

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45

**BEFORE THE BOARD OF SUPERVISORS**

**COUNTY OF TULARE, STATE OF CALIFORNIA**

In the Matter of Adoption of a )  
Resolution of Intention to Order and )  
the Ordering of the Formation of )  
Assessment District NO. 04-754 ) RESOLUTION NO. 2004-0773  
OROSI of the County of Tulare, ) Agreement No. 22082  
State of California, Pursuant to the )  
Benefit Assessment Act of 1982. )

WHEREAS, the County of Tulare has conditionally approved the Tentative Map of Subdivision Tract No. 754 and has approved the Final Maps of Subdivision Tract Nos. 745 and 729; and

WHEREAS, this Board of Supervisors 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; and

WHEREAS, pursuant to Tulare County Ordinance Code Section 7-01-1375 et seq. and Condition No. 6 established by the Planning Commission in its Resolution No. 8009 approving the Tentative Map for Subdivision Tract No. 754, an assessment district is required to pay for the continuing cost of the maintenance of the storm drainage system and ponding lot dedicated by the Final Map of Subdivision Tract No. 754 and the Owner/Subdivider has filed an application for and consent to form such an assessment district; and

WHEREAS, the Board of Supervisors has declared, in Resolution No. 2004-0656, its intention to levy and collect assessments within Assessment District No. 04-754-OROSI of the County of Tulare, State of California, for Fiscal Year 2004/05 pursuant to the Benefit Assessment Act of 1982, Section 54703 et seq. of the Government Code, for the purpose of providing for the continuing cost of administration of the District and maintenance of the storm drainage system improvements to be dedicated by the Final Map of Subdivision Tract No. 754 and presently dedicated by the Final Maps of Subdivision Tract Nos. 745 and 729, and by said Resolution No. 2004-0656 has approved the Engineer's Report; and

WHEREAS, a public meeting and hearing have been held by the Board of Supervisors respectively on October 5, 2004 at 9:30 a.m. or thereafter and October 12, 2004 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 2004/05 for Assessment District No. 04-754-OROSI of the County of Tulare, State of California.

1  
2 NOW, THEREFORE, BE IT RESOLVED as follows:  
3

4 1. The Board of Supervisors hereby declares its intention to order the formation of an  
5 assessment district known as Assessment District No. 04-754-OROSI of the County of Tulare,  
6 State of California, to collect and levy assessments pursuant to the Benefit Assessment Act of  
7 1982, Section 54703 et seq. of the Government Code, for the purpose of providing for the  
8 continuing cost of maintenance of the District and maintenance of the storm drainage system  
9 improvements dedicated or to be dedicated by the Final Maps of Subdivision Tract Nos. 754 and  
10 729, which improvements are described as, and include but are not limited to, storm drain pipes,  
11 drainage inlets and a ponding basin.  
12

13 2. Assessment District No. 04-754-OROSI of the County of Tulare, State of California,  
14 shall include all the areas of the Final Maps of Subdivision Tract Nos. 754, 745 and 729 excepting  
15 the ponding lots, and is generally located on the north side of Ash Avenue, between Road 120 and  
16 Road 124, approximately 1/2 mile south of Avenue 416, in Orosi.  
17

18 3. The boundaries of Assessment District No. 04-754-OROSI of the County of Tulare,  
19 State of California, shall be those set out in the map labeled "Proposed Boundaries. Assessment  
20 District No. 04-754-OROSI of the County of Tulare, State of California" filed by the County  
21 Engineer with the Clerk of the Board of Supervisors, which map is hereby approved and confirmed  
22 without change.  
23

24 4. The assessment diagram labeled "Assessment Diagram, Assessment District No. 04-  
25 754-OROSI of the County of Tulare, State of California", filed with the Clerk of the Board is  
26 hereby approved by this Board of Supervisors and provides the boundaries of Assessment District  
27 No. 04-754-OROSI and any zones therein.  
28

29 5. Upon tabulation of the ballots received from the record owner of the property to be  
30 divided by Subdivision Tract No. 754 and the record owners within Subdivision Tract Nos. 745  
31 and 729, the Board of Supervisors finds that the number of "yes" votes exceed the number of "no"  
32 votes and hereby orders, pursuant to Section 5400 et seq. of the Government Code, the formation  
33 of Assessment District No. 04-754-OROSI of the County of Tulare, State of California, and the  
34 levy of the assessment set out in the "Assessment Diagram, Assessment District No. 04-754-  
35 OROSI of the County of Tulare, State of California" for the 2004/05 fiscal year.  
36

37 6. The assessment to be levied during the 2004/05 fiscal year to pay for the continuing cost  
38 of the maintenance of said improvements are those set out in the assessment diagram labeled  
39 "Assessment Diagram, Assessment District No. 04-754-OROSI of the County of Tulare, State of  
40 California" filed by the Engineer with the Clerk of the Board hereby approved and confirmed  
41 without changes to levy an assessment of \$23.82 per parcel.  
42

43 7. The assessment to be levied for the 2004/05 fiscal year under Paragraph No. 6 above  
44 shall be collected from the Owner/Subdivider of Tract No. 754 pursuant to an agreement in the

1 form attached hereto. The Chairman of the Board is hereby authorized to execute such agreement  
2 on behalf of the County.  
3

4 8. The Clerk of the Board is hereby authorized and directed to file certified copies of the  
5 map "Proposed Boundaries, Assessment District No. 04-754-OROSI of the County of Tulare,  
6 State of California" with the County Recorder and certified copies of the "Assessment Diagram,  
7 Assessment District No. 04-754-OROSI of the County of Tulare, State of California" with the  
8 County Recorder. The Clerk of the Board of Supervisors is also authorized and directed to execute  
9 and record in the office of the County Recorder a Notice of Assessment substantially in the form  
10 set out in Streets and Highways Code Section 3114(f).  
11

12 THE FOREGOING RESOLUTION was adopted upon motion of Supervisor Worthley,  
13 seconded by Supervisor Conway, at a regular meeting of the Board of Supervisors held  
14 on October 12, 2004, by the following vote:  
15

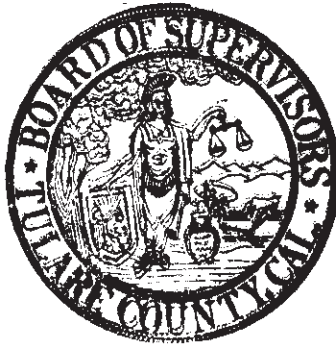
16 AYES: Supervisors Sanders, Conway, Moheno, Worthley and Maples

17 NOES: None

18 ABSTAIN: None

19 ABSENT: None  
20

21 ATTEST: C. BRIAN HADDIX  
22 County Administrative Officer/Clerk  
23 of the Board of Supervisors  
24



25 By Julia Davidson  
26 Deputy Clerk  
27  
28  
29  
30

31 rma  
32 cao  
33 aud  
34 recorder

35 10/12/04  
36 jd  
37  
38  
39  
40  
41  
42  
43  
44

45 CA:cc - 9/22/04

County of Tulare  
Budget Adjustment Form

<b>EB x</b>	<b>TB</b>	Trans. Date	m m d d y y	Doc ID	Acct Period	Budget F/Y	
			09/28/2004		04	04/05	
	FUND	AGENCY		AGENCY NAME		Contact	Ext
	L85	L85		Orosi Distr 04-754		L.DAVIS	4171
Act: A,C,D,T,F	ORGN	APPR UNIT #	*OBJT CODE	Description		Current Amount EB	Revised Amount EB
A	2000		2150	PROFESSIONAL & SPECIAL			500
A	2000		2170	LEGAL PUBLICATIONS			600
A	2000		3318	INTERFUND RMA ADMIN			500
A	2000		3330	INTER FUND AG COMM			200
A	2000		3554	INTERFUND ROADS DIVISION			656
	2000	05033	3820	Contingencies (use to balance w/ approval)			
Total (TB's & EB's must be zero)						2,456	2,456

	FUND	AGENCY	AGENCY NAME		Contact	Ext	
					L.DAVIS	4171	
<b>EB</b>	<b>RB</b>			Description		Current Amt EB/RB	Revised Amt EB/RB
Act: A,C,D	ORGN	APPR UNIT #	*RSRC/OBJT CODE				Inc/Dec Amt EB/RB
A	2000		6010	ASSESSMENT FEE			850
A	2000		6011	FORMATION FEE			1,606
Total (RB's must be zero)						2,456	2,456

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

SET UP BUDGET APPROVAL FOR THE FIRST YEAR OF OPERATIO OF THE NEW ASSESSMENT DISTRICT L85-L85-2000  
DISTR NO. 04-754 OROSI FOR FISCAL YEAR 04-05

Receiving Dept Head [Signature] 9/28/04  
Signature

Billing Dept Head \_\_\_\_\_  
Signature

Checked By: \_\_\_\_\_

Entered By: \_\_\_\_\_

County Executive Office Action: No. \_\_\_\_\_ Date: \_\_\_\_\_  
( ) Approved ( ) Disapproved By: \_\_\_\_\_

Date: \_\_\_\_\_  
Distribution: 1: BOS/CAO/Auditor

Board of Supervisors Action: No. 2004-0713 Date: 10/12/04