

## BEFORE THE BOARD OF SUPERVISORS

**COUNTY OF TULARE, STATE OF CALIFORNIA**

In the Matter of Adopting a Resolution of )  
Intention to Order and Ordering the Formation )  
of Assessment District No. 02-01-EARLIMART ) RESOLUTION NO. 2003-0034  
of the County of Tulare, State of California, )  
Pursuant to the Landscape and Lighting Act of 1972. )

WHEREAS, the County of Tulare has conditionally approved the Tentative Map for Subdivision Tract No. 733; and

WHEREAS, Condition No. 14 of Resolution No. 7607 adopted by the Planning Commission for the Tentative Map for Subdivision Tract No. 733 required the subdivider to make provisions for the long term maintenance of the landscape improvements along Road 136 (Church Road); and

WHEREAS, the subdivider constructed landscape improvements along Road 136 (Church Road) during the development of Subdivision Tract No. 733 (Phase 2) and the cost of the landscape improvements were borne by the subdivider; and

WHEREAS, the subdivider filed an application to request and consent to the formation of Assessment District No. 97-01-EARLIMART to pay the cost for the long term maintenance of the landscape improvements along Road 136 (Church Road); and

WHEREAS, on November 4, 1997, the Board of Supervisors ordered the formation of Assessment District No. 97-01-EARLIMART that required the 55 residential lots of Subdivision Tract No. 733 (Phase 2) to pay the cost for the long term maintenance of the landscape improvements along Road 136 (Church Road); and

WHEREAS, the subdivider filed an application to request and consent to the formation of an assessment district that would require the 263 residential lots of Subdivision Tract Nos. 733 (Phase 2), 735 (Phases 1 and 2), 743 and 746 to pay the cost for the long term maintenance of the landscape improvements along Road 136 (Church Road); and

WHEREAS, the Board of Supervisors has designated, in Resolution No. 2002-0811, the County Engineer of the County of Tulare as the Engineer for the purpose of these proceedings and the Engineer has prepared and filed with the Clerk of the Board of Supervisors a report in accordance with the Landscape and Lighting Act of 1972, particularly Streets and Highways Code Sections 22565 through 22574.

WHEREAS, a public meeting and hearing have been held by the Board of Supervisors respectively on January 7, 2003 at 9:30 a.m. or thereafter and January 14, 2003 at 9:30 a.m. or thereafter, in the Board of Supervisors Chambers, Administration Building, 2800 West Burrel,

Visalia, California, to receive public comment regarding the Board's intention declared herein and to levy the assessment for Fiscal Year 2003/04 for Assessment District No. 02-01-EARLIMART of the County of Tulare, State of California.

NOW THEREFORE, BE IT RESOLVED as follows:

1. The Board of Supervisors hereby declares its intention to order the formation of an assessment district and to levy and collect assessments within that assessment district for Fiscal Year 2003/04 and each fiscal year thereafter, pursuant to the Landscape and Lighting Act of 1972 codified in Streets and Highways Code Section 22500 et seq., to provide for the continuing cost of maintaining the existing landscape improvements along the Road 136 (Church Road) entrance to Subdivision Tract Nos. 733 (Phase 2), 735 (Phases 1 and 2), 743 and 746, which include, but are not limited to a decorative wood fence, an irrigation system and various types of trees and shrubs.

2. The assessment district shall include the 263 residential lots within Subdivision Tract Nos. 733 (Phase 2), 735 (Phases 1 and 2), 743 and 746 and shall be designated "Assessment District No. 02-01-EARLIMART of the County of Tulare, State of California."

3. Upon tabulation of the ballots received from the record owners within Subdivision Tract Nos. 733 (Phase 2), 735 (Phases 1 and 2), 743 and 746, the Board of Supervisors finds that the number of "yes" votes exceed the number of "no" votes and hereby orders, pursuant to Section 5400 et seq. of the Government Code, the formation of Assessment District No. 02-01-EARLIMART of the County of Tulare, State of California, and the levy of the assessment set out in the "Assessment Diagram, Assessment District No. 02-01-EARLIMART of the County of Tulare, State of California" for the 2003/04 fiscal year.

4. The assessment diagram labeled "Assessment Diagram, Assessment District No. 02-01-EARLIMART of the County of Tulare, State of California", filed with the Clerk of the Board is hereby approved by this Board of Supervisors and provides the boundaries of Assessment District No. 02-01-EARLIMART and any zones therein.

5. The assessment to be levied during the 2003/04 fiscal year to pay for the continuing cost of the maintenance of said improvements are those set out in the assessment diagram labeled "Assessment Diagram, Assessment District No. 02-01-EARLIMART of the County of Tulare, State of California" filed by the Engineer with the Clerk of the Board hereby approved and confirmed without changes to levy an assessment of \$31.32 per parcel.

6. The Clerk of the Board is hereby authorized and directed to file certified copies of the "Assessment Diagram, Assessment District No. 02-01-EARLIMART of the County of Tulare, State of California" with the County Recorder. The Clerk of the Board of Supervisors is also authorized and directed to execute and record in the office of the County Recorder a Notice of Assessment substantially in the form set out in Streets and Highways Code Section 3114(f).

7. Authorized the Auditor/Controller to establish the F. Y. 2002/03 budget for Assessment District No. 02-01-EARLIMART.

<u>Description</u>	<u>Account No.</u>	<u>Amount</u>
<b>Revenues:</b>		
1. Formation Fee	L16-L16-2000-6011	\$1,606
		Total = \$1,606
<b>Expenses:</b>		
1. Legal Notices & Publications	L16-L16-2000-2170	\$ 100
2. County Agencies Services	L16-L16-2000-3330	\$1,506
		Total = \$1,606

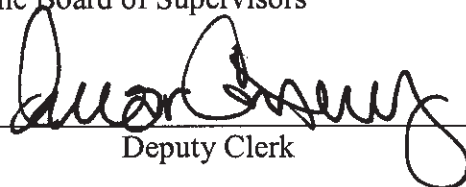
THE FOREGOING RESOLUTION was adopted upon motion of Supervisor Sanders, seconded by Supervisor Conway, at a regular meeting of the Board of Supervisors held on January 14, 2003, by the following vote:

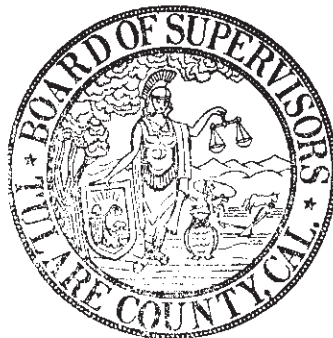
AYES: Supervisors Sanders, Conway, Worthley, Maples  
 NOES: None  
 ABSTAIN: None  
 ABSENT: None

RMA  
 CAO  
 Auditor

1-14-03  
 OG

ATTEST: JANET HOGAN  
 County Administrative Officer/Clerk  
 of the Board of Supervisors

By   
 Deputy Clerk



DD:mm - 12/20/02

County of Tulare  
Budget Adjustment Form

<b>EB</b>	<b>TB</b>	Trans. Date	m m d d y y	Doc ID	Period	fm fm fy fy	Budget F/Y
			12/23/02		06/03	06/03	02-03
Fund	Agency	Agency Name			Contact Ext		
L16	L16	RMA-L16 (02-01 EARLIMART)			SHERRY KELLER 733-6653 EXT 4156		
Act: A,C,D,T,F	Orgn	APPR #	*Object / Rev. Source Code	Description	Current Amount EB/RB	Revised Amount EB/RB	Inc / Dec Amt EB/RB/TB
A	2000		2170	LEGAL NOTICES & PUBLICATIONS	0	100	100
A	2000		3330	I/F EXP-SERV FROM OTHER DEPTS	0	1,506	1,506
2000	05033		3820	Conting (use to balance w/ approval)			
Total (TB's, EB's & RB's must be zero)					Sub-Total	1,606	1,606

<b>EB</b>	<b>RB</b>	Fund	Agency	Doc ID	Contact Ext		
		L16	L16		SHERRY KELLER 733-6653 EXT 4156		
Agency Name				RMA-L16 (02-01 EARLIMART)			
Act: A,C,D,T,F	Orgn	APPR #	*Object / Rev. Source Code	Description	Current Amount EB/RB	Revised Amount EB/RB	Inc / Dec Amt EB/RB/TB
A	2000		6011	FORMATION FEES	0	1,606	1,606
2000	05033		3820	Conting (use to balance w/ approval)			
Total (TB's, EB's & RB's must be zero)					Sub-Total	1,606	1,606

Reason for Adjustment (To Avoid Correspondence, State Reason in Detail)

**FORM BUDGET APPROPRIATIONS FOR NEW FUND/AGENCY/ORGN NUMBER.**

Receiving Dept Head _____	Billing Dept Head _____
Signature	Signature
Checked By: _____	Entered By: _____
County Executive Office Action: No. _____ Date: _____	Date: _____
( <input checked="" type="checkbox"/> ) Approved ( <input type="checkbox"/> ) Disapproved By: _____	Distribution: 1: BOS/CAO/Auditor
Board of Supervisors Action: No. <u>2003-34</u> Date: <u>1/14/03</u>	

\* Whenever a 33XX account budget is adjusted, a corresponding 67XX account revenue budget must be adjusted in the billing agency.  
 \* Whenever a 35XX account budget is adjusted, a corresponding 68XX account revenue budget must be adjusted in the billing agency.  
 \* Whenever a 36XX account budget is adjusted, a corresponding 39XX account revenue budget must be adjusted in the billing agency.  
 AUD 308 (Revised 7/30/01)