

**A RESOLUTION OF THE
BOARD OF DIRECTORS OF THE
ORLAND-ARTOIS WATER DISTRICT**

RESOLUTION NO. 2022-03

**RESOLUTION CERTIFYING DELINQUENT WATER SERVICE CHARGES TO BE
COLLECTED AS PART OF DISTRICT ASSESSMENTS**

WHEREAS, Water Code section 36726 provides that this Board of Directors may authorize, by resolution, the Glenn County Assessor to add to the assessments on parcels within the District any unpaid charges for water or other services used on those parcels so that such unpaid amounts may be collected at the same time and in the same manner as property taxes, and shall constitute liens on those parcels;

WHEREAS, the District is presently engaged in proceedings to levy annual assessments on parcels within the District pursuant to the procedures set forth in Water Code sections 36550 through 37186;

WHEREAS, certain water, stand-by and other charges for services rendered by the District to several of these parcels remain delinquent and unpaid; and

WHEREAS, it is in the best interests of the District to ensure that these unpaid charges be collected by the County and that the same be added to the 2022 assessments levied on identified parcels within the District.

NOW, THEREFORE, be it RESOLVED by the Board of Directors of the Orland-Artois Water District as follows:

1. The list of parcels specifically describing each real property by reference to its Glenn County Assessor's Parcel Number and the delinquent and unpaid amounts applicable to each parcel is attached hereto and incorporated herein by reference as Exhibit A. The County Assessor shall add to the assessments of the identified parcels the amounts of unpaid charges itemized on Exhibit A. These amounts shall include all interest accrued thereon to date, and shall continue to accrue interest at the same rate until the delinquency dates of the assessments. Thereafter, those amounts shall incur penalties and accrue interest in accordance with Water Code sections 36826 and 37150, respectively.

2. The Board hereby certifies Exhibit A as true and correct.

3. The Board hereby approves the Certification of Assessment relating to the delinquent and unpaid water service amounts for fiscal year 2021 attached hereto and incorporated herein by reference as Exhibit B, and further directs the General Manager, or their designee, to execute the certification on behalf of the District.

4. The General Manager, or their designee, shall transmit a certified copy of this Resolution to the Glenn County Auditor so that the delinquent and unpaid amounts described in Exhibit A for each property may be included on the tax bill for that parcel and may be collected as part of the assessments collected by the County.

5. The General Manager, or their designee, is authorized to take all other actions and execute all other documents necessary to facilitate the actions described above.

PASSED AND ADOPTED at a meeting of the Board of Directors of ORLAND-ARTOIS WATER DISTRICT on June 21, 2022 by the following vote:

AYES: *Veneschagin, Pieper, Erickson, Jones, Schonauer*

NOES: *0*

ABSENT: *0*

ABSTAIN: *0*

Ernie Pieper
Ernie Pieper, Vice-President

ATTEST:

Emil Cavagnolo
Emil Cavagnolo, Secretary

EXHIBIT A

PARCEL	Owner	Acreage	Past Delinquent Charges	Total To Be Collected
020-080-026-9	Mesa Asset Management LLC.	91	\$ 6,153.42	\$ 6,153.42
020-080-028-9	Mesa Asset Management LLC.	72	\$ 4,868.38	\$ 4,868.38
020-220-001-0	Jennings, Richard L.	618	\$ 43,299.79	\$ 43,299.79
Totals		781.00	\$ 54,321.59	\$ 54,321.59

EXHIBIT B

**ORLAND-ARTOIS WATER DISTRICT
CERTIFICATION OF ASSESSMENT**

The Orland-Artois Water District hereby certifies that the special assessments for delinquent and unpaid water service charges to be placed on the 2021-2022 [fiscal year] secured property tax bill by the District complies with all requirements of state law, including Articles XIIIIC and XIIID of the California Constitution (which were added by Proposition 218 in 1996).

The District further agrees to defend, indemnify and hold harmless the County of Glenn, its Board of Supervisors, the Auditor-Controller, and its officers and employees from litigation over whether the requirements of Proposition 218 and other applicable state laws were met with respect to such special assessments.

If any judgment is entered against any indemnified party described above as a result of the special assessments' failure to meet the requirements of applicable state laws, including the provisions of Articles XIIIIC and XIIID of the California Constitution, the District agrees that the County may offset the amount of any judgment paid by an indemnified party from any monies collected by the County on the District's behalf, including property taxes, special taxes, fees, or assessments.

The Board of Directors of Orland-Artois Water District has approved this Certification by the adoption of the attached Resolution No. 2021-05 on June 15, 2021

Signed:



Emil Cavagnolo
General Manager/Secretary

08/08/2022

Date