



**RESOURCE
MANAGEMENT AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One
CONNIE CONWAY
District Two
PHILLIP A. COX
District Three
J. STEVEN WORTHLEY
District Four
MIKE ENNIS
District Five

AGENDA DATE: November 27, 2007

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: 559-733-6291

SUBJECT: Initiate proceedings to form Assessment District No. 07-767-VISALIA to pay for the continuing cost of maintaining the storm drainage system improvements located within Subdivision Tract No. 767 in Visalia.

- REQUEST(S):**
- That the Board of Supervisors:
1. Initiate proceedings to form Assessment District No. 07-767-VISALIA.
 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 has directed, in Resolution No. 93-1375, that the County will accept no new drainage systems in any new land division or development unless the developer provides a mechanism to fund future maintenance activities. The subdivider (Kap Su Davis) of Tract No. 767 has requested the County form an assessment district to pay for maintenance of the drainage system serving Tract No. 767.

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Subdivision Tract No. 767 is a division of 14.7 acres into 56 residential lots to be constructed in two phases with Phase I consisting of 22 lots and one ponding lot located on the north side of Avenue 320 east of State Route 63 north of the City of Visalia.

Construction costs of the storm drainage system improvements will be borne by the subdivider of Subdivision Tract No. 767. The cost of maintaining these improvements and administering this Assessment District is proposed to be provided for by assessing equally the 22 residential lots within Phase I of this subdivision. The Benefit Assessment Act of 1982, Section 54700 et seq. of the Government Code, provides for formation of assessment districts to fund the maintenance of drainage systems.

The requested action initiates proceedings to form an assessment district including Subdivision Tract No. 767. Upon completion of the Engineer's Report this matter will be brought back to your Board for further action to form a new district.

FISCAL IMPACT/FINANCING:

No direct cost to the County will be incurred as the subdivider has 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.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Safety and Security initiative to provide for the safety and security of the public. The formation of this assessment district helps fulfill this initiative by ensuring and maintaining adequate storm water collection and disposal for the safety and protection of the public within this subdivision.

ALTERNATIVES:

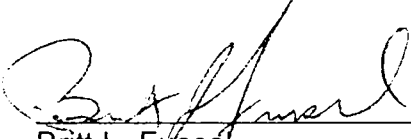
An alternative to formation of this assessment district to provide for storm drainage maintenance may include requiring the Subdivider to form a homeowners association to provide for the maintenance of the storm drain system.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

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

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ADMINISTRATIVE SIGN-OFF:

 10/31/07

Britt L. Fusse
Assistant Director - Engineering

_____
Henry Hash
Director

cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment(s)

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

IN THE MATTER OF FORMING)
ASSESSMENT DISTRICT NO.) RESOLUTION NO. _____
07-767-VISALIA) AGREEMENT NO. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD ON NOVEMBER 27,
2007, BY THE FOLLOWING VOTE:

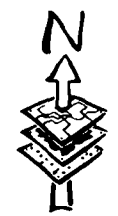
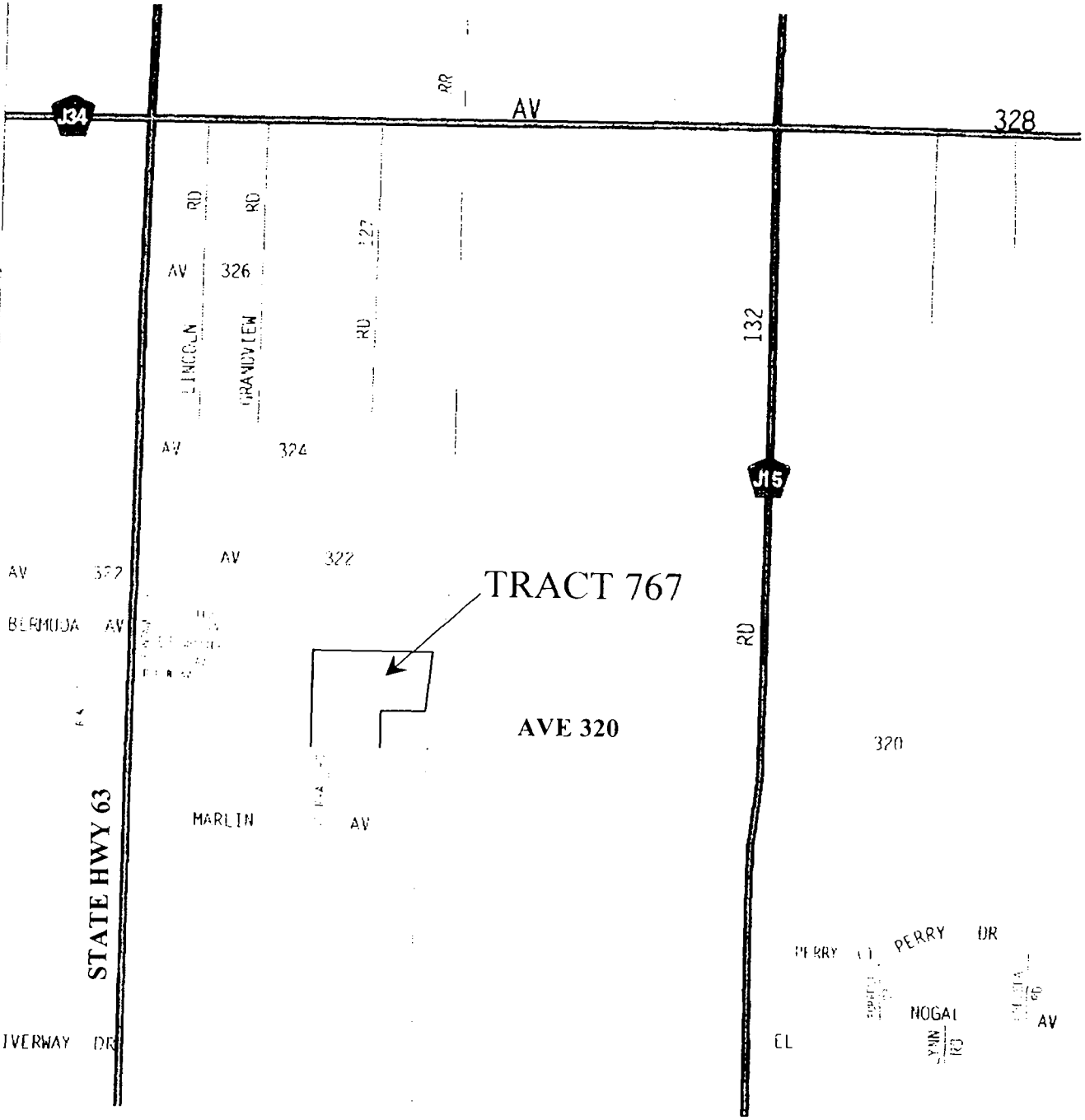
AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Initiated proceedings to form Assessment District No. 07-767-VISALIA.
2. Designated the County Engineer as the Engineer for the purpose of these proceedings.
3. Directed the Engineer to prepare and file a report with the Clerk of the Board.



No Scale

LOCATION MAP