



OROVILLE CITY COUNCIL
Council Chambers, 1735 Montgomery Street

SPECIAL MEETING
JULY 29, 2015
4:00 P.M.
AGENDA

ROLL CALL

Council Members Berry, Del Rosario, Hatley, Pittman, Simpson, Vice Mayor Wilcox, Mayor Dahlmeier

PLEDGE OF ALLEGIANCE

RECOGNITION OF INDIVIDUALS WHO WISH TO SPEAK ON AGENDA ITEMS

This is the time the Mayor will invite anyone in the audience wishing to address the Council on a matter that is on the agenda to state your name and the agenda item on which you wish to speak. When that item comes up on the agenda, you will be asked to step to the podium, repeat your name for the record, and make your presentation or ask questions regarding the agenda item. Following your remarks, Council and/or staff may respond to your comments or questions. **Presentations are limited to three minutes per person.** Under Government Code Section 54954.3 the time allotted for presentations may be limited.

SPECIAL BUSINESS

1. STORM DRAIN PIPE REPAIR AT MUNICIPAL AUDITORIUM - staff report

The Council will receive an update regarding the repair of a storm drain pipe beneath the Municipal Auditorium parking lot. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested: **None.**

2. ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 1 - 4 AND 6 - 8 - staff report

The Council may consider initiating proceedings, preliminarily approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Benefit Assessment District, Zones 1 - 4 and 6 - 8 for Fiscal Year 2015/2016. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

1. Adopt Resolution No. 8401 – A RESOLUTION OF THE OROVILLE CITY COUNCIL INITIATING

PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONES 1 – 4 AND 6 – 8.

2. **Authorize any necessary budget adjustments to the Annual Assessment Report.**

3. **ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 2, 3, 5 – 12 AND 14 – 16 - staff report**

The Council may consider initiating proceedings, preliminarily approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District, Zones 2, 3, 5 -12 and 14 – 16, for Fiscal Year 2015/2016. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

1. **Adopt Resolution No. 8402 - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS, ZONES 2, 3, 5 - 12 and 14 – 16, FOR FISCAL YEAR 2015/2016.**

2. **Authorize any necessary budget adjustments to the Annual Assessment Report.**

4. **ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONE 5 - staff report**

The Council may consider initiating proceedings, preliminarily approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Benefit Assessment District, Zone 5, for Fiscal Year 2015/2016. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

1. **Adopt Resolution No. 8403 - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONE 5, FOR FISCAL YEAR 2015/2016.**

2. **Authorize any necessary budget adjustments to the Annual Assessment Report.**

5. **ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 1, 4 13 AND 17 - staff report**

The Council may consider initiating proceedings, preliminarily approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District, Zones 1, 4, 13 and 17, for Fiscal Year 2015/2016. **(Donald Rust, Director of Community Development and Rick Walls, Interim City Engineer)**

Council Action Requested:

1. **Adopt Resolution No. 8404 - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 1, 4, 13 AND 17, FOR FISCAL YEAR 2015/2016.**
2. **Authorize any necessary budget adjustments to the Annual Assessment Report.**

ADJOURNMENT

The meeting will be adjourned to a regular meeting of the Oroville City Council to be held on Tuesday, August 4, 2015 at 3:00 p.m.

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

**FROM: DONALD RUST, DIRECTOR (530) 538-2433
RICK WALLS, INTERIM CITY ENGINEER (530) 538-2507
COMMUNITY DEVELOPMENT DEPARTMENT**

RE: STORM DRAIN PIPE REPAIR AT MUNICIPAL AUDITORIUM

DATE: JULY 29, 2015

SUMMARY

The Council will receive an update regarding the repair of a storm drain pipe beneath the Municipal Auditorium parking lot.

DISCUSSION

On June 2, 2015, the Council awarded a contract to Walberg, Inc. for the repair of a storm drain pipe damaged during an environmental drilling investigation being conducted within the Municipal Auditorium parking lot by Pacific Gas and Electric (PG&E). The cost for all work associated with the pipe repair is to be reimbursed to the City by PG&E. The work involves the excavation of contaminated excavated material to complete the pipe repair, followed by trucking and disposal of the excavated material at a Class II landfill. The bid schedule contract amount was based on an assumed volume of 50 cubic yards (CY) being removed for the repair. Excavation work was completed on July 23, 2015, with a final volume of excavation calculated at 116 CY. The final excavated volume exceeded the estimated bid volume due to the need to enlarge the excavation bid limits for shoring equipment and additional damaged pipe repair, and caving of the excavation.

At this time, staff estimates that the final contract amount will be approximately \$30,000 higher than the base bid contracted amount. A contingency of \$11,109 that was authorized is inadequate to cover the final costs. The final costs cannot be determined until the contaminated excavated earth material is profiled for disposal acceptance, and the cost for all final quantities can be calculated.

Realizing that the contract amount had been exceeded and a contract adjustment by the Council is required, a decision had to be made as to whether or not to authorize Walberg to immediately backfill the 14-foot deep excavation, or to shut the project down and wait for a Council approved price adjustment to the contract. The risk of not authorizing the backfilling of the excavation was that the open trench posed a public

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safety risk, and the unstable trench walls could collapse damaging the repaired pipe and increasing the project cost.

Staff consulted with the City Attorney a Council member, with the decision made to authorize backfill of the excavation being in the best interest of the City in advance of a contract price adjustment.

FISCAL IMPACT

The final project costs will be known by the week of August 3, 2015. Staff will prepare a contract change order for Council consideration for the August 18, 2015 Council meeting. As discussed above, there will be no impact to the General Fund as the agreement with PG&E requires the reimbursement to the City of all project costs.

RECOMMENDATION(S)

None.

ATTACHMENT(S)

None

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

**FROM: DONALD RUST, DIRECTOR (530) 538-2433
RICK WALLS, INTERIM CITY ENGINEER (530) 538-2507
COMMUNITY DEVELOPMENT DEPARTMENT**

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

DATE: JULY 29, 2015

SUMMARY

The Council may consider initiating proceedings, preliminarily approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Benefit Assessment District Zones 1 – 4 and 6 – 8 for Fiscal Year 2015/2016.

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 subdivision. The particular Zones within the City's Consolidated Benefit Assessment District ("CBAD") are identified below:

ZONE NUMBER AND NAME
Zone 1 – Linkside Place, Phase 1
Zone 2 – Foothill Estates
Zone 3 – Mission Olive Ranch
Zone 4 – Vista Del Oro
Zone 6 – Martin Ranch
Zone 7 – Jake Richter Estates
Zone 8 – Acacia Estates

Pursuant to the Benefit Assessment Act of 1982, which authorizes the formation and annual administration of such districts, an Annual Assessment Report was prepared and filed with the City Clerk prior to tonight's 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 Zones 1 – 4 and 6 – 8 within the CBAD:

1. Preliminarily approve the Annual Assessment Report and the proposed levy and collection of assessments for the CBAD for Fiscal Year 2015/2016.
2. Direct Staff to make any changes or amendments to the Annual Assessment Report as necessary.
3. Approve the Resolution of Intent which sets the date for a public hearing for the August 18, 2015 City Council Meeting. At that time, the City Council will conduct a public hearing on these matters and may confirm the Annual Levy Report and 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(S)

1. Adopt Resolution No. 8401 - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT ZONES 1 – 4 AND 6 – 8 FOR FISCAL YEAR 2015/2016
2. Authorize any necessary budget adjustments to the Annual Assessment Report.

ATTACHMENT(S)

Resolution No. 8401
2015/2016 Assessment Summary for Zones 1 - 4 and 6 - 8

NOTE: In order to reduce copying costs, only the Assessment 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. 8401**

A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DELCARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT ZONES 1 – 4 AND 6 – 8 FOR FISCAL YEAR 2015/2016

WHEREAS, the Oroville City Council has, by previous resolutions, formed and levied annual assessments for a special maintenance district pursuant to the terms of the "Benefit Assessment Act of 1982" (the "1982 Act"), Part 1, Division 2, Title 5 of the California Government Code (commencing with Section 54703). Said special maintenance district is known and designated as "The Oroville Consolidated Benefit Assessment District" (the "District"). The District is comprised of several Zones which are identified below:

ZONE NUMBER AND NAME
Zone 1 – Linkside Place, Phase 1
Zone 2 – Foothill Estates
Zone 3 – Mission Olive Ranch
Zone 4 – Vista Del Oro
Zone 6 – Martin Ranch
Zone 7 – Jake Richter Estates
Zone 8 – Acacia Estates

WHEREAS, the City Council has retained Special District Services, Inc. for the purpose of assisting with the annual levy of the District and to prepare and file with the City Clerk, an Annual Assessment Report (the "Report") for the District in accordance with the 1982 Act; and,

WHEREAS, there has now been presented to this City Council the Report as required by the 1982 Act; and,

WHEREAS, the City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the District, each of the budget items and documents therein, and is satisfied that the assessment amounts, on a preliminary basis, have been spread to the assessable parcels in accordance with the special benefit received from the improvements and services provided.

NOW, THEREFORE, the Oroville City Council does resolve as follows:

Section 1 That the above recitals are true and correct.

Section 2 **Annual Assessment Report:** The City hereby orders Special Services, Inc. to prepare and file with the City Clerk, the Report concerning the annual levy and collection of assessments for the District. Said levy and collection shall be for the fiscal year commencing July, 1, 2015 and ending June 30, 2016 in accordance with *Section 54716* of the 1982 Act. The Report details the improvements, any substantial changes to the improvements, the annual budgets for each Zone and the proposed assessment amounts for each parcel.

Section 3 **Proposed Improvements:** The improvements within the District may include, but are not limited to: drainage control, flood control and associated appurtenances within the public right-of-ways or specific easements. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a satisfactory operating condition. The specific improvements within each Zone are detailed in the Report.

Section 4 **Intention:** The City Council hereby declares its intention to seek the annual levy and collection of assessments within the District pursuant to the 1982 Act, in order to pay for the costs of maintaining and servicing the above referenced improvements. The City Council finds that the public's best interests will be served by such levy and collection.

Section 5 **Public Hearing:** The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the Districts in accordance with Article 4, Section 54718 of the 1982 Act.

Section 6 **Notice:** The City Council shall give notice of the time and place of the Public Hearing to all property owners within the District by causing the publishing of this Resolution once in the local newspaper not less than ten (10) days before the date of the Public Hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City for the posting of notices. Any interested person may file a written protest with the City Clerk prior to the conclusion of the Public Hearing or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection and a protest by a property owner shall contain a description sufficient to identify the property owned by such property owner. All interested persons shall be afforded the opportunity to hear and be heard.

Section 7 **Notice of Public Hearing:** Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Tuesday August 18, 2015 at 6:00 p.m. at the City Council Chambers, located at 1735 Montgomery Street, Oroville.

Section 8 The City Clerk shall certify to the adoption of this Resolution by the City Council and is hereby authorized and directed to give notice of said Public Hearing.

PASSED AND ADOPTED by the Oroville City Council at a special meeting held on July 29, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSTENT:

Linda L. Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott Huber, City Attorney

Donald Rust, Acting City Clerk

**CBAD 2015/2016 ASSESSMENT SUMMARY
ZONES 1 – 4 AND 6 - 8**

Zone Name	Total Assessable Units	Total Assessable Costs	Maximum Assessment Rate per Unit	Proposed Assessment Rate per Unit
Zone 1 – Linkside Place, Phase 1	65	\$0.00	\$324.31	\$0.00
Zone 2 – Foothill Estates	25	\$0.00	\$377.24	\$0.00
Zone 3 – Mission Olive Ranch	19	\$0.00	\$328.71	\$0.00
Zone 4 – Vista Del Oro	92	\$0.00	\$264.75	\$0.00
Zone 6 – Martin Ranch	0	\$0.00	\$0.00	\$0.00
Zone 7 – Jake Richter	8	\$0.00	\$280.35	\$0.00
Zone 8 – Acacia Estates	0	\$0.00	\$195.58	\$0.00
TOTALS:	209	\$0.00		

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

**FROM: DONALD RUST, DIRECTOR (530) 538-2433
RICK WALLS, CITY ENGINEER (530) 538-2507
COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED
LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT
DISTRICT, ZONES 2, 3, 5 – 12, 14, 15 and 17**

DATE: JULY 29, 2015

SUMMARY

The Council may consider initiating proceedings, preliminarily approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District, Zones 2, 3, 5 – 12, 14, 15 and 17 for Fiscal Year 2015/2016.

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 subdivision. The particular Zones within the City's Consolidated Landscape and Lighting Maintenance Assessment District ("CLLMAD") are identified below:

ZONE NUMBER AND NAME
Zone 2 – The Buttes
Zone 3 – Deer Creek Estates, Phase 1
Zone 5 – Cherokee Estates, Phase 1
Zone 6 – Sherwood Estates, Units 1 & 2
Zone 7 – Grayhawk
Zone 8 – Cherokee Estates, Phase 2
Zone 9 – Linkside Place, Phase 1
Zone 10 – Foothill Estates
Zone 11 – Mission Olive Ranch
Zone 12 – Vista Del Oro
Zone 14 – Martin Ranch
Zone 15 – Jake Richter Estates
Zone 17 – Acacia Estates

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Pursuant to the Landscape and Lighting Act of 1972, which authorizes the formation and annual administration of such districts, an Annual Assessment Report was prepared and filed with the City Clerk prior to tonight's 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 Zones 2, 3, 5 – 12, 14, 15 and 17 within the CLLMAD:

1. Preliminarily approve the Annual Assessment Report and the proposed levy and collection of assessments for the CLLMAD for Fiscal Year 2015/2016.
2. Direct Staff to make any changes or amendments to the report as necessary.
3. Approve the Resolution of Intent which sets the date for a public hearing for the August 18, 2015 City Council Meeting. At that time, the City Council will conduct a public hearing on these matters and may confirm the Annual Levy Report and 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(S)

1. Adopt Resolution No. 8402 - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS, ZONES 2, 3, 5 – 12, 14, 15 AND 17, FOR FISCAL YEAR 2015/2016.
2. Authorize any necessary budget adjustments to the Annual Assessment Report.

ATTACHMENT(S)

Resolution No. 8402
2015/2016 Assessment Summary for Zones 2, 3, 5 – 12, 14, 15 and 17

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

**CITY OF OROVILLE
RESOLUTION NO. 8402**

A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 2, 3, 5 – 12, 14, 15 AND 17, FOR FISCAL YEAR 2015/2016

WHEREAS, the Oroville City Council has, by previous resolutions, formed and levied annual assessments for a special maintenance district pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the 1972 Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California (commencing with Section 22500). Said special maintenance district is known and designated as "The Oroville Consolidated Landscape and Lighting Maintenance Assessment District" (the "District"). The District is comprised of several Zones which are identified below:

ZONE NUMBER AND NAME
Zone 2 – The Buttes
Zone 3 – Deer Creek Estates, Phase 1
Zone 5 – Cherokee Estates, Phase 1
Zone 6 – Sherwood Estates, Units 1 & 2
Zone 7 – Grayhawk
Zone 8 – Cherokee Estates, Phase 2
Zone 9 – Linkside Place, Phase 1
Zone 10 – Foothill Estates
Zone 11 – Mission Olive Ranch
Zone 12 – Vista Del Oro
Zone 14 – Martin Ranch
Zone 15 – Jake Richter Estates
Zone 17 – Acacia Estates

WHEREAS, the City Council has retained Special District Services, Inc. for the purpose of assisting with the annual levy of the District and to prepare and file with the City Clerk, an Annual Assessment Report (the "Report") for the District in accordance with the 1972 Act; and,

WHEREAS, there has now been presented to this City Council the Report as required by the 1972 Act; and,

WHEREAS, the City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the District, each of the budget items and documents therein, and is satisfied that the assessment amounts, on a preliminary

basis, have been spread to the assessable parcels in accordance with the special benefit received from the improvements and services provided.

NOW, THEREFORE, the Oroville City Council does resolve as follows:

Section 1 That the above recitals are true and correct.

Section 2 Annual Assessment Report: The City hereby orders Special District Services, Inc. to prepare and file with the City Clerk, the Report concerning the annual levy and collection of assessments for the District. Said levy and collection shall be for the fiscal year commencing July, 1, 2015 and ending June 30, 2016 in accordance with *Chapter 3, Section 22622* of the 1972 Act. The Report details the improvements, any substantial changes to the improvements, the annual budgets for each Zone and the proposed assessment amounts for each parcel.

Section 3 Proposed Improvements: The improvements within the District may include, but are not limited to: turf, shrubs, plants and trees, landscaping, street lighting, irrigation and drainage systems, graffiti removal, pedestrian walkways, landscape lighting, masonry walls, and associated appurtenances within the public right-of-ways or specific easements. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous and/or satisfactory operating condition. The specific improvements within each Zone are detailed in the Report.

Section 4 Intention: The City Council hereby declares its intention to seek the annual levy and collection of assessments within the District pursuant to the 1972 Act, in order to pay for the costs of maintaining and servicing the above referenced improvements. The City Council finds that the public's best interests will be served by such levy and collection.

Section 5 Public Hearing: The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the Districts in accordance with Chapter 3, Section 22626 of the 1972 Act.

Section 6 Notice: The City Council shall give notice of the time and place of the Public Hearing to all property owners within the District by causing the publishing of this Resolution once in the local newspaper not less than ten (10) days before the date of the Public Hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City for the posting of notices. Any interested person may file a written protest with the City Clerk prior to the conclusion of the Public Hearing or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection and a protest by a property owner shall contain a description sufficient to identify the property owned by such property owner. All interested persons shall be afforded the opportunity to hear and be heard.

Section 7 Notice of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Tuesday August 18, 2015 at 6:00 p.m. at the City Council Chambers, located at 1735 Montgomery Street, Oroville.

Section 8 The City Clerk shall certify to the adoption of this Resolution by the City Council and is hereby authorized and directed to give notice of said Public Hearing as provided by the 1972 Act.

PASSED AND ADOPTED by the Oroville City Council at a special meeting held on July 29, 2015, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSTENT:

Linda L. Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott Huber, City Attorney

Donald Rust, Acting City Clerk

CLLMAD 2015/2016 ASSESSMENT SUMMARY

Zone Name	Total Assessable Units	Total Assessable Costs	Maximum Assessment Rate per Unit	Proposed Assessment Rate per Unit
Zone 2 – The Buttes	58	\$832.88	\$122.96	\$14.36
Zone 3 – Deer Creek Estates, Phase 1	72	\$1,902.24	\$30.12	\$26.42
Zone 5 – Cherokee Estates, Phase 1	12	\$948.96	\$79.08	\$79.08
Zone 6 – Sherwood Estates, Units 1 & 2	49	\$466.48	\$42.00	\$9.52
Zone 7 – Grayhawk	30	\$123.60	\$197.63	\$4.12
Zone 8 – Cherokee Estates, Phase 2	20	\$677.20	\$410.73	\$33.86
Zone 9 – Linkside Place, Phase 1	65	\$2,327.00	\$427.39	\$35.80
Zone 10 – Foothill Estates	25	\$2,676.00	\$633.06	\$107.04
Zone 11 – Mission Olive Ranch	19	\$3,092.82	\$474.98	\$162.78
Zone 12 – Vista Del Oro	92	\$0.00	\$186.49	\$0.00
Zone 14 – Martin Ranch	0	\$0.00	\$0.00	\$0.00
Zone 15 – Jake Richter	8	\$153.28	\$277.35	\$19.16
Zone 17 – Acacia Estates	0	\$0.00	\$89.46	\$0.00
TOTALS:	450	\$13,200.46		

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

**FROM: DONALD RUST, DIRECTOR (530) 538-2433
RICK WALLS, CITY ENGINEER (530) 538-2507
COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED
BENEFIT ASSESSMENT DISTRICT, ZONE 5**

DATE: JULY 29, 2015

SUMMARY

The Council may consider initiating proceedings, preliminarily approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Benefit Assessment District, Zone 5, for Fiscal Year 2015/2016.

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 subdivision. The particular Zones within the City's Consolidated Benefit Assessment District ("CBAD") are identified below:

ZONE NUMBER AND NAME
Zone 5 – Calle Vista Estates, Unit 2

Pursuant to the Benefit Assessment Act of 1982, which authorizes the formation and annual administration of such districts, an Annual Assessment Report was prepared and filed with the City Clerk prior to tonight's 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 Zone 5 within the CBAD:

1. Preliminarily approve the Annual Assessment Report and the proposed levy and collection of assessments for the CBAD for Fiscal Year 2015/2016.

2. Direct Staff to make any changes or amendments to the Annual Assessment Report as necessary.
3. Approve the Resolution of Intent which sets the date for a public hearing for the August 18, 2015 City Council Meeting. At that time, the City Council will conduct a public hearing on these matters and may confirm the Annual Levy Report and 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(S)

1. Adopt Resolution No. 8403 - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONE 5, FOR FISCAL YEAR 2015/2016.
2. Authorize any necessary budget adjustments to the Annual Assessment Report.

ATTACHMENT(S)

Resolution No. 8403
2015/2016 Assessment Summary for Zone 5.

NOTE: In order to reduce copying costs, only the Assessment 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. 8403**

A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DELCARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED BENEFIT ASSESSMENT DISTRICT, ZONE 5, FOR FISCAL YEAR 2015/2016

WHEREAS, the Oroville City Council has, by previous resolutions, formed and levied annual assessments for a special maintenance district pursuant to the terms of the "Benefit Assessment Act of 1982" (the "1982 Act"), Part 1, Division 2, Title 5 of the California Government Code (commencing with Section 54703). Said special maintenance district is known and designated as "The Oroville Consolidated Benefit Assessment District" (the "District"). The District is comprised of several Zones which are identified below:

ZONE NUMBER AND NAME
Zone 5 – Calle Vista Estates, Unit 2

WHEREAS, the City Council has retained Special District Services, Inc. for the purpose of assisting with the annual levy of the District and to prepare and file with the City Clerk, an Annual Assessment Report (the "Report") for the District in accordance with the 1982 Act; and,

WHEREAS, there has now been presented to this City Council the Report as required by the 1982 Act; and,

WHEREAS, the City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the District, each of the budget items and documents therein, and is satisfied that the assessment amounts, on a preliminary basis, have been spread to the assessable parcels in accordance with the special benefit received from the improvements and services provided.

NOW, THEREFORE, the Oroville City Council does resolve as follows:

Section 1 That the above recitals are true and correct.

Section 2 **Annual Assessment Report**: The City hereby orders Special Services, Inc. to prepare and file with the City Clerk, the Report concerning the annual levy and collection of assessments for the District. Said levy and collection shall be for the fiscal year commencing July, 1, 2015 and ending June 30, 2016 in accordance with *Section 54716* of the 1982 Act. The Report details the improvements, any substantial changes to the improvements, the annual budgets for each Zone and the proposed assessment amounts for each parcel.

Section 3 Proposed Improvements: The improvements within the District may include, but are not limited to: drainage control, flood control and associated appurtenances within the public right-of-ways or specific easements. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a satisfactory operating condition. The specific improvements within each Zone are detailed in the Report.

Section 4 Intention: The City Council hereby declares its intention to seek the annual levy and collection of assessments within the District pursuant to the 1982 Act, in order to pay for the costs of maintaining and servicing the above referenced improvements. The City Council finds that the public's best interests will be served by such levy and collection.

Section 5 Public Hearing: The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the Districts in accordance with Article 4, Section 54718 of the 1982 Act.

Section 6 Notice: The City Council shall give notice of the time and place of the Public Hearing to all property owners within the District by causing the publishing of this Resolution once in the local newspaper not less than ten (10) days before the date of the Public Hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City for the posting of notices. Any interested person may file a written protest with the City Clerk prior to the conclusion of the Public Hearing or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection and a protest by a property owner shall contain a description sufficient to identify the property owned by such property owner. All interested persons shall be afforded the opportunity to hear and be heard.

Section 7 Notice of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Tuesday August 18, 2015 at 6:00 p.m. at the City Council Chambers, located at 1735 Montgomery Street, Oroville.

Section 8 The City Clerk shall certify to the adoption of this Resolution by the City Council and is hereby authorized and directed to give notice of said Public Hearing.

PASSED AND ADOPTED by the Oroville City Council at a special meeting held on July 29, 2015, by the following vote:

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AYES:

NOES:

ABSTAIN:

ABSTENT:

Linda L. Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott Huber, City Attorney

Donald Rust, Acting City Clerk

**CBAD 2015/2016 ASSESSMENT SUMMARY
ZONE 5**

Zone Name	Total Assessable Units	Total Assessable Costs	Maximum Assessment Rate per Unit	Proposed Assessment Rate per Unit
Zone 5 – Calle Vista Estates, Unit 2	44	\$0.00	\$195.90	\$0.00
TOTALS:	44	\$0.00		

**OROVILLE CITY COUNCIL
STAFF REPORT**

TO: MAYOR AND COUNCIL MEMBERS

**FROM: DONALD RUST, DIRECTOR (530) 538-2433
RICK WALLS, INTERIM CITY ENGINEER (530) 538-2507
COMMUNITY DEVELOPMENT DEPARTMENT**

**RE: ANNUAL ASSESSMENTS FOR THE CITY'S CONSOLIDATED
LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT
DISTRICT, ZONES 1, 4, 13 AND 16**

DATE: JULY 29, 2015

SUMMARY

The Council may consider initiating proceedings, preliminarily approving the Annual Assessment Report and declaring its intention to levy and collect assessments for the Oroville Consolidated Landscape and Lighting Maintenance Assessment District, Zones 1, 4, 13 and 16, for Fiscal Year 2015/2016.

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 subdivision. The particular Zones within the City's Consolidated Landscape and Lighting Maintenance Assessment District ("CLLMAD") are identified below:

ZONE NUMBER AND NAME
Zone 1 – Grandview Estates
Zone 4 – Calle Vista Estates, Unit 1
Zone 13 – Calle Vista Estates, Unit 2
Zone 16 – Feather River Bluffs

Pursuant to the Landscape and Lighting Act of 1972, which authorizes the formation and annual administration of such districts, an Annual Assessment Report was prepared and filed with the City Clerk prior to tonight's 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.

CC-5

The City Council will consider the following items for Zones 1, 4, 13 and 16 within the CLLMAD:

1. Preliminarily approve the Annual Assessment Report and the proposed levy and collection of assessments for the CLLMAD for Fiscal Year 2015/2016.
2. Direct Staff to make any changes or amendments to the report as necessary.
3. Approve the Resolution of Intent which sets the date for a public hearing for the August 18, 2015 City Council Meeting. At that time, the City Council will conduct a public hearing on these matters and may confirm the Annual Levy Report and 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(S)

1. Adopt Resolution No. 8404 - A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 1, 4, 13 AND 16, FOR FISCAL YEAR 2015/2016.
2. Authorize any necessary budget adjustments to the Annual Assessment Report.

ATTACHMENT(S)

Resolution No. 8404
2015/2016 Assessment Summary for Zones 1, 4, 13 and 16

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

**CITY OF OROVILLE
RESOLUTION NO. 8404**

A RESOLUTION OF THE CITY COUNCIL INITIATING PROCEEDINGS, PRELIMINARILY APPROVING THE ANNUAL ASSESSMENT REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE OROVILLE CONSOLIDATED LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, ZONES 1, 4, 13 AND 16, FOR FISCAL YEAR 2015/2016

WHEREAS, the Oroville City Council has, by previous resolutions, formed and levied annual assessments for a special maintenance district pursuant to the terms of the "Landscaping and Lighting Act of 1972" (the 1972 Act"), being Division 15, Part 2 of the Streets and Highways Code of the State of California (commencing with Section 22500). Said special maintenance district is known and designated as "The Oroville Consolidated Landscape and Lighting Maintenance Assessment District" (the "District"). The District is comprised of several Zones which are identified below:

ZONE NUMBER AND NAME
Zone 1 – Grandview Estates
Zone 4 – Calle Vista Estates, Unit 1
Zone 13 – Calle Vista Estates, Unit 2
Zone 16 – Feather River Bluffs

WHEREAS, the City Council has retained Special District Services, Inc. for the purpose of assisting with the annual levy of the District and to prepare and file with the City Clerk, an Annual Assessment Report (the "Report") for the District in accordance with the 1972 Act; and,

WHEREAS, there has now been presented to this City Council the Report as required by the 1972 Act; and,

WHEREAS, the City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the District, each of the budget items and documents therein, and is satisfied that the assessment amounts, on a preliminary basis, have been spread to the assessable parcels in accordance with the special benefit received from the improvements and services provided.

NOW, THEREFORE, the Oroville City Council does resolve as follows:

Section 1 That the above recitals are true and correct.

Section 2 Annual Assessment Report: The City hereby orders Special District Services, Inc. to prepare and file with the City Clerk, the Report concerning the annual levy and collection of assessments for the District. Said levy and collection shall be for the fiscal year commencing July, 1, 2015 and ending June 30, 2016 in accordance with *Chapter 3, Section 22622* of the 1972 Act. The Report details the improvements, any

substantial changes to the improvements, the annual budgets for each Zone and the proposed assessment amounts for each parcel.

Section 3 **Proposed Improvements:** The improvements within the District may include, but are not limited to: turf, shrubs, plants and trees, landscaping, street lighting, irrigation and drainage systems, graffiti removal, pedestrian walkways, landscape lighting, masonry walls, and associated appurtenances within the public right-of-ways or specific easements. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous and/or satisfactory operating condition. The specific improvements within each Zone are detailed in the Report.

Section 4 **Intention:** The City Council hereby declares its intention to seek the annual levy and collection of assessments within the District pursuant to the 1972 Act, in order to pay for the costs of maintaining and servicing the above referenced improvements. The City Council finds that the public's best interests will be served by such levy and collection.

Section 5 **Public Hearing:** The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the Districts in accordance with Chapter 3, Section 22626 of the 1972 Act.

Section 6 **Notice:** The City Council shall give notice of the time and place of the Public Hearing to all property owners within the District by causing the publishing of this Resolution once in the local newspaper not less than ten (10) days before the date of the Public Hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City for the posting of notices. Any interested person may file a written protest with the City Clerk prior to the conclusion of the Public Hearing or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection and a protest by a property owner shall contain a description sufficient to identify the property owned by such property owner. All interested persons shall be afforded the opportunity to hear and be heard.

Section 7 **Notice of Public Hearing:** Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Tuesday August 18, 2015 at 6:00 p.m. at the City Council Chambers, located at 1735 Montgomery Street, Oroville.

Section 8 The City Clerk shall certify to the adoption of this Resolution by the City Council and is hereby authorized and directed to give notice of said Public Hearing as provided by the 1972 Act.

PASSED AND ADOPTED by the Oroville City Council at a special meeting held on July 29, 2015, by the following vote:

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AYES:

NOES:

ABSTAIN:

ABSTENT:

Linda L. Dahlmeier, Mayor

APPROVED AS TO FORM:

ATTEST:

Scott Huber, City Attorney

Donald Rust, Acting City Clerk

CLLMAD 2015/2016 ASSESSMENT SUMMARY

Zone Name	Total Assessable Units	Total Assessable Costs	Maximum Assessment Rate per Unit	Proposed Assessment Rate per Unit
Zone 1 – Grandview Estates	21	\$1,785.42	\$238.10	\$85.02
Zone 4 – Calle Vista Estates, Phase 1	70	\$0.00	\$76.11	\$0.00
Zone 13 – Calle Vista Estates, Unit 2	44	\$534.16	\$259.66	\$12.14
Zone 16 – Feather River Bluffs	0	\$0.00	\$47.31	\$0.00
TOTALS:	135	\$2,391.58		