

RESOLUTION NO. 19-200

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 – Tenaya Estates (CSA 2), for the park known as Tenaya Park;

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; and

WHEREAS, the Board, by Resolution No. 14-230 on June 17, 2014, formed the Tenaya Park 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.

**Section 2.** The Board hereby proposes to proceed under Chapter 3 of the Landscaping and

1 Lighting Act of 1972 to levy and collect in the Tenaya Park Assessment District, for CSA 2, an  
2 assessment of the total cost of the maintenance and operation expenses of Tenaya Park for FY 2019-  
3 20.

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 **Section 4.** The Assessment Engineer is hereby ordered to prepare and, no later than May  
10 08, 2018, file with the Clerk of the Board a written report (Engineer's Report) with regard to an  
11 assessment of the total cost of maintenance for Tenaya Park for FY 2019-20. The Engineer's Report  
12 shall comply with the requirements of Streets and Highways Code, Division 15, Part 2, Chapter 1,  
13 Article 4, beginning with section 22565, and Section 4 of Article XIID of the California Constitution.

14 **Section 5.** The Board hereby finds and determines that it took all of the foregoing actions  
15 and made all of the foregoing findings in full compliance with the law, including, without limitation, the  
16 Landscape and Lighting Act of 1972, Article XIID of the California Constitution, and any other law  
17 referred to in this resolution. All proceedings referred to in this resolution have been taken with respect  
18 to CSA 2.

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

20 **Section 7.** The Clerk of the Board shall certify to the adoption of this Resolution and shall  
21 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 14th day of May, 2019, to-wit:

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

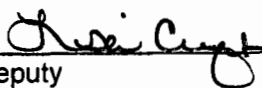
5 NOES: None

6 ABSENT: None

7 ABSTAINED: None

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12 Nathan Magsig, Chairman of the Board  
13 of Supervisors of the County of Fresno

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

18 By:   
19 Deputy



# CSA 2 - Tenaya Park

Public Works and Planning

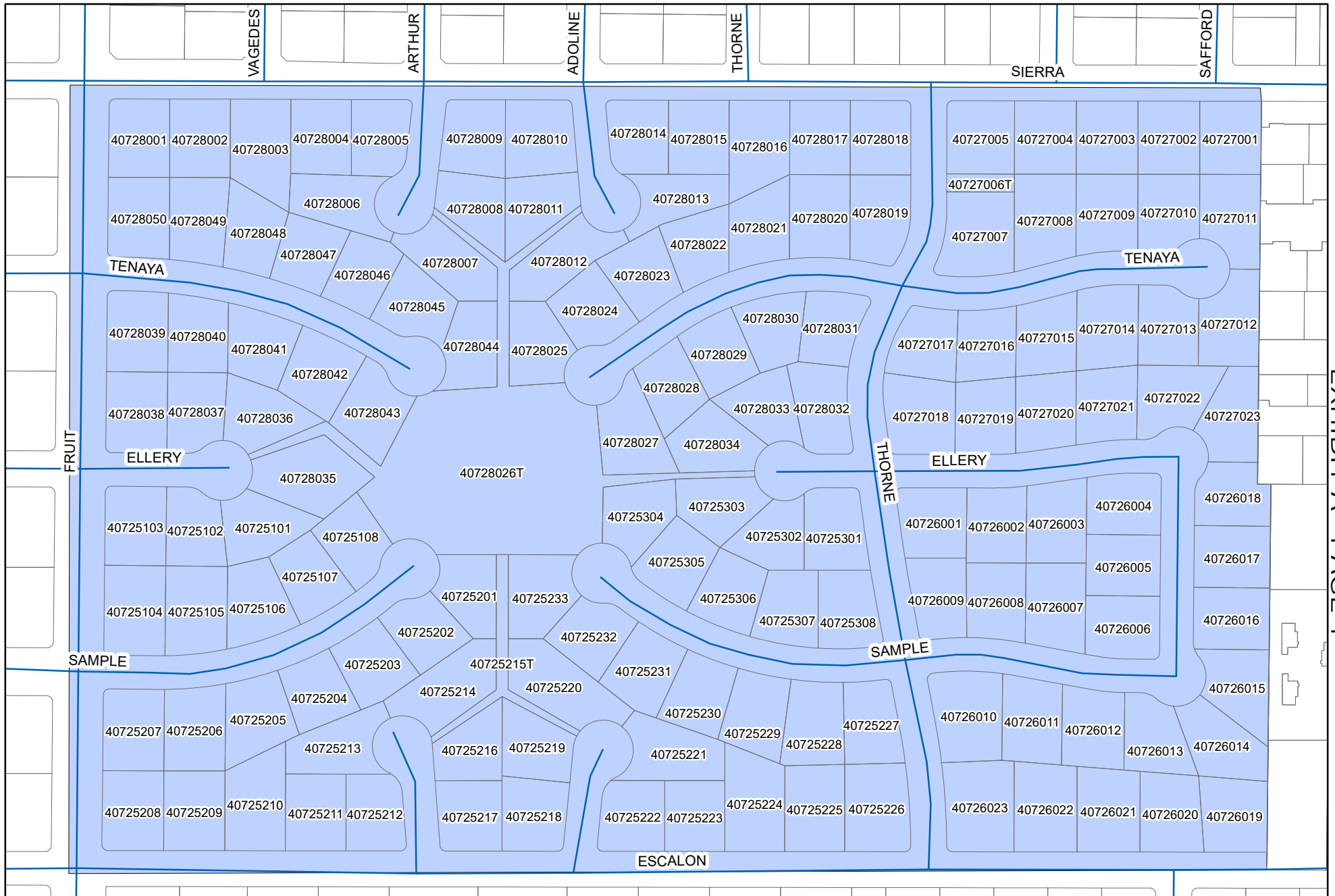


EXHIBIT A - PAGE 1

## EXHIBIT A - PAGE 2

### TENAYA PARK ASSESSMENT DISTRICT COUNTY SERVICE AREA NO. 2 TRACT 1939 TENAYA ESTATES BOUNDARY DESCRIPTION (BOUNDARY MAP ATTACHED)

County Service Area No. 2 is described as that certain real property situate and being a portion of lots 28, 29, 30, 31, 32, and 33 in Section 5. T. 13 S., N. 20 E., M.D.B. & M., of Bullard Lands Irrigated Subdivision No. 1, according to map thereof recorded in volume 9 page 2 of Record of Surveys in the office of the County Recorder, Fresno County, California, and being more particularly described as follows:

Beginning at the Northwest corner of the Southeast  $\frac{1}{4}$  of said Section 5, thence S.  $1^{\circ} 02' 30''$  W. and along the West line of said Southeast  $\frac{1}{2}$  a distance of 1313.27 feet more or less to its point of intersection with no westerly prolongation of the centerline of that certain County Road known as Escalon Avenue; thence S.  $89^{\circ} 26' 12''$  E. and along the centerline a distance of 653.50 feet from the East line of said Southeast  $\frac{1}{4}$ ; thence N.  $1^{\circ} 08' 03''$  E. and parallel to the East line of said Southeast  $\frac{1}{4}$  a distance of 22.50 feet to the Southeast corner of the West  $\frac{1}{2}$  of said lot 26; thence N.  $1^{\circ} 05' 11''$  E. and along the East line of the West  $\frac{1}{2}$  of said lot 28 and its Northerly prolongation a distance of 668.45 feet to a point on the North line of said Southeast  $\frac{1}{4}$  of Section 5; thence N.  $89^{\circ} 23' 48''$  W. and along said North line of distance of 1963.51 feet to the Point of Beginning, said parcel of land contains 59.48 acres a little more or less.