



## **OROVILLE CITY COUNCIL**

Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**February 19, 2019**  
**REGULAR MEETING**  
**CLOSED SESSION 5:00 PM**  
**OPEN SESSION 6:00 PM**  
**AGENDA**

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### **CALL TO ORDER**

### **ROLL CALL**

Council Members: David Pitman, Eric Smith, Linda Draper, Art Hatley, Janet Goodson, Vice Mayor Scott Thomson, Mayor Chuck Reynolds

### **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 54956.9(d)(2), the Council will meet with the Acting City Administrator and City Attorney regarding potential exposure to litigation – one case.
3. Pursuant to Government Code Section 54957(b), the Council will meet with Acting City Administrator, Personnel Officer, and/or City Attorney to consider the employment related to the following positions: City Administrator.

### **RECONVENE TO OPEN SESSION (6:00 p.m.)**

Announcement from Closed Session

### **PLEDGE OF ALLEGIANCE**

### **ADOPT AGENDA**

### **PRESENTATIONS/PROCLAMATIONS/OATH OF OFFICE**

1. Black History Month Proclamation
2. Muni Services Sales Tax Presentation
3. Finance Department CAFR Presentation

## REQUESTS TO ADDRESS COUNCIL

If you would like to address the Council at this meeting, you are requested to complete the blue speaker request form (located on the wall by the agendas) and hand it to the City Clerk, who is seated on the right of the Council Chamber. The form assists the Clerk with minute taking and assists the Mayor or presiding chair in conducting an orderly meeting. Providing personal information on the form is voluntary. For scheduled agenda items, please submit the form prior to the conclusion of the staff presentation for that item. Council has established time limitations of two (2) minutes per speaker on all items and an overall time limit of thirty minutes for non-agenda items. If more than 10 speaker cards are submitted for non-agenda items, the time limitation would be reduced to one and a half 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, with the remaining speakers given an opportunity at the end. **(California Government Code §54954.3(b)).** 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.

**PUBLIC COMMUNICATION - HEARING OF NON-AGENDA ITEMS** - This is the time to address the Council about any item not listed on the agenda. If you wish to address the Council on an item listed on the agenda, please follow the directions listed above.

**CONSENT CALENDAR -Items 1 - 4** 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**

Council may approve the minutes of City Council Special Meeting on January 31, 2019, Regular City Council Meeting on February 5, 2019 and Special City Council Meeting on February 5, 2019

#### **RECOMMENDATION**

Approval of minutes

### **2. TENTATIVE AGREEMENT with the OROVILLE POLICE OFFICERS ASSOCIATION (Sworn Unit)**

Adoption of Tentative Agreement, Oroville Police Officers Association (OPOA) Sworn

#### **RECOMMENDATION**

Approve tentative agreement

### **3. TENTATIVE AGREEMENT with the OROVILLE POLICE OFFICERS ASSOCIATION (Non-Sworn Unit)**

Adoption of Tentative Agreement, Oroville Police Officers Association (OPOA) Non-Sworn

#### **RECOMMENDATION**

Approve tentative agreement

### **4. SIDE LETTER TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE MID MANAGEMENT AND CONFIDENTIAL ASSOCIATION**

The Council may consider a Side Letter to the Memorandum of Understanding (MOU) between the City of Oroville and the Oroville Mid Management and Confidential Association (OMCA), relating to Section 7.8 Furlough of the Oroville Mid-Manager and Confidential Association suspending this section until July 1, 2019.

### **RECOMMENDATION**

Adopt Resolution No. XXXX - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A SIDE LETTER TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE MIDMANGEMENT AND CONFIDENTIAL ASSOCIATION (Agreement No. 3083-7)

### **PUBLIC HEARINGS**

None.

### **REGULAR BUSINESS - Action Calendar**

#### **5. SGMA – WYANDOTTE CREEK GSA BOARD MEMBER AND ALTERNATE BOARD MEMBER APPOINTMENT**

The Council may consider the appointment of one member of the City Council to serve on the Wyandotte Creek sub-basin Groundwater Sustainability Agency (GSA) Board. The council may also consider the appointment of an alternate board member.

### **RECOMMENDATION**

Appoint one member of City Council to the Wyandotte Creek JSA Board and one alternate.

#### **6. RESOLUTION SETTING A PUBLIC HEARING DATE ON THE INTENT TO ESTABLISH A DOWNTOWN BUSINESS IMPROVEMENT DISTRICT**

The Council shall consider approval of the Resolution of Intent to Establish a Downtown Oroville Business Improvement District; schedule a public hearing on March 19, 2019 to gather public testimony; and authorize staff to transmit public notice to the newspaper and mail a complete copy of the Resolution to each business within the area proposed to be established.

### **RECOMMENDATION**

Adopt Resolution of Intent to Establish the Downtown Oroville Business Improvement District and schedule the March 19, 2019 Public Hearing to gather public testimony.

#### **7. AN URGENCY ORDINANCE TO AMEND A TEMPORARY MORATORIUM ON RESIDENTIAL RENT INCREASES IN THE CITY OF OROVILLE**

The Council will consider amending an urgency ordinance to establish a temporary moratorium on residential rent increases in the City of Oroville.

### **RECOMMENDATION**

Approve Amended Urgency Ordinance No. 1832 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA ESTABLISHING A TEMPORARY MORATORIUM ON RESIDENTIAL RENT INCREASES IN THE CITY OF OROVILLE

#### **8. INFORMATION REGARDING ALLEY WAYS**

The Council will receive information regarding the condition and maintenance of Alley Ways.

## **RECOMMENDATION**

Bring back to Council during budget meetings.

### **9. UTILITY USER TAX**

The Council may consider amending section 3.28 Oroville Municipal Code, Telephone, Gas, Water, Electricity, and Television cable user tax.

## **RECOMMENDATION**

Due to the precarious financial situation of the City, Staff recommends no reduction or elimination of the Utility User Tax at this time. Staff further recommends that the Council revisit this item in January of 2020.

### **10. APPOINTMENTS TO COUNCIL AND LOCAL COMMITTEES**

Mayor Reynolds may make appointments to various committees and boards

## **RECOMMENDATION**

None

## **COUNCIL ANNOUNCEMENTS/DISCUSSIONS/FUTURE AGENDA ITEMS**

### **ADMINISTRATION REPORTS**

1. Public Safety Report

### **CORRESPONDENCE**

2. FERC Correspondence 2.7.2019
3. FERC Correspondence 2.8.2019
4. PG&E Notice of Rate Increase Hearing
5. Comcast Changes and Updates Correspondence

### **ADJOURN THE MEETING**

The meeting will be adjourned. A regular meeting of the Oroville City Council will be held on March 5, 2019 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.

**Backup material for agenda item:**

1. Black History Month Proclamation

## *City of Oroville*

### **A PROCLAMATION RECOGNIZING FEBRUARY 2019 AS BLACK HISTORY MONTH**

*WHEREAS, the month of February is a time to observe "Black History Month", a federally recognized, nationwide celebration that provides the opportunity for all Americans to reflect on the significant roles that Black Americans have played in the shaping of U.S. history; and*

*WHEREAS, Black History Month honors and affirms the importance of Black History throughout our American experience by the enormous contributions that Black Americans have made to the freedom, prosperity and cultural richness of our Nation, and recognizing that such contributions have all too often been overlooked by history; and*

*WHEREAS, such knowledge can strengthen the insight of all our citizens regarding the issues of human rights, the great strides that have been made in the crusade to eliminate barriers of equality for minority groups, and the continuing struggle against racial discrimination and poverty; and*

*WHEREAS, while the history of Black Americans is the story of countless nameless heroes brought to our shores to endure lives of bondage and oppression, the deprivation of their civil rights, and the ravages of bigotry and racism, it is a history for which most of the chapters have yet to be written as the contributions of Black Americans continue to improve our society in America; and*

*WHEREAS, during Black History Month all Americans are encouraged to reflect on past successes and challenges of Black Americans by looking to the future in order to live up to the ideals of freedom, equality and justice.*

*NOW, THEREFORE, I, Chuck Reynolds, Mayor of the City of Oroville, in concurrence with the Oroville City Council, do hereby proclaim February 2019 as Black History Month in the City of Oroville and urge all residents of the Oroville community to join me in celebrating the diversity and character of our community and honoring Black Americans for their many contributions.*

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*Chuck Reynolds, Mayor*

**Backup material for agenda item:**

**1. MINUTES**

Council may approve the minutes of City Council Special Meeting on January 31, 2019, Regular City Council Meeting on February 5, 2019 and Special City Council Meeting on February 5, 2019

**RECOMMENDATION**

Approval of minutes



**CITY OF OROVILLE**  
Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**CITY COUNCIL SPECIAL MEETING**  
**January 31, 2019**  
**MINUTES**

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*\*\*This meeting was recorded live on the City of Oroville website [cityoforoville.org](http://cityoforoville.org) and on YouTube. \*\**

**CALL TO ORDER**

The meeting was called to order at 10:05 by Mayor Reynolds

**ROLL CALL**

PRESENT: Council Member David Pitman, Eric Smith, Linda Draper, Art Hatley, Scott Thomson, Vice Mayor Janet Goodson, Mayor Chuck Reynolds

STAFF PRESENT: Interim City Administrator Tom Lando, Assistant City Administrator Bill LaGrone, Interim City Clerk Joanna Gutierrez, Assistant City Clerk Jackie Glover, Finance Director Ruth Wright, Human Resource Manager Liz Ehrenstrom, Management Analyst III Amy Bergstrand, Parks and Trees Supervisor Wade Atteberry, Public Works Cody Nissen, Chief Building Official Gary Layman, Lieutenant Zarate, Lieutenant Nicodemus, Airport Manager Rick Farley, Sargent Deal, Sargent Belser, Treasurer Karolyn Fairbanks

**PLEDGE OF ALLEGIANCE**

Led by Mayor Reynolds

**SPECIAL BUSINESS - ACTION CALENDAR**

**1. AB1825 BIENNIAL SEXUAL HARASSMENT TRAINING FOR MANAGERS AND SUPERVISORS**

Council, Managers, and Supervisors received training by Gerry Preciado to comply with AB1825

**30 MINUTE RECESS**

The council recessed at 12:05pm and reconvened at 12:35pm



**2. AB1234 ETHICS EDUCATION AND TRAINING**

Council, Managers, and Supervisors recieved Ethics Education and Training to comply with AB1234

**ADJOURNMENT**

Mayor Reynolds adjourned at 2:35pm to the next regularly scheduled City Council Meeting on February 4, 2019 at 5:30 P.M.

APPROVED BY:

ATTESTED BY:

\_\_\_\_\_  
Chuck Reynolds, Mayor

\_\_\_\_\_  
Jackie Glover, Assistant City Clerk



**CITY OF OROVILLE**  
Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**CITY COUNCIL SPECIAL MEETING**  
**February 05, 2019**  
**MINUTES**

*\*\*This meeting was recorded live on the City of Oroville website [cityoforoville.org](http://cityoforoville.org) and on YouTube. \*\**

**CALL TO ORDER**

Meeting was called to order at 5:56pm by Mayor Reynolds

**ROLL CALL**

**PRESENT:** Council Members Pittman, Smith, Draper, Hatley, Goodson, Vice Mayor Thomson, Mayor Reynolds

**STAFF PRESENT:** Interim City Administrator Tom Lando, Assistant City Administrator Bill LaGrone, Interim City Clerk Joanna Gutierrez, Assistant City Clerk Jackie Glover, Finance Director Ruth Wright, Human Resource Manager Liz Ehrenstrom, City Treasurer Karolyn Fairbanks, Chief Building Official Gary Layman, City Engineer Mike Massaro

**PLEDGE OF ALLEGIANCE**

Led by Mayor Reynolds

**SPECIAL BUSINESS - ACTION CALENDAR**

**A RESOLUTION IN OPPOSITION TO THE WATER RATE INCREASE REQUESTED BY CAL WATER**

The Council considered a resolution in opposition to the water rate increase requested by Cal Water for Cal Water customers in Oroville and

**Adopt Resolution No. 8766** – A RESOLUTION OF THE OROVILLE CITY COUNCIL IN OPPOSITION TO THE WATER RATE INCREASE REQUESTED BY CAL WATER FOR CAL WATER CUSTOMERS IN OROVILLE.

Motion made by Council Member Goodson and second by Council Member Draper to approve resolution 8766 with amendments to RESOLVED Item 3 to “The City Council directs staff to explore alternatives with Cal Water related to cost saving solutions presented in the LAFCO study prepared by NorthStar, including any other cost saving solutions. Motion passed unanimously.

AYES: Council Member Pittman, Smith, Draper, Goodson, Hatley, Vice Mayor Thomson, Mayor Reynolds

NOES: None

ABSTAIN: None

ABSENT: None

**ADJOURNMENT**

Meeting adjourned at 6:41pm by Mayor Reynolds

APPROVED BY:

ATTESTED BY:

\_\_\_\_\_  
Chuck Reynolds, Mayor

\_\_\_\_\_  
Jackie Glover, Assistant City Clerk



**CITY OF OROVILLE**  
Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**CITY COUNCIL MEETING**  
**February 05, 2019**  
**MINUTES**

*\*\*This meeting was recorded live on the City of Oroville website [cityoforoville.org](http://cityoforoville.org) and on YouTube. \*\**

**CALL TO ORDER**

Mayor Reynolds called the meeting to order at 4:31pm

**ROLL CALL**

PRESENT: Council Members David Pitman, Eric Smith, Linda Draper, Art Hatley, Janet Goodson, Vice Mayor Scott Thomson, Mayor Chuck Reynolds

STAFF PRESENT: Interim City Administrator Tom Lando, Assistant City Administrator Bill LaGrone, Interim City Clerk Joanna Gutierrez, Assistant City Clerk Jackie Glover, Finance Director Ruth Wright, Human Resource Manager Liz Ehrenstrom, City Engineer Mike Massaro, Chief Building Official Gary Layman, City Treasurer Karolyn Fairbanks

**CONVENE TO CLOSED SESSION**

The council convened to closed session at 4:32pm to discuss the following:

1. Pursuant to Government Code section 54956.95, the Council will meet with the Acting City Administrator, Personnel Officer and City Attorney relating to Worker's Compensation Claim No. NCWA-188737.
2. 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.
3. Pursuant to Government Code Section 54957(b), the Council will meet with Acting City Administrator, Personnel Officer, and/or City Attorney to consider the employment related to the following positions: City Administrator.
4. Pursuant to Government Code section 54956.9(d)(2), the Council will meet with the Acting City Administrator and City Attorney regarding potential exposure to litigation – one case.

**RECONVENE TO OPEN SESSION**

Council Reconvened at 6:41pm

No action taken; direction given on items 1, 2, 4. Will reconvene to closed session at the end of public session.

## PLEDGE OF ALLEGIANCE

None

## ADOPT AGENDA

Motion by Council Member Goodson and second by Draper to adopt the agenda. Motion passed unanimously.

AYES: Council Members Smith, Pittman, Hatley, Draper, Goodson Vice Mayor Thomson, Mayor Reynolds

NOES: None

ABSTAIN: None

ABSENT: None

## PRESENTATIONS/PROCLAMATIONS/OATH OF OFFICE

- Mayor Reynolds presented a Teen Violence Awareness Proclamation

**CONSENT CALENDAR** - 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.

Motion by Council Member Goodson and second by Pittman to adopt the consent calendar except item 2. Motion passed unanimously.

AYES: Council Members Pittman, Hatley, Goodson, Draper, Smith, Vice Mayor Thomson, Mayor Reynolds

NOES: None

ABSTAIN: None

ABSENT: None

### 1. MINUTES

City Council may approve the minutes from City Council Special Meeting January 8, 2019 and City Council Regular Meeting January 15, 2019

### 3. DESIGNATION OF SUBRECIPIENT'S AGENT FOR FEDERAL AND STATE ASSISTANCE THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY

The Council considered authorizing the City Administrator (or Acting, or Interim, or Assistant City Administrator) to execute the remaining applications and forms to the Federal Emergency Management Agency (FEMA) and the State of California Office of Emergency Services (Cal-OES) relating to Camp Fire Incident, by resolution of the City Council and

**Adopted Resolution No. 8765** - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR (OR ACTING, OR INTERIM, OR ASSISTANT CITY ADMINISTRATOR) TO EXECUTE ANY REMAINING APPLICATIONS AND FORMS TO FEMA AND CAL-OES RELATING TO THE 2018 EMERGENCY INCIDENT RELATING TO THE CAMP FIRE INCIDENT.

**4. CITY ENGINEER CONTRACT AMENDMENT - TASK ORDER FOR MANHOLE RAISE PROJECT**

The Council approved an amendment to Bennett Engineering's Contract to include design and construction management services for manhole raising.

**5. CONTRACT AMENDMENT TO CITY ENGINEER CONTRACT FOR DESIGN SERVICES**

The council approved an amendment to the Bennett Engineering’s City Engineer Contract to include a task order for design of street rehabilitation plans, specifications, and construction cost estimates.

**6. CITY ENGINEER CONTRACT AMENDMENT - LOWER WYANDOTTE ROAD CULVERT REHABILITATION**

The Council may consider approved an amendment to the City Engineer Contract to include the design for the Lower Wyandotte Road Culvert Rehabilitation.

**2. CITIZEN APPOINTMENTS TO COMMISSIONS AND BOARDS**

Motion by Council Member Goodson and second by Draper to approve the Ad Hoc Committee recommendation for appointments. Passed unanimously.

AYES: Council Member Pittman, Hatley, Smith, Draper, Goodson, Vice Mayor Thomson and Mayor Reynolds

NOES: None

ABSTAIN: None

ABSENT: None

**PUBLIC HEARINGS**

**7. AN URGENCY ORDINANCE REGARDING TEMPORARY RESIDENTIAL USE OF RECREATIONAL VEHICLES, MOBILE HOMES AND MANUFACTURED HOUSING UNITS**

The Council considered the adoption of an Urgency Ordinance amending Section 17.08.170 of the Oroville Municipal Code regarding residential use of recreational vehicles, mobile homes and manufactured housing units and

**Adopted Urgency Ordinance No. 1836** -AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA AMENDING TITLE 17, SECTION 17.08.170 TO ADD MOBILE HOMES AND MANUFACTURED HOUSING UNITS FOR THOSE PARTS OF THE CITY OF OROVILLE MOST SEVERELY IMPACTED BY THE CAMP FIRE OF NOVEMBER 2018.

Motion made by Council Member Goodson and seconded by Smith. Passed unanimously.

AYES: Council Member Pittman, Smith, Hatley, Draper, Goodson, Vice Mayor Thomson, Mayor Reynolds

NOES: None

ABSTAIN: None

ABSENT: None

**PUBLIC COMMUNICATION - HEARING OF NON-AGENDA ITEMS** - This is the time to address the Council about any item not listed on the agenda. If you wish to address the Council on an item listed on the agenda, please follow the directions listed above.

**The following individuals spoke on non-agenda items:**

- Don Fultz
- Albert Stiefel
- Bill Speer
- Randy Murphy

**The following individuals spoke on agenda items:**

- Jennifer Jones – Item 7
- Cheri Bunker – Item 10

**REGULAR BUSINESS** - Action Calendar

**8. SGMA - WYANDOTTE CREEK GSA BOARD MEMBER AND ALTERNATE APPOINTMENT**

The Council tabled this item to the next meeting after the staff presentation

**9. APPOINTMENTS TO COUNCIL AND LOCAL COMMITTEES**

Mayor Reynolds tabled this item to the next meeting.

**10. REQUEST FOR RESIDENTIAL USE OF RECREATIONAL VEHICLES, MOBILE HOMES AND MANUFACTURED HOUSING UNITS AT THE CITY CORPORATION YARD**

The Council considered a request to utilize the City's corporation yard for temporary residential use of recreational vehicles, mobile homes and manufactured housing units for individuals who have been displaced by the Camp Fire.

Motion by Council Member Pittman and second by Vice Mayor Thomson to move forward with this item and bring back a lease agreement and site plan at a future meeting. Motion passed unanimously.

AYES: Council Member Pittman, Draper, Smith, Hatley, Goodson, Vice Mayor Thomson, Mayor Reynolds

NOES: None

ABSTAIN: None

ABSENT: None

**COUNCIL ANNOUNCEMENTS/DISCUSSIONS/FUTURE AGENDA ITEMS**

Agenda Items for Next Meeting:

- Utility Users Tax – Requested by Thomson and Reynolds
- Alleyway Cleanup and Timelines – Requested by Goodson and Draper
- City Engineer – Requested by Smith and Thomson
- Ordinance 1832 – Requested by Pittman, no second

Council Member Goodson reported that she attended the Lunar Chinese New Year Celebration at Butte College with Council Member Draper

Council Member Draper reported that she had attended the Lunar Chinese New Year Celebration at Butte College with Council Member Goodson and that she also attended the Martian Luther King Breakfast and Awards and was pleased to see the awards go to a very diverse group of students.

### **ADMINISTRATION REPORTS**

Finance Director Ruth Wright reported that the annual audit is done and will be presented at the next meeting. Finance is also working on a Franchise Fee Audit, attended a Cal OES workshop to go over reimbursement from FEMA, Budget workshops coming in March, and still working on OpenGov.

Interim City Administrator Tom Lando meet with the Recovery Committee for the Camp fire and stated that it seems as if Tuscan Ridge will be housing the majority of the FEMA trailers.

Chief Building Official Gary Layman reported that 14 permits for the Links were issued, several single-family dwelling permits have been issued, Ross is slated to open in March, and council members are doing walks of the Washington Building on Wednesday.

### **CORRESPONDENCE**

- CPUC – Cal Water Proposed Rates
- Oroville city Elementary School District Public Hearing
- FERC - Feather River Project
- CPUC - Cal Water Public Participation Hearing Rate Information

### **Mayor Reynolds held a moment of silence for past council member JR Simpson who recently passed**

Meeting convened to closed session at 8:01pm

Meeting reconvened from closed session at 8:47pm

No action taken; direction given

### **ADJOURN THE MEETING**

Mayor Reynolds adjourned the meeting at 8:48pm. A regular meeting of the Oroville City Council will be held on February 19, 2019 at 5:30 p.m.

APPROVED BY:

ATTESTED BY:

\_\_\_\_\_  
Chuck Reynolds, Mayor

\_\_\_\_\_  
Jackie Glover, Assistant City Clerk



**Backup material for agenda item:**

**2. TENTATIVE AGREEMENT with the OROVILLE POLICE OFFICERS ASSOCIATION (Sworn Unit)**

Adoption of Tentative Agreement, Oroville Police Officers Association (OPOA) Sworn

**RECOMMENDATION**

Approve tentative agreement



## **CITY OF OROVILLE STAFF REPORT**

**TO: MAYOR REYNOLDS AND COUNCIL MEMBERS**

**FROM: TOM LANDO, INTERIM CITY ADMINISTRATOR**

**RE: TENTATIVE AGREEMENT WITH THE OROVILLE POLICE  
OFFICERS ASSOCIATION (SWORN UNIT)**

**DATE: February 19, 2019**

### **SUMMARY**

Adoption of Tentative Agreement, Oroville Police Officers Association (OPOA) Sworn

### **DISCUSSION**

Attached for Council consideration and approval is a tentative Agreement for a successor Memorandum of Understanding (MOU) between the City of Oroville and the OPOA Sworn bargaining unit. The tentative agreement has been ratified by the OPOA. A final MOU will be brought before the City Council for review and approval at a subsequent meeting.

#### Key Provisions:

- Term: Upon approval through June 30, 2022
- Elimination of Retiree Medical Sick Leave Conversion for new employees
- Elimination of Agency Shop language
- Improvements to Uniform Allowance
- Agreement for Non-Binding Arbitration for Grievances and Discipline
- Salary:
  - July 1, 2019           4% Salary
  - July 1, 2020           4% Salary
  - July 1, 2021           4% Salary
- Second Tier Medical Insurance for new hires
- Language Clean Up:
  - Vacation Policy
  - Health Benefits
  - PERS Contributions

**FISCAL IMPACT**

This Tentative agreement has no fiscal impact. The Final Memorandum of Understanding will have a total impact over the 3 years of this contract of \$234,391.94

**RECOMMENDATION**

Approve tentative agreement

**ATTACHMENTS**

Tentative Agreement

CITY OF OROVILLE  
TENTATIVE AGREEMENT WITH OPOA SWORN  
FEBRUARY 9, 2019

City of Oroville Tentative Agreement with OPOA Sworn\*

TIER 1	MOU Article
<p style="text-align: center;">Retiree Medical Sick Leave Conversion (CHANGE)</p> <p><del>An employee who regularly retires from the City service may convert up to 240 hours of accumulated unused sick leave to purchase medical insurance, calculated by the hourly rate of pay, at the time of retirement, by the number of unused sick leave to a maximum of 240 hours. All other accumulated unused sick leave may be converted to CalPERS service credit.</del></p> <p>1. Current employees with 5 or more years of service (Upon MOU adoption):</p> <ul style="list-style-type: none"> <li>• No Change</li> </ul> <p>2. Current employees with less than 5 years of service (Upon MOU adoption):</p> <ul style="list-style-type: none"> <li>• Upon retirement the City service may convert up to 240 hours of accumulated unused sick leave to purchase medical insurance, calculated by the hourly rate of pay, at the time of retirement, by the number of unused sick leave to a maximum of 240 hours. All other accumulated unused sick leave may be converted to CalPERS service credit.</li> </ul> <p>3. New Hires – (Employees hired after MOU adoption)</p>	<p>ADD</p> <p>14.6</p> <p>TO</p> <p>14.4</p>  <p style="font-size: 2em;">TA</p>  <p style="font-size: 2em;">TA</p>  <p style="font-size: 2em;">TA</p>
<p style="text-align: center;">Vacation Policy (Language Correction)</p> <p>1 through 4 years – 80 hours</p> <p>5 through 11 years – 120 hours</p> <p>12+ years – 8 hours for each additional year to a maximum of 160 hours.</p>	<p>17.1</p> <p style="font-size: 2em;">TA</p>
<p style="text-align: center;">Agency Shop</p> <p>Change language to reflect current supreme court ruling.</p>	<p style="font-size: 2em;">TA</p>

<p style="text-align: center;">Uniform Allowance (CHANGE) City's Counter Proposal (01/09/19)</p> <p>The City is willing to allow purchase of uniforms in July and January of each year, up to \$950 per calendar year. Uniforms may be purchased on account from Tom's Uniform Shop in Chico or if purchased elsewhere employee will pay up front and get reimbursed upon presenting receipts. Reimbursements shall be paid during a normal payroll cycle.</p>	<p>12.1</p> <p style="font-size: 2em; font-weight: bold;">TA</p>																
<p style="text-align: center;">Health Benefits (Memorialize Language)</p> <p>The City agrees to continue to provide insurance benefits for employees and their dependents, who are otherwise qualified and who desire coverage of medical, dental, life and long-term disability insurance.</p> <p>The City currently contributes the following amounts towards medical insurance:</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;"></th> <th style="width: 20%; text-align: center;">Gold PPO</th> <th style="width: 20%; text-align: center;">HDHP-10%</th> <th style="width: 20%; text-align: center;">Silver PPO</th> </tr> </thead> <tbody> <tr> <td>EE Only</td> <td style="text-align: center;">100%</td> <td style="text-align: center;">100%</td> <td style="text-align: center;">100%</td> </tr> <tr> <td>EE + 1</td> <td style="text-align: center;">\$906.40</td> <td style="text-align: center;">\$879.92</td> <td style="text-align: center;">\$853.46</td> </tr> <tr> <td>EE + Family</td> <td style="text-align: center;">\$1,075.50</td> <td style="text-align: center;">\$1,041.10</td> <td style="text-align: center;">\$1,006.68</td> </tr> </tbody> </table> <p>The City currently contributes \$59.10 per month, per employee, for dental insurance.</p> <p>The City currently contributes 100% per month, per employee, for vision insurance.</p> <p>The City currently contributes 100% per month, per employee, for life and long-term disability insurance.</p>		Gold PPO	HDHP-10%	Silver PPO	EE Only	100%	100%	100%	EE + 1	\$906.40	\$879.92	\$853.46	EE + Family	\$1,075.50	\$1,041.10	\$1,006.68	<p>14.1</p> <p style="font-size: 2em; font-weight: bold;">TA</p>
	Gold PPO	HDHP-10%	Silver PPO														
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<p style="text-align: center;">Grievance and Arbitration Procedures OPOA Counter Proposal (02/06/19)</p> <p>Agree to Non-Binding Arbitration</p>	<p>31</p> <p style="font-size: 2em; font-weight: bold;">TA</p>																
<p style="text-align: center;">PERS Contributions (Clean Up)</p> <p>Clean up dates and language to reflect current status.</p>	<p>13.15</p> <p style="font-size: 2em; font-weight: bold;">TA</p>																
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TIER 2 - For all new hire employees hired on or after the date of ratification.	MOU Article
<p style="text-align: center;">Medical and Dental (CHANGE)</p> <p><del>City contributions shall be limited to 100% of Employee only contributions for the lowest premium medical plan and Employee only contribution for dental insurance.</del></p> <p>City contributions shall be limited to the Silver PPO medical plan for employee, spouse and/or children at current contribution levels. Employee only can elect a different plan but will pay the difference. There shall be no city contribution towards spouse and/or children on any other plan than the Silver PPO.</p>	<p style="text-align: center;">14.1</p> <p style="text-align: center; font-size: 2em;">TA</p>
<p style="text-align: center;">Retiree Medical Sick Leave Conversion</p> <p>Ineligible to convert sick leave to purchase medical insurance at retirement.</p>	<p style="text-align: center;">14.6</p> <p style="text-align: center; font-size: 2em;">TA</p>

**Backup material for agenda item:**

**3. TENTATIVE AGREEMENT with the OROVILLE POLICE OFFICERS ASSOCIATION (Non-Sworn Unit)**

Adoption of Tentative Agreement, Oroville Police Officers Association (OPOA) Non-Sworn

**RECOMMENDATION**

Approve tentative agreement



## CITY OF OROVILLE STAFF REPORT

**TO: MAYOR REYNOLDS AND COUNCIL MEMBERS**

**FROM: TOM LANDO, INTERIM CITY ADMINISTRATOR**

**RE: TENTATIVE AGREEMENT WITH THE OROVILLE POLICE OFFICERS ASSOCIATION (NON-SWORN UNIT)**

**DATE: February 19, 2019**

### SUMMARY

Adoption of Tentative Agreement, Oroville Police Officers Association (OPOA) Non-Sworn

### DISCUSSION

Attached for Council consideration and approval is a tentative Agreement for a successor Memorandum of Understanding (MOU) between the City of Oroville and the OPOA Non-Sworn bargaining unit. The tentative agreement has been ratified by the OPOA. A final MOU will be brought before the City Council for review and approval at a subsequent meeting.

#### Provisions:

- Term: Upon approval through June 30, 2022
- Elimination of Retiree Medical Sick Leave Conversion for new Employees
- Elimination of Agency Shop language
- Improvements to Clothing Allowance
- Agreement for Non-Binding Arbitration for Grievances and Discipline
- Salary:
  - July 1, 2019           4% Salary
  - July 1, 2020           4% Salary
  - July 1, 2021           4% Salary
- Second Tier Medical Insurance for new hires
- Language Clean Up:
  - Vacation Policy
  - Health Benefits
  - Retirement Benefits



**FISCAL IMPACT**

This Tentative agreement has no fiscal impact. The Final Memorandum of Understanding will have a total impact over the 3 years of this contract of \$234,391.94

**RECOMMENDATION**

Approve tentative agreement

**ATTACHMENTS**

Tentative Agreement



<p style="text-align: center;">Clothing Allowance (CHANGE) City's Counter Proposal (01/09/19)</p> <p>The City is willing to allow purchase of uniforms in July and January of each year, up to \$720 per calendar year. Uniforms may be purchased on account from Tom's Uniform Shop in Chico or if purchased elsewhere employee will pay up front and get reimbursed upon presenting receipts. Reimbursements shall be paid during a normal payroll cycle.</p>	<p>8.1</p> <p style="font-size: 2em; font-weight: bold;">TA</p>																
<p style="text-align: center;">Health Benefits (Memorialize Language)</p> <p>The City agrees to continue to provide insurance benefits for employees and their dependents, who are otherwise qualified and who desire coverage of medical, dental, life and long-term disability insurance.</p> <p>The City currently contributes the following amounts towards medical insurance:</p> <table border="0" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;"></th> <th style="width: 20%; text-align: center;">Gold PPO</th> <th style="width: 20%; text-align: center;">HDHP-10%</th> <th style="width: 20%; text-align: center;">Silver PPO</th> </tr> </thead> <tbody> <tr> <td>EE Only</td> <td style="text-align: center;">100%</td> <td style="text-align: center;">100%</td> <td style="text-align: center;">100%</td> </tr> <tr> <td>EE + 1</td> <td style="text-align: center;">\$756.40</td> <td style="text-align: center;">\$729.92</td> <td style="text-align: center;">\$703.46</td> </tr> <tr> <td>EE + Family</td> <td style="text-align: center;">\$835.50</td> <td style="text-align: center;">\$801.10</td> <td style="text-align: center;">\$766.68</td> </tr> </tbody> </table> <p>The City currently contributes \$59.10 per month, per employee, for dental insurance.</p> <p>The City currently contributes 100% per month, per employee, for vision insurance.</p> <p>The City currently contributes 100% per month, per employee, for life and long-term disability insurance.</p>		Gold PPO	HDHP-10%	Silver PPO	EE Only	100%	100%	100%	EE + 1	\$756.40	\$729.92	\$703.46	EE + Family	\$835.50	\$801.10	\$766.68	<p>18.1</p> <p style="font-size: 2em; font-weight: bold;">TA</p>
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July 1, 2019	4% Salary																
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<p style="text-align: center;">Retirement Benefits</p> <p>Clean up dates and language to reflect current status.</p>	<p style="text-align: center;">17.1</p> <p style="text-align: center;"><b>TA</b></p>
<p style="text-align: center;">Grievance and Arbitration Procedures</p> <p style="text-align: center;">OPOA-NS Counter Proposal (02/06/19)</p> <p>Agree to Non-Binding Arbitration</p>	<p style="text-align: center;">35</p> <p style="text-align: center;"><b>TA</b></p>

TIER 2 - For all new hire employees hired on or after the date of ratification.	MOU Article
<p style="text-align: center;">Medical and Dental (CHANGE)</p> <p><del>City contributions shall be limited to 100% of Employee only contributions for the lowest premium medical plan and Employee only contribution for dental insurance.</del></p> <p>City contributions shall be limited to the Silver PPO medical plan for employee, spouse and/or children at current contribution levels. Employee only can elect a different plan but will pay the difference. There shall be no city contribution towards spouse and/or children on any other plan than the Silver PPO.</p>	<p style="text-align: center;">18.1</p> <p style="text-align: center;"><b>TA</b></p>
<p style="text-align: center;">Retiree Medical Sick Leave Conversion</p> <p>Ineligible to convert sick leave to purchase medical insurance at retirement.</p>	<p style="text-align: center;">23.8</p> <p style="text-align: center;"><b>TA</b></p>

Backup material for agenda item:

**4. SIDE LETTER TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE MID MANAGEMENT AND CONFIDENTIAL ASSOCIATION**

The Council may consider a Side Letter to the Memorandum of Understanding (MOU) between the City of Oroville and the Oroville Mid Management and Confidential Association (OMCA), relating to Section 7.8 Furlough of the Oroville Mid-Manager and Confidential Association suspending this section until July 1, 2019.

**RECOMMENDATION**

Adopt Resolution No. XXXX - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A SIDE LETTER TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE MIDMANGEMENT AND CONFIDENTIAL ASSOCIATION (Agreement No. 3083-7)



## **CITY OF OROVILLE STAFF REPORT**

**TO: MAYOR REYNOLDS AND COUNCIL MEMBERS**

**FROM: TOM LANDO, INTERIM CITY ADMINISTRATOR**

**RE: SIDE LETTER TO THE MEMORANDUM OF UNDERSTANDING  
BETWEEN THE CITY OF OROVILLE MID MANAGEMENT AND  
CONFIDENTIAL ASSOCIATION**

**DATE: FEBRUARY 19, 2019**

### **SUMMARY**

The Council may consider a Side Letter to the Memorandum of Understanding (MOU) between the City of Oroville and the Oroville Mid Management and Confidential Association (OMCA), relating to Section 7.8 Furlough of the Oroville Mid-Manager and Confidential Association suspending this section until July 1, 2019

### **DISCUSSION**

Staff and OMCA representatives have agreed on the attached side letter to the OMCA MOU. The OMCA and the City have agreed to suspend the Furloughs for all OMCA members. The OMCA and the City agree to replace all pay scales with the attached pay scale.

For additional details see attached side letter agreement.

Staff is recommending the approval and adoption of the attached Side Letter.

### **FISCAL IMPACT**

\$5,479.71 for the 2018/2019 fiscal year

### **RECOMMENDATION**

Adopt Resolution No. XXXX - A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A SIDE LETTER TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF OROVILLE AND THE OROVILLE MIDMANGEMENT AND CONFIDENTIAL ASSOCIATION (Agreement No. 3083-7)

**CITY OF OROVILLE  
RESOLUTION NO. XXXX**

**A RESOLUTION OF THE OROVILLE CITY COUNCIL AUTHORIZING AND DIRECTING  
THE MAYOR TO EXECUTE A SIDE LETTER TO THE CURRENT MEMORANDUM OF  
UNDERSTANDING (JULY 1, 2017 TO JUNE 30, 2020) BETWEEN THE CITY OF OROVILLE  
MID MANAGEMENT AND CONFIDENTIAL ASSOCIATION**

**(Agreement No. 3083-7)**

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

1. The Mayor is directed and authorized to execute a side letter agreement to the current Memorandum of Understanding (July 1, 2017 to June 30, 2020) between the City of Oroville and the City of Oroville Mid Management and Confidential Association.
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 February 19, 2019 by the following vote:

AYES: Council Member Hatley, Thomson, Pittman, Smith, Draper, Goodson, and Mayor Reynolds

NOES: None

ABSTAIN: None

ABSENT: None

\_\_\_\_\_  
Linda Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Scott Huber, City Attorney

\_\_\_\_\_  
Jackie Glover, Assistant City Clerk

**THE CITY OF OROVILLE  
AND  
OROVILLE MID MANAGERS AND CONFIDENTIAL ASSOCIATION**

**Side-Letter Agreement  
2017-2020 Memorandum of Understanding**

The City of Oroville (“City”) and the Oroville Mid Managers and Confidential Association (“Association”) entered into a Memorandum of Understanding (MOU) which became effective July 1, 2017 and will terminate on June 30, 2020. The purpose of this Side-Letter Agreement is to amend section 7.8 of the current MOU.

Existing language: **ARTICLE 7.8 – FURLOUGH**

The City and the Association agree to suspend this section of the MOU until June 30, 2019. The City and the Association agree to meet and discuss the extension of this suspension prior to June 30, 2019.

The City and the Association agree to replace all pay scales with the pay scale below

<b>Mid Managers</b>	<b>STEP A</b>	<b>STEP B</b>	<b>STEP C</b>	<b>STEP D</b>	<b>STEP E</b>	<b>STEP F</b>	<b>STEP G</b>	<b>STEP H</b>
<b>Annual</b>	\$67,609.13	\$70,989.59	\$74,539.07	\$78,266.02	\$82,179.32	\$86,288.29	\$90,602.70	\$95,132.84
<b>Monthly</b>	\$5,634.09	\$5,915.80	\$6,211.59	\$6,522.17	\$6,848.28	\$7,190.69	\$7,550.23	\$7,927.74
<b>Hourly</b>	\$32.50	\$34.13	\$35.84	\$37.63	\$39.51	\$41.48	\$43.46	\$45.74

The City and the Association agree to allow the positions of Public Works Supervisor Streets and Sewer and Chief Building Official to become members of the Association.

This Side-Letter Agreement modifies the original language but not the intent and the current practices of the Parties. The signatures below indicate agreement with the above-described interpretation of the relevant MOU language and further indicate that each person signing has the authority to act on behalf of his/her principals.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Amy Bergstrand  
President  
OMCA

\_\_\_\_\_  
Tom Lando  
Interim City Administrator  
City of Oroville



Backup material for agenda item:

**5. SGMA – WYANDOTTE CREEK GSA BOARD MEMBER AND ALTERNATE BOARD MEMBER APPOINTMENT**

The Council may consider the appointment of one member of the City Council to serve on the Wyandotte Creek sub-basin Groundwater Sustainability Agency (GSA) Board. The council may also consider the appointment of an alternate board member.

**RECOMMENDATION**

Appoint one member of City Council to the Wyandotte Creek JSA Board and one alternate.



## **CITY OF OROVILLE STAFF REPORT**

**TO: MAYOR AND COUNCIL MEMBERS**

**FROM: MIKE MASSARO, CONTRACT CITY ENGINEER**

**RE: SGMA – WYANDOTTE CREEK GSA BOARD MEMBER AND  
ALTERNATE BOARD MEMBER APPOINTMENT**

**DATE: FEBRUARY 19, 2019**

### **SUMMARY**

The council may consider the appointment of one member of the City Council to serve on the Wyandotte Creek sub-basin Groundwater Sustainability Agency (GSA) Board. The council may also consider the appointment of an alternate board member.

### **DISCUSSION**

On September 18, 2018 the Oroville City Council adopted the Wyandotte Creek GSA Joint Power Agreement and authorized staff to rescind Oroville as an independent GSA in the Wyandotte Creek sub-basin.

Under the Agreement, the City is obligated to provide support for the adoption of a Groundwater Sustainability Plan (GSP) by January 30, 2022. The City will occupy one seat on a five-seat board. All meetings will be open to the public and subject to the Brown Act.

Wyandotte Creek GSA Board Members will serve four-year terms and assist with the appointment of Stakeholder Directors and provide direction to committees.

### **FISCAL IMPACT**

Major Studies to support groundwater understanding from the GSP baseline are funded by a \$1.5M grant administered by Butte County.

City's fiscal impact is unknown, but each member agency will designate a staff person (in-kind support) to participate in the Management Committee (currently Contract City Engineer) and provide reports back to the board members at their direction. Administrative costs for board and advisory committee meetings are shared by the member agencies. The City has committed to provide venue (City Council Chambers) and administrative support for meeting notices and distribution of meeting packages (agendas and minutes). Staff time is expected to be 4-12 hours per month.

### **RECOMMENDATION**

Appoint one member of City Council to the Wyandotte Creek JSA Board and one alternate.

**ATTACHMENTS**

Butte County Background Memorandum on the SGMA, GSA, and JPA



## MEMORANDUM

### Background

On January 1, 2015, the Sustainable Groundwater Management Act (SGMA) went into effect. SGMA provides local public agencies with land use, water management or water supply the opportunity to be Groundwater Sustainability Agencies (GSA) with the responsibility of developing and implementing Groundwater Sustainability Plans (GSPs). GSPs must evaluate the sustainability of the basin and identify projects and actions that will be implemented in order to achieve sustainability over a 20 year period. Each subbasin must be covered by one or more GSPs by January 30, 2022. SGMA allows for more than one GSP for each subbasin, subject to Coordination Agreements and other requirements. Failure to meet the deadline would subject the subbasin to intervention by the State Water Resources Control Board.

The Wyandotte Creek subbasin overlies Butte County and is subject to SGMA. All of the GSAs in the Wyandotte Creek subbasin (Butte County, the City of Oroville and Thermalito Water and Sewer District) have committed to work toward developing and submitting a single GSP. To achieve this goal Butte County, and the other GSAs, participated in a facilitated public process with stakeholders in the Wyandotte Creek subbasin to draft the Wyandotte Creek Joint Powers Agreement (Agreement).

### Wyandotte Creek Joint Powers Agreement

The purpose of the Agreement is to create a new agency, the Wyandotte Creek GSA. The purpose of the Wyandotte Creek GSA is to (a) develop, adopt, and implement a GSP for the Wyandotte Creek subbasin in order to implement SGMA requirements and achieve the sustainability goals; and (b) involve the public and subbasin stakeholders through outreach and engagement in developing and implementing the GSP. Under the terms of the Agreement, Butte County, the City of Oroville and Thermalito Water and Sewer District will rescind their individual GSA status to form the Wyandotte Creek GSA.

The Wyandotte Creek GSA would be a Joint Powers Agency (JPA) covering the entire Wyandotte Creek subbasin and assuming all of the SGMA authorities. Although the local agencies will rescind their individual GSA status, they will retain their existing authorities (i.e., Butte County retains its land use, well permitting and police powers).

The creation of the Wyandotte Creek GSA brings consistency in planning and programs and provides an avenue for non-public agency involvement on the Wyandotte Creek GSA Board and advisory committee. At the heart of the Agreement is the focus to maximize local input and decision-making and to address the different water demands and sustainability considerations in the municipal and rural areas of the Wyandotte Creek subbasin.

### Wyandotte Creek GSA Board

The Wyandotte Creek GSA Board will serve the policy-making role for SGMA implementation in the Wyandotte Creek subbasin. All GSA Board meetings are subject to the Brown Act and will be noticed and open to the public. The GSA Board will be composed of 5 seats, each with equal and full voting rights, including:

1. Butte County- 1 seat (Member Agency)
2. City of Oroville - 1 seat (Member Agency)
3. Thermalito Water and Sewer District – 1 seat (Member Agency)
4. Agricultural groundwater user - 1 seat (Wyandotte Creek GSA Board Appointed Stakeholder)
5. Domestic well user (non-agricultural) - 1 seat (Wyandotte Creek GSA Board Appointed Stakeholder)

Wyandotte Creek GSA Board members serve four-year terms without term limits. Each Board member would have an alternate. All Board members (i.e., Member Agency and Stakeholder members) must live and/or work for an entity in the Wyandotte Creek Subbasin. The Member Agency Board members (Butte County, City of Oroville and Thermalito Water and Sewer District) must be elected officials and appointed by the respective Member Agencies' governing bodies. The Wyandotte Creek GSA Board appointed stakeholder member seats must meet the following criteria:

- Reside in the basin
- Must not be party to any litigation against the Wyandotte Creek GSA or any of its Member Agencies
- For agricultural groundwater user:
  - Must own or lease real property in active commercial agricultural production whose operation overlies the Wyandotte Creek subbasin or be an employee of a commercial agricultural production operation overlying the Wyandotte Creek subbasin
  - Must extract groundwater from the subbasin for the irrigation/frost protection in commercial operation
- For non-agricultural domestic well user criteria: must extract groundwater overlying the Wyandotte Creek subbasin for domestic use only.

Appointment and Removal of Stakeholder JPA Board Members (primary and alternates):

- Non-agricultural domestic well user and the agricultural groundwater user members and alternates will be appointed by the Wyandotte Creek GSA Board through an open application process
- Stakeholder Agency members may only be removed from the Wyandotte Creek GSA Board if they fail to attend three consecutive meetings or no longer meet the criteria, as identified in the JPA.

If other eligible local agencies are formed in the future, the Agreement has a provision to allow them to join. A Member Agency may, in its sole discretion, withdraw from the Agreement, effective 60 days after written notice to the Wyandotte Creek GSA Board. In such an event, the Wyandotte Creek GSA Board and its remaining Members will not object to or interfere with the withdrawing Member Agency's desire to become a GSA, will facilitate such a transition to the extent necessary and will withdraw from management of that portion of the subbasin and so notify DWR. The JPA Agreement may be terminated and the Agreement dissolved by a unanimous vote of the Member Agencies. Upon withdrawal or termination of the Agreement, the withdrawing Member Agencies retain all rights and powers to become or otherwise participate as a GSA for lands within its jurisdiction.

#### Decision-Making

The Wyandotte Creek GSA Board will possess the ability to exercise those powers specifically granted by the Joint Powers Act and SGMA. The Wyandotte Creek GSA Board will aspire to seek consensus. However, the work of the Wyandotte Creek GSA Board must be timely and efficient. Therefore, "consensus-seeking" represents an approach through which the Wyandotte Creek GSA Board will make a robust, reasonable attempt to reach consensus (the duration of which will be decided by the Wyandotte Creek GSA Board). If the Wyandotte Creek GSA Board cannot reach consensus, the Wyandotte Creek GSA Board defaults to the following voting structure.

- **Quorum:** A majority of the members of the Wyandotte Creek GSA Board members shall constitute a quorum for purposes of transacting business.
- **Director Votes:** Each member of the Wyandotte Creek GSA Board shall have one vote.
- **Supermajority Voting Requirement (4 affirmative votes) for the following:**
  1. Bylaws adoption, modification or alteration
  2. GSP adoption, modification, alteration
  3. Adoption of assessment, charges and fees
  4. Adoptions of regulations and ordinances
  5. Adoption or modification of annual budget, including capital projects

6. Property acquisition (excepting rights of way)
7. Removal of Advisory Committee Members
8. Modifications to the composition and number of Advisory Committee Members
9. Removal of stakeholder board seats as is consistent with the Agreement

#### Preservations of Powers

- The Wyandotte Creek GSA Board and all of its Member Agencies confirm that that Wyandotte Creek GSA Board will not have the authority to limit or interfere with the respective Member Agency's rights and authorities over their own internal matters, including, but not limited to, legal rights to surface water supplies and assets, groundwater supplies and assets, facilities, operations, water management and water supply matters.
- The Member Agencies make no commitments by entering into the Agreement to share or otherwise contribute their water supply assets as part of the development or implementation of a GSP.
- Nothing in the Agreement is intended to modify or limit a Member Agency's police powers, land use authorities, or any other authority.
- Each Member Agency shall be individually responsible for its own covenants, obligations, and liabilities under this Agreement.
- No Member Agency shall be under the control of or shall be deemed to control any other GSA.
- No Member Agency shall be precluded from independently pursuing any of the activities contemplated in the Agreement.
- No Member Agency shall be the agent or have the right or power to bind any other Member Agency.
- The Member Agencies further intend to cooperate to obtain consulting, administrative and management services needed to efficiently develop a GSP and to identify mechanisms for the management and funding commitments reasonably anticipated to be necessary for the purposes of this Agreement.

#### Management Committee

Each Member Agency (Butte County, City of Oroville and Thermalito Water and Sewer District) would designate a staff person (in-kind support) to participate on the Wyandotte Creek GSA Management Committee. The Management Committee will receive direction from the Wyandotte Creek GSA Board, make recommendations and generate staff reports and proposals to the Wyandotte Creek GSA Board. The Management Committee staffs the Advisory Committee and reports to the Wyandotte Creek GSA Board recommendations and actions from the Advisory Committee. The Management

Committee assures that staff and other resources are provided to prepare and implement the GSP, and administer the governance for the Wyandotte Creek GSA.

### Employees and Consultants

The Wyandotte Creek GSA will not have any employees. However, the Wyandotte Creek GSA will have the power to employ consultants to fulfill the objectives and purposes of SGMA and complete a GSP.

- Technical Coordination: Butte County will take the lead in developing technical aspects of the GSP including contracting for professional services in coordination with the Management Committee and the Wyandotte Creek GSA Board.
- Ad Hoc Technical Working Groups: The Management Committee may form ad hoc technical working groups to provide input on technical matters pertaining to the GSP.
- Administration: Preparation of the Wyandotte Creek GSP and carrying out governance will require various administrative activities such as meeting management, website development and maintenance, public outreach and communication. The Management Committee will evaluate the required administrative actions and mutually agree on in-kind support by Member Agencies, as needed.

### Advisory Committee

The Advisory Committee represents diverse stakeholder interests and provides input and recommendations to the governing body on GSA policies and GSP development and implementation. At-large members are appointed by the Wyandotte Creek GSA Board. Initially, there will be ten (10) Advisory Committee members that include:

- Cal Water (1)
- Tribal representative(s)
- South Feather Water and Power (1)
- At-large agricultural water users (3)
  - at-large agricultural groundwater user (2)
  - GPAC member (1) - In the event no GPAC representative is available, the seat will be selected through an open solicitation process
- At-large domestic well users (2)
- At-large environmental (1)
- At-large business (1)

The Wyandotte Creek GSA Board will appoint at-large members to fill Advisory Committee seats. Interested individuals from the community or organizations may apply to the Wyandotte Creek GSA Board, designating in the application the seat that the applicant would intend to fill. At-large members must live, farm or be employed by a



firm operating in the Wyandotte Creek subbasin. The Wyandotte Creek GSA Board encourages candidates with experience and familiarity with groundwater and its management.

Pursuant to Wyandotte Creek GSA Board direction, the Management Committee will develop the annual work plan and schedule for Advisory Committee meetings. The Advisory Committee will adopt a charter describing their purpose, operating principles and ground rules that will be confirmed by the Wyandotte Creek GSA Board.

To inform the Wyandotte Creek GSA Board and assist in decision-making, the Advisory Committee will provide written recommendations that will be included in Management Committee reports. The recommendations will identify areas of agreement and disagreement. The Advisory Committee will strive for consensus when possible, but reaching consensus is not necessary. Consensus means that everyone can at least “live with” the recommendation. When unable to reach consensus on recommendations, the Advisory Committee will outline the areas in which it does not agree, providing some explanation to inform the Wyandotte Creek GSA Board decision-making. The Wyandotte Creek GSA Board will consider Advisory Committee recommendations when making decisions. If that Board does not agree with the recommendations of the Advisory Committee, the Wyandotte Creek GSA Board shall state the reasons for its decision. The Advisory Committee will be staffed by a member of one of the Member Agencies. All Advisory Committee meetings are subject to the Brown Act and will be noticed and open to the public.

### Management Areas

The development of the sustainable criteria and project components of the GSP will be conducted in localized areas referred to as Management Areas, analogous to the sub-inventory units utilized in the Butte County Basin Management Objective program. As is consistent with state regulations, a Management Area refers to an area within a basin for which a GSP may identify different minimum thresholds, measurable objectives, monitoring, and projects and actions based on unique local conditions. The GSP will separate each of the Management Areas into distinct “chapters” which will include a description of the Management Area the rationale for the approach, and demonstrate it can be managed without causing undesirable results outside the Area. All chapters must be consistent with the subbasin-wide sustainability goals. Upon recommendation of the Advisory Committee, the draft Management Area chapters will be submitted to the Wyandotte Creek GSA Board for inclusion in the GSP unless the chapters do not comply with SGMA or applicable regulations. Upon inclusion in the GSP, the Wyandotte Creek GSA Board would be responsible for implementation, reporting and enforcement.

Within the Wyandotte Creek subbasin there will be two Management Areas. One Management Area will include the municipal areas that overly and are adjacent to the City of Oroville and Thermalito Water and Sewer District, the other Management Area overlies the rural areas south of Oroville.

Backup material for agenda item:

**6. RESOLUTION SETTING A PUBLIC HEARING DATE ON THE INTENT TO ESTABLISH A DOWNTOWN BUSINESS IMPROVEMENT DISTRICT**

The Council shall consider approval of the Resolution of Intent to Establish a Downtown Oroville Business Improvement District; schedule a public hearing on March 19, 2019 to gather public testimony; and authorize staff to transmit public notice to the newspaper and mail a complete copy of the Resolution to each business within the area proposed to be established.

**RECOMMENDATION**

Adopt Resolution of Intent to Establish the Downtown Oroville Business Improvement District and schedule the March 19, 2019 Public Hearing to gather public testimony.



**CITY OF OROVILLE  
STAFF REPORT**

**TO: MAYOR REYNOLDS AND COUNCIL MEMBERS**

**FROM: TOM LANDO, ACTING CITY ADMINISTRATOR**

**RE: RESOLUTION SETTING A PUBLIC HEARING DATE ON THE INTENT TO ESTABLISH A DOWNTOWN BUSINESS IMPROVEMENT DISTRICT**

**DATE: FEBRUARY 19, 2019**

**SUMMARY**

The Council shall consider approval of the Resolution of Intent to Establish a Downtown Oroville Business Improvement District; schedule a public hearing on March 19, 2019 to gather public testimony; and authorize staff to transmit public notice to the newspaper and mail a complete copy of the Resolution to each business within the area proposed to be established.

**DISCUSSION**

A Business Improvement District (“BID”) is a program of a city, county or joint powers authority under which the city, county, or joint powers authority levies an assessment against businesses to fund services or improvements that benefit the assessed businesses. This revitalization tool is typically used for commercial neighborhoods such as regional business districts, downtowns, and other commercial areas. Business owners and their landlords utilize BIDs because they provide localized cleanup, security, marketing and other services. These services can help unique commercial areas that are oriented along public streets to more effectively compete with privately owned and managed commercial developments.

The Downtown Oroville Business Improvement District (“District”) is a benefit assessment district proposed to help fund marketing and special events in the downtown area and to provide civic beautification of the downtown area. The proposed District includes all existing and future businesses located within the boundaries of Downtown Oroville, as set forth in Exhibit A of the Resolution of Intent to Establish the Downtown Business Improvement District.

**FISCAL IMPACT**

**None for the City.** Any costs incurred by the City will be recaptured with an increase in sales tax and an increase in business license collections.

## **RECOMMENDATION**

Adopt Resolution of Intent to Establish the Downtown Oroville Business Improvement District and schedule the March 19, 2019 Public Hearing to gather public testimony.

## **ATTACHMENTS**

Letter to Mayor and Council  
Resolution of Intent  
Map of BID Areas  
List of Businesses in Zone A and Zone B

Mayor Chuck Reynolds  
Members, Oroville City Council  
City of Oroville  
February 19, 2019

As you might know by now, the Oroville Downtown Business Association, in concert with the Riverfront District, is currently deep into the process of attempting the establishment of a Business Improvement District under California SB 1424, (89 law).

Individual copies of our new publication, *"Proposal for a Business Improvement District for Downtown Oroville, Spring 2019"* were hand delivered to all of you as well as to appropriate City Staffers within the past two weeks. It is our hope that you have had time to review this publication, the purpose of which is to comprehensively explain the BID concept as well as what a new BID would do for the downtown Oroville business community and for the City of Oroville. (see attached page 22 of The BID Book for more specific information regarding BID benefits accruing to the City of Oroville).

We have been meeting with the Oroville City Attorney over the past several weeks and on January 31, 2019 facilitated a very well attended BID Information Workshop. All downtown businesses were personally invited to this evening gathering. The workshop was considered a resounding success with an attendance of nearly fifty downtown business and property owners. At the conclusion of this information workshop there was no one in attendance who did not strongly support the establishment of the BID.

We are now entering the phase of BID establishment where a number of legal steps must be conducted. These traditional steps will culminate in the adoption of an ordinance enabling the City to establish the BID for the benefit of all downtown business and property owners. I have met with Scott Huber as well as with other City representatives over the past month or more and feel there is a high degree of understanding and acceptance of the BID establishment campaign.

Thanking you in advance for your support of this worthy downtown Oroville benefit program. Please don't hesitate to contact any of us should you have questions or require additional information concerning the BID.

Bud Tracy, Tracy Realty Company  
BID Establishment Project Coordinator

Formation Committee Members:

-Marsha Bamford	Bamford Family Farms
-Carissa Gaines	Dot Kidz
-Tracy Grant	Lowla's, Tracy Grant Photography
-Dean Gurr	Creative Imaging Center
-Lisa Kelly	Restored Boutique
-Madeline Kingsbury	Pure Spa
-Karissa Nelson	Nelson's Footwear
-Michelle Paloma	Lunatic Fringe, Bohemian Boutique
-Lori Pierce	Mugshots, Kusel's Big Store, Copa de Oro
-Krysi Riggs	The Axiom
-Steve Rocchi	Oroville Vision Optometrics Group
-ChioSaelee	Nori's
-Brian Wong	Tong Fong Low, The Depot
-Robin Zanon	Gallery Interiors

RESOLUTION NO.

DECLARING THE CITY COUNCIL OF THE CITY OF OROVILLE'S INTENTION TO ESTABLISH THE DOWNTOWN OROVILLE BUSINESS IMPROVEMENT DISTRICT LEVY AND DIRECTING THE CITY CLERK TO SCHEDULE A PUBLIC HEARING FOR MARCH 19, 2019, TO CONSIDER LEVYING AN ASSESSMENT FOR THE FISCAL YEAR 2019-2020

WHEREAS the California Streets and Highways Code Section 36500 et seq, authorizes cities to establish parking and business improvement areas for the purpose of promoting economic revitalization and physical maintenance of business districts in order to create jobs, attract new businesses and prevent erosion of business districts; and

WHEREAS the Business Improvement District Formation Committee ("Committee") has requested the City Council to establish such an improvement district in the commercial area in and around Downtown Oroville.

NOW THEREFORE the City Council of the City of Oroville does hereby resolve, determine, and find as follows:

Section 1. The City Council does, at the request of the Committee, and pursuant to the California Streets and Highways Code, declare its intention to establish the "Downtown Oroville Business Improvement District" (the "District").

Section 2. The boundaries of the entire area to be included in the District are set forth in the map and boundary description, **Exhibit A**, attached hereto and incorporated herein by reference. A true and correct copy of the map is on file with the City Clerk of the City of Oroville.

Section 3. The types of improvements and activities proposed to be funded by the levy of assessments on business in the District are in **Exhibit B** attached hereto and incorporated herein by reference.

Section 4. The City Council intends to levy an annual benefit fee ("assessment") on businesses in the District to pay for selected improvements and activities of the District.

Section 5. All funds of the District shall be expended on improvements and activities within the District.

Section 6. The method and the basis for levying the benefit fee on all the businesses within the District are set forth in the Exhibit C attached hereto and incorporated herein by reference.

Section 7. New businesses shall be exempt from payment of the fee until the next billing period following their establishment occurs.

Section 8. A public hearing to establish the District shall be held before the City Council on the 19th day of March, 2019, in the Council Chambers, 1735 Montgomery Street, Oroville, California. At the public hearing the testimony of all interested persons, for or against the



establishment of the District interested in matters concerning the boundaries of the District, the areas of benefit within the District and the assessments to be levied, will be heard.

Section 9. A protest against the District, or any aspect of it may be made orally or in writing. An oral protest shall be made at the said public hearing. To count in the majority protest against the District, a protest must be submitted individually in writing. A written protest may be withdrawn from record at any time before the conclusion of the public hearing. All written protests should contain the following certification: "I certify that I am the owner of the business listed below, and that the business is located or operates within the boundaries of the proposed Downtown Oroville Business Improvement District." Protests should also contain the following information: business name (printed), business address (printed), City Business License Tax Registration number, name of protester (printed), signature of protester, date of protest and the reason(s) the protester is against the establishment of the District. Protests will not be considered valid unless signed and submitted by the owner of a business located within the boundaries of the proposed District.

Section 10. If at the conclusion of the public hearing there are of record written protests by the owners of the businesses within the District that will pay fifty percent (50%) or more of the total assessments of the entire District, no further proceedings to create the business shall occur. New proceedings to form the District shall not be undertaken again for a period of at least one (1) year from the date of the finding of the majority written protest by the City Council. If the majority written protest is only as to an improvement or activity proposed, then that type of improvement or activity shall not be included in the District.

Section 11. Further information regarding the proposed Downtown Oroville Business Improvement District may be obtained from the City Clerk of the City of Oroville, at 1735 Montgomery Street, Oroville, CA 959654 or by telephone (530) 538-2405.

Section 12. The City Clerk is directed to give notice of said public hearing as follows:

- a. by causing this Resolution of Intention to be published once in a newspaper of general circulation in the City of Oroville once, at least ten (10) days before the hearing.
- b. by mailing a complete copy of this Resolution of Intention to each and every business owner in the District within seven (7) days of the adoption of this Resolution by the City Council.

1. PROPOSED BUSINESS IMPROVEMENT DISTRICT BOUNDARIES

The proposed Business Improvement District will include all businesses in Downtown Oroville.

Home-based businesses in residential areas are excluded.

A map of the boundaries of the District is attached hereto.

## BID IMPROVEMENT PROGRAMS

### Program 1: Commercial Marketing and Special Events

The BID will fund a marketing campaign to promote Downtown Oroville with the following possible components:

- Advertising and promotion
- Theme development
- Special events and activities
- Visitor attraction
- Commercial recruitment
- Downtown Market(s)

### Program 2: Civic Beautification

The BID will support a number of activities aimed at beautifying and enhancing Downtown Oroville~~Solano Avenue~~, which may include:

- Enhancement of main entry points of downtown
- General streetscape cleanup and beautification
- Paint light poles
- Filling and maintaining planters
- Restore and/or update murals
- Add more holiday decorations

EXHIBIT C

## DISTRICT ASSESSMENT FORMULA

The BID is a self-initiated and administered business improvement district funded by an annual benefit fee or assessment. The assessment formula is based on type of business and location in order to offer a fair and equitable charge for each business in the District. BID assessments will be collected by the City and given to the BID Committee under a contract for administration of BID activities aimed at economic stimulation and business enhancement.

### 1. Business Type Definitions

For the purpose of establishing annual assessments that reflect the relative benefits to different types of businesses in the District businesses are grouped into the following types:

- a. Retail and Restaurant: Businesses that buy and resell goods, examples are clothing stores, shoe stores, office supplies as well as businesses that sell prepared foods and drinks.
- b. Sales and Service Businesses: Businesses that combine retail and product services. Examples are appliance stores, most automotive-oriented businesses, repair shops, entertainment businesses such as theaters and personal care salons such as beauty salons, barber shops and tanning salons.
- c. Professional Businesses: Includes Architects, Engineers, Attorneys, Dentists, Doctors, Accountants, Optometrists, Realtors, Insurance Offices, Mortgage Brokers and most other businesses that require advanced and/or specialized licenses and/or advanced academic degrees.
- d. Financial Institutions: Includes banking, (both full-service banking and express banking) as well as savings and loan institutions and credit unions.

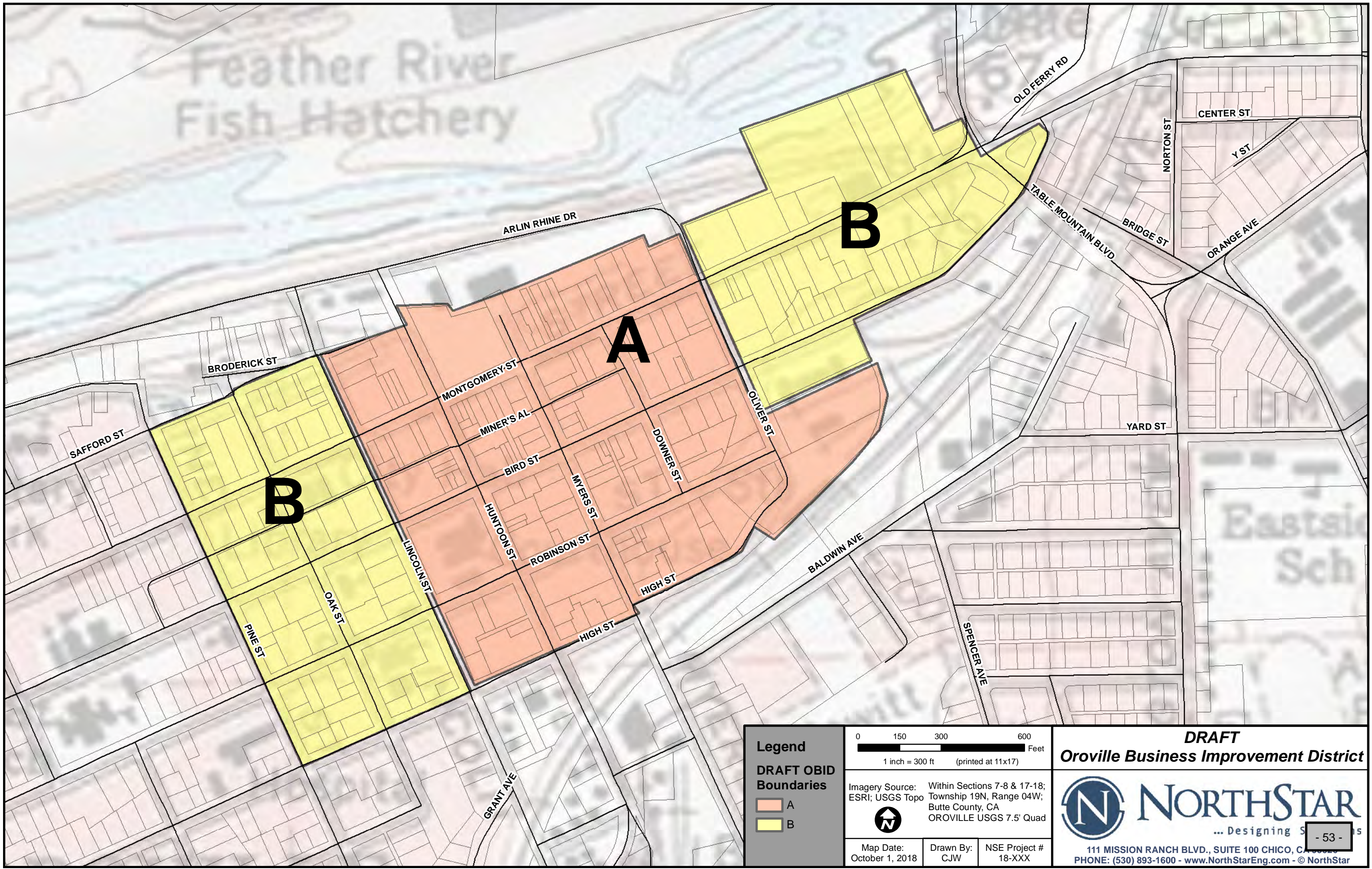
### 2. Benefit Fee Formula Matrix

Businesses will pay annual benefit fees or assessments as follows:

Type of Business	Proposed Assessments	
	Zone A	Zone B
a. Retailers and Restaurants:		
Small 1-3 employees	\$250	\$150
Large 4+ employees	\$350	\$150
b. Service Businesses:	\$200	\$100
c. Professional Businesses:	\$200	\$100
d. Financial Institutions	\$500	\$500

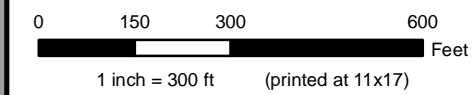
Employees for retail and restaurant businesses are counted in full time equivalent positions.

Feather River  
Fish Hatchery



**Legend**  
**DRAFT OBID Boundaries**

- A
- B



Imagery Source: Within Sections 7-8 & 17-18; ESRI; USGS Topo  
Township 19N, Range 04W; Butte County, CA OROVILLE USGS 7.5' Quad

Map Date: October 1, 2018  
Drawn By: CJW  
NSE Project #: 18-XXX

**DRAFT**  
**Oroville Business Improvement District**



111 MISSION RANCH BLVD., SUITE 100 CHICO, CA 95926  
PHONE: (530) 893-1600 - www.NorthStarEng.com - © NorthStar

BID - Zone A  
By Category

98 TOTAL

R & R Large 12 - R & R Small 27 - Professional 26 - Services 20 - Exempt 13

Retail/Restaurant Large \$350:

1. Mary Lake-Thompson LTD. - 1870 Montgomery Street (Wholesale + Retail)
2. Northwestern Trading Co - 1910 Bird Street ??
3. Pho Noodle House - 1898 Bird Street
4. Casa Vieja - 1560 Huntoon Street
5. Tong Fong Low - 2051 Robinson Street
6. Uncle Ping's Express - 1958 Robinson Street
7. Mug Shots Coffee House - 2040 Montgomery Street
8. Copa De Oro - 1445 Myers Street
9. The Exchange - 1975 Montgomery Street
10. Parkervort Farms Inc. DBA Miners Alley - 2053 Montgomery Street ??
11. Nori Asian Kitchen & Grill - 2025 Bird Street
12. Marcozzi's Jewelers - 1511 Myers Street

Retail/Restaurant Small \$250:

1. Dot.Kidz - 1977 Montgomery Street
2. Pond's Upholstery Supply Co - 2175 Bird Street
3. Red Fly Clothing - 1919 Montgomery Street
4. Ruby's Boutique - 1955 Montgomery Street
5. Pardon My French - 1925 Montgomery Street
6. Nelson's Footwear - 1949 Montgomery Street
7. Sierra Gem Company - 1390 Myers Street
8. Live Wise Bath and Beauty Bar - 1440 Myers Street
9. Brushstrokes Art Studio and Gallery - 1967 Montgomery Street
10. Treasures From The Past Antiques - 1877 Montgomery Street
11. Bella Paloma Boutique - 1462 Myers Street #A
12. Discount Books - 1515 Myers Street
13. Creative Imaging Center - 2061 Montgomery Street
14. Unique Gardens & Gifts - 1359 & 1365 Myers Street
15. Houser's Music - 1944 Bird Street
16. Gold City Mercantile - 1375 Myers Street
17. Butte County Wine Company - 1440 Myers Street #A
18. Kusel's Big Store - 1858 Montgomery Street
19. Well Worn - 1887 Montgomery Street
20. Fine Line's Apparel - 1955 Bird Street
21. The Galley - 2005 Bird Street
22. What To Wear - 2010 Bird Street
23. Gallery Interiors - 1954 Bird Street
24. Lowla's Boutique - 1360 Myers Street
25. Cacharmgirl Meets Hearts Desires - 1354 Myers Street
26. Bamford Family Farms - 1440 Myers Street STE K
27. Adventures in Prospecting Mining Supplies - 2111 Montgomery Street

Services \$200:

1. Bella Donna Salon - 1574 Huntoon Street

2. Bills Tune Up - 1724 Robinson Street
3. Weight Watchers - 1881 Robinson Street A
4. Dirks Trans & All Bearing - 2160 Montgomery Street
5. The State Barber Shop - 1455 Myers Street
6. VooDoo Tattoo - 1374 Myers Street
7. Lord's Gym Oroville - 2120 Bird Street
8. J&J Auto - 1230 Huntoon Street
9. Off The Top Barbershop & Family Salon - 1911 Montgomery Street #C
10. Magnolia Massage - 1849 Robinson Street
11. Black Bart Bikes - 1346 Myers Street
12. 2110 Salon & Spa - 2110 Montgomery Street
13. Country Bumpkin Spa - 2045 Robinson Street
14. Pure Spa - 1475 Myers Street
15. Gray Nurse Hardware - 1359 Huntoon Street
16. Oroville Healing Massage & Detox -1440 Myers Street STE D
17. Ultimate Balance - 2034 Montgomery Street
18. Sisters Salon - 1561 Myers Street
19. Silverscreen Tattoo/Body Pierce - 1559 Myers Street
20. Butte Auto Supply - 1770 Bird Street

Professional \$200:

1. Hewitt Attorney, Robert L. - 1876 Bird Street
2. The Family Place - 1770 High Street A & B
3. New Beginnings Counseling Centers, Inc - 1881 Robinson Street #B
4. Stifel, Nicolaus & Co., Inc. - 1891 Robinson Street
5. T N' T Real Estate - 1341 Lincoln Street
6. SCS Engineers - 2167 Montgomery Street
7. Wilson, Jeff DDS - 2172 Robinson Street
8. Darlene Cheryl LCSW - 1440 Myers Street
9. Kelly Albrecht Attorney At Law - 1440 Lincoln Street
10. Oroville Assoc. Of Realtors - 2120 Robinson Street #A
11. California Tribal Tanf Partnership - 2120 Robinson Street #B
12. James B. Berglund, Attorney at Law - 1453 Downer Street #B
13. Strive Dance & Performing Arts - 1920 Bird Street
14. Feather River Senior Citizen's Assoc. - 1335 Myers Street
15. Oroville Odd Fellows Bingo - 1472 Oliver Street
16. Native Sons of the Golden West - 1332 Huntoon Street
17. Tri County Treatment Services - 1881 Robinsons Street
18. Laura J. Bottom EA- The Bottom Line - 1550 Myers Street #C
19. Oroville Vision Optometric Group - 1550 Myers Street #A
20. Building Bridges Financial - 1447 Huntoon Street
21. Rosa Bagley - 2034 Montgomery Street
22. Golden State Dental Arts - 2162 Robinson Street
23. Piano Studio of Cristal Patterson - 2034 Montgomery Street
24. Feather River Counseling - 1331 Downer Street
25. Tracy & Assoc. DBA Tracy Realty Co. - 1453 Downer Street #F

Exempt:

1. Oroville Stepping Stones - 2131 & 2167 Montgomery Street
2. Oroville Rescue Mission Thrift - 2130 Bird Street

3. Ipakanni Early College Charter School - 1459 Downer Street
4. Oak is in The Acorn - 2124 5th Ave
5. .E Center Headstart - 1580 Huntoon Street
6. Mary Lake Thompson wholesale - 2121 Montgomery Street
7. Artists of Rivertown Gallery & Gifts - 1931 Arlin Rhine Dr
8. Axiom, The - 1420 Myers Street
9. Oroville Chamber of Commerce - 1789 Montgomery Street
10. Local Agency Formation Comm. - 1453 Downer Street #C
11. Butte County Historical Society - 1480 Lincoln Street
12. Restored - 1535 Myers Street
13. Myers/High Street - Five Star - 1569 Myers Street
14. Lighthouse Candy Shoppe - 2065 Bird Street



BID - Zone B  
By Category

35 TOTAL

Retail/Restaurant 3 - Professional 7 - Services 11 - Exempt 14

Retail/Restaurant \$150

1. Boss Burger - 2482 Montgomery Street
2. Bulldog Express
3. Bookworm - 2310 Montgomery Street

Professional \$100

1. Miller Realty - 1664 Montgomery Street
2. Caliber Home Loans - 1655 Montgomery Street
3. Law Office (5 Professionals) - 1681 Oak Street
4. Oro Cal - 1720 Bird Street
5. T'N'T Real Estate
6. Haven's Hearing Aid Center - 1343 Lincoln Street
7. Law Offices Albrecht, Ledford, Stewart - 1440 Lincoln Street

Service \$100

1. Monday Club - 2385 Montgomery Street
2. An Honest Smog - 2270 Montgomery Street
3. Garcia's Expressions Auto Body - 2232 Montgomery Street
4. Motor Lodge - 2255 Bird Street
5. Nature Solutions - 2330 Bird Street
6. Latitudes Signs and Banner - 2400 Bird Street
7. About Soul Beauty - 2329 Montgomery Street
8. A Touch of Glass - 2232 Montgomery Street
9. Executive Tire - 1610 Montgomery Street
10. Bill's Tune Up - 1724 Robinson Street
11. Butte Auto - 1770 Bird Street

Exempt

1. Veterans Memorial Hall - 2310-2454 Montgomery Street
  2. Pioneer History Museum - 2332 Montgomery Street
  3. Butte County Behavioral Health - 2430 Bird Street
  4. Alano Club - 2471 Bird Street
  5. Chamber - 1789 Montgomery Street
  6. City - 1735 Montgomery Street
  7. Law Library - 1675 Montgomery Street
  8. Saint Paul's Church - 1430 Pine Street
  9. Table Mountain E Center Head Start - 1650 Robinson Street
  10. YMCA - 1684 Robinson Street
  11. First Congregational Church - 1715 Bird Street
  12. Butte County Office of Education
  13. Ehman Home - 1480 Lincoln Street
- Bird Cage - 1740 Bird Street

Backup material for agenda item:

**7. AN URGENCY ORDINANCE TO AMEND A TEMPORARY MORATORIUM ON RESIDENTIAL RENT INCREASES IN THE CITY OF OROVILLE**

The Council will consider amending an urgency ordinance to establish a temporary moratorium on residential rent increases in the City of Oroville.

**RECOMMENDATION**

Approve Amended Urgency Ordinance No. 1832 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA ESTABLISHING A TEMPORARY MORATORIUM ON RESIDENTIAL RENT INCREASES IN THE CITY OF OROVILLE



## **CITY OF OROVILLE STAFF REPORT**

**TO: MAYOR AND COUNCIL MEMBERS**

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

**RE: AN URGENCY ORDINANCE TO AMEND A TEMPORARY MORATORIUM  
ON RESIDENTIAL RENT INCREASES IN THE CITY OF OROVILLE**

**DATE: FEBRUARY 19, 2019**

### **SUMMARY**

The Council will consider amending an urgency ordinance to establish a temporary moratorium on residential rent increases in the City of Oroville.

### **DISCUSSION**

As a result of the Camp Fire, which has decimated the Town of Paradise, the City has received information that rent prices have increased by 10% (the maximum amount allowed by law following a natural disaster pursuant to Penal Code section 296(e).) Such increases have the consequences of pricing many people out of the housing market and will take advantage of those who have been impacted by the recent natural disaster. The urgency ordinance, once adopted, prohibited landlords from increasing rental rates.

Staff learned of some unintended consequences of the urgency ordinance that prohibited individuals who owned rental properties that were under contract with a tenant from adjusting their rental rates as the lease agreement expires. As such, the attached draft urgency ordinance has been amended to allow an increase in rental rates of up to 10% of the rental value in effect as of November 1, 2018 prior to the Camp Fire.

Staff recommends that the Council pass the attached amended urgency ordinance prohibiting rent increases for 10 months and 15 days in excess of 10% of the rental value in effect as of November 1, 2018 prior to the Camp Fire.

### **FISCAL IMPACT**

None.

**RECOMMENDATION**

Approve Amended Urgency Ordinance No. 1832 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA ESTABLISHING A TEMPORARY MORATORIUM ON RESIDENTIAL RENT INCREASES IN THE CITY OF OROVILLE

**ATTACHMENTS**

Amended Urgency Ordinance No. 1832

**AMENDED URGENCY ORDINANCE NO. 1832**  
**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OROVILLE, CALIFORNIA ESTABLISHING A**  
**TEMPORARY MORATORIUM ON RESIDENTIAL RENT INCREASES IN THE CITY OF OROVILLE**

**WHEREAS**, pursuant to Article XI, Section 7 of the California Constitution, the City of Oroville may make and enforce all regulations and ordinances using its police powers; and

**WHEREAS**, the Camp Fire in the town of Paradise has forced approximately 30,000 people to evacuate; and

**WHEREAS**, the City of Paradise is only 17.34 miles from the City of Oroville; and

**WHEREAS**, the Camp Fire has burned more than 150,000 acres and destroyed more than 13,000 residences; and

**WHEREAS**, the Governor of the State of California proclaimed a State of Emergency for Butte County on November 8, 2018; and

**WHEREAS**, On November 12, 2018, the President of the United States issued a Major Disaster Declaration for Butte and other counties in the state of California; and

**WHEREAS**, landlords in the City of Oroville have an immediate incentive to increase rents to higher levels; and

**WHEREAS**, in order to preserve the public peace, health and safety, it is necessary to prevent residential rent increases beyond the state maximum during this devastating time.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF OROVILLE DOES ORDAIN AS FOLLOWS:**

**SECTION 1.**     **Findings.** The City Council of the City of Oroville adopts and finds as true and correct, the aforementioned recitals and incorporate them herein as findings.

**SECTION 2.**     **Imposition of Temporary Moratorium on Residential Rent Increases.** A temporary Moratorium on Residential Rent increases in excess of 10% of the rate charged prior to November 1, 2018 is hereby imposed for a period of ten (10) months and fifteen (15) days. During the Moratorium Period, no Landlord shall increase Rent for any Rental Unit in excess of 10% of the rate charged prior to November 1, 2018. This moratorium shall not apply to any rent increase which has become effective prior to the effective date of this Ordinance. The Moratorium may be extended pursuant to Government Code Section 65858.

**SECTION 3.**     **Severability.** If any section, subsection, clause, phrase or word of this Ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 4.**     **Effective Date.** This Ordinance is an Urgency Ordinance enacted under California Government Code Sections 36934 and 36937(b). This Urgency Ordinance is immediately effective upon adoption by a four-fifths vote of the City Council.

I HEREBY CERTIFY that the foregoing urgency ordinance was duly read and adopted at a regular meeting on 19th day of February 2019, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
CHUCK REYNOLDS, Mayor

ATTEST:

FORM APPROVED:

\_\_\_\_\_  
JACKIE GLOVER, Assistant City Clerk

\_\_\_\_\_  
SCOTT HUBER, City Attorney

**Backup material for agenda item:**

**8. INFORMATION REGARDING ALLEY WAYS**

The Council will receive information regarding the condition and maintenance of Alley Ways.

**RECOMMENDATION**

Bring back to Council during budget meetings.



## **CITY OF OROVILLE STAFF REPORT**

**TO: MAYOR AND COUNCIL MEMBERS**  
**FROM: TOM LANDO, INTERIM CITY ADMINISTRATOR**  
**RE: ALLEY WAYS**  
**DATE: FEBRUARY 19, 2019**

### **SUMMARY**

The Council will receive information regarding the condition and maintenance of Alley Ways

### **DISCUSSION**

Prior to the annexation of South Oroville, the City maintained 6 miles of alley ways. The Streets Department maintenance included spraying pre-emergent once a year in the early spring, adding base rock as necessary in March and April, trimming vegetation and weeds, and leveling Alley as needed. The Streets Department kept the Alley ways accessible for emergency vehicles and other vehicles. The Streets Department did periodically get complaints about illegal dumping and would pick up items dumped.

The Annexation of South Oroville added an additional 3 miles of Alley way bring the total to a little over 9 miles of alleys in the City of Oroville. The Alley ways in South Oroville were less developed then other City Alley ways. Most of the Alleys in South Oroville are dirt with little base rock, full of large holes and become saturated and muddy during rain events. These Alleys need to be regraded and base rock added. However, regarding will create drainage issues for the homeowners if the Alley way is raised.

The Streets Department still attempts to spray, add rock, trim vegetation, weed eat, and everything necessary to maintain the Alley ways. However due to decreasing staffing and increasing area of responsibility the Alleys have been less of a priority. Unfortunately, over the past few years illegal dumping has also increased. The Alley ways have been cleaned several times and within a week the illegal dumping has resumed.



Currently it takes the entire Parks and Streets crews to perform the maintenance. All other activities such as street sweeping, pot holes, concrete work, parks cleaning, mowing, tree work, and all other duties of the Parks and Trees and Street Departments are not being done.

The Streets Department is doing the best job possible with the current staffing levels. There are currently three employees in the Streets Department. This item should come back to Council during budget discussions to set the priority of hiring additional Streets personnel and setting budgets for Alley maintenance programs.

**FISCAL IMPACT**

None

**RECOMMENDATION**

Return to Council during budgeting meetings

**Backup material for agenda item:**

**9. UTILITY USER TAX**

The Council may consider amending section 3.28 Oroville Municipal Code, Telephone, Gas, Water, Electricity, and Television cable user tax.

**RECOMMENDATION**

Due to the precarious financial situation of the City, Staff recommends no reduction or elimination of the Utility User Tax at this time. Staff further recommends that the Council revisit this item in January of 2020.



## **CITY OF OROVILLE STAFF REPORT**

**TO: MAYOR AND COUNCIL MEMBERS**  
**FROM: TOM LANDO, INTERIM CITY ADMINISTRATOR**  
**RE: UTILITY USER TAX**  
**DATE: FEBRUARY 19, 2019**

### **SUMMARY**

The Council may consider amending section 3.28 Oroville Municipal Code, Telephone, Gas, Water, Electricity, and Television cable user tax.

### **DISCUSSION**

At the February 5, 2019 meeting of the Oroville City Council meeting, the Council expressed the desire to review the Utility user tax, 3.28 of the Oroville Municipal Code.

Currently all electrical, gas, water are taxed at 5%. Telephone and Cable are taxed at 4.5%. Each year the Utility User Tax generates approximately 1.8 million dollars in revenue. The monies generated by this tax are not restrict dollars and are currently being used to fund a portion of each City Department.

The Council can take the action to reduce the tax rates or eliminate this tax completely. If that action is taken the Council cannot simply go back and raise the rate. If the rate was lowered or eliminated it would become necessary to have a vote of the people of Oroville to reinstate the old rate or reapprove the rate if eliminated.

The Council has the prerogative to add rebates for low income seniors or any other group that the Council identifies, or other changes as directed. To do this the Council would have to direct staff to return to Council with proposed changes to the Municipal Code, adopt those change, and then conduct a public hearing.

### **FISCAL IMPACT**

Elimination of User Tax would result in a loss of approximately 1.8 million dollars of general fund money per year

Reduction or rebate would result in a loss proportionate to the percentage of reduction per year

## **RECOMMENDATION**

Due to the precarious financial situation of the City, Staff recommends no reduction or elimination of the Utility User Tax at this time. Staff further recommends that the Council revisit this item in January of 2020.

## **ATTACHMENTS**

Chico Municipal Code Example  
Chico Refund Form request Example

**CITY OF CHICO - FINANCE OFFICE**

411 Main Street, Chico, CA 95928 /(530) 879-7389

**UTILITY USERS TAX REFUND APPLICATION AND CLAIM**

**EXEMPTION PROGRAM**

(Pursuant to Section 3.56.190 and 3.56.200 of the Chico Municipal Code)

**Directions:** If applying for a Utility Users' Tax Refund, complete **Sections I, II, III and IV.**

If applying for an Exemption from Utility Users' Tax, complete **Sections I, II, and IV.**

**SECTION I - APPLICANT INFORMATION**

<b>Name:</b>	<b>Phone No:</b>	<b>Age at last birthday:</b> (Exemption ONLY)
<b>Service Address:</b>		<b>Number in Household:</b>

**SECTION II - STATEMENT OF COMBINED ANNUAL TOTAL HOUSEHOLD INCOME - ALL SOURCES**

<b>Annual Household Income:</b>	\$
---------------------------------	----

-Includes but not limited to: Adjusted Gross Income, Alimony, Public Assistance & Relief, Pension Annuities, Social Security, Worker's Compensation, Unemployment Insurance, Tax Exempt Interest, Insurance Benefits, and Gifts

**SECTION III - UTILITY USERS' TAX PAID**

This application for refund must be supported with proof of household income along with copies of utility bills for the period of May 1 through April 30 and proof of payment by claimant or member of household. After this application has been audited by the Finance Office, a refund will be issued in accordance with refund provisions on the back of the application. **Submitted copies of utility bills will not be returned to applicant.**

Utility Users' Tax Paid				
Month/Year	Water Service	Gas & Electric Service	Telephone Service	TOTAL
May 2011	\$	\$	\$	\$
June 2011				
July 2011				
August 2011				
September 2011				
October 2011				
November 2011				
December 2011				
January 2012				
February 2012				
March 2012				
April 2012				
<b>TOTAL</b>	\$	\$	\$	\$

**SECTION IV - CERTIFICATION OF APPLICANT**

- I certify that I have read this application and the General Information (on reverse side) thoroughly, that I understand its content, and that I have supplied true and correct information herein to the best of my knowledge and belief.
- I understand that any person required to sign and verify any report under the provisions of the City of Chico Municipal Code, who makes any false or fraudulent request with intent to defeat or evade the determination of any amount, is guilty of a misdemeanor.

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**CITY OF CHICO  
UTILITY USERS' TAX REFUND & EXEMPTION PROGRAM  
GENERAL INFORMATION**

A refund or an exemption from City Utility Users' Tax, for utility services provided may be approved when the following conditions are met:

- (1) City of Chico resident files an application with the City of Chico Finance Office for a refund or an exemption.
- (2) The application is approved by the Finance Office as being in conformance with Section 3.56.190 and/or 3.56.200 of the Chico Municipal Code. Only one member of each household may file an application and only one application may be filed for each household.
- (3) The **combined** annual income of the household in which the applicant lives for the 2011 Federal and State Personal Income Tax Year was less than the maximum annual income limits in the following schedule:

<u>Household Size</u>	<u>Maximum Annual Income</u>	<u>Maximum Refund</u>
1	\$32,900	\$105
2	\$37,600	\$120
3	\$42,300	\$135
4	\$46,950	\$150
5	\$50,750	\$162
6	\$54,500	\$174
7	\$58,250	\$186
8 or more	\$62,000	\$198

- (4) The applicant shall be the person in whose name the bills for utility services were rendered.

**Applications for Utility Users' Tax paid** will be accepted from May 1, 2012 to June 30, 2012 for tax paid between May 1, 2011 and April 30, 2012.

The application must be accompanied by:

- Proof of household income (2011 Tax Return, Disability Statement, Social Security Letter, etc.)
- Copies of the utility bills including Water bills, Gas & Electric bills and Telephone bills paid by the applicant.

Refunds will be processed as follows:

- No refund shall be made on any application filed or postmarked later than June 30, 2012.
- All applications for refund sent through mail will be paid with a check from the City of Chico.
- All applications for refund delivered by the applicant to the City of Chico Finance Office shall be processed the same day when possible.

**Applicants for the Exemption Program** shall have attained the age of 60 years prior to making the application for exemption. Eligibility for tax exemption for applicants 60 years or older shall be based on the maximum income for a two-person household as set forth above (\$37,600 for 2011). Applications for exemption are accepted any time during the year and must be accompanied by:

- Proof of household income (2011 Tax Return, Disability Statement, Social Security Letter, etc)
- Age of the applicant as documented by driver's license or birth certificate.



# CALIFORNIA WATER SERVICE COMPANY

FOR CUSTOMER SERVICE:

(530) 893-6300  
www.calwater.com  
2222 Dr. M L King Jr. Pkwy  
Chico, CA 95928

Customer Name: [REDACTED]  
Billing Date: May 06, 2008  
Account Number: [REDACTED]

### Important Customer Message(s)

May is Water Awareness Month, and what better way to celebrate than with face-painting, games and prizes, free water-conserving devices, snow cones, and more? We'll have food and fun for the whole family, so join us on Wednesday, May 21, 2008, from 4-7 p.m. at the Cal Water Customer Center (2222 Dr. Martin Luther King Jr. Parkway, Chico, CA 95928). You'll get information about water quality, rates, conservation, construction projects, and customer service. The local fire department will also be here fire truck and all. Even better, it's free! Call (530) 893-6300 for more information.

Account Summary as of May 06, 2008	
Current Charges - Water: Metered	22.80
Current Charges - Sewer	16.11
Subtotal	38.91
Prior Balance	31.01
Payment Received - 04/15/08	-31.01
<b>Total Amount Due - 05/27/08</b>	<b>\$38.91</b>

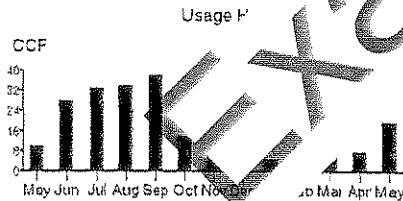
You can now receive, view, and pay your bill online at [www.calwater.com](http://www.calwater.com), or pay by phone toll-free at (866) 734-0743. Another convenient option is to pay via Automatic Payment Service by signing the authorization line on your payment coupon and returning it with your payment and a voided check. You can change your method of payment any time you choose.

Service Address: [REDACTED]

### Water Service Detail



Water



May 2007 - 10 CCF  
May 2008 - 20 CCF  
\* 1 CCF is 100 cubic feet (748 gallons)

Service from 04/04/08 - 05/05/08	
5/8" service charge	8.90
20 CCF* at \$0.5925 per CCF	11.85
CPUC fee	0.32
Other charges or credits	0.28
Local tax (5%)	1.07
Public Purpose Programs	0.38
<b>Total</b>	<b>\$22.80</b>

Meter ID	Current Meter Read		Previous Meter Read		Total Usage	Next Scheduled Read Date
	Date	Reading	Date	Reading		
[REDACTED]	05/05/08	6364	04/03/08	6364	20 CCF	6/4/2008

### Other Service Detail

Sewer

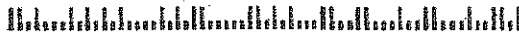
Service from 04/04/08 - 05/05/08	
Sewer charge	16.11
<b>Total</b>	<b>\$16.11</b>

LOCAL  
= UUT (Water)

999061928650185000006151000006151

Account Number	Bill Date	Amount Due	Due Date	Amount Enclosed
[REDACTED]	05/08/2008	\$61.51	05/29/2008	

3934.32.735.146430 1 AV 0.324



PG&E  
 BOX 997300  
 SACRAMENTO CA  
 95899-7300

[REDACTED]  
 CHICO CA 95926-1536

200.0070

Please return this portion with your payment. Thank you.

**Telephone Assistance**

1-800-743-5000  
 Assistance is available by  
 telephone 24 hours per day,  
 7 days per week.

**Local Office Address**

350 SALEM ST  
 CHICO CA 95928

**Account Number**

[REDACTED]

**Special Account Information**

CARE-Discount-Rate

May 2008

**ACCOUNT SUMMARY**

Service	Service Dates	Amount
Gas	04/09/2008 To 05/08/2008	\$27.52
Electric	04/09/2008 To 05/08/2008	30.35
Energy Commission Tax		0.08
Gas PPP Surcharge		0.66
Utility Users' Tax		2.90
<b>TOTAL CURRENT CHARGE</b>		<b>\$61.51</b>
Previous Balance		79.07
05/08 Payment - Thank		79.07
<b>TOTAL AMOUNT DUE DATE -</b>		<b>\$61.51</b>

Example

2139061/9

UUT (Electric & Gas)

Your bill includes a Gas Public Utility Program (PPP) Surcharge, which is used to fund state-mandated gas assistance programs for low-income customers, energy efficiency programs, and public-interest research and development.

The summer electric baseline season began on May 1. Your total electric baseline quantities shown were calculated using your daily summer electric baseline quantities starting May 1 and your daily winter electric baseline quantities for any days in your billing period prior to May 1.

For your convenience, PG&E offers four-hour appointment scheduling for service visits. If you have special scheduling needs, be sure to let us know when you call.







Plans and Services

Government Fees and Taxes

1. CA High Cost Fund Surcharge - A:	.01
2. CA High Cost Fund-B and CA Advanced Svc Fund	.05
3. California Teleconnect Fund Surcharge	.01
4. Universal Lifeline Telephone Service Surcharge	.11
5. CA Relay Service and Communications Devices Fund	.02
6. 9-1-1 Emergency System	.02
7. Federal	.20
8. Local	.47
<b>Total Government Fees and Taxes</b>	<b>.88</b>

Total Plans and Services 16.52

AT&T Internet Services

Important Information

AT&T Yahoo! Dial and AT&T Yahoo! High Speed Internet are co-branded services of AT&T Internet Services and Yahoo! Inc. Please note that your AT&T Bill will reference "AT&T Yahoo! Dial" or "AT&T Yahoo! High Speed Internet" as your AT&T Internet service even if you have not yet upgraded to this service.

For Billing Inquiries:

AT&T Yahoo! Internet customers call 1 800 288-2020  
AT&T Yahoo! Shared Web Hosting customers call 1 866 722-9932  
DSL and SDSL customers call 1 866 375-4748  
AT&T Wi-Fi contact information located at www.attwifi.com  
For all Homezone (HZ) billing inquiries call 1 877 293-9997 (HOMEZONE VIDEO ONLY) or visit www.att.com/moneyclip and login through "ManageYour MoneyClip(SM) Account" to view and/or manage your monthly Homezone video billing transactions.  
For email inquiries regarding High Speed Internet billing only, contact http://www02.sbc.com/ContactUs/EmailUs/1,,00.html?id=10&from=...  
For written inquiries regarding High Speed Internet billing only, please contact AT&T Yahoo! High Speed Internet Billing Inquiry, P. O. Box 2937, Romney, IA 50972-2937

Summary of Current Charges

Monthly Service	25.00
<b>Total Summary of Current Charges</b>	<b>25.00</b>

Monthly Service

Internet Services

Item	No.	Description	Quantity	
Charges for				
9. Service Discount	1	Service Date: 05/03/08 - 05/02/08		10.00CR
10. AT&T HSI EXPRESS	1	Service Date: 05/03/08 - 05/02/08		35.00

Monthly Service - Continued

Item	No.	Description	Quantity
Total Charges for			25.00
Total Internet Services			25.00
<b>Total AT&amp;T Internet Services</b>			<b>25.00</b>

News You Can Use

PREVENT DISCONNECT

All charges must be paid each month to keep your account current. However, "basic service" and its applicable taxes and surcharges MUST be paid to avoid disconnection. Currently, for this account that amount is \$5.47. Failure to pay non-basic charges may result in other collection activities, including restriction of toll calls.

CARRIER INFORMATION

Our records show that you or a company that represents you have chosen not to use AT&T California as your primary local toll carrier and that you agree with your carrier.

USSC AD:

You may have a Universal Service Surcredit that you should have received on your May 2008 bill. The amount that was over-credited in 2008 bills. Please contact us if this does not appear on your May 2008 bill. If you have any questions, please call 1 800 288-2020. Thank you for choosing AT&T.

Example

LOCAL = UUT (Telephone)



### **3.56.190 Refunds for low income persons.**

The following procedures, regulations and limits shall apply:

A. A refund not to exceed thirty dollars, or such higher amount as the council may determine by resolution, of taxes due and paid under the provisions of this chapter for utility services rendered on and after May 1, 1997, and through April 30, 1998, or for any such succeeding twelve-month period, shall be made whenever all of the following occur:

1. The annual gross income of the household in which claimant lives is less than eight thousand five hundred dollars, or such higher amount as the council may determine by resolution;

2. The claimant makes application and files a verified claim in writing with the finance director of the city for such refund upon a claim form provided by such officer;

3. The claim is approved by the finance director as being in conformance with this subsection.

B. The claimant shall be the person in whose name the bills for utilities services were rendered. Only one member of each claimant's household may file a claim, and only one claim may be filed for each individual household.

C. "Gross income" shall mean the sum of adjusted gross income for the claimant's last preceding federal or state personal income tax reporting period as documented by a federal or state tax return for such period, or if no such tax return is available, other documentation acceptable to the finance director.

D. The claim for such refund for utility taxes paid during the period from May 1 through April 30 of a given year shall be made only during the months of May and June of the following year, and must be accompanied by a copy of the utility bills, together with proof that the utility taxes have been paid by the claimant or some member of the household. No such refund shall be made on any claim filed or postmarked later than the thirtieth day of June.

E. No refund shall be made to any person for taxes levied on a utility account for which any utility tax is due and outstanding for the period for which refund is claimed or for any prior period. No refund shall be made of any tax which was paid with public assistance or relief funds which included an allowance to pay the tax.

F. Nothing in this section shall be construed to require that any utility company has any obligation to make or furnish, for the purpose of the refund provisions hereof, proof of utility taxes due or utility taxes paid.

(Prior code § 25.118 (Ord. 924 §1, Ord. 1186 §1, Ord. 1324 §§1 and 2, Ord. 1461 §§1 and 2, Ord. 1548 §§9, 10 and 11, Ord. 2113 §1, Ord. 2149 §1))

**3.56.200 Tax exemption for low income persons sixty years of age and older.**

The following procedures, regulations and limits shall apply:

A. Notwithstanding any provision of this chapter to the contrary, persons sixty (60) years of age and older living in households having an annual gross income of less than eight thousand five hundred dollars, or such higher amount as the council may determine by resolution, shall be exempt from the payment of the utility users' tax.

B. In order to qualify for the exemption set forth in subsection A above, persons meeting the age and income requirements established therein shall file an initial application with the finance director of the city upon a form provided by such officer. Such form may be filed at any time after the applicant becomes eligible therefor. Thereafter, when deemed necessary by the finance director, and upon a form provided by said finance director, each person granted an exemption shall file a statement certifying such person continues to meet the exemption eligibility requirements of this section.

C. Upon review and approval of any initial application for exemption, the finance director shall file with each utility company, at least once every thirty (30) days, a certification of the applicant's eligibility for exemption, upon a form satisfactory to the finance director and to the utility companies. Upon receipt of such certification of exemption, each utility company shall cease to apply the tax to the exempt account at the earliest possible date, considering each utility's billing change processing time requirements. Such exemption shall remain in effect thereafter until such time as the finance director notifies each utility company, in a similar manner, of the withdrawal of the exemption.

D. The applicant for exemption shall be the person in whose name the bills for utility services are rendered.

E. "Gross income" shall mean the sum of adjusted gross income for the claimant's last preceding federal or state personal income tax reporting period as documented by a federal or state tax return for such period, or if no such tax return is available, other documentation acceptable to the finance director.

(Ord. 1186 §2, Ord. 1324 §3, Ord. 1461 §§3 and 4, Ord. 1548 §§12, 13 and 14, Ord. 2113 §1, Ord. 2149 §2)

**Backup material for agenda item:**

**10. APPOINTMENTS TO COUNCIL AND LOCAL COMMITTEES**

Mayor Reynolds may make appointments to various committees and boards

**RECOMMENDATION**

None



## **CITY OF OROVILLE STAFF REPORT**

**TO: MAYOR AND CITY COUNCIL MEMBERS**

**FROM: JACKIE GLOVER, ASSISTANT CITY CLERK  
TOM LANDO, INTERIM CITY ADMINISTRATOR**

**RE: APPOINTMENTS TO COUNCIL AND LOCAL COMMITTEES**

**DATE: FEBRUARY 19, 2019**

### **SUMMARY**

Mayor Reynolds may make appointments to various committees and boards

### **DISCUSSION**

City Council Members represent the City on several Commissions, Committees and Boards at the city level and throughout the community. Every two years or as necessary the Mayor appoints Council Members to each to be approved by the council to represent the City on these commissions, committees and boards. Attached are the appointment schedules which outline the open positions for appointment.

### **FISCAL IMPACT**

None

### **RECOMMENDATION**

None

## CITY OF OROVILLE COMMITTEE AND BOARD ASSIGNMENTS 2019-2020



	Chuck Reynolds	Scott Thomson	Linda Draper	Janet Goodson	Art Hatley	David Pittman	Eric Smith		
ALUC - Airport Land Use								1, Alt	Airport Manager
ARTS COMMISSION								1, Alt	Director of Community Development
BCAG - Butte County Association of Governments								1, Alt	City Administrator or City Engineer
BCAQCB - Butte County Air Quality Control Board								1, Alt	City Administrator or Director of Community Develop
BCWAB - Butte County Water Advisory Board								1	City Administrator
CHAMBER OF COMMERCE								1, Alt	City Administrator
Citizens Oversight Committee								2, Alt	Finance Director or City Administrator
COCC - Butte County Continuum of Care								1	Director of Community Development
EXECUTIVE COMMITTEE/ INTERGOVERNMENTAL								3	Staff Assignment Varies
LEAGUE OF CALIFORNIA CITIES								1, Alt	City Administrator
LOAN ADVISORY HOUSING and ECONOMIC DEVEL								3	Business Assistance and Housing Director
ODBA - Oroville Downtown Business Association								1	Program Specialist
ORAC - Oroville Recreation Area Committee								1, Alt	Program Specialist
SBF - Supplemental Benefit Committee	X	X				X		3, 3 Alt	Program Specialist
SC-OR - Sewerage Commission Oroville Region	X			A				1, Alt	City Engineer
SGMA - Sustainable Groundwater Management								1, Alt	City Engineer
STAGE - State Theatre Arts Guild								1	Director of Community Development
TOURISM								1	Program Specialist
VETERAN MEMORIAL PARK								1	City Administrator

X - Voting Member    A - Alternate Member

## CITY OF OROVILLE COMMITTEE AND BOARD ASSIGNMENTS 2019-2020

Committee or Board	Meeting Date	Meeting Time
ALUC - Airport Land Use	3rd Wednesday	9:00 AM
ARTS COMMISSION	2nd Tuesday	3:00 PM
BCAG - Butte County Association of Governments	4th Thursday	9:00 AM
BCAQCB - Butte County Air Quality Control Board	4th Thursday	10:00 AM
BCWAB - Butte County Water Advisory Board	Quarterly	TBD
CHAMBER OF COMMERCE	2nd Wednesday	3:00 PM
Citizens Oversight Committee	TBD	
COCC - Butte County Continuum of Care	3rd Monday	1:00 PM
EXECUTIVE COMMITTEE/ INTERGOVERNMENTAL(w/County)	As Needed	
LEAGUE OF CALIFORNIA CITIES	Various	
LOAN ADVISORY HOUSING	2nd Thursday	10:00 AM
ODBA - Oroville Downtown Business Association	3rd Thursday	8:30 AM
ORAC - Oroville Recreation Area Committee	1st Friday	10:00 AM
SBF - Supplemental Benefit Committee	3rd Wednesday	2:00 PM
SC-OR - Sewerage Commission Oroville Region	4th Wednesday	5:00 PM
SGMA - Sustainable Groundwater Management	TBD	
STAGE - State Theatre Arts Guild	3rd Thursday	5:30 PM
TOURISM	2nd Tuesday	10:00 AM
VETERAN MEMORIAL PARK		

**Backup material for agenda item:**

1. Public Safety Report



**OROVILLE CITY COUNCIL  
MONTHLY REPORT**

**TO: MAYOR AND CITY COUNCIL MEMBERS  
TOM LANDO, CITY ADMINISTRATOR**

**FROM: BILL LAGRONE, POLICE AND FIRE CHIEF**

**RE: POLICE DEPARTMENT MONTHLY REPORT FOR DECEMBER, 2018  
FIRE DEPARTMENT MONTHLY REPORT FOR DECEMBER, 2018**

**DATE: FEBRUARY 19, 2019**

**SUMMARY**

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

**Staffing:**

<b>Positions</b>	<b>Total staffed</b>	<b>Total Authorized</b>	<b>Total Vacant/Frozen</b>
Police Officer	16.5	19.5	3
Dispatcher	8	9	1
Community Service Officers / Evidence	6	8	2
Administrative Personnel	2	3	1
Code Enforcement	1	1	0
School Resource Officer (SRO)	3	3	0

<b>Positions</b>	<b>Total staffed</b>	<b>Total Authorized</b>	<b>Total Vacant/Frozen</b>
Firefighters	0	1	1/0
Fire Engineer	8	9	1/0
Fire Captain	3	3	0/0
Administrative Personnel	3	3	0/0

**Police Revenue Update:**

Account Number and Description	DECEMBER 2017 Revenues <i>*Comparison Purposes only</i>	DECEMBER 2018 Revenues	Fiscal 17/18 Year to Date Revenues <i>*Comparison Purposes only</i>	Fiscal 18/19 Year to Date Revenues	Percentage of Projected Revenue
4310 / Vehicle Fines	\$375.00	\$576.00	\$1,262.00	\$1,673.00	33.5%
4320 / Parking Fines	\$0.00	\$0.00	\$0.00	\$0.00	
4330 / Other Fines	\$0.00	\$7,272.00	\$1,400.00	\$7,947.00	+318%
4740 / Other Fees	\$175.00	\$0.00	\$808.00	\$824.00	82.4%

\*Revenues for DECEMBER 2016

Projected Yearly Revenues	Actual year to date Revenue	Percentage
*\$382,149.00	\$288,911.00	75.6%

\*Estimation only

\*Without SRO Contract

#### Police Overtime YTD:

Overtime Budgeted	Overtime Expended YTD	Percentage Expended
\$382,149.00	\$295,469.00	77.3%

#### Fire Overtime YTD:

Overtime Budgeted	Overtime Expended YTD	Percentage Expended
\$250,000.00	\$414,391.00	166%

#### Department Activity:

Events Year to Date 2018	Average Response Time for Crimes against persons <i>*Priority 1 crimes</i>	Average Response Time for all types of calls for Service	National Average Response Time
39,195	5:29	6:27 minutes	8 - 11 minutes

#### Patrol Checks and Park Patrols:

	Park Patrols	Patrol Checks
DECEMBER 2018	14	353
Year to Date	570	3,582

**Parking Enforcement Citations Issued:**

DECEMBER 2018	Year to Date 2018	DECEMBER 2017	Year to date 2017
22	50	3	92

**Police Activity:**

<b>Arrest</b>	DECEMBER 2017	DECEMBER 2018	Year to date 2017	Year to date 2018
<b>Misdemeanor</b>	176	142	2,809	2,481
<b>Felony</b>	42	46	736	655

<b>Citations</b>	DECEMBER 2017	DECEMBER 2018	Year to date 2017	Year to date 2018
	78	53	1,285	744

**Uniform Crime Reporting:**

Crimes of Violence	DECEMBER 2018	Year to Date JANUARY – DECEMBER
Homicide	1	4
Rape	0	11
Robbery	1	32
Aggravated Assault	5	66

Population per 2010 Census 19,950  
 Violent Crimes YTD 66  
 Violent Crime Rate 3.3% PT

## Fire Department Activity:

### FIRE DEPARTMENT ACTIVITY

INCIDENT TYPE	# INCIDENTS	% of TOTAL
<b>Not Specified</b>		
100 - Fire, other	1	0.25%
111 - Building fire	2	0.50%
113 - Cooking fire, confined to container	1	0.25%
116 - Fuel burner/boiler malfunction, fire confined	1	0.25%
118 - Trash or rubbish fire, contained	3	0.75%
122 - Fire in motor home, camper, recreational vehicle	1	0.25%
130 - Mobile property (vehicle) fire, other	1	0.25%
131 - Passenger vehicle fire	2	0.50%
137 - Camper or recreational vehicle (RV) fire	1	0.25%
140 - Natural vegetation fire, other	4	1.00%
150 - Outside rubbish fire, other	3	0.75%
311 - Medical assist, assist EMS crew	1	0.25%
321 - EMS call, excluding vehicle accident with injury	262	65.17%
322 - Motor vehicle accident with injuries	3	0.75%
324 - Motor vehicle accident with no injuries.	24	5.97%
412 - Gas leak (natural gas or LPG)	2	0.50%
422 - Chemical spill or leak	2	0.50%
444 - Power line down	1	0.25%
531 - Smoke or odor removal	1	0.25%
550 - Public service assistance, other	2	0.50%
554 - Assist invalid	25	6.22%
611 - Dispatched & cancelled en route	14	3.48%
631 - Authorized controlled burning	1	0.25%
651 - Smoke scare, odor of smoke	33	8.21%
700 - False alarm or false call, other	7	1.74%
730 - System malfunction, other	2	0.50%
736 - CO detector activation due to malfunction	1	0.25%
740 - Unintentional transmission of alarm, other	1	0.25%
<b>Total Incidents for all Zones</b>	<b>402</b>	

### FIRE DEPARTMENT ACTIVITY

#### TOTAL CALLS:

DECEMBER 2018	2018 YTD	DECEMBER 2017	2017 YTD
402	4,597	369	4,628

#### Response Time (Code 3):

DECEMBER 2018	2018 YTD	DECEMBER 2017	2017 YTD
05:37	05:12	05:13	04:50

#### Response Time (Code 2):

DECEMBER 2018	2018 YTD	DECEMBER 2017	2017 YTD
06:05	09:19	07:22	07:33

**Fire Marshall Inspections:**

	DECEMBER 2018	2018 Year to Date	DECEMBER 2017	2017 Year to Date
Occupancy	1	58	10	93
Fire Inspections	19	445	23	402

**SPCA Statics:****Service Calls by Priority:**

Priority Level	Number of Calls	Total Minutes per call type	Average response times
Urgent	18	151	8.41
Priority	61	362	5.94
At Officer Convenience	5	40	8.05
After Hours	11	70	6.36

**Animal Intake and Outcome Stats:**

Total Animals taken in from City	Total Animals outgoing	Cats	Dogs	Other	Bird	Livestock
85	59	17	68	0	0	0

\*The remaining difference from intakes to outcome total represents animals that have not yet had an outcome and are still in the facility.

**Animal Outcomes:**

Outcome Type	Totals	Dogs	Cats	Livestock	Birds	Other
Adoption	14	13	1	0	0	0
Died	2	1	0	0	1	0
Disposal	6	2	3	0	0	1
Euthanasia	8	3	4	0	0	1
RTO	29	28	1	0	0	0

\*Others are wild animals such as bats, skunks, snakes, possums, etc....

**SPCA After-hours call outs:**

DECEMBER 2018
11

## Shoes for Kids:

Shoes Provided	Socks Provided
21	21

This program provides shoes and socks for children of our Community. This program is funded by Department member donations and community donations.

## Volunteers:

### Total Number of V.I.P.S. Volunteer Hours for 2018:

#### Volunteer Hours converted to dollar amount:

Value of Volunteer hour in California \$26.87

$$1,546.2 \times 26.87 = \mathbf{\$41,546.39}$$

### Total Number of Staff Volunteer Hours for 2018:

#### Volunteer Hours converted to dollar amount:

Value of Volunteer hour in California \$26.87

$$1,322.5 \times \$26.87 = \mathbf{\$35,535.58}$$

## FISCAL IMPACT

No impact to the General Fund.

## RECOMMENDATIONS

None

**Backup material for agenda item:**

2. FERC Correspondence 2.7.2019

City of Oroville

FEB 07 2019

Administration



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
WEST COAST REGION  
650 Capitol Mall, Suite 5-100  
Sacramento, California 95814-4706

January 30, 2018

In response refer to:  
WF:WCR:FERC P-2100-185

Kimberly D. Bose, Secretary  
Federal Energy Regulatory Commission  
888 First Street, NE  
Washington, D.C. 20426

Re: Request for Extension of Comment Period on Draft Environmental Assessment for an Amendment of Project License to Reconstruct the Lake Oroville Main Spillway, Modify the Emergency Spillway, and to Relocate a Project Transmission Line.

Dear Ms. Bose:

On December 12, 2018, the Federal Energy Regulatory Commission (FERC) issued a Notice, "*Extending Comment Period for Draft Environmental Analysis [DEA]*," for the California Department of Water Resources' Oroville Facilities Hydroelectric Project, FERC Project No. 2100-185). FERC requested comments to be filed by January 11, 2019.

However, NOAA's National Marine Fisheries Service, West Coast Region (NMFS) and other parts of the U.S. Government were shut down from December 22, 2018 to January 28, 2019. Therefore, due to the Government shutdown, NMFS was unable to comment by January 11, 2019, and we are requesting a 32-day extension of the DEA comment period to February 12, 2019.

If you have questions about NMFS' request, please contact Bill Foster at 916-930-3617.

Sincerely,

Steve Edmondson  
FERC Hydropower Branch Supervisor  
NMFS, WCR, Sacramento Area Office

Enclosure

cc: FERC Service List for P-2100-185



Enclosure A  
P-2100-185

**UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION**

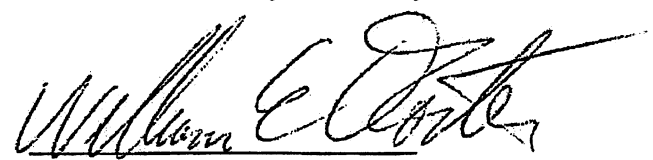
**Oroville Facilities Hydroelectric Project** )  
**California Department of Water Resources** )  
**Feather River** )

**P-2100-185**

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served, by first class mail or electronic mail, a letter to Secretary Bose of the Federal Energy Regulatory Commission, the U.S. Department of Commerce's, National Oceanic and Atmospheric Administration's, National Marine Fisheries Service's Request for a 32-day extension of the comment period (to February 12, 2019) for the Notice, "*Availability of Draft Environmental Assessment and Draft Environmental Assessment for the Amendment of Project License to Reconstruct the Lake Oroville Main Spillway, Modify the Emergency Spillway, and to Relocate a Project Transmission Line,*" for the above-captioned proceedings, and this Certificate of Service upon each person designated on the official service lists compiled by the Commission in the above-captioned proceedings.

Dated this 30th day of January 2019

  
William E. Foster  
National Marine Fisheries Service

**Backup material for agenda item:**

3. FERC Correspondence 2.8.2019

UNITED STATES OF AMERICA  
FEDERAL ENERGY REGULATORY COMMISSION

California Department of Water Resources

Project No. 2100-188

ORDER AMENDING RECREATION PLAN

(Issued January 29, 2019)

1. On October 4, 2018, the California Department of Water Resources (California DWR) filed a request to amend the Recreation Plan<sup>1</sup> for the Feather River Hydroelectric Project No. 2100. California DWR is requesting to realign the Brad Freeman Trail to comply with new security requirements at the project. The project is located on the Feather River in Butte County, California, and occupies federal lands administered by the U.S. Forest Service and the U.S. Bureau of Land Management.

**I. Licensee's Proposal**

2. California DWR proposes to realign the Brad Freeman Trail because new security fencing around the Hyatt Powerplant will cross and block a portion of the trail and an existing trail access point. A new access point would be established outside of the security fencing, and a new 4,800-foot, 60-inch-wide section of the trail would be constructed to replace the 4,200 feet of trail to be decommissioned. The realignment area starts near the intersection of Oro Dam Boulevard and Oro Powerhouse Road and extends to the lower overlook parking area. California DWR proposes to construct the new trail access point on the south side of the Diversion Pool to replace the access point that would be closed. The proposed access point would include 16,000 square feet of gravel parking, boulders and a pipe gate to limit vehicle access to the trail, and new informational signage.

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<sup>1</sup> See *Cal. Dep't of Water Res.*, 68 FERC ¶ 61,358 (September 22, 1994) (Order on Revised Recreation Plan); *Cal. Dep't of Water Res.*, 124 FERC ¶ 62,182 (September 10, 2008) (Order Approving Amendment to Recreation Plan); *Cal. Dep't of Water Res.*, 160 FERC ¶ 62,021 (July 12, 2017) (Order Amending Recreation Plan); *Cal. Dep't of Water Res.*, 160 FERC ¶ 62,226 (September 13, 2017) (Order Amending Recreation Plan); *Cal. Dep't of Water Res.*, 162 FERC ¶ 62,077 (February 1, 2018) (Order Amending Recreation Plan); and *Cal. Dep't of Water Res.*, 165 FERC ¶ 62,024 (October 10, 2018) (Order Denying Temporary Amendment To Recreation Plan).

3. The proposed improvements will require some vegetation removal and ground disturbance, minimal grading of the existing parking area, and installation of culverts and bridges to facilitate crossing drainages. California DWR had archaeologists review cultural resource records for this area and perform site visits and the proposed new trail route was chosen with the intent to avoid impacts to cultural resources. California DWR states that it recently completed surveys for special-status and federally-listed species in the areas proposed for the trail realignment and access area construction, and that no species or critical habitat were found.

4. To mitigate for any potential environmental or cultural effects that could occur during construction of the proposed work, California DWR states that it would:

- complete the cultural resource analysis, consultations; obtain the required approval before beginning work; and if necessary, reroute the trail to avoid cultural resources;
- limit the construction schedule to outside of the bird nesting season;
- limit the construction schedule to outside the primary recreation season, May 16 through September 15, and schedule construction activities and temporary closures to minimize the effects on recreationists to the extent possible;
- implement short- and long-term erosion control measures to reduce the potential for erosion and the effects of sedimentation; and
- implement measures to minimize the spread of invasive species by revegetating disturbed areas with native species where necessary, perform annual monitoring to promote the growth of newly established native plant species, and monitor for and remove invasive plants if necessary.

## II. Consultation and Public Notice

5. According to the licensee's filing, California DWR presented these proposed trail changes at the August 24, 2018 Oroville Recreation Advisory Committee meeting, and the committee did not have any objections. California DWR also states that the Lake Oroville Bicyclists Organization supports the new trail realignment.

6. On October 29, 2018, the Commission issued a notice of the California DWR's application and solicited comments, motions to intervene, and protests.<sup>2</sup> The deadline for filing responses to the notice was November 29, 2018. No comments were received.

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<sup>2</sup> See Notice of Application Accepted for Filing, Soliciting Comments, Motions to Intervene, and Protests, 83 Fed. Reg. 55, 160 (published November 2, 2018).

(B) Within 90 days of completing construction of the approved recreation site improvements, California Department of Water Resources must file with the Commission a report documenting the completed recreation site improvements approved in this order. The documentation may include photographs, aerial photographs, as-built drawings, concept drawings that reflect the as-built condition, or other methods that clearly demonstrate that the recreation site improvements have been constructed in substantial conformity as approved.

(C) This order constitutes final agency action. Any party may file a request for rehearing of this order within 30 days from the date of its issuance, as provided in section 313(a) of the Federal Power Act, 16 U.S.C. § 8251 (2012), and the Commission's regulations at 18 C.F.R. § 385.713 (2018). The filing of a request for rehearing does not operate as a stay of the effective date of this order, or of any other date specified in this order. The licensee's failure to file a request for rehearing shall constitute acceptance of this order.

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

### III. Environmental Analysis

7. Commission staff issued a Final Environmental Impact Statement (FEIS) on May 18, 2007,<sup>3</sup> for the application to relicense the Feather River Project. The FEIS included an analysis of the potential effects of the recreation-related actions proposed in the 2006 Recreation Management Plan.<sup>4</sup> The 2006 Recreation Management Plan did not include the specific realignment of the Brad Freeman Trail or the creation of the trail access point currently proposed; however, it did include recreational improvements similar in scope (i.e., new trails, trail re-routes, and access points) that would have comparable potential impacts. In the FEIS, staff identified only one unavoidable adverse effect of the new and/or expanded recreation facilities: the temporary decrease in recreation capacity at the project during recreational facility construction, potentially inconveniencing visitors.<sup>5</sup> The same finding would apply to the proposed new access area and trail reroute as the proposed construction would require short-term, temporary closures restricting public access to the Brad Freeman Trail. California DWR will schedule construction activities and temporary closures of the trail, to the extent possible, to minimize effects on recreational access.

8. The proposed trail access location was used as a staging area during the emergency response to the 2017 spillway incident<sup>6</sup> and has been previously cleared and graveled. Short-term wildlife displacement may occur during the leveling activities due to increased noise, however any environmental impacts in the access area location would be minimal and short in duration.

9. Vegetation and land clearing activities associated with the trail reroute have the potential to disturb nesting birds and disturb or destroy animal burrows and habitat. Vegetation in this area consists of blue oak woodland and mixed oak woodland/chaparral plant communities. Wildlife in this area include: mountain lions, bobcat, raccoons, beaver, mink, badger, gray fox, weasels, coyotes, tree and ground squirrels, rabbits, deer, skunks, ringtails, bears, and many species of waterfowl and native birds. There are a

<sup>3</sup> The FEIS was issued under Project No. 2100-052.

<sup>4</sup> FEIS at 201-280 (Section 3.3.6 Recreational Resources).

<sup>5</sup> *Id.* at 374-382.

<sup>6</sup> In February 2017, high flows in the Feather River basin caused extensive erosion and damage to the main spillway and emergency spillway area at Oroville Dam. Since that time, California DWR has implemented numerous emergency actions and has initiated reconstruction of the main spillway and fortification of the emergency spillway.

number of endangered species and/or the potential presence of their critical habitat that have been identified within the vicinity of the Feather River Project,<sup>7</sup> with respect to the proposed trail reroute area, which does not include in-water or near water work, only the Southern Bald Eagle (*Haliaeetus leucocephalus*) and the Valley Elderberry Longhorn Beetle (*Desmocerus californicus dimorphus*) have the potential to be affected. California DWR surveyed the area and did not find the presence of either species and did not identify existing nesting locations for the bald eagle, or elderberry shrubs the known habitat for the Valley Elderberry Longhorn Beetle. Given the lack of presence of these species and/or their habitat in this area, we conclude there would be no effect on either the Southern Bald Eagle or the Valley Elderberry Longhorn Beetle.

10. The clearing work would increase noise, vibration, dust, pollution, and the potential for vehicle/wildlife collisions and other human interactions with wildlife. The loss of vegetation has the potential to temporarily compound some of these effects. However, this and the nearby areas have historically been used for recreational purposes which has lessened the value of this land for wildlife habitat over time. As such, any disturbance or displacement of wildlife, as a result of the above-mentioned activities, should be short-term and minor in effect.

11. Removal of vegetation and ground disturbing activities also have the potential to cause erosion until the area is stabilized. As proposed, all ground disturbing work would be located above the high-water-mark and should cause minimal to no erosion or sedimentation issues. California DWR will implement short- and long-term erosion control measures to reduce any potential effects that could result from ground disturbance associated with the trail reroute.

12. Invasive species may occur in areas near roads, trails, and in the immediate vicinity of the spillway and power facilities. The proposed land disturbing activities, including the associated vehicular traffic and recreational use, could contribute to the spread of invasive and noxious species. California DWR will implement measures to minimize the proliferation of invasive plant species by revegetating disturbed areas with native species where necessary, performing follow-up monitoring to promote the growth of newly established native plant species, and monitoring for and eradicating invasive plants.

<sup>7</sup> See Draft Environmental Assessment for the Amendment of Project License to Reconstruct the Lake Oroville Main Spillway, Modify the Emergency Spillway, and to Relocate a Project Transmission Line; at 73 through 75 and Table 7; issued November 8, 2018, under P-2100-185.

13. Surveys of the area for the proposed trail reroute found no cultural resources. However, because ground-disturbing activities have the potential to affect cultural resources that were not identified during initial surveys, California DWR states that it would adjust the trail route to avoid impacts, if necessary.

14. Based on the information, we conclude that the proposed reroute and access area are consistent with the existing project recreational use in the general area and would not have any significant environmental effects and have no effect on threatened or endangered species.

#### IV. Discussion

15. California DWR's proposal to realign a small portion of the Brad Freeman Trail and install a new trail access point will ensure the public has continuous passage while maintaining the trail's scenic values. The proposed changes to the trail and access point are consistent with the existing project recreational use in the area and would not result in any significant or long-term environmental effects and no effects on threatened or endangered species. Lastly, the proposed realignment ensures public access to the Brad Freeman Trail while meeting security requirements at the project. For these reasons, the proposed realignment and trail access area should be approved.

16. California DWR is reminded that it must obtain all the necessary federal, state, and local permits before beginning any ground-disturbing activity relating to these changes. California DWR must also adhere to the measures discussed above, to reduce the impacts of the closure of recreation facilities, erosion, and invasive plant species. California DWR must ensure that the construction, operation, and maintenance of the proposed facilities will occur in a manner that will protect the scenic, recreational, and environmental values of the project and that the proposed facilities must not endanger health, create a nuisance, or otherwise be incompatible with the overall project purposes.

17. Ordering paragraph (B) requires California DWR to file documentation of completion of construction of the realignment and trail access area. The documentation may include photographs, aerial photographs, as-built drawings, concept drawings that reflect the as-built condition, or other methods that clearly demonstrate that the recreation site improvements have been constructed in substantial conformity as approved.

#### The Director orders:

(A) California Department of Water Resources' application to amend the Recreation Plan to realign the Brad Freeman Trail at the Feather River Hydroelectric Project No. 2100, filed on October 4, 2018, is approved.

**Backup material for agenda item:**

4. PG&E Notice of Rate Increase Hearing

January 2, 2019

TO: STATE, CITY AND LOCAL OFFICIALS

**NOTICE OF PACIFIC GAS AND ELECTRIC COMPANY'S REQUEST TO INCREASE RATES FOR ITS NUCLEAR DECOMMISSIONING APPLICATION (A.18-12-008)**

City of Oroville

FEB 06 2019  
Administration

**Summary**

On December 13, 2018, Pacific Gas and Electric Company (PG&E) filed its 2018 Nuclear Decommissioning Cost Triennial Proceeding application with the California Public Utilities Commission (CPUC). In this application, PG&E presents the costs that are necessary to safely and responsibly decommission Diablo Canyon Power Plant and to complete decommissioning and remediation activities associated with Humboldt Bay Power Plant Unit 3. If this application is approved, it would increase electric rates beginning in 2020.

**Background**

Every three years, PG&E is required to file a Nuclear Decommissioning Cost Triennial Proceeding application with the CPUC. This current application includes updated decommissioning costs since the 2015 application was filed (A.16-03-006).

This application is consistent with the CPUC's decision to retire Diablo Canyon Power Plant in 2025 to meet California's evolving energy policies and increase the use of renewable energy and energy efficiency resources.

The application includes costs related to the following:

- Planning and preparation for decommissioning activities
- Obtaining necessary regulatory approvals and permits
- Demolition and disposal of existing site facilities
- Site restoration activities
- Managing spent nuclear fuel storage until disposal by the Department of Energy
- Maintaining necessary security operations

PG&E is seeking \$417 million for each of the years covered in this application, which are 2020, 2021 and 2022.

**How will PG&E's application affect electric rates?**

Many customers receive bundled electric service from PG&E, meaning they receive electric generation, transmission and distribution services. Based on rates currently in effect, the bill for a typical residential bundled nonCARE customer using 500 kWh per month would increase from \$113.64 to \$116.03, or 2.1 percent. Actual impacts will vary depending on energy usage.

Direct Access and Community Choice Aggregation customers only receive electric transmission and distribution services from PG&E. On average, these customers will see an increase of 4.2 percent.

Departing Load customers do not receive electric generation, transmission or distribution services from PG&E. However, they are required by law or CPUC decision to pay certain charges. On average, these customers will see an increase of 39.8 percent.

Detailed rate information is included in a bill insert being sent directly to customers in December 2018 and January 2019.

**How do I find out more about PG&E's proposals?**

If you have questions about PG&E's filing, please contact PG&E at **1-800-743-5000**. For TTY, call **1-800-652-4712**. Para más detalles llame al **1-800-660-6789** • 詳情請致電 **1-800-893-9555**. If you would like a copy of PG&E's filing and exhibits, please write to PG&E at the address below:

Pacific Gas and Electric Company  
Nuclear Decommissioning Cost Triennial  
Proceeding Application (A.18-12-008)  
P.O. Box 7442  
San Francisco, CA 94120



A copy of PG&E's filing and exhibits is also available for review at the CPUC's Central Files office by appointment only. For more information, contact [aljcentralfilesid@cpuc.ca.gov](mailto:aljcentralfilesid@cpuc.ca.gov) or **1-415-703-2045**. PG&E's application (without exhibits) is available on the CPUC's website at [www.cpuc.ca.gov](http://www.cpuc.ca.gov).

### **CPUC process**

This application will be assigned to an Administrative Law Judge (Judge) who will determine how to receive evidence and other related documents necessary for the CPUC to establish a record upon which to base its decision. Evidentiary hearings may be held where parties will present their testimony and may be subject to cross-examination by other parties. These evidentiary hearings are open to the public, but only those who are formal parties in the case can participate.

After considering all proposals and evidence presented during the hearings, the assigned Judge will issue a proposed decision which may adopt PG&E's proposal, modify it or deny it. Any of the five CPUC Commissioners may sponsor an alternate decision. The proposed decision, and any alternate decisions, will be discussed and voted upon at a scheduled CPUC Voting Meeting.

The Public Advocates Office (CalPA) at the CPUC may review this application. CalPA is the independent consumer advocate within the CPUC with a legislative mandate to represent investor-owned utility customers to obtain the lowest possible rate for service consistent with reliable and safe service levels. CalPA has a multidisciplinary staff with expertise in economics, finance, accounting and engineering. For more information about CalPA, please call **1-415-703-1584**, email [PublicAdvocatesOffice@cpuc.ca.gov](mailto:PublicAdvocatesOffice@cpuc.ca.gov) or visit CalPA's website at [www.publicadvocates.cpuc.ca.gov](http://www.publicadvocates.cpuc.ca.gov).

### **Stay informed**

If you would like to follow this proceeding, or any other issue before the CPUC, you may use the CPUC's free subscription service. Sign up at: <http://subscribecpuc.cpuc.ca.gov/>. If you would like to learn how you can participate in the proceeding, have informal comments about the application or have questions about the CPUC processes, you may access the CPUC's Public Advisor's Office (PAO) webpage at <http://consumers.cpuc.ca.gov/pao/>.

You may also contact the PAO as follows:

**Email:** [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)

**Mail:** CPUC

Public Advisor's Office

505 Van Ness Avenue

San Francisco, CA 94102

**Call:** **1-866-849-8390** (toll-free) or **1-415-703-2074**

**TTY:** **1-866-836-7825** (toll-free) or **1-415-703-5282**

If you are contacting the CPUC, please include the application number (Nuclear Decommissioning Cost Triennial Proceeding Application A.18-12-008). All comments will be made available for review by the Commissioners, the assigned Judge and appropriate CPUC staff and will become public record.

January 2, 2019

TO: STATE, CITY AND LOCAL OFFICIALS

**NOTICE OF PACIFIC GAS AND ELECTRIC COMPANY'S REQUEST TO INCREASE RATES FOR ITS GENERAL RATE CASE APPLICATION (A.18-12-009)**

**Summary**

On December 13, 2018, Pacific Gas and Electric Company (PG&E) filed its 2020 General Rate Case application with the California Public Utilities Commission (CPUC). The application supports PG&E's commitment to deliver safe, reliable and clean energy, while continuing to make its network more resilient to the challenges of climate change.

The application requests funding to further protect customers and communities from the growing threat of wildfires by strengthening PG&E's electric distribution system and scaling up its emergency response capability.

**Background**

Every three years, PG&E is required to file a General Rate Case application with the CPUC. The application is used to propose costs of operating and upgrading our electric and gas distribution systems. PG&E is proposing safety investments and infrastructure upgrades to continue to increase wildfire prevention and electric reliability. Programs in the application, many of which are intended to further reduce future risk of fire, include the following:

- Replacing 2,000 miles of distribution overhead power line in high-fire risk areas with covered conductors;
- Replacing wooden poles with non-wood poles;
- Implementing SmartMeter™ technology to more quickly identify and respond to fallen power lines;
- Increasing ongoing work to keep power lines clear of branches from the more than 120 million trees with the potential to grow or fall into our overhead power lines;
- Enhancing PG&E's Wildfire Safety Operations Center;
- Adding several hundred more fire cameras, weather stations and communications capabilities.

PG&E is seeking an increase of \$1.058 billion for 2020 and additional increases of \$454 million and \$486 million in 2021 and 2022, respectively.

**How will PG&E's application affect electric rates?**

Many customers receive bundled electric service from PG&E, meaning they receive electric generation, transmission and distribution services.

Based on rates currently in effect, the electric bill for a typical residential bundled nonCARE customer using 500 kWh per month would increase from \$113.64 to \$122.37, or 7.7 percent. Actual impacts will vary depending on energy usage.

Direct Access and Community Choice Aggregation customers only receive electric transmission and distribution services from PG&E. On average, these customers will see an increase of 7.5 percent.

Departing Load customers do not receive electric generation, transmission or distribution services from PG&E. However, they are required by law or CPUC decision to pay certain charges. On average, these customers will see an increase of 3 percent.

Detailed rate information is included in a bill insert being sent directly to customers in December 2018 and January 2019.

**How will PG&E's application affect gas rates?**

Based on rates currently in effect, the gas bill for a typical residential nonCARE customer averaging 34 therms per month of gas usage would increase from \$52.30 to \$54.13, or 3.5 percent. Actual impacts will vary depending on energy usage across months.

Detailed rate information is included in a bill insert being sent directly to customers in December 2018 and January 2019.

**How do I find out more about PG&E's proposals?**

If you have questions about PG&E's filing, please contact PG&E at **1-800-743-5000**. For TTY, call **1-800-652-4712**. Para más detalles llame al **1-800-660-6789** • 詳情請致電 **1-800-893-9555**. If you would like a copy of PG&E's filing and exhibits, please write to PG&E at the address below:

Pacific Gas and Electric Company  
2020 General Rate Case Phase 1 Application (A.18-12-009)  
P.O. Box 7442  
San Francisco, CA 94120

A copy of PG&E's filing and exhibits is also available for review at the CPUC's Central Files office by appointment only. For more information, contact **aljcentralfilesid@cpuc.ca.gov** or **1-415-703-2045**. PG&E's application (without exhibits) is available on the CPUC's website at **www.cpuc.ca.gov**.

**CPUC process**

This application will be assigned to an Administrative Law Judge (Judge) who will determine how to receive evidence and other related documents necessary for the CPUC to establish a record upon which to base its decision. Evidentiary hearings may be held where parties will present their testimony and may be subject to cross-examination by other parties. These evidentiary hearings are open to the public, but only those who are formal parties in the case can participate.

After considering all proposals and evidence presented during the hearings, the assigned Judge will issue a proposed decision which may adopt PG&E's proposal, modify it or deny it. Any of the five CPUC Commissioners may sponsor an alternate decision. The proposed decision, and any alternate decisions, will be discussed and voted upon at a scheduled CPUC Voting Meeting.

The California Public Advocates Office (CalPA) may review this application. CalPA is the independent consumer advocate within the CPUC with a legislative mandate to represent investor-owned utility customers to obtain the lowest possible rate for service consistent with reliable and safe service levels. CalPA has a multidisciplinary staff with expertise in economics, finance, accounting and engineering. For more information about CalPA, please call **1-415-703-1584**, email **PublicAdvocatesOffice@cpuc.ca.gov** or visit CalPA's website at **www.publicadvocates.cpuc.ca.gov**.

**Stay informed**

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You may also contact the PAO as follows:

**Email: public.advisor@cpuc.ca.gov**

**Mail: CPUC**

Public Advisor's Office  
505 Van Ness Avenue  
San Francisco, CA 94102

**Call: 1-866-849-8390** (toll-free) or **1-415-703-2074**

**TTY: 1-866-836-7825** (toll-free) or **1-415-703-5282**

If you are contacting the CPUC, please include the application number (2020 General Rate Case Phase 1 Application A.18-12-009). All comments will be circulated to the Commissioners, the assigned Judge and appropriate CPUC staff and will become public record.

**Backup material for agenda item:**

5. Comcast Changes and Updates Correspondence

## Jackie Glover

---

**From:** Bill LaGrone  
**Sent:** Monday, February 11, 2019 5:43 PM  
**To:** Jackie Glover; Joanna Gutierrez  
**Subject:** FW: Comcast's Notice Re: Programming Adjustments

I believe this is correspondence for the Council

Bill

---

**From:** Givens-Russell, Mitzi <Mitzi\_Givens-Russell@comcast.com>  
**Sent:** Friday, February 8, 2019 3:06 PM  
**To:** CityHall\_CityAdministrator <cityadmin@cityoforoville.org>  
**Subject:** Comcast's Notice Re: Programming Adjustments

February 8, 2019

City Administrator's Office  
City of Oroville  
1735 Montgomery Street  
Oroville, CA. 95965

Re: Xfinity TV Channel Updates

Dear Sir or Madam,

We are committed to keeping you and our customers informed with Xfinity TV changes and enhancements. Below we share details regarding new programming that we are launching, the drop of channels from our line-up, and a general reminder about expiring programming contracts.

### **New Channel Effective April 12, 2019**

For our customers who subscribe to the Xfinity Latino package, in April we will begin offering a new Spanish-language channel, RCN Novelas. RCN Novelas is a Spanish-language network designed for women with a focus on telenovelas and dramas.

### **Loss of Channels Effective April 8, 2019**

We also wanted to remind you that Comcast's programming agreement with TuTV to carry Bandamax, De Película, De Película Clásico, Telehit and RMS/Ritmoson expires on April 8, 2019, at which time these channels will no longer be available. These channels are carried on Xfinity Latino. We are communicating this change to our affected customers through a bill message.

### **General Reminder About Programming Contract Expirations**

We regularly inform our customers in their bills and annual notices that we maintain an updated website (<https://my.xfinity.com/contractrenewals/>) and toll free number ((866) 216-8634)) to reflect the programming

contracts that are set to expire in the coming months and the channels we might or will lose the rights to continue carrying.

We are excited about the addition to our robust entertainment offerings and for the opportunity to continue enhancing our Xfinity TV product. Please feel free to contact me at (925) 424-0207 if you have any questions or issues.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mitzi Givens-Russell', enclosed in a light blue rectangular box.

Mitzi Givens-Russell  
Franchise Operations Manager  
Comcast California