



OROVILLE CITY COUNCIL

Council Chambers
1735 Montgomery Street
Oroville, CA. 95965

**August 08, 2023
SPECIAL MEETING
OPEN SESSION 11:00 AM
AGENDA**

PUBLIC ACCESS AND PARTICIPATION

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

To View the Meeting:

1. Watch our live feed <https://www.youtube.com/channel/UCAoRW34swYl85UBfYqT7IbQ/>
2. Watch via Zoom
<https://zoom.us/j/96870319529?pwd=dW9kMGRZSFo5MFFNQk5wVDUzRkRrZz09>
Meeting ID: 968 7031 9529
Passcode: 67684553
3. Listen via Telephone
Telephone: 1-669-900-6833
Meeting ID: 968 7031 9529
Passcode: 67684553

To Provide Comment to the Council:

1. Email before the meeting by 2:00 PM your comments to publiccomment@cityoforoville.org
2. Attend the meeting in person.

If you would like to address the Council at this meeting, you are requested to complete the blue speaker request form (located on the wall by the agendas) and hand it to the City Clerk, who is seated on the right of the Council Chamber. The form assists the Clerk with minute taking and assists the Mayor or presiding chair in conducting an orderly meeting. Providing personal information on the form is voluntary. For scheduled agenda items, **please submit the form prior to the conclusion of the staff presentation for that item.** Council has established time limitations of three (3) minutes per speaker on all items. If more than 10 speaker cards are submitted for an item, the time limitation would be reduced to one and a half minutes per speaker for that item. **(California Government Code §54954.3(b)).** Pursuant to Government Code Section 54954.2, the Council is prohibited from taking action except for a brief response from the Council or staff to statements or questions.

CALL TO ORDER / ROLL CALL

Council Members: Tracy Johnstone, Krysi Riggs, Scott Thomson, Janet Goodson, Shawn Webber, Vice Mayor Eric Smith, and Mayor David Pittman

OPEN SESSION

1. Pledge of Allegiance
2. Adoption of the Agenda

PUBLIC HEARINGS

1. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS, ZONES 2, 3, 5, 7-10, 12, 14, 15, 17

The City Council will consider the annual special tax relating to the City's Landscape and Lighting Maintenance Assessment Districts.

RECOMMENDATION

Adopt Resolution No. 9173 - **A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES 2, 3, 5, 7, 8, 9, 10, 12, 14, 15 AND 17 OF THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2023/24;** and

Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2023/24 Butte County Tax Roll; and

Authorize any necessary budget adjustments to the Annual Assessment Report.

2. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS, ZONES 1, 4, 6, 11, 13, 16, 18

The City Council will consider the annual special tax relating to the City's Landscape and Lighting Maintenance Assessment Districts.

RECOMMENDATION

Adopt Resolution No. 9174 - **A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES 1, 4, 6, 11, 13, 16, AND 18 OF THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2023/24;** and

Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2023/24 Butte County Tax Roll; and

Authorize any necessary budget adjustments to the Annual Assessment Report.

3. ANNUAL ASSESSMENTS FOR THE CITY’S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 3, 5, 9

The City Council will consider the annual special tax relating to the City’s Consolidated Benefit Assessment Districts.

RECOMMENDATION

Adopt Resolution No. 9175 - **A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES 3, 5 AND 9 OF THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2023/24;** and

Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2023/24 Butte County Tax Roll; and

Authorize all necessary budget adjustments to the Annual Assessment Report.

4. ANNUAL ASSESSMENTS FOR THE CITY’S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 1, 2, 4, 6-8

The City Council will consider the annual special tax relating to the City’s Consolidated Benefit Assessment Districts.

RECOMMENDATION

Adopt Resolution No. 1976 - **A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES 1, 2, 4, 6, 7 AND 8 OF THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2023/24;** and

Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2023/24 Butte County Tax Roll; and

Authorize all necessary budget adjustments to the Annual Assessment Report.

REGULAR BUSINESS – Action Calendar

5. GRANT FUND TRANSFER FROM GENERAL FUND

The Council may consider approving an interfund loan request in the amount of \$9,190,089.00 for Lincoln Street Family Apartments to fund 223.

RECOMMENDATION

Approve the funds transfer of \$9,190,089.00 to Grant Fund 223.

ADJOURNMENT

Adjourn to August 15, 2023 at 4:00 P.M. in the Oroville City Council Chambers

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

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



CITY OF OROVILLE STAFF REPORT

TO: MAYOR PITTMAN AND COUNCIL MEMBERS

FROM: RUTH DUNCAN, ASSISTANT CITY ADMINISTRATOR-ADMINISTRATIVE SERVICES

RE: ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS, ZONES 2, 3, 5, 7-10, 12, 14, 15, 17

DATE: AUGUST 8, 2023

SUMMARY

The City Council will consider the annual special tax relating to the City's Landscape and Lighting Maintenance Assessment Districts.

DISCUSSION

As a condition of approval for each subdivision identified below, the developer was required to establish or annex into a landscape and lighting maintenance assessment district. Each subdivision represents a Zone within the larger district. Each Zone is financially responsible for the maintenance of the landscaped areas dedicated to the City and for the cost of maintaining the City owned street lights within the individual subdivisions. The particular Zones within the City's Consolidated Landscape and Lighting Maintenance Assessment District ("CLLMAD") are identified below:

ZONE	ZONE
Zone 1 – Grandview Estates	Zone 10 – Foothill Estates
Zone 2 – The Buttes	Zone 11 – Mission Olive Ranch
Zone 3 – Deer Creek Estates, Phase 1	Zone 12 – Vista Del Oro
Zone 4 – Calle Vista 1	Zone 13 – Calle Vista 2
Zone 5 – Cherokee Estates, Phase 1	Zone 14 – Martin Ranch
Zone 6 – Sherwood	Zone 15 – Jake Richter Estates
Zone 7 – Grayhawk	Zone 16 – Acacia Estates
Zone 8 – Cherokee Estates, Phase 2	Zone 17 – Feather River Bluffs
Zone 9 – Linkside	Zone 18 – Ruddy Creek

**Zone 14 (Martin Ranch) was never formed and will not be assessed for the foreseeable future.*

Pursuant to the Landscape and Lighting Act of 1972, which authorizes the formation and annual assessment of such districts, an Annual Assessment Report was prepared and filed with the

City Clerk prior to the July 18, 2023 City Council meeting. The purpose of the report is to document the annual costs involved in the operation, maintenance and servicing of all improvements, adjust the annual assessments, to incorporate any surplus or deficit from the previous year and to determine the actual annual assessment for each assessable parcel within the CLLMAD.

The City Council will consider the following items for the CLLMAD:

1. Open and conduct a public hearing to receive public comment regarding the CLLMAD and/or the assessments for Fiscal Year 2023/24.
2. After any public comment, close the public hearing and consider approval of the Resolution Ordering the Levy and Collection of Assessments.

FISCAL IMPACT

Assessments are collected for the City of Oroville by the Butte County Tax Collector to reimburse the City for the costs of operating, maintaining and servicing the landscape and lighting improvements within the CLLMAD.

RECOMMENDATION

1. Adopt Resolution No. 9173 - **A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES 2, 3, 5, 7, 8, 9, 10, 12, 14, 15 AND 17 OF THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2023/24**
2. Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2023/24 Butte County Tax Roll.
3. Authorize any necessary budget adjustments to the Annual Assessment Report.

ATTACHMENTS

Resolution No. 9173
2023/24 Assessment Summary from the CLLMAD Annual Assessment Report.
Proposition 218 Certification of Tax Bill Levy

NOTE: In order to reduce copying costs, only the Executive Summary of the Annual Assessment Report is attached to this staff report. The complete Annual Assessment Report for the CLLMAD is available for review in the City Clerk's office.

**CITY OF OROVILLE
RESOLUTION NO. 9173**

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES 2, 3, 5, 7, 8, 9, 10, 12, 14, 15 AND 17 OF THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2023/24

WHEREAS, the Oroville City Council, pursuant to the terms of the “Landscaping and Lighting Act of 1972” (the 1972 Act”), Division 15, Part 2, Chapter 1, Article 1 of the Streets and Highways Code of the State of California (Section 22645 et seq.) did by previous Resolutions, initiate proceedings and approve the Annual Assessment Report (the “Report”), on a preliminary basis, for the special maintenance district known and designated as “The Oroville Consolidated Landscape and Lighting Maintenance Assessment District” (the “District”). The District is comprised of several Zones of which the following are being addressed by this resolution:

ZONE	ZONE
	Zone 10 – Foothill Estates
Zone 2 – The Buttes	
Zone 3 – Deer Creek Estates, Phase 1	Zone 12 – Vista Del Oro
Zone 5 – Cherokee Estates, Phase 1	Zone 14 – Martin Ranch
	Zone 15 – Jake Richter Estates
Zone 7 – Grayhawk	
Zone 8 – Cherokee Estates, Phase 2	Zone 17 – Feather River Bluffs
Zone 9 – Linkside	

WHEREAS, the engineer selected by the City Council has prepared and filed with the City Clerk, the Report in connection with the proposed levy and collection of assessments upon eligible parcels of land within each Zone. The Report has been prepared based on the estimated costs to operate, maintain and service the improvements located within particular Zones of the District; and,

WHEREAS, the City Council has carefully examined and reviewed the Report and is satisfied with each of the items and documents as presented therein, and finds that the assessments have been spread to the eligible parcels within each Zone in accordance with the special benefit received from said improvements; and,

WHEREAS, the assessments are not based on the assessed value of the properties within the Zones but are based on the special benefit conferred upon said eligible parcels from the improvements, and the maintenance and operation thereof; and,

WHEREAS, the assessments are in compliance with all laws pertaining to the levy and collection of assessments, including Proposition 218; and,

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. Following notice duly given, the City Council has held a full and fair public hearing regarding the Report and the levy and collection of assessments within the District. The City Council received and considered all written and oral statements, including any and all protests or other communications made or filed by any interested persons.
2. Based upon its review (and any applicable amendments) of the Report, a copy of which has been filed with the City Clerk, the City Council hereby finds and determines that:
 - a. The assessable properties within the Zones will receive special benefit from the operation, maintenance and servicing of the landscape and lighting improvements.
 - b. The Zones include all properties receiving such special benefit.
 - c. The net amount to be assessed upon the properties is based on the historical and estimated costs to provide said maintenance and servicing and is apportioned by a formula that fairly distributes the net amount among all assessable parcels in proportion to the estimated special benefit received from the improvements and services.
3. The Report and assessments, as presented and which are on file with the office of the City Clerk, are hereby confirmed as filed.
4. The City Council hereby orders the maintenance and servicing of the improvements to be made in accordance with the Report and the 1972 Act.
5. The maintenance, operation and servicing of the landscape and lighting improvements shall be performed pursuant to the 1972 Act and the County Auditor of Butte County shall enter onto the County Tax Roll, opposite each assessable parcel of land, the assessment amount and such assessments shall be collected at the same time and in the same manner as the County taxes are collected. After collection of the assessments by the County, the net amount of said assessments shall be paid to the City Treasurer.
6. The City Treasurer shall deposit all money representing assessments collected by the County to the credit of a fund especially for the District. Such money shall be expended only for the maintenance, operations and servicing of the landscape and lighting improvements located within the District boundaries.
7. The adoption of this Resolution constitutes the levy of assessments within the Zones for the fiscal year beginning July 1, 2023 and ending June 30, 2024.
8. The City Clerk is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution.
9. A certified copy of this Resolution shall be filed in the office of the City Clerk and shall remain open for public inspection.

PASSED AND ADOPTED by the Oroville City Council at its August 8, 2023 City Council meeting, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

David Pittman, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott Huber, City Attorney

Jackie Glover, Assistant City Clerk

**PROPOSITION 218 OR COMPLIANCE CERTIFICATION AND HOLD HARMLESS
STATEMENT 2023-2024**

The City of Oroville certifies the following:

I have read and am familiar with the requirements of Article XIIC and XIID of the State Constitution as revised by Proposition 218, including the articles cited below, and believe that all of the taxes, assessments, levies and fees accompanying the **2023-2024** submission to the County-Auditor for inclusion on the Secured Property Tax roll are in compliance with the law.

Article XIII C. Sec. 2 (c) *“Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).”*

Article XIII D. Sec. 5 *“...this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.”*

Article XIII E. Sec. 6 (d) *“Beginning July 1, 1997, all fees or charges shall comply with this section.”*

The City of Oroville agrees that it shall be solely liable and responsible, and will defend and hold harmless the County of Butte, the Board of Supervisors, the Auditor-Controller, the Tax Collector, its officers and employees, from litigation over whether the requirements of Proposition 218 were met with respect to such levy (levies).

If any judgment is entered against any indemnified party as a result of not meeting the requirements of Proposition 218 for such special tax(es), fee(s) or assessment(s), the Agency/District agrees that County may offset the amount of any judgment paid by an indemnified party from any moneys collected by County on Agency/District's behalf, including property taxes, special taxes, fees, or assessments. In addition, the Agency/District shall be solely liable and responsible and will defend and hold the County and the County Auditor harmless from any and all legal fees or other costs incurred related to such a claim.

By: _____

Mayor, David Pittman

ASSESSMENT TITLE: Consolidated Landscape and Lighting Maint District

TAXCODE: 78001

PLEASE ONLY CHECK ONE:

Is This a Compliance Certification _____ OR A Proposition 218 Certification X

CLLMAD FISCAL YEAR 2023-24 ASSESSMENT SUMMARY

Zone Name	Total Assessable Parcels/Units	Total Assessment	Maximum Assessment Rate per Unit	Proposed Assessment Rate per Unit
Zone 1 – Grandview Estates	21	\$2,801.40	\$196.89	\$133.40
Zone 2 – The Buttes	58	\$7,131.68	\$122.96	\$122.96
Zone 3 – Deer Creek Estates, Phase 1	72	\$2,168.64	\$30.12	\$30.12
Zone 4 – Calle Vista Estates, Phase 1	70	\$5,327.00	\$76.11	\$76.10
Zone 5 – Cherokee Estates, Phase 1	12	\$948.96	\$79.08	\$79.08
Zone 6 – Sherwood Estates, 1 & 2	49	\$2,058.00	\$42.00	\$42.00
Zone 7 – Grayhawk	30	\$5,928.60	\$197.63	\$197.62
Zone 8 – Cherokee Estates, Phase 2	20	\$3,800.40	\$515.71	\$190.02
Zone 9 – Linkside Place, Phase 1	65	\$4,225.00	\$536.62	\$65.00
Zone 10 – Foothill Estates	25	\$2,750.00	\$794.86	\$110.00
Zone 11 – Mission Olive Ranch	19	\$7,715.90	\$596.37	\$406.10
Zone 12 – Vista Del Oro	92	\$2,760.00	\$234.16	\$30.00
Zone 13 – Calle Vista Estates, Unit 2	44	\$4,847.04	\$326.02	\$110.16
Zone 14 – Martin Ranch	0	\$0.00	\$0.00	\$0.00
Zone 15 – Jake Richter	8	\$2,934.88	\$348.23	\$366.86
Zone 16 – Feather River Bluffs	121	\$0.00	\$59.40	\$0.00
Zone 17 – Acacia Estates	20	\$0.00	\$112.33	\$0.00
Zone 18 – Ruddy Creek	97	\$0.00	\$150.00	\$0.00
TOTALS:	823	\$55,397.50		



CITY OF OROVILLE STAFF REPORT

TO: MAYOR PITTMAN AND COUNCIL MEMBERS

FROM: RUTH DUNCAN, ASSISTANT CITY ADMINISTRATOR-ADMINISTRATIVE SERVICES

RE: ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS, ZONES 1, 4, 6, 11, 13, 16, 18

DATE: AUGUST 8, 2023

SUMMARY

The City Council will consider the annual special tax relating to the City's Landscape and Lighting Maintenance Assessment Districts.

DISCUSSION

As a condition of approval for each subdivision identified below, the developer was required to establish or annex into a landscape and lighting maintenance assessment district. Each subdivision represents a Zone within the larger district. Each Zone is financially responsible for the maintenance of the landscaped areas dedicated to the City and for the cost of maintaining the City owned street lights within the individual subdivisions. The particular Zones within the City's Consolidated Landscape and Lighting Maintenance Assessment District ("CLLMAD") are identified below:

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**Zone 14 (Martin Ranch) was never formed and will not be assessed for the foreseeable future.*

Pursuant to the Landscape and Lighting Act of 1972, which authorizes the formation and annual assessment of such districts, an Annual Assessment Report was prepared and filed with the

City Clerk prior to the July 18, 2023 City Council meeting. The purpose of the report is to document the annual costs involved in the operation, maintenance and servicing of all improvements, adjust the annual assessments, to incorporate any surplus or deficit from the previous year and to determine the actual annual assessment for each assessable parcel within the CLLMAD.

The City Council will consider the following items for the CLLMAD:

1. Open and conduct a public hearing to receive public comment regarding the CLLMAD and/or the assessments for Fiscal Year 2023/24.
2. After any public comment, close the public hearing and consider approval of the Resolution Ordering the Levy and Collection of Assessments.

FISCAL IMPACT

Assessments are collected for the City of Oroville by the Butte County Tax Collector to reimburse the City for the costs of operating, maintaining and servicing the landscape and lighting improvements within the CLLMAD.

RECOMMENDATION

1. Adopt Resolution No. 9174 - **A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES 1, 4, 6, 11, 13, 16, AND 18 OF THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2023/24**
2. Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2023/24 Butte County Tax Roll.
3. Authorize any necessary budget adjustments to the Annual Assessment Report.

ATTACHMENTS

Resolution No. 9174
2023/24 Assessment Summary from the CLLMAD Annual Assessment Report.
Proposition 218 Certification of Tax Bill Levy

NOTE: In order to reduce copying costs, only the Executive Summary of the Annual Assessment Report is attached to this staff report. The complete Annual Assessment Report for the CLLMAD is available for review in the City Clerk's office.

**CITY OF OROVILLE
RESOLUTION NO. 9174**

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES 1, 4, 6, 11, 13, 16 AND 18 OF THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2023/24

WHEREAS, the Oroville City Council, pursuant to the terms of the “Landscaping and Lighting Act of 1972” (the 1972 Act”), Division 15, Part 2, Chapter 1, Article 1 of the Streets and Highways Code of the State of California (Section 22645 et seq.) did by previous Resolutions, initiate proceedings and approve the Annual Assessment Report (the “Report”), on a preliminary basis, for the special maintenance district known and designated as “The Oroville Consolidated Landscape and Lighting Maintenance Assessment District” (the “District”). The District is comprised of several Zones of which the following are being addressed by this resolution:

ZONE	ZONE
Zone 1 – Grandview Estates	
	Zone 11 – Mission Olive Ranch
Zone 4 – Calle Vista 1	Zone 13 – Calle Vista 2
Zone 6 – Sherwood	
	Zone 16 – Acacia Estates
	Zone 18 – Ruddy Creek

WHEREAS, the engineer selected by the City Council has prepared and filed with the City Clerk, the Report in connection with the proposed levy and collection of assessments upon eligible parcels of land within each Zone. The Report has been prepared based on the estimated costs to operate, maintain and service the improvements located within particular Zones of the District; and,

WHEREAS, the City Council has carefully examined and reviewed the Report and is satisfied with each of the items and documents as presented therein, and finds that the assessments have been spread to the eligible parcels within each Zone in accordance with the special benefit received from said improvements; and,

WHEREAS, the assessments are not based on the assessed value of the properties within the Zones but are based on the special benefit conferred upon said eligible parcels from the improvements, and the maintenance and operation thereof; and,

WHEREAS, the assessments are in compliance with all laws pertaining to the levy and collection of assessments, including Proposition 218; and,

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. Following notice duly given, the City Council has held a full and fair public hearing regarding the Report and the levy and collection of assessments within the District. The City Council received and considered all written and oral statements, including any and all protests or other communications made or filed by any interested persons.
2. Based upon its review (and any applicable amendments) of the Report, a copy of which has been filed with the City Clerk, the City Council hereby finds and determines that:
 - a. The assessable properties within the Zones will receive special benefit from the operation, maintenance and servicing of the landscape and lighting improvements.
 - b. The Zones include all properties receiving such special benefit.
 - c. The net amount to be assessed upon the properties is based on the historical and estimated costs to provide said maintenance and servicing and is apportioned by a formula that fairly distributes the net amount among all assessable parcels in proportion to the estimated special benefit received from the improvements and services.
3. The Report and assessments, as presented and which are on file with the office of the City Clerk, are hereby confirmed as filed.
4. The City Council hereby orders the maintenance and servicing of the improvements to be made in accordance with the Report and the 1972 Act.
5. The maintenance, operation and servicing of the landscape and lighting improvements shall be performed pursuant to the 1972 Act and the County Auditor of Butte County shall enter onto the County Tax Roll, opposite each assessable parcel of land, the assessment amount and such assessments shall be collected at the same time and in the same manner as the County taxes are collected. After collection of the assessments by the County, the net amount of said assessments shall be paid to the City Treasurer.
6. The City Treasurer shall deposit all money representing assessments collected by the County to the credit of a fund especially for the District. Such money shall be expended only for the maintenance, operations and servicing of the landscape and lighting improvements located within the District boundaries.
7. The adoption of this Resolution constitutes the levy of assessments within the Zones for the fiscal year beginning July 1, 2023 and ending June 30, 2024.
8. The City Clerk is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution.
9. A certified copy of this Resolution shall be filed in the office of the City Clerk and shall remain open for public inspection.

PASSED AND ADOPTED by the Oroville City Council at its August 8, 2023 City Council meeting, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

David Pittman, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott Huber, City Attorney

Jackie Glover, Assistant City Clerk

**PROPOSITION 218 OR COMPLIANCE CERTIFICATION AND HOLD HARMLESS
STATEMENT 2023-2024**

The City of Oroville certifies the following:

I have read and am familiar with the requirements of Article XIIC and XIID of the State Constitution as revised by Proposition 218, including the articles cited below, and believe that all of the taxes, assessments, levies and fees accompanying the **2023-2024** submission to the County-Auditor for inclusion on the Secured Property Tax roll are in compliance with the law.

Article XIII C. Sec. 2 (c) *“Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).”*

Article XIII D. Sec. 5 *“...this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.”*

Article XIII E. Sec. 6 (d) *“Beginning July 1, 1997, all fees or charges shall comply with this section.”*

The City of Oroville agrees that it shall be solely liable and responsible, and will defend and hold harmless the County of Butte, the Board of Supervisors, the Auditor-Controller, the Tax Collector, its officers and employees, from litigation over whether the requirements of Proposition 218 were met with respect to such levy (levies).

If any judgment is entered against any indemnified party as a result of not meeting the requirements of Proposition 218 for such special tax(es), fee(s) or assessment(s), the Agency/District agrees that County may offset the amount of any judgment paid by an indemnified party from any moneys collected by County on Agency/District's behalf, including property taxes, special taxes, fees, or assessments. In addition, the Agency/District shall be solely liable and responsible and will defend and hold the County and the County Auditor harmless from any and all legal fees or other costs incurred related to such a claim.

By: _____

Mayor, David Pittman

ASSESSMENT TITLE: Consolidated Landscape and Lighting Maint District

TAXCODE: 78001

PLEASE ONLY CHECK ONE:

Is This a Compliance Certification _____ OR A Proposition 218 Certification X

CLLMAD FISCAL YEAR 2023-24 ASSESSMENT SUMMARY

Zone Name	Total Assessable Parcels/Units	Total Assessment	Maximum Assessment Rate per Unit	Proposed Assessment Rate per Unit
Zone 1 – Grandview Estates	21	\$2,801.40	\$196.89	\$133.40
Zone 2 – The Buttes	58	\$7,131.68	\$122.96	\$122.96
Zone 3 – Deer Creek Estates, Phase 1	72	\$2,168.64	\$30.12	\$30.12
Zone 4 – Calle Vista Estates, Phase 1	70	\$5,327.00	\$76.11	\$76.10
Zone 5 – Cherokee Estates, Phase 1	12	\$948.96	\$79.08	\$79.08
Zone 6 – Sherwood Estates, 1 & 2	49	\$2,058.00	\$42.00	\$42.00
Zone 7 – Grayhawk	30	\$5,928.60	\$197.63	\$197.62
Zone 8 – Cherokee Estates, Phase 2	20	\$3,800.40	\$515.71	\$190.02
Zone 9 – Linkside Place, Phase 1	65	\$4,225.00	\$536.62	\$65.00
Zone 10 – Foothill Estates	25	\$2,750.00	\$794.86	\$110.00
Zone 11 – Mission Olive Ranch	19	\$7,715.90	\$596.37	\$406.10
Zone 12 – Vista Del Oro	92	\$2,760.00	\$234.16	\$30.00
Zone 13 – Calle Vista Estates, Unit 2	44	\$4,847.04	\$326.02	\$110.16
Zone 14 – Martin Ranch	0	\$0.00	\$0.00	\$0.00
Zone 15 – Jake Richter	8	\$2,934.88	\$348.23	\$366.86
Zone 16 – Feather River Bluffs	121	\$0.00	\$59.40	\$0.00
Zone 17 – Acacia Estates	20	\$0.00	\$112.33	\$0.00
Zone 18 – Ruddy Creek	97	\$0.00	\$150.00	\$0.00
TOTALS:	823	\$55,397.50		



CITY OF OROVILLE STAFF REPORT

TO: MAYOR PITTMAN AND COUNCIL MEMBERS

FROM: RUTH DUNCAN, ASSISTANT CITY ADMINISTRATOR-ADMINISTRATIVE SERVICES

RE: ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 3, 5, 9

DATE: AUGUST 8, 2023

SUMMARY

The City Council will consider the annual special tax relating to the City's Consolidated Benefit Assessment Districts.

DISCUSSION

As a condition of approval for each subdivision identified below, the developer was required to establish or annex into a benefit assessment district. Each subdivision represents a Zone within the larger district. Each Zone is financially responsible for the maintenance of the storm water infrastructure (manholes, drain pipes, etc.), including storm water retention facilities within the specific subdivision. The particular Zones within the City's Consolidated Benefit Assessment District ("CBAD") are identified below:

ZONE NUMBER AND NAME
Zone 1 – <u>Linkside Place, Phase 1</u>
Zone 2 – Foothill Estates
Zone 3 – Mission Olive Ranch
Zone 4 – Vista Del Oro
Zone 5 – <u>Calle Vista Estates, Unit 2</u>
Zone 6 – Martin Ranch
Zone 7 – Jake Richter Estates
Zone 8 – Acacia Estates
Zone 9 – Ruddy Creek

Pursuant to the Benefit Assessment Act of 1982, which authorizes the formation and annual assessment of such districts, an Annual Assessment Report was prepared and filed with the City Clerk prior to the July 18, 2023 City Council meeting. The purpose of the report is to document the annual costs involved in the operation, maintenance and servicing of all improvements, adjust the annual assessments to incorporate any surplus or deficit from the

previous year and to determine the actual annual assessment for each assessable parcel within the CBAD.

The City Council will consider the following items for the CBAD:

1. Open and conduct a public hearing to receive public comment regarding the CBAD and/or the assessments for Fiscal Year 2023/24.
2. After any public comment, close the public hearing and consider approval of the Resolution Ordering the Levy and Collection of Assessments.

FISCAL IMPACT

Assessments are collected for the City of Oroville by the Butte County Tax Collector to reimburse the City for the costs of operating, maintaining, and servicing the storm water infrastructure within the CBAD.

RECOMMENDATION

1. Adopt Resolution No. 9175 - **A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES 3, 5 AND 9 OF THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2023/24**
2. Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2023/24 Butte County Tax Roll.
3. Authorize all necessary budget adjustments to the Annual Assessment Report.

ATTACHMENTS

Resolution 9175

2023/24 Assessment Summary from the CBAD Annual Assessment Report.

Proposition 218 Certification of Tax Bill Levy

NOTE: In order to reduce copying costs, only the Executive Summary of the Annual Assessment Report is attached to this staff report. The complete Annual Assessment Report for the CBAD is available for review in the City Clerk's office.

**CITY OF OROVILLE
RESOLUTION NO. 9175**

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES 3, 5 AND 9 OF THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2023/24

WHEREAS, the Oroville City Council, pursuant to the terms of the “Benefit Assessment Act of 1982” (the “1982 Act”), Title 5, Division 2, Part 1 of the California Government Code (commencing with Section 54703) did by previous Resolutions, initiate proceedings and approve the Annual Assessment Report (the “Report”), on a preliminary basis, for the special maintenance district known and designated as “The Oroville Consolidated Benefit Assessment District” (the “District”). The District is comprised of several Zones of which the following are being addressed by this resolution:

ZONE NUMBER AND NAME
Zone 3 – Mission Olive Ranch
Zone 5 – Calle Vista Estates, Unit 2
Zone 9 – Ruddy Creek

WHEREAS, the engineer selected by the City Council has prepared and filed with the City Clerk, the Report in connection with the proposed levy and collection of assessments upon eligible parcels of land within each Zone. The Report has been prepared based on the estimated costs to operate, maintain and service the improvements located within particular Zones of the District; and,

WHEREAS, the City Council has carefully examined and reviewed the Report and is satisfied with each of the items and documents as presented therein, and finds that the assessments have been spread to the eligible parcels within each Zone in accordance with the special benefit received from said improvements; and,

WHEREAS, the assessments are not based on the assessed value of the properties within the Zones but are based on the special benefit conferred upon said eligible parcels from the improvements, and the maintenance and operation thereof; and,

WHEREAS, the assessments are in compliance with all laws pertaining to the levy and collection of assessments, including Proposition 218; and,

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. Following notice duly given, the City Council has held a full and fair public hearing regarding the Report and the levy and collection of assessments within the District. The City Council received and considered all written and oral statements, including any and all protests or other communications made or filed by any interested persons.
2. Based upon its review (and any applicable amendments) of the Report, a copy of which has been filed with the City Clerk, the City Council hereby finds and determines that:
 - a. The assessable properties within the Zones will receive special benefit from the operation, maintenance and servicing of the drainage improvements.
 - b. The Zones include all properties receiving such special benefit.
 - c. The net amount to be assessed upon the properties is based on the historical and estimated costs to provide said maintenance and servicing and is apportioned by a formula that fairly distributes the net amount among all assessable parcels in proportion to the estimated special benefit received from the improvements and services.
3. The Report and assessments, as presented and which are on file with the office of the City Clerk, are hereby confirmed as filed.
4. The City Council hereby orders the maintenance and servicing of the improvements to be made in accordance with the Report and the 1982 Act.
5. The maintenance, operation and servicing of the drainage improvements shall be performed pursuant to the 1982 Act and the County Auditor of Butte County shall enter onto the County Tax Roll, opposite each assessable parcel of land, the assessment amount and such assessments shall be collected at the same time and in the same manner as the County taxes are collected. After collection of the assessments by the County, the net amount of said assessments shall be paid to the City Treasurer.
6. The City Treasurer shall deposit all money representing assessments collected by the County to the credit of a fund especially for the District. Such money shall be expended only for the maintenance, operations and servicing of the improvements located within the District boundaries.
7. The adoption of this Resolution constitutes the levy of assessments within the Zones for the fiscal year beginning July 1, 2023 and ending June 30, 2024.
8. The City Clerk is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution.
9. A certified copy of this Resolution shall be filed in the office of the City Clerk and shall remain open for public inspection.

PASSED AND ADOPTED by the Oroville City Council at its August 8, 2023 City Council meeting, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSTENT:

David Pittman, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott Huber, City Attorney

Jackie Glover, Assistant City Clerk

**PROPOSITION 218 OR COMPLIANCE CERTIFICATION AND HOLD HARMLESS
STATEMENT 2023-2024**

The City of Oroville certifies the following:

I have read and am familiar with the requirements of Article XIIC and XIID of the State Constitution as revised by Proposition 218, including the articles cited below, and believe that all of the taxes, assessments, levies and fees accompanying the **2023-2024** submission to the County-Auditor for inclusion on the Secured Property Tax roll are in compliance with the law.

Article XIII C. Sec. 2 (c) *“Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).”*

Article XIII D. Sec. 5 *“...this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.”*

Article XIII E. Sec. 6 (d) *“Beginning July 1, 1997, all fees or charges shall comply with this section.”*

The City of Oroville agrees that it shall be solely liable and responsible, and will defend and hold harmless the County of Butte, the Board of Supervisors, the Auditor-Controller, the Tax Collector, its officers and employees, from litigation over whether the requirements of Proposition 218 were met with respect to such levy (levies).

If any judgment is entered against any indemnified party as a result of not meeting the requirements of Proposition 218 for such special tax(es), fee(s) or assessment(s), the Agency/District agrees that County may offset the amount of any judgment paid by an indemnified party from any moneys collected by County on Agency/District's behalf, including property taxes, special taxes, fees, or assessments. In addition, the Agency/District shall be solely liable and responsible and will defend and hold the County and the County Auditor harmless from any and all legal fees or other costs incurred related to such a claim.

By: _____

Mayor, David Pittman

ASSESSMENT TITLE: Benefit Assessment District

TAXCODE: 78002

PLEASE ONLY CHECK ONE:

Is This a Compliance Certification _____ OR A Proposition 218 Certification X

CBAD 2023/24 ASSESSMENT SUMMARY

Zone Name	Total Assessable Unit	Total Assessable Cost	Maximum Assessment Rate per Unit	Proposed Assessment Rate per Unit
Zone 1 – Linkside Place, Phase 1	65	\$3,196.70	\$428.99	\$49.18
Zone 2 – Foothill Estates	25	\$3,231.00	\$499.01	\$129.24
Zone 3 – Mission Olive Ranch	19	\$5,300.24	\$434.81	\$278.96
Zone 4 – Vista Del Oro	92	\$5,777.60	\$350.21	\$62.80
Zone 5 – Calle Vista Estates, Unit 2	44	\$6,166.16	\$259.13	\$140.14
Zone 6 – Martin Ranch	0	\$0.00	\$0.00	\$0.00
Zone 7 – Jake Richter	8	\$1,500.64	\$370.85	\$187.58
Zone 8 – Acacia Estates	20	\$0.00	\$258.71	\$0.00
Zone 9 – Ruddy Creek	97	\$0.00	\$125.31	\$0.00
TOTALS:	370	\$25,172.34		



CITY OF OROVILLE STAFF REPORT

TO: MAYOR PITTMAN AND COUNCIL MEMBERS

FROM: RUTH DUNCAN, ASSISTANT CITY ADMINISTRATOR-ADMINISTRATIVE SERVICES

RE: ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 1, 2, 4, 6-8

DATE: AUGUST 8, 2023

SUMMARY

The City Council will consider the annual special tax relating to the City's Consolidated Benefit Assessment Districts.

DISCUSSION

As a condition of approval for each subdivision identified below, the developer was required to establish or annex into a benefit assessment district. Each subdivision represents a Zone within the larger district. Each Zone is financially responsible for the maintenance of the storm water infrastructure (manholes, drain pipes, etc.), including storm water retention facilities within the specific subdivision. The particular Zones within the City's Consolidated Benefit Assessment District ("CBAD") are identified below:

ZONE NUMBER AND NAME
Zone 1 – <u>Linkside Place, Phase 1</u>
Zone 2 – Foothill Estates
Zone 3 – Mission Olive Ranch
Zone 4 – Vista Del Oro
Zone 5 – <u>Calle Vista Estates, Unit 2</u>
Zone 6 – Martin Ranch
Zone 7 – Jake Richter Estates
Zone 8 – Acacia Estates
Zone 9 – Ruddy Creek

Pursuant to the Benefit Assessment Act of 1982, which authorizes the formation and annual assessment of such districts, an Annual Assessment Report was prepared and filed with the City Clerk prior to the July 18, 2023 City Council meeting. The purpose of the report is to document the annual costs involved in the operation, maintenance and servicing of all improvements, adjust the annual assessments to incorporate any surplus or deficit from the

previous year and to determine the actual annual assessment for each assessable parcel within the CBAD.

The City Council will consider the following items for the CBAD:

1. Open and conduct a public hearing to receive public comment regarding the CBAD and/or the assessments for Fiscal Year 2023/24.
2. After any public comment, close the public hearing and consider approval of the Resolution Ordering the Levy and Collection of Assessments.

FISCAL IMPACT

Assessments are collected for the City of Oroville by the Butte County Tax Collector to reimburse the City for the costs of operating, maintaining, and servicing the storm water infrastructure within the CBAD.

RECOMMENDATION

1. Adopt Resolution No. 1976 - **A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES 1, 2, 4, 6, 7 AND 8 OF THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2023/24**
2. Authorize the Mayor to sign the Proposition 218 Certificate for inclusion on the 2023/24 Butte County Tax Roll.
3. Authorize all necessary budget adjustments to the Annual Assessment Report.

ATTACHMENTS

Resolution 1976
2023/24 Assessment Summary from the CBAD Annual Assessment Report.
Proposition 218 Certification of Tax Bill Levy

NOTE: In order to reduce copying costs, only the Executive Summary of the Annual Assessment Report is attached to this staff report. The complete Annual Assessment Report for the CBAD is available for review in the City Clerk's office.

**CITY OF OROVILLE
RESOLUTION NO. 9176**

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING AND DIRECTING THE MAYOR TO APPROVE THE ANNUAL ASSESSMENT REPORT, AS SUBMITTED OR AMENDED, AND TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR ZONES 1, 2, 4, 6, 7 AND 8 OF THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT FOR FISCAL YEAR 2023/24

WHEREAS, the Oroville City Council, pursuant to the terms of the “Benefit Assessment Act of 1982” (the “1982 Act”), Title 5, Division 2, Part 1 of the California Government Code (commencing with Section 54703) did by previous Resolutions, initiate proceedings and approve the Annual Assessment Report (the “Report”), on a preliminary basis, for the special maintenance district known and designated as “The Oroville Consolidated Benefit Assessment District” (the “District”). The District is comprised of several Zones of which the following are being addressed by this resolution:

ZONE NUMBER AND NAME
Zone 1 – Linkside Place, Phase 1
Zone 2 – Foothill Estates
Zone 4 – Vista Del Oro
Zone 6 – Martin Ranch
Zone 7 – Jake Richter Estates
Zone 8 – Acacia Estates

WHEREAS, the engineer selected by the City Council has prepared and filed with the City Clerk, the Report in connection with the proposed levy and collection of assessments upon eligible parcels of land within each Zone. The Report has been prepared based on the estimated costs to operate, maintain and service the improvements located within particular Zones of the District; and,

WHEREAS, the City Council has carefully examined and reviewed the Report and is satisfied with each of the items and documents as presented therein, and finds that the assessments have been spread to the eligible parcels within each Zone in accordance with the special benefit received from said improvements; and,

WHEREAS, the assessments are not based on the assessed value of the properties within the Zones but are based on the special benefit conferred upon said eligible parcels from the improvements, and the maintenance and operation thereof; and,

WHEREAS, the assessments are in compliance with all laws pertaining to the levy and collection of assessments, including Proposition 218; and,

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. Following notice duly given, the City Council has held a full and fair public hearing regarding the Report and the levy and collection of assessments within the District. The City Council received and considered all written and oral statements, including any and all protests or other communications made or filed by any interested persons.
2. Based upon its review (and any applicable amendments) of the Report, a copy of which has been filed with the City Clerk, the City Council hereby finds and determines that:
 - a. The assessable properties within the Zones will receive special benefit from the operation, maintenance and servicing of the drainage improvements.
 - b. The Zones include all properties receiving such special benefit.
 - c. The net amount to be assessed upon the properties is based on the historical and estimated costs to provide said maintenance and servicing and is apportioned by a formula that fairly distributes the net amount among all assessable parcels in proportion to the estimated special benefit received from the improvements and services.
3. The Report and assessments, as presented and which are on file with the office of the City Clerk, are hereby confirmed as filed.
4. The City Council hereby orders the maintenance and servicing of the improvements to be made in accordance with the Report and the 1982 Act.
5. The maintenance, operation and servicing of the drainage improvements shall be performed pursuant to the 1982 Act and the County Auditor of Butte County shall enter onto the County Tax Roll, opposite each assessable parcel of land, the assessment amount and such assessments shall be collected at the same time and in the same manner as the County taxes are collected. After collection of the assessments by the County, the net amount of said assessments shall be paid to the City Treasurer.
6. The City Treasurer shall deposit all money representing assessments collected by the County to the credit of a fund especially for the District. Such money shall be expended only for the maintenance, operations and servicing of the improvements located within the District boundaries.
7. The adoption of this Resolution constitutes the levy of assessments within the Zones for the fiscal year beginning July 1, 2023 and ending June 30, 2024.
8. The City Clerk is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution.
9. A certified copy of this Resolution shall be filed in the office of the City Clerk and shall remain open for public inspection.

PASSED AND ADOPTED by the Oroville City Council at its August 8, 2023 City Council meeting, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSTENT:

David Pittman, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott Huber, City Attorney

Jackie Glover, Assistant City Clerk

**PROPOSITION 218 OR COMPLIANCE CERTIFICATION AND HOLD HARMLESS
STATEMENT 2023-2024**

The City of Oroville certifies the following:

I have read and am familiar with the requirements of Article XIIC and XIID of the State Constitution as revised by Proposition 218, including the articles cited below, and believe that all of the taxes, assessments, levies and fees accompanying the **2023-2024** submission to the County-Auditor for inclusion on the Secured Property Tax roll are in compliance with the law.

Article XIII C. Sec. 2 (c) *“Any general tax imposed, extended, or increased, without voter approval, by any local government on or after January 1, 1995, and prior to the effective date of this article, shall continue to be imposed only if approved by a majority vote of the voters voting in an election on the issue of the imposition, which election shall be held within two years of the effective date of this article and in compliance with subdivision (b).”*

Article XIII D. Sec. 5 *“...this article shall become effective the day after the election unless otherwise provided. Beginning July 1, 1997, all existing, new, or increased assessments shall comply with this article.”*

Article XIII E. Sec. 6 (d) *“Beginning July 1, 1997, all fees or charges shall comply with this section.”*

The City of Oroville agrees that it shall be solely liable and responsible, and will defend and hold harmless the County of Butte, the Board of Supervisors, the Auditor-Controller, the Tax Collector, its officers and employees, from litigation over whether the requirements of Proposition 218 were met with respect to such levy (levies).

If any judgment is entered against any indemnified party as a result of not meeting the requirements of Proposition 218 for such special tax(es), fee(s) or assessment(s), the Agency/District agrees that County may offset the amount of any judgment paid by an indemnified party from any moneys collected by County on Agency/District's behalf, including property taxes, special taxes, fees, or assessments. In addition, the Agency/District shall be solely liable and responsible and will defend and hold the County and the County Auditor harmless from any and all legal fees or other costs incurred related to such a claim.

By: _____

Mayor, David Pittman

ASSESSMENT TITLE: Benefit Assessment District

TAXCODE: 78002

PLEASE ONLY CHECK ONE:

Is This a Compliance Certification _____ OR A Proposition 218 Certification X

CBAD 2023/24 ASSESSMENT SUMMARY

Zone Name	Total Assessable Unit	Total Assessable Cost	Maximum Assessment Rate per Unit	Proposed Assessment Rate per Unit
Zone 1 – Linkside Place, Phase 1	65	\$3,196.70	\$428.99	\$49.18
Zone 2 – Foothill Estates	25	\$3,231.00	\$499.01	\$129.24
Zone 3 – Mission Olive Ranch	19	\$5,300.24	\$434.81	\$278.96
Zone 4 – Vista Del Oro	92	\$5,777.60	\$350.21	\$62.80
Zone 5 – Calle Vista Estates, Unit 2	44	\$6,166.16	\$259.13	\$140.14
Zone 6 – Martin Ranch	0	\$0.00	\$0.00	\$0.00
Zone 7 – Jake Richter	8	\$1,500.64	\$370.85	\$187.58
Zone 8 – Acacia Estates	20	\$0.00	\$258.71	\$0.00
Zone 9 – Ruddy Creek	97	\$0.00	\$125.31	\$0.00
TOTALS:	370	\$25,172.34		



CITY OF OROVILLE STAFF REPORT

TO: MAYOR PITTMAN AND COUNCIL MEMBERS

**FROM: AMY BERGSTRAND, BUSINESS ASSISTANCE AND HOUSING
DEVELOPMENT DIRECTOR**

RE: GRANT FUND TRANSFER FROM GENERAL FUND

DATE: AUGUST 8, 2023

SUMMARY

The Council may consider approving an interfund loan request in the amount of \$9,190,089.00 for Lincoln Street Family Apartments to fund 223.

DISCUSSION

On February 2, 2021, City Council approved the allocation of funding and the execution of a grant agreement from the Community Development Block Grant Disaster Recovery (CDBG-DR) Program. This funding was in response to the State of California's unmet recovery needs related to the FEMA Major Disaster Declaration DR-4407 (wildfires during the period of November 8, 2018, through November 25, 2018) in December 2018. At the time, the City's 2019 CDBG-DR Multifamily Program allocation was \$8,850,089. Since that time, a new resolution was approved on August 2, 2022, increasing the allocation of funding to the City from \$8,850,089 to \$17,000,089. Following a request for proposals, these funds were then awarded to The Richman Group for a phase I and phase II of Lincoln Street Apartments.

CDBG funds are reimbursement-based grants to which the City has, historically, had sufficient resources available in Fund 223 to cover project costs until cost reimbursements are received. Given the magnitude of this project and the draw requests needed by the developer, there are not sufficient resources available in Fund 223 to cover the draws for this project.

On July 28, 2023, staff received a draw request in the amount of \$2,045,033.99 to reimburse the developer for eligible constructions costs. Currently, Fund 223 does not have adequate funds to cover this request. In addition, Fund 223 is in a deficit in the amount of \$340,000 due to a separate reimbursement not yet received. This has created a situation where Staff are requesting that the General Fund advance the funds for the work completed on the project and then be reimbursed once the grant reimbursement has been received.

Staff is requesting that council approve a transfer from the General Fund to Fund 223 in the amount of \$9,190,089.00, to cover these expenses, and will be reimbursed once the City has received reimbursement from the State CDBG-DR MHP Program. Staff does not anticipate

that the full \$9,190,089.00 will all be needed at the same time, however, this reimbursement process will be on a rolling basis as reimbursements are received.

The City has a contract with the State to be fully reimbursed for these costs.

FISCAL IMPACT

The funds in the amount of \$9,190,089.00 from General Fund Account No. 1001300 1280 to CDBG Account No. 2222220 2190 as a temporary loan.

RECOMMENDATION

Approve the funds transfer of \$9,190,089.00 to Grant Fund 223.

ATTACHMENTS

None