

AGENDA DATE: February 27, 2007



RESOURCE MANAGEMENT AGENCY

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

Britt L. Fussel	Engineering
William Hayter	Community & Dev. Serv.
Jean P. Brou	Transportation
George Finney	Long Range Planning
Hal Cypert	Support Services
Roger Hunt	Administrative Services

HENRY HASH, DIRECTOR

MICHAEL D. ELLZEY, ASSOCIATE DIRECTOR

AGENDA ITEM

ITEM NO. _____
District 4

SUBJECT:

Accept the required public improvements as complete and accept the roads into the County Road System for Subdivision Tract No. 764, located on the north side of Avenue 404, east of Nancy Road in Cutler.

REQUEST(S):

Accept the required public improvements for Subdivision Tract No. 764 as complete and accept the roads into the county road system.

SUMMARY:

The Subdivider of Subdivision Tract No. 764 is Freedom Homes Real Estate IV., John C. Hempel, Jr., General Partner. The final map for Subdivision Tract No. 764 was approved by your Board on September 12, 2006, at which time the County and the Subdivider entered into an agreement (Tulare County Agreement No. 22881) to allow the Subdivider one year to complete construction of the required public improvements.

Subdivision Tract No. 764 is a division of 9.98 acres into 47 single-family residential lots and one ponding basin lot. The required public improvements for the subdivision were subject to plan approval and construction inspection by RMA-Engineering and the Orosi Public Utility District to ensure compliance with the conditions of tentative map approval. The required public improvements for the subdivision included road construction, lot grading, utility installation, storm drainage system installation, and connection to the Orosi Public Utility District sewer and water systems. Acceptance of the roads for Subdivision Tract No. 764 will add approximately 0.34 mile to the county road system.

A single ponding basin located at the southwest portion of the subdivision provides for drainage within the subdivision.

Ten percent of the security provided by the Subdivider guaranteeing faithful performance of the agreement 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.

FINANCING:

The Subdivider has borne the cost of constructing the required public improvements. No immediate costs are associated with acceptance of these subdivision improvements. General liability will accompany acceptance of the roads and attendant facilities into the County Road System, therefore, an incremental increase to the County's exposure to risk will be assumed. At such time as road maintenance activities are required, normal maintenance costs will be incurred.

The long-term maintenance of the ponding basin has been provided through the formation of the storm drainage assessment district entitled, "Assessment District No. 05-764-CUTLER of the County of Tulare, State of California". Your Board formed this assessment district on September 12, 2006, by the adoption of Resolution No. 2006-0705.

The Tentative Map for Subdivision Tract No. 764 was conditionally approved by the Planning Commission on December 15, 2004 prior to the Board adopting a policy requiring an assessment district for the maintenance of the roadways (Resolution No. 2005-0519, August 16, 2005). Therefore, a roadway maintenance assessment district was not formed for this subdivision.

ALTERNATIVES:

No apparent alternatives exist at this time as the Subdivider has complied with the conditions of map approval.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

The Orosi Public Utility District has been involved in the inspection of the water and sewer system improvements.

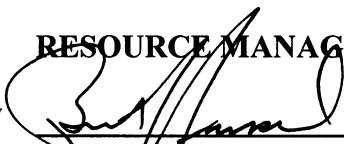
SIGNATURE REQUIREMENTS:

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

ADMINISTRATIVE SIGN OFF:

RESOURCE MANAGEMENT AGENCY

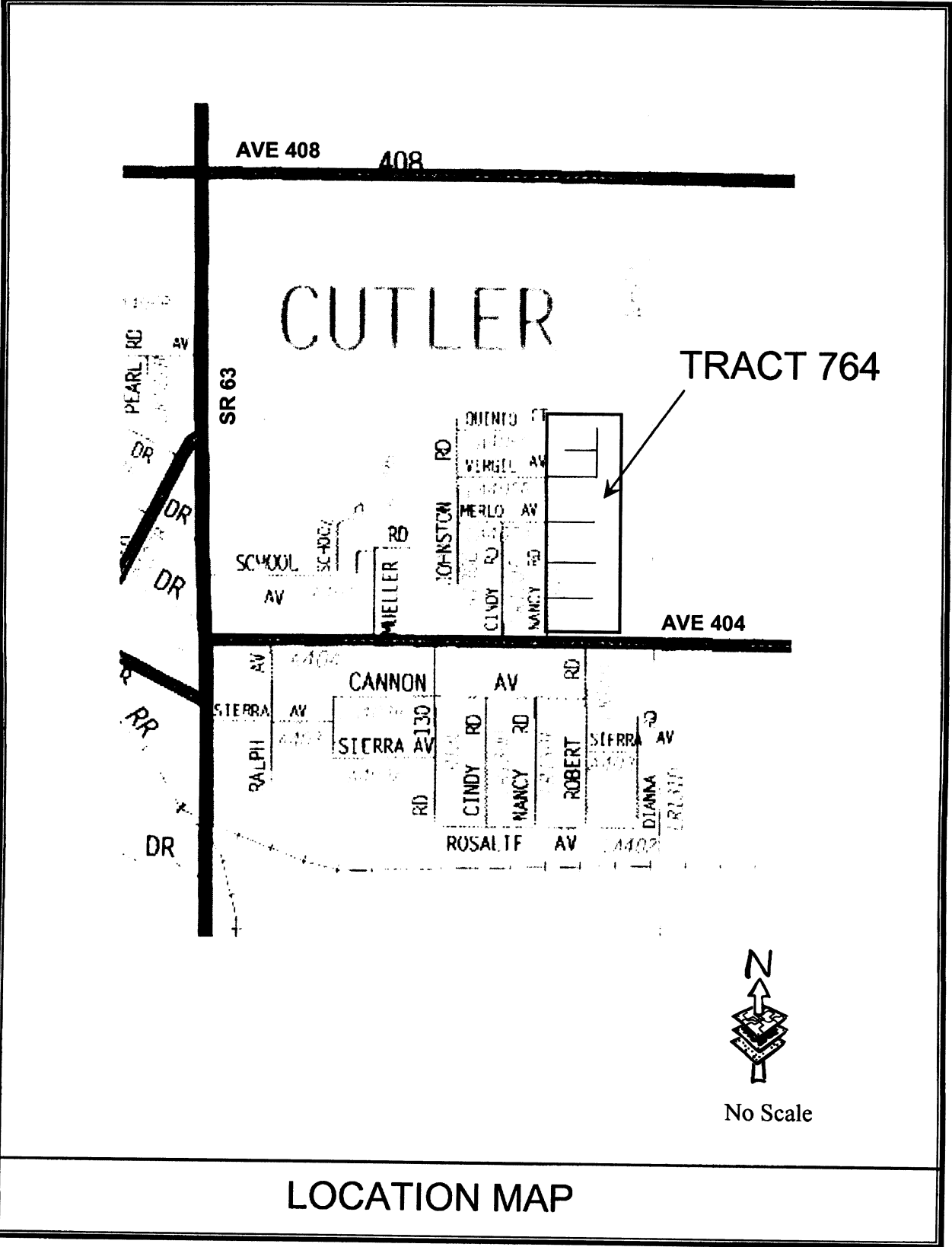
MW

 2/7/22

Britt Fussel
Associate/Director - Engineering



Henry Hash, Director



LOCATION MAP

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

IN THE MATTER OF COMPLETION OF)
REQUIRED PUBLIC IMPROVEMENTS) RESOLUTION NO.
AND ACCEPTANCE OF ROADS INTO)
THE COUNTY ROAD SYSTEM FOR)
SUBDIVISION TRACT NO. 764.)

Upon motion of Supervisor _____, seconded by Supervisor _____, the following was adopted by the Board of Supervisors at an official meeting held February 27, 2007, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

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

By _____
Deputy

Accepted the required public improvements for Subdivision Tract No. 764 as complete and accepted the roads into the county road system.