPARTMENT

MONTHLY REVENUE AND EXPENSE REPORTS

DECEMBER 2016



EXHIBIT
A

**City of Oroville December 2016
General Fund Revenue**

Budget Unit	Annual Budget	December Revenue	Year to Date Revenue	Budget Remaining	% Remaining
CITY CLERK	-	2	2,432	(2,432)	-
CITY HALL	-	-	359	(359)	-
FINANCE	-	584	3,909	(3,909)	-
GENERAL GOVERNMENT	10,233,475	616,450	3,824,919	6,408,556	63%
PLANNING & DEVEL SVC	167,007	4,391	49,114	117,893	71%
BLDG CODE ENFORCEMENT	617,274	60,926	239,841	377,433	61%
POLICE	470,929	36,080	117,058	353,871	75%
FIRE	124,559	3,844	13,748	110,811	89%
PUBLIC WORKS	300,883	16,034	30,667	270,216	90%
STREETS	512,373	30,676	102,719	409,654	80%
PARKS & TREES	10,971	3,203	33,748	(22,777)	-
Total	12,437,471	772,189	4,418,514	8,018,957	64%



City of Oroville December 2016 General Fund Expense

Budget Unit	Annual Budget	December Expense	Year to Date Expenditures	Budget Remaining	% Remaining
ADMINISTRATION	45,522	2,131	13,355	32,167	71%
CITY ATTORNEY	225,019	39,166	104,973	120,046	53%
CITY CLERK	147,352	8,159	50,694	96,659	66%
CITY HALL	110,346	8,786	42,005	68,340	62%
ECO COMM ENHANCEMENT	47,696	2,828	17,040	30,656	64%
HUMAN RESOURCES	134,947	11,155	62,148	72,799	54%
PERSONNEL OFFICER	38,250	11,456	29,717	8,533	22%
INFORMATION TECHNOLOGY	395,481	19,860	170,017	225,464	57%
RISK MANAGEMENT	338,351	-	296,023	42,328	13%
COUNCIL	148,016	9,140	55,314	92,702	63%
MAYOR	35,463	2,708	16,267	19,196	54%
FINANCE	551,764	49,332	304,366	247,398	45%
TREASURER	34,827	2,539	16,098	18,730	54%
GENERAL GOVERNMENT	114,990	8,126	134,558	-19,568	-
PLANNING & DEVEL SVC	293,172	19,196	122,555	170,616	58%
BLDG CODE ENFORCEMENT	333,085	20,805	130,057	203,028	61%
POLICE	5,012,061	446,221	2,456,638	2,555,422	51%
MUNICIPAL LAW ENFORCEMENT	601,399	52,061	261,110	340,290	57%
ANIMAL CONTROL	326,500	27,219	165,837	160,663	49%
FIRE	2,748,871	304,248	1,418,905	1,329,966	48%
PW ADMIN	122,222	4,102	33,371	88,851	73%
STREETS	619,915	63,833	358,705	261,210	42%
PARKS & TREES	836,284	51,909	327,169	509,115	61%
TOTALS	13,261,533	1,164,981	6,586,923	6,674,610	50%



CITY OF OROVILLE

FINANCE DEPARTMENT

MONTHLY INVESTMENT REPORTS

NOVEMBER 2016

&

DECEMBER 2016



CITY OF OROVILLE/OROVILLE SUCCESSOR AGENCY

MONTHLY SUMMARY OF INVESTMENTS

NOVEMBER & DECEMBER 2016

CERTIFICATION:

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

Ruth Wright, Director of Finance

Date

Don Rust, Assistant City Administrator

Date

Karolyn J. Fairbanks, City Treasurer

Date



January 17, 2017

November 2016 Investment Report

City of Oroville Investment Portfolio Report				
Summary of Investments				
	Yield	Oct-16	Yield	Nov-16
Local Agency Investment Fund (LAIF)	0.654%	20,563,520	0.678%	19,863,520
Bank of the West Operating Account	0.000%	1,471,067	0.000%	1,726,073
Total Pooled Investments		22,034,586		21,589,593
City Investment Portfolio - Investments Held in Trust				
	Yield to Maturity			Market Value
Bank of the West Certificates of Deposit (BMWG)	1.050%			201,024
Bank of the West Certificates of Deposit (GS)	1.050%			200,652
Bank of the West Certificates of Deposit (GMATBK)	1.050%			200,650
Bank of the West Certificates of Deposit (KEY 1)	1.000%			200,678
Bank of the West Certificates of Deposit (MOCIBK)	1.050%			201,030
Total Investments Held in Trust				1,004,034



January 17, 2017

December 2016 Investment Report

City of Oroville Investment Portfolio Report				
Summary of Investments				
	Yield	Nov-16	Yield	Dec-16
Local Agency Investment Fund (LAIF)	0.678%	19,863,520	0.719%	19,563,520
Bank of the West Operating Account	0.000%	1,726,073	0.000%	1,846,161
Total Pooled Investments		21,589,593		21,409,681
City Investment Portfolio - Investments Held in Trust				
	Yield to Maturity			Market Value
Bank of the West Certificates of Deposit (BMWG)	1.050%			200,464
Bank of the West Certificates of Deposit (GS)	1.050%			200,062
Bank of the West Certificates of Deposit (GMATBK)	1.050%			200,056
Bank of the West Certificates of Deposit (KEY 1)	1.000%			200,074
Bank of the West Certificates of Deposit (MOCIBK)	1.050%			200,058
Total Investments Held in Trust				1,000,714

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

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

RE: REQUEST FOR MAYOR TO SIGN LETTER TO SEND TO AT&T

DATE: JANUARY 17, 2017

SUMMARY

The Council may consider a request for the Mayor to sign and send a letter to AT&T regarding the increasingly unstable infrastructure of the phone and internet services throughout Oroville.

DISCUSSION

Current internet connection is inconsistent with an inefficient infrastructure that is unstable for residents and businesses. There are two broadband providers in the area with limited access and download speeds. Internet speed are being based on a broadening range. Previously, the speed used to be set at 3, 6, 9, 12 Mbps and speeds held pretty close. Currently, speeds are listed as "up to" and rarely come as close to what they should. Packages now are listed as .5-3 Mbps and with an upgrade option of 3.1-6 Mbps, if it is available.

The business community is lacking the needed communication tools to bring capital to the community to support existing business for growth and prosperity, as well as to attract new businesses for economic development and job creation. Business corridors of interest are Feather River Blvd., Oro Dam Blvd, and Oroville's Historic Downtown region containing the Arts, Cultural & Entertainment District.

Furthermore, the concern for public safety grows as reports of Oroville Police and Fire Department dispatch services suffering failure during rainy weather. These conditions are unacceptable and hinder the performance of the public safety staff in responding to the needs of the community.

The Council will consider approval of the attached letter to AT&T.

FISCAL IMPACT

No fiscal impact.

RECOMMENDATION

Approve the Mayor's signing of a letter to AT&T regarding the increasingly unstable infrastructure of the phone and internet services throughout Oroville.

ATTACHMENT

A - Letter from Mayor Dahlmeier to AT&T



City of Oroville

OFFICE OF THE MAYOR

LINDA L. DAHLMEIER
MAYOR

1735 Montgomery Street
Oroville, CA 95965-4897
(530) 538-2535 FAX (530) 538-2468
www.cityoforoville.org

January 17, 2017

AT&T
Attn: Tim Ray
1215 K Street, Ste. 1800
Sacramento, CA 95814

Re: Insufficient and Unstable Infrastructure

Dear Mr. Ray:

As Mayor representing the City of Oroville, I would like to express concern and frustration with the increasingly inconsistent and unstable infrastructure for both the residents and the businesses within Oroville.

Current internet connection is inconsistent with an inefficient infrastructure that is unstable for residents and businesses. Businesses in Oroville need marketing and communication tools to bring capital to the community to support existing business for growth and prosperity, as well as to attract new businesses for economic growth and job creation. As with global economic trends, our local business community depends heavily on stable internet service for sales, marketing and leads. Internet speed are being based on a broadening range. Previously, the speed was set at 3, 6, 9, 12 Mbps and speeds held pretty close. Currently, speeds are listed as "up to" and rarely come as close to what they should. Packages now are listed as .5-3 Mbps and with an upgrade option of 3.1-6 Mbps, if it is available. Why the decline?

The Feather River Boulevard area is a business corridor that is beginning to see growth with the construction of the Walmart Super Center, due to open in spring of 2017. I would like to know what services are being provided to the new Walmart Super Center? To provide access to a broadband service would increase the desirability of this business corridor for current business owners and future developers.

In 2015, the City completed the annexation of South Oroville, a disadvantaged unincorporated community, as defined by SB 244. The City is currently assessing the newly annexed areas to develop an innovative affordable housing project that is a transit-oriented and sustainable development. The South Oroville area should not be overlooked for incorporation of adequate and efficient broadband services that bring opportunities for further growth and economic development.

The City of Oroville's City Hall, Public Safety, and Corporation Yard offices are in dire need of receiving broadband service to enhance the level of service provided to the community. Additionally, it is the desire of the City to connect our parks, museums, and cultural facilities to broadband to enhance outreach and to attract a diverse demographic of visitors.

The City has integrated the recently developed Arts, Cultural, and Entertainment District Plan into the City's General Plan in an effort to establish Oroville as a quality tourist and recreational destination. Access to broadband will assist in providing amenities that recreational enthusiasts and tourists can enjoy and will help to re-establish the Oroville Historic Downtown as an art, cultural, entertainment, employment, and residential corridor. Furthermore, the City plans to develop the Feather River waterfront to stimulate high-quality commercial, retail, residential projects, and restaurants. Here again, the need for broadband for the growth of our community is essential, yet our community, the City of Oroville and the greater Oroville area, has only seen a growing decline in services and a failing infrastructure from AT&T.

We cannot build a community for tomorrow with an infrastructure from yesterday. Our goal is to work with your company, or another service provider, to achieve the desired broadband and telecommunication systems that provides adequate capabilities for the citizens, local government, business owners, and visitors of Oroville.

Should you have questions or need further information, please do not hesitate to contact me at (530) 519-1117.

Respectfully yours,

Linda L. Dahlmeier, Mayor
City of Oroville
dahlmeierll@cityoforoville.org

cc: Alice Perez

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: RICK FARLEY, RDA COORDINATOR
BUSINESS ASST & HOUSING DEVELOPMENT DEPARTMENT
DONALD RUST, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: ADOPTION OF THE JULY 2017 THROUGH JUNE 2018 ANNUAL
RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 17-
18) AND THE SUCCESSOR AGENCY ADMINISTRATIVE
BUDGET**

DATE: JANUARY 17, 2017

SUMMARY

The Council, serving as the Successor Agency to the former Oroville Redevelopment Agency, may consider approving the Recognized Obligation Payment Schedule (ROPS 17-18) and the Successor Agency Administrative Budget for July 1, 2017 through June 30, 2018.

DISCUSSION

Assembly Bill x1 26, amended by AB 1484 and codified in the California Health & Safety Code required successor agencies to adopt a Recognized Obligation Payment Schedule (ROPS) before each fiscal period. On September 22, 2015, Governor Brown signed Senate Bill 107 (“SB 107”), which went into effect immediately. SB 107 made several key changes to the Health and Safety Code sections that establish the ROPS process, including submittal of an annual ROPS. A discussion of these changes are summarized below:

Annual ROPS Submission Beginning for Fiscal Year 2016-17

Beginning in 2016, ROPS will be due to the Department of Finance (“DOF”) annually by February 1st, instead of biannually as in previous years. ROPS periods will cover July 1st to June 30th, and the first annual ROPS will cover the period of June 1, 2016 through July 31, 2017 (ROPS 16-17). This ROPS 17-18 is the second annual ROPS. The ROPS projects necessary payments for each enforceable obligation of the former Oroville Redevelopment Agency for the one-year period. Upon Successor Agency and Oversight Board approval, the ROPS will be immediately submitted to the Department of Finance (DOF) for review. ROPS 17-18 will also be transmitted to the State Controller’s Office and the Butte County Auditor-Controller for their review.

Once per ROPS period, but not later than October 1st, successor agencies may submit to their oversight board and DOF one amendment to the DOF-approved

ROPS if the oversight board makes a finding that the revision is necessary for the payment of approved enforceable obligations during the second half of the ROPS period.

Bifurcation of ROPS and Prior Period Adjustment Processes

Previously on ROPS, successor agencies provided both an itemized list of payments of enforceable obligations for the upcoming ROPS period and an itemized list of differences between actual payments and past estimated obligations for the preceding ROPS period (“Prior Period Adjustment”). SB 107 specifies that, beginning in 2018, the Prior Period Adjustment process will be handled separately from the ROPS by county auditor-controllers and on an annual basis, instead of biannually as in previous years. Successor agencies will provide information regarding their Prior Period Adjustment to county auditor-controllers on October 1, 2018, and each October 1st thereafter. DOF has indicated that they are working on a new annual Prior Period Adjustment form to be introduced during the ROPS 17-18 period. ROPS 16-17 did not include the Prior Period Adjustment tab.

Administrative Cost Allowance

Previously, the administrative cost allowance for each fiscal year was the greater of \$250,000 or three percent of the Redevelopment Property Tax Trust Fund (RPTTF) funding that the successor agency received during the fiscal year. Beginning in Fiscal Year 2016-17, the administrative cost allowance for each fiscal year is the greater of \$250,000 or three percent of the RPTTF funding that the successor agency received during the prior fiscal year; however, it cannot exceed 50 percent of the total RPTTF funding distributed to pay enforceable obligations in the preceding fiscal year, less the administrative cost allowance and any loan repayments to the city or county. SB 107 also specifies that while administrative budgets still require Oversight Board approval, they are no longer required to be submitted to DOF for approval. Based on that change, the Oroville Successor Agency would still receive \$250,000 per fiscal year.

Last and Final ROPS

Beginning January 1, 2016, successor agencies may submit a Last and Final ROPS for approval by the oversight board and DOF if all of the following conditions are met:

1. Remaining debt includes only administrative costs and enforceable obligations with set payment schedules, such as debt service, loan agreements, and contracts;
2. All remaining obligations have been previously listed on a ROPS and approved by DOF; and
3. The successor agency has no outstanding or unresolved litigation.

Once DOF approves a successor agency’s Last and Final ROPS, the successor agency may submit up to two requests to amend it. This does not yet apply to the Oroville Successor Agency.

ROPS 17-18

The majority of the enforceable obligations on the ROPS remain unchanged from prior periods. ROPS 17-18 items requiring funding 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
- Pre-disposition and interim property management costs.

While DOF continues to deny the Housing Administrative Allowance and the City Loan Repayment items on the ROPS, the Successor Agency is in disagreement with DOF on those items and will continue to request them.

DOF Review

Upon submittal of an Oversight Board-approved ROPS (due to DOF by February 1, 2017), DOF has until April 15, 2017 to make its determination on enforceable obligations, including amounts and funding sources. Meet and Confers are still available with the exception of items that are the subject of litigation disputing DOF's previous or related determination. The RPTTF distribution dates for ROPS 17-18 are June 1, 2017 and January 2, 2018.

Administrative Budget

Pursuant to Health and Safety Code Section 34177(j), the Successor Agency is required to prepare a proposed administrative budget and submit it for 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 entire 2017-18 fiscal year and shows \$125,000 of administrative costs for the July through December 2017; and \$125,000 for January through June 2018, with the RPTTF as the source of payment.

FISCAL IMPACT

Adoption and transmittal of the ROPS is necessary to receive money from the RPTTF to pay ongoing bond payments and other enforceable obligations of the former Redevelopment Agency for the time period of July 2017 through June 2018. It is anticipated that there will be enough RPTTF to pay for enforceable obligations for this ROPS 17-18 period.

RECOMMENDATIONS

1. Adopt Resolution No. 17-01 - A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE JULY 2017 THROUGH JUNE 2018 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 17-18) PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 (m).

2. Adopt Resolution No. 17-02 - A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE JULY 1, 2017 THROUGH JUNE 30, 2018, ADMINISTRATIVE BUDGET PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 (j).

ATTACHMENTS

- A - Resolution No. 17-01
- B - Resolution No. 17-02
- C - Recognized Obligation Payment Schedule (ROPS 17-18)
- D - Administrative Budget for FY 17-18



**OROVILLE SUCCESSOR AGENCY
RESOLUTION NO. 17-01**

A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 17-18) FOR THE PERIOD OF JULY 2017 THROUGH JUNE 2018, PURSUANT TO HEALTH AND SAFETY CODE SECITON 34177 (m)

WHEREAS, pursuant to Health and Safety Code Section 34177 (m) the Successor Agency is required to approve the Recognized Obligation Payment Schedule (ROPS) for the period of July 1, 2017 through June 30, 2018, 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, by February 1, 2017, and

BE IT HEREBY RESOLVED by the Successor Agency as follows:

SECTION 1. The Oroville Successor Agency approves the Recognized Obligation Payment Schedule for the period of July 1, 2017 through June 30, 2018.

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 January 17, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Linda L. Dahlmeier, Chairperson

APPROVED AS TO FORM:

ATTEST:

Scott E. Huber, Agency Counsel

Donald Rust, Acting Secretary



**OROVILLE SUCCESSOR AGENCY
RESOLUTION NO. 17-02**

A RESOLUTION OF THE SUCCESSOR AGENCY OF THE FORMER REDEVELOPMENT AGENCY OF THE CITY OF OROVILLE ADOPTING THE JULY 1, 2017 THROUGH JUNE 30, 2018 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

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 July 1, 2017 through June 30, 2018.

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 January 17, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Linda L. Dahlmeier, Chairperson

APPROVED AS TO FORM:

ATTEST:

Scott E. Huber, City Attorney

Donald Rust, Acting City Clerk



Recognized Obligation Payment Schedule (ROPS 17-18) - Summary

Filed for the July 1, 2017 through June 30, 2018 Period

Successor Agency: Oroville
 County: Butte

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	17-18A Total (July - December)	17-18B Total (January - June)	ROPS 17-18 Total
A Enforceable Obligations Funded as Follows (B+C+D):	\$ -	\$ -	\$ -
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 1,132,049	\$ 1,746,694	\$ 2,878,743
F RPTTF	857,049	1,621,694	2,478,743
G Administrative RPTTF	275,000	125,000	400,000
H Current Period Enforceable Obligations (A+E):	\$ 1,132,049	\$ 1,746,694	\$ 2,878,743

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 successor agency.

 Name Title
 /s/ _____
 Signature Date

Oroville Recognized Obligation Payment Schedule (ROPS 17-18) - ROPS Detail

July 1, 2017 through June 30, 2018

(Report Amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K	17-18A (July - December)					Q	17-18B (January - June)					W	
											Fund Sources						Fund Sources						
											L	M	N	O	P		R	S	T	U	V		
Item #	Project Name/Debt Obligation	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding Debt or Obligation	Retired	ROPS 17-18 Total	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	17-18A Total	Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	17-18B Total	
64									N	\$ -						\$ -							\$ -
65									N	\$ -						\$ -							\$ -
66									N	\$ -						\$ -							\$ -
67									N	\$ -						\$ -							\$ -
68									N	\$ -						\$ -							\$ -
69									N	\$ -						\$ -							\$ -
70									N	\$ -						\$ -							\$ -
71									N	\$ -						\$ -							\$ -
72									N	\$ -						\$ -							\$ -
73									N	\$ -						\$ -							\$ -
74									N	\$ -						\$ -							\$ -
75									N	\$ -						\$ -							\$ -
76									N	\$ -						\$ -							\$ -
77									N	\$ -						\$ -							\$ -
78									N	\$ -						\$ -							\$ -
79									N	\$ -						\$ -							\$ -
80									N	\$ -						\$ -							\$ -
81									N	\$ -						\$ -							\$ -
82									N	\$ -						\$ -							\$ -
83									N	\$ -						\$ -							\$ -
84									N	\$ -						\$ -							\$ -
85									N	\$ -						\$ -							\$ -
86									N	\$ -						\$ -							\$ -
87									N	\$ -						\$ -							\$ -
88									N	\$ -						\$ -							\$ -
89									N	\$ -						\$ -							\$ -
90									N	\$ -						\$ -							\$ -
91									N	\$ -						\$ -							\$ -
92									N	\$ -						\$ -							\$ -
93									N	\$ -						\$ -							\$ -
94									N	\$ -						\$ -							\$ -
95									N	\$ -						\$ -							\$ -

**Oroville Recognized Obligation Payment Schedule (ROPS 17-18) - Report of Cash Balances
(Report Amounts in Whole Dollars)**

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see [Cash Balance Tips Sheet](#).

A	B	C	D	E	F	G	H	I	
		Fund Sources							
		Bond Proceeds		Reserve Balance		Other	RPTTF		
	Cash Balance Information by ROPS Period	Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	Comments	
ROPS 15-16B Actuals (01/01/16 - 06/30/16)									
1	Beginning Available Cash Balance (Actual 01/01/16)					62,009	39,630		
2	Revenue/Income (Actual 06/30/16) RPTTF amounts should tie to the ROPS 15-16B distribution from the County Auditor-Controller during June 2016					11,843	1,637,130		
3	Expenditures for ROPS 15-16B Enforceable Obligations (Actual 06/30/16)					35,635	450,696		
4	Retention of Available Cash Balance (Actual 06/30/16) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)						1,226,064	For the 9/15/16 Bond debt service payment.	
5	ROPS 15-16B RPTTF Balances Remaining	No entry required							
6	Ending Actual Available Cash Balance C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 - 5)	\$ -	\$ -	\$ -	\$ -	\$ 38,217	\$ -		



**OROVILLE SUCCESSOR AGENCY
ADMINISTRATIVE BUDGET
FISCAL YEAR 2017-18
FOR JULY 1, 2017 to JUNE 30, 2018**

Expense Category	17-18 FY Proposed Budget
Successor Agency Personnel	
Salaries, benefits and payroll taxes – July-Dec 2017	\$96,000
Salaries, benefits and payroll taxes – Jan-June 2018	\$96,000
TOTAL	\$192,000
Maintenance and Operation	
Contracted Services – July-Dec 2017	\$20,000
Contracted Services – Jan-June 2018	\$20,000
Legal Services – July-Dec 2017	\$9,000
Legal Services – Jan-June 2018	\$9,000
TOTAL	\$58,000
Total Expenditures – July-Dec 2017	\$125,000
Total Expenditures – Jan-June 2018	\$125,000
TOTAL EXPENDITURES FY 2017-18	\$250,000

The funding source is the Successor Agency's Administrative Cost Allowance from the Redevelopment Property Tax Trust Fund.

**OROVILLE CITY COUNCIL
STAFF REPORT**

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

**FROM: AMY BERGSTRAND, MANAGEMENT ANALYST III
BUSINESS ASSISTANCE & HOUSING DEV. DEPARTMENT
DONALD RUST, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT**

RE: 2016 HOME INVESTMENT PARTNERSHIPS PROGRAM APPLICATION

DATE: JANUARY 17, 2017

SUMMARY

The Council may consider the submittal of an Application to the State Department of Housing and Community Development for 2016 Home Investment Partnerships (HOME) Program funding in the amount of \$700,000.

In addition, the Council, serving as the Successor Agency (SA) to the former Oroville Redevelopment Agency, may consider committing Housing Program funds, equaling \$50,000, for additional administrative support for HOME program activities.

DISCUSSION

The State Department of Housing and Community Development released a Notice of Funding Availability (NOFA) on December 6, 2016, requesting applications for funding from the Home Investment Partnerships Program 2016 HOME NOFA. The final date for application submittal is no later than 5:00 p.m. on February 2, 2017.

The HOME Program offers a broad range of eligible activities as follows:

1. Multifamily (new construction; moderate or substantial rehabilitation; or acquisition);
2. Owner-occupied rehabilitation;
3. First time home buyer (acquisition only; acquisition and rehabilitation; or new construction);
4. Tenant-based rental assistance.

Upon authorization by the Council, staff will submit an application requesting \$700,000 in HOME funds to be used to provide first-time home buyer mortgage assistance.

Supplemental funding for general administration and activity delivery is necessary to ensure the successful implementation of the proposed activities. Therefore, staff is proposing that SA Housing Program funds be used to fund a portion of the administration and activity delivery expenses associated with the proposed HOME grant funds as follows:

- General Administrative expense \$25,000
- Activity Delivery expense \$25,000

The aforementioned costs generally span a three-year period. The following is the HOME Program budget, illustrating the breakdown between HOME funds and Housing Program Funds:

Funding Source	Use of Funds	Amount
HOME Program	General Administration	\$17,500
HOME	FTHB Program Loans	\$638,137
HOME	FTHB Activity Delivery	\$44,363
Housing Program Funds(SA)	Administration (Gen.)	\$25,000
Housing Program Funds SA)	Activity Delivery	\$25,000
TOTAL		\$750,000

The 25% cash match requirement for HOME Program activities has been waived for the 2016 funding round.

Following are the primary activity components associated with this HOME program application:

First Time Home Buyer Down Payment Assistance

1. Down payment and closing cost assistance
2. To reduce monthly debt service on a first mortgage originated by a private lender
3. Activity delivery costs.

The program will include varying amounts of mortgage subsidy assistance, based on household income, up to a maximum of 45% of the value of the home.

Income Limits

Household income will be restricted to 80% or less of Butte County area median income as established by the Department of Housing and Urban Development.

The 2016 HOME Application will be available for review in the Business Assistance and Housing Development Department.

FISCAL IMPACT

Should this grant be awarded the fiscal impact will be addressed when the budget is established for this activity.

RECOMMENDATIONS

1. Adopt Resolution No. 8571 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING, IN THE AMOUNT OF \$700,000, UNDER THE 2016 HOME INVESTMENT PARTNERSHIPS PROGRAM; THE EXECUTION OF A STANDARD AGREEMENT IF SELECTED FOR SUCH FUNDING, AND ANY AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE 2016 HOME INVESTMENT PARTNERSHIPS PROGRAM.
2. Adopt Resolution No. 17-03 - A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY COMMITTING SUCCESSOR AGENCY HOUSING PROGRAM FUNDS, IN THE AMOUNT OF \$50,000, TO BE USED AS LEVERAGE MATCH FOR THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT 2016 HOME INVESTMENT PARTNERSHIPS PROGRAM.

ATTACHMENTS

- A - Resolution No. 8571
- B - Resolution No. 17-03



**CITY OF OROVILLE
RESOLUTION NO. 8571**

A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING, IN THE AMOUNT OF \$700,000, UNDER THE HOME INVESTMENT PARTNERSHIPS PROGRAM; AND IF SELECTED, THE EXECUTION OF A STANDARD AGREEMENT, ANY AMENDMENTS THERETO, AND OTHER RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE HOME INVESTMENT PARTNERSHIP PROGRAM

WHEREAS,

- A. The California Department of Housing and Community Development (“the Department”) is authorized to allocate HOME Investment Partnership Program (“HOME”) funds made available from the U.S. Department of Housing and Urban Development (“HUD”). HOME funds are to be used for the purposes set forth in Title II of Cranston-Gonzalez National Affordable Housing Act of 1990, in federal implementing regulation set forth in Title 24 of the Code of Federal Regulations, Part 92, and in Title 25 of the California Code of Regulations commencing with section 8200.
- B. On December 6, 2016, the Department issues a 2016 Notice of Funding Availability announcing the availability of funds under the HOME program (the “NOFA”).
- C. In response to the 2016 NOFA, the City of Oroville, a municipal corporation, of the State of California, (the “Applicant”), wishes to apply to the Department for, and receive an allocation of, HOME funds.

IT IS NOW THEREFORE RESOLVED THAT:

- 1. In response to the 2016 NOFA, the applicant shall submit an application to the Department to participate in the HOME Program and for an allocation of funds not to exceed Seven Hundred Thousand Dollars (\$700,000.00) for the following activities and/or programs.

To provide gap financing to low-income, first-time homebuyers to assist with the acquisition of single-family homes within the city-limits of Oroville.

- 2. If the application for funding is approve, then the Applicant hereby agrees to the use of HOME funds for eligible activities in the manner presented in it’s application as approved by the Department in accordance with the statutes and regulations cited above. The Applicant may also execute a standard agreement, any amendments thereto, and any and all other documents of

instruments necessary or required by the Department of HUD for participation in the HOME program (collectively, the required documents).

3. The applicant authorizes the Mayor or the Acting City Administrator his designee(s) to execute, in the name of the applicant, the required documentation. The applicant further authorized the Finance Director or the Management Analyst III to execute in the name of the applicant, drawdown requests, quarterly and annual performance reports and amendments thereto.
4. The City Clerk shall attest to the adoption of this Resolution.

PASSED AND ADOPTED by the Oroville City Council at a regular meeting held on January 17, 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



**OROVILLE SUCCESSOR AGENCY
RESOLUTION NO. 17-03**

A RESOLUTION OF THE OROVILLE SUCCESSOR AGENCY COMMITTING OROVILLE SUCCESSOR AGENCY HOUSING PROGRAM FUNDS, IN THE AMOUNT OF \$50,000, TO BE USED AS LEVERAGE MATCH FOR THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT 2016 HOME INVESTMENT PARTNERSHIPS PROGRAM

BE IT RESOLVED by the Oroville Successor Agency Commission as follows:

1. The Home Investment Partnerships Program Application will be submitted to the California State Department of Housing and Community Development; and
2. The City of Oroville Business Assistance/Housing Division has recommended that the City Council apply for funds in the amount of \$700,000 for First Time Home Buyer (FTHB) acquisition, general administration, and activity delivery.
3. The Commission hereby approves the use of Successor Agency Housing Program funds in the amount of \$50,000 as follows:
 - \$ 25,000 for general administration
 - \$ 25,000 for activity delivery
4. The Secretary shall attest to the adoption of this Resolution.

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

AYES:

NOES:

ABSTAIN:

ABSENT:

Linda L. Dahlmeier, Chairperson

APPROVED AS TO FORM:

ATTEST:

Scott E. Huber, Deputy Agency Counsel

Donald Rust, Acting Secretary

**CITY OF OROVILLE
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: JAMIE HAYES, ASSISTANT CITY CLERK
DONALD RUST, ACTING CITY ADMINISTRATOR
ADMINISTRATION DEPARTMENT**

**RE: APPOINTED REPRESENTATIVES SERVING ON THE BUTTE
COUNTY AIRPORT LAND USE COMMISSION**

DATE: JANUARY 17, 2017

SUMMARY

The Council will receive information relating to the appointed representatives to the Butte County Airport Land Use Commission.

DISCUSSION

The purpose of the Airport Land Use Commission (ALUC) is to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses. Commissions have been established for all counties with public use airports within the state of California. ALUCs are formed with the specific intent of implementing state law (Public Utilities Code) regarding airports and surrounding land use compatibility.

The Commission consists of seven members selected as follows: Two (2) representatives of the cities appointed by the City Selection Committee, two (2) members representing the County appointed by the Board of Supervisors, two (2) members representing the airports within the county appointed by a selection committee comprised of the managers of all the public airports within the county, and one (1) member representing the general public appointed by the other six members of the Commission.

The Airport Land Use Commission holds public meetings on the third Wednesday of the month, as needed, at 9:00 a.m. in the Board of Supervisors Chambers.

David Pittman has been serving as the City's representative since March 1, 2016, with Allen "JR" Simpson serving as the alternate representative, until the term ends in May, 2019. Mr. Pittman has requested to continue representing the City of Oroville.

FISCAL IMPACT

None

RECOMMENDATION

Informational only.

ATTACHMENT

None.

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: TYSON PARDEE, INFORMATION TECHNOLOGY MANAGER
DONALD RUST, ACTING CITY ADMINISTRATOR
ADMINISTRATION DEPARTMENT**

RE: ATTENDANCE TO 2017 ANNUAL CONFERENCES

DATE: JANUARY 17, 2017

SUMMARY

The Council may consider approving the attendance to two conferences in the 2017 calendar year for the IT Manager and one conference for the Accounting Technician in the Finance Department.

DISCUSSION

The City has 3 major pieces of software that drive most of its operations. These software pieces are Laserfiche, Trakit and SunGard. Each of these programs have had a lot of changes and upgrades in the last year and the IT Manager would like to make sure we are utilizing each piece of software to its full potential. SunGard with its purchase of Trakit also adds a lot of variables into where they are going and how they will integrate with each other in the future. Both conferences are great tools for gathering information and networking with other agencies. Each conference not only brings in speakers that are very knowledgeable on the software but they also bring in the developers of the software which gives you access to the people designing the software. The Accounting Technician requesting to go is the software administrator and is the main contact with our software support. She oversees all users and coordinates issues and problems with support. She will be key to the implementation of Trakit integration as well as Laserfiche. The City has many projects to be implemented soon.

These three pieces of software are key components for the city. Utilizing these pieces of software has streamlined quite a few processes. Keeping up to date on the latest additions and tricks of using the software will allow for many future process to be streamlined as well.

Staff is seeking approval to attend both the Laserfiche conference and the SUGA (SunGard and Trakit) conference in the 2017 calendar year.

- 1) The Laserfiche conference admission was given to the City for free with the last software upgrade. Travel costs to Long Beach, CA will be all that is necessary to attend the conference.

- \$1,365.63 – Travel & Lodging Cost (this cost could change based on air fare price)
- 2) The SUGA conference (SunGard and Trakit) will be held in Nashville, TN. Due to some of the software issues we have been having with SunGard the IT Manager is working on getting free tickets to this conference as well as other compensations.
- \$2,041.12 – IT Manager – Travel & Lodging Cost (this cost could change based on air fare price)
 - \$2,039.95 – Accounting Tech – Travel & Lodging Cost (this cost could change based on air fare price)

FISCAL IMPACT

Appropriation is available from the following budgets:

Technology Fee Fund	\$55,000 available budget 5141-6480	\$2,039.95
IT- General Fund budget	\$8,000 available budget 1601-6480	\$3,406.75

RECOMMENDATIONS

Authorize the IT Manager to attend the Laserfiche Conference and the SUGA Conference as indicated in this staff report.

ATTACHMENTS

- Laserfiche Travel Expense Summary Form_Pardee
- SUGA Travel Expense Summary Form_Pardee
- SUGA Travel Expense Summary Form_Musler



Travel / Training Expense Summary

Description of Trip: _____

Date of Trip: _____

Purpose: _____

Employee Name: _____

Discription	Estimated Cost	Actual Cost	Vendor	Payee	Account #
Registration Fee					
Hotel/Lodging					
Per Diem					
Meals					
Mileage					
Parking Tolls					
Airline					
Other					
Total					

Signature

Print Name

Requested by: _____

Approval by: _____

Dept. Head Approval: _____

City Administrator (If applicable): _____

Date: _____

Director of Finance Approval: _____

Date: _____



Travel / Training Expense Summary

Description of Trip: SUGA 2017 Conference

Date of Trip: 06/19/2017 - 06/23/2017

Purpose: Sungard Training

Employee Name: Tyson Pardee

Discription	Estimated Cost	Actual Cost	Vendor	Payee	Account #
Registration Fee	\$ 410.00		Free with last upgrade		
Hotel/Lodging	\$ 756.00		\$189 x 4 nights		
Per Diem	\$ 264.00		\$66 x 4 days		
Meals					
Mileage	\$ 39.27		Yuba city / Airport		
Parking Tolls	\$ 40.00		SAC Airport Parking		
Airline	\$ 496.85		Southwest (Round Trip)		
Other Shuttle	\$ 35.00				
Total	\$ 2,041.12	\$ 0.00			

Signature

Print Name

Requested by: _____

Tyson Pardee

Approval by: _____

Dept. Head Approval: _____

City Administrator (If applicable): _____

Date: _____

Director of Finance Approval: _____

Date: _____



Travel / Training Expense Summary

Description of Trip: SUGA 2017 Conference

Date of Trip: 06/19/2017 - 06/23/2017

Purpose: Sungard Training

Employee Name: Hope Musler

Discription	Estimated Cost	Actual Cost	Vendor	Payee	Account #
Registration Fee	\$ 410.00		Free with last upgrade		
Hotel/Lodging	\$ 756.00		\$189 x 4 nights		
Per Diem	\$ 264.00		\$66 x 4 days		
Meals					
Mileage	\$ 38.10		Oroville / Airport		
Parking Tolls	\$ 40.00		SAC Airport Parking		
Airline	\$ 496.85		Southwest (Round Trip)		
Other Shuttle	\$ 35.00				
Total	\$ 2,039.95	\$ 0.00			

Signature

Print Name

Requested by: _____

Hope Musler

Approval by: _____

Dept. Head Approval: _____

City Administrator (If applicable): _____

Date: _____

Director of Finance Approval: _____

Date: _____

**CITY OF OROVILLE
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: DONALD RUST, DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT
SCOTT E. HUBER, CITY ATTORNEY
ADMINISTRATION DEPARTMENT**

RE: OROVILLE REGIONAL WATER SERVICE REVIEW

DATE: JANUARY 17, 2016

SUMMARY

The Council may consider approving a resolution requesting the Butte Local Area Formation Committee (LAFCo) to provide a regional water service review of the greater Oroville area contingent upon receipt of the funding from an independent third party funder.

BACKGROUND

The City of Oroville is currently serviced by three separate water purveyors, the Thermalito Water and Sewer District, 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.

DISCUSSION

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 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.

FISCAL IMPACT

There is no impact to the General Fund. Cost of study will be paid for by an independent third party funder, and has been estimated to be approximately \$30,000 or less for completion.

RECOMMENDATION

Adopt Resolution No. 8572 - A RESOLUTION OF THE OROVILLE CITY COUNCIL SUPPORTING THE COMPLETION OF A REGIONAL WATER SERVICE REVIEW OF THE GREATER OROVILLE AREA.

ATTACHMENTS

- A – Resolution No. 8572
- B – Letter from California Water Service Company



**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:

NOES:

ABSTAIN:

ABSENT:

Linda L. Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott E. Huber, City Attorney

Donald Rust, Acting City Clerk



CALIFORNIA WATER SERVICE

1720 North First Street
San Jose, CA 95112-4598 Tel: (408) 367-8200



January 11, 2017

Mr. Donald Rust
City Administrator, City of Oroville
1735 Montgomery Street
Oroville, CA 95965

Re: Proposed Oroville Domestic Water Service Municipal Service Review

Dear Mr. Rust,

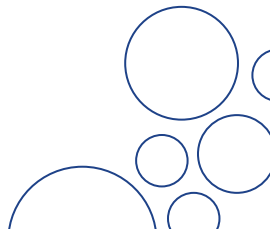
California Water Service (Cal Water) understands that the City Council, at the behest of Council Members Marlene Del Rosario and Linda Draper, will consider requesting that the Butte County Local Agency Formation Commission (LAFCo) complete a study on domestic water service in Oroville. We further understand that that this study will be akin to a municipal service review, as described in § 56430 of the California Government Code. Cal Water would like to take this opportunity to clarify some issues that have been raised by several Council Members.

Cal Water's System Is Not for Sale

At the outset, it is important for you and the Council to know, in no uncertain terms, that Cal Water's business, property, and service area in Oroville **are absolutely not for sale**. Cal Water has owned the water system in Oroville since 1927, making it one of the oldest businesses in the community. Cal Water's roots in Oroville actually predate the incorporation of the City. Cal Water acquired the water system in Oroville from PG&E in 1927. PG&E acquired the water system from the Oroville Water Company, which had owned and operated the water system since before the City's incorporation in 1906. Suffice it to say that Cal Water is committed to providing safe, reliable, and high-quality water utility service to its customers, not selling its water systems.

The Only Way the City or Another Supplier Could Attempt to Take Cal Water's System is Through Eminent Domain

Given the fact that Cal Water's system in Oroville is, unequivocally, not for sale, there is no simple legal mechanism by which the City or another water supplier could begin serving our customers or operating our facilities. Regardless of the outcome of any LAFCo study, the only way the City or another water supplier could attempt to take over Cal Water's business, property, and service area in Oroville is through eminent domain litigation.





CALIFORNIA WATER SERVICE

To further clarify this latter point, I have enclosed a legal opinion from Thomas Berliner. Mr. Berliner is a Partner at the law firm of Duane Morris, and is the Chair of the firm's Energy, Environment, and Resource Practice Group. Mr. Berliner's legal opinion concludes:

The California Public Utilities Code protects the investments of private utilities like Cal Water by only allowing a political subdivision to acquire a private utilities' facilities through eminent domain proceedings, and giving private utilities a right of action for inverse condemnation if the political subdivision establishes duplicative services without paying the utility just compensation.

In short, even if a LAFCo study were to erroneously conclude that Oroville could "divest itself of Cal Water," as has been previously proposed by Council Members Del Rosario and Draper, such a change would never be actualized unless the City or another water supplier successfully litigated an eminent domain action against Cal Water.

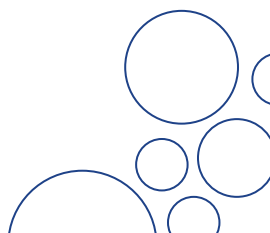
If the City Council's Objective is Not Eminent Domain, a LAFCo Study is Unnecessary

If the City Council has already determined that it will not attempt to take over Cal Water's business, property, and service area in Oroville, nor encourage another water supplier to do so, then it is not clear what new information the Council could glean from a review of domestic water service. The answers to virtually any question the Council or Oroville's residents have about Cal Water's operations, expenses, infrastructure improvements, and rates is already publicly available.

For instance, the City completed a water capacity study in 2011 that examined each of the three water suppliers in Oroville. The City's consultant explains the purpose of the study:

City of Oroville residents receive water from one of three purveyors – California Water Service Company, Thermalito Water and Sewer District, and South Feather Water and Power Agency. Because of the close link between land planning and water resources management, the City of Oroville sought a framework for it to effectively manage water resources issues in the context of land planning decisions. The City of Oroville wants to ensure the continuation of high quality water service offered by the three purveyors serving water for municipal and industrial purposes to City of Oroville residents. It also seeks adequate long-term water supplies for residential expansion and business development. The Master Water Capacity Study (Study) identifies key water resources issues and outlines a plan for the City of Oroville to effectively manage them.

Similarly, the answers to any questions about Cal Water's rates are readily accessible in the public record, including the testimony and data Cal Water submits to the California Public Utilities Commission every three years when our operations, expenses, rates, and proposed





CALIFORNIA WATER SERVICE

infrastructure improvements are reviewed by the state. Just this past December, the Commission completed its most recent triennial review, which lasted approximately 18 months. Cal Water would be happy to meet with City staff and Council Members to provide answers or other updated information about this proceeding, obviating the need to pursue and fund a LAFCo study.

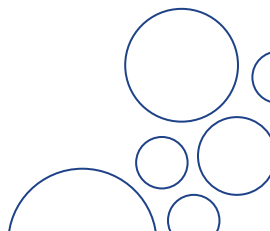
Finally, if the primary issue is understanding why the water rates paid by Cal Water's customers in Oroville differ from those paid by South Feather Water & Power Agency's (South Feather) customers, there is no need to undertake a LAFCo study. I have enclosed a copy of a report prepared by Dr. David Sosa that answers this very question. In short, the difference in rates is explained by three primary factors:

- South Feather's water rates are heavily subsidized by non-water revenue generated from power sales. Cal Water's rates, on the other hand, represent only the actual cost of serving its customers in Oroville.
- Unlike South Feather, Cal Water pays taxes that provide other benefits to the residents of Oroville.
- Cal Water's rates are reflective of regular reinvestment in facilities necessary to maintain the long-term reliability and safety of the water system in Oroville.

As Dr. Sosa explains, these are factors that must be accounted for in order to provide a fair comparison of rates between the two suppliers. After controlling for these variables, Dr. Sosa concludes that Cal Water's rates are comparable to South Feather's. Cal Water would be more than happy to facilitate a discussion between the City and Dr. Sosa on the differences in rate structures of the two water suppliers, again obviating the need to pursue and fund a LAFCo study.

A LAFCo Study will not Adequately Answer the Takeover Question

On the other hand, the Council should not count on a municipal service review to provide it with sufficient information to determine if the City should attempt take over Cal Water's service area using eminent domain. The only way to know how a government takeover of the water system would impact water rates is to first establish how much the City or another water supplier would have to compensate Cal Water for the seizure of Cal Water's property. California law would require that Cal Water be paid "the highest price" Cal Water's business, property, and service area would bring on the open market. Further, the ultimate cost of acquisition would be significantly impacted by the amount the City or another water supplier would have to pay to engage in protracted eminent domain litigation. To be clear, Cal Water would vigorously and tirelessly fight and oppose any attempt by the City or another water supplier to take over our service area in Oroville.





CALIFORNIA WATER SERVICE

Initiating Eminent Domain Litigation is Cost-Prohibitive

With all of this in mind, the situation faced by the City of Claremont should serve as a cautionary tale to anyone considering initiating eminent domain litigation. In 2014, the Claremont City Council filed an eminent domain lawsuit against the community's local water company, Golden State Water Company. In December 2016, the Los Angeles Superior Court dismissed the action, ruling that a takeover of the water company was not in the public interest. Over those two years, the City paid more than \$6 million in litigation expenses, and will also be responsible for paying Golden State's legal bills, which total more than \$7 million. The City of Claremont will have spent more than \$13 million in pursuit of a failed attempt to use eminent domain to take over the community's local water company.

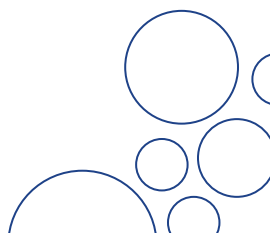
A Takeover Would Likely Increase, not Decrease, Water Rates

History is replete with examples where acquisition costs are grossly underestimated by those advocating for a takeover of a local water company. For example, activists convinced the residents of Felton, California that taking over California American Water's service area would result in lower water rates. The activists estimated that the total cost to acquire the water system would be approximately \$2 million. In the end, the total amount exceeded \$13 million, over six times what they originally thought. Today, eight years after the government takeover, water rates have doubled and homeowners are paying an additional \$500 a year in property taxes. It is simply not logical to conclude that a takeover of Cal Water's system in Oroville would reduce water rates. In reality, a takeover will most certainly result in significantly higher water rates and taxes for Oroville's residents.

The City Should Ask the Right Questions

If, despite the preceding discussion, the Council chooses to request that LAFCo complete a study on domestic water service in Oroville, it should take steps to ensure that the study provide information that will be of the most value to the Council and residents of Oroville.

For example, the City should request that any comparison of water rates between the suppliers adhere to industry best practices. Specifically, such a comparison should control for variables that significantly impact water rates, including sales volume, maintenance needs, infrastructure replacement rates, size of customer base, source water quality, and the use of tax and non-water revenue to subsidize water rates. Such a comparison should also include a full accounting of the various services and programs each supplier offers to its customers.





CALIFORNIA WATER SERVICE

In addition, the City should request that the study examine the consistency of each of the water supplier's practices, procedures, and programs with the City and County's general plans, as well as the City's Climate Action Plan, as they relate to water conservation, water use efficiency, and sustainable water management.

Finally, the City should request that the study be completed by a firm with sufficient background and experience working with both government-owned water suppliers and water utilities regulated by the California Public Utilities Commission. Likewise, the firm should have regular and meaningful consultations with the water suppliers being reviewed.

The inclusion of these elements should help to provide a clearer picture to the Council of both the similarities and differences between Oroville's three water suppliers. If you have any questions about any of the information contained herein, please do not hesitate to get in touch with Toni Ruggle, our District Manager in Oroville.

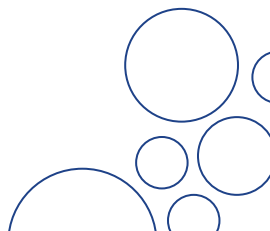
Sincerely,

A handwritten signature in black ink, appearing to read "Shannon Dean". The signature is stylized and includes a long horizontal line extending to the right.

Shannon Dean
Vice President, Corporate Communications
& Community Affairs

Enclosures

Cc: The Honorable Linda Dahlmeier, Mayor, City of Oroville
The Honorable Janet Goodson, Vice Mayor, City of Oroville
The Honorable Members of the Oroville City Council
Mr. Steve Lucas, Butte County Local Agency Formation Commission
Ms. Lynne McGhee, V.P. & General Counsel, Cal Water
Mr. Toni Ruggle, District Manager, Cal Water
Mr. George Soneff, Manatt, Phelps, & Phillips
Mr. Thomas Berliner, Duane Morris
Ms. Amber Maltbie, Nossaman



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ALLIANCES IN MEXICO
AND SRI LANKA

January 8, 2017

~~**ATTORNEY WORK PRODUCT**~~
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VIA E-MAIL

Ms. Lynne McGhee
General Counsel
California Water Service Company
1720 North First Street
San Jose, CA 95112

Re: Legal Opinion Regarding Means to Acquire Cal Water Facilities and/or Service Area

Dear Ms. McGhee:

You have asked us to research the means by which a subdivision of the State of California, such as the City of Oroville or a local public water agency may replace the California Water Service Company's ("Cal Water") service area in Oroville, California. Our findings and analysis in response are set forth below.

Question Presented

Absent a mutually agreed to sale of Cal Water's facilities and service area in Oroville, may the City of Oroville or a local public water agency, or any other political subdivision, take over or replace Cal Water's facilities and/or its service area in Oroville by means other than eminent domain proceedings?

Brief Answer

No. The California Public Utilities Code protects the investments of private utilities like Cal Water by only allowing a political subdivision to acquire a private utilities' facilities through eminent domain proceedings, and giving private utilities a right of action for inverse

condemnation if the political subdivision establishes duplicative services without paying the utility just compensation.

Discussion

A water company, including a privately owned public utility, having a certificate of public convenience and necessity from the Public Utilities Commission (“Commission”) is entitled to “just compensation” for any of its facilities taken by a political subdivision.¹ (See Pub. Util. Code §§ 1401 *et seq.*, 1501 *et seq.*; see also *City of San Jose v. Great Oaks Water Co.* (1987) 192 Cal.App.3d 1005; *Ventura County Waterworks Dist. v. Susana Knolls Mut. Water Co.* (1970) 7 Cal.App.3d 672.) The Public Utilities Act provides that a political subdivision, may acquire the lands, property and rights of any public utility, including privately owned public utilities, “under eminent domain proceedings.” (Pub. Util. Code § 1403.) The political subdivision may do so through standard eminent domain proceedings, (see *Great Oaks Water Co.*, 192 Cal.App.3d at 1009-1010; see also Pub. Util. Code § 1421), or it may file a petition with the Commission initiating a proceeding through which the Commission will determine the just compensation to be paid. (See Pub. Util. Code §§ 1403-1421.)

If a political subdivision does not proceed through eminent domain proceedings, but instead seeks to circumvent paying just compensation by establishing duplicative services, the Public Utilities Act provides the injured private utility company with a cause of action for “inverse condemnation” to recover just compensation for any injury to any property, as well as damages, costs and expenses, and attorneys’ fees. (Pub. Util. Code § 1503; *Great Oaks, supra*, at 1013-1014: “Under applicable provisions of the Public Utilities Code, the diminution of value and damage to these preexisting facilities caused by the City’s duplication of water service constitutes a taking of property for which Great Oaks is entitled to all the compensation and benefits appropriate under the laws of eminent domain to parties proceeding in inverse condemnation for the taking of any interest in real property”; see also *San Gabriel Valley Water Co. v. City of Montbello* (1978) 84 Cal.App.3d 757.) In 1965, California’s Legislature added Chapter 8.5 to the Public Utilities Act, to address such situations, finding that such action by political subdivisions constituted a “taking” of the utility’s facilities. (See Pub. Util. Code §§ 1501 and 1503.) The Legislature specifically found and declared:

that it is necessary for the public health, safety, and welfare that privately owned public utilities regulated by the state be compensated for damages that they may suffer by reason of political subdivisions extending their facilities into the service areas of such privately owned public utilities.

¹ A “‘political subdivision’ means a county, city and county, city, municipal water district, county water district, irrigation district, public utility district, or any other public corporation.” (Pub. Util. Code § 1402.)

Ms. Lynne McGhee
January 8, 2017
Page 3

(*Id.*; see also *Cucamonga County Water Dist. v. Southwest Water Co.* (1971) 22 Cal.App.3d 245, 253). Thus, a political subdivision that encroaches on a private utility company is answerable in damages for any injury to *any* of the private utility's property. (Pub. Util. Code § 1503.)

The calculation of just compensation and damages includes the fair market value of the utility's property, including property not physically within the area being serviced by the political subdivision, but that is necessary to provide that service. (*San Gabriel Valley Water Co.*, 84 Cal.App.3d at 766-767.) Additionally, the calculation of just compensation can include the value of the private utility's water rights in the relevant area. (*Cucamonga County Water Dist.*, 22 Cal.App.3d at 262-263.) Costs, expenses and attorneys' fees are recoverable by a private utility that is required to bring an action for inverse condemnation under Section 1503 of the Public Utilities Code. (*San Gabriel Valley Water Co.*, 84 Cal.App.3d at 768-769.)

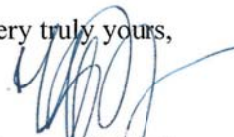
Cal Water is a 90 year-old investor-owned water utility, registered with the Commission. The Commission has issued Cal Water a certificate of public convenience and necessity, pursuant to which Cal Water serves approximately 480,300 customer water connections throughout California, including in an area of the Oroville municipality.

In the event a political subdivision seeks to acquire Cal Water's facilities in Oroville, Cal Water will be entitled to "just compensation," because it is a private utility providing water services pursuant to a certificate of public convenience and necessity from the Commission. Those eminent domain proceedings may occur through regular procedures under the applicable provisions of the Government Code and Code of Civil Procedure, (see *Great Oaks Water Co.*, 192 Cal.App.3d at 1009-1010), or through a petition filed with the Commission pursuant to Public Utilities Code section 1403.

Additionally, if a political subdivision attempts to replace Cal Water by extending duplicative water services to any part of Cal Water's service area, Cal Water also will be entitled to just compensation for any injuries to any of its property under sections 1501 *et seq.* of the Public Utilities Code. (*San Gabriel Valley Water Co.*, 84 Cal.App.3d 757.) Through the Public Utilities Act, the Legislature has ensured that political subdivisions cannot replace public utilities, including privately owned public utilities, through any means other than eminent domain and payment of just compensation.

If you have any further questions regarding Cal Water's rights under California law, please do not hesitate to contact us.

Very truly yours,



Thomas M. Berliner

TMB/bpr

cc: Jolie-Anne S. Ansley
Brendan Ruddy

A Comparison of Residential Water Bills: Cal Water Oroville and South Feather Water & Power Agency

Analysis Group, Inc.

David Sosa

January 2017

The views and opinions expressed in this study are those of the author and do not necessarily reflect the views and opinions of Analysis Group, Inc. or the California Water Service Company.

About Analysis Group, Inc.

Analysis Group, Inc. (AGI) provides economic, financial, and business strategy consulting to leading law firms, corporations, and government agencies. The firm has more than 600 professionals, with offices in Boston, Chicago, Dallas, Denver, Los Angeles, Menlo Park, New York, San Francisco, Washington, D.C., Montreal, and Beijing.

AGI's utility and environment practice is distinguished by expertise in economics, finance, market analysis, regulatory issues, and public policy, as well as significant experience in environmental economics and infrastructure development. We have consulted to a wide variety of clients including water suppliers and consumers; water and electric utilities; regulatory commissions and other public agencies; tribal governments; power system operators; foundations; financial institutions; and start-up companies.

About the author

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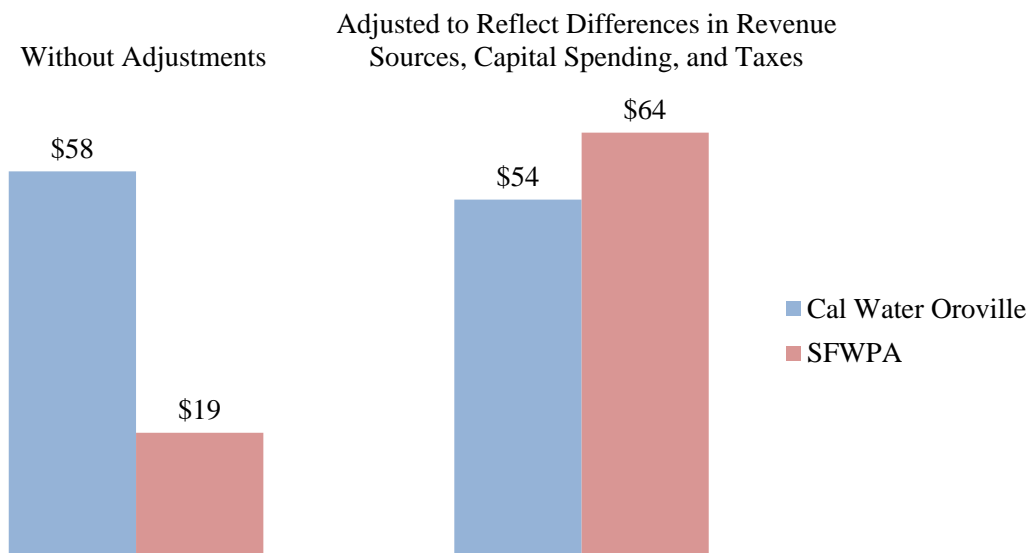
Dr. Sosa specializes in the economics of network industries, law and economics, and industrial organization. Dr. Sosa has consulted to telecommunications, water, and electric utility clients on a broad range of litigation and regulatory issues, including industry restructuring, technical standardization, operational and financial benchmarking, mergers and acquisitions, market power analysis, and competitive strategy. He has served as an expert witness before several state and federal agencies. Dr. Sosa is a member of the American Economic Association and the Federal Communications Bar Association. Before joining Analysis Group, he consulted to the California Energy Commission and Telcordia.

I. INTRODUCTION

Proponents of government ownership of water utilities typically claim that rates charged by investor owned utilities (IOU) are unjustified and/or unfair. The arguments are frequently accompanied by simple comparisons of average water bills between the IOU system at issue and other neighboring government-owned utilities. Although water is widely considered a commodity, water utilities can differ substantially in ways that have a material effect on rates. A robust comparison of water utility rates and average bills must control for the most important differences across systems. Examples of factors that may be appropriate to control for include revenue sources, infrastructure investment, and service quality.

Earlier last year, the Oroville City Council was presented with a proposal for the city to acquire the Oroville District water system, currently owned by California Water Service Company (Cal Water). During the presentation, it was claimed that Cal Water rates in Oroville are three times higher than rates in the neighboring South Feather Power & Water Agency (SFWPA) system.¹ As stated above, such an overly simplistic comparison is inaccurate and misleading because it fails to account for important differences in the two systems that could affect rates. As shown in Figure 1, for a residential customer with a 5/8 inch meter consuming 10 CCF of water per month (98 gallons per day per capita), a comparison of bills without any adjustments would suggest that the average monthly water bill is higher for a Cal Water Oroville District customer (\$58) than for a SFWPA customer (\$19). However, after accounting for differences between the two systems, the Cal Water Oroville average monthly residential water bill (\$54) is comparable, and in fact lower than that of SFWPA (\$64).

Figure 1: Comparison of Cal Water Oroville District and SFWPA Average Residential Water Bills



¹ Chico Enterprise Record, Proposal floated for Oroville to take over local Cal Water, April 5, 2016, available at <http://www.chicoer.com/article/NA/20160405/NEWS/160409849>.

The next section of this report provides a brief overview of the Cal Water Oroville District and SFWPA water services. The third section provides a summary of primary drivers behind the difference between Cal Water Oroville District and SFWPA average water bills. The fourth section provides a comparison of average residential water bills that accounts for the primary differences between the two water systems.

II. OVERVIEW CAL WATER OROVILLE DISTRICT AND SFWPA WATER SERVICES

Cal Water Oroville District relies on a combination of surface water and groundwater to supply its customers. Its primary source of supply is surface water purchased from PG&E and the State Water Project.² In 2015, the Cal Water Oroville District purchased 2,222 acre-feet (96%) of its water supply.³ The remaining was supplied using groundwater. As shown in Exhibit 1, in 2015, the Cal Water Oroville District system produced a total of 2,323 acre-feet of water for 3,563 customers.

SFWPA stores runoff from the watersheds of the South Fork of the Feather River and Slate Creek in reservoirs, from where it is distributed to water treatment plants for domestic use.⁴ In 2015, the SFWPA system domestic water sales were approximately twice Cal Water Oroville sales.⁵ (See Exhibit 1.)

The domestic water production and customer account figures shown in Exhibit 1 include residential, commercial, industrial, governmental, and private fire use. On average, in 2015, Cal Water Oroville District residential customers consumed considerably less water than SFWPA residential customers: 77 gallons per day per capita by Cal Water Oroville customers compared to 203 gallons per day per capita by SFWPA customers.⁶

² California Water Service 2015 Urban Water Management Plan for Oroville District, June 2016, p. 47.

³ California Water Service 2015 Urban Water Management Plan for Oroville District, June 2016, p. 62.

⁴ South Feather Water and Power Agency 2010 Urban Water Management Plan, May 22, 2012, p. 25.

⁵ The SFWPA system also provides water for approximately 500 irrigation customers. Irrigation customer accounts and water production are excluded from the comparison in Exhibit 1. Because the majority of the costs of operating a water system are fixed (*i.e.*, do not vary with sales), a system with higher per customer sales will, all else equal, still be able to generate comparable total revenues with lower volumetric rates and cover costs of operation.

⁶ Estimated using the California Urban Water Supplier Report Dataset, available at http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/conservation_reporting.shtml.

Exhibit 1: 2015 Water System Production, Customer Accounts, and Residential Consumption

	<u>Cal Water Oroville</u>	<u>SFWPA Domestic</u>
Domestic Water Production (AF)	2,323	4,600
Customer Accounts ¹	3,563	6,700
Residential Gallons Per Capita Per Day (R-GPCD) ²	77	203
Notes:		
[1] Cal Water Oroville District system count excludes 470 public fire connections.		
[2] R-GPCD is equal to the twelve-month average of the monthly R-GPCD values in 2015, estimated by the California State Water Board Staff. The Water Board staff methodology is available at http://www.waterboards.ca.gov/waterrights/water_issues/programs/drought/docs/ws_tools/guidance_estimate_res_gpcd.pdf .		
Sources:		
California Urban Water Supplier Report Dataset, available at http://www.waterboards.ca.gov/water_issues/programs/conservation_portal/conservation_reporting.shtml ; California Water Service Company Annual Reports of Oroville District Water System filed with the CPUC; South Feather Water and Power Agency Audited Financial Statements.		

III. PRIMARY DIFFERENCES BETWEEN CAL WATER AND SFWPA

In this study, I identify three factors that must be accounted for in developing a reasonable comparison of Cal Water Oroville District and SFWPA average water bills.

A. Revenue sources

In order to effectively run a water system, the owner of the system must generate sufficient revenues to cover the costs of operating the system. In the case of Cal Water Oroville, the total cost of operating the water system is recovered from water customers. In the case of SFWPA, the total cost of operating the water system is recovered from water customers as well as subsidies generated via power generation and property tax revenues. SFWPA customers benefit from these subsidies through lower rates and water bills. On the contrary, Cal Water Oroville customers do not benefit from any subsidies and have to pay for the full cost of operating the Oroville District water system. Therefore, a robust comparison of rates and average bills must control for differences in subsidies.

The top panel in Exhibit 2 shows total revenue from and estimated total cost of operation for SFWPA’s domestic water division. Between 2011 and 2015, SFWPA’s domestic water cost of operation (\$30.2 million in total for five years) exceeded revenues collected from domestic customers (\$11.3 million). The remaining amount (\$18.9), which accounts for 62% of SFWPA’s domestic water cost of operation, was recovered from non-water revenue sources. These costs above revenues collected from water customers represent the total subsidy to SFWPA domestic water customers.

The bottom panel in Exhibit 2 shows major non-water revenue sources and transfers of revenues from wholesale power sales to SFWPA’s “General Fund,” which includes activities of the water division and the Sly Creek Power House owned by SFWPA. These transfers enable the subsidization of SFWPA’s domestic water customers.⁷ These revenues and transfers, totaling \$24.3 million between 2011 and 2015, include power generation revenues from the Sly Creek Power House (owned by SFWPA), property tax revenues, and transfers of power generation revenues to SFWPA’s General Fund from facilities SFWPA jointly owns with the North Yuba Water District.

Exhibit 2: Cost of Operation, Water Revenues, and Sources of Subsidies for SFWPA Water System (\$ millions)

	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>Total</u>
SFWPA domestic water division¹						
Revenue from water sales	\$2.3	\$2.3	\$2.4	\$2.1	\$2.2	\$11.3
Cost of operation	\$5.2	\$6.6	\$6.1	\$6.0	\$6.4	\$30.2
Subsidy	\$2.8	\$4.2	\$3.7	\$3.8	\$4.2	\$18.9
Major non-water revenue sources and transfers to SFWPA General Fund²						
Wholesale Power Sales						
Sly Creek	\$2.4	\$1.8	\$1.6	\$1.4	\$1.1	\$8.3
SFWPA / North Yuba Water facilities ³	\$0.8	\$3.1	\$2.7	\$4.6	\$2.4	\$13.5
Property tax revenue	\$0.5	\$0.5	\$0.5	\$0.5	\$0.5	\$2.5
Total	\$3.6	\$5.3	\$4.8	\$6.5	\$4.0	\$24.3
Notes:						
[1] See Appendix A-3 for additional details.						
[2] General Fund includes activities of the water division and the Sly Creek Power House owned by SFWPA.						
[3] Includes transfers to SFWPA General Fund.						
Sources:						
South Feather Power and Water Agency Annual Budgets, Board Meeting Minutes, and Annual Financial Reports.						

An important consideration is that pricing below the cost of operation is economically inefficient, as artificially low prices encourage excess consumption of water, a vital natural resource. Moreover, if the revenues SFWPA receives from power sales and property taxes decline in future years, underpricing water could also lead to rate shocks to SFWPA customers. On the other hand, by charging rates that reflect the total cost of operation, Cal Water is able to promote conservation and economically efficient water use.

B. Capital spending

To maintain system integrity and water quality, utilities must invest in system maintenance and repair. The consequences of inadequate capital spending may not be immediately apparent, but “[d]elaying the

⁷ The General Fund includes activities of the SFWPA water division and the Sly Creek Power House owned by SFWPA.

investments can result in degrading water service, increasing water service disruptions, and increasing expenditures for emergency repairs.”⁸

The level of capital investments in the water system will affect the rates paid by water customers. Over the last five years (2011 – 2015), Cal Water has invested \$264 more per account per year in the Oroville District water system than SFWPA has invested in its own water system. (*See* Exhibit 3.) These higher capital investments increase the cost of operating the Cal Water Oroville District system, and therefore increase the rates that Cal Water charges to its Oroville District customers. Customers benefit from higher capital investment as it allows Cal Water Oroville District to maintain its current level of service quality.

An important consideration is that rates for Cal Water Oroville are set by the California Public Utilities Commission (CPUC). The CPUC’s mandate is to ensure “that California’s investor-owned water utilities deliver clean, safe, and reliable water to their customers at reasonable rates.”⁹ The CPUC’s practice is to carefully review operating expenses and investments to ensure that they are prudent and in the best interest of ratepayers.^{10,11} The CPUC’s regulatory process also allows interested parties, including local governments and customers, to monitor and participate in the proceeding and to comment on utility operations and expenses. Expenses and investments that the CPUC has determined not to be prudent or in the best interest of customers will be “disallowed” and not included in rates.

The CPUC has approved the investments Cal Water made in Oroville, consistent with the best interest of ratepayers and maintaining service quality. Although a determination of the precise level of capital investment necessary to maintain service quality is beyond the scope of this project, it is reasonable to assume that Cal Water’s investment in the Oroville District, which is subject to CPUC scrutiny, is reasonable.

⁸ American Water Works Association, “Buried No Longer: Confronting America’s Water Infrastructure Challenge,” 2012, p. 3.

⁹ <http://www.cpuc.ca.gov/PUC/water/>.

¹⁰ The Office of Ratepayer Advocates (ORA) is an independent division of the CPUC that reports directly to the Governor. The ORA’s statutory mission is to obtain the lowest possible rate for service consistent with reliable and safe service levels through participation as an intervenor in the rate setting process. For example, the ORA is an intervenor in all of Cal Water’s rate proceedings. The ORA has experts in all relevant disciplines, including accounting, engineering, economics, and regulatory law. Additionally, an Administrative Law Judge reviews the testimony provided by the witnesses in a rate proceeding and issues a proposed decision for the Commissioners’ consideration.

¹¹ This review also provides an important protection for ratepayers. A recent review by the California State Auditor found that one municipal utility undertook inappropriate transactions and loaned water district funds to the city at a lower rate than it was paying on its current loan obligations. This represented a net cost to ratepayers. *See* California State Auditor. “Apple Valley Area Water Rates: Differences in Costs Affect Water Utilities’ Rates, and One Utility May Have Spent Millions of Ratepayer Funds Inappropriately.” Report 2014-132, April 2015, p. 1.

Exhibit 3: Comparison of Cal Water Oroville District and SFWPA Water System Capital Spending

	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>Total</u>
Cal Water Oroville						
Total CAPEX (\$ millions)	\$1.6	\$1.2	\$1.5	\$0.9	\$0.9	\$6.1
Number of accounts	3,567	3,540	3,537	3,556	3,563	
CAPEX per account	\$456	\$339	\$417	\$250	\$250	\$342
SFWPA						
Total CAPEX (\$ millions)	\$0.5	\$1.2	\$0.4	\$0.2	\$0.6	\$2.8
Number of accounts	7,200	7,200	7,200	7,200	7,200	
CAPEX per account	\$65	\$161	\$55	\$31	\$82	\$79
Difference in CAPEX per account	\$391	\$179	\$362	\$219	\$168	\$264
Note:						
[1] See Appendix A-4 for additional details.						

C. Taxes

As a private (investor owned) utility, Cal Water is obligated to pay property and income taxes. Conversely, SFWPA does not have that obligation. Due to this difference in tax obligations, Cal Water Oroville District water customers incur tax payments that are avoided by SFWPA water customers. Therefore, a comparison of average water bills that does not account for the difference in tax obligations may not be valid. From 2011 to 2015, Cal Water collected a total of \$1.6 million in property and income taxes from Oroville District water customers. (See Exhibit 4.) These taxes are transfers from Oroville District water customers to beneficiaries of tax receipts who rely on these tax payments. Avoiding these taxes would result in a loss of tax revenues and would represent a lost benefit to tax payers.

Exhibit 4: Property and Income Taxes Collected from Cal Water Oroville District Water Customers (\$ millions)

	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>Total</u>
Property taxes	\$0.1	\$0.1	\$0.1	\$0.0	\$0.1	\$0.3
Income taxes	\$0.2	\$0.2	\$0.2	\$0.3	\$0.3	\$1.3
Total	\$0.3	\$0.3	\$0.3	\$0.3	\$0.3	\$1.6
Sources:						
Cal Water Oroville District Annual Reports filed with the CPUC.						

IV. COMPARISON OF AVERAGE BILLS

In order to make a valid comparison of Cal Water Oroville District and SFWPA average residential water bills, I estimate adjustment factors to account for the differences discussed above in Section III: revenue

sources, capital spending, and taxes. These adjustment factors are calculated as a share of average revenues using 2011 – 2015 data.¹²

- *Revenue sources adjustment factor:* On average, a SFWPA water customer receives a subsidy equal to 166% of his or her water bill.
- *Capital spending adjustment factor:* If SFWPA were to incur the same level of capital investment as Cal Water Oroville District, then SFWPA average water bill would increase by 78%.
- *Tax adjustment factor:* On average, property and income taxes account for 7% of a Cal Water Oroville District customer's water bill.

Using these adjustment factors, I estimate average monthly bills for Cal Water Oroville District and SFWPA water customers that account for differences in revenue sources, capital spending, and taxes. Based on my analysis, I find that Cal Water Oroville adjusted average monthly residential water bills (\$54) are comparable, and in fact lower than that of SFWPA (\$64). (*See Exhibit 5.*)

¹² See Appendix A for additional details on adjustment factor calculations.

Exhibit 5: Comparison of Cal Water Oroville District and SFWPA Average Residential Water Bills

Average monthly household water consumption (CCF)	10	[A]
RGPC (Residential Gallons Per Capita) ¹	98	[B]=[A]*748.052/30/2.55
Cal Water Oroville²		
Service charge for 5/8 x 3/4 - inch meter	\$31	[C]
Quantity rates		
Tier 1 (1-8 CCF) @ \$2.6342 per CCF	\$21	[D]=8*\$2.6342
Tier 2 (9-22 CCF) @ \$2.8284 per CCF	\$6	[E]=[A]-8*\$2.8284
Tier 3 (Over 22 CCF) @ \$3.3301 per CCF	\$0	[F]=[A]-22*\$3.3301
Total monthly bill	\$58	[G]=[C]+[D]+[E]+[F]
Property and income taxes	\$4	[H]=[G]*7.35%; <i>See Appendix A-1</i>
Monthly bill net of property and income taxes	\$54	[I]=[G]-[H]
SFWPA Domestic³		
Monthly charge for 5/8 inch meter	\$15	[J]
Quantity rate @ \$0.35 per CCF	\$4	[K]=[A]*\$0.35
Total monthly bill with subsidy	\$19	[L]=[J]+[K]
Monthly subsidy	\$31	[M]=[L]*166.47%; <i>See Appendix A-1</i>
Monthly bill without subsidy	\$49	[N]=[L]+[M]
Adjustment to reflect Oroville CAPEX	\$14	[O]=[N]*77.96%; <i>See Appendix A-1</i>
Monthly bill adjusted to exclude SFWPA subsidy and reflect Oroville CAPEX	\$64	[P]=[N]+[O]
Notes:		
[1] The 2011-2015 average household size in Butte County is 2.55. (<i>See</i> http://www.census.gov/quickfacts/table/PST045215/06007 .)		
[2] Cal Water Oroville 2017 residential metered service rates are settled rates from the current general rate case.		
[3] SFWPA 2017 residential metered service rates are from the SFWPA website, available at http://southfeather.com/customers/water-rate-chart/ .		
[4] <i>See Appendix A-1 for additional details on tax, subsidy, and CAPEX adjustments.</i>		

V. CONCLUSION

I have examined water rates in Cal Water’s Oroville District relative to the neighboring SFWPA. In this analysis, I have controlled for several important differences between Cal Water Oroville and SFWPA, including revenue sources, capital investment, and taxes. I conclude that controlling for these important structural differences, Cal Water Oroville’s rates are comparable to those of SFWPA. The results of this study illustrate how a simple comparison of rates across water systems, which does not account for important structural and financial differences, can be misleading.

VI. APPENDIX A

Appendix A-1: Adjustment Factors

	2011	2012	2013	2014	2015	Average		
Cal Water Oroville¹								
Average per account								
Revenue	\$1,126	\$1,139	\$1,239	\$1,272	\$1,240	\$1,203	[A]	
Cost of operation	\$1,090	\$1,284	\$1,304	\$1,319	\$1,328	\$1,265	[B]	
Property and income taxes	\$90	\$89	\$92	\$84	\$87	\$88	[C]	
Cost of operation net of property and income taxes	\$1,000	\$1,196	\$1,213	\$1,235	\$1,240	\$1,177	[D]=[B]-[C]	
SFWPA Domestic (excludes irrigation)²								
Average per account								
Revenue	\$347	\$346	\$357	\$316	\$324	\$338	[E]	
Cost of operation	\$770	\$979	\$913	\$890	\$952	\$901	[F]	
Subsidy	\$423	\$633	\$556	\$574	\$628	\$563	[G]=[F]-[E]	
CAPEX per account³								
Cal Water Oroville	\$456	\$339	\$417	\$250	\$250	\$342	[H]	
SFWPA	\$65	\$161	\$55	\$31	\$82	\$79	[I]	
Difference	\$391	\$179	\$362	\$219	\$168	\$264	[J]=[H]-[I]	
SFWPA average cost per account adjusted to reflect Oroville CAPEX	\$1,161	\$1,158	\$1,275	\$1,108	\$1,120	\$1,164	[K]=[F]+[J]	
						Average property and income taxes as a percentage of average revenue	7.35%	[L]=[C]/[A]
						Average subsidy as a percentage of average revenue	166.47%	[M]=[G]/[E]
						Average CAPEX adjustment as a percentage of average revenue	77.96%	[N]=[J]/[E]

Notes:

[1] See Appendix A-2 for additional details.

[2] See Appendix A-3 for additional details.

[3] See Appendix A-4 for additional details.

Sources:

South Feather Power and Water Agency Annual Budgets, Board Meeting Minutes, and Annual Financial Reports; Cal Water Oroville District Annual Financial Reports; "Adopted Plant Additions.xlsx."

Appendix A-2: Cal Water Oroville District Revenue and Cost per Account

	2011	2012	2013	2014	2015	
Accounts¹						
Metered accounts	3,365	3,449	3,446	3,464	3,470	
Flat rate commercial accounts	111	2	1	1	0	
Flat rate private fire accounts	91	89	90	91	93	
Total number of accounts(excludes public fire)	3,567	3,540	3,537	3,556	3,563	[A]
Total operating revenues²	\$4,017,887	\$4,030,786	\$4,381,353	\$4,524,373	\$4,419,604	[B]
Operating expenses ³	\$2,290,635	\$2,877,891	\$2,897,435	\$2,918,298	\$2,938,385	
Depreciation ⁴	\$535,667	\$603,639	\$652,015	\$641,292	\$575,131	
Property and income taxes ⁵	\$320,976	\$314,272	\$324,280	\$299,324	\$311,754	[C]
Other taxes ⁶	\$67,864	\$75,825	\$76,428	\$81,324	\$83,412	
Return on rate base ⁷	\$671,192	\$675,442	\$663,288	\$749,865	\$822,321	
Total cost of operation	\$3,886,334	\$4,547,067	\$4,613,446	\$4,690,103	\$4,731,003	[D]
Average per account						
Revenue	\$1,126	\$1,139	\$1,239	\$1,272	\$1,240	[E]=[B]/[A]
Cost of operation	\$1,090	\$1,284	\$1,304	\$1,319	\$1,328	[F]=[D]/[A]
Property and income taxes	\$90	\$89	\$92	\$84	\$87	[G]=[C]/[A]
Cost of operation net of property and income taxes	\$1,000	\$1,196	\$1,213	\$1,235	\$1,240	[H]=[F]-[G]

Notes:

- [1] Number of accounts is from schedule D-4 of the annual reports filed with the CPUC.
- [2] Operating revenues are from schedule B-1 of the annual reports filed with the CPUC.
- [3] Operating expenses are from schedule B-2 of the annual reports filed with the CPUC. Operating expenses for years 2011 and 2013 reported in the 2011 and 2013 annual reports (\$1,944,965 and \$2,168,617) differ from the amounts reported for the years 2011 and 2013 in the subsequent annual reports (2012 and 2014) filed with the CPUC. The amounts reported in the 2012 and 2014 reports are used above.
- [4] Depreciation expenses are from schedule A-3 of the annual reports filed with the CPUC. Depreciation expenses charged to account No. 503 are used above.
- [5] Property and income taxes are from schedule B-4 of the annual reports filed with the CPUC.
- [6] Other taxes are from schedule B-4 of the annual reports filed with the CPUC. These include state unemployment tax, other state and local taxes, federal unemployment tax, FICA, and general office allocation.
- [7] Authorized rates of return used in the calculations above are: 8.58% in 2011, 8.24% in 2012, and 7.94% thereafter. Total district rate base used for the above calculations is from "Adopted Plant Additions.xlsx"

Sources:

Cal Water Oroville District Annual Reports filed with the CPUC; "Adopted Plant Additions.xlsx"

Appendix A-3: SFWPA Water Division Revenue and Cost per Account

	Total					Associated Number of Accounts	Average per Account ¹					
	2011	2012	2013	2014	2015		2011	2012	2013	2014	2015	
Water revenue												
Domestic	\$2,323,196	\$2,319,951	\$2,394,442	\$2,115,926	\$2,172,247	6,700	\$347	\$346	\$357	\$316	\$324	[A]
Irrigation	\$211,158	\$233,909	\$243,757	\$233,370	\$242,306	500	\$422	\$468	\$488	\$467	\$485	
Total water revenue	\$2,534,354	\$2,553,860	\$2,638,199	\$2,349,296	\$2,414,553	7,200	\$352	\$355	\$366	\$326	\$335	
Operating expenses	Total for Domestic and Irrigation Water						Average per Domestic Account¹					
Direct Water Division expenses²												
Water source	\$14,113	\$14,113	\$14,113	\$12,976	\$13,213	7,200	\$2	\$2	\$2	\$2	\$2	
Water treatment	\$846,119	\$891,926	\$1,109,796	\$1,186,225	\$1,139,272	6,700	\$126	\$133	\$166	\$177	\$170	
Transmission and distribution	\$1,904,755	\$1,916,829	\$1,808,436	\$1,850,481	\$1,855,039	7,200	\$265	\$266	\$251	\$257	\$258	
Customer accounts	\$448,758	\$557,256	\$653,150	\$741,838	\$703,031	7,200	\$62	\$77	\$91	\$103	\$98	
General plant and shop	\$381,488	\$586,056	\$699,332	\$645,772	\$586,606	7,200	\$53	\$81	\$97	\$90	\$81	
Sundry and expense credits	\$63,814	\$77,292	\$14,516	\$16,271	\$30,685	7,200	\$9	\$11	\$2	\$2	\$4	
Allocated to Water Division³												
General Administration	\$554,257	\$895,715	\$1,021,982	\$940,311	\$1,034,877	7,200	\$77	\$124	\$142	\$131	\$144	
Risk Management	\$54,329	\$73,447	\$83,795	\$88,542	\$191,676	7,200	\$8	\$10	\$12	\$12	\$27	
Information Technology	\$148,346	\$186,221	\$206,446	\$207,767	\$219,840	7,200	\$21	\$26	\$29	\$29	\$31	
Subtotal	\$4,415,978	\$5,198,855	\$5,611,566	\$5,690,182	\$5,774,240		\$622	\$731	\$791	\$803	\$814	
CAPEX ⁴	\$467,945	\$1,155,787	\$397,777	\$223,952	\$591,734	7,200	\$65	\$161	\$55	\$31	\$82	
Debt service ⁵	\$554,881	\$587,161	\$448,854	\$374,069	\$377,583	6,700	\$83	\$88	\$67	\$56	\$56	
Cost of operation	\$5,438,804	\$6,941,803	\$6,458,197	\$6,288,203	\$6,743,557		\$770	\$979	\$913	\$890	\$952	[B]
Subsidy from other sources of revenue and reserves	\$2,904,450	\$4,387,943	\$3,819,998	\$3,938,907	\$4,329,004		\$423	\$633	\$556	\$574	\$628	[C]=[B]-[A]
							Total for Domestic Water					
Water revenue	\$2,323,196	\$2,319,951	\$2,394,442	\$2,115,926	\$2,172,247		\$2,323,196	\$2,319,951	\$2,394,442	\$2,115,926	\$2,172,247	[D]
Cost of operation	\$5,158,401	\$6,562,448	\$6,117,951	\$5,959,876	\$6,380,591		\$5,158,401	\$6,562,448	\$6,117,951	\$5,959,876	\$6,380,591	[E]=[B]*6,700
Subsidy	\$2,835,205	\$4,242,497	\$3,723,509	\$3,843,950	\$4,208,344		\$2,835,205	\$4,242,497	\$3,723,509	\$3,843,950	\$4,208,344	[F]=[E]-[D]

Notes:

- [1] Average revenue and expense per account is calculated by dividing total revenue or expense by the number of accounts associated with the given revenue or expense. Water treatment and debt service expenses are assumed to be exclusively related to SFWPA's domestic water division.
- [2] Direct water division expenses are identified using expense descriptions from SFWPA'S annual budgets.
- [3] Expenses shared between South Feather's Sly Creek Power House and water division are allocated proportionally by each division's share of General Fund revenue. See Appendix A-5 for additional details.
- [4] See Appendix A-4 for additional details.
- [5] Debt service is for CAPEX incurred on the Miners Ranch Treatment Plant. The CAPEX was financed with revenue bonds issued in 1980 and certificates of participation issued in 2003. During 2012, SFWPA defeased the 1980 Revenue Bonds and 2003 Certificates of Participation with proceeds from 2012 Revenue Refunding Bonds.

Sources:

South Feather Power and Water Agency Annual Budgets, Board Meeting Minutes, and Annual Financial Reports.

Appendix A-4: SFWPA and Cal Water Oroville District CAPEX

	2011	2012	2013	2014	2015	Total		Source
SFWPA								
Water Division Total Budget ¹	\$654,000	\$1,175,162	\$413,800	\$231,500	\$1,445,845	\$3,920,307	[A]	Reported
MRTTP Budget ¹	\$308,000	\$185,000	\$62,195	\$135,000	\$1,220,100	\$1,910,295	[B]	Reported
Water Division Other Budget	\$346,000	\$990,162	\$351,605	\$96,500	\$225,745	\$2,010,012	[C]=[A]-[B]	Calculated
MRTTP Actual	\$121,945	\$165,625	\$46,172	\$127,452	\$365,989	\$827,183	[D]	Reported
Total Estimated CAPEX	\$467,945	\$1,155,787	\$397,777	\$223,952	\$591,734	\$2,837,195	[E]=[C]+[D]	Calculated
Number of accounts	7,200	7,200	7,200	7,200	7,200			
Average CAPEX per account	\$65	\$161	\$55	\$31	\$82	\$79	[F]	
Cal Water Oroville								
Total company-funded CAPEX	\$1,628,187	\$1,200,631	\$1,474,151	\$888,418	\$889,823	\$6,081,211		
Number of accounts	3,567	3,540	3,537	3,556	3,563			
CAPEX per account	\$456	\$339	\$417	\$250	\$250	\$342	[G]	
Difference in CAPEX per account	\$391	\$179	\$362	\$219	\$168	\$264	[H]=[G]-[F]	

Note:

[1] Miners Ranch Treatment Plant (MRTTP) and Water Division Total full-year CAPEX budget estimates are estimated as of Q4 annually by SFWPA.

Sources:

South Feather Power and Water Agency Annual Budgets, Board Meeting Minutes, and Annual Financial Reports; Cal Water Oroville District Annual Financial Reports; "Adopted Plant Additions.xlsx"

Appendix A-5: SFWPA Water Division General Fund Expenses Allocated to Water Division

	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>	<u>2015</u>	
General Fund expenses						
General Administration	\$1,069,824	\$1,513,675	\$1,649,098	\$1,519,477	\$1,500,151	[A]
Risk Management	\$104,865	\$124,119	\$135,214	\$143,077	\$277,852	[B]
Information Technology	\$286,337	\$314,696	\$333,127	\$335,737	\$318,679	[C]
General Fund revenues						
Water revenue	\$2,534,354	\$2,553,860	\$2,638,199	\$2,349,296	\$2,414,553	[D]
Power revenue	\$2,357,446	\$1,761,927	\$1,618,871	\$1,447,004	\$1,085,566	[E]
Total	<u>\$4,891,800</u>	<u>\$4,315,787</u>	<u>\$4,257,070</u>	<u>\$3,796,300</u>	<u>\$3,500,119</u>	[F]=[D]+[E]
Allocation factor	52%	59%	62%	62%	69%	[G]=[D]/[F]
Allocated General Fund expenses						
General Administration	\$554,257	\$895,715	\$1,021,982	\$940,311	\$1,034,877	[H]=[A]*[G]
Risk Management	\$54,329	\$73,447	\$83,795	\$88,542	\$191,676	[I]=[B]*[G]
Information Technology	\$148,346	\$186,221	\$206,446	\$207,767	\$219,840	[J]=[C]*[G]

Sources:

South Feather Power and Water Agency Annual Budgets and Board Meeting Minutes.

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: AMY BERGSTRAND, MANAGEMENT ANALYST III
BUSINESS ASSISTANCE & HOUSING DEV. DEPARTMENT
DONALD RUST, DIRECTOR
COMMUNITY DEVELOPMENT DIRECTOR**

RE: 2016 HOUSING-RELATED PARKS PROGRAM

DATE: JANUARY 17, 2017

SUMMARY

The Council may provide direction regarding preferred park project(s) to include as part of the 2016 Housing-Related Parks Program Grant Application.

DISCUSSION

The Department of Housing and Community Development released Program Guidelines for the 2016 funding of the Housing Related Parks Program (HRPP). The application for funding is due February 23, 2017. The HRPP is designed to encourage cities and counties to develop new residential housing by rewarding those jurisdictions that approve housing affordable to lower-income households and are in compliance with State housing element law. The Program is non-competitive and awards funds on a per-bedroom basis for each residential unit affordable to very low- and low-income households permitted during the designated program year (DPY). The Program provides funds for parks and recreation projects that benefit the community and add to the quality of life.

“Parks and Recreation Facility” means a facility that provides benefits to the community and includes, but is not limited to, places for organized team sports, outdoor recreation, and informal turf play; non-motorized recreational trails; permanent play structures; landscaping; community gardens; places for passive recreation; multipurpose structures designed to meet the special recreational, educational, vocational and social needs of youth, senior citizens and other populations groups; recreation areas created by the redesign and retrofit of urban freeways; community swim centers; regional recreational trails; and infrastructure and other improvements that support these facilities.

The DPY for the 2016 funding round included all eligible units affordable to lower-income households approved with permits or certifications of occupancy during the period of January 1, 2010 through December 31, 2016. The City of Oroville has twenty-eight(28) potential properties that qualify during this timeframe; see attachment.

At the January 9, 2017 Parks Commission meeting, staff presented the application process and received proposed suggestions to pursue the application as follows:

1. Municipal Auditorium-Flooring repair/replacement.
2. Municipal Auditorium-ADA Lift to stage, possible ADA repairs to bathroom
3. Municipal Auditorium-Interior painting
4. Hewitt Park- Group Picnic Area
5. Bedrock Park-Children's play structure
6. Lott Home-Repairs to gazebo and picnic area

FISCAL IMPACT

A budget adjustment will be requested once a standard agreement has been executed.

RECOMMENDATION

Adopt Resolution No. 8573 – A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE APPLICATION AND CONTRACT EXECUTION OF A STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT 2016 HOUSING-RELATED PARKS PROGRAM GRANT, IN THE AMOUNT NOT TO EXCEED \$300,000.

ATTACHMENTS

- A - Resolution No. 8573
- B- Potential Properties



**CITY OF OROVILLE
RESOLUTION NO. 8573**

A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE APPLICATION AND CONTRACT EXECUTION OF A STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT 2016 HOUSING-RELATED PARKS PROGRAM GRANT, IN THE AMOUNT NOT TO EXCEED \$300,000

WHEREAS by the City Council of the City of Oroville as follows:

- A. The State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability dated November 16, 2016 (NOFA), under its Housing-Related Parks (HRP) Program.
- B. The *City of Oroville* desires to apply for a HRP Program grant and submit the 2016 Designated Program Year Application Package released by the Department for the HRP Program.
- C. The Department is authorized to approve funding allocation for the HRP Program, subject to the terms and conditions of the NOFA, Program Guidelines, Application Package and Standard Agreement.

THEREFORE, IT IS RESOLVED THAT:

- 1. Applicant is hereby authorized and directed to apply for and submit to the Department the HRP Program Application Package released November 2016 for the 2016 Designated Program Year in an amount not to exceed \$300,000. If the application is approved, the Applicant is hereby authorized and directed to enter into, execute and deliver a State of California Standard Agreement (Standard Agreement) in an amount not to exceed \$300,000, and any and all other documents required or deemed necessary or appropriate to secure the HRP Program Grant from the Department, and all amendments thereto (collectively, the "HRP Grant Documents").
- 2. Applicant shall be subject to the terms and conditions as specified in the Standard Agreement. Funds are to be used for allowable capital asset project expenditures to be identified in Exhibit A of the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application are enforceable through the Standard Agreement. Applicant hereby agrees to use the funds for eligible capital asset(s) in the manner presented in the application as approved by the Department and in accordance with the NOFA and Program Guidelines and Application Package.
- 3. That the *Mayor* or *City Administrator* are authorized to execute in the name of Applicant the HRP Program Application Package and the HRP Grant Documents

as required by the Department for participation in the HRP Program.

PASSED AND ADOPTED by the Oroville City Council at a special meeting held on January 17, 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

Comprehensive Unit Listing

Applicant: #REF!

Please provide a listing, by unique project identifier used in the Housing Project Cover Sheet, of all units contained in this application. The Department will use this listing in both reviewing the application to determine eligibility of each project and calculating the final grant award amount. There should be a separate line entry for each of the Housing Project Cover Sheets included in the application. Please list the projects in the same order as they appear in the application to facilitate the application review process.

If necessary, please add additional rows to accommodate all eligible projects but be sure to copy formatting to carry forward associated formulas

Project Cover Sheet #	Project Name/Identifier from Housing Project Cover Sheet	Unit Count							Base Award Amount	Bonus Awards					TOTAL Total Award Amount	
		A # of ELI units	B # VL units	C # of L units	D # of ELI bedrooms	E # of VL bedrooms	F # of L bedrooms	G Total # of bedrooms		New Construction Units?	Infill Units?	Infill-Supporting/Regional Blueprint?	Park-Deficient Community?	Disadvantaged Community?		Total Bonus Funds
	SAMPLE PROJECT	1	24	30	3	50	31	84	\$56,000	No	No	Yes	No	No	\$8,400	\$64,400
1	19 Vaquero Dr.			1			3	3	\$1,500	Yes	No	No	No	Yes	\$2,400	\$3,900
2	29 Vaquero Dr.			1			5	5	\$2,500	Yes	No	No	No	Yes	\$4,000	\$6,500
3	27 Onyx Cir			1			5	5	\$2,500	Yes	No	No	No	Yes	\$4,000	\$6,500
4	25 Vaquero Dr.			1			5	5	\$2,500	Yes	No	No	No	Yes	\$4,000	\$6,500
5	21 Vaquero Dr.			1			5	5	\$2,500	Yes	No	No	No	Yes	\$4,000	\$6,500
6	28 Vaquero Dr.			1			5	5	\$2,500	Yes	No	No	No	Yes	\$4,000	\$6,500
7	29 Onyx Cir.			1			5	5	\$2,500	Yes	No	No	No	Yes	\$4,000	\$6,500
8	135 Calle Vista Dr.			1			5	5	\$2,500	Yes	No	No	No	Yes	\$4,000	\$6,500
9	24 Vaquero Dr.			1			5	5	\$2,500	Yes	No	No	No	Yes	\$4,000	\$6,500
10	25 Onyx Cir.			1			5	5	\$2,500	Yes	No	No	No	Yes	\$4,000	\$6,500
11	27 Vaquero Dr.			1			5	5	\$2,500	Yes	No	No	No	Yes	\$4,000	\$6,500
12	22 Vaquero Dr.			1			4	4	\$2,000	Yes	No	No	No	Yes	\$3,200	\$5,200
13	23 Vaquero Dr.			1			4	4	\$2,000	Yes	No	No	No	Yes	\$3,200	\$5,200
14	56 Russell Proctor Way			1			4	4	\$2,000	Yes	No	No	No	Yes	\$3,200	\$5,200
15	49 Russell Proctor Way		1			3		3	\$2,250	Yes	No	No	No	Yes	\$2,400	\$4,650
16	2226 Perkins Ave			1			3	3	\$1,500	Yes	Yes	No	No	Yes	\$3,150	\$4,650
17	44 Russell Proctor Way			1			4	4	\$2,000	Yes	No	No	No	Yes	\$3,200	\$5,200
18	31 Vaquero Dr.		1			3		3	\$2,250	Yes	No	No	No	Yes	\$2,400	\$4,650
19	50 Russell Proctor Way			1			3	3	\$1,500	Yes	No	No	No	Yes	\$2,400	\$3,900
20	48 Russell Proctor Way			1			4	4	\$2,000	Yes	No	No	No	Yes	\$3,200	\$5,200
21	54 Russell Proctor Way			1			3	3	\$1,500	Yes	No	No	No	Yes	\$2,400	\$3,900
22	26 Vaquero Dr.			1			4	4	\$2,000	Yes	No	No	No	Yes	\$3,200	\$5,200
23	133 Calle Vista Dr.			1			3	3	\$1,500	Yes	No	No	No	Yes	\$2,400	\$3,900
24	58 Russell Proctor Way			1			4	4	\$2,000	Yes	No	No	No	Yes	\$0	\$2,000
25	33 Onyx Dr.		1			4		4	\$3,000	Yes	No	No	No	Yes	\$0	\$3,000
26	24 Onyx Dr.		1			5		5	\$3,750	Yes	No	No	No	Yes	\$0	\$3,750
27	32 Onyx Dr.			1			4	4	\$2,000	Yes	No	No	No	Yes	\$0	\$2,000
28	20 Vaquero Dr.			1			3	3	\$1,500	Yes	No	No	No	Yes	\$2,400	\$3,900
29	30 Onyx Dr.			1			3	3	\$1,500	Yes	No	No	No	Yes	\$2,400	\$3,900
30								0	\$0						\$0	\$0
31								0	\$0						\$0	\$0
TOTAL		0	4	25	0	15	103	118	\$62,750						\$81,550	\$144,300

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: BOB MARCINIAK, PROGRAM SPECIALIST
DONALD RUST, DIRECTOR (530) 538-2433
COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: POTENTIAL NEW LOCATION FOR STATE HIGHWAY 70 AND
MONTGOMERY STREET METAL FISH SCULPTURES**

DATE: JANUARY 17, 2017

SUMMARY

The Council may consider potential new locations for the State Highway 70 and Montgomery Street Metal Fish Sculptures.

BACKGROUND

As part of the State Highway 70 and Montgomery Street (2008-2011) California Department of Transportation Landscape Improvement Grant, a series of seven (7) five and seven-foot metal fish sculptures were crafted by local artist, Steve Nielsen, and installed in late 2011, on the two paved slopes underneath State Highway 70. The sculptures were well received by the community and visitors, however; in March, 2015, one of the sculptures was illegally removed. In a proactive measure to protect the remaining six sculptures, City Staff removed the remaining sculptures and placed them in storage. In 2011, the City of Oroville entered into a twenty (20) year Landscape Maintenance Agreement (LMA) with the California Department of Transportation for landscape and icon maintenance.

DISCUSSION

Unfortunately, the State Highway 70 and Montgomery Street underpass has become a haven for individuals who use the area for night-time activities. Staff contacted the California Department of Transportation (DOT) seeking permission to relocate the metal sculptures to a safer location. On December 21, 2016, DOT responded advising staff that relocating the sculptures was permissible with an addendum to the Landscape Maintenance Agreement (Agreement No. 1795) with the DOT detailing the new location(s).

ART COMMISSION COMMENTS

A presentation was made to the Oroville Arts Commission on January 9, 2017 which included the potential locations listed below. The recommendation of the Commissioners was that the most visible location is above the Municipal Auditorium sign. They suggested that the sculptures be grouped swimming in the same direction and that the remaining sculptures be placed on another public building such as City Hall or the Oroville Safety Center. A suggestion was made that a future Oroville Arts Commission RFP be issued requesting salmon art paintings that would be painted on the concrete areas under the Highway 70/Montgomery Street bridge where the original art work previously was.

- **Above the Municipal Auditorium sign.** This location would be visible from many locations in the Historic Downtown District and would be seen driving north on Myers Street from High Street. This location also could provide LED back-lighting.
- Installed on the four **old fashioned light poles** in the Historic Downtown District at the corner of Myers and Montgomery Streets.
- Installed on the **metal trellises** at Centennial Plaza.
- Installed on another **public facility** such as City Hall or the Public Safety Center.
- **Returned** to their original location under the Highway 70 – Montgomery Street bridge.

Staff recommends that City Council approve one of the potential locations mentioned above, or provide direction to staff.

FISCAL IMPACT

None at this time; funds to install the metal fish sculptures would come from the City of Oroville, Public Art/Oroville Beautification Fund.

RECOMMENDATION

Provide direction to staff, as necessary.

ATTACHMENTS

- A - Newspaper article regarding the sculpture theft
- B - Photo of one of the sculptures under the State Highway 70 and Montgomery Street bridge
- C - Email correspondence with DOT

D - Landscape Maintenance Agreement (No.1795)

E - Potential locations

- a. Municipal Auditorium
- b. Historic Light Poles
- c. Trellis at Centennial Plaza
- d. City Hall
- e. Public Safety Center

ATTACHMENT "A"

Oroville removes popular fish sculptures after one stolen

(Mercury Register/March 12, 2015)

Oroville >> Large salmon sculptures that adorned the walls under the Highway 70 overpass for the last four years were removed after a thief snagged one of the seven that were mounted.

Tuesday, Public Safety Director Bill LaGrone went out to the site on Montgomery Street and confirmed that one of the sculptures had been stolen.

City of Oroville employees removed the remaining six sculptures on Wednesday because the art is vulnerable to theft, he said.

Steve Nielsen, who made the approximately 7-foot sculptures, learned about the theft and removal of the salmon from social media posts and his wife, he told this newspaper Thursday.

People began asking about the missing stainless metal sculptures through Facebook, he said. Soon after, he received a message from his wife, who had driven by the area and didn't see them.

Although the salmon sculptures had seen some vandalism in the past, Nielsen said none of the fishes had ever been stolen, which had been a running joke around the community, he added.

People would often tell Nielsen, "I can't believe those haven't been stolen," he said.

LaGrone said the art work was expensive to make and mount, so the city removed the sculptures to secure its assets.

At the moment, the remaining six salmon are being stored in the city's corporation yard, but the hope is to come up with a plan to better secure and mount the sculptures again, he said. The city is looking into the costs of an alarm or surveillance system, or finding a way to mount them so they can't be stolen.

There's is no immediate time frame for when the artwork will be displayed again.

Nielsen, who was born in raised in Oroville, said it's disheartening to see the sculptures gone, and he hopes that the person who took the salmon is putting it in their backyard and not just destroying it.

Art is his way of giving back to the community and adding something of value, the artist said.

Nielsen was commissioned to design and make the sculptures after the city received a grant to renovate the area.

He said several people recommended his work to the architecture firm, and after the firm saw his work, they requested he make them the sculptures, which took him about three months to finish.

“I poured my heart and soul into them,” he said.

Although the city received seven, Nielsen said he made an extra one in case anything ever happened to one of the sculptures.

The extra sculpture is at his home.

The theft of his work is heartbreaking, but he said he’s received so much feedback from people who noticed the salmon were gone and are upset.

“It gave me some motivation to keep building cool stuff,” he said.

Oroville police are looking into the theft and are asking that anyone with information call the Police Department at 538-2448.

LaGrone said this is the first time a salmon sculpture was stolen, but the city has had other artwork and metal items, such as manhole covers taken. The items are recyclables, he added.

Contact reporter Almendra Carpizo at 896-7760.

ATTACHMENT "B"



ATTACHMENT "C"

Bob Marciniak

From: Xu, Nancy Q@DOT <nancy.xu@dot.ca.gov>
Sent: Wednesday, December 21, 2016 8:13 AM
To: Diamond, Mark A@DOT; Knudson, Cameron H@DOT
Cc: Bob Marciniak
Subject: Re: Highway 70 Oroville Project
Attachments: LMA with City of Oroville But 70 PM 14.61 1-2-2008.pdf

Bob,

The Exhibit A of the existing Landscape Maintenance Agreement (FMA) will need to be updated when the fish location is determined. See attached FMA

From: Diamond, Mark A@DOT
Sent: Wednesday, December 21, 2016 7:24 AM
To: Knudson, Cameron H@DOT
Cc: Bob Marciniak; Xu, Nancy Q@DOT
Subject: RE: Highway 70 Oroville Project

Cameron,

Could you assist in addressing the City of Oroville's question – the reinstalling of fish artwork in area different then originally placed?

Thanks.

Mark Diamond
NR Cooperative Agreements
(530) 741-4195

From: Bob Marciniak [mailto:bmarciniak@cityoforoville.org]
Sent: Tuesday, December 20, 2016 4:24 PM
To: Diamond, Mark A@DOT <mark.diamond@dot.ca.gov>
Subject: Highway 70 Oroville Project

Hello Mark, I'm not sure if you are the correct person to send this inquiry to, if not can you advise me who should receive this inquiry.

In 2005 the City of Oroville entered into a TE contract for landscaping improvements at the Highway 70 & Montgomery Street intersection. As part of the TE the City provided matching funds of \$107,000 and the former Redevelopment Agency provided funds of \$9,050.

Part of the project included decorative treatments (concrete) and metal fish artwork. The fish artwork was installed along the walls of the Montgomery Street underpass, after one of the fish was stolen the City removed the remaining eight and placed them in safekeeping. We would like to know if the remaining fish can be installed/displayed in a different area on, or off of, Montgomery Street as the underpass is currently a haven for the homeless.

I believe that the initial cost of the fish metal sculptures which were done by a local artist was around \$12,000.00. Thank you for your assistance. Bob

Bob Marciniak

CITY OF OROVILLE / PROGRAM SPECIALIST
Supplemental Benefits Fund & Community Relations
1735 Montgomery Street Oroville, CA 95965
(Direct) 530-538-2518 (FAX) 530-538-2468

Click on the following link for drought tips: <http://saveourwater.com/>

Home - Save Our Water

saveourwater.com

Around the Yard. On average, 30-60% of the water Californians consume is used outdoors. Here are some tips to reduce outdoor water usage while still maintaining a ...

Visit one of Oroville's great museums, more information at: <http://www.cityoforoville.org/index.aspx?page=126>



Save a tree. Don't print this e-mail unless it's really necessary

This message may contain information and attachments that are considered confidential and are intended only for the use of the individual or entity addressed above. If you are not the intended recipient, then any use, disclosure, or dissemination of this information is prohibited. If you have received this message in error, please notify the original sender by telephone or by return email immediately. In addition, please delete this message and any attachments from your computer. Thank you.

ATTACHMENT "D"

STATE OF CALIFORNIA DEPARTMENT

MASTER AGREEMENTS COVE

3UT-04-016458

Dist

ADM-0133 (NEW 1/96)

DOC # **BUT-04-016458**

03/19/08

DIVISION/DISTRICT NAME

56 - MAINTENANCE

CONTACT PERSON (Name)

FELICIA HAYES

BUSINESS PHONE

654-5550

MAIL STATION NO.

31

DOCUMENT FILE NUMBER (Records Management will assign)

BUT-04-016458

NOTE: Add the above Document file number to ALL Supplement and Amendments BEFORE forwarding to Records Management

TYPE OF AGREEMENT (Check one)

Cooperative Delegated Freeway Electrical Landscape Other

NAME OF PROJECT

LMA WITH THE CITY OF OROVILLE FOR THE PROJECT AT MONTGOMERY STREET ON SR70.

DIVISION DIST.

MAINT D-3

COUNTY

ROUTE(S)

POST MILE(S)

BUTTE

70

14.61

THIS AGREEMENT IS MADE BETWEEN THE STATE OF CALIFORNIA AND

CITY COUNTY OTHER **OROVILLE**

EXECUTION DATE(S) OF MASTER AGREEMENT (Must have Month and Year)

January 2, 2008

EXPENDITURE AUTHORIZATION NUMBER(S)

DESCRIPTION

(See Attached)

EXECUTED LMA WITH THE CITY OF OROVILLE FOR THE PROJECT AT MONTGOMERY STREET ON SR70.

016458

LANDSCAPE MAINTENANCE AGREEMENT
For Montgomery Street in the City of Oroville

THIS AGREEMENT is made and entered into effective this 2nd day of January, 2008, by and between the State of California, acting by and through the Department of Transportation, hereinafter referred to as "STATE," and the City of Oroville, hereinafter referred to as "CITY."

WHEREAS, the parties desire to provide for CITY to maintain a landscaped area and decorative lighting within State Highway right of way at the Montgomery Street Interchange on State Route 70 (SR70) as shown on Exhibit "A"; and

WHEREAS, a project to install said a landscaped area and decorative lighting has now been completed, or is nearing completion, and the parties hereto mutually desire to clarify the division of maintenance responsibility as to separation structures, CITY streets or portions thereof, and landscaped areas within said State Highway right of way.

NOW THEREFORE, IT IS AGREED:

1. This Agreement supplements, but does not otherwise modify or displace, the prior Freeway Maintenance Agreement executed on August 6, 1962, with respect to the Freeway Section modified by this project as shown in the attached Exhibit "A".
2. When a planned future improvement has been constructed and/or a minor revision has been effected within the limits of the freeway herein described which affects the parties division of maintenance, STATE will provide a new dated and revised Exhibit "A", which, when executed by CITY, will supersede the attached current original Exhibit "A" and will become part of this Agreement.
3. In consideration of the mutual covenants and promises herein contained, CITY agrees:
 - A. To assume all responsibility for Maintenance of the decorative lighting and landscaping of the area identified in Exhibit A.
 - B To have STATE perform final inspection of the installed decorative lighting and landscaping prior to CITY beginning plant maintenance.
 - C To furnish water and fertilizer necessary to sustain healthy growth.
 - D To control weeds at a level acceptable to STATE.
 - E To keep grass and lawn areas mowed and trimmed to eye-pleasing appearance.

- F To use only those pesticides and fertilizers approved by STATE and in a manner consistent with label and legal restrictions.
- G To replace unhealthy or dead plantings as they are observed or within thirty (30) days when notified by STATE that plant replacement is required.
- H To keep the entire landscaped area policed and free of litter and deleterious material.
- I To prune shrubs and tree plantings in a manner consistent for controlling extraneous growth.
- J To maintain and operate irrigation system in a manner that prevents water from spraying and flooding onto the State Highway travel lanes or shoulders.
- K To maintain the decorative lighting and landscape in a manner that protects air and water quality.
- L The maintenance and energy costs of the decorative lighting shall be the responsibility of CITY and not STATE.
- M To allow random inspection by a STATE Landscape Specialist for that area.
- N If for any reason CITY is unable to maintain the described area in a manner satisfactory to STATE, to reimburse STATE, on presentation of a bill, for all actual costs incurred by STATE forces or a Contractor for restoring and maintaining that facility or for its removal and the restoration of STATE's right of way.
- O All work by or on behalf of CITY will be done at no cost to STATE.

4. LEGAL RELATIONS AND RESPONSIBILITIES:

- A Nothing in the provisions of this Agreement is intended to create duties or obligations to or rights in third parties not parties to this Agreement or affect the legal liability of either party to the Agreement by imposing any standard of care with respect to the maintenance or State highways or CITY property different from the standard of care imposed by law; further, nothing in this Agreement shall be construed as a waiver of any available defense or immunity available to STATE or CITY.
- B It is understood and agreed that neither STATE nor any officer or employee thereof is responsible for any damage or liability occurring by reason of anything done or omitted to be done by CITY under or in connection with any

work authority or jurisdiction delegated to CITY under this Agreement. It is understood and agreed that, pursuant to Government Code section 895.4, CITY shall defend, indemnify and save harmless STATE, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injuries to or death of any person or damage to property resulting from anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement.

- C It is understood and agreed that neither CITY nor any officer or employee thereof is responsible for any damage or liability occurring by reason of anything done or omitted to be done by STATE under or in connection with any work, authority or jurisdiction delegated to STATE under this Agreement. It is understood and agreed that, pursuant to Government Code section 895.4, STATE shall defend, indemnify and save harmless CITY, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injuries to or death of any person or damage to property resulting from anything done or omitted to be done by STATE under or in connection with any work, authority or jurisdiction delegated to State under this Agreement.

5. TERM OF AGREEMENT


This Agreement shall be effective upon the date of its execution by CITY and STATE and shall remain in full force and effect for a period of twenty (20) years from the effective date and shall terminate automatically at the end of that period unless it is renewed in writing at least two weeks before the date set for termination. This Agreement may also be terminated by either party upon sixty (60) days' notice to the other party. It being understood and agreed, however, that the execution of this Landscape Maintenance Agreement shall not affect any preexisting obligations of CITY to maintain designated areas pursuant to prior written notice from STATE that work in such areas, which CITY has agreed to maintain pursuant to the terms of other Agreements, has been completed.

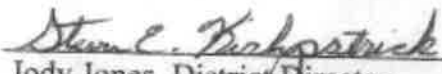
IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

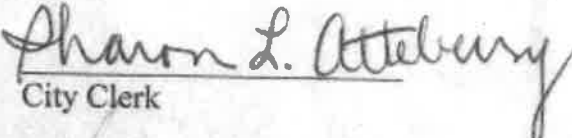
STATE OF CALIFORNIA
Department Of Transportation

CITY OF OROVILLE

WIL KEMPTON
Director of Transportation

By 
Mayor

By 
for Jody Jones, District Director

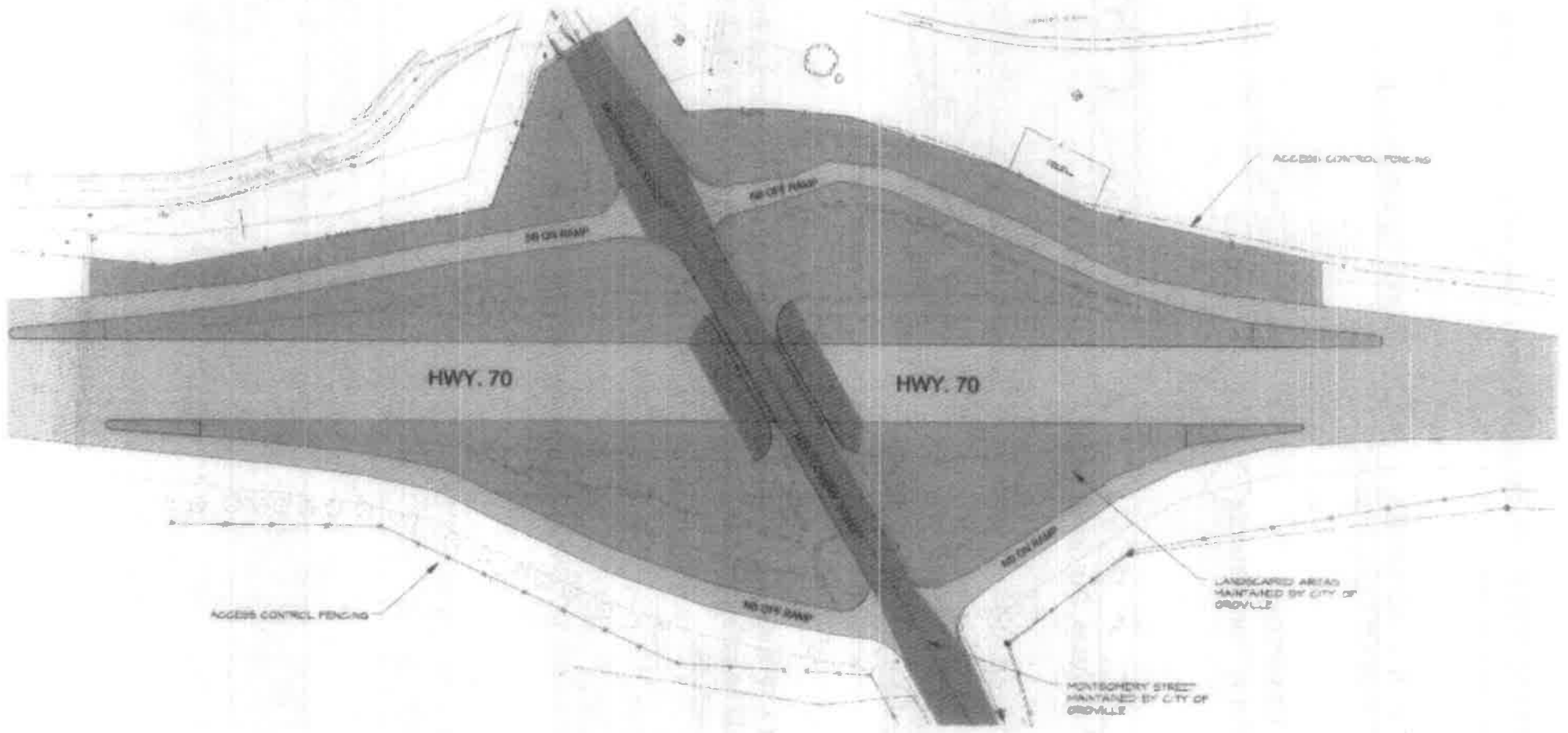

City Clerk

Attorney
Department of Transportation


City Attorney

Approval by STATE'S Attorney is not required unless changes are made to this form, in which case the draft will be submitted for Headquarters' review and approval by STATE'S Attorney as to form and procedures.

EXHIBIT 'A'



ATTACHMENT "E"

No. 007

PROJECT: Highway 70 & Montgomery St. Landscaping Phase 2

DATE OF ISSUANCE: 3-22-2011

EFFECTIVE DATE: 3-22-2011

OWNER: City of Oroville

CONTRACTOR: R.J. Heuton Construction

The following work is added or deleted from your contract:

DESCRIPTION:

The City authorizes a change order to :

- Provide and Install 7 Fish Sculptures for the Hwy 70 underpass slope paving.
 - 4 ea. 5-foot sculptures x \$ 2,600 = \$ 10,400
 - 3 ea. 7-foot sculptures x \$ 3,100 = \$ 9,300
 - TOTAL \$ 19,700

REASON FOR CHANGE ORDER::

- Fish sculptures for the underpass slope paving was part of the original contract bid however sufficient funding was not available initially to award that additive bid item. Contingency Funding is available to fund installation of a portion of the fish sculptures for the underpass slope paving. This will provide a more complete project and be within overall funding.

Attachments:

- | | |
|---|-----------------------------------|
| 1 | Fish Sculpture Layout Plan |
| 2 | Fish Sculpture Orientation Sketch |

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price (w/ Amendments): \$ 523,372.00	Original Contract Times: 100 Working Days
Contract Price prior to this Change Order: \$556,993.38	Contract Times prior to this Change Order: 161 Working Days
Net Increase (or decrease) of this Change Order: \$19,700.00	Net increase (or decrease) of this Change Order: 50 Working Days
Contract Price with all approved Change Orders \$576,693.38	Contract Times with all approved Change Orders 211 Working Days

APPROVED:

By: _____
City (Authorized Signature)

Date: _____

ACCEPTED:

By: _____
Contractor (Authorized Signature)

Date: _____

EXHIBIT "a"



EXHIBIT "b"

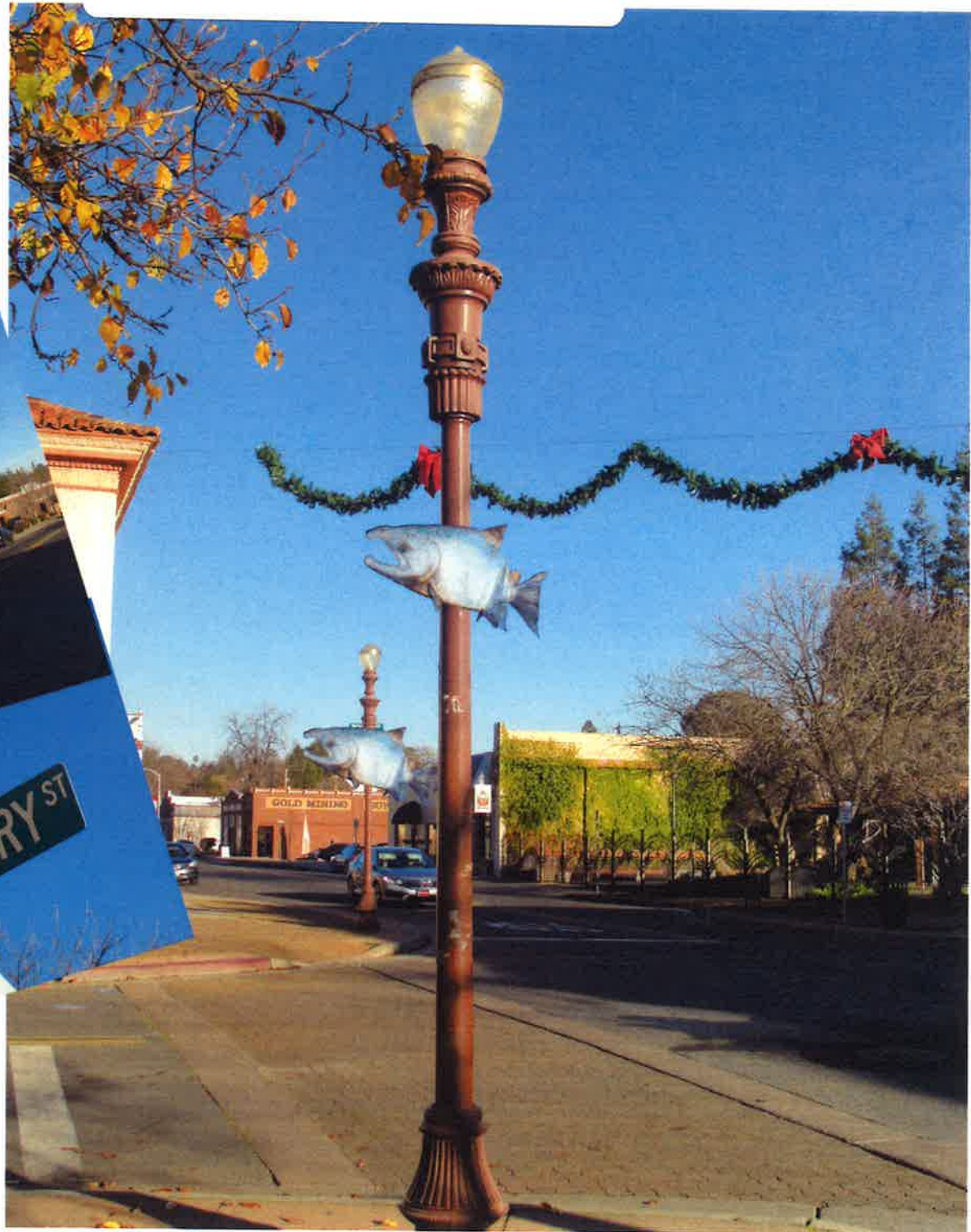
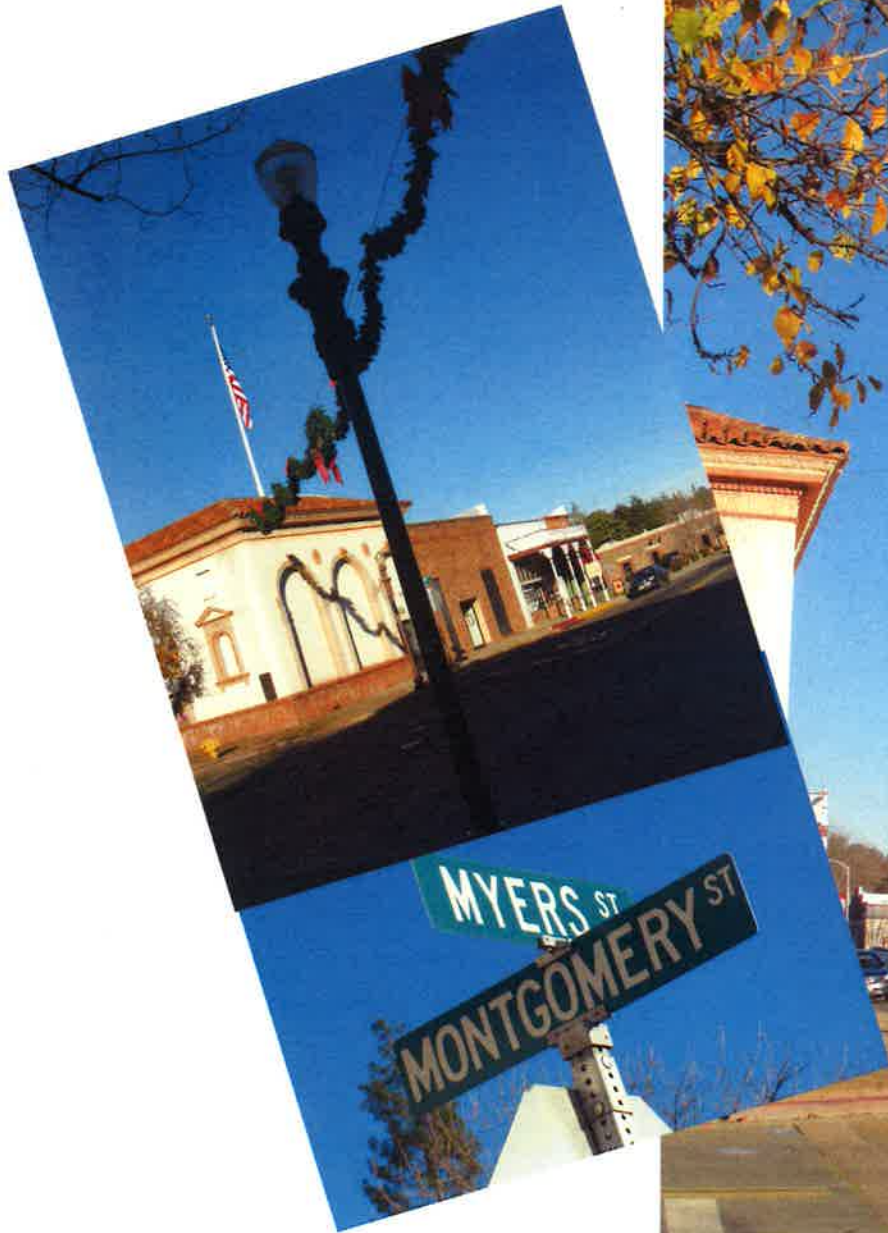


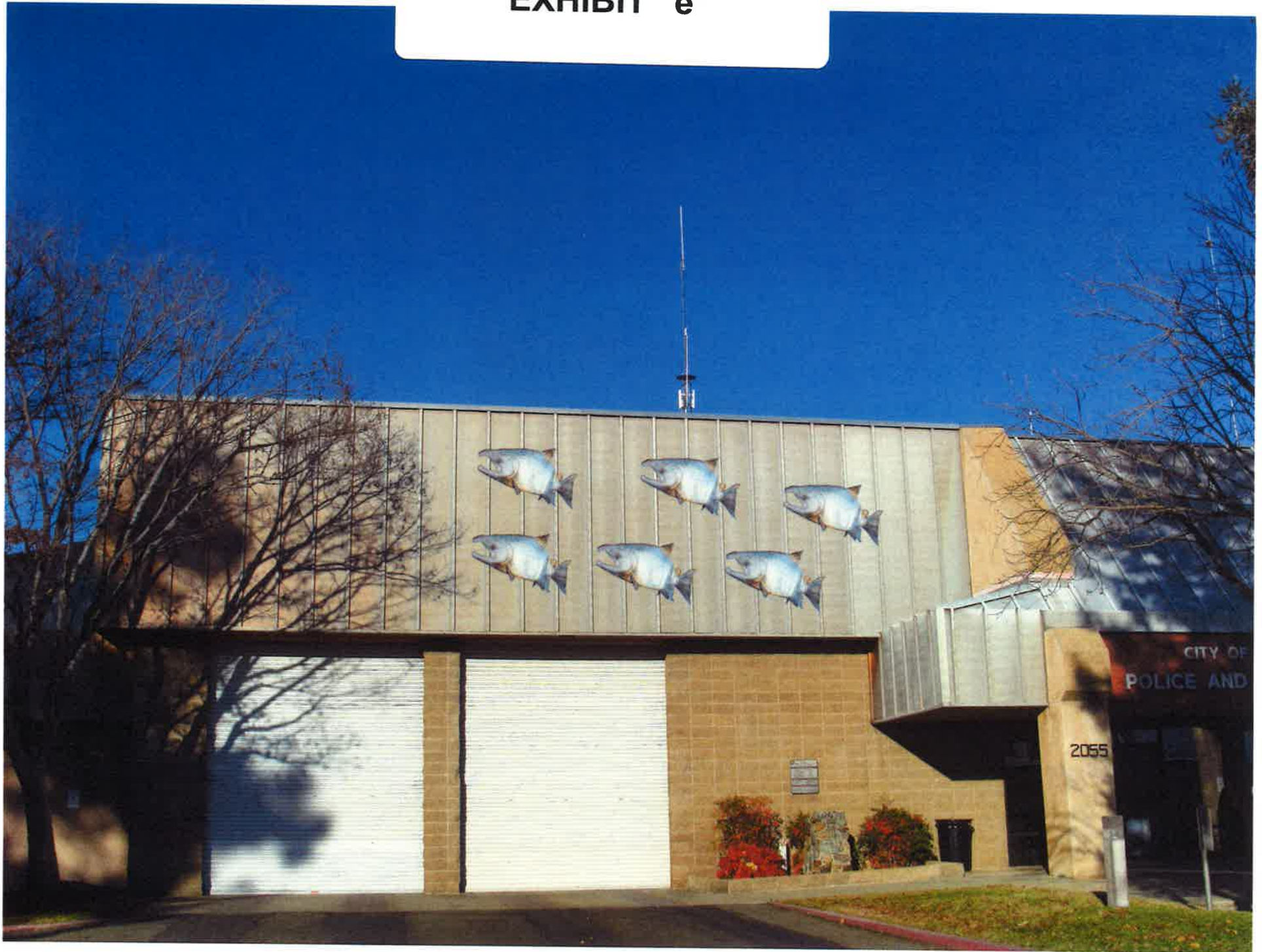
EXHIBIT "C"



EXHIBIT "d"



EXHIBIT "e"



**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: TYSON PARDEE, INFORMATION TECHNOLOGY MANAGER
DONALD RUST, ACTING CITY ADMINISTRATOR
ADMINISTRATION DEPARTMENT**

**RE: COMPUTER AND TECHNOLOGY UPGRADES FOR THE CITY COUNCIL
AND COUNCIL CHAMBERS**

DATE: JANUARY 17, 2017

SUMMARY

The Council may consider approving computer technology upgrades relating to the City Council and Council Chambers.

DISCUSSION

There are a few items that are directly connected to either the council members or the council chambers that are in need of an upgrade. Below are the items.

- 1) 5 years ago the City Council decided to go paperless with the use of iPads. Due to the age these devices they are in need of being upgraded. Below are a few options for replacing the existing devices.
 - a) The council may choose to replace the existing iPads with newer iPads. Below are 2 iPad versions. All pricing is based off of one device.

iPad Pro

\$599.00 – 32GB iPad Pro

\$100.00 – Glass Shield and protective cover

\$699.00 – Estimated Total for one device

iPad Air 2 (A little older model than the iPad Pro but still a good option)

\$399.00 – 32GB iPad Air 2

\$100.00 – Glass Shield and protective cover

\$499.00 – Estimated Total for one device

Other iPad Options for consideration (options are for one device)

\$100 – Upgrade either iPad options storage from 32GB to 128GB

\$130 – Upgrade either iPad option to include a Cellular data option. (A data plan with a cell carrier is still needed. The data plan would not be paid for by the city but by the council member just like the current iPads.)

\$150 – Upgrade either iPad option to include a “Smart Keyboard”

- b) The second option is to replace the iPads with Microsoft Surface Tablets instead of iPads. This option is more expensive but can provide more options and flexibility in the use of the device. All pricing is based off of one device.

Microsoft Surface Tablet

\$1,480.68 – Microsoft Surface Pro 4 (With keyboard and Adobe PDF software)

\$ 150.00 – Glass shield and protective cover

\$1,630.68 – Estimated Total

- 2) The Council Chamber projectors are starting to have intermittent issues and are in need of being replaced. The two projectors both can be replaced for \$3,624.55 completely installed by TriPath Technology Group. TriPath Technology Group is the same guys that installed the original system just under a new company name. The existing projector will be repurposed in other City facilities.
- 3) The new council video system has been working well but there is not a way to see what is actually being recorded from the clerk’s control position in the council chambers. To more effectively make sure the video recordings are recording the correct positions in the council chambers an upgraded monitor is necessary. The upgrade will cost \$5,163.81 and will include all necessary system programming that is needed to make the new monitor work. The installation will be done by TriPath.

FISCAL IMPACT

Appropriation is available for the following:

Item 1 Option a:

iPad Pro – \$4,893 (Estimated cost for 7 iPads Not including any extra options)

or

iPad Air – \$3,493 (Estimated cost for 7 iPads Not including any extra options)

Item 1 Option b: \$11,410 (Estimated cost for 7 Microsoft Surface Pro tablets)

Item 2: \$3,624.55

Item 3: \$5,163.81

Technology Fee Fund \$52,960 available budget 5141-6480. The remaining balance will depend on the Council’s decision of the available options. The balance amount will be between \$12,282 to \$20,199.

RECOMMENDATION

Authorize the purchase computer and technology upgrades relating to the City Council and Council Chambers, as indicated in this staff report.

ATTACHMENTS

A - City of Oroville Projector Replacement TRI-0083.PDF

B - Council Chambers Camera System change to touch panel with live video viewing.PDF



Projector Replacement

City of Oroville

1735 Montgomery St.
Oroville, CA 95965

Presented By:



TRI /// PATH Technology Group

CA License # 1016628
1072 Marauder St Suite 220
Chico, CA 95973 US
O: 530.924.5063
www.tripath.us

Modified: 1/9/2017
Revision: 0

CA License #1016628
1072 Marauder St Suite 220
Chico, CA 95973
530-924-5063
www.tripath.us

1/10/2016

Letter of Scope

**City of Oroville
Projector Replacement
Job Number: TRI-0083**

System narrative:

The client has requested a proposal for replacement of existing projectors.

The existing projectors have been discontinued. However, we have found a distributor with a few of the same model in stock. The units are unfortunately sold without warranty coverage as they are no longer carried by the manufacturer. That being said, this seems to be the best option for the following reasons:

- A replacement projector that will work in the space provided (the recessed ceiling spaces) has been challenging to find. We would want to order a demo unit to verify that a change in model will work. We know that the Sanyo unit will fill the screen and fit in the space provided.
- Existing mounting hardware would have to be changed if the projector model is changed as all new ultra-short-throw projectors we have found use proprietary mounting hardware.
- A change in projector model will require a programming change so that the Crestron system will turn the new projectors on and off. The cost of the programming change would be \$850 for off-site programming and on site testing.

PLEASE NOTE:

- Our warranty terms are detailed in the contract section of this document
- The project total on the SUMMARY PAGE of our proposal is often confused as the total proposed cost of a project. The total cost is shown on the proposal page that depicts the sales tax associated with the project.
- Each line item depicting job materials includes the labor cost associated with that item. Clients may view the separated totals of materials and labor on the Summary page or the final pricing page.
- If an item is listed as Owner Furnished (OFE), there may be a charge in the proposal line relating

Scope of Work

to that item for labor related to integration of owner furnished pieces into the system.

Exclusions: The following labor and/or materials are **not included** in our Scope of Work unless otherwise included in the itemized items list within the proposal document:

- All conduit, high voltage, wiring panels, breakers, relays, boxes, receptacles, etc.
- Concrete saw cutting and /or core drilling.
- All millwork (moldings, trim, etc.)
- Fire wall, ceiling, roof and floor penetration, painting and patching of walls, ceiling, floor etc. Construction constraints may require us to cut into drywall, firewalls etc – work that cannot be foreseen in a preliminary job walk. This may result in additional labor and materials expenditures and will be presented in a change order as an additional cost.

NOTICE: This Scope of Work is delivered on the basis of the following Assumptions

- Any additional visits, service, or commissioning required outside of the above inclusions will be billed at \$102.50/Hour with a 2 hour minimum, plus travel expense.
- Client communication of readiness will be considered accurate and executable by Tri Path, Inc project manager.
- In the event of any arrival to site that Tri Path, Inc is not able to execute work and definable progress, the client will be charged a \$450.00 Mobilization Fee to offset the lost time due to the lack of readiness. The Mobilization Fee will be presented as a Contract Change Order and will halt work until acceptance by the client and rescheduling of the installation is agreed upon.
- Rescheduling and redeployment of Tri Path, Inc technicians due to unacceptable site preparation may cause scheduling delays of up to 10 business days.
- Contractor will have ready access to the building / facility
- A secure storage location is available for equipment during a multiple day integration
- With regard to owner furnished equipment and existing cabling: Tri Path, Inc assumes that these items are in good working condition at this time. Any repair or replacement of these items that may be necessary will be made at an additional cost.
- Document review / feedback will be completed by the Client within two business days {unless otherwise noted}
- Change control processes will be used to the maximum extent possible – the Client will have an assigned person with the authority to communicate / approve project change requests / field change orders

Project Management Processes

Tri Path, Inc will follow a foundational project management process which may include the following actions / deliverables (based on the size, complexity and duration of the integration project):

- Site Survey – Initial walkthrough or plan review

Scope of Work

- Program Report – Submitted to client for review and input, post site survey
- Design Proposal – Submitted to client, post Program Report review
- Project Proposal – Submitted to client for review/revision or acceptance
- Submittals – Submitted to client for confirmation of control system and/or install detail
- Project Kickoff Meeting – Conducted in person or over the phone with client, involving other trades if necessary
- Site Readiness Verification – Conducted in person or over the phone with client to verify site conditions
- Project Status Reviews – Communicated to client at pre-determined intervals to update on the progress of the project
- Change Orders – On site or formal documentation submitted to client
- Punch List / Substantial Completion – Conducted in person or over the phone with client to begin job closeout and system hand off

Knowledge Transfer

This is geared specifically towards the end-user / operator. The purpose of this knowledge transfer is to arm operators with the necessary knowledge to confidently and comfortably operate all aspects of the integrated system. Areas covered include the following:

- System capabilities
- How to turn the system on and off and select settings based on the intended use
- Who to call when help is required
- Full system documentation will be delivered, post install

Projector Replacement

City of Oroville

1735 Montgomery St.
Oroville, CA 95965

Presented By:



TRI // PATH Technology Group

CA License # 1016628
1072 Marauder St Suite 220
Chico, CA 95973 US
O: 530.924.5063
www.tripath.us

Number: TRI-0083
Modified: 1/9/2017
Revision: 0

Unassigned

Unassigned



1	House Brand Cost for shipping of products. Actual shipping charges will be applied.	\$70.00
1	House Brand Misc materials and/or costs related to project - vehicle fuel	\$13.00
2	Sanyo WXGA Ultra Short Throw Multimedia Projector	\$3,195.00
1	Tri Path Off site labor - driving, load/unload, waste removal, pre-install equipment testing etc	\$61.18
1	Tri Path On Site Labor to remove existing projectors and apply existing mounts to new units	\$67.65
Unassigned Total:		\$3,406.83
Unassigned Total:		\$3,406.83
Project Subtotal:		\$3,406.83

* Price Includes Accessories

Project Summary

Equipment:	\$3,073.00
Labor:	\$333.83
Sales Tax:	\$217.72
Grand Total:	\$3,624.55

Client: Tyson Pardee

Date

Contractor: TRI /// PATH Technology Group

Date

* Price Includes Accessories

Presented By: TRI /// PATH Technology Group

Project Name: Projector Replacement

Project No.: TRI-0083

1/10/2017

Contract

Presented By:

Modified: 1/9/2017
Revision: 0



Projector Replacement

TRI /// PATH Technology Group

CA License # 1016628
1072 Marauder St Suite 220
Chico, CA 95973 US
O: 530.924.5063
www.tripath.us

City of Oroville

1735 Montgomery St.
Oroville, CA 95965

Contract

This Contract, effective as of _____ ("Effective Date"), is entered into by and between Tri Path, Inc, having its principal place of business at 1072 Marauder Stree Suite 220 Chico, CA 95973 and _____, having its principal place of business at _____, ("Client").

The Contractor has developed a Scope of Work and a Proposal for the Client, attached, and wishes to provide the materials and services depicted therein pursuant to the terms and conditions of this Contract.

In consideration of these premises, and of the mutual promises and conditions in this Contract, the Contractor and the Client hereby agree as follows:

- A. The general project description is contained in the attached Scope of Work and Proposal documents and any other drawings or related documents herein referred to as the "Proposal".
- B. The specific work to be performed by Contractor is the installation of the specified system as outlined in the Proposal.
- C. The total amount to be paid by the owner for the performance (subject to additions and deductions by written change order) shall not exceed the total specified in the Proposal without prior written notice by the Contractor and a signed response by the Client.
- D. Progress payments will be made according to the payment schedule below. A project deposit in the amount of \$ _____, as well as the attached Client Information Form, must be received from the Client by the Contractor before job materials can be ordered. Additionally, a \$ _____ deposit must be received before third-party programming can be scheduled. Lastly, deposits for custom materials relating to materials from _____ (Tri Path, Inc supplier/vendor/subcontractor) in the amount of \$ _____ are due prior to order of said materials. Progress Payment times are subject to the timing of the construction and may be requested prior to the start of the project in order for the Contractor to meet the project schedule.
- E. Payment is due at the time payments are requested by the Contractor. Any unpaid balance beyond 30 days after any payment request to the Client by the Contractor shall bear interest payable to Contractor at a rate of 2.5% per month simple interest.
- F. The Proposal and quoted pricing expires 30 days following the date stated on the top of this agreement. No work will be scheduled without a deposit plus a signed copy of this agreement. All drawings and specifications contingent on agreement and retainer and may not be used for any other purpose, for request of estimates or quotes from other Contractors etcetera.
- G. If job is of a retro-fit/remodel nature on an existing structure, hidden construction elements may be present, forcing the scope of work to exceed the time estimated to complete the project. The client agrees that he/she will be back-charged at a rate of \$85 per man, per hour for all extra labor involved in completing the job. Any additional travel expenses shall also be back-charged. Any such charges will be presented to the Client by Hankins Electrical Contracting Inc via change order.
- H. All drawings and documentation are contingent on retainer. Since preparing a proposal requires system design & engineering by a professional Systems Integrator, only one version of the proposal will be prepared without a retainer. If a second version is required or if project is for design & documentation only, a \$ _____ Design Retainer will be collected. The retainer covers design & engineering time and is non-refundable. Client agrees to keep all Contractor Proposal and Contract documents confidential as these are the intellectual property of the Contractor.

- I. At the time project material procurement begins, the Contractor reserves the right to replace proposed models in the case of discontinuation or unavailability with a comparable model of equal value with written notice to be submitted to the Owner. Should a comparable replacement result in an increase of the total project cost a change order must first be approved by the client. The Contractor will not be held responsible or liable in any way for any said product's discontinuation or unavailability. Upon project completion, Client clears the Contractor of any responsibility for a product's obsolescence.
- J. With regard to Owner Furnished Equipment ("OFE"), Client agrees to hold the Contractor harmless for cost associated with the failure or future obsolescence of OFE materials as well as costs associated with the installation, programming, labor, travel or other ancillary costs generated in replacement of said OFE item(s).
- K. Contract Documents and Details
The contract documents consist of this agreement, including all general provisions, special provisions, specifications, drawings, addenda, change orders, written interpretations, and written orders for minor changes in work. The costs associated with any related work or materials, including, but not limited to electrical, drywall, painting, furniture, racks or other labor or materials are not included unless specifically documented in the proposal.
- L. Time
With respect to scheduled completion of the tasks depicted in the Scope of Work, time is of the essence. If Contractor is delayed at any time in the progress of the work by owner change orders, fire, labor disputes, acts of God or other causes beyond Contractor's control, the completion schedule for the work or affected parts of the work shall be extended by the same amount of the time caused by the delay. Often the AV scope of a project is scheduled toward the end of a project cycle. In such cases, materials procurement is timed by the Contractor to meet the project timeline. The client is responsible for cost increases on Contractor specified equipment should manufacturer pricing rise in the time period between contract signing and materials procurement if that period is longer than 30 days. Justification for price increases will be made in writing by the Contractor and will be based on the percentage increase of MSRP. Delays by other trades or factors that result in a limited timeline for AV programming, testing and client training may result in overtime charges should the scheduled project end date remain unchanged to accommodate time overruns.
- M. Payments and Completion
The above Payment Schedule is a guideline and approximation. Since contractor will, if project timeline permits, open, test and burn-in equipment before delivery, the Contractor may generate a payment request for materials on hand plus related labor and shipping costs. Any disputes due to legal claims will be settled independently in good faith between the parties. Final payment shall be due immediately following substantial completion of the project. Contractor will hold owner harmless with respect to claims of subcontractors.
- N. Insurance & License
Contractor shall purchase and maintain such insurance necessary to protect from claims under workers compensation and from any damage to the owners property resulting from the conduct of this contract. Contractor shall possess and maintain a valid contractor's license for the duration of the project.
- O. Changes in the Contract
The Client may order changes, additions, or modifications without invalidating the contract. Such changes must be in writing and signed by the client. The contractor shall provide the owner in writing the amount of additional costs or cost reductions resulting from changes ordered within 15 working days unless this requirement is waived in writing by the owner. Change Orders will be billed in full upon Client acceptance of change and shall not alter the contract's payment schedule.

P. Warranty Terms

Unless a service contract between the Contractor and the client listed herein is detailed in this document, manufacturer warrantee related visits scheduled at any time after final Client sign-off shall be billed at \$102.50 per hour, two-hour minimum, plus \$46.50 per hour travel time and fuel costs with the client responsible for shipping costs to return items to manufacturer for repair. Shipping costs to return items to the client are the responsibility of the respective manufacturer. These warrantee visits will be billed for the initial visit, time spent in shipping the item to be repaired as well as our return visit to re-install the repaired or replaced item. Contractor availability is 9-5, Monday through Friday unless otherwise stated herein. Contractor agrees to a maximum 48 hour initial response time to warranty/service calls by phone with availability for a site visit subject to prior schedule.

Client: City of Oroville

Date:

Contractor: TRI /// PATH Technology Group

Date:

EXHIBIT

B

Change Order

Modified: 11/23/2016

Revision: 2

Council Chambers Camera System

City of Oroville

1735 Montgomery St.
Oroville, CA 95965

Presented By:



TRI /// PATH Technology Group

CA License # 1016628
1072 Marauder St Suite 220
Chico, CA 95973 US
O: 530.924.5063
www.tripath.us

Added monitor

This is a Change Order to add the following products. These products will allow for the touch panel controller to also preview the video content from the Extron camera capture and streaming device. This will replace the existing touch panel, which will be credited, in portion, to the total cost.

Touch panel will contain identical control functions as existing panel, with added video preview.

1	Extron TLP PRO 1220TG	\$3,934.29
	12" Tabletop touchlink pro touchpanel with power injector, black	
1	Extron XTP T HDMI	\$952.00
	XTP Transmitter for HDMI	
1	House Brand Credit	(\$1,200.00)
	Trade in Credit for Existing TLP Pro 1022T	
2	SnapAV B6-HD-2	\$59.76
	Binary B6-Series GripTek High Speed Licensed HDMI Cable with Ethernet, 2 Meter	

Added monitor Total: \$3,746.05

Project Subtotal: \$3,746.05

* Price Includes Accessories

Presented By: TRI /// PATH Technology Group
Project Name: Council Chambers Camera System

11/23/2016
Page 2 of 3

Project Summary

Equipment:	\$3,746.05
Labor:	\$1,136.81
Sales Tax:	\$280.95
Grand Total:	\$5,163.81

Client:

Date

Contractor: TRI /// PATH Technology Group

Date

* Price Includes Accessories

Presented By: TRI /// PATH Technology Group
Project Name: Council Chambers Camera System

11/23/2016
Page 3 of 3

**CITY OF OROVILLE
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: JAMIE HAYES, ASSISTANT CITY CLERK
DONALD RUST, ACTING CITY ADMINISTRATOR
ADMINISTRATION DEPARTMENT**

RE: APPOINTMENT TO THE OROVILLE PLANNING COMMISSION

DATE: JANUARY 17, 2017

SUMMARY

The Council may consider appointing a qualified City resident to serve on the Oroville Planning Commission.

DISCUSSION

The Oroville Planning Commission (Commission) is responsible with considering planning applications, use permits, variances, and tentative subdivision and parcel maps, as well as making recommendations to the City Council on other development applications such as rezones, general plan amendments and other planning and zoning issues that affect how the community of Oroville grows.

Article IX of the City Charter allows for seven (7) appointments to the City's Planning Commission. Applicants must reside within the City limits.

Planning Commissioner, Steve Vandervort, submitted his resignation from the Planning Commission in August, 2016. Staff advertised on the City website, including Facebook, and at the front of City Hall for qualified applicants to apply for the vacant Commission seat to which three (3) applications were received.

The selected appointee will serve the remainder of former Commissioner Vandervort's term, which will expire on June 30, 2018.

FISCAL IMPACT

None

RECOMMENDATION

Select a qualified candidate to serve on the Oroville Planning Commission for the remainder of former Commissioner Vandervort's term, which will expire on June 30, 2018.

ATTACHMENT

- A - Application for Appointment – Thil Chan Wilcox
- B - Application for Appointment – Justin Shane McvDavitt
- C - Application for Appointment – Cheri Bunker

ATTACHMENT "A"



City of Oroville
DEC 05 2016
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:

(Would like Appointment in January 2017)

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

- | | |
|---|--|
| <input checked="" type="checkbox"/> Planning Commission | <input type="checkbox"/> Arts Commission |
| <input type="checkbox"/> Housing Loan Advisory Committee | <input type="checkbox"/> Economic Development Loan Advisory Committee |
| <input type="checkbox"/> Park Commission | <input type="checkbox"/> Southside Community Center Advisory Committee |
| <input type="checkbox"/> Arts, Cultural Entertainment District Advisory Committee | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Mosquito Abatement District Committee | |

APPLICANT INFORMATION

Name (print): THAIL CHAN WILCOX

Residence Address: _____

Mailing Address (if different): _____

Telephone: _____ Mail Address: _____

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

EMPLOYMENT INFORMATION

Occupation: RETIRED -

Current Employer: Oroville City Council

Current Employer Address: _____

Telephone: _____

EXPERIENCE/BACKGROUND

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

Education: _____

Memberships of Organizations: _____

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

If yes, list committee/commission and dates served: Oroville Planning Comm - 17/24



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?

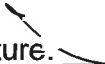
*WOULD LIKE TO BE INVOLVED
IN WHAT IS HAPPENING/COMING
TO OROVILLE*

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

17 1/2 YEARS ON PLANNING COMMISSION

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 KNOWN

Date: 12-5-2016 Signature: 

ATTACHMENT "B"



City of Oroville
DEC 27 2016
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:

Planning Commission

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

- | | |
|---|--|
| <input checked="" type="checkbox"/> Planning Commission | <input type="checkbox"/> Arts Commission |
| <input type="checkbox"/> Housing Loan Advisory Committee | <input type="checkbox"/> Economic Development Loan Advisory Committee |
| <input type="checkbox"/> Park Commission | <input type="checkbox"/> Southside Community Center Advisory Committee |
| <input type="checkbox"/> Arts, Cultural Entertainment District Advisory Committee | |
| <input type="checkbox"/> Mosquito Abatement District Committee | <input type="checkbox"/> Other: _____ |

APPLICANT INFORMATION

Name (print): Justin Shane McDavitt

Residence Address: _____

Mailing Address (if different): _____

Telephone _____ E-Mail Address: _____

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

EMPLOYMENT INFORMATION

Occupation: City Carrier

Current Employer: United States Postal Service

Current Employer Address: 1735 Robinson St. Oroville, Ca 95965

Telephone: 530-533-4620

EXPERIENCE/BACKGROUND

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

Education: B.A. Psychology

Memberships of Organizations: NALC

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

If yes, list committee/commission and dates served: N/A

How did you hear about this recruitment? (Optional)

Posting

VERIFICATION

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

Date: 12/22/2016

Signature: Justin Shane McDavitt Digitally signed by Justin Shane McDavitt
Date: 2016.12.22 21:16:01 -08'00'

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 was raised with a strong sense of civic duty, and I feel it is important to (positively) give back to the community I grew up in.

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

I was fortunate to serve in the military gaining appreciation for and experience in teamwork, objectivity, and communication. I also have an appreciation for higher education which has allowed me to continually widen my knowledge base.

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?

NO, I do not have any conflicts or potential conflicts that would make me ineligible to vote on any items.

Date: DECEMBER 30, 2016 Signature: _____

ATTACHMENT "C"

APPLICATION FOR APPOINTMENT TO CITY COMMITTEE OR COMMISSION

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RETURN TO: CITY CLERK'S OFFICE, 1735 MONTGOMERY STREET, OROVILLE, CA 95965

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Name of committee/commission you are applying for:

PLANNING COMMISSION

City of Oroville
JAN 10 2017
Administration

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

- | | |
|---|--|
| <input type="checkbox"/> Planning Commission | <input type="checkbox"/> Arts Commission |
| <input type="checkbox"/> Housing Loan Advisory Committee | <input type="checkbox"/> Economic Development Loan Advisory Committee |
| <input type="checkbox"/> Park Commission | <input type="checkbox"/> Southside Community Center Advisory Committee |
| <input type="checkbox"/> Oroville Mosquito Abatement District Committee | <input type="checkbox"/> Other: _____ |

APPLICANT INFORMATION

Name (print): CHELI BUNKER

Residence Address: _____

Mailing Address (if different): _____

Telephone: _____ E-Mail Address: _____

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

EMPLOYMENT INFORMATION

Occupation: RETIRED

Current Employer: _____

Current Employer Address: _____

Telephone: _____

EXPERIENCE/BACKGROUND

(Additional information/resume may be attached to this application)

Education: COLLEGE

Memberships of Organizations: EXCHANGE CLUB, NATIVE SONS, DAUGHTER OF THE GOLDEN WEST

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

If yes, list committee/commission and dates served: CITY COUNCIL 2010-2014

OPTIONAL

How did you hear about this recruitment? COUNCIL MEETINGS

VERIFICATION

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

Date: JAN 10 2017

Signature: _____



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 WANT TO SEE OROVILLE THRIVE! I WOULD LIKE TO BE PART OF THE SOLUTION!

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

NEGOTIATIONS, COMMON SENSE, LOVE FOR OROVILLE.

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?

No.

Date: JAN. 10, 2017

Signature: _____

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: LIZ EHRENSTROM, HUMAN RESOURCE MANAGER
DONALD RUST, ACTING CITY ADMINISTRATOR
ADMINISTRATION DEPARTMENT**

**RE: SELECTION OF DATE FOR AB 1825 HARASSMENT TRAINING,
AB 1234 ETHICS TRAINING, AND CITY HALL 101 WORKSHOP**

DATE: JANUARY 17, 2017

SUMMARY

The Council may consider selecting a date for training on AB 1825 Harassment Training, AB1234 Ethics Training and City Hall 101.

DISCUSSION

Staff is requesting Council to select a date for mandatory training on AB 1825 Harassment training for supervisors and AB 1234 Ethics training for elected and appointed officials. Staff has specific dates that a trainer is available to conduct both mandatory trainings. Elected officials, appointed officials, department heads and supervisory staff must have AB 1825 Harassment training every two years. In addition, Elected officials, appointed officials and department heads must have AB 1234 Ethics training every two years. The last completed training was in February, 2015.

Gerry Preciado, Director of Litigation Management & Employment Practice Consulting, conducted the City's training in 2015. He was well received by all and is available for training on February 1st, 2nd, 20th or 21st. Each training must be two hours in duration, so staff will need a four-hour block of time to complete the required portion of training. Staff is trying to coordinate the required AB 1234 and AB 1825 training in conjunction with City Hall 101 workshop, making it a full day of training. Staff is requesting Council to select February dates listed above for this training day. Two days may be necessary to complete all the required training and workshop.

FISCAL IMPACT

Northern California Cities Self Insurance Fund (NCCSIF) will sponsor the AB 1825 training; however, this will be opened up to other local agencies within NCCSIF to attend. AB 1234 will cost \$2,000, and will be divided between all departments as listed below:

DEPARTMENT:

MAYOR	100-6360-1901	1.00	0.84%	16.84
CITY COUNCIL	100-6360-1801	6.00	5.05%	101.07
TREASURER	100-6360-2101	1.00	0.84%	16.84
ASSISTANT CITY CLERK	100-6360-1201	1.00	0.84%	16.84
HUMAN RESOURCES	100-6360-1501	1.00	0.84%	16.84
INFORMATION TECH	100-6360-1601	2.00	1.68%	33.69
PROGRAM SPECIALIST	100-6360-1401	0.80	0.67%	13.48
BUS ASSIST, HOUSING	220-6360-7001	6.08	5.12%	102.42
FINANCE DEPARTMENT	100-6360-2001	5.00	4.21%	84.22
FIRE DEPARTMENT	100-6360-2801	20.91	17.61%	352.23
POLICE DEPT	100-6360-2401	44.09	37.13%	742.69
PARKS & TREES DEPT	100-6360-3101	6.99	5.89%	117.75
PLANNING & DEV SVCS	100-6360-2201	6.60	5.56%	111.18
PUBLIC WORKS	100-6360-2901	16.26	13.69%	273.90
TOTALS:		118.73	100.00%	\$ 2,000.00

RECOMMENDATION

Provide direction, as necessary.

ATTACHMENTS

A – 2017 City Meeting Calendar

CITY OF OROVILLE MEETING SCHEDULE - 2017

JANUARY							FEBRUARY							MARCH						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	5	6	7	8	9	10	11	5	6	7	8	9	10	11
8	9	10	11	12	13	14	12	13	14	15	16	17	18	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28					26	27	28	29	30	31	
29	30	31																		

APRIL							MAY							JUNE						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1		1	2	3	4	5	6					1	2	3
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	
30																				

JULY							AUGUST							SEPTEMBER						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1			1	2	3	4	5						1	2
2	3	4	5	6	7	8	6	7	8	9	10	11	12	3	4	5	6	7	8	9
9	10	11	12	13	14	15	13	14	15	16	17	18	19	10	11	12	13	14	15	16
16	17	18	19	20	21	22	20	21	22	23	24	25	26	17	18	19	20	21	22	23
23	24	25	26	27	28	29	27	28	29	30	31			24	25	26	27	28	29	30
30	31													31						

OCTOBER							NOVEMBER							DECEMBER						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7				1	2	3	4						1	2
8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23
29	30	31					26	27	28	29	30			24	25	26	27	28	29	30
														31						

- City Council meetings (1st & 3rd Tuesday of each month at *5:30 p.m and **6:30 p.m.)
Regular Meetings - *Closed Session ** Open Session
- Planning Commission Meetings (4th Thursday of each month at 7:00 p.m.)
- Arts Commission Meetings (2nd Monday of each Quarter at 3:30 p.m. OR on an as needed basis)
Park Commission Meetings (2nd Monday of each Quarter at 5:00 p.m. OR on an as needed basis)
- Supplemental Benefits Fund Steering Committee Meetings (1st Wednesday of each quarter at 5:30 p.m.)
- Housing Loan Advisory Committee (2nd Thursday of each month at 10:00 a.m.)
- Holiday
- Executive Committee (meets on an as needed basis)
- Development & Public Facilities Committee (meets on an as needed basis)
- Finance Committee (meets on an as needed basis)
- Economic Development Loan Advisory Committee (meets on an as needed basis)

FINAL

**CITY OF OROVILLE
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: SCOTT E. HUBER, CITY ATTORNEY
ADMINISTRATION DEPARTMENT**

RE: DISSOLUTION OF THE OROVILLE PUBLIC FINANCING AUTHORITY

DATE: JANUARY 17, 2017

SUMMARY

The Council may consider the elimination of the Oroville Public Financing Authority.

DISCUSSION

The City of Oroville created the Oroville Public Financing Authority ("OPFA") as a joint powers authority with the former Redevelopment Agency of the City of Oroville. The OPFA was created on January 21, 1992, to create a single public agency that would provide for the financing of the acquisition or construction of projects.

With the elimination of redevelopment agencies, all obligations of the former Oroville Redevelopment Agency have been transferred to the Successor Agency. The OPFA is required to annually file numerous documents with the state related to officers of the OPFA. However, the purpose of the OPFA has ended and one of the parties of the joint powers authority is no longer in existence. As such, it has been recommended that the Council, acting as both the City and the Successor Agency for the Oroville Redevelopment Agency, dissolve the OPFA.

Given that there is no need for the OPFA and no possibility for its use in the future, staff recommends that the Council eliminate the Oroville Public Financing Authority.

FISCAL IMPACT

None.

RECOMMENDATION

Adopt Resolution No. 8574 - A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE DISSOLUTION OF THE OROVILLE PUBLIC FINANCING AUTHORITY.

ATTACHMENTS

A - Resolution No. 8574



**CITY OF OROVILLE
RESOLUTION NO. 8574**

**A RESOLUTION OF THE OROVILLE CITY COUNCIL APPROVING THE
DISSOLUTION OF THE OROVILLE PUBLIC FINANCING AUTHORITY**

WHEREAS, the City Council of the City of Oroville (the "City") authorized the formation of a Joint Powers Authority with the Redevelopment Agency of the City of Oroville ("Agency") pursuant to Article 1, commencing with section 6500, of Chapter 5 of Division 7 of Title I of the California Government to exercise the common powers of the Agency and the City by resolution dated January 21, 1992.

WHEREAS, the City and the Agency created the Oroville Public Financing Authority ("Authority") through the "Joint Powers Agreement" dated January 21, 1992 to create a single public agency that would provide for the financing of the acquisition or construction of projects.

WHEREAS, the Marks-Roos Local Bond Pooling Act of 1985 authorizes agencies formed under the Joint Exercise of Powers Law to assist in the financing of public capital improvements to be owned by any of its members or any other city, county, city and county, authority, district or public corporation of the State of California.

WHEREAS, the City finds that the Joint Powers Agreement intended that the Authority assist in the financing of public capital improvements pursuant to the Marks-Roos Local Bond Pooling Act of 1985.

WHEREAS, the City finds that the Bonds issued by Authority have now been refinanced for a lower rate and transferred to the Oroville Successor Agency, which will now be administering the Bond Payments.

WHEREAS, the City finds the Authority is not obligated to pay any outstanding debt and does not own or hold any interest in a public capital improvement.

WHEREAS, the dissolution of the Oroville Public Financing Authority terminates the Authority and any resulting authority it had to issue bonds, incur indebtedness, or levy special taxes for the financing of acquiring or constructing projects.

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

Section 1. The City Council hereby finds and determines that the Authority is not obligated to pay any outstanding debt and does not own or hold any interest in a public capital improvement.

Section 2. The City Council hereby dissolves the Authority.

PASSED AND ADOPTED by the Oroville City Council at a regular meeting held on January 17, 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



CALIFORNIA WATER SERVICE

1720 North First Street
San Jose, CA 95112-4598 Tel: (408) 367-8200

City of Oroville
JAN 9 3 2017
Administration

December 28, 2016

Oroville City Council
1735 Montgomery Street
Oroville, CA 95965-4897

Re: Annual Water Quality Notification

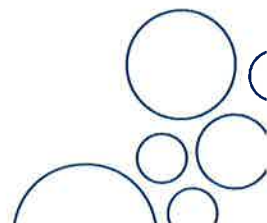
Dear Oroville City Council,

As you know, California Water Service provides safe, reliable, and high-quality water utility service to approximately 2 million Californians, including residents and businesses in the City of Oroville. We are committed to meeting all state and federal water quality standards, each and every day.

One part of those water quality standards requires us to notify local jurisdictions if any of the water supply sources for the service area contain constituents in excess of a State Water Resources Control Board Division of Drinking Water's (DDW) "Notification Level." The Notification Level, is, quite simply, the level of a constituent in drinking water that is not considered to pose a significant health risk to people ingesting that water on a daily basis. The Notification Level is contrasted with a "Response Level," which is the level of a constituent in drinking water at which point operational changes are recommended. Both Notification and Response Levels are contrasted with Maximum Contaminant Levels, which are regulatory standards that must be met by water suppliers.

Boron is a naturally occurring element found in rocks, soil, and water that is unregulated by DDW and does not have a Maximum Contaminant Level. Based on laboratory studies, the babies of some pregnant women who drink water containing boron in excess of the Notification Level may have an increased risk of developmental effects. Given this, DDW established, in 1999, a Notification Level for boron of 1 parts per million (ppm) and a Response Level of 10 ppm.

As we have previously communicated to you, one of our four water wells in our service area contained boron at levels that exceed the Notification Level. The boron levels for this well ranged from 1.48 ppm to 1.66 ppm. However, this well did not contain water that exceeds the Response Level for boron. In addition, only about 3-percent of the water supplied to our customers in Oroville comes from our four water wells.





CALIFORNIA WATER SERVICE

Response Level for boron. In addition, only about 3-percent of the water supplied to our customers in Oroville comes from our four water wells.

Again, DDW has not established a Maximum Contaminant Level for boron, and we proactively monitor our water supply sources to identify any changes in water quality that our customers need to be informed of. If DDW does ever establish a regulatory Maximum Contaminant Level for boron, Cal Water will meet that standard, as it is committed to doing with each of DDW's other regulatory standards.

Protecting our customers' health and safety is our highest priority, and we will keep you posted of any new developments. If you have any questions, please contact John Graham, our Water Quality Program Manager for the area, at (530) 893-6381 or jgraham@calwater.com.

Sincerely,

Sophie James
Director of Water Quality

Cc: The Honorable Members, Oroville City Council
Bill Connelly, Butte County Supervisor
Toni Ruggle, District Manager, Cal Water
John Graham, Water Quality Program Manager, Cal Water
Paul Hahn, Chief Administrative Officer, Butte County
Reese Crenshaw, California Regional Water Quality Control Board
Brad Banner, Butte County Department of Public Health
Raminder Kahlon, California Public Utilities Commission

