
BOARD OF DIRECTORS REGULAR MEETING

Wednesday, May 28, 2025 – 3:30 P.M.

If you need an accommodation to participate in this meeting, please call (530) 895-4711
Agenda posted prior to 3:30 PM Tuesday, May 22

BOARD MEMBERS

Tom Lando, Chair
Dave Donnan, Vice Chair
Michael McGinnis
Christopher Norden
Jason Roye

CARD STAFF

Annabel Grimm, General Manager
Phil Aviles, Finance Manager
Holli Drobny, Administrative Director
Erin Morrissey, Recreation Director
Scott Schumann, Parks and Facilities Director

LEGAL COUNSEL

Jackson Glick, Sac Valley Law

A G E N D A

Zoom Meeting Information:

<https://card.zoom.us/j/81607636750?pwd=R1NNUkZPYi9ySGNsNVQ3OXh0U1hoZz09>

Meeting ID: 816 0763 6750

Passcode: 156857

1. CALL TO ORDER

1.1. Roll Call

2. PUBLIC COMMENTS

Members of the public may address the Committee at this time on any matter not already listed on the Agenda, with comments being limited to three minutes. The Committee cannot take any action at this meeting on requests made under this section of the agenda.

3. REGULAR AGENDA

3.1. Community Center and Observatory Concrete (Staff Report FI-25-013) *Action Requested: Award the Community Center and Observatory Concrete projects to Billson Construction.*

Following a competitive bidding process, Billson Construction is the lowest bid at the amount of \$172,402 plus contingency.

3.2. Establishing Appropriations Limits for Fiscal Year 2025-2026 (Staff Report FI-25-012 and Resolution 25-006) *Action Requested: Board of Directors adopt Resolution 25-006 establishing Appropriations Limits for the 2025-2026 Fiscal Year.*

Establishing annual appropriation limits for Special Districts, as required by Proposition 4, authorizes a limit of funds to be spent by the District.

- 3.3. Approval of the Fiscal Year 2025-2026 Budget (Staff Report 25-030 and Resolution 25-006) *Action Requested: Board of Directors adopt Resolution 25-007, adopting the upcoming fiscal year budget.*

A public hearing was held for the Fiscal Year 2025-2026 Budget on April 24, 2025. The Board reviewed the draft agenda during a Special Meeting on May 14, 2025.

- 3.4. Landscape and Lighting Assessment Districts (Staff Report FI-25-014 & Resolution 25-008) *Action Requested: Board of Directors adopt Resolution 25-008.*

Resolution 25-008 approves engineer's reports, confirms diagram and assessment, and orders the continuation of the levy of assessment for Fiscal Year 2025-26 for the Oak Way, Amber Grove/Greenfield, and Baroni Neighborhood Park and Open Space (No. LLD 001-05) Landscaping and Lighting Assessment Districts.

- 3.5. Items Removed from the Consent Agenda

4. NEW BUSINESS

- 4.1. Purchasing Property (Staff Report 25-031 and Resolution 25-009) - *Action Requested: Board of Directors approve Resolution 25-009, authorizing District Staff to negotiate and execute the acquisition of property.*

The District will adopt a resolution authorizing the General Manager to negotiate and execute a Purchase and Sale Agreement, and any related documents, for the acquisition of real property APN 006-400-079, located adjacent to the site of the future Aquatic Recreation Facility.

- 4.2. Public Employment (Staff Report 25-032) *Action Requested: Board of Directors approve the position change.*

Board of Directors approve the consolidation of the duties of the Human Resources Manager position and Finance Manager positions into a single position titled Talent and Finance Director under the Director Classification.

5. ADJOURNMENT

Adjourn to the next meeting of the Board of Directors of the Chico Area Recreation and Park District.



BOARD OF DIRECTORS

Finance Committee

STAFF REPORT

DATE: May 22, 2025
TO: Board of Directors
FROM: Scott Schumann, Parks & Facilities Director
SUBJECT: Community Center and Other District Locations Concrete Project

BACKGROUND

Utilizing a portion of year three funding allocated to ADA upgrades, a District-wide ADA assessment was completed in September 2024. District staff worked with CalCasp, Inc. to create a master ADA transition plan that identified projects by type, location, and scope of work.

With year-end fast approaching, District staff, in consultation with Facilities Committee, requested proposals for concrete path of travel work at the CARD Center and Observatory.

The CARD Center project will address aging and deteriorating walkways that pose safety and accessibility concerns in the Rose Garden area. The improvements will enhance ADA compliance, provide safer pedestrian access, and significantly improve the overall appearance and usability of the area.

The Observatory lacks a path of travel from the indoor viewing area to the outdoor planetarium. Upgrading these pathways also supports increased programmability, safer pedestrian access and public enjoyment of the facility.

DISCUSSION

Bids were due May 1, 2025. Four proposals were received. The lowest qualified bidder is Billson Construction at \$172,402.

Billson Construction has demonstrated the experience and capability necessary to successfully complete projects to District standards at the Community Park Bocce Facility which was delivered on time and on budget.

FISCAL IMPACT

ADA Upgrades -

Beginning Balance (7/1/24):	\$205,000
Total Activity (5/20/25):	<u>\$30,250</u>
Balance Available:	\$174,750

Per District policy, all projects must include a contingency allocation. Staff anticipate a balance of \$50,000 in the Deferred Maintenance allocation at the fiscal year end that can be used to cover the contingency portion of the concrete projects.

RECOMMENDATION

Board award the concrete projects to Billson Construction in the amount of \$172,402 plus contingency in accordance with District policy for unforeseen conditions that may arise during construction.



BOARD OF DIRECTORS

Finance Committee

STAFF REPORT

DATE: May 22, 2025
TO: Board of Directors
FROM: Phil Aviles, Finance Manager
SUBJECT: Establishing Appropriations Limits for Fiscal Year 2025-2026

DISCUSSION:

In 1979, California voters approved Proposition 4 (Article XIII-B of the California State Constitution). Informally known as the "Gann Initiative", Article XIII-B provides limits to the amount of tax proceeds state and local governments can spend each year.

The annual limit is based on the amount of tax proceeds that were authorized to be spent in the fiscal year 1978-79, modified for changes in inflation and population. The inflationary and population factors are provided by the California Department of Finance annually.

For the fiscal year 2024-2025, the estimated tax proceeds appropriated by CARD in the budget are under the appropriation limit. The proposed appropriation limit for the fiscal year 2024-2025 is \$18,065,348. This is the maximum amount of tax proceeds the District can appropriate and spend in the fiscal year. The appropriations subject to the limit is \$7,637,765, leaving the District with an appropriations capacity of \$10,427,583.

Section 7910 of the State Government Code requires a governing body to annually adopt by resolution an appropriations limit. The limit is reviewed annually as part of the annual financial audit. A spreadsheet is attached reflecting the calculation of the appropriations limit. Correspondence from the California Department of Finance is also attached reflecting the current year's inflationary and population factors.

RECOMMENDATION:

It is recommended that the Board of Directors adopt Resolution 25-005 of the Board of Directors of the Chico Area Recreation and Park District establishing Appropriations Limits for the 2025-2026 Fiscal Year at \$18,065,348.

Chico Area Recreation and Park District 2025-2026

Prior Year Limit	Factor	New Limit
16,543,359	<u>1.092</u>	18,065,348

Projected Budget Revenue

Category	Tax Proceeds	Non-Tax Proceeds	Interest	Total
Pro Rata Share of Tax Rate	5,260,000			5,260,000
Current Year Unsecured	250,000			250,000
Current Years Supplemental	190,000			190,000
Homeowners Subvention	50,000			50,000
RDA Pass Through	1,650,000			1,650,000
Interest Income			500,000	500,000
Other Revenue		58,530		58,530
Charges For Current Service		6,819,262		6,819,262
City And County Impact Fees		1,060,000		1,060,000
Assessment Districts		223,803		
Proceeds & Non-Proceeds	7,400,000	8,161,595	500,000	16,061,595
Total Less Interest	15,561,595			
Percentage Of Total	47.55%	52.45%		100%
Interest Based On Percentage	237,765	262,235		500,000
Total Proceeds & Non-Proceeds	7,637,765	8,423,830		16,061,595
Total Appropriations Subject to Limit	7,637,765			
Appropriations Limit	18,065,348			
Remaining Appropriation Capacity	10,427,583			

Factor Calculations			
Per Capita Cost of Living Change	6.44		
Population Change (Used Chico Change)	2.59		
Per Capita converted to ratio	100	1.0644	A
Population converted to a ratio	100	1.0259	B
Calculation of Factor (A x B)		1.0920	



**RESOLUTION 24-006 OF THE BOARD OF DIRECTORS OF THE
CHICO AREA RECREATION AND PARK DISTRICT**
Establishing Appropriations Limits for the 2025-2026 Fiscal Year

WHEREAS, Proposition 4 provides that each public agency in the State of California establishes an appropriations limit as provided for in Proposition 4; and

WHEREAS, the intent of the Board of Directors of the Chico Area Recreation and Park District is to comply with the provisions of Proposition 4;

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of CARD hereby establishes appropriations limits in the amount of \$18,065,348. for the 2025-2026 Fiscal Year.

PASSED AND ADOPTED at a Regular Meeting of the Board of Directors of the Chico Area Recreation and Park District on the 28th day of May 2025 by the following vote:

Ayes:
Noes:
Abstain:
Absent:

ATTEST:

Tom Lando, Chair
Board of Directors

Holli Drobny
Clerk of the Board of Directors



**RESOLUTION 25-007 OF THE BOARD OF DIRECTORS OF THE
CHICO AREA RECREATION AND PARK DISTRICT**
Adopting The Final Budget For The 2025-2026 Fiscal Year

WHEREAS, the Chico Area Recreation and Park District is a legally constituted public agency formed pursuant to the Public Resource Code of the State of California; and

WHEREAS, pursuant to §5784.1 of the Public Resource Code of the State of California, the Board of Directors of the Chico Area Recreation and Park District did publish a notice stating that the Preliminary Budget had been adopted and was available for inspection, and did hold and conduct a Public Hearing for the taxpayers of the District;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Chico Area Recreation and Park District adopts the Final Budget for the 2025-2026 Fiscal Year.

BE IT FURTHER RESOLVED that the General Manager is authorized and directed to adjust the Final Budget as necessary to accommodate changes resulting from decisions made by the California State Legislature and approved by the Governor and/or resulting from determinations made by the Butte County Board of Supervisors and/or others that dictate adjustments be made to the Final Budget during the 2025-2026 Fiscal Year.

PASSED AND ADOPTED at a Regular Meeting of the Board of Directors of the Chico Area Recreation and Park District on the 2bth day of May 2025 by the following vote:

Ayes:
Noes:
Abstain:
Absent:

ATTEST:

Tom Lando, Chair
Board of Directors

Holli Drobny
Clerk of the Board of Directors

STAFF REPORT

DATE: May 22, 2025
TO: Board of Directors
FROM: Annabel Grimm
SUBJECT: Fiscal Year 2025-2026 Budget Narrative

Background

Ahead of our budget workshop next week, I've prepared this staff report to provide some contextual information for the budget. This draft shows very conservative revenue projections and expenses somewhat inflated. With staff working on one last pass next week, I anticipate making adjustments to increase the accuracy of income and expenses.

Discussion

Explanation of Notes

1. There was a calculation error in 2024/25.
2. Reclassification of certain income streams. More detail is available in the General Fund Budget Comparison Report by **Object Code**.
3. Employee benefits
 - a. Are partially inflated due to Position Budgeting attributing employer paid life insurance to the employee where before it was expensed in the Services category.
 - b. The additional increase is related to the conversion of seven $\frac{3}{4}$ timebase employees to full time status. Currently there are 18 employees in the Parks Division working 28 hours per week ($\frac{3}{4}$ timebase). For roving and facility crews the logistical challenges of different work period creates inefficiencies, gaps in coverage, and service reliability for year-around work. Over the last two years we have been slowly moving a few of these positions to FT. The changes can be found in the **Position Inventory**. It's a net 3% salary savings.
4. Tax revenue projections are provided to the District from Butte County in November each year. The estimated tax revenue based on the numbers provided by the County less 5% to be conservative.
5. Program income was adjusted to reflect additional Nature Center programming featuring newly acquired educational animals supported by a **full-time animal care specialist**.

6. Investment income is estimated based on market conditions and the amount of money we are holding in investment accounts. At this time, interest rates are nearly equal to that of LAIF.
7. In addition to the conversion of seven timebase changes, this proposed budget includes:
 - a. Program & Staff Development Manager (\$81 – 103K)
 - General fund investment for first 18 months, then program fees will offset the salary & benefit expense.
 - b. Program Development Coordinator (Net savings due to reduction of 2 part-time (¾ Rec Coordinators)
 - Program fees will offset expense
 - c. Compliance Manager (\$81 – 103K)
 - 70% cost recovery from reimbursed programs
 - d. A second Public Outreach Specialist (\$65 – 87K)
 - Sponsorships and fundraising offset expense
 - e. Parks & Facilities Analyst (\$44 -50K)
 - Cost savings and increased efficiencies will partially offset expense
8. One year in the new accounting system, expense coding has been reclassified causing inflated variances. Overall expenses are up less than 6%.
9. Expenses distributed to the Assessment Districts.
10. Includes the cost of the Capital Campaign services.



Budget Comparison Report

All Funds by Class Code

	FY 2024/25 Adopt Final	FY 2025/26 Budget	Increase / (Decrease)	%	Notes
Fund: 60 - Baroni Park					
Revenue					
50 - Taxes	162,300.00	107,400.00	(54,900.00)	-33.83	1
53 - Operating Income	-	33,073.00	33,073.00	0.00	
Total Revenue:	162,300.00	140,473.00	(21,827.00)	-13.45	
Expense					
60 - Salaries & Wages	60,489.73	62,761.00	2,271.27	3.75	
61 - Employee Benefits	22,207.37	25,199.00	2,991.63	13.47	
62 - Supplies & Services	18,665.00	11,838.00	(6,827.00)	-36.58	
63 - Repairs & Maintenance	16,050.00	13,425.00	(2,625.00)	-16.36	
64 - Utilities	12,022.00	14,500.00	2,478.00	20.61	
65 - Contracts	5,000.00	7,750.00	2,750.00	55.00	
Total Expense:	134,434.10	135,473.00	1,038.90	0.77	
Total Fund: 60 - Baroni Park:	27,865.90	5,000.00	(22,865.90)	-82.06	
Fund: 63 - Indigo Park					
Revenue					
50 - Taxes	40,000.00	48,600.00	8,600.00	21.5	
53 - Operating Income	43,266.33	44,249.00	982.67	2.3	
Total Revenue:	83,266.33	92,849.00	9,582.67	11.5	
Expense					
60 - Salaries & Wages	42,714.87	44,550.00	1,835.13	4.3	
61 - Employee Benefits	14,543.46	17,254.00	2,710.54	18.6	
62 - Supplies & Services	8,800.00	11,712.00	2,912.00	33.1	
63 - Repairs & Maintenance	4,200.00	6,575.00	2,375.00	56.5	
64 - Utilities	4,008.00	5,008.00	1,000.00	25.0	
65 - Contracts	-	7,750.00	7,750.00	0.0	
Total Expense:	74,266.33	92,849.00	18,582.67	25.0	
Total Fund: 63 - Indigo Park:	9,000.00	-	(9,000.00)	-100	
Fund: 65 - Oak Way Park					
Revenue					
50 - Taxes	23,800.00	23,900.00	100.00	0.4	
53 - Operating Income	129,829.14	156,608.00	26,778.86	20.6	
Total Revenue:	153,629.14	180,508.00	26,878.86	17.5	
Expense					
60 - Salaries & Wages	72,153.11	98,971.00	26,817.89	37.2	
61 - Employee Benefits	25,443.03	31,453.00	6,009.97	23.6	
62 - Supplies & Services	9,965.00	11,928.00	1,963.00	19.7	
63 - Repairs & Maintenance	28,525.00	12,900.00	(15,625.00)	-54.8	
64 - Utilities	12,543.00	17,506.00	4,963.00	39.6	
65 - Contracts	5,000.00	7,750.00	2,750.00	55.0	
Total Expense:	153,629.14	180,508.00	26,878.86	17.5	
Total Fund: 65 - Oak Way Park:	-	-	-	0	

Budget Comparison Report

	FY 2025 Adopt Final	FY 2026 4th Budget	Increase / (Decrease)	%
Fund: 67 - Peterson Park				
Revenue				
50 - Taxes	42,400.00	42,527.50	127.50	0.3
53 - Operating Income	85,131.55	114,019.50	28,887.95	33.9
Total Revenue:	127,531.55	156,547.00	29,015.45	22.8
Expense				
60 - Salaries & Wages	63,014.64	71,527.00	8,512.36	13.5
61 - Employee Benefits	22,018.91	27,206.00	5,187.09	23.6
62 - Supplies & Services	15,300.00	11,892.00	(3,408.00)	-22.3
63 - Repairs & Maintenance	3,150.00	5,525.00	2,375.00	75.4
64 - Utilities	19,048.00	22,647.00	3,599.00	18.9
65 - Contracts	5,000.00	7,750.00	2,750.00	55.0
Total Expense:	127,531.55	146,547.00	19,015.45	14.9
Total Fund: 67 - Peterson Park:	-	-	-	0
Fund: 70 - City Impact Fees				
Revenue				
50 - Taxes	1,000,000	1,000,000	-	0
53 - Operating Income	-	360,000	360,000	0
Total Revenue:	1,000,000	1,360,000	360,000	36
Fund: 80 - County Impact Fees				
Revenue				
50 - Taxes	60,000	60,000	-	0
53 - Operating Income	-	15,000	15,000	0
Total Revenue:	60,000	75,000	15,000	25
Fund: 90 - General Fund				
Revenue				
50 - Taxes	6,947,255	7,400,000	452,746	6.5
53 - Operating Income	6,880,096	7,419,262	439,167	6.4
55 - Other Income	16,000	58,530	42,530	265.8
Total Revenue:	13,843,350	14,877,792	934,442	6.8
Expense				
60 - Salaries & Wages	7,631,256	8,103,452	307,196	4.0
61 - Employee Benefits	1,846,158	2,382,937	473,579	25.7
62 - Supplies & Services	2,485,518	2,416,041	(69,477)	-2.8
63 - Repairs & Maintenance	424,255	242,325	(181,930)	-42.9
64 - Utilities	698,379	893,405	195,026	27.9
65 - Contracts	616,400	706,200	89,800	14.6
69 - Other Expenses	35,000	20,000	(15,000)	-42.9
Total Expense:	13,736,966	14,764,359	1,027,393	7.4
Total Fund: 90 - General Fund:	106,384	113,433	7,049	6.6
Report Total:	1,203,250	1,553,433	350,183	29.1

Fund Summary

Fund	FY 2024/25 Adopt Final	FY 2025/26 Budget	Increase / (Decrease)	%
60 - Baroni Park	27,866	5,000	(22,866)	-82
63 - Indigo Park	9,000	-	(9,000)	-100
65 - Oak Way Park	-	-	-	0
67 - Peterson Park	-	-	-	0
70 - City Impact Fees	1,000,000	1,360,000	360,000	36
80 - County Impact Fees	60,000	75,000	15,000	25
90 - General Fund	106,384	113,433	7,049	-23
Report Total:	1,203,250	1,553,433	350,183	29.1



Budget Comparison Report

Fund 90 - General Fund by Object Code

	FY 2024/25 Adopt Final	FY 2025/26 Budget	Increase / (Decrease)	%	Notes
Revenue					
Class: 50 - Taxes					
5021 - Property Taxes: Current Secured	4,808,838	5,250,000	441,162	9.2	
5022 - Property Taxes: Current Unsecured	283,294	250,000	(33,294)	-11.8	
5024 - Property Taxes: Supplemental	156,000	200,000	34,000	21.8	
5026 - Property Taxes: Pass-Through RDA	1,650,000	1,650,000	-	0.0	
5029 - Homeowner Property Tax Relief	49,123	50,000	877	1.8	
Total Class: 50 - Taxes:	6,947,255	7,400,000	452,746	6.5	4
Class: 53 - Operating Income					
5110 - Program Income	5,224,296	5,296,395	72,100	1.4	5
5115 - Swim Lessons	40,000	73,200	33,200	83.0	
5120 - Rental Income	505,000	550,000	45,000	8.9	
5130 - Donations	70,000	70,000	-	0.0	
5140 - Endowments	10,000	10,000	-	0.0	
5150 - Investment Income	250,000	500,000	250,000	100.0	6
5180 - Scholarships	(25,000)	(25,000)	-	0.0	
5310 - Event Tickets	280,000	280,000	-	0.0	
5340 - Sponsorship	150,000	150,000	-	0.0	
5345 - Rebates	38,500	40,000	1,500	3.9	
5355 - Reimbursed - City Parks	337,300	474,667	137,367	40.7	
Total Class: 53 - Operating Income:	6,880,096	7,419,262	539,167	7.8	
Class: 55 - Other Income					
5560 - Grant Income	11,000	8,530	(2,470)	-22.5	
5570 - Other Income	5,000	50,000	45,000	900.0	2
Total Class: 55 - Other Income:	16,000	58,530	42,530	265.8	
Total Revenue:	13,843,350	14,877,792	1,034,442	7.5	

Budget Comparison Report

	FY 2024/25 Adopt Final	FY 2025/26 Budget	Increase / (Decrease)	%	
Class: 60 - Salaries & Wages					
6010 - Wages: Full-Time	3,848,268	4,669,074	820,806	21.3	
6015 - Wages: Part-Time	742,348	250,426	(491,922)	-66.3	3b
6020 - Wages: Seasonal	3,040,640	3,183,952	143,312	4.7	
Total Class: 60 - Salaries & Wages:	7,631,256	8,103,452	472,196	6.2	7
Class: 61 - Employee Benefits					
6110 - Health Insurance	654,951	985,884	330,933	50.5	
6120 - Payroll Taxes	613,962	642,638	28,676	4.7	
6125 - Retirement Contributions	387,246	570,027	182,781	47.2	
6130 - Unemployment Insurance	-	15,000	15,000	0.0	
6135 - Workers' Compensation Insurance	190,000	245,000	55,000	28.9	
Total Class: 61 - Employee Benefits:	1,846,158	2,382,937	536,779	29.1	7
Class: 62 - Supplies & Services					
6210 - General Services	429,925	299,989	(129,936)	-30.2	8
6218 - Board Meeting Expense	10,000	7,500	(2,500)	-25.0	
6220 - Communications	79,120	94,951	15,831	20.0	
6222 - Compensation - Instructors	280,000	255,070	(24,930)	-8.9	
6226 - Equipment	107,000	53,700	(53,300)	-49.8	8
6228 - Fuel	90,000	81,000	(9,000)	-10.0	
6230 - Hospitality	20,000	13,000	(7,000)	-35.0	8
6232 - Insurance	425,000	445,000	20,000	4.7	
6234 - Miscellaneous	10,000	11,890	1,890	18.9	
6236 - Marketing	60,000	50,000	(10,000)	-16.7	
6238 - Publications and Legal Notices	1,000	1,000	-	0.0	
6240 - Professional Development	30,000	30,000	-	0.0	
6242 - Recruitment	20,000	17,000	(3,000)	-15.0	
6244 - Program Apparel	69,630	77,414	7,784	11.2	
6246 - Uniform Apparel	10,800	18,637	7,837	72.6	
6248 - Supplies	409,316	411,772	2,457	0.6	
6258 - Equipment Rental	10,000	40,000	30,000	300.0	
6260 - Rent/Lease Structures	2,000	2,000	-	0.0	
6262 - Small Tools/Minor Equipment	40,000	40,468	468	1.2	
6263 - Furniture and Fixtures	10,000	21,200	11,200	112.0	8
6264 - Technology Hardware (under \$25K)	30,000	30,000	-	0.0	
6266 - Technology Software (under \$25K)	75,000	60,000	(15,000)	-20.0	
6268 - Transportation	2,000	3,000	1,000	50.0	
6270 - Travel	5,000	5,500	500	10.0	
6272 - Use Tax	1,500	1,000	(500)	-33.3	
6281 - Operating Transfer Out	258,227	347,950	89,722	34.75	9
Total Class: 62 - Supplies & Services:	2,485,518	2,416,041	(69,477)	-2.8	

Budget Comparison Report

	FY 2024/25 Adopt Final	FY 2025/26 Budget	Increase / (Decrease)	%
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Class: 63 - Repairs & Maintenance

6315 - Equipment Maintenance	67,255	58,500	(8,755)	-13.02	
6325 - Vehicle Maintenance	20,000	27,000	7,000	35.00	
6345 - Vandalism	10,000	11,000	1,000	10.00	
6350 - Repairs & Maintenance (<\$25K)	327,000	145,825	(181,175)	-55.41	8
Total Class: 63 - Repairs & Maintenance:	424,255	242,325	(181,930)	-42.88	

Class: 64 - Utilities

6410 - Electric	387,385	544,841	157,456	40.65
6420 - Gas	87,000	79,020	(7,980)	-9.17
6430 - Refuse	56,000	70,300	14,300	25.54
6440 - Sewer	24,760	25,760	1,000	4.04
6450 - Water	143,234	173,484	30,250	21.12
Total Class: 64 - Utilities:	698,379	893,405	195,026	27.93

Class: 65 - Contracts

6510 - Contract Services	616,400	706,200	89,800	14.57	10
Total Class: 65 - Contracts:	616,400	706,200	89,800	14.57	

Class: 69 - Other Expenses

6930 - Contribution to Other Agencies	15,000	-	(15,000)	-100.00
6940 - Contingencies	20,000	20,000	-	0.00
Total Class: 69 - Other Expenses:	35,000	20,000	(15,000)	-42.86

Total Expense:	13,736,966	14,764,361	1,027,395	7.48
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Report Total:	106,384	113,433	7,047	6.6
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2025-2026 Non-Recurring Operating Expense Summary

Project Number	Project Name	Parent Budget	Comparison Budget	Comparison to Parent Budget	%	
67-3-320-33530-7010	Replace & Improv Peterson	-	10,000	10,000	0%	Benches & trash bins
Total Fund: 67 - Peterson Park:		-	10,000	10,000	0%	
90-3-300-11000-7000	ADA Improvements - Parks Admin	135,000	135,000	-	0%	Year 3 of ADA transition plan
90-3-300-11000-7005	DFM - Parks Admin	150,000	150,000	-	0%	Year 3 of deferred maint plan
90-3-305-33100-7010	Replace & Improv DFJ Center	-	31,450	31,450	0%	AV & equipment storage upgrades
90-3-305-33110-7010	Replace & Improv Community Center	-	15,000	15,000	0%	Dumpster enclosure; Office & equip storage
90-3-305-33120-7010	Replace & Improv NC Facility	-	15,000	15,000	0%	Raven enclosure; misc. upgrades
90-3-305-33130-7010	Replace & Improv Lakeside Pavilion	-	18,000	18,000	0%	Window repair & roof inspection
90-3-305-33140-7010	Replace & Improv PV Center	-	31,000	31,000	0%	Window & door dry rot repairs; AV
90-3-310-33200-7010	Replace & Improv Hooker Oak	-	24,000	24,000	0%	Doryland shed; Rex Murphy backstops
90-3-310-33210-7010	Replace & Improv DeGarmo	-	30,000	30,000	0%	Infield lip repair; Playground repair
90-3-310-33230-7010	Replace & Improv Community Park	-	42,000	42,000	0%	Tennis bathroom; Field house H2O station; Infield lip repair (2)
90-3-325-33410-7010	Replace & Improv Husa Ranch	-	6,000	6,000	0%	Water fountain (Reimbursement from City of Chico)
Total Fund: 90 - General Fund:		285,000	497,450	212,450	75%	
Report Total:		285,000	507,450	222,450	78%	



Capital Project & Fixed Asset Summary

Chico Area Recreation and Park District

Number	Project Name	Total Budget	Fund Source	Project Descriptions
2526-XXX	HAR - Shade Structure	40,000	CMD A-16	Hartley Park - Shade structures at picnic sites.
	Total Reimbursement:	40,000		
2526-XXX	PVC - Perimeter Fence	50,000	General Fund	PV Center - Enclose programming space at front entrance to expand programming.
2526-XXX	DEG - Freeway Barrier	60,000	General Fund	DeGarmo - Replace freeway netting barrier & trim trees.
2526-XXX	COM - Adjustable Hoops	95,000	General Fund	Community Park - Field House replace aging hoops with modern adjustable hoops.
2526-XXX	DEG - Yard Expansion	35,000	General Fund	DeGarmo - Shop yard expansion to accommodate growth.
2526-XXX	CCC - Office Expansion	25,000	General Fund	Office & storage reconfiguration & expansion
2526-XXX	District-Wide - Irrigation	300,000	General Fund	Phase 2 of district-wide irrigation controller modernization.
	Total Fund: General Fund:	565,000		
Number	Fixed Asset Name			
2526 - XXX	DFJ - Oven Replacement	25,000	General Fund	DFJ Kitchen - Cost offset in Summer Camps
2526 - XXX	COM - Mower (6 ft)	45,000	General Fund	Replacement of aging mower
2526 - XXX	District - Gator w/Spray Tank	55,000	General Fund	Replacement & upgrade of aging equipment
2526 - XXX	Vehicle Replacement (2)	138,000	General Fund	Per vehicle replacement plan
2526 - XXX	New Fleet Vehicle	45,000	General Fund	New truck to accommodate growth
	Total Fund: General Fund:	308,000		
	Total General Fund:	873,000		
Report Total:		913,000		

Projects TBD				
2526-XXX	HEN - Construction	\$ 6 -8 M	Neighborhood (DIF)	Henshaw Park - Construction
2526-XXX	COM - Road Expansion	TBD	Donation	Community Park - Extend road to Ohio Street for additional ingress/egress location.
2526-XXX	VMP - New Backstops	TBD	Donation	Veterans Park - Instllation of additional backstops.

2025-26 Proposed Position Inventory - Budget Presentation

Division	Position	Qty	Notes
Admin			
	General Manager	1	
	Finance Director*	1	
* Temp *	HR/Finance Specialist	1	Convert to perm position & merge HR/Fin offices
	Finance Technician	1	
	Compliance Manager	1	Compliance & organizational efficiency
* Remove *	HR Manager - Vacant	1	Merge HR & Finance
	HR Generalist	1	
Admin FT Total		6	
Business Services			
	Admin Director	1	
	Admin Coordinator	1	
	Marketing Specialist	1	
	Public Outreach Specialist	2	Add a second specialist to support outreach activities
	Rentals Coordinator	1	
	Asst. Rentals Coordinator	1	
	Customer Service (PT)	2	
	Public Outreach Asst. (PT)	1	
	Seasonal Staff (PT)	15-20	
Biz Services FT Totals		7	
Recreation			
	Recreation Director	1	
* Add *	Recreation Manager	1	
	Supervisor	5	
* Chg *	Rec Coordinator	7	Convert .75 to FT; add 1 to assist prog development
* Chg *	Rec Coordinator (PT)	2	Reduce 1.5 - .75 positions
	Leader IV (PT)	3	
	Seasonal Staff (PT)	250-450	
Rec FT Total		14	
Parks & Facilities			
	Parks Director	1	
	Project Manager - temp-	1	2025/26- approved 2-year temporary position
	Park Supervisor	3	
	Utility II	7	
	Utility I	11	
* Chg *	Maintenance Worker	19	Adds 9 FTE; net position savings = 3%
* Add *	Parks & Facilities Analyst	1	
* Remove *	Maintenance Aid (PT)	18	
Parks Total		43	
Total Full-Time		70	
Total Part-Time		8	

2025-26 Proposed Position Inventory - Final

Division	Position	Qty	Notes
Admin			
	General Manager	1	
	Finance Director	1	
	Compliance Manager	1	
	HR/Finance Specialist	1	
	Finance Technician	1	
	HR Generalist	1	
	Admin FT Total	6	
Business Services			
	Admin Director	1	
	Admin Coordinator	1	
	Marketing Specialist	1	
	Public Outreach Specialist	2	
	Rentals Coordinator	1	
	Asst. Rentals Coordinator	1	
	Customer Service (PT)	2	
	Public Outreach Asst. (PT)	1	
	Seasonal Staff (PT)	15-20	
	Biz Services FT Totals	7	
Recreation			
	Recreation Director	1	
	Recreation Manager	1	
	Supervisor	5	
	Rec Coordinator	7	
	Rec Associate	1	Animal Care Specialist
	Rec Coordinator (PT)	2	
	Leader IV (PT)	3	
	Seasonal Staff (PT)	250-450	
	Rec FT Total	15	
Parks & Facilities			
	Parks Director	1	
	Project Manager - temp-	1	2025/26- approved 2-year temporary position
	Park Supervisor	3	
	Utility II	7	
	Utility I	11	
	Maintenance Worker	19	
	Parks & Facilities Analyst	1	
	Parks Total	43	
	Total Full-Time	71	
	Total Part-Time	8	

Union	Classification	Positions	Step A	Step B	Step C	Step D	Step E	Step F	Step G
Unrepresented	General Manager	General Manager	136,500 - 150,500						
Unrepresented	Director								
		Admin Director	Hourly 51.02	53.57	56.25	59.06	62.02	65.12	
		Parks Director	Monthly 8,843.68	9,285.86	9,750.15	10,237.66	10,749.55	11,287.02	
		Rec Director	Annually 106,124.13	111,430.34	117,001.85	122,851.95	128,994.54	135,444.27	
Unrepresented	Manager								
		Finance Manager	Hourly 39.78	41.77	43.86	46.056	48.36	50.78	
		HR Manager	Monthly 6,896.05	7,240.85	7,602.89	7,983.04	8,382.19	8,801.30	
		Project Manager	Annually 82,752.58	86,890.21	91,234.72	95,796.46	100,586.28	105,615.60	
Supervisors Unit - Local 39	Supervisor								
			Hourly 34.81	36.55	38.38	40.30	42.31	44.43	46.65
		Rec Supervisor	Monthly 6,034.04	6,335.74	6,652.53	6,985.16	7,334.42	7,701.14	8,086.19
		Parks Supervisor	Annually 72,408.51	76,028.94	79,830.38	83,821.90	88,013.00	92,413.65	97,034.33
Parks Unit - SEIU	Utility II								
			Hourly 32.27	33.89	35.58	37.36	39.23	41.19	43.25
			Monthly 5,594.02	5,873.72	6,167.41	6,475.78	6,799.57	7,139.55	7,496.53
		Utility II	Annually 67,128.27	70,484.69	74,008.92	77,709.37	81,594.83	85,674.58	89,958.31
Unrepresented	Specialist								
			Hourly 32.07	33.67	35.35	37.12	38.98	40.92	42.97
		Marketing & Communications Specialist	Monthly 5,557.96	5,835.85	6,127.65	6,434.03	6,755.73	7,093.52	7,448.19
		Public Outreach Specialist	Annually 66,695.47	70,030.24	73,531.75	77,208.34	81,068.76	85,122.19	89,378.30
Unrepresented	Technician								
			Hourly 28.05	29.45	30.93	32.47	34.09	35.80	37.59
			Monthly 4,862.00	5,105.10	5,360.36	5,628.37	5,909.79	6,205.28	6,515.55
		Finance Technician	Annually 58,344.00	61,261.20	64,324.26	67,540.47	70,917.50	74,463.37	78,186.54
Parks Unit - SEIU	Utility I								
			Hourly 27.87	29.27	30.73	32.27	33.88	35.57	37.35
			Monthly 4,831.20	5,072.76	5,326.40	5,592.72	5,872.36	6,165.97	6,474.27
		Utility I	Annually 57,974.42	60,873.14	63,916.80	67,112.63	70,468.27	73,991.68	77,691.26
Unrepresented	Coordinator								
		Admin Coordinator	Hourly 26.52	27.85	29.24	30.70	32.24	33.85	35.54
		Coordinator I	Monthly 4,596.80	4,826.64	5,067.97	5,321.37	5,587.44	5,866.81	6,160.15
		Coordinator II	Annually 55,161.60	57,919.68	60,815.66	63,856.45	67,049.27	70,401.73	73,921.82
Unrepresented	Generalist								
			Hourly 26.02	27.32	28.69	30.12	31.63	33.21	34.87
			Monthly 4,510.20	4,735.71	4,972.50	5,221.12	5,482.18	5,756.29	6,044.10
		HR/Recruitment Generalist	Annually 54,122.44	56,828.56	59,669.99	62,653.49	65,786.16	69,075.47	72,529.25
Union	Classification	Positions	Step A	Step B	Step C	Step D	Step E	Step F	Step G
Unrepresented	Assistant - FT/PT								
			Hourly 22.64	23.77	24.96	26.21	27.52	28.89	30.34
		Admin Assistant II	Monthly 3,924.11	4,120.32	4,326.33	4,542.65	4,769.78	5,008.27	5,258.68
		Rental & Events Assistant	Annually 47,089.34	49,443.80	51,915.99	54,511.79	57,237.38	60,099.25	63,104.21
Unrepresented	Associate- PT								
			Hourly 21.93	22.37	22.82	23.27	23.74	24.21	24.70
		Program Associate	Monthly 2,850.90	2,907.92	2,966.08	3,025.40	3,085.91	3,147.62	3,210.58
		Public Outreach Associate	Annually 34,210.80	34,895.02	35,592.92	36,304.77	37,030.87	37,771.49	38,526.92

Union	Classification	Positions	Step A	Step B	Step C	Step D	Step E	Step F	Step G	
Parks Unit - SEIU	Maintenance Worker	Hourly	19.20	20.16	21.16	22.22	23.33	24.50	25.72	
		Monthly	19,963.20	20,961.35	22,009.42	23,109.89	24,265.39	25,478.66	26,752.59	
		Annually	39,926.39	41,922.71	44,018.85	46,219.79	48,530.78	50,957.32	53,505.18	
Unrepresented Seasonal and Part-Time			Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
Leader										
		Leader I	16.50	17.00						
		Leader II	17.50	18.00	18.50					
		Leader III	19.50	20.00	20.50	21.00	21.50	22.00	22.50	23.00
		Leader IV	22.50	23.00	23.50	24.00	24.50	25.00	25.50	26.00
Assistant - PT/Seasonal										
		Admin Assistant I	16.50	17.00	17.50	18.00	18.50			
Aquatics										
		Swim Instructor	16.50	17.00						
		Lifeguard I	19.00	19.50	20.00	20.50				
		Lifeguard II	21.50	22.00						
		Lifeguard III	22.50	23.00	23.50					
Events										
		Event Attendant I	17.00	17.50						
		Event Attendant II	18.00	18.50						
Maintenance Aide										
		Maintenance Aide	17.50	18.00	18.50					
Intern										
		Intern 200								
		Intern 300	16.50	17.00						
Officials										
		Flag Football	19.00	20.00	21.00					
		Kickball	20.00	21.00	22.00					
		Volleyball	20.00	21.00	22.00					
		Basketball	20.00	21.00	22.00	23.00	24.00			
		Softball	20.00	21.00	22.00	23.00	24.00	25.00	26.00	27.00
		Soccer	25.00	26.00	27.00	28.00	29.00			



BOARD OF DIRECTORS

Finance Committee

STAFF REPORT

DATE: May 22, 2025
TO: Board of Directors
FROM: Annabel Grimm, General Manager
SUBJECT: Intention to Continue to Levy the Assessments for Fiscal Year 25/26 for Oak Park, Amber Grove, and Baroni

RECOMMENDATION

It is recommended that the Board approve a Resolution that would declare the Board's intention to continue to levy the assessments for fiscal year 2025-26, preliminarily approve the Engineer's Reports for the Oak Way, Amber Grove/Greenfield, and Baroni Neighborhood Park and Open Space (No. LLD 001-05) Landscaping and Lighting Assessment Districts (the "Assessment Districts"), and provide for the notice of a public hearing on May 22, 2025, regarding continuing the annual assessments for fiscal year 2025-26.

RESULT OF RECOMMENDED ACTION

The Board will declare its intention to continue to levy the assessments for fiscal year 2025-26, will preliminarily approve the Engineer's Reports, including the proposed rates included in the Engineer's Reports for the Assessment Districts. The levy administrator will process the current parcel data to establish current assessments for each parcel in the assessment districts boundaries. The levy administrator will publish a notice in a local newspaper in order to inform the public of the hearing that will be held on June 26, 2023, for the continued levy of the assessments.

BACKGROUND

Amber Grove/Greenfield Landscape and Lighting Assessment District

The Amber Grove/Greenfield Landscape and Lighting Assessment District was approved by property owners in 1994 to fund the maintenance and operations of the Amber Grove/Greenfield Park.

Oak Way Landscape and Lighting Assessment District

The Oak Way Landscape and Lighting Assessment District was approved by property owners in 1997 to continue to fund the maintenance and operations of Oak Way Park.

Baroni Neighborhood Park and Open Space (No. LLD 001-05) Landscape and Lighting Assessment District

In 2006, property owners approved the Baroni Neighborhood Park and Open Space (No. LLD 001-05) Landscape and Lighting Assessment District to provide funding for the maintenance and

operations for the Baroni Neighborhood Park, adjacent open space areas and related trails system within the District.

PROPOSED RATE

The proposed assessment rates and the approximate amount of revenues for the 2025-26 by Assessment Districts are listed below:

Assessment District	Rate	Revenue
Oak Way	\$4.00*	\$23,936
Amber Grove/Greenfield	\$70.00*	\$42,490
Baroni Park	\$114.89	\$110,639
*Annual rate does not include a CPI		

ANALYSIS

In order to continue the levy the assessments, the Board will need to adopt the resolution to preliminarily approve the Engineer’s Report and set the date for the public hearing. The Engineer’s Report is required by Proposition 218 and includes the special and general benefit findings to support the assessments, the updated proposed assessments for each parcel in the Districts, the proposed budget for the assessments, and the proposed assessments per single-family equivalent for fiscal year 2025-26. If the Board preliminarily approves the Engineer’s Reports, a noticed public hearing will be subsequently held to allow the public to provide input on the proposed budgets, services and assessments, and to allow the Board to make a final decision on the continuation of these important assessments. The public hearing will be held on June 26, 2025.

CONCLUSION

It is recommended that the Board approve the Resolution of Intention to Continue to Levy the Assessments for Fiscal Year 2025-26, Preliminarily approving the Engineer’s Report, and Providing for Notice of a Public Hearing on June 26, 2025, for the Oak Way, Amber Grove/Greenfield, and Baroni Neighborhood Park and Open Space (No. LLD 001-05) Landscaping and Lighting Assessment Districts.



**RESOLUTION 25-08 OF THE BOARD OF DIRECTORS OF THE
CHICO AREA RECREATION AND PARK DISTRICT**

A RESOLUTION OF INTENTION TO CONTINUE TO LEVY THE ASSESSMENTS FOR FISCAL YEAR 2025-26, PRELIMINARILY APPROVING ENGINEER'S REPORTS, AND PROVIDING FOR NOTICE OF A PUBLIC HEARING FOR THE OAK WAY, AMBER GROVE/GREENFIELD, AND BARONI NEIGHBORHOOD PARK AND OPEN SPACE (No. LLD 001-05) LANDSCAPING AND LIGHTING ASSESSMENT DISTRICTS

WHEREAS, the Chico Area Recreation and Park District is authorized, pursuant to the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof) and Article XIID of the California Constitution, to levy assessments for park and recreation improvements; and

WHEREAS, on February 23, 1993, the Board of Directors of the Chico Area Recreation and Park District ordered through Resolution 93-07 the formation of the Oak Way Landscaping and Lighting Assessment District (the "Oak Way Assessment District") for the purpose of financing certain park and recreational improvements;

WHEREAS, in June 1997, the Park District conducted an assessment balloting proceeding for the Oak Way Assessment District to comply with Proposition 218 requirements.

WHEREAS, on January 13, 1994, the Board of Directors of the Chico Area Recreation and Park District ordered through Resolution 94-01 the formation of the Amber Grove/Greenfield Landscaping and Lighting Assessment District (the "Amber Grove/Greenfield Assessment District") for the purpose of financing certain park and recreational improvements;

WHEREAS, on June 20, 2006, the City County of the City of Chico ordered through Resolution 70-06 the formation of the Baroni Neighborhood Park and Open Space (No. LLD 001-005) Landscaping and Lighting Assessment District for the purpose of financing certain park and recreational improvements;

WHEREAS, effective July 1, 2010, the City of Chico transferred ownership and maintenance and operational responsibility of Baroni Park to the District, and the District was also tasked to maintain the assessments from the established Baroni Neighborhood Park and Open Space (No. LLD 001-005) Landscaping and Lighting Assessment to provide funding for the operation and maintenance of the park.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors of CARD hereby proclaim

SECTION 1. The Board hereby proposes to continue to levy the Oak Way Landscaping and Lighting Assessment District, Amber Grove/Greenfield Landscaping and Lighting Assessment District, and the Baroni Neighborhood Park and Open Space (No. LLD 001-005) Landscaping and Lighting Assessment Districts (the "Assessment Districts") benefit assessments pursuant to the Act and Article XIID of the California Constitution. The Board appoints SCI Consulting Group as the Engineer of Work and directs SCI Consulting Group to perform the professional services necessary to continue the benefit assessments for fiscal year 2025-26.

SECTION 2. SCI Consulting Group, the Engineer of Work, has prepared Engineer's Reports in accordance with Article XIID of the California Constitution and the Act (the "Reports"). The Reports have been made, filed with the Secretary of the Board and duly considered by the Board and is hereby deemed sufficient and preliminarily approved. The Reports shall stand as the Engineer's Reports for all subsequent proceedings under and pursuant to the foregoing resolution.

SECTION 3. It is the intention of this Board to continue to levy and collect assessments within the Assessment Districts for fiscal year 2025-26. Within the Assessment Districts, the existing improvements are generally described as the maintenance and servicing of public areas and public facilities such as property owned or property rights, easements and/or rights of entry, leases or dedications including, but not limited to, park grounds, park facilities, landscaping, natural lands, open space areas, landscape corridors, ground cover, shrubs and trees, street frontages, irrigation systems, playground equipment and hardcourt areas, recreational facilities, drainage systems, lighting, fencing, entry monuments and signage, security guards, land acquisition, land preparation, graffiti removal and repainting, and labor, materials, supplies, utilities and equipment.

SECTION 4. The Assessment Districts consists of the lots and parcels shown on the assessment diagrams of the Assessment Districts on file with the Secretary of the Board, and reference is hereby made to such diagram for further particulars.

SECTION 5. Reference is hereby made to the Report for a full and detailed description of the improvements, the boundaries of the Assessment Districts and the proposed assessments upon assessable lots and parcels of land within the Assessment Districts. The Report identifies all parcels which will have a special benefit conferred upon them and upon which an assessment will be imposed.

SECTION 6. The proposed assessment rate for the Oak Way Landscaping and Lighting Assessment District is \$4.00 per year single family residential unit which is equal to the maximum authorized assessment rate.

SECTION 7. The proposed assessment rate for the Amber Grove/Greenfield Landscaping and Lighting Assessment District is \$5.83 per month or \$70.00 per year per single family residential parcel which is equal to the maximum authorized assessment rate.

SECTION 8. The proposed assessment rate for the Baroni Neighborhood Park and Open Space (No. LLD 001-005) Landscaping and Lighting Assessment District is \$114.89 per year per single-family residential parcel. The maximum authorized assessment rate is adjusted annually by the greater of three percent (3%), or the annual percentage change in the Consumer Price Index (CPI) for the San Francisco-Oakland- San Jose Area from December to December.

SECTION 9. Notice is hereby given that on June 26, 2025, at the hour of 4:00 p.m., the Board will hold a public hearing to consider the levy of the assessments for fiscal year 2025-26. In an effort to improve access to public information, residents may access meetings remotely. Information will be provided with the meeting agenda.

SECTION 10. The Secretary of the Board is hereby authorized and directed to cause a notice of the hearing to be given by publishing a notice once, at least ten (10) days prior to the date of the hearing above specified, in a newspaper circulated in the District.

SECTION 11. To get additional information about the assessments or the Assessment Districts, contact: Chico Area Recreation and Park District, 545 Vallombrosa Avenue, Chico, CA 95926, or call (530) 895-4711.

PASSED AND ADOPTED at a Regular Meeting of the Board of Directors of the Chico Area Recreation and Park District on the 28th day of May 2025 by the following vote:

Ayes:
Noes:
Abstain:
Absent:

ATTEST:

Tom Lando, Chair
Board of Directors

Holli Drobny
Clerk of the Board of Directors

FY 2025-26

ENGINEER'S REPORT

Chico Area Recreation and Park District

Oak Way Park Landscaping and Lighting

Assessment District

May 2025

Preliminary Report

Engineer of Work:



4745 Mangels Boulevard
Fairfield, California 94534
707.430.4300
www.sci-cg.com

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Chico Area Recreation & Park District

Board of Directors

Tom Lando, Chair

Dave Donnan, Vice Chair

Michael McGinnis, Director

Chris Norden, Director

Jason Roye, Director

General Manager

Annabel Grimm

Administrative Director

Holli Drobny

Finance Manager

Phil Aviles

Engineer-of-Work

SCI Consulting Group

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Introduction

Overview

The Chico Area Recreation and Park District (“CARD”) formed the Oak Way Park Landscaping and Lighting Assessment District (the “Assessment District”) in order to comply with the District’s Master Park and Recreation Plan that was developed in September 1988. The Master Plan outlined three major findings:

1. There exist inadequate neighborhood parks to service the park and recreational needs of the community,
2. Additional large neighborhood parks should be developed within the service area of the District, preferably in conjunction with the development of adjacent school sites and in connection with development of new housing subdivisions, and
3. Emphasize the need to develop a long-range financing program to ensure adequate financial resources to support the development and maintenance of the park and recreational improvements recommended by the Master Plan, including financial alternatives such as park fees, state recreation bonds, and assessments levied pursuant to the Landscaping and Lighting Act of 1972.

In 1992, CARD began the planning process for the Oak Way neighborhood park. On February 25, 1993, the Board approved the Engineer’s Report and passed its Resolution of Intent to Form the Oak Way Landscaping and Lighting Assessment District and to Levy and Collect Assessments for Fiscal Year 1993-1994. On April 22, 1993, a public protest hearing was held to hear all written and oral protests of the formation of the proposed assessment district. After a few written protests and no oral protests, the Chico Area Recreation and Park District Board of Directors passed its Resolution Ordering the Formation of the Oak Way Landscaping and Lighting Assessment District and Confirming a Diagram and Assessment for Fiscal Year 1993-94. In 1997, the Park District conducted an assessment balloting proceeding for the Assessment District to comply with Proposition 218 requirements which reduced the rate from \$12.00 to \$4.00.

Introduction

This Engineer's Report ("Report") was prepared to establish the budget for the capital improvement and services expenditures that would be funded by the proposed 2025-26 assessment, determine the benefits received from the lighting and landscaping maintenance and improvements by property within CARD and the method of assessment apportionment to lots and parcels within CARD. This Report and the proposed assessments have been made pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "Act") and Article XIID of the California Constitution (the "Article").

This Report describes the Assessment District, any new annexations, changes to the Assessment District, and the proposed assessments for fiscal year 2025-26. The proposed assessments are based on the estimated cost to operate, maintain and service the improvements that provide a direct and special benefit to properties within the Assessment District.

In each year for which the assessments will be levied, the CARD Board must direct the preparation of an Engineer's Report, budgets and proposed assessments for the upcoming fiscal year. After the Report is completed, the Board may preliminarily approve the Report and proposed assessments and establish the date for a public hearing on the continuation of the assessments. This Report was prepared pursuant to the direction of the Board adopted on April 24, 2025.

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Following consideration of public comments at a public hearing, and review of the Final Annual Engineer's Report, the Board of Directors ("the Board") of CARD, may order amendments to the Report or confirm the Report as submitted.

At this hearing, the Board would consider approval of a resolution confirming the assessments for fiscal year 2025-26. If so confirmed and approved, the assessments would be submitted to the County Auditor/Controller for inclusion on the property tax rolls for Fiscal Year 2025-26.

Legislative Analysis

Proposition 218

Many of these Assessment Districts were formed prior to the passage of Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now Article XIII C and XIII D of the California Constitution. (Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.) Although these assessments are consistent with Proposition 218, the California judiciary has generally referred to pre-Proposition 218 assessments as “grandfathered assessments” and held them to a lower standard than post Proposition 218 assessments.

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- Benefit assessments are for special, not general, benefit
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- Special benefits are directly received by and provide a direct advantage to property in the Assessment District

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On June 8, 2009, the 4th Court of Appeal amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona. On July 22, 2009, the California Supreme Court denied review. On this date, Dahms became good law and binding precedent for assessments. In Dahms the court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the Assessment District. The Court also upheld discounts and exemptions from the assessment for certain properties.

Bonander v. Town of Tiburon

In the December 31, 2009, the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments on the grounds that the assessments had been apportioned to assessed property based on in part on relative costs within sub-areas of the Assessment District instead of proportional special benefits.

Beutz v. County of Riverside

On May 26, 2010, the 4th District Court of Appeals issued a decision on the Steven Beutz v. County of Riverside (“Beutz”) appeal. This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services was not explicitly calculated, quantified and separated from the special benefits.

Golden Hill Neighborhood Association v. City of San Diego

On September 22, 2011, the San Diego Court of Appeal issued a decision on the Golden Hill Neighborhood Association v. City of San Diego appeal. This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in Beutz, the court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

Compliance with Current Law

This Engineer’s Report is consistent with the requirements of Article XIII C and XIII D of the California Constitution and with the SVTA decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in the Assessment District; and the Improvements provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer’s Report is consistent with Beutz, Greater Golden Hill, and Dahms because similar Improvements will directly benefit property in the Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer’s Report is consistent with Bonander because the Assessments have been apportioned based on the overall cost of the Improvements and proportional special benefit to each property.

Plans and Specifications

The improvements to be undertaken by the Oak Way Park Landscaping and Lighting Assessment District (the "Assessment District") and the cost thereof paid from the levy of the annual assessments, provide special benefit to parcels within the Assessment District as defined in the Method of Assessment herein. In addition to the definitions provided by the Landscaping and Lighting Act of 1972, (the "Act") the work and improvements are generally described as follows:

Installation, maintenance and servicing of public recreational facilities and improvements, property owned or property rights, easements and/or rights of entry, leases or dedications including, but not limited to, parks, recreation facilities, open space lands, greenbelts, playground equipment, trails, utility right-of-ways, signage, fencing, picnic areas, restrooms, lighting and other improvements and land preparation (such as grading, leveling, cutting, and filling) sod landscaping, irrigation systems, sidewalks and drainage on (1) real property owned by, or encumbered by property rights held by, or maintained by, the Assessment District; or (2) on real property owned by, or encumbered by property rights held by, or maintained by any local agency or non-profit entity within the jurisdictional area of the Assessment District in any of the installations, maintenance and servicing described herein.

"Installation" means the construction of public improvements, including, but not limited to, land preparation, (such as grading, leveling, cutting and filling), sod, landscaping, irrigation systems, sidewalks and drainage, and lights.

"Maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any Improvement, including (a) repair, removal, or replacement of all or part of any Improvement; (b) providing for the life, growth, health and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; (c) the removal of trimmings, rubbish, debris, and other solid waste; and (d) the cleaning, sandblasting and painting of walls and other Improvements to remove or cover graffiti. (Streets & Highways Code §22531)

"Servicing" means the furnishing of (a) electric current or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other Improvements; and (b) water for irrigation of any landscaping, the operation of any fountains, or the maintenance of any other Improvements. (Streets & Highways Code §22538)

Incidental expenses include all of the following: (a) The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment; (b) the costs of printing, advertising, and the giving of published, posted, and mailed notices; (c) compensation payable to the County for collection of assessments; (d) compensation of any engineer or attorney employed to render services in proceedings pursuant to this part; (e) any other expenses incidental to the construction, installation, or maintenance and servicing of the Improvements; (f) any expenses incidental to the issuance of bonds or notes pursuant to Streets & Highways Code Section 22662.5; and (g) costs associated with any elections held for the approval of a new or increased assessment. (Streets & Highways Code §22526)

The assessment proceeds will be exclusively used for Improvements within the Assessment District plus incidental expenses. Reference is made to the plans and specifications, including specific expenditure and improvement plans by park/recreation site, which are on file with Chico Area Recreation and Park District.

Estimate of Costs And Budget

The annual assessment for the Oak Way Park Landscaping and Lighting Assessment District is shown in the figure below:

Figure 1 - Oak Way Park LLAD Estimate of Costs Fiscal Year 2025-26

Chico Area Recreation and Park District - Oak Way Park Estimate of Costs			
			Preliminary Budget
Maintenance and Servicing Expenditures:			\$147,000
Incidental Expenses ¹			\$4,851
Installation, Maintenance, Servicing and Incidental Costs Total			\$151,851
Contributions from General Fund			(\$127,887)
Net Costs for Maintenance and Servicing			\$23,964
Budget Allocation to Property ²			
	<u>Assessment Units</u>	<u>RATE</u>	<u>BUDGET ³</u>
	5,991	\$4.00	\$23,964

Notes:

1. Incidental cost includes county collection charges and project management.

2. The Act stipulates that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the Assessment District. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the fiscal year, June 30, must be carried over to the next fiscal year.

3. The assessment amounts are rounded down to the even penny for purposes of complying with the collection requirements from the County Auditor-Controller. Therefore, the total assessment amount for all parcels subject to the assessments may vary slightly from the net amount to assessment.

Method of Apportionment

Method of Apportionment

This section of the Engineer's Report explains the benefits to be derived from the Improvements and the methodology used to apportion the total assessment to properties within the Assessment District.

The method used for apportioning the assessment is based upon the relative special benefits to be derived by the properties in the Assessment District over and above general benefits conferred on real property or to the public at large. The assessment is apportioned to lots and parcels in proportion to the relative special benefit from the improvements. The apportionment of special benefit is a two-step process: the first step has been to identify the types of special benefit arising from the improvements and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

This section of the Report includes a discussion of the benefits to be provided by the proposed improvements and the method of apportionment of assessments within the Assessment District.

Discussion of Benefit

In summary, the assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”

Proposition 218, as codified in Article XIII D of the California Constitution, has confirmed that assessments must be based on the special benefit to property and that the value of the special benefits must exceed the cost of the assessment:

“No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel.”

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the Improvements to be provided with the assessment proceeds. These types of special benefit are summarized as follows:

- Proximity to Improved Landscaped Areas and Other Public Improvements within the Assessment District.
- Access to Improved landscaped areas and Other Public Improvements within the Assessment District.
- Improved Views within the Assessment District.
- Extension of a property's outdoor areas and green spaces for properties within close proximity to the Improvements.

In this case, the recent the SVTA v. SCCOSA decision provides enhanced clarity to the definitions of special benefits to properties from similar park improvements in three distinct areas:

- Proximity
- Expanded or improved access
- Views

The SVTA v. SCCOSA decision also clarifies that a special benefit is a service or improvement that provides a direct advantage to a parcel and that indirect or derivative advantages resulting from the overall public benefits from a service or improvement are general benefits. The SVTA v. SCCOSA decision also provides specific guidance that park improvements are a direct advantage and special benefit to property that is proximate to a park that is improved by an assessment:

The characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g. proximity to a park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g. general enhancement of the district's property values).

Proximity, improved access and views, in addition to the other special benefits listed herein further strengthen the basis of these assessments.

Moreover, the Dahms decision further clarified that certain services and improvements funded by assessments, that are over and above what otherwise would be provided and that other property in general and the public do not share or receive are 100% special benefit. The assessment funded services upheld by Dahms included streetscape maintenance and security services.

Benefit Factors

The special benefits from the Improvements are further detailed below:

Proximity to improved landscaped and park areas within the Assessment District

Only the specific properties within close proximity to the Improvements are included in the Assessment District. Each of the Assessment District has been narrowly drawn to only include the properties that receive special benefits from the Improvements. Therefore, property in the Assessment District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the Assessment District do not share.

In absence of the assessments, the Improvements would not be provided and the public improvements funded in the Assessment District would be degraded due to insufficient funding for maintenance, upkeep and repair. Therefore, the assessments provide Improvements that are over and above what otherwise would be provided. Improvements that are over and above what otherwise would be provided do not by themselves translate into special benefits but when combined with the unique proximity and access enjoyed by parcels in the Assessment District, they provide a direct advantage and special benefit to property in the Assessment District.

Access to improved landscaped and park areas within the Assessment District

Since the parcels in the Assessment District are nearly the only parcels that enjoy close access to the Improvements, they directly benefit from the unique close access to improved landscaped and park areas and other public improvements that are provided by the Assessments. This is a direct advantage and special benefit to property in the Assessment District.

Improved views within the Assessment District

CARD, by maintaining permanent public improvements funded by the assessments in each Assessment District, provides improved views to properties in the Assessment District. The properties in the Assessment District enjoy close and unique proximity, access and views of the specific Improvements funded in their Assessment District; therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Assessment District.

Extension of a property's outdoor areas and green spaces for properties within close proximity to the Improvements

In large part because it is cost prohibitive to provide large open land areas on property in the Assessment District, the residential, commercial and other benefiting properties in the Assessment District do not have large outdoor areas and green spaces. The landscaped areas within the Assessment District provide additional outdoor areas that serve as an effective extension of the land area for proximate properties because the Improvements are uniquely proximate and accessible to property in close proximity to the Improvements. The Improvements, therefore, provide an important, valuable and desirable extension of usable land area for the direct advantage and special benefit of properties in the Assessment District because such properties have uniquely good and close proximity to the Improvements.

General versus Special Benefit

In absence of the assessments, the Improvements in each Assessment District would not be provided, so the Improvements are “over and above” what otherwise would be provided. Many of the parcels would not even exist if the assessments were not established because an assessment for the specific Improvements within the Assessment District was a condition of development approval.

All of the Assessment proceeds derived from each Assessment District will be utilized to fund the cost of providing a level of tangible “special benefits” in the form of proximate landscaping, lighting, and other permanent public improvements. The Assessments are also structured to provide specific Improvements within each Assessment District, further ensuring that the Improvements funded by the Assessments are of specific and special benefit to property within each Assessment District.

Although these Improvements may be available to the general public at large, the public landscaping and other public improvements in each Assessment District were specifically designed, located and created to provide additional and improved public resources for the direct advantage of property inside the Assessment District, and not the public at large. Other properties that are either outside an Assessment District or within an Assessment District and not assessed, do not enjoy the unique proximity, access, views and other special benefit factors described previously. Moreover, many of the homes and other improvements on parcels in the Assessment District would not have been built if the Assessments were not established because an assessment for public landscaping and lighting was a condition of development approval.

It is also important to note that the improvements and services funded by the assessments in Pomona (“Dahms”) are similar to the improvements and services funded by the Assessments described in this Engineer’s Report and the Court found these improvements and services to be 100% special benefit. Also similar to the assessments in Pomona, the Assessments described in this Engineer’s Report fund improvements and services directly provided within the Assessment District and every benefiting property in the Assessment District enjoys proximity and access to the Improvements. Therefore, Dahms establishes a basis for minimal or zero general benefits from the Improvements, particularly setback landscaping improvements.

Benefit Finding

In summary, real property located within the boundaries of the Assessment District distinctly and directly benefits from closer proximity, access and views of Improvements funded by the Assessments, the creation of developable parcels and from the extension of usable land area provided by the assessments. The Improvements are specifically designed to serve local properties in each Assessment District, not other properties or the public at large. The Assessment District have been narrowly drawn to include those parcels that receive a direct advantage from the Improvements. The public at large and other properties outside the Assessment District receive only limited benefits from the Improvements because they do not have proximity, good access or views of the Improvements. These are special benefits to property in the Improvement District in much the same way that sewer and water facilities, sidewalks and paved streets enhance the utility and desirability of property and make them more functional to use, safer and easier to access.

Method of Assessment

The step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a single-family home.

Oak Way Park Land Use Classification

The Land Use Classes for the Oak Park Landscaping and Lighting Assessment District is defined in the original Engineer’s Report:

Class A: Includes all single family residential lots, single family agricultural residential parcels and condominium residential parcels.

Class B: Includes all multi-residential and apartment residential parcels.

Class C: Includes all mobile home residential parcels.

Class D: Includes all retail, commercial and non-residential land use parcels.

Class E: Includes all industrial and mini-storage parcels.

Class F: Includes all parcels classified as exempt from assessment by the County Assessor. Vacant properties, small irregular shaped parcels and property owned by any government entity or utility fall into this class.

Assessment Factors

The Assessment District calculate the Assessment per parcel based on Land Use Classes and the Assessment Factor Index. The Assessment Factor Index and Assessment per Parcel are defined in the original Oak Way Park Landscaping and Lighting Assessment District Engineer’s Reports:

Assessment Factor Index:

The Assessment Matrix also shows the Assessment Factor Index for each land use category. Since a single family residential parcel is the “benchmark property”, the relative scores of all other land use classes were related to the benchmark by indexing. A single family residential parcel was assigned a relative Assessment Factor Index of 1.00. The Assessment Factor Index for other land use classes were determined by dividing the point total for each particular land use class by the point total for the single family/ condominium residential class.

Assessment Per Parcel:

The total number of dwelling units for each land use class was multiplied by its respective Assessment Factor Index to determine the number of Assessment Units for each land class. The sum of the Assessment Units for all land use classes was then divided into the annual assessment amount to determine a Base Unit per unit.

The final assessment per parcel is determined by multiplying the Base Assessment by the Assessment Factor Index and the number of units for that particular parcel.

Figure 2 - The Benefit Assessment Matrix

<u>Use of Property</u>	<u>Assessment Factor Index</u>	<u>Rate</u>
Single and Multi-Family Residential, Apartment Unit, or Condominium	1.00	\$4.00
Mobile Homes on a Separate Parcel	0.90	\$3.60
Commercial/Industrial	0.00	\$0.00

Appeals of Assessments Levied to Property

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the District Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current fiscal year. Upon the filing of any such appeal, the District Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the General Manager or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the Assessment Roll. If any such changes are approved after the Assessment Roll has been filed with the County for collection, the District Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the District Engineer or his or her designee shall be referred to the Board of Directors of the Chico Area Recreation and Park District, and the decision of the Board shall be final.

Assessments

WHEREAS, said the Board directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the Assessment District, to which Resolution and the description of the Improvements therein contained, reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the Board of the Chico Area Recreation and Park District hereby make the following assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the Assessment District.

The amount to be paid for the improvements and the expense incidental thereto, to be paid by the District for the fiscal year 2025-26 is generally as follows:

Figure 3 - Summary Estimate of Costs Fiscal Year 2025-26

SUMMARY COST ESTIMATE

Installation, Maintenance, Servicing and Incidental Costs Total	\$151,851
Contributions from General Fund	<u>(\$127,887)</u>
Total Oak Way Park LLAD Budget	\$23,964

As required by the Act, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Landscaping and Lighting Assessment District. The distinctive number of each parcel or lot of land in the said Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion said net amount of the cost and expenses of said Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within said Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

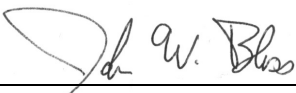
The maximum authorized assessment rate of \$4.00 per single-family residential unit for fiscal year 2025-26 is based on the estimate of cost and budget in this Engineer's Report.

The assessment is made upon the parcels or lots of land within the Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from said Improvements.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Butte for the fiscal year 2025-26. For a more particular description of the property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County. I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2025-26 for each parcel or lot of land within the Assessment District.

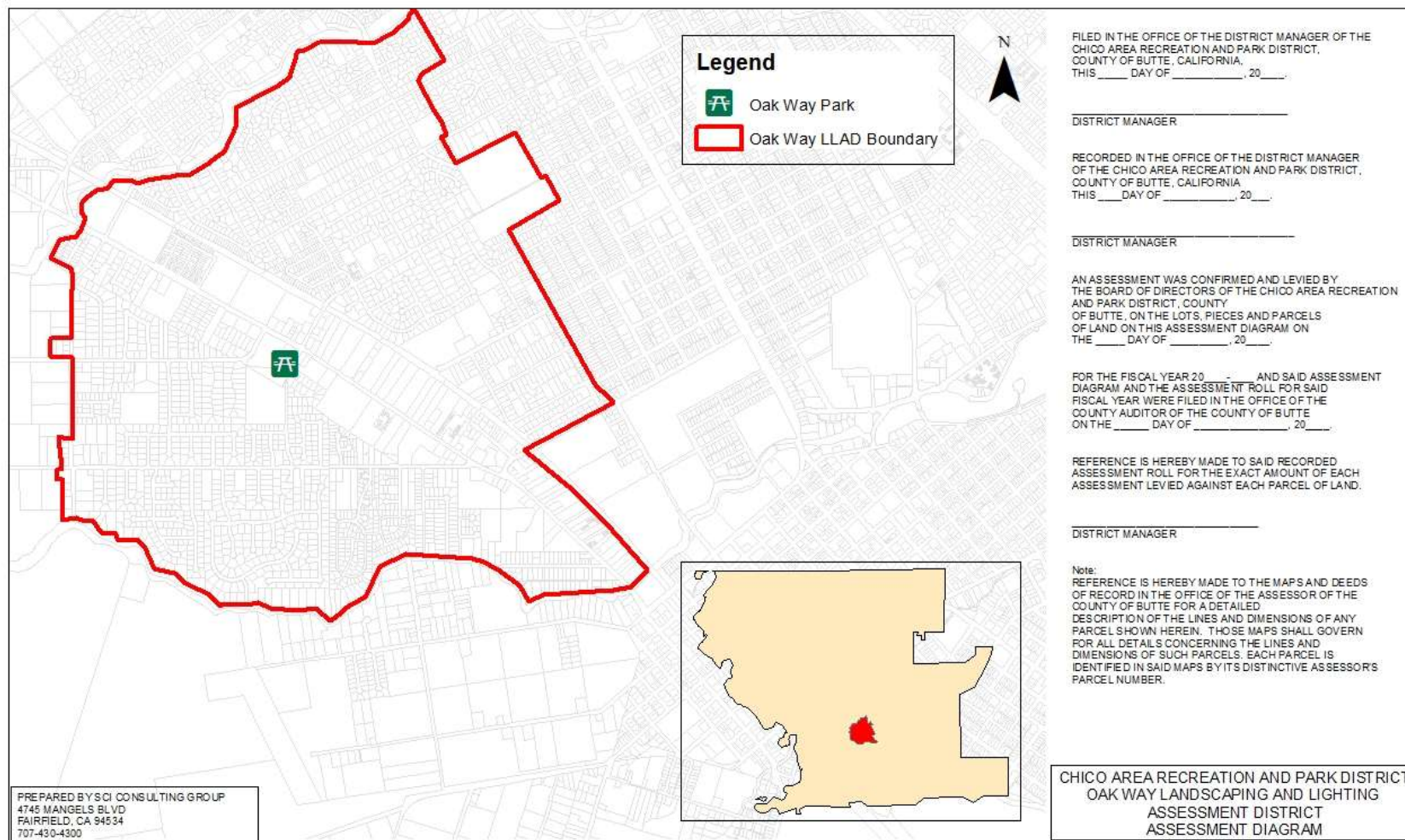
Dated: May 15, 2025

Engineer-of-Work

By  _____
John W. Bliss, License No. C52091

Assessment Diagrams

The boundaries of the Assessment District are displayed on the following Assessment Diagrams. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions as shown on the maps of the Assessor of the County of Butte, for fiscal year 2025-26, and are incorporated herein by reference, and made a part of this Diagram and this Report.



Assessment Roll

An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the assessment) will be filed with the Secretary to the Board of Directors and is, by reference, made part of this report and is available for public inspection during normal office hours.

Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor's records and these records are, by reference, made part of this Report. These records shall govern for all details concerning the description of the lots or parcels.

Non-assessable lots or parcels include government owned land and public utility owned property.

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FY 2025-26

ENGINEER'S REPORT

Chico Area Recreation and Park District

Amber Grove / Greenfield Landscaping and Lighting
Assessment District

May 2025

Preliminary Report

Engineer of Work:



4745 Mangels Boulevard
Fairfield, California 94534
707.430.4300
www.sci-cg.com

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Chico Area Recreation & Park District

Board of Directors

Tom Lando, Chair

Dave Donnan, Vice Chair

Michael McGinnis, Director

Chris Norden, Director

Jason Roye, Director

General Manager

Annabel Grimm

Administrative Director

Holli Drobny

Finance Manager

Phil Aviles

Engineer-of-Work

SCI Consulting Group

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Introduction

Overview

The Chico Area Recreation and Park District (“CARD”) formed the Amber Grove/Greenfield Park Landscaping and Lighting Assessment District (the “Assessment District”) in order to comply with the District’s Master Park and Recreation Plan that was developed in September 1988. The Master Plan outlined three major findings:

1. There exist inadequate neighborhood parks to service the park and recreational needs of the community,
2. Additional large neighborhood parks should be developed within the service area of the District, preferably in conjunction with the development of adjacent school sites and in connection with development of new housing subdivisions, and
3. Emphasize the need to develop a long-range financing program to ensure adequate financial resources to support the development and maintenance of the park and recreational improvements recommended by the Master Plan, including financial alternatives such as park fees, state recreation bonds, and assessments levied pursuant to the Landscaping and Lighting Act of 1972.

In 1992, Webb Homes contacted CARD to develop a neighborhood park on approximately five acres of land. Webb Homes offered to construct the park in exchange for CARD assuming responsibility for continued maintenance of the Amber Grove/Greenfield Park once the park was completed. CARD agreed provided that the costs incurred by the District for continuing maintenance and servicing of the park would be paid by levying assessments on property owners with the Amber Grove/Greenfield subdivision areas. On November 11, 1993, the Board approved the Engineer’s Report and passed its Resolution of Intent to Form the Amber Grove/Greenfield Landscaping and Lighting Assessment District and to Levy and Collect Assessments for Fiscal Year 1994-1995. On January 13, 1994, a public protest hearing was held to hear all written and oral protests of the formation of the proposed assessment district. After no written or oral protests, the CARD Board of Directors passed its Resolution Ordering the Formation of the Amber Grove/Greenfield Landscaping and Lighting Assessment District and Confirming a Diagram and Assessment for Fiscal Year 1994-1995.

Introduction

This Engineer's Report ("Report") was prepared to establish the budget for the capital improvement and services expenditures that would be funded by the proposed 2025-26 assessment, determine the benefits received from the lighting and landscaping maintenance and improvements by property within CARD and the method of assessment apportionment to lots and parcels within CARD. This Report and the proposed assessments have been made pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (the "Act") and Article XIID of the California Constitution (the "Article").

This Report describes the Assessment District, any new annexations, changes to the Assessment District, and the proposed assessments for fiscal year 2025-26. The proposed assessments are based on the estimated cost to operate, maintain and service the improvements that provide a direct and special benefit to properties within the Assessment District.

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Compliance with Current Law

This Engineer’s Report is consistent with the requirements of Article XIIC and XIID of the California Constitution and with the SVTA decision because the Improvements to be funded are clearly defined; the Improvements are directly available to and will directly benefit property in the Assessment District; and the Improvements provide a direct advantage to property in the Assessment District that would not be received in absence of the Assessments.

This Engineer’s Report is consistent with Buetz, Greater Golden Hill, and Dahms because similar Improvements will directly benefit property in the Assessment District and the general benefits have been explicitly calculated and quantified and excluded from the Assessments. The Engineer’s Report is consistent with Bonander because the Assessments have been apportioned based on the overall cost of the Improvements and proportional special benefit to each property.

Plans and Specifications

The improvements to be undertaken by the Amber Grove/Greenfield Landscaping and Lighting Assessment District (the "Assessment District") and the cost thereof paid from the levy of the annual assessments, provide special benefit to parcels within the Assessment District as defined in the Method of Assessment herein. In addition to the definitions provided by the Landscaping and Lighting Act of 1972, (the "Act") the work and improvements are generally described as follows:

Installation, maintenance and servicing of public recreational facilities and improvements, property owned or property rights, easements and/or rights of entry, leases or dedications including, but not limited to, parks, recreation facilities, open space lands, greenbelts, playground equipment, trails, utility right-of-ways, signage, fencing, picnic areas, restrooms, lighting and other improvements and land preparation (such as grading, leveling, cutting, and filling) sod landscaping, irrigation systems, sidewalks and drainage on (1) real property owned by, or encumbered by property rights held by, or maintained by, the Assessment District; or (2) on real property owned by, or encumbered by property rights held by, or maintained by any local agency or non-profit entity within the jurisdictional area of the Assessment District in any of the installations, maintenance and servicing described herein.

"Installation" means the construction of public improvements, including, but not limited to, land preparation, (such as grading, leveling, cutting and filling), sod, landscaping, irrigation systems, sidewalks and drainage, and lights.

"Maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any Improvement, including (a) repair, removal, or replacement of all or part of any Improvement; (b) providing for the life, growth, health and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; (c) the removal of trimmings, rubbish, debris, and other solid waste; and (d) the cleaning, sandblasting and painting of walls and other Improvements to remove or cover graffiti. (Streets & Highways Code §22531)

"Servicing" means the furnishing of (a) electric current or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other Improvements; and (b) water for irrigation of any landscaping, the operation of any fountains, or the maintenance of any other Improvements. (Streets & Highways Code §22538)

Incidental expenses include all of the following: (a) The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment; (b) the costs of printing, advertising, and the giving of published, posted, and mailed notices; (c) compensation payable to the County for collection of assessments; (d) compensation of any engineer or attorney employed to render services in proceedings pursuant to this part; (e) any other expenses incidental to the construction, installation, or maintenance and servicing of the Improvements; (f) any expenses incidental to the issuance of bonds or notes pursuant to Streets & Highways Code Section 22662.5; and (g) costs associated with any elections held for the approval of a new or increased assessment. (Streets & Highways Code §22526)

The assessment proceeds will be exclusively used for Improvements within the Assessment District plus incidental expenses. Reference is made to the plans and specifications, including specific expenditure and improvement plans by park/recreation site, which are on file with CARD.

Estimate of Costs And Budget- Fiscal Year 2025-26

The annual assessment for the Amber Grove/Greenfield Landscaping and Lighting Assessment District is shown in the figure below:

Figure 1 - Amber Grove/Greenfield Park Estimate of Costs Fiscal Year 2025-26

Estimate of Costs		
	Preliminary Budget	
Maintenance and Servicing Expenditures:		
Salary and Benefits	\$95,000	
Total Maintenance and Servicing	\$95,000	
Service and Supply		
Agriculture	\$3,150	
Maintenance Structure & Grounds	\$5,000	
District Vandalism	\$0	
Utilities	\$19,500	
Contract Services ¹	\$4,182	
Total Service and Supply	\$31,832	
Installation, Maintenance, Servicing and Incidental Costs Total	\$126,832	
Contributions from General Fund	(\$84,342)	
Net Costs for Maintenance and Servicing	\$42,490	
Budget Allocation to Property²		
	<u>Assessment Units</u>	<u>RATE</u>
	607	\$70.00
		<u>BUDGET³</u>
		\$42,490

Notes:

1. Incidental cost includes county collection charges and project management.
2. The Act stipulates that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the Assessment District. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the fiscal year, June 30, must be carried over to the next fiscal year.
3. The assessment amounts are rounded down to the even penny for purposes of complying with the collection requirements from the County Auditor-Controller. Therefore, the total assessment amount for all parcels subject to the assessments may vary slightly from the net amount to assessment.

Method of Apportionment

Method of Apportionment

This section of the Engineer's Report explains the benefits to be derived from the Improvements and the methodology used to apportion the total assessment to properties within the Assessment District.

The method used for apportioning the assessment is based upon the relative special benefits to be derived by the properties in the Assessment District over and above general benefits conferred on real property or to the public at large. The assessment is apportioned to lots and parcels in proportion to the relative special benefit from the improvements. The apportionment of special benefit is a two-step process: the first step has been to identify the types of special benefit arising from the improvements and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

This section of the Report includes a discussion of the benefits to be provided by the proposed improvements and the method of apportionment of assessments within the Assessment District.

Discussion of Benefit

In summary, the assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Proposition 218, as codified in Article XIID of the California Constitution, has confirmed that assessments must be based on the special benefit to property and that the value of the special benefits must exceed the cost of the assessment:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the Improvements to be provided with the assessment proceeds. These types of special benefit are summarized as follows:

- Proximity to Improved Landscaped Areas and Other Public Improvements within the Assessment District.
- Access to Improved landscaped areas and Other Public Improvements within the Assessment District.
- Improved Views within the Assessment District.
- Extension of a property's outdoor areas and green spaces for properties within close proximity to the Improvements.

In this case, the recent the SVTA v. SCCOSA decision provides enhanced clarity to the definitions of special benefits to properties from similar park improvements in three distinct areas:

- Proximity
- Expanded or improved access
- Views

The SVTA v. SCCOSA decision also clarifies that a special benefit is a service or improvement that provides a direct advantage to a parcel and that indirect or derivative advantages resulting from the overall public benefits from a service or improvement are general benefits. The SVTA v. SCCOSA decision also provides specific guidance that park improvements are a direct advantage and special benefit to property that is proximate to a park that is improved by an assessment:

The characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g. proximity to a park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g. general enhancement of the district's property values).

Proximity, improved access and views, in addition to the other special benefits listed herein further strengthen the basis of these assessments.

Moreover, the Dahms decision further clarified that certain services and improvements funded by assessments, that are over and above what otherwise would be provided and that other property in general and the public do not share or receive are 100% special benefit. The assessment funded services upheld by Dahms included streetscape maintenance and security services.

Benefit Factors

The special benefits from the Improvements are further detailed below:

Proximity to improved landscaped and park areas within the Assessment District

Only the specific properties within close proximity to the Improvements are included in the Assessment District. Each of the Assessment District has been narrowly drawn to only include the properties that receive special benefits from the Improvements. Therefore, property in the Assessment District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the Assessment District do not share.

In absence of the assessments, the Improvements would not be provided and the public improvements funded in the Assessment District would be degraded due to insufficient funding for maintenance, upkeep and repair. Therefore, the assessments provide Improvements that are over and above what otherwise would be provided. Improvements that are over and above what otherwise would be provided do not by themselves translate into special benefits but when combined with the unique proximity and access enjoyed by parcels in the Assessment District, they provide a direct advantage and special benefit to property in the Assessment District.

Access to improved landscaped and park areas within the Assessment District

Since the parcels in the Assessment District are nearly the only parcels that enjoy close access to the Improvements, they directly benefit from the unique close access to improved landscaped and park areas and other public improvements that are provided by the Assessments. This is a direct advantage and special benefit to property in the Assessment District.

Improved views within the Assessment District

CARD, by maintaining permanent public improvements funded by the assessments in each Assessment District, provides improved views to properties in the Assessment District. The properties in the Assessment District enjoy close and unique proximity, access and views of the specific Improvements funded in their Assessment District; therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Assessment District.

Extension of a property's outdoor areas and green spaces for properties within close proximity to the Improvements

In large part because it is cost prohibitive to provide large open land areas on property in the Assessment District, the residential, commercial and other benefiting properties in the Assessment District do not have large outdoor areas and green spaces. The landscaped areas within the Assessment District provide additional outdoor areas that serve as an effective extension of the land area for proximate properties because the Improvements are uniquely proximate and accessible to property in close proximity to the Improvements. The Improvements, therefore, provide an important, valuable and desirable extension of usable land area for the direct advantage and special benefit of properties in the Assessment District because such properties have uniquely good and close proximity to the Improvements.

General versus Special Benefit

In absence of the assessments, the Improvements in each Assessment District would not be provided, so the Improvements are “over and above” what otherwise would be provided. Many of the parcels would not even exist if the assessments were not established because an assessment for the specific Improvements within the Assessment District was a condition of development approval.

All of the Assessment proceeds derived from each Assessment District will be utilized to fund the cost of providing a level of tangible “special benefits” in the form of proximate landscaping, lighting, and other permanent public improvements. The Assessments are also structured to provide specific Improvements within each Assessment District, further ensuring that the Improvements funded by the Assessments are of specific and special benefit to property within each Assessment District.

Although these Improvements may be available to the general public at large, the public landscaping and other public improvements in each Assessment District were specifically designed, located and created to provide additional and improved public resources for the direct advantage of property inside the Assessment District, and not the public at large. Other properties that are either outside an Assessment District or within an Assessment District and not assessed, do not enjoy the unique proximity, access, views and other special benefit factors described previously. Moreover, many of the homes and other improvements on parcels in the Assessment District would not have been built if the Assessments were not established because an assessment for public landscaping and lighting was a condition of development approval.

It is also important to note that the improvements and services funded by the assessments in Pomona (“Dahms”) are similar to the improvements and services funded by the Assessments described in this Engineer’s Report and the Court found these improvements and services to be 100% special benefit. Also similar to the assessments in Pomona, the Assessments described in this Engineer’s Report fund improvements and services directly provided within the Assessment District and every benefiting property in the Assessment District enjoys proximity and access to the Improvements. Therefore, Dahms establishes a basis for minimal or zero general benefits from the Improvements, particularly setback landscaping improvements.

Benefit Finding

In summary, real property located within the boundaries of the Assessment District distinctly and directly benefits from closer proximity, access and views of Improvements funded by the Assessments, the creation of developable parcels and from the extension of usable land area provided by the assessments. The Improvements are specifically designed to serve local properties in each Assessment District, not other properties or the public at large. The Assessment District have been narrowly drawn to include those parcels that receive a direct advantage from the Improvements. The public at large and other properties outside the Assessment District receive only limited benefits from the Improvements because they do not have proximity, good access or views of the Improvements. These are special benefits to property in the Improvement District in much the same way that sewer and water facilities, sidewalks and paved streets enhance the utility and desirability of property and make them more functional to use, safer and easier to access.

Method of Assessment

The step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a single-family home.

Amber Gove/Greenfield Land Use Classification

On the following page, the Land Use Classes for the Amber Grove/Greenfield Landscaping and Lighting Assessment District are defined in the original Engineer’s Report:

1. Class A: Includes all single-family residential lots, single family ag-residential parcels, condominium residential parcels and all multi-residential and apartment residential parcels.
2. Class B: Includes all retail, commercial and non-residential land use parcels.

3. Class C: Includes all parcels classified as exempt from assessment by the County Assessor. Vacant properties, small irregular shaped parcels and property owned by any government entity or utility fall into this class.

Assessment Factors

The Assessment District calculates the Assessment per parcel based on Land Use Classes and the Assessment Factor Index. The Assessment Factor Index and Assessment per Parcel are defined in the previous Amber Grove/Greenfield Landscaping and Lighting Assessment District Engineer's Reports:

Assessment Factor Index:

The Assessment Matrix also shows the Assessment Factor Index for each land use category. Since a single-family residential parcel is the "benchmark property", the relative scores of all other land use classes were related to the benchmark by indexing. A single-family residential parcel was assigned a relative Assessment Factor Index of 1.00. The Assessment Factor Index for other land use classes were determined by dividing the point total for each particular land use class by the point total for the single family/ condominium residential class.

Assessment Per Parcel:

The total number of dwelling units for each land use class was multiplied by its respective Assessment Factor Index to determine the number of Assessment Units for each land class. The sum of the Assessment Units for all land use classes was then divided into the annual assessment amount to determine a Base Unit per unit.

The final assessment per parcel is determined by multiplying the Base Assessment by the Assessment Factor Index and the number of units for that particular parcel.

Appeals of Assessments Levied to Property

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment may file a written appeal with the District Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current fiscal year. Upon the filing of any such appeal, the District Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the General Manager or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the Assessment Roll. If any such changes are approved after the Assessment Roll has been filed with the County for collection, the District Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the District Engineer or his or her designee shall be referred to the Board of Directors of the Chico Area Recreation and Park District, and the decision of the Board shall be final.

Assessments

WHEREAS, said the Board directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the Assessment District, to which Resolution and the description of the Improvements therein contained, reference is hereby made for further particulars.

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the Board of the Chico Area Recreation and Park District hereby make the following assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the Assessment District.

The amount to be paid for the improvements and the expense incidental thereto, to be paid by the District for the fiscal year 2025-26 is generally as follows:

Figure 2- Summary Estimate of Costs Fiscal Year 2025-26

SUMMARY COST ESTIMATE

Installation, Maintenance, Servicing and Incidental Costs Total	\$126,832
Contributions from General Fund	(\$84,342)
Total Amber Grove/Greenfield LLAD Budget	\$42,490

As required by the Act, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Landscaping and Lighting Assessment District. The distinctive number of each parcel or lot of land in the said Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion said net amount of the cost and expenses of said Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within said Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.


The maximum authorized assessment rate of \$70.00 per single-family residential unit for fiscal year 2025-26 is based on the estimate of cost and budget in this Engineer's Report.

The assessment is made upon the parcels or lots of land within the Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from said Improvements.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Butte for the fiscal year 2025-26. For a more particular description of the property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County. I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2025-26 for each parcel or lot of land within the Assessment District.

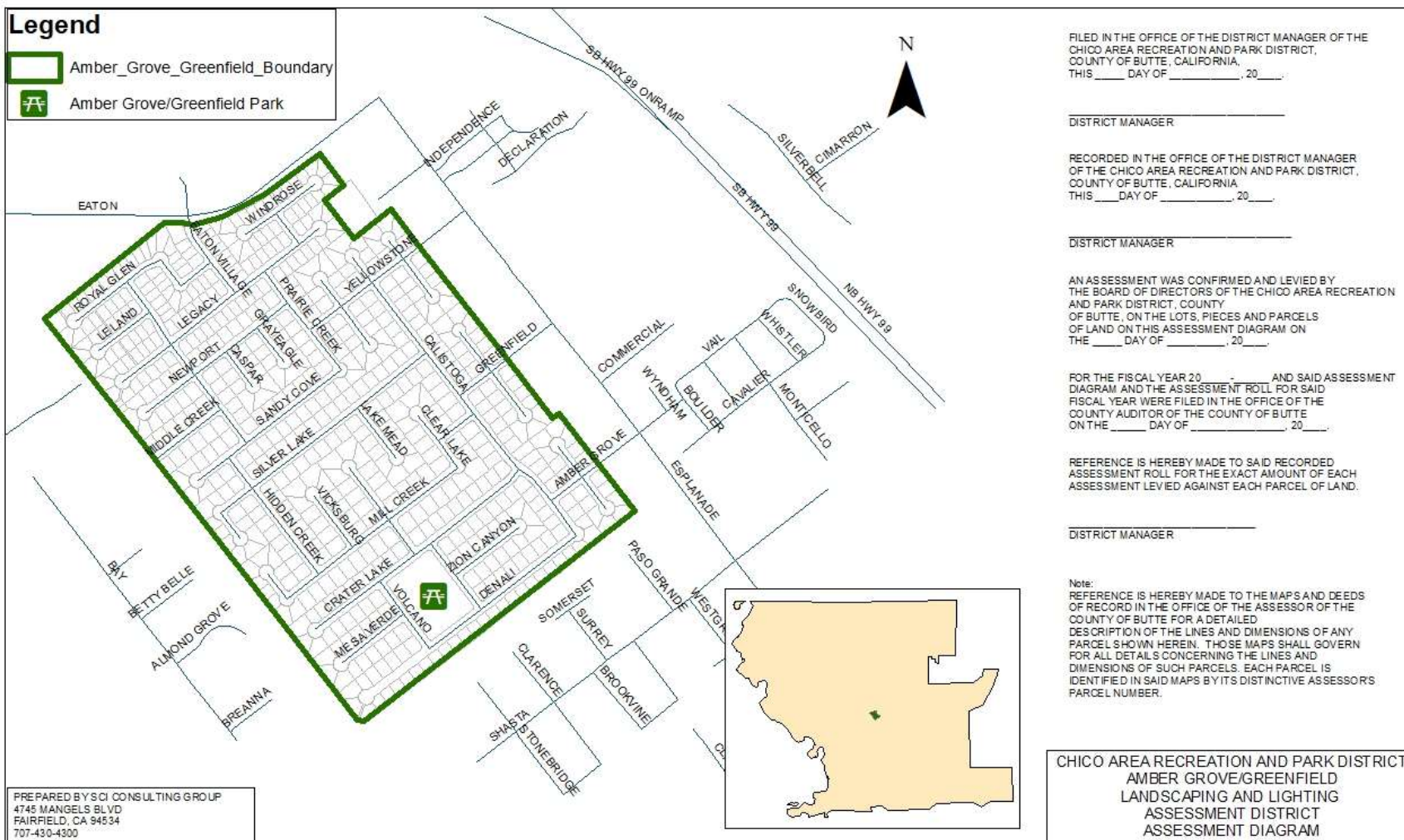
Dated: May 15, 2025

Engineer-of-Work

By  _____
John W. Bliss, License No. C52091

Assessment Diagrams

The boundaries of the Assessment District are displayed on the following Assessment Diagrams. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions as shown on the maps of the Assessor of the County of Butte, for fiscal year 2025-26, and are incorporated herein by reference, and made a part of this Diagram and this Report.



Assessment Roll

An Assessment Roll (a listing of all parcels assessed within the Assessment District and the amount of the assessment) will be filed with the Secretary to the Board of Directors and is, by reference, made part of this report and is available for public inspection during normal office hours.

Each lot or parcel listed on the Assessment Roll is shown and illustrated on the latest County Assessor's records and these records are, by reference made part of this Report. These records shall govern for all details concerning the description of the lots or parcels.

Non-assessable lots or parcels include government owned land and public utility owned property.

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FY 2025-26

ENGINEER'S REPORT

Chico Area Recreation and Park District

Baroni Neighborhood Park and Open Space

Landscaping and Lighting District (No. LLD 001-05)

May 2025

Preliminary Report

Engineer of Work:

SCIConsultingGroup

Public Finance Consulting Services

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Chico Area Recreation & Park District

Board of Directors

Tom Lando, Chair

Dave Donnan, Vice Chair

Michael McGinnis, Director

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General Manager

Annabel Grimm

Administrative Director

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Introduction

Overview

The Chico Area Recreation and Park District ("CARD") was formed in 1948 and covers approximately 255 square miles within Butte County. The District provides parks, park maintenance, and recreational programs and facilities to the residents of the City of Chico, the unincorporated community of Nord and other rural areas of unincorporated Butte County.

Baroni Park is a multi-use neighborhood park and open space that occupies 7.285 acres. It was completed in 2007 and is located in Southeast Chico along Baroni Drive. On April 18, 2006, the City Council of the City of Chico ("City") passed its Resolution of Intent to Form the Baroni Neighborhood Park and Open Space Landscaping and Lighting Assessment District No LLD 001-05 ("Assessment District") pursuant to the provisions of the City's Maintenance District Ordinance of 1997, being Chapter 3.81 of Title 3 of the Chico Municipal Code.

Effective July 1, 2010, the City transferred ownership and maintenance and operational responsibility of Baroni Park to CARD. CARD was also tasked to maintain the assessments from the Assessment District which is to provide funding for the operation and maintenance of the park.

Assessment Formation

On June 20, 2006, the City Council of the City of Chico ordered by Resolution No. 70-06, the formation of, and levied the first assessment within, the Baroni Neighborhood Park and Open Space Landscaping and Lighting Assessment District No LLD 001-05 pursuant to the provisions of the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof).

Assessment Continuation

In each subsequent year for which the assessments will be continued, the Board must direct the preparation of an Engineer's Report ("Report"), budgets and continued assessments for the upcoming fiscal year. After the Engineer's Report is completed, the Board may preliminarily approve the Engineer's Report and proposed assessments, and establish the date for a public hearing on the continuation of the assessments. This Engineer's Report was prepared pursuant to the direction of the Board on April 24, 2025.

This Report was prepared to establish the budget for the continued services that would be funded by the proposed 2025-26 continued assessments and to define the benefits received from the improvements by property within the District and the method of assessment apportionment to lots and parcels. This Report and the continued assessments have been made pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code and Article XIID of the California Constitution (the "Article").

Once the Board preliminarily approves this Engineer's Report and the continuation of the assessments by resolution, a notice of the proposed assessment levies must be published in a local paper at least 10 days prior to the date of the public hearing. The resolution preliminarily approving the Engineer's Report and establishing the date for a public hearing will be used for this notice.

Following the minimum 10-day time period after publishing the notice, a public hearing is held for the purpose of allowing public testimony about the proposed continuation of the assessments. This hearing is currently scheduled for June 26, 2025. At this hearing, the Board will consider approval of a resolution confirming the continuation of the assessments for fiscal year 2025-26. If so confirmed and approved, the assessments will be submitted to the County Auditor/Controller for inclusion on the property tax rolls for Fiscal Year 2025-26.

Legislative Analysis

Proposition 218

This assessment is formed consistent with Proposition 218, The Right to Vote on Taxes Act, which was approved by the voters of California on November 6, 1996, and is now codified as Articles XIIC and XIID of the California Constitution. Proposition 218 provides for benefit assessments to be levied to fund the cost of providing services, improvements, as well as maintenance and operation expenses to a public improvement which benefits the assessed property.

Proposition 218 describes a number of important requirements, including property-owner balloting, for the imposition, increase and extension of assessments, and these requirements are satisfied by the process used to establish this assessment.

Silicon Valley Taxpayers Assoc., Inc. v Santa Clara County Open Space Authority

In July of 2008, the California Supreme Court issued its ruling on the Silicon Valley Taxpayers Association, Inc. v. Santa Clara County Open Space Authority ("SVTA"). This ruling is the most significant legal document in further legally clarifying Proposition 218. Several of the most important elements of the ruling included further emphasis that:

- Benefit assessments are for special, not general, benefit

- The services and/or improvements funded by assessments must be clearly defined
- Special benefits are directly received by and provide a direct advantage to property in the Improvement District
- The assessment paid by property should be proportional to the special benefits it receives from the Improvements

Dahms v. Downtown Pomona Property

On June 8, 2009, the 4th Court of Appeals amended its original opinion upholding a benefit assessment for property in the downtown area of the City of Pomona in *Dahms v. Downtown Pomona Property* (“*Dahms*”). On July 22, 2009, the California Supreme Court denied review. In *Dahms* the Court upheld an assessment that was 100% special benefit (i.e. 0% general benefit) on the rationale that the services and improvements funded by the assessments were directly provided to property in the assessment district. The Court also upheld discounts and exemptions from the assessment for certain properties.

Bonander v. Town of Tiburon

On December 31, 2009, in *Bonander v. Town of Tiburon* (“*Bonander*”), the 1st District Court of Appeal overturned a benefit assessment approved by property owners to pay for placing overhead utility lines underground in an area of the Town of Tiburon. The Court invalidated the assessments primarily on the grounds that the assessments had been apportioned to assessed property based on the costs within sub-areas of the assessment district instead of the overall cost of the improvements and the overall proportional special benefits.

Beutz v. County of Riverside

On May 26, 2010 the 4th District Court of Appeals issued a decision in *Steven Beutz v. County of Riverside* (“*Beutz*”). This decision overturned an assessment for park maintenance in Wildomar, California, primarily because the general benefits associated with improvements and services were not explicitly calculated, quantified and separated from the special benefits.

Golden Hill Neighborhood Association v. City of San Diego

On September 22, 2011, the San Diego Court of Appeal issued a decision on the *Golden Hill Neighborhood Association v. City of San Diego* appeal (commonly known as “*Greater Golden Hill*”). This decision overturned an assessment for street and landscaping maintenance in the Greater Golden Hill neighborhood of San Diego, California. The court described two primary reasons for its decision. First, like in *Beutz*, the court found the general benefits associated with services were not explicitly calculated, quantified and separated from the special benefits. Second, the court found that the City had failed to record the basis for the assessment on its own parcels.

Compliance with Current Law

This Engineer's Report is consistent with the *SVTA* decision and with the requirements of Article XIIC and XIID of the California Constitution because the Improvements to be funded are clearly defined; the benefiting property in the Improvement District enjoys close and unique proximity, access and views to the Improvements; the Improvements serve as an extension of usable land area for benefiting properties in the Improvement District and such special benefits provide a direct advantage to property in the Improvement District that is not enjoyed by the public at large or other property.

This Engineer's Report is consistent with *Beutz, Dahms* and *Greater Golden Hill* because, the improvements will directly benefit property in the Improvement District and the general benefits have been excluded from the Assessments, and the special and general benefits have been separated and quantified. The Engineer's Report is consistent with *Bonander* because the Assessments have been apportioned based on the overall cost of the Improvements and proportional special benefit to each property.

Plans and Specifications

The proposed improvements associated with the Basic Park Design provides for the development of the western portion of the 7.285 acre park (west of the drainage swale) to be developed as a more traditional active park site; and the remaining portion (east of the drainage swale) to be more representative of a passive park (natural or native) site. This Basic Park Design incorporates, but is not limited to the following improvements:

- Approximately 201,977 square feet of irrigated park area (active park area located west of the drainage swale) that includes approximately 90,400 square feet of turf area, 14,377 square feet of trees, shrubs, and groundcover (plant areas), and 97,200 square feet of swale area;
- Approximately 120,000 square feet of non-irrigated area (passive park area east of the drainage swale) that includes trees and natural vegetation; and a decomposed granite trail that connects the park's concrete paths to the open space trails; and
- Public lighting facilities including all safety lighting and ornamental lighting installed as part of the approved Master Plan for the Baroni Neighborhood Park;
- Miscellaneous park facilities including but not limited to: park signage, fencing; playground equipment; concrete pathway surrounding the turf area; a picnic area including tables and barbeque facilities; and bench/seating at various locations.
- All appurtenant facilities, equipment, materials and utilities related to the aforementioned improvements.

In addition to the definitions provided by the Landscaping and Lighting Act of 1972, (the "Act") the work and improvements (the "Improvements") are generally described as follows:

Installation, maintenance and servicing of public facilities and improvements, including, but not limited to, turf and play areas, landscaping, ground cover, shrubs and trees, irrigation systems, drainage systems, lighting, street lighting, public lighting facilities, fencing, picnic areas, entry signs and associated appurtenances and labor, materials, supplies, utilities and equipment, as applicable, at each of the locations owned, operated or maintained by CARD. Any plans and specifications for these improvements will be filed with the District Manager of CARD and are incorporated herein by reference.

As applied herein, "Installation" means the construction of recreational improvements, including, but not limited to, land preparation (such as grading, leveling, cutting and filling), sod, landscaping, irrigation systems, sidewalks and drainage, lights, playground equipment, benches, and public restrooms.

“Maintenance” means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including repair, removal, or replacement of all or part of any improvement; providing for the life, growth, health and beauty of landscaping; including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris, and other solid waste, and the cleaning, sandblasting and painting of walls and other improvements to remove or cover graffiti.

“Servicing” means the furnishing of electric current, or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements; or water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

Incidental expenses include all of the following: (a) The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment; (b) the costs of printing, advertising, and the giving of published, posted, and mailed notices; (c) compensation payable to the County for collection of assessments; (d) compensation of any engineer or attorney employed to render services in proceedings pursuant to this part; (e) any other expenses incidental to the construction, installation, or maintenance and servicing of the Improvements; (f) any expenses incidental to the issuance of bonds or notes if any pursuant to Streets & Highways Code Section 22662.5; and (g) costs associated with any elections held for the approval of a new or increased assessment (Streets & Highways Code §22526).

The assessment proceeds will be exclusively used for Improvements within the Assessment District plus Incidental expenses. Reference is made to the plans and specifications, including specific expenditure and improvement plans by park/recreation site, which are on file with the Chico Area Recreation and Park District.

Estimate of Cost

Figure 1 – Baroni Park LLAD Estimate of Cost 2025-26

Estimate of Costs			
			Preliminary Budget
Maintenance and Servicing Expenditures:			
Salaries and Benefits			\$125,000
Total Salaries and Benefits			\$125,000
Services and Supplies			
Maintenance Structure & Grounds			\$10,000
District Vandalism			\$1,000
Contract Services ¹			\$4,241
Utilities			\$25,300
Total Services and Supplies			\$40,541
Capital Equipment Replacement Reserves ²			\$5,000
Total for Installation, Maintenance, Servicing and Incidental Costs			\$170,541
Contributions from General Fund			(\$59,902)
Net Costs for Maintenance and Servicing			\$110,639
Budget Allocation to Property³			
	<u>Assessment Units</u>	<u>RATE</u>	<u>BUDGET⁴</u>
Maximum Assessment Allowed	963.00	\$114.89	\$110,639

Notes:

1. Incidental cost includes county collection charges and project management.
2. Funds from the Capital Equipment Replacement Reserves will be used for ADA upgrades to the park.
3. The Act stipulates that proceeds from the assessments must be deposited into a special fund that has been set up for the revenues and expenditures of the Assessment District. Moreover, funds raised by the assessment shall be used only for the purposes stated within this Report. Any balance remaining at the end of the fiscal year, June 30, must be carried over to the next fiscal year.
4. The assessment amounts are rounded down to the even penny for purposes of complying with the collection requirements from the County Auditor-Controller. Therefore, the total assessment amount for all parcels subject to the assessments may vary slightly from the net amount to assessment.

Method of Apportionment

Method of Apportionment

This section of the Engineer's Report includes an explanation of the benefits to be derived from the maintenance, operation, and servicing of improvements throughout the Assessment District, and the methodology used to apportion the total assessment to land uses within the Assessment District.

The Assessment District consists of all Assessor Parcels within the boundaries of the Baroni Neighborhood Park and Open Space Landscaping and Lighting Assessment District No LLD 001-05 as defined by the Assessment Diagram shown in this report and the Assessor Parcel Numbers listed within the included levy roll. The parcels include all privately or publicly owned parcels within the boundaries. The method used for apportioning the total assessment is based upon the proportional special benefits to be derived by the properties in the Assessment District over and above general benefits conferred on real property or to the public at large. The apportionment of special benefit is a two-step process: the first step is to identify the types of special benefit arising from the improvements, and the second step is to allocate the assessments to property based on the estimated relative special benefit for each type of property.

Discussion of Benefit

In summary, the assessments can only be levied based on the special benefit to property. This benefit is received by property over and above any general benefits. Moreover, such benefit is not based on any one property owner's use of the District's facilities or a property owner's specific demographic status. With reference to the requirements for assessments, Section 22573 of the Landscaping and Lighting Act of 1972 states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Proposition 218, as codified in Article XIID of the California Constitution, has confirmed that assessments must be based on the special benefit to property and that the value of the special benefits must reasonably exceed the cost of the assessment:

"No assessment shall be imposed on any parcel which exceeds the reasonable cost of the proportional special benefit conferred on that parcel."

The following benefit categories summarize the types of special benefit to residential, commercial, industrial and other lots and parcels resulting from the installation, maintenance and servicing of landscaping improvements to be provided with the assessment proceeds.

These categories of special benefit are summarized as follows:

- Proximity and access to improved parks and recreational facilities.
- Improved views.
- Extension of a property's outdoor areas and green spaces for properties within close proximity to the Improvements.

In this case, the recent the *SVTA* decision provides enhanced clarity to the definitions of special benefits to properties in three distinct areas:

- Proximity
- Expanded or improved access
- Views

The *SVTA* decision also clarifies that a special benefit is a service or improvement that provides a direct advantage to a parcel and that indirect or derivative advantages resulting from the overall public benefits from a service or improvement are general benefits. The *SVTA* decision also provides specific guidance that park improvements are a direct advantage and special benefit to property that is proximate to a park that is improved by an assessment:

The characterization of a benefit may depend on whether the parcel receives a direct advantage from the improvement (e.g. proximity to a park) or receives an indirect, derivative advantage resulting from the overall public benefits of the improvement (e.g. general enhancement of the district's property values).

Proximity, improved access and views, in addition to the other special benefits listed above further strengthen the basis of these assessments.

Benefit Factors

The special benefits from the Improvements are further detailed below:

Proximity to improved public landscaping, lighting, parks and other permanent public facilities

Only the specific properties within close proximity to the Improvements are included in the Assessment District. Therefore, property in the Assessment District enjoys unique and valuable proximity and access to the Improvements that the public at large and property outside the Assessment District do not share.

In absence of the assessments, the Improvements would not be provided and the Baroni Park and recreation areas in the Assessment District would be degraded due to insufficient funding for maintenance, upkeep and repair. Therefore, the assessments provide Improvements that are over and above what otherwise would be provided. Improvements that are over and above what otherwise would be provided do not by themselves translate into special benefits but when combined with the unique proximity and access enjoyed by parcels in the Assessment District, they provide a direct advantage and special benefit to property in the Assessment District.

Since the parcels in the Assessment District enjoy close access to the Improvements, they directly benefit from this unique close access to improved park and recreation areas that are provided by the Assessments. This is a direct advantage and special benefit to property in the Assessment District.

Improved Views

CARD, by maintaining the landscaping areas provides improved views to properties in the Assessment District. The properties in the Assessment District enjoy close and unique proximity, access and views of the Improvements; therefore, the improved and protected views provided by the Assessments are another direct and tangible advantage that is uniquely conferred upon property in the Assessment District.

Extension of a property's outdoor areas and green spaces for properties within close proximity to the Improvements

The public parks and landscaped areas within certain Districts provide additional outdoor areas that serve as an effective extension of the land area for proximate properties. The park improvements, therefore, provide an important, valuable and desirable extension of usable land area for the direct advantage and special benefit of properties with good and close proximity to the Improvements.

According to the industry-standard guidelines established by the National Park and Recreation Association (the "NPR"), neighborhood parks in urban areas have a service area radius of generally one-half mile and community parks have a service area radius of approximately two miles. The service radii for neighborhood parks and neighborhood green spaces were specifically established to give all properties within this service radius close proximity and easy walking access to such public land areas. Since proximate and accessible parks serve as an extension of the usable land area for property in the service radii and since the service radii was specifically designed to provide close proximity and access, the parcels within this service area clearly receive a direct advantage and special benefit from the Improvements - and this advantage is not received by other properties or the public at large.

Moreover, Baroni Park does not provide a restroom or parking lot. Such public amenities were specifically excluded from neighborhood parks because neighborhood parks are designed to be an extension of usable land area specifically for properties in close proximity, and not the public at large or other non-proximate property. The occupants of proximate property do not need to drive to their local park and do not need restroom facilities because they can easily reach their local neighborhood park and can use their own restroom facilities as needed. This is further tangible evidence of the effective extension of land area provided by the Improvements to proximate parcels in the Assessment District and the unique direct advantage the proximate parcels receive from the Improvements.

General versus Special Benefit

The Chico Area Recreation and Park District is a special district created pursuant to the laws of the State of California. There are many types of special districts that provide a variety of urban services. Special districts, like the Chico Area Recreation and Park District, are created to provide a higher level of service within their boundaries than what would be provided in their service area in absence of the special district. The Baroni Neighborhood Park and Open Space (No. LLD 001-05) Landscape and Lighting Assessments allow the District to provide its park and recreation Improvements to the Baroni Park at a much higher level than what otherwise would be provided in absence of the Assessments. Moreover, in absence of the Assessments, no other agency would provide the Improvements nor would the District, because it does not have alternative available funds to provide the Improvements.

All of the Assessment proceeds derived from the Assessment District will be utilized to fund the cost of providing a level of tangible “special benefits” in the form of proximate parks, recreation facilities, landscaped corridors, project entrances, signs, walkways, parks, and other improvements and costs incidental to providing the Improvements and collecting the Assessments.

Although these Improvements may be available to the general public at large, the Baroni Park and trail system/open space in the Assessment District was specifically designed, located and created to provide additional and improved public resources for the direct advantage of property inside the Assessment District, and not the public at large. Other properties that are outside the Assessment District do not enjoy the unique proximity, access, views and other special benefit factors described previously.

These Improvements are of special benefit to properties located within the Assessment District because they provide a direct advantage to properties in the Assessment District that would not be provided in absence of the Assessments. Without the Assessments, the Baroni Park and recreation facilities within the Assessment District would be closed and would turn into brown, unmaintained and unusable lands. If this happened, it would create a significant and material

negative impact on the desirability, utility and value of property in the Assessment District. In fact, it is reasonable to assume that if Assessments were not collected and the Baroni Park and recreation facilities were closed as a result, properties in the Assessment District would decline in desirability, utility and value by significantly more than the amount of the Assessment. We therefore conclude that all the park and recreation Improvements funded by this Assessment are of special benefit to certain benefiting properties located within the Assessment District and that the value of the special benefits from the Improvements to property in the Assessment District

reasonably exceeds amount of the Assessments for every assessed parcel in the Assessment District. (In other words, as required by Proposition 218: the reasonable cost of the proportional special benefit conferred on each parcel reasonably exceeds the cost of the assessments.)

Special Note Regarding General Benefit and the SVTA Decision:

There is no widely-accepted or statutory formula for calculating general benefit. General benefits are benefits from improvements or services that are not special in nature, are not "particular and distinct" and are not "over and above" benefits received by other properties. SVTA decision provides some clarification by indicating that general benefits provide "an indirect, derivative advantage" and are not necessarily proximate to the improvements.

Quantification of General Benefit

Although the analysis used to support these assessments concludes that the benefits are solely special, as described above, consideration is made for the suggestion that a portion of the benefits are general. General benefits cannot be funded by these assessments - the funding must come from other sources.

The maintenance and servicing of these improvements is also partially funded, directly and indirectly from other sources including Chico Area Recreation and Park District, the County of Butte, and the State of California. This funding comes in the form of grants, development fees, special programs, and general funds. This funding from other sources more than compensates for general benefits, if any, received by the properties within the assessments district.

In the 2009 *Dahms* case, the court upheld an assessment that was 100% special benefit on the rationale that the services funded by the assessments were directly provided within the assessment district. It is also important to note that the improvements and services funded by the assessments in Pomona (*Dahms*) are similar to the improvements and services funded by the Assessments described in this Engineer's Report, and the Court found those improvements and services to be 100% special benefit. Also similar to the assessments in Pomona, the Assessments described in this Engineer's Report fund improvements and services directly provided within the Assessment District and every benefiting property in the Assessment District enjoys proximity and

access to the Improvements. Therefore, *Dahms* establishes a basis for minimal or zero general benefits from the Assessments.

The General Benefits from this assessment may be quantified as illustrated in the following table:

Figure 2 – General Benefit Calculation

Benefit Factor	Relative Weight	General Benefit Contribution	Relative General Benefit
Extension of recreation area	40	10%	4
Proximity to improved public landscaping, lighting, parks and other permanent public facilities	30	10%	3
Improved views	30	10%	3
	100		10
	Total Calculated General Benefit =		10.0%

The costs of this 10% General Benefit cannot be funded by the assessments. Non-assessment funding does contribute to the overall maintenance of Baroni Park in the following components:

The City of Chico owns, maintains, rehabilitates and replaces curb and gutter along the border of the Assessment District improvements. This curb and gutter serves to support, contain, retain, manage irrigation flow and growth, and provide a boundary for the improvements. The contribution from the City towards general benefit from the maintenance, rehabilitation and replacement of the curb and gutter is conservatively estimated to be 1%.

The City maintains a storm drainage system along the border of the Assessment District improvements. This system serves to prevent flooding and associated damage to the improvements, and manage urban runoff including local pollutants loading from the improvements. The contribution from the City towards general benefit from the maintenance, and operation of the local storm drainage system is conservatively estimated to be 1%.

The City maintains local public streets along the border of the Assessment District improvements. These public streets provide access to the improvements for its enjoyment as well as efficient maintenance. The contribution from the City towards general benefit from the maintenance local public streets is conservatively estimated to be 1%.

The value of the initial construction of the improvements can be quantified and monetized as an annuity. Since this construction was performed and paid for by non-assessment funds, this “annuity” can be used to offset general benefit costs, and is conservatively estimated to contribute 25%.

The total non-assessment funding contribution sums to 28%. Therefore the total General Benefit is conservatively quantified at 10% which is more than offset by the total non-assessment contribution towards general benefit of 28%.

Method of Assessment

The step in apportioning assessments is to determine the relative special benefit for each property. This process involves determining the relative benefit received by each property in relation to a single family home. The Land Use Classes for the Assessment District is defined in the original Engineer’s Report:

Single-Family Residential

This land use is defined as a fully subdivided residential home site with or without a structure. This land use is assessed 1.00 EBU per lot or parcel. This is the base value that all other properties are compared and weighted against (i.e. Equivalent Benefit Unit EBU).

Planned Development

This land use is defined as any property for which a tentative or final map has been filed and approved (a specific number of residential lots and units or non-residential use has been identified) and the property is expected to be developed or subdivided in the near future or is part of the overall improvement and development plan for the District (Planned Subdivision). This land use classification often times involves more than a single parcel (e.g. the approved map encompasses more than a single APN). Each parcel that is part of the approved map shall be assessed proportionately for the proposed or estimated residential units or non-residential use to be developed on that parcel as part of the approved map. Accordingly, each parcel is assigned an appropriate number of benefit units that reflects the development of that property at build-out. (The EBU assigned to each parcel shall represent the combination of single-family, condominium, multi-family units or non-residential use associated with the development).

Non-Residential Property

This land use is defined as property developed for non-residential use. One acre of non-residential property is equivalent to four (4) single-family residential lots per acre within the District. Therefore, 4.0 EBU per gross acre will be assigned to parcels classified as non-residential property. Parcels less than 1.0 acres are assigned a minimum of 4.0 EBU.

Vacant Property

This land use is defined as property currently zoned for residential or non-residential development, but a tentative or final map for the property has not yet been approved. Vacant Property will be assigned 1.00 EBU per acre rounded to the nearest acre. Properties less than one acre are assigned 1.00 EBU.

Exempt Parcels

This land use identifies properties that are not assessed and are assigned 0.00 EBU. This land use classification may include but is not limited to:

Lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County);

Dedicated public easements including open space areas, utility rights-of-way, greenbelts, parkways, detention or retention basins, parks or other publicly owned properties that are part of the District improvements or may provide other benefits to private properties within the District;

Private properties that cannot be developed independently from an adjacent property, such as common areas, sliver parcels or bifurcated lots or properties with very restrictive development use;

These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment, but shall be reviewed annually by the assessment engineer to confirm the parcels current development status.

Government owned properties or public properties are not necessarily exempt properties and shall be subject to special benefit assessment unless it qualifies for an exempt status.

Special Cases

In many districts where multiple land use classifications are involved, there may be one or more properties that the standard land use classifications does not accurately identify the special benefits received from the improvements. For example, a parcel may be identified as a Vacant Property, however only a small percentage of the parcel's total acreage can actually be developed. In this case, an appropriate calculation would be based on the net acreage that can be utilized rather than the gross acreage of the parcel.

The following table provides a summary of land use classifications and the Equivalent Benefit Unit calculations previously outlined.

Figure 3 - Land Uses and Equivalent Benefit Units

Property Type	Benefit Units Multiplier
Single Family Residential	1.000 per Unit/Lot/Parcel
Single Family Residential	1.000 per Planned SF-Residential Lot
Planned Development	0.750 per Planned Condominium

	0.750 per Unit for the First 50 Units
	0.500 per Unit for Units 51-100
	0.250 per Unit for all remaining Units
Vacant Land	1.000 per acre (1.0 Minimum)
Non-Residential 4.000 per acre (1.0 Minimum)	4.000 per acre (1.0 Minimum)
Exempt Parcels	0.000 per Parcel

The following formula is used to calculate each parcel's EBU (proportional benefit).

$$\text{Parcel Type EBU} \times \text{Acres or Units} = \text{Parcel EBU}$$

The total number of Equivalent Benefit Units (EBU's) is the sum of all individual EBU's applied to parcels that receive special benefit from the improvements. An assessment amount per EBU (Assessment Rate) for the improvements is established by taking the total cost of the improvements and dividing that amount by the total number of EBU's of all parcels benefiting from the improvements. This Rate is then applied back to each parcel's individual EBU to determine the parcel's proportionate benefit and assessment obligation for each zone.

$$\text{Total Balance to Levy (Budget)} / \text{Total EBUs} = \text{Assessment Rate per EBU}$$

$$\text{Assessment Rate per EBU} \times \text{Parcel's EBU} = \text{Levy per Parcel}$$

Duration of Assessment

It is proposed that the Assessment be levied for fiscal year 2006-07 and continued every year thereafter, so long as the Baroni Park and recreational areas need to be maintained and serviced, and the Chico Area Recreation and Park District requires funding from the Assessments for its continued Improvements in the Assessment District. As noted previously, the Assessment can continue to be levied annually after the Chico Area Recreation and Park District Board of Directors approves an annually updated Engineer's Report, budget for the Assessment, Improvements to be provided, and other specifics of the Assessment. In addition, the District Board of Directors must hold an annual public hearing to continue the Assessment.

Appeals and Interpretation

Any property owner who feels that the assessment levied on the subject property is in error as a result of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the District Administrator or her or his designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the District Administrator or his or her designee will promptly review the appeal and any information provided by the property owner. If the District Administrator or her or his designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the District Administrator or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any dispute over the decision of the District Administrator, or her or his designee, shall be referred to the Board of Directors of the Chico Area Recreation and Park District and the decision of the Board of Directors of the Chico Area Recreation and Park District shall be final.

Assessment Statement

WHEREAS, said the Board directed the undersigned Engineer of Work to prepare and file a report presenting an estimate of costs, a diagram for the Assessment District and an assessment of the estimated costs of the Improvements upon all assessable parcels within the Assessment District, to which Resolution and the description of the Improvements therein contained, reference is hereby made for further particulars;

NOW, THEREFORE, the undersigned, by virtue of the power vested in me under said Act and the order of the Board of the Chico Area Recreation and Park District hereby make the following assessment to cover the portion of the estimated cost of the Improvements, and the costs and expenses incidental thereto to be paid by the Assessment District.

The amount to be paid for the improvements and the expense incidental thereto, to be paid by the District for the fiscal year 2025-26 is generally as follows:

Figure 4 - Summary Estimate of Costs Fiscal Year 2025-26

Total for Installation, Maintenance, Servicing and Incidental Costs	\$170,541
Contributions from General Fund	(\$59,902)
Net Costs for Maintenance and Servicing	\$110,639

As required by the Act, an Assessment Diagram is hereto attached and made a part hereof showing the exterior boundaries of said Landscaping and Lighting Assessment District. The distinctive number of each parcel or lot of land in the said Assessment District is its Assessor Parcel Number appearing on the Assessment Roll.

I do hereby assess and apportion said net amount of the cost and expenses of said Improvements, including the costs and expenses incident thereto, upon the parcels and lots of land within said Assessment District, in accordance with the special benefits to be received by each parcel or lot, from the Improvements, and more particularly set forth in the Cost Estimate and Method of Assessment hereto attached and by reference made a part hereof.

The Maximum Assessment Rate is equal to the Maximum Assessment Rate established for the previous fiscal year adjusted annually by the greater of, three percent (3%) or the annual percentage change in the Consumer Price Index (CPI) for the San Francisco Bay Area as of December of each succeeding year.

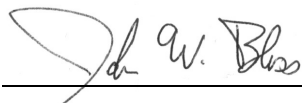
The change in the CPI from December 2024 to December 2024 is 2.38%. Therefore, the maximum authorized assessment rate for fiscal year 2025-26 is increased by 3%, which equates to \$114.89 per single-family equivalent benefit unit.

The assessment is made upon the parcels or lots of land within the Assessment District in proportion to the special benefits to be received by the parcels or lots of land, from said Improvements.

Each parcel or lot of land is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Butte for the fiscal year 2025-26. For a more particular description of the property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of said County. I hereby place opposite the Assessor Parcel Number for each parcel or lot within the Assessment Roll, the amount of the assessment for the fiscal year 2025-26 for each parcel or lot of land within the Assessment District.

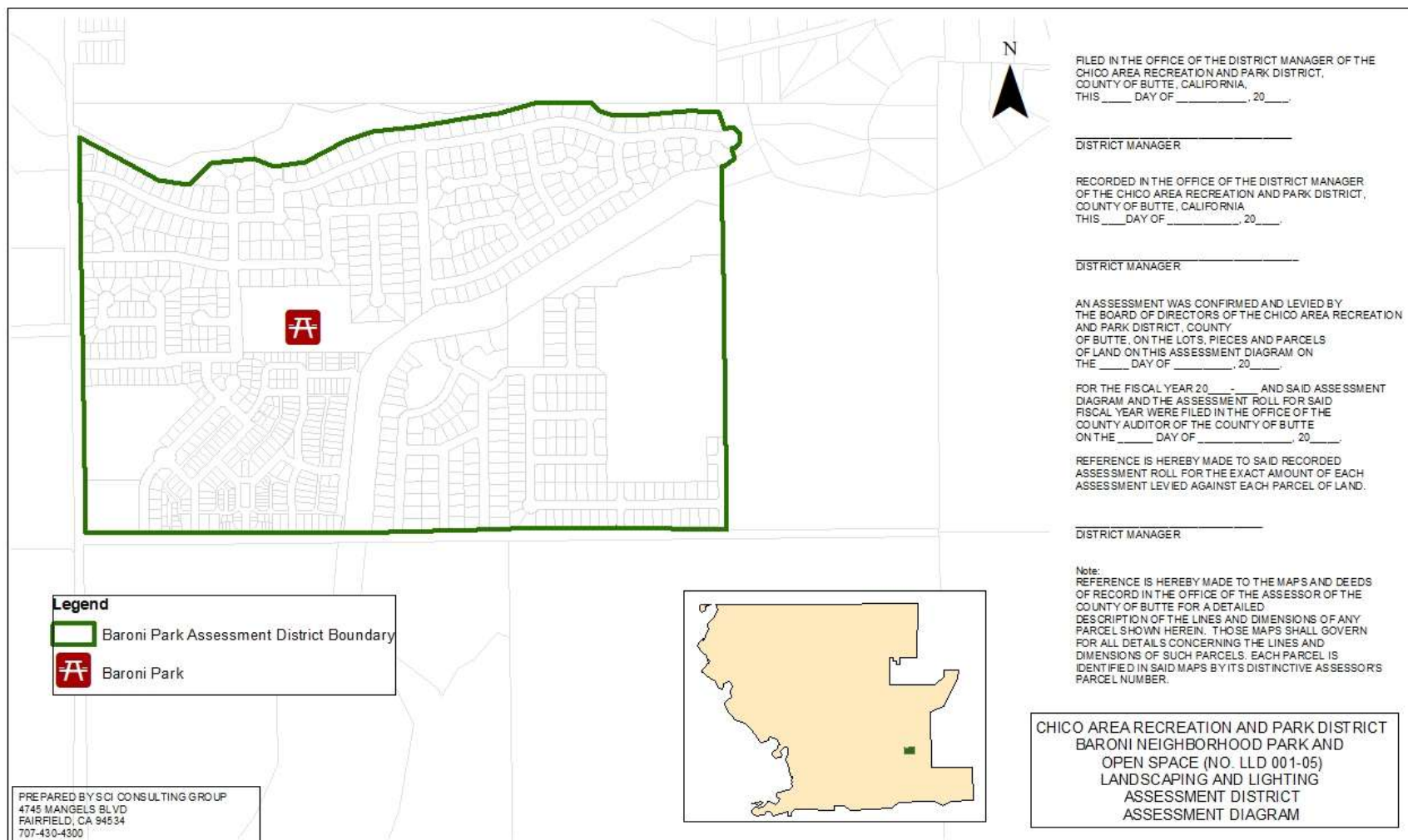
Dated: May 15, 2025

Engineer-of-Work

By  _____
John W. Bliss, License No. C52091

Assessment Diagram

The following page displays the Assessment Diagram of the Baroni Neighborhood Park and Open Space Landscaping and Lighting Assessment District No LLD 001-05. The diagram shows all of the parcels of real property within this Assessment District. Reference is hereby made to the maps and deeds of record in the office of the Assessor of the County of Butte for a detailed description of the lines and dimensions of any parcels shown herein. Those maps shall govern for all details concerning the lines and dimensions of such parcels. Each parcel is identified in the maps by its distinctive Assessor's Parcel Number.



Assessment Roll

The Assessment Roll follows in this Report and is on file in the office of the Chico Area Recreation and Parks District at 545 Vallombrosa Avenue, Chico, CA 95926. The final Assessment Roll is based upon the land use information in the fiscal year 2025-26 Butte County Assessor's Roll.



**RESOLUTION 25-009 OF THE BOARD OF DIRECTORS OF THE
CHICO AREA RECREATION AND PARK DISTRICT**

AUTHORIZING THE PURCHASE OF REAL PROPERTY LOCATED AT APN 006-400-079

WHEREAS, the Chico Area Recreation and Park District ("District") is a California Special District organized and operating pursuant to California Public Resources Code Section 5780 et seq. and

WHEREAS, pursuant to Public Resources Code Section 5786.5(a), the District is authorized to acquire real property for the purpose of developing, operating, and maintaining park and recreation facilities; and

WHEREAS, the Board of Directors finds that the acquisition of real property APN 006-400-079 hereinafter referred to as the "Property," is in the public interest and will support the District's mission; and

WHEREAS, the Property has been identified as suitable for current or future District use, and the District has determined that acquiring this Property will further its strategic objectives; and

WHEREAS, District staff has presented a proposed Purchase and Sale Agreement and recommended proceeding with due diligence and acquisition, subject to legal review and final terms acceptable to the District;

NOW, THEREFORE, BE IT RESOLVED:

1. The Board hereby authorizes the General Manager to negotiate and execute, on behalf of the District, a Purchase and Sale Agreement for the acquisition of the Property located at APN 006-400-079, subject to the review and approval of legal counsel.
2. The General Manager is further authorized to execute any and all documents necessary to complete the transaction, including but not limited to escrow instructions, disclosures, certificates, and closing documents.
3. The Board directs District staff to complete all necessary due diligence, including title review, environmental assessment, and appraisal, prior to closing.
4. This resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED at a Regular Meeting of the Board of Directors of the Chico Area Recreation and Park District on the 28th day of May 2025 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

ATTEST:

Tom Lando, Chair
Board of Directors

Holli Drobny
Clerk of the Board of Directors

REAL ESTATE PURCHASE AGREEMENT ADDENDUM
(Contemplated Lot Line Adjustment or Exclusive Easement)

WHEREAS, CHICO AREA RECREATION & PARK DISTRICT (“CARD”) and BUTTE HUMANE SOCIETY (“Seller”) (collectively, the “Parties”) are engaged in discussions for the purchase and sale of the real property located at 0 Esplanade in Chico, California 95973 (APN 006-400-079) (hereinafter the “Real Property”).

WHEREAS, even after consummation of the sale of the Real Property to CARD, Seller intends to maintain its ownership rights to certain real property located immediately adjacent to the Real Property, namely the real property identified as Butte County APN 006-400-085 (“Seller’s Retained Property”).

WHEREAS, Seller has made certain improvements to portions of the Real Property and intends to continue making use of those improvements, thus necessitating access by Seller onto those certain portions of the Real Property which are more particularly described in Exhibit “A” to this Addendum, with said portion of the Real Property being hereinafter referred to as the “Encroachment Area”.

WHEREAS, CARD and Seller desire to enter into an agreement to allow Seller the means to have exclusive access to the Encroachment Area for the benefit of Seller’s Retained Property while minimizing the burden, expense, and potential liability to CARD that may potentially arise through Seller’s exclusive use of the Encroachment Area.

WHEREAS, CARD and Seller have contemplated the execution and recordation of an easement agreement or a lot line adjustment to allow Seller’s continued access of the Encroachment Area, with the lot line adjustment being CARD’s preferred course of action.

NOW, THEREFORE, in recognition of the Recitals set forth above, CARD and Seller hereby agree to the following terms and conditions:

Lot Line Adjustment for the Real Property and Seller’s Retained Property

1. Upon the close of escrow for sale of the Real Property from Seller to CARD, the Parties shall cooperate in good faith to prepare and execute the necessary forms and documentation to accomplish a lot line adjustment of the Encroachment Area with said Encroachment Area being added to the acreage of Seller’s Retained Property, thus changing the ownership of the Encroachment Area from CARD to Seller. This change is hereinafter referred to as “the Lot Line Adjustment.”

Easement Agreement for Encroachment Area If Lot Line Adjustment Not Accomplished

2. In the event that, despite the Parties’ best efforts, the Lot Line Adjustment is impractical, infeasible, or impossible to accomplish, the Parties shall cooperate in good faith to prepare and execute the necessary forms and documentation to enter into an easement agreement

which enables Seller's exclusive use of the Encroachment Area and allocates all of the beneficial use, responsibilities, and liabilities associated with traditional ownership of real property to Seller (hereinafter the "Easement Agreement").

EXHIBIT A

LEGAL DESCRIPTION- ENCROACHMENT AREA

REAL PROPERTY LOCATED IN THE CITY OF CHICO, COUNTY OF BUTTE, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

BEING A PORTION OF LOT B AS SHOWN ON THAT CERTAIN CERTIFICATE OF COMPLIANCE FOR BOUNDARY LINE MODIFICATION 18-4, RECORDED ON SEPTEMBER 7, 2018 UNDER SERIAL NUMBER 2018-0030231 IN THE OFFICE OF THE RECORDER OF THE COUNTY OF BUTTE, STATE OF CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH EAST CORNER OF SAID LOT B; THENCE FROM SAID POINT OF BEGINNING ALONG THE NORTH LINE THEREOF SOUTH 89°00'40" WEST 42.47 FEET; THENCE LEAVING SAID NORTH LINE SOUTH 00°59'20" EAST 91.38 FEET; THENCE SOUTH 20°57'48" EAST 153.76 FEET; THENCE SOUTH 49°13'35" EAST 50.27 FEET TO THE EASTERLY LINE OF SAID LOT B; THENCE NORTHERLY ALONG SAID EASTERLY LINE NORTH 11°00'00" WEST 273.54 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION.

SAID LAND CONSISTS OF 0.27 ACRES, MORE OR LESS.

END OF DESCRIPTION

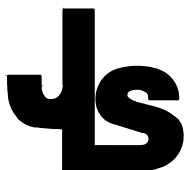
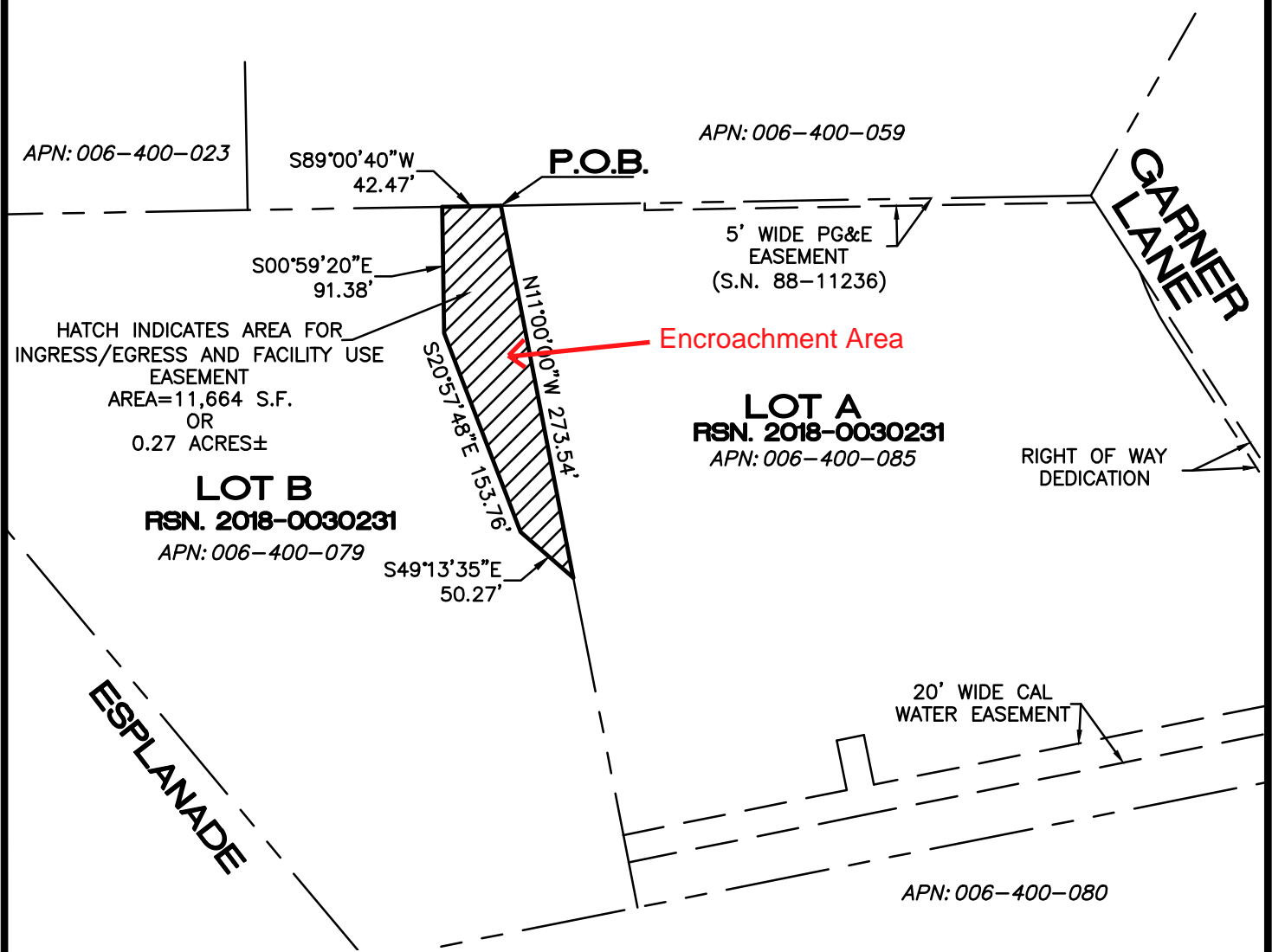
EXHIBIT A



GRAPHIC SCALE



1"=120'



JOHNSON LAND SURVEYING

692 E. 12TH ST.
CHICO, CA 95928
530-828-3626

PLAT TO ACCOMPANY A
LEGAL DESCRIPTION FOR
AN INGRESS/EGRESS
AND FACILITIES USE
EASEMENT

APN: 006-400-079
CHICO, CA

JOB NO: 1509

SCALE: 1"=120'

DATE:
12/12/24

SHEET:
1



BOARD OF DIRECTORS

STAFF REPORT

DATE: May 22, 2025
TO: Board of Directors
FROM: Annabel Grimm, General Manager
SUBJECT: Position Consolidation & Reclassification

BACKGROUND

In November 2024, the District's Human Resources Manager departed. Following that departure, the General Manager initiated a review of the position to determine long-term organizational needs. During this transitional period, the Finance Manager provided direct oversight of the HR Specialist, ensuring continuity of day-to-day operations, while the General Manager retained ultimate decision-making authority on all HR matters.

In March 2025, the Finance Manager submitted their resignation. Around the same time, Phil Aviles had recently applied for another managerial role within the District. In reviewing his qualifications and experience, it was evident that Phil possessed extensive and relevant experience in both finance and human resources. Ultimately, Phil was hired in the Finance Manager role with plans to request a reclassification.

DISCUSSION

The proposed reclassification would establish a new position titled Talent and Financial Services Director, encompassing the full scope of responsibilities previously managed by the separate Finance and HR Manager positions.

Benefits of Consolidation:

- **Improved Operational Efficiency:** Many administrative functions—such as budgeting for employee compensation, benefits coordination, compliance reporting, and internal policy development—are closely tied between HR and Finance. Unifying oversight enhances coordination, streamlines processes, and reduces duplication.
- **Enhanced Leadership Continuity:** Phil's background allows him to lead both functions with confidence, creating stability during a time of organizational transition and providing strong support to the General Manager and departmental staff.
- **Greater Strategic Alignment:** With one leader overseeing both finance and HR, the District is better positioned to align fiscal policy with workforce strategy and long-term planning.

FISCAL IMPACT

The consolidation eliminates one management-level salary and associated benefit costs, resulting in an estimated annual savings of approximately \$150,000. These funds can be redirected toward direct service delivery, capital improvement projects, or staff development initiatives.

RECOMMENDATION

Board of Directors approve the consolidation of the duties of the Human Resources Manager and Finance Manager positions into a single position titled Talent and Finance Director under the Director Classification on the District’s salary schedule.



Effective:
Revision History: Reports To:
General Manager
FLSA/Classification: Exempt / Full Time
Salary Schedule: Schedule A – Director Scale

Talent & Financial Services Director Job Description

JOB SUMMARY

Under the supervision of the General Manager, the Talent & Financial Services Director (T&FS Director) is a key member of the Senior Leadership Team (SLT), and serves as the District's Chief Financial Officer and leads both the Finance and Human Resources functions. This role is responsible for aligning financial strategy and personnel practices with the District's mission, ensuring compliance with all applicable laws and regulations. The Director oversees financial operations, internal controls, and reporting, while also cultivating an organizational culture that supports employee engagement, accountability, and long-term sustainability.

ESSENTIAL FUNCTIONS *(may include, but not limited to, the following):*

Human Resources:

- Create and communicate HR policies that align with company goals and legal requirements, fostering a positive work environment. Provide expert guidance on personnel management, conflict resolution, and performance management.
- Maintain accurate personnel records and oversee employee benefits, including health insurance, retirement plans, and disability benefits. Implement process improvements and diversity initiatives within the HR department.
- Communicate HR information district-wide, review employee retention and recruitment data, and manage Worker's Compensation claims. Develop and implement training programs to enhance employee skills and knowledge.
- Utilize and manage HR technologies, including HRIS, time-off tracking, and recruitment systems. Ensure all HR processes are efficient, compliant, and supportive of a positive company culture.

Finance:

- Plan, organize, and maintain financial activities, including budget development, forecasting, and expenditure monitoring. Oversee general accounting functions and provide financial guidance to other departments.
- Implement and administer financial systems, ensure adequate internal controls, and develop strategic plans. Respond to accounting issues and coordinate annual financial audits.
- Prepare financial statements according to GAAP, monitor cash flow, and supervise finance staff. Ensure compliance with local, state, and federal regulations, and attend Board meetings for financial updates.
- Provide financial analysis for labor negotiations and capital asset decisions and maintain a documented system of accounting policies and procedures.

MINIMUM QUALIFICATIONS & SKILLS

- Bachelor's degree in Human Resource Management, Accounting, Business Administration, Recreation and Park Administration, or related field
- 5 years of professional personnel management experience, including a minimum of 2 years of supervisory and managerial experience
- Knowledge of and ability to interpret relevant local, state, and federal laws, rules, and regulations as they relate to the fields of Human Resources and Finance, particularly in the public sector.



- Knowledge of principles and practices of internal control procedures as they apply to a public agency
- Knowledge of accounting and budgeting practices related to tax-supported agencies
- Ability to effectively and efficiently use accounting, spreadsheet, and word processing software and oversee the integration of other organizational software as it relates to finance.

DESIRED QUALIFICATIONS:

- Certified Public Accountant or Certified Management Accountant designation
- Master’s degree in Human Resource Management, Business Administration, Recreation and Park Administration, or related field (preferred)
- PHR or SPHR Certification (preferred)
- Experience in publicly funded bond measures
- Knowledge of payroll processing requirements

OTHER REQUIREMENTS

- Pass a pre-employment background check
- Possess a valid Driver’s License and be insurable on the District’s vehicle liability policy

PHYSICAL AND MENTAL REQUIREMENTS

- Frequent use of keyboard and mouse; frequent sitting for long periods of time; occasional bending or squatting
- Ability to lift, push, or pull up to 10 pounds; occasionally up to 25 pounds
- Frequent repetitive motion including but not limited to grasping, holding, typing, and reaching
- Constant use of vision via reading, writing, color and depth perception
- Frequent use of hearing and talking both in person and digitally via video meeting
- Frequent exposure to noises, the public, and co-workers

WORKING CONDITIONS

Work is performed in a typical temperature-controlled office environment that is subject to typical office noise. The position may be required to work some evenings and weekends.

I have reviewed and agree to the job description as shown above. I can perform the essential functions of this position with or without reasonable accommodation.

Employee Name (Printed): _____

Employee Signature: _____ **Date:** _____