

Mayor
William Siegel
Mayor Pro Tem
Lois Wynne
Council Members
Eddie Neal
Willard Rodarmel



**Public Works
Department**

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Staff Report

ITEM

4-6

To: Lemoore City Council
From: David Wlaschin, Director of Public Works/Planning 
Date: June 27, 2014
Subject: Resolution 2014-16 - Intention to Annex and Include Zone 6A of Public Facilities Maintenance District No. 1 in the City of Lemoore and Levy and Collect Annual Assessments in such Annexed Territories for Fiscal Year 2014-2015 and Thereafter

Discussion:

The City of Lemoore formed the Public Facilities Maintenance District No. 1 (PFMD) on August 15, 2006 by adoption of Resolution 2006-37. The resolution before Council is to begin the process to annex Tract 872, Phase 1 and Phase 2, (Heritage Acres) and create Zone 6A of the PFMD District No. 1. The City Engineer has prepared and filed with the City Clerk a report entitled "Engineer's Report and Assessment for Zone 6A, Public Facilities Maintenance District No. 1, dated June 2014. The report contains a description of the existing facilities and improvements, the boundaries of the PFMD and any zones therein, including the boundaries of the Territories proposed to be annexed to the PFMD in these proceedings, the facilities and improvements proposed for Zone 6A and the general location and proposed assessments on the assessable lots and parcels of land within the Added Territories of PFMD No. 1.

The proposed assessment per lot is \$453.66 per year or \$37.81 per month.

The attached resolution of Intention will preliminarily approve the Engineer's Report and set the required public hearing on the proposed annexation and assessment of the Added Territories for Tuesday, July 15, 2014. Notice of the public hearing will be published 10 days before the hearing and sent by mail, at least 45 days before the hearing, to the owners of lots and parcels in the Added Territories, along with a ballot for them to vote "for" or against the Annexation and Assessment.

In order for the annexation to be approved and the assessments levied on the lots in the Added Territories, the majority of the ballots submitted by the property owners within the boundary of the Added Territories must content to the annexation and levy of the assessment. Votes will be tabulated after close of the public hearing on July 15, 2014.

Budget Impact:

The proposed total assessment for Zone 6A is \$29,034.24 for the 2014-2015 tax year. Payments are made through the County Assessor property tax roll; the first installment would be in December 2014 with the second installment paid in April 2015.

Recommendation:

Council, by motion, adopt Resolution 2014-16 declaring the Intention to (i) Annex and Include Additional Territories in Public Facilities Maintenance District No 1. in the City of Lemoore, and (ii) Levy and Collect Annual Assessments in such Annexed Territories for Fiscal Year 2014-2015 and Thereafter.

RESOLUTION NO. 2014-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE
WITH THE INTENT TO (i) ANNEX AND INCLUDE AN ADDITIONAL
TERRITORIES IN PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1 IN THE CITY
OF LEMOORE, AND (ii) LEVY AND COLLECT ANNUAL ASSESSMENTS IN SUCH
ANNEXED TERRITORIES FOR FISCAL YEAR 2014-15 AND THEREAFTER**

WHEREAS, it is the intention of the City Council of the City of Lemoore to order annexation of Territories to City of Lemoore Public Facilities District No. 1 ("PFMD"), as Zone 6A thereof, and to order levy and collection of annual assessments in such annexed Territories for fiscal year 2014-15 and thereafter, under Chapter 10 of Title 7 of the Lemoore Municipal Code, as enacted by Ordinance No. 2006-01 (the "Ordinance"), and according the procedures set forth in the Proposition 218 Omnibus Implementation Act (Government Code Sections 53750-53753.5, inclusive) (the "Implementation Act"), Article XIID of the California Constitution ("Proposition 218") and, to the extent not inconsistent with the Ordinance, the procedures specified in the State Landscaping and Lighting Act of 1972 (Chapter 2 of Part 2 of Division 15 of the California Streets & Highways Code) (the "LLMD Act"); and

WHEREAS, the Territories to be annexed to the PFMD (the "Added Territories") is comprised of the real property to be benefited and to be assessed for the maintenance, operation, repair and periodic replacement of landscaping, street lights, local street paving, parks and appurtenant facilities described as follows:

Plants, shrubbery, trees, turf, irrigation systems, entry monuments, local street maintenance, parks, hardscapes, walls, fencing, street lights and appurtenant facilities in public rights-of-way and easements within or appurtenant to the boundaries of the applicable benefit Zone of said District;

The Added Territories is generally described in the map(s) attached hereto as Exhibit A and incorporated herein; and

WHEREAS, the City Engineer has prepared and filed with the City Clerk a report entitled "Engineer's Report of the City of Lemoore Public Facilities Maintenance District No. 1, Zone 6A" dated June 2014 (the "Engineer's Report"), to which reference is hereby made, which Engineer's Report contains a description of the existing facilities and improvements, the boundaries of the PFMD and any zones therein, the boundaries of the Territories proposed to be annexed to the PFMD in these proceedings, the facilities and improvements proposed for the Added Territories, and the general location and proposed assessments on the assessable lots and parcels of land within the PFMD, including the Added Territories; and

WHEREAS, the Engineer's Report is on file in the office of the City Clerk and is available for inspection during regular business hours;

WHEREAS, the City Engineer also has prepared and filed with the City Clerk an amended map of the boundaries of the PFMD, incorporating the Added Territories within such boundaries as Zone 6A, as proposed in these proceedings; and

WHEREAS, the proceeds of the annual assessments to be levied on the parcels within the PFMD, including the Added Territories, for fiscal year 2014-15 and for each fiscal year thereafter will be used exclusively to finance the expenses for maintenance, operation, repair

and periodic replacement of the improvements and facilities described in the Engineer's Report for that fiscal year, which maintenance, operation, repair and periodic replacement will provide direct, particular and distinct special benefits to the various parcels assessed, over and above the benefits conferred on the public at large; and

WHEREAS, the amount of the assessment to be levied on each parcel in the PFMD, including the Added Territories, for the 2014-15 fiscal year, as proposed in the Engineer's Report, is proportional to and no greater than the special benefits conferred on such parcel from maintenance, operation, repair and periodic replacement of the improvements and facilities described in the Engineer's Report;

THEREFORE, the City Council of the City of Lemoore resolves, finds and determines as follows:

1. The above recitals are true.
2. The Engineer's Report of the City Engineer as filed with the City Clerk is preliminarily approved. Reference is hereby made to the Engineer's Report for a full and detailed description of the improvements and facilities, and the proposed assessment upon assessable lots and parcels of land within the Added Territories.
3. The City Council declares its intention to annex and make part of the PFMD, as Zone 6A thereof, all Territories with the Added Territories, whose boundaries are set forth in the Engineer's Report and the amended map of the boundaries of the PFMD on file with the City Clerk. The amended map of the boundaries of the PFMD, showing the proposed annexation of the Added Territories, is preliminary approved.
4. The City Council further declares its intention to levy and collect annual assessments within the Added Territories for fiscal year 2014-15 and thereafter, as stated in the Engineer's Report, under the authority of and according to the procedures set forth in the Ordinance, including without limitation the procedures in the Implementation Act, Proposition 218 and, the extent not inconsistent with the Ordinance, the procedures specified in the LLMD Act.
5. The City Council incorporates into this Resolution by reference the general description of the facilities and improvements existing in or proposed for the Added Territories, all as detailed in the Engineer's Report.
6. Notice is further hereby given that on the 15th day of July 2014, at the hour of 7:30 p.m. or as soon thereafter as possible, in the regular meeting place of the City Council, Council Chambers, 429 C Street, Lemoore, California, is hereby fixed as the time and place for public hearing when and where all interested persons may be heard regarding the question of annexation of the Added Territories to the PFMD and the levy and collection of the proposed assessments therein. At the hearing, any interested person shall be permitted to present written or oral testimony. Also, prior to the conclusion of public testimony at the hearing, the record owner(s) of each lot or parcel in the Added Territories identified in the Engineer's Report as having special benefit conferred on it and on which an assessment is proposed to be imposed may submit, change or withdraw an assessment ballot as provided in Section 7 below, the Engineer's Report and the Implementation Act. The hearing

shall be conducted, and assessment ballots tabulated, as described in Section 7, the Engineer's Report and the Implementation Act.

7. The City Clerk is hereby authorized and directed to give notice of the public hearing in accord with Section 53753 of the Implementation Act. The City Clerk shall mail notice to the record owner(s), as shown in the last equalized assessment roll of the County of Kings, the State Board of Equalization assessment roll or as known to the City Clerk, of each lot or parcel in the Added Territories and identified in the Engineer's Report as having special benefit conferred on it and on which and assessment is proposed to be imposed. The notice shall be given by mail at least 45 days before the hearing on the Engineer's Report, the proposed annexation of the Added Territories and the proposed levy and collection of assessments therein. Each notice shall include (i) the name and the proposed levy and collection of assessments therein. Each notice shall include (i) the name and address of the City, (ii) the reason for assessment, (iii) the total amount of the assessment chargeable to the entire Territories within the Added Territories boundaries and the maximum assessment, (iv) the amount of initial assessment chargeable to the record owner's lot or parcel and the maximum assessment chargeable to such lot or parcel, (v) the duration of the payments, (vi) the basis on which the amount of the proposed assessment was and will be calculated for each fiscal year, (vii) in a conspicuous place, a summary of the procedures for completion, return and tabulation of assessment ballots, including a statement that the assessment shall not be imposed if the ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment, with ballots weighted according to the proportional financial obligation of the affected lots or parcels, (viii) the date, time and place of the public hearing, and (ix) the name and telephone number of the person designated by the Council to answer inquiries regarding the protest and assessment ballot proceedings.

Each notice also shall contain an assessment ballot that includes the City's address for receipt of the form and a place where the person returning the assessment ballot may indicate his or her name, a reasonable identification of the lot or parcel, and his or her support of or opposition to the proposed assessment. An envelope for the return of the assessment ballot shall be included with each notice. All assessment ballots shall be signed and returned by mail or otherwise delivered at the address indicated in the assessment ballot, or the site of the public hearing, prior to the date and hour set for the hearing. As assessment ballot may be submitted, changed or withdrawn prior to the conclusion of the public testimony on the proposed assessment at the hearing.

At the time, date and place stated in the notice, the Council shall conduct a public hearing on the proposed assessment and, at the hearing, shall consider all objections and protests, if any, to the proposed assessment and shall consider the adoption of a resolution ordering annexation of the Added Territories to the PFMD as Zone 6A and the maintenance, operation, repair and periodic replacement of the specified improvements and facilities, finally approving the Engineer's Report, and confirming the diagram and assessment, either as originally proposed or as changed by the Council. Any interested person shall be permitted to present written or oral testimony at the hearing. The Council may continue the hearing from time to time.

At the conclusion of the public hearing, an impartial person designated by the Council, who does not have a vested interest in the outcome of the proposed assessment and who may be the City Clerk, will tabulate the assessment ballots submitted and not withdrawn in support of

or in opposition to the proposed assessment. If the assessment ballots submitted and not withdrawn in opposition to the proposed assessment exceed the assessment ballots submitted and withdrawn in favor of the proposed assessment (weighting the assessment ballots by the amount of the proposed assessment to be imposed on the lot or parcel for which each assessment ballot was submitted), a majority protest shall exist and the Council shall not impose the assessment. If a majority protest (determined as described above) does not exist, the Council intends to proceed with annexation of the Added Territories to the PFMD and to levy and impose the assessments in the Added Territories in accordance with applicable law.

8. This resolution shall take effect immediately upon adoption.

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on the 1st day of July, 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINING:

APPROVED:

William M. Siegel, Jr., Mayor

ATTEST:

Mary J. Venegas, City Clerk

Engineer's Report and Assessment For Zone 6A

PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1

City of Lemoore
Kings County, California

Submitted by:

Quad Knopf, Inc.
P.O. Box 3699
Visalia, California 93278

June 2014



Submitted to:

City Council
City of Lemoore
Park and Recreation Department
119 Fox Street
Lemoore, California 93245

ENGINEER'S REPORT AND ASSESSMENT

CITY OF LEMOORE PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1, ZONE 6A

CITY COUNCIL

Mayor – William Siegel
Mayor Pro Tem – Lois Wynne

Council Members

Eddie Neal
Willard Rodarmel

Prepared for:

THE CITY OF LEMOORE

Prepared by:

Quad Knopf, Inc.
P.O. Box 3699
Visalia, CA 93278
Tel. No: (559) 733-0440
Fax No: (559) 733-7821
harryt@quadknopf.com

June 2014

MEMO

To: City Council, City of Lemoore

From: Harry A. Tow, P.E.
Engineer of Work

Date: July 1, 2014

Re: City of Lemoore Public Facilities Maintenance District No. 1, Zone 6A

At your July 1 meeting, staff will be presenting the Engineer's Report and the Resolution of Intent to annex and Levy Assessments for Public Facilities Maintenance District No.1, Zone 6A.

The public hearing will be scheduled for the City Council meeting on July 15, 2014. Following completion of the hearing and assessment ballot proceeding, the Council will consider all protests received and amend or confirm the assessments. Once confirmed, the assessments will be sent to the County Auditor-Controller's office for inclusion on the tax rolls.

Recommendation:

That City Council accept the Engineer's Report and pass the Resolution of Intention to annex and Levy Assessments for Public Facilities Maintenance District No. 1, Zone 6A.

Respectfully Submitted,

Quad Knopf, Inc.



Harry A. Tow, P.E.
Engineer of Work

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ENGINEER'S REPORT

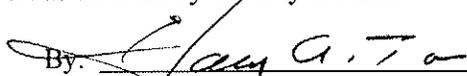
CERTIFICATES OF FILING

**CITY OF LEMOORE
PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1, ZONE 6A**

(Pursuant to the Landscaping and Lighting Act of 1972
and City of Lemoore Ordinance No. 2006-01)

The undersigned respectfully submits the enclosed report as directed by the City Council.

Dated: 6/27/14, 2014

By: 
Engineer of Work

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with me on the _____ day of _____, 2014.

Mary J. Venegas
City Clerk of the City of Lemoore
Kings County, California

By: _____

I HEREBY CERTIFY that the subsequent assessments together with the diagrams attached thereto, were recorded in my office on _____, 2014.

David Wlaschin
Director of Public Works, City of Lemoore
Kings County, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagrams thereto attached, was approved and confirmed by the City Council of the City of Lemoore, California, on the _____ day of _____, 2014, by adoption of Resolution No. _____.

Mary J. Venegas
City Clerk of the City of Lemoore
King's County, California

By: _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment and Assessment Diagrams thereto attached, was filed with the County Auditor of the County of Kings, on the _____ day of _____, 2014.

Kristina McKay
Interim Assessor, County of Kings
Kings County, California

By: _____

INTRODUCTION

The City Council of the City of Lemoore adopted its General Plan with various elements to provide guidelines for orderly development within the community. The City Council further adopted ordinances and regulations governing the development of land providing for the installation and construction of certain lighting, landscaping, street paving, parks and appurtenant facilities to enhance the quality of life and to benefit the value of property.

The requirement for the installation of lighting, landscaping, streets and appurtenant facilities is a condition of development provided for in the City's Subdivision Ordinance and is a requirement of issuance of a permit for construction of commercial, residential, and planned unit development. Lighting, landscaping, streets and appurtenant facilities generally includes street lights, trees, shrubs, plants, turf, irrigation systems, local street paving, parks and necessary appurtenances including curbs, hardscape, monumentation, fencing located in public rights-of-way, medians, parkways, and/or easements adjacent to public rights-of-ways, in and along major thoroughfares, primary and secondary arterials, and local streets as defined in the General Plan's Circulation Element.

The installation of street lights, landscaping and appurtenant facilities is the responsibility of the subdivider or other development/applicant, triggered by the approval of a tentative subdivision map or other development application. When on any given street of the approved system, a majority of the required landscaping has been provided, and it has been determined that landscaping in front of, or adjacent to certain already developed properties is required to bridge missing gaps, and/or where the future development or redevelopment of existing property is not likely to occur in the foreseeable future, the City Council may deem it appropriate to retrofit or fill such gaps.

After installation, it is City policy that the servicing, operation, maintenance, repair and replacement of the lighting, landscaping, local street paving, parks and appurtenant facilities in turn become the financial responsibility of the properties that specially benefit from the facilities.

The City's lighting, landscape, local street paving and parks maintenance and replacement program is administered according to the provisions of Proposition 218 (Article XIID of the California Constitution), Chapter 10 of Title 7 of the Municipal Code, which was added by Ordinance No. 2006-01 of the City of Lemoore, the Proposition 218 Omnibus Implementation Act (Government Code Sections 53750 through 53754) and, to the extent applicable, the Landscaping and Lighting Act of 1972 (Streets and Highways Code Part 2, Division 15).

The City cannot feasibly fund by any other method the maintenance and required periodic replacement of such facilities which must be installed with new development. Therefore, the City has determined that such maintenance, operation, repair and replacement should be funded through usage of the assessments on properties within the boundaries of Public Facilities Maintenance District No. 1. The property owners in each Zone of said District enjoy a special benefit from these facilities within the applicable Zone, over and above the general benefits received by these property owners and the public generally, and the assessments levied under this District fund such benefit.

Payment for the assessment will be made in the same manner and at the same time in conjunction with the ad valorem property tax for each assessed lot or parcel in the District.

After approval of the final map for Tract 872, Heritage Acres, the owner requested that the properties be annexed into the City of Lemoore Public Facilities Maintenance District No. 1, Zone 6A. The location of the

annexed properties is within the boundaries of the District and is shown on the Assessment Diagram, Exhibit “E” herein.

The proceedings for annexation and assessment of Zone 6A were conducted under Ordinance No. 2006-01, Proposition 218, the Proposition 218 Omnibus Implementation Act and, to the extent applicable, the Landscaping and Lighting Act of 1972, Sections 22500 through 22679, Part 2, Division 15, of the Streets and Highways Code of the State of California.

The City Council of the City of Lemoore will set the time and place for a public hearing.

After reviewing testimony, as well as the projected year's costs for the servicing, maintenance, repair and replacement of the facilities in Zone 6A as herein described, the City Council will set the assessment for the 2014-15 fiscal year, which runs between July 1 and June 30.

This report contains the necessary data required to conduct the proceedings and is submitted to the Clerk of the City for filing.

ENGINEER OF WORK STATEMENT

CITY OF LEMOORE PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1, ZONE 6A

I, Harry A. Tow, Engineer of Work for Public Facilities Maintenance District No. 1, Zone 6A, City of Lemoore, Kings County, California, make this report, as directed by the City Council, pursuant to Ordinance 2006-01, subsection 4(b) of Article XIII D of the California Constitution, Government Code Sections 53750-53753.5 (the Proposition 218 Omnibus Implementation Act) and, to the extent not inconsistent with Ordinance 2006-01, the procedures in Sections 22565-22574 of the Streets and Highways Code (Landscaping and Lighting Act of 1972).

Description of Improvements

The improvements to be installed, maintained, repaired, operated, serviced or replaced which are subject to this report include planting, shrubbery, trees, turf, irrigation systems, entry monuments, hardscapes, local street paving, parks, walls, street lights, fencing, drainage detention and retention facilities, drainage structures including percolation wells, and appurtenant facilities in public right-of-way and easements within the proposed boundary of said Assessment District.

This report consists of five parts as follows:

Exhibit "A"

Description of Improvements

Exhibit "B"

Engineer's Estimate: An estimate of the costs of maintenance and periodic replacement of the improvements.

Exhibit "C"

Method of Assessment: A statement of the method by which the undersigned has determined the amount proposed to be assessed against each lot and parcel within the Assessment District.

Exhibit "D"

Assessment Roll: An assessment of the estimated cost of the maintenance and replacement of improvements on each benefited lot and parcel of land within the benefit Zones in the Assessment District.

Exhibit "E"

Assessment Diagram: A diagram showing all of the lots and parcels of the real property within each of the benefit Zones in this Assessment District.

Respectfully submitted


Engineer of Work

EXHIBIT A

Description of Improvements

EXHIBIT A

DESCRIPTION OF IMPROVEMENTS

(Pursuant to City of Lemoore Ordinance No. 2006-01)

Location of Landscaping, Lighting, Streets and Appurtenant Facilities

The locations of lighting, landscaping, local street paving, parks and appurtenant facilities in the benefit Zone within the Assessment District are depicted on the Assessment Diagram as shown in Exhibit "E" herein which Diagram includes the following subdivision, lots and/or parcels:

Zone 6A

Boundaries of *Zone 6A* include the following properties:

Tract No. 872, Heritage Acres, Phase 2, recorded in Volume 24 of Licensed Surveyors' Plats, at Page 62, Kings County Records.

Tract No. 872, Heritage Acres, Phase 3, recorded in Volume 24 of Licensed Surveyors' Plats, at Page 64, Kings County Records.

Plans and Specifications

The plans and specifications (the "Plans") for the improvements to be maintained, operated, repaired and periodically replaced benefiting Zone 6A of the District by the Parks and Recreation Department and by the Public Works Department of the City of Lemoore, dated August 31, 2007, are incorporated herein by reference. The Plans are a part of the improvement plans required by the City of Lemoore as a condition of approval of the tentative map of Tract 872 by Council Resolution No. 2006-15, May 2, 2006, approving the development as a Planned Unit Development, a Conditional Use Permit, and a vesting tentative subdivision map, Tentative Map No. 2006-02. Such detailed Plans have been prepared by the project developer and are on file with the City Clerk of the City of Lemoore.

Description of Work

The work includes maintaining, operating, repairing and periodically replacing landscaping, street lights, local street paving, parks and appurtenant facilities described as follows:

Plants, shrubbery, trees, turf, irrigation systems, entry monuments, local street maintenance, parks, hardscapes, walls, fencing, street lights and appurtenant facilities in public rights-of-way and easements within or appurtenant to the boundaries of the applicable benefit Zone of said District.

The location of such facilities, as previously described, are within the boundaries of the District, and within or appurtenant to the boundaries of Zone 6A as shown on the Assessment Diagram, Exhibit "E" herein. Approved Plans for landscaping, lighting, local street paving, parks and appurtenant facilities benefiting Zone 6A are filed with the City Clerk and incorporated herein by reference.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the lighting, landscaping, local street paving, parks and appurtenant facilities. Maintenance for landscaping means, but is not limited to, the repair, removal or replacement of landscaping and walls,

providing for the life, growth, health and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury and the removal of trimmings, rubbish, debris and other solid waste. Maintenance for street lights means but is not limited to the furnishing of services and materials for the ordinary and usual maintenance and repair of street lights including, poles, lens and bulb replacement. Maintenance for local street paving means but is not limited to the scheduled sealing, capping, and remixing/resurfacing of such paving. Maintenance for trees means, but is not limited to the trimming and required replacement of trees in development–adjacent or development-contained arterial or collector streets, medians or parkways, but not street trees on local streets fronting residences. Maintenance for parks interior to, or determined by the Council to provide special benefit to property in, the applicable benefit Zone includes, but is not limited to the continuing maintenance and required replacement of park facilities, including tot lot and playground equipment, trees, park furniture, turf, landscaping and restrooms. Maintenance of sidewalks, curb and gutter includes the required replacement of such improvements only in arterial or collector streets, parkways, or medians adjacent to or contained in the development.

Operating for landscaping improvements means but is not limited to the furnishing of water and electricity for irrigation of the landscaping and the maintenance of any of the appurtenant facilities. For lighting facilities, operating means but is not limited to furnishing the utility power necessary for energizing of electroliers.

The improvements described herein for which maintenance, operating, repair and periodic replacement for, and for which assessments are required to fund such maintenance, servicing and periodic replacement, are those required as a condition of approval of the tentative map of Tract 872. The final map of Tract 872, the 97 single-family lots of which constitute Zone 6A hereunder, was approved by the City Council on April 2008.

EXHIBIT B

Engineer's Estimate

EXHIBIT B
ENGINEER'S ESTIMATE

Actual costs of maintenance and required periodic replacement of improvements have been determined by the Engineer of Work in consultation with the City staff. Such costs are reflected to the extent currently feasible in the assessments for Zone 6A. It should be noted that, based on these unit cost assessments and the improvements to be maintained, serviced and operated in this Zone, the actual costs during the past fiscal year and projected for this fiscal year may be greater than the proposed assessments.

Table 1 details unit costs for maintenance and replacement. Table 2 shows the total costs to be assessed to Zone 6A. Table 3 estimates the incidental costs required to process the assessments.

TABLE 1
UNIT COST ESTIMATE - ZONE 6A

EXHIBIT B				
ENGINEER'S ESTIMATE – Zone 6A, Public Facilities Maintenance District No. 1				
1. Maintenance, operation, repair and periodic replacement costs, Annual, Tract 872 (97 lots)				
Item	Unit	O & M	Replacement	Annual Cost Total
Landscape Contract	1 L.S.	-	-	\$4,000
Street Lights	31 EA	\$52.87	\$27.79	\$2,500
Trees	38 EA	\$152.30	\$6.66	\$6,040
Planter	11,138 S. F.	0	\$.066	\$735
Dump Fee	11,138 S. F.	0	0	0
Water/Electricity	11,138 S. F.	\$.278	\$.0663	\$3,835
Canal Interceptor				
Interceptor Trench	1,420 L. F.	0	\$.10	\$142
Interceptor Lift Station	1 EA	\$160.00	\$40.00	\$200
Local Street Paving Maintenance (40-Yr Cycle)				
Reclamite	228,869 S. F.	\$.0050	0	\$1,144
Crack Filling	228,869 S. F.	\$.0061	0	\$1,396
1½" Overlay	228,869 S. F.	\$.0329	0	\$7,530
Remix	228,869 S. F.	\$.0659	0	\$15,082
Fortune Street (south side)				
SW/Cross Gutter	4,748 S. F.	\$.0412	0	\$196
C & G	1,145 L. F.	\$.2883	0	\$330
			Total	\$43,130 ⁽¹⁾
Cost of Total Required Assessment on Zone 6A				\$43,130 ⁽¹⁾
⁽¹⁾ Number of parcels (single-family lots) in Phases 2 and 3 of Tract 872 (Zone 6A): 64 Total number of parcels(single-family lots) in Tract 872: 97 Therefore, proportionate share of costs assessable to Zone 6A is (64/97) x \$43,130 = \$28,457. These proportionate share costs are less than those which would appertain to Zone 6A if it were assessed for the required facilities within and appurtenant thereto if the balance of Tract 872 is not constructed, because the total cost of the assessment would be allocated to the 33 built lots only.				

Note: The above costs are based on an Employment Cost Index for Total Compensation for State and Local Government workers of 122.2 (U.S. Bureau of Labor Statistics, December 2013).

TABLE 2
ESTIMATED COSTS TO ASSESSMENT
2014-2015

Zone	EDU	Lots		
6A	64	64	1. Public Facilities Maintenance Costs	\$28,457.00
			2. Incidental Costs (See Table 3)	449.24
			3. Noticing	64.00
			4. County Processing Fee (\$1.00 per Assessment)	64.00
			Total Costs to Assessment	\$29,034.24
2014-15 Assessment - Zone 6A				\$29,034.24

TABLE 3
ESTIMATED INCIDENTAL COSTS TO ASSESSMENT
APRIL 2014 THROUGH MARCH 2015

	Estimated Cost
Engineering Fees, Legal Fees, and City Administrative Costs	\$449.24

EXHIBIT C

Method of Apportionment

EXHIBIT C

RATE AND METHOD OF ASSESSMENT

General Discussion

The improvements described in Exhibit “A” are provided for the particular, distinct special benefit directly received by each lot or parcel in each benefit Zone of the District, above the benefit received by these lots and parcels or the public generally. Each lot or parcel has been determined to directly and specially benefit proportionally by Equivalent Dwelling Unit (EDU).

City noticing and County administrative expenses will be apportioned to each lot or parcel as one unit of assessment for each lot/parcel.

The annual maintenance, operation, repair and periodic replacement costs of the facilities and improvements benefiting Zone 6A of the District described in Exhibit A of this Report, are estimated in Exhibit “B.”

The City is unable to provide funds for such maintenance, operation, repair and periodic replacement of the described facilities and improvements. The facilities and improvements and their maintenance, operation, repair and periodic replacement provide equally for each lot and parcel in the Zone essential safety, lighting, property access, security and aesthetically-pleasing public right-of-way landscaping not available to the general community. The value, accessibility, appearance, safety and use of each lot and parcel in the Zone are significantly and directly enhanced by regular maintenance and periodic replacement of these facilities and improvements. These are benefits distinct and particular to the lots and parcels in this Zone and not realized by the general community. Therefore, annual maintenance, operation, repair and periodic replacement of the described facilities and improvements, and the funding thereof, provide direct special benefits to the lots and parcels in the Zone, over and above general benefits conferred on real property in the Zone or to the public at large.

Moreover, the Engineer has determined that each individual lot and parcel in the Zone established by a recorded final subdivision is benefited equally by such annual maintenance and periodic replacement. Each assessed lot and parcel contains, or will contain in accord with the City’s development approvals, a single dwelling unit. Each lot and parcel, within the Zone, therefore derives the same proportionate special benefit from the assessed facilities and improvements and their regular maintenance and periodic replacement.

Accordingly, the individual annual assessment for each lot and parcel in the Zone (the “Maximum Annual Assessment”) is determined by dividing the total estimated costs of annual maintenance and replacement and related notice and processing fees (for fiscal year 2014-15, set forth in Exhibit “B”) by the total number of lots and parcels in the Zone. The costs of such maintenance and periodic replacement will increase each year. In order to assure continued adequacy of the financing of such costs and, therefore, the continued special benefits to the lots and parcels in the Zone, the Maximum Annual Assessment shall be comparably and automatically increased each fiscal year to cover the maintenance and replacement cost increases. The annual increase in the Maximum Annual Assessment shall be in accordance with increases in the Employment Cost Index for total compensation for State and Local Government Workers (the “Index”), published quarterly by the U.S. Bureau of Labor Statistics. Increases in the Index will track comparably to increases in the costs of annual maintenance and periodic replacement of the described facilities and improvements, since the majority of the maintenance and replacement work is and will be done by City employees.

Therefore, the annual assessment each fiscal year on each lot and parcel in the Zone shall be determined and levied according to the above rate and methodology up to, but not more than, the Maximum Annual

Assessment as increased for that fiscal year by the Index. The actual annual assessments may be less than or up to the Maximum Annual Assessment, as so increased, but cannot exceed the Maximum Annual Assessment, as so increased, without approval in a landowner ballot proceeding under Proposition 218 and the Proposition 218 Omnibus Implementation Act.

The initial actual assessment on each lot and parcel in Zone 6A of the District for fiscal year 2014-15 is set forth in Exhibit “D” of this Report.

Hearing Dates

A public hearing will be held at the regularly scheduled City Council meeting on July 15, 2014. Any protests received will be submitted to Council and individuals will be allowed to give testimony. At this meeting, the assessment ballots will be tabulated and the Council will amend or adopt the assessments. Final assessments, commencing with the 2014-15 fiscal year, will be levied on Zone 6A at this meeting. The County shall be notified of the final assessment amounts.

EXHIBIT D

Assessment Roll

**EXHIBIT D
ASSESSMENT ROLL
CITY OF LEMOORE
PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1**

ZONE	ASSESSOR'S PARCEL NO.	2014-15 ASSESSMENT
6A	021-830-002-000	\$453.66
6A	021-830-003-000	453.66
6A	021-830-004-000	453.66
6A	021-830-005-000	453.66
6A	021-830-006-000	453.66
6A	021-830-007-000	\$453.66
6A	021-830-008-000	453.66
6A	021-830-009-000	453.66
6A	021-830-010-000	453.66
6A	021-830-011-000	453.66
6A	021-830-012-000	\$453.66
6A	021-830-013-000	453.66
6A	021-830-014-000	453.66
6A	021-830-015-000	453.66
6A	021-830-016-000	453.66
6A	021-830-017-000	\$453.66
6A	021-830-018-000	453.66
6A	021-830-019-000	453.66
6A	021-830-020-000	453.66
6A	021-830-021-000	453.66
6A	021-830-022-000	\$453.66
6A	021-830-023-000	453.66
6A	021-830-024-000	453.66
6A	021-830-025-000	453.66
6A	021-830-026-000	453.66
6A	021-830-027-000	\$453.66
6A	021-830-028-000	453.66
6A	021-830-029-000	453.66
6A	021-830-030-000	453.66
6A	021-830-031-000	453.66
6A	021-830-032-000	\$453.66
6A	021-830-033-000	453.66
6A	021-830-034-000	453.66
6A	021-830-036-000	453.66
6A	021-830-037-000	453.66
6A	021-830-038-000	\$453.66
6A	021-830-039-000	453.66
6A	021-830-040-000	453.66
6A	021-830-041-000	453.66
6A	021-830-042-000	453.66

**EXHIBIT D
ASSESSMENT ROLL
CITY OF LEMOORE
PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1**

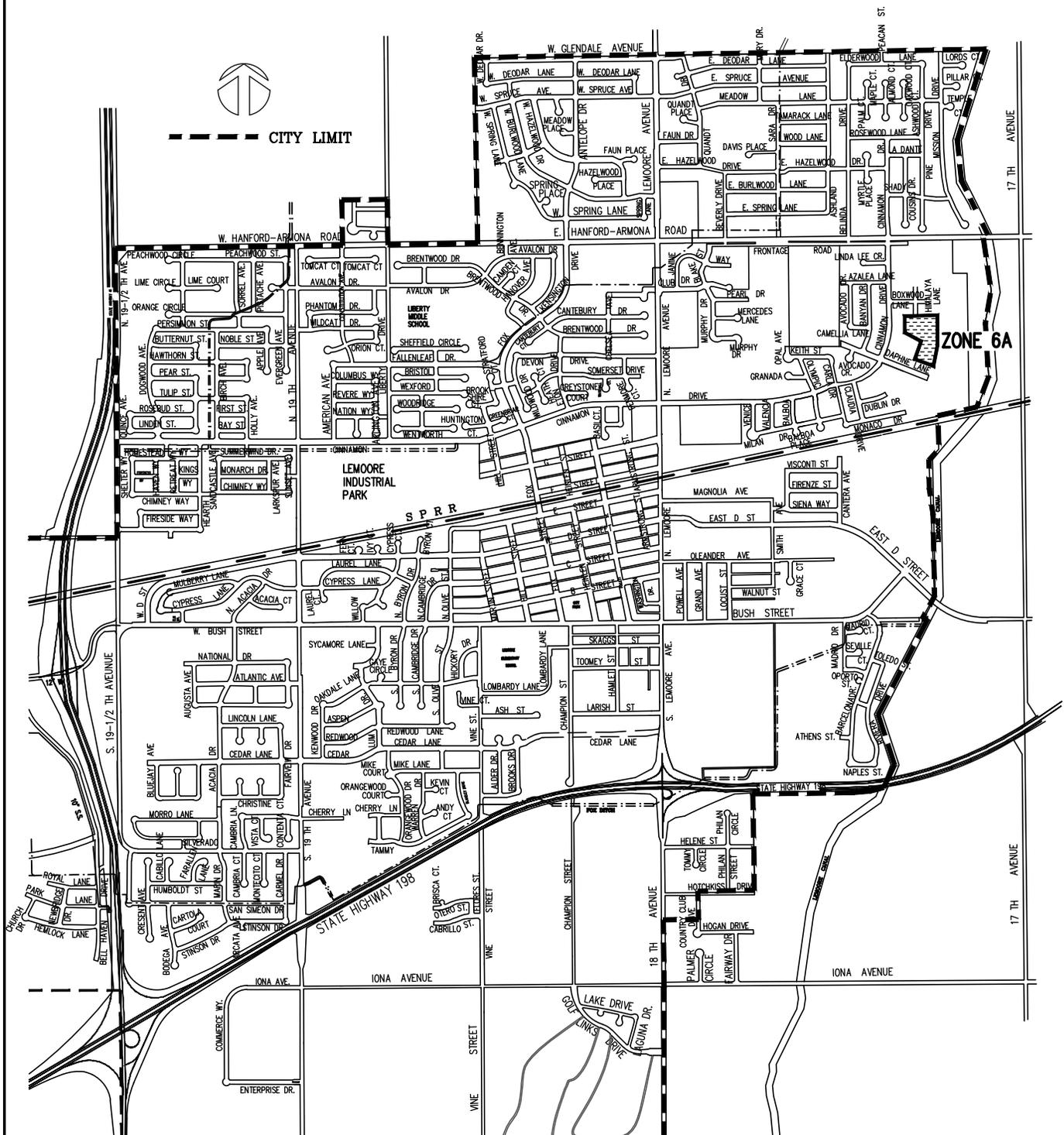
ZONE	ASSESSOR'S PARCEL NO.	2014-15 ASSESSMENT
6A	021-830-043-000	\$453.66
6A	021-830-044-000	453.66
6A	021-830-045-000	453.66
6A	021-830-046-000	453.66
6A	021-830-047-000	453.66
6A	021-830-048-000	\$453.66
6A	021-830-049-000	453.66
6A	021-830-050-000	453.66
6A	021-830-051-000	453.66
6A	021-830-052-000	453.66
6A	021-830-053-000	\$453.66
6A	021-830-054-000	453.66
6A	021-830-055-000	453.66
6A	021-830-056-000	453.66
6A	021-830-057-000	453.66
6A	021-830-058-000	\$453.66
6A	021-830-059-000	453.66
6A	021-830-060-000	453.66
6A	021-830-061-000	453.66
6A	021-830-062-000	453.66
6A	021-830-063-000	\$453.66
6A	021-830-064-000	453.66
6A	021-830-065-000	453.66
6A	021-830-066-000	453.66
Total Assessment Zone 6A		\$29,034.24

EXHIBIT E

**Assessment District and Zone Location
Assessment Diagram**

CITY OF LEMOORE

PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1, ZONE 6A



VICINITY MAP

NO SCALE

Zone 6A

KINGS COUNTY ASSESSOR'S MAP
PORTION OF THE NE 1/4 SEC 2/19/20

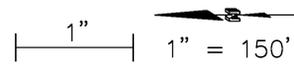
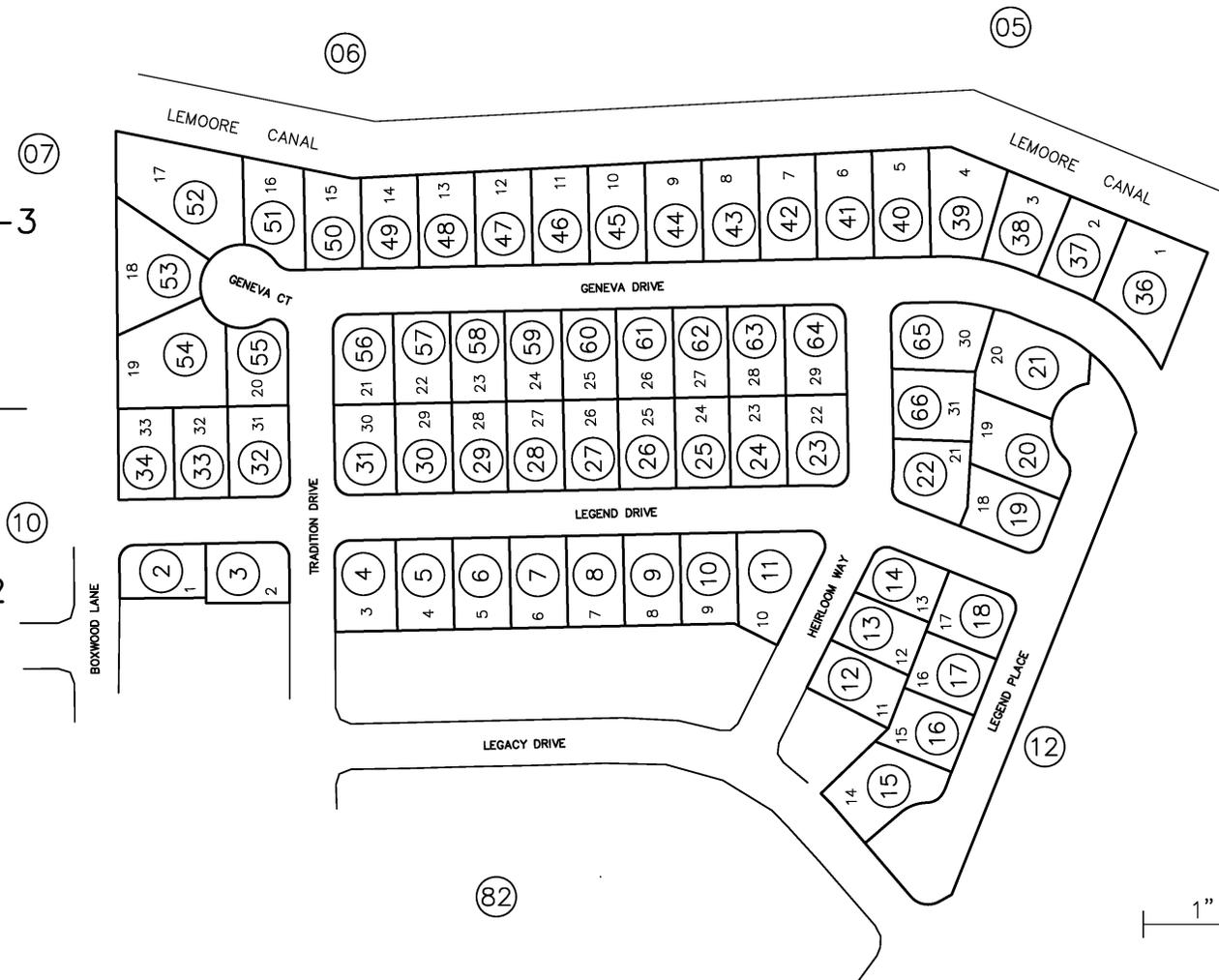
21-83

THIS MAP IS FOR ASSESSMENT PURPOSES ONLY
IT IS NOT TO BE CONSTRUED AS PORTRAYING
LEGAL OWNERSHIP OF DIVISIONS OF LAND FOR
PURPOSES OF ZONING OR SUBDIVISION LAW.
OCTOBER 2013

003-003

TRACT NO. 872-3
LSP 24-64

TRACT NO. 872-2
LSP 24-62



Engineering / Surveying

Planning

Landscape Architecture

Biology

Land Development

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