

**RESOLUTION NO. 223-55**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARCATA  
ESTABLISHING THE FISCAL YEAR 2023-2024 APPROPRIATIONS LIMIT UNDER  
ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION, AND ESTABLISHING THE  
PERIOD FOR CONTESTING SUCH LIMIT**

**WHEREAS**, Article XIII B of the California Constitution, added by Proposition 4 (November 1979) and subsequently amended by Proposition 98 (November 1988) and Proposition 111 (June 1990) provides that the state and each local government shall establish an annual Appropriation Limit; and

**WHEREAS**, Article XIII B § 8(e)(2) requires the Governing Body to select the Change in Cost of Living methodology each year by recorded vote of the governing body; and

**WHEREAS**, the percentage change in the California per capita income provides a higher Change in Cost of Living index result than the change in local assessment roll from the preceding year due to the addition of local nonresidential new construction; and

**WHEREAS**, the City published notice on or before May 31, 2023 of the location where the applicable statements were available for public inspection; and

**WHEREAS**, the Finance Director prepared the calculation and made the same available for public review during business hours for more than fifteen days prior to the June 21, 2023, Arcata City Council meeting in compliance with California Government Code § 7910(a); and

**WHEREAS**, to avoid exceeding the Annual Appropriations Limit, the fiscal year (FY) 2023-24 state budget excluded additional local subventions from the state limit and instead these additional appropriations are applied to local governments' appropriation limits when appropriations capacity exists at the local level; and

**WHEREAS**, the City of Arcata has been instructed by the California Department of Finance to include \$4,900,000 of revenue it received from the Department of Housing and Community Development (HCD) in its appropriations subject to the appropriations limit for the FY 2023-24; and

**WHEREAS**, said total annual appropriations subject to the limitation were computed in accordance with the provisions in Article XIIB and Government Code Sections 7910 and 7903;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of Arcata as follows:

That, as required by the Government Code section 7910 the Appropriations Limit for the FY 2023-24 is \$19,946,493 and as required by recently revised Government Code section 7903, the revised appropriations subject to the appropriations limit for FY 2023-24, including the \$4,900,000 local subvention, totals \$15,046,493, which does not exceed the appropriations limit for FY 2023-24. The annual adjustment factors that were selected to calculate the FY 2023-24 limit were: 1) California Per Capital Personnel Income; and 2) City of Arcata Population Growth.

**BE IT FURTHER RESOLVED** that any judicial action or proceeding to attack, review, set aside, void or annul the Appropriations Limit established by this resolution shall be commenced within 45 days from the date of this resolution in accordance with Division 9 of Title 1 of the California Government Code.

DATED:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk, City of Arcata

\_\_\_\_\_  
Mayor, City of Arcata

**CLERK'S CERTIFICATE**

I hereby certify that the foregoing is a true and correct copy of Resolution No. 223-55, passed and adopted at a regular meeting of the City Council of the City of Arcata, Humboldt County, California, held on the 21<sup>st</sup> day of June, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

\_\_\_\_\_  
City Clerk, City of Arcata