



# SUPPLEMENTAL BENEFITS FUND

## STEERING COMMITTEE

### REGULAR QUARTERLY MEETING

Oroville City Hall – Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**OCTOBER 26, 2022**

**2:00 PM**

**AGENDA**

---

*This meeting may be broadcast remotely via audio and/or video conference at the following addresses:  
Cole & Huber, LLP, 2261 Lava Ridge Court, Roseville, CA 95661, (916) 223-3434 Recordings - All meetings are  
recorded and broadcast live on [cityoforoville.org](http://cityoforoville.org) and YouTube.*

#### **COVID-19 AND PUBLIC ACCESS AND PARTICIPATION**

To view the meeting or provide comment, please see the options below. All comments emailed will be provided to the Members for their consideration.

##### **To View the Meeting:**

1. Watch our live feed <https://www.youtube.com/channel/UCAoRW34swYl85UBfYqT7IbQ/>
2. Join the meeting virtually via Zoom – Join Zoom Meeting  
<https://zoom.us/j/98955919326?pwd=VTdwMHY0R0JCRjM4NWZhaVJLdkJaUT09>  
Meeting ID: 989 5591 9326  
Passcode: **419394**
3. Join the meeting by telephone (audio only):  
Telephone: 1-669-900-6833  
Meeting ID: 989 5591 9326  
Passcode: **419394**

##### **To Provide Comment to the Council:**

1. Email before the meeting by 12:00 PM your comments to [publiccomment@cityoforoville.org](mailto:publiccomment@cityoforoville.org)
2. Attend in Person

If you would like to address the Committee 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 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. (**California Government Code §54954.3(b)**). Pursuant to Government Code Section 54954.2, the Commission is prohibited from taking action except for a brief response from the Commission or staff to statements or questions relating to a non-agenda item.

---

#### **CALL TO ORDER**

#### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL**

**Committee Members (voting):** Kent Fowler, FRRPD (Chairperson), David Pittman (Vice Chairperson), City of Oroville; Chuck Reynolds, City of Oroville; Shannon DeLong, FRRPD; Scott Thomson, City of Oroville

**Advisory Members (non-voting):** Committee Members Eric See, Andrew Baumbauer (alternate)-DWR; Jonathan Young - SWC, Steve Rotherth, Dave Steindorf (alternate) - American Rivers; Mark Grover, Claudia Knaus (alternate) - Chamber of Commerce; Aaron Wright – California State Parks

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

This is the time to address the Committee about any item not listed on the agenda. If you wish to address the Committee on an item listed on the agenda, please follow the directions listed above.

### **CONSENT CALENDAR**

#### **1. APPROVAL OF THE MINUTES**

The SBF Steering Committee may approve the minutes of July 27, 2022.

#### **RECOMMENDATION**

Approve the minutes of July 27, 2022.

#### **2. SBF REVENUES AND EXPENDITURES**

The prior quarterly and year to date revenues and expenditures is provided for informational purposes.

#### **RECOMMENDATION**

Accept information.

### **PRESENTATIONS / UPDATES**

- 3.** A progress update has been provided by Victoria Anton (FRRPD)

### **REGULAR BUSINESS**

#### **4. 2023 NOFA DISCUSSION AND DIRECTION**

The SBF Steering Committee will discuss current and future SBF funds that may be available for a future Notice of Funds Available (NOFA)..

#### **RECOMMENDATION**

Provide staff direction.

### **STEERING COMMITTEE ADVISORY MEMBERS AND STAFF COMMENTS**

- **DEPARTMENT OF WATER RESOURCES ADVISOR REPORT (Eric See)**

- **STATE WATER CONTRACTORS ADVISOR REPORT** (Jonothan Young)
- **AMERICAN RIVERS** (Dave Steindorf)
- **CALIFORNIA STATE PARKS** (Aaron Wright)
- **OROVILLE AREA CHAMBER OF COMMERCE** (Mark Grover)
- **SBF PROGRAM SPECIALIST WRITTEN REPORT** (Bob Marciniak)

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

The SBF Chairperson will request agenda items from the Steering Committee, SBF Advisors, and SBF Staff for the January 25, 2023, Regular Quarterly Meeting.

### **ADJOURNMENT**

The meeting will be adjourned. The next regular quarterly meeting of the Supplemental Benefits Fund Steering Committee will be held on Wednesday, January 25, 2023 at 2:00 p.m.

---

***Accommodating Those Individuals with Special Needs*** – In compliance with the Americans with Disabilities Act, the City of Oroville encourages those with disabilities to participate fully in the public meeting process. If you have a special need in order to allow you to attend or participate in our public meetings, please contact the City Clerk at (530) 538-2535, well in advance of the regular meeting you wish to attend, so that we may make every reasonable effort to accommodate you. Documents distributed for public session items, less than 72 hours prior to meeting, are available for public inspection at City Hall, 1735 Montgomery Street, Oroville, California.



# SUPPLEMENTAL BENEFITS FUND

## STEERING COMMITTEE

### REGULAR QUARTERLY MEETING

Oroville City Hall – Council Chambers  
1735 Montgomery Street  
Oroville, CA. 95965

**JULY 27, 2022**  
**MINUTES**

---

*This agenda was posted on July 20, 2022. This meeting was recorded and may be viewed at [cityoforoville.org](http://cityoforoville.org) or on YouTube.*

---

**CALL TO ORDER** – Chairperson Fowler opened the meeting at 2:04pm.

**PLEDGE OF ALLEGIANCE** – Led by Chairperson Fowler

#### **ROLL CALL**

**PRESENT:** **Committee Members (voting):** Kent Fowler, FRRPD (Chairperson), David Pittman (Vice Chairperson), City of Oroville; Chuck Reynolds, City of Oroville; Shannon DeLong, FRRPD

**ABSENT:** **Committee Members (voting):** Scott Thomson, City of Oroville

**PRESENT:** **Advisory Members (non-voting):** Committee Members Eric See - DWR; Aaron Wright – California State Parks; Mark Grover - Chamber of Commerce (via Zoom); Jonothan Young -SWC (via Zoom)

**ABSENT:** **Committee Members (non-voting):** Dave Steindorf, American Rivers

**STAFF:** Consultant Bob Marciniak, Fund Administrator Bill LaGrone, Assistant City Clerk Jackie Glover

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

There were no speakers.

#### **CONSENT CALENDAR**

##### **1. APPROVAL OF THE MINUTES**

The SBF Steering Committee may approve the minutes of April 27, 2022, and June 30, 2022.

##### **RECOMMENDATION**

Approve the minutes of April 27, 2022, and June 30, 2022.

## 2. SBF REVENUES AND EXPENDITURES

The prior quarterly and year to date revenues and expenditures is provided for informational purposes.

### RECOMMENDATION

Informational only

Motion by Vice Chairperson Pittman and second by Committee Member DeLong to approve the Consent Calendar. Motion passed.

## REGULAR BUSINESS

### 3. FEATHER RIVER CENTER (FRC) AGREEMENT #3280 REQUEST TO REALLOCATE REMAINING FUNDS

The SBF Steering Committee may consider the request to reallocate \$26,431.66 as detailed in a letter from FRC. Prior to discussion, MCS Consultant, Bob Marciniak advised the Steering Committee that the requested amount was in a letter dated February 2, 2022 that had not previously been brought to the attention of the Committee and that the actual remaining funds for consideration, as of July 27, 2022, is \$17,996.84.

### RECOMMENDATION

Approve the reallocation request, deny the reallocation request, or provide direction to staff.

After discussion, clarification & comments by Brad Cooke Executive Director FRC and the viewing of an advertising video, a motion by Vice Chairperson Pittman and second by Committee Member DeLong to approve the request of the reallocation of the remaining funds. Motion passed.

### 4. FEATHER RIVER RECREATION PARK DISTRICT (FRRPD) GRANT #3270 EXTENSION REQUEST/BRAD FREEMAN TRAIL

The SBF Steering Committee may consider approving the extending the terms of the Agreement with FRRPD for the Brad Freeman Trail.

### RECOMMENDATION

Approve the request (or) provide direction

After discussion and directions to limit any requests for reimbursement to be specifically for construction purposes, a motion by Committee Member Reynolds and second by Vice Chairperson Pittman to extend Agreement No.3270 for one year was made. Motion passed.

## 5. OROVILLE AREA CHAMBER OF COMMERCE FOR 4<sup>TH</sup> OF JULY FUNDING

The SBF Steering Committee may consider the request

### RECOMMENDATION

Approve the reallocation request, deny the reallocation request, or provide direction to staff.

After discussion, a motion by Committee Member Reynolds and second by Committee Member DeLong to provide a, one-time only, Administrative Allocation of \$3,252.65 to make up the shortfall of funds raised for the current year event by the Oroville Rotary Club and the Oroville Area Chamber of Commerce. Motion passed.

## 6. OROVILLE AREA CHAMBER OF COMMERCE REQUEST TO EXTEND GRANT MATURITY.

The SBF Steering Committee may consider the request to extend the maturity to December 31, 2022.

### RECOMMENDATION

Approve the reallocation request, deny the reallocation request, or provide direction to staff.

After discussion, a motion by Committee Member Reynolds and second by Vice Chairperson Pittman to extend the maturity of Grant No 3243-4 to December 31, 2022. Motion Passed.

## STEERING COMMITTEE ADVISORY MEMBERS AND STAFF COMMENTS

**DEPARTMENT OF WATER RESOURCES ADVISOR REPORT** – Verbal report provided by Eric See

**CALIFORNIA DEPARTMENT OF STATE PARKS ADVISOR REPORT** – Verbal report provide by Aaron Wright

**STATE WATER CONTRACTORS ADVISOR REPORT** – Comments provided via Zoom by Johnathan Young

**SBF PROGRAM SPECIALIST** (Consultant, Bob Marciniak)

- Grant updates
  - Oroville Veterans Memorial Park (re-bid)
  - “Light it Up” Table Mountain Bridge (fund raising occurring)
  - Miners Alley Renovations (in process)
  - YMCA Showers/restrooms (in process)
  - Oroville Chamber of Commerce/Tourism Marketing (in process)
  - ODBA Event Coordinator (in process)
  - Birdcage Theatre (Completed)
  - Thermalito Family Center at Nelson Pool (Completed)

**SBF CHAIRPERSON CALL FOR AGENDA ITEMS**

There were no items requested from the committee.

**ADJOURNMENT**

Chairperson Fowler adjourned the meeting at 3:04pm. The next Regular Meeting of the Supplemental Benefits fund Committee will be on, Wednesday, October 26, 2022 at 2:00pm in the Council Chambers of Oroville City Hall.

APPROVED:

ATTESTED:

\_\_\_\_\_  
Chairperson Kent Fowler

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

DRAFT

**SUPPLEMENTAL BENEFITS FUND  
CASH FLOW PROJECTION  
FOR THE FISCAL YEAR 2022-23**

|   |                                   |                          |
|---|-----------------------------------|--------------------------|
| <b>Balance forward</b>                    | 7/1/2022                          | 714,468.42               |
| <b>Expenditures on Projects</b>           |                                   |                          |
| Oro Veterans Memorial Park                | Oro Veterans Memorial Park        | 127,171.00               |
| Oroville Downtown Business Assn           | Renovate Miners Alley             | 18,031.05                |
| Oroville Chamber of Commerce              | Tourism Marketing                 | 4,726.64                 |
|   |                                   | <u>149,928.69</u>        |
| <b>Encumbrances (obligated projects):</b> |                                   |                          |
|   | <b>Project</b>                    |                          |
| Feather River Recreation & Park           | Brad Freeman Trail                | 237,299.59               |
| Feather River Center                      | Develop/ Purchase Equipment       | 17,996.84                |
| Oroville Downtown Business Assn           | Event Coordinator Service         | 4,500.00                 |
| Oroville Downtown Business Assn           | Renovate Miners Alley             | 36,968.95                |
| YMCA                                      | Pool & locker room restoration    | 75,000.00                |
| Oroville Chamber of Commerce              | Tourism Marketing                 | 25,273.36                |
| Rotary                                    | Lighting of Table Mountain Bridge | 100,000.00               |
| Oroville Chamber of Commerce              | 2022 Fireworks allocation         | 3,252.65                 |
|   | Sub total of encumbered projects  | <u>397,038.74</u>        |
| <b>Other Budgetary items:</b>             |                                   |                          |
| Robert Marciniak                          | Consulting Services               | 9,600.00                 |
| Other                                     | Supplies and Outside services     | 10,500.00                |
|   | Sub total of other items          | <u>20,100.00</u>         |
|   | Potential Revenues for 2022 23    | <u>135,000.00</u>        |
|   | Projected unassigned funds        | <u><u>282,400.99</u></u> |



**Supplemental Benefits Fund (SBF)**  
**Budget to Actual Expense Analysis 2021-2022**

| <u>Account Title</u> | <u>Budget</u>         | <u>YTD Actual</u>     | <u>Budget<br/>Variance</u> |
|----------------------|-----------------------|-----------------------|----------------------------|
| Salary & Benefits    | 51,511                | 29,019                | 22,492                     |
| Advertising          | 500                   | -                     | 500                        |
| Office Supplies      | 2,000                 | 808                   | 1,192                      |
| Other Supplies       | 3,000                 |                       | 3,000                      |
| Grants               | 850,000               | 434,953               | 415,047                    |
| Outside Services     | -                     | 3,023                 | (3,023)                    |
| Telecommunications   | -                     |                       | -                          |
| Interfund Transfers  | 5,000                 | 5,000                 | -                          |
| <b>Totals:</b>       | <b><u>912,011</u></b> | <b><u>472,803</u></b> | <b><u>439,208</u></b>      |

**Supplemental Benefits Fund (SBF)  
Revenues and Expenditures  
Fiscal Year 2021-2022**

|                       | Jul             | Aug               | Sep             | Oct              | Nov             | Dec               | Jan             | Feb              | Mar              | Apr             | May             | Jun              | Total             |
|-----------------------|-----------------|-------------------|-----------------|------------------|-----------------|-------------------|-----------------|------------------|------------------|-----------------|-----------------|------------------|-------------------|
| <b>Revenues</b>       |                 |                   |                 |                  |                 |                   |                 |                  |                  |                 |                 |                  |                   |
| DWR Stlmnt Proceeds   | -               | -                 | 580             | -                | -               | 438               | -               | -                | -                | -               | -               | 1,162            | -                 |
| Interest              | -               | -                 | 580             | -                | -               | 438               | -               | -                | 517              | -               | -               | 1,162            | 2,697             |
| <b>Total Reven</b>    | <b>\$ -</b>     | <b>\$ -</b>       | <b>\$ 580</b>   | <b>\$ -</b>      | <b>\$ -</b>     | <b>\$ 438</b>     | <b>\$ -</b>     | <b>\$ -</b>      | <b>\$ 517</b>    | <b>\$ -</b>     | <b>\$ -</b>     | <b>\$ 1,162</b>  | <b>\$ 2,697</b>   |
| <b>Expenses</b>       |                 |                   |                 |                  |                 |                   |                 |                  |                  |                 |                 |                  |                   |
| Salary & Benefits     | 4,845           | 2,165             | 2,091           | 2,504            | 2,466           | 7,208             | 2,973           | 2,311            | 2,482            | (26)            |                 |                  | 29,019            |
| Office Supplies       | 58              |                   | 52              |                  |                 |                   | 685             |                  |                  | 11              | 2               |                  | 808               |
| Grants                |                 | 168,821           | 6,504           | 68,455           | 6,559           | 148,825           | -               | 11,435           | 8,334            | 4,167           |                 | 11,853           | 434,953           |
| Outside services      |                 |                   |                 |                  |                 |                   | 623             |                  |                  |                 | 1,600           | 800              | 3,023             |
| Cost Allocation       |                 |                   |                 |                  |                 | 2,500             |                 |                  |                  |                 |                 | 2,500            | 5,000             |
| <b>Total Expenses</b> | <b>\$ 4,903</b> | <b>\$ 170,986</b> | <b>\$ 8,647</b> | <b>\$ 70,959</b> | <b>\$ 9,025</b> | <b>\$ 158,533</b> | <b>\$ 4,281</b> | <b>\$ 13,746</b> | <b>\$ 10,816</b> | <b>\$ 4,152</b> | <b>\$ 1,602</b> | <b>\$ 15,153</b> | <b>\$ 472,803</b> |

**Supplemental Benefits Fund (SBF)**  
**Budget to Actual Expense Analysis 2022-2023**

| <u>Account Title</u> | <u>Budget</u>         | <u>YTD Actual</u>     | <u>Budget<br/>Variance</u> |
|----------------------|-----------------------|-----------------------|----------------------------|
| Salary & Benefits    | -                     | -                     | -                          |
| Advertising          | 500                   | -                     | 500                        |
| Office Supplies      | 2,000                 | 25                    | 1,975                      |
| Other Supplies       | 3,000                 | -                     | 3,000                      |
| Grants               | 695,000               | 149,929               | 545,071                    |
| Outside Services     | 5,000                 | 2,400                 | 2,600                      |
| Interfund Transfers  | 5,000                 | -                     | 5,000                      |
| <b>Totals:</b>       | <b><u>710,500</u></b> | <b><u>152,354</u></b> | <b><u>558,146</u></b>      |

**Supplemental Benefits Fund (SBF)  
Revenues and Expenditures  
Fiscal Year 2022-2023**

|                       | Jul           | Aug          | Sep              | Oct               | Nov         | Dec         | Jan         | Feb         | Mar         | Apr         | May         | Jun         | Total          |
|-----------------------|---------------|--------------|------------------|-------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|----------------|
| <b>Revenues</b>       |               |              |                  |                   |             |             |             |             |             |             |             |             |                |
| DWR Stimnt Proceeds   |               |              |                  |                   |             |             |             |             |             |             |             |             | -              |
| Interest              |               |              |                  |                   |             |             |             |             |             |             |             |             | -              |
| <b>Total Reven</b>    | <b>\$ -</b>   | <b>\$ -</b>  | <b>\$ -</b>      | <b>\$ -</b>       | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>-</b>       |
| <b>Expenses</b>       |               |              |                  |                   |             |             |             |             |             |             |             |             |                |
| Office Supplies       | 10            | 15           |                  |                   |             |             |             |             |             |             |             |             | 25             |
| Grants                |               |              | 18,031           | 131,898           |             |             |             |             |             |             |             |             | 149,929        |
| Outside services      | 800           |              | 1,600            |                   |             |             |             |             |             |             |             |             | 2,400          |
| Cost Allocation       |               |              |                  |                   |             |             |             |             |             |             |             |             | -              |
| <b>Total Expenses</b> | <b>\$ 810</b> | <b>\$ 15</b> | <b>\$ 19,631</b> | <b>\$ 131,898</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>\$ -</b> | <b>152,354</b> |

**SUPPLEMENTAL BENEFITS FUND  
CASH FLOW PROJECTION  
FOR THE FISCAL YEAR 2022-23**

|   |                                      |                          |
|---|--------------------------------------|--------------------------|
| <b>Balance forward</b>                    | 7/1/2022                             | 714,468.42               |
| <b>Expenditures on Projects</b>           |                                      |                          |
| Oro Veterans Memorial Park                | Oro Veterans Memorial Park           | 127,171.00               |
| Oroville Downtown Business Assn           | Renovate Miners Alley                | 18,031.05                |
| Oroville Chamber of Commerce              | Tourism Marketing                    | 4,726.64                 |
|   |                                      | <u>149,928.69</u>        |
| <b>Encumbrances (obligated projects):</b> |                                      |                          |
|   | Project                              |                          |
| Feather River Recreation & Park           | Brad Freeman Trail                   | 237,299.59               |
| Feather River Center                      | Develop/ Purchase Equipment          | 17,996.84                |
| Oroville Downtown Business Assn           | Event Coordinator Service            | 4,500.00                 |
| Oroville Downtown Business Assn           | Renovate Miners Alley                | 36,968.95                |
| YMCA                                      | Pool & locker room restoration       | 75,000.00                |
| Oroville Chamber of Commerce              | Tourism Marketing                    | 25,273.36                |
|   | Sub total of encumbered projects     | <u>397,038.74</u>        |
| <b>Agreements not signed yet:</b>         |                                      |                          |
|   | Project                              |                          |
| Rotary                                    | Lighting of Table Mountain Bridge    | 100,000.00               |
|   | Sub total of agreements to be signed | <u>100,000.00</u>        |
| <b>Other Budgetary items:</b>             |                                      |                          |
| Robert Marciniak                          | Consulting Services                  | 9,600.00                 |
| Other                                     | Supplies and Outside services        | 10,500.00                |
|   | Sub total of other items             | <u>20,100.00</u>         |
|   | Potential Revenues for 2022 23       | <u>135,000.00</u>        |
|   | Projected unassigned funds           | <u><u>182,400.99</u></u> |

**From:** Victoria Anton  
**Sent:** Monday, October 17, 2022 4:03 PM  
**To:** Bob Marciniak  
**Cc:** Rick Crabtree; Deborah Peltzer  
**Subject:** RE: Brad Freeman Trail

**ATTENTION:** This message originated from outside the **City of Oroville**. Please exercise judgment before opening attachments, clicking on links, or replying.

Hi Bob,

I apologize for the delay in my response. I've been very ill and out of the office for the past two weeks.

Since our previous SBF Committee meeting I've met with local contractors, as well as California Conservation Corps and State Parks representatives to discuss options on how we can move the project forward with the limited budget. There is a lot of support for the trail extension and it's our intention to secure additional funding to complete the project, rather than just a portion of the work. We've researched a few grant opportunities to supplement the additional costs of labor and materials.

Unfortunately, we've experienced delays by Melton Design Group while trying to secure the appropriate documentation to pursue these funding options. Meetings in their office and countless emails have not been successful, however, Greg assured us today that he would provide what was outlined in our contract. I included you in the correspondence to get you in the loop. I also cc'd our new Interim General Manager, Rick Crabtree, so you have his contact information.

Let me know if you have any questions.

Victoria Anton, Executive Administrator  
Feather River Recreation & Park District  
Office: [\(530\)533-2011](tel:5305332011)  
[www.frrpd.com](http://www.frrpd.com)

**From:** Bob Marciniak <[bmarciniak@cityoforoville.org](mailto:bmarciniak@cityoforoville.org)>  
**Sent:** Thursday, September 29, 2022 11:38 AM  
**To:** Victoria Anton <[victoria@frrpd.com](mailto:victoria@frrpd.com)>  
**Subject:** Brad Freeman Trail

Hi....hope all is going good. Riverbend is looking good & the cleanup efforts of the disc folks is showing. Has there been any progress on the Brad Freeman Trail project, if so could you provide an update back to me. Tss, bob

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

**SUPPLEMENTAL BENEFITS FUND STEERING COMMITTEE  
STAFF REPORT**

**TO: SBF CHAIRPERSON AND COMMITTEE MEMBERS**

**FROM: RUTH DUNCAN, FINANCE DIRECTOR/ASSISTANT CITY  
ADMINSTRATOR  
BOB MARCINIAK, MCS (SBF CONSULTANT)**

**RE: SBF AVAILABLE FUNDS DISCUSSION**

**DATE: OCTOBER 26, 2022**

**SUMMARY**

The SBF Steering Committee will discuss current and future SBF available funds.

**DISCUSSION**

At the request of the SBF Chairperson, the SBF Committee will discuss the current and future SBF available funds and the possibility of offering a Notice of Funds Available (NOFA) in 2023.

The Regional Fund Strategic Plan (RFSP) which was approved by the SBF Steering Committee on April 25, 2010. The Mission Statement of the RFSP is, *“Investing in recreational and related projects with a nexus to the Feather River to improve the quality of life and stimulate economic development in the Oroville Region”*.

As funds are provided to the SBF the RFSP recommends distributing them into the following categories:

1. Marketing/Community Benefit Fund (to include; marketing brochures, maps, signage, Event Coordinator for five major Oroville events), small requests from the community, a safety stipend for MLE program designated for park/river patrol)
2. Projects (as approved by the SBF Steering Committee using the formal NOFA process. A determination of type of project(s) and percentage of matching funds is also set.
3. Revolving Loan Fund (assumes that funds will be paid back and ultimately added to the projects category)
4. Reserve Fund and Administrative Fund (provides ability to protect against overrides in projects or other commitments and funds to maintain the administrative management of the SBF)

The SBF Project Consideration Priority Map was approved by the SBF Steering Committee on August 10, 2016. It delineates the Low-Flow channel of the Feather River and three (3) distinct consideration areas: (1) major; (2) moderate; and (3) low.

The Feather River Conceptual Plan (FRCP), *A Vision for the Future of the Low Flow Channel of the Feather River*, was completed and approved on October 4, 2017. The intention of the FRCP, which includes future based projects that might best improve the quality of life and stimulate economic development in the Oroville Region provides five distinctive “reaches” for funding consideration. A link to the FRCP is provided here: [636923881641630000 \(cityoforoville.org\)](https://www.cityoforoville.org/636923881641630000)

## **BACKGROUND**

Appendix B of the Settlement Agreement for the licensing of the Oroville Facilities, FERC Project No. 2100, provided for \$61,270,000 in total funds for the Greater Oroville Area. Prior to the final approval of the licensing agreement by FERC provisions were made that allowed for the release of \$11,270,000. The following funds have been released.

- \$5,100,000 funded directly to Feather River Recreation & Park District for the initial two construction phases of Riverbend Park.
- \$1,935,000 of funds was made available to the SBF Steering Committee starting on July 21, 2006 and has been expended on projects, community economic stimulus, studies and administration.
- \$4,135,000 was to be made available as a lump sum payment at license approval.
- In 2011 the Fund Administrator negotiated with State Water Contractors (SWC) and the Department of Water Resources (DWR) to release, as an advance, \$100,000 annually to allow the SBF to function pending license approval. Shortly after the Oroville Spillway Incident the Fund Administrator negotiated with (SWC) and (DWR) to release \$3,000,000 and continue to release \$100,000 annually until either the license was signed or the balance of the \$4,135,000 was released. The license remains unsigned and \$135,000 is available from the advance fund and is expected to be received from DWR by the end of this year.

The City of Oroville (CO) as the Fund Administrator is required to provide staffing for a SBF facilitator. Until December 31, 2017 this was accomplished by a twenty hour per week (CO) employee, in 2018 a full time (CO) assumed those responsibilities. On March 15, 2022 the (CO) entered into a contract with MS Consulting for ten hours per month to facilitate the SBF to minimize administrative funds pending the actual license signing.



The SBF currently has \$147,400.99 of unencumbered funds and there is \$135,000 remaining from the \$11,270,000 which will be funded to the SBF as a lump sum by the end of 2022. Once that is funded there will not be any future SBF funding until the licensing for the Oroville Facilities, Project 2100, is approved by FERC. The facilities have been operating on a temporary license since 2006 and at the current time there is not a definitive estimate of when the license will be issued. The term of the license will trigger future long-term funding for the SBF.

Using the current and projected fund balance of \$ 282,400.99 and providing for at least 5 years of administration/facilitation of \$12,000 annually there is the potential of \$202,400.99 being available for a 2023 NOFA consideration.

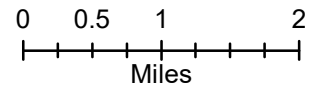
## **RECOMMENDATION**

Discuss and provide direction.

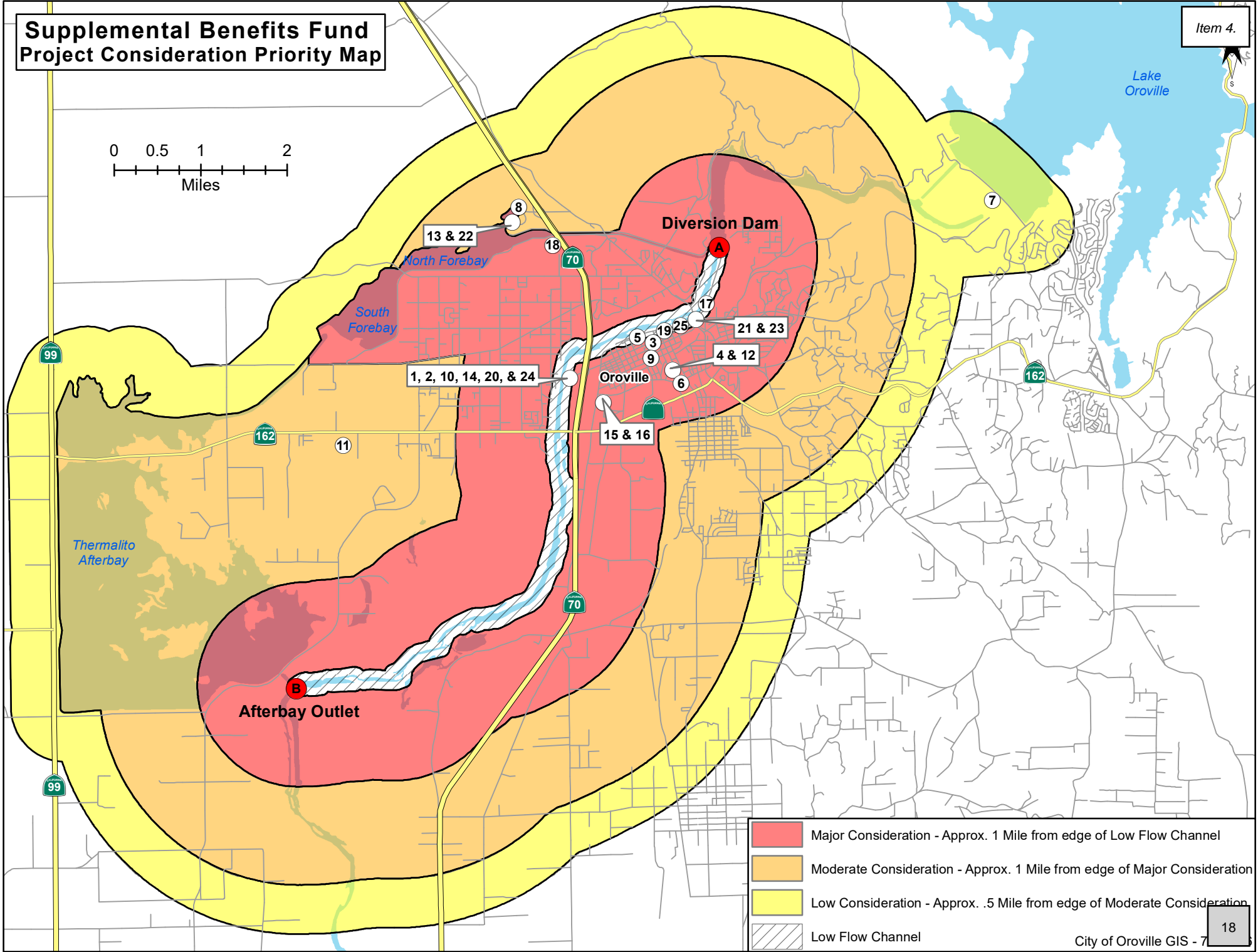
## **ATTACHMENTS**

- Exhibit A, Attachment 1 of the 2006 Settlement Agreement.
- NOFA Priority Map

# Supplemental Benefits Fund Project Consideration Priority Map



Item 4.



- Major Consideration - Approx. 1 Mile from edge of Low Flow Channel
- Moderate Consideration - Approx. 1 Mile from edge of Major Consideration
- Low Consideration - Approx. .5 Mile from edge of Moderate Consideration
- Low Flow Channel

- 10.0 The Steering Committee will hold public meetings as necessary, but no less than annually, to take action on:
  - 10.1 development and adoption of the regional Fund Strategic Plan pursuant to Section G;
  - 10.2 review and approval of proposed projects to be funded that meet the criteria of the Fund Strategic Plan;
  - 10.3 approval of the level of funding for approved projects; and
  - 10.4 election of a new chair.

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

- 1.0 Subject to the DWR determination required under Section A(2.0), DWR shall establish the Fund that will provide up to \$61,270,000 of unescalated funds, with a combination of initial payments and annual payments as provided below.
- 2.0 After the executed Settlement Agreement is approved by the Department of Finance, the first \$1,935,000 of these funds will be made available in accordance with an annual schedule to be determined by the Fund Administrator in consultation with the Steering Committee. Payments shall be made in arrears upon invoice by the Fund Administrator to DWR of actual expenses up to the total \$1,935,000.
- 3.0 The second \$4,135,000 of these funds, as well as any unexpended funds from those made available pursuant to Section E(2.0), will be transferred as a lump sum to the Fund Administrator upon acceptance by DWR of a new license for the Oroville Facilities with terms and conditions that are consistent with and substantially similar to the provisions set forth in the Settlement Agreement.
- 4.0 DWR shall provide the following unescalated annual payments, as appropriate for the new license term, to the Fund Administrator by June 30 of each year beginning with the first year following DWR acceptance of a new license:
  - 4.1 fifty year term: \$1,000,000 per year;
  - 4.2 forty-five year term: \$900,000 per year;
  - 4.3 forty year term: \$800,000 per year.
  - 4.4 For any license term less than forty years, DWR shall use its discretion to determine the annual payment, if any, which, at a minimum, shall be less than the amount listed in section 4.3 above.

- 5.0 The Fund also includes \$3,000,000 that DWR has already committed to Riverbend Park pursuant to an agreement with Feather River Recreation and Parks District, dated September 26, 2002, and an additional \$2,200,000 that was added to this contract via a contract amendment with approval from original signatories of the Interim Settlement Agreement for Riverbend Park Improvements.
- 6.0 If in any year in which DWR has, during its May determination, approved allocations of 35% or less of the maximum contractual amount SWP contractors can annually request pursuant to their long term water supply contracts, annual payments will be re-scheduled as follows:
- 6.1 when the approved allocation is 25% or less of the total annual contractual maximum, the next annual payment shall be reduced to \$300,000;
- 6.2 when the approved allocation is between 26% and 35% of the total annual contractual maximum, the next annual payment shall be reduced to \$500,000;
- 6.3 the reduced amounts shall be recovered in full through five equal annual installments beginning with the subsequent first year in which the May approved allocation exceeds 35% of the total annual maximum contractual amount the SWP contractors can request; provided that, the repayment obligation will be made in the years that the allocation exceeds 35% of the total annual maximum contractual amount the SWP contractors can request. The repayment obligation shall survive termination of this agreement and shall be added to the regular annual payments identified in Section 4.
- 7.0 DWR will use its best efforts to provide a transparent and stable funding stream for the Fund, consistent with its spending authorities.
- 8.0 If in any year(s) the annual generation (MWH) at the Oroville Facilities is reduced by more than 10% due to a forced physical outage or a regulatory, legislative, or judicial action, the payment(s) to the Fund for the following year(s) will be reduced by the percentage that exceeds 10%. This reduction in payment(s) shall remain in effect only until and to the extent that the reduction in annual generation remains in effect.
- 9.0 Payments to the Fund will constitute DWR's entire contribution to the funded projects and no contributions from DWR will be solicited by any party for any project that is denied funding by the Steering Committee.
- 10.0 At DWR's discretion and per its specifications, completed projects may include recognition of DWR funding.