

AGENDA DATE: May 9, 2006



RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD.
VISALIA, CA. 93277
PHONE (559) 733-6291
FAX (559) 730-2653

Britt L. Fussel	Engineering
Deborah Kruse	Development Services
Jean P. Brou	Transportation
George Finney	Long Range Planning
Hal Cypert	Support Services
Roger Hunt	Administrative Services

HENRY HASH, DIRECTOR

THOMAS W. SHERRY, ASSOCIATE DIRECTOR

AGENDA ITEM

ITEM NO. _____
District 1

SUBJECT:

Proceedings to form Assessment District No. 05-759-VISALIA, to pay for the continuing cost of maintenance of the public streets within Subdivision Tract No. 759, located north of the City of Visalia.

REQUEST(S):

Conduct a public meeting to consider the formation of Assessment District No. 05-759-VISALIA.

SUMMARY:

The requirement to conduct a public meeting is the third step in a four step process to form an assessment district as required by Proposition 218. Proposition 218 was adopted by the electorate in November 1996 and prescribed the method by which a governmental body can establish an assessment district. The public meeting will be followed by a public hearing next week at which final adoption of the assessment district can occur.

The Board of Supervisors has directed, in Board Resolution No. 2005-0519, that the County will require the formation of an assessment district for the maintenance of new public roadways resulting from land division and land development activities. Board Resolution No. 2005-0360 approving the Tentative Map for Subdivision Tract No. 759 required the formation of a road maintenance assessment district as a condition precedent to recordation of the Final Map for Subdivision Tract No. 759. The Subdivider (David Mitchell, et. al.) has requested the County form an assessment district to pay for maintenance of the public streets and roadways serving Subdivision Tract No. 759.

Subdivision Tract No. 759 is a division of 58.5 acres into 19 rural residential lots located on the west side of Road 132 (Ben Maddox Way), approximately ½ mile south of Avenue 320, north of the City of Visalia.

On December 6, 2005 your Board adopted Resolution No. 2005-0787 initiating proceedings to form Assessment District No. 05-759-VISALIA and subsequently designating the County Engineer as the Engineer for the proceedings and directing the Engineer to file a report with the clerk of the Board.

On March 28, 2006, your Board adopted Resolution No. 2006-0191 approving the Engineer's Report for Assessment District No. 05-759-VISALIA and subsequently declaring your Board's intention to levy and collect assessments, setting the time for a public meeting on May 9, 2006, and a public hearing on May 16, 2006, approving the form of the letter notice and ballot, and directing the Engineer to mail the letter notice and ballot to each record owner within Subdivision Tract 759. The letter and ballot were mailed on March 29, 2006, to each record owner within Subdivision Tract 759.

Construction cost of the streets and roadway improvements will be borne by the Subdivider of Subdivision Tract No. 759. The cost of maintaining these improvements and administering this assessment district is proposed to be provided for by assessing the 19 residential lots in the subdivision. The Benefit Assessment Act of 1982, Section 54703 et seq. of the Government Code, provides for the formation of assessment districts to fund the maintenance of the public streets and roadways.

FINANCING:

All costs for the maintenance of the new public streets and roadways, assessment engineering and administration is proposed to be funded by the assessment district. No direct cost to the County will be incurred in the formation of this assessment district as the Subdivider has paid the \$1,848 fee for formation of the district. Based on the cost of providing these services, each of the 19 assessable lots within Subdivision Tract No. 759 would be assessed an equal amount, as estimated below.

Estimated annual costs to maintain these improvements and administer the assessment district for Fiscal Year 2006/07 are as follows:

Type of Maintenance:	Unit	Quantity	Annual Unit Cost	Estimated Annual Maint. Cycle	Annual Cost
Rejuvenating Agent	Sq. Ft.	130,000	0.0161	5	\$418.60
Chip Seal	Sq. Ft.	130,000	0.0878	15	\$760.93
AC Overlay	Sq. Ft.	130,000	1.125	30	\$4,875.00
District Administration	LS	1	400	Annual	\$400.00
Total Annual Assessment For Road Maintenance:					\$6,454.53
# of lots in district:				19	
Per-Lot Annual Road Maintenance Assessment:					\$339.72

A Consumer Price Index (CPI) adjustment factor to cover inflationary costs, based on the increase in cost of goods and services as determined by the U. S. Department of Labor, Bureau of Labor Statistics, is recommended to be included in annual increases to each parcel's annual assessment and will not require an election and approval by the owners of the assessed lots.

ALTERNATIVES:

It is recommended that assessments be levied and collected at the full amount of the estimated costs; however, under Proposition 218 assessments could be levied at the full amount and collected at some lesser amount.

An alternative to formation of this assessment district to provide for public street and roadway maintenance may include requiring the Subdivider to form a homeowners association to provide for the maintenance of the public streets and roadways.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

County Counsel assisted in preparing the various documents regarding these Assessment District formation procedures.

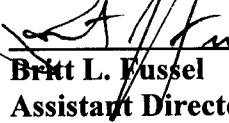
SIGNATURE REQUIREMENTS:

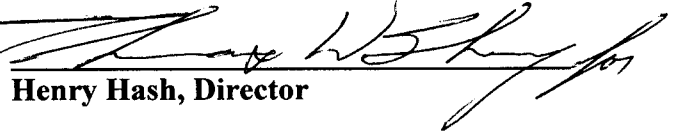
County Administrative Officer/Clerk of the Board of Supervisors or authorized Deputy to attest to the Resolution.

ADMINISTRATIVE SIGN OFF:

RESOURCE MANAGEMENT AGENCY

MW

 4/25/06
Britt L. Fussel
Assistant Director – Engineering


Henry Hash, Director

1 **BEFORE THE BOARD OF SUPERVISORS**
2 **COUNTY OF TULARE, STATE OF CALIFORNIA**
3

4 In the Matter of conducting)
5 A Public Meeting to consider)
6 The Formation of Assessment) RESOLUTION NO.
7 District No. 05-759-VISALIA)
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11 Upon Motion of Supervisor , seconded by Supervisor , the
12 following was adopted by the Board of Supervisors, at an official meeting held on May 9, 2006,
13 by the following vote:

14 AYES:

15 NOES:

16 ABSTAIN:

17 ABSENT:

18 ATTEST: C. BRIAN HADDIX
19 COUNTY ADMINISTRATIVE OFFICER/
20 CLERK BOARD OF SUPERVISORS
21

22 By _____
23 Deputy Clerk
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28 Conducted a public meeting to consider the formation of Assessment District No. 05-759-
29 VISALIA.
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