

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

IN THE MATTER OF FORMATION OF  
ASSESSMENT DISTRICT  
NO. 14-830-TRAVER

)  
) Resolution No. 2014-0736  
) Agreement No. 26823

UPON MOTION OF SUPERVISOR WORTHLEY, SECONDED BY  
SUPERVISOR ISHIDA, THE FOLLOWING WAS ADOPTED BY THE BOARD OF  
SUPERVISORS, AT AN OFFICIAL MEETING HELD OCTOBER 14, 2014, BY THE  
FOLLOWING VOTE:

AYES: SUPERVISORS ISHIDA, VANDER POEL, COX, WORTHLEY AND ENNIS.  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE



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

BY: *Daniel A. Ybarra*  
Deputy Clerk

1. Approved proceedings to form Assessment District No 14-830-TRAVER, to pay for storm drainage system maintenance costs within Subdivision Tract No. 830, located on the northwest corner of Canal and Jacob Drive in the community of Traver.
2. Approved the proposed Boundary Map and directed the Clerk of the Board to file certified copies with the County Recorder.
3. Approved the proposed Assessment Diagram and directed the Clerk of the Board to file certified copies with the County Recorder.
4. Approved the Engineer's Report.
5. Declared the Board's intention to levy and collect assessments.
6. Accepted the ballot and waiver of public meetings and hearings, including notice thereof, provided by the property owner.



7. Approved the formation of the Assessment District and imposition of assessments.
8. Approved the agreement authorizing David R. and Deborah J. Johnston, the James L. Merlo and Rhonda P. Merlo Family Trust under declaration of living trust dated April 27, 2011, the Harold D. Newton and Katherine M. Newton Trust dated September 2011 and Wawona Packing Company LLC, to collect the assessments for Fiscal Years 2014/2015 and 2015/2016 upon first conveyance of each lot;
9. Authorized the Chairman to sign the agreement.
10. Approved the AUD 308 form establishing a budget for the Assessment District.

RMA  
Co. Counsel

DAY  
10/15/14



## 5:31 PM

09/22/14									3/14			2015		
Date						Doc ID			APRD fm fm fy fy			Budget F/Y yy		
						Resource Management Agency			Sergio Cervantes (559) 624-7063					
						Agency Name			Contact Person	Phone	Ext			
Action* * A,C,D	Fund	Dept	APPR #						Current Amount	Revised Amount	Inc / Dec Amt			
A	L89	L89	L89INTRA					LEVEL 1 Finish Here	-	4,180	4,180			
Appropriation Totals This level may not balance due to revenue lines posted in level 2 below.														
Appropriations Total									-	4,180	4,180			
Action* * A,C,D	Fund	Dept	Appr #	Unit	Object	Rev		LEVEL 2 Start Here	Current Amt	Revised Amount	Inc / Dec Amt			
A	L89	L89	L89INTRA	2000	9306			Line Totals	-	400.00	400.00			
A	L89	L89	L89INTRA	2000	9315			Line Totals	-	200.00	200.00			
A	L89	L89	L89INTRA	2000	9327				-	1,490.00	1,490.00			
A	L89	L89		2000		5402			-	2,090.00	(2,090.00)			
											-			
											-			
											-			
											-			
											-			
											-			
											-			
											-			
											-			
											-			
Each fund must balance								Total Inc/Dec must be zero	\$ -	\$ 4,180	\$ -			
Reason for Adjustment (To Avoid Correspondence, State Reason in Detail)								Perform a SMART BUDGET ROLL-UP before VALIDATING.						
New fund setup for (Traver L89) Assesment District No. 14-830-TRAVER.														
Checked By:								Entered By:						
County Executive Office Action: No. _____ Date: _____								Date: _____						
(X) Approved ( ) Disapproved								Distribution: 1: BOS/CAO/Auditor						
By: Denise A. Ybarra														
Board of Supervisors Action: No. 2014-0736 Date: 10/14/14														
** Action Codes: A=Add, C=Change, D=Deactivate														
* Whenever a 93XX account budget is adjusted, a corresponding 94XX account budget must be adjusted in the billing agency, and vice versa														
* Whenever a 95XX account budget is adjusted, a corresponding 96XX account budget must be adjusted in the billing agency, and vice versa														





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

**BOARD OF SUPERVISORS**

ALLEN ISHIDA  
District One

PETE VANDER POEL  
District Two

PHILLIP A. COX  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** October 14, 2014

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010

**SUBJECT:** Formation of Assessment District No. 14-830-TRAVER

**REQUEST(S):**

That the Board of Supervisors:

1. Approve proceedings to form Assessment District No. 14-830-TRAVER, to pay for storm drainage system maintenance within Subdivision Tract No. 830, located on the northwest corner of Canal and Jacob Drive in the community of Traver;
2. Approve the proposed Boundary Map and direct the Clerk of the Board to file certified copies with the County Recorder;
3. Approve the proposed Assessment Diagram and direct the Clerk of the Board to file certified copies with the County Recorder;
4. Approve the Engineer's Report;
5. Declare the Board's intention to levy and collect assessments;
6. Accept the ballot and waiver of public meetings and hearings, including notice thereof, provided by the property owner;
7. Approve the formation of the Assessment District and imposition of assessments;
8. Approve the agreement authorizing David R. and Deborah J. Johnston, the James L. Merlo and Rhonda P. Merlo Family Trust under declaration of living trust dated April 27, 2011, the Harold D. Newton and Katherine M. Newton Trust dated September 2011 and Wawona Packing Company LLC, to collect the assessments for Fiscal Years 2014/2015 and 2015/2016 upon first conveyance of each lot;
9. Authorize the Chairman to sign the agreement; and
10. Approve the AUD 308 form establishing a budget for the Assessment District.

**SUBJECT:** Formation of Assessment District No. 14-830-TRAVER  
**DATE:** October 14, 2014

**SUMMARY:**

On December 7, 1993, the Board of Supervisors adopted Resolution No. 93-1375 requiring the formation of an assessment district for the maintenance of drainage systems resulting from land division and/or development activities. Planning Commission Resolution No. 8949, approving the tentative map for Subdivision Tract No. 830, required the formation of a storm drainage maintenance assessment district as a condition precedent to the recordation of the Final Map for Subdivision Tract No. 830. 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 storm drainage system. The subdivider, Self Help Enterprises Builders, has requested the County form an assessment district to pay for maintenance of the storm drainage system serving Subdivision Tract No. 830.

Subdivision Tract No. 830 consists of 2.29 acres divided into 11 residential lots. The subdivision is scheduled to be constructed in one phase.

Construction cost of the drainage system improvements will be borne by the subdivider of Subdivision Tract No. 830. The cost of maintaining these improvements and administering this assessment district is proposed to be provided by assessing the 11 residential lots. The budget for the first year is reflected in the AUD 308 form (Attachment H). Based on the cost of providing these services, each of the 11 assessable lots within Subdivision Tract No. 830, will be assessed an annual fee of \$263. A Consumer Price Index adjustment to cover inflationary costs, based on the increase in cost of goods and services as determined by the U.S. Department of Labor, Bureau of Labor Statistics, is included in the annual increases to each parcel and will not require an election or approval by the owners of the assessed lots.

The property owner(s) have executed the Assessment Ballot and Waiver of Public Meeting and Hearing requesting that the Tulare County Board of Supervisors proceed, without further meeting or hearing, with the immediate formation of the proposed Tulare County Assessment District No. 14-830-TRAVER and the imposition of assessments to cover the costs of maintaining the storm drainage system. County Counsel prepared the ballot waiving the public meeting, hearing, including notice of the associated resolution forming the assessment district and imposition of assessments.

**FISCAL IMPACT/FINANCING:**

There are no additional net County costs to the General Fund. All costs for engineering, district supervision and maintenance of the new storm drainage system are funded by the assessment district. No direct cost to the County is incurred as the subdivider has paid a fee of \$2,090 for the formation of this assessment district.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year strategic plan includes a Safety and Security initiative to provide for the safety and security of the public. The formation of this assessment

**SUBJECT:** Formation of Assessment District No. 14-830-TRAVER  
**DATE:** October 14, 2014

district helps fulfill this initiative by ensuring and maintaining adequate storm drainage systems for the safety and protection of the public.

**ADMINISTRATIVE SIGN-OFF:**

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Michael R Bond, P.E.                      Date  
Interim Assistant Director-Public Works  
County Surveyor

---

Michael C. Spata                      Date  
Associate Director

MS:MB:cm

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

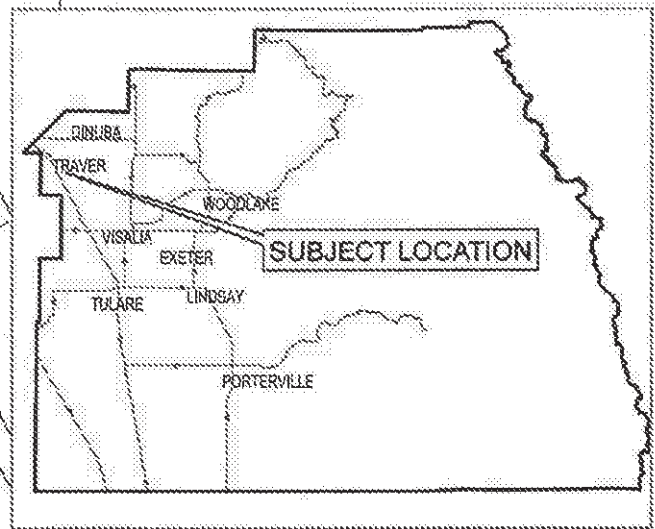
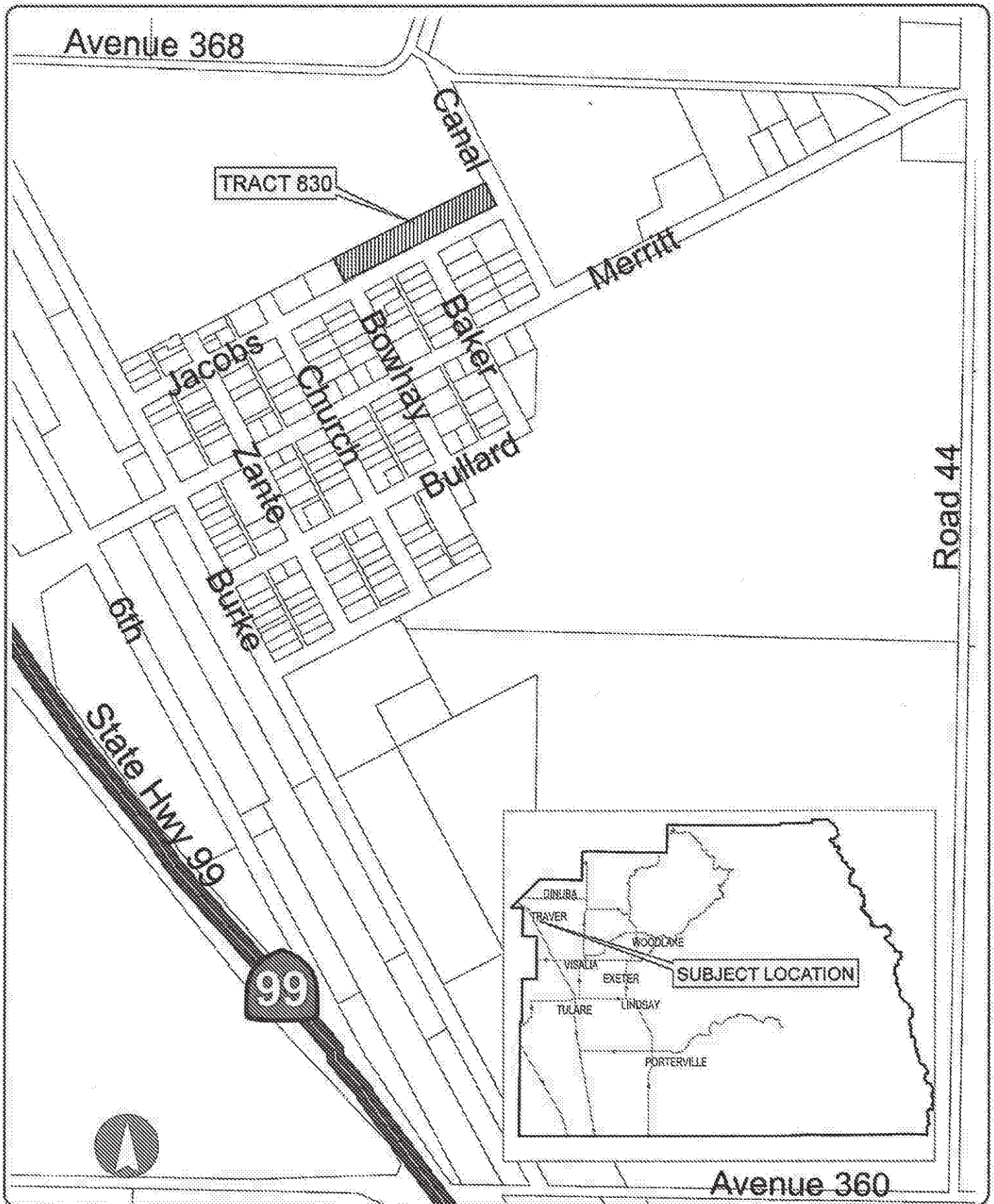
Attachment(s): Attachment A - Vicinity Map  
Attachment B – Proposed Boundaries  
Attachment C - Assessment Diagram  
Attachment D - Engineer's Report  
Attachment E - Assessment Ballot Waiver  
Attachment F - Notice of Assessment  
Attachment G - Agreement to Collect Assessments  
Attachment H - AUD 308

IN THE MATTER OF FORMATION OF )  
ASSESSMENT DISTRICT ) Resolution No. \_\_\_\_\_  
NO. 14-830-TRAVER )

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3. Approved the proposed Assessment Diagram and directed the Clerk of the Board to file certified copies with the County Recorder;
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5. Declared the Board's intention to levy and collect assessments;
6. Accepted the ballot and waiver of public meetings and hearings, including notice thereof, provided by the property owner;
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9. Authorized the Chairman to sign the agreement; and
10. Approved the AUD 308 form establishing a budget for the Assessment District.

## **Attachment A – Vicinity Map**





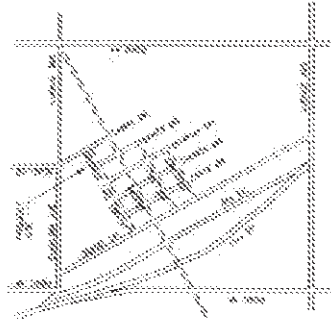
Avenue 360

**Attachment B – Proposed Boundaries**

**(on file with Clerk of the Board)**



ASSESSMENT DISTRICT NO. 14--830 TRAYER  
OF THE COUNTY OF TULARE,  
STATE OF CALIFORNIA

[illegible]

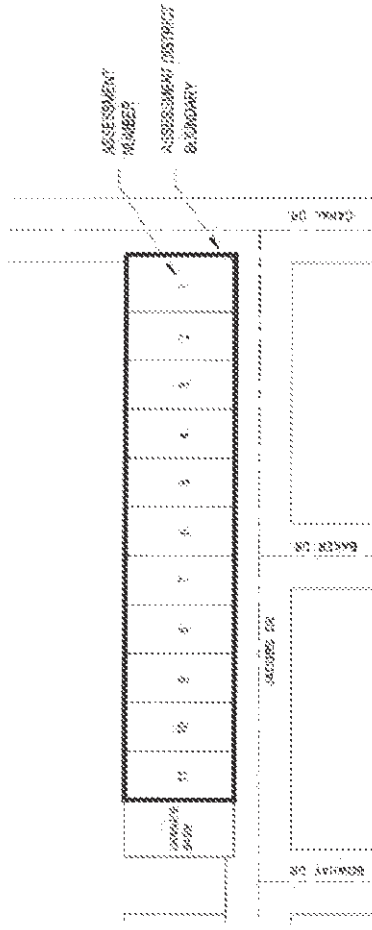
2020-11-11

Entered this \_\_\_\_\_ day of \_\_\_\_\_, 2014, at the time of \_\_\_\_\_ of \_\_\_\_\_ of Maps of Assessment and Community Services District \_\_\_\_\_ at \_\_\_\_\_, in the office of the County Recorder of Deeds, \_\_\_\_\_ of Colorado.

[illegible]

.....

1987 ONLY



~~SECRET~~

PROPOSED BOUNDARIES  
NOT TO SCALE

[illegible][illegible]

.....

*(Signature)*

THE UNIVERSITY OF THE SOUTH ALABAMA

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**Attachment C – Assessment Diagram**

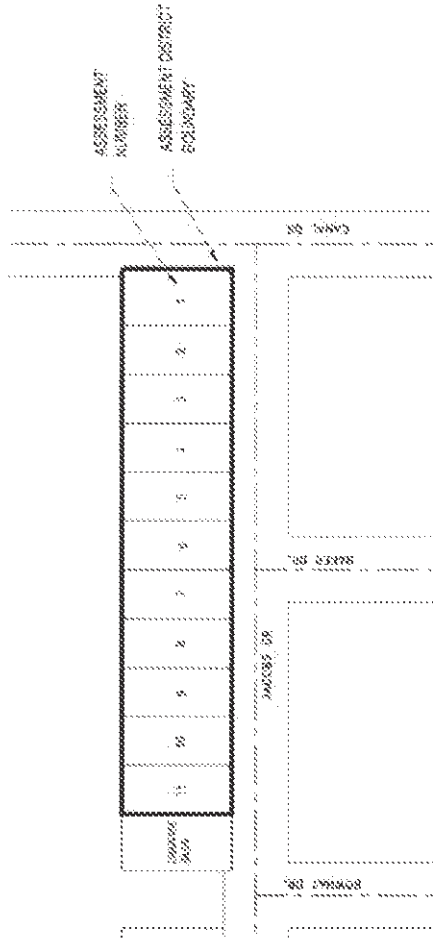
**(on file with Clerk of the Board)**



# ASSESSMENT DIAGRAM

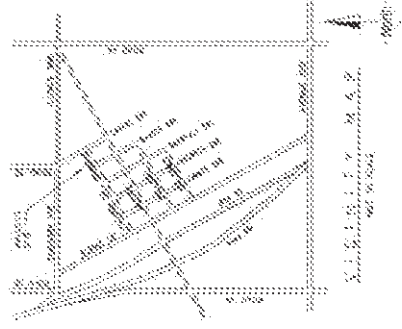
ASSESSMENT DISTRICT NO. 14-830 TRAYER  
OF THE COUNTY OF TULARE.  
STATE OF CALIFORNIA

BEING A PORTION OF PARCELS 1 OF PARCELS MAP NO. 174 REC. IN BOOK 216 FOLIO 22  
MAPS AS MADE BY L.C.A. STUBBS IN A PORTION OF THE N. 1/2 OF THE N. 1/2 OF  
SECTION 16 TOWNSHIP 17 NORTH RANGE 23 EAST MOUNT Diablo Range & NE 1/4 SEC 16  
THE COUNTY OF TULARE STATE OF CALIFORNIA.



# ASSESSMENT DIAGRAM

NOT TO SCALE



Filed in the office of the Clerk of the Board of Supervisors, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

*John E. [Signature]*  
Clerk of Transportation

Filed this \_\_\_\_\_ day of \_\_\_\_\_, 2014, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m.  
in Book \_\_\_\_\_ of Maps of Assessment and Community Facilities Districts  
in 0000 \_\_\_\_\_ in the office of the County Recorder at the County of Tulare, State of  
California.

REC. NUMBER: \_\_\_\_\_ REC. FID: \_\_\_\_\_  
ROLAND P. MILL  
TULARE COUNTY ASSESSOR-CLERK-RECORDER

BY \_\_\_\_\_  
DEPUTY

An assessment was levied by the Board of Supervisors on the fee, piece, and parcel of land shown  
on this Assessment Diagram.  
The assessment was levied on the \_\_\_\_\_ day of \_\_\_\_\_, 2014, the Assessment Diagram and the  
Assessment Roll were filed in the office of the Director of Transportation of this county on  
the \_\_\_\_\_ day of \_\_\_\_\_, 2014.  
Reference is made to the Assessment Roll filed in the office of the Director of Transportation for the  
entire amount of each assessed parcel against each parcel of land shown on this Assessment  
Diagram.

JEAN M. ROUSSEAU, COUNTY ADMINISTRATIVE  
OFFICER-CLERK OF THE BOARD OF SUPERVISORS

BY \_\_\_\_\_  
DEPUTY

Filed in the office of the Clerk of the Board of Supervisors,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2014.  
JEAN M. ROUSSEAU, COUNTY ADMINISTRATIVE  
OFFICER-CLERK OF THE BOARD OF SUPERVISORS

BY \_\_\_\_\_  
DEPUTY

## **Attachment D – Engineer's Report**



# ENGINEER'S REPORT

IN THE MATTER OF FORMATION OF  
COUNTY OF TULARE  
ASSESSMENT DISTRICT NO. 14-830-TRAVER

Michael R. Bond, P.E.  
Interim Assistant Director – Public Works  
County Surveyor

Tulare County, Resource Management Agency

## ENGINEER'S REPORT

### ASSESSMENT DISTRICT NO. 14-830-TRAVER

#### I. GENERAL

The Tulare County Board of Supervisors has directed, in Board 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 operation and maintenance of the drainage system. resulting from activities. The Sub-divider (Self-Help Enterprises) of Subdivision Tract No. 830 has is requesting that that requested the County form an assessment district to pay for maintenance of the drainage system serving Subdivision Tract No. 830. The Benefit Assessment Act of 1982, Section 54703 et seq. of the Government Code, provides for formation of assessment districts to fund the maintenance of drainage systems.

Subdivision systems. Subdivision Tract No. 830 is a division of 2.92 acres into eleven (11) residential lots and aone (1) ponding lot designated as a ponding basin. The subdivision is located just north-eastwest of the intersection of CanalBowhay Dr. and Jacobs Drive ofin the community of Traver.

Construction costs of the storm drainage improvements will be borne by the subdivider of Subdivision Tract No. 830. The cost of maintaining these improvements and administering this assessment district is proposed to be provided for by assessing the eleven (11) residential lots in the subdivision.

The Benefit Assessment Act of 1982, Section 54703 et seq. of the Government Code, provides for formation of assessment districts to fund the maintenance of drainage systems.

#### II. IMPROVEMENTS

Drainage system improvements to be maintained under this assessment district include a storm drain system consisting of 125 L.F. of pipe, one (1) drainage inlet, two (2) manholes and one (1)a ponding basin. The cost, to be paid for by Self-Help Enterprises to construct the storm drainage improvements is estimated to be at \$22,000 which will be paid by the subdivider, Self-Help Enterprises.

#### III. FORMULA FOR INFLATION ADJUSTMENT

The annual assessments starting with assessments for the beginning in the 2014/2015 fiscal year, and each fiscal year thereafter, shall be adjusted for inflation according to the following formula: The Consumer Price Index [Urban Wage Earners and Clerical Workers for the Los Angeles-Anaheim-Riverside CSMA] published by the United States Department of Labor, Bureau of Labor Statistics (the "Index"), which will be published for the first six months of the 2014/2015 fiscal year. and eEachyear. Each fiscal year thereafter shall be compared to the Index published for the same period in the prior fiscal year. If the Index of the last fiscal year has increased over the Index of the prior fiscal year, the assessment for the coming fiscal year shall be set by multiplying the assessment amount, as previously adjusted by this formula, imposed in the last fiscal year by a fraction, the numerator of which is the Index of the last fiscal year and the denominator of which is the Index of the prior fiscal year.

## ENGINEER'S REPORT

### ASSESSMENT DISTRICT NO. 14-830-TRAVER

If the Index is changed so that base year differs from that used for Index period of the prior fiscal year most immediately proceedingpreceding the Index period for the last fiscal year, the Index shall be converted in accordance with the conversion factor published by the United States Department of Labor, Bureau of Labor Statistics.

If the Index is discontinued or revised during the Index period of any fiscal year, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if the Index had not been discontinued or revised.

This formula for inflation adjustment shall provide a progressive adjustment resulting in increased maximum annual assessments to cover increased costs due to inflation.

#### IV. BENEFIT ANALYSIS

There is special benefit to the lots, or parcels, assessed, as opposed to a general benefit to the public at large,. to the lots or parcels assessed Each lot within this assessment district receives the special benefit of a storm water drainage system providing storage for excess water runoff which may also prevent flooding within the subdivision boundary. provided by the public drainage improvements because such improvements provide drainage benefits to each lot within the subdivision boundary. The services described above will only serve the lots within the proposed assessment district and only those properties within subdivision Tract No.14-830 will receive benefits. All lots or parcels within the assessment district receive such this special benefit equally.

#### V. ESTIMATE OF EXPENSES

The proposed assessment is to provide a method for all parcels benefiting from the storm drainage services to pay their proportional share of the cost of providing those services. The County, as the tax levying and collecting agency, will fix the assessments each fiscal year on the tax rolls on parcels within the proposed storm drainage assessment district receiving the special benefit. Penalties will be assessed for delinquent payments as well as non-payment. Operation and maintenance expenses, as well as the expense to administer the district are included in the annual assessment.

For a detailed breakdown of estimated costs to maintain the proposed storm drainage district please improvements and administer the assessment district, refer to page 5 of Attachment D.

The estimated annual assessment of \$263.00 is for the 2014/2015 fiscal year. The assessments for each fiscal year thereafter shall be revised according to the formula for inflation adjustment set out in Section III for the 2014/2015 fiscal year and each fiscal year thereafter.



## ENGINEER'S REPORT

### ASSESSMENT DISTRICT NO. 14-830-TRAVER

#### VI. ASSESSMENT

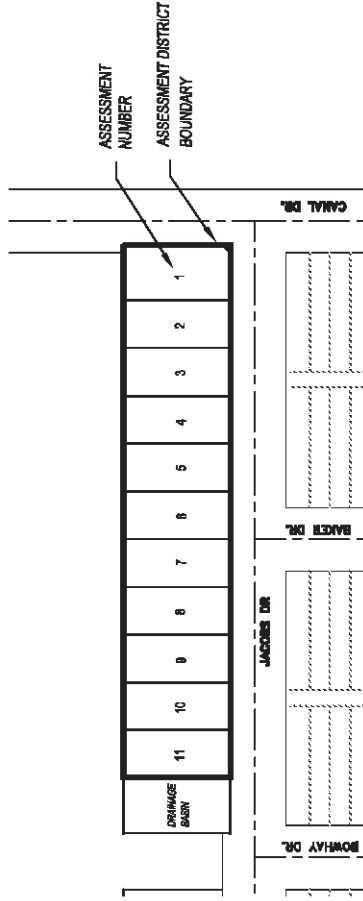
It is recommended that each of the 11 lots be assessed equally an amount of \$263.00 for fiscal year 2014/2015 as identified on the following assessment roll.

Assessment Number *	Name	Assessment (\$)
1	Self-Help Enterprises	263.00
2	Self-Help Enterprises	263.00
3	Self-Help Enterprises	263.00
4	Self-Help Enterprises	263.00
5	Self-Help Enterprises	263.00
6	Self-Help Enterprises	263.00
7	Self-Help Enterprises	263.00
8	Self-Help Enterprises	263.00
9	Self-Help Enterprises	263.00
10	Self-Help Enterprises	263.00
11	Self-Help Enterprises	263.00

\*Assessment numbers shown, refer to Proposed Boundaries Diagram, correspond to lot numbers on the final map of Tract No. 830. These numbers will be replaced with corresponding assessor's parcel numbers once issued after recordation of the final map.

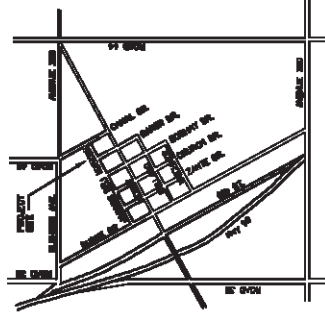
ASSESSMENT DISTRICT NO. 14-830 TRAVER  
OF THE COUNTY OF TULARE,  
STATE OF CALIFORNIA

BEING A PORTION OF PARCEL 1 OF PARCEL MAP No. 174, REC. IN BOOK 2 OF PARCEL MAPS AT PAGE 74, T.C.R., SITUATED IN A PORTION OF THE N 1/2 OF SECTION 18, TOWNSHIP 17 SOUTH, RANGE 23 EAST, MOUNT DIABLO BASE & MERIDIAN IN THE COUNTY OF TULARE, STATE OF CALIFORNIA.



## PROPOSED BOUNDARIES

**NOT TO SCALE**



Filed this \_\_\_\_\_ day of \_\_\_\_\_, 2014, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ m.  
in book \_\_\_\_\_ of Maps of Assessment and Community Facilities Districts  
at page \_\_\_\_\_, in the office of the county recorder in the County of Tulare,  
State of California.

DOC. NUMBER: \_\_\_\_\_ FEE PAID: \_\_\_\_\_  
ROLAND P. HILL,  
TULARE COUNTY ASSESSOR/CLERK-RECORDER

BY \_\_\_\_\_ DEPUTY

I hereby certify that the within map showing proposed boundaries of Assessment District No. 14-830 Traver, of the County of Tulare, State of California, was approved by the Board of Supervisors of the County of Tulare at a regular meeting thereof, held on the \_\_\_\_ day of \_\_\_\_\_, 2014, by its Resolution No. \_\_\_\_\_.

**JEAN M. ROUSSEAU, COUNTY ADMINISTRATIVE  
OFFICER/CLERK OF THE BOARD OF SUPERVISORS**

BY \_\_\_\_\_  
DEPUTY

Filed In the office of the Clerk of the Board of Supervisors,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**JEAN M. ROUSSEAU, COUNTY ADMINISTRATIVE  
OFFICER/CLERK OF THE BOARD OF SUPERVISORS**

BY \_\_\_\_\_  
DEPUTY

14-830 - TRAYER (L89) STORM DRAINAGE BUDGET, TRACT MAP 830

		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
		2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034
EXPENSES																					
7043	Prof & Special Services																				
	Weed Control/Abatement	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960	\$ 960
	Mosquito Abatement	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250	250
	Fence Repair	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40
	Minor Repair: Pipe, Storm Drain Inlet, Manhole	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75	75
	Replacement: Pipe, Storm Drain Inlet, Manhole	125	125	125	125	125	125	125	125	125	125	125	125	125	125	125	125	125	125	125	125
	Pipe Inlet Clean-up (Hydro-flush)	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50	50
	Debris Pick-up	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30
	Contingency (10%)	153	153	153	153	153	153	153	153	153	153	153	153	153	153	153	153	153	153	153	153
Improvements, year # 1, Total \$1683																					
9327	Roads Labor																				
	Engineer III	224	224	224	224	224	224	224	224	224	224	224	224	224	224	224	224	224	224	224	224
	Star Service Analyst III	183	183	183	183	183	183	183	183	183	183	183	183	183	183	183	183	183	183	183	183
	Engineer IV	150	150	150	150	150	150	150	150	150	150	150	150	150	150	150	150	150	150	150	150
	Contingency (10%)	56	56	56	56	56	56	56	56	56	56	56	56	56	56	56	56	56	56	56	56
9306	RMA Administration	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100
9316	Service from Others																				
	County Counsel - Proposal/Contract Review	60	60	60	60	60	60	60	60	60	60	60	60	60	60	60	60	60	60	60	60
	Risk Management	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20	20
7059	Assessor's Fees (\$500 - \$3/parcel)	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333	333
9321	Publications and Legal Notices	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25
9322	Mail	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25	25
Management, year #1, Total \$1,700																					
TOTAL EXPENSE (present worth): \$ 2,894																					
TOTAL EXPENSE (future value, CPI = 2% / year): \$ 2,941																					
REVENUE																					
5401	Assessment & Tax Collection Fees																				
	Annual Assessment, 11 lots, (CPI = 2% / year): \$ 2,893																				
ASSESSMENT BALANCE: \$ 2,893																					
4801	Interest on Cash Balance (2 %)																				
ASSESSMENT LESS EXPENSE:																					
FUND BALANCE:																					

PER LOT ANNUAL DRAINAGE MAINTENANCE ASSESSMENT: \$ 2,893 / 11 LOTS = \$ 263.00, PER LOT, FISCAL YEAR # 1. SUBSEQUENT FISCAL YEAR ASSESSMENTS TO BE ADJUSTED FOR INFLATION.



## **Attachment E – Assessment Ballot Waiver**

**COUNTY OF TULARE  
ASSESSMENT DISTRICT NO. 14-830-TRAVER  
STORM DRAINAGE MAINTENANCE ASSESSMENT**

**ASSESSMENT BALLOT  
and  
WAIVER OF PUBLIC MEETING AND HEARING  
INCLUDING NOTICE THEREOF**

Property Owner: David R. and Deborah J Johnston, James L. and Rhonda P. Merlo  
(CO TRS) (LIV TR), Harold D. and Katherine M. Newton (TRS), and  
Wawona Packing Co, LLC. (collectively "Property Owner")

Mailing Address: Jim James L. Merlo (representative for all notices)  
492 N. Alta Ave.  
Dinuba, CA 93618-1510

Location of Parcels to be assessed: Tract Map 830 on the North West corner of  
Canal and Jacobs Drive in the community of  
Traver

Assessor's Parcel Numbers: See attached Schedule  
Assessment Amounts: See attached Schedule

Whereas, the Property Owner declares and acknowledges that it is the sole owner  
of all properties and parcels within Tulare County Subdivision Map No. 830; and

Whereas, the Property Owner declares and acknowledges that, as the Owner of  
the parcels to be established upon the recordation of the Final Map of Tulare County  
Subdivision Map No. 830, the Property Owner is entitled, pursuant to Article XIIID, §4 of  
the California Constitution and Government Code Sections 53753 and 54954.6, to a  
public meeting and a public hearing, including mailed notice thereof, before the Tulare  
County Board of Supervisors establishes an assessment district and imposes annual  
assessments pursuant to the benefit Assessment Act of 1982, Government Code  
section 54700 et seq., for the purpose of recovering the County of Tulare's costs to  
maintain storm drainage improvements dedicated or deeded to the County of Tulare to  
serve all of the properties within such subdivision;

NOW, THEREFORE, THE PROPERTY OWNER declares as follows:

1. For its own purposes, good cause and consideration to the Property Owner  
and its successors-in-interest, the Property Owner hereby waives its rights and  
entitlements to the public meetings, public hearings and the notice therefore described  
above; and

2. The Property Owner requests that the Tulare County Board of Supervisors  
proceed, without further meeting or hearing, with the immediate formation of the  
proposed Tulare County Assessment District No. 14-830-TRAVER and the imposition of  
to pay for the continuing cost of the maintenance of the storm drainage system and

ponding lot as more fully described in the Tulare County Engineer's report on this matter filed with the Clerk of the Board of Supervisors on \_\_\_\_\_;

3. The Property Owner hereby waives its rights and the rights of any of its successors-in-interest to challenge, on any grounds now known or unknown or which may become known in the future, the formation of Tulare County Assessment District No. 14-830-TRAVER, the imposition of the assessments as set out in the Engineer's Report filed on this matter with the Clerk of the Board of Supervisors on \_\_\_\_\_, or any proceedings connected therewith and the Property Owner will advise any and all of its successors-in-interest of this waiver.

4. The Property Owner, pursuant to Article XIIID, §4 of the California Constitution, hereby vote by ballot on the formation of the assessment district and the imposition of the assessment as follows (please check one):

  X   **Yes**, I approve of and agree to the formation of Tulare County Assessment District No. 14-830-TRAVER and the imposition of the annual assessments as set out in the schedules attached hereto on each of the above referenced parcels. I also approve of and agree to the imposition, for each fiscal year hereafter, of the following annual adjustment factor on the annual assessment: Adjustment in accordance with the Consumer Price Index [Urban Wage Earners and Clerical Workers for the Los Angeles-Anaheim-Riverside CSMA] or any successor index published by the United States Department of Labor, Bureau of Labor Statistics as set out in the Engineer's Report for this Assessment District filed with the Tulare County Clerk of the Board on \_\_\_\_\_.

       **No**, I object to the formation of Tulare County Assessment District No. 14-830-TRAVER and I do not approve of the imposition of an annual assessment with an annual adjustment factor.

5. The Property Owner hereby agree that this document may be recorded by the County of Tulare as a document effecting property interests in the properties and parcels established upon the recordation of the final map for of Tulare County Subdivision Map No. 830.

Under penalty of perjury, the undersigned declares that he is acting on behalf of the Property Owner first listed above, that he is authorized to make the statements, declarations, commitments and waivers set out above on behalf of the Property Owner and its successors-in-interest, and that such statements, declarations, commitments and waivers are true and correct.

SIGNATURE PAGE FOLLOWS



PROPERTY OWNER:

James L. Merlo 8-27-14  
Date

Rhonda P. Merlo 8-27-14  
Date

David R. Johnston 8/27/14  
Date

Deborah J. Johnston 8/27/14  
Date

Harold D. Newton  
Date

Katherine M. Newton  
Date

Wawona Packing Co., LLC 8/27/14  
Date

(Please sign and then print under the signature the name of each owner of record or, in the case of a property owned by non-individual, the authorized representative of the property owner. In the case of authorized representative, please attach proof of authorization.)

**Return this Ballot to:**

Tulare County RMA  
Attn: Mike Bond, P.E.  
5961 So. Mooney Blvd.  
Visalia, CA 93277

STORM DRAINAGE MAINTENANCE ASSESSMENT DISTRICT  
NO. 14-830-TRAVER  
FISCAL YEAR 2014/2015 AND EACH FISCAL YEAR THEREAFTER  
AS ADJUSTED BY THE FORMULA FOR INFLATION SET OUT IN THE ENGINEER'S REPORT

<u>Assessment Number*</u>	<u>Owners Name</u>	<u>Assessment (\$)</u>
1	Property Owner <sup>1</sup>	\$ 263.00
2	Property Owner <sup>1</sup>	\$ 263.00
3	Property Owner <sup>1</sup>	\$ 263.00
4	Property Owner <sup>1</sup>	\$ 263.00
5	Property Owner <sup>1</sup>	\$ 263.00
6	Property Owner <sup>1</sup>	\$ 263.00
7	Property Owner <sup>1</sup>	\$ 263.00
8	Property Owner <sup>1</sup>	\$ 263.00
9	Property Owner <sup>1</sup>	\$ 263.00
10	Property Owner <sup>1</sup>	\$ 263.00
11	Property Owner <sup>1</sup>	\$ 263.00

<sup>1</sup>Property Owner refers to David R. and Deborah J Johnston, James L. and Rhonda P. Merlo (CO TRS) (LIV TR), Harold D. and Katherine M. Newton (TRS), and Wawona Packing Co, LLC. (collectively "Property Owner")

\* Assessment numbers shown correspond to lot numbers on the final map off Tract No. 830. These numbers will be replaced with corresponding assessor's parcel numbers once issued after recordation of the final map.

## **Attachment F – Notice of Assessment**



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9 Recording Requested by  
10 And return to:  
11 Resource Management Agency  
12 Attention: Craig Anderson  
13

14 NOTICE OF ASSESSMENT  
15

16 Pursuant to the Benefit Assessment Act of 1982, Section 54700 et seq., of the  
17 Government Code, the undersigned Clerk of the Board of Supervisors of the County of Tulare,  
18 State of California, hereby gives notice that an assessment diagram and assessment were filed in  
19 the office of the Director of Transportation of the County of Tulare relating to the following  
20 described real property:  
21

22 Assessment Diagram of Assessment District No. 14-830-TRAVER, of the  
23 County of Tulare, State of California as recorded in Book \_\_\_\_\_ of \_\_\_\_\_ Maps  
24 of Assessment and Community Facilities Districts at Page \_\_\_\_\_, in the Office  
25 of the County Recorder of the County of Tulare, State of California.  
26

27 Notice is further given that upon the recording of this notice in the Office of the County  
28 Recorder, the several assessments assessed on the lots, pieces, and parcels shown on the filed  
29 assessment diagram shall become a lien upon the lots or portions of lots assessed, respectively.  
30

31 Reference is made to the assessment diagram and assessment roll filed in the Office of the  
32 Director of Transportation of Tulare County and entitled "Assessment Diagram", Assessment  
33 District No. 14-830-TRAVER of the County of Tulare, State of California.  
34

35  
36 ATTEST: JEAN M. ROUSSEAU  
37 County Administrative Officer/Clerk  
38 of the Board of Supervisors  
39

40  
41 By \_\_\_\_\_  
42 Deputy Clerk  
43  
44  
45

## **Attachment G – Agreement to Collect Assessments**

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AGREEMENT

THE AGREEMENT, is entered into as of \_\_\_\_\_, between the COUNTY OF TULARE, hereinafter referred to as COUNTY, and David R. and Deborah J. Johnston, James L. and Rhonda P. Merlo (CO TRS) (LIV TR), Harold D. and Katherine M. Newton (TRS) and Wawona Packing Co. LLC., hereinafter collectively referred to as OWNER/SUBDIVIDER, with reference to the following:

A. The COUNTY has conditionally approved the Tentative Map of Subdivision Tract No. 830; and

B. The OWNER/SUBDIVIDER currently owns the property described as Subdivision Tract No. 830; and

C. The COUNTY Board of Supervisors has directed, in Board 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

D. Pursuant to COUNTY Ordinance Code Section 7-01-1375 et seq. and Condition No. B7 established by COUNTY Planning Commission Resolution No. 8949, approving the Tentative Subdivision Map for Tract No. 830, 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. 830 and the OWNER/SUBDIVIDER of Tract No. 830 has filed an application for and consent to form such an assessment district; and

E. The OWNER/SUBDIVIDER has consented to pay the continuing cost to maintain these storm drainage system improvements through an assessment district and the COUNTY Board of Supervisors has by Resolution No. \_\_\_\_\_ formed an assessment district known as Assessment District No. 14-830-TRAVER of the County of Tulare, State of California for that purpose.

ACCORDINGLY, IT IS AGREED:

1. OWNER/SUBDIVIDER agrees to pay in full the assessments approved and levied by the COUNTY Board of Supervisors Resolution No. \_\_\_\_\_ upon first conveyance of each lot or parcel subject to such assessments or by June 30, 2016, whichever first occurs.

2. To secure such payment of such assessments, the COUNTY has or will cause to be recorded a Notice of Assessment, imposing a lien for such assessments, and an assessment diagram to be filed in accordance with Streets and Highways Code Section 3114. Upon payment in full of each assessment, the COUNTY shall cause the County Treasurer to record pursuant to Streets and Highways Code Section 3114.3 an addendum to such Notice of Assessment stating that the assessment has been paid and the associated lien discharge as to that particular lot or parcel.

TULARE COUNTY AGREEMENT NO. \_\_\_\_\_

1 3. OWNER/SUBDIVIDER shall maintain complete and accurate records with  
2 respect to the conveyance of lots or parcels subject to the Agreement and with respect to the  
3 assessments due under this Agreement. All such records shall be prepared in accordance with  
4 generally accepted accounting procedures, shall be clearly identified, and shall be kept readily  
5 accessible. Upon request, OWNER/SUBDIVIDER shall make such records available to the  
6 COUNTY Auditor and to his agents and representatives within the COUNTY, for the purpose  
7 of auditing and/or copying such records, until final payment is made under this Agreement.  
8

9 4. Nothing in the Agreement shall be construed to constitute the  
10 OWNER/SUBDIVIDER or any of its agents, employees or officers as an agent, employee or  
11 officer of COUNTY.  
12

13 5. This Agreement represents the entire agreement between  
14 OWNER/SUBDIVIDER and COUNTY as to its subject matter and no prior oral or written  
15 understanding shall be of any force or effect. No part of this Agreement may be modified,  
16 waived or repealed without the written consent of both parties.  
17

18 6. Except as may be otherwise required by law, any notice to be given shall be  
19 written and shall be either personally delivered, sent by facsimile transmission or sent by first  
20 class mail, postage prepaid and addressed as follows:  
21

22  
23 COUNTY: Jake Raper, Director  
24 Tulare County Resource Management Agency  
25 5961 S. Mooney Blvd.  
26 Visalia, CA 93277  
27

28 (FAX No.: (559) 730-2653 / Confirming No.: (559) 624-7000)  
29

30  
31 OWNER/SUBDIVIDER: Self-Help Enterprises  
32 8445 West Elowin Court  
33 Visalia, CA 93291  
34 (559) 651-1000  
35  
36  
37

38 Notice delivered personally or sent by facsimile transmission is deemed to be  
39 received upon receipt. Notice sent by first class mail shall be deemed received on the fourth  
40 day after the date of mailing. Either party may change the above address or fax number by  
41 giving written notice pursuant to this paragraph.  
42

43 7. The Agreement is binding on all heirs, assigns and successors in interest. No  
44 assignment of this Agreement may be made without the express written consent of the  
45 COUNTY.  
46

47 8. This Agreement reflects the contributions of both parties and accordingly the  
48 provisions of Civil Code Section 1654 shall not apply to address and interpret any uncertainty.



1 9. Unless specifically set forth, the parties to this Agreement do not intent to  
2 provide any other party with any benefit or enforceable legal or equitable right or remedy.  
3

4 10. This Agreement shall be interpreted and governed under the laws of the State  
5 of California without reference to California conflict of law principles. Any litigation arising  
6 out of this Agreement shall be brought in Tulare County California. OWNER/SUBDIVIDER  
7 waives the removal provisions of California Code of Civil Procedure Section 394.  
8

9 11. The failure of either party to insist on strict compliance with any provision of  
10 this Agreement shall not be considered a waiver of any right to do so, whether for that breach  
11 or nay subsequent breach. The acceptance by either party of either performance or payment  
12 shall not be considered to be a waiver of any preceding breach of the Agreement by the other  
13 party.  
14

15 12. The recitals to this Agreement are fully incorporated into and are integral parts  
16 of this Agreement.  
17

18 14. This Agreement is subject to all applicable laws and regulations. If any  
19 provision of the Agreement is found by any court or other legal authority, or is agreed by the  
20 parties, to be in conflict with any code or regulation governing its subject, the conflicting  
21 provision shall be considered null and void. If the effect of nullifying and conflicting  
22 provision is such that a material benefit of the Agreement to the COUNTY is lost, the parties  
23 shall comply with paragraph No. 14 below to ensure payment in full to the COUNTY by the  
24 OWNER/SUBDIVIDER of the subject assessments. If all other cases the remainder of the  
25 Agreement shall continue in full force and effect.  
26

27 14. Each party agrees to execute any additional documents and to perform any  
28 futher acts which may be reasonably required to affect the purposes of this Agreement.  
29

30 15. Unless otherwise provided in the Agreement, no part of this Agreement may be  
31 assigned or subcontracted by OWNER/SUBDIVIDER without the prior written consent of  
32 COUNTY.  
33

34 16. This Agreement shall become effective upon execution of both parties hereto  
35 and shall terminate upon issuance by COUNTY of a receipt for payment in full of the  
36 assessments imposed by COUNTY Board of Supervisors Resolution No. \_\_\_\_\_.

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47

1 THE PARTIES, having read and considered the above provision, indicate their  
2 agreement by their authorized signatures below.  
3  
4

5 COUNTY OF TULARE  
6  
7

8 By \_\_\_\_\_  
9 Chairman, Board of Supervisors  
10

11 "County"  
12

13 ATTEST: JEAN ROUSSEAU  
14 County Administrative Officer/Clerk  
15 of the Board of Supervisors  
16

17 By \_\_\_\_\_  
18 Deputy  
19

20 OWNER/SUBDIVIDER

21 James L. Merlo 8-27-14  
22 Date  
23

24 Rhonda P. Merlo 8-27-14  
25 Date  
26

27 David R. Johnston 8/27/14  
28 Date  
29

30 Deobrah J. Johnston 8/27/14  
31 Date  
32

33 Harold D. Newton 8-26-14  
34 Date  
35



36 Katherine M. Newton 8-26-14  
37 Date  
38

39 Wawona Packing Co., LLC 8-27-14  
40 Date  
41

42 APPROVED AS TO FORM:  
43 COUNTY COUNSEL  
44

45 By \_\_\_\_\_  
46

## **Attachment H – AUD 308**

County of Tulare Budget Adjustment Form										5:31 PM	
09/22/14								3/14		2015	
Date				Doc ID		APRD fm fm ly ly				Budget FY/yy	
						Resource Management Agency		Sergio Cervantes (559) 624-7063			
						Agency Name		Contact Person	Phone		Ext
Action*	Fund	Dept	APPR #					Current Amount	Revised Amount	Inc / Dec Amt	
A	L89	L89	L89INTRA			<b>LEVEL 1 Finish Here</b>		-	4,180	4,180	
						<b>Appropriation Totals</b>				-	
						This level may not				-	
						balance due to				-	
						revenue lines posted				-	
						in level 2 below.				-	
										-	
										-	
<b>Appropriations Total</b>								-	4,180	4,180	
Action*	Fund	Dept	Appr #	Unit	Object	Rev	<b>LEVEL 2 Start Here</b>	Current Amt	Revised Amount	Inc / Dec Amt	
A	L89	L89	L89INTRA	2000	9306		Line Totals	-	400.00	400.00	
A	L89	L89	L89INTRA	2000	9315		Line Totals	-	200.00	200.00	
A	L89	L89	L89INTRA	2000	9327			-	1,490.00	1,490.00	
A	L89	L89		2000		5402		-	2,090.00	(2,090.00)	
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<b>Each fund must balance</b>						Total Inc/Dec must be zero		\$ -	\$ 4,180	\$ -	
Reason for Adjustment (To Avoid Correspondence, State Reason in Detail)								Perform a SMART BUDGET ROLL-UP before VALIDATING.			
<p><b>New fund setup for (Traver L89) Assesment District No. 14-830-TRAVER.</b></p> <div style="display: flex; justify-content: space-around; margin-top: 20px;"> <div style="text-align: center;">               Affected Dept Head Signature           </div> <div style="text-align: center;">               Other Affected Dept Head Signature           </div> </div>											
Checked By _____ County Executive Office Action: No _____ Date _____ ( ) Approved ( ) Disapproved								Entered By: _____ Date: _____ Distribution: 1: BOS/CAO/Auditor			
By: _____ Board of Supervisors Action: No _____ Date _____											
<b>** Action Codes: A=Add, C=Change, D=Deactivate</b>											
* Whenever a 93XX account budget is adjusted, a corresponding 94XX account budget must be adjusted in the billing agency, and vice versa * Whenever a 95XX account budget is adjusted, a corresponding 96XX account budget must be adjusted in the billing agency, and vice versa											