AGENDA DATE: February 27, 2007



# RESOURCE MANAGEMENT AGENCY

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Engineering
Community & Dev. Serv
Transportation
Long Range Planning
Support Services
Administrative Services

HENRY HASH, DIRECTOR

MICHAEL D. ELLZEY, ASSOCIATE DIRECTOR

## AGENDA ITEM

ITEM NO	•		
	District	1	

#### **SUBJECT:**

Initiate proceedings to form Assessment District No. 06-781R-PORTERVILLE, to pay for the continuing cost of maintenance of the public streets and roadways within Subdivision Tract No. 781 located north of Porterville.

## **REQUEST(S):**

- 1. Initiate proceedings to form Assessment District No. 06-781R-PORTERVILLE.
- 2. Designate the County Engineer as the Engineer for the purpose of these proceedings.
- 3. Direct the Engineer to prepare and file a report with the Clerk of the Board.

#### **SUMMARY:**

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. Planning Commission Resolution No. 8152 approving the Tentative Map for Subdivision Tract No. 781 required the formation of a road maintenance assessment district as a condition precedent to recordation of the Final Map for Subdivision Tract No. 781. The Subdivider (Benny and Rebecca Martinez) has requested the County form an assessment district to pay for maintenance of the public streets and roadways serving Subdivision Tract No. 781.

Subdivision Tract No. 781 is a division of 21.78 acres into 55 residential lots located on the southeast corner of Newcomb Street (Road 232) and Linda Vista Avenue (Avenue 174), in the City of Porterville.

Construction cost of the streets and roadway improvements will be borne by the Subdivider of Subdivision Tract No. 781. The cost of maintaining these improvements and administering this assessment district is proposed to be provided for by assessing the 55 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:**

No direct cost to the County will be incurred as the Subdivider paid the \$1,848 fee for formation of the assessment district.

The costs of this initiation action are limited to the costs of preparing the Engineer's Report and to notice the hearing. The costs to maintain improvements and administer the district will be presented in the Engineer's Report and will be proposed to be financed by the assessments collected.

#### **ALTERNATIVES:**

Do not form an assessment district to encompass Subdivision Tract No. 781 and require 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 has provided an outline 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

Brut L. Fussel

Assistant Director - Engineering

Henry Hash, Director

Attachments: Resolution

Location Sketch

1	BEFORE THE BOARD OF SUPERVISORS		
2			
3	COUNTY OF TULARE, STATE OF CALIFORNIA		
4			
5	In the Matter of initiating proceedings for the )		
6 7	formation of Assessment District No. 06-781R- )		
8	PORTERVILLE of the County of Tulare, State ) of California, Pursuant to the Benefit Assessment) RESOLUTION NO.		
9	Act of 1982.		
10	)		
11	WHEREAS, the County of Tulare has conditionally approved the Tentative Map for		
12	Subdivision Tract No. 781 located in the City of Porterville; and		
13	,		
14	WHEREAS, this Board of Supervisors has directed, in Resolution No. 2005-0519, that the		
15	County will require the formation of an assessment district for the maintenance of new public		
16	roadways resulting from land division and land development activities; and		
17			
18	WHEREAS, pursuant to Tulare County Ordinance Code Section 7-01-1375 et seq. and		
19	Planning Commission Resolution No. 8152 approving the Tentative Map for Subdivision Tract		
20	No. 781, an assessment district is required to pay for the maintenance costs of new public street		
21 22	and roadways to be dedicated by the Final Map of Subdivision Tract No. 781 and the		
23	subdivider/property owner has filed an application for and consent to form such an assessment district; and		
24	district, and		
25	WHEREAS, the County of Tulare is pursuing the formation of a single assessment district		
26	encompassing the proposed Subdivision Tract No. 781; and		
27			
28	WHEREAS, the Board of Supervisors desires to initiate proceedings for the formation of		
29	an assessment district pursuant to the Benefit Assessment Act of 1982, Section 54703 et seq. of		
30	the Government Code, for the purpose of providing for the maintenance of new public streets and		
31	roadways to be dedicated by the Final Map of Subdivision Tract No. 781.		
32	NOW WITH THE PROPERTY OF		
33	NOW, THEREFORE, BE IT RESOLVED as follows:		
34 35	1. The Doord of Symonyicous house, was a set of the control of the		
36	1. The Board of Supervisors hereby proposes the formation of an assessment district		
37	pursuant to the Benefit Assessment Act of 1982, Section 54703 et seq. of the Government Code for the purpose of providing for the maintenance of new rule is a sequence of the control of		
38	for the purpose of providing for the maintenance of new public streets and roadways to be dedicated by the Final Map of Subdivision Tract No. 781.		
39	are the contract of Subulivision fluct 140. 701.		
40	2. The assessment district shall include all the land and territory within Subdivision Tract		

3. The County Engineer of the County of Tulare is hereby designated the Engineer for the purpose of these proceedings. The Engineer is hereby directed to prepare and file with the Clerk

No. 781 and shall be designated "Assessment District No. 06-781R-PORTERVILLE of the

County of Tulare, State of California" (hereinafter referred to as the "Assessment District").

1 2 3 4 5 6 7 8 9 10 11 12	of the Boar particularly requirement accordance Assessment and an asses 3114, 22570 781R-PORT
13 14 15 16	Resource M action.
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ed of Supervisors a report in accordance with the Benefit Assessment Act of 1982, Government Code Section 54716. Such report shall include, among the other ts set out by the cited statutes, the originals and at least one copy of a map prepared in with Streets and Highways Code Section 3110 and labeled "Proposed Boundaries, District No. 06-781R-PORTERVILLE of the County of Tulare, State of California" essment diagram prepared in accordance with Streets and Highways Code Sections 0, 22571 and 22574 and labeled "Assessment Diagram, Assessment District No. 06-TERVILLE of the County of Tulare, State of California".

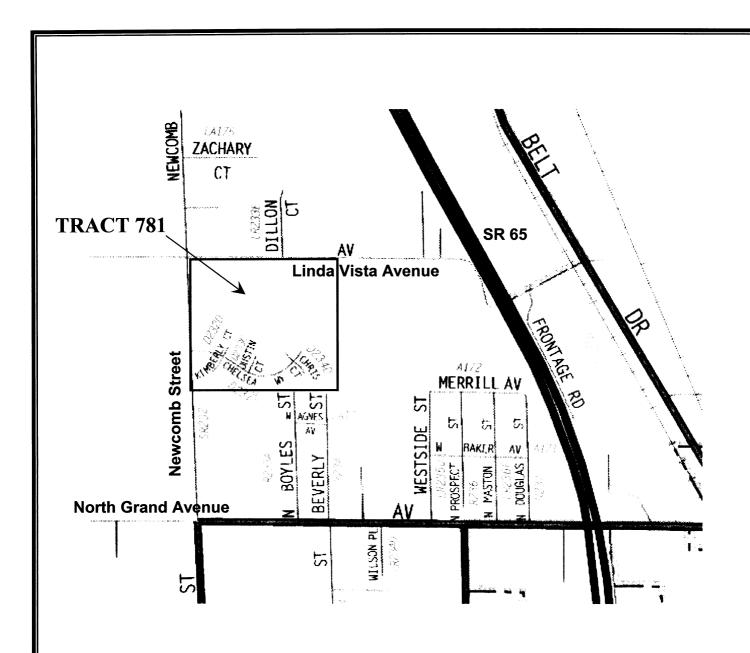
- The Engineer shall include in the report a factor to cover inflationary cost.
- Upon receipt of the Engineer's report by the Clerk of the Board of Supervisors, the anagement Agency shall bring this matter back to the Board of Supervisors for further

FOREGOING RESOLUTION was adopted upon motion of Supervisor , at a regular meeting of the Board of Supervisors held Supervisor 27, 2007, by the following vote:

ES: ES: N: T:

> ATTEST: C. BRIAN HADDIX County Administrative Officer/Clerk of the Board of Supervisors

Deputy





# **LOCATION MAP**