

RESOLUTION NO. 17-349**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVING AND LEVYING AN ANNUAL ASSESSMENT ON REAL PROPERTY UNDER CHAPTER 3 OF THE LANDSCAPING AND LIGHTING ACT OF 1972 IN THE TENAYA PARK ASSESSMENT DISTRICT FOR COUNTY SERVICE AREA NO. 2**

WHEREAS, the County provides park maintenance services, in County Service Area No. 2 – Tenaya Estates (CSA 2), for the park known as Tenaya Park; and

WHEREAS, Government Code section 25215.3 authorizes the Board of Supervisors (Board), on behalf of CSA 2, to impose a benefit assessment in CSA 2 under the Landscaping and Lighting Act of 1972 (Streets and Highways Code, Division 15, Part 2, beginning with Section 22500) (1972 Act) for park maintenance; and

WHEREAS, the Board, by Resolution 14-230 on June 17, 2014, after a proceeding compliant with California Constitution, Article XIII D, Section 4 (also known as Proposition 218), formed the Tenaya Park Assessment District (District), whose boundaries are coextensive with those of CSA 2, and levied an assessment for the 2014–2015 fiscal year; and

WHEREAS, the Board, by Resolution 14-230, also provided that beginning with the 2014-2015 fiscal year, and for each year after until fiscal year 2023–2024, the Board may levy an annual assessment in an amount that may be increased over the annual assessment in the previous year for inflation, by a rate that shall not exceed 5 percent over the annual assessment for the previous year; and

WHEREAS, the “improvements” for purposes of Streets and Highways Code section 22525 are generally described as the maintenance of Tenaya Park, which includes landscaping and irrigation systems, lighting and electrical systems, and recreational improvements, including playground equipment; and

WHEREAS, the Board, by Resolution No. 17-269 on May 2, 2017, initiated this annual proceeding under Chapter 3 of the 1972 Act, and appointed Steven C. Son, P.E., Deputy Director, Department of Public Works and Planning, County of Fresno, as the assessment engineer to prepare and file an engineer’s report regarding an

1 assessment of the total cost of maintenance for Tenaya Park for the 2017-18 fiscal
2 year; and

3 WHEREAS, the Board, on May 2, 2017, received and approved an engineer's
4 report prepared by the assessment engineer, which report, under Article XIID, Section
5 4, of the California Constitution, and the 1972 Act, supports an annual benefit
6 assessment on property within the District of the total cost of maintenance of Tenaya
7 Park for the 2017-18 fiscal year; and

8 WHEREAS, the Board, by Resolution No. 17-269 on May 2, 2017, declared its
9 intention to levy and collect an assessment in the Tenaya Park Assessment District,
10 under Chapter 3 of the Landscaping and Lighting Act of 1972, for operation and
11 maintenance of Tenaya Park for the 2017-18 fiscal year; and

12 WHEREAS, the engineer's report is on file with the Clerk to the Board; and

13 WHEREAS, the engineer's report contains all of the following under Article XIID,
14 Section 4, of the California Constitution, and the Landscaping and Lighting Act of 1972.

- 15 A. A diagram identifying all parcels that have a special benefit conferred
16 on them and on which the annual Assessment will be imposed (exhibit A
17 to the engineer's report).
- 18 B. An estimation of the entirety of the cost of maintenance for Tenaya Park to
19 be assessed on properties within the District (exhibit B to the engineer's
20 report).
- 21 C. A specification of the improvements, which are, generally, the operation
22 and maintenance of Tenaya Park.
- 23 D. A determination that the proportionate special benefit derived by each
24 identified parcel in relationship to the entirety of the cost of park
25 maintenance service to be provided is as set forth in Exhibit B to the
26 engineer's report.
- 27 E. An assessment on each of the properties in the District of the estimated
28 entire cost of the improvements, proportional to the special benefit

1 conferred on each property.

2 F. A determination that no assessment on any parcel exceeds the
3 reasonable cost of the proportional special benefit conferred on that
4 parcel.

5 G. A determination that the only benefits assessed are special benefits, that
6 general benefits have been separated from the special benefits conferred
7 on each parcel, and that there is no general benefit derived from the park
8 maintenance service to be provided.

9 H. A determination that no parcel owned by any public agency, the State of
10 California or the United States but not identified and described in the
11 engineer's report receives any special benefit from the maintenance of
12 Tenaya Park.

13 WHEREAS, the annual assessment for the 2017-18 fiscal year is not an
14 "increased" assessment under Government Code section 53750, subdivision (h), or
15 Streets and Highways Code section 22630.5, because it does not increase any
16 applicable rate used to calculate the assessment, revise the methodology by which the
17 assessment is calculated, or result in an assessment being levied on any person or
18 parcel that exceeds what was approved in the Proposition 218 proceeding in 2014, but
19 applies the inflation increases approved by the Board in Resolution 14-230, and for
20 those reasons is not subject to the special notice, protest, hearing, and assessment
21 balloting procedures under Government Code Section 53753; and

22 WHEREAS, the Board gave notice of a public hearing by causing the May 2,
23 2017 resolution of intention to be published one time, no later than 10 days prior to the
24 public hearing, as required by Government Code section 6061, and California Streets
25 and Highways Code Sections 22552 and 22553; and

26 WHEREAS, before adopting this resolution, the Board considered all testimony
27 and documentary evidence, and gave all persons a full and fair opportunity to be heard
28 with respect to any matter relating to the subject of this resolution, both in favor and

1 against it, and any matter relevant to these proceedings, all of which was done in the
2 interest of the public, and the Board is fully informed of all matters referred to in this
3 resolution.

4 NOW, THEREFORE, BE IT RESOLVED by the Board that each of the foregoing
5 recitals is true and correct.

6 BE IT FURTHER RESOLVED that the Board, under Streets and Highways Code
7 section 22631, confirms the diagram and assessment in the engineer's report, and
8 levies an annual assessment on the benefitted parcels within the District as shown and
9 described in Attachment "A" to this resolution. The annual assessment is levied for fiscal
10 year 2017-18. The total annual assessment chargeable to each of the 142 lots in the
11 District for fiscal year 2017-18 is \$356.00.

12 The lien date shall be that prescribed by law and the assessment shall be
13 collected with the fiscal year 2017-18 property tax billing for each property having a
14 special benefit conferred on it and upon which the assessment is levied.

15 BE IT FURTHER RESOLVED, the assessment shall be published in the Master
16 Schedule of Fees, Charges and Recovered Costs for administrative purposes only.

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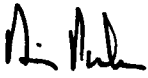
1 THE FOREGOING was passed and adopted by the following vote of the Board of
2 Supervisors of the County of Fresno this 20th day of June 2017, to-wit:

3 AYES: Supervisors Borgeas, Magsig, Mendes, Pacheco, Quintero

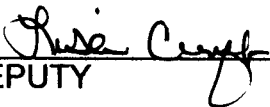
4 NOES: None

5 ABSENT: None

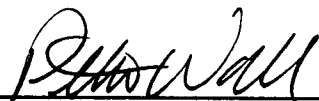
6 COUNTY OF FRESNO

7
8 BY 
9 BRIAN PACHECO, CHAIRMAN
10 BOARD OF SUPERVISORS

11 ATTEST:
12 BERNICE E. SEIDEL, CLERK,
13 BOARD OF SUPERVISORS

14
15 BY: 
16 DEPUTY

17 APPROVED AS TO LEGAL FORM:
18 DANIEL C. CEDERBORG
19 COUNTY COUNSEL

20 BY: 
21 DEPUTY

22 APPROVED AS TO ACCOUNTING FORM:
23 OSCAR J. GARCIA, CPA
24 AUDITOR-CONTROLLER/TREASURER-TAX COLLECTOR

25 BY: 
26 DEPUTY

27 FOR ACCOUNTING PURPOSES ONLY:

28 0160/12000/9142/5066

ATTACHMENT "A"

BENEFIT ASSESSMENT

COUNTY SERVICE AREA No. 2

ASSESSMENT ROLL

			Fiscal Year
Number	APN	Owner Name	2017-18
1	40725101	DODSON DANIEL J & MICHELE	\$356.00
2	40725102	LUCIDO WILLIAM S & ELIZABETH S TRUSTEES	\$356.00
3	40725103	WITHROW ROBERT & MARGARET	\$356.00
4	40725104	ANDERSON THOMAS J & MARLENE E	\$356.00
5	40725105	WIENS JAMES A & ANGELA M	\$356.00
6	40725106	NAKAGUCHI RUSSELL K & JEAN M	\$356.00
7	40725107	KALEMKARIAN STEPHEN A & PEGGY	\$356.00
8	40725108	HUSHEK JOSEPH C & KATHLEEN L	\$356.00
9	40725201	HEATH PAUL W & LINDA D	\$356.00
10	40725202	BRADLEY PATRICK W	\$356.00
11	40725203	PEREZ AUGUSTINE A & KATHRYN M PAPE	\$356.00
12	40725204	CADY DANIEL J & LISA H BENNETT	\$356.00
13	40725205	RITTER KENNETH M & JACQUELINE R TRS	\$356.00
14	40725206	KREBS JOHN & HANNA TRUSTEES	\$356.00
15	40725207	MERZOIAN MITCHELL & ELEANOR TRUSTEES	\$356.00
16	40725208	DI NUZZO MICHELE & ANGELINA TRUSTEES	\$356.00
17	40725209	TAYLOR RUTH E TRUSTEE	\$356.00
18	40725210	PATTERSON JAMES D & RENEE B	\$356.00
19	40725211	ROONEY DONN & BONNIE	\$356.00
20	40725212	BLOHM PHILIP TRUSTEE	\$356.00
21	40725213	SOSA SUSANA L, NADANER DANIEL	\$356.00
22	40725214	CONWAY WILLIAM JOSEPH JR & JOAN R TRS	\$356.00
23	40725216	TAN KELLY LEE	\$356.00
24	40725217	QUAN PATRICK M & ANDREA L	\$356.00
25	40725218	SECREST WILLIAM B JR	\$356.00
26	40725219	SMITH BRADLEY C TRUSTEE, SZOT BRENDA L ETAL	\$356.00
27	40725220	KELLEY MICHAEL E & JESSICA M TRUSTEES	\$356.00
28	40725221	BUSH PAUL D & BARBARA H	\$356.00
29	40725222	REBA SCOTT J & DEBORAH S	\$356.00
30	40725223	ABEL HOWARD & BETTY	\$356.00
31	40725224	FALCONE PATRICIA L	\$356.00
32	40725225	AMARO ANGELINA M	\$356.00
33	40725226	LEONIK BENJAMIN JAMES & SARA KIRA	\$356.00
34	40725227	KAUSIN ANNE MARIE	\$356.00
35	40725228	ZARATE CRISTINA E	\$356.00
36	40725229	LEE JIMMY & DEANNA TRUSTEES	\$356.00
37	40725230	VINCENT D DAVID	\$356.00
38	40725231	WHITEHEAD THOMAS & CYNTHIA	\$356.00
39	40725232	GRAHAM JAMES W TRUSTEE, K ANDERSON	\$356.00
40	40725233	LUM STANLEY & JANE	\$356.00
41	40725301	OLIVER ROBERT H & STEPHANIE A TRUSTEES	\$356.00
42	40725302	SCHOLES JULIE A TRUSTEE, WHITNEY JEANNE E TRUSTEE	\$356.00

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COUNTY SERVICE AREA No. 2

ASSESSMENT ROLL

			Fiscal Year
Number	APN	Owner Name	2017-18
43	40725303	BARTON HAROLD L & AUDREY J TRUSTEES	\$356.00
44	40725304	FICARRA JOHN J & BETTY A TRUSTEES	\$356.00
45	40725305	LEWIS KENNETH E TRUSTEE	\$356.00
46	40725306	PUCHEU JACQUELINE MCDONALD & JASON E	\$356.00
47	40725307	WILLIAMSON DEAN & LISA K	\$356.00
48	40725308	MARKS STANLEY A & JUDITH K	\$356.00
49	40726001	BRANCH DANIEL & KERRI	\$356.00
50	40726002	KOCHERGEN ESTHER LIFE ESTATE, B KORETOFF	\$356.00
51	40726003	MUNSON ANTHONY & HOLLY R OWEN	\$356.00
52	40726004	CAVELLA RONALD E & SHIRLEY ANNE	\$356.00
53	40726005	O'NEAL BRUCE W & DOLORES I TRUSTEES	\$356.00
54	40726006	EMERZIAN LEON & DIANA A	\$356.00
55	40726007	DECKER VIRGINIA S TRUSTEE	\$356.00
56	40726008	DUKE BILLIE D & ROBIN A TRUSTEES	\$356.00
57	40726009	STEVENS BRAD WILLIAM & ROBIN RUSSO	\$356.00
58	40726010	CERBO GAETANO TOM & FILOMENA TRUSTEES	\$356.00
59	40726011	POLGLASE VAN N & ANGELA TRUSTEES	\$356.00
60	40726012	TALLEY RANDALL E	\$356.00
61	40726013	SNYDER JOAN TRUSTEE	\$356.00
62	40726014	MCKELVEY JAMES ALAN & DIANE CLARE	\$356.00
63	40726015	CROSBY KENNETH O & CATHY TRUSTEES	\$356.00
64	40726016	EARL SHANNON M & JEFF	\$356.00
65	40726017	MENDOZA CARLOS M TRUSTEE	\$356.00
66	40726018	ADAMS JULIE A TRUSTEE	\$356.00
67	40726019	SMOKE LEO & LAURA	\$356.00
68	40726020	FRAZIER RICHARD & MARLENE ANN TRS	\$356.00
69	40726021	CAVANAGH JANE	\$356.00
70	40726022	SETTERQUIST ALLYSON	\$356.00
71	40726023	NELSON MICHAEL K & CINDY A	\$356.00
72	40727001	GOMEZ MANUEL JR & MARY	\$356.00
73	40727002	GEARY ELMYRA, GIBBS GLORY G	\$356.00
74	40727003	COLLINS MIKE & JUDY	\$356.00
75	40727004	FEDERAL HOME LOAN MORTGAGE CORP, WELLS FARGO BANK NA	\$356.00
76	40727005	LLA LEASING COMPANY LLC, NOIA LUCIA E TRUSTEE	\$356.00
77	40727007	LARSON ROSALENE L	\$356.00
78	40727008	LONE TODD A & ANNETTE E LEVI	\$356.00
79	40727009	MARTIN RONALD S & NORMA M TRUSTEES	\$356.00
80	40727010	GOODRICH ROBERT B & CYNTHIA A DOLATA	\$356.00
81	40727011	MERZOIAN GERALD A & DEBORAH ANN TRS	\$356.00
82	40727012	ANDERSON KATIE	\$356.00
83	40727013	WEIGANDT BRENT & DIANE	\$356.00
84	40727014	HARDING CLARKE T III & LINLEY B TRS	\$356.00

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COUNTY SERVICE AREA No. 2

ASSESSMENT ROLL

			Fiscal Year
Number	APN	Owner Name	2017-18
85	40727015	POWELL FRANK V & ALICE M TRUSTEES	\$356.00
86	40727016	CLOONAN ESLEY CHARLES & JANET JOYCE TRS	\$356.00
87	40727017	MENEFEE TERRY & ROSALIE	\$356.00
88	40727018	GOLDLEAF CAPITAL LLC	\$356.00
89	40727019	BERGER THOMAS E & CHERYL L	\$356.00
90	40727020	BREMSETH DOUGLAS W & EMILY N	\$356.00
91	40727021	LACY WILLIAM J III	\$356.00
92	40727022	EMERSON RICHARD A G & MARY E TRS	\$356.00
93	40727023	FORREST ALAN H & CAROL TRUSTEES	\$356.00
94	40728001	NOVIELLI ELIAZER & CAROL	\$356.00
95	40728002	NAVARRO NATHANIEL J, ODAY CHRISTOPHER J & CATALINA A	\$356.00
96	40728003	GUZMAN P JR & PAULA M TRUSTEES	\$356.00
97	40728004	GUZMAN PAULA TRUSTEE	\$356.00
98	40728005	SAMARIN VERA J	\$356.00
99	40728006	ROSA IRWIN H TRUSTEES	\$356.00
100	40728007	GRANT VERNON H JR & CARLA M	\$356.00
101	40728008	LUNDBERG BRUCE E & KATHLEEN A	\$356.00
102	40728009	CROSSMAN KEITH V & CHARLENE M	\$356.00
103	40728010	JEFFREYS GEORGE W & WILLENE P	\$356.00
104	40728011	LAMONSKI FRANK J & KATHLEEN S	\$356.00
105	40728012	DRANDELL HARRY M	\$356.00
106	40728013	XIONG ZONG	\$356.00
107	40728014	AGUAYO DANNY & MONA DIANE	\$356.00
108	40728015	WANG JAIXIN, CUI MEIXIA	\$356.00
109	40728016	THUESEN GERALDINE TRUSTEE	\$356.00
110	40728017	KLEIN DONALD C	\$356.00
111	40728018	STRAUSS SHIRLEY J TRUSTEE	\$356.00
112	40728019	WIEST FREDRICK R & BECKY L	\$356.00
113	40728020	DASHJIAN RALPH & ELIZABETH TRUSTEES	\$356.00
114	40728021	DRENTH JAN	\$356.00
115	40728022	DOWNING THOMAS H & CYNTHIA A TRUSTEES	\$356.00
116	40728023	BIRD DONALD L & JOYCE A TRS	\$356.00
117	40728024	PRIESTER RAE ANN G & RANDALL G	\$356.00
118	40728025	PAPULIAS THEODORE ALEXANDER & SUSAN LYNN	\$356.00
119	40728027	NORMART ARA F JR & JANICE	\$356.00
120	40728028	SURABIAN STANLEY R & CHERYL L TRUSTEES	\$356.00
121	40728029	ROBINSON RODERICK H JR & MARLENE B TRS	\$356.00
122	40728030	MORIZONO MARK T & KELLY L	\$356.00
123	40728031	DAVIS CATHERINE, LONG ERIN OKELLY	\$356.00
124	40728032	WALLACE ROBERT A & SUZANNE L	\$356.00
125	40728033	EKIZIAN BARBARA TRUSTEE	\$356.00
126	40728034	LAZARUS GORDON & KAREN	\$356.00

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COUNTY SERVICE AREA No. 2
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Number	APN	Owner Name	Fiscal Year
			2017-18
127	40728035	MCGANN PETER D & KRIS A TRUSTEES	\$356.00
128	40728036	BIGHAM CRAIG CARTER, MAGRETTA SUSAN J	\$356.00
129	40728037	ALLEN MARK L & SUSAN L TRUSTEES	\$356.00
130	40728038	LAMBRECHT KAREN E, LAMBRECHT ROGER A	\$356.00
131	40728039	LOPEZ FRANCISCO, GONZALES ROSA	\$356.00
132	40728040	COCKBURN TIMOTHY P & TRACEY J DUNN	\$356.00
133	40728041	BISCHEL MABEL A	\$356.00
134	40728042	HINDS CARL & NATALIE	\$356.00
135	40728043	HABIBE ORLANDO & MONICA	\$356.00
136	40728044	ASSADOURIAN BRYAN, ASSADOURIAN JOHN &	\$356.00
137	40728045	JENKINS MICHAEL GREGORY	\$356.00
138	40728046	SMITH GLENNA LEE TRUSTEE	\$356.00
139	40728047	RUELAS JOSEPH M & ELISA T	\$356.00
140	40728048	NAZZARETTA JOHN A & ADALA M TRUSTEES	\$356.00
141	40728049	ROBERTSON W NEIL & ANGELA M	\$356.00
142	40728050	MC CLUNE JAMES B & DOLORES M	\$356.00