



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

September 4, 2018
REGULAR MEETING
CLOSED SESSION 5:30 P.M.
OPEN SESSION 6:30 P.M.
AGENDA

CALL TO ORDER

ADOPT AGENDA

CLOSED SESSION (5:30 P.M.)

ROLL CALL

Council Members/Successor Agency Directors: Berry, Del Rosario, Draper, Hatley, Thomson, Vice Mayor Goodson, Mayor Dahlmeier

CONVENE TO CLOSED SESSION

The Council will hold a Closed Session on the following:

1. Pursuant to Government Code section 54957.6, the Council will meet with Labor Negotiators and City Attorney to discuss labor negotiations for the following represented groups: Oroville Firefighters' Association, Oroville Police Officers Association (Sworn and Non-Sworn), Oroville Public Safety Mid-Managers Association, Oroville Management and Confidential Association, and Oroville City Employees Association.
2. Pursuant to Government Code Section 54957(b), the Council will meet with Interim City Administrator and Personnel Officer, to evaluate the following positions: City Attorney.
3. Pursuant to Government Code section 54956.9(d)(2), the Council will meet with the Interim City Administrator and City Attorney regarding potential exposure to litigation.

RECONVENE TO OPEN SESSION (6:30 p.m.)

Announcement from Closed Session

PLEDGE OF ALLEGIANCE

PROCLAMATION / PRESENTATION

Parks Department Presentation: Bedrock Park Update

PUBLIC COMMUNICATION - HEARING OF NON-AGENDA ITEMS

This is the time for members of the public to address the Council on matters not listed on the agenda. The Council has established time limitations of three minutes per speaker and an overall time limit of thirty minutes. If more than 10 speaker cards are submitted for non-agenda items, the time limitation will be reduced to two minutes per speaker. If more than 15 speaker cards are submitted for non-agenda items, the first 15 speakers will be randomly selected to speak at the beginning of the meeting, the remaining at the end. The Mayor or presiding chair will call the names of persons who have submitted a speaker card to the City Clerk. Speakers are to step to the podium, state their name for the record, and make a brief presentation to the City Council. Pursuant to Government Code Section 54954.2, the Council is prohibited from taking action except for a brief response from the Council or staff to statements or questions relating to a non-agenda item. For agenda items, citizens who have submitted a speaker card will be called to the podium by the Mayor or Presiding Chair after which the public discussion will be closed for Council debate and decision. Speaker cards are to be presented to the City Clerk prior to roll call.

CONSENT CALENDAR - AGENDA ITEMS 1 - 6: Consent calendar items are adopted in one action by the Council. Items that are removed will be discussed and voted on immediately after adoption of consent calendar items.

1. MINUTES

Approval of minutes from August 21, 2018 City Council Meeting.

2. GRAND JURY REPORT RESPONSE

Approve the City of Oroville's response to the 2017-2018 Final Butte County Grand Jury Report and authorize the Mayor, the Acting City Administrator and the Assistant City Administrator to sign the response.

3. ART COMMISSION APPOINTMENT

Appoint Amanda Wentz to serve on the City of Oroville's Arts Commission, term ending June 30, 2021.

4. BRANDLEY CONTRACT AMENDMENT

Adopt Resolution No. 8743 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT AMENDMENT WITH REINARD W. BRANDLEY, IN THE AMOUNT OF \$90,000, FOR CONSTRUCTION INSPECTION AND CONSTRUCTION MANAGEMENT SERVICES FOR THE TAXIWAY K PROJECT AT OROVILLE MUNICIPAL AIRPORT – (Agreement No. 2006-13).

5. CALTRANS AIRPORT IMPROVEMENT PROGRAM MATCHING GRANT

Adopt Resolution No. 8744 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE SUBMITTAL OF AN APPLICATION, ACCEPTANCE OF THE ALLOCATION OF FUNDS AND EXECUTION OF A GRANT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, FOR AN AIRPORT IMPROVEMENT PROGRAM (AIP) MATCHING GRANT AND DIRECTING THE MAYOR TO EXECUTE THE STATE OF CALIFORNIA MATCHING GRANT DOCUMENTS FOR FAA AIRPORT IMPROVEMENT PROGRAM TAXIWAY K CONSTRUCTION PROJECT AT THE OROVILLE MUNICIPAL AIRPORT – (Agreement No. 3258).

PUBLIC HEARINGS – None

REGULAR BUSINESS- ITEMS 6- 7 - Action Calendar

6. CITY COUNCIL MEETING MINUTES

Discuss and provide staff direction regarding Oroville City Council minutes.

7. DECLARATION OF A SHELTER CRISIS

Discussion and possible action to declare a shelter crisis in the City of Oroville

May Adopt Resolution No. 8745 – A resolution of the Oroville City Council of the City of Oroville, State of California declaring a shelter crisis pursuant to SB 850 (Chapter 48, Statutes of 2018 and Government Code § 8698.2)

COUNCIL ANNOUNCEMENTS/DISCUSSIONS/FUTURE AGENDA ITEMS

ADMINISTRATION REPORTS

CORRESPONDENCE

ADJOURNMENT

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on Tuesday, September 18, 2018 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.

Recordings - All meetings are recorded and broadcast live on cityoforoville.org and YouTube.



**OROVILLE CITY COUNCIL
*OROVILLE SUCCESSOR AGENCY**

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**August 21, 2018
MEETING MINUTES**

CALLED TO ORDER - Meeting Called to order by Mayor Dahlmeier at 5:30pm

ROLL CALL

- PRESENT:** Council Member Hatley, Berry, Draper, Del Rosario, Vice Mayor Goodson, Mayor Dahlmeier
- ABSENT:** Council Member Thomson
- STAFF PRESENT:** Interim City Administrator Tom Lando, Chief of Public Safety/Assistant City Administrator Bill LaGrone, Interim City Clerk Joanna Gutierrez, Assistant City Clerk Jackie Glover, Finance Director Ruth Wright, Chief Building Official Gary Layman, Attorney Scott Huber, Treasurer Karolyn Fairbanks

CONVENED TO CLOSED SESSION AT 5:32 PM

The Council held a Closed Session on the following:

1. Pursuant to Government Code section 54957.6, the Council will meet with Labor Negotiators and City Attorney to discuss labor negotiations for the following represented groups: Oroville Firefighters' Association, Oroville Police Officers Association (Sworn and Non-Sworn), Oroville Public Safety Mid-Managers Association, Oroville Management and Confidential Association, and Oroville City Employees Association.
2. Pursuant to Government Code Section 54957(b), the Council will meet with Interim City Administrator and Personnel Officer, to evaluate the following positions: City Attorney.

RECONVENED TO OPEN SESSION AT 6:30 PM BY MAYOR DAHLMEIER

ANNOUNCEMENT OF CLOSED SESSION- Direction given; no action taken

PLEDGE OF ALLEGIANCE – Led by Mayor Dahlmeier

PROCLAMATION / PRESENTATION – None

PUBLIC COMMUNICATION - HEARING OF NON-AGENDA ITEMS

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

- | | |
|----------------|------------------------|
| - Cheri Bunker | - John Miller-George |
| - Bill Speer | - Khris-Tina Kelly |
| - Doug Dirks | - Lorraine Christensen |

ACKNOWLEDGEMENT OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

- | | |
|--------------------------|--------------------|
| -Bill Speer – Items 1, 2 | -Jim Moll – Item 6 |
| -Kevin Thompson – Item 6 | |

CONSENT CALENDAR - AGENDA ITEMS 3 - 4: Motion by Council Member Draper and Second by Council Member Berry approved consent calendar items 3 and 4.

AYES: Council Member Hatley, Berry, Del Rosario, Draper, Vice Mayor Goodson, Mayor Dahlmeier.
NOES: None
ABSTAIN: None
ABSENT: Council Member Thomson

3. AMENDMENT TO INTERIM CITY ADMINISTRATOR CONTRACT

- a. **ADOPTED RESOLUTION 8740** - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF OROVILLE AND TOM LANDO TO SERVE AS INTERIM CITY ADMINISTRATOR. (Agreement No. 3246-3). Approval will extend services through June 30, 2019.

4. THE 2018 HOME INVESTMENT PARTNERSHIPS PROGRAM APPLICATION

- a. **Adopted Resolution No. 8741** - 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 \$1,000,000, UNDER THE 2018 HOME INVESTMENT PARTNERSHIPS PROGRAM; AND IF SELECTED, THE EXECUTION OF A STANDARD AGREEMENT, ANY AMENDMENTS THERETO, AND ANY OTHER RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE 2018 HOME INVESTMENT PARTNERSHIPS PROGRAM.
- b. **Adopted Successor Agency Resolution No. 18-01** - 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 2018 HOME INVESTMENT PARTNERSHIPS PROGRAM.

ITEMS REMOVED FROM CONSENT CALENDAR – ITEMS 1, 2, and 5

- 1. **MINUTES:** Motion by Vice Mayor Goodson and second by Council Member Berry approved the minutes from August 7, 2018 Joint City Council and Planning Commission Meeting with changes.
 - a. Remove Susan Weber-Brown from the favor side on Item 3
 - b. Add Eric Smith to Public Comment – Add City Attorney Remarkd
 - c. Lorraine Christensen- Add City Attorney Remarkd

AYES: Council Member Hatley, Berry, Del Rosario, Draper, Vice Mayor Goodson, Mayor Dahlmeier.
NOES: None
ABSTAIN: None
ABSENT: Council Member Thomson

2. PLANNING CONSULTANT SERVICES

- a. **Motion by Vice Mayor Goodson and second by Council Member Draper adopted Resolution 8739** - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT WITH ECORP CONSULTING, INC., FOR CONTRACT PLANNING SERVICES IN AN AMOUNT NOT TO EXCEED \$25,000 – (Agreement No. 3257).

and

- b. Authorized staff to enter into an agreement with ECORP to process the Sidenglance Industrial Park Annexation and directed staff to negotiate for full reimbursement from applicant for this annexation.

AYES: Council Member Hatley, Berry, Del Rosario, Draper, Vice Mayor Goodson

NOES: Mayor Dahlmeier

ABSTAIN: None

ABSENT: Council Member Thomson

Council Member Del Rosario and Interim City Administrator Lando recused themselves from the meeting at 6:58pm

5. SUB-RECIPIENT AGREEMENT WITH CATALYST DOMESTIC VIOLENCE SERVICES

- a. **Motion by Vice Mayor Goodson and second by Council Member Berry Adopted Resolution No. 8742** - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A SUB-RECIPIENT AGREEMENT BETWEEN THE CITY OF OROVILLE AND CATALYST DOMESTIC VIOLENCE SERVICES - (Agreement No. 3133-1).

AYES: Council Member Hatley, Berry, Draper, Vice Mayor Goodson, Mayor Dahlmeier.

NOES: None

ABSTAIN: None

ABSENT: Council Member Thomson, Del Rosario

Council member Del Rosario and Interim City Administrator returned to the meeting at 7:07pm.

PUBLIC HEARINGS – None

REGULAR BUSINESS- Action Calendar

6. **REVIEW OF PRIORITY LIST FOR THE USE OF EXCESS BOND PROCEEDS** – After a presentation by Chief LaGrone, the council discussed the items presented and directed staff to move forward with all the items presented, to gather more information, Bond Agency approval, and bring back when ready for final approval.

COUNCIL ANNOUNCEMENTS/DISCUSSIONS/FUTURE AGENDA ITEMS

- Council Member Del Rosario attended a STAGE Meeting and informed that there will be A Wurlitzer Theatre Organ 101 Oct 5th to show what all the Organ can do and a Classic Movie – “*The Bridge on the River Kwai*” November 9th at the State Theatre.
- Council Member Draper attended the Butte County Homeless Continuum of Care meeting and informed that there is a Homeless Emergency Aid Program Grant and Butte County has \$4,889,944 to distribute. The first application period ends December 31st, 2018. Funds will be awarded 60-90 days from date of award. Cities must declare a Shelter Emergency for their community to apply for the funds.
- **Council Members Draper, Del Rosario, and Vice Mayor Goodson requested that a Declaration of Shelter Emergency be placed on the next agenda along with a letter of support to Butte County.**

CITY ADMINISTRATOR/ ADMINISTRATION REPORTS (A verbal or written report may be given)

- Chief LaGrone reported:
 - o Old Ferry Rd – The Bath House area – will be opening next week. There will be cement barriers blocking the area that is not yet accessible.
 - o Bedrock Park – Benches at the outdoor amphitheater will be removed as they have become broken and dangerous.
 - o All Parks – Looking at upgrading to a Master Control Watering System to save the city money and will be bringing it back to council.

CORRESPONDENCE

- League of California Cities Conference Resolutions and Letters of Support
 - o Note: City Council appointed Vice Mayor Goodson to represent the city at the League of California Cities Conference.

ADJOURNMENT

The meeting was adjourned at 8:11pm to the next regular meeting of the Oroville City Council on Tuesday, September 4, 2018 at 5:30 p.m.

Approved:

Attested:

By: _____
Linda Dahlmeier, Mayor

Jackie Glover, Assistant City Clerk

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

FROM: SCOTT E. HUBER, CITY ATTORNEY

**RE: RESPONSE TO 2017-2018 FINAL BUTTE COUNTY GRAND JURY
REPORT**

DATE: SEPTEMBER 4, 2018

SUMMARY

The Council will consider approving the response to the Final 2017-2018 Butte County Grand Jury Report on behalf of the City of Oroville.

DISCUSSION

On June 15, 2018, the Butte County Grand Jury issued a final report regarding police and fire services within the City of Oroville. The Grand Jury conducted inquiry related to the staffing, morale and service levels related to the police and fire departments at the City of Oroville, among other things. The Grand Jury made several comments and recommendations.

The Grand Jury concluded that the City should strive to find new sources of revenue, and that the City should hire more staff.

As has occurred in previous years, the Grand Jury requests a response from the City Council and the Acting City Administrator. Penal Code section 933, subsection (c), provides that when the grand jury submits a final report on the operations of any public agency, "the governing body of the public agency shall comment ... on the findings and recommendations pertaining to matters under the control of the governing body...." Accordingly, the response must come from the City Council

FISCAL IMPACT

None.

RECOMMENDATION

Approve the City of Oroville's response to the 2017-2018 Final Butte County Grand Jury Report and authorize the Mayor, the Acting City Administrator and the Assistant City Administrator to sign the response.

ATTACHMENTS

Draft Response to the 2017-2018 Final Butte County Grand Jury Report (Will be provided as additional agenda materials)

**CITY OF OROVILLE
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: BILL LAGRONE, ASSISTANT CITY ADMINISTRATOR

RE: APPOINTMENT TO THE CITY OF OROVILLE ARTS COMMISSION

DATE: SEPTEMBER 4, 2018

SUMMARY

The Council may consider appointing a qualified applicant to the City of Oroville Arts Commission term ending June 30, 2021.

DISCUSSION

The City of Oroville's Arts Commission was formed in October 2008 to serve as advocates for the Arts and as a community partner in the design and development of the City's cultural life and environment.

The City is required to appoint five representatives to the Arts Commission: one City Council member or designee, one Oroville Park Commissioner, one City resident and two community members residing within the Greater Oroville Area.

Staff has advertised and received one application from Amanda Wentz to fill the vacancy created by the resignation of former Arts Commission member Sarah Britton. One applicant is a current City resident; the other is a Greater Oroville Area resident. If appointed, the selected applicant will complete the remainder of the term vacated by Sarah Britton. The term expires on June 30, 2021.

RECOMMENDATIONS

1. Appoint Amanda Wentz to serve on the City of Oroville's Arts Commission, term ending June 30, 2021.

ATTACHMENTS

A - Application for Appointment from Amanda Wentz



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:
Arts Commission

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

- | | |
|---|--|
| <input type="checkbox"/> Planning Commission | <input checked="" 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): Amanda Kay Wentz

Residence Address: 310 Plumas Dr.

Mailing Address (if different): 2600 Oro Dam Blvd. E.

Telephone: 530-588-4004 E-Mail Address: awentz@orovillesportsclub.com

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

EMPLOYMENT INFORMATION

Occupation: Chief Operating Officer

Current Employer: Oroville Sports Club

Current Employer Address: 2600 Oro Dam Blvd. E.

Telephone: 530-538-0123

EXPERIENCE/BACKGROUND

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

Education: M.S., Industrial Organizational Psychology, B.A, Business Management Econ, BA Pysch

Memberships of Organizations: Corporate Secretary, STAGE

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

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

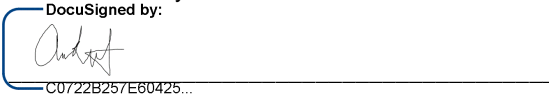
Page 2 APPLICATIONS FOR APPOINTMENT TO CITY COMMITTEE OR COMMISSION

How did you hear about this recruitment? (Optional)

VERIFICATION

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

Date: 5-30-18

Signature: 

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

I have been on the STAGE Board for almost 4 years. I am a local business owner and was raised in Oroville. I would love to be a part of the Arts Commission to help aid in the beatification of Oroville through the arts. My backgrounds in the arts include performing and providing technical support with LPHS, Chico State and UC Santa Cruz. I also spent several years working for Arts & Lectures, a nonprofit organization that aimed to promote the high arts in the Santa Cruz region.

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

FROM: RICK FARLEY, AIRPORT MANAGER AND RECYCLING COORDINATOR

RE: PROFESSIONAL SERVICES AGREEMENT WITH REINARD W. BRANDLEY FOR CONSTRUCTION INSPECTION AND MANAGEMENT SERVICES (CICM) FOR THE AIRPORT CONSTRUCTION OF TAXIWAY K PROJECT

DATE: SEPTEMBER 4, 2018

SUMMARY

The Council may consider a Professional Services Agreement Amendment with Reinard W. Brandley, Consulting Airport Engineer (Brandley), in the amount of \$90,000 for Construction Inspection and Construction Management (CICM) Services for the Construction of Taxiway K Project (Project) at Oroville Municipal Airport.

DISCUSSION

The Construction of Taxiway K Project (Project) is on the City's Federal Aviation Administration (FAA) approved Airport Capital Improvement Program (ACIP) List. The Project has is as follows:

Construct Taxiway K (50' x 425') - Currently access to the threshold at Runway 13 is from Taxiway K on the south side of Runway 13-31. To access the threshold at Runway 13 from the north side requires the pilots to cross Runway 13-31 at Taxiway L and proceed on Taxiways L and K. Construction of Taxiway K North will provide access to Runway 13 from the north side. This project will include new pavement, taxiway lights, and marking and is designed to **enhance safety** for the airfield and aircraft using the airport.

The threshold of Runway 20 has been relocated approximately 1,800 feet. The proposed construction of Taxiway K North is located on the original section of Runway 20 pavement. To avoid the confusing intersection of runway and taxiway pavements, the section of pavement on the extended section of Runway 20 will be removed to such an extent that a blast pad to Runway 20 remains as shown on the Project Sketch.

Project Date: Construction is scheduled to occur in the summer/fall of 2018.

Impacts: Construction is scheduled to last 40 working days. Runway 13-31 and Runway 2-20 will be closed during portions of this construction. Runway 13-31 will not

be closed the same time that Runway 2-20 is closed. There will be no other restrictions at the airport and it will remain open during construction.

Total Project Cost: \$701,878 with 90% funding through FAA Airport Improvement Grants.

Brandley has completed the preparation of plans, specifications and contract documents for the Project. The FAA reviewed the Project documents and issued a written approval to the City to advertise for bids. Staff advertised for construction bids which were received and opened on May 23, 2018. Knife River Construction made the lowest construction bid of \$601,878. The City has received a grant agreement from the FAA which will include funding for the construction of the Project and Brandley's CICM fees. The construction contract for the Project low bidder, Knife River was brought to the Council for consideration and was approved subject to receiving the FAA grant award which has now been received.

Brandley's fee proposal for CICM services for the Project is for \$90,000. The FAA grant will reimburse the City 90% of this amount (\$81,000). The City's portion from the Airport Fund will be \$9,000. Staff will also be applying for a State matching grant of 5% of the \$90,000 amount \$4,500, if State funds are available (State matching funds are available on a first come first serve basis). The City's share after FAA reimbursement would be \$4,500 with a State matching grant.

The FAA has approved Brandley for the CICM services.

FISCAL IMPACT

Up to 90% of the cost for Brandley's CICM services will be paid for through the FAA and 95% if the State grant is approved, with the balance paid by the Airport Fund. There is no impact to the General Fund.

Funds are available in Airport Fund Account # 4201-8010

City Finance will assign a project code.

RECOMMENDATIONS

Adopt Resolution No. 8743 - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT AMENDMENT WITH REINARD W. BRANDLEY, IN THE AMOUNT OF \$90,000, FOR CONSTRUCTION INSPECTION AND CONSTRUCTION MANAGEMENT SERVICES FOR THE TAXIWAY K PROJECT AT OROVILLE MUNICIPAL AIRPORT – (Agreement No. 2006-13).

ATTACHMENTS

Resolution No. 8743
Agreement No. 2006-13

**CITY OF OROVILLE
RESOLUTION NO. 8743**

A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH REINARD W. BRANDLEY IN THE AMOUNT OF \$90,000, FOR THE CONSTRUCTION INSPECTION AND CONSTRUCTION MANAGEMENT SERVICES (CICM) FOR THE AIRPORT CONSTRUCTION OF TAXIWAY K AT THE OROVILLE MUNICIPAL AIRPORT

(Agreement No. 2006-13)

WHEREAS, the City of Oroville has previously selected Reinard W. Brandley, Consulting Airport Engineer, as the most qualified firm, in response to a Request for Proposals for airport consulting services, and

WHEREAS, the City has negotiated with Reinard W. Brandley, Consulting Airport Engineer, for a fee of \$90,000 for the City's Construction Inspection and Construction Management Services (CICM) of the Construction of Taxiway K at the Oroville Municipal Airport (Project).

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

1. The Mayor is hereby authorized and directed to execute an Amendment to the Professional Services Agreement with Reinard W. Brandley, Airport Consulting Engineer for the Projects. A copy of the Amendment is attached to this resolution.
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 September 4, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Linda L. Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott E. Huber, City Attorney

Jackie Glover, Assistant City Clerk

THIRTEENTH AMENDMENT TO AGREEMENT NO. 2006 FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF OROVILLE AND REINARD W. BRANDLEY, CONSULTING AIRPORT ENGINEER

This Thirteenth Amendment dated September 4, 2018, is to the Agreement No 2006 between the **City of Oroville** ("City") and **Reinard W. Brandley, Consulting Airport Engineer** ("Consultant").

In consideration of the terms and conditions herein, the City and the Consultant agree that Agreement No. 2006 shall be amended as follows:

1. Consultant shall provide for City the additional consultant services set forth in Exhibit "B" attached to this Amendment.
2. City shall pay Consultant no more than an additional \$90,000.00 for the Construction Management: Construction Engineering, Resident Engineering, Testing, and Inspection Services for the Construction of Taxiway K at the Oroville Municipal Airport based on the fee proposals included in "Exhibit A" to this Amendment. Total compensation between the original Agreement, Amendments No. 1 – 12, and this Amendment shall not exceed \$508,532.00.
3. Conflicts between the Agreement, the First through Twelfth Amendments, and this Thirteenth Amendment shall be controlled by this Thirteenth Amendment. All other provisions within Agreement No. 2006 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Agreement Amendment to be executed on the date first written above.

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CITY OF OROVILLE

REINARD W. BRANDLEY

By: _____
Linda L. Dahlmeier, Mayor

By: _____
Title: _____

Business License# 10001878

Tax ID No.: 94-1263809

APPROVED AS TO FORM:

ATTEST:

By: _____
Scott E. Huber, City Attorney

By: _____
Jackie Glover, Assistant City Clerk

ATTACHMENTS:

- Exhibit A - FAA Required Contract Provisions for Obligated Sponsors Airport Improvement Program Projects
- B – Scope of Additional Services and Fee Proposal

Exhibit A – Contract Provisions for Obligated Sponsors and Airport Improvement Program Projects

1. ACCESS TO RECORDS AND REPORTS

SOURCE

2 CFR § 200.333

2 CFR § 200.336

FAA Order 5100.38

The Contractor must maintain an acceptable cost accounting system. The Contractor agrees to provide the Owner, the Federal Aviation Administration and the Comptroller General of the United States or any of their duly authorized representatives access to any books, documents, papers and records of the Contractor which are directly pertinent to the specific contract for the purpose of making audit, examination, excerpts and transcriptions. The Contractor agrees to maintain all books, records and reports required under this contract for a period of not less than three years after final payment is made and all pending matters are closed.

2. BREACH OF CONTRACT TERMS

SOURCE

2 CFR § 200 Appendix II(A)

Any violation or breach of terms of this contract on the part of the Consultant or its subcontractors may result in the suspension or termination of this contract or such other action that may be necessary to enforce the rights of the parties of this agreement.

Owner will provide Consultant written notice that describes the nature of the breach and corrective actions the Consultant must undertake in order to avoid termination of the contract. Owner reserves the right to withhold payments to Contractor until such time the Contractor corrects the breach or the Owner elects to terminate the contract. The Owner's notice will identify a specific date by which the Consultant must correct the breach. Owner may proceed with termination of the contract if the Consultant fails to correct the breach by the deadline indicated in the Owner's notice.

The duties and obligations imposed by the Contract Documents and the rights and remedies available thereunder are in addition to, and not a limitation of, any duties, obligations, rights and remedies otherwise imposed or available by law.

3. CIVIL RIGHTS - GENERAL

SOURCE

49 USC § 47123

GENERAL CIVIL RIGHTS PROVISIONS

The Contractor agrees to comply with pertinent statutes, Executive Orders and such rules as are promulgated to ensure that no person shall, on the grounds of race, creed, color, national origin, sex, age, or disability be excluded from participating in any activity conducted with or benefiting from Federal assistance.

This provision binds the Contractor and subcontractors from the bid solicitation period through the completion of the contract. This provision is in addition to that required by Title VI of the Civil Rights Act of 1964.

4. CIVIL RIGHTS – TITLE VI ASSURANCE

SOURCE

49 USC § 47123

FAA Order 1400.11

Compliance with Nondiscrimination Requirements:

During the performance of this contract, the Contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “Contractor”), agrees as follows:

1. **Compliance with Regulations:** The Contractor (hereinafter includes consultants) will comply with the Title VI List of Pertinent Nondiscrimination Acts and Authorities, as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The Contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The Contractor will not participate directly or indirectly in the discrimination prohibited by the Nondiscrimination Acts and Authorities, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR part 21.
3. **Solicitations for Subcontracts, including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding or negotiation made by the Contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the Contractor of the contractor’s obligations under this contract and the Nondiscrimination Acts and Authorities on the grounds of race, color, or national origin.
4. **Information and Reports:** The Contractor will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the sponsor or the Federal Aviation Administration to be pertinent to ascertain

- Titles II and III of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 USC §§ 12131 – 12189) as implemented by U.S. Department of Transportation regulations at 49 CFR parts 37 and 38;
- The Federal Aviation Administration’s Nondiscrimination statute (49 USC § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 USC 1681 et seq).

5. CLEAN AIR AND WATER POLLUTION CONTROL

SOURCE

2 CFR § 200, Appendix II(G)

Contractor agrees to comply with all applicable standards, orders, and regulations issued pursuant to the Clean Air Act (42 USC § 740-7671q) and the Federal Water Pollution Control Act as amended (33 USC § 1251-1387). The Contractor agrees to report any violation to the Owner immediately upon discovery. The Owner assumes responsibility for notifying the Environmental Protection Agency (EPA) and the Federal Aviation Administration.

Contractor must include this requirement in all subcontracts that exceeds \$150,000.

6. DEBARMENT AND SUSPENSION

SOURCE

2 CFR part 180 (Subpart C)

2 CFR part 1200

DOT Order 4200.5

By submitting a bid/proposal under this solicitation, the bidder or offeror certifies that neither it nor its principals are presently debarred or suspended by any Federal department or agency from participation in this transaction.

CERTIFICATION OF LOWER TIER CONTRACTORS REGARDING DEBARMENT

The successful bidder, by administering each lower tier subcontract that exceeds \$25,000 as a “covered transaction”, must verify each lower tier participant of a “covered transaction” under the project is not

8. DISTRACTED DRIVING

SOURCE

Executive Order 13513

DOT Order 3902.10

TEXTING WHEN DRIVING

In accordance with Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving", (10/1/2009) and DOT Order 3902.10, "Text Messaging While Driving", (12/30/2009), the Federal Aviation Administration encourages recipients of Federal grant funds to adopt and enforce safety policies that decrease crashes by distracted drivers, including policies to ban text messaging while driving when performing work related to a grant or subgrant.

In support of this initiative, the Owner encourages the Contractor to promote policies and initiatives for its employees and other work personnel that decrease crashes by distracted drivers, including policies that ban text messaging while driving motor vehicles while performing work activities associated with the project. The Contractor must include the substance of this clause in all sub-tier contracts exceeding \$3,500 that involve driving a motor vehicle in performance of work activities associated with the project.

9. ENERGY CONSERVATION REQUIREMENTS

SOURCE

2 CFR § 200, Appendix II(H)

Contractor and Subcontractor agree to comply with mandatory standards and policies relating to energy efficiency as contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 USC 6201*et seq.*).

10. EQUAL EMPLOYMENT OPPORTUNITY (EEO)

SOURCE

2 CFR 200, Appendix II(C)

41 CFR § 60-1.4

41 CFR § 60-4.3

Executive Order 11246

EQUAL OPPORTUNITY CLAUSE

During the performance of this contract, the Contractor agrees as follows:

(1) The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, sexual orientation, gender identify, or national origin. Such action shall include, but

11. FEDERAL FAIR LABOR STANDARDS ACT (FEDERAL MINIMUM WAGE)

SOURCE

29 USC § 201, et seq

All contracts and subcontracts that result from this solicitation incorporate by reference the provisions of 29 CFR part 201, the Federal Fair Labor Standards Act (FLSA), with the same force and effect as if given in full text. The FLSA sets minimum wage, overtime pay, recordkeeping, and child labor standards for full and part-time workers.

The Consultant has full responsibility to monitor compliance to the referenced statute or regulation. The Consultant must address any claims or disputes that arise from this requirement directly with the U.S. Department of Labor – Wage and Hour Division.

12. LOBBYING AND INFLUENCING FEDERAL EMPLOYEES

SOURCE

31 USC § 1352 – Byrd Anti-Lobbying Amendment

2 CFR part 200, Appendix II(J)

49 CFR part 20, Appendix A

CERTIFICATION REGARDING LOBBYING

The Bidder or Offeror certifies by signing and submitting this bid or proposal, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Bidder or Offeror, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

Note

If an applicant responds in the affirmative to either of the above representations, the applicant is ineligible to receive an award unless the sponsor has received notification from the agency suspension and debarment official (SDO) that the SDO has considered suspension or debarment and determined that further action is not required to protect the Government's interests. The applicant therefore must provide information to the owner about its tax liability or conviction to the Owner, who will then notify the FAA Airports District Office, which will then notify the agency's SDO to facilitate completion of the required considerations before award decisions are made.

Term Definitions

Felony conviction: Felony conviction means a conviction within the preceding twentyfour (24) months of a felony criminal violation under any Federal law and includes conviction of an offense defined in a section of the U.S. code that specifically classifies the offense as a felony and conviction of an offense that is classified as a felony under 18 U.S.C. § 3559.

Tax Delinquency: A tax delinquency is any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted, or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

15. TERMINATION OF CONTRACT

SOURCE

2 CFR § 200 Appendix II(B)

FAA Advisory Circular 150/5370-10, Section 80-09

TERMINATION FOR CONVENIENCE (PROFESSIONAL SERVICES)

The Owner may, by written notice to the Consultant, terminate this Agreement for its convenience and without cause or default on the part of Consultant. Upon receipt of the notice of termination, except as explicitly directed by the Owner, the Contractor must immediately discontinue all services affected.

Upon termination of the Agreement, the Consultant must deliver to the Owner all data, surveys, models, drawings, specifications, reports, maps, photographs, estimates, summaries, and other documents and materials prepared by the Engineer under this contract, whether complete or partially complete.

Owner agrees to make just and equitable compensation to the Consultant for satisfactory work completed up through the date the Consultant receives the termination notice. Compensation will not include anticipated profit on non-performed services.

Owner further agrees to hold Consultant harmless for errors or omissions in documents that are incomplete as a result of the termination action under this clause.

In the event of termination due to Owner breach, the Engineer is entitled to invoice Owner and to receive full payment for all services performed or furnished in accordance with this Agreement and all justified reimbursable expenses incurred by the Consultant through the effective date of termination action. Owner agrees to hold Consultant harmless for errors or omissions in documents that are incomplete as a result of the termination action under this clause.

16. TRADE RESTRICTION CERTIFICATION

SOURCE

49 USC § 50104

49 CFR part 30

By submission of an offer, the Offeror certifies that with respect to this solicitation and any resultant contract, the Offeror –

- 1) is not owned or controlled by one or more citizens of a foreign country included in the list of countries that discriminate against U.S. firms as published by the Office of the United States Trade Representative (USTR);
- 2) has not knowingly entered into any contract or subcontract for this project with a person that is a citizen or national of a foreign country included on the list of countries that discriminate against U.S. firms as published by the USTR; and
- 3) has not entered into any subcontract for any product to be used on the Federal project that is produced in a foreign country included on the list of countries that discriminate against U.S. firms published by the USTR.

This certification concerns a matter within the jurisdiction of an agency of the United States of America and the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution under Title 18 USC Section 1001.

The Offeror/Contractor must provide immediate written notice to the Owner if the Offeror/Contractor learns that its certification or that of a subcontractor was erroneous when submitted or has become erroneous by reason of changed circumstances. The Contractor must require subcontractors provide immediate written notice to the Contractor if at any time it learns that its certification was erroneous by reason of changed circumstances.

Unless the restrictions of this clause are waived by the Secretary of Transportation in accordance with 49 CFR 30.17, no contract shall be awarded to an Offeror or subcontractor:

- 1) who is owned or controlled by one or more citizens or nationals of a foreign country included on the list of countries that discriminate against U.S. firms published by the USTR or
- 2) whose subcontractors are owned or controlled by one or more citizens or nationals of a foreign country on such USTR list or
- 3) who incorporates in the public works project any product of a foreign country on such USTR list.

Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by this provision. The knowledge and information

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND CITY COUNCIL MEMBERS

**FROM: RICK FARLEY, AIRPORT MANAGER AND RECYCLING
COORDINATOR**

**RE: STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION
MATCHING GRANT APPLICATION FOR FAA AIRPORT
IMPROVEMENT PROGRAM TAXIWAY K CONSTRUCTION PROJECT**

DATE: SEPTEMBER 4, 2018

SUMMARY

The Council may consider a State of California Department of Transportation Matching Grant for FAA Airport Improvement Program Application for the Taxiway K Construction Project at the Oroville Municipal Airport.

DISCUSSION

The City's 2016 Airport Capital Improvement Program (ACIP) which has been approved by the FAA, includes a project for the construction of Taxiway K.

Construct Taxiway K (50' x 425') - Currently access to the threshold at Runway 13 is from Taxiway K on the south side of Runway 13-31. To access the threshold at Runway 13 from the north side requires the pilots to cross Runway 13-31 at Taxiway L and proceed on Taxiways L and K. Construction of Taxiway K North will provide access to Runway 13 from the north side. This project will include new pavement, taxiway lights, and marking and is designed to **enhance safety** for the airfield and aircraft using the airport.

The threshold of Runway 20 has been relocated approximately 1,800 feet. The proposed construction of Taxiway K North is located on the original section of Runway 20 pavement. To avoid the confusing intersection of runway and taxiway pavements, the section of pavement on the extended section of Runway 20 will be removed to such an extent that a blast pad to Runway 20 remains as shown on the Project Sketch.

Project Date: Construction is scheduled to occur in the summer/fall of 2018.

Staff has prepared a State matching grant application that will provide a 5% match of \$31,585 to the FAA grant is approved by CalTrans. The grants are approved on a first come basis until funds are exhausted. An authorizing resolution is required to accompany the State matching grant application.

A summary of the project and grant costs is presented below.

Construction Cost – Knife River Construction	\$601,878
Reinard Brandley Construction Management & Inspection	90,000
City Admin Cost:	<u>10,000</u>
Total Cost:	\$701,878

Revenue - FAA Grant at 90% (grant approved by FAA):	\$631,690
Revenue - State matching Grant at 5%:	<u>31,585</u>
Total Grant Funds	\$663,275

Balance City Cos from the Airport Fund: \$38,603

FISCAL IMPACT

Assuming the State approves the matching grant application in the amount of \$31,585, the Project will require a net outlay of City Airport funds of \$38,603 which is available and will be paid from the Airport Fund. If the state grant is not approved, the net outlay from the Airport Fund will be \$70,188. This amount is available in Airport Fund account 4201-8010.

There is no impact to the General Fund.

RECOMMENDATION

Adopt Resolution No. 8744 – A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE SUBMITTAL OF AN APPLICATION, ACCEPTANCE OF THE ALLOCATION OF FUNDS AND EXECUTION OF A GRANT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, FOR AN AIRPORT IMPROVEMENT PROGRAM (AIP) MATCHING GRANT AND DIRECTING THE MAYOR TO EXECUTE THE STATE OF CALIFORNIA MATCHING GRANT DOCUMENTS FOR FAA AIRPORT IMPROVEMENT PROGRAM TAXIWAY K CONSTRUCTION PROJECT AT THE OROVILLE MUNICIPAL AIRPORT – (Agreement No. 3258).

ATTACHMENT(S)

Resolution No. 8744
Grant Application

**CITY OF OROVILLE
RESOLUTION NO. 8744**

A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING THE SUBMITTAL OF AN APPLICATION, ACCEPTANCE OF THE ALLOCATION OF FUNDS AND EXECUTION OF A GRANT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, FOR AN AIRPORT IMPROVEMENT PROGRAM (AIP) MATCHING GRANT AND DIRECTING THE MAYOR TO EXECUTE THE STATE OF CALIFORNIA MATCHING GRANT DOCUMENTS FOR FAA AIRPORT IMPROVEMENT PROGRAM TAXIWAY K CONSTRUCTION PROJECT AT THE OROVILLE MUNICIPAL AIRPORT – (Agreement No. XXXX).

(Agreement No. 3258)

WHEREAS, the City of Oroville and the Federal Aviation Administration will be parties to Federal Airport Improvement Program (AIP) grant, No. 3-06-0178-023-2018, for the Construction of Taxiway K Project at the Oroville Municipal Airport; and

WHEREAS, the California Department of Transportation (Caltrans), pursuant to the Public Utilities Code section 21683.1, provides grants of 5.0% of Federal Aviation Administration grants to airports; and

WHEREAS, California Department of Transportation requires the Oroville City Council to adopt a resolution authorizing the submission of an application for a California Department of Transportation AIP matching grant; and

WHEREAS, the amount of the Caltrans grant would be \$31,585.

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

- Section 1 The Council authorizes and directs the Mayor to sign an application for a Caltrans matching grant for the Project.

- Section 2 The Council also authorizes the Mayor to execute the matching grant agreement with Caltrans and any documents required to apply for and accept the matching grant funds on behalf of the City or Oroville.

- Section 3 Authorizes execution of an AIP Matching Grant Agreement for this project.

- Section 4 The City Clerk shall attest to the adoption of this Resolution.

BE IT FURTHER RESOLVED, that the City Council of the City of Oroville does hereby authorize Linda L. Dahlmeier, Mayor to sign any documents required to apply for and accept these funds on behalf of the City of Oroville.

PASSED AND ADOPTED by the Oroville City Council at a regular meeting held on September 4, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED AS TO FORM:

Scott E. Huber, City Attorney

Linda L. Dahlmeier, Mayor

ATTEST:

Jackie Glover, Assistant City Clerk

STATE MATCHING GRANT FOR FAA AIRPORT IMPROVEMENT PROGRAM - APPLICATION
DOA-0012 (REV 06/2011)

PLEASE PRINT OR TYPE AND COMPLETE ALL ITEMS

PART I. AIRPORT INFORMATION

PUBLIC ENTITY City of Oroville	AIRPORT NAME Oroville Municipal Airport	PERMIT NO. BUT-002
CONTACT NAME Rick Farley	TITLE Airport Manager	
BUSINESS ADDRESS 1735 Montgomery Street, Oroville, CA 95965		BUSINESS PHONE 530-538-4307

PART II. PROJECT INFORMATION

Verify that project is within the Department's most recent Capital Improvement Plan: YES NO If no, then project is not eligible for grant funds.

DESCRIPTIVE TITLE OF APPLICANT'S PROJECT(as shown on page one of the executed grant agreement and in the adopted Capital Improvement Plan): Attach Additional Sheets If Necessary	FEDERAL GRANT	\$ 631,690
Construct Taxiway K (50 Feet x 425 Feet)	APPLICANT FUNDS	\$ 38,603
	STATE * FUNDS	\$ 31,585
	TOTAL COST OF PROJECT	\$701,878
	* Maximum is 5% of the federal grant amount	

PART III. REQUIRED SUPPORTING DOCUMENTS

Pursuant to Public Utilities Code Sections 21681-21684 and Section 4067 of the CAAP Regulations, please submit the following documents with this application:

- Local government approval (*resolution or minute order*) as described in Section 4067(a).
- FAA Grant Agreement with FAA and sponsor signatures.
- Verification of full compliance with the California Environmental Quality Act (CEQA) by submitting information to fulfill either 1. or 2. below:
 - Copy of Notice of Exemption or provide the Categorical Exemption Class # 15303 (CEQA Guidelines Sections 15300-15333)
 - Copy of Notice of Determination or provide the following information:
 - Environmental Impact Report (Title/Date) _____ State Clearinghouse (SCH)# _____ or
 - Negative Declaration (Title/Date) _____ State Clearinghouse (SCH)# _____ or
 - National Environmental Policy Act (NEPA) document (Title/Date) _____
(NEPA documents-Environmental Impact Statement or Finding of No Significant Impact must comply with CEQA provisions)
- 11 x 17-inch Drawing or Airport Layout Plan showing project location(s) and dimensions.
- Completed CAAP Certification (Form DOA-0007), if not submitted to the Division of Aeronautics earlier for this fiscal year.
- Additional documentation may be required if items in the FAA AIP grant are not eligible for CAAP funding.

PART IV. AUTHORIZATION

AUTHORIZED OFFICIAL'S SIGNATURE	TITLE Mayor
PRINT NAME Linda L. Dahlmeier	DATE

SEND COMPLETED APPLICATION AND ALL SUPPORTING DOCUMENTS TO:

CALIFORNIA DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS - MS #40
P. O. BOX 942874
SACRAMENTO, CA 94274-0001

ADA Notice

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**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

FROM: BILL LAGRONE, ASSISTANT CITY ADMINISTRATOR

RE: COUNCIL MEETING MINUTES

DATE: SEPTEMBER 4, 2018

SUMMARY

The Council may provide directions regarding how minutes for meeting are to be kept

DISCUSSION

City Council minutes are considered local authority business, individual authorities (Council's) will have their own preferences regarding the form that the minutes should take. The emphasis should be on a clear and concise recording of the decisions taken and the reasons for taking them.

On February 17, 1998, the Oroville City Council unanimously voted "to approve action minutes and tape recordings as the official record of Council Meetings". See attachment A for additional details.

Staff needs direction as to how the Council would like to have the minutes of the meetings documented. Action minutes would only include the action taken by the City Council and not include each person's comments. If an individual would like to see or hear all the comments provided the City Council those comments would be memorialized in the audio/video available on the City Website. The minutes should include a statement directing those interested to the website to view the meeting of interest.

FISCAL IMPACT

None known at this time

RECOMMENDATION

Provide Staff Direction

ATTACHMENTS

Minutes of February 17, 1998 Council Meeting

February 17, 1998

The agenda for the February 17, 1998 meeting of the Oroville City Council was posted on the bulletin board on the front steps of City Hall at 10:40 a.m. on Friday, February 13, 1998.

The February 17, 1998 meeting of the Oroville City Council was called to order at 7 p.m. by Mayor Diver.

ROLL CALL

PRESENT: Andoe, Hatley, Koslin, Lightle, Morgan, Fairbanks, Diver

ABSENT: None

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was be led by members of the Oroville 4-H Club.

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

Requesting to speak on Item 4 - OUTSIDE INVESTIGATOR - CLAIM AGAINST COUNCIL MEMBER were David Noel, Sharon Atteberry and Chris Darker.

Requesting to speak on Item 16 - 1996-97 AUDIT MANAGEMENT LETTER was Chris Darker.

Requesting to speak on Item 19 - REQUEST FOR WAIVER OF VARIANCE APPLICATION - FEATHER RIVER RECREATION AND PARK DISTRICT was Scott Lawrence.

PROCLAMATION/PRESENTATION

1. PROCLAMATION OF APPRECIATION OF THE TRUE LOVE WAITS CAMPAIGN

Council Member Morgan presented the proclamation of appreciation to representatives of various school organizations participating in the campaign.

PROCLAMATION PROCLAIMING THE WEEK OF FEBRUARY 21 - 28, 1998 AS FFA WEEK

Council Member Andoe presented the proclamation to members of the Las Plumas Chapter of FFA, who in-turn presented the City with a certificate of appreciation.

CONSENT CALENDAR

A motion by Council Member Morgan, seconded by Council Member Lightle, to approve the following Consent Calendar:

February 17, 1998

2. QUITCLAIM DEEDS FOR ASHLEY WAY

Council considered authorizing the Mayor to sign the Quitclaim Deeds for Ashley Way.

Recommendation:

1. Adopt Resolution No. 5265 - RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A QUITCLAIM DEED TO WILLIAM E. LAUER AND PAULINE A. LAUER.
2. Adopt Resolution No. 5266 - A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A QUITCLAIM DEED TO KENNETH J. HUNDERMAN

3. CAPITAL PROJECT CARRY-OVERS FROM 96/97 BUDGET

Council considered approving a request to carry over the 1996/97 capital project funding to the 1997/98 budget.

Recommendation: Authorize Staff to carry over the balances of 1996/97 capital projects' budgets to the 1997/98 budget for use on the above noted capital projects.

passed by the following vote:

AYES: Andoe, Hatley, Koslin, Lightle, Morgan, Fairbanks, Diver
NOES: None
ABSTAIN: None
ABSENT: None

PUBLIC HEARING - NONE

MAYOR'S REPORT

4. OUTSIDE INVESTIGATOR - CLAIM AGAINST COUNCIL MEMBER

The Council considered hiring an outside investigator.

Speaking to this item were David Noel, Sharon Atteberry, President of the OCEA, and Chris Darker, Labor Representative of OMMA.

A motion by Council Member Andoe to send this matter and the letter from Val Schiele to Executive Committee, died for a lack of a second.

February 17, 1998

A motion by Council Member Andoe, seconded by Council Member Koslin, to move on to the next agenda item, passed by the following vote:

AYES: Andoe, Hatley, Koslin, Lightle, Morgan, Fairbanks
NOES: Diver
ABSTAIN: None
ABSENT: None

5. LETTER FROM UNITED PUBLIC EMPLOYEES OF CALIFORNIA LOCAL 792

No action was required.

COUNCIL COMMITTEE REPORTS

6. MARKETING COMMITTEE Fairbanks, Andoe

A verbal report was given on the February 4, 1998 meeting by Vice Mayor Fairbanks.

7. HOUSING LOAN ADVISORY COMMITTEE Fairbanks, Andoe

A verbal report was given on the February 5, 1998 meeting by Vice Mayor Fairbanks.

8. CHAMBER BOARD MEETING Fairbanks

A verbal report was given on the February 10, 1998 meeting by Vice Mayor Fairbanks.

9. SKATE BOARD PARK COMMITTEE Lightle, Andoe

A verbal report given on the February 11, 1998 meeting by Council Member Lightle.

10. CHAO (Children's Health Alliance of Oroville) Morgan

A verbal report was given on the February 12, 1998 meeting by Council Member Morgan.

COUNCIL REPORTS/ANNOUNCEMENTS

BUDGET

Council Member Hatley requested a study session on the budget for 1996-97.

SPECIAL MEETING

Mayor Diver spoke to the request of Vice Mayor Fairbanks and Council Members Andoe and

February 17, 1998

Hatley for a Special Council on Tuesday, February 24, 1998.

REGULAR BUSINESS

13. COUNCIL AND OPFA MINUTES DATED JANUARY 20, 1998

The Council considered approval of the revised January 20, 1998 minutes or the action minutes of January 20, 1998.

A motion by Vice Mayor Fairbanks, seconded by Council Member Morgan, to approve the City Council and OPFA action minutes of January 20, 1998 with the recommended change, passed by the following vote:

AYES: Andoe, Hatley, Koslin, Lightle, Morgan, Fairbanks, Diver
NOES: None
ABSTAIN: None
ABSENT: None

14. COUNCIL MINUTES AND TAPES

The Council will consider action minutes and tape recordings of the meetings as the official record of meetings.

A motion by Council Member Koslin, seconded by Council Member Morgan, to approve action minutes and tape recordings as the official record of Council Meetings, passed by the following vote:

AYES: Andoe, Hatley, Koslin, Lightle, Morgan, Fairbanks, Diver
NOES: None
ABSTAIN: None
ABSENT: None

15. FIRST TIME HOME BUYER PROGRAM GUIDELINES

The Council considered adopting revised City of Oroville First Time Home Buyer (FTHB) Program Guidelines.

A motion by Council Member Morgan, seconded by Council Member Lightle, to adopt revised Policies and Procedures for the City of Oroville's First Time Home Buyer Program with the recommended changes, passed by the following vote:

AYES: Andoe, Hatley, Koslin, Lightle, Morgan, Fairbanks, Diver

16. 1996-97 AUDIT MANAGEMENT LETTER

February 17, 1998

The Council considered the 1997-96 Audit Management Letter issues and recommendations.

Speaking on this item was Chris Darker, Labor Representative of the OMMA.

A motion by Council Member Koslin, seconded by Council Member Lightle, to postpone this item to a future meeting, passed by the following vote:

AYES: Andoe, Hatley, Koslin, Lightle, Fairbanks
NOES: Diver
ABSTAIN: None
ABSENT: None
NOT VOTING: Morgan

17. 1998 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

The Council considered authorizing staff to prepare an application to the State Department of Housing and Community Development to request funding from General Allocation component of the Community Development Block Grant (CDBG) Program for 1998.

A motion by Council Member Morgan, seconded by Council Member Lightle, to authorize Staff to prepare an application to the State Department of Housing and Community Development for the General Allocation component of the 1998 CDBG Program, passed by the following vote:

AYES: Andoe, Hatley, Koslin, Lightle, Morgan, Fairbanks, Diver
NOES: None
ABSTAIN: None
ABSENT: None

18. ESTABLISHING A NO FEE APPLICATION

The Council considered establishing a no fee application for Planning Commission Interpretations.

A motion by Council Member Morgan, seconded by Council Member Lightle, to approve the Planning Commission recommendation to establish a no fee Planning Commission application for interpretations, passed by the following vote:

AYES: Andoe, Hatley, Koslin, Lightle, Morgan, Fairbanks, Diver
NOES: None
ABSTAIN: None
ABSENT: None

February 17, 1998

19. REQUEST FOR WAIVER OF VARIANCE APPLICATION - FEATHER RIVER RECREATION AND PARK DISTRICT

The Council considered a request from Scott Lawrence, Director of Feather River Recreation & Park District, for a waiver of the Variance Application Fee of \$250.00 to place an oversized sign along Highway 70, at the Nelson Avenue Complex.

Speaking to this item was Scott Lawrence of FRR&P District.

A motion by Council Member Fairbanks, seconded by Council Member Lightle, to approve request for waiver of Variance Application Fee, passed by the following vote:

AYES: Andoe, Hatley, Koslin, Lightle, Morgan, Fairbanks, Diver
NOES: None
ABSTAIN: None
ABSENT: None

20. AGREEMENTS WITH ROPLAST INDUSTRIES, INC

The Council considered approving two separate amendments to existing agreements with Roplast Industries, Inc., one with the City and one with the Redevelopment Agency.

Speaking to this item was Robert Bateman, President of Roplast.

A motion by Council Member Morgan, seconded by Vice Mayor Fairbanks, to approve Resolution No. 5263 - A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A THIRD AMENDMENT TO THE OPTION AGREEMENT BETWEEN THE CITY AND ROPLAST INDUSTRIES, INC. TO PURCHASE LAND, passed by the following vote:

AYES: Andoe, Hatley, Koslin, Morgan, Fairbanks
NOES: None
ABSTAIN: Lightle, Diver
ABSENT: None

A motion by Vice Mayor Fairbanks, seconded by Council Member Morgan, to approve Resolution No. 5264 - A RESOLUTION APPROVING AND AUTHORIZING AMENDMENT NO. 2 TO OWNERS PARTICIPATION AGREEMENT BETWEEN THE OROVILLE REDEVELOPMENT AGENCY AND ROPLAST INDUSTRIES, INC., passed by the following vote:

AYES: Andoe, Hatley, Koslin, Morgan, Fairbanks
NOES: None

February 17, 1998

ABSTAIN: Lightle, Diver
ABSENT: None

CORRESPONDENCE - NONE

HEARING OF INDIVIDUALS ON NONAGENDA ITEMS

Bruce Wristen read a letter from Relieved Oroville Employees dated February 16, 1998.


Mark asked to have an item placed on the March 3, 1998 agenda to consider the banning of shopping carts.

Dick Coughlin read a letter from the Silent Majority.

CLOSED SESSION - NONE

ADJOURNMENT

The meeting was adjourned at 8:58 p.m. to Tuesday, March 3, 1998 at 7:00 p.m.


Deputy City Clerk


Mayor

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

FROM: BILL LAGRONE, ASSISTANT CITY ADMINISTRATOR

RE: DECLARATION OF SHELTER CRISIS

DATE: SEPTEMBER 4, 2018

SUMMARY

The Council may consider a declaration of the shelter crisis

DISCUSSION

The 2018 state budget signed by Governor Brown on June 27, 2018 provides for \$250 million, one-time funds, to Continuums of Care (CoCs); \$100 million in homelessness funds to CoCs, allocated proportional to each jurisdiction's point-in-time count; and \$150 million to cities or cities and counties with a population over 330,000.

These funds can be used for a variety of services and programs, including prevention, emergency shelters, bridge housing, motel vouchers, and supportive housing. California Government Code Section 8698 defines a shelter crisis as: "the duly proclaimed existence of a situation in which a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety." Each City and the County are required to declare a Shelter Crisis to be eligible for these grants.

Government Code Section 8698 allows for use of public facilities for emergency shelter. Suspends state/local requirements prescribing standards of housing, health, and safety for those facilities and limits liability for ordinary negligence in those facilities. Jurisdictions may open designated public facilities to shelter people experiencing homelessness. However, all facilities must still comply with Federal laws, i.e., Americans with Disabilities Act (ADA). These changes allow Municipalities to enact alternate municipal health and safety standards to ensure basic levels of public health and safety conditions. This change applies only to additional public facilities opened to shelter people experiencing homelessness during the shelter crisis.

FISCAL IMPACT

None known at this time

RECOMMENDATION

Discuss and consider whether to declare a shelter crisis in the City of Oroville

May Adopt Resolution No. 8745 – A resolution of the Oroville City Council of the City of Oroville, State of California declaring a shelter crisis pursuant to SB 850 (Chapter 48, Statutes of 2018 and Government Code § 8698.2)

ATTACHMENTS

Resolution No. 8745
Government Code Section 8698

OROVILLE CITY COUNCIL

RESOLUTION NO. 8745

A RESOLUTION OF THE OROVILLE CITY COUNCIL OF THE CITY OF OROVILLE, STATE OF CALIFORNIA DECLARING A SHELTER CRISIS PURSUANT TO SB850 (CHAPTER 48, STATUTES OF 2018 AND GOVERNMENT CODE § 8698.2)

The Oroville City Council Finds:

WHEREAS, California's Governor Edmund G. Brown, Jr. and the members of the California Legislature have recognized the urgent and immediate need for funding at the local level to combat homelessness;

WHEREAS, The Governor and Legislature have provided funding to local governments under the Homeless Emergency Aid Program as part of SB 850 and the 2018-19 Budget Act (Chapter 48, Statutes of 2018);

WHEREAS, The Governor and Legislature require jurisdictions seeking an allocation through the Homeless Emergency Aid Program to declare a Shelter Crisis pursuant to Government Code §8698.2;

WHEREAS, Oroville has developed a homelessness plan and undertaken multiple efforts at the local level to combat homelessness;

WHEREAS, Oroville finds that 1195 persons within the Continuum of Care region that Oroville is within are homeless and living without shelter;

WHEREAS, the City of Oroville finds that the number of homeless is significant, and these persons are without the ability to obtain shelter;

WHEREAS, the City of Oroville finds that the health and safety of unsheltered persons in the City of Oroville is threatened by a lack of shelter;

WHEREAS, the City of Oroville affirms the City's commitment to combatting homelessness and creating or augmenting a continuum of shelter and service options for those living without shelter in our communities;

NOW, THEREFORE, BE IT RESOLVED BY THE OROVILLE CITY COUNCIL, OROVILLE CALIFORNIA, that a shelter crisis pursuant to Government Code §8698.2 exists in Oroville and authorizes the City of Oroville's participation in the Homeless Emergency Aid Program.

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 September 4, 2018 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Linda Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott E. Huber, City Attorney

Jackie Glover, Assistant City Clerk

8698. For purposes of this chapter, the following definitions shall apply:

(a) Political subdivision includes the state, any city, city and county, county, special district, or school district or public agency authorized by law.

(b) Governing body means the following:

(1) The Governor for the state.

(2) The legislative body for a city or city and county.

(3) The board of supervisors for a county.

(4) The governing board or board of trustees for a district or other public agency.

(5) An official designated by ordinance or resolution adopted by a governing body, as defined in paragraph (2), (3), or (4).

(c) Public facility means any facility of a political subdivision including parks, schools, and vacant or underutilized facilities which are owned, operated, leased, or maintained, or any combination thereof, by the political subdivision through money derived by taxation or assessment.

(d) Declaration of a shelter crisis means the duly proclaimed existence of a situation in which a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety.

8698.1. Upon a declaration of a shelter crisis, the following provisions shall apply during the period of the emergency.

(a) The political subdivision shall be immune from liability for ordinary negligence in the provision of emergency housing pursuant to Section 8698.2. This limitation of liability shall apply only to conditions, acts, or omissions directly related to, and which would not occur but for, the provision of emergency housing. This section does not limit liability for grossly negligent, reckless, or intentional conduct which causes injury.

(b) The provisions of any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis. Political subdivisions may, in place of such standards, enact municipal health and safety standards to be operative during the housing emergency consistent with ensuring minimal public health and safety. The provisions of this section apply only to additional public facilities open to the homeless pursuant to this chapter.

8698.2. (a) (1) The governing body may declare a shelter crisis, and may take such action as is necessary to carry out the provisions of this chapter, upon a finding by that governing body that a significant number of persons within the jurisdiction of the governing body are without the ability to obtain shelter, and that the situation has resulted in a threat to the health and safety of those persons.

(2) For purposes of this chapter, the governing body of the state, in making a declaration of a shelter crisis pursuant to paragraph (1), may limit that declaration to any geographical portion of the state.

(b) Upon a declaration of a shelter crisis pursuant to subdivision (a), the political subdivision may allow persons unable to obtain housing to occupy designated public facilities during the duration of the state of emergency.