

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



Public Works
Department

711 W. Cinnamon Drive
Lemoore • CA 93245
Phone • (559) 924-6735
FAX • (559) 924-6708

Staff Report

ITEM 3-4

To: Lemoore City Council

From: David Wlaschin, Director of Public Works/Planning 

Date: July 9, 2014

Subject: Public Hearing – Resolution No. 2014-20 – Ordering Annexation and Inclusion of an Additional Territory as Zone 6A of Public Facilities Maintenance District No. 1 and Confirming the Diagram and Assessment of Annual Levy for Fiscal Year 2014-2015 for Public Facilities Maintenance District No. 1.

Discussion:

On July 1, 2014 the Council approved Resolution 2014-16, "A Resolution of Intention to (i) Annex and Include an Additional Territory in Public Facilities Maintenance District (PFMD) No. 1 in the City of Lemoore, and (ii) Levy and Collect Annual Assessments in Such Annexed Territory for Fiscal Year 2014-2015 and Thereafter."

The 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 and Phase 3, recorded in Volume 24 of Licensed Surveyors' Plats, at Page 64, Kings County Records.

In order for the annexation to be approved and the assessments levied on the lots in the Added Territory, the majority of the ballots submitted by property owners within the boundary of the Added Territory must consent to the annexation and levy of the assessment. City staff has confirmed that ballots have been sent, and have been returned by the property owners to the City. Votes will be tabulated Tuesday evening during the Council meeting. If the ballots submitted and not withdrawn in favor of the proposed annexation exceed the assessment ballots submitted and not withdrawn in opposition, then the Added Territory may be included in the PFMD No. 1, Zone 6A.

If Resolution 2014-20 is approved, a fee in the amount of \$453.66 will be applied on an annual per lot basis, beginning in fiscal year 2014-2015, and will be applied to each lot within the newly Added Territory.

Budget Impact:

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

Recommendation:

That Council hold a public hearing on the annexation of Zone 6A of the Public Facilities Maintenance District No. 1, the services and the first annual levy of assessments in the Added Territory. After the public hearing, direct the City Clerk to count the ballots. If ballots submitted are in favor of the proposed annexation, that the Council, by motion, approve Resolution 2014-20 Ordering the Annexation and Inclusion of an Additional Territory as Zone 6A in Public Facilities Maintenance District No. 1; and Confirming the Diagram and Assessment of Annual Levy for Fiscal Year 2014-2015 for the Additional Territory Annexed as Zone 6A of Public Facilities Maintenance District No. 1. Authorize and direct the City Clerk to file the Diagram of the PFMD including the Added Territory, and assessments therein, a Notice of Assessment with respect to the Added Territory, and an amended map of the boundaries of the PFMD, incorporating the Added Territory as required by Sections 3110, 3113 and 3114 of the Streets & Highways Codes, with the Kings County Recorder.

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

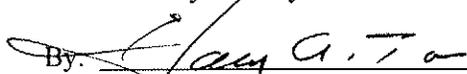
CERTIFICATES OF FILING

**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

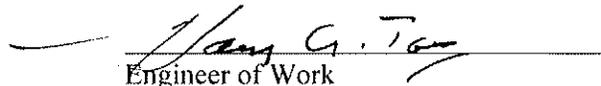

Engineer of Work

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	27 EA	\$31.08	\$27.79	\$1,589
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	\$42,219 ⁽¹⁾
Cost of Total Required Assessment on Zone 6A				\$42,219 ⁽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 \$42,219 = \$27,856. 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	\$27,856.00
			2. Incidental Costs (See Table 3)	448.64
			3. Noticing	64.00
			4. County Processing Fee (\$1.00 per Assessment)	64.00
			Total Costs to Assessment	\$28,432.64
2014-15 Assessment - Zone 6A				\$28,432.64

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

	Estimated Cost
Engineering Fees, Legal Fees, and City Administrative Costs	\$448.64

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	\$444.26
6A	021-830-003-000	444.26
6A	021-830-004-000	444.26
6A	021-830-005-000	444.26
6A	021-830-006-000	444.26
6A	021-830-007-000	\$444.26
6A	021-830-008-000	444.26
6A	021-830-009-000	444.26
6A	021-830-010-000	444.26
6A	021-830-011-000	444.26
6A	021-830-012-000	\$444.26
6A	021-830-013-000	444.26
6A	021-830-014-000	444.26
6A	021-830-015-000	444.26
6A	021-830-016-000	444.26
6A	021-830-017-000	\$444.26
6A	021-830-018-000	444.26
6A	021-830-019-000	444.26
6A	021-830-020-000	444.26
6A	021-830-021-000	444.26
6A	021-830-022-000	\$444.26
6A	021-830-023-000	444.26
6A	021-830-024-000	444.26
6A	021-830-025-000	444.26
6A	021-830-026-000	444.26
6A	021-830-027-000	\$444.26
6A	021-830-028-000	444.26
6A	021-830-029-000	444.26
6A	021-830-030-000	444.26
6A	021-830-031-000	444.26
6A	021-830-032-000	\$444.26
6A	021-830-033-000	444.26
6A	021-830-034-000	444.26
6A	021-830-036-000	444.26
6A	021-830-037-000	444.26
6A	021-830-038-000	\$444.26
6A	021-830-039-000	444.26
6A	021-830-040-000	444.26
6A	021-830-041-000	444.26
6A	021-830-042-000	444.26

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

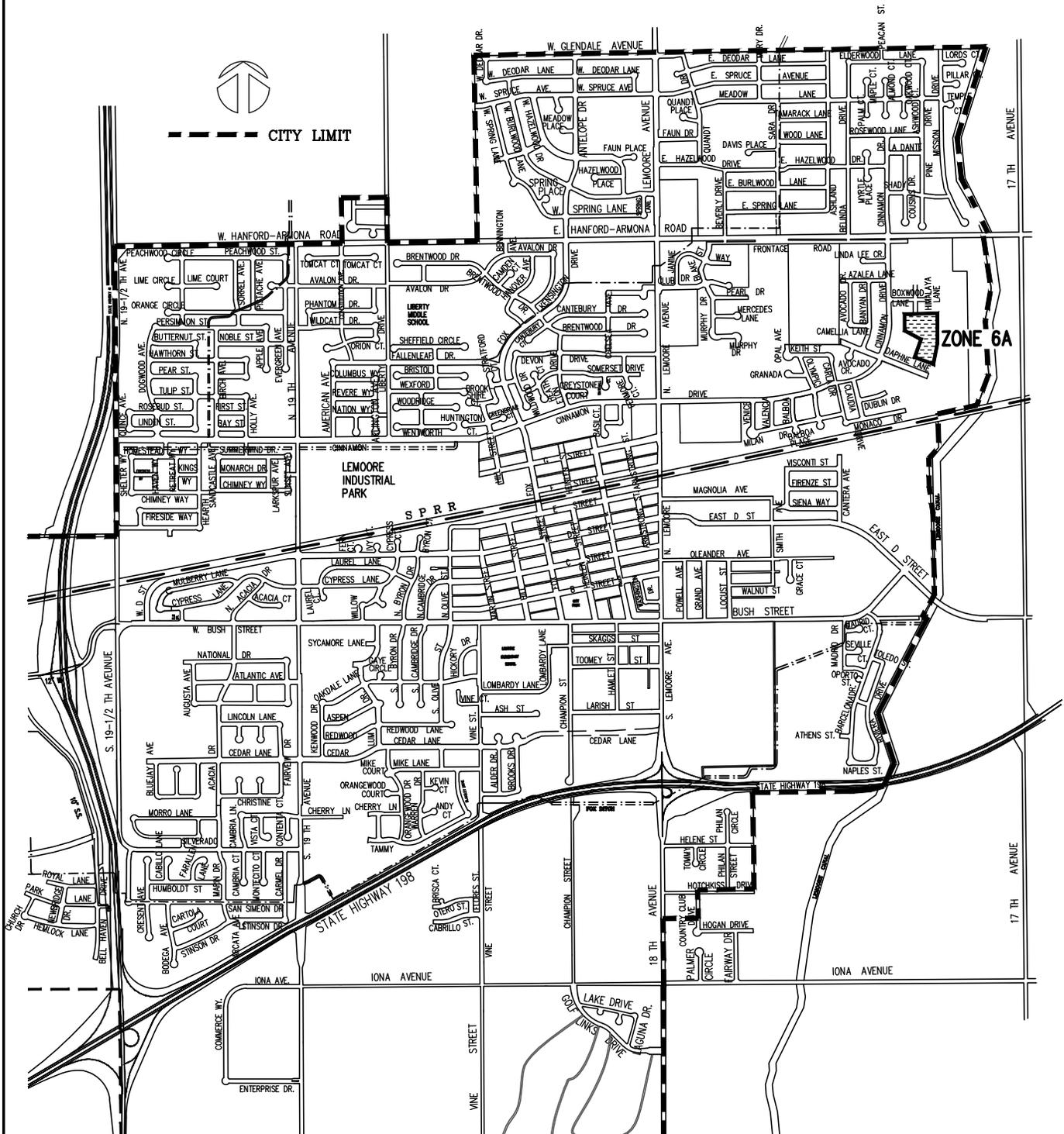
ZONE	ASSESSOR'S PARCEL NO.	2014-15 ASSESSMENT
6A	021-830-043-000	\$444.26
6A	021-830-044-000	444.26
6A	021-830-045-000	444.26
6A	021-830-046-000	444.26
6A	021-830-047-000	444.26
6A	021-830-048-000	\$444.26
6A	021-830-049-000	444.26
6A	021-830-050-000	444.26
6A	021-830-051-000	444.26
6A	021-830-052-000	444.26
6A	021-830-053-000	\$444.26
6A	021-830-054-000	444.26
6A	021-830-055-000	444.26
6A	021-830-056-000	444.26
6A	021-830-057-000	444.26
6A	021-830-058-000	\$444.26
6A	021-830-059-000	444.26
6A	021-830-060-000	444.26
6A	021-830-061-000	444.26
6A	021-830-062-000	444.26
6A	021-830-063-000	\$444.26
6A	021-830-064-000	444.26
6A	021-830-065-000	444.26
6A	021-830-066-000	444.26
Total Assessment Zone 6A		\$28,432.64

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

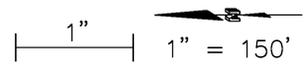
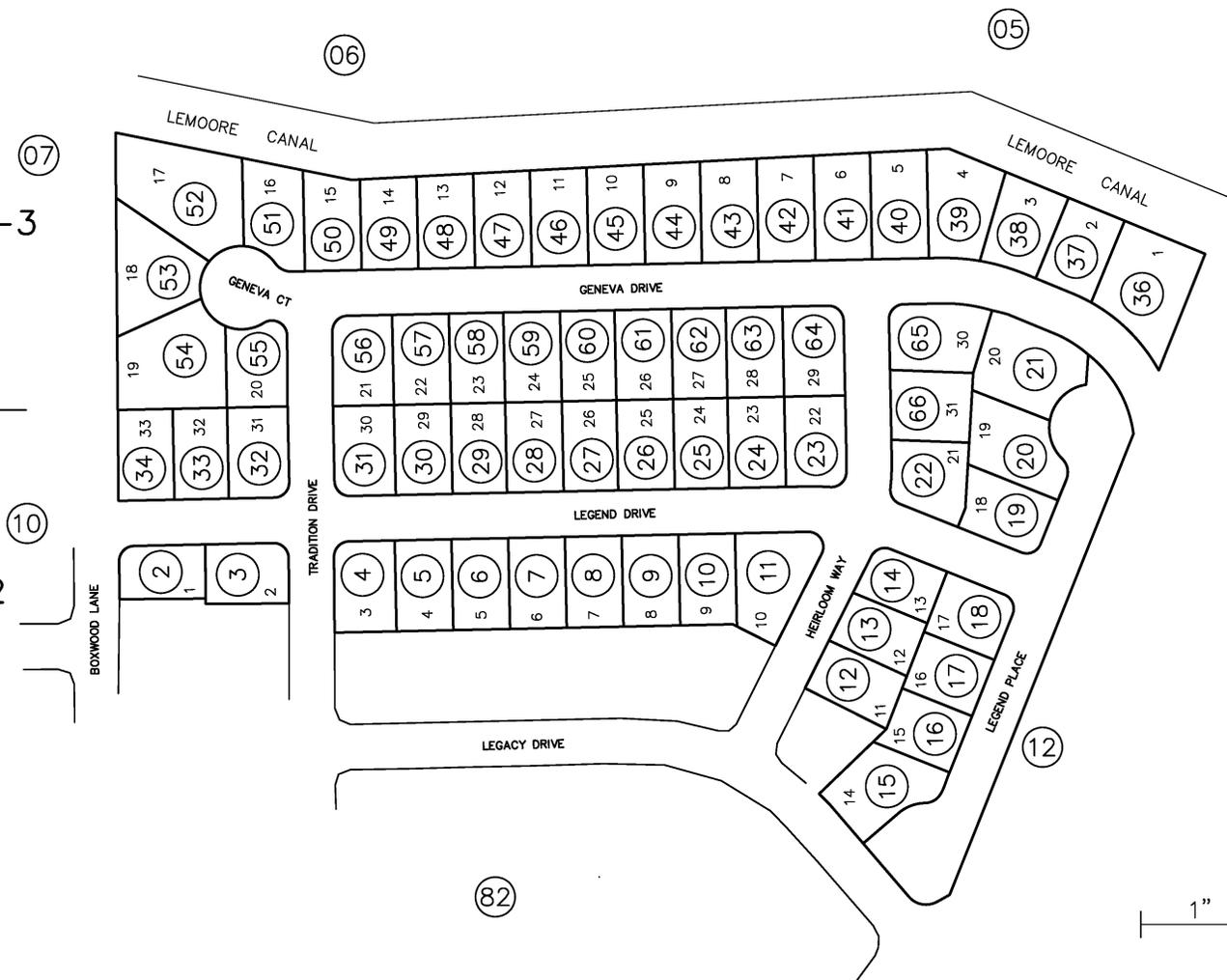
21-83

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

901 East Main Street
Visalia, California 93292
(559) 733-0440

6051 North Fresno Street, Suite 200
Fresno, California 93710
(559) 449-2400

3400 Douglas Boulevard, Suite 190
Roseville, California 95661
(916) 784-7823

5080 California Avenue, Suite 220
Bakersfield, California 93309
(661) 616-2600

Fremming, Parson & Pecchenino, a Quad Knopf Company
2816 Park Avenue
Merced, California 95348
(559) 723-2066,



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RESOLUTION NO. 2014-20

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE
(1) ORDERING ANNEXATION AND INCLUSION OF AN ADDITIONAL TERRITORY
AS ZONE 6A OF PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1; AND**

**(2) CONFIRMING THE DIAGRAM AND ASSESSMENT OF ANNUAL LEVY FOR FISCAL
YEAR 2014-2015 FOR AN ADDITIONAL TERRITORY ANNEXED TO AND INCLUDED
AS ZONE 6A OF PUBLIC FACILITIES MAINTENANCE DISTRICT NO. 1**

WHEREAS, pursuant to Chapter 10 of Title 7 of the Lemoore Municipal Code, as enacted by Ordinance No. 2006-01 (the "Ordinance"), and according to the procedures 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 in the State Landscaping and Lighting Act of 1972 (Chapter 2 of Part of Division 15 of the California Streets & Highways Code) (the "Landscaping & Lighting Act"), the City Council of the City of Lemoore declared its intention to form, conducted all proceedings to form and did form Public Facilities Maintenance District No. 1 of the City of Lemoore (the "PFMD"), including different zones therein, and has thereafter levied and collected annual assessments for maintenance, operation, repair and periodic replacement of landscaping, street lights, local streets, parks and other appurtenant facilities an improvements within each zone described as follows:

Plants, shrubbery, trees, turf, irrigation systems, entry monuments, local street maintenance, parks, hardscapes, walls, fencing, playground, water feature, street lights and appurtenant facilities in public rights-of-way easements within the proposed boundaries of the PFMD,

(collectively, the "Facilities and Improvements") which provide particular, distinct special benefits to the various lots and parcels assessed over and above the general benefits conferred on such lots and parcels and the public at large; and

WHEREAS, the City has determined that lots and parcels within Tract No. 872, Phase 2 and Phase 3 (Heritage Acres), in the City of Lemoore, California (the "Added Territory"), receive such special benefits from the Facilities and Improvements with the Added Territory and therefore should be annexed to and included in the PFMD as Zone 6A thereof, and be subject to levy of annual assessments for the cost of maintenance, operation, repair and periodic replacement of such Facilities and Improvements; and

WHEREAS, at the direction of the City Council, 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 "Engineer's Report"), to which reference is hereby made, which Engineer's Report contains a description of the existing Facilities and Improvements specially benefiting the lots and parcels within the Added Territory, the boundaries of the Added Territory proposed to be annexed to the PFMD as Zone 6A thereof in these proceedings, the Facilities and Improvements existing in and proposed for the Added Territory, and the general location and proposed assessments on the assessable lots and parcels of land within the Added Territory; and

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 Territory within the boundaries as Zone 6A of the PFMD, as proposed in these proceedings; and

WHEREAS, on July 1, 2014 the City Council adopted Resolution No. 2014-16, "A Resolution of Intention to (i) Annex and Include an Additional Territory in Public Facilities Maintenance District No. 1 in the City of Lemoore, and (ii) Levy and Collect Annual Assessments in Such Annexed Territory for Fiscal Year 2014-2015 and Thereafter" (the "Resolution of Intention"), whereby the City Council declared its intention to annex and include the territory within Tract No. 872, Phase 2 and Phase 3, as Zone 6A of the PFMD and to levy and collect annual assessments within the Added Territory for maintenance, operation, repair and periodic replacement of the Facilities and Improvements specially benefiting the lots and parcels within such Added Territory, commencing with the 2014-2015 fiscal year; and

WHEREAS, the proceeds of the annual assessments will be used exclusively to finance the expenses for operation and maintenance of the Facilities and Improvements benefiting the lots and parcels within the Added Territory for the 2014-2015 fiscal year or other fiscal year for which such assessments are levied, which operation and maintenance will provide particular, distinct special benefits to the various lots and parcels in the Added Territory, over and above the general benefits conferred on such lots and parcels and the public at large; and

WHEREAS, the amount of the assessment to be levied on each lot or parcel in the Added Territory for the 2014-2015 fiscal year, as proposed in the Engineer's Report, is proportional to and no greater than the special benefits conferred on such lot or parcel from the maintenance, operation, repair and periodic replacement of the Facilities and Improvements described in the Engineer's Report; and

WHEREAS, after notice by mail to the record owner of all lots and parcels within the Added Territory, 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, as required by Streets & Highways Code Section 22588 and Government Code Section 53753, the City Council conducted a public hearing and heard and considered all objections and protests to the proposed assessments; and, at the conclusion thereof, the City Clerk tabulated all assessment ballots submitted and not withdrawn in support of or in opposition to the proposed annexation and assessment of the lots and parcels in the Added Territory, and announced the results; and

WHEREAS, the City Council has determined, based on such ballot tabulation, that a majority protest to the proposed annexation and assessment of the lots and parcels within the Added Territory does not exist, in that the assessment ballots submitted and not withdrawn in favor of the proposed annexation and assessment exceed the assessment ballots submitted and not withdrawn in opposition; and

WHEREAS, the City Council has further determined that all of the property owners within the Added Territory either have consented to the annexation to and inclusion in Zone 6A of the PFMD and the levy of the assessments proposed for the 2014-2015 fiscal year or have failed to file a majority protest against the proposed annexation and annual assessment in the manner provided by law;

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

1. The recitals, findings and determinations in the Resolution of Intention are hereby restated and confirmed. The recitals in the Resolution of Intention and in this resolution, above, are true and correct.

2. All territories within Tract No. 872, Phase 1 and Phase 2 whose boundaries are set forth in the Engineer's Report on file with the City Clerk, are annexed to and made part of City of Lemoore Public Facilities Maintenance District No. 1 as Zone 6A thereof. The map of the boundaries of the PFMD, prepared by the City Engineer and showing annexation of the Added Territory as Zone 6A thereof, is hereby approved.

3. The Added Territory, whose boundaries are set forth in the Engineer's Report, will be particularly, distinctly and specially benefited, over and above the general benefits conferred on such territory and the public at large, from maintenance, operation, repair and periodic replacement of the Facilities and Improvements described in the Engineer's Report.

4. The hearing on the annexation of the territory within the Added Territory as Zone 6A of the PFMD and the levy of annual assessments therein, commencing with 2014-2015 fiscal year, was noticed and held in accordance with law.

5. The Engineer's Report, including the diagram of the Added Territory as Zone 6A of the PFMD and the assessment therein of the estimated costs of maintenance, operation, repair and periodic replacement of the Facilities and Improvements contained in the Engineer's Report, and each and every part of the Engineer's Report, is finally adopted, confirmed and approved.

6. The assessment diagram showing the lots and parcels of land within the Added Territory as part of Zone 6A of the PFMD, all as contained in the Engineer's Report, is finally approved and confirmed as the diagram of the lots and parcels within the Added Territory to be assessed to pay the costs of maintenance, operation, repair and periodic replacement of the Facilities and Improvements described in the Engineer's Report.

7. The assessment of the total amount of the costs and the individual assessments thereof on the lots and parcels within the Added Territory in proportion to the direct special benefits to be conferred on each such lot or parcel from maintenance, operation, repair and periodic replacement of the Facilities and Improvements, and of the expenses incidental thereto, as set forth in the Engineer's Report, is finally approved and confirmed as the assessment for the 2014-2015 fiscal year to pay such costs.

8. The annexation and inclusion of the Added Territory as Zone 6A of the PFMD, and the levy of the annual assessments on all lots and parcels within the Added Territory for fiscal year 2014-2015, as described in the Resolution of Intention and the Engineer's Report, are hereby ordered.

9. The City Clerk is authorized and directed to file the diagram of the PFMD, including the Added Territory as Zone 6A thereof, and assessments therein, as approved and confirmed by the Council and containing all information and statements required by Section 3114 of the Streets & Highways Code, with the Kings County Recorder immediately after adoption of this resolution. The City Clerk is further authorized and directed to record a notice of assessment with respect to the Added Territory pursuant to Streets & Highways Code Section 3114. The City Clerk is further authorized and directed to file the

amended map of the boundaries of the PFMD, incorporating the Added Territory within Zone 6A, as approved by the City Council and containing all information and statements provided for in Streets & Highways Code Sections 3110 and 3113, with the Kings County Recorder not later than 10 days after the date this resolution is adopted.

10. 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 15th day of July 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINING:

APPROVED:

William M. Siegel, Jr., Mayor

ATTEST:

Mary J. Venegas, City Clerk

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, Mary J. Venegas, City Clerk of the City of Lemoore do hereby certify the foregoing Resolution of the City Council of the City of Lemoore was duly passed and adopted at a Regular Meeting held on July 15, 2014.

DATED: July 15, 2014

Mary J. Venegas, City Clerk