

RESOLUTION NO. 23-177

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO INITIATING ANNUAL ASSESSMENT PROCEEDINGS UNDER CHAPTER 3 OF THE LANDSCAPING AND LIGHTING ACT OF 1972 IN THE TENAYA PARK ASSESSMENT DISTRICT FOR COUNTY SERVICE AREA NO. 2 AND APPOINTING AN ASSESSMENT ENGINEER TO PREPARE AND FILE AN ENGINEER'S REPORT.

WHEREAS, the County provides park maintenance services, in County Service Area No. 2, also known as 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) for park maintenance, subject to the requirements of California Constitution, Article XIII D, section 4; and

WHEREAS, the Board, by Resolution 14-230 on June 17, 2014, formed the Tenaya Park Assessment District (Assessment District), whose boundaries are coextensive with those of CSA 2 the location and boundaries of which are shown on the map attached to this resolution as Exhibit A; 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, before adopting this Resolution, the Board considered all testimony and documentary evidence, and gave all persons a full and fair opportunity to be heard with respect to any matter relating to the subject of this Resolution, both in favor and against it, and any matter relevant to these proceedings, all of which was done in the interest of the public, and the Board is fully informed of all matters referred to in this resolution.

NOW, THEREFORE, the Board of Supervisors of the County of Fresno does hereby find, determine, and resolve as follows:

Section 1. The above recitals are all true and correct.

1 **Section 2.** The Board hereby proposes to proceed under Chapter 3 of the Landscaping and
2 Lighting Act of 1972 to levy and collect in the Assessment District, for CSA 2, an assessment of the
3 total cost of the maintenance and operation expenses of Tenaya Park for the 2023-24 fiscal year.

4 **Section 3.** In connection with the proceedings that are the subject of this resolution, the
5 Board hereby appoints and designates Steven E. White, P.E., Director, Department of Public Works
6 and Planning, County of Fresno, registered under the Professional Engineers Act (Division 3, Chapter 7
7 of the California Business and Professions Code, beginning with Section 6700), as the Assessment
8 Engineer (Assessment Engineer).
9

10 **Section 4.** The Assessment Engineer is hereby ordered to prepare and, no later than May
11 23, 2023, file with the Clerk of the Board a written report (Engineer's Report) with regard to an
12 assessment of the total cost of maintenance for Tenaya Park for the 2023-24 fiscal year. The
13 Engineer's Report shall comply with the requirements of Streets and Highways Code, Division 15, Part
14 2, Chapter 1, Article 4, beginning with section 22565, and Section 4 of Article XIII D of the California
15 Constitution.
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17 **Section 5.** The Board hereby finds and determines that it took all of the foregoing actions
18 and made all of the foregoing findings in full compliance with the law, including, without limitation, the
19 Landscape and Lighting Act of 1972, Article XIII D of the California Constitution, and any other law
20 referred to in this resolution. All proceedings referred to in this Resolution have been taken with
21 respect to CSA 2.

22 **Section 6.** This Resolution shall take effect immediately upon its adoption.

23 **Section 7.** The Clerk of the Board shall certify to the adoption of this Resolution and shall
24 cause a certified copy of this Resolution to be filed in the office of the Clerk.
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1 THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors
2 of the County of Fresno this 23rd day of May 2023, to-wit:

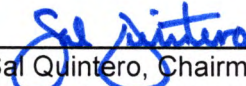
3
4 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

5 NOES: None

6 ABSENT: None

7 ABSTAINED: None
8

9
10 COUNTY OF FRESNO

11 
12 _____
13 Sal Quintero, Chairman of the
14 Board of Supervisors of the County of
15 Fresno

15 ATTEST:
16 Bernice E. Seidel
17 Clerk of the Board of Supervisors
18 County of Fresno, State of California

19 By: 
20 _____
21 Deputy



CSA 2 - Tenaya Park
Public Works and Planning



EXHIBIT A

