



**CHICO AREA RECREATION AND PARK DISTRICT**  
**545 VALLOMBROSA AVENUE, CHICO, CA 95926**  
**Phone (530) 895-4711 Fax (530) 895-4721**  
**Thursday, May 17, 2018 – 7:00 p.m.**

***Posted Prior to 5:00 pm***  
***Friday, May 11, 2018***

**BOARD MEMBERS:**

Jan Sneed, Chair  
Bob Malowney, Vice Chair  
Herman Ellis  
Tom Lando  
Michael Worley

**CARD STAFF:**

Ann Willmann, General Manager  
Terry Zeller, Director of Parks and Recreation  
Heather Childs, Finance Manager  
Jennifer Marciales, Executive Assistant

**GENERAL INFORMATION:**

1. Agendas:

Agendas are available at the meeting or may be picked up in advance at the CARD Office the day prior to the Board meeting without charge.

2. Agenda Items:

Agenda items are available for public inspection at each meeting or in advance at the CARD Office the day prior to the Board meeting. Copies of agenda items will be available at 20¢ per page.

Notice: if a writing that is a public record pursuant to Government Code Section 54957.5(a) and that relates to an item on this agenda for open session is distributed less than 72 hours prior to this meeting, the writing shall be available for public inspection at the offices of the Chico Area Recreation and Park District, located at 545 Vallombrosa Avenue, Chico, California, at the time the writing is distributed to all or the majority of all of the members of the body.

3. Items Not Appearing On Posted Agenda:

This agenda was posted at least 72 hours in advance of this meeting. For each item not appearing on the posted agenda upon which the Board wishes to take action, it must make one of the following determinations:

- a. Determine by a majority vote that an emergency exists as defined in Government Code 54956.5.
- b. Determine by a two-thirds vote or by a unanimous vote if less than two-thirds of the Board is present, that the need to take action arose subsequent to the agenda being posted.
- c. Determine that the item appeared on a posted agenda for a meeting occurring not more than five calendar days prior to this meeting, and the item was continued to this meeting.

Notwithstanding the above, items may be added to the agenda for Board discussion only or to acknowledge receipt of correspondence or other information.

4. Consent Agenda: All items listed under the Consent Agenda are considered to be routine and will be enacted by one motion. Resolutions will be read by title only. There will be no separate discussion of these items unless members of the Board, or persons in the audience, request specific items to be removed from the Consent Agenda to the Regular Agenda for separate discussion, prior to the time the Board votes on the motion to adopt the Consent Agenda. If any item(s) are removed from the Consent Agenda, the item(s) will be considered at the beginning of the Regular Agenda.
5. Assistance for the Disabled: If you are disabled in any way and need accommodation to participate in the meeting, please contact the CARD Office at (530) 895-4711 at least 48 hours prior to the start of the meeting so the necessary arrangements can be made.
6. Identity of Speakers: Speakers are asked to state their names before speaking and to voluntarily write their names on the provided record.



**REGULAR MEETING OF THE CHICO AREA  
RECREATION AND PARK DISTRICT BOARD OF DIRECTORS  
Thursday, May 17, 2018 – 7:00 p.m.**

*Posted Prior to 5:00 pm  
Friday, May 11, 2018*

**AGENDA**

**1.0 CALL TO ORDER**

1.1 Roll Call

**2.0 CORRESPONDENCE**

There is no correspondence.

**3.0 PUBLIC COMMENTS**

NOTE: The Chico Area Recreation and Park District Board of Directors may take official action only on items included in the posted agenda for a specific scheduled meeting. Items addressed during the Public Comment section are generally matters not included on the agenda and therefore, the Board will not take action at this scheduled meeting. However, such items may be put on the agenda for a future meeting. The public shall have the opportunity to address items that are on the posted agenda.

**4.0 PRESENTATIONS**

There are no presentations.

**5.0 CONSENT AGENDA**

5.1 Minutes of the Regular Meeting of the Board of Directors of April 19, 2018

*Action Requested – that the Board of Directors approve the minutes as submitted*

5.2 Monthly Bills and Refund Register - Action Requested – that the Board of Directors authorize payment of the monthly bills and approve the refund register

5.3 Monthly Financial Report - Action Requested – that the Board of Directors review and approve the Monthly Financial Report

**6.0 REGULAR AGENDA**

6.1 Items Removed from the Consent Agenda

**7.0 UNFINISHED BUSINESS**

7.1 District Update (Staff Report 18-19) - General Manager Willmann and Park and Recreation Director Zeller will provide an update to the Board of current projects and District updates, including, but not limited to, the Community Park Tennis/Pickleball Courts Resurfacing, Sycamore Field Upgrades, DFJ Family Night Out Events, Junior Giants Program, CARD Marketing, Nature Center Carnival, American Lung Association Partnership, and the CARD Parks Team Annual Spring Planting Workshop - Information/Possible Action

7.2 Public Hearing and Resolution Approving Engineer's Reports, Confirming Diagrams and Assessments and Ordering the Continuation of the Levy of Assessments for Fiscal Year 2018-19 for the Oak Way, Amber Grove/Greenfield, and Baroni Neighborhood Park and Open Space (No. LLD 001-005) Landscaping and Lighting Assessment Districts (Staff Report 18-20) - *Action Requested – that the Board of Directors conduct the public hearing and approve the Resolution Approving the Engineer's Reports, Confirming Diagrams and Assessments and Ordering the Continuation of the Levy of Assessments for fiscal year 2018-19 for the Oak Way, Amber Grove/Greenfield, and Baroni Neighborhood Park and Open Space (No. LLD 001-05) Landscaping and Lighting Assessment Districts.*

## **8.0 NEW BUSINESS**

8.1 Proposition 68 Endorsement (Staff Report 18-21) - *Action Requested – that the Board of Directors direct staff how to proceed.*

## **9.0 BOARD OF DIRECTORS' REPORTS/SPECIAL ASSIGNMENTS**

9.1 Butte County Special Districts Association/LAFCO

9.2 Other Reports

## **10.0 DIRECTORS' COMMENTS**

Opportunity for the Board to comment on items not listed on the agenda.

## **11.0 GENERAL MANAGER'S COMMENTS**

11.1 General Manager's Update

## **12.0 STAFF COMMENTS**

Opportunity for Staff to comment on items not listed on the agenda.

## **13.0 ADJOURNMENT**

Adjourn to the Regular Meeting of the Board of Directors of the Chico Area Recreation and Park District on June 21, 2018.



**REGULAR MEETING OF THE CHICO AREA  
RECREATION AND PARK DISTRICT BOARD OF DIRECTORS  
545 VALLOMBROSA AVENUE, CHICO, CA 95926  
(Draft)  
MINUTES  
April 19, 2018**

**Board Members Present:** Jan Sneed, Chair  
Bob Malowney, Vice Chair  
Herman Ellis, Board Member  
Tom Lando, Board Member  
Michael Worley, Board Member

**Staff Members Present:** Ann Willmann, General Manager  
Terry Zeller, Director of Parks and Recreation  
Heather Childs, Finance Manager  
Jennifer Marciales, Executive Assistant

**1.0 CALL TO ORDER**

1.1 Roll Call

The meeting was called to order at 7:00 p.m., and roll call was taken as noted above.

**2.0 CORRESPONDENCE**

There was no correspondence.

**3.0 PUBLIC COMMENTS**

Richard Roth addressed the Board and stated that he has concerns about the connection road being proposed at Community Park. He stated that his primary concern is traffic control and the route people would have to go to get out of the area. He noted that it could cause increased traffic in the Chapman area.

Director Lando informed Mr. Roth that there will be a meeting at the Dorothy Johnson Center on May 14, 2018 to review and comment on the proposed road connection at Community Park. Director Lando requested that staff invite the City of Chico's traffic engineer to attend the meeting.

**4.0 PRESENTATIONS**

There were no presentations.

**5.0 CONSENT AGENDA**

**M/S/C/ (Directors Lando/Worley)** that the Board of Directors approves the consent agenda as presented.

**The vote was as follows: Ayes** carried  
Ayes: Sneed, Malowney, Ellis, Lando, Worley  
Noes: None  
Abstain: None  
Absent: None

## 6.0 REGULAR AGENDA

No items were removed from the consent agenda.

## 7.0 UNFINISHED BUSINESS

### 7.1 District Update

General Manager Willmann and Park and Recreation Director Zeller reviewed their staff report with the Board and provided an update on the Community Park Tennis/Pickleball Court Resurfacing, Summer Activity Guide, Facility Needs Assessment and Feasibility Study, and Community Park Road Connection.

### 7.2 Resolution 18-2 of the Board of Directors of the Chico Area Recreation and Park District Adopting the Preliminary Budget for the 2018-2019 Fiscal Year

**M/S/C/ (Directors Lando/Worley)** that the Board of Directors adopts Resolution 18-2 which adopts the Preliminary Budget for the 2018-2019 fiscal year, makes it available for public inspection, and determines that the public hearing regarding the Preliminary Budget will be conducted on June 21, 2018, at the Regular Board Meeting, and the Board will consider adoption of the Final Budget for Fiscal Year 2018-2019 at the Special Board Meeting on July 12, 2018.

**The vote was as follows: Ayes** carried

Ayes: Sneed, Malowney, Ellis, Lando, Worley

Noes: None

Abstain: None

Absent: None

### 7.3 Resolution declaring the Board's Intention to Continue to Levy the Assessments for Fiscal Year 2018-19, Preliminarily Approving the Engineer's Reports, and providing for Notice of a Public Hearing on May 17, 2018, for the Oak Way, Amber Grove/Greenfield, and Baroni Neighborhood Park and Open Space (No. LLD 001-05) Landscaping and Lighting Assessment Districts

**M/S/C/ (Directors Lando/Worley)** that the Board of Directors approves Resolution 18-3 that would declare the Board's intention to continue to levy the assessments for fiscal year 2018-19, 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 17, 2018, regarding continuing the annual assessments for fiscal year 2018-19.

**The vote was as follows: Ayes** carried

Ayes: Sneed, Malowney, Ellis, Lando, Worley

Noes: None

Abstain: None

Absent: None

## **8.0 NEW BUSINESS**

### 8.1 Revisions to the Humboldt Avenue Skatepark Rules

**M/S/C/ (Directors Lando/Ellis)** that the Board of Directors approves the revisions to the Humboldt Avenue Skatepark Rules with the following correction: Add cannabis to the last bulleted item on Page 1.

**The vote was as follows: Ayes** carried

Ayes: Sneed, Ellis, Lando, Worley

Noes: None

Abstain: Malowney

Absent: None

### 8.2 Disposal of Surplus Fixed Assets

**M/S/C/ (Directors Lando/Ellis)** that the Board of Directors approves the equipment disposals.

**The vote was as follows: Ayes** carried

Ayes: Sneed, Malowney, Ellis, Lando, Worley

Noes: None

Abstain: None

Absent: None

### 8.3 Election Ballot for Consolidated Redevelopment Agency Oversight Board for Butte County

**M/S/C/ (Directors Lando/Worley)** that the Board of Directors votes for Bob Malowney to serve on the Consolidated Redevelopment Agency Oversight Board for Butte County.

**The vote was as follows: Ayes** carried

Ayes: Sneed, Malowney, Ellis, Lando, Worley

Noes: None

Abstain: None

Absent: None

## **9.0 BOARD OF DIRECTORS' REPORTS/SPECIAL ASSIGNMENTS**

### 9.1 Butte County Special Districts Association/LAFCO

There were no comments.

### 9.2 Finance Committee

There were no comments.

### 9.3 Other Reports

Director Malowney stated that as part of the Master Plan Committee, he met with the consultant regarding the feasibility study.

## **10.0 DIRECTORS' COMMENTS**

Director Lando stated that he doesn't feel that the Senior Softball League's request for improvements at Sycamore Field was completely understood by the surrounding neighbors. He further stated that he has received a couple of emails from people opposing the proposed connection road at Community Park.

Director Worley stated that he has also received comments from people on Ohio Street opposing the connection road at Community Park.

Director Sneed stated that she has received a couple of complaints with regard to dog fights taking place at the DeGarmo Dog Park.

## **11.0 GENERAL MANAGER'S COMMENTS**

General Manager Willmann stated that she received information about Assembly Bill AB1912 which would make agencies that are members of JPAs responsible for PERS unfunded liability should the JPA dissolve. She noted that she will monitor it and keep the Board informed of any developments.

## **12.0 STAFF COMMENTS**

Park and Recreation Director Zeller informed the Board that the grand opening for the Humboldt Avenue Skatepark will be held on May 12, 2018 and will include a skateboarding competition, music, clinic for youth, and demonstrations by skaters of various ages.

Executive Assistant Marciales informed the Board that the Fork in the Road food truck event will be held at DeGarmo Park this year. It will be held the third Friday of each month from April through September.

## **13.0 ADJOURNMENT**

There being no further business, the Regular Meeting of the Board of Directors was adjourned at 7:42 p.m. to the Regular Meeting of the Board of Directors of the Chico Area Recreation and Park District on May 17, 2018.

Respectfully submitted,

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Ann Willmann, General Manager  
Secretary to the Board

**CHICO AREA RECREATION AND PARK DISTRICT  
BOARD PROGRAM SUMMARY 2017-2018**

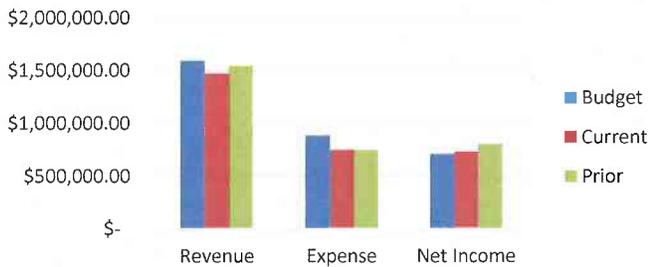
April 2018  
83% of the Year

# AFTERSCHOOL

We are at 92% of Budgeted Revenues and 78% of Budgeted Expenses. The Afterschool Program began on August 21, 2017. Our Net Income is \$28,530.35 less than last year.

	BUDGET	CURRENT YTD	PRIOR YTD
<b>REVENUE</b>	\$ 1,591,186.00	\$ 1,466,634.47	\$ 1,538,474.75
<b>EXPENSES</b>	\$ 882,956.00	\$ 742,819.69	\$ 741,247.00

AFTERSCHOOL

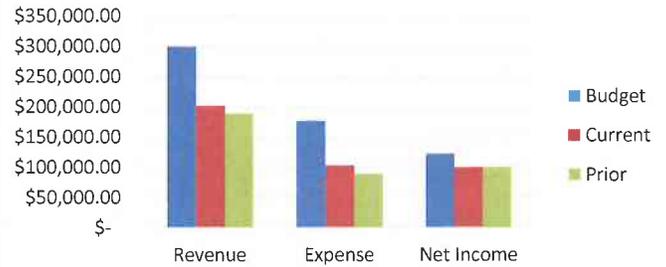


# CAMPS

We are at 65% of Budgeted Revenues and 57% of Budgeted Expenses. CAMPS are seasonal. The majority run June-August. The rest are during school breaks in December/January and March. Therefore we are towards the end for CAMPS for the Fiscal Year. Our Net Income is currently \$549.43 less than last year.

	BUDGET	CURRENT YTD	PRIOR YTD
<b>REVENUE</b>	\$ 298,240.00	\$ 200,600.34	\$ 187,887.60
<b>EXPENSES</b>	\$ 176,551.00	\$ 102,226.01	\$ 88,963.84

CAMPS

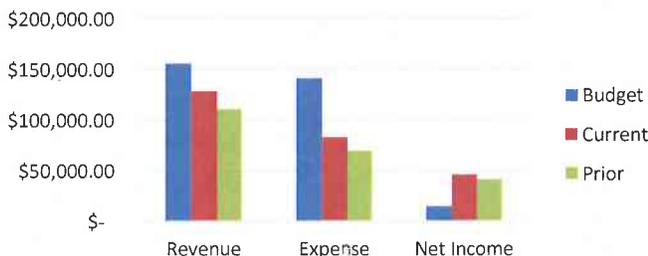


# AQUATICS

We are at 83% of Budgeted Revenues and 59% of Budgeted Expenses. Aquatics is seasonal. Programming runs June-August. Therefore we are past the half-way mark for the Fiscal Year. Our Net Income is currently \$4,426.28 over this time last year.

	BUDGET	CURRENT YTD	PRIOR YTD
<b>REVENUE</b>	\$ 155,950.00	\$ 128,815.82	\$ 110,920.60
<b>EXPENSES</b>	\$ 141,442.00	\$ 83,043.65	\$ 69,574.71

AQUATICS

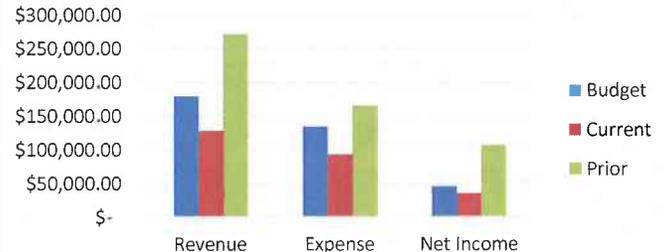


# CLASSES

We are at 71% of Budgeted Revenues and 69% of Budgeted Expenses. We have various classes that run throughout the year. Our Net Income is currently \$71,214.53 less than this time last year. This is mainly due to the fact that we no longer have the THRIVE program.

	BUDGET	CURRENT YTD	PRIOR YTD
<b>REVENUE</b>	\$ 179,150.00	\$ 127,170.71	\$ 270,842.05
<b>EXPENSES</b>	\$ 133,890.00	\$ 83,043.65	\$ 164,998.23

CLASSES



**CHICO AREA RECREATION AND PARK DISTRICT  
BOARD PROGRAM SUMMARY 2017-2018**

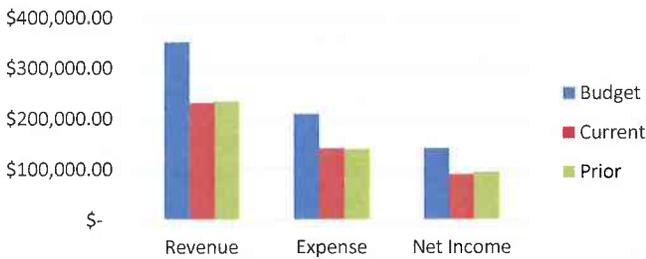
April 2018  
83% of the Year

## ADULT SPORTS

We are at 66% of Budgeted Revenues and 68% of Budgeted Expenses. Our Net Income is \$4,437.38 less than this time last year.

	BUDGET	CURRENT YTD	PRIOR YTD
<b>REVENUE</b>	\$ 350,600.00	\$ 231,360.70	\$ 234,425.63
<b>EXPENSES</b>	\$ 209,400.00	\$ 141,466.81	\$ 140,094.36

ADULT SPORTS

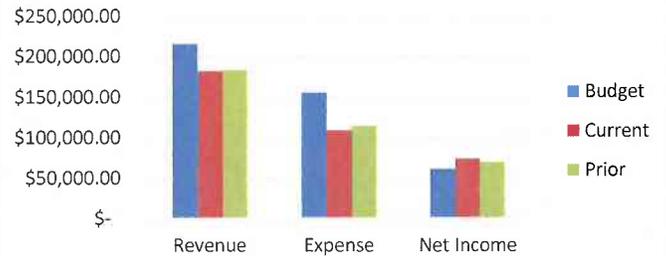


## YOUTH SPORTS

We are at 84% of Budgeted Revenues and 70% of Budgeted Expenses. Our Net Income is \$4,150.58 over this time last year.

	BUDGET	CURRENT YTD	PRIOR YTD
<b>REVENUE</b>	\$ 215,100.00	\$ 181,592.15	\$ 182,799.65
<b>EXPENSES</b>	\$ 154,700.00	\$ 108,523.08	\$ 113,881.16

YOUTH SPORTS

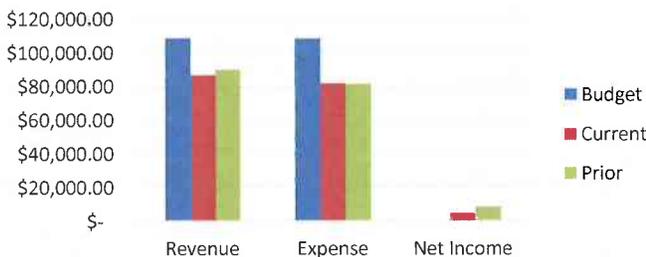


## SENIORS

We are at 80% of Budgeted Revenues and 75% of Budgeted Expenses. Our Net Income is \$3,462.35 less than this time last year.

	BUDGET	CURRENT YTD	PRIOR YTD
<b>REVENUE</b>	\$ 108,520.00	\$ 86,421.51	\$ 89,643.30
<b>EXPENSES</b>	\$ 108,330.00	\$ 81,592.51	\$ 81,351.95

SENIORS

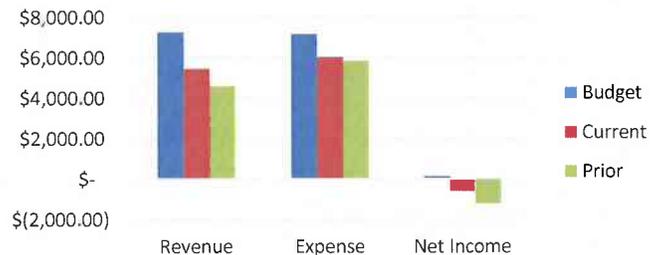


## SPECIAL EVENTS

We are at 75% of Budgeted Revenues and 84% of Budgeted Expenses. Our Net Income is 671.00 over this time last year. With Special Events, we often incur expenses prior to receiving revenue (through either entrance fees or sponsorships).

	BUDGET	CURRENT YTD	PRIOR YTD
<b>REVENUE</b>	\$ 7,250.00	\$ 5,429.90	\$ 4,555.50
<b>EXPENSES</b>	\$ 7,150.00	\$ 6,023.72	\$ 5,820.32

SPECIAL EVENTS



**CHICO AREA RECREATION AND PARK DISTRICT  
BOARD PROGRAM SUMMARY 2017-2018**

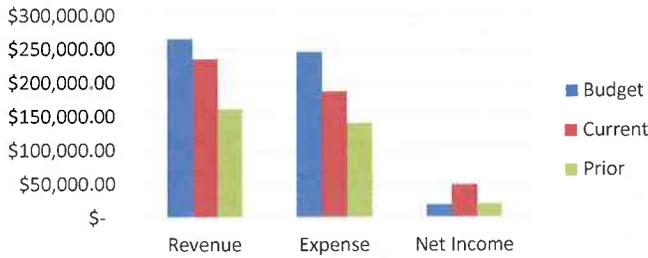
**April 2018  
83% of the Year**

## NATURE CENTER

We are at 89% of Budgeted Revenues and 76% of Budgeted Expenses. Our Net Income is \$28,141.41 over this time last year.

	BUDGET	CURRENT YTD	PRIOR YTD
<b>REVENUE</b>	\$ 265,080.00	\$ 235,451.81	\$ 161,187.19
<b>EXPENSES</b>	\$ 245,726.00	\$ 186,763.53	\$ 140,513.32

**NATURE CENTER**

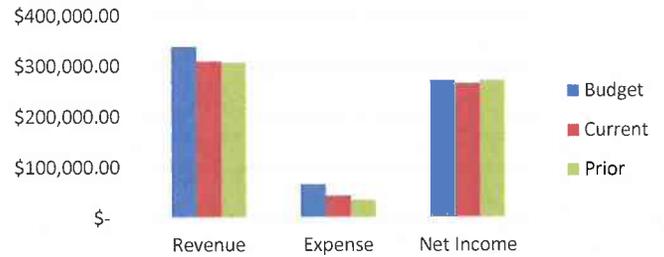


## FACILITY RENTAL

We are at 92% of Budgeted Revenues and 66% of Budgeted Expenses. Our Net Income is \$5,998.10 less than this time last year.

	BUDGET	CURRENT YTD	PRIOR YTD
<b>REVENUE</b>	\$ 337,591.00	\$ 308,920.97	\$ 307,053.32
<b>EXPENSES</b>	\$ 66,000.00	\$ 43,452.09	\$ 35,586.34

**FACILITY RENTAL**



\* Net Revenue may be affected by changes in our registration software

CHICO AREA RECREATION AND PARK DISTRICT  
PROGRAM SUMMARY 2017-2018

DESCRIPTION	2017-2018 Budget	April 2018	2017-2018 YTD	2017-2018 % of Budget	Remaining Budget	2016-2017 Budget	April 2017	2016-2017 YTD	2016-2017 % of Budget	Difference by Year
<b>AFTERSCHOOL</b>										
INCOME	1,591,186.00	137,442.94	1,466,634.47	92%	124,551.53	1,750,430.00	180,552.63	1,538,474.75	88%	(71,840.28)
INCOME				0%					0%	
PROGRAM SUPPLIES	(62,106.00)	(5,894.23)	(45,769.36)	74%	(16,336.64)	(66,840.00)	(6,486.30)	(44,186.46)	66%	(1,582.90)
CONTRACT SERVICES	(3,500.00)	(281.00)	(3,500.24)	100%	0.24	(3,500.00)	(396.80)	(3,500.00)	100%	(0.24)
PART-TIME WAGES	(817,350.00)	(81,579.86)	(693,550.09)	85%	(123,799.91)	(946,494.00)	(84,498.65)	(693,560.54)	73%	10.45
<b>TOTAL AFTERSCHOOL</b>	<b>708,230.00</b>	<b>49,687.85</b>	<b>723,814.78</b>	<b>102%</b>	<b>(15,584.78)</b>	<b>733,596.00</b>	<b>89,170.88</b>	<b>797,227.75</b>	<b>109%</b>	<b>(73,412.97)</b>
				0%					0%	
				0%					0%	
<b>CAMPS</b>										
INCOME	298,240.00	7,432.00	200,600.34	67%	97,639.66	325,000.00	2,840.00	187,887.60	58%	12,712.74
PROGRAM SUPPLIES	(18,700.00)	(174.30)	(4,570.98)	24%	(14,129.02)	(18,000.00)	(168.35)	(6,663.16)	37%	2,092.18
PROGRAM TRANSPORTATION	(1,500.00)		(1,255.70)	84%	(244.30)	(1,500.00)			0%	(1,255.70)
CONTRACT SERVICES	(46,600.00)	(0.22)	(30,163.16)	65%	(16,436.84)	(57,500.00)		(27,206.30)	47%	(2,956.86)
PART-TIME WAGES	(91,751.00)	(3,135.00)	(66,236.17)	72%	(25,514.83)	(97,642.00)	(2,188.50)	(55,094.38)	56%	(11,141.79)
INSTRUCTOR WAGES	(18,000.00)			0%	(18,000.00)	(30,000.00)			0%	
<b>TOTAL CAMPS</b>	<b>121,689.00</b>	<b>4,122.48</b>	<b>98,374.33</b>	<b>81%</b>	<b>23,314.67</b>	<b>120,358.00</b>	<b>483.15</b>	<b>98,923.76</b>	<b>82%</b>	<b>(549.43)</b>
				0%					0%	
				0%					0%	
<b>AQUATICS</b>										
INCOME	155,950.00	7,480.15	128,815.82	83%	27,134.18	126,110.00	15,138.39	110,920.60	88%	17,895.22
PROGRAM SUPPLIES	(5,165.00)		(2,740.73)	53%	(2,424.27)	(4,265.00)	(230.00)	(1,813.80)	43%	(926.93)
CLOTHING	(800.00)			0%	(800.00)	(700.00)			0%	
CONTRACT SERVICES	(3,785.00)			0%	(3,785.00)				0%	
INSTRUCTOR WAGES	(135,477.00)	(1,137.48)	(77,572.17)	57%	(57,904.83)	(114,593.00)	(913.15)	(63,702.51)	56%	(13,869.66)
PART-TIME WAGES				0%					0%	
<b>TOTAL AQUATICS</b>	<b>10,723.00</b>	<b>6,342.67</b>	<b>48,502.92</b>	<b>452%</b>	<b>(37,779.92)</b>	<b>6,552.00</b>	<b>13,995.24</b>	<b>45,404.29</b>	<b>693%</b>	<b>3,098.63</b>
				0%					0%	
				0%					0%	
<b>CLASSES</b>										
INCOME	179,150.00	12,504.90	127,170.71	71%	51,979.29	230,400.00	32,362.97	270,842.05	118%	(143,671.34)
ADVERTISING				0%		(750.00)			0%	
PROGRAM SUPPLIES	(4,000.00)	(56.24)	(3,494.94)	87%	(505.06)	(7,600.00)	(1,333.90)	(9,299.90)	122%	5,804.96
CLOTHING				0%		(750.00)		(698.22)	120%	898.22
CONTRACT SERVICES	(27,325.00)	(1,893.08)	(13,251.70)	48%	(14,073.30)	(34,400.00)	(1,335.80)	(16,587.50)	48%	3,335.80
PART-TIME WAGES	(11,740.00)	(447.00)	(4,342.98)	37%	(7,397.02)	(48,360.00)	(7,825.11)	(62,748.82)	130%	56,405.84
INSTRUCTOR WAGES	(91,000.00)	(6,484.15)	(71,451.80)	79%	(19,548.20)	(76,500.00)	(10,928.47)	(75,463.79)	99%	4,011.99
<b>TOTAL CLASSES</b>	<b>45,085.00</b>	<b>3,624.43</b>	<b>34,629.29</b>	<b>77%</b>	<b>10,455.71</b>	<b>62,040.00</b>	<b>10,939.69</b>	<b>105,843.82</b>	<b>171%</b>	<b>(71,214.53)</b>
				0%					0%	
				0%					0%	
<b>ADULT SPORTS</b>										
INCOME	350,600.00	47,027.61	231,360.70	66%	119,239.30	348,200.00	39,724.30	234,425.63	67%	(3,064.93)
PROGRAM SUPPLIES	(26,300.00)	(287.08)	(18,007.28)	68%	(8,292.72)	(25,780.00)	(421.30)	(19,744.09)	77%	1,736.81
PROGRAM TRANSPORTATION				0%					0%	
CLOTHING				0%					0%	
CONTRACT SERVICES	(6,800.00)	(58.00)	(58.00)	1%	(6,742.00)	(6,800.00)		(4,796.00)	71%	4,738.00
PART-TIME WAGES	(176,300.00)	(7,278.08)	(52,189.05)	30%	(124,110.95)	(72,875.00)	(5,988.74)	(90,068.92)	124%	37,879.87
OFFICIALS WAGES		(14,247.00)	(71,212.48)	0%	71,212.48	(100,000.00)	(10,783.13)	(25,485.35)	25%	(45,727.13)
<b>TOTAL ADULT SPORTS</b>	<b>141,200.00</b>	<b>25,157.45</b>	<b>89,893.89</b>	<b>64%</b>	<b>51,306.11</b>	<b>142,745.00</b>	<b>22,531.13</b>	<b>94,331.27</b>	<b>66%</b>	<b>(4,437.38)</b>
				0%					0%	

CHICO AREA RECREATION AND PARK DISTRICT  
PROGRAM SUMMARY 2017-2018

DESCRIPTION	2017-2018 Budget	April 2018	2017-2018 YTD	2017-2018 % of Budget	Remaining Budget	2016-2017 Budget	April 2017	2016-2017 YTD	2016-2017 % of Budget	Difference by Year
<b>YOUTH SPORTS</b>										
INCOME	215,100.00	28,696.26	181,592.15	84%	33,507.85	214,900.00	22,785.81	182,799.65	85%	(1,207.50)
PROGRAM SUPPLIES	(8,600.00)	(581.52)	(6,436.88)	75%	(2,163.12)	(9,375.00)	(1,805.22)	(7,663.22)	82%	1,226.34
PROGRAM TRANSPORTATION	(1,600.00)	-	-	0%	(1,600.00)	(1,700.00)	-	-	0%	-
CLOTHING	(10,300.00)	-	(9,690.71)	94%	(609.29)	(10,000.00)	(337.37)	(10,157.37)	102%	466.66
CONTRACT SERVICES	(13,900.00)	-	(1,539.90)	11%	(12,360.10)	(13,750.00)	-	(1,266.99)	9%	(272.91)
PART-TIME WAGES	(120,300.00)	(8,031.70)	(90,855.59)	76%	(29,444.41)	(117,100.00)	(8,155.99)	(94,793.58)	81%	3,937.99
OFFICIALS WAGES	-	-	-	0%	-	-	-	-	0%	-
<b>TOTAL YOUTH SPORTS</b>	<b>60,400.00</b>	<b>20,083.04</b>	<b>73,069.07</b>	<b>121%</b>	<b>(12,669.07)</b>	<b>62,975.00</b>	<b>12,487.23</b>	<b>68,918.49</b>	<b>109%</b>	<b>4,150.58</b>
<b>SENIOR PROGRAMS</b>										
INCOME	108,520.00	6,113.31	86,421.51	80%	22,098.49	113,092.00	10,677.87	89,643.30	79%	(3,221.79)
PROGRAM SUPPLIES	(5,250.00)	(181.07)	(3,614.49)	69%	(1,635.51)	(5,300.00)	(239.99)	(3,466.83)	65%	(147.66)
PROGRAM TRANSPORTATION	-	-	-	0%	-	-	-	-	0%	-
CONTRACT SERVICES	(36,700.00)	(3,085.00)	(28,434.71)	77%	(8,265.29)	(37,400.00)	(3,169.90)	(30,989.81)	83%	2,555.10
PART-TIME WAGES	(46,380.00)	(4,182.08)	(34,532.95)	74%	(11,847.05)	(44,680.00)	(3,174.84)	(29,266.51)	66%	(5,266.44)
INSTRUCTOR WAGES	(20,000.00)	(1,241.90)	(15,010.36)	75%	(4,989.64)	(7,500.00)	(1,837.03)	(17,628.80)	235%	2,618.44
<b>TOTAL SENIOR PROGRAMS</b>	<b>190.00</b>	<b>(2,576.74)</b>	<b>4,829.00</b>	<b>2542%</b>	<b>(4,639.00)</b>	<b>18,212.00</b>	<b>2,256.11</b>	<b>8,291.35</b>	<b>46%</b>	<b>(3,462.35)</b>
<b>SPECIAL EVENTS</b>										
INCOME	7,250.00	250.00	5,429.90	75%	1,820.10	9,150.00	600.00	4,555.50	50%	874.40
PROGRAM SUPPLIES	(4,350.00)	(628.34)	(3,509.61)	81%	(840.39)	(7,400.00)	(695.00)	(3,294.99)	45%	(214.62)
MILEAGE	-	-	-	0%	-	-	-	-	0%	-
CONTRACT SERVICES	(2,800.00)	-	(2,514.11)	90%	(285.89)	-	-	(2,525.33)	0%	11.22
PART-TIME WAGES	-	-	-	0%	-	-	-	-	0%	-
<b>TOTAL SPECIAL EVENTS</b>	<b>100.00</b>	<b>(378.34)</b>	<b>(593.82)</b>	<b>-594%</b>	<b>693.82</b>	<b>1,750.00</b>	<b>(95.00)</b>	<b>(1,264.82)</b>	<b>-72%</b>	<b>671.00</b>
<b>NATURE CENTER</b>										
INCOME	248,580.00	17,750.36	219,997.63	89%	28,582.37	219,845.00	9,408.91	145,386.19	66%	74,611.44
FACILITY RENTALS	2,500.00	-	255.00	10%	2,245.00	7,000.00	1,160.00	6,803.50	97%	(6,548.50)
FUNDRAISING (DONATIONS)	14,000.00	8,315.00	15,199.18	109%	(1,199.18)	12,000.00	698.00	8,997.50	75%	6,201.68
GRANT FUNDING	-	-	-	0%	-	-	-	-	0%	-
ENDOWMENT	-	-	-	0%	-	5,000.00	-	-	0%	-
FULL-TIME WAGES	(55,000.00)	(4,168.00)	(43,754.42)	80%	(11,245.58)	(48,510.00)	(3,835.21)	(39,192.41)	81%	(4,562.01)
PART-TIME WAGES	(115,876.00)	(6,957.81)	(81,423.87)	70%	(34,452.13)	(106,123.00)	(4,899.09)	(55,684.79)	52%	(25,739.08)
FICA	(13,500.00)	(851.12)	(15,607.50)	116%	2,107.50	(12,163.00)	(668.18)	(7,258.11)	60%	(8,349.39)
RETIREMENT	(10,000.00)	(272.30)	(2,863.05)	29%	(7,136.95)	(5,500.00)	(620.63)	(5,449.29)	99%	2,586.24
MEDICAL	(12,000.00)	(780.39)	(7,264.71)	61%	(4,735.29)	(11,610.00)	(729.37)	(7,053.01)	61%	(211.70)
WC INSURANCE	(8,000.00)	-	-	0%	(8,000.00)	(6,720.00)	-	-	0%	-
CLOTHING	(3,700.00)	-	(1,604.79)	43%	(2,095.21)	(3,480.00)	-	-	0%	(1,604.79)
STAFF TRAINING	(600.00)	245.36	(528.91)	88%	(71.09)	(1,500.00)	(571.98)	(964.98)	64%	436.07
ADVERTISING	(500.00)	(500.00)	(500.00)	100%	-	(1,600.00)	(165.00)	(2,042.17)	128%	1,542.17
COPYING	(3,275.00)	(56.35)	(3,284.05)	100%	9.05	(1,500.00)	(79.86)	(1,428.07)	95%	(1,855.98)
EQUIPMENT/SOFTWARE	(500.00)	(118.39)	(571.31)	114%	71.31	(500.00)	(261.88)	(261.88)	52%	(309.43)
CONTRACT SERVICES	(1,500.00)	(469.41)	(2,704.46)	180%	1,204.46	(1,000.00)	(111.95)	(3,336.28)	334%	631.82
PROGRAM SUPPLIES	(19,575.00)	(5,283.01)	(26,520.08)	135%	6,945.08	(18,215.00)	(1,914.81)	(17,594.49)	97%	(8,925.59)
MILEAGE	(500.00)	-	(136.38)	27%	(363.62)	(500.00)	(12.14)	(247.84)	50%	111.46

CHICO AREA RECREATION AND PARK DISTRICT  
PROGRAM SUMMARY 2017-2018

DESCRIPTION	2017-2018 Budget	April 2018	YTD	2017-2018 % of Budget	Remaining Budget	2016-2017 Budget	April 2017	YTD	2016-2017 % of Budget	Difference by Year
RENT	-	-	-	0%	-	(1,000.00)	-	-	0%	-
PROPERTY & LIABILITY INSUR	(1,200.00)	-	-	0%	(1,200.00)	(1,000.00)	-	-	0%	-
<b>TOTAL NATURE CENTER</b>	<b>19,354.00</b>	<b>6,853.94</b>	<b>48,688.28</b>	<b>252%</b>	<b>(29,334.28)</b>	<b>23,924.00</b>	<b>(2,602.19)</b>	<b>20,873.87</b>	<b>86%</b>	<b>28,014.41</b>
<b>FACILITY RENTAL</b>										
INCOME	337,591.00	45,899.92	308,920.97	92%	28,670.03	314,591.00	37,736.00	307,053.32	98%	1,867.65
PROGRAM SUPPLIES	(8,000.00)	(620.54)	(2,809.12)	35%	(5,190.88)	(8,000.00)	-	(2,990.42)	37%	181.30
CONTRACT SERVICES	(16,000.00)	(2,493.00)	(6,988.48)	44%	(9,011.52)	(24,000.00)	(1,143.00)	(6,403.00)	27%	(585.48)
PART-TIME WAGES	(42,000.00)	(4,305.25)	(33,654.49)	80%	(8,345.51)	(36,000.00)	(2,943.55)	(26,192.92)	73%	(7,461.57)
<b>TOTAL FACILITY RENTAL</b>	<b>271,591.00</b>	<b>38,481.13</b>	<b>265,468.88</b>	<b>98%</b>	<b>6,122.12</b>	<b>246,591.00</b>	<b>33,649.45</b>	<b>271,466.98</b>	<b>110%</b>	<b>(5,998.10)</b>
<b>RECREATION - MISC. &amp; ADMIN</b>										
INCOME	-	(837.61)	(7,620.72)	0%	7,620.72	-	4,246.10	(938.71)	0%	(6,682.01)
PUBLICATIONS/LEGAL NOTICE	(21,000.00)	(711.82)	(17,705.07)	84%	(3,294.93)	(21,000.00)	(9,955.93)	(22,613.51)	108%	4,908.44
CONFERENCES	(6,000.00)	-	(7,868.32)	131%	1,868.32	(6,000.00)	(967.47)	(2,934.03)	49%	(4,934.29)
MILEAGE	(1,000.00)	-	-	0%	(1,000.00)	(1,000.00)	-	-	0%	-
OFFICE SUPPLIES	(12,300.00)	(776.78)	(6,850.40)	56%	(5,449.60)	(12,300.00)	(311.52)	(7,487.53)	61%	637.13
CLOTHING	(200.00)	-	(140.21)	70%	(59.79)	(200.00)	-	-	0%	(140.21)
ACL/OVERTIME	(5,000.00)	-	-	0	(5,000.00)	(5,000.00)	-	-	0%	-
PART-TIME WAGES	(5,000.00)	-	-	0%	(5,000.00)	(12,000.00)	-	(3,230.60)	27%	3,230.60
FULL TIME WAGES	(395,000.00)	(35,449.00)	(351,113.22)	89%	(43,886.78)	(364,490.00)	(32,415.71)	(326,848.11)	90%	(24,265.11)
<b>TOTAL RECREATION - MISC. &amp; ADMIN</b>	<b>(445,500.00)</b>	<b>(37,775.21)</b>	<b>(391,297.94)</b>	<b>88%</b>	<b>(54,202.06)</b>	<b>(421,990.00)</b>	<b>(39,404.53)</b>	<b>(364,052.49)</b>	<b>86%</b>	<b>(27,245.45)</b>
<b>TOTAL PROGRAM SUMMARY</b>	<b>933,062.00</b>	<b>113,622.70</b>	<b>995,378.68</b>	<b>107%</b>	<b>(62,316.68)</b>	<b>996,753.00</b>	<b>143,411.16</b>	<b>1,145,764.27</b>	<b>115%</b>	<b>(150,385.69)</b>

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APRIL 2018**

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NOTE: This completes 10 months of the fiscal year and represents 83% of the year.

CHICO AREA RECREATION AND PARK DISTRICT  
BALANCE SHEET  
APRIL 2018

	APRIL 2018	APRIL 2017
<b>ASSETS</b>		
<b>CASH</b>		
CASH ON DEPOSIT WITH COUNTY (GENERAL FUND)	5,491,656.69	5,202,896.69
CASH ON DEPOSIT WITH COUNTY (COMMUNITY BAND)	1,641.01	2,419.95
CASH ON DEPOSIT WITH COUNTY (PARK FUND)	98,299.91	94,158.48
CASH ON DEPOSIT WITH COUNTY (OAK WAY)	82,103.03	81,516.77
CASH ON DEPOSIT WITH COUNTY (PETERSON PARK)	73,291.53	78,934.24
CASH ON DEPOSIT WITH COUNTY (BARONI PARK)	133,970.41	125,999.05
CASH ON DEPOSIT WITH COUNTY (ROTARY)	16,534.52	16,509.83
CASH ON DEPOSIT WITH ROTARY FOUNDATION	500.96	500.96
CASH - GOLDEN VALLEY BANK	409,461.35	180,411.56
PETTY CASH	600.00	500.00
BANK SUSPENSE	144,309.54	7,876.00
<b>SUBTOTAL</b>	<b>6,452,368.95</b>	<b>5,791,723.53</b>
FMV ADJUSTMENT (GENERAL FUND)	-	-
FMV ADJUSTMENT (PARK FUND)	-	-
FMV ADJUSTMENT (OAK WAY)	-	-
FMV ADJUSTMENT (PETERSON PARK)	-	-
FMV ADJUSTMENT (BARONI PARK)	-	-
FMV ADJUSTMENT (ROTARY FUND)	-	-
<b>SUBTOTAL</b>	<b>-</b>	<b>-</b>
<b>RECEIVABLES</b>		
ACCOUNTS RECEIVABLE	289,869.33	144,716.59
A/R - ONLINE PAYMENT CLEARING	-	-
A/R - IN HOUSE CREDIT CARDS	16,325.00	535.00
INTEREST RECEIVABLE (GENERAL FUND)	-	-
INTEREST RECEIVABLE (PARK FUND)	(0.00)	-
INTEREST RECEIVABLE (OAK WAY)	-	-
INTEREST RECEIVABLE (PETERSON PARK)	-	-
INTEREST RECEIVABLE (BARONI PARK)	-	-
<b>RECEIVABLES</b>	<b>306,194.33</b>	<b>145,251.59</b>
<b>DUE FROM OTHER FUNDS</b>		
DUE TO GENERAL FUND FROM OTHER FUNDS	150,638.03	147,589.43
DUE TO GENERAL FUND FROM PARK FUND	-	-
DUE TO GENERAL FUND FROM OAK WAY FUND	-	-
DUE TO GENERAL FUND FROM PETERSON PARK FUND	-	-
DUE TO GENERAL FUND FROM BARONI PARK FUND	-	-
<b>DUE FROM OTHER FUNDS</b>	<b>150,638.03</b>	<b>147,589.43</b>
<b>TOTAL CURRENT ASSETS</b>	<b>6,909,201.31</b>	<b>6,084,564.55</b>
<b>PREPAID PENSION CONTRIBUTION</b>	<b>244,817.85</b>	<b>275,420.08</b>
<b>FIXED ASSETS</b>		
LAND	11,634,790.52	11,634,790.52
LAND IMPROVEMENTS	24,769,004.40	24,260,700.41
LEASEHOLD IMPROVEMENTS	1,098,162.52	1,098,162.52
EQUIPMENT	848,968.25	848,968.25
EQUIPMENT - COMPUTERS	276,499.35	270,450.99
EQUIPMENT - AUTOS	371,592.10	349,973.72

CHICO AREA RECREATION AND PARK DISTRICT  
 BALANCE SHEET  
 APRIL 2018

	APRIL 2018	APRIL 2017
CONSTRUCTION IN PROGRESS	54,646.86	15,753.16
<b>SUBTOTAL</b>	<b>39,053,664.00</b>	<b>38,478,799.57</b>
ACCUMULATED DEPRECIATION	(12,290,441.83)	(11,415,180.23)
<b>SUBTOTAL</b>	<b>26,763,222.17</b>	<b>27,063,619.34</b>
<b>TOTAL ASSETS</b>	<b>33,917,241.33</b>	<b>33,423,603.97</b>
<b>TOTAL DEFERRED OUTFLOWS OF RESOURCES - GASB 68</b>	<b>789,365.00</b>	<b>385,292.00</b>

CHICO AREA RECREATION AND PARK DISTRICT  
BALANCE SHEET  
APRIL 2018

	APRIL 2018	APRIL 2017
<b>LIABILITIES</b>		
<b>ACCOUNTS PAYABLE</b>	<b>66,744.22</b>	<b>69,609.61</b>
<b>ACCRUED EXPENSES</b>		
ACCRUED PAYROLL	5,248.64	-
PAYROLL FEDERAL TAXES	-	11,563.32
PAYROLL STATE TAXES	-	2,744.07
PAYROLL EMPLOYEE MEDI & FICA	-	12,383.96
PAYROLL EMPLOYER MEDI & FICA LIAB	(1,429.65)	12,383.96
PAYROLL SDI	1,403.61	1,453.00
LONG TERM CARE PAY DEDUCTIONS	-	-
PAYROLL GARNISHMENTS	518.02	-
UNION DUES - SUPERVISORS	435.17	-
UNION DUES - PARKS	511.56	-
CALPERS 2% AT 62	-	-
457 EMPLOYEE CONTRIBUTIONS	3,502.00	-
EMPLOYEE MEDICAL WITHHOLDINGS	(1,530.84)	-
VOUCHERS PAYABLE ACCRUAL	-	-
ACCRUED INTEREST EXPENSE (GENERAL FUND)	4,082.24	4,807.47
ACCRUED INTEREST EXPENSE (PARK FUND)	-	5,917.53
<b>ACCRUED EXPENSES</b>	<b>12,740.75</b>	<b>51,253.31</b>
<b>DUE TO OTHER FUNDS</b>		
DUE TO GENERAL FUND FROM PARK FUND	-	-
DUE TO GENERAL FUND FROM OAK WAY FUND	56,247.94	55,026.84
DUE TO GENERAL FUND FROM PETERSON PARK FUND	45,579.50	44,973.10
DUE TO GENERAL FUND FROM BARONI PARK FUND	48,810.59	47,589.49
<b>SUBTOTAL</b>	<b>150,638.03</b>	<b>147,589.43</b>
<b>OTHER LIABILITIES</b>		
BANK CHARGE CLEARING ACCOUNT	(160.71)	(63.00)
DEFERRED REVENUE	805,445.46	144,199.63
OTHER LIAB - CLASS CLEARING ACCT	35.70	-
UNEARNED REVENUE	3,753.39	2,931.83
PREPAID FACILITY TRANSFER	7,219.30	-
SECURITY DEPOSITS	11,150.00	49,000.00
SECURITY HOLDING ACCT - CLASS	-	-
<b>SUBTOTAL</b>	<b>827,443.14</b>	<b>196,068.46</b>
<b>TOTAL CURRENT LIABILITIES</b>	<b>1,057,566.14</b>	<b>464,520.81</b>
<b>LONG-TERM DEBT</b>		
NOTE PAYBLE - DEGARMO	-	-
NOTE PAYABLE - SOLAR	0.51	28,800.96
NOTE PAYABLE - LAKESIDE PAVILLION	520.42	513,977.16
NET PENSION LIABILITY	2,378,682.00	1,758,201.00
LIABILITY FOR COMPENSATED ABSENCES	148,022.39	114,705.84
<b>SUBTOTAL</b>	<b>2,527,225.32</b>	<b>2,415,684.96</b>
<b>TOTAL LIABILITIES</b>	<b>3,584,791.46</b>	<b>2,880,205.77</b>
<b>TOTAL DEFERRED INFLOWS OF RESOURCES - GASB 68</b>	<b>121,178.00</b>	<b>347,282.00</b>

CHICO AREA RECREATION AND PARK DISTRICT  
BALANCE SHEET  
APRIL 2018

APRIL 2018

APRIL 2017

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CHICO AREA RECREATION AND PARK DISTRICT  
 BALANCE SHEET  
 APRIL 2018

	APRIL 2018	APRIL 2017
<b>FUND BALANCE</b>		
<b>SPENDABLE - COMMITTED</b>		
SPENDABLE - COMMITTED - PETTY CASH	1,500.00	1,500.00
SPENDABLE - COMMITTED - GENERAL RESERVE	1,200,000.00	1,200,000.00
<b>SUBTOTAL</b>	<b>1,201,500.00</b>	<b>1,201,500.00</b>
<b>SPENDABLE - ASSIGNED</b>		
SPENDABLE - ASSIGNED - CAPITAL OUTLAY	50,000.00	50,000.00
SPENDABLE - ASSIGNED - LONG TERM DEBT	-	701,910.00
SPENDABLE - ASSIGNED - ELECTION COSTS	45,000.00	45,000.00
SPENDABLE - ASSIGNED - PENSION LIABILITY	1,700,000.00	-
SPENDABLE - ASSIGNED - FUNDED DEPRECIATION	340,500.00	685,500.00
<b>SUBTOTAL</b>	<b>2,135,500.00</b>	<b>1,482,410.00</b>
<b>SPENDABLE - UNASSIGNED</b>	<b>99,174.68</b>	<b>326,227.76</b>
<b>NON-SPENDABLE</b>	<b>26,220,444.05</b>	<b>26,361,709.42</b>
<b>TOTAL FUND BALANCE - GENERAL FUND</b>	<b>29,656,618.73</b>	<b>29,371,847.18</b>
<b>FUND BALANCE - PARK FUND</b>	<b>38,006.87</b>	<b>45,301.69</b>
<b>FUND BALANCE - OAK WAY</b>	<b>4,943.25</b>	<b>6,335.25</b>
<b>FUND BALANCE - PETERSON PARK</b>	<b>7,718.07</b>	<b>13,302.06</b>
<b>FUND BALANCE - BARONI PARK</b>	<b>58,746.32</b>	<b>48,191.49</b>
<b>NET INCOME (LOSS)</b>		
GENERAL FUND	1,143,874.58	1,029,952.34
PARK FUND	67,418.04	37,839.56
OAK WAY	6,392.75	7,621.51
PETERSON PARK	1,121.43	1,995.53
BARONI PARK	15,796.83	19,788.28
<b>TOTAL NET INCOME (LOSS)</b>	<b>1,234,603.63</b>	<b>1,097,197.22</b>
<b>TOTAL FUND BALANCE</b>	<b>31,000,636.87</b>	<b>30,582,174.89</b>

**FOOTNOTES:**

CHICO AREA RECREATION AND PARK DISTRICT  
EXECUTIVE SUMMARY - GENERAL FUND - FUND 2490  
APRIL 2018

	2017-2018 BUDGET	2017-2018 YTD	2017-2018 % BUDGET	2016-2017 BUDGET	2016-2017 YTD	2016-2017 % BUDGET	DIFF. BY YEAR
<b>REVENUE</b>							
FEE BASED PROGRAM INCOME	3,154,576	2,640,452.51	83.7%	3,551,572	2,763,996.56	77.8%	(123,544.05)
OTHER INCOME	463,920	470,335.93	101.4%	461,201	381,099.50	82.6%	89,236.43
RDA PASSTHROUGH	1,064,000	1,178,202.66	110.7%	1,035,000	1,616,266.17	156.2%	(438,063.51)
INVESTMENT INCOME	40,000	40,500.72	101.3%	24,000	31,622.67	131.8%	8,878.05
TAX INCOME / COUNTY	2,896,000	2,868,931.13	99.1%	2,806,000	2,170,491.41	77.4%	698,439.72
<b>TOTAL REVENUE</b>	<b>7,618,496</b>	<b>7,198,422.95</b>	<b>94.5%</b>	<b>7,877,773</b>	<b>6,963,476.31</b>	<b>88.4%</b>	<b>234,946.64</b>
<b>OPERATING EXPENDITURES</b>							
SALARIES AND BENEFITS	5,389,670	4,187,485.88	77.7%	5,388,906	4,052,972.10	75.2%	134,513.78
SERVICES AND SUPPLIES	1,824,144	1,373,000.07	75.3%	1,885,789	1,418,319.95	75.2%	(45,319.88)
CONTRIB. TO OTHER AGENCIES	15,000	12,733.72	84.9%	15,000	14,880.57	99.2%	(2,146.85)
CONTINGENCIES	25,000	-	0.0%	25,000	-	0.0%	-
NOTES PAYABLE / LEASE PYMTS	96,914	11,697.05	12.1%	107,577	26,853.62	25.0%	(15,156.57)
<b>TOTAL OPERATING EXPENDITURES</b>	<b>7,350,728</b>	<b>5,584,916.72</b>	<b>76.0%</b>	<b>7,422,272</b>	<b>5,513,026.24</b>	<b>74.3%</b>	<b>71,890.48</b>
<b>NET REVENUE BEFORE SPEC. EXP.</b>	<b>267,768</b>	<b>1,613,506.23</b>	<b>602.6%</b>	<b>455,501</b>	<b>1,450,450.07</b>	<b>318.4%</b>	<b>163,056.16</b>
<b>SPECIALLY ALLOCATED ITEMS</b>							
CAPITAL / REPAIR PROJECTS	975,500	481,849.75	49.4%	467,000	389,172.09	83.3%	92,677.66
CAPITAL PROJECT REIMBURSEMENT	-	-	0.0%	-	-	0.0%	-
<b>NET CAPITAL PROJECTS</b>	<b>975,500</b>	<b>481,849.75</b>	<b>49.4%</b>	<b>467,000</b>	<b>389,172.09</b>	<b>83.3%</b>	<b>92,677.66</b>
DEPRECIATION	-	-	0.0%	-	-	0.0%	-
FAIR MARKET VALUE ADJUSTMENT	-	(12,218.10)	0.0%	-	31,325.64	0.0%	(43,543.74)
<b>TOTAL SPECIALLY ALLOCATED</b>	<b>975,500</b>	<b>469,631.65</b>	<b>48.1%</b>	<b>467,000</b>	<b>420,497.73</b>	<b>90.0%</b>	<b>(43,543.74)</b>
<b>TOTAL REVENUE OVER (UNDER) EXPENDITURES</b>	<b>(707,732)</b>	<b>1,143,874.58</b>		<b>(11,499)</b>	<b>1,029,952.34</b>		<b>113,922.24</b>

CHICO AREA RECREATION AND PARK DISTRICT  
REVENUE SUMMARY - GENERAL FUND - FUND 2490  
APRIL 2018

	2017-2018 BUDGET	2017-2018 YTD	2017-2018 % BUDGET	2016-2017 BUDGET	2016-2017 YTD	2016-2017 % BUDGET	DIFF. BY YEAR
<b>FEE BASED PROGRAM INCOME</b>							
AFTER SCHOOL & CAMP PROGRAMS							
AFTERSCHOOL	1,591,186	1,466,634.47	92.2%	1,750,430	1,538,474.75	87.9%	(71,840.28)
CAMPS	298,240	200,600.34	67.3%	325,000	187,887.60	57.8%	12,712.74
<b>SUBTOTAL</b>	<b>1,889,426</b>	<b>1,667,234.81</b>	<b>88.2%</b>	<b>2,075,430</b>	<b>1,726,362.35</b>	<b>83.2%</b>	<b>(59,127.54)</b>
<b>AQUATICS</b>	<b>155,950</b>	<b>128,815.82</b>	<b>82.6%</b>	<b>126,110</b>	<b>110,920.60</b>	<b>88.0%</b>	<b>17,895.22</b>
<b>CLASSES</b>							
GENERAL CLASSES	70,000	60,696.30	86.7%	55,000	64,849.19	117.9%	(4,152.89)
ADULT CLASSES	1,650	1,574.68	95.4%	1,400	2,673.44	191.0%	(1,098.76)
SENIOR ADULT CLASSES	43,000	40,467.82	94.1%	40,000	39,156.07	97.9%	1,309.75
YOUTH CLASSES	107,500	64,949.73	60.4%	174,000	203,319.42	116.9%	(138,369.69)
<b>SUBTOTAL</b>	<b>222,150</b>	<b>167,688.53</b>	<b>75.5%</b>	<b>270,400</b>	<b>310,000.12</b>	<b>114.6%</b>	<b>(142,311.59)</b>
<b>ADULT SPORTS</b>							
VOLLEYBALL & DODGEBALL	49,500	32,472.03	65.6%	46,000	35,563.34	77.3%	(3,091.31)
BASKETBALL	34,000	27,826.57	81.8%	35,500	26,235.38	73.9%	1,591.19
SOFTBALL	215,300	131,774.45	61.2%	217,400	142,078.46	65.4%	(10,304.01)
SOFTBALL TOURNEYS	6,800	-	0.0%	6,800	-	0.0%	-
SOCCER	45,000	39,287.65	87.3%	42,500	30,548.45	71.9%	8,739.20
<b>SUBTOTAL</b>	<b>350,600</b>	<b>231,360.70</b>	<b>66.0%</b>	<b>348,200</b>	<b>234,425.63</b>	<b>67.3%</b>	<b>(3,064.93)</b>
<b>NATURE CENTER</b>							
PROGRAM FEE INCOME	248,580	219,997.63	88.5%	219,845	145,386.19	66.1%	74,611.44
GRANT FUNDING	-	-	0.0%	214,445	-	0.0%	-
<b>SUBTOTAL</b>	<b>248,580</b>	<b>219,997.63</b>	<b>88.5%</b>	<b>434,290</b>	<b>145,386.19</b>	<b>33.5%</b>	<b>74,611.44</b>
<b>OTHER PROGRAMS</b>							
SCHOLARSHIPS	(17,000)	(19,909.43)	117.1%	(17,000)	(10,481.70)	61.7%	(9,427.73)
CO-SPONSORED & MISCELLANEOUS	17,000	12,288.71	72.3%	17,000	9,542.99	56.1%	2,745.72
SPECIAL EVENTS	7,250	5,429.90	74.9%	9,150	4,555.50	49.8%	874.40
SENIOR ADULT PROGRAMS	65,520	45,953.69	70.1%	73,092	50,485.23	69.1%	(4,531.54)
YOUTH SPORTS	215,100	181,592.15	84.4%	214,900	182,799.65	85.1%	(1,207.50)
<b>SUBTOTAL</b>	<b>287,870</b>	<b>225,355.02</b>	<b>78.3%</b>	<b>297,142</b>	<b>236,901.67</b>	<b>79.7%</b>	<b>(11,546.65)</b>
<b>TOTAL FEE BASED PROGRAMS</b>	<b>3,154,576</b>	<b>2,640,452.51</b>	<b>83.7%</b>	<b>3,551,572</b>	<b>2,763,996.56</b>	<b>77.8%</b>	<b>(123,544.05)</b>
<b>OTHER INCOME</b>							
FACILITY RENTAL INCOME	340,091	309,175.97	90.9%	321,591	313,856.82	97.6%	(4,680.85)
REBATES & REIMBURSED COSTS	35,000	18,334.43	52.4%	35,000	12,071.76	34.5%	6,262.67
REIMBURSEMENTS - CITY PARKS	63,829	32,817.74	51.4%	76,610	33,805.36	44.1%	(987.62)
MISCELLANEOUS	10,000	14,241.42	142.4%	10,000	8,048.40	80.5%	6,193.02
ENDOWMENTS	-	-	0.0%	5,000	-	0.0%	-
DONATIONS	15,000	95,766.37	638.4%	13,000	13,317.16	102.4%	82,449.21
<b>TOTAL OTHER INCOME</b>	<b>463,920</b>	<b>470,335.93</b>	<b>101.4%</b>	<b>461,201</b>	<b>381,099.50</b>	<b>82.6%</b>	<b>89,236.43</b>
<b>REVENUE FROM OTHER AGENCIES</b>							
RDA PASSTHROUGH	1,064,000	1,178,202.66	110.7%	1,035,000	1,616,266.17	156.2%	(438,063.51)
INVESTMENT INCOME	40,000	40,500.72	101.3%	24,000	31,622.67	131.8%	8,878.05
TAX INCOME / COUNTY	2,896,000	2,868,931.13	99.1%	2,806,000	2,170,491.41	77.4%	698,439.72
<b>TOTAL REVENUE FROM OTHER AGENCIES</b>	<b>4,000,000</b>	<b>4,087,634.51</b>	<b>102.2%</b>	<b>3,865,000</b>	<b>3,818,380.25</b>	<b>98.8%</b>	<b>269,254.26</b>
<b>TOTAL REVENUE</b>	<b>7,618,496</b>	<b>7,198,422.95</b>	<b>94.5%</b>	<b>7,877,773</b>	<b>6,963,476.31</b>	<b>88.4%</b>	<b>234,946.64</b>

**CHICO AREA RECREATION AND PARK DISTRICT  
SALARIES AND BENEFITS SUMMARY - GENERAL FUND - FUND 2490  
APRIL 2018**

	2017-2018 BUDGET	2017-2018 YTD	2017-2018 % BUDGET	2016-2017 BUDGET	2016-2017 YTD	2016-2017 % BUDGET	DIFF. BY YEAR
<b>SALARIES</b>							
FULL-TIME SALARIES	2,036,000	1,626,009.55	79.9%	1,928,000	1,560,608.06	80.9%	65,401.49
PART-TIME SALARIES	2,027,870	1,554,669.50	76.7%	2,134,102	1,443,674.25	67.6%	(27,763.25)
ACCUMULATED LEAVE	13,800	-	0.0%	15,350	-	0.0%	-
INSTRUCTORS	129,000	86,462.16	67.0%	121,728	155,841.41	128.0%	69,379.25
<b>SUBTOTAL</b>	<b>4,206,670</b>	<b>3,267,141.21</b>	<b>77.7%</b>	<b>4,199,180</b>	<b>3,160,123.72</b>	<b>75.3%</b>	<b>107,017.49</b>
<b>BENEFITS</b>							
FICA	322,500	243,949.73	75.6%	316,000	236,843.60	75.0%	7,106.13
RETIREMENT	375,000	295,965.08	78.9%	416,000	304,811.33	73.3%	(8,846.25)
RETIREMENT - GASB 68	-	-	0.0%	-	-	0.0%	-
HEALTH INSURANCE	370,000	273,346.15	73.9%	367,000	272,828.79	74.3%	517.36
COBRA	-	-	0.0%	-	-	0.0%	-
UNEMPLOYMENT INSURANCE	37,500	7,817.29	20.8%	42,500	26,811.00	63.1%	(18,993.71)
WORKERS COMP INSURANCE	218,000	221,066.42	101.4%	190,000	169,698.66	89.3%	51,367.76
ALLOCATION TO OTHER FUNDS	(140,000)	(121,800.00)	87.0%	(141,774)	(118,145.00)	83.3%	(3,655.00)
<b>SUBTOTAL</b>	<b>1,183,000</b>	<b>920,344.67</b>	<b>77.8%</b>	<b>1,189,726</b>	<b>892,848.38</b>	<b>75.0%</b>	<b>27,496.29</b>
<b>TOTAL SALARIES AND BENEFITS</b>	<b>5,389,670</b>	<b>4,187,485.88</b>	<b>77.7%</b>	<b>5,388,906</b>	<b>4,052,972.10</b>	<b>75.2%</b>	<b>134,513.78</b>

CHICO AREA RECREATION AND PARK DISTRICT  
 SERVICES AND SUPPLIES SUMMARY - GENERAL FUND - FUND 2490  
 APRIL 2018

	2017-2018 BUDGET	2017-2018 YTD	2017-2018 % BUDGET	2016-2017 BUDGET	2016-2017 YTD	2016-2017 % BUDGET	DIFF. BY YEAR
<b>SERVICES AND SUPPLIES</b>							
ADVERTISING	12,500	4,653.95	37.2%	14,350	9,185.85	64.0%	(4,531.90)
AGRICULTURE	32,854	18,026.47	54.9%	34,200	17,793.02	52.0%	233.45
CLOTHING	22,000	15,459.18	70.3%	22,130	15,696.21	70.9%	(237.03)
COMMUNICATIONS	50,609	43,786.28	86.5%	51,709	44,757.04	86.6%	(970.76)
HOUSEHOLD SUPPLIES	38,300	30,581.84	79.8%	35,000	31,059.54	88.7%	(477.70)
INSURANCE	75,000	70,372.32	93.8%	66,000	64,279.29	97.4%	6,093.03
EQUIPMENT REPAIRS	18,000	12,392.54	68.8%	17,500	17,194.43	98.3%	(4,801.89)
HOUSEHOLD EQUIPMENT	-	-	0.0%	-	46.73	0.0%	(46.73)
FIELD EQUIPMENT	1,750	1,216.00	69.5%	1,750	326.05	18.6%	889.95
PROGRAM EQUIPMENT	750	179.00	23.9%	750	214.23	28.6%	(35.23)
VEHICLE MAINTENANCE	12,500	7,406.73	59.3%	12,500	11,141.27	89.1%	(3,734.54)
POOL SUPPLIES	12,000	7,086.38	59.1%	12,000	9,880.75	82.3%	(2,794.37)
POOL EQUIPMENT	4,000	148.75	3.7%	4,000	923.68	23.1%	(774.93)
STRUCTURE & GROUNDS	74,350	67,944.59	91.4%	77,400	59,725.84	77.2%	8,218.75
SHOP SUPPLIES	5,000	3,910.44	78.2%	5,000	4,083.85	81.7%	(173.41)
VANDALISM	5,550	2,031.61	36.6%	5,800	2,660.53	45.9%	(628.92)
MEDICAL FIRST AID	2,600	2,823.33	108.6%	2,800	1,939.21	69.3%	884.12
MEMBERSHIP/PERIODICALS	16,400	16,368.25	99.8%	16,400	15,176.76	92.5%	1,191.49
OFFICE SUPPLIES	26,575	19,186.97	72.2%	24,800	19,935.71	80.4%	(748.74)
CONTRACT SERVICES	745,985	524,914.01	70.4%	821,375	597,710.22	72.8%	(72,796.21)
PUBS/LEGAL NOTICES	21,000	17,705.07	84.3%	21,000	22,613.51	107.7%	(4,908.44)
RENT/LEASE EQUIPMENT	2,750	1,811.51	65.9%	2,500	1,955.23	78.2%	(143.72)
RENT/LEASE STRUCTURES	3,200	2,400.00	75.0%	2,400	1,826.95	76.1%	573.05
SMALL TOOLS	2,850	1,484.36	52.1%	2,825	2,007.38	71.1%	(523.02)
EDUCATION & TRAINING	5,000	1,245.36	24.9%	5,000	773.00	15.5%	472.36
DISTRICT OFFICE SPECIAL EXP	9,000	7,242.99	80.5%	9,000	5,027.16	55.9%	-
PROGRAM SUPPLIES	204,046	138,572.75	67.9%	211,775	139,472.99	65.9%	(900.24)
DISTRICT OFFICE MEETING EXP	6,500	1,118.90	17.2%	6,500	525.65	8.1%	593.25
MILEAGE	31,500	28,142.20	89.3%	38,500	20,951.80	54.4%	7,190.40
PROGRAM TRANSPORTATION	3,100	1,255.70	40.5%	3,200	-	0.0%	1,255.70
DIST OFFICE BOARD MTG EXP	10,000	6,446.82	64.5%	10,000	7,821.02	78.2%	(1,374.20)
USE TAX	1,200	1,408.67	117.4%	1,200	1,658.28	138.2%	(249.61)
CONFERENCES	23,100	15,158.58	65.6%	25,000	17,078.15	68.3%	(1,919.57)
<b>SUBTOTAL</b>	<b>1,479,969</b>	<b>1,072,481.55</b>	<b>72.5%</b>	<b>1,564,364</b>	<b>1,145,471.79</b>	<b>73.2%</b>	<b>(75,206.07)</b>
<b>UTILITIES</b>							
WATER	68,675	54,923.06	80.0%	67,675	51,297.61	75.8%	3,625.45
ELECTRICITY	223,350	201,749.10	90.3%	209,500	174,717.95	83.4%	27,031.15
GAS	44,550	39,254.10	88.1%	35,950	42,255.54	117.5%	(3,001.44)
SEWER	7,600	4,592.26	60.4%	8,300	4,577.06	55.1%	15.20
<b>SUBTOTAL</b>	<b>344,175</b>	<b>300,518.52</b>	<b>87.3%</b>	<b>321,425</b>	<b>272,848.16</b>	<b>84.9%</b>	<b>27,670.36</b>
<b>TOTAL SERVICE &amp; SUPPLY</b>	<b>1,824,144</b>	<b>1,373,000.07</b>	<b>75.3%</b>	<b>1,885,789</b>	<b>1,418,319.95</b>	<b>75.2%</b>	<b>(47,535.71)</b>

**CHICO AREA RECREATION AND PARK DISTRICT  
SUMMARY OF REVENUES AND EXPENDITURES - NATURE CENTER  
APRIL 2018**

	2017-2018 BUDGET	2017-2018 YTD	2017-2018 % BUDGET	2016-2017 BUDGET	2016-2017 YTD	2016-2017 % BUDGET	DIFF. BY YEAR
<b>INCOME</b>							
GENERAL PROGRAM INCOME	7,000	3,714.24	53.1%	-	-	0.0%	3,714.24
GENERAL ADMISSION	2,500	3,212.00	128.5%	5,400	2,398.00	44.4%	814.00
HOME SCHOOL	10,830	13,050.00	120.5%	45,000	5,955.00	13.2%	7,095.00
FIELD TRIPS	21,000	11,453.00	54.5%	14,000	10,526.50	75.2%	926.50
CAMPS	158,650	131,091.40	82.6%	123,125	89,939.94	73.0%	41,151.46
PRESCHOOL	17,100	28,632.29	167.4%	4,320	10,630.57	246.1%	18,001.72
TEACHER WORKSHOPS	2,500	2,610.00	104.4%	4,500	1,390.00	30.9%	1,220.00
SPECIAL EVENTS	21,000	18,376.25	87.5%	13,500	22,648.52	167.8%	(4,272.27)
MEMBERSHIPS	2,000	1,273.45	63.7%	6,000	2,022.66	33.7%	(749.21)
FACILITY RENTALS	2,500	255.00	10.2%	7,000	6,803.50	97.2%	(6,548.50)
PARTY RENTALS	6,000	6,585.00	109.8%	4,000	(125.00)	-3.1%	6,710.00
GRANTS	-	-	0.0%	-	-	0.0%	-
ENDOWMENT	-	-	0.0%	5,000	-	0.0%	-
FUNDRAISING (DONATIONS)	14,000	15,199.18	108.6%	12,000	8,997.50	75.0%	6,201.68
<b>TOTAL INCOME</b>	<b>265,080</b>	<b>235,451.81</b>	<b>88.8%</b>	<b>243,845</b>	<b>161,187.19</b>	<b>66.1%</b>	<b>74,264.62</b>
<b>OPERATING EXPENDITURES</b>							
<b>SALARIES AND BENEFITS</b>	<b>214,376</b>	<b>150,913.55</b>	<b>70.4%</b>	<b>190,626</b>	<b>114,637.61</b>	<b>60.1%</b>	<b>36,275.94</b>
<b>SERVICES AND SUPPLIES</b>							
ADVERTISING	500	500.00	100.0%	1,600	2,042.17	127.6%	(1,542.17)
COMMUNICATIONS	1,800	2,214.66	123.0%	1,800	1,866.03	103.7%	348.63
HOUSEHOLD SUPPLIES	2,500	1,715.88	68.6%	3,000	2,303.51	76.8%	(587.63)
INSURANCE	1,200	-	0.0%	1,000	-	0.0%	-
STRUCTURES & GROUNDS	4,500	3,102.38	68.9%	5,000	2,895.73	57.9%	206.65
OFFICE SUPPLIES	3,275	3,284.05	100.3%	1,500	1,428.07	95.2%	1,855.98
CLOTHING	3,700	-	0.0%	-	-	0.0%	-
CONTRACT SERVICES	1,500	2,704.46	180.3%	1,000	3,336.28	333.6%	(631.82)
RENT/LEASE STRUCTURES	3,200	2,400.00	75.0%	2,400	1,826.95	76.1%	573.05
PROGRAM SUPPLIES	19,575	26,520.08	135.5%	18,215	17,594.49	96.6%	8,925.59
MILEAGE	500	136.38	27.3%	500	247.84	49.6%	(111.46)
CONFERENCES	600	528.91	88.2%	1,500	964.98	64.3%	(436.07)
ELECTRIC	7,500	5,813.37	77.5%	8,400	5,083.45	60.5%	729.92
GAS	1,900	2,268.23	119.4%	1,800	1,859.17	103.3%	409.06
<b>SUBTOTAL</b>	<b>52,250</b>	<b>51,188.40</b>	<b>98.0%</b>	<b>47,715</b>	<b>41,448.67</b>	<b>86.9%</b>	<b>9,739.73</b>
<b>EQUIPMENT/SOFTWARE</b>	<b>500</b>	<b>571</b>	<b>114.3%</b>	<b>500</b>	<b>262</b>	<b>52.4%</b>	<b>309.43</b>
<b>TOTAL OPERATING EXPENDITURES</b>	<b>267,126</b>	<b>202,673.26</b>	<b>75.9%</b>	<b>238,841</b>	<b>156,348.16</b>	<b>65.5%</b>	<b>46,325.10</b>
<b>TOTAL INCOME OVER (UNDER) EXPENDITURES</b>	<b>(2,046)</b>	<b>32,778.55</b>		<b>5,004</b>	<b>4,839.03</b>		<b>27,939.52</b>

CHICO AREA RECREATION AND PARK DISTRICT  
EXECUTIVE SUMMARY OF REVENUES AND EXPENDITURES - PARK FUND - FUND 2480  
APRIL 2018

	2017-2018 BUDGET	2017-2018 YTD	2017-2018 % BUDGET	2016-2017 BUDGET	2016-2017 YTD	2016-2017 % BUDGET	DIFF. BY YEAR
<b>INCOME</b>							
PARK IMPACT FEES	59,375	73,625.00	124.0%	59,375	45,125.00	76.0%	28,500.00
INTEREST INCOME	325	(6,261.91)	-1926.7%	325	509.84	156.9%	(6,771.75)
FAIR MARKET VALUE ADJUSTMENT	-	54.95	0.0%	-	(320.58)	0.0%	375.53
<b>TOTAL INCOME</b>	<b>59,700</b>	<b>67,418.04</b>	<b>112.9%</b>	<b>59,700</b>	<b>45,314.26</b>	<b>75.9%</b>	<b>22,103.78</b>
<b>NOTES PAYABLE / LEASE PYMTS</b>	<b>82,222</b>	<b>-</b>	<b>0.0%</b>	<b>80,935</b>	<b>7,474.70</b>	<b>9.2%</b>	<b>(7,474.70)</b>
<b>TOTAL INCOME OVER (UNDER) EXPENDITURES</b>	<b>(22,522)</b>	<b>67,418.04</b>		<b>(21,235)</b>	<b>37,839.56</b>		<b>29,578.48</b>

CHICO AREA RECREATION AND PARK DISTRICT  
EXECUTIVE SUMMARY OF REVENUES AND EXPENDITURES - OAK WAY - FUND 2495  
APRIL 2018

	2017-2018 BUDGET	2017-2018 YTD	2017-2018 % BUDGET	2016-2017 BUDGET	2016-2017 YTD	2016-2017 % BUDGET	DIFF. BY YEAR
<b>INCOME</b>							
ASSESSMENTS	60,966	59,423.30	97.5%	59,137	57,699.90	97.6%	1,723.40
INTEREST	-	317.69	0.0%	175	261.55	149.5%	56.14
FAIR MARKET VALUE ADJUSTMENT	-	51.15	0.0%	-	(147.57)	0.0%	198.72
<b>TOTAL INCOME</b>	<b>60,966</b>	<b>59,792.14</b>	<b>98.1%</b>	<b>59,312</b>	<b>57,813.88</b>	<b>97.5%</b>	<b>1,978.26</b>
<b>OPERATING EXPENDITURES</b>							
<b>SALARIES AND BENEFITS</b>	<b>46,656</b>	<b>38,880.30</b>	<b>83.3%</b>	<b>45,191</b>	<b>37,659.20</b>	<b>83.3%</b>	<b>1,221.10</b>
SERVICES AND SUPPLIES							
AGRICULTURE	1,842	718.58	39.0%	1,450	1,596.78	110.1%	(878.20)
HOUSEHOLD SUPPLIES	1,200	2,296.84	191.4%	670	1,374.44	205.1%	922.40
STRUCTURES & GROUNDS	4,556	2,752.75	60.4%	4,556	2,735.09	60.0%	17.66
VANDALISM	100	-	0.0%	100	-	0.0%	-
EQUIPMENT RENTS	350	-	0.0%	75	150.00	200.0%	(150.00)
CONTRACT SERVICES	4,680	5,700.60	121.8%	4,679	5,280.65	112.9%	419.95
WATER	1,500	1,139.13	75.9%	1,500	1,396.21	93.1%	(257.08)
ELECTRIC	3,300	1,911.19	57.9%	3,300	-	0.0%	1,911.19
<b>SUBTOTAL</b>	<b>17,528</b>	<b>14,519.09</b>	<b>82.8%</b>	<b>16,330</b>	<b>12,533.17</b>	<b>76.7%</b>	<b>1,985.92</b>
<b>TOTAL OPERATING EXPENDITURES</b>	<b>64,184</b>	<b>53,399.39</b>	<b>83.2%</b>	<b>61,521</b>	<b>50,192.37</b>	<b>81.6%</b>	<b>3,207.02</b>
<b>TOTAL INCOME OVER (UNDER) EXPENDITURES</b>	<b>(3,218)</b>	<b>6,392.75</b>		<b>(2,209)</b>	<b>7,621.51</b>		<b>(1,228.76)</b>

**CHICO AREA RECREATION AND PARK DISTRICT  
EXECUTIVE SUMMARY OF REVENUES AND EXPENDITURES - PETERSON PARK - FUND 2497  
APRIL 2018**

	2017-2018 BUDGET	2017-2018 YTD	2017-2018 % BUDGET	2016-2017 BUDGET	2016-2017 YTD	2016-2017 % BUDGET	DIFF. BY YEAR
<b>INCOME</b>							
ASSESSMENTS	42,560	41,572.60	97.7%	42,560	41,957.60	98.6%	(385.00)
INTEREST	275	368.81	134.1%	275	344.83	125.4%	23.98
FAIR MARKET VALUE ADJUSTMENT	-	72.25	0.0%	-	(230.05)	0.0%	302.30
<b>TOTAL INCOME</b>	<b>42,835</b>	<b>42,013.66</b>	<b>98.1%</b>	<b>42,835</b>	<b>42,072.38</b>	<b>98.2%</b>	<b>(58.72)</b>
<b>OPERATING EXPENDITURES</b>							
<b>SALARIES AND BENEFITS</b>	<b>26,424</b>	<b>22,019.70</b>	<b>83.3%</b>	<b>25,696</b>	<b>21,413.30</b>	<b>83.3%</b>	<b>606.40</b>
<b>SERVICES AND SUPPLIES</b>							
AGRICULTURE	2,165	895.02	41.3%	1,850	1,140.54	61.7%	(245.52)
HOUSEHOLD SUPPLIES	-	-	0.0%	-	-	0.0%	-
STRUCTURES & GROUNDS	2,500	892.78	35.7%	2,500	936.52	37.5%	(43.74)
VANDALISM	100	-	0.0%	100	-	0.0%	-
EQUIPMENT RENTS	-	-	0.0%	-	-	0.0%	-
SMALL TOOLS	-	-	0.0%	-	-	0.0%	-
CONTRACT SERVICES	2,500	3,798.45	151.9%	2,500	3,687.55	147.5%	110.90
WATER	14,000	13,154.79	94.0%	14,000	12,767.75	91.2%	387.04
ELECTRIC	300	131.49	43.8%	300	131.19	43.7%	0.30
<b>SUBTOTAL</b>	<b>21,565</b>	<b>18,872.53</b>	<b>87.5%</b>	<b>21,250</b>	<b>18,663.55</b>	<b>87.8%</b>	<b>208.98</b>
<b>TOTAL OPERATING EXPENDITURES</b>	<b>47,989</b>	<b>40,892.23</b>	<b>85.2%</b>	<b>46,946</b>	<b>40,076.85</b>	<b>85.4%</b>	<b>815.38</b>
<b>TOTAL INCOME OVER (UNDER) EXPENDITURES</b>	<b>(5,154)</b>	<b>1,121.43</b>		<b>(4,111)</b>	<b>1,995.53</b>		<b>(874.10)</b>

**CHICO AREA RECREATION AND PARK DISTRICT  
EXECUTIVE SUMMARY OF REVENUES AND EXPENDITURES - BARONI PARK - FUND 2498  
APRIL 2018**

	2017-2018 BUDGET	2017-2018 YTD	2017-2018 % BUDGET	2016-2017 BUDGET	2016-2017 YTD	2016-2017 % BUDGET	DIFF. BY YEAR
<b>INCOME</b>							
ASSESSMENTS	65,039	64,389.12	99.0%	63,341	67,687.61	106.9%	(3,298.49)
INTEREST	300	746.55	248.9%	300	552.48	184.2%	194.07
FAIR MARKET VALUE ADJUSTMENT	-	158.13	0.0%	-	(362.82)	0.0%	520.95
<b>TOTAL INCOME</b>	<b>65,339</b>	<b>65,293.80</b>	<b>99.9%</b>	<b>63,641</b>	<b>67,877.27</b>	<b>106.7%</b>	<b>(2,583.47)</b>
<b>OPERATING EXPENDITURES</b>							
<b>SALARIES AND BENEFITS</b>	<b>46,656</b>	<b>38,880.30</b>	<b>83.3%</b>	<b>45,191</b>	<b>37,659.20</b>	<b>83.3%</b>	<b>1,221.10</b>
<b>SERVICES AND SUPPLIES</b>							
AGRICULTURE	1,083	484.76	44.8%	850	564.14	66.4%	(79.38)
HOUSEHOLD SUPPLIES	-	-	0.0%	-	-	0.0%	-
STRUCTURES & GROUNDS	1,000	680.98	68.1%	1,000	783.84	78.4%	(102.86)
VANDALISM	550	-	0.0%	550	-	0.0%	-
EQUIPMENT RENTS	-	-	0.0%	-	-	0.0%	-
CONTRACT SERVICES	2,500	3,798.46	151.9%	2,500	3,687.57	147.5%	110.89
WATER	8,050	5,652.47	70.2%	8,050	5,394.24	67.0%	258.23
ELECTRIC	200	-	0.0%	200	-	0.0%	-
<b>SUBTOTAL</b>	<b>13,383</b>	<b>10,616.67</b>	<b>79.3%</b>	<b>13,150</b>	<b>10,429.79</b>	<b>79.3%</b>	<b>186.88</b>
<b>TOTAL OPERATING EXPENDITURES</b>	<b>60,039</b>	<b>49,496.97</b>	<b>82.4%</b>	<b>58,341</b>	<b>48,088.99</b>	<b>82.4%</b>	<b>1,407.98</b>
<b>TOTAL INCOME OVER (UNDER) EXPENDITURES</b>	<b>5,300</b>	<b>15,796.83</b>		<b>5,300</b>	<b>19,788.28</b>		<b>(3,991.45)</b>

**CHICO AREA RECREATION AND PARK DISTRICT (CARD)**  
**545 Vallombrosa Ave. Chico, CA 95926 895-4711**

Accounts Payable Check Register

April 2018

Salary & Benefits	-
Service & Supply	60,570.70
Contributions to other Agency	-
Principal Repayment	-
Interest Expense	-
Fixed Assets	6,518.65
<b>TOTAL</b>	<b>67,089.35</b>

Check #'s                    069845-069906

Approved by the Board of Directors

May 17, 2018

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Janis Sneed  
Board Chair

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Ann Willmann  
General Manager



5/7/18

CHICO AREA RECREATION AND PARK DISTRICT
545 Vallombrosa Ave. Chico, CA 95926 (530) 895-4711
May 7, 2018

CHECK REGISTER FUND 2490 FY 17/18

Table with 5 columns: Date, Ck. Num., Payee, Amount, Account. Contains 50 rows of check data.

**CHICO AREA RECREATION AND PARK DISTRICT**  
**545 Vallombrosa Ave. Chico, CA 95926 (530) 895-4711**  
**May 7, 2018**

**CHECK REGISTER**      FUND 2490 FY 17/18

<u>Date</u>	<u>Ck. Num.</u>	<u>Payee</u>	<u>Amount</u>	<u>Account</u>
5/7/2018	069899	STREAMLINE	\$ 300.00	520000
5/7/2018	069900	TURF STAR INC.	\$ 374.94	520000
5/7/2018	069901	U.S. BANK EQUIPMENT FINANCE, INC.	\$ 1,399.22	520000
5/7/2018	069902	U.S. POSTAL SERVICE (POSTAGE-BY-PHONE)	\$ 1,000.00	520000
5/7/2018	069903	VALLEY TRUCK & TRACTOR CO.	\$ 245.13	520000
5/7/2018	069904	WAL-MART COMMUNITY	\$ 131.59	520000
5/7/2018	069905	WORK TRAINING CENTER	\$ 1,575.00	520000
5/7/2018	069906	ZEE MEDICAL COMPANY	\$ 386.88	520000

Total of Register

\$ 67,089.35



Ann Willmann  
 General Manager

OR

Salary & Benefits	\$ -	Acct 510000
Service & Supply	\$ 60,570.70	Acct 520000
Cont. to Other Agencies	\$ -	Acct 557000
Principal Repayment	\$ -	Acct 552000
Interest Expense	\$ -	Acct 553000
Fixed Asset	\$ 6,518.65	Acct 560000
<b>Total</b>	<b>\$ 67,089.35</b>	

\_\_\_\_\_  
 Terry A. Zeller  
 Parks & Recreation Director

Prepared by      HR

**CHICO AREA RECREATION AND PARK DISTRICT (CARD)**  
**545 Vallombrosa Ave. Chico, CA 95926 895-4711**

Manual Accounts Payable Check Register

April 2018

Salary & Benefits	33,595.93
Salary & Benefits-ACH Payroll Tax Transfer	109,595.24
Salary & Benefits-ACH CalPERS	39,338.05
Service & Supply	96,966.48
Fixed Assets	769.92
Contingency to other Agency	
Principal Repayment	
Interest Expense	

**TOTAL** **280,265.62**

Check #'s            069694-069705  
                          069783-069831  
                          Void 069814-069817

Approved by the Board of Directors

May 17, 2018

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Janis Sneed  
Board Chair

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Ann Willmann  
General Manager

Agenda Item 11

CHICO AREA RECREATION AND PARK DISTRICT  
 545 Vallombrosa Ave. Chico, CA 95926 (530) 895-4711  
 April 2, 2018

 **EMAILED**  
 4/2/18

CHECK REGISTER FUND 2490 FY 17/18

<u>Date</u>	<u>Ck. Num.</u>	<u>Payee</u>	<u>Amount</u>	<u>Account</u>
4/2/2018	069694	BLUE SHIELD OF CALIFORNIA	\$ 23,668.96	510000
4/2/2018	069695	HUMANA INSURANCE CO	\$ 3,313.18	510000
4/2/2018	069696	IUOE LOCAL 39	\$ 435.17	510000
4/2/2018	069697	MEDICAL EYE SERVICES	\$ 468.40	510000
4/2/2018	069698	SEIU LOCAL 1021	\$ 488.75	510000
4/2/2018	069699	ADVANCED ELECTRIC & SOUND	\$ 810.00	520000
4/2/2018	069700	CHICO U LOCK IT	\$ 1,530.00	520000
4/2/2018	069701	ECi MACOLA/MAX, LLC	\$ 2,153.29	520000
4/2/2018	069702	MIRO VUJIC	\$ 210.00	520000

Total of Register

\$ 33,077.75

  
 Ann Willmann  
 General Manager

OR

Salary & Benefits	\$ 28,374.46	Acct 510000
Service & Supply	\$ 4,703.29	Acct 520000
Cont. to Other Agencies	\$ -	Acct 557000
Principal Repayment	\$ -	Acct 552000
Interest Expense	\$ -	Acct 553000
Fixed Asset	\$ -	Acct 560000
<b>Total</b>	<b>\$ 33,077.75</b>	

Terry A. Zeller  
 Parks & Recreation Director

OR

Michelle Niven  
 Human Resources Manager

Prepared by HR

CHICO AREA RECREATION AND PARK DISTRICT  
 545 Vallombrosa Ave. Chico, CA 95926 (530) 895-4711  
 April 4, 2018



**EMAILED**  
 4/4/18

**CHECK REGISTER** FUND 2490 FY 17/18

<u>Date</u>	<u>Ck. Num.</u>	<u>Payee</u>	<u>Amount</u>	<u>Account</u>
4/4/2018	069703	BILL UNGER	\$ 250.00	520000
4/4/2018	069704	CREATIVE COMPOSITION	\$ 451.82	520000
4/4/2018	069705	JOHN TRENALONE	\$ 60.00	520000
Total of Register			<b>\$ 761.82</b>	

\_\_\_\_\_  
 Ann Willmann  
 General Manager

OR

Salary & Benefits	\$ -	Acct 510000
Service & Supply	\$ 761.82	Acct 520000
Cont. to Other Agencies	\$ -	Acct 557000
Principal Repayment	\$ -	Acct 552000
Interest Expense	\$ -	Acct 553000
Fixed Asset	\$ -	Acct 560000
<b>Total</b>	<b>\$ 761.82</b>	

\_\_\_\_\_  
 Terry A. Zeller  
 Parks & Recreation Director

OR

*Michelle Niven*  
 \_\_\_\_\_  
 Michelle Niven  
 Human Resources Manager

Prepared by HR

CHICO AREA RECREATION AND PARK DISTRICT  
 545 Vallombrosa Ave. Chico, CA 95926 (530) 895-4711  
 April 13, 2018



**EMAILED**

4/13/18

**CHECK REGISTER** FUND 2490 FY 17/18

<u>Date</u>	<u>Ck. Num.</u>	<u>Payee</u>	<u>Amount</u>	<u>Account</u>
4/13/2018	069783	AARP DRIVERS SAFETY PROGRAM	\$ 150.00	520000
4/13/2018	069784	BAKER DISTRIBUTING CO	\$ 98.95	520000
4/13/2018	069785	CATHY'S SEWING MACHINE & VACUUM	\$ 334.60	520000
4/13/2018	069786	CLAIR LOUIS HINTON	\$ 300.00	520000
4/13/2018	069787	COMCAST	\$ 1,422.00	520000
4/13/2018	069788	EAGLE SECURITY SYSTEMS	\$ 70.00	520000
4/13/2018	069789	MID-AMERICA SPORTS ADVANTAGE	\$ 4,904.36	520000
4/13/2018	069790	MIRO VUJIC	\$ 210.00	520000
4/13/2018	069791	NOR CAL ASA	\$ 58.00	520000
4/13/2018	069792	BANNER BANK	\$ 4,468.79	510000
4/13/2018	069793	BUTTE COUNTY SHERIFF'S OFFICE	\$ 50.00	510000
4/13/2018	069794	CA STATE DISBURSEMENT UNIT	\$ 108.00	510000
4/13/2018	069795	CA STATE DISBURSEMENT UNIT	\$ 23.75	510000
4/13/2018	069796	CA STATE DISBURSEMENT UNIT	\$ 27.41	510000
4/13/2018	069797	CA STATE DISBURSEMENT UNIT	\$ 23.07	510000
4/13/2018	069798	COURT-ORDERED DEBT COLLECTIONS	\$ 127.72	510000

Total of Register

**\$ 12,376.65**

Arin Willmann  
 General Manager

OR

Salary & Benefits	\$ 4,828.74	Acct 510000
Service & Supply	\$ 7,547.91	Acct 520000
Cont. to Other Agencies	\$ -	Acct 557000
Principal Repayment	\$ -	Acct 552000
Interest Expense	\$ -	Acct 553000
Fixed Asset	\$ -	Acct 560000
<b>Total</b>	<b><u>\$ 12,376.65</u></b>	

Terry A. Zeller  
 Parks & Recreation Director

OR

Michelle Niven  
 Human Resources Manager

Prepared by HR

CHICO AREA RECREATION AND PARK DISTRICT  
 545 Vallombrosa Ave. Chico, CA 95926 (530) 895-4711  
 April 19, 2018

 **EMAILED**  
 4/19/18 K

CHECK REGISTER FUND 2490 FY 17/18

<u>Date</u>	<u>Ck. Num.</u>	<u>Payee</u>	<u>Amount</u>	<u>Account</u>
4/19/2018	069799	CHARLIE ROBINSON	\$ 280.00	520000
4/19/2018	069800	CHICO UNIFIED SCHOOL DISTRICT	\$ 1,946.94	520000
4/19/2018	069801	COMCAST	\$ 129.25	520000
4/19/2018	069802	KRONOS	\$ 4,208.88	520000
4/19/2018	069803	NORCAL FOOD EQUIPMENT, INC.	\$ 22.49	520000

Total of Register \$ 6,587.56

  
 Ann Willmann  
 General Manager

OR

Salary & Benefits	\$ -	Acct 510000
Service & Supply	\$ 6,587.56	Acct 520000
Cont. to Other Agencies	\$ -	Acct 557000
Principal Repayment	\$ -	Acct 552000
Interest Expense	\$ -	Acct 553000
Fixed Asset	\$ -	Acct 560000
<b>Total</b>	<b>\$ 6,587.56</b>	

Terry A. Zeller  
 Parks & Recreation Director

OR

Michelle Niven  
 Human Resources Manager

Prepared by HR

CHICO AREA RECREATION AND PARK DISTRICT  
 545 Vallombrosa Ave. Chico, CA 95926 (530) 895-4711  
 April 26, 2018

 **EMAILED**  
 4/26/18

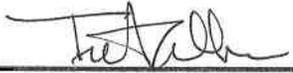
CHECK REGISTER FUND 2490 FY 17/18

<u>Date</u>	<u>Ck. Num.</u>	<u>Payee</u>	<u>Amount</u>	<u>Account</u>
4/26/2018	069804	CALIFORNIA STATE UNIVERSITY, CHICO	\$ 20.00	510000
4/26/2018	069805	BUS-MAN'S HOLIDAY TOURS	\$ 1,875.00	520000
4/26/2018	069806	COMCAST	\$ 221.61	520000
4/26/2018	069807	CS & L, LLC	\$ 5,737.60	520000
4/26/2018	069808	GOLDEN VALLEY BANK	\$ 3,674.97	520000
4/26/2018	069809	GRINDLINE SKATEPARKS, INC.	\$ 18,544.40	520000
4/26/2018	069810	JASON ALEXANDER MILLER	\$ 5,932.50	520000
4/26/2018	069811	PACIFIC GAS AND ELECTRIC	\$ 22,310.75	520000
4/26/2018	069812	PETTY CASH	\$ 300.00	520000
4/26/2018	069813	PITNEY BOWES INC.	\$ 1,120.07	520000

Total of Register \$ 59,736.90

\_\_\_\_\_  
 Ann Willmann  
 General Manager

OR

  
 \_\_\_\_\_  
 Terry A. Zeller  
 Parks & Recreation Director

OR

\_\_\_\_\_  
 Michelle Niven  
 Human Resources Manager

Salary & Benefits	\$ 20.00	Acct 510000
Service & Supply	\$ 59,716.90	Acct 520000
Cont. to Other Agencies	\$ -	Acct 557000
Principal Repayment	\$ -	Acct 552000
Interest Expense	\$ -	Acct 553000
Fixed Asset	\$ -	Acct 560000
<b>Total</b>	<b>\$ 59,736.90</b>	

Prepared by HR

CHICO AREA RECREATION AND PARK DISTRICT  
 545 Vallombrosa Ave. Chico, CA 95926 (530) 895-4711  
 April 30, 2018

 **EMAILED**  
 4/30/18

CHECK REGISTER FUND 2490 FY 17/18

<u>Date</u>	<u>Ck. Num.</u>	<u>Payee</u>	<u>Amount</u>	<u>Account</u>
4/30/2018	069814	VOID	VOID	510000
4/30/2018	069815	VOID	VOID	510000
4/30/2018	069816	VOID	VOID	510000
4/30/2018	069817	VOID	VOID	510000
4/30/2018	069818	BUTTE COUNTY SHERIFF'S OFFICE	\$ 50.00	510000
4/30/2018	069819	CA STATE DISBURSEMENT UNIT	\$ 108.00	510000
4/30/2018	069820	CA STATE DISBURSEMENT UNIT	\$ 23.75	510000
4/30/2018	069821	CA STATE DISBURSEMENT UNIT	\$ 100.49	510000
4/30/2018	069822	CA STATE DISBURSEMENT UNIT	\$ 23.07	510000
4/30/2018	069823	COURT-ORDERED DEBT COLLECTIONS	\$ 67.42	510000
4/30/2018	069824	COMCAST	\$ 85.98	520000
4/30/2018	069825	GOLDEN VALLEY BANK	\$ 15,212.87	520000
4/30/2018	069826	HEATHER WADDLE	\$ 128.00	520000
4/30/2018	069827	HIGH JINKS	\$ 500.00	520000
4/30/2018	069828	JUMP N JAX	\$ 145.00	520000
4/30/2018	069829	KATIE SIEGEL	\$ 128.00	520000
4/30/2018	069830	STEPHANIE PYLE	\$ 128.00	520000
4/30/2018	069831	VERIZON WIRELESS	\$ 2,091.07	520000

Total of Register

\$ 18,791.65



Ann Willmann  
 General Manager

OR

Salary & Benefits	\$ 372.73	Acct 510000
Service & Supply	\$ 17,649.00	Acct 520000
Cont. to Other Agencies	\$ -	Acct 557000
Principal Repayment	\$ -	Acct 552000
Interest Expense	\$ -	Acct 553000
Fixed Asset	\$ 769.92	Acct 560000
<b>Total</b>	<b>\$ 18,791.65</b>	

Terry A. Zeller  
 Parks & Recreation Director

OR

Michelle Niven  
 Human Resources Manager

Prepared by HR

**CHICO AREA RECREATION AND PARK DISTRICT (CARD)**  
**545 Vallombrosa Ave. Chico, CA 95926 895-4711**

Payroll Check Register

April 2018

<b>PPE</b>	<b>Pay Date</b>	<b>Checks</b>	<b>Amount</b>
3/23/2018	4/2/2018	116360	255.84
4/6/2018	4/13/2018	116361-116419	11,308.96
4/6/2018 ACH	4/13/2018	Direct Deposit	113,057.18
3/31/2018	4/18/2018	116420-116423	296.89
4/18/2018	4/18/2018	116424-116425	1,344.89
4/20/2018	4/27/2018	116312-116359	16,785.51
4/20/2018 ACH	4/27/2018	Direct Deposit	123,159.64
<b>Total</b>			<b>266,208.91</b>

Approved by the Board of Directors

May 17, 2018

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Janis Sneed  
Board Chair

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Ann Willmann  
General Manager

Agenda Item 11

**CHICO AREA RECREATION AND PARK DISTRICT (CARD)**  
**545 Vallombrosa Ave. Chico, CA 95926 895-4711**

Refund Check Register

April 2018

Service & Supply-Refund Checks 2,799.00

**TOTAL 2,799.00**

Check #'s

028267-028273	2,539.00
028274-028277	260.00

Active Network Credit Card Refunds 13,111.00

Approved by the Board of Directors

May 17, 2018

---

Janis Sneed  
Board Chair

---

Ann Willmann  
General Manager

Agenda Item 11

**CHICO AREA RECREATION AND PARK DISTRICT (CARD)**  
**545 Vallombrosa Ave. Chico, CA 95926 895-4711**

Revenue

April 2018

**Net Revenue**

Rents	45,889.92
Reimbursements	2,718.75
Misc.	-
Fees	338,859.92
 Sub Total	 387,468.59
 Other Income	 -
Donations	8,328.00
 RDA Pass Through	 -
Sale of Surplus Assets	-
City of Chico Reimbursements	7,805.02
Baroni Park	-
Prop 12 Funding	-
Pro Rata Share	-
Grant Revenue	-
 Fund 2480 Trust Obligations	 7,125.00
 Fund 2486 Chico Rotary/CARD	 -
 <b>TOTAL</b>	 <b>410,726.61</b>

Approved by the Board of Directors

May 17, 2018

---

Janis Sneed  
Board Chair

---

Ann Willmann  
General Manager

Agenda Item 11

**CHICO AREA RECREATION AND PARK DISTRICT (CARD)  
545 Vallombrosa Ave. Chico, CA 95926 895-4711**

Previously submitted check #028278 dated May 3, 2018 in the amount of \$410,726.61

**April 2018**

**FUND 2490**

4530106	RDA Pass Through	-	-
4600001	Rent	45,889.92	
	Fees	338,859.92	384,749.84
4700001	Misc.	-	
	Rebates/Reimbursements	2,718.75	
	City of Chico Reimbursements	7,805.02	
	Baroni Park	-	
	Pro Rata Share	-	
	Other Income	-	
	Donations	8,328.00	
	Grant Revenue	-	18,851.77
	<b>FUND 2490 total</b>		<b>403,601.61</b>

**FUND 2480**

280	Trust Obligations	7,125.00	
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**FUND 2483**

4616250	Prop 12 Grant Fund	-	
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**FUND 2486**

4700001	Chico Rotary/CARD	-	
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**Checks Total** **410,726.61**

  
 \_\_\_\_\_  
 Ann Willmann  
 General Manager

COUNTY OF BUTTE  
AUDITORS CERTIFICATE AND TREASURER'S RECEIPT  
OROVILLE, CA 95965

RECEIVED FROM: CARD  
CONTACT #: (530) 895-4711

ATR NUMBER:	
DEPT. ID #	
DATE:	<u>5/3/2018</u>
BAG #:	

DESCRIPTION	RCVBLE NUMBER:	FUND/ CHARGE CODE	ACCOUNT CODE	PROJECT CODE	AMOUNT
CARD-Charges for Service (Rent, Concessions, Fees)		24900000	462005		\$ 384,749.84
CARD-Miscellaneous Revenue (Misc, Rebates, Other Income,		24900000	473000		\$ 18,851.77
CARD-Park Fees Trust Obligations		2480	280		\$ 7,125.00
CARD-Rotary Foundation Trust Miscellaneous Revenue		24860000	473000		\$ -

*Ann Willmann*

CARD-Parks & Recreation Director

Check #:	<u>028278</u>
Check Date:	<u>05/03/18</u>
Amount:	\$ <u>410,726.61</u>

TOTAL	\$ <u>410,726.61</u>
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Special Notes:

APPROVED BY  
AUDITOR-CONTROLLER:

RECEIVED BY  
TREASURER:

CHECK NO.	CHECK DATE	VENDOR NO.
28278	05/03/2018	124000



CHECK NO. 028278

GOLDEN VALLEY BANK  
190 COHASSET RD. STE. 170  
CHICO, CA 95926  
90-4427/1211

Chico Area Recreation and Park District  
545 VALLOMBROSA AVENUE CHICO, CALIFORNIA 95926 (530) 895-4711

Four hundred ten thousand seven hundred twenty-six and 61/100 USD

CHECK AMOUNT  
410,726.61

REFUND CHECK

AY BUTTE COUNTY TREASURER  
O THE 25 COUNTY CENTER DR STE 120  
RDER OF OROVILLE CA 95965

VOID 6 MONTHS FROM DATE OF ISSUE

*Ann Willmann*  
AUTHORIZED SIGNATURE

THE SECURITY FEATURES ON THIS DOCUMENT INCLUDE A MICRO-PRINT SIGNATURE LINE AND BLEED THROUGH MICR NUMBERING.

⑈028278⑈ ⑆121144272⑆ 0100043835⑈



## Chico Area Recreation and Park District “Helping People Play”

**Staff Report 18-19  
Agenda Item 7.1**

# STAFF REPORT

**DATE:** May 17, 2018  
**TO:** Board of Directors  
**FROM:** Ann Willmann, General Manager  
**SUBJECT:** District Update

### Community Park Tennis/Pickleball Court Resurfacing

The project is complete, and the courts were reopened on Monday, April 30. Within the first few hours, the pickleball courts were full, and there were several tennis courts being used. Staff is pleased with the quality of work and quick completion of the project.

### Sycamore Field Upgrades

Staff has been working with the Senior Softball League to complete the two projects that were approved by the CARD Board of Directors and the Bidwell Park and Playground Commission. The backstop extension has been completed and the electricity has been installed.



### DFJ Family Night Out Events

We concluded our DFJ Family Night Out series for this season on April 26. The event theme was “Spring Carnival”. This event was FREE to the community and included carnival games, raffles, pizza and a special appearance from Dorothy Johnson herself! Our attendance has steadily increased since the start of these events in 2016, with a consistent attendance of 100-150 families, mostly from the Chapman area, joining us for the fun!

### Junior Giants Program

This is our 7<sup>th</sup> year offering the Jr. Giants summer program and it continues to be a popular program for the youth in our community. This year, the Giants Community Fund awarded our Junior Giants league the prestigious “Diamond League” award. This recognition was only given to 14 of the 90+ leagues, and is the highest ranking award. Our registration for the upcoming summer season is open, with 340 players already registered. Our goal this year is to reach over 500 players so we can provide this wonderful opportunity to play baseball for free and earn Giants incentives while gaining invaluable life skills.

### CARD Marketing

Celebrating our 70<sup>th</sup> anniversary has focused our marketing efforts on celebrating our successes. Ryan Arnold, Marketing Coordinator, has developed a timeline banner that will be used at events throughout the year. In addition, all of our marketing pieces have our 70<sup>th</sup> Anniversary Logo. Two sample ads have been placed in each board members binder. The Growing Up Chico Ad, as well as the front cover photo of Parent Magazine highlight CARD summer camps.

The most recent activity guide is filled with original photos of CARD programming reducing the need to purchase stock photographs. Utilizing the online publishing tool ISSUU, the community can view our guide online. The online guide has been opened over 1,000 times.

### Nature Center Carnival

There is nothing more magical than having your face painted! The annual Spring Carnival was held on Saturday, April 28. The event was well attended and activities included carnival games, bounce house, meet the animals, and cookie decorating.



### American Lung Association Partnership

CARD is teaming up with the American Lung Association (ALA), the Chico Unified School District, and the City of Chico to increase awareness of public no smoking areas. The ALA has funds that will be dedicated to producing both portable and permanent signage for our park sites, as well as school campuses and City properties. Staff have been working on messaging, and new signs will be created in the coming months to work towards reducing smoking, vaping, and other tobacco use on public grounds.

### CARD Parks Team Annual Spring Planting Workshop

Every Spring, the Parks Team gathers their seasonal staff for a kickoff event to the season by holding a planting workshop focused on cooperation and skills in a learning environment. This year, the team planted beds at Wildwood Park and reviewed the plantings from the year before to demonstrate the results of a well-planned landscape effort. This annual event introduces new staff to CARD, and provides for a positive way to get to know their supervisors and co-workers. A big thanks to the staff who organized and participated in this event.

By \_\_\_\_\_  
Ann Willmann  
General Manager



## Chico Area Recreation and Park District "Helping People Play"

Staff Report 18-20  
Agenda Item 7.2

# STAFF REPORT

**DATE:** May 17, 2018

**TO:** Board of Directors

**FROM:** Ann Willmann, General Manager

**SUBJECT:** Public Hearing and Resolution Approving Engineer's Reports, Confirming Diagrams and Assessments and Ordering the Continuation of the Levy of Assessments for Fiscal Year 2018-19 for the Oak Way, Amber Grove/Greenfield, and Baroni Neighborhood Park and Open Space (No. LLD 001-005) Landscaping and Lighting Assessment Districts

### RECOMMENDATION

It is recommended that the Board hold a public hearing, consider all public comments, and subsequently approve Resolution 18-4 that would approve the Engineer's Reports, confirm the diagrams and assessments, and order the continuation of the levy of assessments for fiscal year 2018-19 for the Oak Way, Amber Grove/Greenfield, and Baroni Neighborhood Park and Open Space (No. LLD 001-005) Landscaping and Lighting Assessment Districts as the final step in levying the assessments.

### RESULT OF RECOMMENDED ACTION

The Board will order the continuation of the levy of the assessments for fiscal year 2018-19 and will cause those levies to be submitted by SCI Consulting Group to the County Auditor to be included on the 2018-19 property tax bills.

### BACKGROUND

1. In 1993, after gaining property owner ballot support, the Oak Way Landscaping and Lighting Assessment District was first established to provide funding the maintenance and operations of the Oak Way Park. In 1997, the Park District conducted an assessment ballot proceeding within Oak Way Landscape and Lightning District to comply with Proposition 218 requirements.

- a. Board Approval of 1<sup>st</sup> Year Assessment Levies: April 22, 1993

- b. Fiscal Year 2018-19 Approved Rate: \$4.00 per year for each single family residential parcel, or \$4.00 per single family residential unit for credit for Park Facility Fees
- 2. In 1994, after gaining property owner ballot support, the Amber Grove/Greenfield Landscaping and Lighting Assessment District was first established to provide funding the maintenance and operations of the Amber Grove/Greenfield Park.
  - a. Board Approval of 1<sup>st</sup> Year Assessment Levies: January 13, 1994
  - b. Fiscal Year 2018-19 Approved Rate: \$5.83 per month or \$70.00 per year for each single family residential parcel
- 3. In 2006, after gaining property owner ballot support, the Baroni Neighborhood Park and Open Space (No. LLD 001-05) Landscape and Lighting Assessment District was first established to provide funding the maintenance and operations of the Baroni Neighborhood Park, adjacent open space areas and related trails system within the District.
  - a. Board Approval of 1<sup>st</sup> Year Assessment Levies: June 20, 2006
  - b. Fiscal Year 2018-19 Maximum Basic Rate: \$90.72 for the Basic Park Design.
  - c. Fiscal Year 2018-19 Rate Used: \$74.15 which is less than the authorized maximum rate.

On February 15, 2018, the Board adopted a resolution directing SCI Consulting Group, the District's assessment engineer and assessment administration firm, to prepare Engineer's Reports for the Assessment Districts for fiscal year 2018-19.

SCI Consulting Group prepared the Engineer's Reports that includes the special and general benefits from the assessments, the proposed budget for the assessments for fiscal year 2018-19, the updated proposed assessments for each parcel in the District, and the proposed assessments per single family equivalent benefit unit for the fiscal year. At the April 19, 2018, Board meeting, the Board reviewed the Engineer's Reports and adopted a resolution to declare its intention to continue to levy the assessments, preliminarily approve the Engineer's Reports, and provide for notice of the annual public hearing.

Each year, in order to continue to levy the assessments for the coming fiscal year, the Board conducts a noticed public hearing and receives public input on the proposed assessments and the services that they would fund. After hearing the public testimony, the Board may take final action on setting the assessment rates, establishing the services and improvements to be funded and ordering the continued levy of the assessments for fiscal year 2018-19.

**PROPOSED RATE AND CPI HISTORY**

The proposed assessment rates and the approximate amount of revenues for the 2018-19 by Assessment Districts are listed below:

<b>Assessment District</b>	<b>Rate</b>	<b>Revenue</b>
Oak Way	\$4.00	\$21,892
Amber Grove/Greenfield	\$70.00	\$42,560
Baroni	\$74.15	\$71,719

**CONCLUSION**

It is recommended that the Board conduct the public hearing and approve the Resolution Approving the Engineer's Reports, Confirming Diagrams and Assessments and Ordering the Continuation of the Levy of Assessments for fiscal year 2018-19 for the Oak Way, Amber Grove/Greenfield, and Baroni Neighborhood Park and Open Space (No. LLD 001-05) Landscaping and Lighting Assessment Districts.

By \_\_\_\_\_  
Ann Willmann  
General Manager



## CHICO AREA RECREATION AND PARK DISTRICT

545 VALLOMBROSA AVE, CHICO, CA 95926  
PHONE (530) 895-4711 FAX (530) 895-4721

### RESOLUTION 18-4

#### A RESOLUTION APPROVING ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING CONTINUATION OF THE LEVY OF ASSESSMENT FOR FISCAL YEAR 2018-19 FOR THE OAK WAY, AMBER GROVE/GREENFIELD, AND BARONI NEIGHBORHOOD PARK AND OPEN SPACE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICTS

**RESOLVED**, by the Governing Board (the "Board") of the Chico Area Recreation and Park District (the "District"), County of Butte, State of California, that

**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 (Proposition 218), to levy assessments for park and recreation improvements; and

**WHEREAS**, the Oak Way and the Baroni Neighborhood Park and Open Space Landscaping and Lighting Assessment Districts were approved by property owners pursuant to Proposition 218; the Amber Grove/Greenfield Landscaping and Lighting Assessment District was approved in 1994 after not receiving majority protest.

**WHEREAS**, the purpose of the Assessment Districts is for the installation, maintenance and servicing of improvements within the Chico Area Recreation and Park District, as described in the annual Engineer's Report; and

**WHEREAS**, on February 15, 2018, A Resolution Directing Preparation of Annual Report for the Oak Way, Amber Grove/Greenfield, and Baroni Neighborhood Park and Open Space Landscaping and Lighting Assessment Districts (the "Assessment Districts"), this Board designated SCI Consulting Group as Engineer of Work and ordered said Engineer to make and file a report in writing in accordance with and pursuant to the Landscaping and Lighting Act of 1972;

**WHEREAS**, the report was duly made and filed with the Secretary of the Board and duly considered by this Board and found to be sufficient in every particular, whereupon it was determined that the reports should stand as the Engineer's Reports for all subsequent proceedings under and pursuant to the aforesaid resolution, and on May 17, 2018, at the hour of 7:00 p.m. in the District offices of the Chico Area Recreation and Park District, 545 Vallombrosa Avenue, Chico, CA, were appointed as the time

and place for a hearing by this Board on the question of the continuation of the levy of the proposed assessment, notice of which hearing was given as required by law; and

**WHEREAS**, at the appointed time and place the hearing was duly and regularly held, and all persons interested and desiring to be heard were given an opportunity to be heard, and all matters and things pertaining to the continuation of the levy were fully heard and considered by this Board, and all oral statements and all written protests or communications were duly heard, considered and overruled, and this Board thereby acquired jurisdiction to order the continuation of the levies and the confirmation of the diagrams and assessments prepared by and made a part of the Engineer's Reports to pay the costs and expenses thereof;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Chico Area Recreation and Park District ("Board") that:

1. The public interest, convenience and necessity require that the levy continues to be made.
2. The Assessment Districts benefited by the improvements and assessed to pay the costs and expenses thereof, and the exterior boundaries thereof, are as shown by a map thereof filed in the office of the Clerk of the Board, which map is made a part hereof by reference thereto.
3. The assessment is levied without regard to property valuation.
4. The Engineer's Reports as a whole and each part thereof, to wit:
  - a. the Engineer's estimate of the itemized and total costs and expenses of maintaining the improvements and of the incidental expenses in connection therewith;
  - b. the diagrams showing the assessment district, plans and specifications for the improvements to be maintained and the boundaries and dimensions of the respective lots and parcels of land within the Assessment Districts; and
  - c. the assessments of the total amount of the costs and expenses of the maintenance of the improvements upon the several lots and parcels of land in the Assessment Districts in proportion to the estimated special benefits to be received by such lots and parcels, respectively, from the maintenance, and of the expenses incidental thereto;

are finally approved and confirmed.

5. Final adoption and approval of the Engineer's Reports as a whole, and of the plans and specifications, estimate of the costs and expenses, the diagrams and the assessments, as contained in the reports as hereinabove determined and ordered, is intended to and shall refer and apply to the report, or any portion thereof as amended, modified, or revised or corrected by, or pursuant to and in accordance with, any resolution or order, if any, heretofore duly adopted or made by this Board.
6. The assessments continue to pay the costs and expenses of the maintenance of the improvements for fiscal year 2018-19 is hereby levied. For further particulars pursuant to the provisions of the Landscaping and Lighting Act of 1972, reference is hereby made to the Resolution Directing Preparation of Engineer's Reports.
7. Based on the oral and documentary evidence, including the Engineer's Reports, offered and received at the hearing, this Board expressly finds and determines (a) that each of the several lots and parcels of land will be specially benefited by the maintenance of the improvements at least in the amount if not more than the amount, of the assessment apportioned against the lots and parcels of land, respectively, and (b) that there is substantial evidence to support, and the weight of the evidence preponderates in favor of, the aforesaid finding and determination as to special benefits.
8. Immediately upon the adoption of this resolution, but in no event later than the third Monday in August following such adoption, the Secretary of the Board shall file a certified copy of the diagram and assessment and a certified copy of this resolution with the Auditor of the County of Butte. Upon such filing, the County Auditor shall enter on the County assessment roll opposite each lot or parcel of land the amount of the assessment thereupon as shown in the assessments. The assessments shall be collected at the same time and in the same manner as County taxes are collected and all laws providing for the collection and enforcement of County taxes shall apply to the collection and enforcement of the assessments. After collection by the County, the net amount of the assessments, after deduction of any compensation due the County for collection, shall be paid to the Chico Area Recreation and Park District.
9. The funds representing assessments collected by the County shall be deposited in the District Treasury to the credit of the improvement fund previously established under the distinctive designation of the Assessment Districts. Funds in the improvement fund shall be expended only for bond expenses, maintenance, servicing, construction or installation of the improvements.

**PASSED AND ADOPTED** by the Board of Directors of Chico Area Recreation and Park District at its regular meeting on May 17, 2018, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

ATTEST:

---

Jan Sneed, Chair  
Board of Directors

---

Ann Willmann  
Secretary to the Board



**CHICO AREA RECREATION AND PARK DISTRICT  
OAK WAY PARK LANDSCAPING AND LIGHTING DISTRICT**

**ENGINEER'S REPORT**

FISCAL YEAR 2018-19

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND  
ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:  
**SCI Consulting Group**  
4745 MANGELS BOULEVARD  
FAIRFIELD, CALIFORNIA 94534  
PHONE 707.430.4300  
FAX 707.430.4319  
[www.sci-cg.com](http://www.sci-cg.com)

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**CHICO AREA RECREATION & PARK DISTRICT**

---

**BOARD OF DIRECTORS**

Jan Sneed, Chair  
Bob Malowney, Vice Chair  
Herman Ellis, Director  
Tom Lando, Director  
Michael Worley, Director

**DISTRICT MANAGER**

Ann Willman

**ENGINEER OF WORK**

SCI Consulting Group

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## INTRODUCTION

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### 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 Oak Way Assessment District to comply with Proposition 218 requirements which reduced the rate from \$12.00 to \$4.00.

### INTRODUCTION TO ENGINEER'S REPORT

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 2018-19 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 2018-19. 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 February 15, 2018.

The Board will preliminarily approve the Report and the proposed assessments by resolution on April 19, 2018. A notice of assessment levies will 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 May 17, 2018.

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 2018-19. 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 2018-19.

The word "parcel," for the purposes of this Report, refers to an individual property assigned its own Assessment Number by the Assessor's Office. The Butte County Auditor/Controller uses Assessment Numbers and specific Fund Numbers, to identify on the tax roll, properties assessed for special district benefit assessments. These numbers are shown by Assessment District in detail in the Report.

## **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.

Other Assessment Districts that were formed after Proposition 218 are consistent with the approval procedures and requirements imposed by Proposition 218.

#### **SILICON VALLEY TAXPAYERS ASSOCIATION, 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 vs. SCCOSA”). 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 Assessment District

#### **DAHMS V. DOWNTOWN POMONA PROPERTY**

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 *Buetz*, 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 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

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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 the CARD.

**ESTIMATE OF COSTS AND BUDGET- FISCAL YEAR 2018-19**

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**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 2018-19**

	<u>Preliminary Budget</u>
Re-payment to General Fund for prior year's outlays:	
Maintenace and Servicing Expenditures:	\$66,361
Incidental Expenses <sup>1</sup>	<u>\$3,625</u>
<b>Installation, Maintenance, Servicing and Incidental Costs Total</b>	<b>\$69,986</b>
 Contributions from General Fund	 (\$48,094)
 <b>Net Costs for Maintenance and Servicing</b>	 <b>\$21,892</b>
<b>Budget Allocation to Property <sup>2</sup></b>	
<b><u>Assessment Units</u></b>	<b><u>RATE</u></b>
5,472.90	\$4.00
	<b><u>BUDGET <sup>3</sup></u></b>
	\$21,892

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

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### METHOD OF APPORTIONMENT

This section of the Engineer's Report explains of 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.

### **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:

Land Use Classes: Six classes of land usage were established. These are as follows:

Class A: Includes all single family residential lots, single family ag-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 previous 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**

Use of Property	Assessment Factor Index	Rate
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
Park Facility Fee Credits	0.33	\$4.00

**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

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**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 2018-19 is generally as follows:

**FIGURE 3- SUMMARY ESTIMATE OF COSTS FISCAL YEAR 2018-19**

	FY 2018-19
Installation, Maintenance, Servicing and Incidental Costs Total	\$69,986
Net Costs for Maintenance and Servicing	(\$48,094)
<b>Total Oak Way Park LLAD Budget</b>	<b>\$21,892</b>

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.

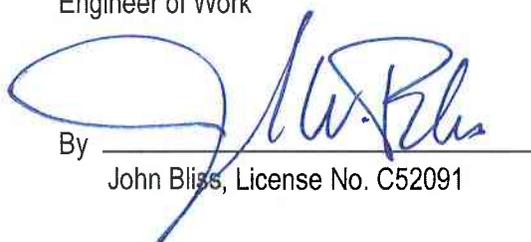
The maximum authorized assessment rate of \$4.00 per single-family residential unit for fiscal year 2018-19 is based on the estimate of cost and budget in this Engineer's Report.

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 2018-19. 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 2018-19 for each parcel or lot of land within the Assessment District.

Dated: March 26, 2018

Engineer of Work

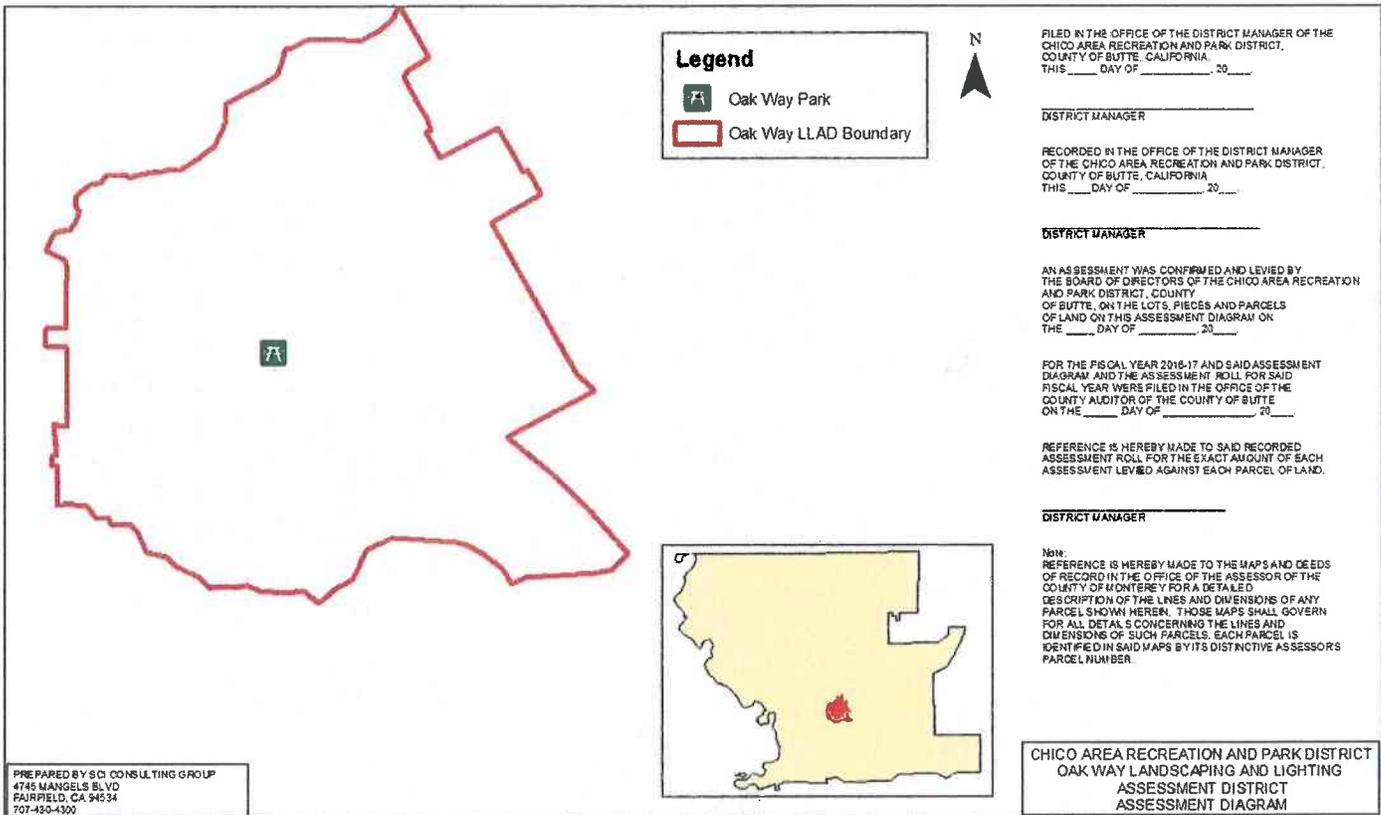
  
By \_\_\_\_\_  
John Bliss, License No. C52091



## **ASSESSMENT DIAGRAMS**

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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 2018-19, and are incorporated herein by reference, and made a part of this Diagram and this Report.



## **ASSESSMENT ROLL**

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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.



**CHICO AREA RECREATION AND PARK DISTRICT  
AMBER GROVE/GREENFIELD LANDSCAPING AND LIGHTING DISTRICT**

**ENGINEER'S REPORT**

FISCAL YEAR 2018-19

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND  
ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

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**CHICO AREA RECREATION & PARK DISTRICT**

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**BOARD OF DIRECTORS**

Jan Sneed, Chair  
Bob Malowney, Vice Chair  
Herman Ellis, Director  
Tom Lando, Director  
Michael Worley, Director

**DISTRICT MANAGER**

Ann Willman

**ENGINEER OF WORK**

SCI Consulting Group

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## INTRODUCTION

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### 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 TO ENGINEER'S REPORT

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 2018-19 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 2018-19. 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 February 15, 2018.

The Board will preliminarily approve the Report and the proposed assessments by resolution on April 19, 2018. A notice of assessment levies will 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 May 17, 2018.

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 2018-19. 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 2018-19.

The word "parcel," for the purposes of this Report, refers to an individual property assigned its own Assessment Number by the Assessor's Office. The Butte County Auditor/Controller uses Assessment Numbers and specific Fund Numbers, to identify on the tax roll, properties assessed for special district benefit assessments. These numbers are shown by Assessment District in detail in the Report.

## 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 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.) 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.

Other Assessment Districts that were formed after Proposition 218 are consistent with the approval procedures and requirements imposed by Proposition 218.

### SILICON VALLEY TAXPAYERS ASSOCIATION, 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 vs. SCCOSA”). 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 Assessment District

### DAHMS V. DOWNTOWN POMONA PROPERTY

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 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

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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 the CARD.

## ESTIMATE OF COSTS AND BUDGET- FISCAL YEAR 2018-19

### AMBER GROVE/GREENFIELD

#### ESTIMATE OF COSTS AND BUDGET

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 2018-19**

	<u>Preliminary Budget</u>	
Maintenance and Servicing Expenditures:		
Salary and Benefits	\$30,107	
<b>Total Salary and Benefits</b>	<b>\$30,107</b>	
Service and Supply		
Agriculture	\$1,850	
Maintenance Structure & Grounds	\$2,500	
District Vandalism	\$100	
Utilities	\$16,300	
Contract Services <sup>1</sup>	\$3,625	
<b>Total Service and Supply</b>	<b>\$24,375</b>	
<b>Installation, Maintenance, Servicing and Incidental Costs Total</b>	<b>\$54,482</b>	
Contributions from General Fund	(\$11,922)	
<b>Net Costs for Maintenance and Servicing</b>	<b>\$42,560</b>	
<b>Budget Allocation to Property <sup>2</sup></b>		
<b><u>Assessment Units</u></b>	<b><u>RATE</u></b>	<b><u>BUDGET <sup>3</sup></u></b>
608	\$70.00	\$42,560

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

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### METHOD OF APPORTIONMENT

This section of the Engineer's Report explains of 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.

### **AMBER GROVE/GREENFIELD LAND USE CLASSIFICATION**

The Land Use Classes for the Amber Grove/Greenfield Landscaping and Lighting Assessment District is defined in the original Engineer's Report:

#### Land Use Classes:

*Three classes of land usage were established. These are as follows:*

1. Class A: *Includes all single family residential lots, single family agricultural 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 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 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

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**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 2018-19 is generally as follows:

**FIGURE 2- SUMMARY ESTIMATE OF COSTS FISCAL YEAR 2018-19**

	<b>FY 2018-19</b>
Installation, Maintenance, Servicing and Incidental Costs Total	\$54,482
Net Costs for Maintenance and Servicing	(\$11,922)
<b>Total Amber Grove/Greenfield LLAD Budget</b>	<b>\$42,560</b>

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 2018-19 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 2018-19. 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 2018-19 for each parcel or lot of land within the Assessment District.

Dated: March 26, 2018

Engineer of Work

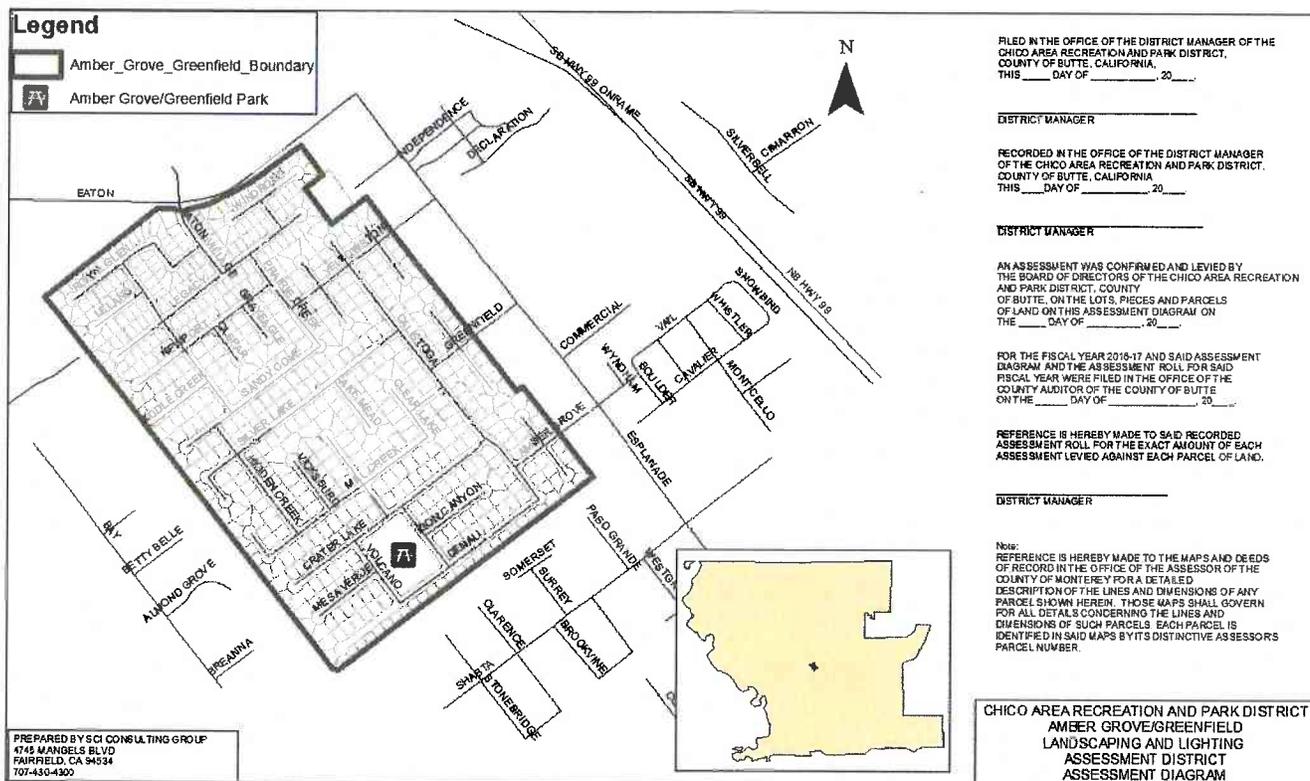
By  \_\_\_\_\_  
John Bliss, License No. C52091



## **ASSESSMENT DIAGRAMS**

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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 2018-19, and are incorporated herein by reference, and made a part of this Diagram and this Report.



## **ASSESSMENT ROLL**

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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.



**CHICO AREA RECREATION & PARK DISTRICT**  
**BARONI NEIGHBORHOOD PARK AND OPEN SPACE**  
**(No. LLD 001-05) LANDSCAPE AND LIGHTING ASSESSMENT**  
**DISTRICT**  
**ENGINEER'S REPORT**

FISCAL YEAR 2018-19

PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972  
AND ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION

ENGINEER OF WORK:  
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**CHICO AREA RECREATION & PARK DISTRICT**

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**BOARD OF DIRECTORS**

Jan Sneed, Chair  
Bob Malowney, Vice Chair  
Herman Ellis, Director  
Tom Lando, Director  
Michael Worley, Director

**DISTRICT MANAGER**

Ann Willman

**ENGINEER OF WORK**

SCI Consulting Group

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## INTRODUCTION

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### 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 February 15, 2018.

This Report was prepared to establish the budget for the continued services that would be funded by the proposed 2018-19 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").

If 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 is typically 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 May 17, 2018. At this hearing, the Board will consider approval of a resolution confirming the continuation of the assessments for fiscal year 2018-19. 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 2018-19.

## **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 ASSOCIATION, 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
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- The assessment paid by property should be proportional to the special benefits it receives from the improvements

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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 XIII C and XIII D 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

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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 – FISCAL YEAR 2018-19

### FIGURE 1 – BARONI PARK LLAD ESTIMATE OF COST 2018-19

	<u>Preliminary Budget</u>
Maintenance and Servicing Expenditures:	
Salaries and Benefits	\$52,661
<b>Total Salaries and Benefits</b>	<b>\$52,661</b>
Services and Supplies	
Maintenance Structure & Grounds	\$2,083
District Vandalism	\$100
Contract Services <sup>1</sup>	\$3,625
Utilities	\$8,250
<b>Total Services and Supplies</b>	<b>\$14,058</b>
Capital Equipment Replacement Reserves	\$5,000
<b>Total for Installation, Maintenance, Servicing and Incidental Costs</b>	<b>\$71,719</b>
<b>Budget Allocation to Property<sup>2</sup></b>	
	<b>BUDGET<sup>3</sup></b>
	<b>Assessment Units</b>
	<b>RATE</b>
Maximum Assessment Allowed	967.25
Assessment After Net Costs Calculation	967.25
	\$90.72
	\$74.15
	\$87,749
	\$71,719

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**

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### **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 XIIID 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 "NPRA"), 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**

<b>Benefit Factor</b>	<b>Relative Weight</b>	<b>General Benefit Contribution</b>	<b>Relative General Benefit</b>
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.*

<b>Property Type</b>	<b>Equivalent Benefit Units</b>	<b>Multiplier</b>
Single Family Residential	1.00	per Unit/Lot/Parcel
Single Family Residential	1.00	per Planned SF-Residential Lot
Planned Development (V130)	0.75	per Planned Condominium
	0.75	per Unit for the First 50 Units
	0.50	per Unit for Units 51-100
	0.25	per Unit for all remaining Units
Vacant Land	1.00	per acre (1.0 Minimum)
Non-Residential 4.000 per acre (1.0 Minimum)	4.00	per acre (1.0 Minimum)
Exempt Parcels	0.00	per Parcel

### **Land Uses and Equivalent Benefit Units**

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

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**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 2018-19 is generally as follows:

**FIGURE 3- SUMMARY ESTIMATE OF COSTS FISCAL YEAR 2018-19**

	FY 2018-19
Total Salaries and Benefits	\$52,661
Total Services and Supplies	\$14,058
Capital Equipment Replacement Reserves	\$5,000
<b>Total Baroni Park LLAD Budget</b>	<b>\$71,719</b>

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 assessment is subject to an annual adjustment tied to the Consumer Price Index-U for the San Francisco Bay Area as of December of each succeeding year (the "CPI"). Any change in the CPI that is unused shall be cumulatively reserved as the "Unused CPI" and shall be used to increase the maximum authorized assessment rate. The maximum authorized assessment rate is equal to the maximum assessment rate in the first fiscal year

the assessment was continued adjusted annually by the 1) annual CPI or 2) the change in the CPI plus any Unused CPI as described above.

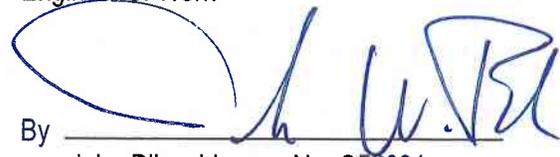
The change in the CPI from December 2016 to December 2017 is 2.94%. Therefore, the maximum authorized assessment rate for fiscal year 2018-19 is increased by 2.94%, which equates to \$90.72 per single-family equivalent benefit unit. The estimate of cost and budget in this Engineer's Report proposes assessments for fiscal year 2018-19 at the rate of \$74.15, which is less than the maximum authorized assessment rate.

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 2018-19. 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 2018-19 for each parcel or lot of land within the Assessment District.

Dated: March 26, 2018

Engineer of Work

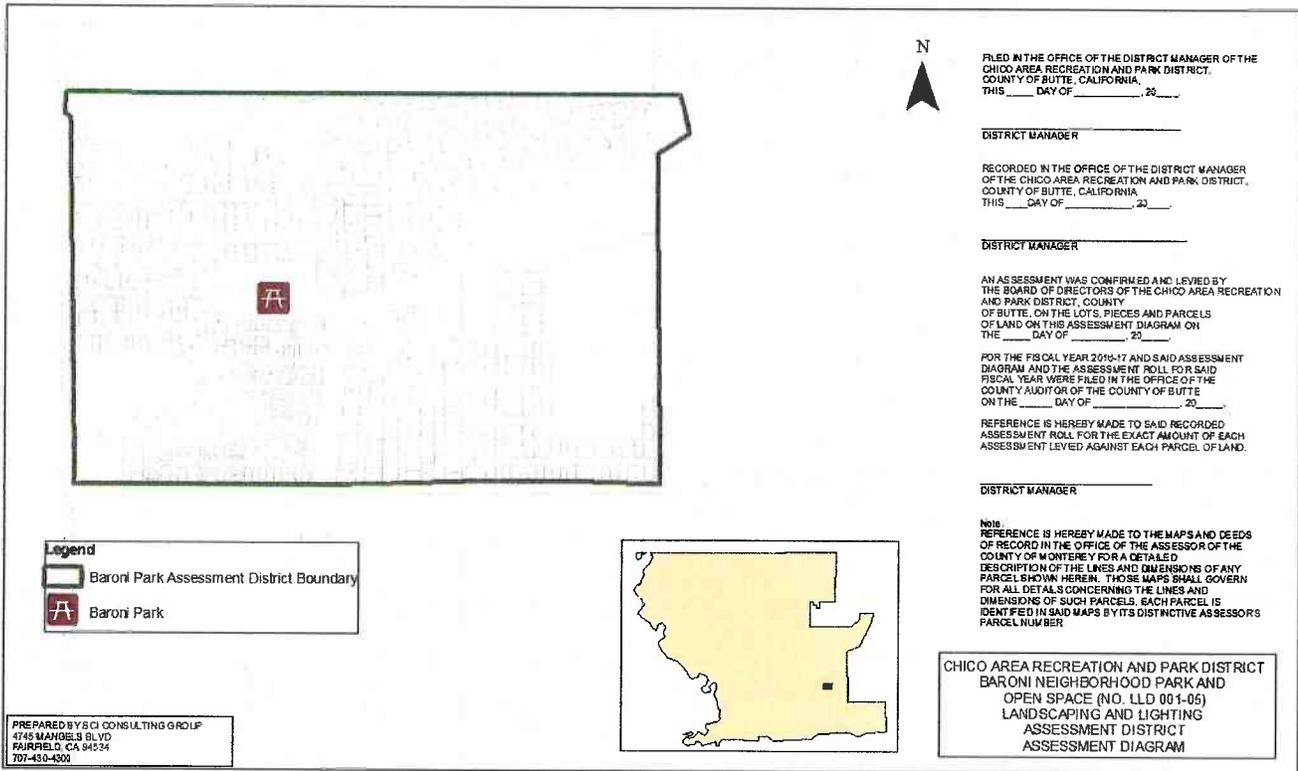
By   
John Bliss, License No. C52091



## **ASSESSMENT DIAGRAM**

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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**

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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 2018-19 Butte County Assessor's Roll.



Chico Area Recreation and Park District "Helping People Play"

Staff Report 18-21  
Agenda Item 8.1

# STAFF REPORT

**DATE:** May 17, 2018  
**TO:** Board of Directors  
**FROM:** Ann Willmann, General Manager  
**SUBJECT:** Proposition 68 Endorsement

## DISCUSSION

Proposition 68 would authorize \$4 billion in general obligation bonds for state and local parks, environmental protection and restoration projects, water infrastructure projects, and flood protection projects. The measure would also reallocate \$100 million in unissued bonds that voters approved via Proposition 1 (2014), Proposition 84 (2006), and Proposition 40 (2002). A copy of the proposed law is attached for your review, along with a Resolution provided by CPRS in support of Proposition 68.

If the CARD Board chooses to officially support Proposition 68, the Board can adopt Resolution 18-5, and direct staff to submit the endorsement to the Yes on 68 website.

## RECOMMENDATION

It is recommended that the Board of Directors direct staff how to proceed.

By \_\_\_\_\_  
Ann Willmann  
General Manager



## CHICO AREA RECREATION AND PARK DISTRICT

545 VALLOMBROSA AVE, CHICO, CA 95926  
PHONE (530) 895-4711 FAX (530) 895-4721

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### RESOLUTION 18-5

**WHEREAS**, California faces frequent and intense droughts, devastating wildfires, and growing challenges from climate change that threaten our water, parks, coastline, access to the outdoors, and natural resources; and

**WHEREAS**, Our water, parks, and outdoors are what makes California special, and we must safeguard our open spaces, access to our coast, natural areas, forests, and beautiful places where families hike, camp, swim and play; and

**WHEREAS**, Families in some underserved communities in California have water that is so contaminated that they cannot turn on the tap and get clean water to drink; and

**WHEREAS**, Many communities lack access to safe neighborhood parks for children to play and exercise; and

**WHEREAS**, A clean, reliable water supply is essential to the health of our families and strength of our economy, and supports an \$87 billion outdoor recreation and tourism industry that provides over 700,000 jobs; and

**WHEREAS**, It has been 15 years since California passed a bond to provide funding for natural resources; and

**WHEREAS**, Proposition 68 is a general obligation bond that invests \$4.1 billion in the coming years for some of California's most pressing water, parks, and natural resource needs; and

**WHEREAS**, Proposition 68 provides \$1.7 billion to ensure clean drinking water, prepare for the next drought, clean up groundwater, capture and recycle more water, and keep toxic pollutants out of California's rivers, lakes and streams that supply clean water; and

**WHEREAS**, Proposition 68 dedicates \$1.3 billion to create safe parks for every child, improve parks in neighborhoods with the greatest need, repair local and state park facilities, and restore and expand access to outdoor recreation throughout California; and

**WHEREAS**, Proposition 68 invests \$1.1 billion to protect California's natural resources to prevent wildfires, restore rivers, lakes, streams and natural areas, prevent toxic air pollution, address climate change, and protect our coastline to increase access to our coast and beaches; and

**WHEREAS**, All regions of the state will benefit from these investments with strict accountability to ensure funds will be spent efficiently and for intended purposes;

**THEREFORE BE IT RESOLVED**, that the Chico Area Recreation and Park District supports and endorses Proposition 68 on the June 5, 2018 statewide ballot, and hereby adopts this resolution the 17<sup>th</sup> day of May, 2018.

Ayes:

Noes:

Abstain:

Absent:

ATTEST:

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Jan Sneed  
Board Chair

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Ann Willmann  
Secretary to the Board

## PROPOSITION 68

This law proposed by Senate Bill 5 of the 2017–2018 Regular Session (Chapter 852, Statutes of 2017) is submitted to the people in accordance with the provisions of Article XVI of the California Constitution.

This proposed law adds sections to the Public Resources Code and the Water Code; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

## PROPOSED LAW

SECTION 1. Section 5096.611 is added to the Public Resources Code, to read:

*5096.611. Notwithstanding any other law, two million five hundred fifty-seven thousand dollars (\$2,557,000) of the unissued bonds authorized for the purposes of subdivision (b) of Section 5096.610, and eight hundred thousand dollars (\$800,000) of the unissued bonds authorized for the purposes of subdivisions (b) and (c) of Section 5096.652 from the amount allocated pursuant to subdivision (d) of Section 5096.610 are reallocated to finance the purposes of, and shall be authorized, issued, and appropriated in accordance with, Division 45 (commencing with Section 80000).*

SEC. 2. Section 75089.5 is added to the Public Resources Code, to read:

*75089.5. Notwithstanding any other law, twelve million dollars (\$12,000,000) of the unissued bonds authorized for the purpose of subdivision (a) of Section 75063, three hundred fifteen thousand dollars (\$315,000) of the unissued bonds authorized for the purposes of subdivision (b) of Section 75063, and four million three hundred twenty-eight thousand dollars (\$4,328,000) of the unissued bonds authorized for the purposes of subdivision (b) of Section 75065 are reallocated to finance the purposes of, and shall be authorized, issued, and appropriated in accordance with, Division 45 (commencing with Section 80000).*

SEC. 3. Division 45 (commencing with Section 80000) is added to the Public Resources Code, to read:

**DIVISION 45. CALIFORNIA DROUGHT, WATER, PARKS, CLIMATE, COASTAL PROTECTION, AND OUTDOOR ACCESS FOR ALL ACT OF 2018**

## CHAPTER 1. GENERAL PROVISIONS

*80000. This division shall be known, and may be cited, as the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.*

*80001. (a) The people of California find and declare all of the following:*

*(1) From California's beautiful rivers, streams, coastal shorelines, and other waterways, to our federal, state, local, and regional parks and outdoor settings, to our vast network of trails connecting people with natural landscapes, Californians value the rich diversity of outdoor experiences afforded to this state and its citizens.*

*(2) Demand for local parks has exceeded available funding by a factor of 8 to 1, with particularly high demand in urban, disadvantaged communities.*

*(3) Many Californians across the state lack access to safe parks, wildlife, trails, and recreation areas, which limits their ability to experience the outdoors, improve their physical and emotional health, exercise, and connect with their communities.*

*(4) Investments to create and improve parks and recreation areas, and to create trail networks that provide access from neighborhoods to parks, wildlife, and recreational opportunities, will help ensure all Californians have access to safe places to exercise and enjoy recreational activities.*

*(5) The California Center for Public Health Advocacy estimates that inactivity and obesity cost California over forty billion dollars (\$40,000,000,000) annually, through increased health care costs and lost productivity due to obesity-related illnesses, and that even modest increases in physical activity would result in significant savings. Investments in infrastructure improvements such as biking and walking trails and pathways, whether in urban or natural areas, are cost-effective ways to promote physical activity.*

*(6) Continued investments in the state's parks, wildlife and ecological areas, trails, and natural resources, and greening urban areas will help mitigate the effects of climate change, making cities more livable, and will protect California's natural resources for future generations.*

*(7) California's outdoor recreation economy represents an eighty-seven-billion-dollar*

(\$87,000,000,000) industry, providing over 700,000 jobs and billions of dollars in local and state revenues.

(8) California's state, local, and regional park system infrastructure and national park system infrastructure are aging, and a significant infusion of capital is required to protect this investment.

(9) There has been a historic underinvestment in parks, trails, and outdoor infrastructure in disadvantaged areas and many communities throughout California.

(10) Tourism is a growing industry in California and remains an economic driver for the more rural parts of the state.

(11) California's highly variable hydrology puts at risk the state's supply of clean and safe water. In recent years, California has experienced both the state's worst drought and also the wettest winter in recorded history.

(12) Extreme weather changes such as prolonged drought, intense heat events, and a changing snowpack are real climate impacts happening right now in California, and these changes increase the need to safeguard water supply for the quality of life for all Californians.

(13) Every Californian should have access to clean, safe, and reliable drinking water.

(14) California's water infrastructure continues to age and deteriorate.

(15) Encouraging water conservation and recycling are commonsense actions to improve California's water future.

(16) Successfully implementing the Sustainable Groundwater Management Act in collaboration with local government and communities is a key state priority.

(17) Flooding can devastate communities and infrastructure.

(18) Protecting and restoring lakes, rivers, streams, and the state's diverse ecosystems is a critical part of the state's water future and ensures the quality of life for all Californians.

(19) This division provides funding to implement the California Water Action Plan.

(20) Periodic investments are needed to protect, restore, and enhance our natural resources and parks to ensure all Californians have safe, clean,

and reliable drinking water, prevent pollution and disruption of our water supplies, prepare for future droughts and floods, and protect and restore our natural resources for the benefit and enjoyment of our children and future generations.

(b) It is the intent of the people of California that all of the following shall occur in the implementation of this division:

(1) The investment of public funds pursuant to this division will result in public benefits that address the most critical statewide needs and priorities for public funding.

(2) In the appropriation and expenditure of funding authorized by this division, priority will be given to projects that leverage private, federal, or local funding or produce the greatest public benefit.

(3) To the extent practicable, a project that receives moneys pursuant to this division will include signage informing the public that the project received funds from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

(4) To the extent practicable, when developing program guidelines for urban recreation projects and habitat protection or restoration projects, administering entities are encouraged to give favorable consideration to projects that provide urban recreation and protect or restore natural resources. Additionally, the entities may pool funding for these projects.

(5) To the extent practicable, a project that receives moneys pursuant to this division will provide workforce education and training, contractor, and job opportunities for disadvantaged communities.

(6) To the extent practicable, priority for funding pursuant to this division will be given to local parks projects that have obtained all required permits and entitlements and a commitment of matching funds, if required.

(7) To the extent practicable, administering entities should measure or require measurement of greenhouse gas emissions reductions and carbon sequestrations associated with projects that receive moneys pursuant to this division.

(8) To the extent practicable, as identified in the "Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National

*Forests, and Other Public Lands and Waters,” dated January 12, 2017, the public agencies that receive funds pursuant to this division will consider a range of actions that include, but are not limited to, the following:*

*(A) Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.*

*(B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.*

*(C) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.*

*(D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.*

*(E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.*

*(F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.*

*(G) Identifying possible staff liaisons to diverse populations.*

*(9) To the extent practicable, priority for grant funding under this division will be given to a project that advances solutions to prevent displacement if a potential unintended consequence associated with park creation pursuant to the project is an increase in the cost of housing.*

*80002. As used in this division, the following terms have the following meanings:*

*(a) “Committee” means the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Finance Committee created by Section 80162.*

*(b) “Community access” means engagement programs, technical assistance, or facilities*

*that maximize safe and equitable physical admittance, especially for low-income communities, to natural or cultural resources, community education, or recreational amenities.*

*(c) “Conservation actions on private lands” means projects with willing landowners that involve the adaptive flexible management or protection of natural resources in response to changing conditions and threats to habitat and wildlife. The actions may include the acquisition of conservation interests or fee interests in the land. These projects result in habitat conditions on private lands that, when managed dynamically over time, contribute to the long-term health and resiliency of vital ecosystems and enhance wildlife populations.*

*(d) “Department” means the Department of Parks and Recreation.*

*(e) “Disadvantaged community” means a community with a median household income less than 80 percent of the statewide average.*

*(f) “Fund” means the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Fund, created by Section 80032.*

*(g) “Heavily urbanized city” means a city with a population of 300,000 or more.*

*(h) “Heavily urbanized county” means a county with a population of 3,000,000 or more.*

*(i) “Interpretation” includes, but is not limited to, a visitor-serving amenity that enhances the ability to understand and appreciate the significance and value of natural, historical, and cultural resources and that may utilize educational materials in multiple languages, digital information, and the expertise of a naturalist or other skilled specialist.*

*(j) “Nonprofit organization” means a nonprofit corporation qualified to do business in California and qualified under Section 501(c)(3) of the Internal Revenue Code.*

*(k) “Preservation” means rehabilitation, stabilization, restoration, conservation, development, and reconstruction, or any combination of those activities.*

*(l) “Protection” means those actions necessary to prevent harm or damage to persons, property, or natural, cultural, and historic resources, actions to improve access to public open-space areas, or actions to allow the continued use and*

enjoyment of property or natural, cultural, and historic resources, and includes site monitoring, acquisition, development, restoration, preservation, and interpretation.

(m) "Restoration" means the improvement of physical structures or facilities and, in the case of natural systems and landscape features, includes, but is not limited to, projects for the control of erosion, stormwater capture and storage or to otherwise reduce stormwater pollution, the control and elimination of invasive species, the planting of native species, the removal of waste and debris, prescribed burning, fuel hazard reduction, fencing out threats to existing or restored natural resources, road elimination, improving instream, riparian, or managed wetland habitat conditions, and other plant and wildlife habitat improvement to increase the natural system value of the property or coastal or ocean resource. Restoration also includes activities described in subdivision (b) of Section 79737 of the Water Code. Restoration projects shall include the planning, monitoring, and reporting necessary to ensure successful implementation of the project objectives.

(n) "Severely disadvantaged community" means a community with a median household income less than 60 percent of the statewide average.

80004. An amount that equals not more than 5 percent of the funds allocated for a grant program pursuant to this division may be used to pay the administrative costs of that program.

80006. (a) Except as provided in subdivision (b), up to 10 percent of funds allocated for each program funded by this division may be expended, including, but not limited to, by grants, for planning and monitoring necessary for the successful design, selection, and implementation of the projects authorized under that program. This section shall not otherwise restrict funds ordinarily used by an agency for "preliminary plans," "working drawings," and "construction" as defined in the annual Budget Act for a capital outlay project or grant project. Planning may include feasibility studies for environmental site cleanup that would further the purpose of a project that is eligible for funding under this division. Monitoring may include measuring greenhouse gas emissions reductions and carbon sequestration associated with program expenditures under this division.

(b) Funds used for planning projects that benefit disadvantaged communities may exceed 10 percent of the funds allocated if the state agency administering the moneys determines that there is a need for the additional funding.

80008. (a) (1) Except as provided in paragraph (2), at least 20 percent of the funds available pursuant to each chapter of this division shall be allocated for projects serving severely disadvantaged communities.

(2) At least 15 percent of the funds available pursuant to Chapter 9 (commencing with Section 80120) and Chapter 10 (commencing with Section 80130) shall be allocated for projects serving severely disadvantaged communities.

(b) (1) Except as provided in subdivision (c), up to 10 percent of the funds available pursuant to each chapter of this division may be allocated for technical assistance to disadvantaged communities. The agency administering the moneys shall operate a multidisciplinary technical assistance program for disadvantaged communities.

(2) Funds used for providing technical assistance to disadvantaged communities may exceed 10 percent of the funds allocated if the state agency administering the moneys determines that there is a need for the additional funding.

(c) (1) Up to 5 percent of funds available pursuant to each chapter of this division shall, to the extent permissible under the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code) and with the concurrence of the Director of Finance, be allocated for community access projects that include, but are not limited to, the following:

(A) Transportation.

(B) Physical activity programming.

(C) Resource interpretation.

(D) Multilingual translation.

(E) Natural science.

(F) Workforce development and career pathways.

(G) Education.

(H) Communication related to water, parks, climate, coastal protection, and other outdoor pursuits.

(2) This subdivision does not apply to Chapter 11.1 (commencing with Section 80141) and Chapter 12 (commencing with Section 80150).

80010. Before disbursing grants pursuant to this division, each state agency that receives funding to administer a competitive grant program under this division shall do the following:

(a) (1) Develop and adopt project solicitation and evaluation guidelines. The guidelines shall include monitoring and reporting requirements and may include a limitation on the dollar amount of grants to be awarded. If the state agency has previously developed and adopted project solicitation and evaluation guidelines that comply with the requirements of this subdivision, it may use those guidelines.

(2) Guidelines adopted pursuant to this subdivision shall encourage, where feasible, inclusion of the following project components:

(A) Efficient use and conservation of water supplies.

(B) Use of recycled water.

(C) The capture of stormwater to reduce stormwater runoff, reduce water pollution, or recharge groundwater supplies, or a combination thereof.

(D) Provision of safe and reliable drinking water supplies to park and open-space visitors.

(b) Conduct three public meetings to consider public comments before finalizing the guidelines. The state agency shall publish the draft solicitation and evaluation guidelines on its Internet Web site at least 30 days before the public meetings. One meeting shall be conducted at a location in northern California, one meeting shall be conducted at a location in the central valley of California, and one meeting shall be conducted at a location in southern California.

(c) For statewide competitive grant programs, submit the guidelines to the Secretary of the Natural Resources Agency. The Secretary of the Natural Resources Agency shall verify that the guidelines are consistent with applicable statutes and for all the purposes enumerated in this division. The Secretary of the Natural Resources Agency shall post an electronic form of the guidelines submitted by state agencies and the subsequent verifications on the Natural Resources Agency's Internet Web site.

(d) Upon adoption, transmit copies of the guidelines to the fiscal committees and the appropriate policy committees of the Legislature.

(e) Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code does not apply to the development and adoption of program guidelines and selection criteria adopted pursuant to this division.

80012. (a) The Department of Finance shall provide for an independent audit of expenditures pursuant to this division. The Secretary of the Natural Resources Agency shall publish a list of all program and project expenditures pursuant to this division not less than annually, in written form, and shall post an electronic form of the list on the agency's Internet Web site in a downloadable spreadsheet format. The spreadsheet shall include information about the location and footprint of each funded project, the project's objectives, the status of the project, anticipated outcomes, any matching moneys provided for the project by the grant recipient, and the applicable chapter of this division pursuant to which the grant recipient received moneys.

(b) If an audit, required by statute, of any entity that receives funding authorized by this division is conducted pursuant to state law and reveals any impropriety, the California State Auditor or the Controller may conduct a full audit of any or all of the activities of that entity.

(c) The state agency issuing any grant with funding authorized by this division shall require adequate reporting of the expenditures of the funding from the grant.

(d) The costs associated with the publications, audits, statewide bond tracking, cash management, and related oversight activities provided for in this section shall be funded from this division. These costs shall be shared proportionally by each program through this division. Actual costs incurred to administer nongrant programs authorized by this division shall be paid from the funds authorized in this division.

80014. If any moneys allocated pursuant to this division are not encumbered or expended by the recipient entity within the time period specified by the administering agency, the unexpended moneys shall revert to the administering agency

for allocation consistent with the applicable chapter.

80016. To the extent feasible, a project whose application includes the use of services of the California Conservation Corps or certified community conservation corps, as defined in Section 14507.5, shall be given preference for receipt of a grant under this division.

80018. To the extent feasible, a project that includes water efficiencies, stormwater capture for infiltration or reuse, or carbon sequestration features in the project design may be given priority for grant funding under this division.

80020. Moneys allocated pursuant to this division shall not be used to fulfill any mitigation requirements imposed by law.

80022. (a) To the extent feasible in implementing this division and except as provided in subdivision (b), a state agency receiving funding under this division shall seek to achieve wildlife conservation objectives through projects on public lands or voluntary projects on private lands. Projects on private lands shall be evaluated based on the durability of the benefits created by the investment. Funds may be used for payments for the protection or creation of measurable habitat improvements or other improvements to the condition of endangered or threatened species, including through the development and implementation of habitat credit exchanges.

(b) This section shall not apply to Chapter 2 (commencing with Section 80050), Chapter 3 (commencing with Section 80060), Chapter 5 (commencing with Section 80080), Chapter 6 (commencing with Section 80090), Chapter 11 (commencing with Section 80140), Chapter 11.5 (commencing with Section 80145), or Chapter 12 (commencing with Section 80150).

80024. A state agency that receives funding to administer a grant program under this division shall report to the Legislature by January 1, 2027, on its expenditures pursuant to this division and the public benefits received from those expenditures.

80026. A state conservancy receiving funding pursuant to this division shall endeavor to allocate funds that are complementary, but not duplicative, of authorized expenditures made

pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014.

80028. Funds provided pursuant to this division, and any appropriation or transfer of those funds, shall not be deemed to be a transfer of funds for the purposes of Chapter 9 (commencing with Section 2780) of Division 3 of the Fish and Game Code.

80030. For grants awarded for projects that serve a disadvantaged community, the administering entity may provide advanced payments in the amount of 25 percent of the grant award to the recipient to initiate the project in a timely manner. The administering entity shall adopt additional requirements for the recipient of the grant regarding the use of the advanced payments to ensure that the moneys are used properly.

80032. (a) The proceeds of bonds issued and sold pursuant to this division, exclusive of refunding bonds issued and sold pursuant to Section 80172, shall be deposited in the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Fund, which is hereby created in the State Treasury.

(b) Proceeds of bonds issued and sold pursuant to this division shall be allocated according to the following schedule:

(1) Two billion eight hundred thirty million dollars (\$2,830,000,000) for purposes of Chapter 2 (commencing with Section 80050), Chapter 3 (commencing with Section 80060), Chapter 4 (commencing with Section 80070), Chapter 5 (commencing with Section 80080), Chapter 6 (commencing with Section 80090), Chapter 7 (commencing with Section 80100), Chapter 8 (commencing with Section 80110), Chapter 9 (commencing with Section 80120), and Chapter 10 (commencing with Section 80130).

(2) Two hundred fifty million dollars (\$250,000,000) for Chapter 11 (commencing with Section 80140).

(3) Eighty million dollars (\$80,000,000) for Chapter 11.1 (commencing with Section 80141).

(4) Five hundred fifty million dollars (\$550,000,000) for Chapter 11.5 (commencing with Section 80145).

(5) Three hundred ninety million dollars (\$390,000,000) for Chapter 11.6 (commencing with Section 80146).

80034. The Legislature may enact legislation necessary to implement programs funded by this division.

CHAPTER 2. INVESTMENTS IN ENVIRONMENTAL AND SOCIAL EQUITY, ENHANCING CALIFORNIA'S DISADVANTAGED COMMUNITIES

80050. (a) The sum of seven hundred twenty-five million dollars (\$725,000,000) shall be available to the department, upon appropriation by the Legislature, for the creation and expansion of safe neighborhood parks in park-poor neighborhoods in accordance with the Statewide Park Development and Community Revitalization Act of 2008's competitive grant program described in Chapter 3.3 (commencing with Section 5640) of Division 5.

(b) When developing or revising criteria or guidelines for the grant program, the department may give additional consideration to projects that incorporate stormwater capture and storage or otherwise reduce stormwater pollution.

(c) The department shall perform its due diligence by conducting a rigorous prequalification process to determine the fiscal and operational capacity of a potential grant recipient to manage a project to do both of the following:

(1) Maximize the project's public benefit.

(2) Implement the project in a timely manner.

80051. Of the amount available pursuant to subdivision (a) of Section 80050, not less than 20 percent shall be available for the rehabilitation, repurposing, or substantial improvement of existing park infrastructure in communities of the state that will lead to increased use and enhanced user experiences.

80052. (a) Of the amount available pursuant to subdivision (a) of Section 80050, to correct historic underinvestments in the central valley, Inland Empire, gateway, rural, and desert communities, the sum of forty-eight million dollars (\$48,000,000) shall be available for local park creation and improvement grants to the communities identified by the department as park deficient within those areas for active recreational projects, including aquatic centers, to encourage youth health, fitness, and recreational pursuits.

Projects that include the partial or full donation of land, materials, or volunteer services and that demonstrate collaborations of multiple entities and the leveraging of scarce resources may be given consideration. Entities that receive a grant under this section may also be eligible to receive other grants under subdivision (a) of Section 80050.

(b) Of the amount subject to this section, twenty-two million dollars (\$22,000,000) shall be available to the department, upon appropriation by the Legislature, for grants to desert community towns in the County of San Bernardino, incorporated after 1990, with a population estimate of less than 22,000 according to the United States Census Bureau Population Estimates as of July 1, 2016, that have adopted a master plan as of 2008 that includes recommendations for the development of public facilities that will assist in achieving active recreational projects, including aquatic and fitness centers.

CHAPTER 3. INVESTMENTS IN PROTECTING, ENHANCING, AND ACCESSING CALIFORNIA'S LOCAL AND REGIONAL OUTDOOR SPACES

80060. For purposes of this chapter, "district" means any regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 of Division 5, any recreation and park district formed pursuant to Chapter 4 (commencing with Section 5780) of Division 5, or any authority formed pursuant to Division 26 (commencing with Section 35100). With respect to any community or unincorporated region that is not included within a district, and in which no city or county provides parks or recreational areas or facilities, "district" also means any other entity, including, but not limited to, a district operating multiple-use parklands pursuant to Division 20 (commencing with Section 71000) of the Water Code.

80061. (a) The sum of two hundred million dollars (\$200,000,000) shall be available to the department, upon appropriation by the Legislature, for local park rehabilitation, creation, and improvement grants to local governments on a per capita basis. Grant recipients shall be encouraged to utilize awards to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors.

(b) The sum of fifteen million dollars (\$15,000,000) shall be available to the department, upon appropriation by the Legislature, for grants to cities and districts in urbanized counties providing park and recreation services within jurisdictions of 200,000 or less in population. For purposes of this subdivision, "urbanized county" means a county with a population of 500,000 or more. An entity eligible to receive funds under this subdivision shall also be eligible to receive funds available under subdivision (a).

(c) Unless the project has been identified as serving a severely disadvantaged community, an entity that receives an award pursuant to this section shall be required to provide a match of 20 percent as a local share.

80062. (a) (1) The department shall allocate 60 percent of the funds available pursuant to subdivision (a) of Section 80061 to cities and districts, other than a regional park district, regional park and open-space district, open-space authority, or regional open-space district. Each city's and district's allocation shall be in the same ratio as the city's or district's population is to the combined total of the state's population that is included in incorporated and unincorporated areas within the county, except that each city or district shall be entitled to a minimum allocation of two hundred thousand dollars (\$200,000). If the boundary of a city overlaps the boundary of a district, the population in the overlapping area shall be attributed to each jurisdiction in proportion to the extent to which each operates and manages parks and recreational areas and facilities for that population. If the boundary of a city overlaps the boundary of a district, and in the area of overlap the city does not operate and manage parks and recreational areas and facilities, all grant funds for that area shall be allocated to the district.

(2) On or before April 1, 2020, a city and a district that are subject to paragraph (1), and whose boundaries overlap, shall collaboratively develop and submit to the department a specific plan for allocating the grant funds in accordance with the formula specified in paragraph (1). If, by that date, the plan has not been developed and submitted to the department, the director shall determine the allocation of the grant funds between the affected jurisdictions.

(b) (1) The department shall allocate 40 percent of the funds available pursuant to subdivision (a)

of Section 80061 to counties and regional park districts, regional park and open-space districts, open-space authorities formed pursuant to Division 26 (commencing with Section 35100), and regional open-space districts formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3 of Division 5.

(2) Each county's allocation under paragraph (1) shall be in the same ratio that the county's population is to the total state population, except that each county shall be entitled to a minimum allocation of four hundred thousand dollars (\$400,000).

(3) In any county that embraces all or part of the territory of a regional park district, regional park and open-space district, open-space authority, or regional open-space district, and whose board of directors is not the county board of supervisors, the amount allocated to the county shall be apportioned between that district and the county in proportion to the population of the county that is included within the territory of the district and the population of the county that is outside the territory of the district.

(c) For the purpose of making the calculations required by this section, population shall be determined by the department, in cooperation with the Department of Finance, on the basis of the most recent verifiable census data and other verifiable population data that the department may require to be furnished by the applicant city, county, or district.

(d) The Legislature intends all recipients of funds pursuant to subdivision (a) of Section 80061 to use those funds to supplement local revenues in existence on the effective date of the act adding this division. To receive an allocation pursuant to subdivision (a) of Section 80061, the recipient shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient's annual expenditures. For purposes of this subdivision, the Controller may request fiscal data from recipients for the preceding three fiscal years. Each recipient shall furnish the data to the Controller no later than 120 days after receiving the request from the Controller.

80063. (a) The director of the department shall prepare and adopt criteria and procedures for evaluating applications for grants allocated pursuant to subdivision (a) of Section 80061. The application shall be accompanied by certification that the project is consistent with the park and recreation element of the applicable city or county general plan or the district park recreation plan, as the case may be.

(b) To utilize available grant funds as effectively as possible, overlapping and adjoining jurisdictions and applicants with similar objectives are encouraged to combine projects and submit a joint application. A recipient may allocate all or a portion of its per capita share for a regional or state project.

80065. (a) The sum of thirty million dollars (\$30,000,000) shall be available to the department, upon appropriation by the Legislature, for grants to regional park districts, counties, and regional open-space districts, open-space authorities formed pursuant to Division 26 (commencing with Section 35100), joint powers authorities, and eligible nonprofit organizations on a competitive grant basis to create, expand, improve, rehabilitate, or restore parks and park facilities, including, but not limited to, trails, regional trail networks, regional sports complexes, low-cost accommodations in park facilities, and visitor, outdoor, and interpretive facilities serving youth and communities of color.

(b) In awarding moneys, the department shall encourage applicants seeking funds for acquisition projects to perform projects in conjunction with new or enhanced public use and public access opportunities.

(c) Preference may be given to multiuse trail projects over single-use trail projects.

(d) Notwithstanding paragraph (a), of the amount subject to this section, the sum of five million dollars (\$5,000,000) shall be available for projects in units of the state parks system that are managed by nonprofit organizations that have entered into operating agreements with the department.

80066. The sum of forty million dollars (\$40,000,000) shall be available to the department, upon appropriation by the Legislature, for grants, awarded proportionally based on populations served, to local agencies

that have obtained voter approval between November 1, 2012, through November 30, 2018, inclusive, for revenue enhancement measures aimed at improving and enhancing local or regional park infrastructure. A recipient of a grant under this section shall receive at least two hundred fifty thousand dollars (\$250,000) for the purposes of the revenue enhancement measure.

CHAPTER 4. RESTORING CALIFORNIA'S NATURAL, HISTORIC, AND CULTURAL LEGACY

80070. The sum of two hundred eighteen million dollars (\$218,000,000) shall be available to the department, upon appropriation by the Legislature, for restoration, preservation, and protection of existing state park facilities and units. Eligible project types include, but are not limited to, the following:

(a) Protection of natural resources to provide climate resilience, water supply, and water quality benefits.

(b) Enhancement of access to state park facilities and units, including protection and improvement of lands adjacent to state park facilities to improve access or management efficiency.

(c) The provision of low-cost overnight accommodations in ways that enhance access and recreational opportunities for disadvantaged community residents and low-income park visitors.

(d) Implementation of projects that address the department's backlog of deferred maintenance.

80071. The department, in expending the funding available under this chapter, shall endeavor, where practical, to partner with cities, counties, nonprofit organizations, and nongovernmental organizations to maximize leveraging opportunities to enhance tourism, visitation, and visitor experiences.

80072. Of the amount made available pursuant to Section 80070, ten million dollars (\$10,000,000) shall be available for enterprise projects that facilitate new or enhanced park use and user experiences and increase revenue generation to support operations of the department.

80073. (a) Of the amount made available pursuant to Section 80070, five million dollars (\$5,000,000) shall be available for grants to local agencies that operate a unit of the state

park system to address urgent need for the restoration of aging infrastructure.

(b) For the purpose of awarding a grant under this section, a local cost share of not less than 25 percent of the total costs of the project shall be required. The cost-sharing requirement may be waived or reduced for a disadvantaged community.

80074. Of the amount made available pursuant to Section 80070, eighteen million dollars (\$18,000,000) shall be available to the Division of Fairs and Expositions of the Department of Food and Agriculture to provide for facility improvements for county fairs, district agricultural associations, including the Sixth District Agricultural Association, as described in Section 4101 of the Food and Agricultural Code, and the Forty-Fifth District Agricultural Association, citrus fruit fairs, and the California Exposition and State Fair.

80075. Of the amount made available pursuant to Section 80070, thirty million dollars (\$30,000,000) shall be available to the department to provide for lower cost coastal accommodation project development in units of the state park system.

80076. Of the amount made available pursuant to Section 80070, not less than twenty-five million dollars (\$25,000,000) shall be available to the department for the protection, restoration, and enhancement of the natural resource values of the state park system, which may include all of the following:

(a) Protection and improvement of water quality and biological health in streams, aquifers, and estuarine ecosystems.

(b) Protection and restoration of natural resources and ecosystems representative of California's diverse landscapes, including landform, habitat, and biological community restoration.

(c) Acquisition, rehabilitation, restoration, protection, and expansion of wildlife corridors, including projects to improve connectivity and reduce barriers between habitat areas.

(d) Improvements of native ecosystem resilience and adaptation to climate change.

(e) Enhancement of the health of redwood forests in order to accelerate old growth characteristics, maximize carbon sequestration, improve water quality, and build climate resilience.

(f) Protection and enhancement of tribal cultural resources.

80077. (a) In expending funds made available pursuant to Section 80070, and giving first priority to the department's criteria for expenditure of funds for deferred maintenance including infrastructure needs to protect public safety, the department shall use best efforts to expend at least ten million dollars (\$10,000,000) in each of the following regions for state park units and properties deferred maintenance projects and projects that may increase tourism and visitor experiences in those regions:

(1) Central Valley, from the City of Sacramento to the base of the Tehachapi Mountains.

(2) Central Coast.

(3) East Bay.

(4) County of Imperial and the Coachella Valley.

(5) Inland Empire.

(b) To the extent the department is unable to allocate funds for parks deferred maintenance in the regions identified in this section, it shall report to the appropriate policy and fiscal committees of the Legislature on the reasons it is unable to do so.

#### CHAPTER 5. TRAILS AND GREENWAY INVESTMENT

80080. (a) The sum of thirty million dollars (\$30,000,000) shall be available to the Natural Resources Agency, working in cooperation with the department, upon appropriation by the Legislature, for competitive grants to local agencies, state conservancies, federally recognized Native American tribes, nonfederally recognized California Native American tribes listed on the California Tribal Consultation List maintained by the Native American Heritage Commission, joint powers authorities, and nonprofit organizations to provide nonmotorized infrastructure development and enhancements that promote new or alternate access to parks, waterways, outdoor recreational pursuits, and forested or other natural environments to encourage health-related active transportation and opportunities for Californians to reconnect with nature.

(b) Of the amount made available pursuant to this section, up to 25 percent may be made available to communities for innovative

transportation projects that provide new and expanded outdoor experiences to disadvantaged youth.

(c) Alignment, development, and improvement of nonmotorized infrastructure and trails that lead to safer interconnectivity among parks, waterways, and natural areas may be encouraged.

(d) The Natural Resources Agency is encouraged, when designing guidelines for grants awarded under this chapter, to utilize existing program guidelines, including, if applicable, guidelines that have been established for the California Recreational Trails Act (Article 6 (commencing with Section 5070) of Chapter 1 of Division 5) and, to the extent possible, to design guidelines that are consistent with the California Recreational Trails Plan, as described in Article 6 (commencing with Section 5070) of Chapter 1 of Division 5.

80081. Unless the project has been identified as serving a disadvantaged community, an entity that receives an award under this chapter shall be required to provide a match of 20 percent.

CHAPTER 6. RURAL RECREATION, TOURISM, AND ECONOMIC ENRICHMENT INVESTMENT

80090. (a) The sum of twenty-five million dollars (\$25,000,000) shall be available to the department, upon appropriation by the Legislature, to administer a competitive grant program for cities, counties, and districts in nonurbanized areas, that are eligible for a grant under the Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (Chapter 3.2 (commencing with Section 5620) of Division 5). Notwithstanding subdivisions (c) and (e) of Section 5621 and for the purposes of this section, the definition of "nonurbanized area" shall be updated by the department to reflect current population levels. A nonurbanized area shall include counties with populations of less than 500,000 people and low population densities per square mile, as determined by the department. In awarding the grants, the department may consider the following factors:

(1) Whether the project would provide new recreational opportunities in rural communities that have demonstrated deficiencies and lack of outdoor infrastructure in support of economic and health-related goals.

(2) Whether the project proposes to acquire and develop lands to enhance residential recreation while promoting the quality of tourism experiences and the economic vitality of the community. These enhancements may include accessibility for individuals with disabilities, trails, bikeways, regional or destination-oriented recreational amenities, and visitor centers.

(3) Whether the project includes collaboration between public and nonprofit organizations, including, but not limited to, nonprofit land trusts, to facilitate public access to privately owned lands for regional trail development for wildlife viewing, recreation, or outdoor experiences for youth.

(b) Unless the project has been identified as serving a disadvantaged community, an entity that receives an award under this chapter shall be required to provide a match of 20 percent.

CHAPTER 7. CALIFORNIA RIVER RECREATION, CREEK, AND WATERWAY IMPROVEMENTS PROGRAM

80100. (a) The sum of one hundred sixty-two million dollars (\$162,000,000) shall be available, upon appropriation by the Legislature, for grants pursuant to the California River Parkways Act of 2004 (Chapter 3.8 (commencing with Section 5750) of Division 5) and the Urban Streams Restoration Program pursuant to Section 7048 of the Water Code. Eligible projects shall include, but are not limited to, projects that protect and enhance urban creeks.

(1) (A) Of the amount made available pursuant to this subdivision, thirty-seven million five hundred thousand dollars (\$37,500,000) shall be available to the Santa Monica Mountains Conservancy. Notwithstanding subdivision (c) of Section 5753, of that amount, fifteen million dollars (\$15,000,000) shall be available for projects within the San Fernando Valley that protect or enhance the Los Angeles River watershed and its tributaries or headwaters, pursuant to Division 23 (commencing with Section 33000).

(B) Of the amount made available pursuant to this subdivision, thirty-seven million five hundred thousand dollars (\$37,500,000) shall be available to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy.

(C) Funds allocated pursuant to this paragraph shall be expended pursuant to Section 79508 of

the Water Code and Division 22.8 (commencing with Section 32600) and Division 23 (commencing with Section 33000).

(2) Of the amount made available pursuant to this subdivision, sixteen million dollars (\$16,000,000) shall be available to the Santa Ana River Conservancy Program pursuant to Chapter 4.6 (commencing with Section 31170) of Division 21. To the extent possible, the conservancy shall distribute funds equitably geographically along the Santa Ana River.

(3) Of the amount made available pursuant to this subdivision, ten million dollars (\$10,000,000) shall be available to the Lower American River Conservancy Program pursuant to Chapter 10.5 (commencing with Section 5845) of Division 5.

(4) Of the amount made available pursuant to this subdivision, three million dollars (\$3,000,000) shall be available to the Natural Resources Agency for projects supporting the preservation of the Los Gatos Creek and Upper Guadalupe River Watersheds and the protection of associated redwoods.

(5) Of the amount made available pursuant to this subdivision, three million dollars (\$3,000,000) shall be available to the Natural Resources Agency for projects supporting a comprehensive regional use management plan for the Russian River to reduce conflict and promote water supply improvements, habitat restoration and protection, cooperative public recreation, and commercial activity.

(6) Of the amount made available pursuant to this subdivision, ten million dollars (\$10,000,000) shall be available to the State Coastal Conservancy for river parkway projects along the Santa Margarita River in San Diego County.

(7) Of the amount made available pursuant to this subdivision, five million dollars (\$5,000,000) shall be available to the Natural Resources Agency for improvements in and around Clear Lake and its watershed that demonstrate a comprehensive local and regional approach to restoration, public recreation, and management of the lake and its surrounding resources and recreation areas.

(8) Of the amount made available pursuant to this subdivision, ten million dollars

(\$10,000,000) shall be available for purposes of the California River Parkways Act of 2004 (Chapter 3.8 (commencing with Section 5750)).

(9) Of the amount made available pursuant to this subdivision, ten million dollars (\$10,000,000) shall be made available to the Department of Water Resources, upon appropriation by the Legislature, to implement the Urban Streams Restoration Program, established pursuant to Section 7048 of the Water Code.

(10) Of the amount made available pursuant to this subdivision, twenty million dollars (\$20,000,000) shall be available to the Natural Resources Agency for river parkway projects along the Los Angeles River in the City of Glendale that include connectivity to parks and open space in neighboring communities.

(b) Unless the project has been identified as serving a disadvantaged community, an entity that receives an award under this chapter shall be required to provide a match of 20 percent.

(c) To maximize cooperation and leverage resources, the Natural Resources Agency may give priority to projects that include partnerships among federal, state, and local agencies and to projects proposed by nonprofit organizations, including, but not limited to, nonprofit land trusts, and grants that may complement a natural community conservation plan.

80101. To the maximum extent feasible, the Natural Resources Agency is encouraged, when developing guidelines for grants awarded under this chapter, to utilize existing programs where communities enter into partnerships with state agencies for multibenefit projects to enhance and restore waterways, including, but not limited to, the Riverine Stewardship Technical Assistance program.

#### CHAPTER 8. STATE CONSERVANCY, WILDLIFE CONSERVATION BOARD, AND AUTHORITY FUNDING

80110. The sum of seven hundred sixty-seven million dollars (\$767,000,000) shall be available, upon appropriation by the Legislature, as described in this chapter.

(a) Thirty million dollars (\$30,000,000) shall be available to the Salton Sea Authority for capital outlay projects that provide air quality and habitat benefits and that implement the Natural Resources Agency's Salton Sea

*Management Program. Of this amount, not less than ten million dollars (\$10,000,000) shall be available to the Salton Sea Authority for purposes consistent with the New River Water Quality, Public Health, and River Parkway Development Program, as described in Section 71103.6.*

*(b) One hundred eighty million dollars (\$180,000,000) shall be available to the following conservancies according to their governing statutes for their specified purposes in accordance with the following schedule:*

*(1) Baldwin Hills Conservancy, six million dollars (\$6,000,000).*

*(2) California Tahoe Conservancy, twenty-seven million dollars (\$27,000,000).*

*(3) Coachella Valley Mountains Conservancy, seven million dollars (\$7,000,000).*

*(4) Sacramento-San Joaquin Delta Conservancy, twelve million dollars (\$12,000,000).*

*(5) San Diego River Conservancy, twelve million dollars (\$12,000,000).*

*(6) San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, thirty million dollars (\$30,000,000).*

*(7) San Joaquin River Conservancy, six million dollars (\$6,000,000).*

*(8) Santa Monica Mountains Conservancy, thirty million dollars (\$30,000,000).*

*(9) Sierra Nevada Conservancy, thirty million dollars (\$30,000,000).*

*(10) State Coastal Conservancy, twenty million dollars (\$20,000,000) for grants pursuant to Section 66704.5 of the Government Code for the purpose of San Francisco Bay restoration in accordance with the San Francisco Bay Restoration Authority Act (Title 7.25 (commencing with Section 66700) of the Government Code). Notwithstanding subdivision (e) of Section 66704.5 of the Government Code, the State Coastal Conservancy shall establish a matching grant requirement for a grant awarded pursuant to this paragraph.*

*(c) One hundred thirty-seven million dollars (\$137,000,000) shall be available to the Wildlife Conservation Board.*

*80111. The amount available to the Wildlife Conservation Board pursuant to subdivision (c) of Section 80110 is allocated as follows:*

*(a) Five million dollars (\$5,000,000) shall be available for the development of regional conservation investment strategies that are not otherwise funded pursuant to Section 800 of the Streets and Highways Code or any other law.*

*(b) At least fifty-two million dollars (\$52,000,000) shall be available for the acquisition, development, rehabilitation, restoration, protection, and expansion of habitat that furthers the implementation of natural community conservation plans adopted pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code) to help resolve resource conflicts by balancing communitywide conservation, planning, and economic activities or other large-scale habitat conservation plans that resolve resource conflicts with provisions for conservation, planning, and economic activities. Funding pursuant to this paragraph shall not be used to offset mitigation obligations otherwise required, but may be used as part of a funding partnership to enhance, expand, or augment conservation efforts required by mitigation.*

*(c) Up to ten million dollars (\$10,000,000) may be granted to the University of California Natural Reserve System for matching grants for acquisition of land, construction and development of research facilities to improve the management of natural lands, for preservation of California's wildlife resources, and to further research related to climate change. The Wildlife Conservation Board shall establish a matching grant requirement for grants awarded pursuant to this subdivision.*

*(d) The remainder of the amount available shall be available to the Wildlife Conservation Board to provide funding for the following projects:*

*(1) Projects to protect and enhance national recreation areas serving heavily urbanized areas or, in coordination with the State Lands Commission, to acquire an interest in federal public lands that may be proposed for sale or disposal.*

*(2) Projects according to the Wildlife Conservation Board's governing statutes for its specified purposes. 80112. A receiving entity listed in subdivision (b) of Section 80110 shall develop and adopt a strategic master plan that identifies priorities and specific criteria for selecting projects for funding. The strategic plan shall include strategies for providing public access to conserved lands*

wherever feasible and be consistent with project goals and objectives.

80113. Entities, in expending the funding available under this chapter, shall endeavor, where practical, to partner with cities, counties, nonprofit organizations, joint powers authorities, and nongovernmental organizations to acquire open space and create urban greenway corridors.

80114. (a) Of the amount made available pursuant to Section 80110, two hundred million dollars (\$200,000,000) shall be available to the Natural Resources Agency for implementation of voluntary agreements that provide multibenefit water quality, water supply, and watershed protection and restoration for the watersheds of the state to achieve the objectives of integrating regulatory and voluntary efforts, implementing an updated State Water Resources Control Boards' San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan, and ensuring ecological benefits. Expenditure of funds provided in this section shall be in accordance with the following:

(1) For the purposes of this section, watershed restoration includes activities to fund wetland habitat, salmon, steelhead, and fishery benefits, improve and restore river health, modernize stream crossings, culverts, and bridges, reconnect historical flood plains, install or improve fish screens, provide fish passages, restore river channels, restore or enhance riparian, aquatic, and terrestrial habitat, improve ecological functions, acquire from willing sellers conservation easements for riparian buffer strips, improve local watershed management, predation management, hatchery management, and remove sediment or trash.

(2) For purposes of this section, funds may be used for projects that measurably enhance streamflows at a time and location necessary to provide fisheries or ecosystem benefits or improvements that improve upon existing flow conditions. Project types that may be eligible include, but are not limited to, water transactions such as lease, purchase, or exchange, change of use petitions to benefit fish and wildlife, surface storage to be used to enhance streamflow, forbearance of water rights, changes in water management, groundwater storage and conjunctive use, habitat restoration projects that reshape the stream hydrograph, water efficiency

generally, irrigation efficiency and water infrastructure improvements that save water and enable reshaping of the stream hydrograph, reconnecting flood flows with restored flood plains, and reservoir reoperations both at existing and new storage sites.

(b) The funds authorized by this section shall be available for direct expenditures and local assistance grants by the Natural Resources Agency, in consultation with the Department of Fish and Wildlife, that satisfy all of the following:

(1) Implement voluntary agreements executed by the Department of Fish and Wildlife with federal and state agencies, local government, water districts and agencies, and nongovernmental organizations that improve ecological flows and habitat for species, create water supply and regulatory certainty for water users, and foster a collaborative approach to facilitate implementation of the State Water Resources Control Board's Bay-Delta Water Quality Control Plan.

(2) Implement a voluntary agreement submitted by the Department of Fish and Wildlife to the State Water Resources Control Board on or before June 1, 2018, for consideration.

(3) Implement a voluntary agreement that is of statewide significance, restores natural aquatic or riparian functions or wetlands habitat for birds and aquatic species, protects or promotes the restoration of endangered or threatened species, enhances the reliability of water supplies on a regional or interregional basis, and provides significant regional or statewide economic benefits.

(c) Funds provided by this section shall not be expended to pay the costs of the design, construction, operation, mitigation, or maintenance of Delta conveyance facilities.

(d) If the Department of Fish and Wildlife submits a voluntary agreement that satisfies paragraph (2) of subdivision (b), unencumbered funds available pursuant to this section to implement that voluntary agreement shall no longer be available 15 years after the date the State Water Resources Control Board approves the submitted agreement, at which point funds remaining available pursuant to this section shall become available to the Natural Resources Agency for the purposes of Sections 79732 and 79736 of the Water Code. If no voluntary

agreements are submitted on or before June 1, 2018, any remaining funds shall be available to the Natural Resources Agency for the purposes of Sections 79732 and 79736 of the Water Code. The Secretary of the Natural Resources Agency shall ensure an annual reporting of the funds pursuant to Section 80012.

80115. Of the amount made available pursuant to Section 80110, fifty million dollars (\$50,000,000) shall be available to the Department of Fish and Wildlife for capital improvements that address the Department of Fish and Wildlife's backlog of deferred maintenance. Where practical, the Department of Fish and Wildlife shall partner with nonprofit organizations and nongovernmental organizations to inform the expenditure of these funds, enhance visitor experience, and where feasible, increase engagement with youth and disadvantaged communities.

80116. Of the amount made available pursuant to Section 80110, one hundred seventy million dollars (\$170,000,000) shall be available to the Natural Resources Agency for restoration activities identified in the Salton Sea Management Program Phase I: 10 Year Plan, dated March 2017, the final management plan report, and any subsequent revisions to this plan.

#### CHAPTER 9. OCEAN, BAY, AND COASTAL PROTECTION

80120. The sum of one hundred seventy-five million dollars (\$175,000,000) shall be available, upon appropriation by the Legislature, to fund projects that enhance and protect coastal and ocean resources, as follows:

(a) The sum of thirty-five million dollars (\$35,000,000) shall be available for deposit into the California Ocean Protection Trust Fund for grants consistent with Section 35650. Priority shall be given to projects that conserve, protect, and restore marine wildlife and healthy ocean and coastal ecosystems with a focus on the state's system of marine protected areas and sustainable fisheries.

(b) The sum of thirty million dollars (\$30,000,000) shall be available to the State Coastal Conservancy to provide for lower cost coastal accommodation grants and project development to public agencies and nonprofit organizations.

(c) The sum of eighty-five million dollars (\$85,000,000) shall be available to the State Coastal Conservancy for the protection of beaches, bays, wetlands, and coastal watershed resources pursuant to Division 21 (commencing with Section 31000). This shall include the acquisition of, or conservation easements on, land in or adjacent to the California coastal zone with open space, recreational, biological, cultural, scenic, or agricultural values, or lands adjacent to marine protected areas, including marine conservation areas, whose preservation will contribute to the ecological quality of those marine protected areas. This shall also include the protection of coastal agricultural resources pursuant to Section 31150 and projects to complete the California Coastal Trail pursuant to Section 31408.

(d) Twenty-five percent of the amount available pursuant to subdivision (c) shall be available to the San Francisco Bay Area Conservancy Program (Chapter 4.5 (commencing with Section 31160) of Division 21).

(e) The sum of twenty million dollars (\$20,000,000) shall be available to the State Coastal Conservancy for grants and expenditures for the protection, restoration, and improvement of coastal forest watersheds, including managed forest lands, forest reserve areas, redwood forests, and other forest types. Eligible project types shall include projects that improve water quality and supply, increase coastal watershed storage capacity, reduce fire risk, provide habitat for fish and wildlife, or improve coastal forest health.

(f) The sum of five million dollars (\$5,000,000) shall be available to the State Coastal Conservancy for acquisition of parcels that will allow for protection and restoration of coastal dune, wetland, upland, and forest habitat associated with estuarine lagoons and designated wildlife areas.

80121. In implementing Section 80120, the administering entity may give special consideration to the acquisition of lands that are in deferred certification areas of local coastal plans or that complement natural community conservation plans.

#### CHAPTER 10. CLIMATE PREPAREDNESS, HABITAT RESILIENCY, RESOURCE ENHANCEMENT, AND INNOVATION

80130. The sum of four hundred forty-three million dollars (\$443,000,000) shall be available, upon appropriation by the Legislature, as competitive grants for projects that plan, develop, and implement climate adaptation and resiliency projects. Eligible projects shall improve a community's ability to adapt to the unavoidable impacts of climate change, improve and protect coastal and rural economies, agricultural viability, wildlife corridors, or habitat, develop future recreational opportunities, or enhance drought tolerance, landscape resilience, and water retention.

80131. In implementing Section 80130, special consideration may be given to the acquisition of lands that are in deferred certification areas of local coastal plans.

80132. (a) Of the amount made available pursuant to Section 80130, eighteen million dollars (\$18,000,000) shall be available to the Wildlife Conservation Board for direct expenditures pursuant to the Wildlife Conservation Law of 1947 (Chapter 4 (commencing with Section 1300) of Division 2 of the Fish and Game Code) and for grants for any of the following:

(1) Projects for the acquisition, development, rehabilitation, restoration, protection, and expansion of wildlife corridors and open space, including projects to improve connectivity and reduce barriers between habitat areas. In awarding grants pursuant to this paragraph, the Wildlife Conservation Board shall give priority to projects that protect wildlife corridors, including wildlife corridors threatened by urban development.

(2) Projects for the acquisition, development, rehabilitation, restoration, protection, and expansion of habitat that promote the recovery of threatened and endangered species.

(3) Projects to improve climate adaptation and resilience of natural systems.

(4) Projects to protect and improve existing open-space corridors and trail linkages related to utility, transportation, or water infrastructure that provide habitat connectivity and public access or trails.

(5) Projects for wildlife rehabilitation facilities after consultation with the Department of Fish and Wildlife.

(6) Projects to control invasive plants or insects that degrade wildlife corridors or habitat linkages, inhibit the recovery of threatened or endangered species, or reduce the climate resilience of a natural system.

(7) Projects to enhance wildlife habitat, recognizing the highly variable habitat needs required by fish and wildlife. Eligible projects include acquisition of water or water rights from willing sellers, acquisition of land that includes water rights or contractual rights to water, short- or long-term water transfers and leases, projects that provide water for fish and wildlife, projects that improve aquatic or riparian habitat conditions, or projects to benefit salmon and steelhead.

(8) Implementation of conservation actions and habitat enhancement actions that measurably advance the conservation objectives of regional conservation investment strategies approved pursuant to Chapter 9 (commencing with Section 1850) of Division 2 of the Fish and Game Code.

(9) Provision of hunting and other wildlife-dependent recreational opportunities to the public through voluntary agreement with private landowners, including opportunities pursuant to Section 1572 of the Fish and Game Code.

(b) In implementing this section, the Wildlife Conservation Board may provide matching grants for incentives to landowners for conservation actions on private lands or use of voluntary habitat credit exchange mechanisms. A matching grant shall not exceed 50 percent of the total cost of the incentive program.

(c) Of the amount made available pursuant to Section 80130, thirty million dollars (\$30,000,000) shall be available for the acquisition, development, rehabilitation, restoration, protection, and expansion of wildlife corridors and open space to improve connectivity and reduce barriers between habitat areas and to protect and restore habitat associated with the Pacific Flyway. In awarding grants pursuant to this subdivision, priority may be given to projects that protect wildlife corridors. Of the amount described in this subdivision, ten million dollars (\$10,000,000) shall be available for the California Waterfowl Habitat Program.

(d) Of the amount made available pursuant to Section 80130, not less than twenty-five million dollars (\$25,000,000) shall be

available to the Department of Fish and Wildlife for projects to restore rivers and streams in support of fisheries and wildlife, including, but not limited to, reconnection of rivers with their flood plains, riparian and side-channel habitat restoration activities described in subdivision (b) of Section 79737 of the Water Code, and restoration and protection of upper watershed forests and meadow systems that are important for fish and wildlife resources. Subdivision (f) of Section 79738 of the Water Code applies to this subdivision. Of the amount available pursuant to this subdivision, at least five million dollars (\$5,000,000) shall be available for restoration projects in the Klamath-Trinity watershed for the benefit of salmon and steelhead. Priority shall be given to projects supported by multistakeholder public or private partnerships, or both, using a science-based approach and measurable objectives to guide identification, design, and implementation of regional actions to benefit salmon and steelhead.

(e) (1) Of the amount made available pursuant to Section 80130, not less than sixty million dollars (\$60,000,000) shall be available to the Wildlife Conservation Board for construction, repair, modification, or removal of transportation or water resources infrastructure to improve wildlife or fish passage.

(2) Of the amount subject to paragraph (1), at least thirty million dollars (\$30,000,000) shall be available to the Department of Fish and Wildlife for restoration of Southern California Steelhead habitat consistent with the Department of Fish and Wildlife's Steelhead Restoration and Management Plan and the National Marine Fisheries Service's Southern California Steelhead Recovery Plan. Projects that remove significant barriers to steelhead migration and include other habitat restoration and associated infrastructure improvements shall be the highest priority.

(f) Of the amount made available pursuant to Section 80130, not less than sixty million dollars (\$60,000,000) shall be available to the Wildlife Conservation Board for the protection, restoration, and improvement of upper watershed lands in the Sierra Nevada and Cascade Mountains, including forest lands, meadows, wetlands, chaparral, and riparian habitat, in order to protect and improve water supply and water quality, improve forest health, reduce wildfire danger, mitigate the effects of wildfires on water quality and supply,

increase flood protection, or to protect or restore riparian or aquatic resources.

(g) Of the amount made available pursuant to Section 80130, at least thirty million dollars (\$30,000,000) shall be available to the Department of Fish and Wildlife to improve conditions for fish and wildlife in streams, rivers, wildlife refuges, wetland habitat areas, and estuaries. Eligible projects include acquisition of water from willing sellers, acquisition of land that includes water rights or contractual rights to water, short- or long-term water transfers or leases, provision of water for fish and wildlife, or improvement of aquatic or riparian habitat conditions. In implementing this section, the Department of Fish and Wildlife may provide grants under the Fisheries Restoration Grant Program with priority given to coastal waters.

(h) The Wildlife Conservation Board shall update its strategic master plan that identifies priorities and specific criteria for selecting projects pursuant to subdivision (a).

(i) Activities funded pursuant to this section shall be consistent with the state's climate adaptation strategy, as provided in Section 71153, and the statewide objectives provided in Section 71154.

80133. (a) Of the amount made available pursuant to Section 80130, forty million dollars (\$40,000,000) shall be available for deposit into the California Ocean Protection Trust Fund, established pursuant to Section 35650, for projects that assist coastal communities, including those reliant on commercial fisheries, with adaptation to climate change, including projects that address ocean acidification, sea level rise, or habitat restoration and protection, including, but not limited to, the protection of coastal habitat associated with the Pacific Flyway.

(b) Thirty-five percent of the amount available pursuant to this section shall be available to the San Francisco Bay Area Conservancy Program (Chapter 4.5 (commencing with Section 31160) of Division 21).

(c) Twelve percent of the amount available pursuant to this section shall be available to the State Coastal Conservancy to fund a conservation program at West Coyote Hills.

(d) The remainder of the amount available pursuant to this section shall be available pursuant to Section 31113.

80134. (a) Of the amount made available pursuant to Section 80130, thirty million dollars (\$30,000,000) shall be available to plan, develop, and implement innovative farm and ranch management practices and protections that improve climate adaptation and resiliency by improving the soil health, carbon sequestration, and habitat of California's farm and ranch lands and affiliated habitat, including working lands, open space, or riparian corridors, and that increase water retention and absorption, habitat values, species protection, and economic viability to reduce development pressure.

(b) Of the amount subject to this section, the sum of ten million dollars (\$10,000,000) shall be available to the Department of Food and Agriculture for grants to promote practices on farms and ranches that improve agricultural and open-space soil health, carbon soil sequestration, erosion control, water quality, and water retention.

(c) (1) Of the amount subject to this section, the sum of twenty million dollars (\$20,000,000) shall be available to the Department of Conservation to protect, restore, or enhance working lands and riparian corridors through conservation easements or other conservation actions, including actions pursuant to Section 9084 and the California Farmland Conservancy Program (Division 10.2 (commencing with Section 10200)).

(2) Up to fifty percent of the funds available pursuant to this subdivision may be allocated to the Department of Conservation for watershed restoration and conservation projects on agricultural lands pursuant to Section 9084.

80135. (a) Of the amount made available pursuant to Section 80130, fifty million dollars (\$50,000,000) shall be available to the Department of Forestry and Fire Protection, except as provided in subdivision (c), for projects that provide ecological restoration of forests. Projects may include, but are not limited to, forest restoration activities that include hazardous fuel reduction, postfire watershed rehabilitation, prescribed or managed burns, acquisition of forest conservation easements or fee interests, and forest management practices

that promote forest resilience to severe wildfire, climate change, and other disturbances. The Department of Forestry and Fire Protection shall achieve geographic balance with the moneys allocated pursuant to this section and may, where appropriate, include activities on lands owned by the United States.

(b) Not less than 30 percent of the amount available pursuant to this section shall be allocated for urban forestry projects pursuant to Section 4799.12. The Department of Forestry and Fire Protection shall allocate no less than 50 percent of the moneys allocated pursuant to this subdivision for the expansion of the urban forestry program to previously underserved local entities in order to achieve geographic balance.

(c) Of the amount subject to this section, 50 percent shall be allocated directly to the Sierra Nevada Conservancy to administer projects pursuant to this section for purposes of implementing the Sierra Nevada Watershed Improvement Program. For purposes of this section, the Sierra Nevada Conservancy may allocate funds to the California Tahoe Conservancy for projects within the jurisdiction of the California Tahoe Conservancy.

80136. Of the amount made available pursuant to Section 80130, forty million dollars (\$40,000,000) shall be available to the California Conservation Corps for projects to rehabilitate or improve local and state parks, restore watersheds and riparian zones, regional and community-level fuel load reduction, compost application and food waste management, resources conservation and restoration projects, and for facility or equipment acquisition, development, restoration, and rehabilitation. Not less than 50 percent of the amount available pursuant to this section shall be allocated for grants to certified local community conservation corps, as defined in Section 14507.5.

80137. (a) Of the amount made available pursuant to Section 80130, sixty million dollars (\$60,000,000) shall be made available to the Natural Resources Agency for competitive grants to local agencies, nonprofit organizations, nongovernmental land conservation organizations, federally recognized Native American tribes, or nonfederally recognized California Native American tribes listed on the California Tribal Consultation List maintained by

the Native American Heritage Commission, to do any of the following:

(1) Restore, protect, and acquire Native American, natural, cultural, and historic resources within the state.

(2) Convert and repurpose properties or parts of properties that served as the site of a fossil fuel powerplant that had been retired on the effective date of this division, or were scheduled to be retired prior to January 1, 2021, to create permanently protected open space, tourism, and park opportunities through fee title or conservation easements.

(3) Enhance visitor experiences through development, expansion, and improvement of science centers operated by foundations or other nonprofit organizations in heavily urbanized areas.

(4) Enhance park, water, and natural resource values through improved recreation, tourism, and natural resource investments in those areas of the state not within the jurisdiction of a state conservancy.

(5) Promote, develop, and improve any of the following:

(A) Community, civic, or athletic venues.

(B) Cultural or visitor centers that recognize that contributions of California's ethnic communities or celebrate the unique traditions of these communities, including those of Asian and Hispanic descent.

(C) Visitor centers or nonprofit aquariums that educate the public about natural landscapes, aquatic species, or wildlife migratory patterns.

(b) Of the amount subject to this section, twenty million dollars (\$20,000,000) shall be available for multibenefit green infrastructure investments in or benefiting disadvantaged or severely disadvantaged communities.

CHAPTER 11. CLEAN DRINKING WATER AND DROUGHT PREPAREDNESS

80140. (a) The sum of two hundred fifty million dollars (\$250,000,000) shall be available, upon appropriation by the Legislature, for the purposes described in Chapter 5 (commencing with Section 79720) of Division 26.7 of the Water Code.

(b) Of the funds authorized by subdivision (a), thirty million dollars (\$30,000,000) shall be

available for grants to regional water supply projects within the San Joaquin River hydrologic unit that diversify local water supplies by providing local surface water to communities that are dependent on contaminated groundwater, reduce municipal groundwater pumping, and benefit agricultural and municipal water supplies.

CHAPTER 11.1. GROUNDWATER SUSTAINABILITY

80141. (a) The sum of eighty million dollars (\$80,000,000) shall be available, upon appropriation by the Legislature, to the state board for competitive grants for projects for treatment and remediation activities that prevent or reduce the contamination of groundwater that serves as a source of drinking water.

(b) Projects shall be prioritized based upon the following criteria:

(1) The threat posed by groundwater contamination to the affected community's overall drinking water supplies, including an urgent need for treatment of alternative supplies or increased water imports if groundwater is not available due to contamination. For the purposes of this paragraph, treatment includes ongoing operation and maintenance of existing facilities.

(2) The potential for groundwater contamination to spread and impair drinking water supply and water storage for nearby population areas.

(3) The potential of the project, if fully implemented, to enhance local water supply reliability.

(4) The potential of the project to maximize opportunities to recharge vulnerable, high-use groundwater basins and optimize groundwater supplies.

(5) The project addresses contamination at a site for which the courts or the appropriate regulatory authority has not yet identified responsible parties, or where the identified responsible parties are unwilling or unable to pay for the total cost of cleanup, including water supply reliability improvement for critical urban water supplies in designated superfund areas with groundwater contamination listed on the National Priorities List established pursuant to Section 105(a)(8)(B) of the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. Sec. 9605(a)(8)(B)).

(c) Funding authorized by this chapter shall not be used to pay any share of the costs of remediation recovered from parties responsible for the contamination of a groundwater storage aquifer, but may be used to pay costs that cannot be recovered from responsible parties. Parties that receive funding for remediating groundwater storage aquifers shall exercise reasonable efforts to recover the costs of groundwater cleanup from the parties responsible for the contamination. Funds recovered from responsible parties may only be used to fund treatment and remediation activities including operations and maintenance.

(d) The contaminants that may be addressed with funding pursuant to this chapter may include, but shall not be limited to, nitrates, perchlorate, MTBE (methyl tertiary butyl ether), arsenic, selenium, hexavalent chromium, mercury, PCE (perchloroethylene), TCE (trichloroethylene), DCE (dichloroethene), DCA (dichloroethane), 1,2,3-TCP (trichloropropane), carbon tetrachloride, 1,4-dioxane, 1,4-dioxacyclohexane, nitrosodimethylamine, bromide, iron, manganese, and uranium.

(e) A project that receives funding pursuant to this chapter shall be selected by a competitive grant process with added consideration for those projects that leverage private, federal, or local funding.

(f) For the purposes of awarding funding under this chapter, a local cost share of not less than 50 percent of the total costs of the project shall be required. The cost-sharing requirement may be waived or reduced for projects that directly benefit a disadvantaged community or an economically distressed area.

(g) The state board may assess the capacity of a community to pay for the operation and maintenance of a facility to be funded by a grant awarded under this chapter.

(h) At least 10 percent of the funds available pursuant to this chapter shall be allocated for projects serving severely disadvantaged communities.

(i) Funding authorized by this chapter may include funding for technical assistance to disadvantaged communities. The agency administering this funding shall operate a multidisciplinary technical assistance program for small and disadvantaged communities.

(j) Subdivisions (a) and (b) of Section 16727 of the Government Code do not apply to this chapter.

CHAPTER 11.5. FLOOD PROTECTION AND REPAIR

80145. (a) The sum of five hundred fifty million dollars (\$550,000,000) shall be available, upon appropriation by the Legislature, for flood protection and repair.

(1) (A) Of the funds available pursuant to this subdivision, three hundred fifty million dollars (\$350,000,000) shall be available to the Department of Water Resources for flood protection facilities, levee improvements, and related investments that protect persons and property from flood damage in the Central Valley. The Department of Water Resources may require that moneys provided under this paragraph be matched by local and regional public agencies.

(B) Of the amount subject to this paragraph, fifty million dollars (\$50,000,000) shall be available for levee repairs and restoration within the Sacramento-San Joaquin Delta.

(C) Of the amount subject to this paragraph, three hundred million dollars (\$300,000,000) shall be available for multibenefit projects that achieve public safety improvements and measurable fish and wildlife enhancement. The Department of Water Resources shall coordinate the expenditure of multibenefit funds with the Central Valley Flood Protection Board and the Department of Fish and Wildlife. Eligible projects include, but are not limited to, levee setbacks, creation or enhancement of flood plains or bypasses, groundwater recharge projects in flood plains, and land acquisition and easements necessary for these projects.

(2) Of the funds available pursuant to this subdivision, one hundred million dollars (\$100,000,000) shall be available for the purposes of stormwater, mudslide, and other flash-flood-related protections.

(3) Of the amount made available pursuant to this subdivision, one hundred million dollars (\$100,000,000) shall be available to the Natural Resources Agency for competitive grants for the purposes of multibenefit projects in urbanized areas to address flooding. Eligible projects shall include, but are not limited to, stormwater capture and reuse, planning and implementation of low-impact development, restoration of

urban streams and watersheds, and increasing permeable surfaces to help reduce flooding.

(4) Funding made available pursuant to paragraphs (2) and (3) shall support projects that protect persons and property from flood damage. Unless the project has been identified as serving a disadvantaged community, an entity that receives an award pursuant to paragraphs (2) or (3) shall be required to provide a match of 25 percent as a local share.

(b) Funds provided by this chapter shall not be expended to pay the costs of the design, construction, operation, mitigation, or maintenance of Delta conveyance facilities. Those costs shall be the responsibility of the water agencies that benefit from the design, construction, operation, mitigation, or maintenance of those facilities.

CHAPTER 11.6. REGIONAL SUSTAINABILITY FOR DROUGHT AND GROUNDWATER, AND WATER RECYCLING

80146. (a) The sum of two hundred ninety million dollars (\$290,000,000) shall be available, upon appropriation by the Legislature, for drought and groundwater investments to achieve regional sustainability. Expenditure of these funds may include planning, design, and implementation projects through competitive grants and loans for investments in groundwater recharge with surface water, stormwater, recycled water, and other conjunctive use projects, and projects to prevent or clean up contamination of groundwater that serves as a source of drinking water.

(b) Of the funds made available pursuant to this section, fifty million dollars (\$50,000,000) shall be available pursuant to Chapter 10 (commencing with Section 79770) of Division 26.7 of the Water Code for the purposes described in Section 79775 of the Water Code.

80147. (a) The sum of one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, pursuant to Chapter 9 (commencing with Section 79765) of Division 26.7 of the Water Code, except that the provisions of Section 79143 of the Water Code shall not apply to a loan or grant awarded under this section.

(b) Of the funds made available pursuant to this section, up to twenty million dollars (\$20,000,000) shall be available for the State

Water Efficiency and Enhancement Program administered by the Department of Food and Agriculture.

CHAPTER 12. ADVANCE PAYMENT FOR WATER PROJECTS

80150. (a) Within 90 days of notice that a grant under this division for projects included and implemented in an integrated regional water management plan has been awarded, the regional water management group shall provide the administering agency with a list of projects to be funded with the grant funds where the project proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community. The list shall specify how the projects are consistent with the adopted integrated regional water management plan and shall include all of the following information:

(1) Descriptive information concerning each project identified.

(2) The names of the entities that will receive the funding for each project, including, but not limited to, an identification as to whether the project proponent or proponents are nonprofit organizations or a disadvantaged community.

(3) The budget of each project.

(4) The anticipated schedule for each project.

(b) Within 60 days of receiving the project information pursuant to subdivision (a), the administering agency may provide advance payment of 50 percent of the grant award for those projects that satisfy both of the following criteria:

(1) The project proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community.

(2) The grant award for the project is less than one million dollars (\$1,000,000).

(c) Funds advanced pursuant to subdivision (b) shall comply with the following requirements:

(1) The recipient shall place the funds in a noninterest-bearing account until expended.

(2) The funds shall be spent within six months of the date of receipt, unless the administering agency waives this requirement.

(3) The recipient shall, on a quarterly basis, provide an accountability report to the administering agency regarding the expenditure

and use of any advance grant funds that provides, at a minimum, the following information:

(A) An itemization as to how advance payment funds provided under this section have been expended.

(B) A project itemization as to how any remaining advance payment funds provided under this section will be expended over the period specified in paragraph (2).

(C) A description of whether the funds are placed in a noninterest-bearing account, and if so, the date that occurred and the dates of withdrawals of funds from that account, if applicable.

(4) If funds are not expended, the unused portion of the grant shall be returned to the administering agency within 60 days after project completion or the end of the grant performance period, whichever is earlier.

(5) The administering agency may adopt additional requirements for the recipient regarding the use of the advance payment to ensure that the funds are used properly.

#### CHAPTER 13. FISCAL PROVISIONS

80160. (a) Bonds in the total amount of four billion dollars (\$4,000,000,000), and any additional bonds authorized, issued, and appropriated in accordance with this division pursuant to other provisions of law, not including the amount of any refunding bonds issued in accordance with Section 80172, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this division and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, issued, and delivered, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) The Treasurer shall sell the bonds authorized by the committee pursuant to this section. The bonds shall be sold upon the terms and conditions specified in a resolution to be adopted by the committee pursuant to Section 16731 of the Government Code.

80161. The bonds authorized by this division shall be prepared, executed, issued, sold, paid,

and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), as amended from time to time, and all of the provisions of that law apply to the bonds and to this division.

80162. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), of the bonds authorized by this division, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Finance Committee is hereby created. For purposes of this division, the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Finance Committee is the "committee" as that term is used in the State General Obligation Bond Law.

(b) The committee consists of the Director of Finance, the Treasurer, and the Controller. Notwithstanding any other law, any member may designate a representative to act as that member in his or her place for all purposes, as though the member were personally present.

(c) The Treasurer shall serve as the chairperson of the committee.

(d) A majority of the committee may act for the committee.

80163. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized by this division in order to carry out the actions specified in this division and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

80164. For purposes of the State General Obligation Bond Law, "board," as defined in Section 16722 of the Government Code, means the Secretary of the Natural Resources Agency.

80165. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year. It is the duty

of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act that is necessary to collect that additional sum.

80166. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this division, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this division, as the principal and interest become due and payable.

(b) The sum that is necessary to carry out the provisions of Section 80169, appropriated without regard to fiscal years.

80167. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account, including other authorized forms of interim financing that include, but are not limited to, commercial paper, in accordance with Section 16312 of the Government Code for the purpose of carrying out this division. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold for the purpose of carrying out this division, excluding refunding bonds authorized pursuant to Section 80172, less any amount loaned and not yet repaid pursuant to this section and withdrawn from the General Fund pursuant to Section 80169 and not yet returned to the General Fund. The board shall execute those documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated in accordance with this division.

80168. Notwithstanding any other provision of this division, or of the State General Obligation Bond Law, if the Treasurer sells bonds that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions or is otherwise entitled to any federal tax advantage, the Treasurer may maintain separate accounts for the bond proceeds invested and for the investment earnings on those proceeds, and may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal

law or take any other action with respect to the investment and use of those bond proceeds, as may be required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

80169. For the purposes of carrying out this division, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that have been authorized by the committee to be sold for the purpose of carrying out this division, excluding refunding bonds authorized pursuant to Section 80172, less any amount loaned pursuant to Section 80167 and not yet repaid and any amount withdrawn from the General Fund pursuant to this section and not yet returned to the General Fund. Any amounts withdrawn shall be deposited in the fund to be allocated in accordance with this division. Any moneys made available under this section shall be returned to the General Fund, with interest at the rate earned by the moneys in the Pooled Money Investment Account, from proceeds received from the sale of bonds for the purpose of carrying out this division.

80170. All moneys deposited in the fund that are derived from premium and accrued interest on bonds sold pursuant to this division shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest, except that amounts derived from premiums may be reserved and used to pay the cost of bond issuance prior to any transfer to the General Fund.

80171. Pursuant to Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, the cost of bond issuance shall be paid or reimbursed out of the bond proceeds, including premiums, if any. To the extent the cost of bond issuance is not paid from premiums received from the sale of bonds, these costs shall be allocated proportionally to each program funded through this division by the applicable bond sale.

80172. The bonds issued and sold pursuant to this division may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the

*State General Obligation Bond Law. Approval by the voters of the state for the issuance of the bonds under this division shall include approval of the issuance of any bonds issued to refund any bonds originally issued under this division or any previously issued refunding bonds. Any bond refunded with the proceeds of a refunding bond as authorized by this section may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended from time to time, authorizing that refunded bond.*

*80173. The proceeds from the sale of bonds authorized by this division are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, and the disbursement of these proceeds is not subject to the limitations imposed by that article.*

SEC. 4. Section 79772.5 is added to the Water Code, to read:

*79772.5. Notwithstanding any other law, eighty million dollars (\$80,000,000) of the unissued bonds authorized for the purposes of Section 79772 are reallocated to finance the purposes of, and shall be authorized, issued, and appropriated in accordance with, Division 45 (commencing with Section 80000) of the Public Resources Code.*

## PROPOSITION 69

This amendment proposed by Assembly Constitutional Amendment 5 of the 2017–2018 Regular Session (Resolution Chapter 30, Statutes of 2017) expressly amends the California Constitution by amending a section thereof, and adding an article and a section thereto; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

### PROPOSED AMENDMENTS TO ARTICLES XIII B, XIX A, AND XIX D

First—That Section 15 is added to Article XIII B thereof, to read:

*SEC. 15. "Appropriations subject to limitation" of each entity of government shall not include appropriations of revenues from the Road Maintenance and Rehabilitation Account created by the Road Repair and Accountability Act of 2017, or any other revenues deposited into any other funds pursuant to the act. No adjustment*

*in the appropriations limit of any entity of government shall be required pursuant to Section 3 as a result of revenues being deposited in or appropriated from the Road Maintenance and Rehabilitation Account created by the Road Repair and Accountability Act of 2017 or any other account pursuant to the act.*

Second—That Section 1 of Article XIX A thereof is amended to read:

SECTION 1. (a) The Legislature shall not borrow revenues from the Public Transportation Account, or any successor account, and shall not use these revenues for purposes, or in ways, other than those specifically permitted by this article.

(b) The Public Transportation Account in the State Transportation Fund, or any successor account, is a trust fund. The Legislature may not change the status of the Public Transportation Account as a trust fund. Funds in the Public Transportation Account may not be loaned or otherwise transferred to the General Fund or any other fund or account in the State Treasury.

(c) All revenues specified in paragraphs (1) through (3), inclusive, of subdivision (a) of Section 7102 of the Revenue and Taxation Code, as that section read on June 1, 2001, shall be deposited no less than quarterly into the Public Transportation Account (Section 99310 of the Public Utilities Code), or its successor. The Legislature may not take any action which temporarily or permanently diverts or appropriates these revenues for purposes other than those described in subdivision (d), or delays, defers, suspends, or otherwise interrupts the quarterly deposit of these funds into the Public Transportation Account.

(d) Funds in the Public Transportation Account may only be used for transportation planning and mass transportation purposes. The revenues described in subdivision (c) are hereby continuously appropriated to the Controller without regard to fiscal years for allocation as follows:

(1) Fifty percent pursuant to subdivisions (a) through (f), inclusive, of Section 99315 of the Public Utilities Code, as that section read on July 30, 2009.

(2) Twenty-five percent pursuant to subdivision (b) of Section 99312 of the Public Utilities Code, as that section read on July 30, 2009.

(3) Twenty-five percent pursuant to subdivision (c) of Section 99312 of the Public Utilities Code, as that section read on July 30, 2009.

(e) For purposes of paragraph (1) of subdivision (d), "transportation planning" means only the purposes described in subdivisions (c) through (f), inclusive, of Section 99315 of the Public Utilities Code, as that section read on July 30, 2009.

(f) For purposes of this article, "mass transportation," "public transit," and "mass transit" have the same meaning as "public transportation." "Public transportation" means:

(1) (A) Surface transportation service provided to the general public, complementary paratransit service provided to persons with disabilities as required by 42 U.S.C. 12143, or similar transportation provided to people with disabilities or the elderly; (B) operated by bus, rail, ferry, or other conveyance on a fixed route, demand response, or otherwise regularly available basis; (C) generally for which a fare is charged; and (D) provided by any transit district, included transit district, municipal operator, included municipal operator, eligible municipal operator, or transit development board, as those terms were defined in Article 1 of Chapter 4 of Part 11 of Division 10 of the Public Utilities Code on January 1, 2009, a joint powers authority formed to provide mass transportation services, an agency described in subdivision (f) of Section 15975 of the Government Code, as that section read on January 1, 2009, any recipient of funds under Sections 99260, 99260.7, 99275, or subdivision (c) of Section 99400 of the Public Utilities Code, as those sections read on January 1, 2009, or a consolidated agency as defined in Section 132353.1 of the Public Utilities Code, as that section read on January 1, 2009.

(2) Surface transportation service provided by the Department of Transportation pursuant to subdivision (a) of Section 99315 of the Public Utilities Code, as that section read on July 30, 2009.

(3) Public transit capital improvement projects, including those identified in subdivision (b) of Section 99315 of the Public Utilities Code, as that section read on July 30, 2009.

(g) *All revenues specified in Sections 6051.8 and 6201.8 of the Revenue and Taxation Code, as*

*those sections read on January 1, 2018, shall be deposited no less than quarterly into the Public Transportation Account, or its successor. Except as provided in Sections 16310 and 16381 of the Government Code, as those sections read on January 1, 2018, the Legislature may not take any action that temporarily or permanently diverts or appropriates these revenues for purposes other than those described in subdivision (d), or delays, defers, suspends, or otherwise interrupts the quarterly deposit of these revenues into the Public Transportation Account.*

Third—That Article XIXD is added thereto, to read:

**ARTICLE XIXD**  
**VEHICLE LICENSE FEE REVENUES FOR**  
**TRANSPORTATION PURPOSES**

*SECTION 1. (a) Notwithstanding Section 8 of Article XIX, revenues derived from vehicle fees imposed under the Vehicle License Fee Law pursuant to Chapter 6 (commencing with Section 11050) of Part 5 of Division 2 of the Revenue and Taxation Code, or its successor, over and above the costs of collection and any refunds authorized by law, shall be used solely for transportation purposes, as defined by Section 11050 of the Revenue and Taxation Code, as that section read upon enactment of the Road Repair and Accountability Act of 2017.*

*(b) The revenues described in subdivision (a) shall not be used for the payment of principal and interest on state transportation general obligation bonds that were authorized by the voters on or before November 8, 2016, nor shall those revenues be used for payment of principal and interest on state transportation general obligation bond acts approved by the voters after that date, unless the bond act expressly authorizes that use.*

*(c) Except as provided in Sections 16310 and 16381 of the Government Code, as those sections read on January 1, 2018, the Legislature shall not borrow the revenues described in subdivision (a), and shall not use these revenues for purposes, or in ways, other than as authorized in subdivisions (a) or (b).*

**PROPOSITION 70**

This amendment proposed by Assembly Constitutional Amendment 1 of the 2017–2018 Regular Session (Resolution Chapter 105, Statutes of 2017) expressly amends the

California Constitution by adding a section thereto; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

### PROPOSED AMENDMENT TO ARTICLE XX

That Section 24 is added to Article XX thereof, to read:

*SEC. 24. (a) The Greenhouse Gas Reduction Reserve Fund is hereby created as a special fund in the State Treasury.*

*(b) For the time period specified in subdivision (d) only, all moneys collected by the State Air Resources Board from the auction or sale of allowances pursuant to a market-based compliance mechanism established pursuant to the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code) shall be deposited in the Greenhouse Gas Reduction Reserve Fund.*

*(c) Notwithstanding any other provision of this Constitution, moneys in the Greenhouse Gas Reduction Reserve Fund shall be available upon appropriation by the Legislature by rollcall vote entered in the journal, two-thirds of the membership of each house concurring, for the same purposes applicable on January 1, 2024, to the Greenhouse Gas Reduction Fund, created pursuant to Section 16428.8 of the Government Code.*

*(d) Subdivision (b) shall apply beginning January 1, 2024, and until the effective date of legislation that contains an appropriation from the Greenhouse Gas Reduction Reserve Fund. After the effective date of that legislation, all new moneys collected pursuant to a market-based compliance mechanism shall be deposited in the Greenhouse Gas Reduction Fund, created pursuant to Section 16428.8 of the Government Code.*

*(e) Section 6377.1 of the Revenue and Taxation Code shall not apply to sales that occur while the moneys specified in subdivision (b) are being deposited in the Greenhouse Gas Reduction Reserve Fund, but shall resume on the effective date of legislation identified in subdivision (d).*

### PROPOSITION 71

This amendment proposed by Assembly Constitutional Amendment 17 of the 2017–2018 Regular Session (Resolution Chapter 190, Statutes of 2017) expressly amends the California Constitution by amending sections thereof; therefore, existing provisions proposed to be deleted are printed in ~~strikeout type~~ and new provisions proposed to be added are printed in *italic type* to indicate that they are new.

### PROPOSED AMENDMENTS TO SECTION 10 OF ARTICLE II AND SECTION 4 OF ARTICLE XVIII

First—That Section 10 of Article II thereof is amended to read:

*SEC. 10. (a) An initiative statute or referendum approved by a majority of votes cast thereon takes effect on the fifth day after the election unless the measure provides otherwise. Secretary of State files the statement of the vote for the election at which the measure is voted on, but the measure may provide that it becomes operative after its effective date. If a referendum petition is filed against a part of a statute statute, the remainder of the statute shall not be delayed from going into effect.*

*(b) If provisions of 2 two or more measures approved at the same election conflict, those the provisions of the measure receiving the highest number of affirmative vote votes shall prevail.*

*(c) The Legislature may amend or repeal a referendum statutes. It statute. The Legislature may amend or repeal an initiative statute by another statute that becomes effective only when approved by the electors unless the initiative statute permits amendment or repeal without their the electors' approval.*

*(d) Prior to Before circulation of an initiative or referendum petition for signatures, a copy shall be submitted to the Attorney General who shall prepare a title and summary of the measure as provided by law.*

*(e) The Legislature shall provide for the manner in which petitions a petition shall be circulated, presented, and certified, and measures the manner in which a measure shall be submitted to the electors.*

Second—That Section 4 of Article XVIII thereof is amended to read:

SEC. 4. A proposed amendment or revision shall be submitted to the electors ~~and~~ *and*, if approved by a majority of votes ~~thereon cast thereon~~, takes effect *on the fifth day after the election unless the measure provides otherwise*. *Secretary of State files the statement of the vote for the election at which the measure is voted on, but the measure may provide that it becomes operative after its effective date.* If provisions of ~~2~~ *two* or more measures approved at the same election conflict, ~~those~~ *the provisions* of the measure receiving the highest *number of affirmative vote* votes shall prevail.

construction, installation, removal, or modification is for the purpose of making the building more accessible to, or more usable by, a disabled person.

*(5) The construction or addition, completed on or after January 1, 2019, of a rain water capture system, as defined by the Legislature.*

## PROPOSITION 72

This amendment proposed by Senate Constitutional Amendment 9 of the 2017–2018 Regular Session (Resolution Chapter 1, Statutes of 2018) expressly amends the California Constitution by amending a section thereof; therefore, new provisions proposed to be added are printed in *italic type* to indicate that they are new.

### PROPOSED AMENDMENT TO SUBDIVISION (c) OF SECTION 2 OF ARTICLE XIII A

(c) For purposes of subdivision (a), the Legislature may provide that the term “newly constructed” does not include any of the following:

(1) The construction or addition of any active solar energy system.

(2) The construction or installation of any fire sprinkler system, other fire extinguishing system, fire detection system, or fire-related egress improvement, as defined by the Legislature, that is constructed or installed after the effective date of this paragraph.

(3) The construction, installation, or modification on or after the effective date of this paragraph of any portion or structural component of a single- or multiple-family dwelling that is eligible for the homeowner’s exemption if the construction, installation, or modification is for the purpose of making the dwelling more accessible to a severely disabled person.

(4) The construction, installation, removal, or modification on or after the effective date of this paragraph of any portion or structural component of an existing building or structure if the