



# LIVE OAK CITY COUNCIL

## REGULAR MEETING AGENDA MAY 4, 2022 6:00 PM

MEETING LOCATION  
LIVE OAK COUNCIL CHAMBERS  
9955 LIVE OAK BOULEVARD  
LIVE OAK, CALIFORNIA 95953

### MEMBERS OF THE COUNCIL

NANCY SANTANA, MAYOR  
BOB WOTEN, VICE MAYOR  
JERAMY CHAPDELAINE, COUNCILMEMBER  
LAKHVIR GHAG, COUNCILMEMBER  
J.R. THIARA, COUNCILMEMBER

AARON PALMER,  
CITY MANAGER

NICOLE ROSSER,  
CITY ATTORNEY

The Council may take up any agenda item at any time, regardless of the order listed. Action may be taken on any item on this agenda. Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection at City Hall, 9955 Live Oak Boulevard, Live Oak, during normal business hours. Such documents are also available on the City of Live Oak's website at [www.liveoakcity.org](http://www.liveoakcity.org), subject to staff's availability to post the documents before the meeting.

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the City Clerk's office at (530) 695-2112 x107. Requests must be made at least 24 hours in advance.

***A remote option for audience participation is being provided as a courtesy. Members of the Live Oak City Council must attend in person. If the remote connection fails for any reason, the meeting will continue as noticed so the public must attend in person to assure access to the meeting.***

- **Remote Viewing:**

- Members of the public can view a livestream of the meeting online at [https://liveoakca.granicus.com/ViewPublisher.php?view\\_id=1](https://liveoakca.granicus.com/ViewPublisher.php?view_id=1).
- Members of the public can access the Zoom webinar as follows:
  - **Join by Electronic Device:**  
<https://us02web.zoom.us/j/89106535902>
  - **Join by Phone:**  
1-669-900-6833 or 1-833-548-0282 (Toll Free)  
**Webinar ID: 891 0653 5902**

- **Public Comment:** Members of the public can submit general public comments, as well as comment on specific agenda items in the following ways:
    - **Public Attendance:** Members of the public who attend in person may make comments from the Council Chamber podium.
    - **Live Remote Public Comment:** Members of the public can submit a live remote public comment by:
      - Joining the virtual Council meeting via the link below. When public comment is opened, raise your virtual hand and be called upon to speak for up to 3 minutes.  
  
<https://us02web.zoom.us/j/89106535902>
      - Joining the virtual Council meeting by calling the phone number below. When public comment is opened, dial \*9 to raise your hand and be called upon to speak for up to 3 minutes.  
  
 1-669-900-6833 or 1-833-548-0282 (Toll Free)  
**Webinar ID: 891 0653 5902**
    - **Email Public Comment:** Comments from the public on agenda items will be accepted until 1:00 pm on the date of the meeting, via email to the City Clerk at [cmenchaca@liveoakcity.org](mailto:cmenchaca@liveoakcity.org). Comments will be distributed to Council prior to the meeting and attached to the minutes. Please note that emailed comments will NOT be read aloud by staff during the meeting.
    - **eComment Feature:** Public Comment will be accepted online between Friday, April 29<sup>th</sup> through Wednesday, May 4<sup>th</sup> at 1:00 pm through the eComment feature at: [https://liveoakca.granicus.com/ViewPublisher.php?view\\_id=1](https://liveoakca.granicus.com/ViewPublisher.php?view_id=1). Comments will be distributed to Council prior to the meeting and attached to the minutes. Please note that eComments will NOT be read aloud by staff during the meeting.
-

**CALL TO ORDER****ROLL CALL****PLEDGE OF ALLEGIANCE AND INVOCATION****CORRECTIONS AND/OR CHANGES TO THE AGENDA BY CITY MANAGER ONLY****PUBLIC COMMENT**

Any person wishing to address the City Council on general jurisdictional matters or consent calendar items may do so at this time. If you are commenting on an agenda item, your comments will be heard at the time that item is scheduled for discussion. The City Council adopted a time limit of three minutes per person. The Brown Act does not allow for Council discussion of items not on the agenda. Councilmembers may only a) refer the matter to staff; b) ask for additional information; c) request a report back; or d) provide a limited factual response for items not listed on the agenda.

**CONSENT ITEMS**

Consent Calendar is passed by one motion with exceptions and separate votes as noted.

1. City Council Meeting Minutes  
Recommendation: Approve the April 20, 2022 City Council Regular Meeting minutes.  
(Clarissa Menchaca, City Clerk)
2. Sutter County Planning Commission Appointment  
Recommendation: Confirm the appointment of Live Oak Planning Commissioner Jerry Stewart to the Sutter County Planning Commission.  
(Kevin Valente, Planning Director)

**BUSINESS ITEMS**

3. Sutter County Planning Commissioner Confirmation  
Recommendation: Confirm the appointment of Sutter County Planning Commissioner Christine Ivory to the Live Oak Planning Commission.  
(Kevin Valent, Planning Director)

**DISCUSSION ITEMS**

4. Silver Oaks Subdivision Reclamation District Agricultural Drain (RD 777)  
Recommendation: Discussion and provide direction to staff regarding the Silver Oaks Subdivision and RD 777.  
(Kevin Valente, Planning Director)

**ITEMS REMOVED FROM THE CONSENT AGENDA FOR COUNCIL CONSIDERATION AND ACTION****RECESS**

Recess as the Live Oak City Council and convene as the Successor Agency.

# SUCCESSOR AGENCY

## REGULAR MEETING AGENDA

### MAY 4, 2022

#### CALL TO ORDER

#### ROLL CALL

#### PUBLIC COMMENT

Any person wishing to address the Successor Agency on general jurisdictional matters or consent calendar items may do so at this time. If you are commenting on an agenda item, your comments will be heard at the time that item is scheduled for discussion. The Successor Agency adopted a time limit of three minutes per person. The Brown Act does not allow for discussion of items not on the agenda. The Successor Agency may only a) refer the matter to staff; b) ask for additional information; c) request a report back; or d) provide a limited factual response for items not listed on the agenda.

#### BUSINESS ITEMS

1. Resolution of the Successor Agency to the Redevelopment Agency of the City of Live Oak in the Matter of Approving a Request to Formally Dissolve the Successor Agency  
Recommendation: Adopt resolution requesting formal dissolution of the Successor Agency by the Oversight Board.  
(Nicole Rosser, City Attorney)

#### ADJOURNMENT

Adjourn as the Successor Agency and reconvene as the Live Oak City Council.

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#### UPDATES AND ANNOUNCEMENTS FROM THE CITY ATTORNEY AND CITY MANAGER

#### COUNCILMEMBER COMMENTS (WRITTEN ONLY)

#### ADJOURNMENT



**City of Live Oak  
Report to City Council**

**Meeting Date:** May 4, 2022

**Title:** City Council Meeting Minutes

**Contact Information:** Clarissa Menchaca, City Clerk

**Recommendation:** Approve the April 20, 2022, City Council Regular Meeting minutes.

**Attachments:**

[Minutes](#)



# LIVE OAK CITY COUNCIL

## REGULAR MEETING AGENDA APRIL 20, 2022 6:00 PM

MEETING LOCATION  
LIVE OAK COUNCIL CHAMBERS  
9955 LIVE OAK BOULEVARD  
LIVE OAK, CALIFORNIA 95953

### MEMBERS OF THE COUNCIL

NANCY SANTANA, MAYOR  
BOB WOTEN, VICE MAYOR  
JERAMY CHAPDELAINE, COUNCILMEMBER  
LAKHVIR GHAG, COUNCILMEMBER  
J.R. THIARA, COUNCILMEMBER

AARON PALMER,  
CITY MANAGER

NICOLE ROSSER,  
CITY ATTORNEY

*The Live Oak City Council conducted this meeting in accordance with Governor Newsom's Executive Orders N-25-20 and N-29-20.*

### CALL TO ORDER

Meeting called to order by Mayor Santana at Live Oak City Council Chambers, 9955 Live Oak Boulevard, Live Oak, CA at 6:09 pm.

### ROLL CALL

Present: Councilmembers Thiara, Ghag, Chapdelaine, Vice Mayor Woten, and Mayor Santana

### PLEDGE OF ALLEGIANCE AND INVOCATION

Councilmember Ghag led the Pledge of Allegiance. Vice Mayor Woten delivered the invocation.

### CORRECTIONS AND/OR CHANGES TO THE AGENDA BY CITY MANAGER ONLY

There were no corrections and/or changes to the agenda.

### PRESENTATIONS AND RECOGNITIONS

#### A. Live Oak Varsity Boys Soccer Team Proclamation

Mayor Santana presented the proclamation, and the Live Oak Varsity Boys Soccer Team accepted the proclamation.

#### B. Live Oak Varsity Girls Wrestling Team Proclamation

Mayor Santana presented the proclamation, and the Live Oak Varsity Girls Wrestling Team accepted the proclamation.

#### C. 2022 Building Safety Month Proclamation

Mayor Santana presented the proclamation, and Alison Schmidt, City of Live Oak Acting Chief Building Official, accepted the proclamation.

PUBLIC COMMENT

The following members of the public address the Council: Cruz Mora and Marcus Prasad.

The following member of the public submitted a public comment: Dale Carlson.

CONSENT ITEMS

Consent Calendar is passed by one motion with exceptions and separate votes as noted.

MOTION: APPROVE THE CONSENT AGENDA.  
(MOTION: GHAG; SECOND: THIARA)

VOTE: MOTION PASSED UNANIMOUSLY

1. City Council Meeting Minutes  
Clarissa Menchaca, City Clerk  
Council Action: March 30, 2022, City Council Special Meeting minutes approved.
2. City Council Meeting Minutes  
Clarissa Menchaca, City Clerk  
Council Action: April 6, 2022, City Council Regular Meeting minutes approved.
3. Findings to Hold Virtual City Council, Commission, Committee, Board, and Other City Bodies Meetings Under AB 361  
Nicole Rosser, City Attorney  
Council Action: Resolution making findings and determinations under AB 361 for the continuation of virtual meetings and authorizing virtual City Council, Commission, Committee, Board, and other City meetings pursuant to AB 361 adopted.

*Reference Resolution No. 13-2022.*

BUSINESS ITEMS

4. Discussion and Direction Regarding Increasing the Monthly Stipend for City Council Members  
Nicole Rosser, City Attorney

The following members of the public addressed the Council: Cruz Mora and Marcus Prasad.

MOTION: DIRECT STAFF TO BRING BACK AN ORDINANCE FOR A RAISE IN THE FULL STIPEND AMOUNT OF \$656.37.  
(MOTION: GHAG; SECOND: THIARA)

VOTE: MOTION PASSED 3-2  
AYES: COUNCILMEMBERS THIARA, GHAG AND MAYOR SANTANA  
NOES: COUNCILMEMBER CHAPDELAINE AND VICE MAYOR WOTEN

DISCUSSION ITEMS

5. Preliminary Budget Workshop  
James Ramsey, Finance Director

James Ramsey, Finance Director, provided a report for the Council.

The following members of the public addressed the Council: Cruz Mora and Marcus Prasad.

Council Action: Received and provided direction on the proposed City Fiscal Budget for FY 2022-23.

ITEMS REMOVED FROM THE CONSENT AGENDA FOR COUNCIL CONSIDERATION AND ACTION

There were no items removed from the Consent Agenda for Council consideration and action.

UPDATES AND ANNOUNCEMENTS FROM THE CITY ATTORNEY AND CITY MANAGER

Aaron Palmer, City Manager, informed Council and the Public that all of the water quality reports are located on the City website, and the City is meeting all of the State standards. Mr. Palmer referenced photos of water that were cloudy and odd colored, this is caused by flushing of the mains. Ron Walker, Public Works Director, is working with the Fire Department to provide more training on the flushing of the mains of iron mixing in the water.

Mr. Palmer also reported that the Public Works – Streets and Water Distribution team consists of only four employees. It is part of their schedule to annually clean out the ditches that are part of the City's responsibility. Unscheduled cleanings are complaint driven; these can be made on the City website.

Mr. Palmer announced that Cleanup Day would be held on Saturday, May 21, 2022, at the Corporation Yard between 8:00am and 12:00pm. In addition, Mr. Palmer reported that the pool would be open on Memorial Day, Monday, May 30, 2022.

Lastly, Mr. Palmer notified everyone that Caltrans will be having the ribbon cutting ceremony for Highway 99 on Tuesday, May 26, 2022, at 11:30am near Dutch Bros.

COUNCILMEMBER COMMENTS

Councilmember Thiara echoed that Cleanup Day would be held Saturday, May 21, 2022.

Councilmember Thiara inquired about agendas from the Planning Commission; Street, Lights and Traffic Committee; and the Water, Sewer and Storm Drain Committee meetings missing from the Granicus portal.

Councilmember Thiara requested that the Parks and Recreation Committee be reinstated.

Councilmember Thiara addressed the public comments that were submitted by Dale Carlson. He suggested that an ad-hoc committee be created to monitor the complaints that are being made.

Finally, Councilmember Thiara acknowledged Cruz Mora for providing Council with grant resources.

Councilmember Chapdelaine commended the Parks and Recreation Department for the addition of Youth Flag Football. He noted that there were many participants, and more who would like to enroll in the future.

Mayor Santana reminded Council that before every meeting there is an opportunity to bring up any questions or concerns to the City Manager. Mayor Santana suggested going back to written Councilmember comments.

ADJOURNMENT

Adjourned the meeting at 8:06PM.



## **City of Live Oak Report to City Council**

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Meeting Date:</b>        | May 4, 2022                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Title:</b>               | Sutter County Planning Commission Appointment                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Contact Information:</b> | Kevin Valente, AICP, Planning Director                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Location:</b>            | Citywide                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Background:</b>          | Per the Sutter County Ordinance Code Section 72-020 (d) the Live Oak City Council shall nominate the seventh member of the Sutter County Planning Commission from among members of the Live Oak Planning Commission.                                                                                                                                                                                                        |
| <b>Analysis:</b>            | <p>On April 19, 2022, the City of Live Oak Planning Commission nominated Commissioner Jerry Stewart to represent the City of Live Oak on the Sutter County Planning Commission for the year 2022.</p> <p>Therefore, staff is recommending the Live Oak City Council confirm the appointment of Live Oak Planning Commissioner Jerry Stewart to represent the City of Live Oak on the Sutter County Planning Commission.</p> |
| <b>Fiscal Impacts:</b>      | None                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Recommendation:</b>      | Confirm the appointment of Live Oak Planning Commissioner Jerry Stewart to the Sutter County Planning Commission.                                                                                                                                                                                                                                                                                                           |



## **City of Live Oak Report to City Council**

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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| <b>Meeting Date:</b>        | May 4, 2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Title:</b>               | Sutter County Planning Commissioner Confirmation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Contact Information:</b> | Kevin Valente, AICP, Planning Director                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Location:</b>            | Citywide                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>Background:</b>          | <p>The City of Live Oak Planning Commission is comprised of seven members. Six members are appointed by the Mayor and City Council and one member is appointed by the Sutter County Planning Commission with approval of the Sutter County Board of Supervisors and the Live Oak City Council.</p> <p>The Sutter County Planning Commission selected Supervisorial District 1 Commissioner Christine Ivory to sit on the Live Oak Planning Commission as their representative. Commissioner Christine Ivory was selected by the Commission at its January 19, 2022 meeting with the appointment confirmed by the Board of Supervisors at their February 8, 2022 meeting. It should be noted that this will be Commissioner Ivory's second year on the Live Oak Planning Commission.</p> <p>As per the By-Laws of the Sutter County Planning Commission, Ms. Ivory's appointment must be confirmed by the Live Oak City Council.</p> |
| <b>Fiscal Impacts:</b>      | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Recommendation:</b>      | Confirm the appointment of Sutter County Planning Commissioner Christine Ivory to the Live Oak Planning Commission.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Attachments:</b>         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

[2022 Planning Commission Appointment - Live Oak](#)



# SUTTER COUNTY

## DEVELOPMENT SERVICES DEPARTMENT

Building Inspection  
Code Enforcement

Engineering/Water Resources  
Environmental Health

Planning  
Road Maintenance

February 9, 2022

City of Live Oak  
Kevin Valente, AICP  
Planning Director  
9955 Live Oak Boulevard  
Live Oak, CA 95953

**Re: Appointment of County Planning Commissioner to Live Oak Planning Commission**

Dear Mr. Valente,

On January 19, 2022, The Sutter County Planning Commission selected a representative to sit on the Live Oak Planning Commission. Commissioner Christine Ivory, from Supervisorial District 1, was again selected by the Commission for calendar year 2022 and this appointment was confirmed by the Board of Supervisors at their February 8, 2022, meeting.

Per the Sutter County Planning Commission By-Laws, Ms. Ivory's appointment to the Live Oak Planning Commission must be confirmed by the Live Oak City Council. Commissioner Ivory's contact information is provided below.

Christine Ivory  
3381 Clark Road  
Live Oak CA 95953  
[tineivory@yahoo.com](mailto:tineivory@yahoo.com)  
530-755-7088

Please call me if you wish to discuss this matter further.

Sincerely,

Doug Libby, AICP  
Principal Planner

P:\Planning\General Correspondence Letters\Doug Libby\Planning Commissioner appointment letters



## **City of Live Oak Report to City Council**

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Meeting Date:</b>        | May 4, 2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Title:</b>               | Silver Oaks Subdivision Reclamation District Agricultural Drain (RD 777)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Contact Information:</b> | Kevin Valente, AICP, Planning Director                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Location:</b>            | The subject property is located south of Apricot Street and east of Treatment Plant Road and is identified as Sutter County Assessor Parcel Number (APN) 06-470-035 (see Attachment 1).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Background:</b>          | <p>On February 6, 2019, the Live Oak City Council approved the Silver Oaks Subdivision Tentative Subdivision Map (TSM). The TSM included the development of a 104-unit subdivision consisting of 82 single-family lots and 11 duplex lots. The lots range in size from 6,100 square feet (sf) to 20,040 sf. The project site is currently designated Smaller-Lot Residential under the City of Live Oak 2030 General Plan and is zoned R-2. On October 20, 2020, the Live Oak Planning Commission approved a five-year extension for the Silver Oaks TSM, which extended the expiration date to April 7, 2026.</p> <p>The 26-acre project site is currently vacant, consisting mostly of previously-farmed agricultural land. The site was previously graded in 2005 as part of the TSM that was approved but never constructed and later expired. Vegetation on the site is comprised predominantly of non-native grasses with a concentration of bushes along the eastern portion of the site. A Reclamation District (RD) 777 agricultural drain is located along the eastern and southern boundary of the site. The project site is bordered to the north and southeast by existing single-family residential development, the vacant Leo Chesney Correctional Facility to the east, the City's Soccer Park to the south, and agricultural land to the west.</p> <p>Pursuant to Section 16.24.100 of the Live Oak Municipal Code (LOMC), the RD 777 agricultural drain would be required to be diverted underground prior to construction of the proposed project. City policy is that all open ditches will be eliminated as property develops and drainage will be conveyed in underground pipes. The Reclamation District presently maintains this agricultural drain, as they do for other open drains in and around the City of Live Oak. The drain also presents a complex mixture of owners and easements along the borders.</p> |

**Analysis:**

On February 25, 2022, the City of Live Oak received a letter from the Silver Oaks Subdivision property owner requesting an exemption from the LOMC that requires the RD 777 agricultural drain must be diverted underground prior to development (see Attachment 2). The property owner states the additional cost of diverting the RD 777 drain underground substantially lessens the financial feasibility of the development. As a result, multiple buyers throughout the years have not followed through with purchasing and developing the project.

On March 30, 2022, the Live Oak City Manager responded to the property owner and his representative identifying this request must be a Live Oak City Council decision (see Attachment 3). It should be noted that City staff has supported the phasing of the proposed development to start construction from the west and develop to the east towards the exposed agricultural drain. This phasing would allow a developer to begin to construct and sell residences in order to create revenue in order to pay for the required site improvements.

If the Live Oak City Council wishes to allow the exposed agricultural drain to remain, Section 16.24.100 of the LOMC will need to be amended by ordinance. City staff is looking to receive direction from the City Council on whether to begin drafting an ordinance to amend Section 16.24.100 of the LOMC.

**Fiscal Impacts:**

None.

**Recommendation:**

Discussion and provide direction to staff regarding the Silver Oaks Subdivision and RD 777.

**Attachments:**

[ATT 1 - PROJECT VICINITY MAP](#)

[ATT 2 - 2.25.22 Letter - Harminder Singh \(Silver Oaks Subdivision\)](#)

[ATT 3 - 3.30.22\\_Silver Oaks RD 777 Response Letter](#)

# ATTACHMENT 1

## PROJECT VICINITY MAP



## Silver oaks

Harm Singh <hsingh109@gmail.com>

Fri 2/25/2022 10:58 AM

To: Aaron Palmer <apalmer@liveoakcity.org>

Cc: Kevin Valente <kvalente@liveoakcity.org>; scrolls@rarcivil.com <scrolls@rarcivil.com>; John Ochipinti <john@aztecrcd.com>

To,  
City manager of Live Oak,

The city has an approved tentative subdivision map (TSM) for the subdivision Silver Oaks, the future development of 93 residential lots on 26 acres. The project is located on Apricot St. APN 06-470-035.

The owner has had numerous buyers for the property over the past few years. Some builders have approached and worked with the planning department and the whole deal always falls apart as soon as the buyer finds out they have to divert the existing (RD) 777 agricultural drain to be underground at a estimated cost of ( \$1,200,000 ) and the city will not work with them to lessen the burden of this cost. This is a huge financial burden to the developer ( it adds on a \$12,000 a lot) and the numbers don't pencil out for the development of this land and makes it not feasible. These are national home developers that have walked away from this project.

We (current landowners) are asking for an exemption from the city ordinance that states this RD 777 agricultural drain has to be diverted underground. We want to resolve this before bringing another buyer back to the city for a final improvement plan. We understand that the city may apply for a grant and if awarded at that time they can divert this canal underground. We ask for an exemption to this ordinance and when in the future Live Oak city receives a grant they may accomplish this task at that time date.

The benefit to the city immediately will be the revenue the city will receive if this subdivision is built. We estimate the building fees for 93 lots to be approximately \$5,301,000. There will be additional revenue for water and sewer hook ups. Once the homes are built the tax revenue 1% for 93 homes average value \$500,000 will be \$465,000 annually. Also don't forget all the jobs created while the construction will be going on and additionally added housing that is in short supply.

We request the city manager to bring this topic up to the council board members and let them decide if they would like to see a subdivision come here with potential to bring in revenues to the city. We have been negotiating for 2 years now with the planning department and have got nowhere to date. The burden to one builder of diverting this pipe to underground is not feasible and we will never be able to build on this land.

Sincerely,  
*Harinder Singh*



March 30, 2022

John P. Ochipinti  
Aztec Real Estate and Developer's Inc.  
469 Century Park Dr.  
Yuba City, CA. 95991

**Subject: Silver Oaks Subdivision – RD 777**

Dear Mr. Ochipinti:

The proposed Silver Oaks Subdivision is located on a vacant 26-acre property with an existing Reclamation District (RD 777) agricultural drain along the eastern and southern boundary of the site. Pursuant to the Live Oak Municipal Code (LOMC), the currently exposed agricultural drain would be required to be diverted underground prior to construction of the proposed Silver Oaks Subdivision.

As stated previously, City of Live Oak staff would be in support of a phased development, to allow the required improvements to be constructed at a later phase.

On February 25, 2022, Mr. Harminster Singh, has requested an exemption to the LOMC Section requiring all existing natural channels or ditches shall be replaced with underground closed conduits. This exemption request would need to be granted by the Live Oak City Council.

Please confirm your request to bring this matter to the Live Oak City Council for consideration.

Should you have any questions you can contact me at (530) 695-2112 or at [apalmer@liveoakcity.org](mailto:apalmer@liveoakcity.org).

Sincerely,

Aaron Palmer  
City Manager, City of Live Oak  
[apalmer@liveoakcity.org](mailto:apalmer@liveoakcity.org)  
(530) 695-2112

cc: Harminster Singh



## **City of Live Oak Report to City Council**

|                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Meeting Date:</b>        | May 4, 2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Title:</b>               | Resolution of the Successor Agency to the Redevelopment Agency of the City of Live Oak in the Matter of Approving a Request to Formally Dissolve the Successor Agency                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Contact Information:</b> | Nicole Rosser, City Attorney                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Background:</b>          | <p>The Successor Agency to the Redevelopment Agency of the City of Live Oak is in a position to be dissolved. Health and Safety Code (HSC) section 34187 states to formally dissolve a Successor Agency (Agency), the Agency shall submit to the Oversight Board (OB) a request to dissolve, with a copy of the request to the County Auditor-Controller (CAC) once the following three conditions have been met: (1) All of the enforceable obligations on the Recognized Obligation Payment Schedule (ROPS) have been retired or paid off; (2) All real property has been disposed of pursuant to HSC section 34181 or 34191.4; and (3) All outstanding litigation has been resolved.</p> <p>Live Oak has satisfied the three conditions in order to be dissolved. In order to officially dissolve, the Successor Agency must approve this Resolution and request to be formally dissolved by the Oversight Board. Thus, if approved, this Resolution shall be sent to the Oversight Board and the County Auditor-Controller. The OB shall approve the request within 30 days and submit the request to the Department of Finance (Finance). Finance will approve or deny the request within 30 days.</p> |
| <b>Fiscal Impacts:</b>      | Approval of the resolution requesting formal dissolution of the Successor Agency has no fiscal impact.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Recommendation:</b>      | Adopt resolution requesting formal dissolution of the Successor Agency by the Oversight Board.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Attachments:</b>         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

[Resolution](#)

RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF LIVE OAK IN THE  
MATTER OF APPROVING A REQUEST TO FORMALLY DISSOLVE THE SUCCESSOR AGENCY

WHEREAS, on December 29, 2011, the California Supreme Court delivered its decision in *California Redevelopment Association v. Matosantos* (“Matosantos”), finding Assembly Bill X1 26 (the “Dissolution Act”) largely constitutional; and

WHEREAS, under the Dissolution Act and the California Supreme Court’s decision in *Matosantos*, all California redevelopment agencies, including the Live Oak Redevelopment Agency of the City of Live Oak (“Agency”), were dissolved on February 1, 2012, and successor agencies, including the Agency, were designated and vested with the responsibility of winding down the business and fiscal affairs of the former redevelopment agencies; and

WHEREAS, on May 4, 2022 the City Council of the City of Live Oak (the “City”) declared that the City of Live Oak act as the Successor Agency to the former Live Oak Redevelopment Agency (the “Successor Agency”), as defined in the Dissolution Act; and

WHEREAS, in accordance with Health & Safety Code Section (HSC) 34187(b), when all enforceable obligations have been retired or paid off, all real property has been disposed of pursuant to HSC 34181 or 34191.4, and all outstanding litigation has been resolved, a successor agency shall, within 30 days of meeting the aforementioned criteria, submit to the oversight board a request, with a copy of the request to the County Auditor–Controller, to formally dissolve the successor agency. The oversight board shall approve the request within 30 days, and shall submit the request to the Department of Finance; and

WHEREAS, the City, acting as the Governing Board of the Successor Agency request to formally dissolve the Successor Agency having provided substantial evidence that all enforceable obligations were paid off, all real property assets had been disposed of pursuant to HSC 34181 or 34191.4, and all outstanding litigation have been resolved pursuant HSC 34187(b); and

WHEREAS, the Successor Agency shall request to formally dissolve to the Oversight Board with a copy of the request to the County Auditor–Controller and upon approval submit a copy of the approval to the Department of Finance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Live Oak that:

SECTION 1. The recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with State law.

SECTION 3. The City acting as the Governing Board to the Successor Agency hereby finds and determines that, based upon substantial evidence provided by the Successor Agency, that the Successor Agency has completed its prescribed obligations under HSC 34187(b) and approves the request to formally dissolve the Successor Agency as appropriate under State law.

SECTION 4. The City acting as the Governing Board hereby directs the Successor Agency's Secretary to transmit a copy of this Resolution to the Oversight Board to formally request to dissolve the Successor Agency.

SECTION 5. The approval of this Resolution does not commit the City or the Successor Agency to any action that may have a significant effect on the environment. As a result, such action does not constitute a project subject to the requirements of the California Environmental Quality Act.

SECTION 6. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable.

SECTION 7. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Live Oak this 4<sup>th</sup> day of May, 2022, by the following vote:

AYES:

NOES:

ABSENT:

NOT VOTING:

APPROVED:

\_\_\_\_\_  
Nancy Santana, Chair of Successor Agency  
Board for City of Live Oak

ATTEST:

\_\_\_\_\_  
Nicole Rosser, City of Live Oak City Attorney

ATTEST:

\_\_\_\_\_  
Clarissa Menchaca, Successor Agency Secretary