

Visalia City Council Agenda



For the regular meeting of: Monday, March 21, 2005

Location: City Hall Council Chambers

Mayor: Bob Link
Vice Mayor: Jesus J. Gamboa
Council Member: Walter T. Deissler
Council Member: Greg Kirkpatrick
Council Member: Donald K. Landers

All items listed under the Consent Calendar are considered to be routine and will be enacted by one motion. If anyone desires discussion on any item on the Consent Calendar, please contact the City Clerk who will then request that Council make the item part of the regular agenda.

REGULAR SESSION

7:00 p.m.

PLEDGE OF ALLEGIANCE

INVOCATION - Robert Somerville, Pastor - Evangelical Free Church

SPECIAL PRESENTATIONS/RECOGNITION

CITIZENS REQUESTS - This is the time for members of the public to comment on any matter within the jurisdiction of the Visalia City Council. This is also the public's opportunity to request that a Consent Calendar item be removed from that section and made a regular agenda item for discussion purposes. Comments related to Regular or Public Hearing Items listed on this agenda will be heard at the time the item is discussed or at the time the Public Hearing is opened for comment. The Council Members ask that you keep your comments brief and positive. Creative criticism, presented with appropriate courtesy, is welcome. The Council cannot legally discuss or take official action on citizen request items that are introduced tonight. In fairness to all who wish to speak tonight, each speaker from the public will be allowed three minutes (speaker timing lights mounted on the lectern will notify you with a flashing red light when your time has expired). Please begin your comments by stating and spelling your name and providing your address.

CHANGES TO THE AGENDA/ITEMS TO BE PULLED FOR DISCUSSION

1. **CONSENT CALENDAR** - Consent Calendar items are considered routine and will be enacted by a single vote of the Council with no discussion. For a Consent Calendar item to be discussed, or voted upon individually, it must be removed at the request of the Council.
 - a) Authorization to read ordinances by title only.

- b) Authorize staff to extend the current contract with Tulare County Compost and Bio Mass one additional year.
- c) **(To be submitted 3/17 Placeholder-Jacobs/Ennis)** Award a contract for the North Trunkline Sanitary Sewer Improvements to the low bidder _____ in the amount of \$_____. Project # 1231-720000-0-0-9083-2003.
- d) **Introduction of Ordinance 2004-05** declaring that real property comprising approximately 12,765 square feet located at 220 N. Santa Fe as surplus for the sale to the Visalia Chamber of Commerce for the development of a new 6,921 square foot office complex and Reciprocal Access License and Purchase Option for the proposed joint alleyway and authorization to begin the mandatory 30-day waiting period for the Ordinance to become effective and escrow to close.
- e) **Second Reading of Ordinance 2005-04** establishing the General Government Facilities Impact Fees, and approve such fees. The impact fees would become effective 60 days after the date of adoption.
- f) Authorization for the Formation, Annexation, or Amendment of the following Landscape and Lighting District(s), and authorization *for the Recordation* of the final map(s) related thereto (if applicable):
 - 1. Authorization to record the final map of Park West No. 7, Phase 3 Subdivision (10 lots), located on Stevenson Street between Dorothea Avenue and La Vida Avenue and the annexation of 9 lots in Park West No. 7, Phase 3 into Landscape and Lighting District No. 90-16, Park West No. 7; **Resolution 2005-37 and 2005-38 required** APN: 122-183-011.
 - 2. Formation of Landscape and Lighting District No. 05-03, South Cameron Creek Unit No. 1; **Resolution Nos. 2005-39 and 2005-40 required** and Recordation of the Final Map for South Cameron Creek Unit No. 1, located south of Cameron Avenue and west of Court Street. (76 lots). APN: 126-100-028.
 - 3. Authorize the Recordation of the Final Map for Shannon Ranch Units 5,6&11, located on the South side of Pratt Ave between County Center Rd & Demaree (95 lots) and the Annexation of Units 5,6,7,10&11 of Shannon Ranch into Landscape and Lighting District No. 02-10, Shannon Ranch; **Resolution 2005-41 and 2005-42 required.**
- 2. **(Ret. Rev. 3/14-Nielsen)** PUBLIC HEARING – Comments and ballot vote results for proposed Landscape & Lighting District for the St. John’s Estates subdivision.

REPORT ON ACTIONS TAKEN IN CLOSED SESSION

REPORT OF CLOSED SESSION MATTERS FINALIZED BETWEEN COUNCIL MEETINGS

Upcoming Council Meetings

Monday, March 28, 2005 (Special Meeting 3:30-5:30 p.m.; Joint Special Meeting with Kaweah Delta Health Care District Board and the City of Visalia, Sequoia Regional Cancer Center Conference Room, 4945 W Cypress Ave., Visalia, CA, 6-8 p.m.)

Wednesday, March 30, 2005 (Joint Special Meeting with City of Hanford, City of Tulare, College of the Sequoias, and the City of Visalia - Visalia Convention Center 5:30 p.m. to 9:00 p.m.)

Monday, April 4, 2005

Monday, April 18, 2005

Work Session 4:00 p.m.

Regular Session 7:00 p.m.

City Hall Council Chambers

707 West Acequia Avenue

In compliance with the American Disabilities Act, if you need special assistance to participate in meetings call (559) 713-4512 48-hours in advance of the meeting. For Hearing-Impaired - Call (559) 713-4900 (TDD) 48-hours in advance of the scheduled meeting time to request signing services.

City of Visalia Agenda Item Transmittal

Meeting Date: March 21, 2005

Agenda Item Number (Assigned by City Clerk): 1b

Agenda Item Wording:

Authorize staff to extend the current contract with Tulare County Compost and Bio-Mass one additional year.

Deadline for Action:

March 21, 2005

Submitting Department:

Community Development and Public Works

Contact Name and Phone Number

Andrew Benilli, Assistant Community Development and Public Works Director 713-4340

Jim Bean, Public Works Manager 713-4564

For action by:

- City Council
- Redev. Agency Bd.
- Cap. Impr. Corp.
- VPFA

For placement on which agenda:

- Work Session
- Closed Session
- Regular Session:
- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): _____

Department Recommendation and Summary:

The City of Visalia currently contracts with Tulare County Compost and Bio-Mass for green waste processing. They are a locally owned company with a composting facility located on Lovers Lane south of the city limits. The current contract began in July, 2002 and expires on June 30, 2006. Staff recommends that the contract be extended until June 30, 2007.

City staff is preparing a Request for Proposal (RFP) for green waste processing. Staff anticipates that the contract will be awarded to the selected firm (best proposal) by June 30, 2005. It was initially planned that the selected firm would start providing the services on July 1, 2006. Tulare County Compost and Bio Mass requested that the City allow at least two years between the award and the service delivery. Though Tulare County Biomass may bid for the next contract, this extension would provide them with sufficient time to solicit new customers to replace the volume of business that would be lost if the City contracted with a different firm. The additional lead time would also allow other bidders sufficient time to develop and permit a local composting facility. Tulare County Compost and Bio mass has agreed to provide green waste processing during the contract extension at the current rate of \$23.35 per ton. The City sent 27,000 tons of green waste to Tulare County Biomass in calendar year 2004. Tulare County Compost and Bio Mass performance on the current contract has been excellent. Their facility on Lovers Lane provides a convenient location for the City's solid waste trucks to unload green waste. Extending the contract will not have a negative impact on the solid waste budget.

Prior Council/Board Actions:

July 2002 contract was awarded by council.

Committee/Commission Review and Actions:

N/A

Alternatives:

Complete current contract which expires on June 30 2006. Staff could prepare a Request for Proposal for greenwaste processing that requires the selected firm to start providing services on July 1 2006.

Attachments: Tulare County Compost and Bio Mass contract.

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move Council to authorize staff to extend the Tulare County Compost and Biomass contract one year to 6-30-2007.

Financial Impact

Funding Source:

Account Number: _____ Solid Waste Fund (4411) _____

Budget Recap:

| | | | |
|------------------------|-----------|----------------|----|
| Total Estimated cost: | \$620,000 | New Revenue: | \$ |
| Amount Budgeted: | \$620,000 | Lost Revenue: | \$ |
| New funding required: | \$0 | New Personnel: | \$ |
| Council Policy Change: | ___ No___ | | |

Environmental Assessment Status

CEQA Review:

| | | |
|--------------------|--------|-----------|
| Required? | Yes | No |
| Review and Action: | Prior: | Required: |

NEPA Review:

| | | |
|--------------------|--------|-----------|
| Required? | Yes | No |
| Review and Action: | Prior: | Required: |

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

City of Visalia Agenda Item Transmittal

Meeting Date: March 21, 2005

Agenda Item Number (Assigned by City Clerk): 1c

Agenda Item Wording: Award a contract for the North Trunkline Sanitary Sewer Improvements to the low bidder _____ in the amount of \$_____. Project # 1231-720000-0-0-9083-2003.

Deadline for Action: April 16, 2005 (30 days after bid opening)

Submitting Department: Community Development & Public Works

Contact Name and Phone Number: Adam Ennis 713-4323, Jim Funk 713-4540, David Jacobs 713-4492

For action by:

- City Council
- Redev. Agency Bd.
- Cap. Impr. Corp.
- VPFA

For placement on which agenda:

- Work Session
- Closed Session
- Regular Session:
 - Consent Calendar
 - Regular Item
 - Public Hearing

Est. Time (Min.): 1

Department Recommendation and Summary: The Community Development Department recommends that the City Council award a contract for the North Trunk Sanitary Sewer Improvements to the low bidder _____ in the amount of \$_____. Project # 1231-720000-0-0-9083-2003.

The sanitary sewer trunkline will extend along Ferguson Avenue from Zachary Street to Mooney Blvd., along Mooney Blvd. from Ferguson Avenue to Riggins Avenue, and along Riggins Avenue from Mooney Blvd. to Dinuba Highway.

The City Council approved bonds for the sewer trunk project in August 2002 and awarded a contract to QUAD KNOPF INC. in April 2004 to design the North Trunk Sanitary Sewer Improvements. The design of the North Trunk Sanitary Sewer Improvements is complete and is ready for construction.

On March 17, 2005 the City opened _____#_____ bids submitted for the North Trunk Sanitary Sewer Improvements. The results of the bid opening are as follows:

- | | |
|-----------------------------------|----------------|
| 1. Bill Nelson, Fresno | \$X,XXX,XXX.XX |
| 2. Floyd Johnston Con., Clovis | \$X,XXX,XXX.XX |
| 3. Halopoff and Sons, Porterville | \$X,XXX,XXX.XX |
| 4. Rising Sun Company, Exeter | \$X,XXX,XXX.XX |
| 5. Hoffman Engineering, Tulare | \$X,XXX,XXX.XX |
| 6. Geo. Dakovich & Son, Fresno | \$X,XXX,XXX.XX |
| 7. Nicholas Constr., Bakersfield | \$X,XXX,XXX.XX |
| 8. Ferguson Constr., Clovis | \$X,XXX,XXX.XX |
| 9. Roto Rooter, Visalia | \$X,XXX,XXX.XX |
| 10. Emmett's Excavation, Clovis | \$X,XXX,XXX.XX |

_____ has acted as both the General Contractor and as a Sub Contractor for the City of Visalia on at least _____ capital improvement projects. In _____ the City awarded the _____ project in the amount of \$XXX,XXX.XX. _____ was the general contractor and work was completed in _____. The _____ project was a \$XXX,XXX.XX project that was awarded in _____. _____ was the major sub contractor on the job which was completed in _____ with a final cost of \$XXX,XXX.XX.

Prior Council/Board Actions: Authorization to bid as a non-prevailing wage project on December 13, 2004.

Committee/Commission Review and Actions:

Alternatives: Do not award contract or re-bid project.

Attachments: Exhibit #1 (Location Map) and Exhibit #2 (Bid Opening Spreadsheets)

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): I move to award a contract for construction of the North Trunk Sanitary Sewer Improvements to the low bidder _____ in the amount of \$X,XXX,XXX.XX. Project # 1231-720000-0-0-9083-2003.

Financial Impact

Funding Source:
Account Number: 1231-720000-0-0-9083-2003

Budget Recap:

| | | |
|--|----------------|----|
| Total Estimated cost: \$X,XXX,XXX.XX | New Revenue: | \$ |
| Amount Budgeted: \$1,824,000.00 | Lost Revenue: | \$ |
| New funding required: \$ | New Personnel: | \$ |
| Council Policy Change: Yes _____ No <u>X</u> | | |

Copies of this report have been provided to:

This document last revised: 3/16/05 11:12:00 AM

By author: Adam Ennis

File location and name: H:\(1) AGENDAS for Council\032105\Item 1c Award Const. Contract-North Trunk Sewer.doc

Environmental Assessment Status

CEQA Review:

Required? Yes No

Review and Action: Prior: EIR Sanitary Sewer Master Plan – 1995
Required: None

NEPA Review:

Required? Yes No

Review and Action: Prior:
Required:

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

City of Visalia Agenda Item Transmittal

Meeting Date: March 21, 2005

Agenda Item Number (Assigned by City Clerk): 1d

Agenda Item Wording: Approval of first reading of Ordinance 2005-05 declaring Certain Real Property Surplus and Intent to Sell, a Purchase and Sale Agreement and Escrow Instructions, Reciprocal Access License and Purchase Option, Temporary Access and Alleyway Construction License Reimbursement Agreement and Early Entry Access Agreement with the Visalia Chamber of Commerce for that 12,765 sq. ft. City owned real property located at 220 N. Santa Fe (APN: 094-240-014) in the amount of \$102,120 for development of a new office complex.

Deadline for Action: March 21, 2005

Submitting Department: Administration and Community Development & Public Works

Contact Name and Phone Number:

Steve Salomon, City Manager, 713-4312
Michael Olmos, Community Development & Public Works Director, 713-4332
Bob Nance, Economic & Redevelopment Manager, 713-4511

For action by:

City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on which agenda:

Work Session
 Closed Session
Regular Session:
 Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): 5

Department Recommendation and Summary: Staff recommends the City Council:

1. Authorize the first reading of the Ordinance Declaring the subject property as surplus and the Council's intent to sell to the Visalia Chamber of Commerce and grants the reciprocal access easement as described in the proposed Reciprocal Access License and Purchase Option included as part of the approvals below;
2. Approve the following Agreements:
 - a. Proposed Purchase and Sale Agreement and Escrow Instructions with the Visalia Chamber of Commerce for the sale of approximately 12,765 square feet of the City owned property located at 220 N. Santa Fe for development of a new office complex;
 - b. Reciprocal Access License and Purchase Option for long-term vehicular/pedestrian access to parking stalls along the east side of the subject site;
 - c. Temporary Access and Alleyway Construction License; Reimbursement Agreement for use of the adjoining City owned property located adjacent to and east of the subject site for construction purposes;
 - d. Early Entry Access Agreement to allow the Chamber access to the site prior to the close of escrow to begin construction activities;
3. Authorize the City Attorney to make any minor or technical changes to the respective agreements and documents as necessary; and
4. Authorize the City Manager to execute the respective agreements and documents on behalf of the City Council.
5. Authorize and Direct the Administrative Services Director to make the appropriate budget adjustments in accordance with the approved actions.

This document last revised: 3/16/05 11:12:00 AM

File location and name: bob/east/chamber of commerce new building/03-21-2005 consent calendar approval of P&S agreement
By author: bnance

These actions are necessary in order to facilitate the sale of the westerly approximately 12,765 square feet of the City owned property located at 220 N. Santa Fe (formerly Toomey Property) to the Visalia Chamber of Commerce for use in their planned development including the 6,921 square foot office building. Construction is planned to begin in April and opening in Fall 2005.

ACTION SUMMARY

The following is a summary of the key points in the respective agreements:

Purchase and Sale Agreement and Escrow Instructions:

- Parcel location: 220 N. Santa Fe Street
- Parcel size: 12,765 square feet for a "Net" parcel
- Price per square foot: \$8.00
- Total purchase price: \$102,120.00
- Deposit: \$ 15,000.00
- Loan: \$ 87,120.00
- Interest rate: Prime minus ½%
- Adjustment period: each 5 year period
- Loan security: Deed of Trust that will be subordinated to the primary lender for construction of building
- Planned development: 6,921 sq. ft. office complex
- Number of on-site parking spaces: 8 spaces
- Parking in lieu space: 20 spaces (to be paid through separate agreement)
- Development fees: to be calculated and paid at time of issuance of Building Permit/Close of Escrow.
- Conditional Use Permit: Subject to approval of a CUP by the City for proposed office use.

Oak and Santa Fe Street Improvements:

Included in the agreement is the requirement that the City install the street improvements in both Oak Street and Santa Fe to their respective ultimate right of way for the full length of the subject block. The improvement of these two streets will result in the City being able to sell the Chamber of Commerce a "net" developed parcel ready for their planned development as was initially proposed at the former Stevenson and W. Mineral King location.

Proceeds from the land sale are proposed to be placed in the City's Parking in lieu fund which was the funding source for the original "Toomey" parcel purchase.

Reciprocal Access License and Purchase:

This agreement provides shared reciprocal access to the Visalia Chamber of Commerce and City of Visalia by allowing access over the others property for vehicular and pedestrian movement. The agreement has each party provide a 12.5 foot travel lane over each party's property along the common property line. In the event either party proposes to expand or develop their property in a manner that would adversely impact access to the others, the agreement provides a process for the purchase/sale of the respective 12.5 foot wide travel lane in order to maintain access. The City and Chamber will each be separately responsible for the cost of improvements for their respective travel lane.

Temporary Access and Alleyway Construction License: Reimbursement Agreement:

This document last revised: 3/16/05 11:12:00 AM

File location and name: bob/east/chamber of commerce new building/03-21-2005 consent calendar approval of P&S agreement

By author: bnance

Under the terms and conditions of this agreement, the Chamber will construct certain improvements in and over the City's property including the 12.5 foot travel lane, temporary parking lot and alleyway improvements as part of their development and construction activities. The City will allow access and reimburse the Chamber of Commerce for actual costs on the improvements including, but not limited to: engineering, surveying, materials, labor and other work as needed to complete and install the approved improvements. All plans, specifications, work and materials to be in accordance with and to the approval of the City Engineering Division.

Reimbursement funding for the proposed work is proposed to be funded through the City's Parking in lieu fund reserves which will also receive the proceeds from the land sale as it was the funding source for the original purchase of the Toomey parcel.

Early Entry Access Agreement

In order to meet the planned opening date, the Visalia Chamber of Commerce will need to begin construction as soon as possible. The process for City to sell real property requires the adoption of an ordinance by having a first and second readings to be held at separate regular Council meeting dates and a 30-day waiting period beginning after the second reading for the ordinance to become effective and escrow can close. To facilitate the Chamber in their efforts to meet their construction timeline, the proposed Early Entry Access Agreement will allow the Chamber's contractor to begin construction prior to the close of escrow. The agreement provides indemnification for the City against actions that might occur due to or as a result of the contractor's activities.

Prior Council/Board Actions:

- The City Council purchased the "Toomey" parcel to create additional public parking and expand development in the northeast Downtown Visalia area.
- Prior City Council Closed Session reviews of the negotiations, price, terms and conditions for development a proposed Purchase and Sale Agreement and Escrow Instructions with the Visalia Chamber of Commerce.

Committee/Commission Review and Actions:

- The proposed development as been reviewed by Site Plan Review and received a "Revise and Proceed" designation.
- The proposed project is in the Service Commercial – CS Zone. Being primarily an office complex planned to be constructed in an Urban Development style, a Conditional Use Permit and Setback Variance are required to be reviewed and approved by the City's Planning Commission prior to any construction activities. The item is set for consideration by the Visalia Planning Commission at their March 29th, 2005 regular meeting.

Alternatives:

None recommended

Attachments:

Copies of the proposed ordinance and respective agreements
Map of the site

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

I move the City Council:

1. Authorize the first reading of the Ordinance 2005-05 Declaring the subject property as surplus and the Council's intent to sell to the Visalia Chamber of Commerce and grants the reciprocal access easement as described in the proposed Reciprocal Access License and Purchase Option included as part of the approvals below;
2. Approve the following Agreements:
 - a. Proposed Purchase and Sale Agreement and Escrow Instructions with the Visalia Chamber of Commerce for the sale of approximately 12,765 square feet of the City owned property located at 220 N. Santa Fe for development of a new office complex;
 - b. Reciprocal Access License and Purchase Option for long-term vehicular/pedestrian access to parking stalls along the east side of the subject site;
 - c. Temporary Access and Alleyway Construction License; Reimbursement Agreement for use of the adjoining City owned property located adjacent to and east of the subject site for construction purposes;
 - d. Early Entry Access Agreement to allow the Chamber access to the site prior to the close of escrow to begin construction activities;
3. Authorize the City Attorney to make any minor or technical changes to the respective agreements and documents as necessary; and
4. Authorize the City Manager to execute the respective agreements and documents on behalf of the City Council.
5. Authorize and Direct the Administrative Services Director to make the appropriate budget adjustments in accordance with the approved actions.

Copies of this report have been provided to:

Financial Impact

Funding Source:

Proceeds to go to the City's Parking in lieu fund which originally purchased the property and is proposed as the funding source for reimburse for developing the temporary parking lot the cost of which is to be determined.

Budget Recap:

| | | | |
|------------------------|--------|----------------|---|
| Total Estimated cost: | \$ | New Revenue: | \$102,120 <u>(Land sale proceeds)</u> |
| Amount Budgeted: | \$ | Lost Revenue: | \$ |
| New funding required: | \$ | New Personnel: | \$ |
| Council Policy Change: | Yes___ | No | X___ |

Environmental Assessment Status

CEQA Review:

Required? Yes X No

Review and Action: Prior:

Required: CEQA review is a requirement for the sale and development of the subject site

NEPA Review:

Required? Yes No X

Review and Action: Prior:

Required: No Federal Funds are proposed for this project.

Tracking Information: Upon City Council approval: staff to proceed with the execution of the respective agreements and proceed with the process to close escrow and develop the site.

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

**City of Visalia
Agenda Item Transmittal**

Meeting Date: March 21, 2005

Agenda Item Number (Assigned by City Clerk): 1e

Agenda Item Wording: Second Reading of Ordinance No. 2005-04, General Government Facilities Impact Fee Ordinance. The Impact Fees would become effective 60 days after the date of adoption.

Submitting Department: Administration - Finance

Contact Name and Phone Number:

Susan B. Merrill, Financial Consultant 713-4392
Eric Frost, Administrative Services Director, 713-4474

For action by:

- City Council
- Redev. Agency Bd.
- Cap. Impr. Corp.
- VPFA

For placement on which agenda:

- Work Session
- Closed Session
- Regular Session:
- Consent Calendar
- Regular Item
- Public Hearing

Est. Time (Min.): _____

Department Recommendation: Staff recommends that the City Council approve the second reading of Ordinance No.2005-04 establishing General Government Facilities Impact Fees. This ordinance would set in place three development impact fees; a Civic Center Complex Impact Fee, a Corporation Yard Impact Fee and a Library Impact Fee. The purpose of the fees is to defray the cost of general facilities which are needed as the result of new development.

The City contracted with MAXIMUS on February 17, 2004 to prepare a General Facilities and Library Impact Fee Study, to identify the cost of a general government facility fee. This fee would fund the increased general facilities, library and corporation facilities needs that are generated by new development. The study was presented to Council on November 30, 2004 and on March 7, 2005.

The total costs for the combined civic center, corporation yard and library identified in the study are estimated at \$28,942,104. The impact fee is intended to generate \$8, 764,852 over the next 16 years.

Prior Council/Board Actions: Council approved the Introduction of Ordinance No. 2005-04 on March 7, 2005.

Committee/Commission Review and Actions:

Building Industry Association (BIA)
Tulare Kings Builders Exchange
Visalia Chamber of Commerce
Visalia Economic Development Corporation

Dec. 9, 2004 & Jan. 12, 2005
January 11, 2005
Jan. 11, 2005 & Feb. 8, 2005
February 16, 2005

Attachments: Ordinance No. 2005-04

This document last revised: March 16, 2005

By author: Susan B. Merrill

File location and name: H:\(1) AGENDAS for Council\032105\Item 1e ImpactFeeAgenda2ndReadingOrdinance.doc

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): Move to approve the Second Reading of Ordinance No.2005-04, General Government Facilities Impact Fee. The Impact Fees would become effective 60 days after the date of adoption.

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

| | |
|---|-------------------|
| Total Estimated cost: \$ | New Revenue: \$ |
| Amount Budgeted: \$ | Lost Revenue: \$ |
| New funding required: \$ | New Personnel: \$ |
| Council Policy Change: Yes _____ No _____ | |

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

Required? Yes No
Review and Action: Prior:
Required:

NEPA Review:

Required? Yes No
Review and Action: Prior:
Required:

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

**City of Visalia
City Council Agenda Item Transmittal**

Agenda Item Number (Assigned by City Clerk): 1(f) (1)

City Council Meeting Date: March 21, 2005

Agenda Item Wording: Authorization to record the final map of Park West No. 7, Phase 3 Subdivision (10 lots), located on Stevenson Street between Dorothea Avenue and La Vida Avenue and the annexation of 9 lots in Park West No. 7, Phase 3 into Landscape and Lighting District No. 90-16, Park West No. 7 (Resolution Nos. 05- and 05- required)
APN: 122-183-011

For action by:
 City Council
 Redev. Agency Bd.
 Cap. Impr. Corp.
 VPFA

For placement on agenda as:
 Consent Calendar
 Regular Item
 Public Hearing

Est. Time (Min.): _____

Deadline for Council Action: April 4, 2005

Submitting Department: Community Development/Public Works

Contact Name and Phone Number:

Andrew Benelli 713-4340
Greg Dais 713-4164

Department Recommendation and Summary:

Final Map

Staff recommends that City Council approve the recordation of the final map of Park West No. 7, Phase 3 Subdivision, containing 10 single family lots. All bonds, cash payments, subdivision map agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful performance bond in the amount of \$ 30,181.00 and Labor and Material bond in the amount of \$ 14,940.50; 3) Cash payment of \$ 11,299.34 distributed to various accounts; and 4) Final map.

The Faithful Performance Bond covers the cost of constructing the public improvements noted in the subdivision agreement and the Labor and Material Bond covers the salaries and benefits as well as the materials supplied to install the required public improvements. As required by the Subdivision Ordinance, the Faithful Performance Bond covers 100% of the cost of the public improvements. The Labor and Material Bond is valued at 50% of the Faithful Performance Bond. The Faithful Performance Bond can be reduced to 10% of the public construction costs after the Notice of Completion is recorded. The Faithful Performance Bond is held for one year after the recording and acts as a warranty for the public improvements installed per the subdivision agreement. The cash payment covers Development Impact Fees such as storm water acquisition, waterways, sewer front foot fees and any outstanding plan check and inspection fees. The plan check and inspection fees are estimated at the beginning of the Final Map process and are not confirmed until the subdivision agreement is finalized. Differences are due in cash at the time of City Council approval of the Final Map.

Landscape & Lighting

Staff recommends that the City Council: adopt Resolution No. 05- Resolution Initiating Annexation to Assessment District No. 90-16, Park West No. 7; adopt the Engineer’s Report as submitted; and adopt Resolution No. 05- confirming the Engineer’s Report ordering the improvements and levying the first annual assessment.

The City of Visalia has been allowing developers of subdivisions to form assessment districts under the Landscape and Lighting Act of 1972, and now under Proposition 218, in lieu of using homeowners associations for the maintenance of landscaping, irrigation, street lights outside the walls along streets adjacent to the development and street preventative maintenance practices. These improvements are special to the development and enhance the land values to the individual property owners in the district.

The Landscape and Lighting Act allows for the use of summary proceedings when all the affected property owners have given their written consent. This process waives the requirement for a public hearing since the owners of this development have given their written consent to form this district.

Prior Council Actions: The City has been allowing the use of the Landscape and Lighting Act of 1972 for maintaining those landscape districts that enhance the subdivision. District 90-16 was established in 1990 and Phase 2 was annexed into the district in October 1999.

Committee/Commission Review and Actions: The tentative subdivision map Park West No. 7, Phase 3 Subdivision was approved by Planning Commission on February 15, 2005 with the expiration date of February 15, 2007.

Alternatives:

Attachments:

Resolution of Intention; Resolution Ordering the Improvements; Exhibits “A”, “B”, “C”, “D”

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected):

“I move to authorize the recordation of the final map for Park West No. 7, Phase 3 Subdivision and adopt Resolution No. 05- Resolution Initiating Annexation to Assessment District No. 90-16, Park West No. 7 and adopt Resolution No. 05- confirming the Engineer’s Report ordering the Improvements for Assessment District No. 90-16, Park West No. 7”.

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

Financial Impact

Funding Source:

Budget Recap:

| | |
|-------------------------------|-------------------|
| Total Estimated cost: \$ | New Revenue: \$ |
| Amount Budgeted: \$ | Lost Revenue: \$ |
| New funding required:\$ | New Personnel: \$ |
| Council Policy Change: Yes___ | No_ X___ |

RESOLUTION 05-
INITIATING ANNEXATION TO ASSESSMENT DISTRICT 90-16
Park West No. 7
(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council proposes to form an assessment district pursuant to the Landscaping & Lighting act of 1972 (Section 22500 and following, Streets & Highways Code) for the purpose of the following improvements:

Maintenance of turf, shrub area, irrigation systems, trees, walls and any other applicable equipment or improvements.
2. The proposed annexation shall be designated Assessment District No. 90-16, City of Visalia, Tulare County, California, and shall include the land shown on the map designated "Assessment Diagram Assessment District No. 90-16, City of Visalia, Tulare County, California", which map is on file with the City Clerk and is hereby approved and known as "Park West No. 7".
3. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.

PASSED AND ADOPTED:

CLERK'S CERTIFICATION TO COUNTY AUDITOR

ASSESSMENT DISTRICT NO. 90-16

Park West No. 7

(Pursuant to Landscaping & Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments and assessment diagram, for Assessment District No. 90-16, City of Visalia, confirmed by the City Council of the City of Visalia on the 21st day of March, 2005 by its Resolution No. 05- .

This document is certified, and is filed with you, pursuant to Section 22641 of the Streets and Highways Code.

RESOLUTION NO. 05-

RESOLUTION ORDERING IMPROVEMENTS FOR
THE ANNEXATION TO ASSESSMENT DISTRICT NO. 90-16
Park West No. 7
(Pursuant to the Landscape & Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for the annexation to Assessment District No. 90-16, City of Visalia, Tulare County, California, and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the annexation of Phase 3 of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2004-2005.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
 - a. Clerk's Certification to County Auditor
 - b. Resolution Initiating Annexation to the District
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcel of real property within the Assessment District
 - Exhibit B - Landscape Location Diagram
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report

PASSED AND ADOPTED

Exhibit A
 Assessment Diagram
 Assessment District No 90-16
 City of Visalia, Tulare County, California

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06-10-11

PARK WEST NO. 7

VICINITY MAP

SCALE 1" = 100'

CURVE DATA:

| Curve Number | Chord Length | Tangent Length | Area | Radius | Chord Bearing | Chord Length |
|--------------|---------------|----------------|----------|----------|-----------------|--------------|
| C1 | 53.07' 07"E | 21.10' | 20.00' | 20.00' | S 43° 07' 07"E | 29.03' |
| C2 | 89° 50' 20" W | 30.65' | 272.00' | 272.00' | N 09° 50' 20" W | 60.81' |
| C3 | 12° 07' 05"E | 36.55' | 328.00' | 328.00' | N 12° 07' 05"E | 72.44' |
| C4 | 14° 13' 00" | 40.90' | 358.00' | 358.00' | N 01° 20' 53" W | 81.18' |
| C5 | 2° 50' 50" | 43.68' | 392.00' | 392.00' | N 06° 07' 54" W | 86.00' |
| C6 | 0° 11' 48" | 4.01' | 172.00' | 172.00' | S 11° 14' 30"E | 4.00' |
| C7 | 10° 15' 08" | 32.73' | 272.00' | 272.00' | S 39° 35' 15" W | 30.58' |
| C8 | 5° 58' 12" | 28.38' | 272.00' | 272.00' | N 05° 29' 15" W | 28.34' |
| C9 | 5° 11' 50" | 16.78' | 272.00' | 272.00' | N 05° 27' 04" W | 16.76' |
| C10 | 3° 43' 21" | 27.05' | 333.53' | 333.53' | N 15° 37' 35"E | 27.04' |
| C11 | 8° 16' 20" | 33.72' | 338.00' | 338.00' | N 04° 20' 33" W | 47.32' |
| C12 | 18° 49' 13" | 42.50' | 50.00' | 50.00' | S 64° 05' 13"E | 21.54' |
| C13 | 48° 24' 23" | 42.50' | 50.00' | 50.00' | S 19° 03' 18" W | 16.35' |
| C14 | 29° 25' 22" | 35.00' | 25.68' | 25.68' | N 63° 24' 20"E | 41.24' |
| C15 | 50° 01' 40" | 31.41' | 19.59' | 19.59' | N 77° 31' 14"E | 25.40' |
| C16 | 89° 01' 40" | 31.43' | 20.00' | 20.00' | S 76° 34' 51" W | 23.81' |
| C17 | 18° 45' 05" | 300.00' | 300.00' | 300.00' | N 45° 21' 59"E | 28.28' |
| C18 | 69° 59' 59" | 141.02' | 300.00' | 300.00' | S 44° 35' 01" W | 28.29' |
| C19 | 2° 10' 17" | 1000.00' | 1000.00' | 1000.00' | N 05° 00' 35"E | 139.72' |
| C20 | 7° 37' 24" | 44.53' | 132.00' | 132.00' | N 00° 15' 15" W | 37.80' |
| C21 | 89° 50' 20" W | 30.65' | 272.00' | 272.00' | S 09° 50' 45"E | 62.57' |
| C22 | 12° 07' 05"E | 36.55' | 328.00' | 328.00' | S 08° 27' 00"E | 74.50' |

RADIAL BEARINGS AT CURVES

| | | | |
|----|-----------------|---|-----------------|
| C1 | N 89° 51' 03"E | E | S 89° 36' 25"E |
| C2 | N 28° 51' 20"E | E | S 00° 20' 03" W |
| C3 | S 00° 21' 09" W | U | N 89° 34' 11" W |
| C4 | S 00° 21' 09" W | U | S 00° 33' 10" E |
| C5 | S 89° 37' 11" E | E | S 00° 21' 08" W |
| C6 | S 89° 37' 11" E | E | S 00° 21' 08" W |

DETAIL "A"
 SCALE: 1" = 30'

LEGEND

- ▲ FOUND AND ACCEPTED MONUMENT AS DESCRIBED.
- FOUND BRASS DISC IN CONCRETE.
- FOUND 1/2" I.P. TAGGED R.C.E. RESS IN CONCRETE.
- FOUND BRASS DISC IN CONCRETE STAMPED L.S. 4076.
- FOUND 1/2" I.P. TAGGED L.S. 4076 IN CONCRETE.
- (1) RECORDED DATA AS PER THE R.M.P. OF PARK WEST NO. 5, RECORDED IN VOLUME 27 OF R.M.P. AT PAGE 152, T.C.R.
- (2) RECORDED DATA AS PER THE R.M.P. OF PARK WEST NO. 5, RECORDED IN VOLUME 29 OF R.M.P. AT PAGE 5, T.C.R.
- (3) RECORDED DATA AS PER THE R.M.P. OF PARK WEST NO. 5, RECORDED IN VOLUME 33 OF R.M.P. AT PAGE 24, T.C.R.
- (R) RADIAL BEARING.
- E.F.P.U. - EASEMENT FOR PUBLIC UTILITIES - THE "E.F.P.U."S ALONG SIDE LOT LINES AND 1/2" THE LOT DEPTH.
- △ BLUE LINE INDICATES SUBDIVISION BOUNDARY.
- SET BRASS DISK IN CONCRETE STAMPED P.L.S. 4076
- SET BRASS DISK IN CONCRETE STAMPED R.L.S. 4076
- ▨ VEHICLES AND EQUIPMENT REIMBURSED TO THE CITY OF VISALIA.
- FOUND 1/2" I.P. TAGGED R.C.E. RESS.

BASIS OF BEARING

TO THE "E" A CORNER OF SECTION 16, T. 18S. R. 12E. S1 TO P.L.S. DATA AS PER S. 69° 30' 51" E, AS PER R.M.P. OF PARK WEST NO. 5, RECORDED IN VOLUME 29 OF R.M.P. AT PAGE 5, T.C.R.

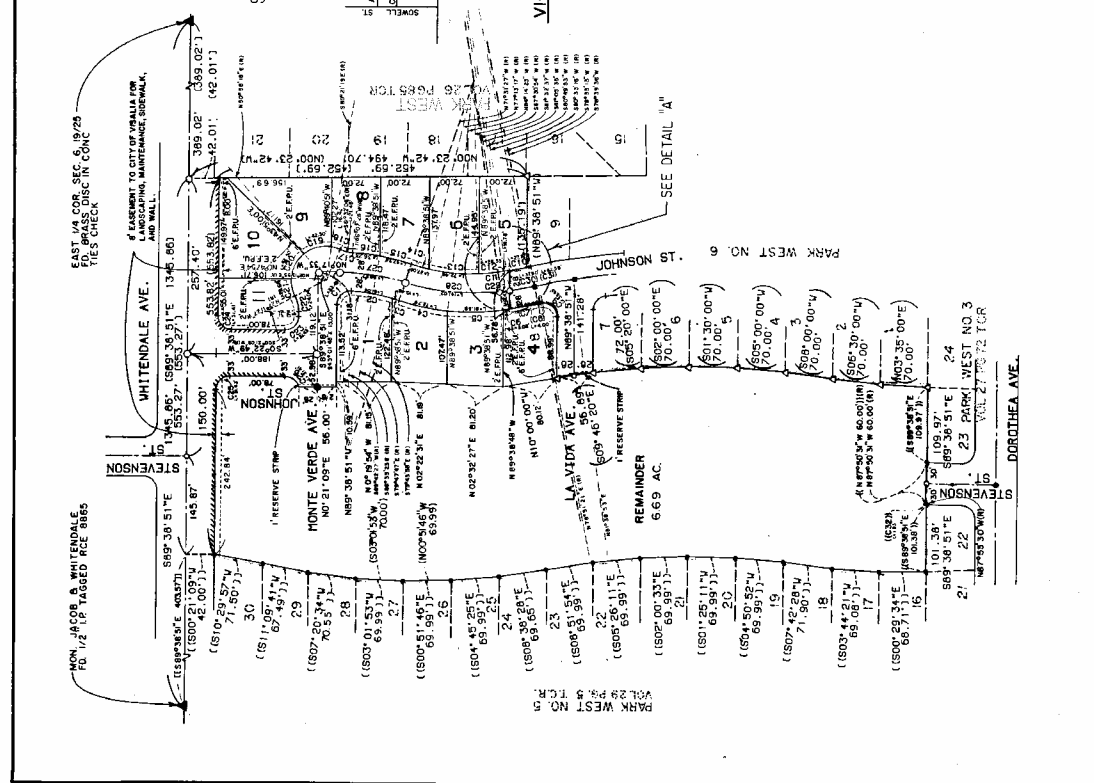


Exhibit A
Assessment Diagram
Assessment District No 90-16
City of Visalia, Tulare County, California

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00-51+2

PARK WEST NO. 7 PHASE 2

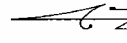
CURVE DATA:

| STATION | CHORD | LENGTH | PERCENT | CHORD | BEARING | STATION |
|----------|--------|--------|---------|--------|---------|----------|
| 10+00.00 | 100.00 | 100.00 | 100.00 | 100.00 | 000.00 | 10+00.00 |
| 10+05.00 | 95.16 | 95.16 | 95.16 | 005.73 | 005.73 | 10+05.00 |
| 10+10.00 | 90.32 | 90.32 | 90.32 | 011.46 | 011.46 | 10+10.00 |
| 10+15.00 | 85.48 | 85.48 | 85.48 | 017.19 | 017.19 | 10+15.00 |
| 10+20.00 | 80.64 | 80.64 | 80.64 | 022.92 | 022.92 | 10+20.00 |
| 10+25.00 | 75.80 | 75.80 | 75.80 | 028.65 | 028.65 | 10+25.00 |
| 10+30.00 | 70.96 | 70.96 | 70.96 | 034.38 | 034.38 | 10+30.00 |
| 10+35.00 | 66.12 | 66.12 | 66.12 | 040.11 | 040.11 | 10+35.00 |
| 10+40.00 | 61.28 | 61.28 | 61.28 | 045.84 | 045.84 | 10+40.00 |
| 10+45.00 | 56.44 | 56.44 | 56.44 | 051.57 | 051.57 | 10+45.00 |
| 10+50.00 | 51.60 | 51.60 | 51.60 | 057.30 | 057.30 | 10+50.00 |
| 10+55.00 | 46.76 | 46.76 | 46.76 | 063.03 | 063.03 | 10+55.00 |
| 10+60.00 | 41.92 | 41.92 | 41.92 | 068.76 | 068.76 | 10+60.00 |
| 10+65.00 | 37.08 | 37.08 | 37.08 | 074.49 | 074.49 | 10+65.00 |
| 10+70.00 | 32.24 | 32.24 | 32.24 | 080.22 | 080.22 | 10+70.00 |
| 10+75.00 | 27.40 | 27.40 | 27.40 | 085.95 | 085.95 | 10+75.00 |
| 10+80.00 | 22.56 | 22.56 | 22.56 | 091.68 | 091.68 | 10+80.00 |
| 10+85.00 | 17.72 | 17.72 | 17.72 | 097.41 | 097.41 | 10+85.00 |
| 10+90.00 | 12.88 | 12.88 | 12.88 | 103.14 | 103.14 | 10+90.00 |
| 10+95.00 | 8.04 | 8.04 | 8.04 | 108.87 | 108.87 | 10+95.00 |
| 11+00.00 | 3.20 | 3.20 | 3.20 | 114.60 | 114.60 | 11+00.00 |
| 11+05.00 | 1.60 | 1.60 | 1.60 | 120.33 | 120.33 | 11+05.00 |
| 11+10.00 | 0.00 | 0.00 | 0.00 | 126.06 | 126.06 | 11+10.00 |
| 11+15.00 | 1.60 | 1.60 | 1.60 | 131.79 | 131.79 | 11+15.00 |
| 11+20.00 | 3.20 | 3.20 | 3.20 | 137.52 | 137.52 | 11+20.00 |
| 11+25.00 | 4.80 | 4.80 | 4.80 | 143.25 | 143.25 | 11+25.00 |
| 11+30.00 | 6.40 | 6.40 | 6.40 | 148.98 | 148.98 | 11+30.00 |
| 11+35.00 | 8.00 | 8.00 | 8.00 | 154.71 | 154.71 | 11+35.00 |
| 11+40.00 | 9.60 | 9.60 | 9.60 | 160.44 | 160.44 | 11+40.00 |
| 11+45.00 | 11.20 | 11.20 | 11.20 | 166.17 | 166.17 | 11+45.00 |
| 11+50.00 | 12.80 | 12.80 | 12.80 | 171.90 | 171.90 | 11+50.00 |
| 11+55.00 | 14.40 | 14.40 | 14.40 | 177.63 | 177.63 | 11+55.00 |
| 11+60.00 | 16.00 | 16.00 | 16.00 | 183.36 | 183.36 | 11+60.00 |
| 11+65.00 | 17.60 | 17.60 | 17.60 | 189.09 | 189.09 | 11+65.00 |
| 11+70.00 | 19.20 | 19.20 | 19.20 | 194.82 | 194.82 | 11+70.00 |
| 11+75.00 | 20.80 | 20.80 | 20.80 | 200.55 | 200.55 | 11+75.00 |
| 11+80.00 | 22.40 | 22.40 | 22.40 | 206.28 | 206.28 | 11+80.00 |
| 11+85.00 | 24.00 | 24.00 | 24.00 | 212.01 | 212.01 | 11+85.00 |
| 11+90.00 | 25.60 | 25.60 | 25.60 | 217.74 | 217.74 | 11+90.00 |
| 11+95.00 | 27.20 | 27.20 | 27.20 | 223.47 | 223.47 | 11+95.00 |
| 12+00.00 | 28.80 | 28.80 | 28.80 | 229.20 | 229.20 | 12+00.00 |
| 12+05.00 | 30.40 | 30.40 | 30.40 | 234.93 | 234.93 | 12+05.00 |
| 12+10.00 | 32.00 | 32.00 | 32.00 | 240.66 | 240.66 | 12+10.00 |
| 12+15.00 | 33.60 | 33.60 | 33.60 | 246.39 | 246.39 | 12+15.00 |
| 12+20.00 | 35.20 | 35.20 | 35.20 | 252.12 | 252.12 | 12+20.00 |
| 12+25.00 | 36.80 | 36.80 | 36.80 | 257.85 | 257.85 | 12+25.00 |
| 12+30.00 | 38.40 | 38.40 | 38.40 | 263.58 | 263.58 | 12+30.00 |
| 12+35.00 | 40.00 | 40.00 | 40.00 | 269.31 | 269.31 | 12+35.00 |
| 12+40.00 | 41.60 | 41.60 | 41.60 | 275.04 | 275.04 | 12+40.00 |
| 12+45.00 | 43.20 | 43.20 | 43.20 | 280.77 | 280.77 | 12+45.00 |
| 12+50.00 | 44.80 | 44.80 | 44.80 | 286.50 | 286.50 | 12+50.00 |
| 12+55.00 | 46.40 | 46.40 | 46.40 | 292.23 | 292.23 | 12+55.00 |
| 12+60.00 | 48.00 | 48.00 | 48.00 | 297.96 | 297.96 | 12+60.00 |
| 12+65.00 | 49.60 | 49.60 | 49.60 | 303.69 | 303.69 | 12+65.00 |
| 12+70.00 | 51.20 | 51.20 | 51.20 | 309.42 | 309.42 | 12+70.00 |
| 12+75.00 | 52.80 | 52.80 | 52.80 | 315.15 | 315.15 | 12+75.00 |
| 12+80.00 | 54.40 | 54.40 | 54.40 | 320.88 | 320.88 | 12+80.00 |
| 12+85.00 | 56.00 | 56.00 | 56.00 | 326.61 | 326.61 | 12+85.00 |
| 12+90.00 | 57.60 | 57.60 | 57.60 | 332.34 | 332.34 | 12+90.00 |
| 12+95.00 | 59.20 | 59.20 | 59.20 | 338.07 | 338.07 | 12+95.00 |
| 13+00.00 | 60.80 | 60.80 | 60.80 | 343.80 | 343.80 | 13+00.00 |
| 13+05.00 | 62.40 | 62.40 | 62.40 | 349.53 | 349.53 | 13+05.00 |
| 13+10.00 | 64.00 | 64.00 | 64.00 | 355.26 | 355.26 | 13+10.00 |
| 13+15.00 | 65.60 | 65.60 | 65.60 | 360.99 | 360.99 | 13+15.00 |
| 13+20.00 | 67.20 | 67.20 | 67.20 | 366.72 | 366.72 | 13+20.00 |
| 13+25.00 | 68.80 | 68.80 | 68.80 | 372.45 | 372.45 | 13+25.00 |
| 13+30.00 | 70.40 | 70.40 | 70.40 | 378.18 | 378.18 | 13+30.00 |
| 13+35.00 | 72.00 | 72.00 | 72.00 | 383.91 | 383.91 | 13+35.00 |
| 13+40.00 | 73.60 | 73.60 | 73.60 | 389.64 | 389.64 | 13+40.00 |
| 13+45.00 | 75.20 | 75.20 | 75.20 | 395.37 | 395.37 | 13+45.00 |
| 13+50.00 | 76.80 | 76.80 | 76.80 | 401.10 | 401.10 | 13+50.00 |
| 13+55.00 | 78.40 | 78.40 | 78.40 | 406.83 | 406.83 | 13+55.00 |
| 13+60.00 | 80.00 | 80.00 | 80.00 | 412.56 | 412.56 | 13+60.00 |
| 13+65.00 | 81.60 | 81.60 | 81.60 | 418.29 | 418.29 | 13+65.00 |
| 13+70.00 | 83.20 | 83.20 | 83.20 | 424.02 | 424.02 | 13+70.00 |
| 13+75.00 | 84.80 | 84.80 | 84.80 | 429.75 | 429.75 | 13+75.00 |
| 13+80.00 | 86.40 | 86.40 | 86.40 | 435.48 | 435.48 | 13+80.00 |
| 13+85.00 | 88.00 | 88.00 | 88.00 | 441.21 | 441.21 | 13+85.00 |
| 13+90.00 | 89.60 | 89.60 | 89.60 | 446.94 | 446.94 | 13+90.00 |
| 13+95.00 | 91.20 | 91.20 | 91.20 | 452.67 | 452.67 | 13+95.00 |
| 14+00.00 | 92.80 | 92.80 | 92.80 | 458.40 | 458.40 | 14+00.00 |

LEGEND

- FOUND MONUMENT AS DESCRIBED
- SET BRASS CAP IN CONIC STAMPED PLS 4076
- FOUND BRASS CAP STAMPED PLS 4076
- FOUND 1/2" I.P. TAGGED PLS 4076
- SET 1/2" I.P. TAGGED PLS 4076
- ▲ FOUND BRASS CAP
- FOUND 1/2" I.P. TAGGED RICE BARS
- () SET 1/2" REBAR TAGGED PLS 4076 AT ALL LOT CORNERS
- () RECORD DATA PER PARK WEST NO. 7
- [] RECORDED IN VOL. 34 OF MAPS AT PAGE 78 T.C.R.
- [] RECORDED IN VOL. 33 OF MAPS AT PAGE 5 T.C.R.
- [] RECORDED IN VOL. 33 OF MAPS AT PAGE 24 T.C.R.
- [] RECORDED IN VOL. 33 OF MAPS AT PAGE 72 T.C.R.
- (R) RADIAL BEARING
- EPN EASEMENT FOR PUBLIC UTILITIES
- BLUE LINE INDICATES SUBDIVISION BOUNDARY
- VEHICULAR ACCESS BRIDGE RELINQUISHED TO CITY OF VISALIA PER PARK WEST NO. 7

BASIS OF BEARINGS
 THE MONUMENT LINE OF WHITENDALE AVE FROM JACOB AS SHOWN IN VOL. 34 OF MAPS AT PAGE 78 T.C.R. AS SHOWN IN VOL. 34 OF MAPS AT PAGE 78 T.C.R.



SCALE 1" = 100'
 0' 100' 200'

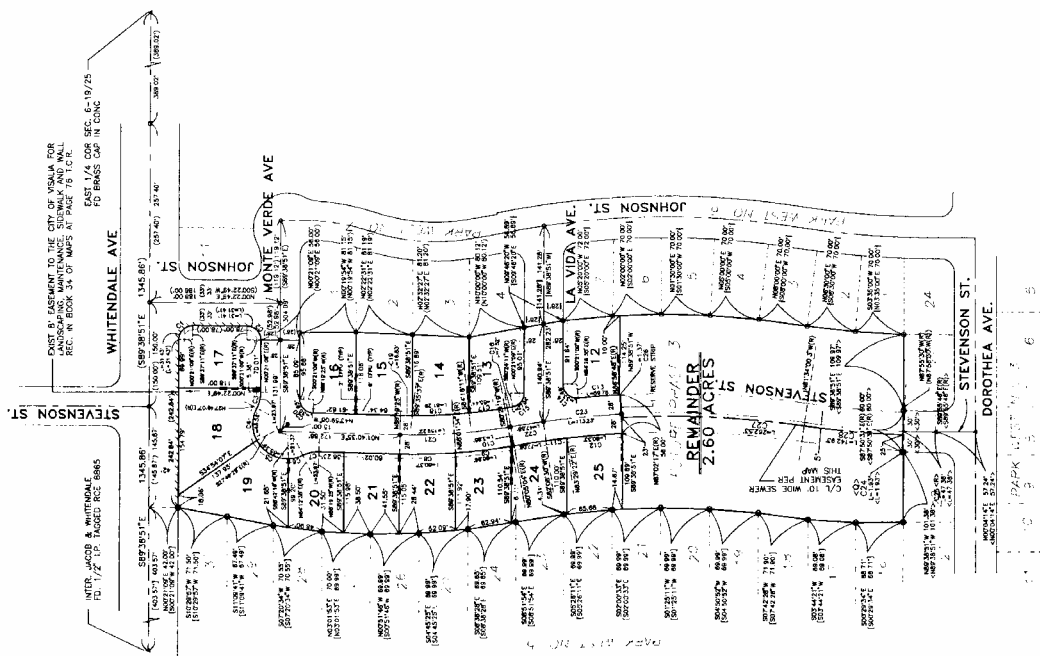
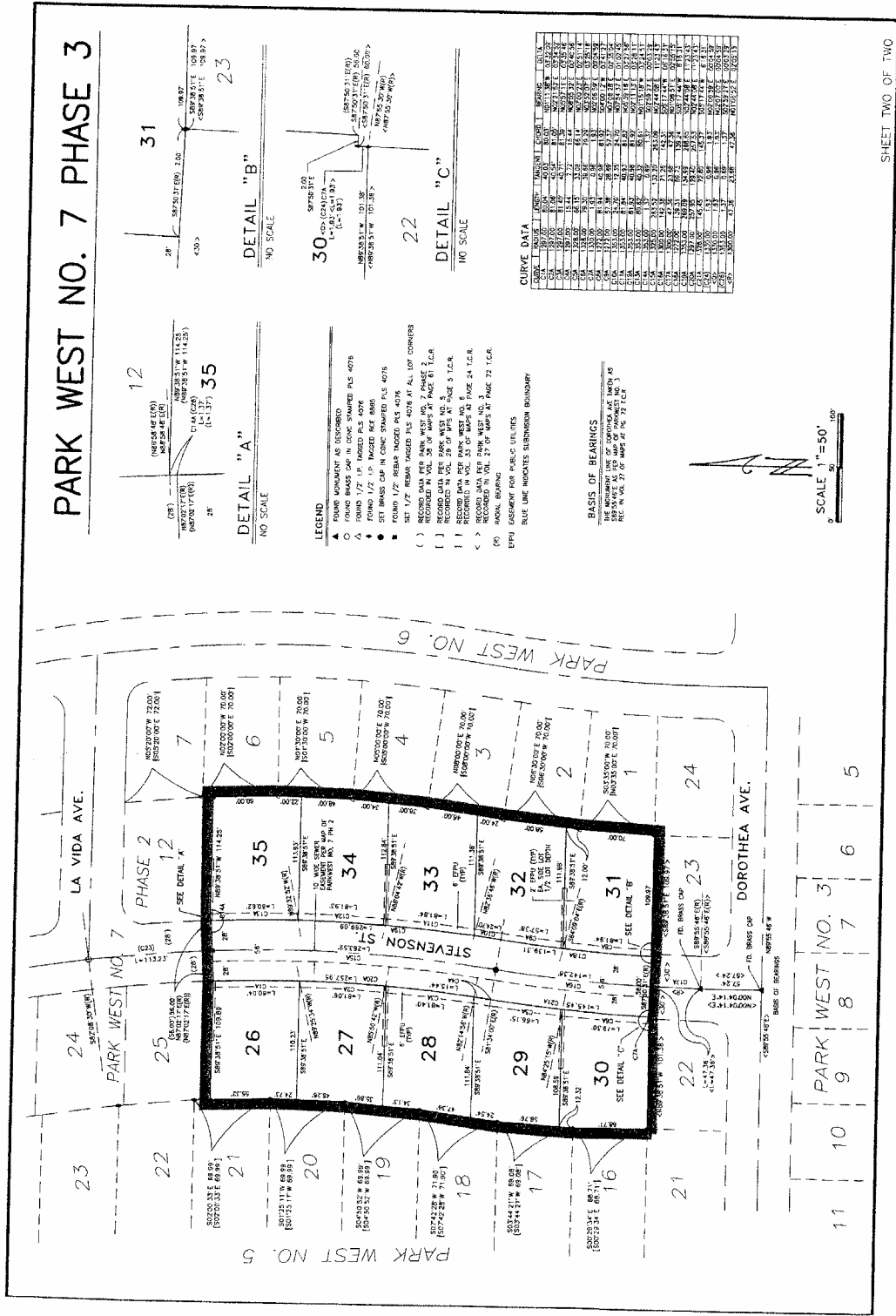


Exhibit A

Assessment Diagram

Assessment District No 90-16

City of Visalia, Tulare County, California

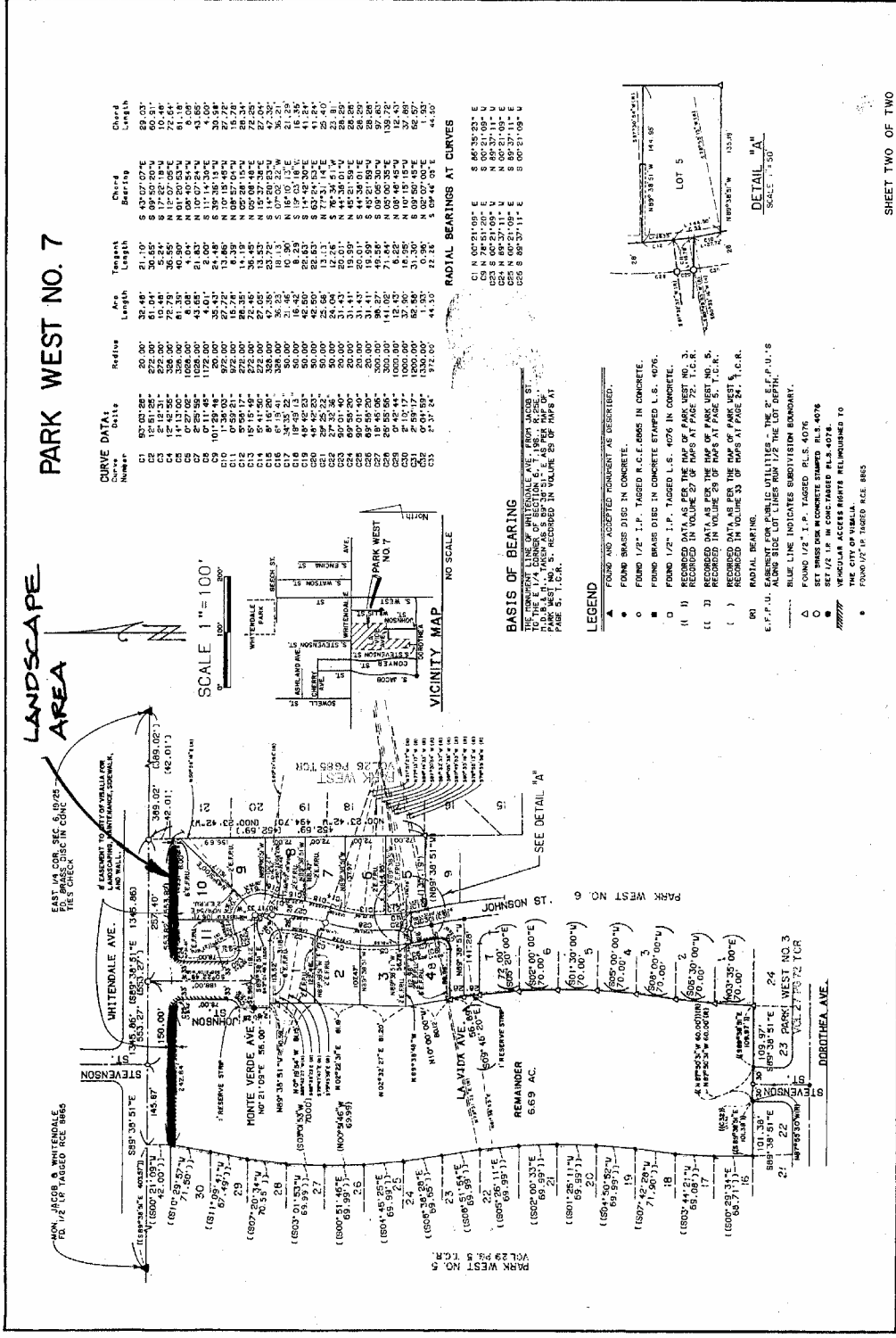


Item 1f(1) Park West No. 7, Phase 3 annexation into 90-16
Last updated 03/01/05

Exhibit B
Landscape Location Diagram
Assessment District No 90-16
City of Visalia, Tulare County, California

76

06-12-11



PARK WEST NO. 7

CURVE DATA:

| Curve Number | Delta | Radius | Area Length | Tangent Length | Chord Bearing | Chord Length |
|--------------|--------------|-----------|-------------|----------------|-----------------|--------------|
| C1 | 90° 00' 00" | 50.000' | 31.416' | 50.000' | S 90° 00' 00" E | 50.000' |
| C2 | 90° 00' 00" | 272.000' | 10,441' | 272.000' | S 90° 00' 00" E | 272.000' |
| C3 | 12° 12' 30" | 272.000' | 10,441' | 57.284' | S 17° 22' 18" W | 10.441' |
| C4 | 14° 13' 00" | 328.000' | 12,881' | 68.309' | N 01° 20' 53" E | 61.154' |
| C5 | 0° 27' 00" | 1698.000' | 6,681' | 1.004' | N 08° 40' 54" E | 6.088' |
| C6 | 0° 11' 45" | 1772.000' | 4,401' | 2.000' | S 11° 14' 30" E | 4.000' |
| C7 | 101° 39' 48" | 29.000' | 35.437' | 24.488' | S 38° 38' 15" W | 39.588' |
| C8 | 101° 39' 48" | 29.000' | 35.437' | 24.488' | N 08° 57' 04" W | 15.728' |
| C9 | 101° 39' 48" | 29.000' | 35.437' | 24.488' | N 08° 57' 04" W | 15.728' |
| C10 | 101° 39' 48" | 29.000' | 35.437' | 24.488' | N 08° 57' 04" W | 15.728' |
| C11 | 0° 59' 31" | 872.000' | 15,728' | 8.339' | N 08° 57' 04" W | 27.044' |
| C12 | 10° 15' 48" | 272.000' | 22.485' | 38.443' | N 12° 37' 38" E | 27.044' |
| C13 | 10° 15' 48" | 272.000' | 22.485' | 38.443' | N 12° 37' 38" E | 27.044' |
| C14 | 10° 15' 48" | 272.000' | 22.485' | 38.443' | N 12° 37' 38" E | 27.044' |
| C15 | 10° 15' 48" | 272.000' | 22.485' | 38.443' | N 12° 37' 38" E | 27.044' |
| C16 | 8° 15' 01" | 328.000' | 36.233' | 18.113' | S 07° 02' 22" W | 36.233' |
| C17 | 34° 35' 35" | 50.000' | 31.416' | 16.390' | N 15° 10' 13" E | 21.229' |
| C18 | 48° 42' 53" | 50.000' | 31.416' | 16.390' | N 15° 10' 13" E | 21.229' |
| C19 | 48° 42' 53" | 50.000' | 31.416' | 16.390' | N 15° 10' 13" E | 21.229' |
| C20 | 48° 42' 53" | 50.000' | 31.416' | 16.390' | N 15° 10' 13" E | 21.229' |
| C21 | 29° 25' 25" | 50.000' | 31.416' | 16.390' | S 62° 51' 10" E | 51.224' |
| C22 | 29° 25' 25" | 50.000' | 31.416' | 16.390' | S 62° 51' 10" E | 51.224' |
| C23 | 27° 32' 36" | 50.000' | 31.416' | 16.390' | S 62° 51' 10" E | 51.224' |
| C24 | 69° 50' 00" | 20.000' | 31.416' | 15.930' | N 48° 28' 50" W | 28.284' |
| C25 | 90° 01' 00" | 20.000' | 31.416' | 15.930' | N 48° 28' 50" W | 28.284' |
| C26 | 26° 45' 00" | 200.000' | 14,062' | 71.644' | N 08° 00' 30" E | 37.483' |
| C27 | 18° 45' 00" | 200.000' | 14,062' | 71.644' | N 08° 00' 30" E | 37.483' |
| C28 | 18° 45' 00" | 200.000' | 14,062' | 71.644' | N 08° 00' 30" E | 37.483' |
| C29 | 18° 45' 00" | 200.000' | 14,062' | 71.644' | N 08° 00' 30" E | 37.483' |
| C30 | 18° 45' 00" | 200.000' | 14,062' | 71.644' | N 08° 00' 30" E | 37.483' |
| C31 | 18° 45' 00" | 200.000' | 14,062' | 71.644' | N 08° 00' 30" E | 37.483' |
| C32 | 18° 45' 00" | 200.000' | 14,062' | 71.644' | N 08° 00' 30" E | 37.483' |
| C33 | 18° 45' 00" | 200.000' | 14,062' | 71.644' | N 08° 00' 30" E | 37.483' |

RADIAL BEARINGS AT CURVES

| | | |
|-----|-----------------|-----------------|
| C1 | N 00° 21' 00" E | S 86° 35' 23" E |
| C2 | N 00° 21' 00" E | N 86° 35' 23" E |
| C3 | N 00° 21' 00" E | N 86° 35' 23" E |
| C4 | N 00° 21' 00" E | N 86° 35' 23" E |
| C5 | N 08° 57' 04" E | N 08° 57' 04" E |
| C6 | N 08° 57' 04" E | N 08° 57' 04" E |
| C7 | N 11° 14' 30" E | N 11° 14' 30" E |
| C8 | S 38° 38' 15" W | S 38° 38' 15" W |
| C9 | N 08° 57' 04" W | N 08° 57' 04" W |
| C10 | N 08° 57' 04" W | N 08° 57' 04" W |
| C11 | N 08° 57' 04" W | N 08° 57' 04" W |
| C12 | N 12° 37' 38" E | N 12° 37' 38" E |
| C13 | N 12° 37' 38" E | N 12° 37' 38" E |
| C14 | N 12° 37' 38" E | N 12° 37' 38" E |
| C15 | N 12° 37' 38" E | N 12° 37' 38" E |
| C16 | S 07° 02' 22" W | S 07° 02' 22" W |
| C17 | N 15° 10' 13" E | N 15° 10' 13" E |
| C18 | N 15° 10' 13" E | N 15° 10' 13" E |
| C19 | N 15° 10' 13" E | N 15° 10' 13" E |
| C20 | N 15° 10' 13" E | N 15° 10' 13" E |
| C21 | S 62° 51' 10" E | S 62° 51' 10" E |
| C22 | S 62° 51' 10" E | S 62° 51' 10" E |
| C23 | S 62° 51' 10" E | S 62° 51' 10" E |
| C24 | N 48° 28' 50" W | N 48° 28' 50" W |
| C25 | N 48° 28' 50" W | N 48° 28' 50" W |
| C26 | N 08° 00' 30" E | N 08° 00' 30" E |
| C27 | N 08° 00' 30" E | N 08° 00' 30" E |
| C28 | N 08° 00' 30" E | N 08° 00' 30" E |
| C29 | N 08° 00' 30" E | N 08° 00' 30" E |
| C30 | N 08° 00' 30" E | N 08° 00' 30" E |
| C31 | N 08° 00' 30" E | N 08° 00' 30" E |
| C32 | N 08° 00' 30" E | N 08° 00' 30" E |
| C33 | N 08° 00' 30" E | N 08° 00' 30" E |

BASIS OF BEARING

TO THE SOUTHWEST CORNER OF SECTION 14, T10N, R20E, S1E, PER THE MAP OF THE CITY OF VISALIA, CALIFORNIA, DATED 03/11/05, AS PER MAP OF THE CITY OF VISALIA, CALIFORNIA, DATED 03/11/05, AS PER MAP OF THE CITY OF VISALIA, CALIFORNIA, DATED 03/11/05, AS PER MAP OF THE CITY OF VISALIA, CALIFORNIA, DATED 03/11/05.

LEGEND

- ▲ FOUND AND ACCEPTED CONCRETE AS DESCRIBED.
- FOUND BRASS DIES IN CONCRETE.
- FOUND 1/2" I.P. TAGGED R.C.C. JOBS IN CONCRETE.
- FOUND BRASS DIES IN CONCRETE STAMPED L.S. 4076.
- FOUND 1/2" I.P. TAGGED L.S. 4076 IN CONCRETE.
- (1) RECORDED IN VOLUME 27 OF MAPS OF PARK WEST NO. 7.
- (2) RECORDED DATA AS PER THE MAP OF PARK WEST NO. 7.
- (3) RECORDED IN VOLUME 29 OF MAPS AT PAGE 5, T.C.R.
- () RECORDED DATA AS PER THE MAP OF PARK WEST NO. 7.
- () RECORDED DATA AS PER THE MAP OF PARK WEST NO. 7.
- RR RADIAL BEARING.
- BLUE LINE INDICATES SUBDIVISION BOUNDARY.
- △ FOUND 1/2" I.P. TAGGED P.L.S. 4076.
- △ SET BRASS DIER IN CONCRETE STAMPED P.L.S. 4076.
- SET 1/2" IN CONCRETE P.L.S. 4076.
- ✓ VERTICAL ACCESS RIGHTS RETURNING TO
- FOUND 1/2" TAGGED R.C.C. JOBS

LANDSCAPE AREA

SCALE 1" = 100'

VICINITY MAP

NO SCALE

SHEET TWO OF TWO

Exhibit C
Tax Roll Assessment
Assessment District No 90-16
City of Visalia, Tulare County, California
Fiscal Year 2004-05

| <u>APN #</u> | <u>Assessment</u> | <u>Owner</u> | <u>Lot #</u> | <u>District</u> |
|----------------|-------------------|----------------|--------------|-----------------|
| to be assigned | \$75.44 | To Be Assigned | 90-1601 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1602 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1603 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1604 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1605 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1606 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1607 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1608 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1609 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1610 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1611 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1612 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1613 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1614 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1615 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1616 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1617 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1618 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1619 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1620 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1621 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1622 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1623 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1624 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1625 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1626 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1627 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1628 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1629 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1630 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1631 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1632 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1633 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1634 | Park West No. 7 |
| to be assigned | \$75.44 | To Be Assigned | 90-1635 | Park West No. 7 |

Exhibit D

ENGINEER'S REPORT OF THE CITY OF VISALIA LANDSCAPE AND LIGHTING DISTRICT 90-16 Park West No. 7 FISCAL YEAR 2004-2005

General Description

This assessment district is located generally along the Whitendale Avenue frontage. Exhibit "A" is a map of the assessment district 90-16. The district includes the maintenance of the turf, shrubs, street lights, trees, and any other applicable equipment or improvements, maintaining the integrity of the wall, irrigation system and seeing that any acts of vandalism (graffiti, theft or damage) are mitigated in a timely fashion.

Determination of Benefit

The purpose of landscaping is to provide an aesthetic impression for the area. The lighting is to provide safety and visual impressions for the area. The wall provides security, aesthetics, and sound suppression. The maintenance of the landscaping, lighting, and wall is vital for the protection of both economic and humanistic values of the development. The City Council has determined that in order to preserve the values incorporated within developments and concurrently have an adequate funding source for maintenance of landscaping, lighting and walls should be included in a maintenance district to ensure satisfactory levels of maintenance.

Method of Apportionment

In order to provide an equitable assessment to all owners within the district, the following method of apportionment has been used. All lots in the district benefit equally including lots not adjacent to the landscaping, wall and lights. The lots not adjacent to the landscaping, wall, and lights benefit by the uniform maintenance and appearance of the district.

Estimated Costs

With this annexation 9 lots are added to the district, bringing the total number of district lots to 35 (up from the original formation number of 26). Adding the additional lots the cost per lot decreases from \$78.00 to \$75.44. The district includes not only the maintenance of the turf, the shrubs, trees and street lights, but maintaining the integrity of the wall, irrigation system and seeing that any acts of vandalism (graffiti, theft or damage) are mitigated in a timely fashion.

Exhibit D

The quantities and estimated costs are as follows:

| <u>Description</u> | <u>Unit</u> | <u>Amount</u> | <u>Cost per unit</u> | <u>Total Cost</u> |
|--------------------------|-------------|---------------|----------------------|-------------------|
| Turf Area | Sq. Ft. | 5800 | \$0.125 | \$725.00 |
| Shrub Area | Sq. Ft. | 3300 | \$0.125 | \$412.50 |
| Water | Sq. Ft. | 9100 | \$0.050 | \$455.00 |
| Electricity | Sq. Ft. | 9100 | \$0.008 | \$72.80 |
| Landscape Trees | Sq. Ft. | 0 | \$25.00 | \$0.00 |
| Street Lights | each | 1 | \$105.00 | \$105.00 |
| | | | | |
| | | | | |
| Project Management Costs | Lots | 35 | \$18.00 | \$630.00 |
| | | | | |
| TOTAL | | | | \$2,400.30 |
| 10% Reserve Fund | | | | \$240.03 |
| | | | | |
| GRAND TOTAL | | | | \$2,640.33 |
| COST PER LOT | | | | \$75.44 |
| | | | | |
| | | | | |
| | | | | |

Annual Cost Increase

This assessment district shall be subject to an automatic annual increase derived by the following formula:

$$\text{year "n" assessment} = (\$2,640.33) (1.05)^{(n-1)}$$

where "n" equals the age of the assessment district with year one (1) being the year that the assessment district was formed;

However, in no case shall the assessment be greater than 1) The actual cost of providing the benefit conferred to each parcel plus any prior years' deficit and less any carryover, as determined annually or; 2) a 10% increase over the prior year's assessment.

The reserve fund shall be replenished as necessary to maintain a level of 10% of the estimated maintenance cost so long as the annual assessment change does not exceed the limits identified above.

Example 1. The year four estimated costs are \$2,877.96 [a 9% increase over the base year assessment of \$2,640.33]. The ceiling on the assessment increase for year 4 would be \$3,056.51 [ceiling = $(\$2,640.33) (1.05)^{(4-1)}$]. The assessment would be set at \$2,877.96 or the actual cost of providing the maintenance effort.

Exhibit D

- Example 2. The year four assessment is estimated at the actual cost of providing the maintenance effort of \$2,983.57 [a 7% increase over the previous year assessment and a 13.3% increase over the base year assessment]. The ceiling on the assessment increase for year 4 would be \$3,056.51 [ceiling = $(\$2,640.33) \times (1.05)^{(4-1)}$]. The assessment would be set at \$3,056.51 or the actual cost of providing the maintenance effort because it is less than the ceiling amount and the year-to-year increase is less than the 10% cap on increases in any given year.
- Example 3. The year four assessment is \$2,877.96 [a 9% increase over the base year assessment of \$2,640.33] and damage occurred to the masonry wall raising the year five assessment to \$3,221.20 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$3,165.76, a 10% increase over the previous year and under the ceiling of \$3,209.34 [ceiling = $(\$2,640.33) \times (1.05)^{(5-1)}$]. The difference of \$ 55.44 will be recognized as a deficit and carried over into future years' assessment.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: March 21, 2005

Agenda Item Number (Assigned by City Clerk): 1f(2)

Agenda Item Wording: Formation of Landscape and Lighting District No. 05-03 South Cameron Creek Unit 1 (Resolution Nos. 05-39 and 05-40 required), and Recordation of the final map for South Cameron Creek Unit 1, located south of Cameron Avenue and west of Court Street (76 lots)

Deadline for Action: March 21, 2005

Submitting Department: Community Development & Public Works

Contact Name and Phone Number:

Andrew Benelli, Assistant Director, 713-4340
Ken McSheehy, Assistant Engineer, 713-4447

For action by:

- City Council
- Redev. Agency Bd.
- Cap. Impr. Corp.
- VPFA

For placement on which agenda:

- Work Session
- Closed Session
- Regular Session:
 - Consent Calendar
 - Regular Item
 - Public Hearing

Est. Time (Min.): 1

Department Recommendation and Summary:

Landscape & Lighting

Staff recommends that the City Council: adopt Resolution No. 05-39 Resolution of Intention for Assessment District No. 05-03, South Cameron Creek Unit 1; adopt the Engineer's Report as submitted: and adopt Resolution 05-40 confirming the Engineer's Report ordering the improvements and levying the first annual assessment.

The City of Visalia has been allowing developers of subdivisions to form assessment districts under the Landscape and Lighting Act of 1972, and now under Proposition 218, in lieu of using homeowners associations for the maintenance of landscaping, irrigation, street lights outside the walls along streets adjacent to the development and street preventive maintenance practices. These improvements are special to the development and enhance the land values to the individual property owners in the district.

The Landscape and Lighting Act allows for the use of summary proceedings when all the affected property owners have given their written consent. This process waives the requirement for a public hearing since the owners of this development have given their written consent to form this district.

Final Map

The recommendation is that City Council approve the recordation of the final map of South Cameron Creek Unit 1 Subdivision. South Cameron Creek Unit 1 Subdivision is located south of Cameron Avenue, north of Visalia Parkway, east of West Street and west of Court Street. The

final subdivision map divides 21.4 acres into seventy six (76) single family lots. The public improvements include construction of several City Standard streets. All bonds, cash payments, subdivision map agreement and final map are in the possession of the City as follows: 1) An executed Subdivision Agreement; 2) Faithful Performance bond in the amount of \$686,517.40 and Labor and Material bond in the amount of \$507,498.25; 3) Cash payment of \$ 162,209.44 distributed to various accounts; and 4) Final Map.

The Faithful Performance Bond covers the cost of constructing the public improvements noted in the subdivision agreement and the Labor and Material Bond covers the salaries and benefits as well as materials supplied to install the required public improvements. Per the Subdivision Ordinance the Faithful performance Bond covers 100% of the cost of the public improvements while the Labor and Material Bond is usually valued at 50% of the Faithful Performance Bond. In some cases lien releases will reduce the amount required for bonding. In those cases the total bonding amounts for Faithful Performance Bond will not be twice as much as for the Labor and Materials Bond. The Faithful Performance Bond can be reduced to 10% of the public construction costs after the Notice of Completion is recorded. The Faithful Performance Bond is held for one year after the recording and acts as a warranty for the public improvements installed per the subdivision agreement. The cash payment covers Development Impact Fees such a storm water acquisition, park acquisition, waterways and sewer front foot fees and any outstanding plan check and inspection fees. The plan check and inspection fees are estimated at the beginning of the Final Map process and are not confirmed until the subdivision agreement is finalized. Differences are due in cash at the time of City Council approval of the Final Map

Prior Council/Board Actions: The City has been allowing the use of the Landscape and Lighting Act of 1972 for maintaining common area features that are a special benefit and enhance the subdivision.

Committee/Commission Review and Actions: The tentative subdivision map for South Cameron Creek subdivision was approved by the Planning Commission on May 10, 2004. The tentative map will expire on May 10, 2006.

Alternatives: N/A

Attachments: Resolution Initiating Proceedings; Clerk's Certification; Resolution Ordering the Improvements; Exhibits "A", "B", "C", "D"

City Manager Recommendation:

Recommended Motions (and Alternative Motions if expected):

"I move to adopt Resolution No. 05-__39_____ Initiating Proceedings for Assessment District No. 05-03 "South Cameron Creek 1" and adopt Resolution No. 05-__40_____ Ordering the Improvements for Assessment District No. 05-03 "South Cameron Creek 1" and I move to authorize the recordation of the Final Map for "South Cameron Creek 1."

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

| | |
|---|-------------------|
| Total Estimated cost: \$ | New Revenue: \$ |
| Amount Budgeted: \$ | Lost Revenue: \$ |
| New funding required:\$ | New Personnel: \$ |
| Council Policy Change: Yes_____ No_____ | |

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

Required? Yes No

Review and Action: Prior:
Required:

NEPA Review:

Required? Yes No

Review and Action: Prior:
Required:

Tracking Information: *(Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date)*

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

RESOLUTION NO. 05-__39__

RESOLUTION INITIATING PROCEEDINGS FOR
ASSESSMENT DISTRICT 05-03
South Cameron Creek 1
(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council proposes to form an assessment district pursuant to the Landscaping & Lighting act of 1972 (Section 22500 and following, Streets & Highways Code) for the purpose of the following improvements:

Maintenance of turf, shrub area, irrigation systems, trees, walls, and any other applicable equipment or improvements.
2. The proposed district shall be designated Assessment District No. 05-03, City of Visalia, Tulare County, California, and shall include the land shown on the map designated "Assessment Diagram Assessment District No. 05-03, City of Visalia, Tulare County, California", which map is on file with the City Clerk and is hereby approved and known as "South Cameron Creek 1".
3. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.

PASSED AND ADOPTED:

CLERK'S CERTIFICATION TO COUNTY AUDITOR

ASSESSMENT DISTRICT NO. 05-03
South Cameron Creek 1
(Pursuant to Landscaping & Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments and assessment diagram, for Assessment District No. 05-03, City of Visalia, confirmed by the City Council of the City of Visalia on the 7th day of March, 2005 by its Resolution No. 05-__39 & 40_____

This document is certified, and is filed with you, pursuant to Section 22641 of the Streets and Highways Code.

RESOLUTION NO. 05-__40__

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 05-03
South Cameron Creek 1
(Pursuant to the Landscape & Lighting Act of 1972)

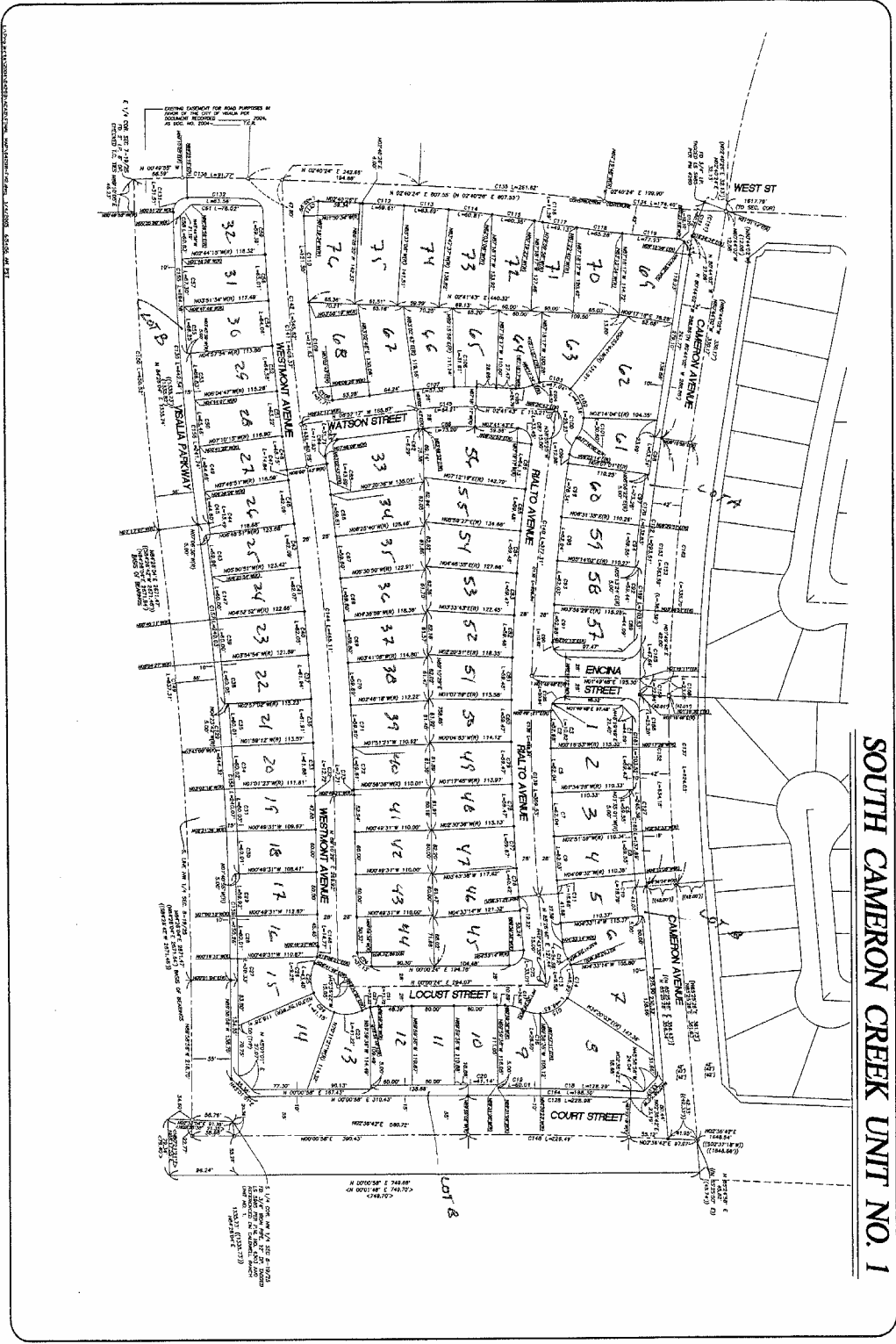
NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for Assessment District No. 05-03, City of Visalia, Tulare County, California, and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the formation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2005-06.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
 - a. Clerk's Certification to County Auditor
 - b. Resolution Initiating Formation of the District
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcel of real property within the Assessment District
 - Exhibit B - Landscape Location Diagram
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report

PASSED AND ADOPTED

Exhibit "A"

Assessment Diagram
Assessment District No. 05-03
City of Visalia, Tulare County, California



SOUTH CAMERON CREEK UNIT NO. 1

Exhibit "B"

Landscape Location Diagram South Cameron Creek 1



Exhibit "C"

Tax Roll Assessment
South Cameron Creek 1
Fiscal Year 2004-05

| <u>APN #</u> | <u>Assessment</u> | <u>Owner</u> | <u>Lot #</u> | <u>District</u> |
|----------------|-------------------|----------------|--------------|-----------------------|
| To Be Assigned | \$269.10 | To Be Assigned | 05-0345 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0346 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0347 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0348 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0349 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0350 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0351 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0352 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0353 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0354 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0355 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0356 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0357 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0358 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0359 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0360 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0361 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0362 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0363 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0364 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0365 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0366 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0367 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0368 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0369 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0370 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0371 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0372 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0373 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0374 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0375 | South Cameron Creek 1 |
| To Be Assigned | \$269.10 | To Be Assigned | 05-0376 | South Cameron Creek 1 |

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-03
South Cameron Creek 1
Fiscal Year 2004-05

General Description

This Assessment District (District) is located Northwest of the Giddings Street and Ferguson Avenue intersection. Exhibit "A" is a map of Assessment District 05-03. This District includes the maintenance of turf, shrubs, street lights, trees, and any other applicable equipment or improvements, maintaining the integrity of the wall, irrigation system and seeing that any acts of vandalism (graffiti, theft or damage) are mitigated in a timely fashion.

Determination of Benefit

The purpose of landscaping is to provide an aesthetic impression for the area. The lighting is to provide safety and visual impressions for the area. The wall provides security, aesthetics, and sound suppression. The maintenance of the landscaping, lighting, and wall is vital for the protection of both economic and humanistic values of the development. .

Method of Apportionment

In order to provide an equitable assessment to all owners within the District, the following method of apportionment has been used. All lots in the District benefit equally including lots not adjacent to the landscaping, wall and lights. The lots not adjacent to the landscaping, wall, and lights benefit by the uniform maintenance and appearance of the District.

Estimated Costs

The District includes not only the maintenance of the turf, the shrubs, trees and street lights, but maintaining the integrity of the wall, irrigation system and seeing that any acts of vandalism (graffiti, theft or damage) are mitigated in a timely fashion. The total number lots within the district are 76.

Exhibit "D"

Engineer's Report
 Landscape & Lighting Assessment District 05-03
 South Cameron Creek 1
 Fiscal Year 2004-05

The quantities and estimated costs are as follows:

| <u>Description</u> | <u>Unit</u> | <u>Amount</u> | <u>Cost per unit</u> | <u>Total Cost</u> |
|--------------------------|-------------|---------------|----------------------|-------------------|
| Turf Area | Sq. Ft. | 19,395 | \$0.125 | \$2,424.38 |
| Shrub Area | Sq. Ft. | 30,685 | \$0.125 | \$3,835.63 |
| Water | Sq. Ft. | 50,080 | \$0.050 | \$2,504.00 |
| Electricity | Sq. Ft. | 50,080 | \$0.008 | \$400.64 |
| Landscape Trees | Each | 136 | \$25.00 | \$3,400.00 |
| Street Lights | Each | 22 | \$105.00 | \$2,310.00 |
| Interior Street Trees | Each | 94 | \$25.00 | \$2,350.00 |
| Project Management Costs | Lots | 76 | \$18.00 | \$1,368.00 |
| | | | | <hr/> |
| TOTAL | | | | \$18,592.64 |
| 10% Reserve Fund | | | | \$1,859.26 |
| | | | | <hr/> |
| GRAND TOTAL | | | | \$20,451.90 |
| COST PER LOT | | | | \$269.10 |

Annual Cost Increase

This assessment district shall be subject to an automatic annual increase derived by the following formula:

$$\text{year "n" assessment} = (\$20,451.90) (1.05)^{(n-1)}$$

where "n" equals the age of the assessment district with year one (1) being the year that the assessment district was formed;

However, in no case shall the assessment be greater than 1) The actual cost of providing the benefit conferred to each parcel plus any prior years' deficit and less any carryover, as determined annually or; 2) a 10% increase over the prior year's assessment.

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 05-03
South Cameron Creek 1
Fiscal Year 2004-05

The reserve fund shall be replenished as necessary to maintain a level of 10% of the estimated maintenance cost so long as the annual assessment change does not exceed the limits identified above.

Example 1. The year four estimated costs are \$22,292.57 [a 9% increase over the base year assessment of \$20,451.90]. The ceiling on the assessment increase for year four would be \$23,675.63 [ceiling = $(\$20,451.90) (1.05)^{(4-1)}$]. The assessment would be set at \$22,292.57 or the actual cost of providing the maintenance effort.

Example 2. The year four assessment is estimated at the actual cost of providing the maintenance effort of \$23,110.65 [a 7% increase over the previous year assessment and a 13.3% increase over the base year assessment]. The ceiling on the assessment increase for year four would be \$23,675.63 [ceiling = $(\$20,451.90) (1.05)^{(4-1)}$]. The assessment would be set at \$23,110.65 or the actual cost of providing the maintenance effort because it is less than the ceiling amount and the year-to-year increase is less than the 10% cap on increases in any given year.

Example 3. The year four assessment is \$22,292.57 [a 9% increase over the base year assessment of \$20,451.90] and damage occurred to the masonry wall raising the year five assessment to \$24,951.32 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$24,521.83, a 10% increase over the previous year and under the ceiling of \$24,859.41 [ceiling = $(\$20,451.90) (1.05)^{(5-1)}$]. The difference of \$ 429.49 will be recognized as a deficit and carried over into future years' assessment.

City of Visalia
Agenda Item Transmittal

Meeting Date: March 21, 2005

Agenda Item Number (Assigned by City Clerk): 1f(3)

Agenda Item Wording: Authorize the Recordation of the Final Map for Shannon Ranch Units 5,6&11, located on the South side of Pratt Ave between County Center Rd & Demaree (95 lots) and the Annexation of Units 5,6,7,10&11 of Shannon Ranch into Landscape and Lighting District No. 02-10, Shannon Ranch (Resolution Nos. 05-__41_____ and 05-__42_____ required).

Deadline for Action: March 21, 2005

Submitting Department: Community Development & Public Works

Contact Name and Phone Number:

Peter Spiro (559) 713-4256

For action by:

- City Council
- Redev. Agency Bd.
- Cap. Impr. Corp.
- VPFA

For placement on which agenda:

- Work Session
- Closed Session
- Regular Session:
 - Consent Calendar
 - Regular Item
 - Public Hearing

Est. Time (Min.): 1

Department Recommendation and Summary:

Final Map

Staff recommends that City Council approve the recordation of the final map for Shannon Ranch 5,6&11 containing 95 lots. All bonds, cash payments, subdivision agreement and final map are in the possession of the City as follows: 1) An executed subdivision agreement; 2) Faithful Performance Bond in the amount of \$1,895,749.00 and Labor and Material Bond in the amount of \$947,875.00. 3) Cash payment of \$143,621.85 distributed to various accounts; and 4) Final Map.

The Faithful Performance Bond covers the cost of constructing the public improvements noted in the subdivision agreement and the Labor and Material Bond covers the salaries and benefits as well as the materials supplied to install the required public improvements. As required by the Subdivision Ordinance, the Faithful Performance Bond covers 100% of the cost of the public improvements. The Labor and Material Bond is valued at 50% of the Faithful Performance Bond. The Faithful Performance Bond can be reduced to 10% of the public construction costs after the Notice of Completion is recorded. The Faithful Performance Bond is held for one year after the recording and acts as a warranty for the public improvements installed per the subdivision agreement. The cash payment covers Development Impact Fees such as storm water acquisition, waterways, sewer front foot fees and any outstanding plan check and inspection fees. The plan check and inspection fees are estimated at the beginning of the Final Map process and are not confirmed until the subdivision agreement is finalized. Differences are due in cash at the time of City Council approval of the Final Map.

Landscape & Lighting

Staff recommends that the City Council: adopt Resolution No. 05-__41_____ Initiating Annexation of Shannon Ranch Units 5,6,7,10&11 to Assessment District No. 02-10, Shannon Ranch; adopt the Engineer's Report as submitted; and adopt Resolution No. 05-__42_____ confirming the Engineer's Report, ordering the improvements and levying the annual assessments.

The City of Visalia has been allowing the developers of subdivisions to form assessment districts under the Landscape and Lighting Act of 1972, and now under Proposition 218, in lieu of using homeowners associations for the maintenance of common features such as landscaping, irrigation systems, street lights and trees on local streets. The maintenance of these improvements is a special benefit to the development and enhances the land values to the individual property owners in the district.

On November 11 , 2002, City Council approved the formation of a Landscape and Lighting District for Units 1&2 of Shannon Ranch. This district included the assessor's parcel numbers for all phases of the Shannon Ranch tentative map. This established at the onset of this development that the landscape and lighting district would be built in phases and the cost for maintenance would be shared equally among all the property owners for all phases of Shannon Ranch. The purpose behind this was to bring future annexations to the Council without having to get permission from the owners in each developed phase to add additional lots to the district. The City would only need permission from the owners in each developed phase if the annexation of the new phase would cause the per lot assessment to increase. This annexation will reduce the per lot assessment for each lot within the district.

While all phases of Shannon Ranch are included in the Landscape and Lighting District #02-10, follow up council action is needed to levy assessments of subdivision lots as each phase is developed. Units 5, 6 &11 are being recorded at this time. Units 7&10 are developed, and City Council action is needed to levy assessments on the individual lots.

The Landscape and Lighting Act allows for the use of summary proceedings when all the affected property owners have given their written consent. This process waives the requirement for a public hearing since the owners of this development have given their written consent to form this district. This development is planned to be done in several units.

Prior Council/Board Actions: The City has been allowing the use of the Landscape and Lighting Act of 1972 for maintaining common area features that are a special benefit and enhance the subdivision.

Committee/Commission Review and Actions: The tentative subdivision map for Shannon Ranch subdivision was approved by the Planning Commission on 09/17/2001. The tentative map will expire on 09/17/2005.

Alternatives: N/A

Attachments: Resolution Initiating Proceedings; Clerk's Certification; Resolution Ordering the Improvements; Exhibits "A", "B", "C", "D"

City Manager Recommendation:

Recommended Motions (and Alternative Motions if expected):

"I move to authorize the recordation of the Final Map for Shannon Ranch Units 5,6&11 and I move to adopt Resolution No. 05-__41__ Initiating Proceedings for Assessment District No. 02-10 "Shannon Ranch" and adopt Resolution No. 05-__42__ Ordering the Improvements for Assessment District No. 02-10 "Shannon Ranch."

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

| | |
|---------------------------------------|-------------------|
| Total Estimated cost: \$ | New Revenue: \$ |
| Amount Budgeted: \$ | Lost Revenue: \$ |
| New funding required:\$ | New Personnel: \$ |
| Council Policy Change: Yes____ No____ | |

Copies of this report have been provided to:

Environmental Assessment Status

CEQA Review:

Required? Yes No
Review and Action: Prior:
Required:

NEPA Review:

Required? Yes No
Review and Action: Prior:
Required:

Tracking Information: (*Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date*)

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:

RESOLUTION NO. 05-__41_____

RESOLUTION INITIATING PROCEEDINGS FOR
ANNEXATION TO ASSESSMENT DISTRICT 02-10
Shannon Ranch
(Pursuant to Landscape and Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council proposes to form an assessment district pursuant to the Landscaping & Lighting act of 1972 (Section 22500 and following, Streets & Highways Code) for the purpose of the following improvements:

Maintenance of turf, shrub area, irrigation systems, trees, walls and any other applicable equipment or improvements.
2. The district, including the annexation, shall continue with the designation established with the initial formation, which is Assessment District No. 02-10, City of Visalia, Tulare County, California, and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 02-10, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Shannon Ranch".
3. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.

PASSED AND ADOPTED:

CLERK'S CERTIFICATION TO COUNTY AUDITOR

ASSESSMENT DISTRICT NO. 02-10

Shannon Ranch

(Pursuant to Landscaping & Lighting Act of 1972)

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments, annexation and assessment diagram, for Assessment District No. 02-10, City of Visalia, confirmed by the City Council of the City of Visalia on the 11th day of November, 2002 by its Resolution No. -__41 & 42_____

This document is certified, and is filed with you, pursuant to Section 22641 of the Streets and Highways Code.

RESOLUTION NO. 05-___42_____

RESOLUTION ORDERING IMPROVEMENTS FOR
ASSESSMENT DISTRICT NO. 02-10
Shannon Ranch
(Pursuant to the Landscape & Lighting Act of 1972)

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for Assessment District No. 02-10, City of Visalia, Tulare County, California, and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. Owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the annexation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2004-05.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
 - a. Clerk's Certification to County Auditor
 - b. Resolution Initiating Proceedings
 - c. Resolution Ordering Improvements
 - d. Engineer's Report:
 - Exhibit A - Assessment Diagram showing all parcels of real property within the Assessment District
 - Exhibit B - Landscape Location Diagram
 - Exhibit C - Tax Roll Assessment
 - Exhibit D - Engineer's Report

PASSED AND ADOPTED

Exhibit "A"

Assessment Diagram Assessment District No. 02-10 City of Visalia, Tulare County, California



PLOT DATE:
JOB NO. 04126
DWG. NAME:
SCALE: 1"=400'
SHEET NO.: 1 OF 1

IMPROVEMENT FOR:
CENTEX HOMES
SHANNON RANCH
CITY EXHIBIT


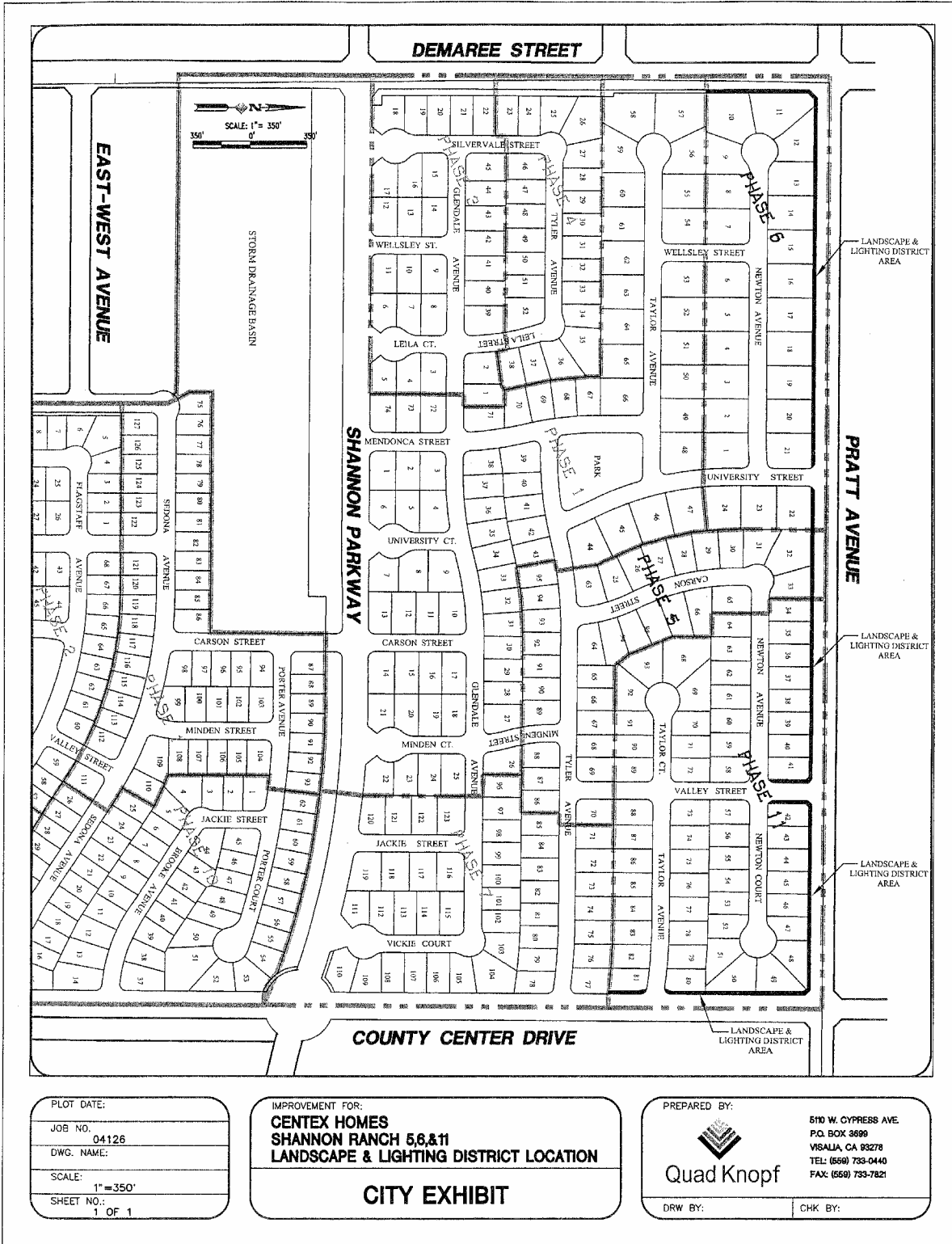
PREPARED BY:

Quad Knopf
6110 W. CYPRESS AVE.
P.O. BOX 3699
VISALIA CA 93278
TEL: (559) 733-0440
FAX: (559) 733-7821
DRW BY: CHK BY:

Exhibit "B"

**Landscape Location Diagram
Shannon Ranch 5,6&11**



PLOT DATE:
JOB NO. 04126
DWG. NAME:
SCALE: 1"=350'
SHEET NO.: 1 OF 1

IMPROVEMENT FOR:
**CENTEX HOMES
SHANNON RANCH 5,6&11
LANDSCAPE & LIGHTING DISTRICT LOCATION**
CITY EXHIBIT


PREPARED BY:

Quad Knopf
5110 W. CYPRESS AVE.
P.O. BOX 3699
VISALIA, CA 93278
TEL: (559) 733-0440
FAX: (559) 733-7821
DRW BY: _____
CHK BY: _____

Exhibit "C"Tax Roll Assessment
Shannon Ranch phases 1,2,3,4,5,6,7,10, 11
Fiscal Year 2004-05

| APN_NO | Assessment | Owner | Lot # | District |
|---------------|-------------------|------------------|--------------|-----------------|
| 78160003 | \$352.33 | To Be determined | 02-1001 | Shannon Ranch |
| 78150010 | \$352.33 | To Be determined | 02-1002 | Shannon Ranch |
| 78150009 | \$352.33 | To Be determined | 02-1003 | Shannon Ranch |
| 78150008 | \$352.33 | To Be determined | 02-1004 | Shannon Ranch |
| 78150007 | \$352.33 | To Be determined | 02-1005 | Shannon Ranch |
| 78150006 | \$352.33 | To Be determined | 02-1006 | Shannon Ranch |
| 78150005 | \$352.33 | To Be determined | 02-1007 | Shannon Ranch |
| 78150004 | \$352.33 | To Be determined | 02-1008 | Shannon Ranch |
| 78150003 | \$352.33 | To Be determined | 02-1009 | Shannon Ranch |
| 78150002 | \$352.33 | To Be determined | 02-1010 | Shannon Ranch |
| 78150001 | \$352.33 | To Be determined | 02-1011 | Shannon Ranch |
| 78160002 | \$352.33 | To Be determined | 02-1012 | Shannon Ranch |
| 78150011 | \$352.33 | To Be determined | 02-1013 | Shannon Ranch |
| 78150012 | \$352.33 | To Be determined | 02-1014 | Shannon Ranch |
| 78150013 | \$352.33 | To Be determined | 02-1015 | Shannon Ranch |
| 78150014 | \$352.33 | To Be determined | 02-1016 | Shannon Ranch |
| 78150015 | \$352.33 | To Be determined | 02-1017 | Shannon Ranch |
| 78150016 | \$352.33 | To Be determined | 02-1018 | Shannon Ranch |
| 78160001 | \$352.33 | To Be determined | 02-1019 | Shannon Ranch |
| 78150017 | \$352.33 | To Be determined | 02-1020 | Shannon Ranch |
| 78150018 | \$352.33 | To Be determined | 02-1021 | Shannon Ranch |
| 78150019 | \$352.33 | To Be determined | 02-1022 | Shannon Ranch |
| 78150020 | \$352.33 | To Be determined | 02-1023 | Shannon Ranch |
| 78180041 | \$352.33 | To Be determined | 02-1024 | Shannon Ranch |
| 78180042 | \$352.33 | To Be determined | 02-1025 | Shannon Ranch |
| 78180043 | \$352.33 | To Be determined | 02-1026 | Shannon Ranch |
| 78180044 | \$352.33 | To Be determined | 02-1027 | Shannon Ranch |
| 78180045 | \$352.33 | To Be determined | 02-1028 | Shannon Ranch |
| 78180046 | \$352.33 | To Be determined | 02-1029 | Shannon Ranch |
| 78180047 | \$352.33 | To Be determined | 02-1030 | Shannon Ranch |
| 78180048 | \$352.33 | To Be determined | 02-1031 | Shannon Ranch |
| 78180049 | \$352.33 | To Be determined | 02-1032 | Shannon Ranch |
| 78180050 | \$352.33 | To Be determined | 02-1033 | Shannon Ranch |
| 78180037 | \$352.33 | To Be determined | 02-1034 | Shannon Ranch |
| 78180051 | \$352.33 | To Be determined | 02-1035 | Shannon Ranch |
| 78250001 | \$352.33 | To Be determined | 02-1036 | Shannon Ranch |
| 78250002 | \$352.33 | To Be determined | 02-1037 | Shannon Ranch |
| 78250003 | \$352.33 | To Be determined | 02-1038 | Shannon Ranch |
| 78180040 | \$352.33 | To Be determined | 02-1039 | Shannon Ranch |
| 78170043 | \$352.33 | To Be determined | 02-1040 | Shannon Ranch |
| 78170044 | \$352.33 | To Be determined | 02-1041 | Shannon Ranch |
| 78170045 | \$352.33 | To Be determined | 02-1042 | Shannon Ranch |
| 78170046 | \$352.33 | To Be determined | 02-1043 | Shannon Ranch |
| 78170047 | \$352.33 | To Be determined | 02-1044 | Shannon Ranch |

Exhibit "C"

Tax Roll Assessment Shannon Ranch phases 1,2,3,4,5,6,7,10, 11 Fiscal Year 2004-05

| <u>APN_NO</u> | <u>Assessment</u> | <u>Owner</u> | <u>Lot #</u> | <u>District</u> |
|---------------|-------------------|------------------|--------------|-----------------|
| 78160003 | \$352.33 | To Be determined | 02-1001 | Shannon Ranch |
| 78150010 | \$352.33 | To Be determined | 02-1002 | Shannon Ranch |
| 78150009 | \$352.33 | To Be determined | 02-1003 | Shannon Ranch |
| 78150008 | \$352.33 | To Be determined | 02-1004 | Shannon Ranch |
| 78150007 | \$352.33 | To Be determined | 02-1005 | Shannon Ranch |
| 78150006 | \$352.33 | To Be determined | 02-1006 | Shannon Ranch |
| 78150005 | \$352.33 | To Be determined | 02-1007 | Shannon Ranch |
| 78150004 | \$352.33 | To Be determined | 02-1008 | Shannon Ranch |
| 78150003 | \$352.33 | To Be determined | 02-1009 | Shannon Ranch |
| 78150002 | \$352.33 | To Be determined | 02-1010 | Shannon Ranch |
| 78150001 | \$352.33 | To Be determined | 02-1011 | Shannon Ranch |
| 78160002 | \$352.33 | To Be determined | 02-1012 | Shannon Ranch |
| 78150011 | \$352.33 | To Be determined | 02-1013 | Shannon Ranch |
| 78150012 | \$352.33 | To Be determined | 02-1014 | Shannon Ranch |
| 78150013 | \$352.33 | To Be determined | 02-1015 | Shannon Ranch |
| 78150014 | \$352.33 | To Be determined | 02-1016 | Shannon Ranch |
| 78150015 | \$352.33 | To Be determined | 02-1017 | Shannon Ranch |
| 78150016 | \$352.33 | To Be determined | 02-1018 | Shannon Ranch |
| 78160001 | \$352.33 | To Be determined | 02-1019 | Shannon Ranch |
| 78150017 | \$352.33 | To Be determined | 02-1020 | Shannon Ranch |
| 78150018 | \$352.33 | To Be determined | 02-1021 | Shannon Ranch |
| 78150019 | \$352.33 | To Be determined | 02-1022 | Shannon Ranch |
| 78150020 | \$352.33 | To Be determined | 02-1023 | Shannon Ranch |
| 78180041 | \$352.33 | To Be determined | 02-1024 | Shannon Ranch |
| 78180042 | \$352.33 | To Be determined | 02-1025 | Shannon Ranch |
| 78180043 | \$352.33 | To Be determined | 02-1026 | Shannon Ranch |
| 78180044 | \$352.33 | To Be determined | 02-1027 | Shannon Ranch |
| 78180045 | \$352.33 | To Be determined | 02-1028 | Shannon Ranch |
| 78180046 | \$352.33 | To Be determined | 02-1029 | Shannon Ranch |
| 78180047 | \$352.33 | To Be determined | 02-1030 | Shannon Ranch |
| 78180048 | \$352.33 | To Be determined | 02-1031 | Shannon Ranch |
| 78180049 | \$352.33 | To Be determined | 02-1032 | Shannon Ranch |
| 78180050 | \$352.33 | To Be determined | 02-1033 | Shannon Ranch |
| 78180037 | \$352.33 | To Be determined | 02-1034 | Shannon Ranch |
| 78180051 | \$352.33 | To Be determined | 02-1035 | Shannon Ranch |
| 78250001 | \$352.33 | To Be determined | 02-1036 | Shannon Ranch |
| 78250002 | \$352.33 | To Be determined | 02-1037 | Shannon Ranch |
| 78250003 | \$352.33 | To Be determined | 02-1038 | Shannon Ranch |
| 78180040 | \$352.33 | To Be determined | 02-1039 | Shannon Ranch |
| 78170043 | \$352.33 | To Be determined | 02-1040 | Shannon Ranch |
| 78170044 | \$352.33 | To Be determined | 02-1041 | Shannon Ranch |
| 78170045 | \$352.33 | To Be determined | 02-1042 | Shannon Ranch |
| 78170046 | \$352.33 | To Be determined | 02-1043 | Shannon Ranch |
| <u>APN_NO</u> | <u>Assessment</u> | <u>Owner</u> | <u>Lot #</u> | <u>District</u> |

Exhibit "C"

Tax Roll Assessment
Shannon Ranch phases 1,2,3,4,5,6,7,10, 11
Fiscal Year 2004-05

| <u>APN_NO</u> | <u>Assessment</u> | <u>Owner</u> | <u>Lot #</u> | <u>District</u> |
|---------------|-------------------|------------------|--------------|-----------------|
| 78160003 | \$352.33 | To Be determined | 02-1001 | Shannon Ranch |
| 78150010 | \$352.33 | To Be determined | 02-1002 | Shannon Ranch |
| 78150009 | \$352.33 | To Be determined | 02-1003 | Shannon Ranch |
| 78150008 | \$352.33 | To Be determined | 02-1004 | Shannon Ranch |
| 78150007 | \$352.33 | To Be determined | 02-1005 | Shannon Ranch |
| 78150006 | \$352.33 | To Be determined | 02-1006 | Shannon Ranch |
| 78150005 | \$352.33 | To Be determined | 02-1007 | Shannon Ranch |
| 78150004 | \$352.33 | To Be determined | 02-1008 | Shannon Ranch |
| 78150003 | \$352.33 | To Be determined | 02-1009 | Shannon Ranch |
| 78150002 | \$352.33 | To Be determined | 02-1010 | Shannon Ranch |
| 78150001 | \$352.33 | To Be determined | 02-1011 | Shannon Ranch |
| 78160002 | \$352.33 | To Be determined | 02-1012 | Shannon Ranch |
| 78150011 | \$352.33 | To Be determined | 02-1013 | Shannon Ranch |
| 78150012 | \$352.33 | To Be determined | 02-1014 | Shannon Ranch |
| 78150013 | \$352.33 | To Be determined | 02-1015 | Shannon Ranch |
| 78150014 | \$352.33 | To Be determined | 02-1016 | Shannon Ranch |
| 78150015 | \$352.33 | To Be determined | 02-1017 | Shannon Ranch |
| 78150016 | \$352.33 | To Be determined | 02-1018 | Shannon Ranch |
| 78160001 | \$352.33 | To Be determined | 02-1019 | Shannon Ranch |
| 78150017 | \$352.33 | To Be determined | 02-1020 | Shannon Ranch |
| 78150018 | \$352.33 | To Be determined | 02-1021 | Shannon Ranch |
| 78150019 | \$352.33 | To Be determined | 02-1022 | Shannon Ranch |
| 78150020 | \$352.33 | To Be determined | 02-1023 | Shannon Ranch |
| 78180041 | \$352.33 | To Be determined | 02-1024 | Shannon Ranch |
| 78180042 | \$352.33 | To Be determined | 02-1025 | Shannon Ranch |
| 78180043 | \$352.33 | To Be determined | 02-1026 | Shannon Ranch |
| 78180044 | \$352.33 | To Be determined | 02-1027 | Shannon Ranch |
| 78180045 | \$352.33 | To Be determined | 02-1028 | Shannon Ranch |
| 78180046 | \$352.33 | To Be determined | 02-1029 | Shannon Ranch |
| 78180047 | \$352.33 | To Be determined | 02-1030 | Shannon Ranch |
| 78180048 | \$352.33 | To Be determined | 02-1031 | Shannon Ranch |
| 78180049 | \$352.33 | To Be determined | 02-1032 | Shannon Ranch |
| 78180050 | \$352.33 | To Be determined | 02-1033 | Shannon Ranch |
| 78180037 | \$352.33 | To Be determined | 02-1034 | Shannon Ranch |
| 78180051 | \$352.33 | To Be determined | 02-1035 | Shannon Ranch |
| 78250001 | \$352.33 | To Be determined | 02-1036 | Shannon Ranch |
| 78250002 | \$352.33 | To Be determined | 02-1037 | Shannon Ranch |
| 78250003 | \$352.33 | To Be determined | 02-1038 | Shannon Ranch |
| 78180040 | \$352.33 | To Be determined | 02-1039 | Shannon Ranch |
| 78170043 | \$352.33 | To Be determined | 02-1040 | Shannon Ranch |
| 78170044 | \$352.33 | To Be determined | 02-1041 | Shannon Ranch |
| 78170045 | \$352.33 | To Be determined | 02-1042 | Shannon Ranch |
| 78170046 | \$352.33 | To Be determined | 02-1043 | Shannon Ranch |
| 78170047 | \$352.33 | To Be determined | 02-1044 | Shannon Ranch |

Exhibit "C"

Tax Roll Assessment
Shannon Ranch phases 1,2,3,4,5,6,7,10, 11
Fiscal Year 2004-05

| APN_NO | Assessment | Owner | Lot # | District |
|---------------|-------------------|------------------|--------------|-----------------|
| 78160003 | \$352.33 | To Be determined | 02-1001 | Shannon Ranch |
| 78150010 | \$352.33 | To Be determined | 02-1002 | Shannon Ranch |
| 78150009 | \$352.33 | To Be determined | 02-1003 | Shannon Ranch |
| 78150008 | \$352.33 | To Be determined | 02-1004 | Shannon Ranch |
| 78150007 | \$352.33 | To Be determined | 02-1005 | Shannon Ranch |
| 78150006 | \$352.33 | To Be determined | 02-1006 | Shannon Ranch |
| 78150005 | \$352.33 | To Be determined | 02-1007 | Shannon Ranch |
| 78150004 | \$352.33 | To Be determined | 02-1008 | Shannon Ranch |
| 78150003 | \$352.33 | To Be determined | 02-1009 | Shannon Ranch |
| 78150002 | \$352.33 | To Be determined | 02-1010 | Shannon Ranch |
| 78150001 | \$352.33 | To Be determined | 02-1011 | Shannon Ranch |
| 78160002 | \$352.33 | To Be determined | 02-1012 | Shannon Ranch |
| 78150011 | \$352.33 | To Be determined | 02-1013 | Shannon Ranch |
| 78150012 | \$352.33 | To Be determined | 02-1014 | Shannon Ranch |
| 78150013 | \$352.33 | To Be determined | 02-1015 | Shannon Ranch |
| 78150014 | \$352.33 | To Be determined | 02-1016 | Shannon Ranch |
| 78150015 | \$352.33 | To Be determined | 02-1017 | Shannon Ranch |
| 78150016 | \$352.33 | To Be determined | 02-1018 | Shannon Ranch |
| 78160001 | \$352.33 | To Be determined | 02-1019 | Shannon Ranch |
| 78150017 | \$352.33 | To Be determined | 02-1020 | Shannon Ranch |
| 78150018 | \$352.33 | To Be determined | 02-1021 | Shannon Ranch |
| 78150019 | \$352.33 | To Be determined | 02-1022 | Shannon Ranch |
| 78150020 | \$352.33 | To Be determined | 02-1023 | Shannon Ranch |
| 78180041 | \$352.33 | To Be determined | 02-1024 | Shannon Ranch |
| 78180042 | \$352.33 | To Be determined | 02-1025 | Shannon Ranch |
| 78180043 | \$352.33 | To Be determined | 02-1026 | Shannon Ranch |
| 78180044 | \$352.33 | To Be determined | 02-1027 | Shannon Ranch |
| 78180045 | \$352.33 | To Be determined | 02-1028 | Shannon Ranch |
| 78180046 | \$352.33 | To Be determined | 02-1029 | Shannon Ranch |
| 78180047 | \$352.33 | To Be determined | 02-1030 | Shannon Ranch |
| 78180048 | \$352.33 | To Be determined | 02-1031 | Shannon Ranch |
| 78180049 | \$352.33 | To Be determined | 02-1032 | Shannon Ranch |
| 78180050 | \$352.33 | To Be determined | 02-1033 | Shannon Ranch |
| 78180037 | \$352.33 | To Be determined | 02-1034 | Shannon Ranch |
| 78180051 | \$352.33 | To Be determined | 02-1035 | Shannon Ranch |
| 78250001 | \$352.33 | To Be determined | 02-1036 | Shannon Ranch |
| 78250002 | \$352.33 | To Be determined | 02-1037 | Shannon Ranch |

Exhibit "C"

Tax Roll Assessment
Shannon Ranch phases 1,2,3,4,5,6,7,10, 11
Fiscal Year 2004-05

| <u>APN_NO</u> | <u>Assessment</u> | <u>Owner</u> | <u>Lot #</u> | <u>District</u> |
|---------------|-------------------|------------------|--------------|-----------------|
| 78160003 | \$352.33 | To Be determined | 02-1001 | Shannon Ranch |
| 78150010 | \$352.33 | To Be determined | 02-1002 | Shannon Ranch |
| 78150009 | \$352.33 | To Be determined | 02-1003 | Shannon Ranch |
| 78150008 | \$352.33 | To Be determined | 02-1004 | Shannon Ranch |
| 78150007 | \$352.33 | To Be determined | 02-1005 | Shannon Ranch |
| 78150006 | \$352.33 | To Be determined | 02-1006 | Shannon Ranch |
| 78150005 | \$352.33 | To Be determined | 02-1007 | Shannon Ranch |
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| 78150003 | \$352.33 | To Be determined | 02-1009 | Shannon Ranch |
| 78150002 | \$352.33 | To Be determined | 02-1010 | Shannon Ranch |
| 78150001 | \$352.33 | To Be determined | 02-1011 | Shannon Ranch |
| 78160002 | \$352.33 | To Be determined | 02-1012 | Shannon Ranch |
| 78150011 | \$352.33 | To Be determined | 02-1013 | Shannon Ranch |
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| 78150015 | \$352.33 | To Be determined | 02-1017 | Shannon Ranch |
| 78150016 | \$352.33 | To Be determined | 02-1018 | Shannon Ranch |
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| 78180049 | \$352.33 | To Be determined | 02-1032 | Shannon Ranch |
| 78180050 | \$352.33 | To Be determined | 02-1033 | Shannon Ranch |
| 78180037 | \$352.33 | To Be determined | 02-1034 | Shannon Ranch |
| 78180051 | \$352.33 | To Be determined | 02-1035 | Shannon Ranch |
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Exhibit "C"

Tax Roll Assessment
Shannon Ranch phases 1,2,3,4,5,6,7,10, 11
Fiscal Year 2004-05

| <u>APN_NO</u> | <u>Assessment</u> | <u>Owner</u> | <u>Lot #</u> | <u>District</u> |
|---------------|-------------------|------------------|--------------|-----------------|
| 78160003 | \$352.33 | To Be determined | 02-1001 | Shannon Ranch |
| 78150010 | \$352.33 | To Be determined | 02-1002 | Shannon Ranch |
| 78150009 | \$352.33 | To Be determined | 02-1003 | Shannon Ranch |
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Exhibit "C"Tax Roll Assessment
Shannon Ranch phases 1,2,3,4,5,6,7,10, 11
Fiscal Year 2004-05

| APN_NO | Assessment | Owner | Lot # | District |
|---------------|-------------------|------------------|--------------|-----------------|
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| 78150010 | \$352.33 | To Be determined | 02-1002 | Shannon Ranch |
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Exhibit "C"

Tax Roll Assessment
Shannon Ranch phases 1,2,3,4,5,6,7,10, 11
Fiscal Year 2004-05

| <u>APN_NO</u> | <u>Assessment</u> | <u>Owner</u> | <u>Lot #</u> | <u>District</u> |
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Exhibit "C"

Tax Roll Assessment
Shannon Ranch phases 1,2,3,4,5,6,7,10, 11
Fiscal Year 2004-05

| <u>APN_NO</u> | <u>Assessment</u> | <u>Owner</u> | <u>Lot #</u> | <u>District</u> |
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Exhibit "C"

Tax Roll Assessment
Shannon Ranch phases 1,2,3,4,5,6,7,10, 11
Fiscal Year 2004-05

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Exhibit "C"

Tax Roll Assessment
Shannon Ranch phases 1,2,3,4,5,6,7,10, 11
Fiscal Year 2004-05

| APN_NO | Assessment | Owner | Lot # | District |
|---------------|-------------------|------------------|--------------|-----------------|
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Exhibit "D"

Engineer's Report Landscape & Lighting Assessment District 02-10 Shannon Ranch Fiscal Year 2004-05

General Description

This Assessment District (District) is located East of Demaree Ave and West of County Center Rd, between Pratt Ave and Riffin Ave . Exhibit "A" is a map of Assessment District 02-10. This District includes the maintenance of turf, shrubs, street lights, trees, and any other applicable equipment or improvements, maintaining the integrity of the wall, irrigation system and seeing that any acts of vandalism (graffiti, theft or damage) are mitigated in a timely fashion.

Determination of Benefit

The purpose of landscaping is to provide an aesthetic impression for the area. The lighting is to provide safety and visual impressions for the area. The wall provides security, aesthetics, and sound suppression. The maintenance of the landscaping, lighting, and wall is vital for the protection of both economic and humanistic values of the development. The City Council has determined that in order to preserve the values incorporated within developments and to concurrently have an adequate funding source for maintenance of the landscaping, lighting, walls and all internal local streets should be included in a maintenance district to ensure satisfactory levels of maintenance.

Method of Apportionment

In order to provide an equitable assessment to all owners within the District, the following method of apportionment has been used. All lots in the District benefit equally including lots not adjacent to the landscaping, wall and lights. The lots not adjacent to the landscaping, wall and lights benefit by the uniform maintenance and appearance of the District.

Estimated Costs

The District includes not only the maintenance of the turf, the shrubs, trees and street lights, but maintaining the integrity of the wall, irrigation system and seeing that any acts of vandalism (graffiti, theft or damage) are mitigated in a timely fashion. The total number lots within the district are 561.

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 02-10
Shannon Ranch
Fiscal Year 2004-05

| <u>Description</u> | <u>Unit</u> | <u>Amount</u> | <u>Cost per unit</u> | <u>Total Cost</u> |
|----------------------------|-------------|---------------|----------------------|---------------------|
| Turf Area | Sq. Ft. | 279,274 | \$0.135 | \$37,701.99 |
| Shrub Area | Sq. Ft. | 116,182 | \$0.135 | \$15,684.57 |
| Water | Sq. Ft. | 395,456 | \$0.050 | \$19,772.80 |
| Electricity | Sq. Ft. | 9300 | \$0.008 | \$74.40 |
| Landscape/interior Trees | Each | 2010 | \$25.00 | \$50,250.00 |
| Street Lights | Each | 112 | \$105.00 | \$11,760.00 |
| Neighborhood Parks Phase 1 | Acres | 1.19 | \$3,339.00 | \$3,973.41 |
| Neighborhood Parks Phase 2 | Acres | 1.22 | \$3,339.00 | \$4,073.58 |
| Project Management Costs | Lots | 474 | \$18.00 | \$8,532.00 |
| TOTAL | | | | \$151,822.75 |
| 10% Reserve Fund | | | | \$15,182.28 |
| GRAND TOTAL | | | | <u>\$167,005.03</u> |
| COST PER LOT | | | | <u>\$352.33</u> |

The quantities and estimated costs are as follows:

This assessment district shall be subject to an automatic annual increase derived by the following formula:

$$\text{year "n" assessment} = (\$167,005.03)^{(n-1)}(1.05)$$

where "n" equals the age of the assessment district with year one (1) being the year that the assessment district was formed;

However, in no case shall the assessment be greater than 1) The actual cost of providing the benefit conferred to each parcel plus any prior years' deficit and less any carryover, as determined annually or; 2) a 10% increase over the prior year's assessment.

The reserve fund shall be replenished as necessary to maintain a level of 10% of the estimated maintenance cost so long as the annual assessment change does not exceed the limits identified above.

Example 1. The estimated cost of the maintenance effort for year four is \$182,032.21 [a 9% increase over the base year assessment of \$167,005.03. The ceiling on the assessment increase for year four would be \$193,329.19 [ceiling =

Exhibit "D"

Engineer's Report
Landscape & Lighting Assessment District 02-10
Shannon Ranch
Fiscal Year 2004-05

(4-1)
(\$167,005.03)(1.05)]. The assessment would be set at \$182,032.21 or the actual cost of providing the maintenance effort.

Example 2. The estimated year four cost of maintaining the improvements in the district is \$189,216.69 [a 7% increase over the previous year assessment and a 13.3% increase over the base year assessment]. The ceiling on the assessment increase (4-1) for year four would be \$193,329.19 = [\$167,006.03) (1.05)]. The assessment would be set at \$189,216.69 . the actual cost of providing the maintenance effort because it is less than the ceiling amount and the year-to-year increase is less than the 10% cap on increases in any given year.

Example 3. The estimated year four cost of maintaining the improvement in the district assessment is \$182,036.57 [a 9% increase over the base year assessment of \$167,006.03] and damage occurred to the masonry wall raising the year five expenses to \$222,266.65 [a 22.1% increase over the previous year assessment]. The year five assessment will be capped at \$200,240.227 a 10% increase over the previous year and under the ceiling of \$202,996.87 [ceiling = (5-1) (\$167,006.03)(1.05)]. The difference of \$19,269.78 will be recognized as a deficit and carried over into future years' assessment.

**City of Visalia
Agenda Item Transmittal**

Meeting Date: March 21, 2005

Agenda Item Number (Assigned by City Clerk): 2

Agenda Item Wording: PUBLIC HEARING – comments and ballot vote results for proposed Landscape & Lighting District for the St. John’s Estates subdivision, located at St. John’s Parkway and Cain Streets.

Deadline for Action: March 21, 2005

Submitting Department: Community Development/Public Works

Contact Name and Phone Number:

Paul Shepard, Management Analyst 713-4209
Earl Nielsen, Support Services Manager 713-4533
Andrew Benelli, Assistant Director 713-4340

For action by:

- City Council
- Redev. Agency Bd.
- Cap. Impr. Corp.
- VPFA

For placement on which agenda:

- Work Session
- Closed Session
- Regular Session:
 - Consent Calendar
 - Regular Item
 - Public Hearing

Est. Time (Min.):_15__

Department Recommendation and Summary:

St. John’s Estates is an existing residential subdivision located at the corner of St. John’s Parkway and Cain streets, and includes 22 properties. The subdivision was developed in 1999/2000 (the tentative map was approved February 1999), and through an oversight did not have a Landscape and Lighting district formed at the time the subdivision was developed. When the time requirements to have the landscaping improvements installed and completed were exceeded, staff contacted the developer and became aware that the St. John’s Estates subdivision also did not have a Landscape & Lighting District formed for it. Further discussions with the developer and various property owners indicated a desire by all parties to have the landscaping installed and the improvement district established.

Landscape and Lighting charges are placed on the property tax roll and as such are subject to Proposition 218, which requires local agencies to get approval from property owners for increases in property taxes not previously agreed upon. The process includes a ballot vote of affected property owners to approve the proposed increase, with a simple majority of the returned ballots to approve the increase. Proposition 218 requirements have been met and ballots were sent to the property owners asking them if they would support an increase in their property taxes to pay for the maintenance of the subject improvements (see exhibit “A”). At the public hearing, property owners can address the Council regarding the establishment of the district and the proposed assessment increases. Staff has collected the sealed returned ballots and after public testimony has been received, staff will tabulate the ballot votes and present the results to Council later in the Council meeting. Should the simple majority of the ballots cast approve the increased costs, then Council may vote to approve the increase. Should the increase not be approved by the property owners, then those additional costs cannot be placed on their property tax assessments, and funding will not be available through the Landscape & Lighting District to maintain the improvements.

St. Johns Estates improvements include turf, shrubs, trees, streetlights and a block wall along the St. Johns Parkway and Cain Street frontages. All installation costs for the improvements will be borne by the developer. The landscape improvements have not been installed yet, as the developer is waiting to receive approval for funding the maintenance of the improvements through the Landscape & Lighting District. There are 22 properties that share the responsibility of the proposed assessment. The proposed assessment for St. Johns Estates is \$161.94 per property owner per year (or about \$13.50 per month). The total annual assessment for St. Johns Estates is about \$3,400 per year.

Prior Council/Board Actions: None.

Committee/Commission Review and Actions: N/A

Alternatives:

If the St. Johns Estates assessments are not approved, alternatives exist:

- The City may elect not to install some or all of the landscaping improvements, reduce the frequency of the maintenance activities such as mowing and watering, or some combination of the two.
- The property owners may form a homeowners association and provide for the maintenance of the common landscaping areas at no cost to the City.

Attachments:

Exhibit A: Sample ballot letter

City Manager Recommendation:

Recommended Motion (and Alternative Motions if expected): "I move that the proposed Landscape and Lighting district be created for the St. Johns Estates subdivision."

Copies of this report have been provided to:

Financial Impact

Funding Source:

Account Number: _____ (Call Finance for assistance)

Budget Recap:

| | |
|--------------------------------|-------------------|
| Total Estimated cost: \$ | New Revenue: \$ |
| Amount Budgeted: \$ | Lost Revenue: \$ |
| New funding required: \$ | New Personnel: \$ |
| Council Policy Change: Yes ___ | No <u>X</u> |

Environmental Assessment Status

CEQA Review:

Required? Yes No
Review and Action: Prior:
Required:

NEPA Review:

Required? Yes No
Review and Action: Prior:
Required:

Tracking Information: (*Staff must list/include appropriate review, assessment, appointment and contract dates and other information that needs to be followed up on at a future date*)

If approved a staff report with resolutions to create the district needs to be brought before Council at the earliest opportunity.

Review and Approval - As needed:

Department Head Review (Signature):

Risk Management Review (Signature):

City Attorney Review (Signature):

Administrative Services Finance Review (Signature):

Others:



EXHIBIT A
Sample Letter, Ballot & Map For
St. Johns Est. Property Owners



January 28, 2005

Property Owner

Dear City of Visalia Property Owner:

According to our records, you are the property owner at _____, Visalia, CA, which is located within the St. Johns Estates subdivision (if you are not the owner, please forward this to the current property owner and contact the City at the numbers listed below, to correct the discrepancy). The City of Visalia is proposing that a landscape & lighting district be created for your subdivision, to provide funding to maintain the subdivision's common turf, shrub area, trees and operation of the street lights (see shaded area on enclosed map). In addition, the proposed Landscape & Lighting district will provide for the maintenance of the wall and abatement of graffiti. Currently your subdivision is comprised of 21 lots, with estimated costs to maintain the improvements in the Landscape & Lighting District totaling \$3,400.75 per year. As detailed in the table below, the annual per lot assessment will be \$161.94, or the equivalent of approximately \$13.50 per month (see below).

| <u>Description of Service</u> | <u>Units</u> | <u>Amount</u> | <u>Per Unit</u> | <u>Total</u> |
|--|--------------|---------------|-----------------|--------------------|
| | | | <u>Cost</u> | <u>Annual Cost</u> |
| Turf | Sq Ft | 2,583 | \$0.135 | 348.71 |
| Shrub area | Sq Ft | 5104 | \$0.135 | 689.04 |
| Trees | Ea | 47 | \$15.00 | 705.00 |
| Electricity | Sq Ft | 7,687 | \$0.008 | 61.50 |
| Water | Sq Ft | 7,687 | \$0.050 | 384.35 |
| Street lights | Ea | 5 | \$105.00 | 525.00 |
| District management | Ea | 21 | \$18.00 | 378.00 |
| Subtotal | | | | 3,091.59 |
| 10% reserve fund | | | | 309.16 |
| Total Annula Cost to maintain District | | | | 3,400.75 |
| Cost per lot | | | | 161.94 |

Proposition 218 requires local agencies to get approval from the property owners for increases in property taxes not previously agreed upon. On the following page is a ballot which gives you, the property owner, certain options:

1. Yes, I approve of the assessment of \$161.94 per lot. This increase will allow the City to maintain the subject improvements within the proposed St. Johns Estates Landscape & Lighting District.
2. No, I do not approve a lot assessment of \$161.94. If this action is not approved, the City will lack necessary funding to maintain the improvements in the proposed St. Johns Estates landscape & Lighting district. In this case, the City may have to consider other options, such as downgrading the maintenance in the area and/or remove some or all of the improvements.

Please use the enclosed ballot form to indicate your preference and return it to the City for tabulation. A public hearing discussing the Landscape & Lighting assessments will be held during the City Council meeting on March 21, 2005. The council meeting begins at 7pm. At the public hearing property owners will have the opportunity to discuss the proposed assessment to their subdivision, and change or withdraw their ballot if they so chose.

EXHIBIT "A"
Sample Letter, Ballot & Map For
St. Johns Est. Property Owners

Office of the City Clerk
707 W. Acequia
Visalia, CA 93291

Attn: St. Johns Estates L&L ballot

Ballot Form

Ballot completion and return instructions:

1. Fill out the ballot at the bottom of this page. Be sure to check your preference and sign & date the ballot.
2. Fold this sheet just like it was folded when you received it (be sure the City address above is visible)
3. Insert this sheet into the provided return envelope with the City address above visible through the window of the envelope.
4. Place appropriate postage on the return envelope.
5. Mail the completed form. In order to be counted, it must arrive at the City Hall address on or before 5pm, on Monday, March 21, 2005.
6. ALTERNATIVE DELIVERY: you may also hand deliver the ballot to the address listed above, on or before 5pm on Monday, March 21, 2005. ALL HAND DELIVERED BALLOTS MUST BE IN A SEALED ENVELOPE.

If you have any question or concerns about the ballot process, please feel free to contact Paul Shepard, Public Works Management Analyst at (559) 713-4209.

BALLOT

I, _____
(PRINTED PROPERTY OWNER'S NAME)

Owning property located at _____ in the St. Johns Estates subdivision,

(Check one) AGREE DISAGREE with the City's proposal of a \$161.94 increase in the per lot annual property tax assessments for St. Johns Estates .

(Property Owner Signature)

(Date)

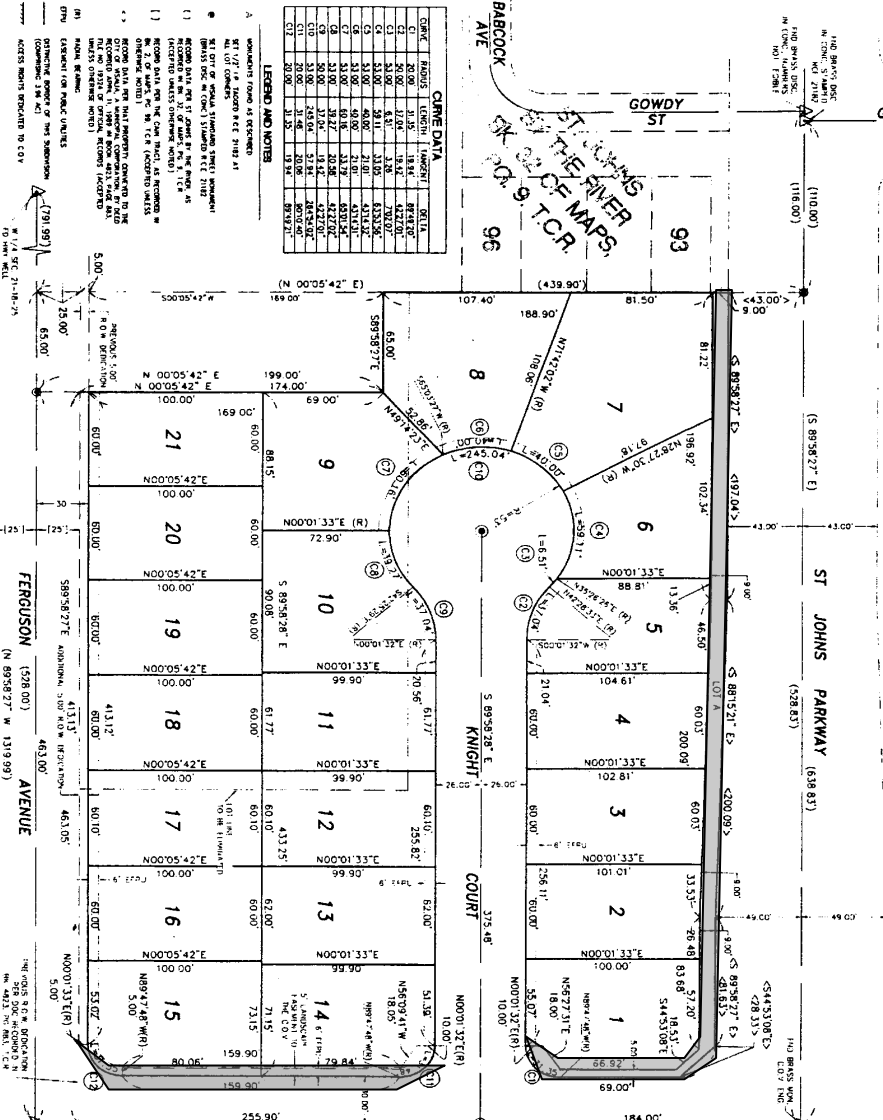
EXHIBIT "A"
 Sample Letter, Ballot & Map For
 St. Johns Est. Property Owners

St. Johns Estates

EXIST. POND

Planning Comm
 Diamond Creek
 Page 10

California Planning and Engineering Corporation
 2250 16th Ave. Suite 200
 Berkeley, CA 94710
 Tel: (415) 863-1100
 Fax: (415) 863-1101
 www.calplanning.com



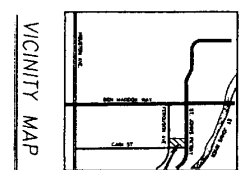
| LOT | ACRES | TENURE | HEIGHT | DATE |
|-----|-------|--------|--------|--------|
| 1 | 0.10 | RES. | 10 | 1/1/00 |
| 2 | 0.10 | RES. | 10 | 1/1/00 |
| 3 | 0.10 | RES. | 10 | 1/1/00 |
| 4 | 0.10 | RES. | 10 | 1/1/00 |
| 5 | 0.10 | RES. | 10 | 1/1/00 |
| 6 | 0.10 | RES. | 10 | 1/1/00 |
| 7 | 0.10 | RES. | 10 | 1/1/00 |
| 8 | 0.10 | RES. | 10 | 1/1/00 |
| 9 | 0.10 | RES. | 10 | 1/1/00 |
| 10 | 0.10 | RES. | 10 | 1/1/00 |
| 11 | 0.10 | RES. | 10 | 1/1/00 |
| 12 | 0.10 | RES. | 10 | 1/1/00 |
| 13 | 0.10 | RES. | 10 | 1/1/00 |
| 14 | 0.10 | RES. | 10 | 1/1/00 |
| 15 | 0.10 | RES. | 10 | 1/1/00 |
| 16 | 0.10 | RES. | 10 | 1/1/00 |
| 17 | 0.10 | RES. | 10 | 1/1/00 |
| 18 | 0.10 | RES. | 10 | 1/1/00 |
| 19 | 0.10 | RES. | 10 | 1/1/00 |
| 20 | 0.10 | RES. | 10 | 1/1/00 |
| 21 | 0.10 | RES. | 10 | 1/1/00 |

- LEGEND AND NOTES
1. UNDEVELOPED LAND TO BE DEVELOPED AS PER THE CITY OF BERKELEY ZONING ORDINANCE.
 2. RECORD DATA FROM THE CITY OF BERKELEY RECORDS.
 3. RECORD DATA FROM THE COUNTY OF ALBANY RECORDS.
 4. RECORD DATA FROM THE COUNTY OF CONTRA COSTA RECORDS.
 5. RECORD DATA FROM THE COUNTY OF SACRAMENTO RECORDS.
 6. RECORD DATA FROM THE COUNTY OF SUTTER RECORDS.
 7. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 8. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 9. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 10. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 11. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 12. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 13. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 14. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 15. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 16. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 17. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 18. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 19. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 20. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.
 21. RECORD DATA FROM THE COUNTY OF YUBA RECORDS.

ST. JOHNS ESTATES

Being a portion of Lot 7 of the Oak Park Tract, recorded in Book 2 of Maps, Page 99, Yuba County Records, County of Yuba, State of California, and being a portion of Lot 1 of Section 21, T. 18 S., R. 20 E., S. 10 E., B. M. in the City of Yuba.

DATE OF BEARINGS
 BY THE SURVEYOR, T.C.M. KNIGHT & PARTNER



NOTE:

1. This plat is intended to be used for the purpose of recording the same in the public records of the County of Yuba, State of California, and for the purpose of recording the same in the public records of the County of Contra Costa, State of California, and for the purpose of recording the same in the public records of the County of Sutter, State of California, and for the purpose of recording the same in the public records of the County of Yuba, State of California.

SHEET 2 OF 2
 SHEET 1 OF 2