



**Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: January 14, 2020 – REVISED

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010				

SUBJECT: Final Map for Tract No. TSM 17-003

REQUEST(S):

That the Board of Supervisors:

1. Approve the Final Map for Subdivision Tract No. TSM 17-003, located on the south side of Avenue 413 east of Road 124 in the community of Orosi; and
2. Approve the Agreement with Self Help Enterprises to complete all required public improvements for Subdivision Tract No. TSM 17-003 for the period of one year after Board approval; and
3. Authorize the Chairman to sign Agreement; and
4. Accept the road right of way dedications for Subdivision Tract No. TSM 17-003 as shown on the Final Map, subject to completion of road construction and acceptance of public improvements.

SUMMARY:

The subdivider of Subdivision Tract No. TSM 17-003 is Self Help Enterprises. The tentative map for Subdivision Tract No. TSM 17-003 was conditionally approved by the Planning Commission on November 8, 2017. Subdivision Tract No. TSM 17-003 is a division of 7.04 acres into 37 residential lots and one ponding basin lot, located on the south side of Avenue 413 east of Road 124 in the community of Orosi.

The required public improvements for the subdivision are subject to plan approval and construction inspection by the Resource Management Agency (RMA) Public Works Branch and the Cutler-Orosi Public Utilities District. The improvements include construction of public roads and connection to the Cutler-Orosi Public Utilities District water and sewer systems. These improvements will be completed in accordance with the terms of an improvement agreement between the Subdivider and County. The improvement agreement between the County and the Subdivider

SUBJECT: Final Map for Tract No. TSM 17-003

DATE: January 14, 2020

will be in effect for a period of one year from the Board approval date.

The Public Works Director has determined that the Final Map for Subdivision Tract No. TSM 17-003 is in conformance with the Subdivision Map Act, local ordinances and conditions of Tentative Map approval applicable at the time of filing. State law requires the local legislative body to approve a final map if it conforms to the requirements of the Subdivision Map Act and local ordinance. Therefore, in the absence of evidence of noncompliance, the County is obligated to approve the Final Map for this subdivision.

Ten percent of the security provided by the subdivider guaranteeing faithful performance will be retained by the county for a period of one year following acceptance of the improvements by your Board, as a guarantee and warranty against defective work or materials furnished pursuant to Section 7-01-2045 of the ordinance code. In addition, the security provided by the subdivider securing payment to the contractor, subcontractors and to persons furnishing labor, materials or equipment for construction of the improvements will be retained by the county for a period of ninety (90) days after acceptance of the improvements by your Board pursuant to requirements of the Subdivision Map Act and California Civil Code.

Assessment District Nos. 19-17-003-OROSI and 19-17-003R-OROSI will be formed concurrently with this final map to pay for the continuing cost of maintaining the storm drainage system improvements and road and street maintenance located within this Subdivision, respectively.

FISCAL IMPACT/FINANCING:

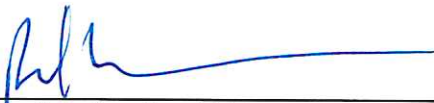
No Net County Cost.

The subdivider has borne the cost of the required improvements.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the economic well-being initiative to promote economic development opportunities and effective growth management consistent with the County's General Plan.

ADMINISTRATIVE SIGN-OFF:



Reed Schenke, P.E.
Director

cc: County Administrative Office

Attachment(s): Attachment A – Vicinity Map
Attachment B – Final Map
Attachment C – Improvement Agreement

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF FINAL MAP FOR
TRACT NO. TSM 17-003

) Resolution No. _____
) Agreement No. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JANUARY 14, 2020,
BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

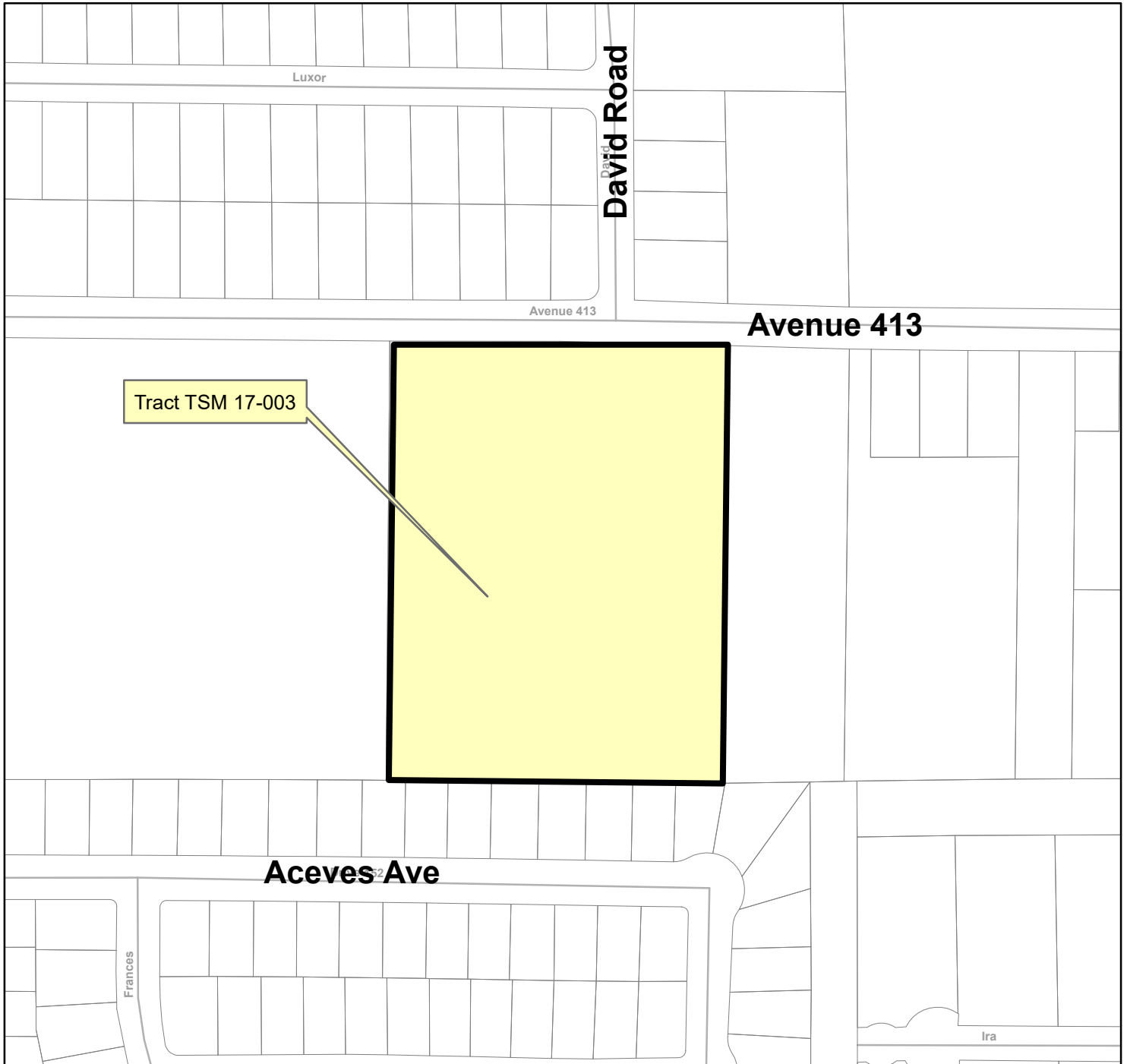
1. Approved the Final Map for Subdivision Tract No. TSM 17-003, located on the south side of Avenue 413 east of Road 124 in the community of Oroshi; and
2. Approved the Agreement with Self Help Enterprises to complete all required public improvements for Subdivision Tract No. TSM 17-003 for the period of one year after Board approval; and
3. Authorized the Chairman to sign Agreement; and
4. Accepted the road right of way dedications for Subdivision Tract No. TSM 17-003 as shown on the Final Map, subject to completion of road construction and acceptance of public improvements.

Attachment A

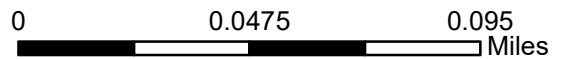
Vicinity Map



Vicinity Map For TSM 17-003



Tract TSM 17-003



 Site

Supervisory District: 4



Attachment B

Final Map

TRACT NO. 17-003

TSM 17-003

OWNER'S STATEMENT

THESE PARTIES HAVE AGREED TO CONVEY TO THE COUNTY OF TULARE THE INTEREST IN THE REAL PROPERTY SHOWN ON THE MAP AND SUBDIVISION AS SHOWN WITHIN THE DEFINITIVE BOUNDARY MAP AND HEREBY CONSENT TO THE RECORDATION OF SAID MAP.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES TO THE PORTIONS OF WALNUT ROAD, MAPLE STREET, SOUTH DAVIS ROAD, AND WALNUT STREET WITHIN THE BOUNDARY OF THIS SUBDIVISION.

SELF-HELP ENTERPRISES, A CALIFORNIA NON-PROFIT CORPORATION

[Signature]
 PROJECT COORDINATOR, SELF-HELP ENTERPRISES

I, A NOTARY PUBLIC OR OTHER OFFICER CHARGED WITH THE DUTY OF PUBLIC OFFICERS, ON THE BEHALF OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE ATTACHES, AND IN THE PRESENCE OF THE INDIVIDUALS WHOSE NAMES ARE SUBSCRIBED TO THE INSTRUMENT,

STATE OF CALIFORNIA COUNTY OF TULARE
 on 20th day of August, 2022, before me, Terrell Williams, a Notary Public personally appeared Thomas J. Callishew who proved to me on the basis of satisfactory evidence to be the person(s) named in the foregoing certificate and to be the person(s) authorized to execute the same, and that he executed the same under the circumstances and for the purposes and consideration therein expressed, and that he executed the same under the laws of the State of California, and that the foregoing instrument is true and correct.

Signature: Terrell Williams
 My Commission Expires: August 21, 2022
 Principal, Place of Business: Tulare COUNTY

I, A NOTARY PUBLIC OR OTHER OFFICER CHARGED WITH THE DUTY OF PUBLIC OFFICERS, ON THE BEHALF OF THE INDIVIDUAL WHO SIGNED THE CERTIFICATE ATTACHES, AND IN THE PRESENCE OF THE INDIVIDUALS WHOSE NAMES ARE SUBSCRIBED TO THE INSTRUMENT,

STATE OF CALIFORNIA COUNTY OF TULARE
 on _____ day of _____, 20____, before me, _____, a Notary Public personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person(s) named in the foregoing certificate and to be the person(s) authorized to execute the same, and that he executed the same under the circumstances and for the purposes and consideration therein expressed, and that he executed the same under the laws of the State of California, and that the foregoing instrument is true and correct.

By Commission Expires: _____
 Principal, Place of Business: _____ COUNTY

RIGHT TO FARM NOTICE

THE REGULAR POLICY OF TULARE COUNTY IS TO CONSERVE, ENHANCE AND ENCOURAGE AGRICULTURAL OPERATIONS WITHIN THE COUNTY. THE COUNTY DOES NOT INTEND TO INTERFERE WITH AGRICULTURAL OPERATIONS INCLUDING, BUT NOT LIMITED TO, PLANTING, CULTIVATING, HARVESTING, PROCESSING, MARKETING, DISTRIBUTION, STORAGE AND DISPOSAL OF MANURE, SLURRY, EFFLUENTS, OPERATIONS OF BARNYARD INCLUDING ANY 24 HOUR PERIOD STORAGE AND DISPOSAL OF MANURE, OR OTHER AGRICULTURAL OPERATIONS. THE COUNTY DOES NOT INTEND TO INTERFERE WITH AGRICULTURAL OPERATIONS CONSISTENT WITH THE POLICY. CALIFORNIA CIVIL CODE SECTION 346 PROVIDES THAT NO AGRICULTURAL OPERATION, AS DEFINED AND LIMITED BY THAT SECTION, CONDUCTED AND MAINTAINED FOR COMMERCIAL PURPOSES, AND IN A MANNER CONSISTENT WITH PROPER AND SOUND AGRICULTURAL PRACTICES, SHALL BE CONSIDERED A NUISANCE, PRIVATE OR PUBLIC, DUE TO ANY CHANGED CONDITION AS OF ABOUT THE LOCALITY AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN THREE YEARS IF IT WAS NOT A NUISANCE AT THE TIME IT BEGAN.

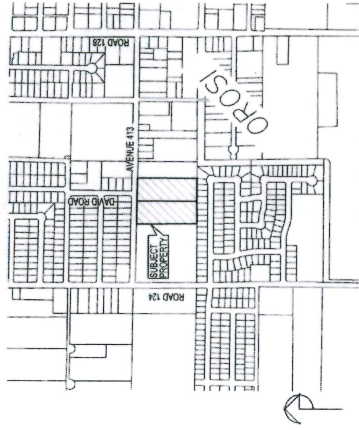
FLOOD HAZARD INFORMATION NOTE

AS REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) NATIONAL FLOOD INSURANCE PROGRAM (NFIP) COMMUNITY NUMBER 3308, PARCEL NO. 346, THE PROPERTY SHOWN ON THIS MAP IS WITHIN A SPECIAL FLOOD HAZARD AREA.

PUBLIC WORKS DIRECTOR'S STATEMENT

I, _____, PUBLIC WORKS DIRECTOR, HAVE REVIEWED THE MAP AND SUBDIVISION AND AMPLYING AT THE TIME OF APPROVAL OF THE CERTIFICATE MAP HAVE BEEN COMPLETED WITHIN THE REQUIREMENTS OF THE GOVERNMENT CODE AND ANY LOCAL ORDINANCES.

Signature: _____
 Date: 11/26/19



VICINITY MAP
 NO SCALE

LEGAL DESCRIPTION

PARCELS 3 AND 4 OF PARCEL MAP NO. 17-003, RECORDED IN BOOK 14 OF PARCEL MAPS AT PAGE 17-003, TULARE COUNTY RECORDS, LOCATED IN SECTION 12, TOWNSHIP 18 SOUTH, RANGE 12 EAST, MONTEZUMA QUAD, 4th MERIDIAN, IN THE COUNTY OF TULARE, STATE OF CALIFORNIA.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THE QUANTITIES OF SURFACE AREA OF PARCELS 3 AND 4 OF PARCEL MAP NO. 17-003, AS RECORDED IN BOOK 14 OF PARCEL MAPS, PAGE 17-003, TULARE COUNTY RECORDS, TAKEN AS NOTED ON P. 17.

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY, AND THAT THE SURVEY IS COMPLETE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND ANY LOCAL ORDINANCES. I HAVE EXAMINED THE INSTRUMENT AND THE INSTRUMENTS TO WHICH IT REFERS, AND I AM Satisfied THAT THE CHARACTER AND OCCUPY THE POSITIONS INDICATED ON IT WILL BE SET IN THOSE PORTIONS WITHIN A YEAR OF RECORDATION OF THIS MAP AND THAT THE MONUMENTS ARE, OR WILL BE, APPROPRIATE TO THE INSTRUMENT, AND THAT THE INSTRUMENT IS SUBSTANTIALLY CONFORMED TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

FILED THIS _____ DAY OF _____, 20____, at _____, CALIFORNIA.
 I, _____, COUNTY CLERK OF TULARE COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING PARAGRAPHS IS TRUE AND CORRECT.

COUNTY SURVEYOR'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP AND AM SATISFIED THAT IT IS TECHNICALLY CORRECT.
 MICHAEL B. WARD
 COUNTY SURVEYOR
 P.L.S. 802
 Date: 12-4-19

PLANNING AND DEVELOPMENT DIRECTOR'S STATEMENT

I HEREBY STATE THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERNATION THEREOF.
 MICHAEL WARD, ASSOCIATE DIRECTOR
 DATE

BOARD OF SUPERVISOR'S STATEMENT

THIS IS TO STATE THAT AT A REGULAR MEETING OF THE TULARE COUNTY BOARD OF SUPERVISORS HELD ON THE _____ DAY OF _____, 20____, AT _____, CALIFORNIA, THE BOARD OF SUPERVISORS HAS APPROVED THIS MAP AND SUBDIVISION, AND ACCEPTING, SUBJECT TO APPROVAL BY THE PUBLIC, THE ADDRESS AND PUBLIC UTILITY EASEMENTS, AS SHOWN WITHIN THE EASEMENTS OF THE SUBDIVISION SHOWN UPON THIS MAP.
 I HEREBY STATE THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERNATION THEREOF.
 MICHAEL WARD, COUNTY ADMINISTRATIVE OFFICER
 CLERK OF THE BOARD OF SUPERVISORS

BY _____ DEPUTY

BOARD OF SUPERVISOR'S STATEMENT

TULARE COUNTY BOARD OF SUPERVISORS HAS APPROVED THIS MAP AND SUBDIVISION, AND ACCEPTING, SUBJECT TO APPROVAL BY THE PUBLIC, THE ADDRESS AND PUBLIC UTILITY EASEMENTS, AS SHOWN WITHIN THE EASEMENTS OF THE SUBDIVISION SHOWN UPON THIS MAP.
 I HEREBY STATE THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE MAP, IF REQUIRED, AND ANY APPROVED ALTERNATION THEREOF.
 MICHAEL WARD, COUNTY ADMINISTRATIVE OFFICER
 CLERK OF THE BOARD OF SUPERVISORS

DATED THIS _____ DAY OF _____, 20____, at _____, CALIFORNIA.
 JASON T. BRITT, COUNTY ADMINISTRATIVE OFFICER
 CLERK OF THE BOARD OF SUPERVISORS

RECORDER'S STATEMENT

DOCUMENT NO. _____ FILED THIS _____ DAY OF _____, 20____, AT _____, CALIFORNIA.
 IN VOLUME _____ OF MAPS, AT PAGE _____, TULARE COUNTY RECORDS.
 AT THE REQUEST OF A CLIENT, INC.
 RALPH B. HILL
 TULARE COUNTY ASSESSOR/CLERK/RECORDER
 BY _____ DEPUTY

PREPARED BY



4CREEPS

304 S. SANTA FE SUITE A
 VISALIA, CA 93291
 TEL: 559.802.8062
 FAX: 559.802.8160

SHEET 1 OF 2

Attachment C

Improvement Agreement

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AGREEMENT

THIS AGREEMENT, made and entered into as of this day of , 2019, by and between SELF HELP ENTERPRISES, a California non-profit Corporation, hereinafter referred to as the "Subdivider", and the COUNTY OF TULARE, hereinafter referred to as the "County";

WITNESSETH:

WHEREAS, the Subdivider has filed with the Board of Supervisors the Final Map for Subdivision Tract No. TSM 17-003 for approval; and

WHEREAS, certain public improvements are required to be made by the Subdivider in said Subdivision in accordance with the approved Tentative Map of said Subdivision and said public improvements have not been completed; and

WHEREAS, if said public improvements have not been completed, Section 66462 of the Government Code provides that as a condition precedent to the approval of the final Map, the Board of Supervisors shall require the Subdivider to enter into an Agreement to complete said improvements;

NOW, THEREFORE, BE IT AGREED as follows:

1. The Subdivider hereby agrees to complete all required public improvements in the Subdivision in accordance with the conditions of approval of the Subdivision and the requirements and standards set forth in Section 7-01-1000 through 7-01-2855 of the Ordinance Code of Tulare County as said requirements and standards read at the time of approval or conditional approval of the Tentative Map of said Subdivision. All of the required improvements shall be completed not later than twelve (12) months from and after the date first above written.

2. The Subdivider shall make all necessary arrangements for the relocation of all overhead and underground public utility facilities that interfere with the improvement work to be performed by the Subdivider. The Subdivider shall also make necessary arrangements with the serving public utility company for the costs of relocating such facilities as no portions of the relocation costs will be paid by the County.

3. The Subdivider shall repair any damage to public streets or any other public property or improvements which results from or is incidental to the construction of the required improvement in said Subdivision or, in lieu of making such repairs, the Subdivider shall pay to the County the full cost of making such repairs.

TULARE COUNTY AGREEMENT NO. _____

1 4. The Subdivider agrees to hold harmless, defend and indemnify the County and its
2 officers and employees from any injuries or damages alleged to have been caused by or arisen out
3 of the work performed by the Subdivider pursuant to this Agreement.
4

5 5. The Subdivider or his Contractor(s) shall obtain an encroachment permit from the
6 County or State for any work that is to be done within any County or State maintained road right of
7 way or easements which are located outside of the boundary of said Subdivision.
8

9 6. The Subdivider agrees to furnish security which complies with Section 66499 et seq. of
10 the Government Code, in such amounts as are fixed by the Board of Supervisors of the County, to
11 guarantee the faithful performance of this Agreement and to guarantee payment to contractors,
12 subcontractors, laborers, materialmen and other persons employed in the performance of the work
13 under this Agreement at the time of execution of this Agreement.
14

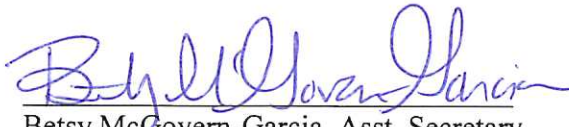
15 7. Within thirty (30) days after the Subdivider notifies the Tulare County Public Works
16 Director or his designee that the required work has been completed, the Tulare County Public
17 Works Director or his designee shall inspect such work and, if such has been performed in the
18 required manner, he shall advise the Board of Supervisors that the public improvements are
19 complete and are ready for acceptance by the County.
20

21 8. This Agreement is binding on all heirs, assigns and successors in interest. No
22 assignment of this Agreement may be made without the express written consent of the County.
23

24 IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day
25 and year first above written.
26

27
28 SELF HELP ENTERPRISES, a California non-profit Corporation
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30 
31 _____
32 Thomas J. Collishaw, President/CEO
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34 
35 _____
36 Betsy McGovern-Garcia, Asst. Secretary
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38 "Subdivider"
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COUNTY OF TULARE,

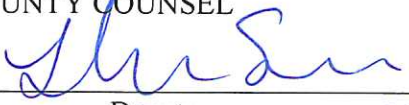
By _____
Chairman, Board of Supervisors

“County”

ATTEST: JASON T. BRITT
County Administrative Officer/Clerk
of the Board of Supervisors

By _____
Deputy

APPROVED AS TO FORM
COUNTY COUNSEL

By  _____
Deputy 20191954