

Final
City of Oroville
Municipal Service Review Update
and
Sphere of Influence Plan Update



Prepared by the
Butte Local Agency Formation Commission
Adopted December 4, 2014

This document consists of two separate documents:

- The Municipal Service Review Update for the City of Oroville.
- The City of Oroville Sphere of Influence Plan.

Both of these documents were adopted by Butte LAFCo on December 4, 2014. Each document contains its own table of contents.

Final
City of Oroville
Municipal Service Review
December 4, 2014

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EXECUTIVE SUMMARY

The Oroville Municipal Services Review, which was adopted by Butte LAFCo in 2009, was prepared in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act), which requires each Local Agency Formation Commission (LAFCo) to prepare service reviews for all cities and special districts within their area prior to or in conjunction with the establishment or update of a Sphere of Influence (SOI). An SOI is a planning boundary within which a city or district may expand through the annexation process.

The City of Oroville has requested Butte LAFCo to update their SOI in accordance with the City's General Plan, which was adopted by the City in 2009. The City's 2009 MSR must be updated to reflect the current capabilities of the City of Oroville to provide municipal services to parcels within their jurisdictional boundaries and within their SOI.

This MSR is intended to address the provision of services by the City and where applicable, does reference other service reviews for agencies within the city limits and the City's existing SOI in order to provide a comprehensive context to City services. The municipal services provided by the City and reviewed in this document include roadways, law enforcement, fire protection and emergency medical services, solid waste, parks and recreation, stormwater drainage, and wastewater services. All of these services are provided by the City of Oroville either directly or through a contract with other service providers. Municipal services that are not provided by the City or through a contract, such as domestic water service or wastewater treatment, are not specifically reviewed in this document.

State law requires that MSRs address five topic areas and provide written determinations for each topic area. This document includes separate chapters to address each of the topic areas, including; 1) growth and population projections; 2) present and planned capacity of public facilities and infrastructure needs and deficiencies; 3) financial ability of the City to provide services; 4) opportunities for shared facilities; 5) government structure, efficiency and local accountability; and 6) Any other matter related to effective or efficient service delivery, as required by commission policy. A written determination is provided for each topic area regarding the City's ability to provide services for both existing and future populations in accordance with LAFCo guidelines. The determinations presented in this MSR are consolidated in this summary.

Municipal Service Review Process

A Municipal Service Review (MSR) for the City of Oroville was adopted by Butte LAFCo in October 2009. In order to support an update to the City's SOI, which includes the creation of a SOI Plan, the MSR must also be updated to ensure that the determinations within the SOI Plan

are based on current information. City Staff reviewed the 2009 MSR and provided updates to LAFCo Staff. LAFCo Staff also reviewed the 2009 MSR, using current City information and other current data. Changes were then made to the 2009 MSR, which are identified in this updated MSR. City staff was provided an opportunity to review the Administrative Draft MSR, who recommended changes to the document. The Public Review Draft MSR was then released for public review, which consisted of a 21-day public review period beginning on November 6, 2014, and ending on November 26, 2014.

On December 4, 2014, Butte LAFCo held a Noticed Public Hearing during which the Public Review Draft MSR was reviewed for initial consideration and comments were received from the public, affected agencies and the Commission.

The determinations presented in the Final MSR represent Butte LAFCo's conclusions concerning each of the service categories, based on the information provided by the service providers.

Topic Areas of Analysis

Service reviews of municipal services provided by cities must be conducted by LAFCo in order to prepare and to update Spheres of Influence (SOI) in accordance with Section 56425. MSRs must include written statements of determination with respect to each of the five following topic areas:

- Growth and population projections for the affected area.
- Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies.
- Financial ability of agencies to provide services.
- Status of, and opportunities for, shared facilities.
- Accountability for community service needs, including governmental structure and operational efficiencies.
- Any other matter related to effective or efficient service delivery, as required by commission policy.

This Final MSR contains analysis and determinations for each of the topic areas listed above. The services reviewed by this MSR and their respective service providers within the city limits and SOI are listed below. It should be understood that the MSR focuses in depth on the services provided by the City and offers discussion of ancillary service providers in the region in a manner to provide a comprehensive context to City provided services. More detailed analysis of ancillary services has been conducted in previously adopted MSR's for these related agencies.

Service Providers

Service Provided	City of Oroville	Oroville SOI
General Government	City of Oroville	Butte County
Roadway Network	Department of Public Works	Butte County
Law Enforcement	Oroville Police Department	Butte County Sheriff's Department
Fire Protection and Emergency Services	Oroville Fire Department; El Medio Fire Protection District	CAL FIRE/Butte County Fire Department; El Medio Fire Protection District
Solid Waste Management	Recology Butte Colusa Counties	Recology Butte Colusa Counties
Parks and Recreation	Department of Parks and Trees	Feather River Recreation and Park District
Stormwater Drainage	Department of Public Works	Butte County
Wastewater Management	Department of Public Works	Sewerage Commission – Oroville Region, Lake Oroville Area Public Utility District, and Thermalito Water and Sewer District
Administrative Services	City of Oroville	Butte County

It should be noted that while wastewater collection, treatment, and disposal is included in the list of recognized City services, this MSR does not contain any specific determinations related to the City's provision of wastewater services. This is because the City is part of a three agency Joint Powers Agreement (JPA) with the Sewerage Commission-Oroville Region (SC-OR) to handle wastewater treatment and disposal. Due to this interconnected relationship of the JPA, it is not possible to provide an isolated analysis of the City's municipal services related to wastewater collection, treatment and disposal capacity. In order to accurately analyze the wastewater capacity for the Greater Oroville Area Butte LAFCo prepared the Wastewater Service Providers – Oroville Region MSR (adopted by Butte LAFCo in November 2009), which includes a comprehensive analysis of the City of Oroville wastewater services. This separate MSR specifically addresses wastewater conveyance and treatment capacity, the City of Oroville, Lake Oroville Area Public Utility District, Thermalito Water and Sewer District (TWSD), and SC-OR.

Additionally, this MSR does not contain a review of municipal services related to water service because the City of Oroville does not provide any domestic water service as a component of its overall municipal service capabilities. Instead, the City relies on the services of three other domestic water providers: Thermalito Water and Sewer District (TWSD), South Feather Water and Power Agency (SFWPA), and the California Water Service Company (CWS). These agencies provide domestic water service within the City's existing jurisdiction as well as its SOI and have been previously evaluated in a separate Domestic Water and Wastewater Service

Providers MSR adopted by Butte LAFCO in 2006. The City does not foresee that it will become a domestic water provider at this time.

Determinations Summary

Growth and Population

Determination 2.1 (Growth and Population)

The City's growth rate over the last two decades has remained at approximately one percent, which is expected to continue during the five-year period covered by this Municipal Service Review. It is acknowledged that the City General Plan is planning for an increased annual growth rate of 2.93 percent based on the level of interest for development in Oroville, however; this growth rate is speculative and is not considered the baseline for evaluating updates to the City's Sphere of Influence.

Determination 2.2 (Growth and Population)

Portions of Oroville's Sphere of Influence continue to be approved and developed under County jurisdiction at urban and suburban densities due to the availability of services such as water and sewer service provided by special districts beyond the control of the City.

Determination 2.3 (Annexation)

Annexation of developed unincorporated areas adjacent to the City has the potential to improve the level of service provided to residents of these currently unincorporated areas and to ensure the logical, equitable growth of the City. Annexation would also significantly increase the need for public services, particularly emergency services, within the newly expanded city limits without a corresponding equivalent increase in revenue to fund such services. The reverse is true for the County, which may experience revenue reductions if the annexed territory produces sales tax revenues in excess of service costs.

In 2012, the City initiated, and LAFCo approved, the annexation of six island areas to the City. These areas totaled 159 acres and consisted of 192 parcels with a population of approximately 468. The City is in the process of initiating the annexation of the South Oroville area (consisting of approximately 800 parcels) and the annexation of five other areas. On October 27, 2014, the City submitted two annexation applications to LAFCo that encompass a total of 404 acres and consisting of 976 parcels that are within the South Oroville area.

Determination 2.4 (Annexation)

Several developed areas that are populated by low-income and minority populations remain unincorporated immediately adjacent to city limits, and contribute to an irregular pattern of city boundaries. Annexation of these areas as well as existing island areas should be a priority and would begin to address social equity and social justice within the community and contribute to a more regular boundary area. Future annexation proposals for vacant or underdeveloped territory submitted by the City should be reviewed within the context of an overall annexation strategy that includes incorporating existing fringe communities and island areas.

Determination 2.5 (Annexation)

Future annexations to the City of Oroville will be evaluated pursuant to the eighteen factors found in California Government Code §56668 and pursuant to Butte LAFCo Policies. Emphasis on the financial ability of the City of Oroville to provide adequate and acceptable levels of municipal services to the annexed areas, especially police and fire protection services, will be placed on all future annexation proposals.

Determination 2.6 (Capacity to Accommodate Growth)

Based on historical growth rates, there is more than adequate land capacity within the City of Oroville and its current Sphere of Influence to accommodate significant growth into the foreseeable future.

Determination 2.7 (Regional Housing Allocation)

In accordance with the final Butte County Regional Housing Needs Plan, the City should develop 1,793 new housing units, 56 percent of which should be below market rate units by 2022. The City has adequate land to accommodate this new development.

Roads**Determination 3.1-1 (Level of Service Standards)**

The City has adopted acceptable Level of Service standards that by definition will result in increased traffic congestion and reduced roadway network efficiency.

Determination 3.1-2 (Existing Levels of Service)

All roadway segments in the City and Sphere of Influence are operating at service levels consistent with adopted City policy, which accepts a range of operational restrictions and breakdowns in traffic flow efficiency.

Determination 3.1-3 (Existing Levels of Service)

Existing development within unincorporated areas of the Sphere of Influence contributes significantly to traffic volumes and road capacity on several roadways within the City, particularly arterials and major collectors. There is recognized need for the City and County to better coordinate traffic studies and road improvements in the Oroville region.

Determination 3.1-4 (Infrastructure Needs and Deficiencies)

Over 70 percent of public roads maintained by the City of Oroville are in good, very good or excellent condition. However, the remaining 27 miles of public road maintained by the City are in poor condition and require repairs beyond routine maintenance for which there is no identified funding.

Determination 3.1-5 (Infrastructure Needs and Deficiencies)

Additions to the City's roadway network come from both new road construction associated with the development of new subdivisions and from annexations. Maintenance of city roads is funded by grants, federal taxes, and the City general fund, which are currently insufficient to maintain all roads in very good to excellent shape. The City recently updated its Pavement Management System, which will allow for a better street maintenance and restoration schedule.

Determination 3.1-6 (Infrastructure Needs and Deficiencies)

In 2012, the City adopted new traffic impact fees to address existing roadway deficiencies and roadway deficiencies due to future development. The traffic impact fees were substantially increased to ensure that roadway deficiencies are corrected.

Law Enforcement

Determination 3.2-1 (Existing Conditions and Facilities - Animal Control)

The City should prioritize and promptly renew a formal agreement with the NWSPCA for animal control services to ensure this essential service remains a viable service for the community.

Determination 3.2-2 (Existing Conditions and Facilities - Crime Rate)

The City's overall crime rate is significantly greater than the State average and represents a disproportionate number of arrests in comparison to the county population as a whole.

Determination 3.2-3 (Existing Conditions and Facilities- Crime Rate)

Understanding that the City is not an isolated island and the crime rate is affected by the criminal activity in the surrounding unincorporated urban areas, the Oroville Police Department should develop a cooperative plan with the Butte County Sheriff and District Attorney's Office to implement an effective campaign that will address and reduce the crime rate in the City and its adjacent unincorporated urban areas.

Determination 3.2-4 (Existing Conditions and Facilities- Staffing)

The Oroville Police Department's current staffing ratio is less than other similarly sized cities throughout the State. For FY 2014, the City has budgeted for 24 sworn officers, but currently has three vacant positions. With all sworn officer positions filled, the Oroville Police Department's staffing ratio would be 1.5 officers per 1,000 residents, which is similar to other same-sized cities in California.

Determination 3.2-5 (Infrastructure Needs and Deficiencies)

The Oroville Police Department is not currently meeting its goal of a 4-minute maximum response time for all emergency responses, and 20-minute response time for non-emergencies. Additional staffing and equipment is needed to fill vacant positions and improve the Department's ability to serve both existing and future populations and meet expected service response goals.

Determination 3.2-6 (Infrastructure Needs and Deficiencies)

The Oroville Police Department is funded primarily by the City's General Fund. Increased funding for the Department is anticipated to result from the expanded tax base that results from new development. In addition, the City has formed two Community Facility Districts to provide police facilities and services to the portion of the City west of the Feather River in anticipation of new development. Given the shortfalls identified in service response times and personnel deficiencies, the City should continually evaluate opportunities to develop other revenue sources to augment emergency services and seek opportunities to receive assistance from other agencies to supplement its law enforcement presence.

Determination 3.2-7 (Infrastructure Needs and Deficiencies – Development Impact Fees)

The City should adopt new development impact fees for police facilities that capture the full costs of capital facilities and infrastructure that are required to serve new growth.

Fire Protection and Emergency Services

Determination 3.3-1 (Existing Conditions and Facilities)

Continued development within the city limits and the Sphere of Influence is anticipated to increase the number of calls received from outside the city core. Providing service at existing service levels may become difficult, especially if new development does not result in adequate population density to support an additional fully staffed facility.

Determination 3.3-2 (Existing Conditions and Facilities – Standards)

With the assistance of Automatic Aid Agreements with the California Department of Forestry and Fire Protection/Butte County Fire Department and the El Medio Fire Protection District, the City is currently meeting the service standards adopted in the Oroville 2030 General Plan, which call for first response travel time of three to five minutes to incidents and travel time of ten minutes or less for additional resources for 90 percent of the call volume. Without Automatic Aid Agreements, the City would need to reevaluate the effectiveness of its fire service delivery capabilities.

Determination 3.3-3 (Existing Conditions and Facilities – Standards)

In order to adequately evaluate, monitor and implement fire services, the Oroville Fire Department should prepare a Master Plan for fire services and adopt written performance and service standards that address staffing levels, desired Insurance Service Organization ratings and related issues.

Determination 3.3-4 (Existing Conditions and Facilities – Automatic Aid Agreements)

The Oroville Fire Department should complete a Master Plan that analyzes the equitability of existing automatic aid agreements, call generation areas, location of future facilities, and procedures for efficiently addressing health emergencies. The plan should also analyze the appropriateness of adopted service standards on a community-wide basis in cooperation with the Butte County Fire Department and the El Medio Fire Protection District.

Determination 3.3-5 (Existing Conditions and Facilities – Automatic Aid Agreements)

The City has adopted a new automatic aid agreement with the El Medio Fire Protection District and California Department of Forestry and Fire Protection/Butte County Fire Department to allow the sharing of resources within the south Oroville area which will significantly improve fire protection services within the affected territory.

Determination 3.3-6 (Existing Conditions and Facilities – Service Levels)

On average, the Oroville Fire Department is the first responder to 85 percent of the calls that are generated within the city limits. The remainder of the calls are responded to by the California Department of Forestry and Fire Protection/ Butte County Fire Department.

Determination 3.3-7 (Existing Conditions and Facilities – Service Levels)

Existing mutual and automatic aid agreements are beneficial to all of the fire agencies involved and it is important to ensure that the agreements remain equitable for all parties involved. These agreements allow the City to offer its residents the most immediate service possible and provide access to services and equipment that would normally not be available to a city of similar size.

Determination 3.3-8 (Existing Conditions and Facilities – Service Levels)

Approximately 27 percent of the City of Oroville’s population is located north of the Feather River. Although the City does not have a fire station in this area, County Station 63 is located in the center of this area. With the current automatic aid agreement in place, County engines are able to respond to calls for service faster than City engines and ensure that the City’s standard for first response is met. Without this aid agreement, it is not certain that the City could meet its standard for first response, which would create an unmitigated impact for development in the area.

Determination 3.3-9 (Infrastructure Needs and Deficiencies)

The difference between number of calls in the city where the Butte County Fire Department is the first responder and the number of calls in the County where the Oroville Fire Department is the first responder has been an increasing burden on the County since 2004. The City should through the development of a master plan and other methods develop ways in which the Oroville Fire Department could serve as first responder for a greater number of calls within the City.

Determination 3.3-10 (Infrastructure Needs and Deficiencies)

The development of a City fire station at or in the vicinity of the Oroville Municipal Airport will provide service for future City residents and residents of the unincorporated Thermalito area and help to ease the imbalance of out-of-jurisdiction calls under the automatic aid agreement.

Determination 3.3-11 (Infrastructure Needs and Deficiencies)

The City supports new development in the Thermalito area, which is currently outside of the five-minute response time area for the City. The City has taken initial steps to address the need for future fire facilities by creating two Community Facilities District’s to fund the construction and staffing of a new fire facility in the area. Depending on the timing of future development, there may be an interim period during which the funding to construct and staff the facility is insufficient leaving this area outside of the desired five-minute response time and placing the first response responsibility on the Butte County Fire Department.

Solid Waste Services

Determination 3.4-1 (Solid Waste)

The Ostrom Road Landfill has sufficient capacity to accommodate the anticipated waste generated within the City of Oroville through 2030.

Determination 3.4-2 (Solid Waste)

The City of Oroville is adequately mitigating potential impacts on the capacity of the landfill through compliance with Assembly Bill 939, as amended by Assembly Bill 341, and with the County Integrated Waste Management Plan.

Determination 3.4-3 (Solid Waste)

The City should consider utilizing the Neal Road Recycling and Waste Facility instead of the Ostrom Road Landfill in order to reduce the distance that solid waste is shipped, and therefore reduce the amount of greenhouse gas emissions generated. It is acknowledged that such a shift of disposal sites would decrease the life span of the Neal Road facility.

Determination 3.4-4 (Household Hazardous Waste)

Free household hazardous waste recycling and disposal for all Butte County residents is provided by the Butte Regional Household Hazardous Waste Collection Facility. The facility also accepts hazardous waste from small businesses who qualify as Conditionally Exempt Small Quantity Generators.

Parks and Recreation

Determination 3.5-1 (Existing Park and Recreation Facilities)

City residents have a wide variety of recreational facilities available to them in and around the City including facilities owned and operated by the City, Feather River Recreation and Park District, the State and the federal government.

Determination 3.5-2 (Recreation Level of Service)

The City uses appropriate methods to gauge the need for parkland, recreational facilities, and recreational programming to meet the needs of the community. Two acres of parkland per 1,000 residents is provided solely by City of Oroville recreation facilities, and additional 249.5 acres is provided by the Feather River Recreation and Park District. There is roughly 5.4 acres of parkland per 1,000 city residents, which exceeds City and Feather River Recreation and Park District standards and is adequate to meet residents' needs.

Determination 3.5-3 (Recreation Level of Service for Future Growth)

There is an adequate amount of combined park acreage within the City and Sphere of Influence to provide 3 acres per 1,000 residents for projected future populations. However, a significant portion of this parkland is owned and operated by the Feather River Recreation and Park District, which does not focus on community and neighborhood parks. The City will need to develop additional community and neighborhood parks to meet future demand or develop an agreement with the FRRPD to provide this category of park land.

Determination 3.5-4 (Future Improvements and Expansion)

Between the City's and Feather River Recreation and Park District's facilities and programs there is adequate capacity to meet residents' needs. However, it is unclear the percentage of City residents versus regional users that utilize Feather River Recreation and Park District facilities within the city limits and Sphere of Influence. Therefore, the City and Feather River Recreation and Park District should develop a strategy for getting a better understanding the relationship of City residents versus regional users for facilities within the city limits and Sphere of Influence.

Determination 3.5-5 (Future Improvements and Expansion)

The City is requiring appropriate amounts of developed parkland and parkland dedications as a condition of new development to maintain and in some cases exceed the ratio of 3 acres of parkland to 1,000 residents.

Determination 3.5-6 (Funding of New Facilities)

The City does not collect the full amount of parkland development impact fees that it is entitled to collect. Although this has not affected the City's ability to develop new recreation facilities, it has prevented Feather River Recreation and Park District from receiving a portion of the impact fees. The City should collect the full amount of development fees to which it is entitled and share such fees with the Feather River Recreation and Park District.

Determination 3.5-7 (Funding of New Facilities)

The City should adopt provisions of the Quimby Act and the recommendations of the 2009 Supplemental Development Impact Fee Calculation and Nexus Study upon its completion.

Determination 3.5-8 (Funding New Facilities)

The City and Feather River Recreation and Park District should establish a joint resolution that defines the roles and responsibilities of each entity and promotes cooperation and standardization to streamline park planning efforts.

Determination 3.5-9 (Maintenance Costs)

The City uses appropriate mechanisms to fund on-going maintenance of new park facilities that are required as a condition of new development. All City residents contribute to the maintenance of community and park facilities through the district-wide assessment collected by the Feather River Recreation and Park District.

Stormwater Drainage

Determination 3.6-1 (Infrastructure Needs and Deficiencies)

The City's stormwater drainage system needs are evaluated in the Master Facilities Plan, last updated in 2003, and the Master Drainage Plan, last updated in 1991. While these documents indicate the City has the ability to provide adequate stormwater drainage service to the existing population and policies to address adequate future stormwater drainage planning, these plans are in need of updating to address current conditions and ensure consistency with the recently adopted 2030 General Plan.

Determination 3.6-2 (Infrastructure Needs and Deficiencies)

As the Thermalito area continues to develop, drainage improvement needs will be governed by the 2012 updated Thermalito Area Master Drainage Plans.

Determination 3.6-3 (Infrastructure Needs and Deficiencies)

In 2012, the City of Oroville adopted the Nexus report and fee calculation for the Thermalito Master Drainage Plan Update.

Determination 3.6-4 (Infrastructure Needs and Deficiencies)

The City will continue to require new development to incorporate stormwater drainage infrastructure as a condition of approval. Development impact fees will continue to pay for the system improvements that are necessary to provide stormwater drainage service for new development.

Wastewater Services

Determination 3.7-1 (Wastewater Collection Review):

Wastewater collection services in the City and its sphere of influence are provided by three separate agencies, which collectively form a joint powers agency for the operation of single regional sewage treatment and disposal facility. In order to provide a meaningful and comprehensive analysis of wastewater services in the Greater Oroville Area, Butte LAFCO has prepared a concurrent, but separate regionally focused Wastewater Service Providers – Oroville Region Municipal Service Review for this specific function determining this approach would provide the most beneficial and efficient review of the three wastewater service providers in the region and provide the Commission with a focused and useful tool to evaluate future reorganization proposals.

Determination 3.7-2 (Wastewater Collection Review):

Since 2007, the City of Oroville's sanitary sewer system has experienced 41 reportable SSOs, resulting in the spillage of approximately 110,585 gallons of wastewater. As a result of these SSOs, the RWQCB has issued seven Notice of Violations to the City. To address this high number of SSO's, the City has taken a more aggressive approach to inspecting and cleaning sewer lines and repairing/replacing older sewer lines. The City should continue to provide adequate, if not increased, funding for inspection/cleaning and repair/replacement activities to ensure that the City's sewer system meets its State-issued Waste Discharge Requirements and to prevent enforcement orders and fines from the Regional Water Quality Control Board.

To ensure adequate funding for maintenance of the City's sewer system, the City has approved substantial annual increases to the City's sewer service rate, which will result in a 62% rate increase from 2012 to 2016. The City should continue to increase sewer service rates as needed to ensure adequate funding for maintenance of the City's sewer system.

Administrative Services

Determination 3.8-1 (Administrative Services):

The City of Oroville has an acceptable governmental structure to manage services being offered by the City. Due to budget constraints and in an effort to be more efficient, various administrative departments have utilized interdepartmental staff and resource sharing. The City eliminated numerous positions during FY 2013-14 due to fiscal difficulties and currently has numerous frozen positions. As the City's fiscal situation improves, the City intends to fill the frozen positions.

Determination 3.8-2 (Infrastructure Needs and Deficiencies)

The City of Oroville has been resourceful in meeting service needs while understaffed and has adopted measures to staff administrative departments and increase staff salaries to attract qualified applicants.

Determination 3.8-3 (Administrative Services)

There is sufficient room in the existing City Hall to accommodate existing staffing levels, with room for limited expansions. If staffing levels increase significantly, it will be necessary for the City explore the possibility of relocating various City departments to another location or of constructing a new facility.

Financial Ability of the City to Provide Services

Determination 4.1-1 (City Finances)

In response to a \$2.1 million revenue shortfall in Fiscal Year 2013-14, the City of Oroville made significant reductions to its workforce and in expenditures to prevent deficient spending. These reductions, along with a slowly improving economy, have allowed the City to have a balanced budget. The City believes that these and other measures the City will implement in the near future will provide much-needed long-term financial stability to the City. The City should continue to closely analyze the City's budget with an eye on long-term revenue stability and should ensure service fees and development impact fees are at a level that adequately funds City municipal services.

Determination 4.1-2 (Contingency Funds)

The City should continue to ensure that the contingency fund is fully funded at the City's existing goal of 2.5% of the General Fund revenue. The City should consider increasing the contingency fund deposit rate to ensure that adequate funds are available for emergencies or unanticipated expenses.

Determination 4.1-3 (City Development Impact Fees)

The City of Oroville's current development impact fees are based on a nexus study prepared in 2003, but the City Council did not adopt the full fees as recommended in the study. The City is in the process of having a new nexus study prepared, which is anticipated to be finished in late 2014/early 2015. To fully offset the cost of new development, the City of Oroville should adopt the full development impact fees as recommended in the forthcoming nexus study.

Determination 4.1-4 (Financing Constraints and Opportunities)

The City of Oroville receives funds for the provision of public utilities and services through impact fees, taxes, and connection and usage fees. The City should continue to explore opportunities for creating benefit assessment districts or other similar funding mechanisms to secure long-term funding for the maintenance and operation of public facilities and services.

Determination 4.1-5 (Financing Constraints and Opportunities)

Given the relatively large number of service providers which serve the City of Oroville and the surrounding area, a formalized system for evaluation of financial constraints and opportunities is needed. In addition, coordination is needed between service providers who provide similar services.

Opportunities for Shared Facilities

Determination 4.2-1 (Opportunities for Shared Facilities)

The City's Fire and Police Departments currently share one headquarters. While this shared facility enables the departments to share resources more efficiently, the primary benefit is convenience to the public. As the existing facility has limited capacity for expansion, the City should consider establishing a larger facility that can accommodate the Fire and Police Departments as they expand.

Determination 4.2-2 (Opportunities for Shared Facilities)

The Feather River Recreation and Park District's facilities, rental agreements and partnerships make a significant contribution to the City's Park and Trees Department's ability to meet its goals for park provision and park coverage. The City should continue to engage in partnerships with the Feather River Recreation and Park District to fund capital improvements as well as joint ownership and shared maintenance agreements with Feather River Recreation and Park District. The two agencies should develop a comprehensive parks plan for the area within the City's SOI and assigning sole responsibility to a single agency for operations and maintenance of specified facilities.

Government Structure, Efficiency and Local Accountability

Determination 4.3-1 (Management Efficiencies within City)

The City of Oroville and other service providers, which serve residents within the boundaries of the City of Oroville, operate under adequate management efficiency.

Determination 4.3-2 (Management Efficiencies within Sphere of Influence)

Despite concerns from local residents, it appears that the annexation of land within the Sphere of Influence to the City of Oroville will result in the consolidation of service providers and should improve overall management efficiency.

Determination 4.3-3 (Local Accountability and Governance)

Residents of Oroville are offered a broad range of opportunities for involvement in City decision making, including elections, publicized meetings and hearings, and reports completed in compliance with State and federal reporting requirements.

1.0 INTRODUCTION

Purpose of the Municipal Services Review

The City of Oroville Municipal Services Review was prepared in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, which requires each Local Agency Formation Commission (LAFCo) to prepare service reviews for all cities and special districts within their area prior to or in conjunction with the establishment or update of a Sphere of Influence (SOI). An SOI is a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission in which a city or district may expand through the annexation process.

This MSR is intended to address the provision of services by the City of Oroville and where applicable, does reference other service reviews for agencies within the city limits and existing SOI in order to provide a comprehensive context to City services. Municipal services that are not directly provided by the City, such as domestic water and wastewater services, are not specifically reviewed in this document, but rather are reviewed in separate and complimentary supporting MSRs. Services that are provided by the City of Oroville either directly or through a contract or agreement with other service providers include roadways, law enforcement, fire protection and emergency medical services, solid waste, parks and recreation, stormwater drainage, and wastewater collection.

This document includes separate chapters to address each of the topic areas as required by LAFCo. Chapter 3.0 includes separate sections for each service reviewed. This chapter provides an overview of LAFCo's role in the municipal service review process, the purpose of this MSR, and describes the process of preparing this MSR. LAFCo may update this document at the City's request or if a need for an update is otherwise determined by LAFCo.

The Municipal Services Review and Sphere of Influence

The purpose of an SOI is to encourage logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities.

LAFCo emphasizes that the SOI is a planning tool. The establishment of an SOI, or inclusion of territory within an SOI of an existing governmental entity, does not automatically mean that the area is being proposed for annexation and development. Consistency of other planning efforts with the adopted SOI is critical, and changes to the SOI require careful review.

In order to prepare a SOI update in accordance with the California Government Code Section 56425, LAFCo must conduct a service review of the municipal services provided by the City and

must prepare and consider a written statement of its determinations with respect to each of the following:

- Growth and population projections for the affected area.
- Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies.
- Financial ability of agencies to provide services.
- Status of, and opportunities for, shared facilities.
- Accountability for community service needs, including governmental structure and operational efficiencies.
- In addition the Commission can consider any other matter related to effective or efficient service delivery, as required by local policy.

According to State and Butte LAFCo policies, it is necessary to work collaboratively with local agencies on the preparation of MSRs to ensure that the most accurate data is utilized and that the completed plans are widely supported by the affected agencies and their constituents. LAFCo considers it important and necessary to encourage communication and collaboration between public agencies (such as the county, cities and special districts), members of the public, community groups and private sector service providers during the MSR preparation process.

Services and Issues Analyzed

This document is organized by topics that State law requires this MSR to address as follows:

- ◆ Growth and Population (Chapter 2.0)
- ◆ Present and Planned Capacity of Public Facilities, Infrastructure Needs and Deficiencies (Chapter 3.0)
 - ◆ Roads
 - ◆ Law Enforcement
 - ◆ Fire Protection and Emergency Services
 - ◆ Solid Waste Services
 - ◆ Parks and Recreation
 - ◆ Stormwater Drainage
 - ◆ Wastewater Services
 - ◆ Administrative Services
- ◆ Remaining Review Factors (Chapter 4.0)
 - ◆ Financial Ability of the City to Provide Services
 - ◆ Opportunities for Shared Facilities
 - ◆ Government Structure, Efficiency and Local Accountability

It should be noted that while a chapter on wastewater services is included in the list of topics above, this MSR does not contain any specific determinations related to the City's provision of wastewater services. This is because the City is part of a three agency Joint Powers Agreement (JPA) with the Sewerage Commission-Oroville Region (SC-OR) to handle wastewater treatment and disposal. Due to this interconnected relationship of the JPA, it is not possible to provide an isolated analysis of the City's municipal services related to wastewater collection, treatment and disposal capacity.

In order to accurately analyze the wastewater capacity for the Greater Oroville Area, Butte LAFCo adopted, on November 5, 2009, a focused MSR for Sewer Service Providers – Oroville Region, which includes a comprehensive analysis of the City of Oroville wastewater services. This separate MSR specifically addresses wastewater conveyance and treatment capacity at the Sewerage Commission – Oroville Region (SC-OR), the City of Oroville, Lake Oroville Area Public Utility District, and Thermalito Water and Sewer District.

Methodology and Approach to this Municipal Services Review

Butte LAFCo policies emphasize the use of the most current available existing plans, data and information for the preparation of MSR documents rather than requiring preparation of new service documents. During the initial phase of the MSR process, service providers and City staff who serve as experts on particular services were asked to complete questionnaires regarding service-related planning and budgetary documents, service area boundaries, service capacity, and provisions for future improvements.

Information received from the questionnaires was reviewed by the consultant. Documents reviewed at this time included the existing MSRs discussed below. The consultant and City of Oroville staff conducted follow-up interviews and consultations with service providers and experts in order to discuss any discrepancies in the information provided and to identify and obtain any additional information that would assist in the review.

Once all information was obtained, the consultant analyzed each municipal service included in this MSR and prepared initial determinations for each of the five topic areas described above. For many of the topic areas, multiple determinations were made. Following the preparation of the Administrative Draft MSR, the City of Oroville staff and Butte LAFCo provided comments to the consultant. The determinations presented in the Public Review Draft MSR represent conclusions concerning each of the service providers, based on the information provided by the service providers.

The analysis conducted for each of the services and corresponding determinations are presented in Chapters 2 through 4 of this MSR.

Other Municipal Services Reviews Considered in the Analysis

This MSR incorporates information of other adopted MSRs which include portions of the city limits and the City's SOI. These MSRs include:

- ◆ Butte LAFCo, 2006, *Municipal Service Review Domestic Water and Wastewater Service Providers*. Adopted by Resolution No. 55-M 2005/06 on June 1, 2006.
- ◆ Butte LAFCo, *Final SOI Plan and MSR Update for the Lake Oroville Area Public Utility District*, adopted November 5, 2009.
- ◆ Butte LAFCo, 2009, *Municipal Service Review for Wastewater Service Providers-Oroville Region*. Adopted by Resolution No. 03 2009/10.
- ◆ Butte LAFCo, *Feather River Recreation and Park District Municipal Service Review and Sphere of Influence Plan*, June 4, 2009.
- ◆ Butte Local Agency Formation Commission, *El Medio Fire Protection District MSR Update*, December 5, 2013.

Public Review and Municipal Services Review Adoption Process

An initial Public Review Draft of this MSR was circulated for public review and comment for 21 days beginning on November 6, 2014, and closing on November 26, 2014. During this time, service providers and the general public reviewed the document and provided comments to Butte LAFCo. On December 4, 2014, Butte LAFCo held a Public Hearing during which the Public Review Draft MSR was reviewed for initial consideration.

Comments received during the comment period and at the Public Hearing were addressed in the Final Draft MSR and can be found in Chapter 5.

City of Oroville Setting and Sphere of Influence History

The City of Oroville is one of five incorporated municipalities in Butte County and is the county seat. Oroville is located approximately 65 miles north of Sacramento, where the Sacramento Valley meets the Sierra Nevada foothills. The City is five miles west of Highway 99 along Highway 70, a primary transportation route connecting Oroville with Sacramento to the south, and Plumas County to the north.

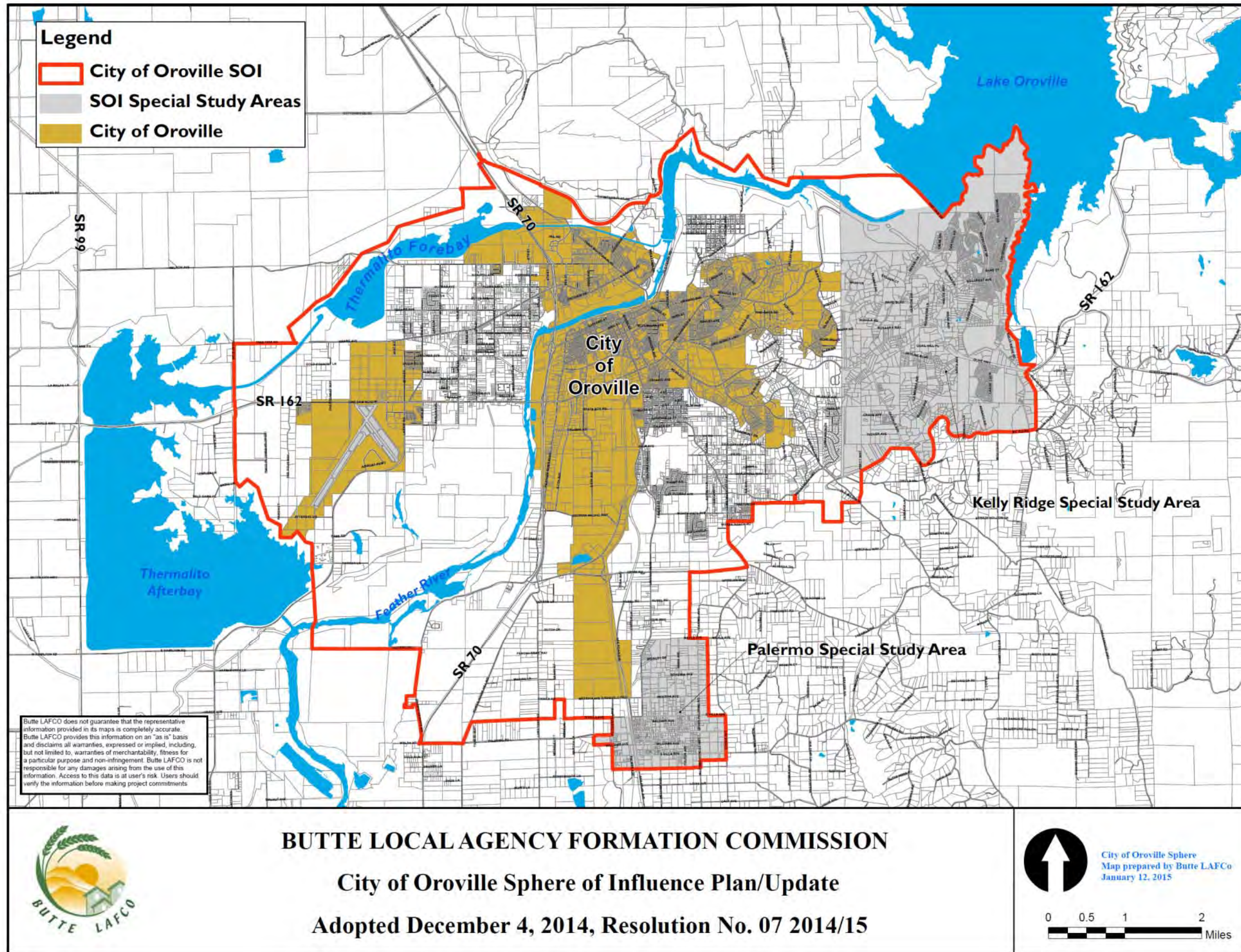
The jurisdictional boundaries relevant to the LAFCo MSR process are the City of Oroville's city limits and its SOI, as depicted in Figure 1-1. The roughly 13 square-mile area that comprises the City of Oroville's incorporated area is an irregular shape that includes both the main part of the City and the Oroville Municipal Airport, but does not include a large area of unincorporated land known as Thermalito or an older residential area southeast of the city limits referred to as South Oroville or "Southside". The SOI covers approximately 41 square miles. The SOI includes the developed unincorporated areas of Thermalito, Las Plumas, South Oroville, and Kelly Ridge, as

well as Palermo to the south. The City anticipates it will annex some or all of this land at some point in the future, however; a comprehensive review and update of the existing SOI may result in substantial adjustments to the current SOI boundary.

California Environmental Quality Act

Since this MSR is an informational document used for future actions that LAFCo or the City have not approved, adopted or funded, it is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15262 of the CEQA Guidelines. A notice of exemption pursuant to CEQA will be prepared by Butte LAFCo.

Figure 1-1. City of Oroville Sphere of Influence



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1.0 CITY OF OROVILLE DATA SHEET

Contact: City of Oroville
Address: 1735 Montgomery Street, Oroville, CA 95965
Phone: (530) 538-2401
Webpage: <http://www.cityoforoville.org>
Email: info@cityoforoville.org

Land Area Incorporated: Approximately 13.3 square miles

Estimated Population as of January 1, 2014: 15,980 (Department of Finance)

Date of Incorporation: January 3, 1906

Enabling Legislation: City Charter; Government Code §34450

Governing Body:

Five City Council Members- elected for four-year terms
Mayor- elected for a four-year term
Vice Mayor- elected for a four-year term

Member	Term Expiration
Mayor Linda Dahlmeier	2018
Vice Mayor Thil Wilcox	2016
Council Member Art Hatley	2018
Council Member Jack Berry	2018
Council Member David Pittman	2016
Council Member JR Simpson	2016
Council Member Marlene Del Rosario	2018

Appointed Officials:

City Administrator
City Attorney
Commission Members

Compensation:

Council members are compensated \$5 per Council meeting, not to exceed \$10 per month.
Mayor may not be compensated more than \$250 per month.

Public Meetings: Regular City Council meetings are held on the first and third Tuesdays of every month at 7:00 p.m. in the Council Chambers, City Hall Complex, located at 1735 Montgomery Street.

Services Provided:

General government, land use planning and building services, parks, fire protection and emergency services, law enforcement, roadways and stormwater drainage, and wastewater collection and conveyance services.

2.0 GROWTH AND POPULATION

This chapter presents the existing population and future growth projections for the City of Oroville and its SOI, since these factors must be considered when planning for the provision of services. A detailed discussion on existing municipal services and the ability to meet the future demand identified in this chapter is included in Chapter 3 of this MSR.

The geographic planning areas discussed in this chapter include the approximately 13-square mile incorporated area within Oroville's city limits and Oroville's 41-square mile Sphere of Influence (SOI). Most of the land in Oroville's SOI is either currently developed or designated in the Oroville 2030 General Plan for urban and suburban development densities, with a minimum of one unit per acre. This is consistent with LAFCo's definition of urban development.¹

Historic Growth and Current Population²

According to the California Department of Finance (DOF), the City of Oroville had an estimated population of 15,980 as of January 1, 2014, accounting for 7.2 percent of Butte County's total population of approximately 222,316.³ The City's population increased from 11,885 to 13,004 residents between 1990 and 2000, reflecting an average growth rate of approximately 0.9 percent a year.⁴ The City experienced a slightly higher growth rate between 2000 and 2010, with an average yearly growth rate of approximately 2 percent. These higher growth numbers included annexation activity which brought substantial developed island area populations into the City, which if subtracted from the population increases, would reduce the growth rate over this period. Between 2010 and 2014, the population of the City of Oroville increased from 15,546 to 15,980, which is an increase of approximately 3% (annual growth rate of 0.7 percent). However, the annexation of six developed island areas to the City of Oroville in 2012 accounted for almost this entire population growth, which skews the actual population growth rate of the City. Between 2010 and 2012 the City's population actually decreased by 53 people and from 2013 to 2014 the City's population growth rate was 0.17 percent. Since 2000, the City of Oroville has had an annual population growth rate of approximately 1.6 percent, which includes the population growth due to annexation. Excluding the population growth from the annexations, the City's annual population growth rate is approximately 0.9 percent. Table 2-1 shows Oroville's projected population growth based on the historic annual growth rate.

¹ Butte Local Agency Formation Commission, Policies and Procedures. December, 2004. Page 6.

² Unless otherwise noted, information in this chapter was provided by Craig Sanders, Planning Manager for the City of Oroville, through written communication with DC&E on September 23, 2008.

³ State of California, Department of Finance, E-5 City/County Population and Housing Estimates, January 2014.

⁴ State of California, Department of Finance, E-4 1990 and 2000 United States Census Bureau. Historical City, County, and State Population Estimates, 1991-2000, with 1990 and 2000 Census Counts.

**Table 2-1
Projected Population for the City of Oroville Based on Historic 0.9 Percent Growth Rate**

Jurisdiction	2015	2020	2025	2030	2035	2040
City of Oroville	16,124	16,862	17,635	18,443	19,288	20,172

Projections included in this table are calculated using the City of Oroville's historic growth rate of 0.9 percent.

The Butte County Association of Governments (BCAG) prepared population estimates for the cities within Butte County for the period 2010-2015, based on three different growth rate scenarios – Low, Medium, and High⁵. For the City of Oroville, BCAG's projected annual growth rates are 2.5% (Low Scenario), 2.9% (Medium Scenario), and 3.2%. It is not expected that the City of Oroville will grow at the rates estimated by BCAG based upon the City's historic annual growth rate of approximately 0.9 percent.

The population residing within Oroville's SOI is substantially larger than the population within the incorporated city limits. This is largely due to the existence of independent water and sewer service providers in the SOI and the willingness of the County to approve dense urban development near the City. Based upon the 2010 U.S. Census data, the current population of the unincorporated SOI is 23,329, and that the combined unincorporated and incorporated populations within the SOI is approximately 39,309. According to this estimate, the SOI accounts for 10.5 percent of Butte County's total population and is the second largest urban area in Butte County. The unincorporated SOI population of 23,329 alone represents 28 percent of the entire unincorporated population of the County.

Growth Plan and Population Projections

From 2005 to 2009, the City experienced a significant amount of development speculation and has approved tentative subdivision maps within the city limits for 1,751 lots. The City has also approved 559 lots and the 2,400 unit Oro Bay Specific Plan within the unincorporated SOI. Until these areas are annexed to the City, subdivision maps cannot be recorded and individual lots cannot be created. Although subdivision maps have not been approved for the Oro Bay project, the City is planning for approximately 75 percent build-out of the 2,400-unit project by 2030. Based on approved tentative subdivision maps and the Oro Bay Specific Plan, it is anticipated that new growth will occur within the existing city limits as well as within unincorporated areas of the SOI, which will be requested for annexation into the City.

The City's approval process for subdivision maps grants applicants 24 months from approval to meet the conditions of approval and finalize their maps. Applicants can utilize the map extension provisions of the Subdivision Map Act to extend the life of the tentative map for an

⁵ Butte County Association of Governments. Butte County Long-Term Regional Growth Forecasts 2010 – 2035. January 26, 2011

additional period of up to 36 months. It is difficult to estimate how many currently approved maps will expire and how many lots will be created. This is due in part to the national economic situation, which has greatly impacted regional housing markets. To date, only 253 of the 1,751 lots that were approved by the City from 2005 to 2009 have been recorded as final parcels.

Despite the apparent development interest and the creation of subdivision maps allowing for new single-family residential lots, the City has not experienced a significant increase in residential development. From 2010 through 2013, the City issued eight building permits for new single family dwellings, which is an average of two single-family dwellings per year. For the same period the City issued building permits for two multi-family projects, for a total of 77 new multi-family units. The recent upturn in the economy, and in the housing market, has resulted in the City issuing ten building permits for new single-family dwellings to date in 2014, although no building permits have been issued to date this year for multi-family units.⁶ Although the number of housing units currently being constructed in the City is consistent with historical growth rates, improvements in the current economic situation are anticipated to renew development interest and may lead to an increased population growth rate in the coming years.

**Table 2-2
Projected Population for the City of Oroville Based on 2.93 Percent Growth Rate**

Jurisdiction	2015	2020	2025	2030	2035	2040
City of Oroville	16,124	19,003	21,955	25,365	29,306	33,858

Projections included in this table are calculated using the City of Oroville's 2030 General Plan growth rate of percent.

**Table 2-3
BCAG Population Projections for the Unincorporated Oroville SOI^a**

Jurisdiction	BCAG Regional Population Projections 2014-2040					
	2015	2020	2025	2030	2035	2040
Unincorporated Oroville SOI ^b	23,588	24,982	26,406	27,902	29,259	30,057

^a Source: Draft Butte County Long-Term Regional Growth Forecasts 2014-2040 (November 25, 2014).

^b Population estimates for the unincorporated SOI are based on the assumption that 28 percent of the unincorporated Butte County population lives in the Oroville SOI and that this ratio will remain constant.

Considering the amount of speculative development interest that has been shown in Oroville, the City believes it is prudent to plan for a growth rate that is greater than the historic growth rate. The City of Oroville 2030 General Plan utilizes a 2.93 percent growth rate to project population growth, as shown in Table 2-2. Although it is anticipated that some of this growth (including growth related to the Oro Bay project) will occur within areas of the SOI that are currently unincorporated, this projection does not consider potential annexations of already developed areas such as Thermalito and South Oroville.

⁶ Data provided by Luis Topete, Associate Planner, City of Oroville

Given the availability of water and sewer service and the number of subdivision map applications being processed by the County, the population of the unincorporated Oroville SOI is likely to continue to grow under the County's jurisdiction. This increase could be offset by other City annexations, including potential annexations of the Thermalito and South Oroville areas. Potential annexations are further described in the following section. Population projections for the unincorporated SOI are shown in Table 2-3.

Determination 2.1 (Growth and Population)

The City's growth rate over the last two decades has remained at approximately one percent, which is expected to continue during the five-year period covered by this Municipal Service Review. It is acknowledged that the City General Plan is planning for an increased annual growth rate of 2.93 percent based on the level of interest for development in Oroville, however; this growth rate is speculative and is not considered the baseline for evaluating updates to the City's Sphere of Influence.

Determination 2.2 (Growth and Population)

Portions of Oroville's Sphere of Influence continue to be approved and developed under County jurisdiction at urban and suburban densities due to the availability of services such as water and sewer service provided by special districts beyond the control of the City.

Annexation and Population

In recent years, annexation has been a key factor in the increasing City population, accounting for about one-third of the City's growth. Despite the population growth resulting from opportunity annexations, the City of Oroville has not historically had an aggressive annexation policy. However, since undertaking the Oroville 2030 General Plan Update process in 2005, the City has exhibited an interest in developing a realistic and attainable annexation strategy. The City has recently taken steps to eliminate islands of unincorporated parcels adjacent to City limits by initiating the annexation of six island areas in 2012. These six areas, all of which were approved by LAFCo, totaled approximately 159 acres and consisted of 192 parcels, with a population of approximately 468. On October 21, 2014, the City initiated the annexation of the 203-acre, 819-parcel "Southside" area of South Oroville. Also on October 21, the City initiated the annexation of a 201-acre area, consisting of 157 parcels, which is adjacent to the Southside annexation area. On October 27, 2014, the City submitted applications for these two annexations to Butte LAFCo. The annexation of these two areas to the City of Oroville would add approximately 2,400 people to the City, which represents a 15% increase to the City's population.

Due to the absence of an annexation strategy, past irregular growth patterns have resulted in several urbanized areas immediately adjacent to the city limits and in four island areas being

sidetracked for incorporation. The primary areas of concern that have been identified for annexation are the South Oroville area and Thermalito, along with smaller pockets of unincorporated lands that have utilities and other urban services in close proximity.

The Thermalito and South Oroville areas have a combined population of approximately 9,600 people. These areas are generally composed of low-income, minority populations, and have less developed infrastructure than incorporated areas of the City. The fact that these areas have not already been annexed by the City has resulted in concerns regarding social equity of the City's annexation strategies. The annexation of these areas, which could potentially occur over the next seven- to ten- years, would result in a significant shift in population from unincorporated to incorporated areas of the SOI. While annexation of these unincorporated areas to the City would increase the need for emergency services and other public services, annexation has the potential to improve the level of service provided to residents of these areas and contribute to the resolution of local and regional equity issues.

The City recognizes the concern regarding the social equity of its annexation strategies and intends to employ all reasonable measures to annex the Thermalito and South Oroville areas. In October 2006, the City completed an annexation feasibility study regarding the fiscal impacts of annexation of the South Oroville area. A key issue identified by the City in its annexation studies is that tax revenue generated by annexing residential areas would not offset the cost of providing services to these areas. Due to the fiscal considerations of annexing developed land, the City and County may have to work out arrangements for tax sharing and/or service sharing. Population increases as a result of annexation would affect the City's population and would increase the need for certain services such as police, fire protection, code enforcement, road maintenance and drainage facilities, and would do so proportionally more than new development because the existing developed areas have older buildings, aging infrastructure and relatively low-income populations. These issues will need to be addressed before the annexation process moves forward.

In September 2007, the Oroville City Council reviewed three possible annexation strategies and received a recommendation from City staff that the City pursue an aggressive strategy that addresses all annexation issues and is consistent with the Council's adopted goals and objectives. On November 20, 2007, the Council adopted Resolution 7044, authorizing staff to proceed with the development and implementation of a comprehensive annexation strategy, including strategies to annex the Thermalito and South Oroville areas. As of late October 2014, the City has not submitted an annexation application for the Thermalito area. However, as noted above, the City has submitted two annexation applications to LAFCo that encompass a total of 404 acres and consisting of 976 acres that are within the South Oroville area.

In June 2014, Butte County and the City of Oroville completed a fiscal analysis of the annexation of the "Southside" portion of the South Oroville area. The study (*Final Report South Oroville Areas A & B Annexation Study for Butte County/City of Oroville*) determined that the Southside area generates approximately \$590,261 in total municipal revenues. The Study determined that with annexation of the Southside area to the City of Oroville, the projected

annual estimated operating expense for the City of Oroville to provide services to the Southside would be \$1,123,613. The cost for the City to provide services to the Southside area would exceed revenue by \$533,352. This imbalance could have a significant impact on the ability of the City to provide adequate municipal services to the Southside area and could result in a reduction in service levels to existing City residents.

Determination 2.3 (Annexation)

Annexation of developed unincorporated areas adjacent to the City has the potential to improve the level of service provided to residents of these currently unincorporated areas and to ensure the logical, equitable growth of the City. Annexation would also significantly increase the need for public services, particularly emergency services, within the newly expanded city limits without a corresponding equivalent increase in revenue to fund such services. The reverse is true for the County, which may experience revenue reductions if the annexed territory produces sales tax revenues in excess of service costs.

In 2012, the City initiated, and LAFCo approved, the annexation of six island areas to the City. These areas totaled 159 acres and consisted of 192 parcels with a population of approximately 468. The City is in the process of initiating the annexation of the South Oroville area (consisting of approximately 800 parcels) and the annexation of five other areas. On October 27, 2014, the City submitted two annexation applications to LAFCo that encompass a total of 404 acres and consisting of 976 parcels that are within the South Oroville area.

Determination 2.4 (Annexation)

Several developed areas that are populated by low-income and minority populations remain unincorporated immediately adjacent to city limits, and contribute to an irregular pattern of city boundaries. Annexation of these areas as well as existing island areas should be a priority and would begin to address social equity and social justice within the community and contribute to a more regular boundary area. Future annexation proposals for vacant or underdeveloped territory submitted by the City should be reviewed within the context of an overall annexation strategy that includes incorporating existing fringe communities and island areas.

Determination 2.5 (Annexation)

Future annexations to the City of Oroville will be evaluated pursuant to the eighteen factors found in California Government Code §56668 and pursuant to Butte LAFCo Policies. Emphasis on the financial ability of the City of Oroville to provide adequate and acceptable levels of municipal services to the annexed areas, especially police and fire protection services, will be placed on all future annexation proposals.

Capacity to Accommodate Growth

The Oroville 2030 General Plan addresses the capacity of the City and the Oroville SOI to accommodate new development. According to the General Plan, the Oroville SOI has the capacity to accommodate 45,000 dwelling units at buildout. This would be an increase of 31,200 over the roughly 13,800 existing units currently in the SOI, and would be accommodated primarily within the areas of the SOI that are currently unincorporated. However, it is not likely that full buildout of the General Plan will be reached within the next 25 years.

Determination 2.6 (Capacity to Accommodate Growth)

Based on historical growth rates, there is more than adequate land capacity within the City of Oroville and its current Sphere of Influence to accommodate significant growth into the foreseeable future.

Regional Housing Allocation

The *Final Butte County Regional Housing Needs Plan* for January 1, 2014 – June 15, 2022, which was approved in 2012 and revised in 2013, requires Oroville to provide 17.37 percent of the County’s total share of 10,320 new housing units and 185 replacement units. This translates into a need for 1,793 new housing units.

According to the plan, 44 percent of the City’s Regional Housing Need Allocation (RHNA) should be market-rate homes and 56 percent of the RHNA should be affordable to households with very low, low and moderate incomes. Given that the Oroville SOI has the capacity to accommodate 45,000 dwelling units at buildout, the City has adequate land to accommodate this new development.

Determination 2.7 (Regional Housing Allocation)

In accordance with the final Butte County Regional Housing Needs Plan, the City should develop 1,793 new housing units, 56 percent of which should be below market rate units by 2022. The City has adequate land to accommodate this new development.

3.0 PRESENT AND PLANNED CAPACITY OF PUBLIC FACILITIES, INFRASTRUCTURE NEEDS AND DEFICIENCIES

This section of the MSR addresses the provision of public services provided by the City of Oroville and identifies needs and deficiencies. Infrastructure Needs and Deficiencies refers to the status of existing and planned infrastructure and its relationship to the quality and levels of service that are, can, and need to be provided. The density, location, and quality of growth are dependent in part upon the availability and capacity of infrastructure and services. In reviewing a City's Sphere of Influence (SOI), it is important to determine if the agency is reasonably capable of providing needed resources and basic infrastructure to serve areas within the SOI.

The following services are evaluated in this section:

- Roads
- Law Enforcement
- Fire Protection and Emergency Services
- Solid Waste Services
- Parks and Recreation
- Stormwater Drainage
- Wastewater Collection
- Administrative Services

3.1 Roads

This chapter reviews the City of Oroville’s roadway network in terms of the Level of Service (LOS) provided and infrastructure needs and deficiencies.

State Highways 70 and 162 are the primary transportation corridors extending through Oroville. State Highway 70 travels north and south connecting Oroville with Marysville to the south and Quincy to the northeast. State Highway 162 runs east-west through the City connecting to State Highway 99 to the west and Lake Oroville to the east. State Highway 162 through Oroville is also known as Oroville Dam Boulevard and Olive Highway. The City of Oroville Department of Public Works is responsible for maintaining approximately 94 miles of paved street, 40 miles of curb and sidewalk, 79 individual alley-ways, 6 public parking lots, 8 bridges, 1 roundabout, 8 traffic signals, 1,200 street lights, and 1,500 signs, guard rail and pavement markings.⁷ The City also performs roadside weed abatement. Maintenance of the State highways is the responsibility of CalTrans.

Road maintenance, management, and improvement activities are funded primarily by the City’s General Fund. Funding for these activities has fluctuated over the last few years due to the City’s fiscal difficulties. Table shows the expenditures (services/supplies) for road maintenance, management, and improvement activities since Fiscal Year 2011-12.

Table 3.1-1. Road Maintenance Department Budget - Fiscal Years 2011-12 to 2014-15

	FY 2011-12	FY 2012-13	FY 2013-14	FY 2014-15
	<u>Actual</u>	<u>Actual</u>	<u>Trial Balance</u>	<u>Nov. Rev.</u>
Expenses				
Salaries/Benefits	\$436,492	\$385,917	\$294,459	\$332,420
Services/Supplies	\$391,041	\$374,105	\$267,262	\$344,136
Capital Outlay	\$19,091	\$0	\$0	\$80,528
Transfers-Out	\$0	\$0	\$0	\$0
Total Expenses	\$846,623	\$760,022	\$561,721	\$757,084

Source: City of Oroville Final Budget, Fiscal Year 2014-2015 (from the November 4, 2014, City Council Meeting)

As shown above, funding for the maintenance, management, and improvement of City roads was substantially reduced in FY 2013-14. However, funding for these activities was increased for the FY 2014-15 due to the City’s improved financial situation. Additionally, the City budgeted approximately \$430,000 for capital road improvements in FY 2014-15.⁸ The City collects traffic impact fees for new development and the Traffic Impact Fees Fund had a balance of \$784,372 at the beginning of FY 2014-15 and is anticipated to have an ending fund balance of \$867,481.

⁷ City of Oroville Web Page (*Streets, Traffic, and Street Lights* section), accessed October 28, 2014

⁸ 10-29-14 phone call with Rick Walls, Interim City Engineer, City of Oroville Public Works Department

Roadway Classifications

Roadway Classifications are categorized according to a typology known as functional classification, which classifies roadways based on the type of service it provides. The two major functions of roadways, which are to serve through traffic and provide access to adjacent property, are prioritized differently by each type of roadway. The current roadway system in Oroville is comprised of freeways, highways, arterials, collectors and local streets, as shown in Figure 3.1-1. These functional classifications are described below.

Freeways and Highways. A freeway is an access-controlled facility with two or more lanes in each direction that are designed for high speed inter-city travel. Highways are State-designated, high-capacity routes designed to carry heavy traffic volumes at speeds of 40 to 55 miles per hour. The only roadway considered a freeway or highway in Oroville's roadway network is State Highway 70, which is considered a freeway north of Oroville Dam Boulevard and highway south of Oroville Dam Boulevard.

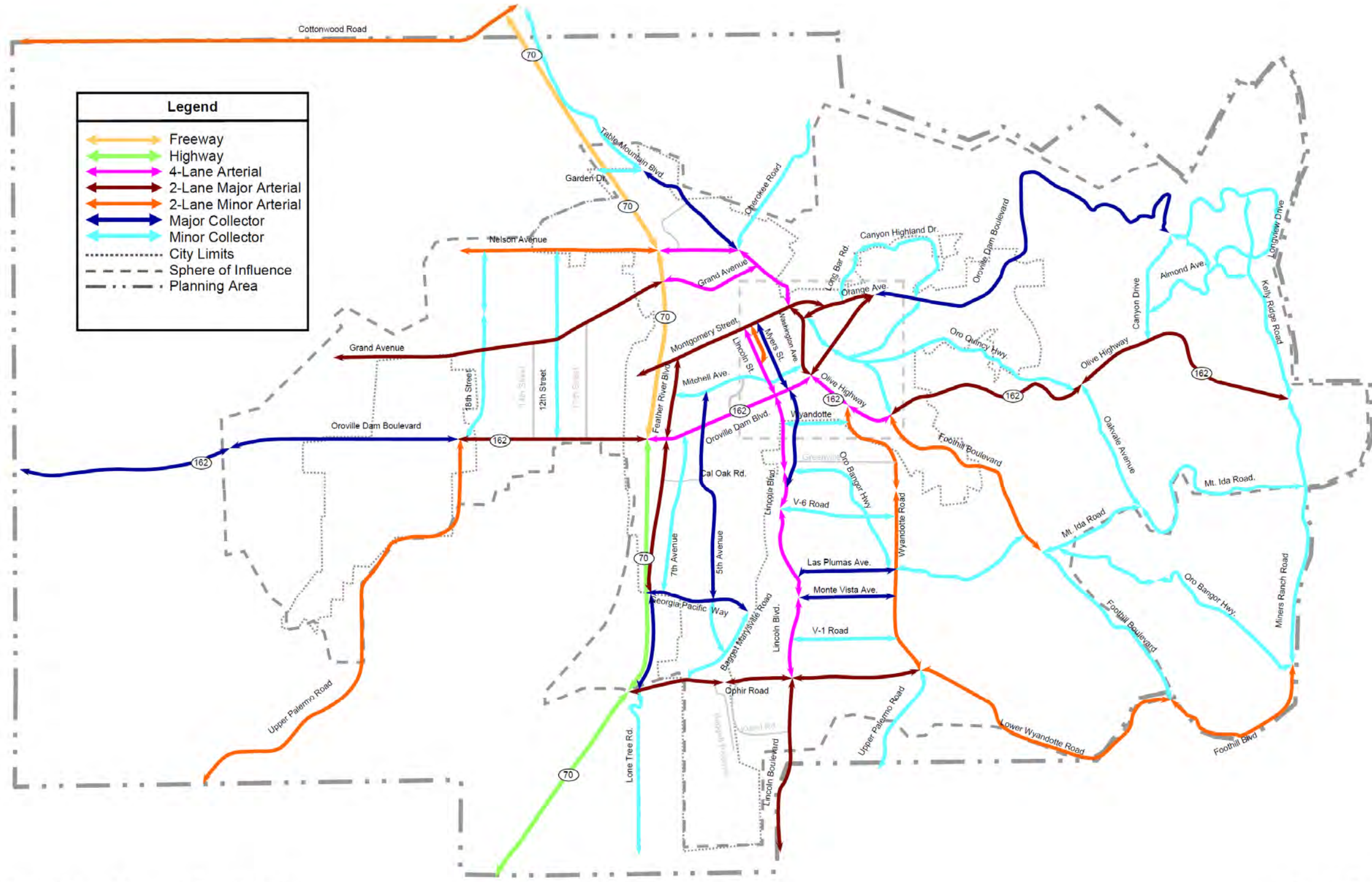
Arterials. Arterials are typically wider roadways that are designed to move large volumes of traffic and are intended to provide a high level of mobility between freeways/highways, other arterials, collectors and local streets. Arterials provide non-freeway/highway connections between major residential, employment, and activity centers. The most heavily traveled arterials serving the Oroville region include Oroville Dam Boulevard (SR162), Table Mountain Boulevard, Olive Highway (SR162), Washington Avenue, Lincoln Boulevard, Grand Avenue, and Nelson Avenue.

Collectors. These roadways are intended to "collect" traffic from local roadways and carry it to arterials, highways, and freeways. These roadways also provide access to adjacent properties. Collectors typically have one lane of traffic in each direction. Roadways classified as collectors in the 2030 General Plan include Cherokee Road, Feather River Boulevard, Foothill Boulevard, Lower Wyandotte Road, Mitchell Avenue, Orange Avenue, Mt. Ida Road, Oroville Bangor Highway, Oroville Dam Boulevard, Oroville Garden Ranch Road, Palermo Road, South 5th Street, Spencer Avenue, and Upper Palermo Road. Some of these roadways were also listed as arterials, since they have different segments that meet the criteria for both classifications.

Local Streets. The remainder of Oroville's streets are considered local streets and are intended to serve adjacent properties only. Local streets generally carry very low traffic volumes and little, if any, through-traffic, and normally have speed limits that do not exceed 25 miles per hour. Figure 3.1-1 does not highlight local streets.

Figure 3.1-1 identifies the freeways, highway, arterial, and collector roadways in the Oroville area.

Figure 3.1-1. City of Oroville Roadway Functional Classifications



Oroville TCIP and Impact Fee Update

Figure 1-1. City of Oroville Sphere of Influence

Figure 3

TCIP Roadway Functional Classification



R1495-TCIP Rdwy Functl Class.pub

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Level of Service Standards

Level of Service (LOS) standards describe traffic conditions for the roadway network and put traffic volumes in perspective. LOS is a qualitative measure of traffic conditions whereby a letter grade, A (the best) through F (the worst), corresponds to traffic service along a roadway or intersection. LOS grades are defined in the 2030 General Plan as follows:

LOS A represents free-flow travel with an excellent level of comfort and convenience and the freedom to maneuver.

LOS B has stable operating conditions, but the presence of other road users causes a noticeable, though slight, reduction in comfort, convenience and maneuvering freedom.

LOS C has stable operating conditions, but the operation of individual users is substantially affected by the interaction with others in the traffic stream.

LOS D represents high-density, but stable flow. Users experience severe restriction in speed and freedom to maneuver, with poor levels of comfort and convenience.

LOS E represents operating conditions at or near capacity. Speeds are reduced to a low but relatively uniform value. Freedom to maneuver is difficult with users experiencing frustration and poor comfort and convenience. Unstable operation is frequent, and minor disturbances in traffic flow can cause breakdown conditions.

LOS F is used to define forced or breakdown conditions. This condition exists wherever the volume of traffic exceeds the capacity of the roadway. Long queues can form behind these bottleneck points with queued traffic traveling in a stop-and-go fashion.

It should be noted that California Senate Bill (SB) 743, which became law in 2013, created a process to change the way that transportation impacts are analyzed under the California Environmental Quality Act (CEQA). Specifically, SB 743 requires the Governor's Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (New Public Resources Code Section 21099(b)(1).) Measurements of transportation impacts may include "vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated." OPR also has discretion to develop alternative criteria for areas that are not served by transit, if appropriate. Once the CEQA Guidelines are amended to include those alternative criteria, auto delay will no longer be considered a significant impact under CEQA. However, transportation impacts related to air quality, noise and safety must still be analyzed under CEQA where appropriate. As of November 1, 2014, OPR has not amended the CEQA Guideline as required by SB 743 and level of service remains the qualitative measure of traffic conditions.

The Oroville 2030 General Plan sets LOS D as the operating standard for all arterial streets, collector streets and intersections, except that LOS E is acceptable for intersection and roadway segment operations along Oroville Dam Boulevard between Highway 70 and Olive Highway.

Based on the definitions above, these adopted LOS standards result in drivers experiencing a range of conditions from severe restriction in speed and freedom to maneuver up to operating conditions at or near capacity resulting in reduced speeds and frequent unstable operations where minor disturbances in traffic flow can cause breakdown conditions. It is the City's prerogative to establish acceptable LOS standards, however; while the lower standard reduces the need for road capacity improvements they do result in a less efficient roadway network.

The necessary conditions for arterials and collectors to maintain a LOS D are as follows:

- **Arterials.** To maintain a LOS D, a two-lane arterial can carry up to 2,790 vehicles during the PM peak hour. A four-lane arterial can carry up to 5,100 vehicles during the PM peak hour.⁹
- **Collectors.** To maintain a LOS D, a two-lane collector can carry 1,320 vehicles during the PM peak hour.¹⁰

Determination 3.1-1 (Level of Service Standards)

The City has adopted acceptable Level of Service standards that by definition will result in increased traffic congestion and reduced roadway network efficiency.

Existing Levels of Service¹¹

Based on thresholds set forth in the 2030 General Plan EIR, all of the area's roadways operate at an acceptable LOS. However, two PM peak hour roadway-based deficiencies on SR 162 were indentified in the City's 2012 Transportation Capital Improvement Program (TCIP) and Impact Fee Update Report:¹²

- The Olive Highway (SR 162) segment between Oroville Dam Boulevard and Lower Wyandotte Road is currently operating at LOS E.
- The Olive Highway (SR 162) segment between Lower Wyandotte Road and Foothill Boulevard is currently operating at LOS F.

In addition, the 2012 TCIP identified three intersections that are operating at unacceptable service levels during at least one peak hour period:

- Nelson Avenue/Table Mountain Boulevard operating at LOS F during AM and PM peak hours.

⁹ City of Oroville 2030 General Plan EIR, Chapter 4 *Transportation and Circulation*, p. 4.12-10.

¹⁰ City of Oroville 2030 General Plan EIR, Chapter 4 *Transportation and Circulation*, p. 4.12-10.

¹¹ Fehr & Peers Associates, 1997, *City of Oroville Transportation Improvement Program*, Oroville: Butte County Association of Governments, p. 6.

¹² City of Oroville, *2012 Transportation Capital Improvement Program (TCIP) and Impact Fee Update Report*, December 2012

- Nelson Avenue/SR 70 southbound off-ramp operating at LOS F during AM and PM peak hours.
- The Olive Highway/Foothill Boulevard intersection operating at LOS E during the AM peak hour.

Figure 3.1-2 shows the existing conditions for the PM peak hour traffic volumes and levels of service.

Determination 3.1-2 (Existing Levels of Service)

All roadway segments in the City and Sphere of Influence are operating at service levels consistent with adopted City policy, which accepts a range of operational restrictions and breakdowns in traffic flow efficiency.

Determination 3.1-3 (Existing Levels of Service)

Existing development within unincorporated areas of the Sphere of Influence contributes significantly to traffic volumes and road capacity on several roadways within the City, particularly arterials and major collectors. There is recognized need for the City and County to better coordinate traffic studies and road improvements in the Oroville region.

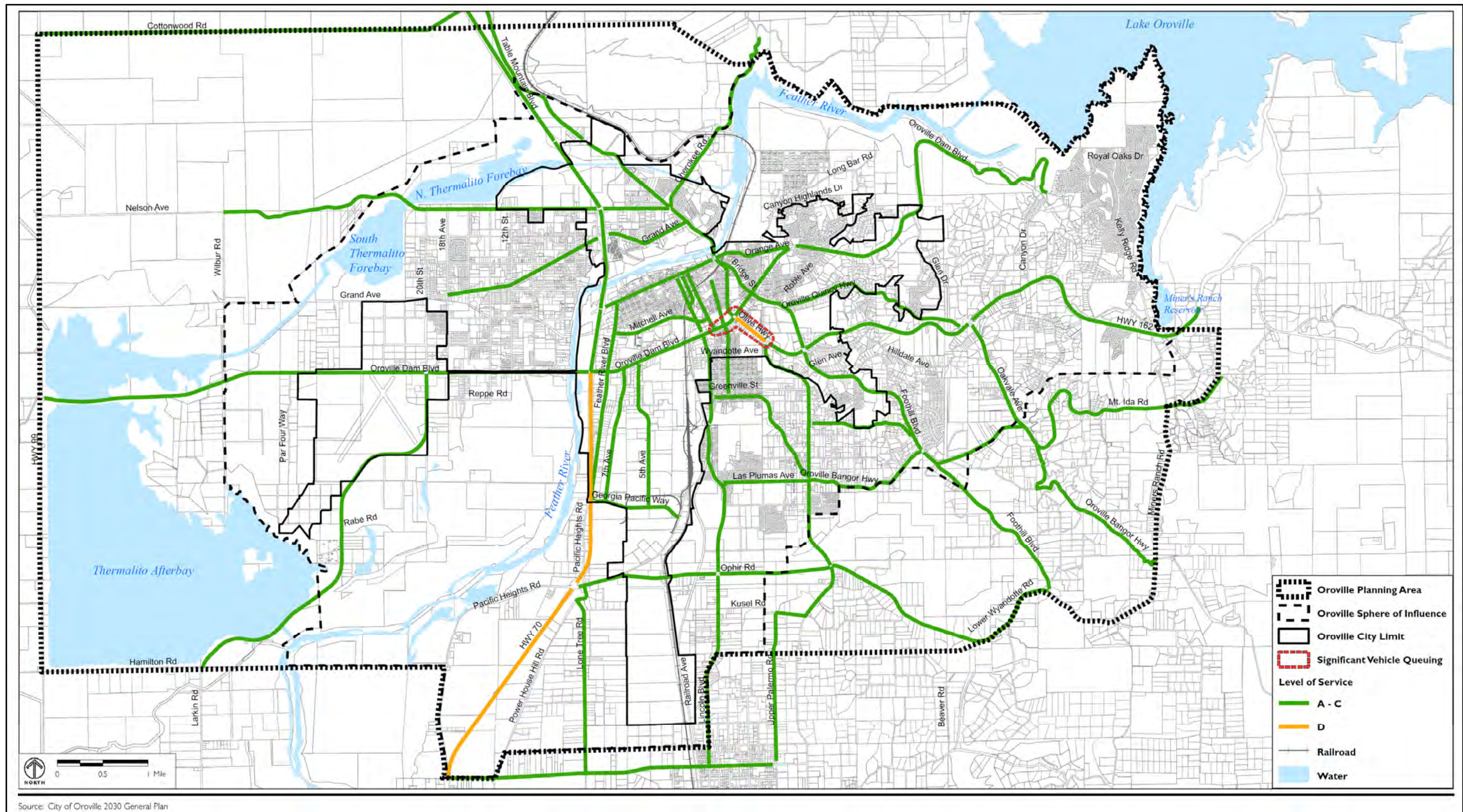
Infrastructure Needs and Deficiencies

Additions to the roadway network typically come from new road construction associated with the development of new subdivisions. Roadway widening, the construction of new intersection improvements and new signalization projects are implemented on an as-needed basis when funding is available.

In 2012, the City updated the City’s 2004 Transportation Capital Improvement Program (TCIP) and related citywide transportation impact fees.¹³ The 2012 TCIP identified existing and future roadway level of service deficiencies and identified needed roadway improvements. The identified improvements are listed in Tables 3.1-2, 3.1-3, and 3.1-4, and shown on Figure 3.1-3

¹³City of Oroville. 2012 Transportation Capital Improvement Program (TCIP) and Impact Fee Update Report., December 2012

Figure 3.1-2. Existing Conditions PM Peak Hour (Two Way) Traffic Volume and Level of Service



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The 2012 TCIP identified existing roadway deficiencies (costing \$4.93 million) and roadway deficiencies based upon build out of the City (costing \$141.1 million). The TCIP determined that based upon the traffic impact fees that existed at that time, there would be an estimated \$75.1 million funding gap to eliminate the identified roadway deficiencies. In December 2012, the Oroville City Council adopted new traffic impact fees that would ensure that the owners of future development projects pay their fair share toward mitigating future traffic impacts within the City's roadway network. It should be noted that the impact fees do not cover the cost for intersection and roadway improvements along State Routes 70 and 162, which is estimated to be \$52.7 million. Table 3.1-1 shows the previous and the current City of Oroville traffic impact fees:

Table 3.1-2. City of Oroville Traffic Impact Fees

	<u>Single Family</u>	<u>Multi-Family</u>	<u>Commercial (per 1,000 SF)</u>	<u>Industrial (per 1,000 SF)</u>
2004 Fees	\$604	\$398	\$1,128	\$391
Current (2014) Fees	\$1,579	\$1,105	\$6,478 ⁽¹⁾	\$794 ⁽²⁾

(1) Average of all commercial land uses, excluding the traffic intensive land uses convenience market, fast food restaurant, service station and movie theater. Fees per 1,000 SF for these land uses range from \$26,414 to \$66,642.

(2) Average of all industrial land uses.

Table 3.1-3. City of Oroville TCIP Intersection Improvements

TCIP INTERSECTION IMPROVEMENTS						
ID	Intersection Name (1)	Improvement Description	Developer Cost	Non-TCIP Cost	Fee Cost	Total Cost
13	Nelson Avenue / SR 70 SB Ramps	Install Roundabout or Install Signal & Add Left Turn Pockets in All Directions	\$0	\$1,300,000	\$0	\$1,300,000
14	Nelson Avenue / SR 70 NB Ramps	Install Roundabout or Install Signal	\$0	\$1,300,000	\$0	\$1,300,000
15	Nelson Avenue / Country Center Drive	Install Roundabout or Install Signal	\$0	\$0	\$660,000	\$660,000
16	Nelson Avenue / Table Mountain Blvd./Cherokee Rd. (2)	Install Roundabout or Install Signal & Add Eastbound & Westbound Left Turn Pockets	\$0	\$1,300,000	\$0	\$1,300,000
17	Grand Avenue / SR 70 SB Ramps	Install Roundabout or Install Signal	\$0	\$1,300,000	\$0	\$1,300,000
18	Grand Avenue / SR 70 NB Ramps	Install Roundabout or Install Signal & Add Left Turn Pockets & a Northbound Right Turn Pocket	\$0	\$1,300,000	\$0	\$1,300,000
110	Montgomery Street / SR 70 SB Ramps	Install All-Way Stop Sign	\$0	\$60,000	\$0	\$60,000
114	Oroville Dam Boulevard / 10th Street	Install Roundabout or Install Signal	\$0	\$660,000	\$0	\$660,000
117	Oroville Dam Boulevard / Feather River Boulevard	Add Eastbound Right Turn Pocket, Second Northbound Left Turn Pocket, Southbound Right Turn Pocket, and Restripe Southbound Left-Right as a Left-Through. Modify Signal to Accommodate Reconfiguration & Restripe Intersection	\$0	\$1,100,000	\$0	\$1,100,000
118	Oroville Dam Boulevard / 5th Avenue	Add Dual Northbound Right Turn Pockets and Dedicated Southbound Right Turn Pocket. Modify Signal to Accommodate Reconfiguration & Restripe Intersection.	\$0	\$1,040,000	\$0	\$1,040,000
120	Lincoln Boulevard / Oro Dam Boulevard	Add Second Northbound Through Lane and Second Southbound Left Turn Pocket. Modify Signal to Accommodate Reconfiguration & Restripe Intersection	\$0	\$1,040,000	\$0	\$1,040,000
122	Oroville Dam Boulevard / Spencer	Add Dedicated Northbound and Southbound Right Turn Pockets. Modify Signal to Accommodate Reconfiguration & Restripe Intersection.	\$0	\$970,000	\$0	\$970,000
124	Oroville Dam Boulevard / Olive Highway	Add Second Eastbound Right Turn Pocket and Second Southbound Through Lane. Modify Signal to Accommodate Reconfiguration & Restripe Intersection.	\$0	\$1,040,000	\$0	\$1,040,000
125	Olive Highway / Hospital Access	Modify Traffic Signal to Accommodate Roadway Widening on Olive Highway	\$0	\$200,000	\$0	\$200,000
126	Lower Wyandotte Road / Olive Highway	Modify Traffic Signal to Accommodate Roadway Widening on Olive Highway	\$0	\$200,000	\$0	\$200,000
127	Foothill Boulevard / Olive Highway	Modify Traffic Signal to Accommodate Roadway Widening on Olive Highway	\$0	\$200,000	\$0	\$200,000
130	Ophir Road / Feather River Boulevard	Install Roundabout or Install Signal & Add Left Turn Pockets in All Directions	\$0	\$0	\$1,300,000	\$1,300,000
131	Feather River Boulevard / Georgan Pacific Way	Install Roundabout or Install Signal & Left Turn Pockets in All Directions and a Westbound Right Turn Pocket	\$0	\$0	\$1,300,000	\$1,300,000
133	Feather River Boulevard / Cal Oak Road (3)	Install Roundabout or Install Signal & Northbound & Westbound Right Turn Pockets & Southbound Left Turn Pocket	\$0	\$660,000	\$0	\$660,000
134	7th Avenue / Cal Oak Road	Install All-Way Stop Sign & Add Eastbound & Westbound Left Turn Pockets	\$0	\$0	\$200,000	\$200,000
135	5th Avenue / Cal Oak Road	Install Roundabout or Install Signal & Add Left Turn Pockets in All Directions	\$0	\$0	\$660,000	\$660,000
138	Ophir Road / Baggett Palermo Road	Install Roundabout or Install Signal	\$0	\$0	\$1,300,000	\$1,300,000
139	Ophir Road / Kusel Road	Install Roundabout or Install Signal	\$0	\$0	\$1,300,000	\$1,300,000
142	Lincoln Boulevard / Monte Vista Avenue	Install Roundabout or Install Signal	\$0	\$0	\$660,000	\$660,000
143	Lincoln Boulevard / Wagner Road	Install Roundabout or Install Signal	\$0	\$0	\$660,000	\$660,000
145	Lincoln Boulevard / Greenville	Install Roundabout or Install Signal	\$0	\$0	\$660,000	\$660,000
146	Lincoln Boulevard / Wyandotte Avenue	Install Roundabout or Install Signal	\$0	\$0	\$660,000	\$660,000
152	Lower Wyandotte Road / Monte Vista Avenue	Install Roundabout or Install Signal	\$0	\$0	\$660,000	\$660,000
TOTAL:			\$0	\$13,670,000	\$10,020,000	\$23,690,000

Notes: (1) Improvements to intersections 28 and 29 have not been identified in this report and are not included in the updated TCIP or fee program. These locations are at-grade intersections with State Route 70. Long-term planning of the SR 70 corridor at this stage is subject to Caltrans planning and may include grade separated interchanges one or both of these locations. (2) Improvements to intersection 6 will also not be included in the TCIP as it will be constructed with outside funding sources. (3) Improvements to intersection 33 will be constructed as mitigations to the approved Walmart project and will not be included in the fee program.

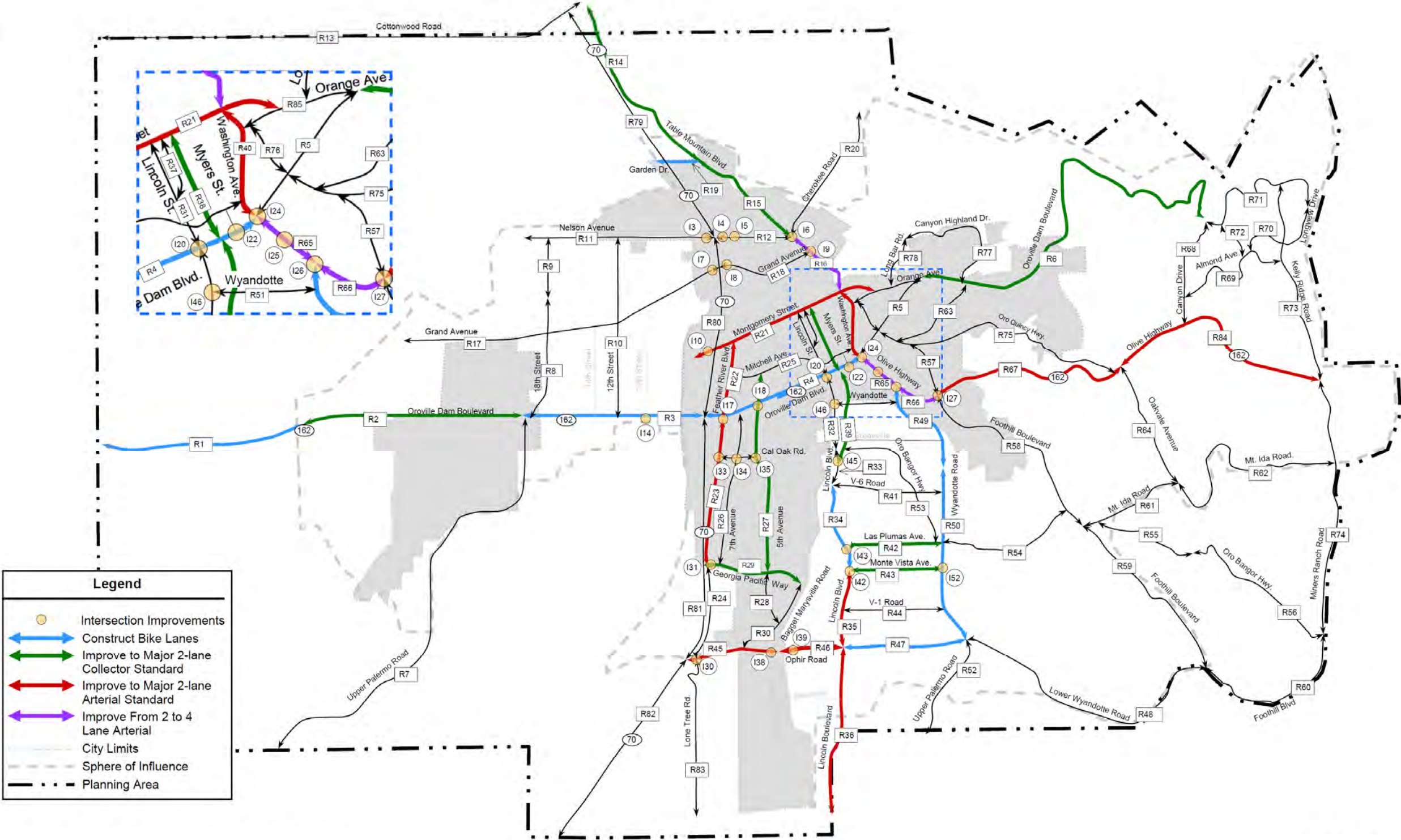
Table 3.1-4. City of Oroville TCIP Roadway Improvements

TCIP ROADWAY IMPROVEMENTS								
ID	Roadway Name	From	To	Improvement Description	Non-TCIP			
					Developer Cost	Cost	Fee Cost	Total Cost
R2	Oroville Dam Boulevard	Wilbur Road/Larkin Avenue	Feather Avenue/Larkin Road	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$0	\$12,310,000	\$0	\$12,310,000
R6	Oroville Dam Boulevard	Orange Avenue/Acacia Avenue	Canyon Drive	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$17,389,167	\$0	\$12,420,833	\$29,810,000
R13	Table Mountain Boulevard	Garden Drive	Nelson Avenue/Cherokee Road	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$3,816,296	\$0	\$3,543,704	\$7,360,000
R16	Table Mountain Boulevard	Nelson Avenue/Cherokee Road	Montgomery Street	Widen to 4-Lane Arterial Standard by Adding Additional Travel Lanes, Bike Lanes, Sidewalk & Landscaping	\$0	\$0	\$4,440,000	\$4,440,000
R21	Montgomery Street	Park Entrance	Orange Avenue	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$0	\$0	\$5,320,000	\$5,320,000
R22	Feather River Boulevard	Montgomery Street	Oroville Dam Boulevard	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$0	\$0	\$1,580,000	\$1,580,000
R23	Feather River Boulevard	Oroville Dam Boulevard	Georgia Pacific Way	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$1,625,185	\$0	\$4,294,815	\$8,920,000
R27	5th Avenue	Mitchell Avenue	Georgia Pacific Way	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$5,568,889	\$0	\$5,171,111	\$10,740,000
R29	Georgia Pacific Way	SR 70	Baggett Marysville Road	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$3,142,222	\$0	\$2,917,778	\$6,060,000
R35	Lincoln Boulevard	Monte Vista Avenue	Ophir Road	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$2,538,261	\$0	\$1,631,739	\$4,170,000
R36	Lincoln Boulevard	Ophir Road	Messina Avenue	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$5,533,043	\$0	\$3,556,957	\$9,090,000
R38	Meyers Street	Montgomery Street	Oroville Dam Boulevard	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$0	\$0	\$1,930,000	\$1,930,000
R39	Meyers Street	Oroville Dam Boulevard	Lincoln Boulevard	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$0	\$0	\$3,250,000	\$3,250,000
R40	Washington Avenue	Montgomery Street	Oroville Dam Boulevard	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$0	\$0	\$1,860,000	\$1,860,000
R42	Las Plumas Avenue	Walner Road	Lower Wyandotte Road	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$3,603,704	\$0	\$3,346,296	\$6,950,000
R43	Monte Vista Avenue	Lincoln Road	Lower Wyandotte Road	Improve to Major 2-Lane Collector Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$3,251,111	\$0	\$3,018,889	\$6,270,000
R45	Ophir Road	SR 70	Baggett Palermo Road	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$5,910,435	\$0	\$3,799,565	\$9,710,000
R46	Ophir Road	Baggett Palermo Road	Lincoln Boulevard	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$10,700,870	\$0	\$6,879,130	\$17,580,000
R65	Olive Highway	Oro Dam Boulevard	Lower Wyandotte Road	Widen to 4-Lane Arterial Standard by Adding Additional Travel Lanes, Bike Lanes, Sidewalk & Landscaping	\$0	\$2,010,000	\$0	\$2,010,000
R66	Olive Highway	Lower Wyandotte Road	Foothill Boulevard	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$0	\$3,000,000	\$0	\$3,000,000
R67	Olive Highway	Foothill Boulevard	Oakvale Avenue	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Bike Lanes, Sidewalk & Landscaping	\$0	\$10,740,000	\$0	\$10,740,000
R84	Olive Highway	Oakvale Avenue	Miners Ranch Road	Improve to Major 2-Lane Arterial Standard by Adding Center Turn Lane, Shoulder, Sidewalk & Landscaping	\$0	\$10,970,000	\$0	\$10,970,000
TOTAL:					\$66,979,183	\$39,030,000	\$68,960,817	\$174,970,000

Table 3.1-5. City of Oroville TCIP Bicycle Facility Improvements

TCIP BICYCLE FACILITY IMPROVEMENTS								
ID	Roadway Name	From	To	Improvement Description	Non-TCIP			
					Developer Cost	Cost	Fee Cost	Total Cost
R19	Garden Drive	Park Entrance	Table Mountain Boulevard	Construct Bike Lanes	\$0	\$0	\$630,000	\$630,000
R34	Lincoln Boulevard	Baggett Marysville Road	Monte Vista Avenue	Add Bike Lanes (Striping)	\$0	\$0	\$60,000	\$60,000
R49	Lower Wyandotte Road	Olive Highway	V-7 Road	Add Bike Lanes (Striping)	\$0	\$0	\$60,000	\$60,000
R50	Lower Wyandotte Road	V-7	Ophir Road	Add Bike Lanes (Striping)	\$0	\$0	\$60,000	\$60,000
R47	Ophir Road	Lincoln Boulevard	Lower Wyandotte Road	Add Bike Lanes (Striping)	\$0	\$0	\$60,000	\$60,000
R1	Oroville Dam Boulevard	SR 99	Wilbur Road/Larkin Avenue	Add Bike Lanes (Striping)	\$0	\$60,000	\$0	\$60,000
R3	Oroville Dam Boulevard	Feather Avenue/Larkin Road	SR 70	Add Bike Lanes (Striping)	\$0	\$60,000	\$0	\$60,000
R4	Oroville Dam Boulevard	SR 70	Olive Highway	Add Bike Lanes (Striping)	\$0	\$140,000	\$0	\$140,000
TOTAL:					\$0	\$260,000	\$870,000	\$1,130,000

Figure 3.1-3. TCIP Improvement Projects Map



Legend

- Intersection Improvements
- Construct Bike Lanes
- Improve to Major 2-lane Collector Standard
- Improve to Major 2-lane Arterial Standard
- Improve From 2 to 4 Lane Arterial
- City Limits
- Sphere of Influence
- Planning Area

TCIP Improvement Projects Map



R1495-TCIP Map pub

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The City of Oroville utilizes a comprehensive assessment known as a Pavement Management System (PMS) to classify the maintenance status of its roadways. The PMS process utilizes a visual inspection for street surfaces to evaluate and quantify the degree of asphalt deterioration and/or distress. Examples of deterioration include cracking, rutting, potholes, settlement and other conditions of distress that can be visually observed. The scoring system used to “rate” the condition of a road surface uses a 0 to 100 scale to assign a Pavement Condition Index (PCI) to each road segment. The PCI allows for the assignment of a road restoration technique to the distressed road section. For example, a road section with a PCI of 30 represents a severely degraded road surface that may require a full structural reconstruction or asphalt overlay, whereas a road section with a PCI of 70 may only require a surface treatment such as a chip seal. In essence, the PMS results in a detailed condition inventory of every street within the city limits.

Most municipal agencies have maintained a PMS since the 1980s when PMSs were introduced as a road maintenance management tool. Some grant programs require the local agency to have an updated PMS to qualify for grant funds. City staff recently discerned that the 1995 PMS they had been using was outdated, and entered into a contract for the preparation of a new PMS in June 2008. The City has contracted with a firm that has developed a Visual Condition Rating software called “InfraManager” which allows for a more sophisticated and user friendly analysis of the street PCI’s to develop cost effective treatment remedies.

The most recent PMS study to review and classify the conditions of the 94 miles of public roads maintained by the City was conducted in July and August of 2008.¹⁴ This study classified road conditions as excellent, very good, good, or poor. Private roads maintained by the City were not included in this study as there is no mandate to maintain these roads and nor the ability to ensure that these roads meet City accessibility standards for emergency services vehicles. The results of the road classification and definitions of each classification are as follows:

- 5.8 miles of Excellent Road- defined as generally new or reconstructed within past 3 to 5 years.
- 37 miles of Very Good Road- defined as road requiring only minor routine maintenance.
- 24 miles of Good Road- defined as road requiring routine maintenance such as crack sealing, minor dig-outs, chip seals, and slurry seals.
- 27 miles of Poor Road- defined as road requiring repairs beyond routine maintenance, such as an asphalt overlay or reconstruction.

Maintenance of City roads is funded from a variety of sources. Grants, federal road and gasoline taxes, and the City general fund are all combined to maintain the City’s roads. Even with these funding sources, the revenues to maintain roads is insufficient to maintain all roads in very good to excellent shape.

¹⁴ Sanders, Craig, Planning Manager, City of Oroville. Written communication with Isby Swick, DC&E, November 12, 2008.

Determination 3.1-4 (Infrastructure Needs and Deficiencies)

Over 70 percent of public roads maintained by the City of Oroville are in good, very good or excellent condition. However, the remaining 27 miles of public road maintained by the City are in poor condition and require repairs beyond routine maintenance for which there is no identified funding.

Determination 3.1-5 (Infrastructure Needs and Deficiencies)

Additions to the City's roadway network come from both new road construction associated with the development of new subdivisions and from annexations. Maintenance of city roads is funded by grants, federal taxes, and the City general fund, which are currently insufficient to maintain all roads in very good to excellent shape. The City recently updated its Pavement Management System, which will allow for a better street maintenance and restoration schedule.

Determination 3.1-6 (Infrastructure Needs and Deficiencies)

In 2012, the City adopted new traffic impact fees to address existing roadway deficiencies and roadway deficiencies due to future development. The traffic impact fees were substantially increased to ensure that roadway deficiencies are corrected.

3.2 Law Enforcement

The Oroville Police Department provides law enforcement services for the City of Oroville. The Butte County Sheriff also has jurisdictional authority throughout the County although is not considered a primary law enforcement agency within the incorporated cities within the County. This section provides an overview of existing facilities and services, and provisions for future growth and systems improvements.

Existing Conditions and Facilities

The Oroville Police Department (OPD) is a small organization that is fully committed to the community-oriented policing concept. The OPD provides service to an approximately 13 square mile area. Since 2008, it has operated out of a single central police station located at 2055 Lincoln Street. The OPD station is shared with the Oroville Fire Department as shown in Figure 3.2-1. As a cost saving measure beginning in 2014, the Police Chief also serves as the Director of Public Safety who oversees the Oroville Police Department and the Oroville Fire Department.

The OPD provides a wide range of services for the City of Oroville. The OPD investigates suspected criminal activity, suspicious situations, referees civil issues, effects arrests, conducts traffic enforcement, responds to traffic accidents and other calls for service, and routinely patrols the City. The OPD is also responsible for animal control (via contract) within the Oroville city limits. Additionally, the police department participates in a multi-agency narcotics task force, school resource officer program, drug awareness and gang education and other types of community outreach programs, although these functions are impacted by staffing reductions

The services described above are delivered by two K-9 officers, patrol division personnel utilizing vehicles and bicycles; investigations unit; community service officers; law enforcement volunteers; neighborhood watch; and juvenile services, which include an assigned school resource officer.

On July 15, 2014, the Oroville City Council authorized the Police Chief, in his dual role as Director of Public Safety, to prepare and release a request for proposal (RFP) for the consolidation of City police services with the Butte County Sheriff's Department or another authorized law enforcement provider. The purpose of the RFP is to determine if it would be more cost effective (i.e., less expensive) for the City of Oroville to contract with an existing law enforcement agency, such as the Butte County Sheriff's Office, to provide law enforcement services for the City. The fact that the City is looking into less expensive alternatives to the City's current law enforcement structure suggests that the City foresees possible future fiscal difficulties related to providing adequate and acceptable levels of law enforcement services under current economic conditions. The City has also expressed an interest in seeking an increase in the City's sales tax to provide additional funds for police and fire protection services. The increase in the sales tax would require voter approval, which may be difficult to obtain.

Animal Control

Since 2003, the OPD has provided animal control services through a contract with the Northwest Society for the Prevention of Cruelty to Animals (NW SPCA). The NW SPCA operates independently from the City. Services provided by the NW SPCA are specified in an agreement adopted by the City Council, in which the NW SPCA is designated as the “pound master” for the City. Authorization for enforcement is codified in Chapter 4 of the City Code. The OPD is responsible for administering this contract, which has an annual cost of \$263,227. The City also provides 345 gallons of fuel per month to the NW SPCA. The most recent contract expired on June 30, 2014. However, the expired contract will continue “as is” until the City and NW SPCA finalize the terms for a new contract, which may have unforeseen budget implications that cannot be predicted at this time and could result in disruptions or reductions in animal control services.

Determination 3.2-1 (Existing Conditions and Facilities - Animal Control)

The City should prioritize and promptly renew a formal agreement with the NWSPCA for animal control services to ensure this essential service remains a viable service for the community.

Crime Rates

This section provides a discussion of crime rates, based on the Federal Bureau of Investigation’s (FBI) analysis of crimes that occur within all cities. The overall crime statistics are based on seven types of crime: murder, forcible rape, robbery, aggravated assault, burglary, larceny theft and vehicle theft. Most of the crime in Oroville is theft related. In 2013, the City’s total crime rate was 85.4 crimes per 1,000 people in contrast to the 2013 overall California crime rate of 30.8 crimes per 1,000 people.¹⁵ Most of these local crimes were vehicle thefts, larceny thefts, and burglaries, which together accounted for 69.9 crimes per 1,000 people. For context of the overall crime rate, the City’s “violent” crime rate in 2013 was 4.92 per 1,000 people, in contrast to the State’s violent crime rate of 4.2 per 1,000 people for the same year. The Police Chief indicates that the higher crime rates are largely represented by property crimes, which can be directly related to the lack of adequate staffing.¹⁶

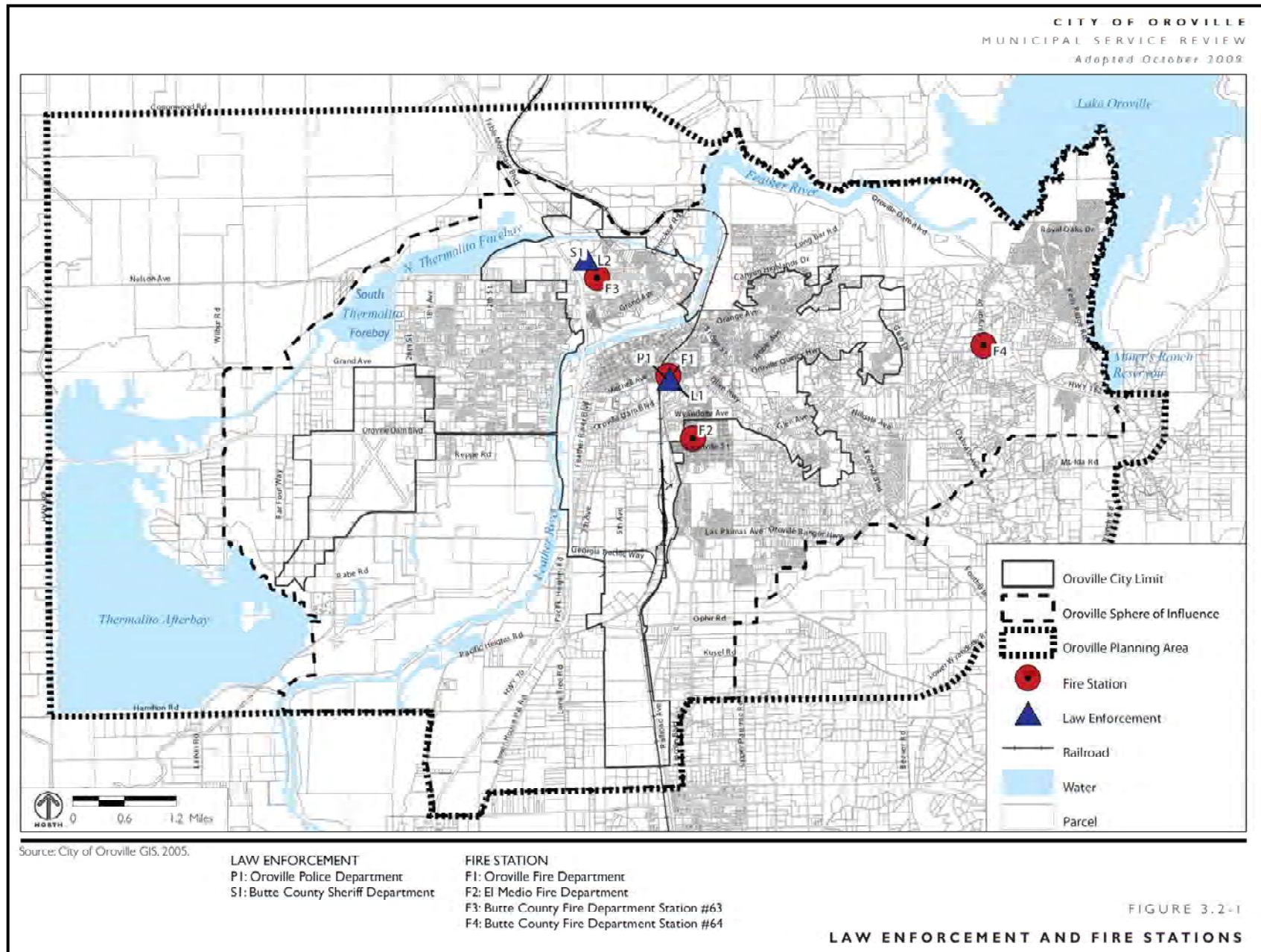
The City of Oroville currently represents approximately 7.2 percent of Butte County’s population. However, OPD’s yearly statistical reports indicate that approximately 15 percent of the arrests in the County occur in the City of Oroville. A case is initiated by filing a “request for complaint” to the District Attorney’s office. When an arrest is made, the City files a request for the District Attorney’s office to prosecute the individual. Any substantial leads would also be reported and the City would request that the DA “investigate” further and prosecute if necessary.¹⁷

¹⁵ Crime data provided by Bill La Grone, City of Oroville Police Chief, October 2, 2014.

¹⁶ Crime data provided by Bill La Grone, City of Oroville Police Chief, October 2, 2014.

¹⁷ Trostle, Kirk. Chief of Police, City of Oroville. Personal communication with Jared Hancock, City of Oroville, on January 14, 2008.

Figure 3.2-1. Law Enforcement and Fire Stations



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Determination 3.2-2 (Existing Conditions and Facilities - Crime Rate)

The City's overall crime rate is significantly greater than the State average and represents a disproportionate number of arrests in comparison to the county population as a whole.

Determination 3.2-3 (Existing Conditions and Facilities - Crime Rate)

Understanding that the City is not an isolated island and the crime rate is affected by the criminal activity in the surrounding unincorporated urban areas, the Oroville Police Department should develop a cooperative plan with the Butte County Sheriff and District Attorney's Office to implement an effective campaign that will address and reduce the crime rate in the City and its adjacent unincorporated urban areas.

Staffing

There are currently 1.31 sworn officers per 1,000 City residents. This ratio is based on the 21 sworn officers currently (September 2014) on the City's police force. For Fiscal Year 2014-15, the City budgeted for 24 sworn officers, but currently has three vacant positions. If all of the 24 funded positions were filled, the ratio would be 1.5 officers for 1,000 residents. This ratio of officers to population compares favorably to the Pacific Region average ratio for cities between populations of 10,000 and 24,999 and the ratio of the State of California, both of which are 1.5 sworn personnel per 1,000 residents¹⁸. The National average for cities between 10,000 and 24,999 residents is 1.9 sworn officers per 1,000 residents. It is acknowledged that these staffing ratios are useful for comparison purposes but are affected by other socio-economic indicators, such as poverty and educational attainment for any given community.

For FY 2014-15, the City budgeted \$168,500 for police overtime to address staffing shortfalls resulting from any number of factors, such as sickness, vacation, court duties, etc. The use of overtime to ensure adequate law enforcement staffing levels is a necessary scenario and the repetitive or structural use of overtime is not a permanent solution to chronic understaffing ratios.

Staffing levels for the City's Police Department has varied over the last three years due to the City's fiscal difficulties (Table 3.2-1). In Fiscal Year 2013-14, the City reduced the number of patrol officer positions from 18 to 12, along with other position cuts. Such a reduction in patrol staffing may account for the higher level of property crimes discussed above. For FY 2014-15, the City increased the number of patrol officer positions to 17.

¹⁸U.S. Department of Justice, Full-time Law Enforcement Officers, by Region and Geographic Division by Population Group, Number and Rate per 1,000 Inhabitants, 2011 (Table 71).

Table 3.2-1 – Oroville Police Department Budgeted Positions – FY 2011-12 to FY 2014-15

Position	2011-12	2012-13	2013-14	2014-15
	Actual	Expected	Actual	Revised
Chief	1.0	1.0	1.0	1.0
Assistant Chief	0.0	0.0	1.0	1.0
Lieutenant (frozen)	2.0	1.0	1.0	0.0
Sergeant	4.0	5.0	5.0	5.0
Police Officer (1 frozen, 3 vacant)	18.0	18.0	12.0	17.0
Detective (filled and funded by a rotational assignment of Police Officers)	1.0	1.0	1.0	0.0
Administrative Assistant (frozen)	2.0	2.0	2.0	1.0
Public Safety Communication Specialist Supervisor (frozen)	0.0	0.0	0.0	0.0
Public Safety Communication Specialist	7.0	7.0	7.0	9.0
Crime Analyst/IT Officer (frozen)	1.0	1.0	1.0	0.0
Evidence Technician	0.0	1.0	0.5	0.5
Public Records Technician (grant funded only)	0.0	0.75	0.75	0.0
Police Records Technician	1.0	1.0	1.0	1.0
Community Services Officers (1 frozen, 0.5 vacant)	3.0	3.0	3.0	2.0
Total	40.00	41.75	36.25	37.50

Source: Oroville City Council 9-16-14 Agenda Packet, Item 3

In 2013, the Oroville Police Department responded to approximately 36,998 calls, which is an average of 11 calls per police officer per day, or approximately 2,176 incidents per officer for that year. Approximately 5,703 reports were taken in 2013, which is an average of 286 reports per officer.

The unincorporated areas of the SOI are within the jurisdiction of the Butte County Sheriff’s Office. Generally, the City of Oroville has more officers on duty in its geographical area than the Sheriff’s Office. The County has a total of 121 sworn officers, which includes civil and court personnel, for an unincorporated population of 83,415 people. This is a ratio of 1.45 sworn personnel per 1,000 residents. However, if the civil and court personnel are not included, this ratio would decrease and would be substantially lower than the national average. The County coverage of officers on the street is further compounded by the large geographic area that sheriff deputies are required to cover. The Sheriff’s Office and the OPD work together regularly to coordinate certain special events and assist each other on emergency calls, but generally do not police each other’s jurisdiction.

Determination 3.2-4 (Existing Conditions and Facilities- Staffing)

The Oroville Police Department’s current staffing ratio is less than other similarly sized cities throughout the State. For FY 2014, the City has budgeted for 24 sworn officers, but currently has three vacant positions. With all sworn officer positions filled, the Oroville Police Department’s staffing ratio would be 1.5 officers per 1,000 residents, which is similar to other same-sized cities in California.

Infrastructure Needs and Deficiencies¹⁹

The Department recently remodeled its office facilities located at 2055 Lincoln Boulevard to make more usable space. In 2011, the City began operating a consolidated police and fire dispatch center, utilizing a new computer-aided dispatch and records management system to accommodate both police and fire calls. The new consolidated dispatch center, along with the computer-aided dispatch system, allows for better coordination between the Police Department and Fire Department and reduces dispatch times.

Beginning in 2012, the City's combined dispatch center started providing dispatch services for the El Medio Fire Protection District. The contract between the City and the District calls for the District to pay the City \$40 per call, not to exceed \$40,000 annually. This arrangement has resulted in cost savings to the City and to the District.

The OPD has not been fully staffed in nearly a decade, and there is a need to hire additional trained officers. The Oroville Police Department staffing is at the same level it was in 1980, however, the population it serves is twice the size now.²⁰ As of September 2014, the average response time for crimes against persons is 6.01 minutes, while the average response time for all types of calls for service is 5.45 minutes.²¹ The Police Department is not currently meeting its goal of a response time of less than 4 minutes for all emergencies and 20 minutes for non-emergencies within the city limits. The national average response time to calls for service is 8 to 11 minutes. As discussed above, OPD currently has 24 sworn officers and 16 non-sworn officers/personnel. The Department is structured such that officers and management work overtime and share workload in order to operate.

In 2007, the City Council increased officer salaries by approximately 20 percent to make them more competitive in the region and allowed the Department to sponsor new cadets in the police academy. Through these actions, the Department has been more successful in recruiting new officers and it is anticipated that staffing levels will stabilize and vacant positions will be filled in the near future.

On February 6, 2014, the Oroville City Council approved a Memorandum of Understanding (MOU) for the Oroville Police Officer's Association Non-Sworn Unit and for the Sworn Unit. The term of the contracts is from July 1, 2013, through June 30, 2016. The MOU for the Non-Sworn Unit provides for:

- Three incremental pay raises over the term of the contract, totaling 4.75 percent.

¹⁹ Trostle, Kirk. Chief of Police, City of Oroville. Personal communication with Jared Hancock, City of Oroville, on January 14, 2008.

²⁰ 7-15-14 Staff Report to the Oroville City Council from Randy Murphy, City Administrator, and Bill La Grone, Chief of Police.

²¹ Oroville City Council 9-16-14 Agenda Packet

- Phased in payment of the full 7-percent employee portion to the Public Employees Retirement System (PERS).

The new agreement for Non-Sworn employees will save the city approximately \$2,592 for the remainder of Fiscal Year 2014-15 and approximately \$22,000 for the three-year contract.

The MOU for the Sworn Unit provides for:

- Three incremental pay raises over the term of the contract, totaling 6 percent.
- Phased in payment of the full 9-percent employee portion to PERS.
- A \$200 monthly stipend for the officers who currently live outside the City's Sphere of Influence and who must relinquish their take-home vehicle.
- A \$75 monthly increase in monthly medical contribution for employee + 1 and employee + family coverage, beginning 1/1/15.
- Add a "H" step (5% salary increase) to the salary schedule for officers who have been at "G" step for one year or more, beginning 1/1/15.

According to the City, the new agreement for sworn employees would save the city approximately \$33,700 for the remainder of Fiscal Year 2014-15 and \$110,000 over the three-year term of the contract.

Oroville Police Department Budget

The OPD is funded primarily by the City's General Fund. For the 2014-15 fiscal year, approximately 38.9 percent of the General Fund is dedicated to the OPD.²² City taxes, such as sales tax, property tax and utility user taxes provide a substantial portion of the General Fund.

The budget for City's Police Department has remained fairly stable over the last four years (Table 3.2-2). For the 2014-15 Fiscal Year, the Police Department's budget contains a \$110,000 expense for the annual lease of thirteen new police vehicles and an \$80,000 one-time expense to equip those vehicles. The Police Department receives revenues from various sources. For FY 2014-15, expected revenues include \$8,800 from the Canine Donation Fund, \$92,000 from the Public Safety Augmentation Fund (Safety Sales Tax), \$80,300 from the Police Supplemental Law Enforcement Fund (State COPS program), \$2,700 from law enforcement development impact fees, and \$32,050 from various grants.

²² City of Oroville Adopted Budget, Fiscal Year 2014-15

Table 3.2-2 – Oroville Police Department Budget, FY 2011-12 to 2014-15

<u>Budget Description</u>	<u>2011-12 Actual</u>	<u>2012-13 Actual</u>	<u>2013-14 Trial Balance</u>	<u>2014-15 Nov. Rev.</u>
Expenses				
Salaries/Benefits	\$4,317,335	\$4,394,887	\$4,231,056	\$4,347,184
Services/Supplies	\$405,160	\$381,578	\$381,787	\$653,057
Capital Outlay	\$104,444	\$9,842	\$5,047	\$213,000
Transfers-Out	\$0	\$0	\$0	\$0
Total Expenses	\$4,826,939	\$4,786,307	\$4,617,890	\$5,213,241
Revenues				
Departmental Revenues	\$220,976	\$264,682	\$353,179	\$370,000
Transfers-In	\$89,930	\$121,871	\$68,833	\$313,035
Total Revenues	\$310,906	\$386,553	\$422,012	\$683,035

Source: City of Oroville Final Annual Budget, Fiscal Year 2014-15 (from November 4, 2014, Oroville City Council Meeting)

The City’s tax base is expected to increase with new development and employment, providing additional funds to provide for equipment and staffing increases that will be necessary in order to provide adequate services to the growing population. Current law enforcement development impact fees will continue to offset a minor portion of the cost of capital improvements. In addition, the City formed two Community Facility Districts (CFD) to serve the portion of the City west of the Feather River in anticipation of new development. The two districts, one for capital improvements and one for operations and maintenance, were formed to cover the costs of emergency services including fire, police, and code enforcement. However, these CFDs will not provide fully for the costs identified until buildout of the associated developments, which are not expected to require the same service demand as other older areas of the City. Planned expansions include a new combination fire station and police substation to be located in the vicinity of the Oroville Airport. For every 1,000 new residents, \$282,000 in operations and maintenance revenues will be generated annually based in full buildout of developments. The operations and maintenance CFD will ultimately include funding for additional police officers to serve the increase population for this area, although the larger area of Thermalito is not expected to seek annexation in the foreseeable future, thus reducing the need for an expanded police presence west of the Feather River.

The City’s current law enforcement development impact fee is \$38.15 per single-family dwelling unit, \$66.12 per multi-family residential unit, and \$0.051 per square foot for commercial uses. Table 3.2-3 shows the law enforcement development impact fees for all of the jurisdictions in Butte County. The current development impact fees collected by the City are based on a nexus study prepared in 2003. The development impact fees adopted by the Oroville City Council at that time were not the “fully loaded” fees as identified in the nexus study. According to City staff, the failure to adopt the fully loaded development impact fees has contributed overall to the

current financial condition of the City.²³ In May 2007, the City Council approved a modest increase in development impact fees based on a five year average of the Consumer Price Index (CPI), resulting in impact fees being raised 20.3%. Since that time, however, there has not been either CPI adjustments or a move to bring impact fees in line with adjacent cities and municipalities.

In September 2013, the City issued a Request for Proposals for an update to the City’s 2003 development impact fee nexus study. The City anticipates that the draft updated nexus study will be completed by late November or early December 2014. It is expected that the updated nexus study will show that the City’s current development impact fees are insufficient to adequately fund needed improvements as a result of new development. The City should adopt new development impact fees for police facilities that capture the full costs of improvements needed due to new development.

Table 3.2-3 – Law Enforcement Development Impact Fees in Butte County

<u>Jurisdiction</u>	<u>Single-Family Dwelling</u>	<u>Multi-Family Dwelling</u>	<u>Commercial</u>	<u>Industrial</u>
Butte County	\$1,000.00 mobile home -\$790.00	\$790.00	\$300.00/1,000 sf (\$0.30/sf) \$400.00/1,000 sf (\$0.40/sf) (office)	\$150.00/1,000 sf (\$0.15/sf)
Biggs	\$64.00	\$64.00	\$39.00/2,500 sf (0.016/sf)	\$39.00/5,000 sf (0.008/sf)
Chico	\$834.00	\$940.00	Retail – \$1.27/sf Office - \$1.58/sf	\$0.13/sf
Gridley	\$119.00	\$119.00	\$52.00/DUE* (\$0.017/sf)	None
Oroville	\$38.15	\$66.12	\$0.051/sf	None
Paradise	\$0.07/sf	\$0.03/sf	\$0.05/sf	\$0.02/sf

*Dwelling Unit Equivalent is defined as 3,000 sq. ft. of commercial space

Determination 3.2-5 (Infrastructure Needs and Deficiencies)

The Oroville Police Department is not currently meeting its goal of a 4-minute maximum response time for all emergency responses, and 20-minute response time for non-emergencies. Additional staffing and equipment is needed to fill vacant positions and improve the Department’s ability to serve both existing and future populations and meet expected service response goals.

²³ August 20, 2013, Oroville City Council Agenda Packet, Item 11

Determination 3.2-6 (Infrastructure Needs and Deficiencies)

The Oroville Police Department is funded primarily by the City's General Fund. Increased funding for the Department is anticipated to result from the expanded tax base that results from new development. In addition, the City has formed two Community Facility Districts to provide police facilities and services to the portion of the City west of the Feather River in anticipation of new development. Given the shortfalls identified in service response times and personnel deficiencies, the City should continually evaluate opportunities to develop other revenue sources to augment emergency services and seek opportunities to receive assistance from other agencies to supplement its law enforcement presence.

Determination 3.2-7 (Infrastructure Needs and Deficiencies – Development Impact Fees)

The City should adopt new development impact fees for police facilities that capture the full costs of capital facilities and infrastructure that are required to serve new growth.

3.3 Fire Protection and Emergency Services

The Greater Oroville Area receives fire protection and emergency services from three separate fire departments; the City of Oroville Fire Department (OFD), the California Department of Forestry and Fire Protection/Butte County Fire Department (CAL FIRE/BCFD) and the El Medio Fire Protection District (EMFPD). CAL FIRE/BCFD is the primary service provider for the unincorporated area, with the exception of the South Oroville community, which receives service from the EMFPD. OFD is the primary service provider within the Oroville incorporated area, and therefore the focus of this review. An overview of each of the fire departments is provided below, and fire stations operated by these departments are shown in Figure 3.2-1, which appears in Chapter 3.2.

- **The City of Oroville Fire Department:** The OFD, established in 1856, provides fire suppression, prevention, rescue, vehicle extrication within the city limits. OFD's full staff of Emergency Medical Technicians, all of whom are certified in the administration of Automated External Defibrillators, also provides Emergency Medical Services. The OFD provides all risk emergency services and customer services for the City of Oroville. However, OFD does not currently provide patient transportation or delivery services.
- **California Department of Forestry and Fire Protection/ Butte County Fire Department:** The BCFD is made up of a combination of career and citizen volunteer firefighters, and contracts for staff with the California Department of Forestry and Fire Protection (CAL FIRE). Under this agreement, the County pays CAL FIRE salaries and benefits, and other costs to staff County-owned fire stations and apparatus. CAL FIRE/BCFD provides service to the entire county, with the exception of Chico, Oroville, and the El Medio Fire Protection District near Oroville. CAL FIRE/BCFD services include fire control; emergency medical service, technical rescue response; hazardous materials response; flood control assistance; fire prevention and public safety education; fire law enforcement/arson investigation; and vegetation management. In addition, the CAL FIRE/BCFD operates county-wide dispatch services, coordinates major emergency response within the county, and provides training for career and volunteer fire fighters. CALFIRE/BCFD personnel are trained in the use of Automated External Defibrillators.
- **El Medio Fire Protection District:** A separate MSR for the EMFPD was originally adopted by Butte LAFCo on June 3, 2004, which was updated and readopted by LAFCo on December 5, 2013. The EMFPD is an independent special district that encompasses 2.3 square-miles of unincorporated Butte County immediately adjacent to the City of Oroville. The EMFPD operates a single station in South Oroville and responded to approximately 1,600 calls in 2012. The station is staffed by eleven full-time personnel, which includes an administrator, and 20 volunteers and intern firefighters; and is equipped with a new (2013) type I engine, two older (1996 & 2006) Type II engines, a water tender, radios, an air and light support unit, breathing apparatus and other equipment. The EMFPD is an independent special district and may provide fire service to both unincorporated and incorporated territory

as determined by the Commission as part of any reorganization proposal. The annexation of any of the District's jurisdictional territory to the City of Oroville would not automatically require the District to forfeit its service responsibilities.

Existing Conditions and Facilities

Fires in Oroville generally fall into one of two categories: structure fires and grass/wildland fires. The City has a number of fuel management policies that require land owners to keep brush setbacks, weeds and grasses trimmed and fuel reduction. Most areas of the City have adequate access and escape routes in the event of a wildfire and the OFD is proactive in ensuring that property owners maintain fire breaks. Structure fires pose a significant threat as they can spread to neighboring parcels that are undeveloped and escalate into a wildfire.

There are a number of factors that exist in the Oroville area that add additional challenges to the provision of fire services in the Greater Oroville Area. These challenges are discussed below.

- **Uneven Distribution of Service Demand.** In many cities there is a distinct city core, which exhibits higher densities, and then development densities gradually decrease as you move toward the peripheries of the city. This concept does not hold true in Oroville, despite even zoning densities being set up to encourage this development pattern. The City of Oroville has not grown in an evenly distributed fashion, and as a result has a very irregular City boundary with pockets of urban densities scattered through the service area. As a result, service demands vary considerably throughout the City based on land use and the age of the developed area. A number of residential areas, which generally have a higher number of calls for service, are segmented by commercial and industrial districts.
- **Oroville Airport and Surrounding Area.** The Oroville Airport and surrounding City development are located more than 4 miles from the City core, and can only be efficiently accessed from Oro Dam Boulevard/Highway 162. In many cases, engines from Butte County Fire Department/CalFire Station 63 are the first responder to many City parcels in the Thermalito and North Oroville areas because can respond quicker to these areas than the City of Oroville Fire Department can. To address this issue, in 2006, the City created two Community Facilities Districts in the Thermalito area: CFD 2006-1 (Westside Public Safety Facility District), which provides for funding for a fire/police facilities, and equipment, to be located at the Oroville Airport, and CFD 2006-2 (Public Safety Services), which provides for on-going funding to maintain and staff these facilities in perpetuity. The two CFDs only encompass several newer subdivisions and very little new development has occurred in the area since the CFDs were formed. The City has not constructed these facilities due to the lack of adequate funding as a result of less-than expected growth in the area. For Fiscal Year 2014-15, CFD 2006-1 is anticipated to have a beginning balance of \$222,303 and an ending balance of \$256,983 (\$35,062 in expected special assessment taxes and \$623 in expenditures). For Fiscal Year 2014-15, CFD 2006-2 is anticipated to have a beginning balance of \$222,472 and an ending balance of \$257,246 (\$35,046 in expected special assessment taxes and \$622 in expenditures). The existing development, low population and

low volume of service calls in this area do not support the development of a staffed fire station. Providing service at existing service levels in such outlying areas is difficult when development does not result in adequate population density to support an additional fully staffed facility.

- **Physical Barriers.** The presences of physical barriers that run through the City pose a constraint to the provision of fire protection services. These barriers include State Highway 70, Union Pacific Railroad, and the Feather River. These north-south barriers, and the lack of a direct east-west connector, force the OFD to take a more circuitous route to some incidents, which can result in an increase in the response times.

Determination 3.3-1 (Existing Conditions and Facilities)

Continued development within the city limits and the Sphere of Influence is anticipated to increase the number of calls received from outside the city core. Providing service at existing service levels may become difficult, especially if new development does not result in adequate population density to support an additional fully staffed facility.

City of Oroville Fire Department²⁴

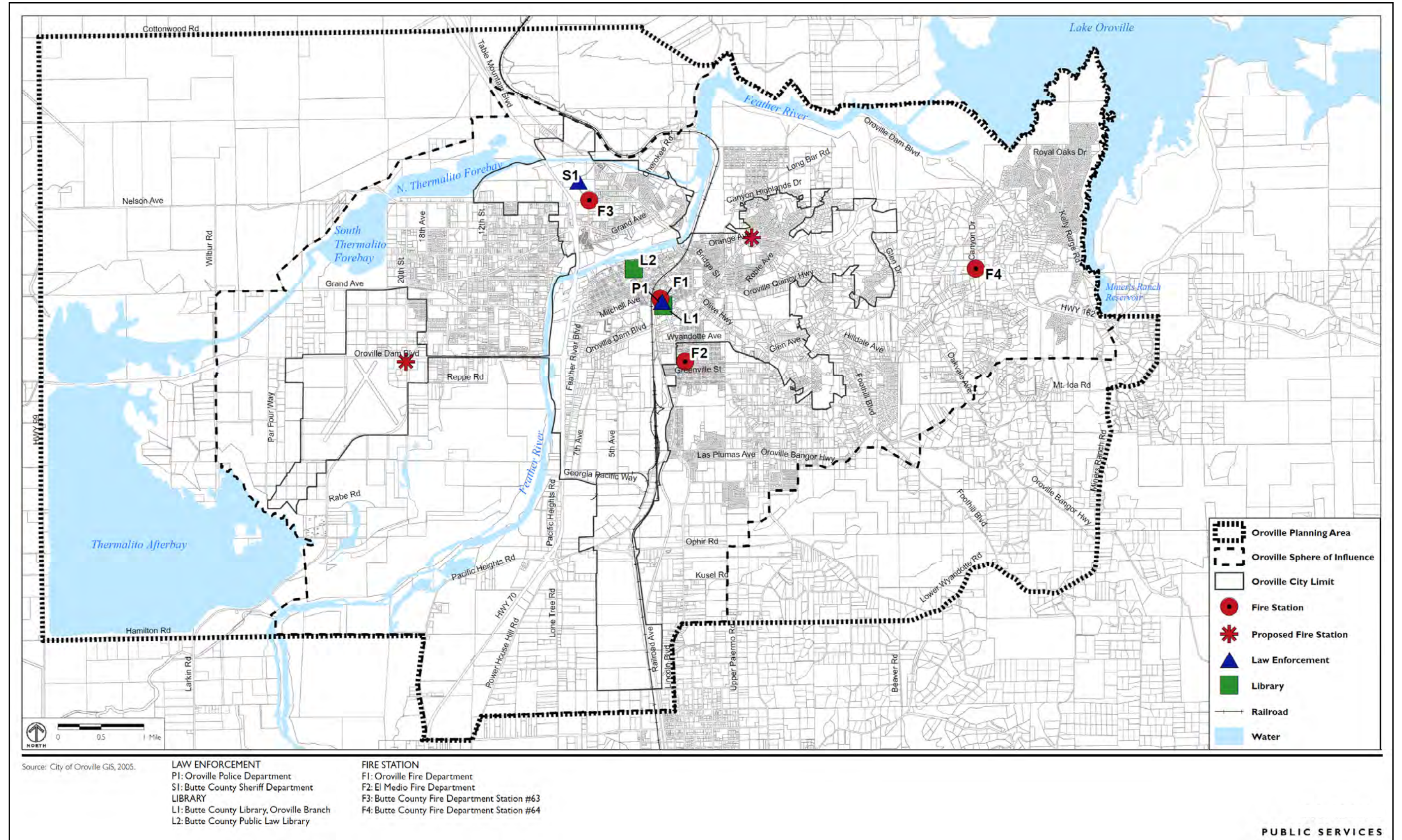
The Fire Station and Administrative offices are located at the Police and Fire Facility at 2055 Lincoln Street in Oroville (Figure 3.3-1). Recent efforts to enhance the facility have focused on making the working areas more functional by remodeling report writing rooms, improving filing practices and upgrading evidence storage areas. There are also plans to construct a new weight/exercise structure on the rear portion of the property.

The Department's fleet inventory includes a variety of equipment and capabilities as follows:

- Two, Type-1, Triple Combination (Hose, Pump & Water Tank) Engines both of which will be placed into service effective October 10, 2009. These Engines are designated Engine 113 and 114. Because these engines have "Pump and Roll Capability" they can both deploy within the State-wide Fire & Rescue Mutual Aid System through the California Emergency Management Agency, Fire and Rescue Branch as a Type-1, 2 or 3 response units. These two new Engines significantly enhance the City of Oroville's response capability and service delivery to both structural and urban-wildland interface firefighting. Engine 113 will be designated as the primary or first out Engine and will be staffed with a crew of three consisting of 1 Fire Captain, 1 Fire Engineer and 1 Firefighter. The second out Engine will be Engine 114 and will be staffed with a crew of two, both of whom are Fire Engineers.

²⁴ City of Oroville's website. <http://www.Cityoforoville.org/fire.html>, accessed June 6, 2006.

Figure 3.3-1. Fire Stations



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- The crew of Engine 114 is responsible for “*Cross Staffing*” Truck 121 which is designated as a “Quint” (Hose, Pump, Water Tank & 110’ Aerial Ladder). This apparatus offers the diversity of operating as either an Engine or as a Truck Company depending on the operational needs of the incident. Truck 121 is assigned through the Butte County Automatic Aid Agreement as the “First Due” Truck Company on all commercial, industrial, multi-dwelling, hospital and business fire related responses. This apparatus is also fully equipped as a Type-3 Urban Search & Rescue Response Unit and will be deployed to any collapsed structure caused by an earthquake and/or explosion resulting in collapse of a building.
- Engine’s 111 and 112 are being placed in “Active Reserve Engine Status” also effective October 10, 2009. Both Active Reserve Engines are also Type-1, Triple Combination Engines.

The Oroville Fire Department continues to remain active in the Butte Inter-agency Rescue Group (BIRG), which is a multi-agency technical rescue group responding to High/Low Angle Rescues, Confined Space Rescues (the Confined Space Trailer is housed in OFD Station #1), Swift/Flood Water Rescue (OFD maintains a PWC and Light Rescue Boat as well as a full complement of shoreline based rescue capability), and any response requiring advanced technical rescue skills beyond that of basic firefighter training.

Oroville Fire Department is also a member partner in the Butte County Hazardous Materials Response Team, which was recently inspected and “Typed” by the California Emergency Management Agency, Fire & Rescue Branch, as a Type-2. The only response capability difference between a Type-1 Hazmat Team and a Type-2 is WMD response capability. In other words, Butte County has a robust hazmat response capability equal to any metropolitan area of California.

The Department utilizes GIS services offered through the public works department and is continuously updating the data regarding fire hydrant locations, response zone mapping, water main distribution and associated follow-up work. The inventory process is complicated by the presence of three water system providers (California Water Service Company, South Feather Water and Power Agency, and Thermalito Water and Sewer District) within the city limits, each possessing independent infrastructure, policies and procedures.

In May 2014, the City Council approved the purchase of two new repeaters for a secondary repeater site for the Fire Department’s communications system. The existing repeater equipment is old and is vulnerable to failure, outside attack, or interference. The new repeater site would ensure redundancy and security for the Fire Department’s communication system. Funding for the new repeater site would come from funds provided through a Federal Emergency Management Administration's Assistance to Fire Fighter grant.

The 2014-15 budget for the OFD is approximately \$1.9 million and is approximately 14.7 percent of the City’s General Fund annual budget. Funding is reviewed annually through the City’s budget process. The Department’s budget was significantly reduced in Fiscal Year 2013-

14 due to the City's fiscal difficulties, and funding for the Fire Department for Fiscal Year 2014-15 was further decreased by a slight amount. Table 3.3-1 shows OPD's budget for Fiscal Years 2011-12 to 2014-15

Table 3.3-1 City of Oroville Fire Department Budgets – Fiscal Years 2011-12 to 2014-15

<u>Expenses</u>	<u>2011-12</u> <u>Actual</u>	<u>2012-13</u> <u>Actual</u>	<u>2013-14</u> <u>Trial Balance</u>	<u>2014-15</u> <u>Nov. Rev.</u>
Salaries/Benefits	\$2,140,972	\$2,181,847	\$1,868,046	\$1,795,652
Services/Supplies	\$216,146	\$122,815	\$144,821	\$152,000
Capital Outlay	\$2,459	\$9,580	\$11,881	\$0
Transfers-Out	\$0	\$0	\$0	\$0
Total Expenses	\$2,359,577	\$2,314,242	\$2,024,748	\$1,947,652
Revenues				
Grant	\$0	\$0	\$0	\$0
Departmental Revenues	\$81,648	\$107,447	\$142,814	\$42,900
Transfers-In	\$0	\$8,376	\$0	\$0
Total Revenues	\$81,648	\$115,823	\$142,814	\$42,900

Source: City of Oroville Final Budget, Fiscal Year 2014-2015 (November 4, 2014, City Council Meeting Agenda Packet, Agenda Item 7).

Staffing for the City's Fire Department is currently at 18 personnel, which includes seven firefighters and six fire engineers. This number of personnel is slightly less than previous years. The Fire Chief position is frozen, and the Chief of Police, acting as the Public Safety Director, oversees the Fire Department. Table 3.3-2 shows the General Plan budgeted positions for the City's Fire Department from Fiscal Years 2011-12 to 2014-15.

Fire fighter positions within the City's Fire Department, along with the corresponding reduction in the number of firefighters per 1,000 residents, has been reduced significantly over the years. As shown on the following table, in 1973 there were 1.7 fire fighters per 1,000 residents, increasing to 2.3 fire fighters per 1,000 residents in 1985. Since 1985, the number of fire fighters has decreased, while the City's population has steadily increased, resulting in 0.8 firefighters per 1,000 residents in 2014.

<u>Year</u>	<u>City</u> <u>Population</u>	<u>No. of Fire</u> <u>Fighters</u>	<u>Fire Fighters per</u> <u>1,000 Residents</u>
1973	7,550	13	1.7
1980	8,450	19	2.2
1985	9,755	22	2.3
2014	16,260	12.5	0.8

In November 2013, the City was awarded a Federal Emergency Management Administration's Staffing for Adequate Fire and Emergency Response Hiring (SAFER) grant for \$814,232 to fund

four full-time firefighting positions for a two-year period (approximately \$101,779 per year per firefighter). A condition of the grant requires the City to maintain the four positions for 12 months after the grant funding has expired. In the third year of the grant, the City would be required to cover the costs of the four firefighter positions, which is estimated to be approximately \$415,000.

Table 3.3-2 – Oroville Fire Department Budgeted Positions – Fiscal Years 2011-12 to 2014-15

<u>Position</u>	2011-12	2012-13	2013-14	2014-15
	<u>Actual</u>	<u>Expected</u>	<u>Actual</u>	<u>Nov. Rev.</u>
Fire Chief (frozen)	1.00	1.00	0.00	0.00
Deputy Fire Chief	1.00	1.00	0.00	1.00
Battalion Chief (currently 2 interims)	1.00	1.00	1.00	1.00
Fire Captain	3.00	3.00	3.00	3.00
Fire Engineer (3 frozen)	9.00	9.00	6.00	6.00
Fire Fighter (4 Safer Grant positions funded to April 2016, 0.5 other Grant, also 2 interns not counted in FTEs)	3.00	3.00	9.00	7.00
Fire Administrative Assistant (frozen)	0.80	1.00	0.00	0.00
Total	18.80	19.00	19.00	18.00

Source: City of Oroville Final Budget, Fiscal Year 2014-2015 (November 4, 2014, City Council Meeting Agenda Packet, Agenda Item 7)

On July 15, 2014, the Oroville City Council authorized the Police Chief, in his dual role as Director of Public Safety, to prepare and release a request for proposal (RFP) for the consolidation of City fire protection services with the Butte County Fire Department/CalFire or another authorized fire services provider. The purpose of the RFP is to determine if it would be more cost effective (i.e., less expensive) for the City of Oroville to contract with an existing law enforcement agency, such as the Butte County Sheriff’s Office, to provide law enforcement services for the City. The fact that the City is looking into less expensive alternatives to the City’s current fire protection services structure may indicate that the City foresees possible future fiscal difficulties related to providing adequate and acceptable levels of fire protection services. The City has also expressed an interest in seeking an increase in the City’s sales tax to provide additional funds for police and fire protection services. The increase in the sales tax would require voter approval, which may be difficult to obtain.

City of Oroville Standards

The 2030 General Plan sets policies to guide the OFD in providing adequate service to meet future growth, including a policy to “maintain and enhance strategies to ensure adequate first response travel time of three to five minutes to incidents and travel time of ten minutes or less for additional resources within 90 percent of the call volume” (Policy P2.1). In 2006, OFD met this

standard by responding to 92 percent of the calls for service in 5 minutes of less.²⁵ For 2013, the average response time for calls was 2 to 4 minutes.²⁶

There are several factors that are important for planning purposes; however the City does not have adopted standards. These factors are discussed below.

- ISO rating gauges the capacity of the local fire department to respond to emergencies. ISO Rating assesses information on a community's public fire protection and analyzes the data using the Fire Suppression Rating Schedule (FSRS). A Public Protection Classification from 1 to 10 is then assigned to the facility. Class 1 represents the best public protection, and Class 10 indicates no recognized protection. The City does not have a set standard for Insurance Service Organization (ISO) rating, but strives to achieve the lowest rating possible. Currently, the City of Oroville has an ISO rating of 3.
- The City does not have an adopted standard for the ratio of firefighters per residents. Currently, the City has a ratio of 1 firefighters per 1,000 residents. As of October 21, 2014, OFD consists of 16 full-time personnel: 3 fire captains, 3 fire engineers, 7 firefighters, and 3 administrative personnel.²⁷ OFD currently has a minimum daily staffing of 3 fire personnel, which usually includes 1 captain, 1 engineer and one fire fighter.

Determination 3.3-2 (Existing Conditions and Facilities – Standards)

With the assistance of Automatic Aid Agreements with the California Department of Forestry and Fire Protection/Butte County Fire Department and the El Medio Fire Protection District, the City is currently meeting the service standards adopted in the Oroville 2030 General Plan, which call for first response travel time of three to five minutes to incidents and travel time of ten minutes or less for additional resources for 90 percent of the call volume. Without Automatic Aid Agreements, the City would need to reevaluate the effectiveness of its fire service delivery capabilities.

Determination 3.3-3 (Existing Conditions and Facilities – Standards)

In order to adequately evaluate, monitor and implement fire services, the Oroville Fire Department should prepare a Master Plan for fire services and adopt written performance and service standards that address staffing levels, desired Insurance Service Organization ratings and related issues.

Mutual and Automatic Aid Agreements

The City of Oroville participates in two types of aid agreements: mutual aid agreements and automatic aid agreements. Mutual aid agreements are statewide agreements that require specific requests for help on an incident-by-incident basis. The City is a signatory to the State-wide

²⁵ Actual response times are provided in the *City of Oroville Fire Department Standard of Coverage Study, 2006*.

²⁶ October 8, 2014, “The Pulse of Law Enforcement” public presentation by Bill La Grone, City of Oroville Director of Public Safety

²⁷ October 21, 2014, Oroville City Council Meeting Agenda, Public Safety Department-Activity Report.

Master Mutual Aid Agreement. Automatic aid agreements are local agreements that allow the resources nearest to an emergency to be dispatched on the first alarm regardless of jurisdiction.

The OFD has mutual and automatic aid agreements with CAL FIRE/BCFD and the El Medio Fire Protection District. As of September 2009, the City, District and County Fire Chiefs have negotiated a new “South Oroville Automatic Aid Agreement” which will allow all three agencies to commit resources to incidents in the South Oroville area. This Agreement has been approved by the legislative bodies of all the affected agencies. This Agreement will significantly improve the overall fire protection standards in the affected territory.

The Fire Chiefs Association (FCA) has compiled a County-wide plan for fire service delivery and it is currently being reviewed by stakeholders and awaits final approval by all agency Councils and Boards. The FCA provides numerous services through agency membership and special committees for interagency training, certification, arson investigation, operation policies, safety and special rescue. In addition, a formal Joint Powers Agreement for the Interagency Hazardous Materials Team provides first responses to incidents involving Hazardous Materials.

Determination 3.3-4 (Existing Conditions and Facilities – Automatic Aid Agreements)

The Oroville Fire Department should complete a Master Plan that analyzes the equitability of existing automatic aid agreements, call generation areas, location of future facilities, and procedures for efficiently addressing health emergencies. The plan should also analyze the appropriateness of adopted service standards on a community-wide basis in cooperation with the Butte County Fire Department and the El Medio Fire Protection District.

Determination 3.3-5 (Existing Conditions and Facilities – Automatic Aid Agreements)

The City has adopted a new automatic aid agreement with the El Medio Fire Protection District and the California Department of Forestry and Fire Protection/Butte County Fire Department to allow the sharing of resources within the south Oroville area, which will significantly improve fire protection services within the affected territory.

Service Levels

This section describes the level of service provided by OFD to Oroville residents, for the years 2005 through 2008, and for the year 2013.

In 2005, there were 3,639 calls for service within the city limits. The City of Oroville was the first responder to 3,095, or 85 percent, of those calls. In addition to the calls for service within the city limits, the OFD was the first responder to 290 calls for service within the County and was a joint responder for 239 calls for service in the County. In 2005, the OFD responded to a total of 3,624 calls for service, which is 15 calls (0.5 percent) less than the total amount of calls for service generated within the city limits.

In 2006, there were 3,803 calls for service within the city limits. The City of Oroville was the first responder to 3,242, or 85 percent, of those calls. In addition to the calls for service within the city limits, the OFD was the first responder to 204 calls for service within the County and was a joint responder for 244 calls for service in the County. The County was first responder for 452 calls within the City and joint responder for 196 calls within the City. The County responds to the remaining 202 calls under the automatic aid agreement. In 2006, the OFD responded to a total of 3,690 calls for service, which is 113 calls (3 percent) fewer than the total amount of calls for service within the city limits.

In 2007 the Oroville Fire Department responded to a total of 3,744 calls for service, (Both emergency and non-emergency) of which 2,676 were for Emergency Medical Services, (EMS) and 508 were for Firefighting and other related service calls.

In 2008, the department responded to a total of 3,702 calls for service of which 2,638 were for EMS and 538 were for firefighting and other related service calls.

In 2013, the Oroville Fire Department responded to approximately 3,310 calls, which is an average of nine calls for service each day.²⁸ The average response time for calls in 2013 was 2 to 4 minutes. The breakdown by service call type is listed below:

<u>Type of Service Call</u>	<u>No. of Calls</u>
Medical Aid	2,587
Traffic Collisions	240
Fires	232
Public Assist	229
Hazardous Materials	22
Total	3,310

The area in which the mutual and automatic aid agreements become the most beneficial to City residents is the incorporated area located north of the Feather River and portions of the Thermalito area. There are approximately 4,000 City residents located north of the Feather River and the main fire facility for BCFD (County Station 63) is located in the center of this area at 176 Nelson Avenue. In 2006, this area generated 565 calls for service. Ninety-seven percent of these calls were non-fire related and 87 percent were EMS calls for medical or injury incidents. CAL FIRE/BCFD is the first responder to a large majority of these calls simply because they are closer than the City’s facility. Analysis has not been conducted to determine how many calls the City would be able to reach within the City’s adopted standard of 5 minutes or less without the presence of County Station 63.

²⁸ October 8, 2014, “The Pulse of Law Enforcement” public presentation by Bill La Grone, City of Oroville Director of Public Safety

Determination 3.3-6 (Existing Conditions and Facilities – Service Levels)

On average, the Oroville Fire Department is the first responder to 85 percent of the calls that are generated within the city limits. The remainder of the calls are responded to by the California Department of Forestry and Fire Protection/ Butte County Fire Department.

Determination 3.3-7 (Existing Conditions and Facilities – Service Levels)

Existing mutual and automatic aid agreements are beneficial to all of the fire agencies involved and it is important to ensure that the agreements remain equitable for all parties involved. These agreements allow the City to offer its residents the most immediate service possible and provide access to services and equipment that would normally not be available to a city of similar size.

Determination 3.3-8 (Existing Conditions and Facilities – Service Levels)

Approximately 27 percent of the City of Oroville’s population is located north of the Feather River. Although the City does not have a fire station in this area, County Station 63 is located in the center of this area. With the current automatic aid agreement in place, County engines are able to respond to calls for service faster than City engines and ensure that the City’s standard for first response is met. Without this aid agreement, it is not certain that the City could meet its standard for first response, which would create an unmitigated impact for development in the area.

Infrastructure Needs and Deficiencies

Recently, the County Administration has been raising concerns over the imbalance between the number of calls within city limits where CAL FIRE/BCFD is the first responder and the number of calls in the County where OFD is the first responder. As shown in Tables 3.3-3 and 3.3-4, from 2011 through 2013, the Butte County Fire Department responded to 2,712 calls within the City of Oroville’s jurisdiction, which is approximately 904 calls each year, while the City of Oroville Fire Department responded to 354 calls within the County’s jurisdiction, which is approximately 118 calls per year.

Table 3.3-3 Butte County Fire Department Response to City of Oroville Jurisdiction 2011 to 2013²⁹

<u>Year</u>	<u>Vegetation Fires</u>	<u>Structure Fires</u>	<u>Other Fires</u>	<u>Medical/ Rescue</u>	<u>Haz-Mat/ Haz-Con</u>	<u>Public Assist/ Other</u>	<u>Total</u>
2011	28	20	87	772	21	83	1011
2012	24	30	48	712	15	32	861
2013	34	23	51	680	13	39	840

Table 3.3-4 City of Oroville Fire Department Response to Butte County Fire Department Jurisdiction 2011 to 2013³⁰

<u>Year</u>	<u>Vegetation Fires</u>	<u>Structure Fires</u>	<u>Other Fires</u>	<u>Medical/ Rescue</u>	<u>Haz-Mat/ Haz-Con</u>	<u>Public Assist/Other</u>	<u>Total</u>
2011	11	5	14	38	2	2	72
2012	10	9	20	73	5	3	120
2013	25	9	32	87	1	8	162

The City has been looking at ways to reduce the number of first response calls to CAL FIRE/BCFD. Responses by Butte County Fire Department/CalFire to calls within the City of Oroville were reduced in 2014 in the eastern portion of the City because the City agreed to be the primary responder in that area. Additionally, locating a fire station north of the Feather River near County Station 63 to serve this portion of the City would reduce the number of County responses; however, this would be a duplication of services. An alternate location may better serve the Oroville community as a whole.

While automatic aid agreements may not be necessary for the City to meet their adopted levels of service and may only lower response times by 2 minutes or even less, the agreements ensure that the residents in the Oroville area receive the fastest response possible and make available a significant number of resources that may not otherwise be available for a City of its size. In 2007, as part of an automatic aid agreement, OFD also began responding to calls for service within the El Medio Fire District. These calls normally amount to fewer than 100 OFD responses per year.

The City is anticipating developing a station near the Oroville Municipal Airport. Though the number of calls for service from City residents in this area is low the City anticipates future growth in this area. In 2008, the City approved a number of small to moderately sized subdivisions and the Oro Bay Specific Plan, which will include up to 2,400 dwellings, just west of the airport. This westernmost portion of the City is outside the OFD five-minute response

²⁹ Information provided by Greg McFadden, Butte County Fire Chief, November 21, 2014.

³⁰ Information provided by Greg McFadden, Butte County Fire Chief, November 21, 2014.

contour. Currently, the low call volume for this area does not affect the goal of responding to 90 percent of its calls within 5 minutes but as the population increases this will become an issue. The City addressed this issue through the establishment of two Community Facility Districts to fund and staff additional future fire stations through yearly assessments, as further discussed below. A station in this location would also serve a significant portion of the unincorporated portion of Thermalito, which would reduce the automatic aid call imbalance without duplicating coverage areas. For this station to be effective, the City would need to provide additional personnel and equipment rather than shift resources from other stations.

Determination 3.3-9 (Infrastructure Needs and Deficiencies)

The difference between number of calls in the city where the Butte County Fire Department is the first responder and the number of calls in the County where the Oroville Fire Department is the first responder has been an increasing burden on the County since 2004. The City should through the development of a master plan and other methods develop ways in which the Oroville Fire Department could serve as first responder for a greater number of calls within the City.

Determination 3.3-10 (Infrastructure Needs and Deficiencies)

The development of a City fire station at or in the vicinity of the Oroville Municipal Airport will provide service for future City residents and residents of the unincorporated Thermalito area and help to ease the imbalance of out-of-jurisdiction calls under the automatic aid agreement.

Provisions for Future Growth and Systems Improvements

The standards set by the City Council are used to guide the OFD in providing adequate service to meet current and anticipated service needs in the future by providing adequate staffing levels and facilities.

The OFD is primarily funded by the General Fund, which is largely based on tax revenue. The tax base is anticipated to grow as new development occurs in the area. Funds to provide for future equipment and staffing increases necessitated by population growth will be provided by the increased tax base, as well as development impact fees required of new development. The current development impact fees for the Fire Department are \$49.59 per dwelling unit. This figure is expected to rise significantly when the City completes a new development impact fee nexus study as part of the General Plan update in 2009. The City has also been successful in obtaining grant funds to supplement the General Fund and also has income from Community Development Block Grant (CDBG) grant monies that are used for various housing loan projects which generate income for the City as the loans are repaid. The City recently used \$900,000 of this money to purchase two new fire engines.

In 2006, the City of Oroville created two Community Facility Districts (CFD) in the incorporated portions of the Thermalito area to fund and staff a future fire station through yearly assessments, although anticipated funding will not be realized until the supporting developments are fully built-out. The two Community Facility Districts are CFD 2006-1 (Westside Public Safety

Facility District), which provides for funding for a fire/police facilities, and equipment, to be located at the Oroville Airport, and CFD 2006-2 (Public Safety Services), which provides for ongoing funding to maintain and staff these facilities in perpetuity. These proposed fire stations will serve areas of the SOI as growth occurs. Potential fire station locations are shown in the 2030 General Plan. The two CFDs cover most of the incorporated portions of the Thermalito area, west of the Feather River, which is where the City anticipates a large amount of future growth will occur. The Thermalito area west of 14th Street is currently outside of the five-minute response time area for both the City and County. The City requires all new lots created within the Thermalito area to annex into both CFD 2006-01 and CFD 2006-02. CFD 2006-01 collects \$300 per vacant parcel and \$600 per developed parcel per year to generate money to build a new fire station and police substation. The fees collected under CFD 2006-01 will sunset once the capital improvements on a permanent facility are complete. CFD 2006-02 will collect a \$600 annual assessment per dwelling to fund operations and maintenance and will be collected in perpetuity.³¹ For Fiscal Year 2014-15, CFD 2006-1 is anticipated to have a beginning balance of \$222,303 and an ending balance of \$256,983 (\$35,062 in expected special assessment taxes and \$240 in interest income, and \$623 in expenditures). For Fiscal Year 2014-15, CFD 2006-2 is anticipated to have a beginning balance of \$222,472 and an ending balance of \$257,246 (\$35,046 in expected special assessment taxes and \$350 in interest income, and \$622 in expenditures).³²

The City plans to operate a temporary fire station facility at the Oroville Airport when call volumes warrant the need. The site would serve as a temporary substation, but also has the potential to serve as a permanent site for the future fire station. If enough funds have not been collected to open and operate a fire station before home construction begins at Oro Bay, the Oro Bay developer has agreed to fund the balance so a fire station will be operational at the time the first home is occupied in that development.³³ It is anticipated that as new homes are built and purchased, the City will increase its tax base and be able to provide staffing and services for the new facility.

Determination 3.3-11 (Infrastructure Needs and Deficiencies)

The City supports new development in the Thermalito area, which is currently outside of the five-minute response time area for the City. The City has taken initial steps to address the need for future fire facilities by creating two Community Facilities District's to fund the construction and staffing of a new fire facility in the area. Depending on the timing of future development, there may be an interim period during which the funding to construct and staff the facility is insufficient leaving this area outside of the desired five-minute response time and placing the first response responsibility on the Butte County Fire Department.

³¹ Sanders, Craig. Former Planning Manager, City of Oroville. Written communication with Isby Swick, DC&E, November 12, 2008.

³² City of Oroville Final Budget, Fiscal Year 2014-2015 (November 4, 2014, City Council Meeting Agenda Packet, Agenda Item 7).

³³ Information provided by Craig Sanders, Planning Manager, City of Oroville on October 14 2008, based on the Draft Development Agreement that has not yet been adopted.

3.4 Solid Waste Services

Solid waste collection is required by the City of Oroville. This service is provided by Recology Butte Colusa Counties under a franchise agreement with the City of Oroville. Solid waste is primarily disposed of at Recology's Ostrom Road Landfill in Yuba County.

Solid Waste

Recology Butte Colusa Counties operates out of a facility located at 2720 Fifth Avenue. This facility was at one time a Material Recovery Facility (MRF). However, with the construction of a new automated MRF in Marysville, this facility now operates more as a transfer station than a MRF. Recology Butte Colusa Counties has instituted a three-trash container pick-up system whereby residents are provided with separate trash receptacles for recyclables, household trash and for organic waste, including yard clippings. This allows for pre-sorting by residents and greater efficiency for Recology Butte Colusa Counties.

Once the refuse is collected, it is transported to Recology Butte Colusa Counties' Fifth Avenue facility where it is unloaded for transfer to various locations depending on the type of material. The facility receives an average of more than 200 tons of material per day. In July 2009, the plan to expand and provide a cover over the construction/demolition waste sorting area was completed, thus assuring the continued and expanded diversion of this waste stream. This facility is permitted for 975 tons per day with 600 vehicles operating 24 hours per day, which exceeds the service area's needs for the foreseeable future.

From the Fifth Avenue facility, all household waste is sent in larger trucks to the Ostrom Road landfill. Recyclable materials are sent to Recology Butte Colusa Counties' MRF facility in Marysville for sorting. Green waste is sent to a number of facilities including a worm farm located off of Neal Road, which chips, shreds and composts vegetative material; Neal Road Recycling and Waste Facility, which chips vegetative material for bio-mass co-generation fuel; and the Ostrom Road landfill composting facility. The City of Chico also accepts green waste at its composting facility, which is operated by Waste Management.

The Fifth Avenue facility also collects construction and demolition waste materials for recycling and diversion from the landfill. Construction wastes are sorted at the Fifth Avenue facility where treated and painted wood is separated from the wood waste stream for disposal at the landfill. Asphalt and concrete are taken to recycling facilities, which crush the material for reuse in construction.

All material diverted from the landfill goes to help meet the mandate of the California Integrated Waste Management Act of 1989 (Assembly Bill 939 (AB 939)). In 2012, this law was revised by AB 341, which requires a 75-percent reduction in waste going to the landfill by the year 2020.

Recology Butte Colusa Counties has the responsibility for meeting AB 341 requirements and has been meeting this as outlined in the City’s Source Reduction and Recycling Element.

Once processed, waste that cannot be recycled is transported to the company’s Ostrom Road Landfill, located approximately 40 miles from Oroville in the City of Wheatland. The Ostrom Road facility currently provides solid waste disposal services to both municipal and commercial customers in the northern Sacramento Valley including Yuba, Sutter, Butte, Nevada, and Colusa Counties. Ostrom Road Landfill began operation in 1995 as the first landfill facility in California to receive approval to operate under the new Subtitle D regulations requiring liner systems, leachate collection and recovery systems, water quality monitoring systems, and other environmental protection measures. The site comprises of 261 acres, 225 of which are permitted as a Class II Landfill. According to data collected by CalRecycle, the Ostrom Road facility had a remaining capacity of 39.2 million cubic yards as of June 2007. The landfill receives approximately 800 tons of waste daily with a permitted maximum daily throughput of 3,000 tons. The landfill’s estimated total capacity is 43.5 million cubic yards and the landfill is expected to reach full capacity in 2066. There are no planned expansions or anticipated deficiencies at this time.³⁴ When a facility is within 15 years of reaching its capacity, the State requires that provisions be made for future landfill facilities.

The Neal Road Recycling and Waste Facility also maintains sufficient capacity to accommodate the municipal solid waste generated within the City of Oroville. In March of 2015, Butte County will start implementing the proposed “Franchise Agreement for Collection Services.” For the unincorporated area around Oroville, this means that all solid waste will have to go to Neal Road Recycling and Waste Facility, instead of the Ostrom Road Landfill, thus reducing the distance that solid waste is shipped, and therefore reduce the amount of greenhouse gas emissions generated. The Neal Road Recycling and Waste Facility is now permitted to receive and dispose of treated wood waste.

The City's compliance with AB 341 through its Source Reduction and Recycling Element and through the mutually adopted County Integrated Waste Management Plan is considered to be adequate.

Determination 3.4-1 (Solid Waste)

The Ostrom Road Landfill has sufficient capacity to accommodate the anticipated waste generated within the City of Oroville through 2030.

³⁴ Peters, Carl, Operations Manager Norcal Waste Systems Fifth Avenue Oroville facility, personal communication with Craig Sanders, Former Planning Manager, City of Oroville, September 4, 2008.

Determination 3.4-2 (Solid Waste)

The City of Oroville is adequately mitigating potential impacts on the capacity of the landfill through compliance with Assembly Bill 939, as amended by Assembly Bill 341, and with the County Integrated Waste Management Plan.

Determination 3.4-3 (Solid Waste)

The City should consider utilizing Neal Road Recycling and Waste Facility instead of Ostrom Road Landfill in order to reduce the distance that solid waste is shipped, and therefore reduce the amount of greenhouse gas emissions generated. It is acknowledged that such a shift of disposal sites would decrease the life span of the Neal Road facility.

Household Hazardous Waste

Hazardous materials are used in many household products, including drain cleaners, cleaning fluids, waste oil, insecticides, and car batteries. These hazardous materials are often improperly disposed of as part of normal household trash, where they can interact with other chemicals, contaminate soil and groundwater, and generally create risks for human health.

The California Department of Health Services (CCR Title 22) defines household hazardous waste as any substance that is characteristic of one of the following:

- Ignitability – Flammable.
- Corrosivity – Eats away materials and can destroy human and animal tissue by chemical action.
- Reactivity – Creates an explosion or produces deadly vapors.
- Toxicity – Capable of producing injury, illness, or damage to human, domestic livestock, or wildlife through ingestion, inhalation, or absorption through any body surface.

The Recology Butte Colusa Counties Solid Waste Oroville Transfer Station collects and disposes of household hazardous and electronic waste and is a Home-generated Sharps collection point. All Butte County residents are also able to recycle and properly dispose of household hazardous waste at no charge at the Butte Regional Household Hazardous Waste Collection Facility, which is located at the Chico Airport Industrial Park at 1101 Marauder Street. This facility also collects sharps and pharmaceuticals, as well as hazardous waste from small businesses who qualify as Conditionally Exempt Small Quantity Generators.³⁵

³⁵ California Integrated Waste Management Board, Active Landfills Profile for Neal Road Landfill (04-AA-0002), <http://www.ciwmb.ca.gov/Profiles/Facility/Landfill/LFProfile1.asp?COID=4&FACID=04-AA-0002>.

Determination 3.4-4 (Household Hazardous Waste)

Free household hazardous waste recycling and disposal for all Butte County residents is provided by the Butte Regional Household Hazardous Waste Collection Facility. The facility also accepts hazardous waste from small businesses who qualify as Conditionally Exempt Small Quantity Generators.

3.5 Parks and Recreation

Parks and recreation services and facilities are provided for City of Oroville and Oroville SOI residents by the City of Oroville Parks and Trees Department and the Feather River Recreation and Park District (FRRPD). FRRPD encompasses all of the city limits as well as an additional 722 square miles of unincorporated County land. The Parks & Trees Department operates out of the City Corporation Yard (1275 Mitchell Avenue), which also serves the Streets Division as well as the Sewer Collection Division.

The primary documents utilized in this review include the following:

- *City of Oroville 2030 General Plan*, adopted June 2, 2009
- *Municipal Service Review Update and SOI Plan for the Feather River Recreation and Park District*, June 2009
- *City of Oroville Department of Parks and Trees, Tree City USA*
- *Supplemental Development Impact Fee Calculation and Nexus Report for the City of Oroville and Feather River Recreation and Park District*, Public Review Draft March 2009
- *Draft Park, Trails, and Open Space Master Plan (2010)* (not yet reviewed and adopted by the Oroville City Council)

Background

City of Oroville Department of Parks and Trees

The primary responsibility of the City of Oroville Department of Parks and Trees is to maintain existing City facilities including passive recreation areas and open space, parks, museums, cultural facilities, community buildings (including the State Theater and the Municipal Auditorium), street trees, and City landscaped areas such as green areas and planter islands. The Department also oversees the training of volunteers, the recruitment of artistic groups and individuals to perform at the theater, and the activities of all City crews including the parks crew, tree crew, and cultural facilities group. The Department's service area is defined by the city limits.

Due to the City's recent fiscal difficulties, the budget for the Department of Park and Trees has been substantially reduced and positions in the department have been frozen. Table 3.5-1 shows the past and current budgeted positions within the Department and Table 3.5-2 shows the budget for the Department over the last four years. The Director of the Parks and Trees Department is frozen. However, the Director of the Community Development Department currently acts as the Director of the Parks and Trees Department.

Table 3.5-1 – Oroville Parks and Tree Department Budgeted Positions, FY 2011-2015

<u>Position</u>	2011-12	2012-13	2013-14	2014-15
	<u>Actual</u>	<u>Expected</u>	<u>Trial Balance</u>	<u>Nov. Rev.</u>
Director of Parks and Trees (frozen)	1.00	1.00	0.00	0.00
Administrative (Staff) Assistant (frozen)	1.00	1.00	0.00	0.00
Parks Maintenance Technician III	2.00	2.00	1.00	1.00
Public Works Supervisor	0.00	0.00	1.00	1.00
Cultural Facilities Coordinator (frozen)	1.00	1.00	0.00	0.00
Technical Director/Facility Operator (frozen)	1.00	1.00	0.00	0.00
Seasonal Worker (4 months)	0.00	0.00	0.00	0.33
Parks Maintenance Technician II	3.00	3.00	3.00	3.00
Parks Maintenance Technician I	1.00	1.00	1.00	1.00
Total	10.00	10.00	6.00	6.33

Source: City of Oroville Final Annual Budget, Fiscal Year 2014-15 (from November 4, 2014, City Council meeting agenda)

As shown in Table 3-5.2, since Fiscal Year 2012-13 the Department's expenses have been reduced from \$865,416 to \$728,327, which is a reduction of almost 16%. The reduction is primarily from not filling the Director of Parks and Trees and the Administrative (Staff) Assistant positions.

Table 3.5-2 – City of Oroville Parks and Tree Department General Fund Expenses, FY 2012-13 to 2014-15

<u>Budget Description</u>	2012-13	2013-14	2014-15
	<u>Actual</u>	<u>Trial Balance</u>	<u>Nov. Rev.</u>
Parks and Trees Administration	\$253,192	\$105,515	\$66,150
Operations	\$570,274	\$572,893	\$468,214
Centennial Cultural Center	\$8,533	\$4,000	\$7,400
Pioneer Museum	\$4,407	\$3,071	\$4,500
Bolt Museum	\$10,009	\$8,900	\$10,600
Chinese Temple	New Budget Item for FY 2014-15		\$31,380
Lott Home	New Budget Item for FY 2014-15		\$104,600
State Theater	New Budget Item for FY 2014-15		\$40,400
Total General Fund Expenses	\$846,416	\$694,379	\$733,245

Source: City of Oroville Final Annual Budget, Fiscal Year 2014-15 (from November 4, 2014, City Council meeting agenda)

Funding for the Operations Division of the Parks and Tree Department has increased since Fiscal Year 2011-12, which reflects an increase in salaries and benefits (Table 3.5-3) and funding for several City parks. Funding for services and supplies for the Operations Division decreased from \$196,393 in FY 2011-12 to \$107,317 in the current fiscal year, which is an almost 45% decrease.

Table 3.5-3 – Parks and Trees Department Operations Division Expenses, FY 2011-12 to 2014-15

<u>Budget Description</u>	<u>2011-12 Actual</u>	<u>2012-13 Actual</u>	<u>2013-14 Trial Balance</u>	<u>2014-15 Nov. Rev.</u>
Salaries/Benefits	\$350,021	\$373,362	\$392,976	\$360,897
Services/Supplies	\$196,393	\$194,667	\$179,917	\$107,317
Capital Outlay	\$7,502	\$1,690	\$0	\$0
Transfers-Out	\$3,279	\$555	\$0	\$0
Total Expenses	\$557,194	\$570,274	\$572,893	\$468,214

Source: City of Oroville Final Annual Budget, Fiscal Year 2014-15 (from November 4, 2014, City Council meeting agenda)

The City’s park-related policies are generally addressed through the Park Commission, which is comprised of five council-appointed commissioners that generally have expertise in the provision of park facilities or represent the community as a whole. The commissioners generally serve a five-year term and have the ability to request an extension.

Planning for future recreational facilities is typically limited to the existing city limits including projects that are proposing to annex into the City. However, the Oroville 2030 General Plan recognizes all of the other recreation facilities provided within Oroville’s SOI and Planning Area so that recreation facilities can be coordinated with other jurisdictions and facilities can be planned in areas likely to annex into the City. Recent planning efforts include the preparation of a Parks, Trails and Open Space Master Plan, which was expected to be completed in late 2010 (however, the document has not been completed to date), and the development of a *Supplemental Development Impact Fee Calculation and Nexus Report*, which was completed in March 2009. The Nexus Report, which is intended to help reduce service overlap and facilitate the cooperative planning, funding and construction of community facilities with FRRPD, discusses the potential for the City to share development impact fees collected for parks with the FRRPD for the construction of new facilities. An agreement between the City of Oroville and FRRPD is currently in place, and any development project within the City of Oroville is required to provide impact fees based on the project directly to the FRRPD.

The Department’s current physical resources, including offices, storage facilities, park facilities, vehicles and equipment, are provided through the City’s General Fund and are adequate for serving the needs of the current population. However, these resources may need to be expanded in order to serve the needs of the future population over the next 20 years.

Feather River Recreation and Park District

The FRRPD was formed in 1951 by a joint resolution between Butte County and the City of Oroville as an independent special district to provide parks and recreational programming to the District’s population, which includes the communities of Oroville, South Oroville, Thermalito and Palermo, as well as unincorporated areas of Butte County. According to the 2009 Municipal

Service Review for the FRRPD, approximately 53,161 people, or nearly 24 percent of Butte County’s population, resided within the District as of 2010.³⁶

The FRRPD’s parks and facilities are listed below.³⁷ Many of the District’s parks and facilities are within the City of Oroville or within the City’s current or proposed Sphere of Influence.

- Bangor Park
- Bedrock Skate and Bike Park
- Berry Creek Park
- MLK Park
- Palermo Park
- Playtown Park
- Riverbend Park
- Activity Center
- Bedrock Tennis Courts
- Feather River Bike Trail
- Forbestown Hall
- Gary Nolan Baseball Complex
- Nelson Pool
- Nelson Complex
- Palermo Pool Palermo Community Center
- City of Oroville Municipal Auditorium

Until recently (September 2014) FRRPD operated and maintained the City-owned Bedrock Park under lease from the City of Oroville. The lease was terminated and the City will now maintain Bedrock Park. The City and FRRPD entered into a rental agreement in August 2014 that allows FRRPD to utilize the City-owned Municipal Auditorium for its sports programs.

FRRPD is governed by a five-member Board of Directors elected by the community serve four-year terms of office. Currently, there are no term limits for Board members. Board member elections occur in conjunction with the County elections. FRRPD staff members include a General Manager, Park Superintendent, Recreation Supervisor, and Finance Manager, and a full time maintenance staff. Part-time staff includes additional maintenance staff, instructors, lifeguards, sports officials and other recreational assistants.

Standards

The Quimby Act (California Code 66477) gives local governments the authority to pass ordinances that require developers to contribute to park development and improvements in order to ensure the provision of 3 to 5 acres of parkland per 1,000 residents.

In accordance with the Quimby Act, the Oroville 2030 General Plan includes a policy that requires new development to provide adequate parkland at a ratio of 3 acres per 1,000 residents (Policy 3.1). The City ensures that required landscaping for new developments conforms to City Code by requiring applicants to submit plans and execute agreements to guarantee landscape maintenance in perpetuity.

³⁶ Table 2-3, Municipal Service Review Update and Sphere of Influence Plan for the Feather River Recreation and Park District, June 4, 2009.

³⁷ Feather River Recreation and Park District, Engineer’s Report, Fiscal Year 2014-15, May, 2014

FRRPD has adopted a target of 5 acres per 1,000 residents. The 5-acre target is a cumulative figure that includes 2 acres of neighborhood parks and 3 acres of community parks per 1,000 residents.

Existing Park and Recreational Facilities

City park facilities are generally limited to neighborhood parks and small pocket parks, while FRRPD provides facilities for organized recreation activities and offers recreation programs. Facilities owned and operated by either the City or FRRPD are shown in Figure 3.5-2 and described below. In addition, the facilities are listed in Table 3.5-1.

City Department of Parks and Trees

Since 2005, the City has developed one additional park, expanded one park and conditioned new development projects for either the development or dedication of parkland. Changes that have resulted in the addition of approximately 3 acres of developed parkland to the City inventory are listed below.

- *Centennial Plaza* – A 2.7-acre park plaza overlooking the Feather River. The Plaza is part of a larger river front linear park (approximately 2 miles) that is planned to connect Bedrock Park with the Nature Center.
- *Hewitt Park expansion and renovation* – A 0.25-acre addition and park renovation to an existing community park facility.

The City currently owns 12 parks of various classifications, which together comprise 29.3 acres of parkland, or approximately 2 acres of parkland per 1,000 residents. Three of the parks are operated and/or maintained by FRRPD. The City also owns and leases a 244-acre golf course, located in the western portion of the City, within the Oroville Municipal Airport.

Feather River Recreation and Park District

As of late October 2014, the FRRPD owned or maintained 249.5 acres of parkland within Oroville's city limits. The Nelson Park Complex and Riverbend Park are the two largest FRRPD facilities located within the city limits. At this time, Riverbend Park has not been fully developed in accordance with the master plan adopted by the FRRPD. FRRPD owns or operates additional parkland outside of the city limits that is utilized by local and regional user groups.

According to the Feather River Recreation and Park District 2020 Master Plan, FRRPD currently provides 3.4 acres of neighborhood and community parkland per 1,000 residents within its core planning area, which includes Oroville, Thermalito and Kelly Ridge. However, only 1.63 acres per 1,000 residents are provided when all FRRPD parkland and the entire service area population (estimated to be 48,313 by the 2000 census) are considered.³⁸ Given that there are 249.5 acres of FRRPD parks inside the city limits, there are 16.7 acres of FRRPD parkland per 1,000 residents.

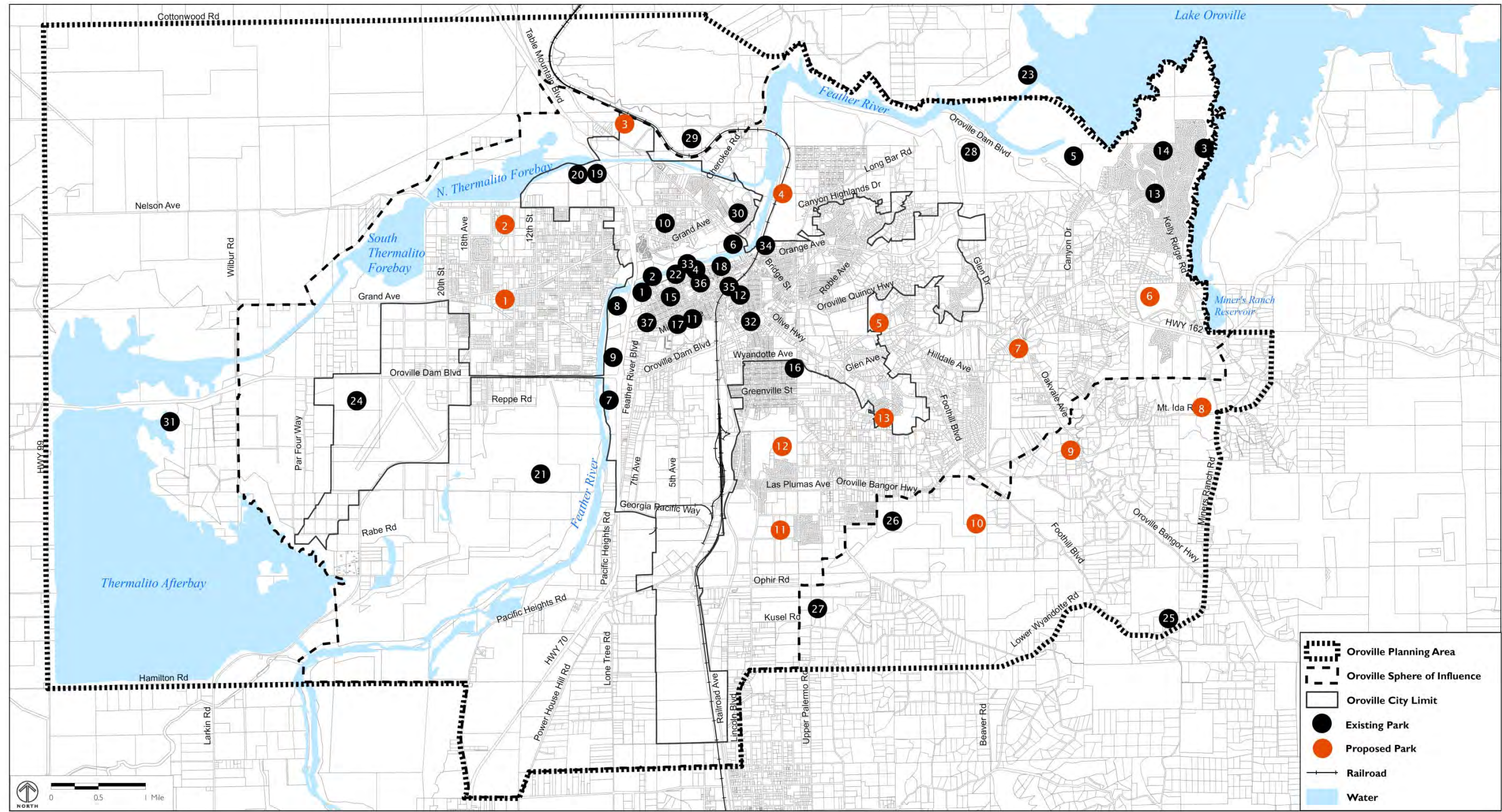
³⁸ City of Oroville and Feather River Recreation Park District Supplemental Development Impact Fee Calculation and Nexus Report for the, Public Review Draft, March 2009.

Other Facilities

Oroville residents also have access to federal, State and private parks and recreational opportunities nearby, including Lake Oroville, Plumas National Forest, Bidwell Canyon, Table Mountain, Feather Falls Overlook, Thermalito Afterbay, Thermalito Forebay, North Forebay Aquatic Center, Oroville Wildlife Refuge, Clay Pit State Vehicular Recreation Area and the Kelly Ridge Golf Course. Federal and State recreational facilities are predominantly related to the Feather River and Lake Oroville provide recreation opportunities for boating, fishing, off-highway vehicle recreation, shooting and hunting, fishing, camping, hiking and other passive and active recreational activities including over 100 miles of paths and trails in Oroville's Planning Area.

Many of the recreational paths and trails in the Planning Area are located along the Feather River. The Feather River supports the majority of the riparian forestland in the Oroville Wildlife Area and Lake Oroville State Recreation Area. The Oroville Wildlife Area, located just west of SR 70, has many small ponds for fishing from the banks, small boats or float tubes, and provides unique opportunities for bird watching and wildlife conservation.

Figure 3.5-1. Parks and Recreational Facilities



Source: City of Oroville 2030 General Plan

- | | | |
|-------------------------------|--------------------------------|---------------------------------|
| 1 Bedrock Park | 9 River Bend Park Addition | 17 Mitchell Park |
| 2 Bedrock Tennis Courts | 10 Hammon Park | 18 Municipal Auditorium |
| 3 Bidwell Canyon | 11 Harrison Stadium | 19 Nelson Park |
| 4 Chinese Temple | 12 Hewitt Park | 20 Nelson Park Addition |
| 5 Dan Beebe Trail | 13 Kelly Ridge Golf Links | 21 Oroville State Wildlife Area |
| 6 Feather River Fish Hatchery | 14 Kelly Ridge Visitor Center | 22 Rotary Park |
| 7 Feather River Parkway | 15 Lott-Sank Park | 23 Spillway Boat Ramp |
| 8 River Bend Park | 16 Martin Luther King Jr. Park | 24 Table Mountain Golf Course |
| | | 25 Wyandotte Park |

- | | |
|-------------------------------------------|---------------------|
| 26 Northeast Side Wyman Ravine Open Space | 33 Centennial Plaza |
| 27 Southwest Side Wyman Ravine Open Space | 34 Nature Center |
| 28 Sycamore Hill Area Open Space | 35 Railroad Park |
| 29 Thompson Flat Open Space | 36 Soroptimist Park |
| 30 Deer Creek Open Space | 37 Wallace Park |
| 31 Thermalito Afterbay Boat Ramp | |
| 32 Bus Transfer Plaza | |

Proposed Parks, Recreational Facilities and Open Space

- | | |
|--------------------------------------------------------------------|-------------------------------------------------------------------|
| 1 Grand Avenue Community Park | 8 Mount Ida/Miner's Ranch Road Vicinity Neigh. Park |
| 2 S. of Nelson, W. of 12th St. Neigh. Park | 9 Mount Ida -Oakdale Ave Vicinity Neigh. Park |
| 3 Garden Drive Vicinity Neighborhood Park | 10 East of Wyman Ravine/South of Mount Ida Road Neighborhood Park |
| 4 Proposed Equestrian Center | 11 South of Monte Vista Ave. Vicinity Neighborhood Park |
| 5 Linda Loma Dr./Buehler Ave/Olive Hwy. Vicinity Neighborhood Park | 12 South Side - Las Plumas Community Park |
| 6 Riverview Drive Vicinity Neighborhood Park | 13 Oroville Garden Ranch Road, Brookdale Dr. Neigh. Park |
| 7 Olive-Oakdale Community Park | |

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Table 3.5-4 Parks and Recreation Facilities within the City of Oroville

<u>FRRPD Parklands</u>	<u>Acres</u>
Mitchell Park	24
Nelson Park	29.6
Bedrock Lagoon at Bedrock Park	5.0
Bedrock Tennis Courts at Bedrock Park	1.5
Feather River Parkway	6.0
River Bend Park	183.4
Total FRRPD Parklands	249.5
<u>City of Oroville Parklands</u>	<u>Acres</u>
Hammon Park	5.5
Hewitt Park	7.8
Nature Center	5.0
Rotary Park	2.1
Lott-Sank Park	2.0
Soroptimist Park	0.3
Wallace Park	0.2
Bedrock Park and Amphitheatre	2.2
Bus Transfer Plaza	0.2
Railroad Park	0.4
Chinese Temple	0.9
Centennial Plaza	2.7
Total City Parklands	29.3
Total Parklands	278.8

Source: Sanders, Craig. Former Contract Planner, City of Oroville, February 21, 2008.

Determination 3.5-1 (Existing Park and Recreation Facilities)

City residents have a wide variety of recreational facilities available to them in and around the City including facilities owned and operated by the City, Feather River Recreation and Park District, the State and the federal government.

Infrastructure Needs and Deficiencies

As discussed above, there are currently approximately 2 acres of City-owned parkland per 1,000 City residents, not including the City-owned golf course. FRRPD currently provides 3.4 acres of neighborhood and community parkland per 1,000 residents within its core planning area, which includes Oroville. This creates a total of roughly 5.4 acres of parkland per 1,000 residents, which exceeds both City and FRRPD standards.

Parks and recreational facilities are generally well distributed to provide access from residential properties within and adjacent to Oroville, with 57 percent of residential properties located within ½ mile of a City or FRRPD park; 82 percent of residential properties located within 1 mile of a park; and 100-percent of residential properties located within 2 miles of a park.

Although there is a significant amount of parkland within the city limits, the City has not completed an analysis for the types of facilities needed. The Parks, Trails and Open Space Master Plan that is currently being prepared by the City will include a comprehensive needs assessment. Preliminary findings have indicated that while there is an abundance of community parks and regional recreation facilities, additional neighborhood parks that are well distributed are needed.

Determination 3.5-2 (Recreation Level of Service)

The City uses appropriate methods to gauge the need for parkland, recreational facilities, and recreational programming to meet the needs of the community. Two acres of parkland per 1,000 residents is provided solely by City of Oroville recreation facilities, and additional 249.5 acres is provided by the Feather River Recreation and Park District. There is roughly 5.4 acres of parkland per 1,000 city residents, which exceeds City and Feather River Recreation and Park District standards and is adequate to meet residents' needs.

Determination 3.5-3 (Recreation Level of Service for Future Growth)

There is an adequate amount of combined park acreage within the City and Sphere of Influence to provide 3 acres per 1,000 residents for projected future populations. However, a significant portion of this parkland is owned and operated by the Feather River Recreation and Park District, which does not focus on community and neighborhood parks. The City will need to develop additional community and neighborhood parks to meet future demand or develop an agreement with the FRRPD to provide this category of park land.

Future Improvements and Expansion

Parkland development and dedication, as well as the formation of assessment districts or other funding mechanisms, are often required as a condition of subdivision maps for large projects. As

discussed above, the City requires new development to provide parkland at a ratio of 3 acres per 1,000 residents (General Plan Policy 3.1). Numerous large residential subdivision projects, such as the 2,400-lot Oro Bay Specific Plan project, were approved by the City prior to the downturn in the economy. All of the large subdivision projects required the creation of parklands. However, none of these projects have been developed and may never be developed as approved.

Determination 3.5-4 (Future Improvements and Expansion)

Between the City's and Feather River Recreation and Park District's facilities and programs there is adequate capacity to meet residents' needs. However, it is unclear the percentage of City residents versus regional users that utilize Feather River Recreation and Park District facilities within the city limits and Sphere of Influence. Therefore, the City and Feather River Recreation and Park District should develop a strategy for getting a better understanding the relationship of City residents versus regional users for facilities within the city limits and Sphere of Influence.

Determination 3.5-5 (Future Improvements and Expansion)

The City is requiring appropriate amounts of developed parkland and parkland dedications as a condition of new development to maintain and in some cases exceed the ratio of 3 acres of parkland to 1,000 residents.

Funding of New Facilities

The City funds new park facilities from a variety of sources including the General Fund, grants, development impact fees and a fund known as the Supplemental Benefit Fund (SBF). The SBF, which was established to mitigate the loss of recreation opportunities associated with the on-going operation of the Oroville Dam, will infuse \$61 million into the local area to fund recreation related facilities over a 50-year period.³⁹

Development impact fees have the potential to be a significant revenue source for the City and FRRPD, and have generated discussion between the entities over the years. In 2003, Revenue Cost Specialists, LLC prepared Development Impact Fee Calculation and Nexus Reports for both the City and FRRPD. The results of these reports and fees currently collected by the City and FRRPD are described below.

- **City of Oroville.** The development impact fee calculated in 2003 for the City assumed that the City would adopt provisions of the Quimby Act and would provide mini “pocket” parks, neighborhood parks and community or sport parks at a ratio of 3 acres per 1,000

³⁹ Sanders, Craig, Former Planning Manager, City of Oroville. Written communication with Chad Markell, DC&E, October 8, 2008.

residents.⁴⁰ However, the City did not adopt the provisions of the Quimby Act and chose to exact only a portion of the park development impact fee proposed by the study.⁴¹

Since its adoption in 2003, the fee has been increased based on the Consumer Price Index as it relates to increases in land acquisition and construction costs. Currently the City collects only 40 percent of the amount recommended by Revenue Cost Specialist, LLC. Over the last three years, fees collected by the City comprised only \$200,000 of the approximately \$4.5 million that the City spent on new parks and park expansions. Until the Council adopts a new study, it can choose to increase the amount up to the 2003 maximum at any time. Fees that are collected by the City are used exclusively by the City for City owned projects.

- **Feather River Recreation and Park District.** Currently, FRRPD collects an annual, flat fee throughout the district. This assessment is used for operations, administration and maintenance in addition to capital improvements. Since Fiscal Year 2012-11, the FRRPD has not acquired any new parklands or developed any new facilities. Prior to that time FRRPD spent approximately \$6,100,000 on new facilities and an additional \$1,020,000 was recently awarded through the SBF for additional improvements to Riverbend Park.

In March 2009, a Supplemental Development Impact Fee Calculation and Nexus Report was prepared for the City and FRRPD.⁴² This report aims to reconcile the 2003 reports that were prepared separately for the City and FRRPD in order to ensure that fees collected do not exceed the maximum Quimby standard of 5 acres of developed parkland per 1,000 residents. Given the overlapping service populations of the City and FRRPD, it is important to ensure that fees are appropriately collected and distributed. The report proposes fees based on a combined ratio of 3 acres of neighborhood and community parkland for every 1,000 new City residents, and allocates fees between the City and FRRPD based on each entity's service provision in 2003. The report states that the City and FRRPD are justified in collecting the development impact fees shown in Table 3.5-4.

⁴⁰ California Park and Recreation Society, http://www.cprs.org/membersonly/Sum02_Quimby.htm, accessed 11/12/08.

⁴¹ Although the City is committed to developing additional parklands, the City Council chose to adopt only a portion of the park development impact fee for a number of reasons. The primary reason is that the majority of council members are committed to keeping impact fees as low as possible to encourage development within city limits. In addition, there is an abundance of parkland in the greater Oroville region and the City has been very successful in obtaining alternative funding streams, including grant funding and the Supplemental Benefit Fund (SBF).

⁴² Supplemental Development Impact Fee Calculation and Nexus Report for the City Of Oroville and Feather River Recreation And Park District, March 2009.

Table 3.5-5 Recommended Parks and Recreation Development Impact Fees, 2009

<u>Type of Residence</u>	<u>City (fee per unit)</u>	<u>FRRPD (fee per unit)</u>
Single Family Detached	\$1,535	\$1,196
Single Family Attached	\$1,488	\$1,160
Multiple Family	\$1,364	\$1,063
Mobile Home	\$1,017	\$793

Source: Supplemental Development Impact Fee Calculation and Nexus Report for the City Of Oroville and Feather River Recreation And Park District, March 2009.

Determination 3.5-6 (Funding of New Facilities)

The City does not collect the full amount of parkland development impact fees that it is entitled to collect. Although this has not affected the City’s ability to develop new recreation facilities, it has prevented Feather River Recreation and Park District from receiving a portion of the impact fees. The City should collect the full amount of development fees to which it is entitled and share such fees with the Feather River Recreation and Park District.

Determination 3.5-7 (Funding of New Facilities)

The City should adopt provisions of the Quimby Act and the recommendations of the 2009 Supplemental Development Impact Fee Calculation and Nexus Study upon its completion.

Determination 3.5-8 (Funding New Facilities)

The City and Feather River Recreation and Park District should establish a joint resolution that defines the roles and responsibilities of each entity and promotes cooperation and standardization to streamline park planning efforts.

Maintenance Costs

Maintenance for existing parks within the City is funded through General Fund revenues. When the City approves new development projects, it requires that new park facilities that are required to be developed as a condition of a subdivision be maintained by residents of the subdivision through landscaping and lighting maintenance districts. Through this mechanism new neighborhood parks will be maintained by the new residents they serve. Park maintenance is currently funded through the annual assessment on all residents living within FRRPD, including City residents, as discussed above. This assessment goes entirely to the FRRPD.

Current Operations and Cost Avoidance Strategies

Due to the City's fiscal difficulties, the budget for the Parks and Trees Department was reduced and the number of positions within the Parks and Trees Department has been substantially reduced (see Table 3.5-1). The position of Director of Parks and Trees has been frozen, with the Department now overseen by the Director of Community Development. The number of positions within the Parks and Trees Department was reduced from 10 in 2011 to 6 for Fiscal Year 2014-15. One of the ways that the City has tried to defray costs associated with providing landscaping and lighting within new subdivisions is by requiring developers to annex into Landscape, Lighting and Maintenance Districts (LLMDs). Currently the City has 15 LLMDs and intends to continue the practice with future subdivisions that have these maintenance needs. The benefit of the LLMDs is that the cost of maintaining the facilities is borne directly by those that benefit from the improvements. The funding is only used for landscape and lighting maintenance within the district and cannot be transferred to another district or used for park maintenance; unless there is a park created as part of the subdivision and an additional fee is established at the time of creation for that purpose. The City currently contracts maintenance services for LLMDs to a private landscape company. Currently, this work is performed through the Work Training Center, which provides all of these services. The City retains control of irrigation and watering management. Water and utility charges make up a large component of the Department's maintenance costs and rising utility expenses have forced the department find other savings.

The Department has adopted a number of operation policies that are designed to promote the longevity of park facilities. The policies include employees reporting or repairing damaged property, management walk-throughs every two weeks to identify deficiencies, prompt removal of graffiti to avoid snowball effect, installation of security cameras and lighting in prominent areas, and community involvement in facility planning and construction to encourage a community sense of ownership and pride, which encourages community members to keep the facility clean and clear of trash. The City has also used other techniques, such as painting interior walls of restrooms and other facilities a bright white, which is less enticing for vandals. Paint and cleaning supplies are available on-site to allow for immediate removal of graffiti or other materials. A variety of landscaping options present an opportunity for the Department to improve a number of the facilities, however, the Department has endeavored to provide great facilities while operating on a budget that may only be able to support a good facility.

The Department often utilizes the services offered by other City departments to assist in the preparation of technical and environmental studies, the preparation of Requests for Proposals, creation of assessment districts and the preparation of grant funding applications. The City also utilizes the assistance of community members with approximately 40 volunteer docents and the training and utilization of community members participating in the Welfare to Work Program. The Welfare to Work Program employs those currently receiving welfare in an effort to build self esteem, self worth, develop good work habits, and enable them to return to the workforce in a positive environment. Upon review of their resume, participants are interviewed and placed within the City, depending on past work experience. Every worker completes a certain number of hours, varying from person to person, in order to continue receiving benefits. The program

strives to provide the tools and experience necessary to accomplish a smooth transition into the workforce.

The Department does not currently monitor daily usage of each facility. The current mechanisms utilized to monitor usage and potential congestion are visual surveys taken by work crews. Any complaints from community members are assessed for usage issues, and park reservations are monitored to ensure that park facilities are adequate to meet the needs of the community.

Determination 3.5-9 (Maintenance Costs)

The City uses appropriate mechanisms to fund on-going maintenance of new park facilities that are required as a condition of new development. All City residents contribute to the maintenance of community and park facilities through the district-wide assessment collected by the Feather River Recreation and Park District.

3.6 Stormwater Drainage

Stormwater drainage in the City of Oroville is managed by the City's Public Works Department. The following documents serve as the guiding documents for stormwater drainage within the City:

- The 1991 Drainage Master Plan for the City of Oroville serves as the City's planning tool for managing and budgeting drainage improvements necessary to accommodate future development.
- The 2003 Master Facilities Plan for the City of Oroville identifies needed storm drainage system improvements.

This section provides a summary of existing conditions and facilities, system improvements, and provisions for future stormwater drainage.

Existing Conditions and Facilities

The City Stormwater Drainage System includes underground pipes, overland channels, stormwater detention ponds and underground storage tanks. Mechanical treatment units are also used when necessary to remove trash and other stormwater pollutants.⁴³ The City participates in the National Flood Insurance Program.

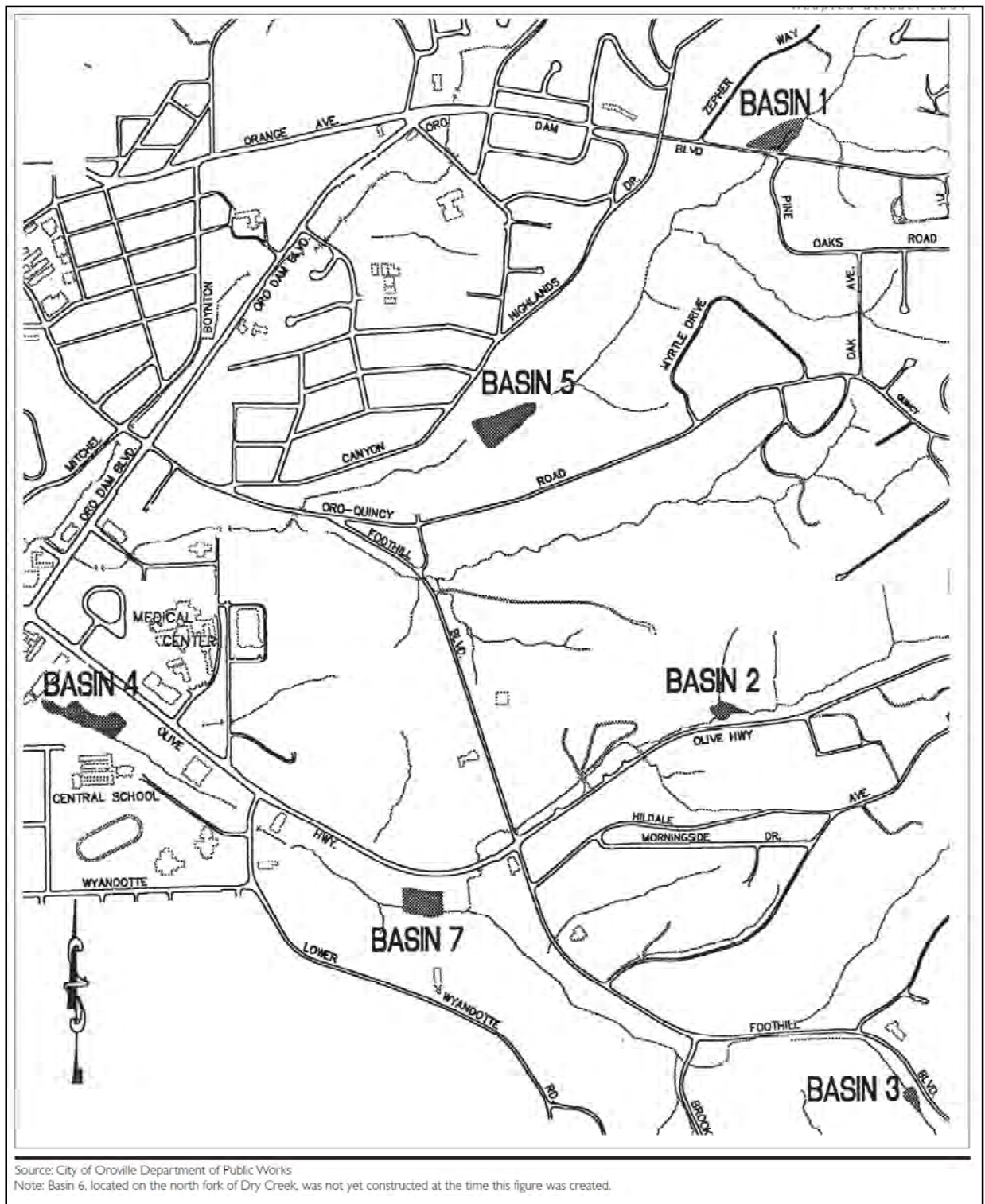
Detention basins play an important role in the stormwater drainage system, as they provide storage during peak stormwater events. The City currently maintains six regional detention basins along different branches of Dry Creek to detain certain peak storm water events. The stormwater drainage system eventually discharges into local creeks and rivers. The six detention basins are shown in Figure 3.6-1 and listed below:⁴⁴

- Oroville Dam Basin #1
- Olive Hwy Basin #2
- Foothill Blvd Basin #3
- Olive Hwy Basin #4
- Canyon Highlands Basin #5
- Olive Hwy Basin #7

⁴³ City of Oroville's website. <http://www.cityoforoville.org/stormwater.html>, accessed on November 15, 2007.

⁴⁴ Walls, Rick. Senior Civil Engineer, City of Oroville. Personal communication with Jared Hancock, City of Oroville, January 15, 2008.

Figure 3.6-1 Stormwater Detention Basins



The *1991 Drainage Master Plan* identifies the following four major planning areas for stormwater drainage improvements:

- Area A. This approximately two square mile area is located at the upper reaches of the Dry Creek Watershed.
- Area B. This area includes approximately 350 acres of relatively flat terrain, located in central Oroville.
- Area C. Located in the lower reaches of the Dry Creek watershed, this industrial area encompasses approximately one square mile.
- Area D. Area D is located on relatively flat terrain in the older portion of the City, and encompasses approximately 175 acres.

The Thermalito Drainage Area located north of Oroville in unincorporated Butte County and includes 16 drainage basins. The Thermalito Drainage Master Plan Update was initiated as a joint City/County effort and was readopted in 2012. The Plan includes an analysis of the Ruddy Creek watershed, which is the main drainage course for the Thermalito area.⁴⁵

Infrastructure Needs and Deficiencies⁴⁶

The following is a summary of needed storm drainage system improvements identified in the 2003 *Master Facilities Plan for the City of Oroville*. It is anticipated that funding for these improvements will be obtained through the collection of development impact fees, which are reviewed annually and increased as necessary to ensure sufficient funding for scheduled projects. It is important to note that the storm drainage improvement projects identified in the 2003 Master Facilities Plan are based on the 100 year flood analyses contained in the 1991 Drainage Master Plan which was completed prior to the construction of the City's 6 regional detention ponds in 2002. As such, the drainage projects listed in the 2003 Master Facilities Plan are obsolete. Therefore, the City's drainage system needs to be re-analyzed for the 100 year flood recognizing the benefit of the regional detention ponds in order to establish the current drainage improvement needs. It is the City's intention to update the Master Drainage Plan by 2016.

Storm Drainage Area "A"

Storm Drainage Area "A" (Project No. SD-01) improvements consist of approximately 860 linear feet (LF) of a mixture of reinforced concrete pipe (RCP), corrugated metal pipe (CMP) and reinforced concrete box (RCB). The area improvements also include a small (50-foot) bridge crossing.

⁴⁵ Walls, Rick. Senior Civil Engineer, City of Oroville. Personal Communication with Jared Hancock, City of Oroville, August 12, 2008.

⁴⁶ Revenue & Cost Specialists, 2003, *Master Facilities Plan for the City of Oroville*, Oroville: City of Oroville, pages 53 through 58.

Storm Drainage Area “B”

Storm Drainage Area “B” (Project No. SD-02) improvements consist of approximately 10,800 LF of RCP. The area will also need 3,800 LF of concrete channel, 1,000 LF of unlined channel, 1,000 LF of outfall pipe and 300 LF of bore and jack. Additionally, there will be the need for pump station with capacity to pump 100 cubic feet per second (cfs) and 5 acres of detention ponds.

Storm Drainage Area “C”

Storm Drainage Area “C” (Project No. SD-03) improvements consist of approximately 5,600 LF of RCP. There will also be 20,450 LF of Master Plan channels, three street crossings, the Feather River/Highway 70 crossing and Dry Creek Improvements.

Storm Drainage Area “D”

Storm Drainage Area “D” (Project No. SD-04) improvements consist of approximately 10,500 LF of RCP. The improvements include 35cfs second pump station and a 300 LF of outfall pipe.

Determination 3.6-1 (Infrastructure Needs and Deficiencies)

The City’s stormwater drainage system needs are evaluated in the Master Facilities Plan, last updated in 2003, and the Master Drainage Plan, last updated in 1991. While these documents indicate the City has the ability to provide adequate stormwater drainage service to the existing population and policies to address adequate future stormwater drainage planning, these plans are in need of updating to address current conditions and ensure consistency with the recently adopted 2030 General Plan.

Future Stormwater Drainage Needs

Stormwater runoff in Oroville is expected to increase with new development due to increased impermeable surfaces. In order to mitigate increased stormwater flow, the City will continue to require that on-site storm drainage from new developments be collected and detained on-site and then transported via underground conduit to a City approved drainage facility. The City began conditioning projects in this manner in 2004. The City requires drainage calculations to support the size of detention/retention facilities and orifice calculations to support the design size of the stormwater flow control device. The City requires that stormwater flows are calculated based on pre-project peak stormwater discharge from the site for 2-year, 10-year and 100-year design storm events. Design storm events are described by their expected frequency and magnitude as follows:

- 2-year storm events are smaller events with a magnitude that occurs on an average of every two years.
- 10-year events occur on the average every 10 years and have greater magnitude.
- 100-year events occur on the average once every 100 years and have the greatest magnitude.

The Thermalito Area Master Drainage Plan (Thermalito Plan) was originally completed in two parts. The document for the unincorporated portions of Butte County was completed in February 1979 and amended in June 1980. The document for the City of Oroville portion was completed in February 1980. An update to the Thermalito Plan was adopted in 2012 to compile drainage information for the entire 3,570 acres that make up the Thermalito Area into one document to facilitate the current planning process that includes areas being incorporated into the City as development occurs. This update forms the basis for consistent area-wide funding recommendations. The 2012 updated Thermalito Plan included a nexus study and revised drainage impact fees.

City and County staff have accepted the recommendations of the Updated Master Plan for drainage improvements and methods for attenuating increased drainage flows.⁴⁷ The Updated Master Plan recommends drainage detention basins to reduce peak flows in most areas, yet states that in some areas it is best for water to move as quickly through the site as possible and therefore it is beneficial not to plan detention basins in these areas. The Updated Master Plan also recommends that individual drainage analysis for projects within the study area tier off the Master Plan.

Existing deficiencies in the drainage system are primarily in the unincorporated area of Thermalito and cannot be corrected through the collection of development impact fees collected within city limits.

Determination 3.6-2 (Infrastructure Needs and Deficiencies)

As the Thermalito area continues to develop, drainage improvement needs will be governed by the 2012 updated Thermalito Area Master Drainage Plans.

Provisions for Future Stormwater Drainage

As discussed above, the City currently requires detention facilities and/or stormwater drainage system improvements as a condition for approval for new development. The City will continue to require that new development meets this requirement in order to ensure that there is no increase in pre-project peak stormwater discharge from project areas for 2-year, 10-year and 100-year design storm events. The existing regional detention basins are not considered to be substitutes for new detention facilities required by new development. In Butte County, any projects that will disturb one or more gross acre are subject to the National Pollution Discharge Elimination System (NPDES), and therefore require permits prior to any disturbance.⁴⁸

The *1991 Drainage Master Plan for the City of Oroville* recommends several mechanisms for generating funds for improvements to replace existing systems. These funding mechanisms include bond sales, construction loans, and assessments for utility districts. Master Plan improvements that are necessary for new developments are funded by drainage fees assessed to

⁴⁷RBF Consulting, May 2007, Revised November 2012, Update of the Thermalito Master Drainage Plans.

⁴⁸National Pollution Discharge Elimination System Phase II, http://www.stormwaterauthority.org/regulatory_data/phase_2.aspx, accessed November 14, 2008.

new developments. There are separate development impact fees for the Oroville storm drainage system and the Thermalito stormwater drainage system. The fee is broken up into single family dwelling units, multifamily dwelling units and commercial development.⁴⁹ The City has adopted and collected drainage impact fees since the adoption of this plan. The current fee is \$1,491 for a single-family dwelling and \$741 for a multi-family dwelling in most areas of the City. However, in the Thermalito area, the fee schedule is based on the updated 2012 fee schedule, which accounts for onsite detention for new development projects. The adopted 2012 Thermalito drainage impact fee schedule is as follows:

Thermalito Master Drainage Plan Update

Development Impact Fee Schedule for Parcels Larger Than 1 Acre

<u>Land Use Designation</u>	<u>Impact Fee</u>
Very Low Density	\$990 per unit
Low Density	\$162 per unit
Medium Density	\$75 per unit
High Density	\$49 per unit
Commercial/Office/Retail/Industrial	\$1,257 per acre

Thermalito Master Drainage Plan Update

Development Impact Fee Schedule for Parcels Less Than 1 Acre

<u>Land Use Designation</u>	<u>Impact Fee</u>
Very Low Density	\$990 per unit
Low Density	\$990 per unit
Medium Density	\$378 per unit
High Density	\$246 per unit
Commercial/Office/Retail/Industrial	\$6,384 per acre

Determination 3.6-3 (Infrastructure Needs and Deficiencies)

In 2012, the City of Oroville adopted the Nexus report and fee calculation for the Thermalito Master Drainage Plan Update.

⁴⁹ Hancock, Jared. Associate Planner, City of Oroville. Personal communication with Chad Markell, DC&E on January 15, 2008.

Determination 3.6-4 (Infrastructure Needs and Deficiencies)

The City will continue to require new development to incorporate stormwater drainage infrastructure as a condition of approval. Development impact fees will continue to pay for the system improvements that are necessary to provide stormwater drainage service for new development.

3.7 Wastewater Collection

The Greater Oroville Area is served by three wastewater collection agencies: the City of Oroville, the Lake Oroville Area Public Utility District (LOAPUD), and the Thermalito Water and Sewer District (TWSD). These three agencies have a Joint Powers Agreement (JPA), established in 1971, with the Sewerage Commission-Oroville Region (SC-OR) to handle wastewater treatment and disposal.

In order to accurately and comprehensively analyze wastewater services in the Greater Oroville Area, Butte LAFCo has determined that developing a separate regionally focused MSR for this specific function would provide the most beneficial and efficient review of the three wastewater service providers in the region. The Wastewater Service Providers-Oroville Region Municipal Service Review, which was adopted by Butte LAFCo in November 2009, provides a detailed assessment of each wastewater service provider in the Oroville area. While this MSR does not provide the detailed evaluation of comprehensive sewer services in the region, it does provide for context, a brief description of the entities involved with the wastewater services in the Greater Oroville Area.

Determination 3.7-1 (Wastewater Collection Review):

Wastewater collection services in the City and its sphere of influence are provided by three separate agencies, which collectively form a joint powers agency for the operation of single regional sewage treatment and disposal facility. In order to provide a meaningful and comprehensive analysis of wastewater services in the Greater Oroville Area, Butte LAFCO has prepared a concurrent, but separate regionally focused Wastewater Service Providers – Oroville Region Municipal Service Review for this specific function determining this approach would provide the most beneficial and efficient review of the three wastewater service providers in the region and provide the Commission with a focused and useful tool to evaluate future reorganization proposals.

City of Oroville Sewage Collection and Maintenance Budget

Expenditures for activities related to the operation and maintenance of the City's sanitary sewer system was almost \$2 million in Fiscal Years 2011-12 and 2012-13. However, in Fiscal Year 2013-14, expenditures for these activities were reduced by almost \$1 million (to slightly more than \$1 million) as a result of the City's fiscal difficulties. For Fiscal Year 2014-15, expenditures for operation and maintenance of the City's sanitary sewer system were increased by \$1.1 million, to \$2.1 million. Table 3.7-1 shows the General Plan budgets for operation and maintenance of the City's sanitary sewer system for the last four years.

Table 3.7-1 Sewer Operations and Maintenance Budgets - Fiscal Years 2011-12 to 2014-15

	2011-12	2012-13	2013-14	2014-15
	<u>Actual</u>	<u>Actual</u>	<u>Trial Balance</u>	<u>Nov. Rev.</u>
Expenses				
Salaries/Benefits	\$390,646	\$419,748	\$471,045	\$350,602
Services/Supplies	\$321,693	\$596,066	\$212,245	\$376,850
Capital Outlay	\$964,691	\$644,464	\$11,718	\$1,085,000
Contingencies	\$0	\$0	\$0	\$0
Transfers-Out Other	\$303,076	\$312,168	\$318,411	\$345,736
Total Expenses	\$1,980,105	\$1,972,446	\$1,013,419	\$2,158,188

Source: City of Oroville City of Oroville Final Budget, Fiscal Year 2014-2015 (from the November 4, 2014, City Council Meeting)

City of Oroville Wastewater Collection System

The City’s Engineering Division of the Community Development/Public Works Department is responsible for the City’s sewage collection system and operates approximately 66 miles of sanitary sewer line with approximately 1,400 manholes and over 2,300 feet of force main. The City also maintains seven sewer lift stations and two flow meters.⁵⁰ The City provides wastewater collection services to approximately 4,200 residential and commercial customers.⁵¹ The City's sewer collection utilities are a self-supporting enterprise funded by sewer services rates.

Since 2007, when reporting of sanitary sewer overflows (SSOs) to the State Regional Water Quality Control Board (RWQCB) became mandatory, the City of Oroville has experienced 41 reportable SSOs, resulting in the spillage of approximately 110,585 gallons of wastewater.⁵² As a result of these SSOs, the RWQCB has issued seven Notice of Violations to the City, the most recent of which was issued on July 2, 2014, as a result of a 54,433 gallon spill at a sewer lift station. The Notice of Violations notify the City that they are in violation of their State-issued Waste Discharge Requirements permit and may be subject to enforcement orders and fines.

Many of the SSOs in the City’s sewer system can be attributed to blocked sewer lines, either from roots, grease blockages, or other debris buildups. Several of the SSOs were caused by vandalism. This very high number of SSOs may be an indication of inadequate inspection and cleaning of the City’s sewer system and inadequate replacement/repair of the numerous older

⁵⁰ City of Oroville: <http://www.cityoforoville.org/sanitarysewers.html>, accessed May 25, 2006.

⁵¹ Oroville City Council August 26, 2013, Meeting Agenda, Item No. 1

⁵² California Regional Water Quality Control Board, SSO Report Form (https://ciwqs.waterboards.ca.gov/ciwqs/readOnly/PublicReportSSOServlet?reportAction=criteria&reportId=sso_main)

sewer pipes in the City's sewer system. The City has now placed a greater emphasis on the inspection and cleaning of sewer pipes and has undertaken a more aggressive sewer pipe repair program. To help with inspections of the sewer pipes, in 2009 the City purchased a new sanitary sewer television inspection van costing \$155,512 and a mapping software suite, costing \$13,835, to manage collected data from the City's sewer pipelines.

In 2009, the City calculated sewer service rate increases necessary to increase revenue to initiate approximately 14 million dollars worth of sewer system rehabilitation improvements to the collection system, while continuing to perform normal operation and maintenance. The City estimated at that time that the 14 million dollars of overall system rehabilitation would take approximately 15 years to complete. Staff calculated a rate increase schedule of modest rate increases over seven consecutive years to provide the necessary funding of 14 million additional dollars over 15 years. Since 2010, the City has spent approximately \$2 million on capital equipment and system rehabilitation (slip lining, pipe patching, etc.). Moving forward in future years, the required construction and rehabilitation activities for the collection system include the following construction and rehabilitation projects:

- Upsizing of sewer pipes that have been shown to have capacity limitations for the City's wet weather design storm (estimated at \$8.5 million). Due to the sensitivity of these pipes to experience possible sanitary sewer overflows during extreme storm events, the pipe upsizing projects need to be completed within the next two to four years. To fund these important projects, the City will submit a funding application to the Clean Water State Revolving Fund (CWSRF) which is managed by the State Water Resources Control Board. The proposed sewer rate increases are designed to allow for the payback of a CWSRF loan for the pipe upsizing projects over a 15 to 20 year period.
- Repair, re-lining or replacement of existing pipes that are structurally deficient and/or subject to re-occurring tree root infestation and or subject to excessive infiltration and inflow (estimated at \$4.0 million). The proposed sewer rate increases are designed to provide funding for about \$400,000 worth of collection system rehabilitation on average per year over the next 15 years.
- Repair or replacement of deficient manholes (estimated at \$1.2 million). The proposed sewer rate increases are designed to provide funding for about \$80,000 worth of manhole rehabilitation on average per year over the next 15 years.

If the City delays the rehabilitation described above, both the City and its residents will be at financial risk from increased root infestation and increased sewer overflows. The City can be subject to severe regulatory fines by the State Water Resources Control Board for excessive sanitary sewer overflows.

In order to provide for adequate funding of the rehabilitation programs, on August 26, 2013, the City Council approved increases to the monthly sewer service rates through Fiscal Year 2015-16.⁵³ The increased sewer service rates will help the City maintain its sanitary sewer system in

⁵³City of Oroville City Council August 26, 2013, Agenda, Item 1.

compliance with State regulations and with the City’s Waste Discharge Requirements. The following table shows the increases.

Table 3.7-2 City of Oroville Sewer Service Rates – Fiscal Year 2012-13 to 2015-16

<u>Fiscal Year</u>	<u>Annual Increase per EDU</u>	<u>Monthly From (per EDU)</u>	<u>Monthly to (per EDU)</u>	<u>TWSD ETL Maintenance Rate Per EDU</u>	<u>Total Monthly Rate (per EDU)</u>	<u>Percent Increase from Prior Year</u>
2012-2013	\$22.80	\$12.61	\$14.50	\$1.22	\$15.72	19
2013-2014	\$28.68	\$14.50	\$16.82	\$1.29	\$18.11	15
2014-2015	\$34.56	\$16.82	\$19.68	\$1.31	\$20.99	16
2015-2016	\$30.84	\$19.68	\$22.24	\$1.32	\$23.56	12

The City has a continued program of sewer upgrades and rehabilitation based on the Sanitary Sewer Master Plan. Over the past ten years the City has conducted two sanitary sewer reline projects to rehabilitate and reline 17,500 linear feet of sanitary sewer pipe.⁵⁴ Additionally, significant developments are required to submit plans and may be required by the City to provide detailed sewer capacity studies during the permitting process. These developments may be required to upgrade the existing collection system downstream if additional capacity is required.

The Thermalito Water and Sewer District (TWSD) provides wastewater collection and conveyance services for parcels located within its service area, including parcels within the City of Oroville. Collected wastewater flows through TWSD facilities to SC-OR’s West Interceptor Trunk Line (WITL), and thence to the SC-OR wastewater treatment facility.

The collection and conveyance of wastewater from incorporated parcels located north of the Feather River and east of Highway 70 is provided through TWSD’s East Trunk Line (ETL). Wastewater flows from these incorporated parcels constitute approximately 75 percent of total wastewater flows in the ETL. TWSD and the City recently entered into a Sewer Service Agreement providing for, among other things, the replacement of TWSD’s ETL to increase its capacity. Construction of the new ETL is currently underway, with the City paying 75 percent of the cost of the new ETL, as well as maintenance and repair of the ETL.

The 2009 Wastewater Service Providers-Oroville Region Municipal Service Review identified SC-OR’s West Interceptor Trunk Line and TWSD’s East Trunk Line as being at or above capacity during heavy wet weather flows, which could have resulted in large sanitary sewer overflows. The WITL was recently replaced by SC-OR and now has adequate capacity to handle wet weather wastewater flows from TWSD. Upon replacement of the ETL, it too will have sufficient capacity to handle wet weather flows.

⁵⁴ Rick Walls, Senior Civil Engineer, City of Oroville Public Works Department. Personal e-mail communication with Chad Markell, February 4, 2008.

Determination 3.7-2 (Wastewater Collection Review):

Since 2007, the City of Oroville’s sanitary sewer system has experienced 41 reportable SSOs, resulting in the spillage of approximately 110,585 gallons of wastewater. As a result of these SSOs, the RWQCB has issued seven Notice of Violations to the City. To address this high number of SSO’s, the City has taken a more aggressive approach to inspecting and cleaning sewer lines and repairing/replacing older sewer lines. The City should continue to provide adequate, if not increased, funding for inspection/cleaning and repair/replacement activities to ensure that the City’s sewer system meets its State-issued Waste Discharge Requirements and to prevent enforcement orders and fines from the Regional Water Quality Control Board.

To ensure adequate funding for maintenance of the City’s sewer system, the City has approved substantial annual increases to the City’s sewer service rate, which will result in a 62% rate increase from 2012 to 2016. The City should continue to increase sewer service rates as needed to ensure adequate funding for maintenance of the City’s sewer system.

Lake Oroville Area Public Utility District⁵⁵

The Lake Oroville Area Public Utility District (LOAPUD) provides sanitary sewer collection services mostly for the unincorporated areas east and south of the City of Oroville, including the State Recreation Area at Bidwell Canyon and Loafer Creek. LOAPUD also provides service to a small portion of the population residing within the southern boundary of the City of Oroville. LOAPUD encompasses approximately 8,400 acres with an estimated 2005 population of 12,000. Several capital improvements for LOAPUD’s collection system as proposed in LOAPUD’s 2000 Master Plan have been completed. The District has completed updating its Master Plan and Butte LAFCo recently approved a substantial increase in the District’s Sphere of Influence.

Thermalito Water and Sewer District⁵⁶

Formed in 1922, the Thermalito Water and Sewer District (TWSD) is located west of the City of Oroville and provides domestic water and wastewater collection services to customers in the City of Oroville and adjacent unincorporated areas of Butte County. The TWSD encompasses approximately 14,500 acres with an estimated 2005 population of 9,100.

TWSD is expecting growth westward along Highway 162 to Highway 99. Multiple large subdivision developments are proposed and under construction on the west side of the Oroville

⁵⁵ Unless otherwise noted, all information presented in this section comes from Alan Brown, General Manager, Lake Oroville Area Public Utility District. Letter sent to Jared Hancock, City of Oroville, January 23, 2008.

⁵⁶ Unless otherwise noted, all information presented in this section comes from Mike Edwards, Compliance Officer, Thermalito Water and Sewer District. Personal phone communication with Joanna Jansen and Chad Markell, DC&E. February 14, 2008.

Municipal Airport. The airport is within TWSD's service area, but the area between the Thermalito Afterbay and the airport is outside TWSD's service area. Significant additional growth is not anticipated north of the Thermalito Diversion Canal within TWSD's service area in an unincorporated area of the County.

Sewerage Commission – Oroville Region

As previously mentioned, SC-OR operates under a Joint Powers Agreement with its member entities: the City of Oroville, Thermalito Water and Sewer District and Lake Oroville Area Public Utility District. The service area for the SC-OR encompasses approximately 24,000 acres with an estimated 2005 population served of 44,500 residents.

SC-OR is responsible for the operation and maintenance of the wastewater treatment plant and three interceptor lines (or trunk lines) that collect wastewater discharges from the three member entities. Additionally, SC-OR is responsible for meeting the pollution discharge and water quality standard defined by the federal National Pollutant Discharge Elimination System (NPDES) permit and State Regional Water Quality Waste Discharge Requirements.

In anticipation of future growth, SC-OR is currently conducting a capacity study, updating its Master Plan and adjusting its connection fee structure to plan and fund additional improvements that will address increase capacity needs in both the interceptor lines and treatment plant capacity. The SC-OR Board of Commissioners recently adopted an increase in connection fees to help finance a \$53 million capital improvement plan. The increase in fees will generate a portion of the capital needed for the cost of the improvements.

3.8 Administrative Services

The City of Oroville has seven administrative departments including the departments of Community Development, Public Works, Finance, Business Assistance and Housing Development, Police, Fire, and Parks and Trees. All seven of the departments report to the City Administrator/City Clerk. This Chapter reviews key City staff positions as well as these departments, with the exception of the Police, Fire, and Parks and Trees departments, which are discussed in Chapters 3.2, 3.3, and 3.5 of this MSR.

Administration

This section describes the responsibilities of the City's key administrative staff. The figures included in this chapter describe the relationships between these positions and organization of the City's administration. Figure 3.8-1 provides an overview of the City's organizational structure.

City Administrator/City Clerk

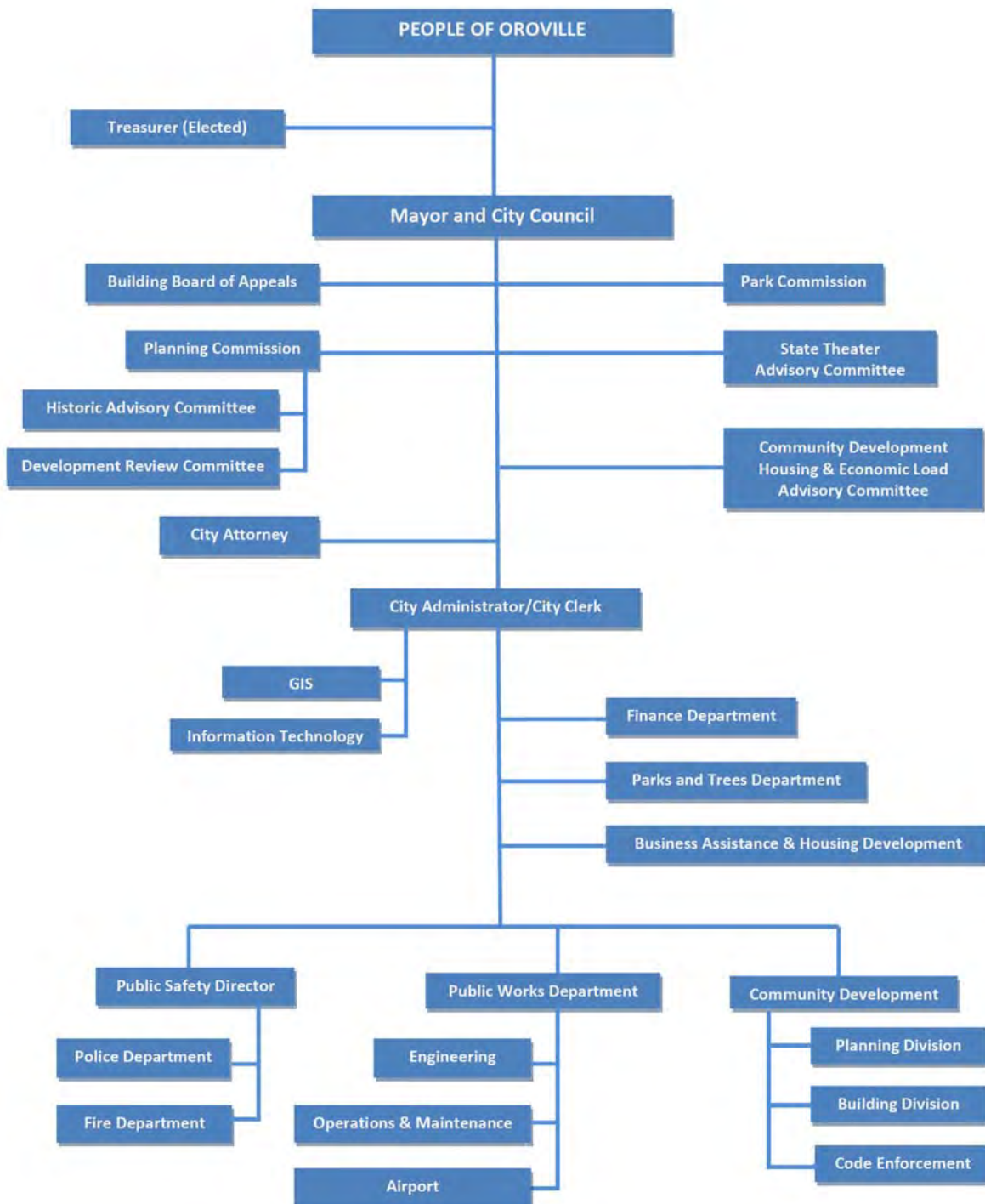
The City Council directly appoints an individual to fulfill the positions of City Administrator and City Clerk. The responsibilities of the City Administrator include support to the City Council, administration of department heads, facilitating day-to-day activities for City government, and personnel matters. The City Administrator is supported by the Human Resource Analyst II, who assists with personnel matters. The City's information technology and Geographical Information System functions are managed by the City Administrator's office.

The responsibilities of the City Clerk include the legislative history files, codification of the City's code book, resolutions, agreements, agenda preparation, municipal elections coordination, report compliance for Fair Political Practices Commission (FPPC) and numerous other duties. Currently, the City Administrator is assigned the duty of the City Clerk. These duties are also accomplished with the support of an administrative assistant. Recently, the City Council approved a new Assistant City Clerk position within the City Clerk's office.

City Attorney

The City contracts a City Attorney to serve as legal counsel to the City Council and City staff; provide legal advice on the formulation of City ordinances, policies, contracts and agreements; provide legal defense for the City with respect to pending litigation and prosecutorial enforcement of City ordinances.

Figure 3.8-1 City of Oroville Organization



Department of Community Development

The Department of Community Development is comprised of four divisions: Engineering, Building, Planning, and Code Enforcement. Key staff positions within this department include the Director of the Community Development Department, Associate Planner, Building Official, Building Inspector, a Senior Code Enforcement Specialist, and a Counter Technician to streamline the issuance of Planning and Building permits. Table 3.8-1 shows the budgeted positions within the Department of Community Development for Fiscal Years 2011-12 through 2014-15. There are currently two frozen positions – an Assistant Planner and a Planning Administrative Assistant – within the Department. As a cost saving measure, the Director of the Community Development Department also acts as the Director of the Public Works Department and as the Director of the Parks and Trees Department.

The Director of the Community Development Department manages and directs the functions, activities and programs of the Department, which include: planning, building, code enforcement, and economic development. The Director also provides staff support to numerous Council-appointed Commissions and Committees; ensures compliance with applicable laws, codes, ordinances, and regulations; coordinates planning, building, code enforcement, and economic development activities with other divisions, departments and agencies; provides highly complex staff assistance to the City Administrator, City Council, Planning Commission and other bodies in planning, building, code enforcement, and economic development matters; and performs related duties as required.

Specific responsibilities of each division within the Department of Community Development are listed below.

Table 3.8-1 Department of Community Development Budgeted Positions – FY 2011-12 to FY 2014-15

<u>Position</u>	2011-12	2012-13	2013-14	2014-15
	<u>Actual</u>	<u>Expected</u>	<u>Actual</u>	<u>Revised</u>
Director of Community Development	0.00	1.00	1.00	1.00
Planning Administrative Assistant (Frozen)	1.00	1.00	0.00	0.00
Associate Planner	1.00	1.00	0.00	1.00
Assistant Planner (Frozen)	1.00	1.00	1.00	0.00
Counter Technician	1.00	1.00	1.00	1.00
Building Official	1.00	1.00	1.00	1.00
Building Inspector	1.00	1.00	0.40	1.00
Senior Code Enforcement Specialist	0.00	0.00	0.00	1.00
Code Enforcement Specialist (Moved from BAHD)	0.00	0.00	0.00	1.00
Code Enforcement Staff Assistant (80 & Grant Funded)	1.00	1.00	1.00	1.00
Total	7.00	8.00	5.40	8.00

Source: City of Oroville Final Budget, Fiscal Year 2014-15 (from Oroville City Council 11-4-14 Agenda Packet, Agenda Item 7)

Building Division

Provides technical support, interpretation, and application of building codes;

Oversees plan checking of all building projects;

Provide review for compliance with California building codes, including plumbing, electrical and mechanical;

Provides fire, life and safety reviews, including building ingress and egress;

Calculates and collects building permit and other impact fees;

Provides building inspection for new construction and remodels; and

Provides guidance to the building community on changes in construction codes and standards due to changes in State regulations.

Engineering

Provides general customer service, including maps, traffic counts, and utility locations;

Assists in resolving street lighting, traffic signal, pavement, sewer, flood zone, and drainage issues;

Performs engineering studies for speeding, traffic signal warrants, stop sign control, traffic calming, and parking;

Performs engineering design on small capital projects;

Provides consultant and construction contract management for the City and the Redevelopment Agency in the following areas: streets, sidewalks, sewer, storm drainage, parks, airport, and other public facilities;

Sets conditions for and reviews construction plans for new development and city-funded capital projects;

Generates and processes agreements including subdivision improvement, deferred improvement, and outside sewer service agreements;

Oversees annexation to citywide lighting & landscaping and benefit assessment districts, and Community Facility Districts;

Processes final maps and other survey actions, including mergers, lot line adjustments, certificates of compliance, and parcel maps;

Processes and issues encroachment, grading, construction, and transportation permits;

Applies for and administers state and federal grants;

Provides construction inspection for private development and City-funded capital projects;

Oversees industrial storm water permit compliance and the Phase II EPA storm water regulations;

Administers the Disadvantaged Business Enterprise program;

Develops and maintains the Geographic Information System;
Reports to the State on solid waste and recycling activities;
Provides engineering support to other city departments; and
Acts as a liaison with outside agencies, such as Butte County, Butte County Association of Governments (BCAG), and Caltrans.

Planning Division

Provides information to the general public, other City departments, the Planning Commission and the City Council;

Maintains planning records, including land-use information, zoning maps, General Plan Diagrams, zoning and subdivision ordinances, speculative and active land development activities, and property ownership information;

Administers and implements zoning and subdivision ordinances, and General Plan policies as they relate to new development;

Coordinates pre-application meetings;

Processes applications for land-use permits in compliance with applicable laws and CEQA requirements;

Oversees the interdepartmental review process for new development activities;

Oversees the annexation process;

Oversees State-mandated planning documents such as the Housing Element of the General Plan, and Municipal Services Review;

Conducts long-range planning activities, including updates of the zoning and subdivision ordinances, General Plan goals and policies, and development standards;

Serves as primary staff to the Planning Commission, Development Review Committee, and Historic Advisory Commission, and serves as support staff to the City Council; and

Acts as liaison to outside agencies, such as the Butte County Airport Land Use Commission (ALUC), and the Butte Local Agency Formation Commission (LAFCo).

Code Enforcement Division

The Code Enforcement Division is located at 1735 Montgomery Street and is generally staffed five days a week. Two Code Enforcement Officers and a Staff Assistant are assigned the task of evaluating cases and issuing citations for the entire incorporated area. The Code Enforcement Division is primarily engaged in proactive investigations that are identified while on patrol. However, it promptly responds to cases that are reported by any member of the community. Code Enforcement also works cooperatively with the Oroville Fire Department to follow up with landowners on weed abatement issues that pose potential fire hazards within the community. The primary categories for code enforcement duties include City code violations and multi-family inspections, and vehicle abatement. A primary role of the officers is to educate the public

about its role as a good neighbor by informing them of potential violations and providing opportunities to remedy the situation before the case is reported and a citation is issued.

Code enforcement officer work closely with City of Oroville law enforcement officers on related cases. They have increased community outreach and uniform enforcement of the code in an attempt to foster clean, safe and inviting neighborhoods. Because of the City’s irregular boundaries, the Department has received numerous concerns from residents who feel that there is unequal enforcement of the codes in adjoining neighborhoods which fall under the jurisdiction of Butte County. The City is not responsible for interpreting or enforcing County codes and has not generally reported issues in the unincorporated areas to the County Code Enforcement. Complaints that generate in the county’s jurisdiction are referred to the County for review. The majority of these instances occur in the South Oroville neighborhood adjacent to the City.

The number of code enforcement cases varies from year-to-year, with an average case total of 703 per year. Table 3.8-2 below shows the number of code enforcement cases since 2010. Annexations of numerous parcels to the City of Oroville in 2012, which included 75 parcels in the South Oroville area, may have contributed to the large increase in the number code enforcement cases that year. Future annexations to the City, especially annexation of the South Oroville area (consisting of approximately 800 developed parcels, many with substandard structures) may result in a large increase in the number of code enforcement cases.

Table 3.8-2 City of Oroville Code Enforcement Cases – 2010 to 2014

	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014*</u>
Annual No. of Cases	660	522	1,196	435	611
Average Monthly	51	43	99	36	64
Average Weekly	12.75	10.75	24.75	9	16

*As of September 16, 2014

Source: Luis Topete, Associate Planner, City of Oroville

Public Works Department

The Department of Public Works includes project management for both design and construction activities, airport management, recycling, and public works operations and maintenance. The Department provides engineering design services, as well as management of both design and construction contracts for the City. The Department is comprised of three divisions: Airport Management, Engineering, and Operations and Maintenance. A Senior Civil Engineer manages the design and construction of City projects. Specific responsibilities of each division within the Public Works Department are listed below.

For the current Fiscal Year (2014-15), the Public Works Division has 14 budgeted positions. Due to the City’s financial difficulties, three positions – the Director of Public Works, an Associate Civil Engineer, and an Administrative Assistant – are frozen. Table 3.8-3 shows the Department’s budgeted positions from Fiscal Years 2011-12 to 2014-15.

Table 3.8-3 Public Works Department Budgeted Positions- – FY 2011-12 to FY 2014-15

<u>Position</u>	2011-12	2012-13	2013-14	2014-15
	<u>Actual</u>	<u>Expected</u>	<u>Actual</u>	<u>Revised</u>
Director of Public Works (frozen)	1.00	1.00	0.00	0.00
Senior Civil Engineer	1.00	1.00	1.00	1.00
Associate Civil Engineer (frozen)	1.00	1.00	0.00	0.00
Administrative Assistant (frozen)	1.00	1.00	0.00	0.00
GIS Specialist (moved to Administration, new IT department)	1.00	1.00	1.00	0.00
Public Works Supervisor	1.00	1.00	1.00	1.00
Lead Mechanic	1.00	1.00	1.00	1.00
Equipment Mechanic	1.00	1.00	1.00	1.00
Public Works Operator III	2.00	2.00	2.00	2.00
Public Works Operator II*	3.00	3.00	2.00	3.00
Public Works Operator I	2.00	2.00	2.00	2.00
Construction Operator	1.00	1.00	1.00	1.00
Cement Finisher	1.00	1.00	1.00	1.00
Signal Technician/Electrician	1.00	1.00	1.00	1.00
Total	18.00	18.00	14.00	14.00

*2 sewer positions & 1 street maintenance position funded by Recology Franchise Fee

Source: City of Oroville Final Budget, Fiscal Year 2014-15 (from Oroville City Council 11-4-14 Agenda Packet, Agenda Item 7)

Director of Public Works

As a cost saving measure, the Director of Public Works position is currently frozen. The duties of the Public Works Director have temporarily been given to the Director of the Community Development Department. The Public Works Director’s responsibilities include:

1. Reports to the City Administrator.
2. Provides management and leadership to the department.
3. Acts as a liaison between all divisions to streamline resolution of issues.
4. Acts in many instances as the initial point of contact with the general public.
5. Provides coverage of the front counter, including general public support, and the processing of planning, building and engineering applications and permits.
6. Provides administrative support to all divisions, such as phone messaging, bill paying, procurement, timesheets, word processing, mailing, and filing.
7. Provides airport management services, including ground and building lease agreements, T-hanger rentals, tie-down agreement, and issuance of Notice to Airman (NOTAM).
8. Acts as Flood Plain Administrator for City and implements the Federal Emergency Management Agency (FEMA), National Flood Insurance Program requirements.

Operations and Maintenance Division

Operations and Maintenance provides maintenance services to:

1. City airport, including shoulder work, signs, drainage, building and hanger maintenance, weed abatement and mowing, electrical and navigations systems maintenance, including the PAPI, rotating beacon, non-direction beacon, wind direction system, and security gates;
2. Sewer collection system and lift stations, including sewer line repairs, manhole rehabilitation, sewer tap installations, smoke and dye testing, pump repair, electrical systems maintenance, emergency response, and general system cleaning, including flushing and televising;
3. Storm drainage system, including general system cleaning, detention basin maintenance, storm system pump maintenance, weed abatement, debris and trash removal, channel regrading, slope stabilization, and monitoring and control of floods during heavy rains;
4. Maintenance and repair of city parking lots, alleys, abandoned railroad corridors, and dedicated right-of-way properties;
5. City street system; including maintenance of street pavement, curb, gutter sidewalks, bridges, traffic signals, street lighting, traffic signs, pavement markings, and other traffic appurtenances, street sweeping, debris removal, and weed abatement;
6. Provides vehicle fleet maintenance for all city departments.

Human Resources

The Human Resources Department is to provide recruitment and hiring services for the City Departments, provide training for effectiveness and safety, supervise disciplinary actions and evaluations, labor negotiations, monitor the workers' compensation programs and serve as the Benefits Administrator for City employees.

Finance Department

The Finance Department is to plan for the fiscal sustainability of the City as well as to secure and foster the ethical and proactive management of the City's finances, and to provide quality financial procurement, debt management, risk management, grant accounting and compliance, information systems and other management support while effectively supporting the Citizens, City Council and Departments of the City of Oroville and its related agencies.

Determination 3.8-1 (Administrative Services):

The City of Oroville has an acceptable governmental structure to manage services being offered by the City. Due to budget constraints and in an effort to be more efficient, various administrative departments have utilized interdepartmental staff and resource sharing. The City eliminated numerous positions during FY 2013-14 due to fiscal difficulties and currently has numerous frozen positions. As the City's fiscal situation improves, the City intends to fill the frozen positions.

Infrastructure Needs and Deficiencies

Staffing

Like numerous other cities in California, the City has faced significant financial difficulties as a result of the economic downturn, the loss of Redevelopment Agency funds, and State budget cuts. In 2013, facing a \$2.1 million deficit in the 2013-14 budget, the City eliminated, consolidated, and/or froze numerous positions throughout the City's workforce. As shown in Table 3.8-4, the number of City job positions dropped from 122.75 in Fiscal Year 2012-13 to 100.63 in Fiscal Year 2014-15, which is an 18% reduction. The workforce reduction did not result in a reduction to the number of patrol officers, but fire fighter positions were eliminated.

Table 3.8-4 City of Oroville Budgeted Positions – FY 2011-12 to FY 2014-15

Department	2011-12	2012-13	2013-14	2014-15
	<u>Actual</u>	<u>Expected</u>	<u>Actual</u>	<u>Revised</u>
Office of the City Administrator	7.00	7.00	4.80	6.80
Business Assistance & Housing Development	11.00	11.00	8.00	5.00
Finance Department	8.00	8.00	7.00	5.00
Fire Department	18.80	19.00	19.00	18.00
Police Department	40.00	41.75	36.25	37.50
Parks & Trees Department	10.00	10.00	6.00	6.33
Public Works	18.00	18.00	14.00	14.00
Community Development	7.0	8.00	5.4	8.00
Total	119.8	122.75	100.45	100.63

Source: City of Oroville Final Budget, Fiscal Year 2014-15 (from Oroville City Council 11-4-14 Agenda Packet, Agenda Item 7)

The City works proactively to acquire additional funding streams, such as grant funding and special program funding to offset the cost of staffing. An example of this is the City's recent acceptance of a Federal Emergency Management Administration's Staffing for Adequate Fire and Emergency Response Hiring (SAFER) grant for \$814,232 to fund four full-time firefighting positions for a two-year period. In the past, City salary schedules have been significantly lower than surrounding jurisdictions and the City has had difficulty recruiting qualified applicants. In recent years, the City has increased salaries and even though they are not equal to those of adjoining jurisdictions, they are much more competitive and the City has been more successful with recruiting activities and staff retention.

Determination 3.8-2 (Infrastructure Needs and Deficiencies)

The City of Oroville has been resourceful in meeting service needs while understaffed and has adopted measures to staff administrative departments and increase staff salaries to attract qualified applicants.

Facilities

The City Hall offices are located in the Historic Downtown, along the Feather River, at 1735 Montgomery Street, and all of the Administrative services are located in this facility. As the City has grown and staffing levels have increased the City utilized a number of programs to help

facilitate functional working areas for City staff. In 2008, the first stage of a renovation project was completed at the City Hall. It included the conversion of a parking garage at the rear of the building, which was renovated to become new office spaces for the Finance Department and IT specialist. Individual office spaces have also been renovated with new paint finishes and office furniture. Two Conference rooms located at City Hall are also in the process of receiving new paint finishes and furniture. The second phase of the renovation included a redesign of the existing City Hall and created a higher level of functionality for all departments.

The City continues to aggressively replace outdated computer work stations with newer computers and has significantly increased server capacity. On October 7, 2014, the City Council authorized the expenditure of \$23,000 for nineteen new computers, monitors, and software licenses, which will replace older computers using outdated software.⁵⁷ Also on October 7, the City Council authorized the preparation of a Request for Proposal (RFP) for the purchase of new accounting software. The City determined that a modern accounting software package was needed to provide integrated payroll, cost accounting, promote operating efficiencies, and aid transparency. The use of existing account software prevents the efficient capture of reimbursable costs, resulting in lost revenue to the General Fund. The estimated cost of the new accounting software \$133,250.

Repairs have been made as needed; however, there are still upgrades required for some of the restrooms, copy rooms and working areas. Due to the age of the building and the construction methods that were used, the existing City Hall is not very energy efficient. A photo voltaic solar array was mounted on the roof of the City Hall and the City participates in net metering with PG&E which allows excess energy that is produced to be returned to the power grid and a credit is given to the City that can offset energy usage in the winter months when the system is not as active. There are no current plans to construct a new City Hall facility; however, in 2012 the City updated the City Council Chambers and all offices in City Hall.

Determination 3.8-3 (Administrative Services)

There is sufficient room in the existing City Hall to accommodate existing staffing levels, with room for limited expansions. If staffing levels increase significantly, it will be necessary for the City explore the possibility of relocating various City departments to another location or of constructing a new facility.

⁵⁷ October 7, 2014, Oroville City County Packet, Item No. 17

4.0 REMAINING REVIEW FACTORS

The purpose of this section is to evaluate Oroville's municipal services and provide determinations for the review factors required by the Cortese-Knox-Hertzberg Act Local Government Reorganization Act of 2000:

- Financial Ability of the City to Provide Services
- Opportunities for Shared Facilities
- Government Structure, Efficiency and Local Accountability

4.1 Financial Ability of the City to Provide Services

This chapter reviews the funding mechanisms available to the City of Oroville for the provision of services to meet future needs for police, fire, solid waste, parks and recreation, stormwater drainage, water, and wastewater, and roadways.

City Budget Overview

The City reviews its existing financial plan to ensure consistency with current economic conditions on a yearly basis, prior to the July 1st adoption of the annual budget. The City's annual review, or audit, contains an independent auditors report, financial statements, government wide financial statements and fund financial statements, notes to the basic financial statements and supplemental information. The audit also includes a statement of net assets that indicates whether the financial position of the City is improving or deteriorating. A two-year budget and financial plan approved by the City Council is established for funds expect for Trust and Agency Funds. The City has established a five-year general fund budget projection that calls for a balanced budget. The City continues to annually prepare and adopt a five-year forecast in the annual fiscal year budget for the general fund and the sewer fund.

The City's preliminary budget for Fiscal Year 2014-15 (FY 2014-15) was adopted by the City Council on July 1, 2014. The final budget was presented to the City Council at the Council's August 12, 2014, special meeting but the Council did not adopt it and directed staff to return with the final budget at a later date for further considerations. That budget is scheduled for consideration by the City Council on November 4, 2014.

The City's adopted 2014-15 fiscal year budget is balanced with a reserve and a surplus. Budgeted General Fund expenses and transfer-outs for FY 2014-15 total \$12,413,073, while General Fund revenues and transfer-ins total \$12,564,482. The City's budgets for Fiscal Years 2011-12 through 2014-15 are shown in Tables 4.1-1 and 4.1-2. The City's major expenditures are personnel costs, services/supplies, capital costs, and debt service. The City of Oroville receives funds for the provision of public utilities and services through impact fees, taxes, and connection and usage fees, which apply to all land that is annexed into the City. These funding sources are described below.

As shown in Table 4.1-1, General Fund expenditures have varied over the last four years. The significant reduction in General Fund expenditures in Fiscal Year 2013-14 is a direct result of cost saving measures taken by the City in response to \$2.1 million General Fund deficit. General Fund expenditures for Fiscal Year 2014-15 were increased by almost \$1.1 million to reflect increased revenues.

Table 4.1-1 City of Oroville General Fund Summary of Expenditures and Uses

Departments	2011-12 <u>Actual</u>	2012-13 <u>Actual</u>	2013-14 <u>Trial Balance</u>	2014-15 <u>Nov. Rev</u>
Mayor	\$9,191	\$37,765	\$27,820	\$33,555
City Council	\$25,660	\$78,321	\$80,542	\$126,212
Treasurer	\$23,537	\$25,288	\$27,018	\$28,899
Office of the City Administrator				
City Administrator	\$143,227	\$212,589	\$219,515	\$238,088
Economic Community Enhancement	\$153,292	\$301,911	\$106,040	\$62,178
Information Technology	\$0	\$0	\$0	\$452,648
City Attorney	\$146,032	\$150,431	\$242,001	\$363,000
City Clerk	\$178,227	\$87,977	\$141,900	\$242,000
Human Resources	\$123,663	\$119,485	\$136,943	\$145,739
Risk Management	\$276,990	\$311,405	\$265,853	\$310,654
City Hall	\$108,367	\$130,854	\$118,603	\$120,032
Finance Department:				
Finance	\$575,285	\$555,102	\$679,740	\$621,622
Non-Departmental	\$1,508,069	\$1,833,950	\$2,227,559	\$58,276
Post Employment Liabilities	\$0	\$0	\$0	\$90,904
Fire Department:				
Fire / Rescue	\$2,359,577	\$2,314,242	\$2,024,748	\$1,947,652
Police Department:				
Police	\$4,826,939	\$4,786,307	\$4,617,890	\$5,213,241
Public Works				
Administration	\$350,370	\$361,494	\$261,586	\$248,615
Streets	\$846,623	\$760,022	\$561,721	\$757,084
Planning & Development Services				
Planning	\$281,056	\$275,409	\$275,323	\$659,840
Building	\$257,214	\$249,755	\$305,700	\$300,299
			\$294,949	\$419,817
Parks and Trees Department				
Administration	\$184,865	\$253,192	\$105,515	\$66,150
Operations	\$557,194	\$570,274	\$572,893	\$468,214
Centennial Cultural Center	\$9,790	\$8,533	\$4,000	\$7,400
Pioneer Museum	\$5,952	\$4,407	\$3,071	\$4,500
Bolt Museum	\$12,996	\$10,009	\$8,900	\$10,600
Chinese Temple				\$31,380
Lott Home				\$104,600
State Theater				\$40,400
Total Expenditures and Uses	\$12,964,114	\$13,438,723	\$12,986,771	\$12,712,443

Source: City of Oroville Final Budget, Fiscal Year 2014-2015 (from Oroville City Council November 4, 2014, Agenda, Agenda Item 7)

As shown in Table 4.1-2, in Fiscal Year 2011-12, prior to the downturn in the economy, the City's General Fund total revenues were \$11,366,121 (excludes internal funds transfers). Because of the downturn in the economy (which caused a decrease in sales tax and property tax revenues to the City) and the loss of RDA funds, General Fund revenues for Fiscal Year 2012-13 dropped to \$10,207,113. As a result of an improving economy, General Fund revenues in Fiscal Year 2013-14 increased to \$10,754,416 and to \$11,751,720 for Fiscal Year 2014-15. One-revenues, totaling \$510,331, are projected to be added to the City's General Fund for Fiscal Year 2014-15. With the one-time revenues and funds transfers, the City's General Fund total revenue is anticipated to be \$13,360,812 in Fiscal Year 2014-15.

Table 4.1-2 City of Oroville General Fund Summary of Revenues

	<u>2011-12</u> <u>Actual</u>	<u>2012-13</u> <u>Actual</u>	<u>2013-14</u> <u>Projected</u>	<u>2014-15</u> <u>Nov. Rev.</u>	<u>2014-15</u> <u>One Time</u>
DEPARTMENTS:					
Admin., Eco. Comm., Enhance, Clerk, Human Resources, IT	\$23,927	\$90,440	\$37,991	\$5,402	\$0
Risk Management	\$115,574	\$192,801	\$0	\$0	\$0
Finance	\$138,294	\$95,409	\$121,198	\$15,393	\$0
Accrued Leaves	\$0	\$0	\$0	\$5,500	\$0
Fire/Rescue	\$81,648	\$115,823	\$142,814	\$42,900	\$0
Police	\$310,906	\$386,553	\$422,012	\$315,197	\$54,803
Public Works/Streets	\$168,573	\$61,075	\$91,267	\$106,614	\$80,528
Planning & Development Services	\$38,396	\$0.44672	\$99,643	\$55,468	\$375,000
Building & Code Enforcement	\$267,256	\$131,613	\$296,791	\$419,204	\$0
Parks and Trees	\$84,982	\$70,554	\$73,594	\$63,671	\$0
Subtotal Departments	\$1,229,554	\$1,188,939	\$1,285,310	\$1,029,347	\$510,331
Non-Departmental Revenues:					
Grants	\$0	\$5,000	\$0	\$0	\$0
Property Tax/RDA City Pass Thru	\$137,742	\$149,604	\$0	\$0	\$0
Property Tax	\$1,128,188	\$2,041,959	\$1,640,166	\$1,565,920	\$0
Sales and Use Tax	\$2,736,619	\$2,864,104	\$4,004,701	\$4,186,740	\$0
Documentary Transfer Stamps	\$26,733	\$23,356	\$32,120	\$32,120	\$0
Transient Occupancy Tax	\$363,530	\$338,862	\$426,190	\$426,190	\$0
Utility User	\$1,553,442	\$1,702,392	\$1,594,686	\$1,600,153	\$0
Franchise Tax	\$400,316	\$434,600	\$513,879	\$633,879	\$0
Other Intergovernmental Revenue	\$768,063	\$48,409	\$8,924	\$28,932	\$0
Motor Vehicle In-Lieu Tax	\$1,099,939	\$1,121,937	\$1,160,443	\$1,160,443	\$0
Use of Money & Property	\$77,403	\$99,834	\$16,763	\$16,763	\$0
Other Revenues	\$1,844,592	\$188,116	\$71,233	\$71,233	\$0
Subtotal Non-Departmental	\$10,136,567	\$9,018,173	\$9,469,106	\$9,722,374	\$0
TOTAL REVENUES	\$11,366,121	\$10,207,113	\$10,754,416	\$10,751,720	\$510,331
Transfers:					
Transfers-In Non-Departmental	\$1,158,596	\$602,961	\$708,718	\$12,734	\$1,190,527
Net Transfers-Departments	\$791,135	\$678,153	\$426,435	\$914,048	(\$18,548)
Transfers-Other	\$0	\$0	\$0	\$0	\$0
Subtotal Transfers	\$1,949,731	\$1,281,114	\$1,135,153	\$926,781	\$1,171,979
TOTAL REVENUES & SOURCES	\$13,315,852	\$11,488,228	\$11,889,569	\$11,678,502	\$1,682,310
Including 2014-15 one time				\$13,360,812	

Source: City of Oroville Final Budget for FY 2014-2015 (from Oroville City Council 11-4-14 Agenda Packet, Agenda Item 7)

The City of Oroville maintains a contingency fund that provides for revenue shortfalls and unanticipated costs that may occur after the annual budget is adopted. The possibility of natural disasters, public or employee safety emergencies, or up-front costs for productivity opportunities necessitates the need for adequate contingency funds. In the past the City has utilized the contingency fund to balance its operating budget. As shown in Table 4.1-3, the beginning balance for the contingency fund for Fiscal Year 2014-15 is \$275,327. The City has used the contingency fund several times over the last few years - \$871,269 in FY 2012-13 and \$75,000 in FY 2013-14. The City's established goal is to reserve 2.5% of the City's General Fund revenue towards this fund, which for Fiscal Year 2014-15 would be \$319,068. For Fiscal Year 2014-15 the contingency fund is adequately funded based upon the City's contingency funding goal. The City should ensure that the contingency fund continues to be adequately funded to ensure funds are available to cover any revenue shortfalls or unanticipated costs and should consider increasing the contingency funding rate.

Table 4.1-3 City of Oroville Contingency Fund, Fiscal Years 2011-12 to 2014-15

	2011-12 <u>Actual</u>	2012-13 <u>Actual</u>	2013-14 <u>Trial Balance</u>	2014-15 <u>Nov. Rev.</u>
Resources				
Beginning Fund Balance	\$226,864	\$1,217,890	\$346,621	\$275,570
Revenues				
Other	\$0	\$0	\$0	\$0
Transfers-In	\$1,000,000	\$0	\$0	\$43,498
Total Revenues	<u>\$1,000,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$43,498</u>
Expenses				
Contingencies	\$4,877	\$0	\$75,000	\$0
Property Acquisition	\$0	\$871,269	-\$3,949	\$0
Equipment	\$4,098	\$0	\$0	\$0
Transfers-Out	\$0	\$0	\$0	\$0
Total Expenses	<u>\$8,974</u>	<u>\$871,269</u>	<u>\$71,051</u>	<u>\$0</u>
Ending Fund Balance	\$1,217,890	\$346,621	\$275,570	\$319,068

Source: City of Oroville Adopted Annual Budget, Fiscal Year 2014-2015

On October 7, the City Council authorized the preparation of a Request for Proposal (RFP) for the purchase of new accounting software. The City determined that a modern accounting software package was needed to provide integrated payroll, cost accounting, promote operating efficiencies, and aid transparency. The use of existing account software prevents the efficient capture of reimbursable costs, resulting in lost revenue to the General Fund. The estimated cost of the new accounting software is \$133,250.

Annual Financial Audit

The City's last comprehensive annual financial report was completed on January 15, 2014, which was for Fiscal Year 2013-14, which ended on June 30, 2013. Financial highlights as noted in the annual financial report include:

- The assets and deferred outflows of resources of the City of Oroville exceeded its liabilities at the close of the most recent fiscal year by \$54,310,335. Of this amount, \$8,608,073 represents unrestricted net position, which may be used to meet the government's ongoing obligations to citizens and creditors.
- At the close of the current fiscal year, the City of Oroville's governmental funds reported combined fund balances of \$43,793,629, a decrease of \$1,436,721 in comparison with the prior year. Approximately 1.59% of this amount, \$695,300, is available for spending at the government's discretion.
- At the end of the current fiscal year, unassigned fund balance for the general fund was \$978,552 or approximately 8.16% of total general fund expenditures.
- The City of Oroville's total outstanding long-term debt decreased by \$917,770 during the current fiscal year mainly due to bond balances decreasing.
- The fund balance of the City's General Fund increased by \$13,936 to a total balance of \$4,014,794. Tax revenues increased by \$1,034,821 while all other revenues increased by \$66,447. The tax revenue increase is mainly attributable to property taxes. The increase in other revenues were mainly due to an increase in miscellaneous revenues.
- Long-term debt from governmental activities decreased by \$356,473 from \$32,457,200 at year-end in fiscal year 2011-12 to \$31,539,430 at year-end in fiscal year 2012-13, primarily due to regular debt service payments. As of June 30, 2013, only \$8,194,778 is considered general City obligations subject to the City's debt limit of \$37,937,625.
- Taxable Pension Obligation Bonds – These bonds are an unconditional obligation of the City of Oroville payable from any legally available funds. The bonds are not voter-approved debt backed by the taxing power of the City of Oroville and the full faith and credit of the City has not been pledged to the repayment of the bonds. Due the increasing public employee retirement system obligations for the unfunded liability portion which triggers higher rates, the City of Oroville along with other Cities and Counties chose to issue bonds for the unfunded liability to stabilize the rates going forward for retirement. The City of Oroville's initial portion of the bond issuance equaled \$7,260,000 and the balance outstanding at June 30, 2013 was \$6,065,000

Fiscal Health of City

The League of California Cities prepared the *California Municipal Financial Health Diagnostic* (May 2014 Revision) in order to provide local public agencies with a means to help determine an

agency's financial health.⁵⁸ The following information, which provides an excellent short overview of the financial problems faced by local public agencies, is found in the *Diagnostic*:

“California is gradually pulling out of the Great Recession. In addition to deep reductions in municipal revenue, local governments have been struggling with state take-aways of local funds, the dissolution of redevelopment agencies, and mounting costs of retiree pensions and benefits. The severity and combination of these financial impacts varies but in a few well-known instances, cities have had to seek the legal protections of Chapter 9 Bankruptcy to restructure their contractual obligations. Grappling effectively with financial distress before it becomes a crisis first requires a shared understanding of the financial condition of the city. A critical component of the difficulties of the most financially distressed cities has been a lack of recognition and agreement among city leaders, staff and key interests (labor, retirees, creditors) regarding the city's financial condition and what must be done in order to achieve sustainability. Most financial crises can be managed without court or outside agency intervention if leaders, staff and key interests have the courage, competence, and collaborative attitudes to 1) recognize and agree upon the city's financial condition, and 2) implement the necessary changes to set the city on a sustainable financial course.

Defining Municipal Financial Health

Government financial health may be viewed in four related financial contexts: 1) cash solvency - the ability to meet immediate financial obligations- generally over the next 30 or 60 days (accounts payable, payroll); 2) budgetary solvency - the ability to meet all financial obligations during a budget year; 3) long-run solvency- the ability to meet all financial obligations into the future; and 4) service-level solvency- the ability to provide the desired level of services for the general health and welfare of a community. In the context of today's difficult financial climate, we are primarily concerned with the ability of the city to meet its financial commitments now and into the future (cash, budgetary, and long-run solvency). A more expansive evaluation of financial condition would examine the community's economic environment and ability to meet the service level desires of the community (service-level solvency). A government is in *financial distress* if it has a continuing imbalance between its level of financial commitments and its available financial resources over time. If revenues and spending are not brought into balance, *financial distress* can progress into financial crisis, when the government is unable to meet its financial obligations.

Determining Municipal Financial Health

Many municipal financial health monitoring systems have been devised over the last several decades. Each approach consists of a series of financial indicators or measures that address a municipality's ability to meet the needs of its constituents. The International City Management Association's (ICMA) venerable Financial Trend Monitoring System (FTMS) consists of some 42 financial measures including factors assessing the economic environment of the community, the finances of the jurisdiction, and its managerial practices and legislative

⁵⁸*California Municipal Financial Health Diagnostic* (May 2014 Revision), accessed at <http://www.californiacityfinance.com/Diagnostic1405.pdf>

policies. Building on the FTMS and various other systems and policies developed by academics and governments, this tool distills the most essential indicators assessing financial health with a pragmatic focus on an agency's level of financial distress heading into financial crisis.

This *California Municipal Financial Health Diagnostic* is primarily concerned with the ability of the city to meet its financial commitments now and into the future (cash, budgetary, and long-run solvency). In contrast to many other financial health monitoring systems, this tool looks at recent past and near future financial measures and indicators to provide an assessment of the local government's level of financial distress and tendency toward financial crisis.”

The *California Municipal Financial Health Diagnostic* consists of two sections:

- ***The Financial Distress Checklist.*** A list of key indicators to assess the near term financial health of a city's general fund and other operations. The checklist is intended for use by policy makers and community members to ask the important questions and get the necessary answers. Also with this list is "**Warning Signs -Indications of Crisis**": Five indications that a city is in financial crisis.
- ***The Financial Health Indicators.*** Linked to the Financial Distress Checklist, the Financial Health Indicators provide more detailed formulas and methods for determining financial condition and will need to be completed by a team of qualified financial analysts.

At the request of LAFCo staff, the interim Director of Finance for the City of Oroville completed the *Financial Distress Checklist* and provided LAFCo with a written response to each key financial health indicator, as shown below. A copy of the Finance Director's response is found at the end of this section. According to the City's Director of Finance, the City of Oroville has no indication of crisis as described in the *Municipal Financial Health Diagnostic*.

- **Increase in current liabilities, decrease in cash and short term investments.** For all governmental funds current liabilities increased 10% between FY 2012 and 2013, cash and investments declined 7%. There was a 4% decrease in General Fund cash. Cash and Investments are projected to hold relatively steady through Fiscal Years 2014 and 2015.
- **Recurring General Fund Operating Deficits** - The City's general fund expenditures exceeded revenues in each of the last five years. Following a significant reductions in workforce during FY2013/2014, the city is now projecting a reversal of this trend for FY 2013/2014 and FY 2014/2015.

- **General Fund Reserves Decreasing** - General Fund reserves increased slightly between FY 2011/2012 and FY 2012/2013. This trend is expected to continue through FY 2013/2014 and FY 2014/2015.
- **General Fund fixed costs vs. revenue growth** - General Fund revenue increased 12% from FY 2011/2012 to FY 2012/2013; increases (averaging 1.5%) are projected for FY 2013/2014 and 2014/2015. Expenditures increased 2% FY 2011/2012 to FY 2012/2013 and are expected to increase an average of 1.5% through the end of Fiscal Year 2015.
- **General Fund Subsidy of Enterprise or Other Funds** - This was reported in FY 2011/2012. This did not occur in FY 2013/2014 and will not occur in FY 2013/2014 and FY 2014/2015.
- **Restraints on Council's Authority to Make Changes in Expenditures** - The City Council has no extraordinary constraints in their Authority.
- **Balancing the General Fund** - The General Fund has not been repeatedly balanced through the sale of assets, short term borrowing, or transfers from special funds.
- **Pension, Post Employment, and Non Salary Benefits** - The City has funded its pension obligations by issuing a Pension Obligation Bond. Adequate reserves are available to support Post Employment and Non-Salary Benefits. The City is in the process of developing reserve policies to specifically designate reserves and assure a reasonable ongoing expense to the General Fund.
- **General Fund Debt Service** - General Fund Debt is not "back loaded" into future years.
- **Development Revenues** - Temporary Development revenues are not subsidizing unrelated ongoing general fund costs.
- **Financial Reports** - the State Controllers Report, Comprehensive Annual Financial Report, and Annual Audit have been filed on time
- **Public Service Levels** - Public Service levels are not, as described in the MFHD, "far below standards needed in this community".

The City's Director of Finance concluded:

In conclusion, the Great Recession of 2008 and the ongoing impacts from the dissolution of Redevelopment [Agencies] in California have impacted Oroville and most municipalities in the State. The City believes that reductions in workforce made during FY 2014 as well as ongoing revenue enhancement measures have reversed that trend and will continue to do so. Pending revisions to the Fiscal Policies and Procedures,

including new sections for budget policy, building adequate reserves, measuring financial performance, and increased transparency will strengthen Long Term stability over the foreseeable future.

Determination 4.1-1 (City Finances)

In response to a \$2.1 million revenue shortfall in Fiscal Year 2013-14, the City of Oroville made significant reductions to its workforce and in expenditures to prevent deficient spending. These reductions, along with a slowly improving economy, have allowed the City to have a balanced budget. The City believes that these and other measures the City will implement in the near future will provide much-needed long-term financial stability to the City. The City should continue to closely analyze the City's budget with an eye on long-term revenue stability and should ensure service fees and development impact fees are at a level that adequately funds City municipal services.

Determination 4.1-2 (Contingency Funds)

The City should continue to ensure that the contingency fund is fully funded at the City's existing goal of 2.5% of the General Fund revenue. The City should consider increasing the contingency fund deposit rate to ensure that adequate funds are available for emergencies or unanticipated expenses.

Development Impact Mitigation Fees

Development Impact Mitigation Fees (Development Impact Fees) for new development, which ensure that new development pays its fair share of capital improvement costs for public facilities and utilities needed to support additional growth. Development Impact Fees are collected on a per acre basis, using Residential Acre Equivalents (RAE).

The City collects development fees for parks, wastewater, stormwater drainage, traffic control devices, street improvements, general government, and sewer improvements for all new residential, commercial, office, and industrial development to fund required system-wide improvements. The City also collects school development impact fees and passes these fees onto the applicable school district. Development impact fees are also collected from all new development for capital improvements and equipment for fire and police protection. The City's master fee schedule is subject to periodic revisions and updates. The City adopted the current development impact fees, which are derived from the *Development Impact Fee Calculation and Nexus Report for the City of Oroville, California, January 2003* on December 2, 2003.

However, the City is not collecting the full fees for parks and recreation allowed under the Quimby Act. The most recent fee increase was adopted on June 5, 2007, which was a 20.30% increase of the existing impact fees. Additional targeted updates to the City's development impact fees include the recently adopted 2012 Transportation Capital Improvement Program and

traffic impact fee update on December 18, 2012, and the adoption of the Sanitary Sewer Master Plan update and revised sanitary sewer impact fee on May 17, 2013. The City is scheduled to begin updating its stormwater infrastructure inventory for the purpose of creating a Master Plan for the City's stormwater system which will include a revision of the existing stormwater impact fees. Additionally, in accordance with Quimby Act (California Code 66477), the Oroville Parks Commission has adopted a standard of providing a minimum of three acres of neighborhood or community parks per 1,000 residents for the purpose of providing a sufficient supply of park land to maintain community livability and working to finalize the Parks, Trails, and Open Space Master Plan. The City's Planning and Development Services Department has also recently updated its fees to include full cost recovery of staff time. The new fees were adopted by the City Council on February 19, 2013, and became effective on April 22, 2013. The City contracted with a consultant to prepare an updated nexus study, which is expected to be completed in November or December 2014.

Determination 4.1-3 (City Development Impact Fees)

The City of Oroville's current development impact fees are based on a nexus study prepared in 2003, but the City Council did not adopt the full fees as recommended in the study. The City is in the processes of having a new nexus study prepared, which is anticipated to be finished in late 2014/early 2015. To fully offset the cost of new development, the City of Oroville should adopt the full development impact fees as recommended in the forthcoming nexus study.

Tax Assessment

Previous to the passing of Proposition 13 in 1978, property taxes were the main source of local government revenue and were subject to adjustment based on local government needs. Proposition 13 reduced property taxes by approximately 50-percent and gave the State of California the power to allocate funds gained from taxes. In 1988, Proposition 98 mandated that a minimum funding level for schools be maintained by the State of California, which led to the Educational Revenue Augmentation Fund (ERAF) property tax shift. ERAF transferred revenues from city, county and special districts to schools.

Despite the shifting of tax revenues away from municipal governments due to Proposition 13 and ERAF, taxes comprise a significant portion of Oroville's revenue. Taxes (\$7,614,712) in the adopted budget are expected to contribute 79 percent of the City's General Fund in the 2014-15 fiscal year. Taxes collected by Oroville include:⁵⁹

- Property Tax (11 percent of General Fund)
- Sales and Use Tax (45 percent of General Fund)
- Utility Users Tax (14 percent of General Fund)
- Transient Occupancy Taxes (4 percent of General Fund)

⁵⁹ City of Oroville 2014-15 Preliminary Budget, Adopted July 1, 2014.

- Franchise Taxes (5 percent of General Fund)

The City of Oroville has a tax sharing agreement with Butte County for the purpose of processing annexations. This agreement addresses the adjustment of the allocation of property tax revenue between the City and County when a jurisdictional change occurs, such as annexation of unincorporated property into the city limits.

Connection and Usage Fees

In addition to impact fees and property taxes, Oroville receives funds from the on-going provision of wastewater service through connection and usage fees in those areas of the City where the City provides sewer services. Following are current connection and usage fees collected by the City of Oroville:

- City Fee, \$696.00 per EDU
- City Tap Fee, \$331.32 per tap
- City Sewer Collection Fee, \$427.25 per site
- Lateral Plumbing, \$ 24.50 per line

On August 26, 2013, the Oroville City Council approved increases to the monthly sewer service rates through Fiscal Year 2015-16.⁶⁰ The increased sewer service rates will help the City maintain its sanitary sewer system in compliance with State regulations and with the City's State-issued Waste Discharge Requirements. Table 4.1-4 shows the increases.

Table 4.1-4 City of Oroville Sewer Service Rates – Fiscal Year 2012-13 to 2015-16

<u>Fiscal Year</u>	<u>Annual Increase per EDU</u>	<u>Monthly From (per EDU)</u>	<u>Monthly to (per EDU)</u>	<u>TWSD ETL Maintenance Rate Per EDU</u>	<u>Total Monthly Rate (per EDU)</u>	<u>Percent Increase from Prior Year</u>
2012-2013	\$22.80	\$12.61	\$14.50	\$1.22	\$15.72	19
2013-2014	\$28.68	\$14.50	\$16.82	\$1.29	\$18.11	15
2014-2015	\$34.56	\$16.82	\$19.68	\$1.31	\$20.99	16
2015-2016	\$30.84	\$19.68	\$22.24	\$1.32	\$23.56	12

The City does collect sewer collection facilities development impact fees for new development. These impact fees are \$427.25 for a single-family dwelling, \$380.20 per multi-family unit, and \$404.21 per equivalent dwelling unit for commercial and industrial uses.

In addition, the Sewerage Commission-Oroville Region's (SC-OR) collects a regional facilities charge (RFC). The RFC is \$6,638 per connection as of October 2014.⁶¹

⁶⁰City of Oroville City Council August 26, 2013, Agenda, Item 1.

⁶¹ Lampkin, Bill. Environmental Compliance Manager, SC-OR. Personal communication with José Morneo, DC&E, November 6, 2007.

Mello-Roos Community Facilities Districts

The Mello-Roos Community Facilities Act of 1982 was created in response to Proposition 13, which limited local agencies ability to fund needed improvements and services with property tax increases based on assessed property value. This act provides an alternative financing method by allowing local government agencies to establish Mello-Roos Community Facilities Districts (CFDs) to finance needed improvements and services. CFDs are typically created in undeveloped areas in order to finance streets, sewer systems, basic utility infrastructure, police and fire protection, schools, parks, libraries and other community facilities.⁶² Mello-Roos CFDs require the approval of residential maps by the City of Oroville, and are typically used as a revenue source to offset the cost of ongoing maintenance for public facilities.

The City currently has two Mello-Roos CFDs. Both of the districts are located west of Highway 70 in the Thermalito area. One of the districts assesses a one-time fee of \$600.00 to provide funding towards capital improvements for fire and police services, while the other district assesses a \$600.00 annual fee to provide funding for ongoing operations and maintenance for fire and police services, including staffing. Although existing residents do not pay into the districts, all new residential development located within the city limits or that annex into the City are required to annex into the Mello-Roos CFDs.

Oroville Redevelopment Agency

The Oroville Redevelopment Agency (RDA) was dissolved on February 1, 2012 as a result of a California Supreme Court ruling made on December 29, 2011 in the *California Redevelopment Association v. Matosantos*. The Dissolution Act (AB1X26), and later adopted (AB1484), dissolved the RDA organization for the City. The City became the Successor Agency to manage the remaining RDA affairs and wind-down the remaining obligations as outlined in the dissolution act. The assets of the former RDA have been transferred to the Successor Agency and are being liquidated with the guidance of the Oversight Board which was organized and given authority to make decisions in behalf of the Successor Agency and to hold public hearings to elicit public comment.

Oroville Restructuring

In 2013 the City of Oroville went through an organizational restructuring in an effort to resolve a \$2.1 million structural deficit that the City was experiencing. As a result of the RDA dissolution, the State has advised that the funds that had remained in the City's RDA account, that were not assigned to an approved obligation by the State, were to return to the State. The amount of the "Clawback" from the State was \$2,900,000. Of the \$2,900,000, it was estimated that \$2,100,000 would have a direct effect on the General Fund. As of June 30, 2013, the City's reserve is \$800,000 and the unreserved cash balance is approximately \$3,100,000 of which the RDA loan is \$1,852,500, leaving a one-time cash balance of \$1,247,500 to cover cashflow during the 2013/14 fiscal year.

⁶² California Tax Data, www.mello-roos.com/pdf/mrpdf.pdf, accessed on October 9, 2007.

Through cost reduction measures (lower spending and workforce reductions) the City has achieved a balanced budget as of July 2014, with the City entering into litigation with the State for the \$1.8 million RDA funds in the City's possession that the State has confirmed it's requiring the City transfer to the State. In order to ensure a consistent level of employee efficiency, the City is in the process of restructuring its operations to combine and redistribute job duties. The City is in a financially healthy position and is experiencing and forecasted to continue experiencing a consistent level of positive cash flow as its expenditures have drastically dropped and its revenues continue to increase as the economy recovers and its development impact fees continue to be updated, with the fire, police, and stormwater impact fees scheduled to be updated in the near future.

Overview by Type of Service

The City of Oroville provides fire and police protection as well as roadway, wastewater, and stormwater drainage services within the City. However, there are additional service providers for fire protection, water, and wastewater services, both in the City's SOI and within city limits. Service providers in the SOI are listed in Table 4.3-4. This section provides an overview of the financial status and financial constraints and opportunities for the provision of specific services.

- **Roadway Improvement** - Federal, State and local funding sources are utilized for roadway improvements. Local funding sources include revenue from the traffic development impact fees assessed on new developments as well as funds from the Transportation Development Act - Local Transportation Fund (TDA-LTF), to which a quarter of one-percent of the State sales tax is devoted. During the 2013-2014 fiscal year, approximately \$505,692 in TDA-LTF was utilized in the Oroville area.⁶³ Another funding source for roadway improvements are motor vehicle in-lieu fees, which are the portion of registration fees that are returned to local jurisdictions based on their population size. The adopted budget anticipated that motor vehicle in-lieu fees will comprise eleven percent of the General Fund budget for the 2014-15 fiscal year. As part of the General Fund, these fees are not restricted to roadway use. However, less than one percent of Oroville's General Fund was used for streets during the 2013-14 fiscal year.⁶⁴
- **Parks and Recreation** - According to the Recreational and Park Services MSR, cuts in funding intended to benefit the State budget may affect operational funding used to develop new recreational programming, as well as funding for maintenance of existing facilities. As a result, identifying new funds for parkland acquisition and development is becoming increasingly important for the City. However, it is essential that for the City to be able to maintain and operate parks when grant funding for parkland acquisition and development is acquired. Opportunities to secure adequate long-term operations and maintenance funding

⁶³ Hancock, Jared, Associate Planner, City of Oroville. Written communication with Chad Markell, DC&E, September 23, 2008.

⁶⁴ City of Oroville, Where the Money Goes To 2008-2009, provided by Craig Sanders, Planning Manager, City of Oroville, on November 12, 2008.

include the creation of benefit assessment districts and amendments to park development impact fees when necessary.

- **Water and Wastewater** - According to the June 1, 2006 MSR for Domestic Water and Wastewater Service, and according to the *Wastewater Service Providers-Oroville Region Municipal Service Review*, which was adopted by Butte LAFCo in November 2009 and which reviewed all of the wastewater service provider agencies in the Oroville area, all of the service providers for domestic water and wastewater in the Oroville area are fiscally sound. However, the MSR recommended that revenue sources and cost avoidance measures be re-evaluated if industrial waste treatment cost continuously exceeds expenditures. The California Water Service Company Oroville District is able to cover the cost of service provision and make additional profit through customer service fees approved by the CA Public Utilities Commission (PUC). CalWater Oroville District was recently granted approval by the PUC to raise its rates in order to replace aging water pipes and for water quality improvements in the Oroville District. The South Feather Water and Power Agency's (SFWPA) revenues exceed expenditures, despite the fact that service rates are significantly less than rates charged by California Water Service Company - Oroville. The Lake Oroville Area Public Utility District (LOAPUD) and the Sewage Commission- Oroville Region (SC-OR) cover the costs of service provision through service charges, development fees, as well as income from other sources. It should be noted that SC-OR does not levy any property or ad valorem taxes, nor is it empowered to do so. The Thermalito Water and Sewer District (TWSD) has a history of sound fiscal operations and has identified the potential to increase rates in order to fund necessary capital improvements.

Determination 4.1-4 (Financing Constraints and Opportunities)

The City of Oroville receives funds for the provision of public utilities and services through impact fees, taxes, and connection and usage fees. The City should continue to explore opportunities for creating benefit assessment districts or other similar funding mechanisms to secure long-term funding for the maintenance and operation of public facilities and services.

Overview of Rates and Fees

It is the City's goal to ensure that all user fees, impact fees, processing fees and connection fees are evaluated on a regular basis to insure that they are sufficient to offset the cost of providing services and to insure that no undue burden is placed on the City's residents. In addition to the annual fee review conducted as a part of the annual budget process, department directors are required to monitor all fees under their area of responsibility and bring any significant developments to the finance department and the City Administrator during monthly department meetings.

Where appropriate, the City Council has authorized automatic fee increases based on the Consumer Price Index (CPI). The City regularly hires outside consultants to conduct nexus studies and prepare fee calculation reports to analyze the cost of providing service. All proposed

fee increases are presented to the City Council for their adoption. In many cases the City Council has decided to adopt only a portion of the proposed fee, usually due to concerns that the total cost of development impact fees will deter developers from proposing projects in Oroville. However, with the exception of parks fees, the current City Council has consistently voted to increase fees and adopt cost recovery options to improve service levels. In general, the City Council is phasing in development impact fees and raising them over time rather than implementing a large fee at one time. The City's goal is to provide all services as efficiently as possible without placing a strain on the City's General Fund.

Public services discussed in this section include those for which periodic charges or development impact fees are assessed, including roadways, law enforcement, fire protection and emergency services, solid waste, parks and recreation, water and wastewater services. Where services are provided by multiple agencies, rate structures are discussed for each service provider. Current fees are shown in Table 4.1-4.

Roadway Network

Traffic impact fees are assessed for the Thermalito/North Oroville area by both the City of Oroville and Butte County.

Law Enforcement

Funding for law enforcement primarily comes from the General Fund. Two Mello-Roos CFDs contribute to funding facility maintenance and staffing.

Fire Protection and Emergency Services

Funding for fire protection and emergency services primarily comes from the General Fund. Mello-Roos CFDs contribute to funding facility maintenance and staffing.

Solid Waste

Though required by the City, this service is provided by a single private entity. The City is involved with setting the rate structures for solid waste provision through the negotiation of franchise agreement for fee rates.

Parks and Recreation

This section provides a brief summary of rate structuring for parkland, based on determinations from the 2009 Feather River Recreation and Park District Municipal Service Review and Sphere of Influence.

The City assesses development impact fees upon proposed residential projects to finance the acquisition and development of parks used by residents of future housing projects. The parks fee was \$532 per unit for multi-family construction, \$677 for mobile home lots, \$677 for single-family construction per unit, and \$532 per duplex unit. Since 2005, the fees for single family-units have been increased to \$860 in order to better meet park and recreation needs for the City's existing and future population. In addition, the Parks and Trees Department receives

revenue from service fees and charges. Through service fees and charges, Hammon and Rotary Parks recover approximately 5.5 percent of operating costs annually.⁶⁵

Table 4.1-5 City of Oroville Development Impact Fees

Type of Fee	Single Family (Per Unit)	Multi-Family (Per Unit)	Commercial/Industrial (Per Square Foot)
Law Enforcement	\$38.15	\$66.12	\$0.051
Fire Suppression/ Protection	\$49.59	\$34.33	\$0.008
Traffic/Circulation System	\$1,579.00	\$1,105.00	Varies ⁶⁶
Storm Drainage System	\$1,491.55	\$741.33	\$598
Storm Drainage System (Thermalito)	Varies ⁶⁷	Varies ⁶⁸	Varies ⁶⁹
Sewer Collection Facilities	\$1,794.00 per EDU	\$1,794.00 per EDU	\$1,794.00 per EDU
General Government/ Administration	\$77.57	\$77.57	\$0.038
Park Development	\$860.85	\$676.48	\$0.000

Source: Information provided by the City of Oroville Planning and Development Services Department on August 29, 2013.

Water and Wastewater Services

The Greater Oroville Area is served by three wastewater collection agencies: the City of Oroville, the Lake Oroville Area Public Utility District (LOAPUD) and the Thermalito Water and Sewer District (TWSD). These three agencies have a Joint Powers Agreement (JPA), established in 1971, with the Sewerage Commission-Oroville Region (SC-OR) to handle wastewater treatment and disposal. Due to this interconnected relationship of the JPA, it is not possible to provide an isolated analysis of the City's municipal services related to wastewater collection, treatment and disposal capacity. Therefore this MSR does not contain any specific determinations related to the City's provision of wastewater services.

In order to accurately analyze the wastewater capacity for the greater Oroville area, Butte LAFCo prepared the Municipal Service Review for Wastewater Service Providers-Oroville Region (adopted November 5, 2009) which includes a comprehensive analysis of the City of Oroville wastewater collection and conveyance services. This separate MSR specifically address wastewater conveyance and treatment capacity at SC-OR, the City of Oroville, LOAPUD, and TWSD.

⁶⁵ City of Oroville, Municipal Service Review, Recreation and Park Services, page 3.6-10.

⁶⁶ City of Oroville, Fee Schedule 2013/2014, Department of Public Works Engineering Division, Exhibit B.

⁶⁷ City of Oroville, Fee Schedule 2013/2014, Department of Public Works Engineering Division, Exhibit C.

⁶⁸ Ibid.

⁶⁹ Ibid.

Stormwater Drainage

The City of Oroville requires new development to pay a fee to fund storm drainage facilities. The fee within the City is \$1,491.55 per single-family dwelling unit and \$0.598 per square foot of commercial. City properties that are also located within the Thermalito Drainage Area are required to pay development impact fees for storm drainage, which vary depending on the parcel size and land use type as referenced in Table 4.1-1 above.

Cost Avoidance Opportunities

The City implements a variety of cost avoidance mechanisms, including appropriate financial practices, contracts for certain services, and utilization of volunteers. The City of Oroville's insurance and bidding programs exemplify cost avoidance measures taken by the City. The City is a member of a self-insured group of cities, which helps off-set the cost of any claims. Standardized bidding practices implemented by the City ensure the lowest and most responsive bid for services, supplies, and equipment.

Service providers take advantage of a variety of cost avoidance opportunities. The following list summarizes determinations from existing MSRs regarding opportunities for specific service providers to utilize cost avoidance opportunities.

Fire

The City of Oroville currently has automatic aid agreements with the El Medio Fire Protection District and the Butte County Fire Department, as well as a mutual aid agreement with CAL FIRE. The El Medio Fire Protection District contracts with the City for dispatch services. As the El Medio Fire Protection District is entirely within the Oroville SOI, annexation of land within the El Medio Fire Protection District may lead to the development of a reorganization proposal that would address the overlapping services. This reorganization proposal could improve the delivery of fire services in the affected area and offer overall cost reductions for these services.

As a cost saving measure, the City of Oroville is currently looking into the possibility of contracting with an existing fire protection agency, such as the Butte County Fire Department/CalFire, to provide fire protection services to the City. The City recently sent out request for proposals to determine if contracting out fire protection services would reduce fire protection service costs.

Police

The City of Oroville's Police Department and the Butte County Sheriff's Office have mutual aid agreements with each other. The Sheriff's Office and the OPD work together regularly to coordinate certain special events and assist each other on emergency calls, but generally do not police each other's jurisdiction.

The City of Oroville is currently looking into the possibility of contracting with an existing law enforcement agency, such as the Butte County Sheriff's Department, to provide law enforcement services to the City. The City recently sent out request for proposals to determine if contracting out law enforcement services would result in lower law enforcement services costs.

On October 21, 2014, the Oroville City Council initiated an annexation of a portion of the South Oroville, consisting of approximately 800 mostly-developed parcels totaling approximately 204 acres in size. The City of Oroville and the Butte County Sheriff's Office have tentatively agreed that the Sheriff's Office will continue to provide primary law enforcement services to the annexation area for several years, which will provide a significant cost savings to the City.

Parks and Recreation

The Department of Parks and Trees' financial practices include standardized bidding practices and participation in the City's insurance program (discussed above), and limits to open market purchases. The City's active volunteer force contributes approximately 250 volunteer hours at State Theater and 4,500 volunteer hours at the museums annually. Two non-profit organizations, Friends of the Parks and the Feather River Nature Committee, support activities, maintenance, and capital improvements of existing facilities. Additional local service organizations and community groups also contribute material and labor to these facilities. The City and the Feather River Recreation and Park District provide overlapping services that could be considered for a reorganization that would streamline operations and maintenance of facilities thus increasing efficiencies and reducing costs. As indicated in Section 3.5 above, the two agencies should develop a comprehensive parks plan for the area within the City's SOI and assigning sole responsibility to a single agency for operations and maintenance of specified facilities. A similar arrangement has been recently adopted between the City of Chico and the Chico Area Recreation and Park District.

Determination 4.1-4 (Financing Constraints and Opportunities)

The City of Oroville provides fire and police protection, and roadway, wastewater, and stormwater drainage services within the city. However, the City shifts some of the cost burden for the services to other agencies that provide fire protection, water, and wastewater services. It may be appropriate to consider reorganization options to increase service levels and reduce costs.

Determination 4.1-5 (Financing Constraints and Opportunities)

Given the relatively large number of service providers that serve the City of Oroville and the surrounding area, a formalized system for evaluation of financial constraints and opportunities is needed. In addition, coordination is needed between service providers who provide similar services.


Figure 4.1-1 Report on Fiscal Health-City of Oroville



CITY OF OROVILLE
FINANCE OFFICE
1735 MONTGOMERY STREET
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530-538-2410

June 10, 2014

To: **STEVE LUCAS, Executive Director**
Butte LAFCO

From: **GLENN LAZOF, Interim Director of Finance**
City of Oroville 

RE: REPORT ON FISCAL HEALTH – CITY OF OROVILLE

This report is a narrative that follows the guidelines of the California Municipal Fiscal Health Diagnostic (MFHD) Checklist, authored by the League of California Cities. This includes five warning signs, considered indications of crisis, and 13 signs of potential distress.

MFHD warning signs indicating Crisis. The City of Oroville has no indication of crisis as described MFHD warning signs. Specifically, no undisputed claim is more than 90 days past the claim date, there are no withheld taxes or Social Security contributions over 30 days past the due date, all pension contributions are paid timely, no payrolls have been missed, and the General Fund unrestricted balance for the end of the current year will be positive.

Below is discussion of the major items referred to in the California Municipal Health Diagnostic compiled by the California League of Cities, as signs of Potential Distress:

Increase in current liabilities, decrease in cash and short term investments. For all governmental funds current liabilities increased 10% between FY 2012 and 2013, cash and investments declined 7%. There was a 4% decrease in General Fund cash. Cash and Investments are projected to hold relatively steady through Fiscal Years 2014 and 2015.

Recurring General Fund Operating Deficits - The City's general fund expenditures exceeded revenues in each of the last five years. Following a significant reductions in workforce during FY2013/2014, the city is now projecting a reversal of this trend for FY 2013/2014 and FY 2014/2015.

LAFCO
JUN 10 2014
OROVILLE, CA

General Fund Reserves Decreasing – General Fund reserves increased slightly between FY 2011/2012 and FY 2012/2013. This trend is expected to continue through FY 2013/2014 and FY 2014/2015.

General Fund fixed costs vs. revenue growth - General Fund revenue increased 12% from FY 2011/2012 to FY 2012/2013; increases (averaging 1.5%) are projected for FY 2013/2014 and 2014/2015. Expenditures increased 2% FY 2011/2012 to FY 2012/2013 and are expected to increase an average of 1.5% through the end of Fiscal Year 2015.

General Fund Subsidy of Enterprise or Other Funds – This was reported in FY 2011/2012. This did not occur in FY 2013/2014 and will not occur in FY 2013/2014 and FY 2014/2015.

Restraints on Council's Authority to Make Changes in Expenditures – The City Council has no extraordinary constraints in their Authority.

Balancing the General Fund – The General Fund has not been repeatedly balanced through the sale of assets, short term borrowing, or transfers from special funds.

Pension, Post Employment, and Non Salary Benefits – The City has funded its pension obligations by issuing a Pension Obligation Bond. Adequate reserves are available to support Post Employment and Non-Salary Benefits, the City is in the process of developing reserve policies to specifically designate reserves and assure a reasonable ongoing expense to the General Fund.

General Fund Debt Service – General Fund Debt is not “back loaded” into future years.

Development Revenues – Temporary Development revenues are not subsidizing unrelated ongoing general fund costs.

Financial Reports- the State Controllers Report, Comprehensive Annual Financial Report, and Annual Audit have been filed on time

Public Service Levels – Public Service levels are not, as described in the MFHD, “far below standards needed in this community”.

In conclusion, the Great Recession of 2008 and the ongoing impacts from the dissolution of Redevelopment in California have impacted Oroville and most municipalities in the State. The City believes that reductions in workforce made during FY 2014 as well as ongoing revenue enhancement measures have reversed that trend and will continue to do so. Pending revisions to the Fiscal Policies and Procedures, including new sections for budget policy, building adequate reserves, measuring financial performance, and increased transparency will strengthen Long Term stability over the foreseeable future,

ATTACHMENT

City of Oroville Preliminary Budget (May 20, 2014).

4.2 Opportunities for Shared Facilities

Facility and resource sharing among municipal service providers can reduce overall costs and improve service provision. Multiple planning processes are in place in Oroville to ensure that opportunities to improve service level and/or reduce service cost by utilizing shared facilities are not overlooked. These planning processes include the City's annual budgeting process, the General Plan update process and periodic service reviews and updates. This section describes facilities and resources that serve multiple purposes and/or agencies, and discusses additional opportunities for shared facilities and resources.

Fire and Police

The Oroville Police and Fire Departments currently share one headquarters, located at 2055 Lincoln Street. The existing facility is relatively large and has the capacity to accommodate limited expansions. The primary benefit of a shared Police and Fire facility relates to public convenience. Citizens seeking information from the City's public safety agencies are able to go to one location and obtain the help that they need quickly and efficiently.

The current facilities are adequate for the existing police personnel but additional space will be necessary upon the addition of three or more new officers. Therefore, substantial expansion of the police force would require additional square footage or a new facility.

Pursuant to a mutual agreement between the Oroville Fire Department (OFD) and the El Medio Fire Protection District (EMFPD), opportunities exist for OFD to share facilities with the EMFPD. A shared arrangement could result in improved service delivery and reduce costs. El Medio Fire Protection District currently contracts with the City for fire dispatch services for the District.

The City of Oroville is currently exploring the possibility of contracting out City police and fire services with an existing police and fire agency. Possible agencies that could provide these services include the Butte County Sheriff's Department and the Butte County Fire Department/CalFire. Both of these agencies already operate in the Oroville area. Consolidation of City police and fire services with other agencies could result in increased service efficiencies and cost savings.

Determination 4.2-1 (Opportunities for Shared Facilities)

The City's Fire and Police Departments currently share one headquarters. While this shared facility enables the departments to share resources more efficiently, the primary benefit is convenience to the public. As the existing facility has limited capacity for expansion, the City should consider establishing a larger facility that can accommodate the Fire and Police Departments as they expand.

Parks and Recreation

The Parks & Trees Department operates out of the Corporation Yard (1275 Mitchell Avenue), which also serves the Streets Division as well as the Sewer Collection Division. Although the Park and Trees Department does not share facilities with other City agencies, the City and the Feather River Recreation and Park District (FRRPD) have established joint ownership and shared maintenance agreements for some parks, and engage in partnerships to fund capital improvements. The City’s relationship with FRRPD improves the Park and Trees Department’s ability to meet its goals for park provision and park coverage. The City owns 12 parks that comprise 29.3 acres and FRRPD operates 249.5 acres of parkland within city limits, but they remaining parks and facilities of approximately 472.5 acres are outside the city limits. Facilities operated by FRRPD include three park facilities leased from the City of Oroville in return for an agreement to maintain or operate the park facilities. In addition, the City rents building space in the Municipal Auditorium to FRRPD for youth and adult sports programs.

In 2003 Revenue Cost Specialists created a development impact fee calculation report which estimated that the City would need to collect \$2,133 for each new single family dwelling unit. The City was able to keep impact fees lower by adopting only a portion of this fee in part because of the abundance of parkland operated by FRRPD within or adjacent to the City. In addition, the City has been very successful in obtaining alternative funding streams, including grant funding and the Supplemental Benefit Fund. Between 2003 and 2010, the City has collected approximately \$200,000 in park impact fees, and in the same period the City has spent approximately \$4,500,000 on new parks and park expansions. In addition, the FRRPD has also spent approximately \$6,100,000 on new facilities and an additional \$1,020,000 was recently awarded through the SBF for additional improvements to Riverbend Park. Chapter 3.5 discusses park development impact fees and the new Supplemental Development Impact Fee Calculation and Nexus Report that is currently being prepared for the City in greater detail.

Determination 4.2-2 (Opportunities for Shared Facilities)
The Feather River Recreation and Park District’s facilities, rental agreements and partnerships make a significant contribution to the City’s Park and Trees Department’s ability to meet its goals for park provision and park coverage. The City should continue to engage in partnerships with the Feather River Recreation and Park District to fund capital improvements as well as joint ownership and shared maintenance agreements with Feather River Recreation and Park District. The two agencies should develop a comprehensive parks plan for the area within the City’s SOI and assigning sole responsibility to a single agency for operations and maintenance of specified facilities.

Wastewater

In 2009, Butte LAFCo prepared and adopted the Wastewater Service Providers-Oroville Region Municipal Service Review (MSR). The MSR reviewed the wastewater service capability of the City of Oroville, the Lake Oroville Area Public Utility District (LOAPUD), the Thermalito Water and Sewer District (TWSD), and the Sewerage Commission-Oroville Region Wastewater Treatment Plant. The MSR determined that there was the possibility of increased opportunities for shared facilities among the wastewater service provider. The MSR process resulted in increased cooperation among the four entities. Consolidation of City wastewater services with either LOAPUD or TWSD, both of which already provide service to some parts of the City, could result in increased service efficiencies and cost savings.

4.3 Government Structure, Efficiency and Local Accountability

This chapter assesses the level of accountability provided by the City of Oroville to City residents, focusing on the public accessibility and level of public participation offered in regards to the operation of the City. In addition, this chapter evaluates government structure and management efficiency.

Overview

The City of Oroville was incorporated on January 3, 1906. The City is a Charter City, and therefore operates in accordance with its own charter. Although Oroville is not governed according to State statutes, as general law cities are, Oroville's City Charter states that "General laws of the state applicable to municipal corporations now or hereafter enacted, and which are not in conflict with the provisions of this Charter, or with ordinances hereafter enacted, shall be applicable the City of Oroville."⁷⁰

City Hall, the primary location for City administrative function, is located at 1735 Montgomery Street and is open from 8:00 a.m. to 5:00 p.m., Monday through Friday. The City provides its residents with information on City policy and upcoming opportunities for public involvement on its website. In addition, residents are notified as required by law for public hearings.

The City prepares annual reports according to State and federal regulations on General Plan implementation process, water quality, growth (from the Department of Finance), and Community Development Block Grant (CDBG) implementation. These reports are available to the public for review and comment.

Elected Officials

The City of Oroville has eight (8) elected officials, including the Mayor, Vice Mayor, and five council members. These officials form the City Council, which is the City's governing body having primary responsibility for enacting legislation and policies. City Council Members are elected to four-year terms. The eighth elected official is the City Treasurer, who serves a four year term. There are no term limits for the Mayor, City Council Members, or the Treasurer. Municipal elections are held in November every two years on even-numbered years. Current City of Oroville elected officials are listed on the next page.

⁷⁰ City of Oroville Charter:
<http://municipalcodes.lexisnexis.com/codes/oroville/>, accessed July 23, 2009

<u>Member</u>	<u>Term Expiration</u>
Mayor Linda Dahlmeier	2018
Vice Mayor Thil Wilcox	2016
Council Member Art Hatley	2018
Council Member Jack Berry	2018
Council Member David Pittman	2016
Council Member JR Simpson	2016
Council Member Marlene Del Rosario	2018
City Treasurer Karolyn Fairbanks	2018

Regular City Council meetings are held on the first and third Tuesdays of every month in the Council Chambers of the City Hall at 7:00 p.m.

Appointed Officials

The City Council appoints the City Administrator, the City Attorney, and City Commission Members. The City Administrator's office is responsible for implementing and administrating the policy of the City Council and for overseeing daily operations of the City. The City Administrator supervises City departments, and serves as the City Clerk, the Personnel Officer, Risk Manager, Transit Contract Administrator, and the Oroville Public Finance Authority.⁷¹ Duties of the City Administrator include administration of the City's economic development programs, including the Recycling Management Development Zone.

The City Attorney is an independent attorney that advises the City Council, its Commissions and City Departments on a contract basis. The services provided ensure that the City's operations conform to all federal and State laws as well as to City ordinances.

Commissions

The City Council appoints a seven member Planning Commission, of which each member serves a four-year term. Established by State law, the primary function of the Planning Commission is to ensure that proposed developments meet the City's environmental and technical standards. The Commission is responsible for holding public hearings that elicit public comment on development plans. The Commission meets on the second Monday of every month at 7:00 p.m. at the City Hall.

The City of Oroville has additional boards, commissions and committees that advise the City Council, including the Park Commission, Arts Commission, and Historical Advisory Commission. Registered voters in the City of Oroville are invited to apply for positions on boards, commissions and committees as they become available.

For the purposes of this MSR, the Park Commission serves an example of commission function. The Park Commission utilizes public surveys and public meetings to make determinations regarding recreation needs.

⁷¹ <http://www.cityoforoville.org/administration.html>, accessed November 15, 2007.

Special Districts and Service Providers

The City of Oroville provides a variety of services within the City. Additional service providers are responsible for providing services within the City's SOI and within the city limits. However, as property is annexed into the City, the responsibility to provide certain services will be transferred to the City. This may increase overall cost to properties in the SOI, as residents and businesses in the SOI receive access to additional services not currently provided. Table 4.3-1 summarizes service providers and potential need for transfer of services. The existing management of these services is discussed according to service below, as well as opportunities to improve management efficiency.

Fire

The El Medio Fire Protection District's service area is entirely within Oroville's existing SOI. Upon annexation of the district's service area, the Oroville Fire Department may assume responsibility for providing service to the area if determined by the Butte Local Agency Formation Commission (LAFCo) to be the most efficient service provider. Additional areas of the SOI that are currently served by Butte County Fire Department would be transferred to the Oroville Fire Department upon annexation. The management efficiency for fire provision may increase as the SOI is annexed into the City and resources, including administration, are consolidated.

Police

The Oroville Police Department provides numerous services for the City of Oroville. The police department investigates suspected criminal activity, suspicious situations, referees civil issues, affects arrests, conducts traffic enforcement, and responds to traffic accidents and other calls for service. Officers routinely patrol when they are not actively involved in these tasks. Additionally, the Police Department participates in a narcotics task force, school resource officer program, drug awareness and gang education, and other types of community outreach programs.

**Table 4.3-1
Summary of Service Providers**

<u>Service Provided</u>	<u>Oroville SOI</u>	<u>City of Oroville</u>
General Government	Butte County	City of Oroville
Fire Protection	Butte County Fire Dept. and El Medio Fire Protection District	Oroville Fire Department
Law Enforcement	Butte County Sheriff's Dept.	Oroville Police Department
Stormwater Drainage	Butte County	City of Oroville, Department of Public Works
Wastewater Collection	Lake Oroville Area Public Utility District and Thermalito Water and Sewer District	City of Oroville, Lake Oroville Area Public Utility District and Thermalito Water and Sewer District
Wastewater Treatment and Disposal	Sewage Commission – Oroville Region (SC-OR)	Sewage Commission – Oroville Region (SC-OR)

Stormwater Drainage

Stormwater drainage in the City of Oroville is managed by the Public Works Department. Stormwater runoff in Oroville is expected to increase with new development due to increased impermeable surfaces. In order to mitigate increased stormwater flow, the City will continue to require that new development provide drainage detention/retention facilities sufficiently sized to contain stormwater on-site. The City began conditioning projects in this manner in 2004. The City has also worked cooperatively with Butte County to update the Thermalito Drainage Plan, which was revised and readopted by the City of Oroville in 2012.

Wastewater

As discussed in Chapters 3.7 and 3.8, Butte LAFCo has developed a separate focused MSR regarding wastewater services in the Oroville region that reviews cost avoidance opportunities.

Parks and Recreation

As discussed in previous chapters, the City Department of Parks and Trees utilizes a variety of cost minimization and facility sharing arrangements to ensure efficient management and provide parks and recreational services at a reasonable cost. These measures result in an effective management structure supported by adequate staffing.

Determination 4.3-1 (Management Efficiencies within City)

The City of Oroville and other service providers, which serve residents within the boundaries of the City of Oroville, operate under adequate management efficiency.

Determination 4.3-2 (Management Efficiencies within Sphere of Influence)

Despite concerns from local residents, it appears that the annexation of land within the Sphere of Influence to the City of Oroville will result in the consolidation of service providers and should improve overall management efficiency.

Practices and Performance

City Council members are compensated \$5 per Council meeting. Council members may not be compensated more than \$10 per month for council meetings. The Mayor may be compensated up to \$250 per month.

Residents of Oroville are offered a range of opportunities to oversee the activities of elected, appointed and paid representatives responsible for the provision of public services to the community through elections, publicized meetings and hearings, as well as through the reports completed in compliance with State and federal reporting requirements. City Council agendas are available in the City Clerk's office 72 hours prior to regular council meetings. In addition, they are also posted at City Hall and on the City of Oroville website (<http://www.cityoforoville.org/>). City Council Guidelines allow for public comment during City Council meetings for both agenda and non-agenda items. Written correspondence sent to the any member of the City Council by a member of the public is forwarded to the Mayor, each Council Member, the City Manager, City Attorney, and any affected Department Heads.

The City's website provides public access to meeting agendas, service departments, documents for public review, and other resources. Annual City reports on General Plan implementation process, water quality, growth, and Community Development Block Grant (CDBG) implementation are also made available for public review and comment.

As discussed in Chapter 3.8 the City is not currently at full staffing levels. Regardless, the City has been able to distribute work duties to provide adequate levels of service and is continuing to require for vacant positions. In the past, City salary schedules have been significantly lower than surrounding jurisdictions and the City has had difficulty recruiting qualified applicants. In recent years, the City has increased salaries and as a result has been more successful with recruiting activities and staff retention, despite the fact that salaries are still lower than surrounding jurisdictions.

Determination 4.3-3 (Local Accountability and Governance)

Residents of Oroville are offered a broad range of opportunities for involvement in City decision making, including elections, publicized meetings and hearings, and reports completed in compliance with State and federal reporting requirements.

5.0 COMMENTS RECEIVED AND RESPONSES TO COMMENTS

Comment No. 1 - Thermalito Water and Sewer District



Butte Local Agency Formation Commission

Request for Comments

To: Thermalito Water & Sewer District

Attn: Jayme Boucher

From: **Joy Stover**

Job Title: **Commission Clerk**

Date Mailed: July 2, 2012

Return By: July 16, 2012

IF NO COMMENTS OR COMMUNICATIONS ARE RECEIVED BY THE RETURN DATE, THE ASSUMPTION WILL BE MADE THAT YOUR AGENCY HAS NO COMMENTS

The Butte Local Agency Formation Commission has received an application for annexation as listed below. Application, maps and legal descriptions are included for each proposal for your review.

LAFCo File No.: 11-22 - City of Oroville - Sphere of Influence Plan Update

APN(s): Various

Please write your comments below:

Thermalito water and Sewer District owns and operates the water service and sewer collection systems in Thermalito, including areas in and around those proposed to be added to the City's updated SOI. It therefore is the logical provider of water and sewer collection service in an to the areas in Thermalito proposed to be added to the update City SOI. Accordingly any expansion of the City's SOI into areas served by or adjacent to Thermalitos water service and/ or sewer collection system should be accompanied by an expansion of Thermalito's SOI in the same area if they are not already within its SOI.

Prepared by: Jayme Boucher

Department: General Manager

Date: 07/16/2012

Comment No. 2 - Sewerage Commission – Oroville Region



Butte Local Agency Formation Commission

Request for Comments

To: Sewerage Commission - Oroville Region

Attn: Scott Koch

From: Joy Stover

Job Title: Commission Clerk

Date Mailed: July 2, 2012

Return By: July 16, 2012

IF NO COMMENTS OR COMMUNICATIONS ARE RECEIVED BY THE RETURN DATE, THE ASSUMPTION WILL BE MADE THAT YOUR AGENCY HAS NO COMMENTS

The Butte Local Agency Formation Commission has received an application for annexation as listed below. Application, maps and legal descriptions are included for each proposal for your review.

LAFCo File No.: 11-22 - City of Oroville - Sphere of Influence Plan Update

APN(s): Various

Please write your comments below:

Any change in the City of Oroville's Sphere of Influence Plan will have a negligible impact on SC-OR's service area. Our Joint Powers Agreement states that "those jurisdictional areas of the member entities which have been approved for annexation by LAFCo for the provision of sewer services by said member entity" become a part of SC-OR's service area.

Any concerns will be addressed by SC-OR's Developer Agreements and Annexation Agreements. Connections to the system may be mitigated by these agreements adopted by our Board Resolution 3-10.

Prepared by: Scott Koch

Department: Manager

Date: July 11, 2012

Comment No. 3 - Butte County Environmental Health Division

Butte Local Agency Formation Commission

Request for Comments Form

Departmental Report

To: **BUTTE COUNTY ENVIRONMENTAL HEALTH – Attn:** Kristen McKillop

Date: July 2, 2012

LAFCO File Name: 11-22 - City of Oroville - Sphere of Influence Plan Update

Assessor Parcel Number(s): various

Return by: **July 16, 2012**

IF NO COMMENTS OR COMMUNICATIONS ARE RECEIVED BY THE RETURN DATE, THE ASSUMPTION WILL BE MADE THAT YOUR AGENCY HAS NO COMMENTS.

See attached application, map(s) and legal description(s).

1. Lists presently available water and sanitary services available to the project site.
Various throughout SOI and proposed SOI. Domestic wells, public water, individual on-site wastewater systems and public sewer.
2. Are septic tanks presently in operation in the area? Yes: No:
3. Is it an area of septic tank failure? Yes: No:
4. Have any septic tanks within the proposed boundaries been destroyed? Yes: No:
If so, specify parcel number and date of connection to the City sewer:
It is likely that there have been a number of tanks destroyed and connected to sewer, but we will not be providing each and every APN within the proposed new SOI.
5. Will the proposal require annexation to a Special District or C.S.A.? If so, please specify:
No
6. Is it in a RWQCB prohibition area? Yes: No:
7. Will this proposal be affected by or create any unusual health hazards or problems?
Yes No If so, please specify:
8. Your comments regarding the effects of the proposed project:
We have no further comments.

Prepared by: Kristen McKillop

Date: 12 July 2012

Comment No. 4 - El Medio Fire Protection District



Butte Local Agency Formation Commission

Request for Comments

To: El Medio Fire Protection District

Attn:

From: **Joy Stover**

Job Title: **Commission Clerk**

Date Mailed: July 2, 2012

Return By: July 16, 2012

IF NO COMMENTS OR COMMUNICATIONS ARE RECEIVED BY THE RETURN DATE, THE ASSUMPTION WILL BE MADE THAT YOUR AGENCY HAS NO COMMENTS

The Butte Local Agency Formation Commission has received an application for annexation as listed below. Application, maps and legal descriptions are included for each proposal for your review.

LAFCo File No.: 11-22 - City of Oroville - Sphere of Influence Plan Update

APN(s): Various

Please write your comments below:

The El Medio Fire Protection District currently operates within the city's sphere of influence providing high quality Fire Protection, we request that if the city continues to annex south, that the District boundaries remain, and that the District continues to provide Fire Protection for the area regardless where the city's boundaries are located. The District has no opposition to the City's ultimate build out as long as the District continues to provide Fire Protection for the area we currently provide service to without affecting the District tax measure or service boundaries. The District is preparing to update its MSR/SOI and the process should begin within the upcoming months during the remainder this year. The District plans to update its sphere of influence and expand, positioning itself securely (operationally, financially and politically) through and beyond current economic uncertainty, while creating a predictable and sustainable future. Currently, we are cautiously yet confidently moving forward, adjusting to the new norm while shaping a new future and future possibilities. Our foundation will be financial sustainability, living within our means while having a simultaneous, proactive approach in shaping new realities. If the City's boundary change modifies our tax measure or District boundaries and reduces the District income, it has serious potential to put the District in a very difficult position making the Districts service suffer and our ultimate goal difficult to achieve.

Prepared by: Scott Marglin, Operations Captain - Regina Munster, Chairman of Board

Department: El Medio Fire Protection District

Date: July 16th, 2012

Comment No. 5 - Lake Oroville Area Public Utility District



Butte Local Agency Formation Commission

Request for Comments

To: Lake Oroville Area Public Utility District

Attn: Dwayne Long

From: **Joy Stover**

Job Title: **Commission Clerk**

Date Mailed: July 2, 2012

Return By: July 16, 2012

IF NO COMMENTS OR COMMUNICATIONS ARE RECEIVED BY THE RETURN DATE, THE ASSUMPTION WILL BE MADE THAT YOUR AGENCY HAS NO COMMENTS

The Butte Local Agency Formation Commission has received an application for annexation as listed below. Application, maps and legal descriptions are included for each proposal for your review.

LAFCo File No.: 11-22 - City of Oroville - Sphere of Influence Plan Update

APN(s): Various

Please write your comments below:

Lake Oroville Area Public Utility District (LOAPUD) owns and operates the sewer collector system around areas proposed to be added to the City's SOI down Lincoln Blvd and would be the logical provider of sewer collector service in these proposed areas. LOAPUD has been working with LAFCo in an effort to complete a SOI update which includes areas proposed in the City's expansion. Therefore, expansion of the City's SOI into areas adjacent to LOAPUD's collector system should be accompanied by an expansion of LOAPUD's SOI in the same area.

Prepared by: Dwayne Long

Department:

Date: July 16, 2012

Comment No. 6 - Butte County Agricultural Commissioner's Office



Butte Local Agency Formation Commission

Request for Comments

To: Butte Co. Agricultural Commissioner

Attn:

From: Joy Stover

Job Title: Commission Clerk

Date Mailed: July 2, 2012

Return By: July 16, 2012

IF NO COMMENTS OR COMMUNICATIONS ARE RECEIVED BY THE RETURN DATE, THE ASSUMPTION WILL BE MADE THAT YOUR AGENCY HAS NO COMMENTS

The Butte Local Agency Formation Commission has received an application for annexation as listed below. Application, maps and legal descriptions are included for each proposal for your review.

LAFCo File No.: 11-22 - City of Oroville - Sphere of Influence Plan Update

APN(s): Various

Please write your comments below:

SOI Comments:

Following the spirit and direction of the County General Plan, Element #7:

The Agricultural Element, Goal AG-2: Protect Butte County's agricultural lands from conversion to non-agricultural uses:

Policies AG-P2.1

The County shall work with the Local Agency Formation Commission (LAFCO) to create and maintain a consistent approach to the conservation of agricultural land through the designation of reasonable and logical Sphere of Influence (SOI) boundaries.

The Ag Department has only one comment regarding this change to the Oroville Sphere of Influence. Agricultural buffers are required between residential development and lands under agricultural production or designated as Grazing and Open Land or Orchard and Field Crops. Please refer to the attached excerpt from the Buffer Guidelines.

Agricultural/Residential Buffer Administrative Guidelines, pursuant to Section 24-286(c)(2) Buffer Guidelines of the Butte County Code (BCC):

B. General Assumptions/Overview

1) In general, these agricultural buffer guidelines make no distinction between Grazing and Open Land (GOL) and Orchard and Field Crops (OFC) land, with regard to the application of unusual circumstances.

2) In order to achieve the objectives of the 300' buffer to preserve and protect agricultural resources, land located within the 300' buffer at community boundaries or spheres of influence shall not be recommended for development. Spheres of influence around cities define the primary area within which urban development is to be encouraged. Spheres of influence are essential planning tools to combat urban sprawl, provide well planned efficient urban development patterns, and preserve prime agricultural land.

Prepared by: Rob Hill

Department: Deputy Agricultural Commissioner, Butte County

Date: 7/16/12

Comment No. 7 - Butte County Administration Office



PAUL HAHN
CHIEF ADMINISTRATIVE OFFICER

BUTTE COUNTY ADMINISTRATION

25 COUNTY CENTER DRIVE, STE 200
OROVILLE, CALIFORNIA 95965-3380
Telephone: (530) 538-7631 Fax: (530) 538-7120

MEMBERS OF THE BOARD

BILL CONNELLY
MAUREEN KIRK
STEVE LAMBERT
DOUG TEETER
LARRY WAHL

November 21, 2014

Stephen Betts
Deputy Executive Officer
Butte LAFCo
1453 Downer Street, Suite C
Oroville, CA 95965
Sent via email: sbetts@buttecounty.net

RE: Oroville Draft Municipal Service Review Update and Draft Sphere of Influence Plan Update

Dear Mr. Betts:

After reviewing the Draft Municipal Service Review Update and Draft Sphere of Influence Plan Update for the City of Oroville, the County of Butte has the following comments:

1. Butte County Department of Public Health

Please see the attached documentation. For questions or additional information, please contact Michael Huerta, Program Manager - Butte County Environmental Health, at (530) 538-5328 or mhuerta@buttecounty.net.

2. Butte County Fire Department/CalFIRE

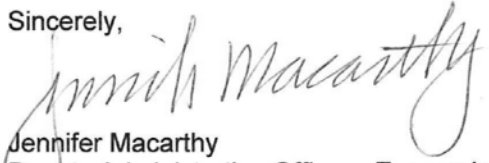
After review of the document, the following three revisions are requested:

- a. *"California Department of Forestry and Fire Protection/Butte County Fire Department"* pg 78
This section erroneously states that CAL FIRE/BCFD does not provide service to Paradise.
- b. *"Infrastructure Needs and Deficiencies"* pg 88.
This section uses statistics that are 8-10 years old. The more recent data would show more of an imbalance.
- c. *"Determination 3.3-11 (Infrastructure Needs and)"* pg 91"
This section erroneously states that Thermalito is outside of the five minute response time.

For questions or additional information, please contact Greg McFadden, Fire Chief, at 530-538-7111 or Greg.McFadden@fire.ca.gov.

The County of Butte appreciates the opportunity to comment on this project.

Sincerely,



Jennifer Macarthy

Deputy Administrative Officer - Economic and Community Development

cc: Greg McFadden, Fire Chief
Michael Huerta, Program Manager - Environmental Health
Brad Banner, Director - Environmental Health
Tim Snellings, Development Services Director
Mike Crump, Public Works Director
Richard Price, Agricultural Commissioner
Paul Hahn, Chief Administrative Officer



CATHY A. RAEVSKY, DIRECTOR
MARK A. LUNDBERG, M.D., M.P.H., HEALTH OFFICER

WWW.BUTTECOUNTY.NET/PUBLICHEALTH
202 MIRA LOMA DRIVE, OROVILLE, CA 95965

November 21, 2014

Butte County Administration
C/O Jennifer MacCarthy
25 County Center Dr.
Oroville CA

RE: Review of Oroville Municipal Services Update and SOI Plan Update

Jennifer,

Butte County Environmental Health appreciates the opportunity to provide comments to the aforementioned document. We have reviewed the entire document and have reserved comments for the section addressing Solid Waste (3.4). Our comments are noted on copy of this section accompanying this letter.

Yours truly

Michael Huerta
Program Manager
Butte County Environmental Health

Solid Waste

Recology Butte Colusa Counties ~~Noreal~~ Waste Systems (former Norcal) (~~Noreal~~) operates out of a facility located at 2720 Fifth Avenue. This facility was at one time a Material Recovery Facility (MRF). However, with the construction of a new automated MRF in Marysville, this facility now operates more as a transfer station than a MRF. Recology Butte Colusa Counties ~~Noreal~~ has instituted a three trash container pick-up system whereby residents are provided with separate trash receptacles for recyclables, household trash and for organic waste, including yard clippings. This allows for pre-sorting by residents and greater efficiency for Recology Butte Colusa Counties ~~Noreal~~.

Once the refuse is collected it is transported to Recology Butte Colusa Counties' ~~Noreal~~'s Fifth Avenue facility where it is unloaded for transfer to various locations depending on the type of material. The facility receives an average of more than 200 tons of material per day. In July 2009, the plan to expand and provide a cover over the construction/demolition waste sorting area was completed thus assuring ~~There is a current plan to expand the facility to provide a covered area in which to sort construction waste materials, allowing for continued and expanded diversion of this waste stream.~~ This facility is permitted for 975 tons per day with 600 vehicles operating 24 hours per day, which exceeds the service area's needs for the foreseeable future.

From the Fifth Avenue facility, all household waste is sent in larger trucks to the Ostrom Road landfill. Recyclable materials are sent to Recology Butte Colusa Counties' ~~Noreal~~'s MRF facility in Marysville for sorting. Green waste is sent to a number of facilities including a worm farm located off of Neal Road, which chips, shreds and composts vegetative material; Neal Road Landfill, which chips vegetative material for bio-mass co-generation fuel; and the Ostrom Road landfill composting facility. The City of Chico also accepts green waste at its composting facility, which is operated by Waste Management.

The Fifth Avenue facility also collects construction and demolition waste materials for recycling and diversion from the landfill. Construction wastes are sorted at the Fifth Avenue facility where treated and painted wood is separated from the wood waste stream for disposal at the landfill.

~~The remaining wood products are taken to local facilities such as Pacific Oroville Power Incorporated (POPI), which generates energy by burning wood waste. Asphalt and concrete are taken to recycling facilities, which crush the material for reuse in construction.~~

Comment [HM1]: POPI closed permanently in 2013.

All material diverted from the landfill goes to help meet the mandate of the California Integrated Waste Management Act of 1989, Assembly Bill 939 (AB 939). In 2012 this law was revised by AB 341, which requires a ~~75%~~ 50 percent reduction in waste going to the landfill by the year 2020. Recology Butte Colusa Counties ~~Noreal~~ has the responsibility for meeting AB ~~341~~ 939 requirements and has been meeting this as outlined in the City's Source Reduction and Recycling Element.

Once processed, waste that cannot be recycled is transported to the company's ~~Noreal~~'s Ostrom Road Landfill, located approximately 40 miles from Oroville in the City of Wheatland. The Ostrom Road facility currently provides solid waste disposal services to both municipal and

commercial customers in the northern Sacramento Valley including Yuba, Sutter, Butte, Nevada, and Colusa Counties. Ostrom Road Landfill began operation in 1995 as the first landfill facility in California to receive approval to operate under the new Subtitle D regulations requiring liner systems, leachate collection and recovery systems, water quality monitoring systems, and other environmental protection measures. The site comprises of 261 acres, 225 of which are permitted as a Class II Landfill. According to data collected by CalRecycle the California Integrated Waste Management Board, the Ostrom Road facility had a remaining capacity of 25.7 million tons (39.2 40 million cubic yards) as of June 2007 December 2004. The landfill receives approximately 800 26,000 tons of waste daily annually, with a permitted maximum daily throughput of 3,000 tons. The landfill's and its estimated total capacity is 26.8 million tons (43.5 41.8 million cubic yards) and the landfill is expected to reach full capacity to be reached in 2066. There are no planned expansions or anticipated deficiencies at this time. When a facility is within 15 years of reaching its capacity, the State requires that provisions be made for future landfill facilities.

The Neal Road Landfill also maintains sufficient capacity to accommodate the municipal solid waste generated within the City of Oroville. In March of 2015 Butte County will start implementing the proposed "Franchise Agreement for Collection Services". For the unincorporated area around Oroville this means that all solid waste will have to go to Neal Rd Landfill Utilizing Neal Road Landfill instead of Ostrom. The Agreement does not affect the incorporated Oroville area. Waste collected in Oroville will still more than likely be shipped to Ostrom. However utilizing Neal Road Landfill would reduce the distance that solid waste is shipped, and therefore reduce the amount of greenhouse gas emissions generated. It should be noted however, that the Neal Road Landfill as a Class 3 landfill does not accept treated wood waste while as the Class 2 Ostrom Road Landfill is permitted to accept such construction debris. The City's compliance with AB 341939 through its Source Reduction and Recycling Element and through the mutually adopted County Integrated Waste Management Plan is considered to be adequate.

Comment [HM2]: In 2010, Neal Rd Landfill changed its name to Neal Road Recycling and Waste Facility. This title better reflects the proposed changes in waste management operations such as transfer processing of recyclable material. The name change should be addressed throughout the document.

Comment [HM3]: The Neal Rd. facility is now permitted to receive and dispose of treated wood waste.

Determination 3.4-1 (Solid Waste)

The Ostrom Road Landfill has sufficient capacity to accommodate the anticipated waste generated within the City of Oroville through 2030.

¹ Peters, Carl, Operations Manager Norcal Waste Systems Fifth Avenue Oroville facility, personal communication with Craig Sanders, Former Planning Manager, City of Oroville, September 4, 2008.

Determination 3.4-2 (Solid Waste)

The City of Oroville is adequately mitigating potential impacts on the capacity of the landfill through compliance with Assembly Bill 939 and the County Integrated Waste Management Plan.

Determination 3.4-3 (Solid Waste)

The City should consider utilizing Neal Road Landfill instead of Ostrom Road Landfill in order to reduce the distance that solid waste is shipped, and therefore reduce the amount of greenhouse gas emissions generated. It is acknowledged that such a shift of disposal sites would decrease the life span of the Neal Road facility.

Responses to Comments

Response to Comment No. 1 – Thermalito Water and Sewer District

The Thermalito Water and Sewer District will continue to be the provider of domestic water and sanitary sewer services within the District's jurisdictional boundaries or Sphere of Influence, even if parcels within the District are annexed into the City of Oroville. LAFCo will consider modifying the District's SOI and jurisdictional boundaries to correspond with any future annexations to the City of Oroville that are adjacent to the District's SOI or boundaries.

Response to Comment No. 2 – Sewerage Commission – Oroville Region

No response needed.

Response to Comment No. 3 – Butte County Environmental Health Division

No response needed.

Response to Comment No. 4 – El Medio Fire Protection District

The El Medio Fire Protection District will continue to be the provider of fire protection services within the District's jurisdictional boundaries, even if parcels within the District are annexed into the City of Oroville. The District's SOI was updated by the Commission in December 2013, which expanded the District's SOI into the City's SOI.

Response to Comment No. 5 – Lake Oroville Area Public Utility District

The Lake Oroville Area Public Utility District will continue to be the provider of sanitary sewer service within the District's jurisdictional boundaries, even if parcels within the District are annexed into the City of Oroville. The District's SOI was updated by the Commission in July 2013. LAFCo will consider modifying the District's SOI and jurisdictional boundaries to correspond with any future annexations to the City of Oroville that are adjacent to the District's SOI or boundaries.

Response to Comment No. 6 – Butte County Agricultural Commissioner's Office

Any new development within the jurisdictional boundaries of the City of Oroville that occurs adjacent to agricultural lands must meet all the agricultural preservation requirements of the City of Oroville's General Plan and Zoning Ordinance. Additionally, any new development within the jurisdictional boundaries of the City of Oroville that occurs adjacent to agricultural lands that are within the unincorporated Butte County area may

Response to Comment No. 7 – Butte County Administration Office

The errors noted by the Butte County Fire Department Chief have been corrected in the final version of the MSR. Section 3.3 of the MSR was revised to include updated automatic aid/mutual aid fire call data between the City of Oroville and the Butte County Fire Department/CDF.

The errors noted by the Butte County Environmental Health Division has been corrected in the final version of the MSR.

6.0 GLOSSARY

This glossary explains the technical terms used in the Oroville MSR that are common in the field of planning. Definitions come from several sources, including the California Office of Planning and Research and the American Planning Association Glossary of Zoning, Development and Planning Terms.

Abbreviations

ADA:	Americans with Disabilities Act
ADT:	Average daily trips made by vehicles or persons in a 24-hour period
ARB:	Air Resources Board (California)
BCAG:	Butte County Association of Governments
BCFD:	Butte County Fire Department
BID:	Business Improvement District
CAL FIRE:	California Department of Forestry and Fire Protection
CCR:	California Code of Regulations
CDBG:	Community Development Block Grant
CEQA:	California Environmental Quality Act
CESA:	California Endangered Species Act
CFS:	Cubic Feet per Second
CIP:	Capital Improvements Program
CIWMB:	California Integrated Waste Management Board
DFG:	California Department of Fish and Game
DPR:	State Department of Parks and Recreation
du:	Dwelling units
du/acre:	Dwelling units per acre
EIR:	Environmental Impact Report (State)
FAR:	Floor Area Ratio
FIRM:	Flood Insurance Rate Maps
FRRPD	Feather River Recreation and Park District
FEMA:	Federal Emergency Management Agency
HSC:	California Health and Safety Code
ISO:	Insurance Service Organization
LOS:	Level of Service
mg:	Million gallons
MGD:	Million gallons per day
MSR:	Municipal Service Review
NPDES:	National Pollutant Discharge Elimination System
OFD:	Oroville Fire Department
OPD:	Oroville Police Department

RWQCB:	Regional Water Quality Control Board
SC-OR:	Sewerage Commission – Oroville Region
SFWPA:	South Feather Water and Power Agency
sf:	Square footage
SOI:	Sphere of Influence
SSO:	Sanitary Sewer Overflow
SWP:	State Water Project

Terminology

Acreage, Gross

The land area that exists prior to any dedications for public use, or for health and safety purposes.

Acreage, Net

The portion of a site that can actually be built upon, which is the land area remaining after dedication of ultimate rights-of-way for:

- Exterior boundary streets
- Flood ways
- Public parks and other open space developed to meet minimum standards required by City ordinance
- Utility Easements and rights-of-way may not be counted as net acreage

Action

A program, implementation measure, procedure or technique intended to help achieve a specified objective. (See “Objective”)

Arterials

Major thoroughfares that carry large volumes of traffic at relatively high speeds. Arterials are designed to facilitate two or more lanes of moving vehicles in each direction and rarely contain on-street parking.

Average Dry Weather Flow (ADWF)

The amount of wastewater that flows into a system on an average day during the dry weather part of the year.

Base Flood (100-year flood)

In any given year, a flood that has a 1 percent likelihood of occurring, and is recognized as a standard for acceptable risk. (See “Floodplain”)

Buildout

Development of land to its full potential, or theoretical capacity, as permitted under current or proposed planning or zoning designations.

California Environmental Quality Act (CEQA)

Legislation and corresponding procedural components established in 1970 by the State of California to require environmental review for projects anticipated to result in adverse impacts to the environment.

Capital Improvements Program

A program that schedules permanent improvements, usually for a minimum of five years into the future, that fits the projected fiscal capability of the local jurisdiction. The program generally is reviewed on an annual basis for conformance to and consistency with the General Plan.

Carrying Capacity

Used in determining the potential of an area to absorb development: (1) The level of land use, human activity or development for a specific area that can be permanently accommodated without an irreversible change in the quality of air, water, land, or plant and animal habitats. (2) The upper limits of development beyond which the quality of human life, health, welfare, safety or community character within an area will be impaired. (3) The maximum level of development allowable under current zoning. (See “Buildout”)

Collectors

Roadways that connect local streets to “arterials,” usually provide two travel lanes for automobiles, and may also have bicycle lanes.

Community Park

A large park, generally 15 to 20 acres, that includes a mix of passive and active recreation areas that serve the entire community or a large portion of the community. A community park should include, but not be limited to, the facilities that are typically found at local parks as well as specialized facilities such as amphitheaters and skate parks.

Compatible

Capable of co-existing without conflict or ill effects.

Conditional Use Permit

The discretionary and conditional review of an activity or function or operation on a site or in a building or facility.

Conservation

The management of natural resources to prevent waste, destruction or neglect.

Corridor

Linear areas located along arterial roadways, typically one to two lots deep on either side of the road. They contain a mix of retail, office and residential uses.

Cumulative Impact

As used in CEQA, the total environmental impact resulting from the accumulated impacts of individual projects or programs over time.

Dedication

The turning over by an owner or developer of private land for public use, and the acceptance of land for such use by the governmental agency having jurisdiction over the public function for which it will be used. Dedications for roads, parks, school sites or other public uses are often required by a city or county as conditions for approval of a development. (See “in-lieu fee”)

Density

The amount of development or people per unit of area or property. (See also “Density, residential” and “Floor Area Ratio”)

Density, Residential (du/acre)

The number of permanent residential dwelling units (du) per acre of land. Densities specified in the General Plan are expressed in dwelling units per net acreage (du/acre) and not per gross acre. (See “Acres, Gross” and “Acres, Net”)

Development Review; Design Review

The comprehensive evaluation of a development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, architecture, materials, colors, lighting and signs, in accordance with a set of adopted criteria and standards.

Development

The physical extension and/or construction of non-farm land uses. Development activities include: subdivision of land; construction or alteration of structures, roads, utilities and other facilities; installation of septic systems; grading; deposit of refuse, debris or fill materials; and clearing of natural vegetative cover (with the exception of agricultural activities). The construction of a single-family home on an existing lot, and routine repair and maintenance activities, are exempted.

Dwelling Unit (du)

The place of customary abode of a person or household, which is either considered to be real property under State law or cannot be easily moved.

Effluent

Liquid or partially solid waste such as is found in sewer systems or discharged from factories.

Environmental Impact Report (EIR)

A report required pursuant to the California Environmental Quality Act (CEQA) that assesses all the environmental characteristics of an area, determines what effects or impacts will result if the area is altered or disturbed by a proposed action, and identifies alternatives or other measures to avoid or reduce those impacts. (See “California Environmental Quality Act”)

Flood, 100-year

The magnitude of a flood expected to occur on the average every 100 years, based on historical data. The 100-year flood has a 1/100, or one percent, chance of occurring in any given year.

Floodplain

The relatively level land area on either side of the banks of a stream regularly subject to flooding.

Floodway

The part of the floodplain capable of conveying the 100-year flood with no more than a one-foot rise in water. The floodway includes the river channel itself and adjacent land areas.

Floor Area Ratio (FAR)

The size of a building in square feet (gross floor area) divided by net land area, expressed as a decimal number. For example, a 60,000 square foot building on a 120,000 square-foot parcel would have a floor area ratio of 0.50. The FAR is used in calculating the building intensity of non-residential development.

General Plan

A compendium of City policies regarding its long-term development, in the form of maps and accompanying text. The General Plan is a legal document required of each local agency by the State of California Government Code Section 65301 and adopted by the City Council. In California, the General Plan has seven mandatory elements (Circulation, Conservation, Housing, Land Use, Noise, Open Space and Public Safety) and may include any number of optional elements the jurisdiction deems important.

Goal

A description of the general desired results to create through the implementation of the General Plan. Goals are included in each element of the Plan and may include the key physical or community characteristics that residents wish to maintain or develop.

Groundwater

Water that exists beneath the earth’s surface, typically found between saturated soils and rock, and is used to supply wells and springs.

Growth Management

The use by a community of a wide range of techniques to determine the amount, type and rate of development desired by the community and to channel that growth into designated areas. Growth management policies can be implemented through building permit caps, public

facilities/infrastructure ordinances, urban limit lines, standards for levels of service, phasing, and other programs.

High Occupancy Vehicle (HOV)

Traffic lanes that are designated and reserved for vehicles with a minimum number of passengers during high-volume commute hours, in order to encourage carpooling through faster travel. They are enforced with fines and traffic tickets.

Household

All persons occupying a single dwelling unit.

Impact Fee

A fee charged to a developer by a jurisdiction according to the proposed development project, typically by number of units, square footage or acreage. The fee is often used to offset costs incurred by the municipality for services and infrastructure such as schools, roads, police and fire services, and parks.

Impervious Surface

Surface through which water cannot penetrate, such as a roof, road, sidewalk, or paved parking lot. The amount of impervious surface increases with development and establishes the need for drainage facilities to carry the increased runoff.

Implementation

Actions, procedures, programs or techniques that carry out policies.

Incorporated Area

Land that is located within the city limits.

Infill Development

Development that occurs on vacant or underutilized land within areas that are already largely developed.

Infiltration

Stormwater that gets into the sanitary sewer system through cracks and/or leaks in the sewer pipes.

Inflow

Inflow is stormwater that goes into sewer systems at connection points in the systems. Inflow occurs from improper or illegal connections to the sewer system.

In-lieu fee

Cash payments that may be required of an owner or developer as a substitute for a dedication of land for public use, usually calculated in dollars per lot, and referred to as in-lieu fees or in-lieu contributions. (See “dedication”)

Land Use

The occupation or utilization of an area of land for any human activity or any purpose.

Land Use Designation

One particular category in a classification series of appropriate use of properties established by the General Plan Land Use Element.

Level of Service (LOS) Standard

A standard used by government agencies to measure the quality or effectiveness of a municipal service, such as police, fire or library, or the performance of a facility, such as a street or highway.

Level of Service (Traffic)

A scale that measures the amount of traffic that a roadway or intersection can accommodate, based on such factors as maneuverability, driver dissatisfaction and delay.

Level of Service A

A relatively free flow of traffic, with little or no limitation on vehicle movement or speed.

Level of Service B

Describes a steady flow of traffic, with only slight delays in vehicle movement and speed. All queues clear in a single signal cycle.

Level of Service C

Denotes a reasonably steady, high-volume flow of traffic, with some limitations on movement and speed, and occasional backups on critical approaches.

Level of Service D

Designates the level where traffic nears an unstable flow. Intersections still function, but short queues develop and cars may have to wait through one signal cycle during short peaks.

Level of Service E

Represents traffic characterized by slow movement and frequent (although momentary) stoppages. This type of congestion is considered severe, but is not uncommon at peak traffic hours, with frequent stopping, long-standing queues and blocked intersections.

Level of Service F

Describes unsatisfactory stop-and-go traffic characterized by “traffic jams” and stoppages of long duration. Vehicles at signalized intersections usually have to wait through one or more signal changes, and “upstream” intersections may be blocked by the long queues.

Local Agency Formation Commission (LAFCO)

A five- or seven-member commission within each county that reviews and evaluates all proposals for formation of special districts, incorporation of cities, annexation to special districts

or cities, consolidation of districts and merging of districts with cities. Each county's LAFCO is empowered to approve, disapprove, or conditionally approve such proposals.

Local Street

Provides direct access to properties; generally they carry the lowest traffic volumes.

Neighborhood

Relatively large residential areas that have some common characteristics, such as a common history, common physical characteristics (such as architectural style), a common meeting place or more intangible characteristics (such as a psychological sense of cohesion).

Neighborhood Park

Small sized park, usually 3 to 10 acres, that provides recreation activities for a specific neighborhood within a ½ to ¾ mile radius.

Non-Conforming Use

A use that was valid when brought into existence, but not permitted by later regulation. "Non-conforming use" is a generic term and includes: (1) non-conforming structures (because their size, type of construction, location on land, or proximity to other structures is no longer permitted); (2) non-conforming use of a conforming building; (3) non-conforming use of a non-conforming building; and (4) non-conforming use of land. Any use lawfully existing on any piece of property that is inconsistent with a new or amended General Plan, and that in turn is a violation of a zoning ordinance amendment subsequently adopted in conformance with the General Plan, will be a non-conforming use. Typically, non-conforming uses are permitted to continue for a designated period of time, subject to certain restrictions.

Overlay

A land use designation on the Land Use Map, or a zoning designation on a zoning map, that modifies the basic underlying designation or designations in some specific manner.

Parcel

A lot, or contiguous group of lots, in single ownership or under single control, usually considered a unit for purposes of development.

Planned Unit Development (PUD)

A description of a proposed unified development, consisting at a minimum of a map and adopted ordinance setting forth the governing regulations, and the location and phasing of all proposed uses and improvements to be included in the development.

Policy

A specific statement of principle or of guiding actions that implies clear commitment but is not mandatory. A general direction that a governmental agency sets to follow, in order to meet its goals and objectives before undertaking an implementing action or program. (See "Action")

Regional Park

A large park, typically more than 100 acres, that serves the open space and recreation needs for all users of the entire region. Regional parks contain active and passive recreation areas and may also include natural open space.

Riparian Corridor

A habitat and vegetation zone which is associated with the banks and floodplains of a river, stream or lake. Riparian trees and shrubs are typically phreatophytes, plants whose root systems are in constant contact with groundwater.

Specific Plan

Under Article 8 of the Government Code (Section 65450 et seq), a legal tool for detailed design and implementation of a defined portion of the area covered by a General Plan. A specific plan may include all detailed regulations, conditions, programs, and/or proposed legislation which may be necessary or convenient for the systematic implementation of any General Plan element(s). (See also “Planned Unit Development”)

Sphere of Influence (SOI)

The probable physical boundaries and service area of the city, as determined by the Local Agency Formation Commission (LAFCO) of the county.

Unincorporated Area

Encompasses properties that are located outside of cities. Development in the unincorporated area is subject to County jurisdiction.

Use

The purpose for which a lot or structure is or may be leased, occupied, maintained, arranged, designed, intended, constructed, erected, moved, altered and/or enlarged in accordance with the City zoning ordinance and General Plan land use designations.

Use, Non-conforming

(See “Non-conforming Use”)

Utility Corridor

Rights-of-way or easements for utility lines on either publicly or privately owned property.

Wastewater

Water that has already been used for washing, flushing, or in a manufacturing process, and therefore contains waste products such as sewage or chemical by-products.

Wetland

An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Zoning

The division of a City by ordinance or other legislative regulation into districts or zones, which specify allowable uses for real property and size restrictions for buildings constructed in these areas; a program that implements the land use policies of the General Plan.

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Final
City of Oroville
Sphere of Influence Plan
December 4, 2014

**FINAL
SPHERE OF INFLUENCE PLAN FOR THE CITY OF OROVILLE**

ADOPTED DECEMBER 4, 2014

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ATTACHMENT 1: 1985 CITY OF OROVILLE SPHERE OF INFLUENCE PLAN

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1.0 INTRODUCTION

This report represents the Commission’s review and update of the City of Oroville’s Sphere of Influence Plan (SOI). The report has been prepared to review the City’s existing SOI relative to current legislative directives, local policies, and member preferences to form the basis for either confirming the current SOI or considering possible amendments to the SOI. This report supersedes the last SOI adopted in 1985 (Attachment 1). The report draws on information collected and analyzed in the Commission’s *City of Oroville Municipal Service Review Update* (2014) and the Environmental Impact Report prepared by the City for the City of Oroville 2030 General Plan, both of which include the evaluation of the availability, adequacy, and capacity of services provided by the City.

1.1 LAFCO

Established in 1963, Local Agency Formation Commissions (LAFCo) are responsible for administering California Government Code Section 56000 *et. seq.*, which is known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH). CKH charges LAFCOs with encouraging the orderly formation and development of all local governmental agencies in their respective counties in a manner that preserves agricultural and open-space lands, promotes the efficient extension of municipal services, and prevents urban sprawl. Principle duties include regulating boundary changes through annexations or detachments, approving or disapproving city incorporations; and forming, consolidating, or dissolving special districts. There is a LAFCo located in each of the 58 counties in California.

1.2 BUTTE LAFCO POLICIES AND CRITERIA FOR ANNEXATION

Under the CKH Act, LAFCos are required to “develop and determine the sphere of influence of each local governmental agency within the county and enact policies designed to promote logical and orderly development of areas within the sphere” (Section 56425, CKH). A Sphere of Influence (SOI) is generally considered a 20-year, long-range planning tool, and is defined by Government Code Section 56425 as “. . . a plan for the probable physical boundary and service area of a local agency or municipality . . .” According to the CKH Act, LAFCos are required to review and update SOIs as necessary, but no less than once every five years.

A Sphere of Influence is a long-range planning tool that analyzes the physical boundary of a local agency or jurisdiction, and the present and probable need for services within that area. As such, it does not give property inside the sphere boundary any more development rights than already exist as land use authority in these areas remains entirely at the discretion of the County of Butte. Realistically, the agency SOI is solely reactive to the land use decisions already adopted by the agencies with land use authority. Ultimately, an SOI study assists LAFCo in making decisions about a jurisdiction’s future boundary. The sphere indicates the logical area in which the jurisdiction anticipates services will be utilized.

Pursuant to Butte LAFCo’s Operations Manual Policies and Procedures (Revised May 6, 2010), the Sphere of Influence Plans for all government agencies within LAFCo’s jurisdiction shall contain the following:

1. A map defining the probable 20-year boundary of its service area delineated by near-term (<10 years) and long-term (>10 years) increments and coordinated with the Municipal Service Review.
2. Maps and explanatory text delineating the present land uses in the area, including, without limitation, improved and unimproved parcels; actual commercial, industrial, and residential uses; agricultural and open space lands; and the proposed future land uses in the area.
3. The present and probable need for public facilities and services in the sphere area. The discussion should include consideration of the need for all types of major facilities, not just those provided by the agency.
4. The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.
5. Identification of any relevant social or economic communities of interest in the area.
6. Existing population and projected population at build-out of the near- and long-term spheres of the agency.
7. A Municipal Service Review.

1.3 MUNICIPAL SERVICE REVIEWS

The Cortese-Knox-Hertzberg Act requires that a Municipal Service Review (MSR) be conducted prior to, or in conjunction with, the update of an SOI. An MSR is a comprehensive analysis of service provision by each of the special districts, cities, and the unincorporated county service areas within the legislative authority of the LAFCO. It essentially evaluates the capability of a jurisdiction to serve its existing residents and future development in its SOI. The legislative authority for conducting MSRs is provided in Section 56430 of the CKH Act, which states “. . . in order to prepare and to update Spheres of Influence in accordance with Section 56425, LAFCOs are required to conduct a MSR of the municipal services provided in the County or other appropriate designated area”

Pursuant to Section 56430, in order to update a SOI, the associated MSR must have written determinations that address the following factors:

1. Growth and population projections for the affected area.
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.

7. Any other matter related to effective or efficient service delivery, as required by commission policy.

These determinations, which range from infrastructure needs or deficiencies to government structure options, must be adopted by the Commission before, or concurrently with, the sphere review of the subject agency.

The *City of Oroville Municipal Service Review*, adopted by Butte LAFCo on October 1, 2009, contained an evaluation of the municipal services provided by the City, and the information in the MSR provides baseline information for the SOI study. However, due to significant changes to City operations and finances in recent years, much of the information in the 2009 MSR is dated. Thus, additional information from the City has been collected and various other land planning documents have been reviewed, including land use zoning maps, the City of Oroville 2030 General Plan, and the Butte County General Plan 2030, in order to provide the most current and accurate information available. As a part of the proposed City of Oroville SOI Plan, the *2009 City of Oroville Municipal Service Review* has been updated and will be re-adopted as a part of this SOI Plan/Update process.

1.4 SPHERE OF INFLUENCE PLAN UPDATE PROCESS

Butte LAFCO is now in the process of updating the SOI Plan for the City of Oroville (City). The original, and only, SOI study prepared for the City of Oroville was completed in 1985.¹ The 1985 SOI Plan is included as Attachment 1 to this document. The current City of Oroville SOI currently encompasses approximately 26,343 acres (41 square miles). The City of Oroville is proposing to add 1,104 parcels totaling approximately 9,904 acres (15.5 square miles) to their Sphere of Influence. The City also proposed to remove 276 parcels totaling approximately 2,734 acres (4.3 square miles) from their existing SOI.

There are numerous factors to consider in reviewing an SOI Plan, including current and anticipated land uses, facilities, and services, as well as any relevant communities of interest. Updates generally involve a comprehensive review of the entire SOI Plan, including boundary and SOI maps and the District's MSR. In reviewing an agency's sphere, the Commission is required to consider and prepare written statements addressing five factors enumerated under California Government Code Section 56425(e). These factors are identified below.

- The present and planned land uses in the area, including agricultural and open-space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

¹Oroville – Thermalito Area Sphere of Influence Study – Butte County Local Agency Formation Commission. April 1985.

- For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

SOI Alternatives for the City of Oroville

Butte LAFCo Policy 3.1.11 allows the Commission to consider and establish one or more of the following types of spheres:

- The Commission may adopt a *traditional “growth” sphere of influence* which contains territory beyond the jurisdictional boundary of the local agency and is an indication that the need for public services in the area has been established and the agency has the ability to effectively and efficiently extend the full spectrum of services provided by the agency.
- The Commission may adopt a *“coterminous” sphere of influence* which coincides with the jurisdictional boundary of the local agency and is an indication that there is no anticipated need for the agency’s services outside of its existing boundaries, or the agency lacks the capacity or ability to serve additional territory or there is insufficient information to make such a determination.
- The Commission may adopt a *“zero” sphere of influence* (encompassing no territory) for an agency when the Commission has determined that one or more of the public service functions of the agency are either non-existent, inadequate, no longer needed, or should be reallocated to some other agency of government. Adoption of a “zero” sphere indicates the agency should ultimately be reorganized or dissolved. The Commission may initiate dissolution of an agency when it deems such appropriate.
- The Commission may adopt a *“minus” sphere* when it has determined that some territory within the agency’s jurisdictional boundaries is not in need of all or some of the agency’s services, or when the agency has not feasible plans to provide efficient and adequate service to the territory in question.
- The Commission may adopt a *“limited or service specific” sphere* designation for territory outside the agency’s jurisdiction that may require some-but not all of the services that the agency is authorized to provide. Assigning a service specific sphere allows LAFCO to retain review authority over the provision of important governmental services in order to promote the timely and orderly expansion of services.

Special Study Areas

Butte LAFCo Policy 3.1.10 allows the Commission to create a special study area within an agency’s sphere of influence. Section 3.1.10 states that in instances where the Commission determines territory should logically be included in an agency’s sphere, but the sphere category cannot be immediately assigned until additional information is available, a special study area may be designated until more information is available. Annexation of territory within a special study area may not occur until the Commission, through the SOI amendment process, removes the special study area designation and assigns a specific sphere category to the area. The Kelly

Ridge area, which is within the City's existing SOI, is proposed to be designated as a special study area. The Palermo area, which is not within the City's current SOI but is proposed to be added to the SOI, is also proposed to be designated as a special studies area.

1.5 CALIFORNIA ENVIRONMENTAL QUALITY ACT

Sphere of Influence Studies are subject to environmental review under the California Environmental Quality Act (CEQA). To comply with CEQA, a program-level Environmental Impact Report (EIR) was prepared by the City of Oroville for the City's 2030 General Plan, which included an analysis of the updated SOI. The City of Oroville adopted a Final EIR for the 2030 General Plan, which included changes to the Draft EIR, comments received on the Draft EIR, and responses to the received comments. The City also prepared a *Findings of Fact and Statement of Overriding Considerations* for the 2030 General Plan due to the EIR's findings of significant, unavoidable impacts. For this SOI Update, Butte LAFCo will review and adopt the environmental documents the City adopted for their 2030 General Plan.

The MSR Update is categorically exempt from the preparation of environmental documentation under a classification related to information gathering (Class 6 - Regulation section 15306), which states: "Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded." This MSR collects data for the purpose of evaluating municipal services provided by the agency. There is no land use change or environmental impact created by such a study.

2.0 CITY OF OROVILLE DATA SHEET

DATA SHEET CITY OF OROVILLE

Contact: Randy Murphy, City Administrator
Address: 1735 Montgomery Street, Oroville, CA 95965-4897 Phone: (530) 538-2535

GOVERNING BOARD

Seven members elected at large who serve four-year terms.
City Council Meeting Location: Council Chambers, 1735 Montgomery Street, Oroville
Normal Board Meeting Date: First and third Tuesday of each month beginning at 6:00 p.m.

FORMATION INFORMATION

Date of Incorporation: January 3, 1906

MAPPING

GIS Date: October 12, 2012

PURPOSE

1. Enabling Legislation: Charter City
2. Empowered Services: All municipal services.
3. Provided Services: Police, Fire, Public Works, Planning and Building, Animal Control, Parks, Wastewater collection and conveyance.

AREA SERVED

1. Parcels: 6,655
2. County Supervisorial Districts:
3. Size: 13.3 square miles (8,500 acres)
4. Estimated Population: 15,980 (1/1/2014)
5. Location Description: Central Butte Co.
6. Sphere of Influence: 26,343 acres (41 sq. miles)

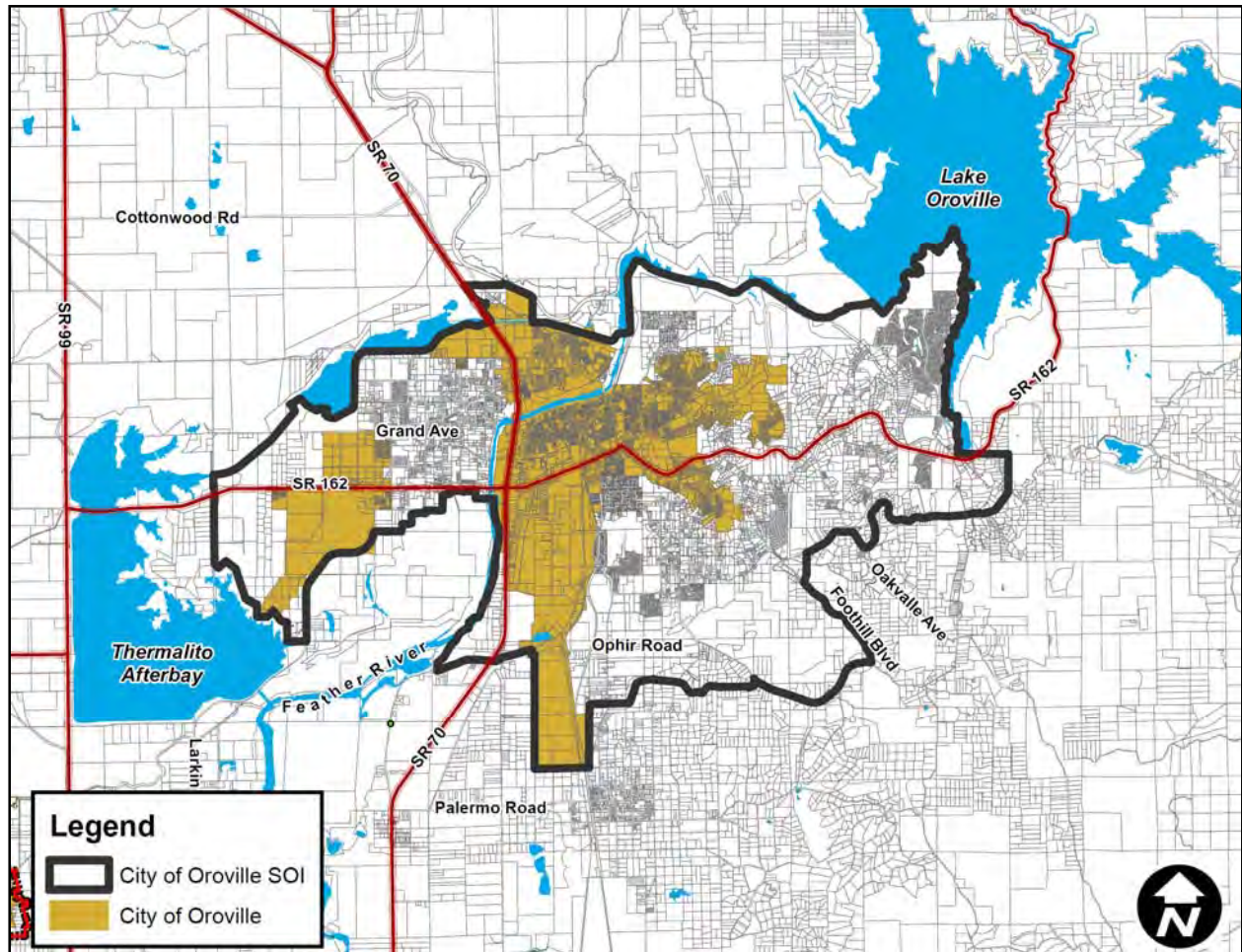
FINANCIAL INFORMATION

Annual (2014/15) General Fund Expenditures: \$12,712,443
Annual (2014/15) General Fund Revenues: \$11,678,502 (\$13,360,812 with one-time revenues)
Source of Revenues: Property taxes, sales taxes, assessments, development impact fees, service fees, fines, interest, grants, bonds

NOTES

Number of Budgeted Positions Employees: 100 full-time
Domestic Water Supply: California Water Service Company, South Feather Water and Power Agency, Thermalito Water and Sewer District.
Wastewater Services: City of Oroville, Thermalito Water and Sewer District, Lake Oroville Area Public Utility District, Sewerage Commission-Oroville Region.

FIGURE 2-1 CITY OF OROVILLE LOCATION MAP



3.0 SPHERE OF INFLUENCE ANALYSIS

The present City of Oroville Sphere of Influence (inclusive of its jurisdictional territory), is approximately 26,343 acres (41 square miles) in size and consists of approximately 15,960 parcels (see Figure 3-1). The City's jurisdictional boundaries include approximately 6,655 parcels totaling approximately 13.3 square miles (8,500 acres). The City's SOI is not coterminous with its District boundaries, with approximately 17,843 acres, consisting of 9,310 parcels, inside the City's SOI but not within the City's jurisdictional boundaries. The only SOI Study prepared for the City of Oroville was the 1985 SOI Study for Butte County special districts (Attachment 1).

The City is proposing to add 1,104 parcels totaling approximately 9,904 acres to their SOI. The SOI addition area consists of two separate geographical areas as shown in Figures 3-5 and 3-6.

As described in Section 1.4, LAFCO is required to consider and prepare written statements addressing the five factors enumerated under California Government Code Section 56425(e), including present and probable land uses in the area, present and probable need for public facilities and services, the present capacity of facilities and adequacy of services, the existence of social or economic communities of interest, and the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence. An analysis of each of these factors is provided in the following sections.

3.1 PRESENT AND PLANNED LAND USE

In order to achieve an accurate overview of the growth and development potential within the City of Oroville, a number of factors need to be considered. The following factors, when considered together, reflect the existing development within the City, as well as provide a picture of existing development potential:

- Land use designations, including existing and any proposed changes
- Special land use limitations, including Williamson Act and designated open spaces
- Improved and unimproved parcels

State law requires every city and county in California to adopt and maintain a comprehensive and long-term General Plan that is to serve as a "blueprint" for land use and development. The City's current General Plan – The City of Oroville 2030 General Plan – was adopted by the City Council on June 2, 2009. Land use and development for the parcels located within the City's SOI but outside of the City's jurisdictional boundaries is guided by the Butte County General Plan 2030, which was adopted by the Butte County Board of Supervisors on October 26, 2010. The City's General Plan includes land use designations for the parcels within the City's jurisdictional boundaries and for parcels within the City's SOI, outside of the City limits. The zoning codes of the City of Oroville and Butte County provide regulatory oversight and establish future land uses. The City has rezoned the parcels within the City's SOI but outside of the City's jurisdictional boundaries. The unincorporated community of Palermo was not included in the City's desired SOI, but is proposed to be added to the City's SOI as a Special Study Area.

Land Use Designations

The majority (61%) of the parcels within the City of Oroville’s jurisdictional boundaries are zoned for medium low density residential uses, which allows for a density of three to six dwelling units per acre (Table 3-1). Likewise, the majority (71.5%) of the parcels within the City’s existing SOI, but outside of City jurisdictional boundaries, are also designated by the City of Oroville General Plan as Medium Low Density Residential (Table 3-2). Figure 3-1 shows the City of Oroville General Plan land use designations found within the City’s Sphere of Influence. Other major land use designations within the City’s SOI include residential uses at various densities, commercial uses, public lands, and open space. There are no parcels within the City of Oroville’s existing SOI that are designated or zoned as agricultural by either Butte County or the City of Oroville.

TABLE 3-1 CITY OF OROVILLE GENERAL PLAN LAND USE DESIGNATIONS WITHIN CITY BOUNDARIES

General Plan Land Use Designation	No. of Parcels	Acres	% of Acreage
Airport Business Park	50	289.5	3.9
Environmental Conservation/Safety	14	168.5	2.3
High Density Residential (20-30 du/acre)	14	14.3	0.2
Industrial	109	912.2	12.4
Low Density Residential (1-3 du/acres)	58	279.0	3.8
Medium Density Residential (6-14 du/acre)	186	92.1	1.3
Medium High Density Residential (14-20 du/acre)	319	134.6	1.8
Medium Low Density Residential (3-6 du/acres)	3,736	1,808.4	24.6
Mixed Use Commercial	916	837.7	11.4
Mixed Use Residential	103	94.1	1.3
Office	57	10.8	0.1
Park	62	492.6	6.7
Public	140	1,167.2	15.9
Retail and Business Services	335	524.1	7.1
Rural Residential (0-0.2 du/acre)	1	5.9	0.1
South Ophir Specific Plan Area Overlay (SPA-2)	4	426.2	5.8
State Water Project	12	76.9	1.0
Very Low Density Residential (0.2-1 du/acre)	8	19.6	0.3
Total	6,124	7,353.7	100.0%

Source: City of Oroville and Butte County GIS Data

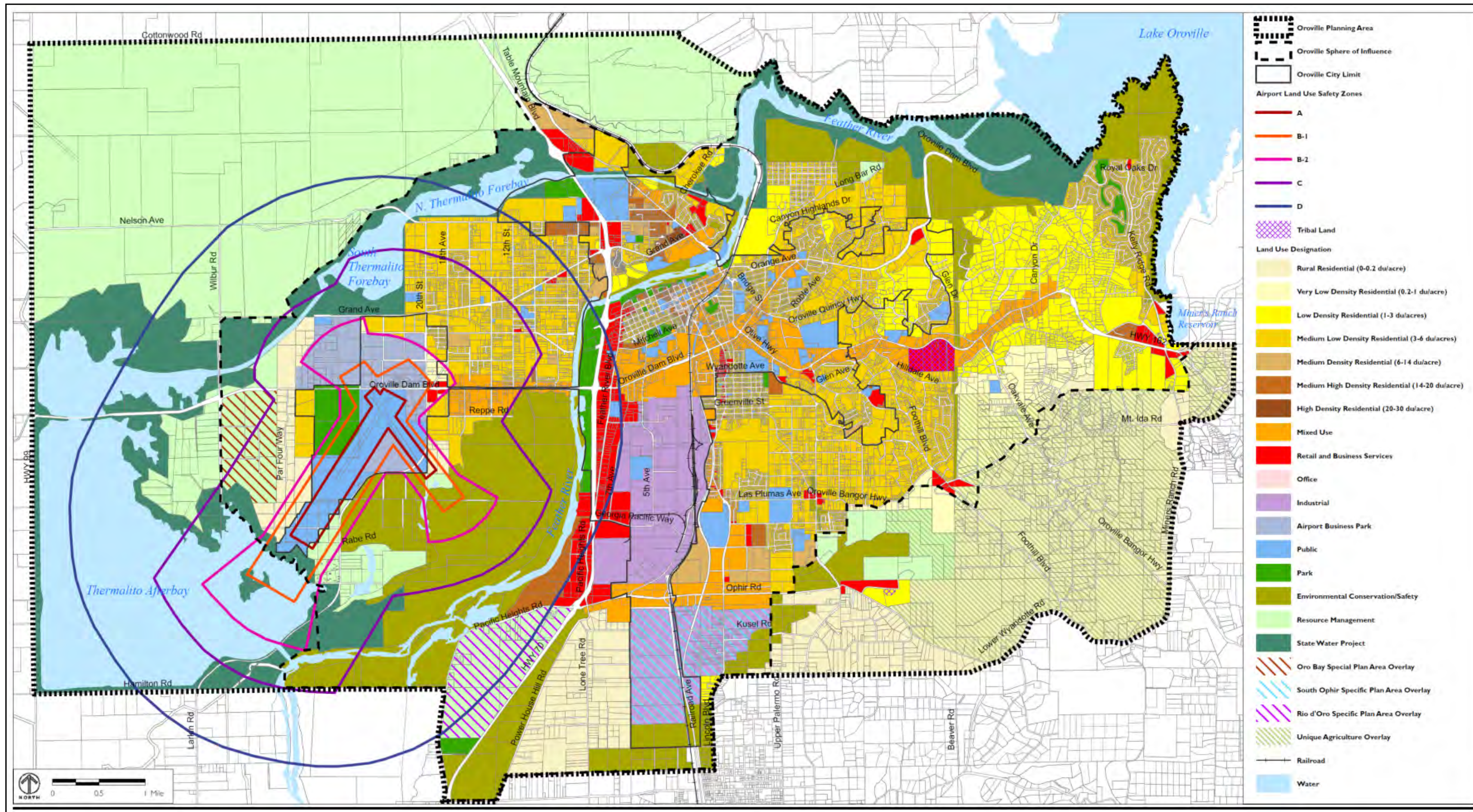
TABLE 3-2 CITY OF OROVILLE GENERAL PLAN LAND USE DESIGNATIONS WITHIN EXISTING SOI*

General Plan Land Use Designation	No. of Parcels	Acres	% of Acreage
Airport Business Park	34	280.1	1.7
Environmental Conservation/Safety	140	1,703.9	10.3
Industrial	1	116.4	0.7
Low Density Residential (1-3 du/acres)	885	2,018.5	12.3
Medium Density Residential (6-14 du/acre)	35	258.4	1.6
Medium High Density Residential (14-20 du/acre)	68	281.3	1.7
Medium Low Density Residential (3-6 du/acres)	6,968	4,490.1	27.3
Mixed Use Commercial	327	642.7	3.9
Mixed Use Residential	231	161.2	1.0
Park	9	71.8	0.4
Public	41	248.8	1.5
Retail and Business Services	154	517	3.1
Resource Management	59	660.1	4.0
Rural Residential (0-0.2 du/acre)	375	2448	14.9
Oro Bay Specific Plan Area Overlay (SPA-1)	2	408.8	2.5
South Ophir Specific Plan Area Overlay (SPA-2)	96	314.6	1.9
State Water Project	23	921.7	5.6
Very Low Density Residential (0.2-1 du/acre)	294	923.4	5.6
Total	9,742	16,466.8	100

**Excludes parcels within the jurisdictional boundaries of the City of Oroville*

Source: City of Oroville and Butte County GIS Data

FIGURE 3-1 CITY OF OROVILLE GENERAL PLAN LAND USE DESIGNATIONS



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Uses and Improved and Unimproved Parcels

Tables 3-3 and 3-4 list the existing land uses within the City of Oroville’s jurisdictional boundaries and its current SOI. As identified by the Butte County Assessor’s Office, the primary land uses within City boundaries and within the City’s SOI is residential. The majority of the residential parcels within the City’s SOI are located in the Kelly Ridge, east Oroville, Thermalito, and south Oroville areas.

Two Tribal trust lands – the Tyme Maidu Tribe of the Berry Creek Rancheria and the Concow-Maidu of Mooretown Rancheria - are located within the City’s SOI but outside the City’s jurisdictional boundaries. Both of these trust lands are developed with casino/hotel uses (the Feather Falls Casino and Lodge on Lower Wyandotte Road and the Gold County Casino and Hotel on State Route 162). Each of these trust lands are also developed with a large number of residential dwellings for tribal members. The Feather Falls Casino and Lodge trust lands are proposed to be removed from the City’s existing sphere of influence.

TABLE 3-3 CURRENT LAND USES WITHIN CITY OF OROVILLE BOUNDARIES

Land Use	Parcels	% of Parcels
Residential	3995	65.1
Residential Undeveloped	786	12.8
Commercial	726	11.8
Commercial Undeveloped	272	4.4
Industrial Undeveloped	169	2.8
Public	101	1.6
Industrial	73	1.2
Agricultural	11	0.2
Total	6133	100.0%

Source: Butte County Assessor’s Office parcel assessment data

TABLE 3-4 CURRENT LAND USES WITHIN CITY OF OROVILLE SOI*

Land Use	Parcels	% of Parcels
Residential	7710	79.2
Residential Undeveloped	1619	16.6
Commercial	185	1.9
Public (Oroville Wildlife Area)	79	0.8
Agricultural	40	0.4
Commercial Undeveloped	39	0.4
Industrial Undeveloped	36	0.4
Industrial	27	0.3
Total	9735	100.0%

**Excludes parcels within the City of Oroville jurisdictional boundaries*
Source: Butte County Assessor’s Office parcel assessment data

Agricultural Uses

Based upon parcel assessment data from the Butte County Assessor's Office, agricultural uses within the City's jurisdictional boundaries and the City's current SOI consist of 51 parcels totaling approximately 1,485 acres in size (Figure 3-2). It should be noted that the acreage reflects the combined sizes of the parcels that the agricultural uses are located on and not the actual size of the agricultural uses. The agricultural uses include seasonal livestock grazing, irrigated pastures, olives, vines, citrus, and nuts. None of the parcels assessed for agricultural uses are designated by the City of Oroville General Plan as Agricultural. Scattered, unmaintained remnants of orchards are found throughout the City's SOI. As shown in Figure 3-3, there are areas within the City's existing SOI and proposed SOI that are classified by the California Department of Conservation-Farmland Mapping and Monitoring Program as Prime Farmland, Farmland of Statewide Importance, Unique Farmland, or Grazing.

The California Department of Conservation provides the following definitions for the various classes of Important Farmland:

Prime Farmland

Farmland with the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

Farmland of Statewide Importance

Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

Unique Farmland

Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

Farmland of Local Importance

Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

Grazing Land

Land on which the existing vegetation is suited to the grazing of livestock.

Urban and Built-up Land

Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

Other Land

Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than forty acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

FIGURE 3-2 AGRICULTURAL USES IN EXISTING CITY OF OROVILLE SOI

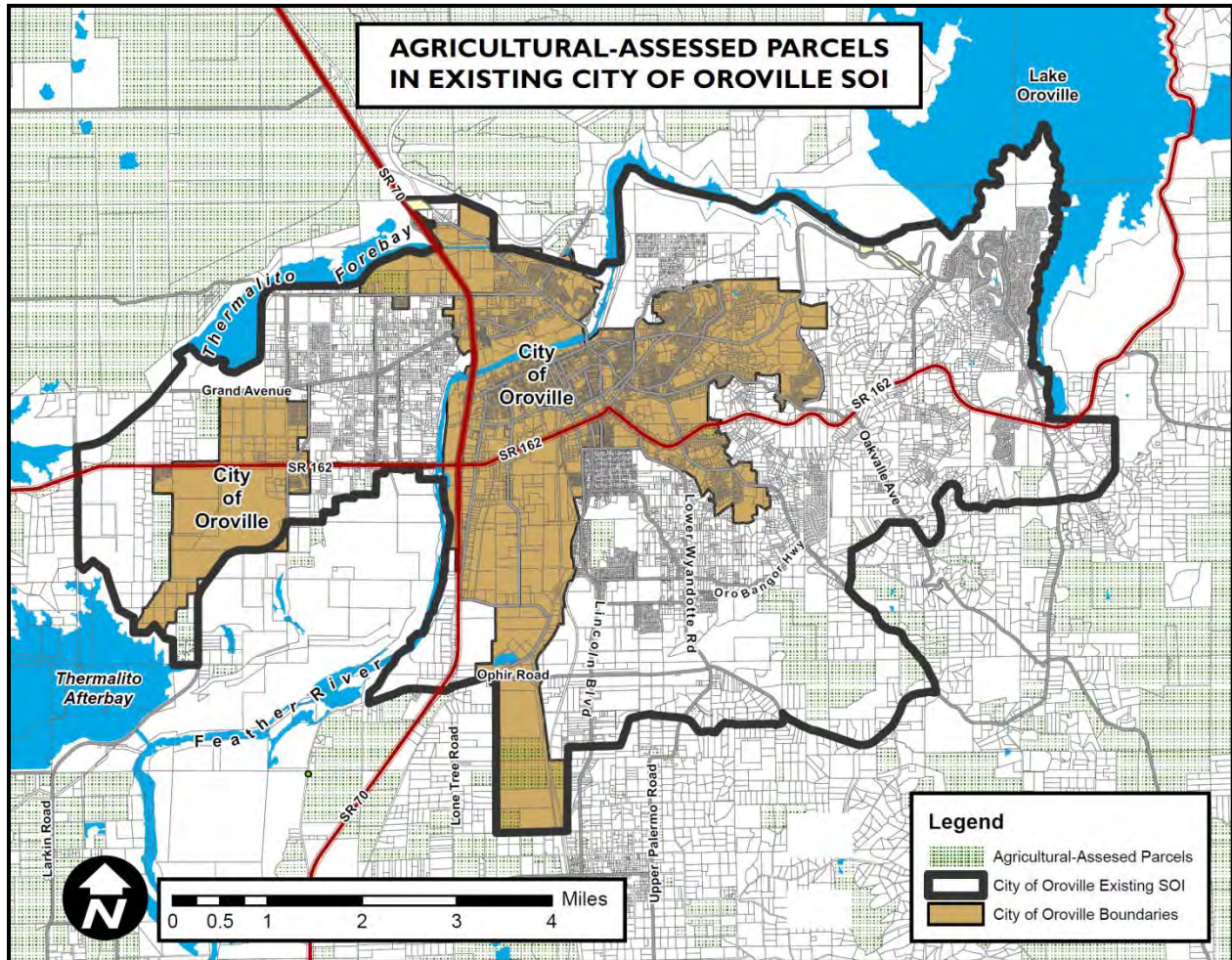
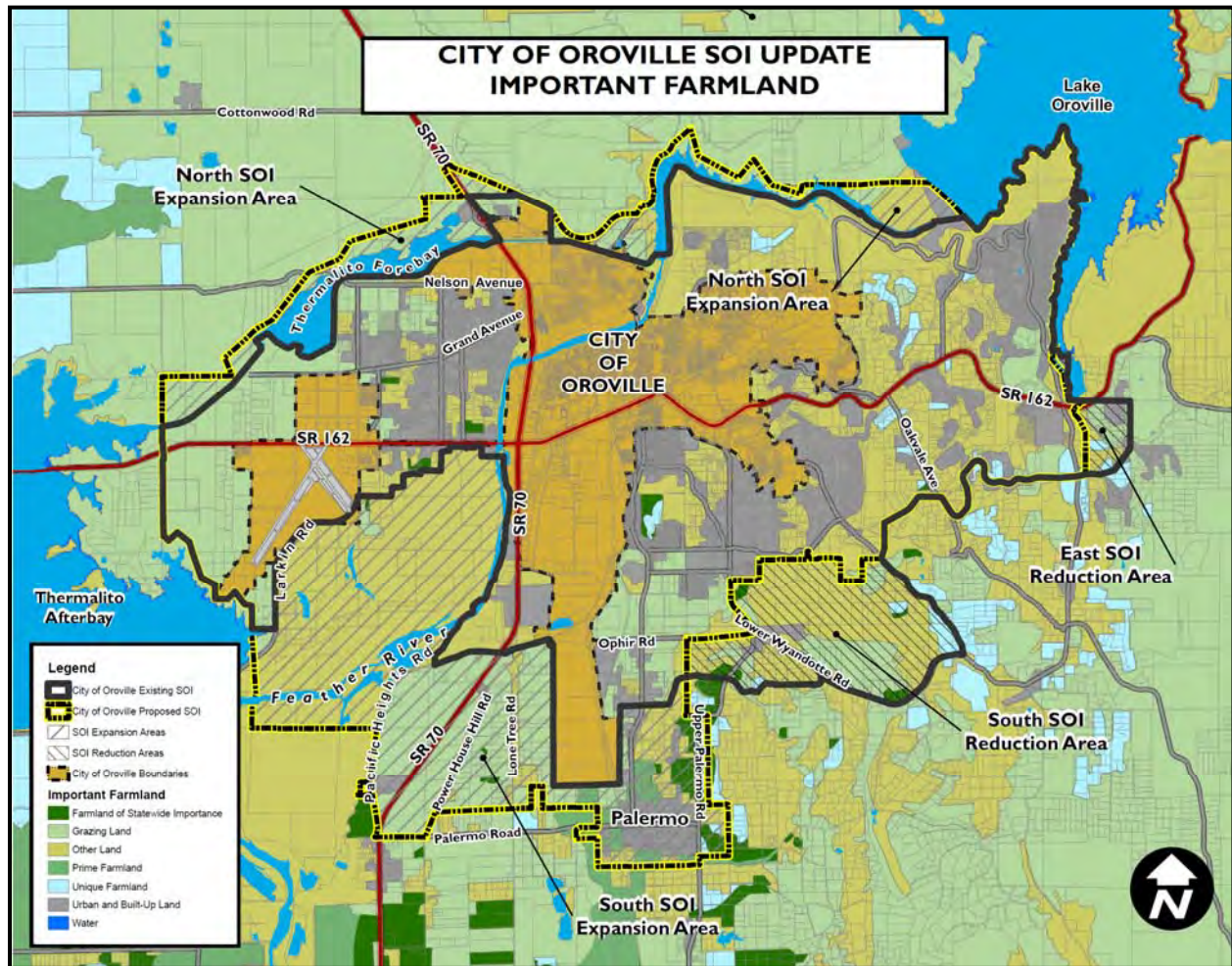


FIGURE 3-3 IMPORTANT FARMLAND - CITY OF OROVILLE SOI



City of Oroville General Plan Agricultural Policies

The Open Space, Natural Resources and Conservation Element of the City of Oroville’s 2030 General Plan contains a brief overview of agricultural uses within the City’s Planning Area. This Element lists the goals, policies, and actions related to agricultural uses, which provide guidance to the City on how to manage agricultural areas. The relevant goals, policies, and actions related to agricultural uses are:

- Goal OPS-6 Preserve the maximum feasible amount of agriculturally productive land, in order to maintain agriculture’s contributions to the local economy, lifestyle, air quality, habitat value and sense of Oroville’s heritage.
- Policy P6.1 Support the South Feather Water and Power Agency and the Thermalito Water and Sewer District investigations of the need, availability and cost of irrigation water to support agriculture within the Planning Area.
- Policy P6.2 Cooperate with Butte County to retain agricultural uses on lands within the Oroville Sphere of Influence prior to their annexation to the City.

Action A6.1 Study the possibility of forming a local land trust, possibly in cooperation with Butte County, or solicit the interest of an existing land trust experienced in acquiring agricultural land and open space in California.

Williamson Act

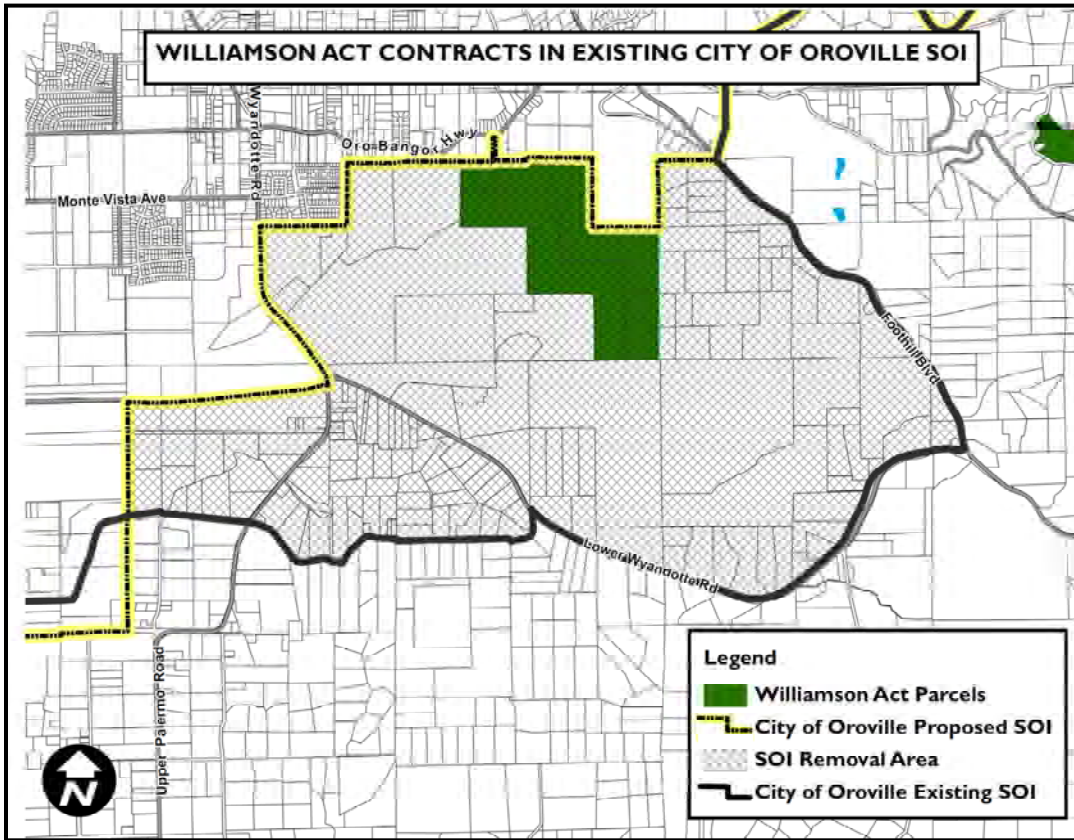
The Williamson Act, or the California Land Conservation Act of 1965, enables local governments, in this case Butte County, to enter into contracts with private landowners to preserve specific parcels of land for agricultural or related open space use. As shown in Figure 3-4 and listed in Table 3-5, there are five parcels within the City’s existing SOI that are currently under Williamson Act contracts. The subject Williamson Act parcels may be utilized for seasonal livestock grazing and no orchards, vines, row crops, or irrigated pastures are found on the parcels.²

Assessor’s Parcel Number	Size (acres)	Contract Status	General Plan Designation	Zoning
079-170-005	0.6	Ongoing	Very Low Density Residential	VLDR
079-270-028	79.9	Ongoing	Rural Residential	RR-5
079-270-049	89.0	Ongoing	Rural Residential	RR-5
079-270-050	4.6	Ongoing	Rural Residential	RR-5
079-270-051	4.6	Ongoing	Rural Residential	RR-5

Source: Butte County GIS data

² Google Map imagery, dated 2014

FIGURE 3-4 WILLIAMSON ACT CONTRACTS IN EXISTING CITY OF OROVILLE SOI



Butte LAFCO Policy 3.1.11 provides guidance relative to the inclusion of lands that are subject to Williamson Act contract in SOIs. Policy 3.1.11 states that LAFCo shall not approve changes to SOIs to include Williamson Act lands if the annexing agency has the ability to provide infrastructure sufficient to promote development of those properties. Some of the municipal services provided by the City of Oroville, such as sanitary sewer services, do have the potential to serve new growth. In addition, portions of the City’s existing and proposed SOI are located within the SOI of other agencies – the Lake Oroville Area Public Utility District and the Thermalito Water and Sewer District – that provide public wastewater collection and conveyance services.

The City of Oroville is proposing to remove approximately 2,734 acres, consisting of 276 parcels, from their existing SOI. The area to be removed includes four of the five Williamson Act parcels located in the City’s SOI. LAFCo staff proposes several minor revisions to the City’s proposed SOI, one of which would remove the fifth Williamson Act parcel (APN 079-170-005) from the City’s SOI. With these changes, the City of Oroville’s proposed SOI will not contain any parcel subject to a Williamson Act contract.

SOI Addition Areas

In 2010, the City of Oroville adopted their 2030 General Plan, which included proposed changes to the City’s Sphere of Influence. Figure 3-1 of this document (Figure LU-5 in the Land Use

section of the City's 2030 General Plan) shows the current LAFCo-approved SOI boundary (approximately 26,343 acres in size) and also shows the SOI boundary as envisioned by the City (approximately 32,552 acres in size). The proposed SOI would remove several large areas located in the southeast SOI area from the SOI and add large areas to the southwest and to the north of the existing SOI. As a part of the General Plan process, the City adopted General Plan land use designations and zoning designations ("prezoning") to the areas proposed to be added to the City's SOI (excluding the Palermo area).

The area proposed to be added to the City of Oroville SOI is located in two distinct geographical areas:

- The South SOI Expansion Area (*Figures 3-5 and 3-6*), located generally southwest of the City's existing SOI and includes parcels along Ophir Road, Lone Tree Road, Power House Hill Road, SR-70, Pacific Heights Road, and Larkin Road. This SOI addition area includes the proposed Rio d' Oro Specific Plan Area and the unincorporated community of Palermo. The City's 2030 General Plan did not include the Palermo area within the proposed SOI. However, with the City's concurrence, the Palermo area is proposed to be added to the City's SOI as a Special Study Area, which is approximately 1,192 acres in size and consists of approximately 726 parcels. The South SOI Expansion Area includes the State-owned and maintained Oroville Wildlife Area, along with other State-owned lands utilized for State water projects infrastructure. The total South SOI addition area, including the Palermo Special Study Area is approximately 7,662 acres in size and contains 1,036 parcels.
- The North SOI Expansion Area (*Figures 3-10 and 3-11*) is generally located north of the City's existing SOI, and includes the State-owned and maintained Thermalito Forebay and the Thermalito Diversion Pool. The North SOI Addition Area is approximately 2,282 acres in size and contains 68 parcels.

Proposed SOI Reduction Areas

Two separate areas, consisting of 276 parcels totaling approximately 2,734 acres, are proposed to be removed from the City's existing SOI. The two areas are:

- The South SOI Reduction Area (*Figure 3-14*), located in the south portion of the City's current SOI along Foothill Boulevard and Lower Wyandotte Road. The South SOI Reduction Area is approximately 2,445 acres in size and contains 179 parcels, most of which are designated by the Butte County General Plan for very low density residential uses on large parcels.
- The East SOI Reduction Areas (*Figure 3-15*), located in the east portion of the City's current SOI, generally west of Miners Ranch Road, south of State Route 162. As proposed by the City of Oroville, the East SOI Reduction Area is approximately 264 acres in size and contains 90 parcels, most of which are designated by the Butte County General Plan for residential uses on large parcels. LAFCo Staff recommends an additional 25 acres of the City's east SOI area also be removed from the City's SOI to provide for logical SOI boundaries. The 25-acre area, which is generally located to the east of Kelly Ridge Road north of State Route 162, consists of portions of seven parcels

owned by either the State of California or the South Feather Water and Power Agency, which are utilized for water storage or water conveyance facilities. These parcels will not require City of Oroville municipal services and the removal of these parcels from the City's SOI will result in logical and orderly SOI boundaries. The total East SOI Reduction Area is approximately 289 acres in size and consists of 97 parcels.

Each SOI expansion area and SOI reduction area is evaluated below.

Lands designated for agricultural or open space uses are typically not included in spheres for purposes of discouraging urban development and preserving open space and prime agricultural lands. In this case, however, the proposed sphere maintains areas with agricultural soils and agricultural land uses because it has been found that these areas have social and economic ties to the City of Oroville, as well as the community at-large. Many of the Agricultural-designated parcels are within areas that are within a future specific plan area identified in both the City of Oroville's General Plan and in Butte County's General Plan. Additionally, many of the parcels with agricultural uses are designated by the Butte County General Plan for residential uses.

City of Oroville South SOI Expansion Area

The proposed City of Oroville South SOI Expansion Area is approximately 7,622 acres in size (including road, railroad, and utility right-of-ways) and consists of approximately 1,036 parcels. The South SOI Expansion Area includes the Palermo Special Study Area, which consists of approximately 726 parcels totaling approximately 1,192 acres in size. As shown in Table 3-6, the predominant current land use within this area is residential, with 715 parcels assessed for residential uses and 182 parcels assessed as residential undeveloped. Within the South SOI Expansion Area, 39 parcels totaling approximately 3,855 acres are State-owned parcels consisting of the State-owned and managed Oroville Wildlife Area and parcels along the Feather River. Commercial uses within the South SOI Expansion Area, which includes commercial recreation uses, are found on 35 parcels.

As shown in Table 3-8 and on Figure 3-7, 36 parcels, totaling approximately 1,109 acres, are assessed as having an agricultural use. Grazing is identified as being the primary agricultural use, consisting of 18 parcels totaling approximately 933 acres. Other agricultural uses within the proposed South SOI Expansion Area include olives, rice, and vines. None of the parcels that are assessed as agricultural are designated by the City of Oroville's General Plan for agricultural uses.

FIGURE 3-5 CITY OF OROVILLE SOUTH SOI EXPANSION AREA AERIAL VIEW

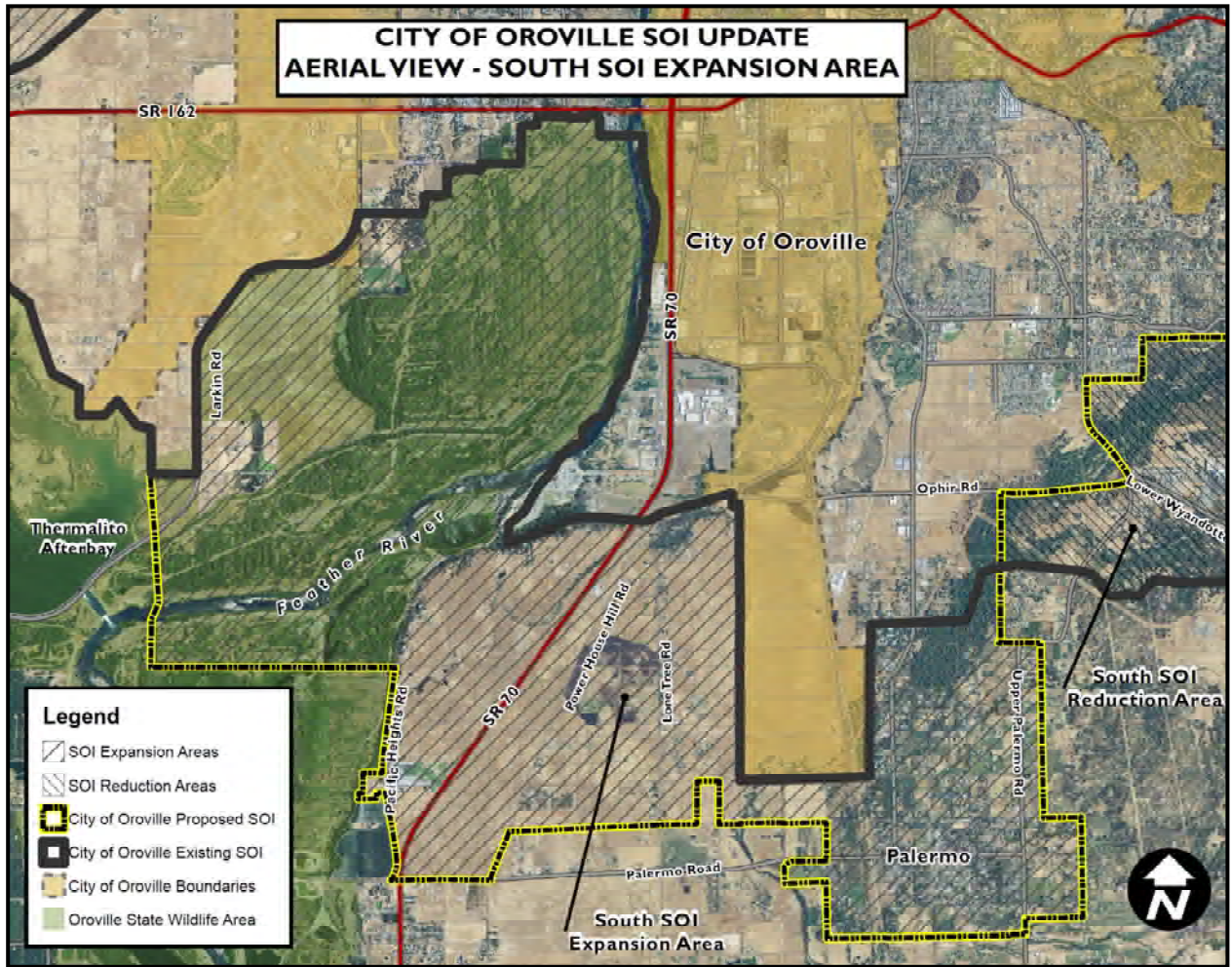


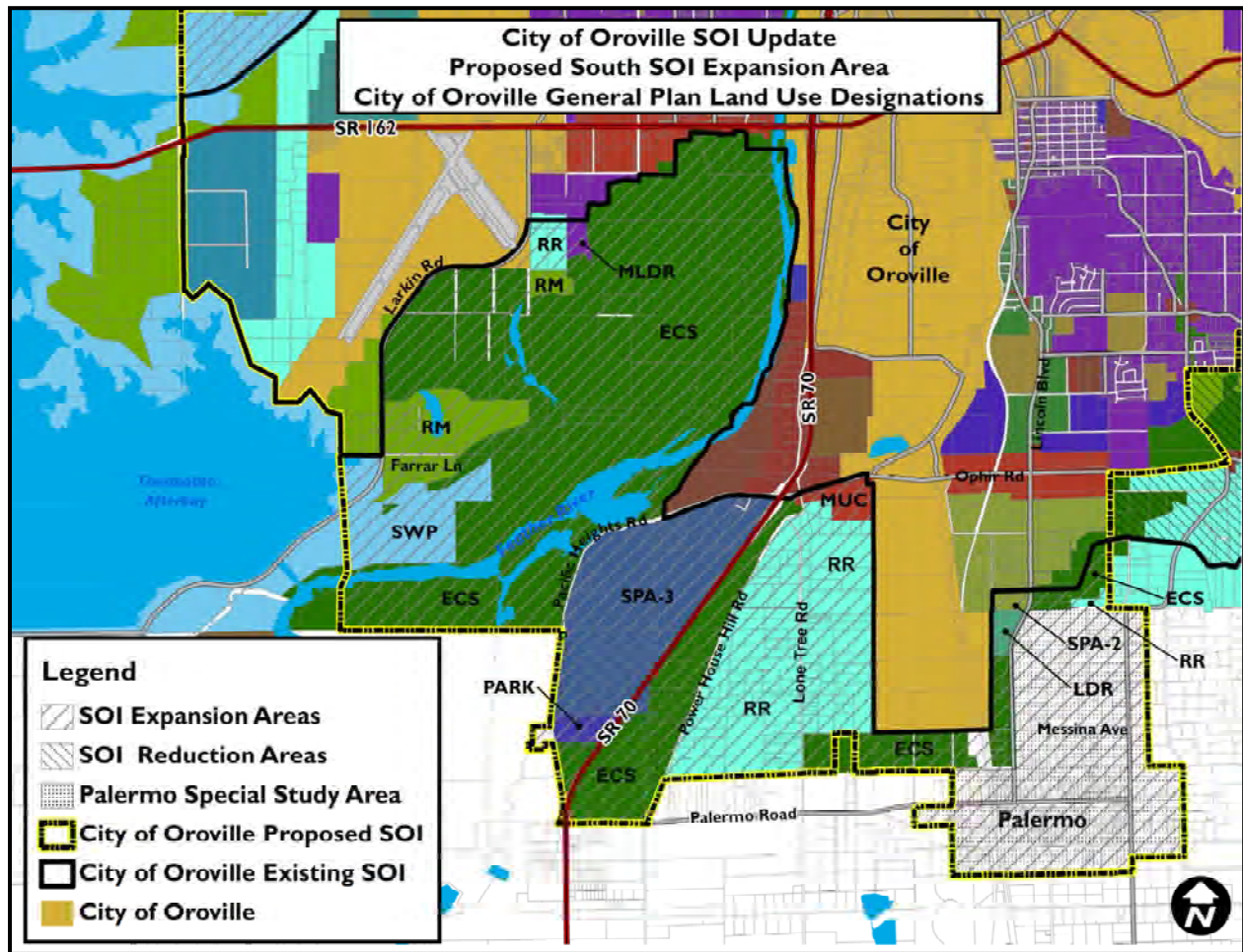
TABLE 3-6 EXISTING LAND USES WITHIN SOUTH SOI EXPANSION AREA *

Existing Land Use	No. of Parcels	% of Parcels
Residential	715	69.0
Residential Undeveloped	182	17.6
Public	49	4.7
Agricultural	36	3.5
Commercial	35	3.4
Commercial Undeveloped	11	1.0
Industrial Undeveloped	7	0.7
Industrial	1	0.1

*Includes parcels within the Palermo Special Study Area

Source: Butte County Assessor's Office Data

FIGURE 3-6 CITY OF OROVILLE SOUTH SOI EXPANSION AREA GENERAL PLAN LAND USE DESIGNATIONS



As shown on Figure 3-6 and Table 3-7, the City of Oroville’s General Plan designates 89 parcels, totaling approximately 3,790 acres, as Environmental Conservation/Safety (ECS). The majority of the ECS-designated area is within the State-owned and maintained Oroville Wildlife Area. The City’s General Plan designates approximately 969 acres of the South SOI Expansion area for rural residential uses and designates 660 acres for the Rio d’Oro Specific Plan Area.

TABLE 3-7 CITY OF OROVILLE GENERAL PLAN LAND USE DESIGNATIONS WITHIN SOUTH SOI EXPANSION AREA *

General Plan Land Use Designation	Acres	No. of Parcels
Environmental Conservation/Safety	3,790.3	89
Rural Residential (0-0.2 du/acre)	966.8	134
Rio d’Oro Specific Plan Area Overlay (SPA-3)	660	34
State Water Project	278	1
Resource Management	267.7	21
Mixed Use Commercial	51.7	6
Park	40.6	5
Low Density Residential (1-3 du/acres)	29.3	12
Medium Low Density Residential (3-6 du/acres)	21	1
South Ophir Specific Plan Area Overlay (SPA-2)	20.8	2
Public	12.7	1
Not Designated	11.1	4
Retail and Business Services	1.4	2
Total	6,151.4	312

**Excludes the 726 parcels within the Palermo Special Study Area*

Source: City of Oroville 2030 General Plan and Butte County GIS Data

As identified on Figure 3-7 and Table 3-8, thirty-six parcels within the South SOI Expansion Area are assessed by the Butte County Assessor’s Office for some type of agricultural use, which includes grazing, olives, vines, and rice crops. The largest concentration of the agricultural uses, which consists of seasonal livestock grazing, are found along State Route 70, north of Palermo Road. The parcels on the west side of this section of State Route 70 are within the Rio d’Oro Specific Plan Area. The predominant agricultural use within the Palermo Special Study Area is olives, many of which are the remnants of much larger orchards.

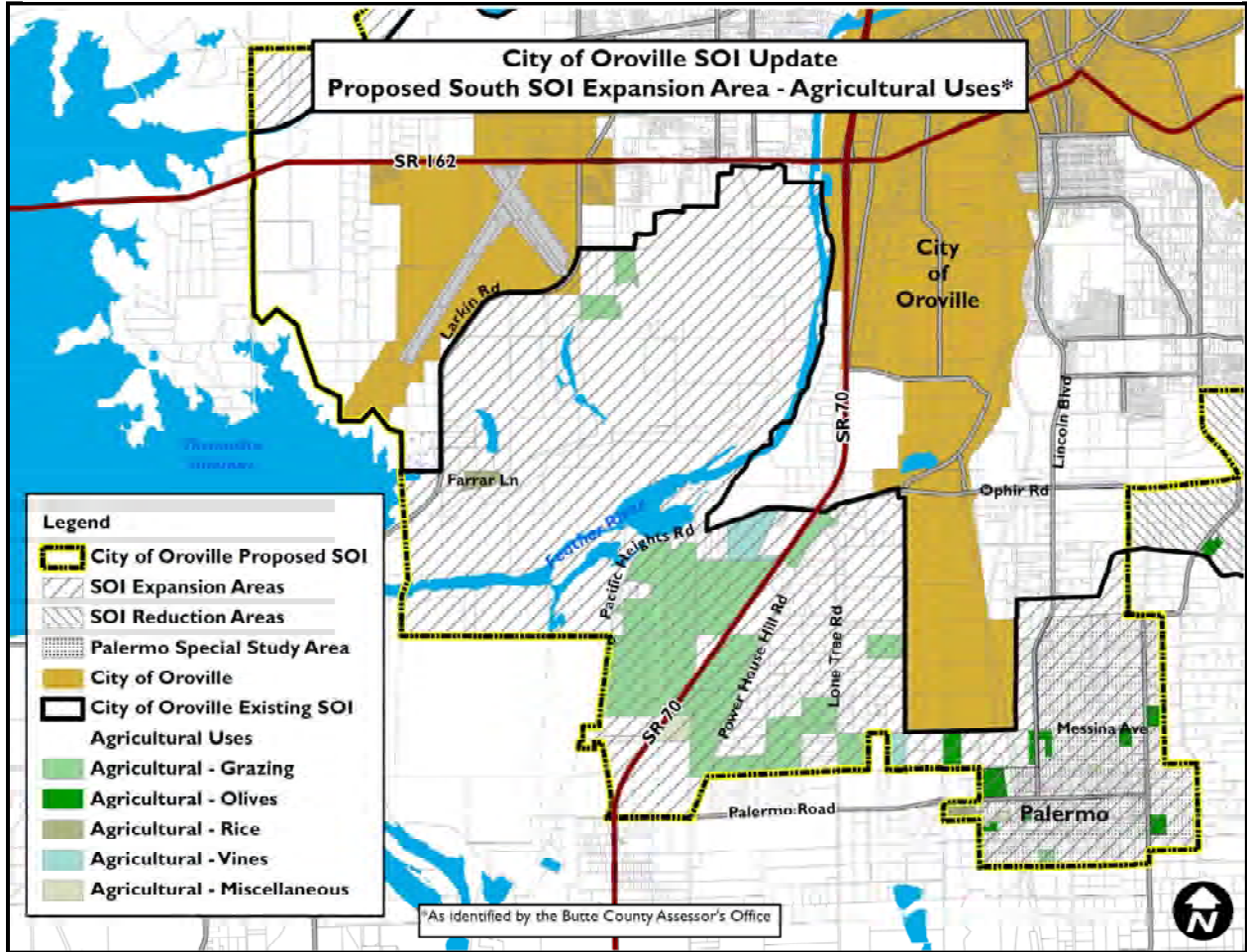
TABLE 3-8 AGRICULTURAL USES WITHIN THE SOUTH SOI EXPANSION AREA *

Agricultural Use	No. of Parcels	Area (acres)
Grazing	18	933
Olives	12	91
Vines	1	20
Rice	2	34
Miscellaneous Agricultural	3	31

**Includes parcels within the Palermo Special Study Area*

Source: Butte County Assessor’s Office Data

FIGURE 3-7 CITY OF OROVILLE SOUTH SOI EXPANSION AREA – AGRICULTURAL-ASSESSED PARCELS



Future Land Uses in South SOI Expansion Area

Future development in the proposed City of Oroville South SOI Expansion Area will be predominantly residential uses at various densities (*Table 3-9*). Based upon the City’s General Plan land use designations for the area, approximately 3,100 dwellings could be located in the South SOI Expansion Area (excluding the Palermo Special Study Area). Most of the new residential development will be the result of the proposed Rio d’Oro Specific Plan (*Figure 3-8*), which proposes up to 2,700 dwellings and some commercial uses. The area within the South SOI Expansion Area designated for rural residential uses, which requires a minimum parcel size of 5 acres, could be developed with up to 193 dwellings. The area designated for low density residential uses, which allows for a density of 1 to 3 dwellings per acre, could be developed with up to 87 dwellings. The area designated for medium low density residential uses, which allows for a density of 3 to 6 dwellings per acre, could be developed with up to 126 dwellings. No development, with the exception of new recreational uses, is expected to occur within the Oroville Wildlife Area portion of the South SOI Expansion area.

The unincorporated community of Palermo is within the South SOI Expansion area, but will be designated as a Special Study Area within the City’s SOI. The City of Oroville did not include

the Palermo area in their General Plan and as such did not assign the area with City General Plan land use designations and the City not did prezone the area. The Butte County General Plan designates most of the Palermo Special Study Area for residential uses at various densities. Table 3-10 below provides a breakdown of the County's land use designations for the parcels within the Palermo Special Study Area. It is probable that any future City of Oroville's General Plan land use designations for the Palermo area will be similar to the County's land use designations for the area. The extension of sanitary sewer service to the Palermo area, which would allow for the creation of smaller parcels, may result in an increase in residential densities.

TABLE 3-9 POTENTIAL RESIDENTIAL DENSITIES WITHIN SOUTH SOI EXPANSION AREA*

General Plan Land Use Designation	Acres	Range of Density (dwellings)
Rural Residential (0-0.2 du/acre)	966.8	134-193
Rio d'Oro Specific Plan Area Overlay (SPA-3)	660	Up to 2,700
Low Density Residential (1-3 du/acres)	29.3	29-87
Medium Low Density Residential (3-6 du/acres)	21	63-126

*Excludes the Palermo area

Source: City of Oroville 2030 General Plan and Butte County GIS Data

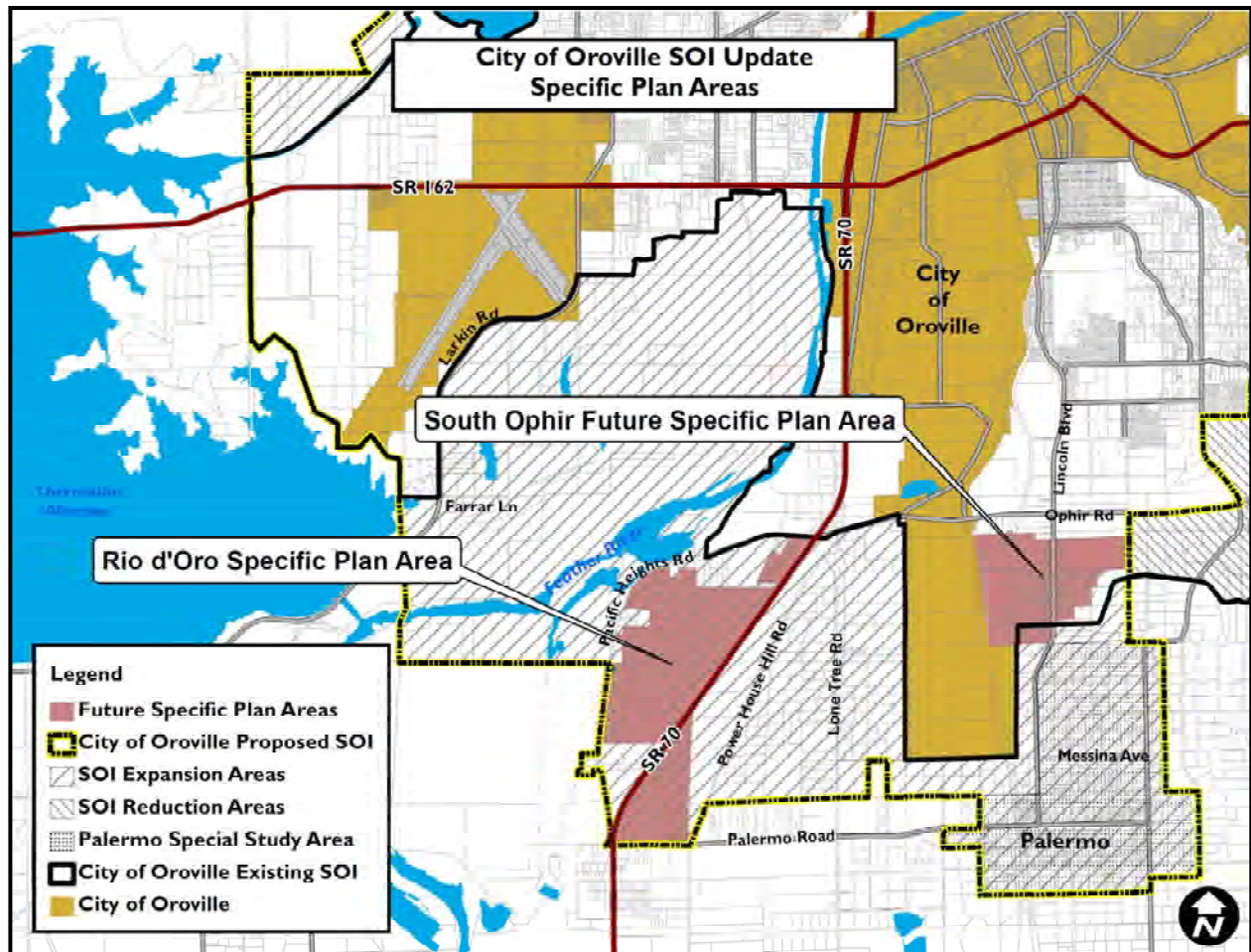
TABLE 3-10 BUTTE COUNTY GENERAL PLAN LAND USE DESIGNATIONS FOR THE PALERMO SPECIAL STUDY AREA

General Plan Land Use Designation	Acres	No. of Parcels	Range of Density (dwellings)
Agricultural	62.9	7	N/A
Industrial	5.6	5	N/A
Low Density Residential (1-3 du/acre)	165.7	369	165 - 495
Public	19.7	3	N/A
Retail	14.0	37	N/A
Resource Conservation	2.7	1	N/A
Rural Residential (5 to 10 ac/du)	170.3	29	17 - 34
Very Low Density Residential (1 du/ac)	677.1	275	677

Source: Butte County GIS Data

The Rio D'Oro Specific Plan area, which encompasses a 700-acre area located along State Route 70 south of Oroville, is anticipated to limit development to not more than 2,700 dwelling units of mixed residential types (*Figure 3-8*). Commercial areas for this specific plan are limited to 30 acres of retail and office designation to be located along the northern portion of the Specific Plan area. The uses would include neighborhood retail service. Smaller areas dedicated to public and commercial uses will be located in the southeast portion of the Specific Plan Area at State Route 70 and Palermo Road. The Butte County Planning Division is currently processing the specific plan project, which was submitted to the County in 2008. An Environmental Impact Report (EIR) is currently being prepared by the County for the specific plan project.

FIGURE 3-8 CITY OF OROVILLE SOUTH SOI EXPANSION AREA – SPECIFIC PLAN AREAS



The 819-acre South Ophir “Specific Plan to be Developed” area is located with the City’s existing SOI, although only two parcels totaling 18.8 acres are located within the City’s proposed South SOI Expansion Area (*Figure 3-8*). The City of Oroville and the County of Butte anticipate the development of the South Ophir Specific Plan in their General Plans. A primary goal of the Specific Plan is to provide a mix of uses that includes a business/technology park complex for clean industry. The Specific Plan will determine the mix of uses that will occur but it is anticipated that within the entire Specific Plan area, including both incorporated and unincorporated municipalities, 150 to 300 acres of land are assumed to be dedicated to the development of an industrial park. Up to 1,500 dwelling units of mixed residential types may also be included, as well as neighborhood retail services.

Domestic Water and Wastewater Services in the South SOI Expansion Area

Domestic Water

Domestic water for the existing uses within the proposed South SOI Expansion Area is obtained from various sources: individual on-site wells; the South Feather Water and Power Agency

(SFWPA); and the Thermalito Water and Sewer District (TWSD). Figure 3-9 shows the location of the two districts within the South SOI Expansion Area.

All of the South SOI Expansion Area located to the east of the Feather River is within SFWPA's SOI and approximately 284 parcels in the SOI Expansion Area are within SFWPA's jurisdictional boundaries. SFWPA has six raw water storage reservoirs with a combined capacity of 171,500 acre feet but utilizes much less than that. SFWPA has adequate water rights, water storage, and treatment capacity to provide service to the City of Oroville's proposed SOI.

TWSD would provide domestic water to the area of the SOI Expansion Area within TWSD's SOI. Because most of that area consists of the State-owned Oroville Wildlife Area, only a limited amount of domestic water service from TWSD will be needed.

Wastewater Disposal

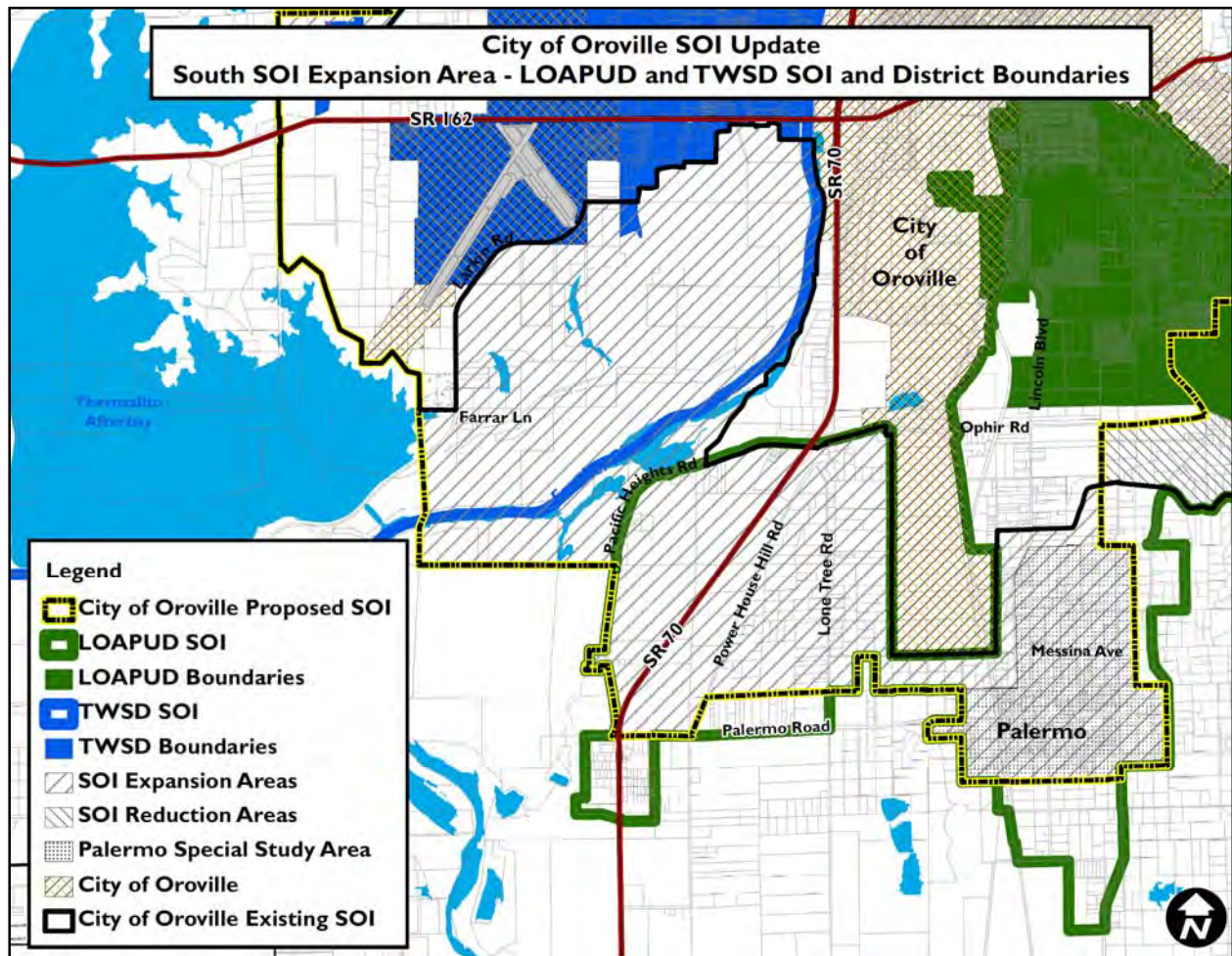
Wastewater disposal for all of the existing developed parcels within the proposed South SOI Expansion Area is currently handled by individual, on-site septic systems. Wastewater disposal for individual homes on larger parcels (one acre or greater in size, depending on slope and soil conditions) would most likely continue to be handled by individual on-site septic systems. However, new higher density developments within the South SOI Expansion Area, such as the Rio d'Oro Specific Plan project, will require either connection to a public sanitary sewer system or the use of on-site packaged wastewater treatment systems for large developments. Use of packaged wastewater treatment systems would require approval by the State of California Regional Water Quality Control Board. Additionally, failing septic systems or stricter State regulations regarding on-site septic systems may result in an increase in connections to sanitary sewer systems.

A large portion of the City's South SOI Expansion area was recently placed within the Sphere of Influence of the Lake Oroville Area Public Utility District (LOAPUD), including the unincorporated community of Palermo (*Figure 3-9*). LOAPUD provides sewer collection and conveyance services to parcels within the unincorporated area of east and south Oroville, although LOAPUD does provide service to a limited number of parcels within the City of Oroville. The primary purpose for placing the South SOI Expansion Area in LOAPUD's SOI was to recognize LOAPUD's role in providing wastewater services to future new development allowed under the Butte County's General Plan, including the Rio d'Oro Specific Plan Area and the Palermo area. The developer of the Rio d'Oro Specific Plan met with staff from the City of Oroville, LOAPUD, the Butte County Planning Division, and LAFCo to determine various options for the provision of wastewater services to the specific plan area. The EIR currently being prepared for the specific plan will include an analysis of both the City of Oroville and LOAPUD providing wastewater services to the specific plan area.

The sphere of influence for the Thermalito Water and Sewer District (TWSD) also extends into the South SOI Expansion Area (*Figure 3-9*). Most of the South SOI Expansion Area that would be within TWSD's SOI is located within the Oroville Wildlife Area or other State-owned lands along the Feather River, where the need for wastewater services will be nonexistent or minimal.

Adding the City’s proposed South SOI Expansion Area to the City’s SOI does not automatically confer the provision of wastewater services to the City for that area should the area be annexed to the City of Oroville. Butte LAFCo Policy 3.1.9 allows the Commission to approve overlapping spheres in instances where it appears that more than one agency is equally qualified to serve an area with one or more approved services, and if fiscal considerations or community input do not clearly disfavor a specific agency. At the time of annexation, the Commission will determine which agency (City of Oroville or LOAPUD) possessed the capability to provide the most efficient delivery of wastewater services to the affected population (Butte LAFCo Policy 4.2 and California Government Code Section 56886.5).

FIGURE 3-9 LOAPUD AND TWSD SPHERE OF INFLUENCES IN SOUTH SOI EXPANSION AREA



City of Oroville North SOI Expansion Area

As shown in Figures 3-10 and 3-11, the City of Oroville’s North SOI Expansion Area is approximately 2,265 acres in size (including road and public utility right-of-ways) and consists of 68 parcels. Figure 3-12 and Table 3-11 show that the predominant existing land use within this area is public uses, with 45 parcels totaling approximately 2,100 acres owned by the State of California that are utilized for State Water Project facilities and infrastructure, including the Thermalito Afterbay and the Thermalito Diversion Pool. The State lands account for almost 93% of the area within the proposed North SOI Expansion area. Additional existing land uses within the North SOI Expansion area include ten parcels, totaling 36 acres, which are developed with a residential use. There are nine parcels identified as residential undeveloped within the area. The North SOI Expansion Area includes two parcels, totaling 30.5 acres, which are assessed by the Butte County Assessor’s Office as having agricultural uses. A review of aerial photographs for these two parcels shows that no agricultural uses of any type exist on the parcels, although the parcels could possibly be utilized for seasonal livestock grazing.

FIGURE 3-10 NORTH SOI EXPANSION AREA – AERIAL VIEW

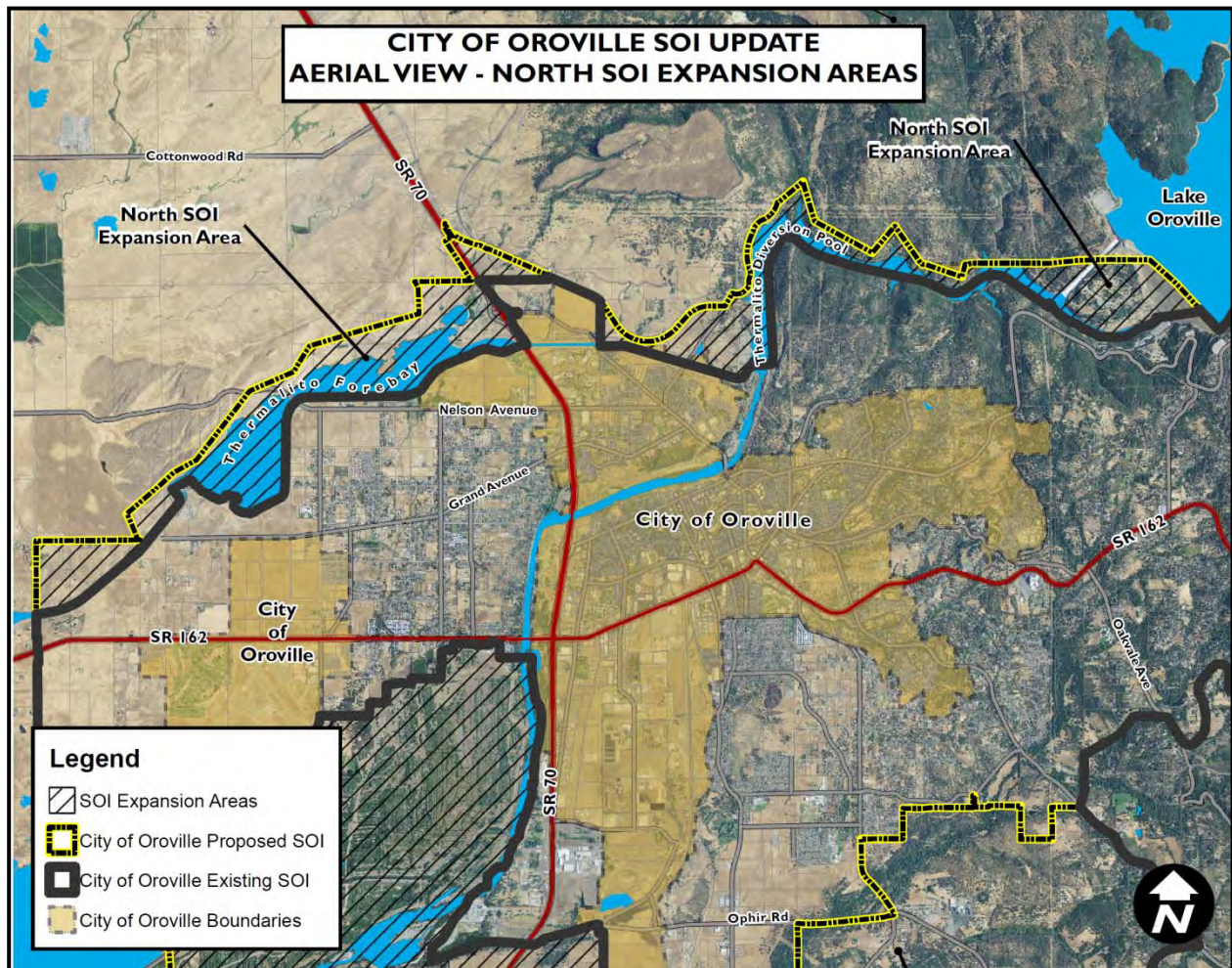


TABLE 3-11 EXISTING LAND USES WITHIN THE NORTH SOI EXPANSION AREA

Existing Land Use	No. of Parcels	Area (ac)	% of Parcels	% of Area
Residential	10	36	14.7	1.6
Residential Undeveloped	9	88.1	13.2	3.9
Public	45	2,100	66.2	92.7
Agricultural	2	30.5	2.9	1.3
Commercial Utilities	2	10.4	2.9	0.5

Source: Butte County Assessor's Office Data

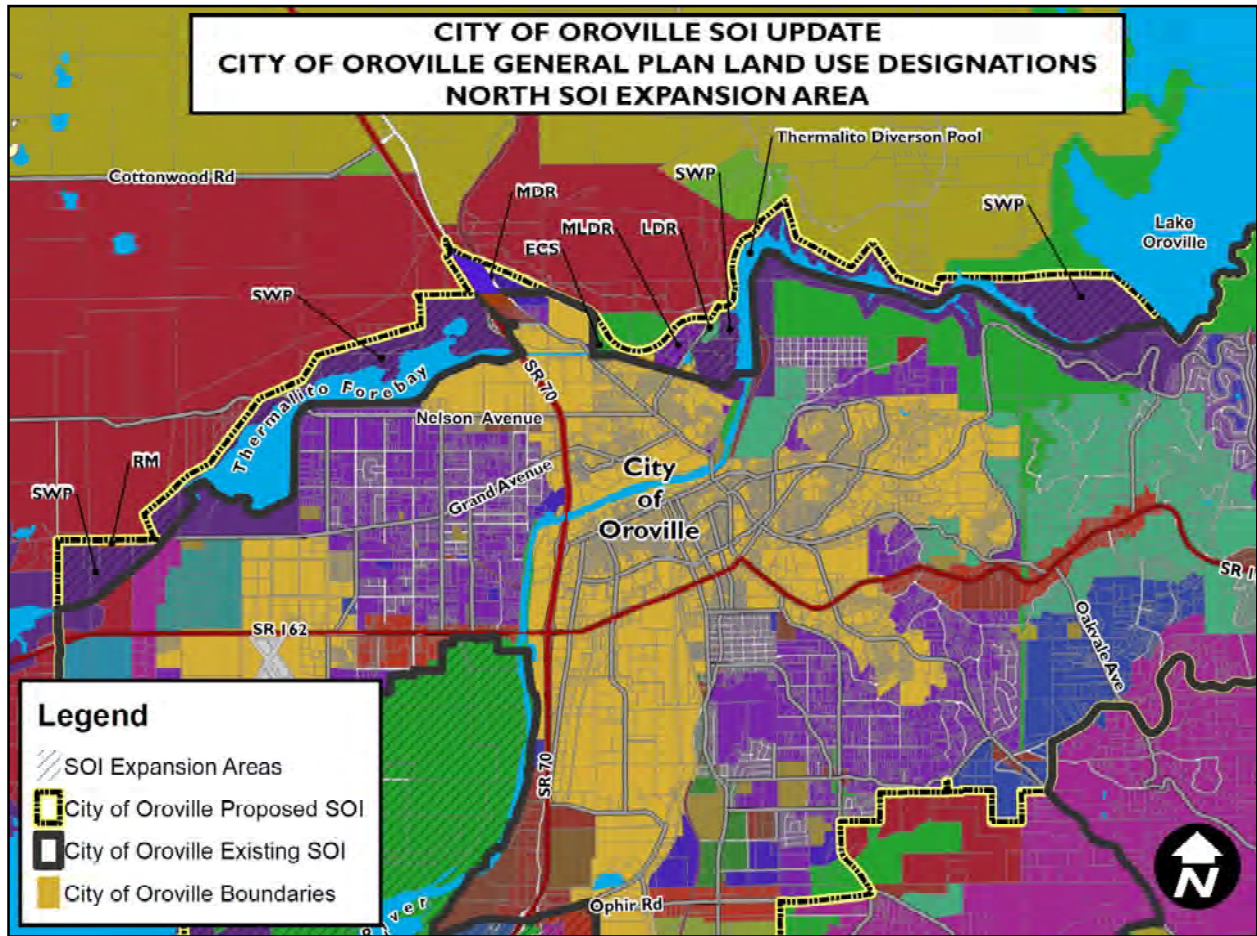
The City of Oroville's General Plan land use designations for the North SOI Expansion Area are listed in Table 3-12. Almost 90% of the area is designated as State Water Project by the City's General Plan, where no residential, commercial, or industrial development will occur and where little, if any, City services will be required. The North SOI Expansion area does have some significant potential for new residential uses, with approximately 135 acres designated for medium low and medium density residential uses.

TABLE 3-12 CITY OF OROVILLE GENERAL PLAN LAND USE DESIGNATIONS WITHIN NORTH SOI EXPANSION AREA

General Plan Land Use Designation	Acres	No. of Parcels	Range of Density (dwellings)
State Water Project	2,031.3	37	N/A
Medium Density Residential (6-14 du/acre)	68.1	2	408-953
Medium Low Density Residential (3-6 du/acre)	67.1	10	201-402
Environmental Conservation/Safety	55	7	N/A
Resource Management	29.7	5	N/A
Low Density Residential (1-3 du/acre)	13.7	7	13-41

Source: City of Oroville 2030 General Plan and Butte County GIS Data

FIGURE 3-11 CITY OF OROVILLE NORTH SOI EXPANSION AREA – GENERAL PLAN LAND USE DESIGNATIONS



Most of the North SOI Expansion Area is within the Sphere of Influence of the Thermalito Water and Sewer District (TWSD), which provides wastewater collection/conveyance services and domestic water services to the Thermalito and north Oroville areas, including areas within the City of Oroville (*Figure 3-13*). Approximately 572 acres of the North SOI Expansion Area are within TWSD’s jurisdictional boundaries.

FIGURE 3-12 CITY OF OROVILLE NORTH SOI EXPANSION AREA – EXISTING USES

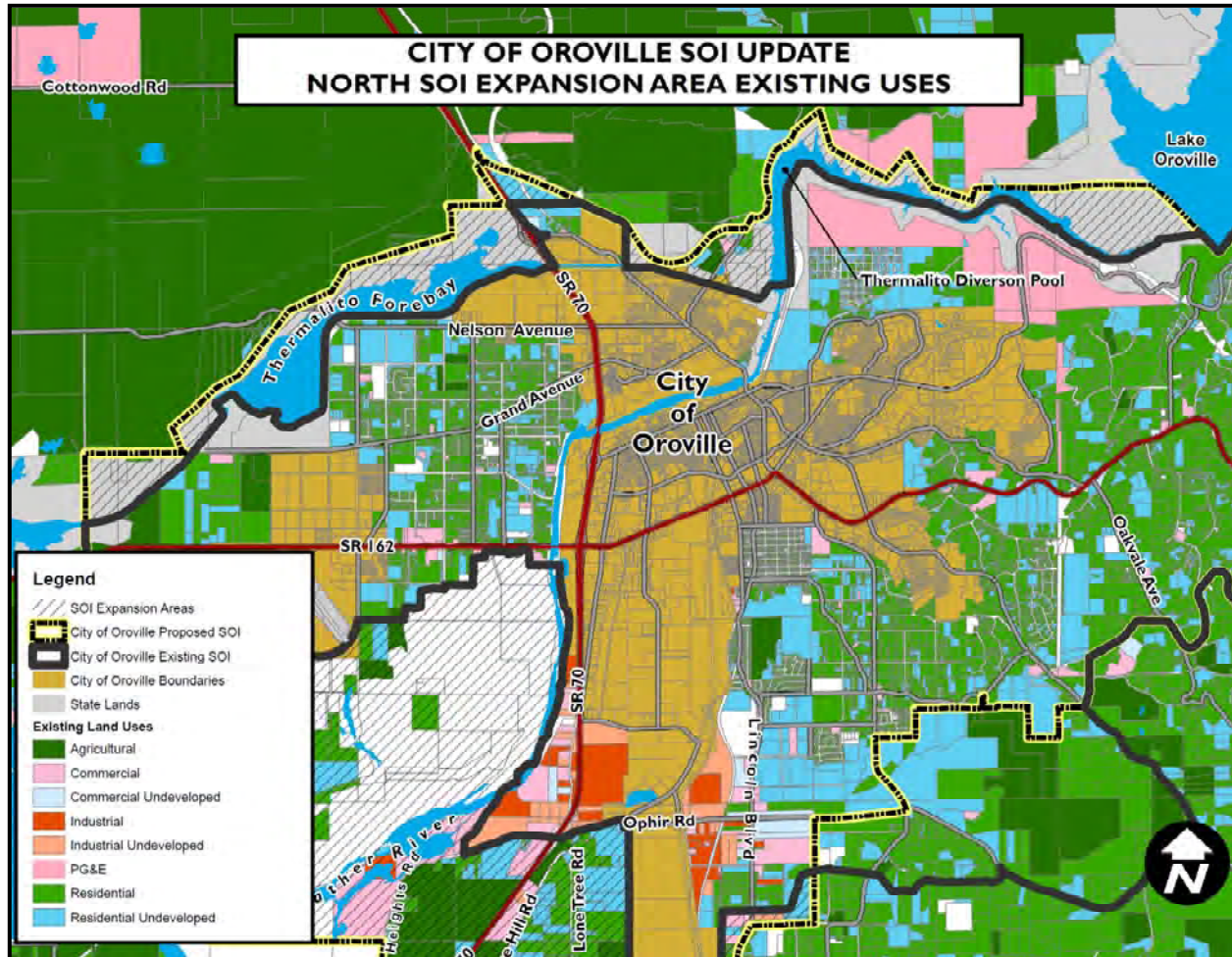
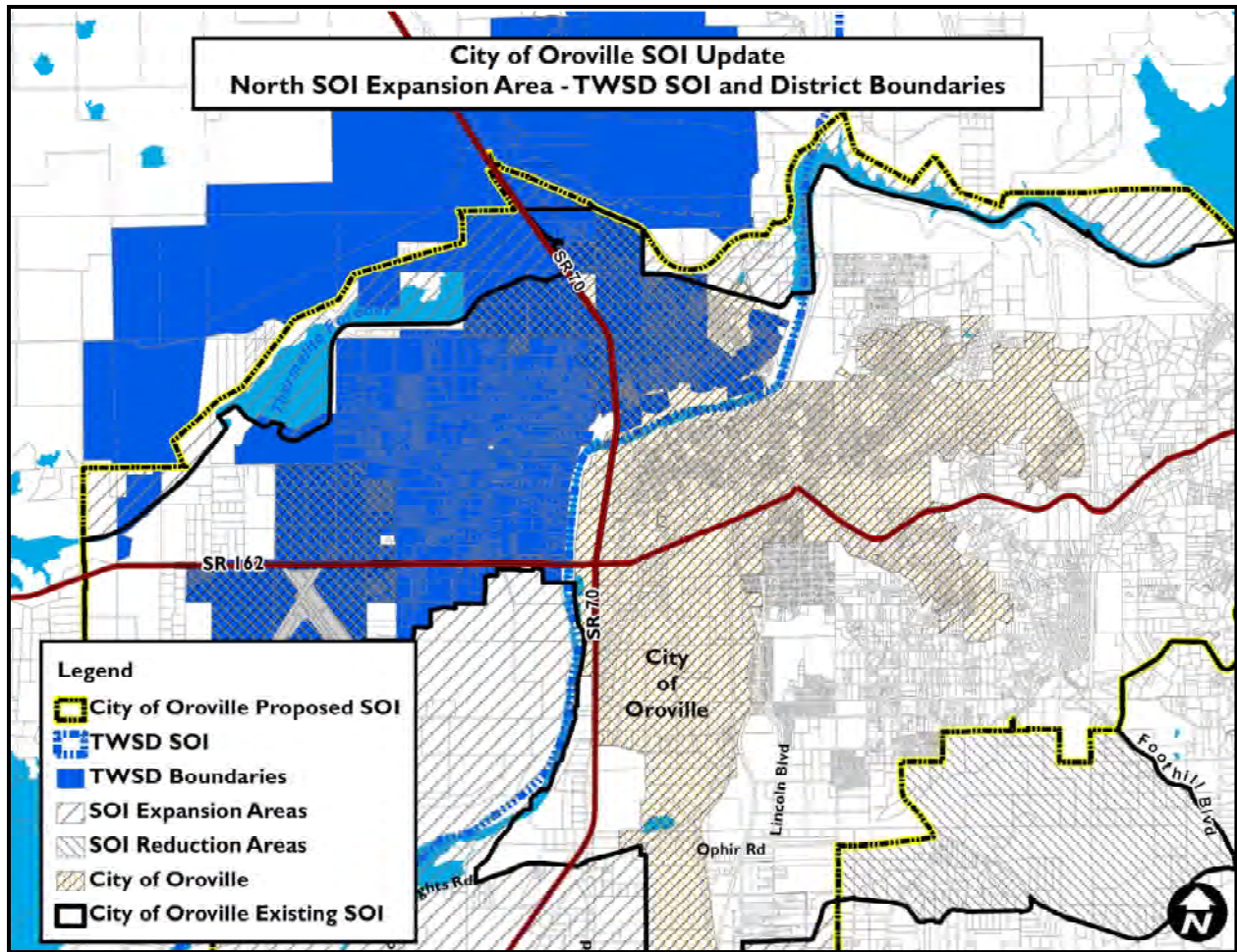


FIGURE 3-13 CITY OF OROVILLE NORTH SOI EXPANSION AREA – TWSD SOI AND DISTRICT BOUNDARIES



Future Land Uses in North SOI Expansion Area

Based upon the City of Oroville’s General Plan land use designations, future development in the City’s proposed North SOI Expansion Area will be limited to a few specific areas because almost 97% of this area consists of State-owned lands that are developed with State Water Project facilities and infrastructure. However, based upon the City of Oroville’s General Plan land use designations for the area, approximately 622 to 1,396 residential units may be able to be developed in the areas designed for residential uses (*Table 3-12*). The medium density residential designated area is located on both sides of Table Mountain Boulevard, north of Garden Drive, while the medium low density residential designated area is located on the north side of Cherokee Road, between the Union Pacific Railroad tracks to the north and the Thermalito Power Canal to the south.

City of Oroville SOI Reduction Areas

The City of Oroville proposes to remove several areas from the City’s existing SOI (**Figures 3-14 and 3-15**). The largest area proposed to be removed – the South SOI Reduction Area – consists of 179 parcels totaling approximately 2,445 acres in size. The parcels within the South SOI Reduction Area range in size from 0.2 to 139 acres in size, with the majority being greater than five acres in size. Many of the parcels are developed with a residential use. Tribal lands belonging to the Mooretown Rancheria, which are developed with the Feather Falls Casino & Lodge and with dwellings for Rancheria members are located within the South SOI Reduction Area. The South SOI Reduction Area contains prime agricultural lands and, as shown on Figures 3-4 and 3-14, the only Williamson Act parcels in the City’s existing SOI are found in this area.

The East SOI Reduction Area consists of 90 parcels totaling approximately 264 acres in size (**Figure 3-15**). The parcels within the East SOI Reduction Area range in size from 0.5 to 17 acres and many of the parcels are developed with a dwelling unit. LAFCo staff recommends that an additional 25 acres, consisting of portions of seven parcels, be removed from the City’s SOI to provide for logical jurisdictional boundaries. These seven parcels are owned by either the State of California or the South Feather Water and Power Agency.

FIGURE 3-14 CITY OF OROVILLE SOUTH SOI REDUCTION AREA

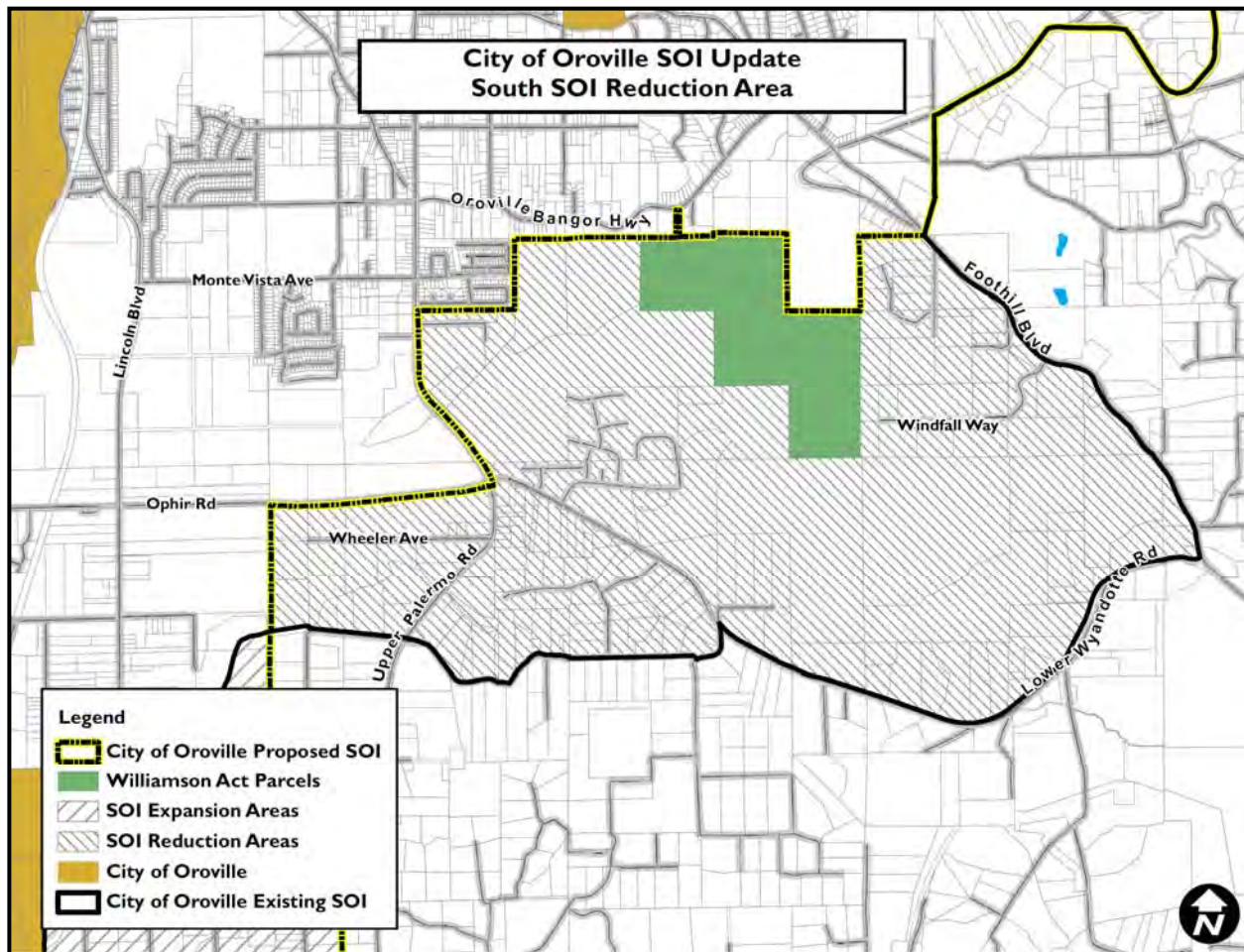
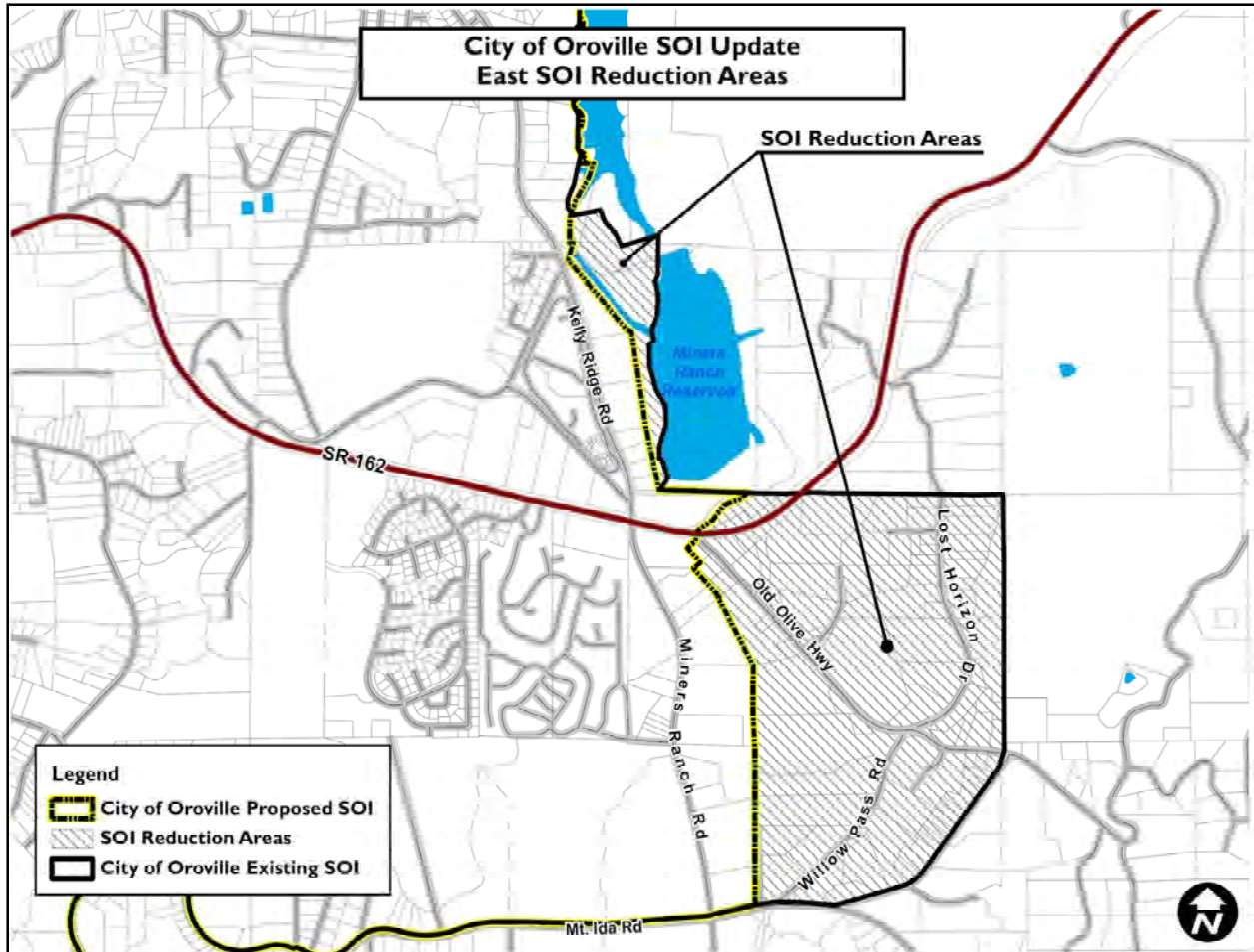


FIGURE 3-15 CITY OF OROVILLE EAST SOI REDUCTION AREAS



Kelly Ridge Special Study Area Designation

The unincorporated community of Kelly Ridge has long been a part of the City of Oroville’s SOI. It is acknowledged that the inclusion of the Kelly Ridge area in the City’s SOI provides the City with a physical link to Lake Oroville. However, the Kelly Ridge area is well beyond a 20-year period for annexation into the City and because of this should be considered for removal from the City’s SOI. However, due to the connection to Lake Oroville, the City of Oroville was hesitant about removing the Kelly Ridge area from their SOI. LAFCo staff, with the City’s concurrence, proposes to keep the Kelly Ridge area in the City’s SOI but designate the area as a Special Study Area pursuant to Butte LAFCo Policy 3.1.10. Annexation of the Kelly Ridge area would not occur until the Commission, through the SOI amendment process, removes the special study area designation and assigns a specific sphere category to the area. The Kelly Ridge Special Study Area is approximately 4,980 acres in size and consists of approximately 3,027 parcels, most of which are developed with a residential use. Most of the Kelly Ridge area is already provided with domestic water services from SFWPA and sanitary sewer services from LOAPUD.

SOI DETERMINATION 3-1A: PRESENT AND PLANNED LAND USE

The proposed SOI is compatible with the Butte County General Plan which favors urban development to occur within a City whenever possible. The proposed SOI is compatible with the City of Oroville General Plan and the SOI expansion areas, with the exception of the Palermo Special Study Area, were analyzed in the City General Plan EIR.

SOI DETERMINATION 3-1.B: PRESENT AND PLANNED LAND USE

The City of Oroville serves an important role by providing municipal services within its existing jurisdictional boundaries. Uses within the City's existing and updated SOI consists primarily of low to high density residential uses, along with public recreation uses, commercial/industrial uses, and scattered pre-existing agricultural uses. The City of Oroville's existing and proposed SOI, excluding State-owned and managed lands, is primarily designated by the City's General Plan for relatively high levels of development, which will require municipal services to fully implement the City's General Plan. Considering the existing and planned land uses in the area, the City of Oroville is the logical agency to provide most urban services to accommodate the planned growth.

SOI DETERMINATION 3-1.C: PRESENT AND PLANNED LAND USE

The unincorporated community of Palermo will be added to the City of Oroville's Sphere of Influence as a Special Study Area pursuant to Butte LAFCo Policy 3.1.10. The Special Study Area designation denotes that the Palermo Area would benefit from City services at some point and would be considered a likely area for annexation into the City of Oroville at some future date. Annexation of the Palermo area to the City of Oroville cannot occur until the Commission removes the special study area designation and assigns a specific sphere category to the area based on anticipated service demands.

SOI DETERMINATION 3-1.D: PRESENT AND PLANNED LAND USE

The unincorporated community of Kelly Ridge is already within the City of Oroville's Sphere of Influence but is not within the 20-year time frame for annexation to the City nor in need of any City services at this time. Pursuant to the City's desires for a perceived connection to Lake Oroville, and as provided for by Butte LAFCo Policies, the Kelly Ridge area will remain within the City's SOI, but will be designated as a Special Study Area pursuant to Butte LAFCo Policy 3.1.10. Annexation of the Kelly Ridge area to the City of Oroville may not occur until the Commission removes the special study area designation and assigns a specific sphere category to the area based on anticipated service demands.

SOI DETERMINATION 3-1.E: PRESENT AND PLANNED LAND USE

Prime agricultural lands and agricultural uses are found within the City's updated SOI. A large percentage of the agricultural uses in the City's updated SOI are located within the boundaries of the Rio d'Oro Specific Plan Area. The Specific Plan Area is currently being planned for development of approximately 2,700 residential dwelling units by the County, along with commercial, public, and open space uses.

SOI DETERMINATION 3-1.F: PRESENT AND PLANNED LAND USE

To address the loss of prime agricultural lands due to annexation to the City of Oroville, the LAFCo review process will include a project-specific assessment of the loss of prime farmland and determine appropriate mitigation measures (type and amount). LAFCo will consider Butte LAFCo's Policies regarding the conversion of prime farmland and will consider the City's adopted policies and programs that provide for mitigating the loss of prime farmland within its sphere of influence. The City may also seek to retain some agricultural land uses for market farming and or agricultural-tourism as these activities are in the interest of the City residents to promote local food access.

SOI DETERMINATION 3-1.G: PRESENT AND PLANNED LAND USE

LAFCo has considered the presence of contracted Williamson Act lands within the City's current and updated Sphere of influence. The updated City of Oroville Sphere of Influence does not contain any Williamson Act lands.

3.2 PRESENT AND PROBABLE NEED FOR PUBLIC SERVICES AND FACILITIES

High demand for public facilities and services is inherent in urban settings and will become necessary in the proposed sphere expansion areas as annexations occur. Approval of the proposed SOI expansion areas will have no immediate impact on the type and level of services now being provided by the County to residents in the unincorporated area. Designation of the sphere area will, however, provide the City of Oroville with suitable assurance and means to properly plan for the most cost-efficient manner of adequate service provision to development proposed within its planned growth areas.

The City of Oroville provides police, fire protection, planning, wastewater collection and conveyance, road maintenance, and other public works services to parcels within the city limits. Outside the City's jurisdictional boundaries, but within the City's SOI, general municipal services are provided by the County of Butte, with wastewater collection/conveyance services

provided by either the Lake Oroville Area Public Utility District (LOAPUD) or the Thermalito Water and Sewer District (TWSD), and domestic water provided by either the South Feather Water and Power Agency (SFWPA) or TWSD. Fire protection services for a small portion of the South Oroville area of the City’s SOI is provided by the El Medio Fire Protection District (EMFPD), with the Butte County Fire Department/CalFire providing fire protection services in all other areas of the City’s SOI. The City of Oroville does provide emergency police and fire protection services to their SOI under mutual aid agreements with Butte County and the El Medio Fire Protection District.

Most of the City’s existing SOI is designated for residential, commercial, or industrial development. The City proposes to amend their Sphere of Influence by adding approximately 1,826 parcels, totaling approximately 9,700 acres, to their sphere, which would allow future annexation of these parcels to the City for the provision of municipal services. As shown in Section 3.1 above, the City of Oroville General Plan does not envision a significant amount of new development within the SOI expansion areas, other than in the Rio d’Oro Specific Plan Area and in the areas designated for higher density residential uses in the north Oroville area.

The City SOI expansion includes the proposed Rio d’Oro Specific Plan area located on the west side of State Route 70 south of Oroville. Development of the specific plan area will require connection to a sanitary sewer system and other municipal services. Placing these areas in the City’s SOI will allow the future annexation to the City for the provision of municipal services to serve high-density urban development.

A large portion of the City’s proposed South SOI Expansion Area is located within the Sphere of Influence of the Lake Oroville Area Public Utility District, which provides sanitary sewer collection and conveyance services. It is anticipated that LOAPUD would be the sanitary sewer provider within their SOI, even if parcels within LOAPUD’s SOI are annexed into the City of Oroville. However, there may be reasons why the City of Oroville would be the more appropriate sewer service provider in the proposed South SOI Expansion Area. At the time of future annexation of the area to the City, LAFCo will make the determination as to which agency (City of Oroville or LOAPUD) is the more effective sewer service provider for the area. Butte LAFCo policies allow for agencies that provide the same service to have overlapping SOI and jurisdictional boundaries, but only one agency will be allowed to provide the service.

SOI DETERMINATION 3-2.A: PRESENT AND PROBABLE NEED FOR PUBLIC SERVICES AND FACILITIES	
	<i>The areas within the City of Oroville’s updated Sphere of Influence will require enhanced municipal services to meet the service demands of new urban development allowed under the City’s General Plan and consistent with the services provided to current City residents.</i>

SOI DETERMINATION 3-2.B: PRESENT AND PROBABLE NEED FOR PUBLIC SERVICES AND FACILITIES

The City's updated SOI will overlap with portions of LOAPUD's and TWSD's Sphere of Influences. These Districts will continue to retain full authority to provide services within their jurisdictional boundaries. At the time of future annexations to the City, LAFCo will make the determination as to which agency is the more effective sewer service provider for the area based on current conditions and in full cooperation with the existing districts, but there is no automatic merger requirement.

3.3 PRESENT AND FUTURE CAPACITY OF FACILITIES

Provision of public facilities and services will become necessary in the proposed SOI expansion area as annexations occur. Approval of the proposed SOI expansion will have no immediate impact on the type and level of services provided by the County to residents and landowners in unincorporated areas. Designation of the SOI will, however, provide the City of Oroville and sphere expansion area property owners with the means to plan for cost-efficient provision of services to planned growth areas.

Like many cities in the State of California, the economic downturn resulted in a significant loss of revenue to the City of Oroville. In response to a \$2.1 million revenue shortfall in Fiscal Year 2013-14, the City of Oroville made significant reductions to its workforce and in expenditures to prevent deficient spending. These reductions, along with a slowly improving economy that has resulted in increased revenue flow to the City, have allowed the City to have a balanced budget. The City believes that these and other measures the City will implement in the near future will provide much-needed long-term financial stability to the City.

Essential infrastructure needs include domestic water, wastewater collection, streets, drainage, and police and fire protection. The City of Oroville provides the following municipal services, either directly or through contract:

- Police protection
- Fire protection
- Public parks
- Wastewater collection and conveyance
- Drainage and storm water disposal
- Planning, building, and code enforcement services
- City administration services

The City's General Plan contains policies that address potential impacts associated with public services. The following list contains key policies that address potential impacts:

General Land Use

Policy P1.4 Link the rate of growth in Oroville to the provision of adequate services and infrastructure, including schools, roadways, police, fire and medical services, and water supply and wastewater treatment infrastructure to ensure that new

development will not negatively impact existing infrastructure and level of services.

Law Enforcement

Policy P1.1 Provide law enforcement services that help to maintain a low occurrence of criminal activity within the community.

Action A1.1 – Regularly review staffing levels and response times relative to development trends to determine whether additional law enforcement staffing or facilities are needed.

Action A1.2 Consider creating citywide Community Facilities Districts (CFDs) to fund police and other services.

Fire

Policy P2.1 Maintain and enhance strategies to ensure adequate first response travel time of three to five minutes to incidents and travel time of ten minutes or less for additional resources within 90 percent of the call volume.

Policy P2.10 Pursue the most effective and cost conservative methods of providing fire protection, including the exploration of contract services with adjoining departments.

Action A2.1 Consider creating citywide Community Facilities Districts (CFDs) to fund fire and other services.

Action A2.2 Regularly review building codes to ensure that all changes have been adopted.

Action A2.3 Conduct a study of fire-flow capacity and pressure of the water systems throughout the Planning Area to identify areas where improvements are needed.

Government and Civic Facilities

Action A5.2 Periodically review and update space requirements and staffing for City government services to assess the need for additional services or facilities.

Water

Policy P6.1 Ensure that Oroville’s potable water distribution and storage system is adequately sized to serve development allowed by the General Plan, without providing excess capacity.

Policy P6.2 Encourage Cal Water, South Feather Water and Power and Thermalito Water and Sewer District to focus water system planning to that area which is contained within the city limit, the City’s Sphere of Influence and areas that expected to be annexed by the City.

Policy P6.3 Encourage Cal Water, South Feather Water and Power and Thermalito Water and Sewer District to begin planning and implementing additional water systems and supply improvements needed to meet future demand generated by this General Plan at least four years prior to reaching the capacity of existing facilities.

Policy P6.5 Work with LAFCo to support the coordination of special districts providing water service to adjust service area boundaries where beneficial.

- Policy P6.6 Ensure that all proposed developments can be adequately served by available water supplies.
- Policy P6.8 Condition new development on the availability of sufficient water supply, storage and pressure requirements for the City.

Wastewater

- Policy P7.1 Ensure that adequate wastewater collection and wastewater treatment services continue to be available to developed properties throughout the Planning Area.
- Policy P7.2 Coordinate with each sewer service entity to ensure that adequate advance planning is accomplished to ensure adequate service will remain available to serve the existing and projected population.
- Policy P7.3 Require all development that is in areas that are currently served or could be feasibly served by sewers to be connected to a sewer conveying wastewater to the Sewerage Commission–Oroville Region’s (SCOR) treatment plant.
- Policy P7.4 The approval of new urban development shall be conditioned on the availability of adequate long-term capacity for wastewater conveyance, treatment and disposal sufficient to service the proposed development. The agencies that provide services to new development will be primarily responsible for making determinations regarding adequate availability.
- Policy P7.5 If downstream lines are determined by the City to be inadequate, the developer shall provide facilities to convey the additional sewage expected to be generated by the development. New development shall not be permitted until adequate facilities are available to convey the additional sewage associated with the development. The developer must demonstrate that adequate facilities will be available at the time of Final Map approval.
- Policy P7.7 Encourage consolidation of sewer and water infrastructure provision under a single agency
- Policy P7.8 Work with LAFCo to support the coordination of special districts providing sewer service to adjust service area boundaries where beneficial.
- Policy P7.9 Encourage SCOR to begin planning and implementing expansions to the existing Regional Wastewater Treatment Master Plan to meet future demand for wastewater treatment generated by this General Plan at least four years prior to reaching the capacity of existing facilities.
- Policy P7.10 Ensure that all new and repaired sewer collection and transmission systems are designed and constructed in such a manner as to minimize potential inflow and infiltration.
- Policy P7.12 Ensure that on-site wastewater disposal, particularly septic systems, for areas that are not served by sewers connected to the SCOR treatment plant is in compliance with Chapter 4.5 (commencing with Section 13290) to Division 7 of the California Water Code (AB 885), the requirements of the Regional Water Quality Control Board, Region 5 and Butte County’s sewage disposal codes.

- Policy P7.13 Monitor the effectiveness, cooperation and functions of SCOR through and by its member agencies for the interest of the public and implementation of this General Plan.
- Policy P7.14 Support SCOR's actions to fund the expansion of its treatment plant.
- Action A7.2 Work with SCOR to develop a plan to construct and/or operate an industrial wastewater system(s) separately from the domestic sewerage facilities.
- Action A7.3 Collaborate with local wastewater service providers to update the City's Infrastructure and Improvements Plan.
- Action A7.4 Ensure the Sanitary Sewer Master Plan analyzes inflow and infiltration and effective ways to minimize inflow and infiltration while also minimizing infrastructure and improvements.
- Action A7.5 Implement the City's Sanitary Sewer Master Plan and update it at least every ten to fifteen years, or more frequently if necessary.
- Action A7.6 Investigate the potential for and implement, as appropriate, innovative recycled water use systems in Oroville, and identify sources of funding for implementation of such a system.
- Action A7.7 Continue to explore options for implementing and funding a program to reduce inflow and infiltration into the wastewater collection systems utilizing the SCOR treatment plant.

Stormwater Drainage

- Policy P8.4 Require local storm drainage improvements be built to carry appropriate design-year flows resulting from buildout of the General Plan. Design storm drainage facilities for 2-, 10- and 100-year discharges.
- Policy P8.5 Require that developers pay their fair share for construction of off-site drainage improvements, as determined by a site-specific stormwater drainage plan or the stormwater drainage master plan to be prepared under A8.1.
- Policy P8.6 Implement all necessary measures to regulate runoff from urban uses to protect the quality of surface and groundwater.
- Policy P8.7 Require new development to identify and adequately mitigate its stormwater impacts.
- Action A8.1 Develop, adopt and maintain a stormwater drainage master plan. The plan should be organized by drainage basin, rather than by project or jurisdiction, and should cover the entire Planning Area based on buildout of the General Plan.
- Action A8.2 Develop adequate financial resources to implement the master plan.
- Action A8.3 The stormwater drainage master plan should include a study of drainage basins.
- Action A8.4 Update the Dry Creek Drainage Study to determine the feasibility of increasing stormwater detention opportunities.
- Action A8.5 Develop and adopt design standards for detention facilities that provide for both stormwater detention and other beneficial uses such as recreation or habitat.

Action A8.6 Prepare a stormwater management plan for the City to improve the quality of surface and groundwater. The Plan should include, but not be limited to, well-defined goals, policies and actions to:

- Create effective partnerships with special districts, County, State and federal agencies, as well as non-profit organizations, in all aspects of plan development and implementation.
- Ensure the long term financial viability of the plan through appropriate budgeting and allocation of financial and staff resources towards implementation of the plan.
- Identify clear criteria and an effective process to periodically review and evaluate the achievements of the plan, and make amendments to it as needed.

SOI DETERMINATION 3-3.A: PRESENT AND FUTURE CAPACITY OF FACILITIES	
	<p><i>The City generally exhibits characteristics of well-managed local government albeit the City's financial ability is currently constrained following many years of economic stagnation at all levels of government. The City has taken the appropriate steps to resolve its financial problems yet still provide acceptable levels of city services as determined by the elected City Council.</i></p> <p><i>Currently, the City has the capacity to provide public services to residents and commercial/industrial customers within its city limits. However, approval of the SOI Update, which includes adding additional area to the City's SOI, will necessitate that the City budget and plan for future infrastructure and service needs prior to annexing any area within the SOI. Upon future annexation, the City will be required to provide proof of capability to deliver police and fire protection, storm water and drainage, code enforcement, traffic and roads, streetlights, and all other services provided by the City. Because of overlapping Sphere of Influences with the Lake Oroville Area Public Utility District, Thermalito Water and Sewer District, and el Medio fire Protection District - the City of Oroville may not be the most effective provider of wastewater collection/conveyance and fire protection services within some areas of the City's SOI.</i></p> <p><i>The City will be able to provide services to new development within the updated SOI and continue to provide services to existing residents provided that the policies and standards contained in the City's General Plan and capital improvement program are implemented when considering annexations and development projects.</i></p> <p><i>Domestic water, wastewater, and fire protection services will continue to be provided by the present service providers within the City's updated SOI and not be affected by the Sphere of Influence Update for the City of Oroville. At the time of annexation, LAFCo will determine the most effective service provider for the provision of wastewater services with the underlying assumption that existing service providers are the currently providing effective services and the City would need to demonstrate the ability to deliver more efficient services.</i></p>

3.4 THE EXISTENCE OF ANY SOCIAL AND ECONOMIC COMMUNITIES OF INTEREST

The City of Oroville has a variety of social and economic communities of interest, including numerous business, schools, churches, public sector facilities, and other community service programs. Unincorporated communities and neighborhoods within the existing City of Oroville SOI include Thermalito, South Oroville, Kelly Ridge, the Mooretown Rancheria, and the Feather Falls Rancheria. If development of the SOI is managed pursuant to the policies of the City, the development of these areas should benefit the social and economic communities of interest. The existing social fabric of the City will change if these areas are added to the SOI and eventually annexed. However, it is likely that this change will be positive, bringing in new families and economic buying power as well as new business opportunities.

SOI DETERMINATION 3-4.1: SOCIAL AND ECONOMIC COMMUNITIES OF INTEREST

The social and economic communities within the City of Oroville existing sphere of influence include the City of Oroville, the unincorporated communities/neighborhoods of South Oroville, Thermalito, the Mooretown Rancheria, the Feather Falls Rancheria, and Kelly Ridge and the larger unincorporated area that is geographically considered the Oroville Urban Area and for shopping, social services and other service functions such as healthcare.

The areas proposed to be added to the City's SOI include the unincorporated community of Palermo (as a Special Study Area), the proposed Rio D' Oro Specific Plan area along SR 70 south of Oroville, the Power House Hill Road/Lone Tree Road area, the State-owned Oroville Wildlife Area, and State water resources areas to the north of the City. The City's proposed sphere has established substantive social and economic ties with the City of Oroville region given that is where the majority of residents of the updated SOI work, shop and obtain essential services.

3.5 THE PRESENT AND PROBABLE NEED FOR THOSE PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE.

Large portions of the City of Oroville's current SOI are identified as Disadvantaged Unincorporated Communities, or DUCs. The term "disadvantaged unincorporated community" is loosely defined in California Government Code §56033.5 to mean inhabited territory (12 or more registered voters), or as determined by LAFCO policy, that constitutes all or a portion of a "disadvantaged community," which is defined in the California Water Code (§79505.5) to be "a community with an annual median household income (MHI) that is less than 80 percent of the statewide annual median household income" (\$48,706). Large portions of the area proposed to be added to the City's SOI, primarily the unincorporated community of Palermo, are identified as disadvantaged unincorporated communities. Therefore, there is a present and probable need for City municipal services within the areas designated as disadvantaged unincorporated communities.

SOI DETERMINATION 3-5.1: THE PRESENT AND PROBABLE NEED FOR THOSE PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

Large portions of the City of Oroville’s existing and proposed SOI are identified as disadvantaged unincorporated communities. The disadvantaged unincorporated communities within the City’s SOI will require City municipal services to facilitate new development and redevelopment. Therefore, there is a present and probable need for City municipal services within the areas designated as disadvantaged unincorporated communities in the City of Oroville’s updated SOI.

Prior to future annexations documentation as to the presence of disadvantaged unincorporated communities adjacent to, or nearby, an annexation proposal shall be submitted to LAFCo for its evaluation and possible action.

3.6 CONCLUSIONS AND RECOMMENDATIONS

The LAFCo staff has evaluated the proposed sphere of influence recommended by the City of Oroville. As proposed, approximately 1,826 parcels totaling approximately 9,700 acres (including road, railroad, and utility right-of-way) would be added to the City’s existing 10,000-acre Sphere of Influence, which represents almost a doubling of the City’s current sphere. Most of the area proposed to be added to the District’s SOI have been designated by the Butte County General Plan for residential, commercial, and industrial uses on small parcels. These areas parcels will require public sanitary sewer services in order to develop at the densities specified by the Butte County General Plan.

Staff recommends that the Commission update the Sphere of Influence for the City of Oroville by adding the areas as shown on Figure 3-6 to the City’s Sphere of Influence, and removing the areas from the City’s Sphere of Influence as shown on Figures 3-14 3-15.

4.0 FINAL SPHERE OF INFLUENCE PLAN ACTIONS

This Section includes the results of Butte LAFCO's final actions on this SOI Plan for the City of Oroville.

Section 4.1 –Butte LAFCO MSR Update/SOI Update Resolution of Adoption

RESOLUTION NO. 07 2014/15

**ADOPTION OF A MUNICIPAL SERVICE REVIEW UPDATE
FOR THE CITY OF OROVILLE AND
ADOPTION OF A SPHERE OF INFLUENCE PLAN/UPDATE
FOR THE CITY OF OROVILLE**

RESOLVED, by the Butte Local Agency Formation Commission of the County of Butte, State of California, that

WHEREAS, a proposal for an update to the City of Oroville's Sphere of Influence was heretofore requested by the City of Oroville and accepted by the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, the City of Oroville identified a need to update and amend the City's Sphere of Influence to accommodate the anticipated growth of the community projected in the City of Oroville 2030 General Plan, adopted by the Oroville City Council on June 2, 2009; and

WHEREAS, a service review mandated by Government Code Section 56430 was conducted by the Local Agency Formation Commission of the County of Butte (hereinafter referred to as "the Commission") for the City of Oroville on October 1, 2009, in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) and due to significant recent changes in City of Oroville operations and finances it was determined that the 2009 MSR needed to be updated to reflect current City service capabilities; and

WHEREAS, a sphere of influence update mandated by Government Code Section 56425 has been prepared by the Commission for the City of Oroville in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.); and

WHEREAS, at the times and in the form and manner provided by law, the Executive Officer has given notice of the public hearing by the Commission on this matter; and

WHEREAS, the Executive Officer, pursuant to Government Code Section 56428, has reviewed this proposal and prepared a report, including his recommendations thereon, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, a public hearing by this Commission was called for December 4, 2014, and at the time and place specified in the notice of public hearing; and

WHEREAS, at the hearing, this Commission heard and received all oral and written protests; the Commission considered all plans and proposed changes, objections and evidence which were made, presented, or filed; and all persons present were given an opportunity to hear and be heard in respect to any matter relating to the proposal, in evidence presented at the hearing; and

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NOW, THEREFORE, the Local Agency Formation Commission of the County of Butte **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. Environmental Findings

- A. On June 2, 2009, the City of Oroville, as Lead Agency, prepared a Draft Environmental Impact Report and certified the Final Environmental Impact Report for the City of Oroville 2030 General Plan and adopted Findings of Fact and a Statement of Overriding Considerations (City of Oroville Resolution Numbers 7344 and 7345).
- B. The Commission has reviewed and considered the Draft and Final Environmental Impact Reports for the City of Oroville 2030 General Plan, which includes an analysis of the proposed City of Oroville Sphere SOI amendment. The Final Environmental Impact Report consists of the following:
 - (1) Revisions to the Draft Environmental Impact Report prepared by the City of Oroville as Lead Agency.
 - (2) A list of persons, organizations and public agencies commenting on the Draft Environmental Impact Report
 - (3) Comments received by the City of Oroville on the Draft Environmental Impact Report either verbatim or in summary.
 - (4) Responses to the comments received on the Draft Environmental Impact Report.
- C. The Commission certifies that it has held a duly noticed public hearing and heard testimony and received written comments from affected agencies at a noticed public hearing and has responded to those comments.
- D. The Commission affirms the Final Environmental Impact Report for the City of Oroville 2030 General Plan and finds that in accordance with CEQA Guidelines Section 15090, the Final Environmental Impact Report for the proposed Sphere of Influence Plan has been completed in compliance with CEQA and was presented to the Commission and the Commission reviewed and considered the information contained in the Final Environmental Impact Report and comments on the Final Environmental Impact Report prior to approving the project.
- E. In accordance with CEQA Guidelines Section 15090, the Final Environmental Impact Report reflects the Lead Agency's independent judgment and analysis.
- F. The implementation of the City of Oroville 2030 General Plan and the proposed Sphere of Influence Plan will not have a significant effect on the environment in regards to Aesthetics, Cultural Resources, Geology, Soils and Mineral Resources, Hazards and Hazardous Materials, Public Services and Recreation, and Utilities and Infrastructure, as identified in Section X of the *Findings of Fact and Statement of Overriding Considerations* adopted by the City of Oroville for the City's 2030 General Plan.

- G. The implementation of the City of Oroville 2030 General Plan and the proposed Sphere of Influence Plan will have a significant effect on the environment in certain respects, but for which no feasible mitigation is available to reduce the impacts, as identified in the Final EIR and in Section VII (Findings Regarding Monitoring of Mitigation Measures) and Section XI (Findings Regarding Significant Unavoidable Impacts) of the *Findings of Fact and Statement of Overriding Considerations* adopted by the City of Oroville.
- (1) With respect to the significant, unavoidable impacts detailed in the Final Environmental Impact Report and found to be relevant to the Commission's action and based on the information set forth in the Final Environmental Impact Report, the Commission finds and determines that:
- (a) No measures have been required in or incorporated into the project to mitigate conversion of prime agricultural land to nonagricultural uses during the 2010-2030 planning period, as identified in Table 2-1 of the Final Environmental Impact Report and Section XI of the Findings of Fact and Statement of Overriding Considerations. The Open Space, Natural Resources and Conservation Element of the City of Oroville's 2030 General Plan contains programs and policies aimed at protecting existing agricultural lands. However, these policies would not prevent the conversion of agricultural land to urban uses and cannot reduce the impacts to a level that is less than significant. A certain level of mitigation will be provided by implementation of the policies and programs identified in the Open Space, Natural Resources and Conservation Element and in the Final EIR. There are no feasible mitigation measures or project alternatives that will reduce the impacts to a less than significant level.
- H. Statement of Overriding Considerations: Pursuant to Section 15093 of the CEQA Guidelines, the Commission finds that the economic and social benefits of the proposed project documented in the City of Oroville 2030 General Plan, the Final Environmental Impact Report, the City of Oroville 2030 General Plan Findings of Fact and Statement of Overriding Considerations, and the Sphere of Influence Plan, such as expanding the housing opportunities and economic growth opportunities in the City of Oroville, outweigh the adverse impacts of the conversion of prime agricultural land, an impact which cannot be eliminated or reduced to a level that is less than significant and which is unavoidable as the City grows.
- I. A categorical exemption has been issued pursuant to the provisions of the California Environmental Quality Act (CEQA) indicating that the Municipal Service Review Update for the City of Oroville is categorically exempt from CEQA and such exemption was adopted by this Commission on December 4, 2014; and

Section 2. Findings for Adoption of the Sphere of Influence Amendment

- A. The Commission has considered the factors determined by the Commission to be relevant to this proposal, including, but not limited to, Sphere of Influence and General Plan consistency, and other factors specified in Government Code Sections

56425 and 56428 and as described in the staff report dated November 24, 2014, for the meeting of December 4, 2014, in that:

- (1) The Commission has considered the present and planned land uses in the area, including agricultural and open space lands as described in the Butte County General Plan Land Use and Agricultural Elements and the City of Oroville 2030 General Plan Land Use Element and the Open Space, Natural Resources and Conservation Element.
- (2) The Commission has considered the present and probable need for public facilities and services in the area as described in the City of Oroville SOI Plan and the City of Oroville 2030 General Plan.
- (3) The Commission has considered the present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide as described in the updated City of Oroville Municipal Service Review, the SOI Plan, and the City of Oroville 2030 General Plan.
- (4) The Commission has considered the existence of any social or economic communities of interest in the area and received as testimony in public hearings.
- (5) The Commission has considered the conversion of prime agricultural lands as constituent of the Final Environmental Impact Report and through the adoption of Overriding Considerations Findings in Section 1.G of this resolution.

Section 3. Terms and Conditions adopted by LAFCo

Pursuant to its authority under Part 2, Chapter 4 of the Cortese-Knox Local Government Reorganization Act of 2000, Butte LAFCo incorporates the following terms and conditions into the Sphere Plan for the City of Oroville:

1. All Commission fees must be paid in full prior to the new sphere of influence becoming effective.
2. LAFCo will apply a heightened level of review when considering proposals for changes of organization (such as an annexation) that are likely to result in the conversion of prime agricultural/open space land use to other uses. Only if the Commission finds that the proposal will lead to planned, orderly, and efficient development, will the Commission approve such a conversion.
3. The Commission has accepted and affirmed the Final Environmental Impact Report for the City of Oroville 2030 General Plan, which is a general policy level action intended to provide a broad discussion of growth boundaries and potential impacts. The City should not expect to solely rely on the 2030 General Plan Final Environmental Impact Report to support or mitigate all project specific impacts identified during the annexation process.

WHEREAS, the Sphere of Influence Plan determinations for the City of Oroville are made in conformance with Government Code Section 56425 and local Commission policy and are included in Attachment B to this Resolution; and,

WHEREAS, based on presently existing evidence, facts, and circumstances considered by this Commission, including the findings as outlined above, the Commission adopts written determinations as set forth. The Commission adopts the SOI Plan for the City of Oroville and updates the sphere of influence for the City of Oroville by adding 1,104 parcels totaling approximately 9,838 acres, to the City's SOI and removing 276 parcels totaling approximately 2,734 acres, from the City's SOI, as depicted in Figure 4-1 of the SOI Plan, adopted by the Commission on December 4, 2014; and,

NOW, THEREFORE, BE IT RESOLVED, that pursuant to powers provided in §56430 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the Local Agency Formation Commission of the County of Butte adopts the Municipal Service Review Update for the City of Oroville, dated December 4, 2014. Furthermore, pursuant to powers provided in §56425, the Commission adopts the SOI Plan for the City of Oroville and updates the existing sphere of influence for the City of Oroville, as depicted on Figure 4-1 of the City of Oroville SOI Plan, adopted by the Commission on December 4, 2014.

PASSED AND ADOPTED by this Local Agency Formation Commission of the County of Butte, on the 4th day of December 2014 by the following vote:

AYES: Commissioners Lotter, Duncan, Connelly, Lando, Busch, Lambert and Chair Leverenz

NOES: None

ABSENT: None

ABSTAINS: None

ATTEST:


Clerk of the Commission


CARL LEVERENZ, Chair
Butte Local Agency Formation Commission

Section 4.2 - Summary of Adopted MSR Determinations for the City of Oroville

Growth and Population

Determination 2.1 (Growth and Population)

The City's growth rate over the last two decades has remained at approximately one percent, which is expected to continue during the five-year period covered by this Municipal Service Review. It is acknowledged that the City General Plan is planning for an increased annual growth rate of 2.93 percent based on the level of interest for development in Oroville, however; this growth rate is speculative and is not considered the baseline for evaluating updates to the City's Sphere of Influence.

Determination 2.2 (Growth and Population)

Portions of Oroville's Sphere of Influence continue to be approved and developed under County jurisdiction at urban and suburban densities due to the availability of services such as water and sewer service provided by special districts beyond the control of the City.

Determination 2.3 (Annexation)

Annexation of developed unincorporated areas adjacent to the City has the potential to improve the level of service provided to residents of these currently unincorporated areas and to ensure the logical, equitable growth of the City. Annexation would also significantly increase the need for public services, particularly emergency services, within the newly expanded city limits without a corresponding equivalent increase in revenue to fund such services. The reverse is true for the County, which may experience revenue reductions if the annexed territory produces sales tax revenues in excess of service costs.

In 2012, the City initiated, and LAFCo approved, the annexation of six island areas to the City. These areas totaled 159 acres and consisted of 192 parcels with a population of approximately 468. The City is in the process of initiating the annexation of the South Oroville area (consisting of approximately 800 parcels) and the annexation of five other areas. On October 27, 2014, the City submitted two annexation applications to LAFCo that encompass a total of 404 acres and consisting of 976 parcels that are within the South Oroville area.

Determination 2.4 (Annexation)

Several developed areas that are populated by low-income and minority populations remain unincorporated immediately adjacent to city limits, and contribute to an irregular pattern of city boundaries. Annexation of these areas as well as existing island areas should be a priority and would begin to address social equity and social justice within the community and contribute to a more regular boundary area. Future annexation proposals for vacant or underdeveloped territory submitted by the City should be reviewed within the context of an overall annexation strategy that includes incorporating existing fringe communities and island areas.

Determination 2.5 (Annexation)

Future annexations to the City of Oroville will be evaluated pursuant to the eighteen factors found in California Government Code §56668 and pursuant to Butte LAFCo Policies. Emphasis on the financial ability of the City of Oroville to provide adequate and acceptable levels of municipal services to the annexed areas, especially police and fire protection services, will be placed on all future annexation proposals.

Determination 2.6 (Capacity to Accommodate Growth)

Based on historical growth rates, there is more than adequate land capacity within the City of Oroville and its current Sphere of Influence to accommodate significant growth into the foreseeable future.

Determination 2.7 (Regional Housing Allocation)

In accordance with the final Butte County Regional Housing Needs Plan, the City should develop 1,793 new housing units, 56 percent of which should be below market rate units by 2022. The City has adequate land to accommodate this new development.

Roads**Determination 3.1-1 (Level of Service Standards)**

The City has adopted acceptable Level of Service standards that by definition will result in increased traffic congestion and reduced roadway network efficiency.

Determination 3.1-2 (Existing Levels of Service)

All roadway segments in the City and Sphere of Influence are operating at service levels consistent with adopted City policy, which accepts a range of operational restrictions and breakdowns in traffic flow efficiency.

Determination 3.1-3 (Existing Levels of Service)

Existing development within unincorporated areas of the Sphere of Influence contributes significantly to traffic volumes and road capacity on several roadways within the City, particularly arterials and major collectors. There is recognized need for the City and County to better coordinate traffic studies and road improvements in the Oroville region.

Determination 3.1-4 (Infrastructure Needs and Deficiencies)

Over 70 percent of public roads maintained by the City of Oroville are in good, very good or excellent condition. However, the remaining 27 miles of public road maintained by the City are in poor condition and require repairs beyond routine maintenance for which there is no identified funding.

Determination 3.1-5 (Infrastructure Needs and Deficiencies)

Additions to the City's roadway network come from both new road construction associated with the development of new subdivisions and from annexations. Maintenance of city roads is funded by grants, federal taxes, and the City general fund, which are currently insufficient to maintain all roads in very good to excellent shape. The City recently updated its Pavement Management System, which will allow for a better street maintenance and restoration schedule.

Determination 3.1-6 (Infrastructure Needs and Deficiencies)

In 2012, the City adopted new traffic impact fees to address existing roadway deficiencies and roadway deficiencies due to future development. The traffic impact fees were substantially increased to ensure that roadway deficiencies are corrected.

Law Enforcement

Determination 3.2-1 (Existing Conditions and Facilities - Animal Control)

The City should prioritize and promptly renew a formal agreement with the NWSPCA for animal control services to ensure this essential service remains a viable service for the community.

Determination 3.2-2 (Existing Conditions and Facilities - Crime Rate)

The City's overall crime rate is significantly greater than the State average and represents a disproportionate number of arrests in comparison to the county population as a whole.

Determination 3.2-3 (Existing Conditions and Facilities- Crime Rate)

Understanding that the City is not an isolated island and the crime rate is affected by the criminal activity in the surrounding unincorporated urban areas, the Oroville Police Department should develop a cooperative plan with the Butte County Sheriff and District Attorney's Office to implement an effective campaign that will address and reduce the crime rate in the City and its adjacent unincorporated urban areas.

Determination 3.2-4 (Existing Conditions and Facilities- Staffing)

The Oroville Police Department's current staffing ratio is less than other similarly sized cities throughout the State. For FY 2014, the City has budgeted for 24 sworn officers, but currently has three vacant positions. With all sworn officer positions filled, the Oroville Police Department's staffing ratio would be 1.5 officers per 1,000 residents, which is similar to other same-sized cities in California.

Determination 3.2-5 (Infrastructure Needs and Deficiencies)

The Oroville Police Department is not currently meeting its goal of a 4-minute maximum response time for all emergency responses, and 20-minute response time for non-emergencies. Additional staffing and equipment is needed to fill vacant positions and improve the Department's ability to serve both existing and future populations and meet expected service response goals.

Determination 3.2-6 (Infrastructure Needs and Deficiencies)

The Oroville Police Department is funded primarily by the City's General Fund. Increased funding for the Department is anticipated to result from the expanded tax base that results from new development. In addition, the City has formed two Community Facility Districts to provide police facilities and services to the portion of the City west of the Feather River in anticipation of new development. Given the shortfalls identified in service response times and personnel deficiencies, the City should continually evaluate opportunities to develop other revenue sources to augment emergency services and seek opportunities to receive assistance from other agencies to supplement its law enforcement presence.

Determination 3.2-7 (Infrastructure Needs and Deficiencies – Development Impact Fees)

The City should adopt new development impact fees for police facilities that capture the full costs of capital facilities and infrastructure that are required to serve new growth.

Fire Protection and Emergency Services

Determination 3.3-1 (Existing Conditions and Facilities)

Continued development within the city limits and the Sphere of Influence is anticipated to increase the number of calls received from outside the city core. Providing service at existing service levels may become difficult, especially if new development does not result in adequate population density to support an additional fully staffed facility.

Determination 3.3-2 (Existing Conditions and Facilities – Standards)

With the assistance of Automatic Aid Agreements with the California Department of Forestry and Fire Protection/Butte County Fire Department and the El Medio Fire Protection District, the City is currently meeting the service standards adopted in the Oroville 2030 General Plan, which call for first response travel time of three to five minutes to incidents and travel time of ten minutes or less for additional resources for 90 percent of the call volume. Without Automatic Aid Agreements, the City would need to reevaluate the effectiveness of its fire service delivery capabilities.

Determination 3.3-3 (Existing Conditions and Facilities – Standards)

In order to adequately evaluate, monitor and implement fire services, the Oroville Fire Department should prepare a Master Plan for fire services and adopt written performance and service standards that address staffing levels, desired Insurance Service Organization ratings and related issues.

Determination 3.3-4 (Existing Conditions and Facilities – Automatic Aid Agreements)

The Oroville Fire Department should complete a Master Plan that analyzes the equitability of existing automatic aid agreements, call generation areas, location of future facilities, and procedures for efficiently addressing health emergencies. The plan should also analyze the appropriateness of adopted service standards on a community-wide basis in cooperation with the Butte County Fire Department and the El Medio Fire Protection District.

Determination 3.3-5 (Existing Conditions and Facilities – Automatic Aid Agreements)

The City has adopted a new automatic aid agreement with the El Medio Fire Protection District and California Department of Forestry and Fire Protection/Butte County Fire Department to allow the sharing of resources within the south Oroville area which will significantly improve fire protection services within the affected territory.

Determination 3.3-6 (Existing Conditions and Facilities – Service Levels)

On average, the Oroville Fire Department is the first responder to 85 percent of the calls that are generated within the city limits. The remainder of the calls are responded to by the California Department of Forestry and Fire Protection/ Butte County Fire Department.

Determination 3.3-7 (Existing Conditions and Facilities – Service Levels)

Existing mutual and automatic aid agreements are beneficial to all of the fire agencies involved and it is important to ensure that the agreements remain equitable for all parties involved. These agreements allow the City to offer its residents the most immediate service possible and provide access to services and equipment that would normally not be available to a city of similar size.

Determination 3.3-8 (Existing Conditions and Facilities – Service Levels)

Approximately 27 percent of the City of Oroville’s population is located north of the Feather River. Although the City does not have a fire station in this area, County Station 63 is located in the center of this area. With the current automatic aid agreement in place, County engines are able to respond to calls for service faster than City engines and ensure that the City’s standard for first response is met. Without this aid agreement, it is not certain that the City could meet its standard for first response, which would create an unmitigated impact for development in the area.

Determination 3.3-9 (Infrastructure Needs and Deficiencies)

The difference between number of calls in the city where the Butte County Fire Department is the first responder and the number of calls in the County where the Oroville Fire Department is the first responder has been an increasing burden on the County since 2004. The City should through the development of a master plan and other methods develop ways in which the Oroville Fire Department could serve as first responder for a greater number of calls within the City.

Determination 3.3-10 (Infrastructure Needs and Deficiencies)

The development of a City fire station at or in the vicinity of the Oroville Municipal Airport will provide service for future City residents and residents of the unincorporated Thermalito area and help to ease the imbalance of out-of-jurisdiction calls under the automatic aid agreement.

Determination 3.3-11 (Infrastructure Needs and Deficiencies)

The City supports new development in the Thermalito area, which is currently outside of the five-minute response time area for the City. The City has taken initial steps to address the need for future fire facilities by creating two Community Facilities District’s to fund the construction and staffing of a new fire facility in the area. Depending on the timing of future development, there may be an interim period during which the funding to construct and staff the facility is insufficient leaving this area outside of the desired five-minute response time and placing the first response responsibility on the Butte County Fire Department.

Solid Waste Services

Determination 3.4-1 (Solid Waste)

The Ostrom Road Landfill has sufficient capacity to accommodate the anticipated waste generated within the City of Oroville through 2030.

Determination 3.4-2 (Solid Waste)

The City of Oroville is adequately mitigating potential impacts on the capacity of the landfill through compliance with Assembly Bill 939, as amended by Assembly Bill 341, and with the County Integrated Waste Management Plan.

Determination 3.4-3 (Solid Waste)

The City should consider utilizing the Neal Road Recycling and Waste Facility instead of the Ostrom Road Landfill in order to reduce the distance that solid waste is shipped, and therefore reduce the amount of greenhouse gas emissions generated. It is acknowledged that such a shift of disposal sites would decrease the life span of the Neal Road facility.

Determination 3.4-4 (Household Hazardous Waste)

Free household hazardous waste recycling and disposal for all Butte County residents is provided by the Butte Regional Household Hazardous Waste Collection Facility. The facility also accepts hazardous waste from small businesses who qualify as Conditionally Exempt Small Quantity Generators.

Parks and Recreation

Determination 3.5-1 (Existing Park and Recreation Facilities)

City residents have a wide variety of recreational facilities available to them in and around the City including facilities owned and operated by the City, Feather River Recreation and Park District, the State and the federal government.

Determination 3.5-2 (Recreation Level of Service)

The City uses appropriate methods to gauge the need for parkland, recreational facilities, and recreational programming to meet the needs of the community. Two acres of parkland per 1,000 residents is provided solely by City of Oroville recreation facilities, and additional 249.5 acres is provided by the Feather River Recreation and Park District. There is roughly 5.4 acres of parkland per 1,000 city residents, which exceeds City and Feather River Recreation and Park District standards and is adequate to meet residents' needs.

Determination 3.5-3 (Recreation Level of Service for Future Growth)

There is an adequate amount of combined park acreage within the City and Sphere of Influence to provide 3 acres per 1,000 residents for projected future populations. However, a significant portion of this parkland is owned and operated by the Feather River Recreation and Park District, which does not focus on community and neighborhood parks. The City will need to develop additional community and neighborhood parks to meet future demand or develop an agreement with the FRRPD to provide this category of park land.

Determination 3.5-4 (Future Improvements and Expansion)

Between the City's and Feather River Recreation and Park District's facilities and programs there is adequate capacity to meet residents' needs. However, it is unclear the percentage of City residents versus regional users that utilize Feather River Recreation and Park District facilities within the city limits and Sphere of Influence. Therefore, the City and Feather River Recreation and Park District should develop a strategy for getting a better understanding the relationship of City residents versus regional users for facilities within the city limits and Sphere of Influence.

Determination 3.5-5 (Future Improvements and Expansion)

The City is requiring appropriate amounts of developed parkland and parkland dedications as a condition of new development to maintain and in some cases exceed the ratio of 3 acres of parkland to 1,000 residents.

Determination 3.5-6 (Funding of New Facilities)

The City does not collect the full amount of parkland development impact fees that it is entitled to collect. Although this has not affected the City's ability to develop new recreation facilities, it has prevented Feather River Recreation and Park District from receiving a portion of the impact fees. The City should collect the full amount of development fees to which it is entitled and share such fees with the Feather River Recreation and Park District.

Determination 3.5-7 (Funding of New Facilities)

The City should adopt provisions of the Quimby Act and the recommendations of the 2009 Supplemental Development Impact Fee Calculation and Nexus Study upon its completion.

Determination 3.5-8 (Funding New Facilities)

The City and Feather River Recreation and Park District should establish a joint resolution that defines the roles and responsibilities of each entity and promotes cooperation and standardization to streamline park planning efforts.

Determination 3.5-9 (Maintenance Costs)

The City uses appropriate mechanisms to fund on-going maintenance of new park facilities that are required as a condition of new development. All City residents contribute to the maintenance of community and park facilities through the district-wide assessment collected by the Feather River Recreation and Park District.

Stormwater Drainage

Determination 3.6-1 (Infrastructure Needs and Deficiencies)

The City's stormwater drainage system needs are evaluated in the Master Facilities Plan, last updated in 2003, and the Master Drainage Plan, last updated in 1991. While these documents indicate the City has the ability to provide adequate stormwater drainage service to the existing population and policies to address adequate future stormwater drainage planning, these plans are in need of updating to address current conditions and ensure consistency with the recently adopted 2030 General Plan.

Determination 3.6-2 (Infrastructure Needs and Deficiencies)

As the Thermalito area continues to develop, drainage improvement needs will be governed by the 2012 updated Thermalito Area Master Drainage Plans.

Determination 3.6-3 (Infrastructure Needs and Deficiencies)

In 2012, the City of Oroville adopted the Nexus report and fee calculation for the Thermalito Master Drainage Plan Update.

Determination 3.6-4 (Infrastructure Needs and Deficiencies)

The City will continue to require new development to incorporate stormwater drainage infrastructure as a condition of approval. Development impact fees will continue to pay for the system improvements that are necessary to provide stormwater drainage service for new development.

Wastewater Services

Determination 3.7-1 (Wastewater Collection Review):

Wastewater collection services in the City and its sphere of influence are provided by three separate agencies, which collectively form a joint powers agency for the operation of single regional sewage treatment and disposal facility. In order to provide a meaningful and comprehensive analysis of wastewater services in the Greater Oroville Area, Butte LAFCO has prepared a concurrent, but separate regionally focused Wastewater Service Providers – Oroville Region Municipal Service Review for this specific function determining this approach would provide the most beneficial and efficient review of the three wastewater service providers in the region and provide the Commission with a focused and useful tool to evaluate future reorganization proposals.

Determination 3.7-2 (Wastewater Collection Review):

Since 2007, the City of Oroville's sanitary sewer system has experienced 41 reportable SSOs, resulting in the spillage of approximately 110,585 gallons of wastewater. As a result of these SSOs, the RWQCB has issued seven Notice of Violations to the City. To address this high number of SSO's, the City has taken a more aggressive approach to inspecting and cleaning sewer lines and repairing/replacing older sewer lines. The City should continue to provide adequate, if not increased, funding for inspection/cleaning and repair/replacement activities to ensure that the City's sewer system meets it State-issued Waste Discharge Requirements and to prevent enforcement orders and fines from the Regional Water Quality Control Board.

To ensure adequate funding for maintenance of the City's sewer system, the City has approved substantial annual increases to the City's sewer service rate, which will result in a 62% rate increase from 2012 to 2016. The City should continue to increase sewer service rates as needed to ensure adequate funding for maintenance of the City's sewer system.

Administrative Services

Determination 3.8-1 (Administrative Services):

The City of Oroville has an acceptable governmental structure to manage services being offered by the City. Due to budget constraints and in an effort to be more efficient, various administrative departments have utilized interdepartmental staff and resource sharing. The City eliminated numerous positions during FY 2013-14 due to fiscal difficulties and currently has numerous frozen positions. As the City's fiscal situation improves, the City intends to fill the frozen positions.

Determination 3.8-2 (Infrastructure Needs and Deficiencies)

The City of Oroville has been resourceful in meeting service needs while understaffed and has adopted measures to staff administrative departments and increase staff salaries to attract qualified applicants.

Determination 3.8-3 (Administrative Services)

There is sufficient room in the existing City Hall to accommodate existing staffing levels, with room for limited expansions. If staffing levels increase significantly, it will be necessary for the City to explore the possibility of relocating various City departments to another location or of constructing a new facility.

Financial Ability of the City to Provide Services**Determination 4.1-1 (City Finances)**

In response to a \$2.1 million revenue shortfall in Fiscal Year 2013-14, the City of Oroville made significant reductions to its workforce and in expenditures to prevent deficient spending. These reductions, along with a slowly improving economy, have allowed the City to have a balanced budget. The City believes that these and other measures the City will implement in the near future will provide much-needed long-term financial stability to the City. The City should continue to closely analyze the City's budget with an eye on long-term revenue stability and should ensure service fees and development impact fees are at a level that adequately funds City municipal services.

Determination 4.1-2 (Contingency Funds)

The City should continue to ensure that the contingency fund is fully funded at the City's existing goal of 2.5% of the General Fund revenue. The City should consider increasing the contingency fund deposit rate to ensure that adequate funds are available for emergencies or unanticipated expenses.

Determination 4.1-3 (City Development Impact Fees)

The City of Oroville's current development impact fees are based on a nexus study prepared in 2003, but the City Council did not adopt the full fees as recommended in the study. The City is in the process of having a new nexus study prepared, which is anticipated to be finished in late 2014/early 2015. To fully offset the cost of new development, the City of Oroville should adopt the full development impact fees as recommended in the forthcoming nexus study.

Determination 4.1-4 (Financing Constraints and Opportunities)

The City of Oroville receives funds for the provision of public utilities and services through impact fees, taxes, and connection and usage fees. The City should continue to explore opportunities for creating benefit assessment districts or other similar funding mechanisms to secure long-term funding for the maintenance and operation of public facilities and services.

Determination 4.1-5 (Financing Constraints and Opportunities)

Given the relatively large number of service providers which serve the City of Oroville and the surrounding area, a formalized system for evaluation of financial constraints and opportunities is needed. In addition, coordination is needed between service providers who provide similar services.

Opportunities for Shared Facilities

Determination 4.2-1 (Opportunities for Shared Facilities)

The City's Fire and Police Departments currently share one headquarters. While this shared facility enables the departments to share resources more efficiently, the primary benefit is convenience to the public. As the existing facility has limited capacity for expansion, the City should consider establishing a larger facility that can accommodate the Fire and Police Departments as they expand.

Determination 4.2-2 (Opportunities for Shared Facilities)

The Feather River Recreation and Park District's facilities, rental agreements and partnerships make a significant contribution to the City's Park and Trees Department's ability to meet its goals for park provision and park coverage. The City should continue to engage in partnerships with the Feather River Recreation and Park District to fund capital improvements as well as joint ownership and shared maintenance agreements with Feather River Recreation and Park District. The two agencies should develop a comprehensive parks plan for the area within the City's SOI and assigning sole responsibility to a single agency for operations and maintenance of specified facilities.

Government Structure, Efficiency and Local Accountability

Determination 4.3-1 (Management Efficiencies within City)

The City of Oroville and other service providers, which serve residents within the boundaries of the City of Oroville, operate under adequate management efficiency.

Determination 4.3-2 (Management Efficiencies within Sphere of Influence)

Despite concerns from local residents, it appears that the annexation of land within the Sphere of Influence to the City of Oroville will result in the consolidation of service providers and should improve overall management efficiency.

Determination 4.3-3 (Local Accountability and Governance)

Residents of Oroville are offered a broad range of opportunities for involvement in City decision making, including elections, publicized meetings and hearings, and reports completed in compliance with State and federal reporting requirements.

Section 4.3 - Summary of Adopted SOI Determinations for the City of Oroville

SOI DETERMINATION 3-1A: PRESENT AND PLANNED LAND USE	
	<i>The proposed SOI is compatible with the Butte County General Plan which favors urban development to occur within a City whenever possible. The proposed SOI is compatible with the City of Oroville General Plan and the SOI expansion areas, with the exception of the Palermo Special Study Area, were analyzed in the City General Plan EIR.</i>

SOI DETERMINATION 3-1.B: PRESENT AND PLANNED LAND USE	
	<i>The City of Oroville serves an important role by providing municipal services within its existing jurisdictional boundaries. Uses within the City's existing and updated SOI consists primarily of low to high density residential uses, along with public recreation uses, commercial/industrial uses, and scattered pre-existing agricultural uses. The City of Oroville's existing and proposed SOI, excluding State-owned and managed lands, is primarily designated by the City's General Plan for relatively high levels of development, which will require municipal services to fully implement the City's General Plan. Considering the existing and planned land uses in the area, the City of Oroville is the logical agency to provide most urban services to accommodate the planned growth.</i>

SOI DETERMINATION 3-1.C: PRESENT AND PLANNED LAND USE	
	<i>The unincorporated community of Palermo will be added to the City of Oroville's Sphere of Influence as a Special Study Area pursuant to Butte LAFCo Policy 3.1.10. The Special Study Area designation denotes that the Palermo Area would benefit from City services at some point and would be considered a likely area for annexation into the City of Oroville at some future date. Annexation of the Palermo area to the City of Oroville cannot occur until the Commission removes the special study area designation and assigns a specific sphere category to the area based on anticipated service demands.</i>

SOI DETERMINATION 3-1.D: PRESENT AND PLANNED LAND USE	
	<i>The unincorporated community of Kelly Ridge is already within the City of Oroville's Sphere of Influence but is not within the 20-year time frame for annexation to the City nor in need of any City services at this time. Pursuant to the City's desires for a perceived connection to Lake Oroville, and as provided for by Butte LAFCo Policies, the Kelly Ridge area will remain within the City's SOI, but will be designated as a Special Study Area pursuant to Butte LAFCo Policy 3.1.10. Annexation of the Kelly Ridge area to the City of Oroville may not occur until the Commission removes the special study area designation and assigns a specific sphere category to the area based on anticipated service demands.</i>

SOI DETERMINATION 3-1.E: PRESENT AND PLANNED LAND USE

Prime agricultural lands and agricultural uses are found within the City's updated SOI. A large percentage of the agricultural uses in the City's updated SOI are located within the boundaries of the Rio d'Oro Specific Plan Area. The Specific Plan Area is currently being planned for development of approximately 2,700 residential dwelling units by the County, along with commercial, public, and open space uses.

SOI DETERMINATION 3-1.F: PRESENT AND PLANNED LAND USE

To address the loss of prime agricultural lands due to annexation to the City of Oroville, the LAFCo review process will include a project-specific assessment of the loss of prime farmland and determine appropriate mitigation measures (type and amount). LAFCo will consider Butte LAFCo's Policies regarding the conversion of prime farmland and will consider the City's adopted policies and programs that provide for mitigating the loss of prime farmland within its sphere of influence. The City may also seek to retain some agricultural land uses for market farming and or agricultural-tourism as these activities are in the interest of the City residents to promote local food access.

SOI DETERMINATION 3-1.G: PRESENT AND PLANNED LAND USE

LAFCo has considered the presence of contracted Williamson Act lands within the City's current and updated Sphere of influence. The updated City of Oroville Sphere of Influence does not contain any Williamson Act lands.

SOI DETERMINATION 3-2.A: PRESENT AND PROBABLE NEED FOR PUBLIC SERVICES AND FACILITIES

The areas within the City of Oroville's updated Sphere of Influence will require enhanced municipal services to meet the service demands of new urban development allowed under the City's General Plan and consistent with the services provided to current City residents.

SOI DETERMINATION 3-2.B: PRESENT AND PROBABLE NEED FOR PUBLIC SERVICES AND FACILITIES

The City's updated SOI will overlap with portions of LOAPUD's and TWSD's Sphere of Influences. These Districts will continue to retain full authority to provide services within their jurisdictional boundaries. At the time of future annexations to the City, LAFCo will make the determination as to which agency is the more effective sewer service provider for the area based on current conditions and in full cooperation with the existing districts, but there is no automatic merger requirement.

SOI DETERMINATION 3-3.A: PRESENT AND FUTURE CAPACITY OF FACILITIES

The City generally exhibits characteristics of well-managed local government albeit the City's financial ability is currently constrained following many years of economic stagnation at all levels of government. The City has taken the appropriate steps to resolve its financial problems yet still provide acceptable levels of city services as determined by the elected City Council.

Currently, the City has the capacity to provide public services to residents and commercial/industrial customers within its city limits. However, approval of the SOI Update, which includes adding additional area to the City's SOI, will necessitate that the City budget and plan for future infrastructure and service needs prior to annexing any area within the SOI. Upon future annexation, the City will be required to provide proof of capability to deliver police and fire protection, storm water and drainage, code enforcement, traffic and roads, streetlights, and all other services provided by the City. Because of overlapping Sphere of Influences with the Lake Oroville Area Public Utility District, Thermalito Water and Sewer District, and el Medio fire Protection District - the City of Oroville may not be the most effective provider of wastewater collection/conveyance and fire protection services within some areas of the City's SOI.

The City will be able to provide services to new development within the updated SOI and continue to provide services to existing residents provided that the policies and standards contained in the City's General Plan and capital improvement program are implemented when considering annexations and development projects.

Domestic water, wastewater, and fire protection services will continue to be provided by the present service providers within the City's updated SOI and not be affected by the Sphere of Influence Update for the City of Oroville. At the time of annexation, LAFCo will determine the most effective service provider for the provision of wastewater services with the underlying assumption that existing service providers are the currently providing effective services and the City would need to demonstrate the ability to deliver more efficient services.

SOI DETERMINATION 3-5.1: THE PRESENT AND PROBABLE NEED FOR THOSE PUBLIC FACILITIES AND SERVICES OF ANY DISADVANTAGED UNINCORPORATED COMMUNITIES WITHIN THE EXISTING SPHERE OF INFLUENCE

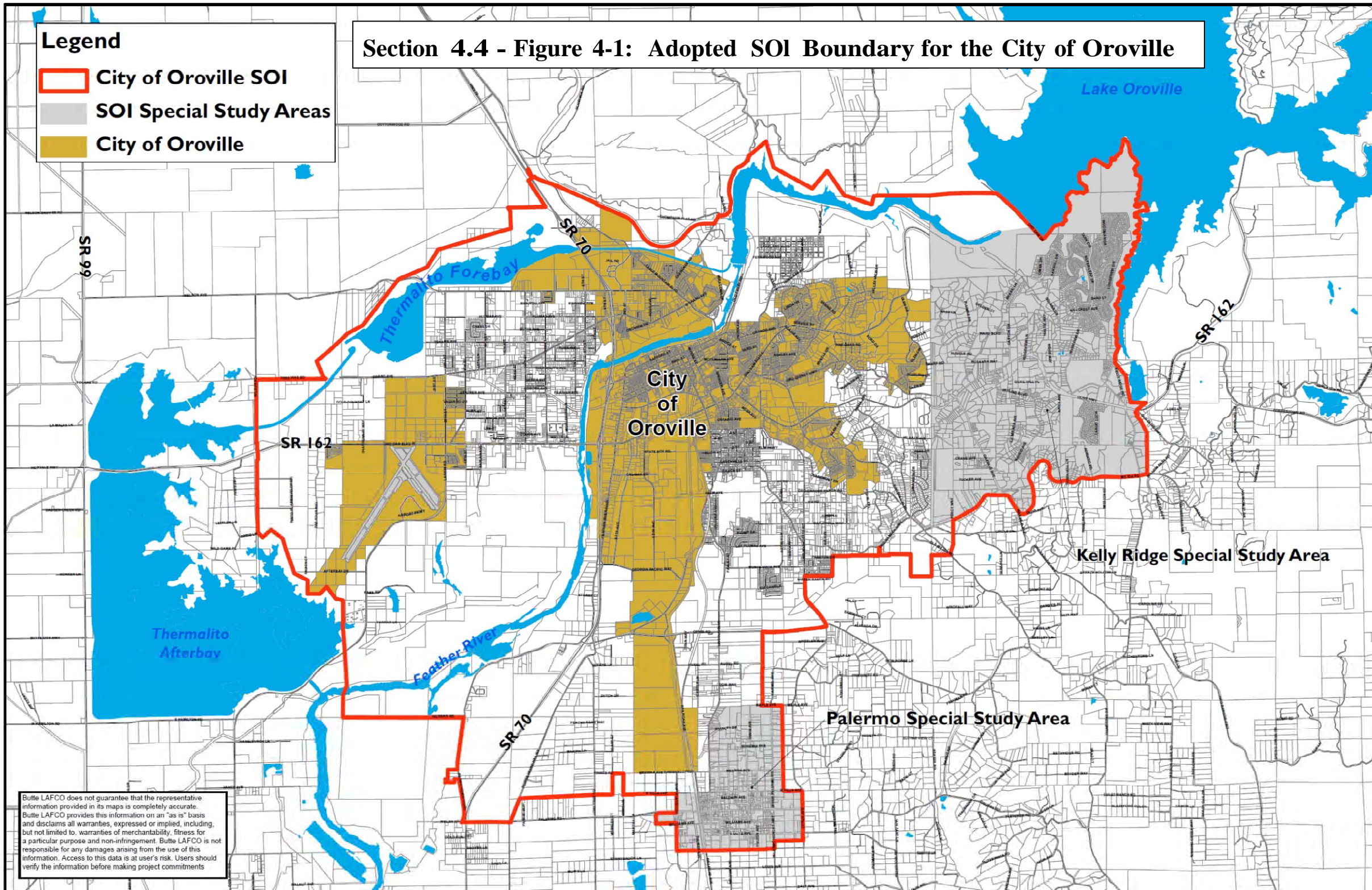
Large portions of the City of Oroville’s existing and proposed SOI are identified as disadvantaged unincorporated communities. The disadvantaged unincorporated communities within the City’s SOI will require City municipal services to facilitate new development and redevelopment. Therefore, there is a present and probable need for City municipal services within the areas designated as disadvantaged unincorporated communities in the City of Oroville’s updated SOI.

Prior to future annexations documentation as to the presence of disadvantaged unincorporated communities adjacent to, or nearby, an annexation proposal shall be submitted to LAFCo for its evaluation and possible action.

SOI DETERMINATION 3-4.1: SOCIAL AND ECONOMIC COMMUNITIES OF INTEREST

The social and economic communities within the City of Oroville existing sphere of influence include the City of Oroville, the unincorporated communities/neighborhoods of South Oroville, Thermalito, the Mooretown Rancheria, the Feather Falls Rancheria, and Kelly Ridge and the larger unincorporated area that is geographically considered the Oroville Urban Area and for shopping, social services and other service functions such as healthcare.

The areas proposed to be added to the City’s SOI include the unincorporated community of Palermo (as a Special Study Area), the proposed Rio D’ Oro Specific Plan area along SR 70 south of Oroville, the Power House Hill Road/Lone Tree Road area, the State-owned Oroville Wildlife Area, and State water resources areas to the north of the City. The City’s proposed sphere has established substantive social and economic ties with the City of Oroville region given that is where the majority of residents of the updated SOI work, shop and obtain essential services.



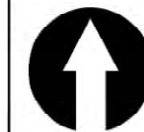
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BUTTE LOCAL AGENCY FORMATION COMMISSION

City of Oroville Sphere of Influence Plan/Update

Adopted December 4, 2014, Resolution No. 07 2014/15



City of Oroville Sphere
Map prepared by Butte LAFCO
January 12, 2015



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5.0 ACRONYMS AND DEFINITIONS

TERM	DEFINITION
Annexation	The inclusion, attachment, or addition of a territory to a city or district.
BCAG	Butte County Association of Governments
Board of Directors	The legislative body or governing board of a district.
CEQA	The California Environmental Quality Act (CEQA) is intended to inform governmental decision-makers and the public about potential environmental effects of a project, identify ways to reduce adverse impacts, offer alternatives to the project, and disclose to the public why a project was approved. CEQA applies to projects undertaken, funded, or requiring issuance of a permit by a public agency.
CIP	Capital Improvement Program. A plan for expenditures taking into consideration the fundamental strategic goals for a utility system, including growth, expansion, renewal and replacement, regulatory compliance, and stakeholder service needs.
City	Any charter or general law city, including any city the name of which includes the word "town."
CKH	The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
Collection System	The first element of a wastewater collection system used to collect and carry wastewater from one or more building sewer laterals to a main sewer.
Cost Avoidance	Actions to eliminate unnecessary costs derived from, but not limited to, duplication of service efforts, higher than necessary administration/operation cost ratios, use of outdated or deteriorating infrastructure and equipment, underutilized equipment or buildings or facilities, overlapping/inefficient service boundaries, inefficient purchasing or budgeting practices, and lack of economies of scale.
District or Special District	An agency of the state, formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries. "District" or "special district" includes a county service area.
Enabling Legislation	Legal statute authorizing the creation of the agency or district considered.
Enterprise Fund	Services for which a city charges customers a fee. Cities can use enterprise funds to account for its sewer, electric, and non-major (water and solid waste funds). Enterprise funds are the same as its business-type activities, but provide more detail and additional information.
Excessive Infiltration/Inflow	The quantities of infiltration/inflow that are less costly to remove by sewer system rehabilitation than to transport and treat at the receiving facility, when both capital costs of increased sewerage facilities capacity and resulting operating costs are included.
Formation	The formation, incorporation, organization, or creation of a district.
Function	Any power granted by law to a local agency or a county to provide designated governmental or proprietary services or facilities for the use, benefit, or protection of all persons or property.

TERM	DEFINITION
Functional Revenues	Revenues generated from direct services or associated with specific services, such as a grant or statute, and expenditures.
FY	Fiscal year
General Plan	A document containing a statement of development policies including a diagram and text setting forth the objectives of the plan. The general plan must include certain state mandated elements related to land use, circulation, housing, conservation, open-space, noise, and safety.
General Revenues	Revenues not associated with specific services or retained in an enterprise fund.
gpd	Gallons per day
Independent Special District	Any special district having a legislative body all of whose members are elected by registered voters or landowners within the district, or whose members are appointed to fixed terms, and excludes any special district having a legislative body consisting, in whole or in part, of ex officio members who are officers of a county or another local agency or who are appointees of those officers other than those who are appointed to fixed terms. "Independent special district" does not include any district excluded from the definition of district contained in §56036.
Infrastructure Needs and Deficiencies	The term "infrastructure" is defined as public services and facilities, such as water supply systems, other utility systems, and roads (General Plan Guidelines). Any area needing or planned for service must have the infrastructure necessary to support the provision of those services. The term "infrastructure needs and deficiencies" refers to the status of existing and planned infrastructure and its relationship to the quality and levels of service that can or need to be provided.
Interested Agency	Each local agency, which provides facilities or services in the affected territory that a subject agency would provide.
LAFCo	Local Agency Formation Commission. A state mandated local agency that oversees boundary changes to cities and special districts, the formation of new agencies including incorporation of new cities, and the consolidation of existing agencies. The broad goals of the agency are to ensure the orderly formation of local government agencies, to preserve agricultural and open space lands, and to discourage urban sprawl.
Local Accountability and Governance	The term "local accountability and governance" refers to public agency decision making, operational and management styles that include an accessible staff, elected or appointed decision-making body and decision making process, advertisement of, and public participation in, elections, publicly disclosed budgets, programs, and plans, solicited public participation in the consideration of work and infrastructure plans; and regularly evaluated or measured outcomes of plans, programs or operations and disclosure of results to the public.
Local Agency	A city, county, or special district or other public entity, which provides public services.
LOAPUD	Lake Oroville Area Public Utility District. LOAPUD provides sanitary sewer collection and conveyance services in the south Oroville area.

TERM	DEFINITION
Management Efficiency	The term “management efficiency” refers to the organized provision of the highest quality public services with the lowest necessary expenditure of public funds. An efficiently managed entity (1) promotes and demonstrates implementation of continuous improvement plans and strategies for budgeting, managing costs, training and utilizing personnel, and customer service and involvement, (2) has the ability to provide service over the short and long term, (3) has the resources (fiscal, manpower, equipment, adopted service or work plans) to provide adequate service, (4) meets or exceeds environmental and industry service standards, as feasible considering local conditions or circumstances, (5) and maintains adequate contingency reserves.
Municipal Services	The full range of services that a public agency provides, or is authorized to provide, except general county government functions such as courts, special services and tax collection. As understood under the CKH Act, this includes all services provided by special districts under California law.
Municipal Service Review (MSR)	A study designed to determine the adequacy of governmental services being provided in the region or sub-region. Performing service reviews for each city and special district within the county may be used by LAFCO, other governmental agencies, and the public to better understand and improve service conditions.
Non-Enterprise Activity	A non-enterprise activity, such as fire protection, is an activity that has an accounting system organized on a governmental fund basis.
Overlapping Territory	Territory which is included within the boundaries of two or more districts or within one or more districts and a city or cities.
Prime Agricultural Land	An area of land that has not been developed for a use other than agriculture and meets certain criteria related to soil classification or crop and livestock carrying capacity.
Principal act	The sections of state law under which authority a district was formed and now operates. The Cortese-Knox-Hertzberg Local Government Reorganization Act provides for formation process, but is not the principal act under which districts operate. An example of a principal act is the Recreation and Park District Law, commencing with Section 5780 of the Public Resources Code.
Public Agency	The state or any state agency, board, or commission, any city, county, city and county, special district, or other political subdivision, or any agency, board, or commission of the city, county, city and county, special district, or other political subdivision.
Sanitary Sewer System	A wastewater collection system designed to carry sanitary sewage, consisting solely of domestic, commercial, and industrial wastewater, and to which storm water, surface water and groundwater are not intentionally admitted.
SC-OR	Sewerage Commission-Oroville Region

TERM	DEFINITION
Service	A class established within, and as a part of, a single function, as provided by regulations adopted by the commission pursuant to CKH Chapter 5 (commencing with §56821) of Part 3.
Service Review	A study and evaluation of municipal service(s) by specific area, sub-region or region culminating in written determinations regarding nine specific evaluation categories.
SFWPA	South Feather Water and Power Agency. The SFWPA provides public domestic and irrigation water to the south Oroville area.
Special District	A local governmental agency formed pursuant to general law of the state or special act of the Legislature.
Sphere of influence (SOI)	A plan for the probable physical boundaries and service area of a local agency, as determined by the LAFCo.
Sphere of Influence Determinations	In establishing a sphere of influence, the Commission must consider and prepare written determinations related to present and planned land uses, need and capacity of public facilities, and existence of social and economic communities of interest.
Stakeholder	Refers to LAFCOs, members of the public, affected and interested agencies, and other entities interested in, and affected by, service(s) being reviewed.
Subject agency	Each district or city for which a change of organization is proposed or provided in a reorganization or plan of reorganization.
TWSD	Thermalito Water and Sewer District. TWSD provides sanitary sewer collection and conveyance service and public domestic water services to the Thermalito area and the north Oroville area.
WWTF	Wastewater treatment facility. A facility containing a series of tanks, screens, filters, and other processes by which pollutants are removed from water.
Zoning	The primary instrument for implementing the general plan. Zoning divides a community into districts or “zones” that specify the permitted/prohibited land uses.

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Attachment 1 – 1985 City of Oroville Sphere of Influence Plan

CITY OF OROVILLE

1. Main Office/Mailing Address

1735 Montgomery Street
Oroville, CA 95965

2. Year Established:

1906 (chartered in 1933)

3. General Location:

Southeastern Butte County near the Feather River and Oroville Dam.

4. Land Area within Agency Boundary:

Approximately 7,040 acres (11 square miles)

5. Population within Agency Boundary:

9,914 (California Department of Finance estimate for January 1, 1984)

6. Legal Authority:

California Constitution, Article XI, Sections 5, 7 and 9 and various state statutes.

7. Services Currently Provided:

- A. General government
- B. Sewage collection, treatment and disposal
- C. Streets and roads
- D. Drainage
- E. Police
- F. Fire protection
- G. Street lights.

8. Description of Services and Facilities:

The City provides a broad range of municipal services, with the exception of water service. The City currently has a staff of 90.

Sewage Disposal

The City of Oroville provides sewage collection service to most of the incorporated area. The City's system has 5,400 service connections. Although the City provides sewer service to a small area north and south of Grand Avenue west of Highway 70, the other incorporated areas west of Highway 70 are either not sewered or sewered by the Thermalito Irrigation District. Similarly, two small areas in South Oroville lie within the City but receive sewer service from North Burbank Public Utility District.

Sewage collected by the City's system is treated at the SCOR treatment facility on 5th Avenue.

Because of its age, the City's system has numerous deficiencies. Many of the lines are too small to handle present flows, particularly during wet weather. The City is upsizing problem-lines as time and money permit. The City's system has a major problem with inflow and infiltration of groundwater and storm water. While dry-weather flows from the City system run a little over one million gallons per day (MGD), wet-weather flows can exceed 11 MGD, well over the 6.8 MGD limit specified in the City's agreement with SCOR. In 1983, the City implemented recommendations of a study that concluded that increasing treatment capacity at the SCOR plant was substantially more cost-effective than undertaking wholesale repair of City sewer lines. Accordingly, the SCOR plant has installed emergency storage capacity of 20 million gallons.

Streets and Roads

Several major street and road improvements are proposed by the Oroville General Plan. Extension of Ophir Road between Lincoln Street and Lower Wyandotte by the County is proposed to by-pass the urban core for vehicles traveling east-west between Highway 70 and the southeast foothills area. Extension of 20th Street south to Larkin Road in the Thermalito area is proposed to form a complete north-south arterial from Nelson Avenue southerly to accommodate planned industrial and commercial development. The third major improvement being contemplated is the replacement of the Lower Thermalito Bridge.

Drainage

Although major flooding within Oroville is not a problem due to Oroville Dam, localized flooding does occur during periods of heavy rain. Drainage studies covering about 60 percent of the City have been conducted. In the Thermalito area within the City, the City has enacted a drainage ordinance requiring developer contributions to drainage improvements. The Dry Creek drainage in the central Oroville area has also been studied, but no fees have been imposed for storm drain improvements.

Police

The City of Oroville has a staff of 29 and 10 mobile units. Response times within the City range from five to ten minutes.

Fire Protection

The City of Oroville Fire Department has a station located on Lincoln Street and a substation on Glen Drive. The Fire Department has a full-time staff of 23, a volunteer force of 24, and 12 vehicles. Maximum response time within the City is three minutes. The Fire Department also maintains an engine at the Oroville Airport for aircraft fires. The City has mutual aid agreements with Butte County and the California Department of Forestry. The City currently has an OSI rating of 4.

Parks and Recreation

While the City operates no recreation programs, it owns and maintains several parks including:

Bedrock Park and Lagoon (2.09 acres): Amphitheatre, picnic areas, swimming area, tennis courts, and restrooms;

Lott-Sank Park (1.90 acres): Amphitheatre, picnic area, and museum;

Rotary Park (2.14 acres): Ball fields, picnic facilities, turf area, children's play area and restrooms.

Chinese Temple (0.91 acres): Museum and restrooms.

Hewitt Park (7.55 acres): Hard surface play area, turf area, picnic area, children's play area, wading pool and restrooms.

Hammon Park (4 acres): Turf area and restrooms.

The City also owns the Table Mountain Golf Course (244 acres), but its operation and maintenance is handled by a private party on a contract basis.

Street Lights

Street lights are well developed in the urban parts of Oroville. In more rural areas of the City there are street lights at most intersections. Generally, the provision of street lights meets neighborhood demand.

9. Major Service Issues:

Perhaps the key service issue for the City of Oroville is its aging sewer system. Although the inflow and infiltration problem has been addressed by the addition of emergency storage capacity at the SCOR plant, there are still undersized pipes throughout the City, and major new trunklines would be needed for major annexations.

The City is also exploring the feasibility of acquiring the California Water Service Company operation. The preliminary feasibility report has yet to be completed.

10. Sphere of Influence:

The adopted sphere of influence for the City of Oroville is depicted in Figure 3.

The sphere for the City of Oroville generally includes all land proposed by the Oroville General Plan or the Butte County Oroville General Plan for industrial, commercial or urban residential (one unit or more per acre). On the north the boundary generally follows man-made or natural water barriers: Miner's Ranch Reservoir, Lake Oroville, Feather River, Thermalito Power Canal, Thermalito Forebay and Thermalito Afterbay. South of the Oroville Airport, the boundary includes all lands scheduled for urban development by either plan. Along the southern border, the sphere includes the planned industrial area along Highway 70 and Baggett-Palermo Highway to the southern limit of the existing City limits, then follows the urban residential boundary proposed in the Butte County General Plan. On the east the sphere includes Kelly Ridge, The Oaks and other areas designated for low density urban development.

Concerning sewer service, LAFCo proposes to undertake a study of the feasibility of consolidating the sewage collection systems of the City of Oroville, North Burbank PUD, and TID and the SCOR treatment plant under a single regional sewage agency.

Determinations:

1. Present and Planned Land Uses in the Area.

Present land use within the sphere of influence include a mixture of urban, rural and open space uses. The sphere includes virtually all areas proposed for urban development by the City and County General Plans and is generally consistent with both plans. The sphere minimizes the potential conversion of agricultural and open space lands, although full development within the sphere could lead to the conversion of two small areas near Garden Drive and Wyman Ravine, presently under Williamson Act contract, to urban or rural residential uses.

2. Present and Probable Need for Public Facilities and Services in the Area.

The City provides a wide range of services, with the notable exception of water. The needs of the area residents are generally being adequately served, although as urbanization of the area continues, there will be an increasing need for the full range of urban services.

3. Present Capacity of Public Facilities and Adequacy of Public Services which the Agency Provides or Is Authorized to Provide.

Services and facilities are generally adequate to meet current needs. There is virtually no limit on water supply to serve the area, although treatment capacity will ultimately need to be expanded. Improvements to the sewage collection and treatment system will need to be made to serve expected population growth.

4. Social or Economic Communities of Interest in the Area.

Despite differences among sub-areas, the area included in the sphere of influence comprises a single urban and housing market area.