



City of Kingsburg

1401 Draper Street, Kingsburg, CA 93631-1908
Phone (559)897-5821 Fax (559)897-5568

Mayor Michelle Roman
Mayor Pro Tem Laura North
Council Member Sherman Dix
Council Member Vince Palomar
Council Member Jewel Hurtado

City Manager Alexander J. Henderson

AGENDA

KINGSBURG CITY COUNCIL REGULAR MEETING

VIA TELECONFERENCE PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM. THE COUNCIL CHAMBER WILL BE CLOSED TO THE PUBLIC. PUBLIC WILL HAVE THE OPTION TO CALL 1 (559) 207-3003 PASSCODE 5821 TO PROVIDE COMMENTS ON AGENDA ITEMS. WRITTEN COMMENTS WILL CONTINUE TO BE SUBMITTED BY MAIL OR EMAIL TO APALSGAARD@CITYOFKINGSBURG-CA.GOV. THE CUT OFF FOR WRITTEN COMMENTS IS 5/19/2020 at 4:30pm. THEY WILL NOT BE READ OUT LOUD.

Wednesday, May 20, 2020 at 6pm

Invocation to be given by Pastor Tim Boynton, Kingsburg Covenant Church.

6 P.M. REGULAR SESSION MEETING:

- 1. Call to Order and Roll Call**
- 2. Public Comments:** This is the time for any citizen to come forward and address the City Council on any issue within its jurisdiction that is not listed on the Agenda. A maximum of five (5) minutes is allowed for each speaker.
- 3. Approve Agenda:** Action by the Council to approve the agenda or to make modifications. Items that can be added to the agenda is constrained by State law.
- 4. Consent Calendar:** Items considered routine in nature are to be placed on the Consent Calendar. They will be considered as one item and voted upon in one vote unless individual consideration is requested. Each vote in favor of the Consent Calendar is considered and recorded as a separate affirmative vote in favor of each action listed. Approval of the Consent Calendar items include recitals reading ordinance(s) by titles(s) only and adoption of recommended action(s) contained in Staff Reports.
 - 4.1 Approval of City Council Minutes:** Approve the minutes from the May 5, 2020 Regular City Council Meeting and the May 8, 2020 Special City Council Meeting, as prepared by City Clerk Abigail Palsgaard.

- 4.2 **Check Register:** Ratify/approve payment of bills listed on the check register for the period April 30, 2020 through May 13, 2020 as prepared by Accounts Payable Clerk Grace Reyna.
- 4.3 **Adopt Resolution No. 2020-028- Hash/Summerlyn Consent and Election to Annex Real Property to the Existing Community Facility District 2017-01** – Staff Report Prepared by City Clerk Abigail Palsgaard.
- 4.4 **Adopt Resolution No. 2020-029- A Resolution Of The City Council Of The City Of Kingsburg, County Of Fresno, State Of California Initiating Proceedings For The Annual Levy And Collection Of Assessments For The City Assessment District No. 93-01 For Fiscal Year 2020/21 Pursuant To The Landscaping And Lighting Act Of 1972, Part 2 Of Division 15 Of The Streets And Highways Code And As Provided By Article Xiii D Of The California Constitution; And Ordering The Preparation Of An Engineer’s Report In Connection Therewith-** Staff Report prepared by Finance Director Alma Colado
- 4.5 **Adopt Resolution No. 2020-030- A Resolution Of The City Council Of The City Of Kingsburg, County Of Fresno, State Of California Preliminarily Approving The Report Of The Engineer In Connection With The Annual Levy Of And Collection Of Assessments For The City Assessment District No. 93-01 For Fiscal Year 2020/21, Pursuant To The Landscaping And Lighting Act Of 1972, Part 2 Of Division 15 Of The Streets And Highways Code And As Provided By Article Xiii D Of The California Constitution-** Staff Report prepared by Finance Director Alma Colado
- 4.6 **Adopt Resolution No. 2020-031- A Resolution Of The City Council Of The City Of Kingsburg, County Of Fresno, State Of California Declaring Its Intention To Order The Annual Levy And Collection Of Assessment For The City Landscape Maintenance Assessment District No. 93-01 For Fiscal Year 2020/21 Pursuant To The Landscaping And Lighting Act Of 1972, Part 2 Of Division 15 Of The Streets And Highways Code And As Provided By Article Xiii D Of The California Constitution, And Appointing A Time And Place For Hearing Protests-** Staff Report prepared by Finance Director Alma Colado
- 4.7 **Approve Alley Vacation Agreement as drafted by the city’s legal counsel.** - Staff Report by City Manager Alexander Henderson
- 4.8 **Partial Acceptance of Tract 6122 Improvements-** Including Partially accept infrastructure improvements related to Tract 6122, excluding pipeline and public space improvements, and authorize the City Engineer to file the Notice of Completion for the partially completed improvements. Authorize the reduction of security bonds to amounts determined by the City Engineer to be sufficient to complete unfinished public improvements. Authorize the Building Official to issue Certificates of Occupancies on completed homes in the subdivision.

5. Regular Calendar

- 5.1 **Public Service Recognition Award Presentation – Lisa Delgado, Senior Center**
Presentation by Mayor Michelle Roman

5.2 PUBLIC HEARING TO CONSIDER VACATION OF KAMM AVENUE BETWEEN BETHEL AVENUE AND GOLDEN STATE BOULEVARD BY THE KINGSBURG CITY COUNCIL

- a. Open Public Hearing
- b. Presentation
- c. City Council Discussion
- d. Open for Public Comment
- e. Close Public Comment
- f. Continued City Council Discussion
- g. Close Public Hearing
- h. Possible Actions:
 1. **CONTINUE TO JULY 15, 2020**

5.3 Coronavirus Disease 2019 (COVID-19) Update- Staff Report by City Manager Alexander Henderson

Possible Action(s):

- a. Presentation by City Manager Alexander Henderson
- b. Council Discussion
- c. Action as Deemed Necessary

5.4 Crime Statistics Report for the Month of April 2020 and General Police Department Update- Crime Statistics Report prepared by Kingsburg Police Department Records Supervisor Corina Padilla.

Possible Action(s):

- a. Presentation by Police Chief Neil Dadian
- b. Council Discussion
- c. Informational- No Action Necessary

6. Council Reports and Staff Communications

- 6.1 Community Services Commission
- 6.2 Public Safety Committee
- 6.3 Chamber of Commerce
- 6.4 Economic Development
- 6.5 Finance Committee
- 6.6 Planning Commission
- 6.7 South Kings Groundwater Sustainability Agency Joint Powers Authority (SKGSA)
- 6.8 City Manager's Report

7. Other Business that may come properly before the City Council

8. Future Agenda Items

These items will be added to a future agenda with direction from Council.

9. Adjourn Regular Kingsburg City Council Meeting.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at www.cityofkingsburg-ca.gov.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the office of the City Clerk (559) 897-6520. Notification 48 hours prior to a meeting will enable the City to make reasonable arrangements to ensure accessibility to that meeting [28 CFR 35 .102.35.104 ADA Title II].

I hereby certify, under penalty of perjury under the laws of the State of California that the foregoing Agenda was posted at the front entrance of City Hall not less than 72 hours prior to the meeting. Dated this 15th day of May 2020.

Abigail Palsgaard, City Clerk

Written Public Comment for
Consideration for the
5/20/2020 Regular City
Council Meeting. These
comments are added to the
record and will not be read
out loud.

Timothy Brandon
14028 S. Madsen Avenue
Kingsburg, CA 93631

May 13, 2020

Mayor Michelle Roman and City Council
City of Kingsburg
1401 Draper Street
Kingsburg, CA 93631

Re: Madsen Avenue Bike Trail Project

Dear Mayor Michelle Roman and City Council:

First and foremost, I am opposed to the Madsen Avenue Bike Trail Project and having to sell a portion of my property to the City to accomplish this project.

I am concerned about the future ramifications that would be caused by this proposed project. It is not only going to impact my residence, it is going to greatly impact my farming capabilities as I currently operate. There would be a hindrance should anyone ever want to develop my property on Madsen Avenue. How would you access homes with a bike path in front of them?

Kingsburg already owns property on Madsen Avenue wide enough to allow for a bike lane, without taking any of my property. I believe buying my property is a waste of City resources.

It is stated in the introduction on page 4 that I am allowed to obtain my own appraisal for the property, vines and irrigation system relocation. It also states that the DOT will reimburse up to \$5,000.00 for the appraisal. Please inform Peters Engineering and the Department of Transportation that I will be getting a second appraisal.

Should this project be subject to eminent domain, I do plan on arguing my case in front of a Judge and jury based on the necessity of this project versus the impact to my property and the fact there is a City sidewalk across the street that could be modified to accomplish the same goal.

If this project moves forward, there are stipulations and agreements that need to be in place. I would require an agreement which allows me to cross the City Easement (Bike Trail) to be able to continue my normal farming activities. I would also need a "hold harmless" agreement for any damage or failure to the bike trail caused by my normal farming activities. If an agreement(s) cannot be reached and I am not able to cross the City Easement (Bike Trail) without liability, then the project needs to be reassessed due to the fact I will have to remove more vines and relocate my irrigation system to continue to farm my property and turn around at the end of each row. I would also likely lose eight mature Redwood trees in front of my house.

I would ask Mayor Roman and the City Council to please consider canceling this project. My family has lived and worked in this community for over 100 years, and the property you are trying to buy for a bike trail is property that I have worked for my entire life. I do not feel it is right to impact someone's property and life in such a manner when there are other options that can be pursued.

Respectfully,

A handwritten signature in black ink, appearing to read "T. Brandon", with a long, sweeping underline.

TIMOTHY BRANDON

Dear [Governmental leadership],

Hi, my name is David Morris. I am grateful for your work to preserve life during these unprecedented days due to COVID-19. The decisions, actions, and leadership needed from you have demanded an uncommon amount of wisdom, analysis, and direction. COVID-19 has led to a wide variety of suffering, for those suffering medically from contracting it but now expanded to an entire nation reeling from our attempts to deal with it. So thank you for your work to respond to this pandemical moment.

At the same time, I am writing to you out of concern for my right to practice my religion, a right given by God and recognized within our United States Constitution. The church that I attend quickly complied with governmental direction regarding group gatherings, beginning online-only services on March 15 and officially discontinuing all in-person church gatherings. We did so in good faith that the governmental restrictions were temporary steps aimed at preserving life. Our desire was and is to be good neighbors and good citizens, and our church wanted to aid in flattening the curve as it was explained by both medical and governmental personnel.

As days have turned into weeks have turned into months, my concern has simultaneously grown that my inability to practice my religion is threatened by unconstitutional governmental over-reach. Gathering is an inherent, necessary component of exercising my religion, and always has been. I have observed businesses and other public areas re-opening, while hearing that churches should remain closed. While I do not expect special privileges for my church from the government, I do expect equal privileges. If literally hundreds of people can gather in my local Wal-Mart, if dogs can be groomed, if liquor stores can serve customers, if my favorite Chipotle can figure out how to serve customers safely, why is my church forbidden from pursuing social distancing protocols while still practicing my religion?

I appeal to you to clearly recognize my right to gather as part of the exercise of my religion, and to allow churches to open their doors. When shelter in place began in California, Governor Newsom appealed to the good will of us as citizens to comply without forcing some police intervention. We extended that good will, but have yet to see a return from that good will recognizing our serious efforts that included weeks of choosing to limit our religious freedoms. Now is the time for you to use your governmental leadership to recognize a proper return to the exercise of my religious freedoms. While you do not have to agree with my particular religious views, the Constitution and the very fabric of American freedom demand that you not infringe on them. You do not have to agree with my particular religious views to recognize that spiritual and mental health is an essential aspect of life, liberty, and the pursuit of happiness. The essential nature of religion demands that you categorize churches as such, and stop attempting to prevent us from peacefully and lawfully assembling.

Because you are an elected official under the authority of law yourself, please stop your policies and enforcement that discriminate against my church unfairly. I remain hopeful in the principles of American government that have contributed to the great nation that we are, and remain concerned about the legitimate threat COVID-19 has brought to our communities. I also value the principle of religious freedom that is currently jeopardized by an ongoing shelter in place policy that unfairly singles out churches as incapable of practicing valid protection measures. Please consider as well as respond in public policy to this sincere request from a concerned citizen.

Yours Truly,

David Morris

**Kingsburg City Council
Regular Meeting Minutes
May 06, 2020 At 6pm.**

THIS MEETING WAS HELD VIA TELECONFERENCE PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM. THE COUNCIL CHAMBER WAS CLOSED TO THE PUBLIC. THE PUBLIC HAD THE OPTION TO CALL 1 (559) 207-3003 PASSCODE 5821 TO PROVIDE COMMENTS ON AGENDA ITEMS. WRITTEN COMMENTS WERE COLLECTED UNTIL 5/5/2020 at 4:30pm. THEY WERE NOT READ OUT LOUD.

Invocation was given by Council Member North.

Call to order and roll call: At 6:00pm Mayor Roman called the regular meeting of the Kingsburg City Council to order.

Council Members present via teleconference: Jewel Hurtado, Vince Palomar, Sherman Dix, Laura North and Mayor Michelle Roman.

Council Members absent: None.

Staff present: City Manager Alexander Henderson, Finance Director Alma Colado and City Clerk Abigail Palsgaard.

Staff present via teleconference: Fire Chief Daniel Perkins, Police Chief Neil Dadian and City Attorney Michael Noland.

Public Comments: None.

Approve Agenda: A motion was made by Council Member Hurtado, seconded by Council Member Dix, to approve the Agenda, as published. The motion carried by unanimous roll call vote.

Consent Calendar: A motion was made by Council Member Hurtado, seconded by Council Member North to approve the consent calendar. The motion carried by unanimous roll call vote.

- 4.1 Approval of City Council Minutes:** Approve the minutes from the April 15, 2020 Regular City Council Meeting and the April 23, 2020 Special City Council Meeting, as prepared by City Clerk Abigail Palsgaard.
- 4.2 Check Register:** Ratify/approve payment of bills listed on the check register for the period April 9, 2020 through April 29, 2020 as prepared by Accounts Payable Clerk Grace Reyna.
- 4.3 Accept the Crandell Pool Improvements project completed by California Commercial Pools Inc. and authorize the City Engineer to file the Notice of Completion.** - Staff Report by City Engineer Dave Peters.
- 4.4 Adopt resolution No. 2020-027 approving the final map for Tract 6306 accepting on behalf of the public the streets and easements as offered on the map in accordance with the terms of the dedications and authorize the City Manager to execute the Subdivision Agreement**

on behalf of the City, subject to review as to form by the City Attorney.- Staff Report by City Engineer Dave Peters.

Regular Calendar

2019/2020 Budget Projections and COVID-19 Discussion

City Manager Alexander Henderson presented different scenarios of budget deficits due to the COVID-19 Shelter-in-place order by Governor Newsom. The City has a waterfall fund with a total of \$3,098,705. \$620,356 is specifically set aside for an economic downfall. Council asked if any local business have received relief from the Federal government. City Manager Henderson said some have received payroll protection plan funding, but he was not too sure about other funds. Council discussed if the City is eligible for funding for tax loss and how rural cities need funding just ask much as bigger cities. City Manager Henderson said we are not eligible at the moment. California League of Cities have been trying to work at the Federal level for the next stimulus package. It will take additional lobbying. They have been focused on individuals and small businesses. The need for businesses to be able to open was discussed and the potential of late property tax payments. Council asked for an ongoing update of the financial situation.

Public Comment:

Scott Brandon, county resident, wants to reopen Kingsburg now.

Council thanked staff for putting the presentation together and said it is devastating that this is destroying years of economic development in our community.

Coronavirus Disease 2019 (COVID-19) Update-

City Manager Alexander Henderson said the State is not going to release full details about opening Phase 2. As of this report, we have 14 cases, 7 are active, 7 have recovered. One positive of the situation is being able to grow the number of meals being delivered to seniors. Staff has been trying to work with local businesses with what is an essential business, for example pet groomers. Some counties and cities have gone against the Governor's order. Some have guidelines of how they can open. Council is open to discuss. Since 3/19 there has been 11 calls for COVID-19, there hasn't been any tickets or issues. City Attorney Noland said we don't want to lose track that there are legal orders and there are potential liabilities. Council discussed the struggling small business and how hypocritical the order is when smoke shops can be open. Council discussed being conscious that the State has certain licensing powers and may come down on businesses. Council asked City Attorney Noland if there is potential liability to specifically say we are not going to enforce the executive order. City Attorney Noland said he doesn't think there will be enforcement against the City if they take a position like Clovis. He thinks it would be against the individual businesses. Council discussed how they never passed additional regulations and that all Orders are coming from the State and the County.

Public Comment:

Summer Vasquez, resident and business owner, is for opening up Kingsburg. She asked if the City could write a letter of support for beauty salons to be able to open and to have safety guidelines. Council gave direction to staff to draft a letter in support of businesses being able to open and specifically asking for guidelines for salons.

Justin Woods, resident, is for opening the pool. Council and staff discussed staffing and training issues as the Red Cross has suspended all trainings.

Jenn Guerra, resident and business owner, is cautious about opening Kingsburg.

Council discussed wanting to open Kingsburg as soon as possible, maybe with a citizen committee. They discussed with staff the potential information slated to come from Governor Newsom on Thursday. They discussed how they do not have control over state licenses and how they do not want to use City resources to enforce the Order. Council would rather use resources for advocating for the businesses. Council understands if some businesses or employees do not feel comfortable opening up. Council gave direction to call a meeting after Governor Newsom releases more information tomorrow.

Economic Assistance: COVID-19 Transient Occupancy Tax (“TOT”) Deferral

City Manager Alexander Henderson explained the Transient Occupancy Tax process and that numbers of people staying at the hotels are down significantly. Hotels are asking to defer the 1st quarter TOT with a payment plan. Council clarified that this is not an abatement of the tax, it is a delay without penalty.

A motion was made by Council Member Palomar, seconded by Council Member Dix, to approve resolution 2020-026. The motion carried by unanimous roll call vote

2020/21 Capital Improvement Discussion

City Manager Alexander Henderson reviewed the CIP projects that are going on. The Finance Committee reviewed the proposed list and the Council has the final say as it is a part of the budget that they vote one. Informational only.

Council Reports and Staff Communications

Community Services Commission- Council Member North said they have not met.

Public Safety Committee- Council Member Palomar said they met last month, voted to allocate \$20,000 of their budget for the Police Department camera project.

Chamber of Commerce- Council Member Hurtado said they will be meeting next week.

Economic Development- City Manager Henderson said they have been working on potential guidelines for when businesses re-open.

Finance Committee- Council Member Dix said they met last week, discussed the first item on the agenda.

Planning Commission- City Manager Henderson said they are set to meet next Thursday.

South Kings Groundwater Sustainability Agency Joint Powers Authority (SKGSA)- Council Member Dix said they have not met.

City Manager’s Report- City Manager Henderson reported staff did submit the two grants as discussed to the Kingsburg Tri County Health Care District. Council asked what the turn around time is. City Manager Henderson said he believes they will discuss the grants in their June meeting. City Manager Henderson said Valley Health Team is providing COVID-19 testing as needed in Kingsburg. We have been working with Kingsburg Fire Department to expand the testing.

Other Business that may come properly before the City Council

Mayor Roman said Fresno County Rural Transit Authority Director Moses Stites called to talk about our great relationship of working together and will give the Police Department a \$10,000 grant every year. The Police Department can use it as they want, they would just have to patrol the bus stops.

Future Agenda Items

Council discussed a future special meeting as discussed earlier in the meeting.

Adjourn – At 8:21 P. M. Mayor Roman adjourned the Regular Kingsburg City Council Meeting.

Submitted by:

Abigail Palsgaard, City Clerk

**Kingsburg City Council
Special Meeting Minutes
May 8, 2020 - 4pm**

THIS MEETING WAS HELD VIA TELECONFERENCE PURSUANT TO EXECUTIVE ORDER N-29-20 ISSUED BY GOVERNOR GAVIN NEWSOM. THE COUNCIL CHAMBER WAS CLOSED TO THE PUBLIC. THE PUBLIC HAD THE OPTION TO CALL 1 (559) 207-3003 PASSCODE 5821 TO PROVIDE COMMENTS ON AGENDA ITEMS. WRITTEN COMMENTS WERE COLLECTED UNTIL 5/8/2020 at 3pm THEY WERE NOT READ OUT LOUD.

Call to order and roll call: At 4:00pm Mayor Roman called the Special meeting of the Kingsburg City Council to order.

Council Members present via teleconference: Jewel Hurtado, Vince Palomar, Sherman Dix, Laura North and Mayor Michelle Roman.

Council Members absent: None.

Staff present: City Manager Alexander Henderson and City Clerk Abigail Palsgaard.

Staff present via teleconference: Fire Chief Daniel Perkins, Police Chief Neil Dadian and City Attorney Michael Noland.

Public Comments: None.

REGULAR CALENDAR

Update on State Stay-at-Home Order and State Stage 2 Re-opening/Kingsburg Businesses
City Manager Alexander Henderson stated that the State has moved to Stage 2 of the roadmap to recovery. Some non-essential businesses are allowed to open with modifications. He went over how the County will move forward with Phase 2.

Council discussed State funding, assisting businesses with complying with the regulations and concerns about opening up too early and risking an outbreak. They also discussed using City resources to enforce the rules. It was discussed that there are State agencies to enforce the rules and how small businesses are struggling and it is not sustainable for our citizens.

The City Attorney Michael Noland clarified that the City has not issued a shelter in place or made an order as to what is essential and what is not essential This is an issue of enforcement and if the City feels they have an obligation to enforce. It is not appropriate to make a motion to reopen or what businesses can be open because we didn't take action regarding this previously.

Council discussed the letter in support of allowing businesses to open being sent to the Governor and State representatives and asking for guidelines for salons to open.

Chief Dadian stated that it is a difficult time and we recognize that the Governor has authority under an emergency. His policy has been to not take an enforcement action. He has asked businesses to comply. We have had 11 calls for service with concerns with their perceptions violating the stay at home order. 11 calls out 1,000+ calls for service is 1%. He stated that enforcement is not the place of a local law enforcement. We will defer to the individual citizen's right to act. He stated that he wants the community to flourish. He is not here to trample on people's civil liberties, he is here to protect them.

City Manager Alexander Henderson clarified that the City hasn't cited or fined a business. Council asked what type of action they can do to support local businesses. Mr. Henderson said that you can provide direction to staff regarding enforcement and staff will follow.

Public Comment

Summer Vasquez, resident and business owner, said that she appreciates what the City has done and would like to put pressure on the cosmetology board for guidelines.

Council stated that some cities are politically grandstanding. The cities do not have that ability to allow businesses to open and it may give false hope. We are being open and honest, it is up to the businesses if it is worth the risk.

Jenn Guerra, resident and business owner, asked about how to get the information regarding the recovered cases. She also asked about business liability.

City Attorney Michael Noland said that the City and Council doesn't have the authority to say what businesses can open or are essential. It comes from the State. If a business opens, they may have liabilities.

Shannon Coddington, business owner, said that she is asking for the freedom to decide to open, and if the City will enforce with fines.

Shelia Brandon asked for churches to be allowed to be open.

Jacob Rogers, business owner, said he would like to have the right to make the decision to open and he would take the liability.

Jenn Guerra asked if the City would be liable if businesses open.

Council Discussion

Council discussed the CDC Guidelines and how it is important to protect themselves and their businesses. Council does not have the authority to give a guideline to allow businesses to open. If businesses decide to open, we recommend you follow the CDC guidelines. Council wants to ensure when we do enforce, it is fair for all businesses. City Attorney Michael Noland said that the City is not saying to not comply with the Governor's and County's orders. Council is giving direction that the State and County agencies that have the primary enforcement responsibilities. The City reserves the rights to enforce if neither the State or County are electing to enforce. City

Manager Alexander Henderson said that if Council is comfortable with this direction, we will. City will follow the State and County guidelines.

Council gave direction to staff to prioritize enforcement to the State or the County as long as the action is not egregious and to bring back a resolution to transcribe their direction.

City Manager's Report

City Manager Alexander Henderson spoke about the City's returning to service draft plan as it pertains to the City's facilities. Also, Valley Health Team has a flyer advertising their ability to administer COVID-19 testing in Kingsburg.

Council Member Dix asked if we have looked into being able to help businesses get PPE. Mr. Henderson stated that a couple vendors have reached out and we can connect businesses with those vendors.

Council Member Hurtado said that she has been making masks and if any business owners need them, they can reach out to her.

Other Business that may come properly before the City Council

Council Member Palomar said that he would like to discuss churches being able to open during the next Council meeting.

Mayor Roman stated that State Senator Caballero signed a letter supporting rural cities with a portion of the \$15 billion funding, and Assemblymember Arambula said he will sign the letter also.

Adjourn Regular Kingsburg City Council Meeting. At 5:54pm Mayor Roman adjourned the meeting.

Submitted by:

Abigail Palsgaard, City Clerk

Accounts Payable

Checks by Date - Summary by Check Date

User: gracer
Printed: 5/14/2020 2:29 PM



City of Kingsburg
1401 Draper Street
Kingsburg, CA 93631-1908
(559)897-5821

Check No	Vendor No	Vendor Name	Check Date	Check Amount
77694	3005	AFLAC	05/01/2020	863.54
77695	3006	AIRGAS NCN	05/01/2020	178.97
77696	4239	YOLANDA ANDREWS	05/01/2020	260.00
77697	3020	ANGELICA TEXTILES SERVICES COR	05/01/2020	212.54
77698	3858	ASSOCIATED COMPRESSOR EQUIP.	05/01/2020	317.07
77699	3027	AT & T	05/01/2020	301.47
77700	3036	DOLPH BEASLEY	05/01/2020	50.00
77701	4237	BELLA CREAMERY	05/01/2020	10.00
77702	3954	CAPE ACCOUNTING	05/01/2020	50.00
77703	3067	CARDMEMBER SERVICE	05/01/2020	12,121.49
77704	3080	CHADS AUTO GLASS	05/01/2020	287.75
77705	3101	CITY OF SANGER	05/01/2020	1,224.25
77706	3685	COMMUNITY MEDICAL CENTER	05/01/2020	175.00
77707	3153	EAST BAY TIRE CO.	05/01/2020	1,279.83
77708	3198	FRESNO TRUCK CENTER	05/01/2020	73.66
77709	3222	HENRY SCHEIN, INC.	05/01/2020	243.55
77710	4238	SARAH JACKSON	05/01/2020	260.00
77711	3244	JORGENSEN & CO.	05/01/2020	368.99
77712	3253	KINGSBURG CHAMBER OF COMMERCE	05/01/2020	2,500.00
77713	3254	KINGSBURG CHEVRON	05/01/2020	115.00
77714	3510	KINGSBURG TOWING	05/01/2020	150.00
77715	3267	KULOW BROS.	05/01/2020	582.63
77716	3275	LIEBERT, CASSIDY, WHITMORE	05/01/2020	427.00
77717	3277	LINCOLN AQUATICS	05/01/2020	1,890.61
77718	3282	MAACO COLLISION REPAIR	05/01/2020	642.15
77719	3307	NELSON'S ACE HARDWARE	05/01/2020	676.67
77720	3315	P G & E	05/01/2020	7,193.72
77721	3450	ABIGAIL PALSGAARD	05/01/2020	35.00
77722	4240	RICH POGUE	05/01/2020	500.00
77723	3329	POLYACK MARKETING	05/01/2020	3,300.00
77724	4241	GARY SCHAFFER	05/01/2020	2,000.00
77725	3368	SIGN RANCH BY ROD'S CUSTOM SIGNS	05/01/2020	856.86
77726	3369	SILVAS OIL COMPANY, INC.	05/01/2020	2,874.50
77727	3381	STATE OF CALIFORNIA-D O T	05/01/2020	2,710.83
77728	3387	SUN BADGE CO	05/01/2020	2,250.87
77729	4028	SUPERIOR POOL CARE	05/01/2020	3,044.03
77730	3506	TOSHIBA FINANCIAL SERVICES	05/01/2020	703.98
77731	3416	VERIZONWIRELESS	05/01/2020	1,066.03
77732	3419	VIKING CLEANING SERVICE	05/01/2020	3,076.02
77733	3493	VILLAGE TIRE SALES	05/01/2020	698.63
77734	3429	WILLDAN FINANCIAL SERVICES	05/01/2020	2,625.00
77735	3448	CHRISTINA WINDOVER	05/01/2020	35.00
77736	3430	WONG, ANDY & BETTY	05/01/2020	2,600.00
77737	3505	ZOOM IMAGING SOLUTIONS, INC.	05/01/2020	393.17

Total for 5/1/2020:

61,225.81

Check No	Vendor No	Vendor Name	Check Date	Check Amount
ACH	3231	ICMA RETIREMENT CORPORATION - V	05/08/2020	661.63
ACH	3470	Internal Revenue Service - ACH	05/08/2020	39,406.76
ACH	3471	Employment Development Department - A	05/08/2020	5,864.71
ACH	3472	CalPERS - ACH	05/08/2020	32,765.19
ACH	3475	Empower	05/08/2020	2,915.00
ACH	3476	CHILD SUPPORT STATE DISBURSEME	05/08/2020	471.22
ACH	3526	Public Employees Retirement System 457 I	05/08/2020	20.00
ACH	3470	Internal Revenue Service - ACH	05/08/2020	22,909.77
ACH	3471	Employment Development Department - A	05/08/2020	6,127.04
Total for 5/8/2020:				111,141.32
Report Total (53 checks):				172,367.13



Meeting Date: 05/20/2020
Agenda Item: 4.3

CITY COUNCIL MEETING STAFF REPORT

REPORT TO: Mayor Roman & City Council
REPORT FROM: Abigail Palsgaard, City Clerk **REVIEWED BY:** AH
AGENDA ITEM: Annexation No. 2020-01 (Hash & Presidio JJR Summerlin 123 LLC) to Community Facilities District No. 2017-01 for Public Services
ACTION REQUESTED: ___ Ordinance Resolution Motion ___ Receive/File

EXECUTIVE SUMMARY

The enclosed plats show the location of the following properties to be added to the Community Facilities District (CFD) No. 2017-01 for Public Services:

Annexation 2020-01 For APN 396-020-23 and 396-020-14

The owners of the above properties were conditioned to annex to a Community Facilities District as a condition of the Tentative Map, building permit, or conditional Use Permit approval. Resolution No. 2017-023 adopted by City Council on June 7, 2017 authorizes the City to annex to CFD 2017-01 properties, which will be assessed only for eligible public services, without further public hearings or formal elections upon receipt of written consent from the owners.

RECOMMENDED ACTION BY CITY COUNCIL

- 1. Adopt Resolution No. 2020-028 certifying and adding the above properties to CFD No. 2017-01.

POLICY ALTERNATIVE(S)

- 1. Council could choose to not make action at this time.

FINANCIAL INFORMATION

<u>FISCAL IMPACT:</u>	
1. Is There A Fiscal Impact?	<u>Yes</u>
2. Is it Currently Budgeted?	<u>N/A</u>
3. If Budgeted, Which Line?	<u>N/A</u>

PRIOR ACTION/REVIEW

On June 7, 2017 City Council adopted Resolution 2017-023 authorizing the City to annex properties to CFD 2017-01.

ATTACHED INFORMATION

- 1. Resolution No. 2020-028 certifying and adding the above properties to CFD No. 2017-01.
- 2. Map outlining the location of APN 396-020-23 and 396-020-14.

Recording Requested by:)
)
City of Kingsburg)
)
and When Recorded, Mail to:)
)
City of Kingsburg)
1401 Draper Street)
Kingsburg, CA 93631)

(Exempt from Recording Fees – Govt Cod Sec. 27383)

RESOLUTION 2020-028

**AMENDMENT TO THE NOTICE OF SPECIAL TAX LIEN
(NOTICE OF ANNEXATION)**

ANNEXATION No. 2020-01, Tax Zone 2

**CITY OF KINGSBURG
COMMUNITY FACILITIES DISTRICT No. 2017-01
(PUBLIC SERVICES DISTRICT)**

Pursuant to the requirements of Section 3117.5 of the Streets and Highways Code and Section 53339.8 of the Government Code, the undersigned City Clerk of the City of Kingsburg, acting for and on behalf of the legislative body of the CITY OF KINGSBURG, COMMUNITY FACILITIES DISTRICT NO. 2017-01 (Public Services District), COUNTY OF FRESNO, STATE OF CALIFORNIA, HEREBY GIVES NOTICE that a lien is hereby imposed to secure payment of a special tax which the City Council of the City of Kingsburg, County of Fresno, State of California, acting in its capacity as the legislative body of such Community Facilities District is authorized to annually levy for the following purpose:

To finance increased demand for public services resulting from new development within the District.

The special tax is authorized to be levied on the property described in "Exhibit A" attached hereto (the "Annexed Property") which has been annexed to the District, which has now been officially formed, and the lien of the special tax is a continuing lien, which shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax obligation is prepaid, permanently satisfied and cancelled in accordance with law or until the special tax ceases to be levied and an notice of cessation of special tax is recorded in accordance with Section 53330.5 of the Government Code.

The rate and method of apportionment of the authorized special tax, a copy of which is attached hereto as Exhibit "B", as supplemented by the Supplement No. 1 and made a part hereof is as shown on the attached, referenced and incorporated Exhibit "C"; and the special tax shall be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale and lien priority in case of delinquency as is provided for ad valorem taxes; provided, however, as applicable, the legislative body of the District may, by resolution, establish and adopt an alternative or supplemental collection procedure as necessary.

Notice is further given that upon the recording of this notice in the office of the County Recorder, the obligation to pay the special tax levy shall become a lien upon the Annexed Property in accordance with Section 3115.5 of the Streets and Highways Code.

Reference is made to the following:

1. Exhibit A: Annexed Property
2. Exhibit B: Community Facilities District No. 2017-01 Rate and Method of Apportionment
3. Exhibit C: Grant Deeds

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the following designated person:

City Manager Alexander Henderson
City of Kingsburg
1401 Draper Street
Kingsburg, CA 93631
(559) 897-5821

NOW THEREFORE, BE IT RESOLVED: That Resolution 2020-028 is approved.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Kingsburg duly called and held on the ____ day of May 2020, by the following vote:

AYES: Council Member(s):
NOES: Council Member(s):
ABSTAIN: Council Member(s):
ABSENT: Council Member(s):

Abigail Palsgaard, City Clerk

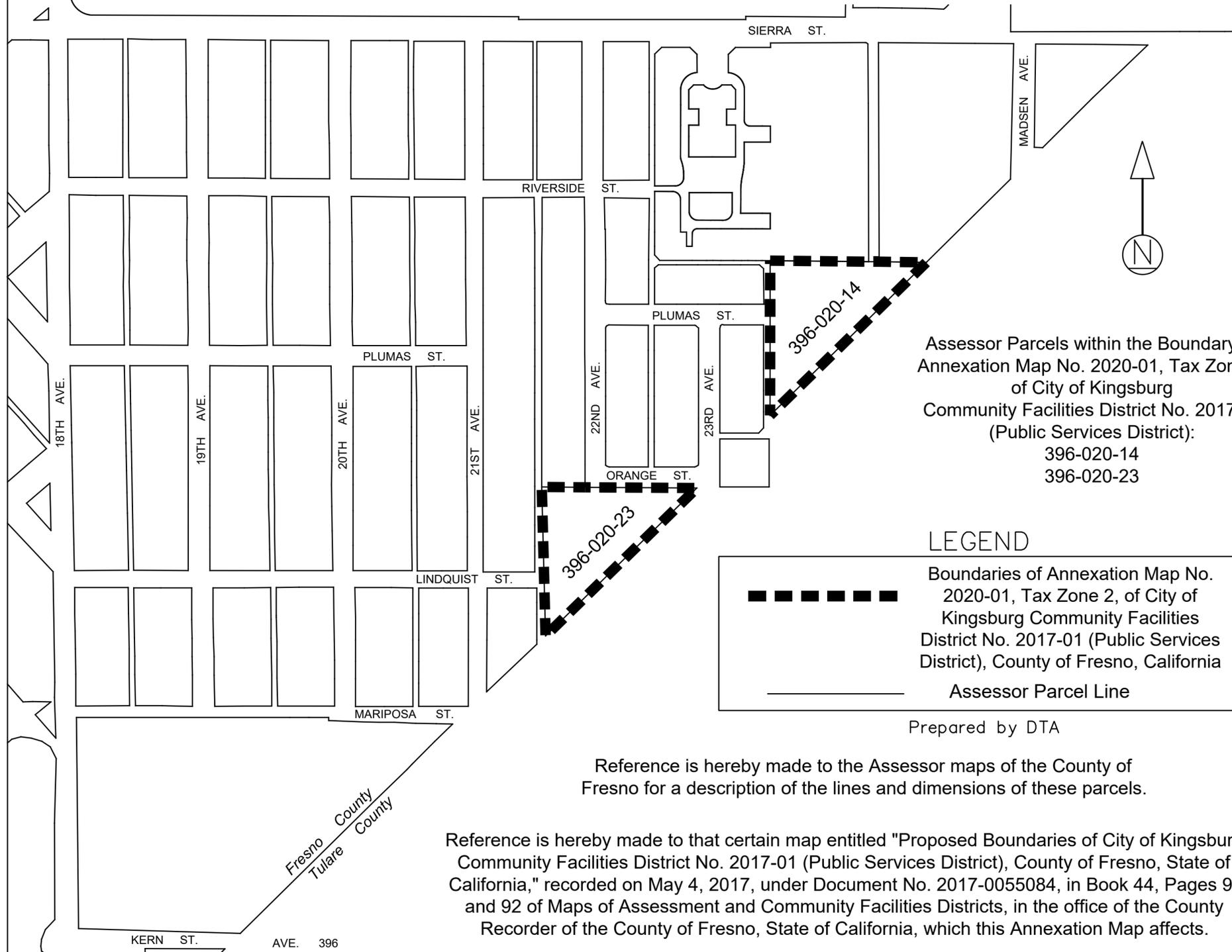
STATE OF CALIFORNIA)
COUNTY OF FRESNO)ss
CITY OF KINGSBURG)

I, Abigail Palsgaard, City Clerk of the City of Kingsburg, do hereby certify the foregoing Resolution was duly passed and adopted at a regular meeting of said City Council held on the ___ day of May 2020.

Dated:

Abigail Palsgaard, City Clerk

ANNEXATION MAP NO. 2020-01, TAX ZONE 2, OF
CITY OF KINGSBURG
COMMUNITY FACILITIES DISTRICT NO. 2017-01
(PUBLIC SERVICES DISTRICT)
COUNTY OF FRESNO
STATE OF CALIFORNIA



Assessor Parcels within the Boundary of
Annexation Map No. 2020-01, Tax Zone 2,
of City of Kingsburg
Community Facilities District No. 2017-01
(Public Services District):
396-020-14
396-020-23

LEGEND

 Boundaries of Annexation Map No. 2020-01, Tax Zone 2, of City of Kingsburg Community Facilities District No. 2017-01 (Public Services District), County of Fresno, California
 Assessor Parcel Line

Prepared by DTA

Reference is hereby made to the Assessor maps of the County of Fresno for a description of the lines and dimensions of these parcels.

Reference is hereby made to that certain map entitled "Proposed Boundaries of City of Kingsburg Community Facilities District No. 2017-01 (Public Services District), County of Fresno, State of California," recorded on May 4, 2017, under Document No. 2017-0055084, in Book 44, Pages 91 and 92 of Maps of Assessment and Community Facilities Districts, in the office of the County Recorder of the County of Fresno, State of California, which this Annexation Map affects.

(1) Filed in the office of the Clerk of the City of Kingsburg this ____ day of _____, 2020.

Abigail Palsgaard,
Clerk of the City of Kingsburg,
California



(2) I hereby certify that the within map showing the proposed boundaries of Annexation Map No. 2020-01, Tax Zone 2, of City of Kingsburg Community Facilities District No. 2017-01 (Public Services District), County of Fresno, State of California, was approved by the City Council of the City of Kingsburg at a regular meeting thereof, held on this ____ day of _____, 2020, by its Resolution No. _____.

Abigail Palsgaard,
Clerk of the City of Kingsburg,
California



(3) Filed this ____ day of _____, 2020, at the hour of ____ o'clock __m, in Book _____ of Maps of Assessment and Community Facilities Districts at Page _____ and as Instrument No. _____ in the office of the County Recorder in the County of Fresno, State of California.

Paul Dictos, CPA
Assessor-Recorder, County of Fresno
By _____
Deputy
Fee _____

Exempt recording requested,
per CA Government Code §6103

**CONSENT AND ELECTION TO ANNEX REAL PROPERTY TO AN EXISTING
COMMUNITY FACILITIES DISTRICT**

**CITY OF KINGSBURG
COMMUNITY FACILITIES DISTRICT NO. 2017-01
(PUBLIC SERVICES DISTRICT)**

TO: CITY COUNCIL OF THE CITY OF KINGSBURG IN ITS CAPACITY AS THE
LEGISLATIVE BODY OF THE ABOVE ENTITLED COMMUNITY FACILITIES
DISTRICT:

1. The undersigned is the owner (the "Owner"), or the duly authorized representative of the Owner, of the real property as described in Exhibit A attached hereto and incorporated herein by reference (the "Property"), and in such capacity, possesses all legal authority necessary to execute this Consent and Election as and on behalf of the Owner in connection with the annexation of the Property to the District (as defined below).

The Owner is:
STEVEN CECIL HASH
ELIZABETH MCNALLEY
SHAFER (APN 396-020-14)

2. The Owner is aware of and understands the following:
 - A. The City of Kingsburg has conducted proceedings pursuant to the "Mello-Roos Community Facilities Act of 1982", (Government Code Section 53311 and following) (the "Act") to form a community facilities district known and designated as COMMUNITY FACILITIES DISTRICT NO. 2017-01 (PUBLIC SERVICES DISTRICT) (the "District") to finance the increased demand for public services (the "Services") resulting from new development within the District. The services to be financed by the CFD comprise services ("Services") authorized to be financed pursuant to Section 53313 and 53313.5 of the Government Code. CFD 2017-01 shall finance Services only to the extent they are in addition to those provided in the territory of CFD 2017-01 before the CFD was created and such Services may not supplant services already available within CFD 2017-01 when the CFD was created.

For a full and complete description of the public services, reference is made to the final CFD Report, a copy of which is on file in the Office of the City Clerk. For all particulars, reference is made to said CFD Report.

- B. The City has also undertaken proceedings pursuant to Article 3.5 of the Act to provide for the future annexation of certain territory, including the Property, to

the District. On June 7, 2017, the City held a public hearing as required by the Act, to consider the future annexation of such territory, including the Property, to the District. Notice of such hearing was given in the form and manner as required by law. A protest to such future annexation was not received from 50% or more of the registered voters, or six (6) registered voters, whichever is more, residing in the territory proposed to be annexed in the future or the owners of one-half or more of the area of land in the territory proposed to be annexed in the future. At the conclusion of such public hearing, the legislative body of the City did approve and provide for the annexation in the future upon the unanimous approval of the owner or owners of each parcel or parcels at the time that such parcel or parcels are annexed, without additional hearings.

THE UNDERSIGNED DOES HEREBY CERTIFY UNDER PENALTY OF PERJURY AS FOLLOWS:

3. The Owner consents and elects to and expressly approves annexation of the Property to the District and the authorization for the levy of the Special Tax within the Property without further public hearing and without an election conducted pursuant to the provisions of Government Code Section 53339.7 and Article 2 of the Act and the Elections Code of the State of California. Owner agrees and intends that such consent and approval constitutes Owner's election to annex the Property to the District and to approve the authorization for the levy of the Special Tax within the Property.
4. The Owner waives any right, which the Owner may have to make any protest or complaint or undertake any legal action challenging the validity of the proceedings of the City or the District to authorize the future annexation of the Property to the District or the authorization for the levy of the Special Tax within the Property, any necessity, requirement, right or entitlement for further public hearing or election pertaining to the annexation of the Property to the District and the levy of the Special Tax within the Property.
5. The Owner specifically authorizes the levy of the Special Tax on the Property pursuant to the rate and method of apportionment set forth in Exhibit B to pay for the authorized Public Services.

received from 50% or more of the registered voters, or six (6) registered voters, whichever is more, residing in the territory proposed to be annexed in the future or the owners of one-half or more of the area of land in the territory proposed to be annexed in the future. At the conclusion of such public hearing, the legislative body of the City did approve and provide for the annexation in the future upon the unanimous approval of the owner or owners of each parcel or parcels at the time that such parcel or parcels are annexed, without additional hearings.

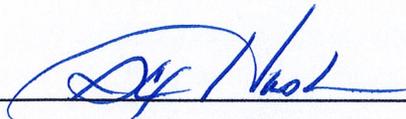
THE UNDERSIGNED DOES HEREBY CERTIFY UNDER PENALTY OF PERJURY AS FOLLOWS:

- 3. The Owner consents and elects to and expressly approves annexation of the Property to the District and the authorization for the levy of the Special Tax within the Property without further public hearing and without an election conducted pursuant to the provisions of Government Code Section 53339.7 and Article 2 of the Act and the Elections Code of the State of California. Owner agrees and intends that such consent and approval constitutes Owner's election to annex the Property to the District and to approve the authorization for the levy of the Special Tax within the Property.

- 4. The Owner waives any right, which the Owner may have to make any protest or complaint or undertake any legal action challenging the validity of the proceedings of the City or the District to authorize the future annexation of the Property to the District or the authorization for the levy of the Special Tax within the Property, any necessity, requirement, right or entitlement for further public hearing or election pertaining to the annexation of the Property to the District and the levy of the Special Tax within the Property.

- 5. The Owner specifically authorizes the levy of the Special Tax on the Property pursuant to the rate and method of apportionment set forth in Exhibit B to pay for the authorized Public Services.

EXECUTED this 21 day of August, 2019, in Napa, California



STEVEN C. HASH, Trustee



ELIZABETH M. SHAFER, Trustee

Note:

- 1. Signatures of property owner(s) or representatives must be notarized.

- 2. Proof of Authorization to sign is required for Corporations, Partnerships, Limited Liability Companies, Trusts, etc.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA

COUNTY OF NAIPA

On AUG 21, 2019, before me, ROWENA A. DAVIS, Notary Public, personally appeared STEVEN C. HANSEN & ELIZABETH who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. *M. CHAFER*

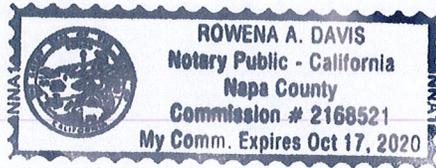
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Handwritten Signature]

Notary Public

(This area for official notaries seal)



HASH/SHAFER FAMILY 2016 REVOCABLE TRUST

ARTICLE 1. FACTS AND DECLARATIONS.

1.1. Date.

On March 24, 2016 we create this revocable trust.

1.2. Identification of Settlers.

Settlor Husband: STEVEN CECIL HASH (sometimes "Husband").

Settlor Wife: ELIZABETH McNALLEY SHAFER (sometimes "Wife").

We are married to each other; we are both citizens of the United States. We are sometimes referred to as the "Settlers" or individually or collectively as a "Spouse" or "Spouses" in this instrument. The words *we*, *us*, *our*, *ours*, and *ourselves* refer only to the two of us.

1.3. Initial Trustees.

STEVEN CECIL HASH ("STEVEN") and ELIZABETH McNALLEY SHAFER ("ELIZABETH"). Either Spouse may serve as sole trustee of all or any of his or her portion of separate property; taking title as sole trustee may be used as evidence that the asset is separate property, but shall not change the character of the property. All references to the "trustee" refer to us together, one of us alone, or the individuals or institutions serving from time to time in that capacity under this instrument. The word trustee includes co-trustees. Any reference to a "successor trustee" refers to a trustee who is not one of the Settlers.

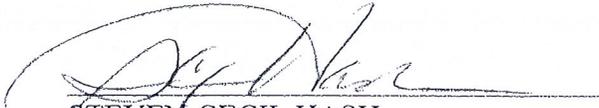
1.4. Power to Act Independently.

Notwithstanding any other provision to the contrary, we specifically authorize either of us, during our joint lifetime and while serving as co-trustees, to act independently of the other and have the authority to perform all powers and acts as granted under this instrument, except as affects an interest in real property. This restriction related to real property includes, but is not limited to, the power to sell, transfer, assign, mortgage, hypothecate, or otherwise encumber the real property of the trust estate. Any such action will necessitate the concurrence of both of us as long as we both are living and are acting as co-trustees. This restriction does not apply to any real property for which a Spouse is serving as sole trustee.

provisions of this instrument shall be considered to have accrued and vested as of that prescribed time.

13.15. Severability Clause. If any provision of this trust instrument is unenforceable, the remaining provisions shall remain in full effect.

Executed at Napa, California, on March 24, 2016.


STEVEN CECIL HASH,
Trustee


ELIZABETH McNALLEY SHAFER,
Trustee

DECLARATION OF SETTLORS

We certify that we have read the foregoing declaration of trust and that it correctly states the terms and conditions under which the trust estate is to be held, managed, and disposed of by the trustees. We approve the declaration of trust in all particulars and request that the trustees execute it.

Executed at Napa, California, on March 24, 2016.


STEVEN CECIL HASH,
Settlor


ELIZABETH McNALLEY SHAFER,
Settlor

**CONSENT AND ELECTION TO ANNEX REAL PROPERTY TO AN EXISTING
COMMUNITY FACILITIES DISTRICT**

**CITY OF KINGSBURG
COMMUNITY FACILITIES DISTRICT NO. 2017-01
(PUBLIC SERVICES DISTRICT)**

TO: CITY COUNCIL OF THE CITY OF KINGSBURG IN ITS CAPACITY AS THE
LEGISLATIVE BODY OF THE ABOVE ENTITLED COMMUNITY FACILITIES
DISTRICT:

1. The undersigned is the owner (the "Owner"), or the duly authorized representative of the Owner, of the real property as described in Exhibit A attached hereto and incorporated herein by reference (the "Property"), and in such capacity, possesses all legal authority necessary to execute this Consent and Election as and on behalf of the Owner in connection with the annexation of the Property to the District (as defined below).

The Owner is:
PRESIDIO JJR SUMMERLIN 123 LLC
(APN 396-020-23)

2. The Owner is aware of and understands the following:
 - A. The City of Kingsburg has conducted proceedings pursuant to the "Mello-Roos Community Facilities Act of 1982", (Government Code Section 53311 and following) (the "Act") to form a community facilities district known and designated as COMMUNITY FACILITIES DISTRICT NO. 2017-01 (PUBLIC SERVICES DISTRICT) (the "District") to finance the increased demand for public services (the "Services") resulting from new development within the District. The services to be financed by the CFD comprise services ("Services") authorized to be financed pursuant to Section 53313 and 53313.5 of the Government Code. CFD 2017-01 shall finance Services only to the extent they are in addition to those provided in the territory of CFD 2017-01 before the CFD was created and such Services may not supplant services already available within CFD 2017-01 when the CFD was created.

For a full and complete description of the public services, reference is made to the final CFD Report, a copy of which is on file in the Office of the City Clerk. For all particulars, reference is made to said CFD Report.

- B. The City has also undertaken proceedings pursuant to Article 3.5 of the Act to provide for the future annexation of certain territory, including the Property, to the District. On June 7, 2017, the City held a public hearing as required by the Act, to consider the future annexation of such territory, including the Property, to the District. Notice of such hearing was given in the form and manner as required by law. A protest to such future annexation was not received from 50% or more of the registered voters, or six (6) registered voters, whichever is more,

residing in the territory proposed to be annexed in the future or the owners of one-half or more of the area of land in the territory proposed to be annexed in the future. At the conclusion of such public hearing, the legislative body of the City did approve and provide for the annexation in the future upon the unanimous approval of the owner or owners of each parcel or parcels at the time that such parcel or parcels are annexed, without additional hearings.

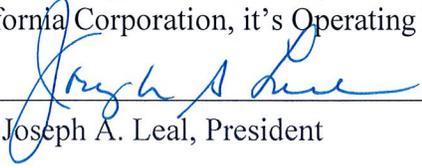
THE UNDERSIGNED DOES HEREBY CERTIFY UNDER PENALTY OF PERJURY AS FOLLOWS:

3. The Owner consents and elects to and expressly approves annexation of the Property to the District and the authorization for the levy of the Special Tax within the Property without further public hearing and without an election conducted pursuant to the provisions of Government Code Section 53339.7 and Article 2 of the Act and the Elections Code of the State of California. Owner agrees and intends that such consent and approval constitutes Owner's election to annex the Property to the District and to approve the authorization for the levy of the Special Tax within the Property.
4. The Owner waives any right, which the Owner may have to make any protest or complaint or undertake any legal action challenging the validity of the proceedings of the City or the District to authorize the future annexation of the Property to the District or the authorization for the levy of the Special Tax within the Property, any necessity, requirement, right or entitlement for further public hearing or election pertaining to the annexation of the Property to the District and the levy of the Special Tax within the Property.
5. The Owner specifically authorizes the levy of the Special Tax on the Property pursuant to the rate and method of apportionment set forth in Exhibit B to pay for the authorized Public Services.

EXECUTED this 7 day of May, 201~~9~~²⁰, in Visalia, California

PRESIDIO JJR SUMMERLIN 123, LLC
a Delaware limited liability company

BY: JJR Management Services, Inc.
a California Corporation, it's Operating Manager

BY: 
Joseph A. Leal, President

Note:

1. Signatures of property owner(s) or representatives must be notarized.
2. Proof of Authorization to sign is required for Corporations, Partnerships, Limited Liability Companies, Trusts, etc.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Tulare)

On May 7, 2020 before me, Amanda Ramos, Notary Public
(insert name and title of the officer)

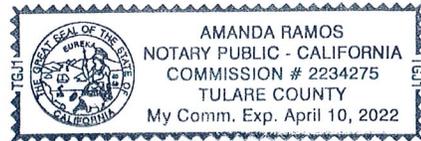
personally appeared Joseph A. Leal,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

(Seal)



**LIMITED LIABILITY COMPANY AGREEMENT
OF
PRESIDIO JJR SUMMERLIN 123, LLC**

(SUBSIDIARY)

THIS LIMITED LIABILITY COMPANY AGREEMENT (the “Agreement”) of PRESIDIO JJR SUMMERLIN 123, LLC, a Delaware limited liability company (the “Company”), dated as of May 2, 2017 is entered into by Presidio JJR Master V, LLC, a Delaware limited liability company (the “Member”), as the sole Member of the Company.

RECITALS

A. The Company has been formed as a limited liability company under the laws of the State of Delaware. In accordance with the provisions of the Delaware Limited Liability Company Act and any successor statute, as amended from time to time (the “Act”), the Member wishes to enter into this written agreement governing the affairs of the Company and the conduct of its business.

B. The Company changed its name from Presidio Paris III, LLC to Presidio JJR Summerlin 123, LLC, pursuant to a Certificate of Amendment to Certificate of Formation filed with the Delaware Secretary of State on May 2, 2017.

ARTICLE 1

THE LIMITED LIABILITY COMPANY

1.1 Formation. The Company was formed as a limited liability company pursuant to the provisions of the Act. A certificate of formation for the Company as described in Section 18-201 of the Act (the “Certificate of Formation”) and a subsequent certificate of amendment have been filed in the Office of the Secretary of State of the State of Delaware in conformity with the Act.

1.2 Name. The name of the Company shall be “PRESIDIO JJR SUMMERLIN 123, LLC” and its business shall be carried on in such name with such variations and changes as the Member shall determine or deem necessary to comply with requirements of the jurisdictions in which the Company’s operations are conducted.

1.3 Business Purpose; Powers. The Company was formed for the purpose of engaging in any lawful business, purpose or activity for which limited liability companies may be formed under the Act. The Company shall possess and may exercise all the powers and privileges granted by the Act or by any other law or by this Agreement, together with any powers incidental thereto, so far as such powers and privileges are necessary or convenient to the conduct, promotion or attainment of the business purposes or activities of the Company. The specific purpose of the Company is to do and perform everything which may be reasonable, necessary, advisable, suitable or proper for the conduct of the Company’s business, which is to acquire, entitle, develop, and/or construct improvements on and sell all or any portion of the real property described on Exhibit A (the “Property”). The Company will not engage in any activities not

related to this specific purpose without the Manager's prior written consent.

1.4 Registered Office and Agent. The initial registered office of the Company in the State of Delaware shall be 1209 Orange Street in the City of Wilmington, County of New Castle. The Company's Registered Agent at such address shall be The Corporation Trust Company. The Member may change the registered office and registered agent at any time in compliance with the applicable provisions of the Act.

1.5 Place of Business. The Company's principal place of business will be located at 601 Carlson Parkway, Suite 200, Minnetonka, MN 55305. The Member may change the location of the Company's principal place of business.

1.6 Term. Subject to the provisions of Article 6 below, the Company shall have perpetual existence.

ARTICLE 2 THE MEMBER

2.1 The Member. The name and address of the Member is as follows:

<u>Name</u>	<u>Address</u>
Presidio JJR Master V, LLC	601 Carlson Parkway, Suite 200 Minnetonka, MN 55305

2.2 No Liability. Except as specifically provided in the Act, no Member, Manager nor Operating Manager shall be liable for the debts, obligations, or liabilities of the Company. The failure of the Company to observe any formalities or requirements relating to the exercise of its powers or management of its business or affairs under this Agreement or the Act shall not be grounds for imposing personal liability on a Member, Manager, Operating Manager or an officer of the Company (if any) for any or all Company debts, obligations, or liabilities.

2.3 Power to Bind the Company. The Manager shall have the authority to bind the Company to any third party with respect to any matter.

2.4 Admission of Members. New members shall be admitted only upon the approval of the Member.

2.5 Conflicts of Interest. The Member, Manager, and Operating Manager and their respective partners, agents, employees and Affiliates, may engage or invest in, independently or with others, any business activity of any type or description, including, without limitation, those that might be the same as or similar to the Company's business or that might be in direct or indirect competition with the Company. Neither the Company nor a Member shall have any right or interest in or to such other ventures or activities or the income or proceeds derived therefrom. Neither the Member, Manager nor Operating Manager shall be obligated to present any investment opportunity or prospective economic advantage to the Company, even if the

opportunity is of the character that, if presented to the Company, could be taken by the Company. The Member, Manager and Operating Manager shall have the right to hold any investment opportunity or prospective economic advantage for their own account or to recommend such opportunity to Persons other than the Company. The Member hereby waives any and all rights and claims which the Member may otherwise have against any other Member(s) (if any), Manager, Operating Manager and their respective partners, agents, employees and Affiliates as a result of any of such activities. The Member hereby warrants and represents that the Member understands and acknowledges that: (i) the Member is waiving what could otherwise be the fiduciary, loyalty, or other duty of a Member, Manager or Operating Manager to bring business opportunities to the Company and, being informed of such waiver, such Member nevertheless voluntarily consents to the provisions of this Section 2.5, and (ii) the Company's business is intended to be limited to conducting the specific business described in Section 1.3.

ARTICLE 3 MANAGEMENT

3.1 Management. The Company shall be managed by a Manager (as defined in the Act). The Member shall be the Manager of the Company (the "Manager"). The Member may resign as Manager and appoint a successor Manager at its election.

3.2 Action by Manager. The Manager shall have the authority to execute documents and instruments, enter into contracts and bind the Company to any third party with respect to any matter. Any action, decision or determination by the Manager shall constitute an action, decision or determination of the Company.

3.3 Operating Manager. JJR Management Services, Inc., a California corporation ("JJR"), is hereby appointed as the Operating Manager of the Company. Subject to the provisions of this Agreement, Operating Manager is responsible for the day-to-day management, maintenance, operation, entitlement, development, and/or construction of improvements on and sale of the Property pursuant to the terms of the Business Plan (the "Project"). Operating Manager has full power and authority, acting alone or through others, in the exercise of its reasonable business judgment, to take all actions necessary or appropriate to carry out the Business Plan and perform Operating Manager's duties under this Agreement, but only to the extent consistent with and contemplated by the Business Plan. The scope of responsibilities of the Operating Manager include (but are not limited to) providing the services listed on Exhibit B (the "Services"). The Services may be provided by Operating Manager, its Affiliates, or third-party consultants or contractors, provided, however, Operating Manager will remain responsible to the Company for the proper performance of all Services hereunder. Operating Manager shall not make expenditures or incur costs which exceed the amounts contemplated in the Business Plan in any material way without the written consent of the Manager.

3.4 Business Plan. The Operating Manager will prepare and present to the Manager a proposed business plan for the Company for the Manager's review and approval. A business plan that is approved by the Manager is referred to herein as the "Business Plan" for the Company. The Operating Manager will present a revised business plan to the Manager for its review and approval (i) whenever there are material changes to be made thereto, (ii) at the request of the

Manager, and (iii) in any event, at least annually on or before October 15th for the following calendar year. When approved by the Manager, the revised business plan shall become the Business Plan for the Company. Attached hereto as Exhibit C is the initial Business Plan for the Company.

3.5 Reporting. The Operating Manager will keep the Manager apprised concerning any material events concerning the Project and/or the Services provided hereunder, and will promptly respond to the Manager's requests for information regarding the Project and promptly provide the Manager with such individual and/or periodic reports as the Manager may request. In addition, the Operating Manager shall provide the following reports to the Member:

(a) During any period when sales activity is ongoing for the Project, weekly sales reports in form and substance reasonably satisfactory to the Manager, listing all purchase contracts entered into by the Company and indicating for each such purchase contract the agreed purchase price, the amount of earnest money deposited by the purchaser, and the status of any contingencies to the purchase transaction. The report shall also indicate on a monthly and cumulative basis the number of units sold and the number of units actually closed in the Project

(b) Quarterly balance sheet/income statements and budget updates for the Company.

(c) On or before forty-five days after the end of each of the first three quarters of the Company's fiscal year, and as soon as possible after the end of each fiscal year, financial statements for such period for the Company, including a balance sheet, an income statement, updated proformas, and a statement showing the Capital Account of the Member as of the end of such period and the Distributions, if any, made to the Member. At the request of the Member, the financial statement shall be audited by a CPA firm approved by the Member.

(d) As soon as reasonably practicable after the end of the Company fiscal year, Operating Manager shall cause the Member to be furnished with a Schedule K-1 for the Company for such year together with any other schedule or statement required by federal income tax law, and shall cause the Member (and each member of the Member) to be furnished such information as is necessary to complete their respective federal and state income tax or information returns. Operating Manager shall use best efforts to furnish the Schedule K-1 such other schedules and tax information on or before February 28th of each calendar year.

3.6 Additional Responsibilities of Operating Manager. The Operating Manager shall have the following additional responsibilities:

(a) Maintenance and Protection of Property. Operating Manager shall maintain the Property free and clear of weeds, pests, debris and toxic or hazardous substances, (except for such hazardous substances that are required to operate tools or equipment related to the construction of improvements on the Property or are incorporated in materials used in improvements, in each case in compliance with all applicable laws and regulations). Such maintenance shall include all necessary erosion control measures, which shall be conducted and maintained in accordance with all applicable laws, regulations and permits. In addition, Operating Manager shall at all times reasonably protect the Property and all of the

improvements, whether or not completed, from being damaged by the work of Operating Manager, any contractor, subcontractor, consultant, or material suppliers or other persons or causes, including but not limited to, vandals and the elements.

(b) Taxes. Operating Manager shall obtain and verify bills for real estate and personal property taxes, assessments and other like charges which are or may become liens against any portion of the Property and pay such taxes and assessments, on behalf of the Company and at the Company's expense.

(c) Insurance. Operating Manager shall recommend to the Manager the types and amounts of insurance that Operating Manager suggests that Company carry with respect to the Project. Operating Manager shall acquire and maintain insurance against liabilities and claims related to the Company's operations and activities and the Property, in each case at the Company's expense, as the Manager shall approve. Operating Manager shall require all contractors, subcontractors, materialmen, architects, engineers, surveyors, consultants and other professionals engaged to perform work on the Project to maintain, at their expense, insurance coverages in accordance with industry practices or as otherwise required or approved by the Manager.

(d) Compliance with Laws, Policies and Procedures. Operating Manager shall comply with all laws, ordinances and regulations, permits, licenses and approvals obtained from any governmental entity in connection with the Project.

(e) Warranty Work. So long as JJR is the Operating Manager, the Company will pay JJR a warranty fee equal to a percentage of the Net Sales Proceeds from the sale of each residential unit ("Unit") in the Property (the "Warranty Fee") for customer service costs, warranty expenses and costs to correct defects in the Units and/or in the on or off-site improvements constructed by the Company ("Warranty and Defect Expenses") as set forth in the Business Plan. JJR shall be responsible to pay all Warranty and Defect Expenses for the Project, regardless of whether the Warranty Fee is sufficient to cover all Warranty and Defect Expenses or not. JJR shall be responsible for and shall cause all warranty work, customer services work, and any other work required to correct any defects in the Units and in the on or off-site improvements constructed by the Company to be performed in accordance with all applicable laws. In the event the total Warranty Fees paid to JJR exceed the Warranty and Defect Expenses, then JJR shall retain the excess.

(f) Indemnity by JJR. To the fullest extent permitted by law, JJR shall indemnify, defend and hold harmless, and hereby releases and discharges, the Company, the Member, and its members and managers (other than JJR), the members and managers of the Member's members and managers, (other than the members and managers of JJR), and each of their respective owners, employees, directors, officers, agents, affiliates, successors and assigns, for, from and against all claims, actions, demands, liabilities, losses, damages, costs and expenses, including but not limited to court costs and reasonable attorneys' fees, arising out of, resulting from or in connection with any deficiencies, faults, defects, or claimed deficiencies, faults or defects with respect to all on-site and off-site improvements designed or constructed as part of the Project while JJR or any Affiliate thereof was the Operating Manager. The provisions of Sections 3.6(e) and (f) shall survive the dissolution and termination of the Company.

3.7 Funding. Funds required for the performance of the Services will be provided by the Company as provided in the Business Plan. The Operating Manager shall not be required to advance any of its own funds for the payment of any costs or expenses incurred by or on behalf of the Company in accordance with this Agreement, but if the Operating Manager advances the Operating Manager's own funds in payment of any such costs or expenses covered by the Business Plan, or otherwise approved in writing by the Manager, then the Company shall reimburse the Operating Manager for such costs and expenses. The provisions of this Section 3.7 shall not apply with respect to Warranty and Defect Expenses, which shall be governed by the terms of Section 3.6(e).

3.8 Reimbursement of Expenses. In addition to the payment of the amounts set forth in Section 3.7 above, the Manager and Operating Manager will be reimbursed by the Company for all reasonable and documented third party out-of-pocket costs and expenses incurred connection with the business of the Company, subject to the provisions of the Business Plan.

3.9 Compensation to Operating Manager. In consideration of performance of the Services to be provided hereunder, the Company will pay Operating Manager a monthly payment as set forth in the Business Plan (the "Management Fee"), payable in advance on the first day of each month. The Management Fee payable for any partial month shall be prorated based on the number of days in such month.

3.10 Invoices/Draws/Payments. Within ten days following the end of each calendar month, the Operating Manager will furnish the Manager an invoice (a) referencing such calendar month, (b) detailing the costs and expenses, if any, described in Sections 3.7 and 3.8 above, to be reimbursed by the Company for such calendar month, and (c) providing such supporting documentation and additional data as the Manager may reasonably request. Payment shall be due on any such invoice within thirty (30) days after receipt unless the Manager and Operating Manager mutually agree otherwise.

3.11 Execution of Documents by Operating Manager. Except as otherwise set forth in this Section, contracts and other documents related to the Services or otherwise related to the business of the Company (each, a "Contract") may be executed by Operating Manager subject to each such Contract being in compliance with the provisions of the Business Plan and with the terms of this Agreement. All Contracts executed by Operating Manager shall be in the Company's name with the Company as the party to the Contract, and executed by Operating Manager as the Operating Manager of the Company. Unless otherwise approved by Company in writing, all Contracts executed by Operating Manager shall be terminable on no more than thirty (30) days' notice. The Manager and Operating Manager shall agree upon the form of contract to be executed by contractors and subcontractors. Unless otherwise approved by the Manager in writing, all loan documents, contracts for the purchase or sale of the Property or any other real property, entitlement documents, or documents encumbering or conveying title to the Property or any portion thereof must be reviewed and signed by the Manager. The following Contracts shall be reviewed and approved by the Manager before executed by Operating Manager: any Contract over One Hundred Thousand Dollars (\$100,000.00); any Contract that is for an amount in excess of the amount contemplated in the Business Plan or otherwise not in compliance with the Business Plan; any Contract with an Affiliate of Operating Manager; and any Contract releasing, compromising, assigning, or transferring any claims, rights or benefits, or satisfying any

judgment, decree, decision or settlement, including any Internal Revenue Service or state tax claims or litigation in excess of an aggregated sum of Ten Thousand Dollars (\$10,000) or settling any claim for insurance proceeds if the loss thereunder exceeds Ten Thousand Dollars (\$10,000).

3.12 Officers and Related Persons. The Manager shall have the authority to appoint and terminate officers of the Company and retain and terminate agents and consultants of the Company and to delegate such duties to any such officers, agents and consultants as the Manager deems appropriate, including the power, acting individually or jointly, to represent and bind the Company in all matters, in accordance with the scope of their respective duties. The Company shall not have any employees unless the Member determines otherwise.

3.13 Reliance by Third Parties. No third party dealing with the Company shall be required to ascertain whether the Manager, Operating Manager or any Officer is acting in accordance with the provisions of this Agreement. All third parties may rely on a document executed by the Manager or Operating Manager (or an Officer duly authorized by the Manager to execute such document) as binding the Company.

3.14 Ownership of Plans and Materials. All plans and specifications and all marketing and sales materials, including advertising and promotional materials prepared in connection with the Project by or for Operating Manager, shall be solely the property of the Company.

3.15 Bank Accounts. The Company shall establish and maintain such bank accounts as the Manager shall approve. Both the Manager and the Operating Manager shall be signers on the Company bank accounts.

3.16 Removal of Operating Manager. JJR may be removed as Operating Manager for Cause. “Cause” is defined to mean (i) fraud or willful wrongdoing (including dishonesty, theft, or other criminal acts) or (ii) JJR’s material breach of this Agreement regarding its duties as Operating Manager under this Agreement or of the duties imposed on JJR by law, which breach is not cured by JJR within ten (10) days after written notice of such material breach has been delivered to JJR by the Member, Manager, or a manager of the Member, or if such cure requires longer than ten (10) days, which is not commenced within such ten (10) days and is not diligently pursued and cured within a reasonable time thereafter.

(a) On termination of JJR as Operating Manager for Cause, no further payments of Management Fees shall be payable to JJR, and JJR shall be responsible for any loss or damages JJR has caused the Company to incur.

(b) Following termination of JJR as the Operating Manager, JJR will deliver to the Company within ten (10) business days of such termination, except as otherwise specified, (i) originals of all contracts, lien releases, and receipts, and copies of all correspondence, plans, specifications, drawings, reports, studies, unpaid bills and other written materials related to the Property that have not previously been delivered to the Company, and all Company books and records (collectively, “Written Materials”), (ii) all keys, codes, building materials, signs, tools, equipment, trade fixtures, appliances, and other personal property paid for or owned by Company, (iii) any and all monies of the Company held by Operating Manager with respect to the Project, if any, (iv) terminations with respect to any property management, maintenance,

consultant contract, construction contract or other agreements with any third parties with respect to the Property requested by the Company to be terminated, to be delivered to the Company as soon as possible, and (v) a final accounting of the Project, to be delivered within sixty (60) days following the Termination.

(c) The removal of JJR as Operating Manager pursuant to the provisions of this Section 3.16 or the resignation by JJR as the Operating Manager pursuant to the provisions of Section 3.17 shall have no effect on JJR Associates, LLC's ownership of its Membership Interest in the Member. Upon removal of or resignation by JJR as the Operating Manager, a replacement Operating Manager will be appointed by the Member.

3.17 Resignation by Operating Manager. In the event that the Member Transfers its Membership Interest to a Person that is not an Affiliate of Presidio JJR Master V, LLC, or in the event the Member appoints a Manager of the Company that is not an Affiliate of Presidio JJR Master V, LLC, the Operating Manager may, at its election, resign as the Operating Manager of the Company.

ARTICLE 4

CAPITAL STRUCTURE AND CONTRIBUTIONS

4.1 Capital Structure. The capital structure of the Company shall consist of one class of membership interest (the "Membership Interest"). Subject to the provisions of Article VII, the Member shall own all of the Membership Interests in the Company as set forth on Exhibit D.

4.2 Capital Contributions. The Member will make initial capital contributions in an amount determined by the Manager as sufficient for the formation and initial capital needs of the Company. From time to time, the Manager may determine that the Company requires additional capital and may require the Member to make additional capital contribution(s) in an amount determined by the Manager. A capital account shall be maintained for the Member, to which contributions and profits shall be credited and against which distributions and losses shall be charged.

ARTICLE 5

PROFITS, LOSSES AND DISTRIBUTIONS

5.1 Profits and Losses. For financial accounting and tax purposes, the Company's net profits or net losses shall be determined on an annual basis in accordance with the manner determined by the Member. In each year, profits and losses shall be allocated entirely to the Member.

5.2 Distributions. The Manager shall determine when profits are available for distribution and the amount, if any, to be distributed to the Member, and shall distribute to the Member the determined amount when, as and if declared by the Manager.

ARTICLE 6

EVENTS OF DISSOLUTION

The Company shall be dissolved and its affairs wound up upon the occurrence of any of the following events:

- (a) At the election of the Member; or
- (b) A judicial dissolution of the Company under Section 18-802 of the Act.

ARTICLE 7

TRANSFER OF INTERESTS IN THE COMPANY

The Member may sell, assign, transfer, convey, gift, exchange or otherwise dispose of (a “Transfer”) any or all of its Membership Interests in the Company or any portion thereof or any interest therein at its election.

ARTICLE 8

EXCULPATION AND INDEMNIFICATION

8.1 Exculpation. Notwithstanding any other provisions of this Agreement, whether express or implied, or any obligation or duty at law or in equity, no Member, Manager or Operating Manager, nor any officers, managers, members, directors, stockholders, employees, or Affiliates of the Member, Manager or Operating Manager, nor any Officer of the Company, if any, (individually, a “Covered Person” and, collectively, the “Covered Persons”) shall be liable to the Company or any other person for any act or omission (in relation to the Company, its property or the conduct of its business or affairs, this Agreement, any related document or any transaction or investment contemplated hereby or thereby) taken or omitted by a Covered Person in the reasonable belief that such act or omission is in or is not contrary to the best interests of the Company and is within the scope of authority granted to such Covered Person by the Agreement, provided such act or omission does not constitute fraud, willful misconduct, bad faith, or gross negligence.

8.2 Indemnification. To the fullest extent permitted by law, the Company shall indemnify and hold harmless each Covered Person from and against any and all losses, claims, demands, liabilities, expenses, judgments, fines, settlements and other amounts arising from any and all claims, demands, actions, suits or proceedings, civil, criminal, administrative or investigative (“Claims”), in which the Covered Person may be involved, or threatened to be involved, as a party or otherwise, by reason of its management of the affairs of the Company or which relates to or arises out of the Company or its property, business or affairs. A Covered Person shall not be entitled to indemnification under this Section 8.2 with respect to (i) any Claim with respect to which such Covered Person shall have been adjudged to be liable for fraud, willful misconduct, bad faith or gross negligence, (ii) any Claim against such Covered Person brought by the Company, or by the Member or a manager of the Member (iii) any Claim initiated by such Covered Person unless such Claim (or part thereof) (A) was brought to enforce

such Covered Person's rights to indemnification hereunder or (B) was authorized or consented to by the Manager, or (iv) with respect to JJR and its Affiliates and the officers, managers, members, employees, and Affiliates of JJR or its Affiliates, with respect to any deficiencies, faults, defects, or claimed deficiencies, faults or defects with respect to all on-site and off-site improvements designed or constructed as part of the Project while JJR or any Affiliate thereof was the Operating Manager; provided, however, the provisions of this Section 8.2 shall not limit JJR's entitlement to coverage, if any, under the Company's insurance policies.

8.3 Amendments. Any repeal or modification of this Article 8 by the Member shall not adversely affect any rights of such Covered Person pursuant to this Article 8, with respect to the right to indemnification and to the advancement of expenses of a Covered Person existing at the time of such repeal or modification with respect to any acts or omissions occurring prior to such repeal or modification.

8.4 Indemnification by the Company Regarding Construction Issues. To the fullest extent permitted by law, the Company shall indemnify, defend and hold harmless, and hereby releases and discharges, the Member, and its members and managers, and the members and managers of the Member's members and managers, and each of their respective owners, employees, directors, officers, agents, affiliates, successors and assigns, for, from and against all claims, actions, demands, liabilities, losses, damages, costs and expenses, including but not limited to court costs and reasonable attorneys' fees, arising out of, resulting from or in connection with any deficiencies, faults, defects, or claimed deficiencies, faults or defects with respect to all on-site and off-site improvements designed or constructed as part of the Project. Notwithstanding the above, this indemnity shall not apply with respect to JJR or its Affiliates or the members and managers of JJR or its Affiliates or the owners, employees, directors, officers, agents, affiliates, successors and assigns of JJR or its Affiliates, with respect to any deficiencies, faults, defects or claimed deficiencies, faults or defects with respect to on-site and off-site improvements designed or constructed while JJR or any of its Affiliates was the Operating Manager of the Company. The provisions of this Section 8.4 shall survive the dissolution and termination of the Company.

ARTICLE 9

MISCELLANEOUS

9.1 Tax Treatment. Unless otherwise determined by the Member, the Company shall be treated as a partnership for U.S. federal income tax purposes (as well as for any analogous state or local tax purposes), and the Member and the Company shall timely make any and all necessary elections and filings for the Company treated as a partnership for U.S. federal income tax purposes (as well as for any analogous state or local tax purposes).

9.2 Amendments. This Agreement may be amended or modified from time to time only by a written instrument signed by the Member.

9.3 Severability. If any provision of this Agreement is held to be invalid or unenforceable for any reason, such provision shall be ineffective to the extent of such invalidity or unenforceability; provided, however, that the remaining provisions will continue in full force without being impaired or invalidated in any way unless such invalid or unenforceable provision or clause shall be so significant as to materially affect the expectations of the Member regarding

this Agreement. Otherwise, any invalid or unenforceable provision shall be replaced by the Member with a valid provision which most closely approximates the intent and economic effect of the invalid or unenforceable provision.

9.4 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Delaware without regard to the principles of conflicts of laws thereof.

9.5 Limited Liability Company. The Member intends to form a limited liability company under the laws of the State of Delaware.

9.6 Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one instrument. Any party may, at its option, execute this Agreement or any subsequent amendment or required delivery (other than a recordable document) using a facsimile or electronic signature (including without limitation typed, scanned, or imaged signatures on an electronic record), and electronic or facsimile copies of this Agreement or any subsequent amendment or required delivery that may have been signed by one or more parties shall be deemed to constitute duplicate original counterparts. This Agreement, and any counterpart, may at a party's option be converted from a signed paper original to electronic form at any time, and the paper original destroyed. Each true and correct electronic copy shall be deemed an "original" counterpart for all purposes.

9.7 Notice. Addresses for notices given under this Agreement shall be as set forth on Exhibit E attached hereto.

9.8 Certain Definitions. As used herein, the following terms shall have the following meanings:

"Affiliate" means (1) any Person directly or indirectly Controlling, Controlled by or under common Control with another Person; (2) any Person owning or Controlling fifty percent (50%) or more of the outstanding voting securities of such other Person; and (3) if that other Person is an officer, director, member or partner thereof, any company for which such Person acts in any such capacity; and (4) a member of such Person's Immediate Family.

"Control", including the correlative terms "Controlling", "Controlled by" and "Under Common Control with" means possessing, directly or indirectly, the power to direct or cause the direction of management or policies (whether through ownership of securities or any partnership or other ownership interest, by contract or otherwise) of a Person. Without limiting the effect of the preceding sentence, Control will be deemed to exist (but will not be limited to) when a Person possesses, directly or indirectly, through one or more intermediaries (i) in the case of a corporation, 50% or more of the outstanding voting securities thereof; (ii) in the case of a limited liability company, partnership, limited partnership or venture, the right to 50% or more of the distributions therefrom (including liquidating distributions); or (iii) in the case of any other Person, 50% or more of the economic or beneficial interest therein.

"Immediate Family" means a person's spouse, parents, children, grandchildren,

and great grandchildren (children, grandchildren, and great grandchildren include those that are natural, adopted, and step).

“Net Sales Proceeds” shall mean the gross sales proceeds received by the Company with respect to the sale of individual Units, including but not limited to all gross sales proceeds, lot premiums, options and option upgrades, less reasonable closing costs incurred by the Company in connection with such sale, including any sales incentives or concessions.

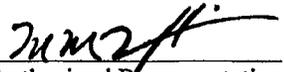
“Person” means an individual, partnership, limited partnership, trust, estate, association, corporation, limited liability company or other entity, domestic or foreign, permitted to be a member of a limited liability company under the Act.

[Signature page follows]

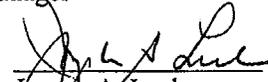
IN WITNESS WHEREOF, the undersigned have duly executed this Agreement as of the day first above written.

PRESIDIO JJR MASTER V, LLC
a Delaware limited liability company

By: Presidio Merced Land V Active I, LLC
a Delaware limited liability company
Its: Co-Manager

By: 
Its: Authorized Representative

By: JJR Associates, LLC
a California limited liability company
Its: Co-Manager

By: 
Joseph A. Leal
Its: Managing Member

The undersigned consents to act as Operating Manager pursuant to the terms set forth above.

JJR Management Services, Inc.
a California corporation

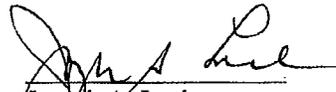
By: 
Joseph A. Leal
Its: President

EXHIBIT A

DESCRIPTION OF REAL PROPERTY

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTIES OF TULARE AND FRESNO, STATE OF CALIFORNIA AND ARE DESCRIBED AS FOLLOWS:

PARCEL A: Tulare County APN: 028-140-022; and Fresno County APN: 396-020-14

That portion of Lot 4, in the unincorporated areas of Fresno and Tulare Counties, State of California according to the following maps: "Kingsburg Colony Lots in Fresno County Cal", recorded May 21, 1889, in Book 4, Page 33 of Maps, in the office of the County Recorder of Fresno County; "Kingsburg Colony Lots in Tulare County", recorded March 18, 1918 in Book 8, Page 33 of Maps, in the office of the County recorder of Fresno County; and "Plat of Kingsburg Colony Lots in Tulare County, recorded June 7, 1889, in Book 5, Page 31 of Maps, in the County Recorder of Tulare County, lying South of a line that begins at a point in the East line of Section 26, Township 16 South, Range 22 East, Mount Diablo Base and Meridian, distant 660.40 feet Southerly of the Northeast corner of Section 26 and bears Westerly 662.25 feet, more or less, to terminate at a point in the West line of said Lot 4, distant 660.16 feet Southerly of the North line of said Section 26.

PARCEL B: Tulare County APN: 028-140-013; and Fresno County APN: 396-020-08

Lot 17, in the unincorporated areas of Fresno and Tulare Counties, State of California according to the following maps: "Kingsburg Colony Lots in Fresno County Cal", recorded May 21, 1889, in Book 4, Page 33 of Maps, in the office of the County Recorder of Fresno County; "Kingsburg Colony Lots in Tulare County", recorded March 18, 1918 in Book 8, Page 33 of Maps, in the office of the County recorder of Fresno County; and "Plat of Kingsburg Colony Lots in Tulare County, recorded June 7, 1889, in Book 5, Page 31 of Maps, in the County Recorder of Tulare County.

PARCEL C: Tulare County APN: 028-140-012

Lot 3, in the unincorporated area of Tulare County, State of California according to the map entitled "Plat of Kingsburg Colony Lots in Tulare County, recorded June 7, 1889, in Book 5, Page 31 of Maps, in the County Recorder of Tulare County.

PARCEL D: Tulare County APN 028-140-018

Parcel 3 of Parcel Map 228, in the unincorporated area of the County of Tulare, State of California according to the map thereof recorded January 5, 1973 in Book 3, Page 28 of Parcel Maps, in the office of the County Recorder of said County.

EXHIBIT B

SCOPE OF SERVICES

1. Provide the direct project staff necessary to carry out the Business Plan including but not limited to the following:
 - a. Preparation and submittal to Manager of the proposed Business Plan and updates;
 - b. Selection of contractors and consultants, negotiation of contracts, management of contractors and consultants;
 - c. Processing of accounts payable, record keeping and financial reporting;
 - d. Keeping Manager informed on status of Project;
 - e. Coordination of site security and maintenance;
 - f. Insurance; and
 - g. Providing such periodic reports to the Manager as the Manager may designate
2. Process and maintain necessary Project entitlements and permits.
3. Market property for sale consistent with the Business Plan, or as instructed by Manager in writing.
4. Warranty and repair services, including but not limited to performing or supervising all warranty work, customer service, and correction of defects.
5. All other actions necessary to carry out the Business Plan.

EXHIBIT C
BUSINESS PLAN

EXHIBIT D
MEMBERSHIP INTERESTS

<u>Member</u>	<u>Membership Interest</u>
Presidio JJR Master V, LLC	100%
Total	100%

EXHIBIT E

ADDRESS FOR NOTICE

Member and Co-Manager: Presidio JJR Master V, LLC
601 Carlson Parkway, Suite 200
Minnetonka, Minnesota 55305
Attention: Michael M. Sullivan and Thomas G.
Rock
Telephone: (952) 476-7200
Facsimile: (952) 476-7201
Email: tom.rock@mercedcapital.com and
mike.sullivan@mercedcapital.com

Member and Co-Manager: Presidio JJR Master V, LLC
c/o JJR Associates, LLC
222 N. Garden Street, Suite 100
Visalia, California 93291
Attention: James Robinson and Joseph Leal
Telephone: (559) 732-2660
Facsimile: (559) 732-2999
Email: jrobinson@sjvhomes.com and
jleal@sjvhomes.com

With a copy to: Presidio Advisory Group II, LLC
9740 Appaloosa Road, Suite 230
San Diego, California 92131
Attention: Don Faye and Paul Lucatuorto
Telephone: (619) 573-1806 and (619) 573-1808
Facsimile: (619) 573-1550
Email: dfaye@presidioresidential.com and
plucatuorto@presidioresidential.com

and to: David Bagley
Hecht Solberg Robinson Goldberg & Bagley LLP
600 West Broadway, Suite 800
San Diego, California 92101
Telephone: (619) 239-3444
Facsimile: (619) 232-6828
Email: dbagley@hechtsolberg.com

Operating Manager:

JJR Management Services, Inc.
222 N. Garden Street, Suite 100
Visalia, California 93291
Attention: Joseph Leal
Telephone: (559) 732-2660
Facsimile: (559) 732-2999
Email: jleal@sjvhomes.com

**ACTION OF THE DIRECTORS
BY
UNANIMOUS WRITTEN CONSENT
IN LIEU OF ORGANIZATIONAL MEETING**

JJR MANAGEMENT SERVICES, INC.

The undersigned, being all of the directors of JJR MANAGEMENT SERVICES, Inc., a California corporation, desiring to take the actions scheduled for the first meeting of the board of directors for the purpose of completing the organization of the corporation, acting pursuant to the provisions of California Corporations Code Section 307(b) and the bylaws of the corporation, take the following actions by unanimous written consent:

Actions of the Incorporator

RESOLVED, the actions of the incorporator as reflected in the Action of the Incorporator by Written Consent, dated May 24, 2013, or otherwise performed in connection with the organization of the corporation prior to this date, are hereby ratified and approved.

RESOLVED FURTHER, that the corporation shall save, defend, indemnify and hold the incorporator harmless from and against any liability or expense arising in connection with the incorporation of the corporation.

Agent for Service of Process

RESOLVED FURTHER, that Julian B. Myers, named as the initial agent for service of process in the corporation's Articles of Incorporation, is hereby confirmed in such capacity.

Election of Officers

RESOLVED FURTHER, the following persons are elected to the offices indicated after their names:

<u>Name</u>	<u>Office</u>
Joseph A. Leal	<i>President, Secretary and Treasurer</i>

RESOLVED FURTHER, that the officers are hereby directed to prepare and file a Statement of Information (Form SI-200 C) with the California Secretary of State, as required by Section 1502 of the California Corporations Code.

Approval of Bylaws

RESOLVED FURTHER, the bylaws of the corporation as adopted by the incorporator are hereby approved and adopted by the directors;

RESOLVED FURTHER, the secretary is directed to cause a copy of the bylaws, as amended from time to time, to be maintained at the principal executive office of the corporation.

Corporate Seal

RESOLVED FURTHER, the proposed seal of the corporation, consisting of two concentric circles with the name of the corporation in one circle and the words and figures, "INCORPORATED," the date of incorporation, and "CALIFORNIA" in the second circle, in the form presented to the directors, is approved and adopted as the seal of this corporation.

Principal Office Location

RESOLVED FURTHER, that the location of the principal office of the corporation, until changed by subsequent resolution of the board, shall be as follows:

**222 North Garden Street, Suite 100
Visalia, CA 93291**

Approval of Form Share Certificate

RESOLVED FURTHER, the form of share certificate attached hereto as Exhibit "A" is hereby approved and adopted by the board of directors.

Issuance of Shares

RESOLVED FURTHER, the president and secretary of the corporation shall issue shares in favor of the following shareholder(s):

<u>Shareholder</u>	<u>No. of Shares</u>	<u>Purchase Price</u>	<u>Percentage</u>
Merced JJR Master, LLC, a Delaware limited liability company	10,000	\$10,000.00	100%
TOTAL	10,000	\$10,000.00	100%

RESOLVED FURTHER, when this corporation receives the full consideration for each share issued and sold, such shares shall be duly and validly issued, fully paid, and non-assessable, and the consideration received by this corporation shall be credited to the appropriate capital accounts.

RESOLVED FURTHER, that the above shares shall be issued within the exemption from qualification afforded by Section 25102(f) of the California Corporate Securities Law of 1968 and shall, in all respects, meet the requirements thereof.

RESOLVED FURTHER, that any one of the officers of this corporation shall cause to be prepared, executed and timely filed with the California Commissioner of Corporations, a Notice in the form prescribed pursuant to Section 25102(f), and shall take such other further action as may be necessary or desirable to effectuate the foregoing resolutions.

Banking Resolutions

To provide for the deposit of the corporation's funds and to authorize certain individuals to manage such funds, the following resolutions are hereby adopted:

RESOLVED FURTHER, upon the conditions which follow, the president, secretary and chief financial officer, acting together or individually, are hereby authorized:

(a) To designate one or more banks, trust companies or other similar institutions as depositories of the funds of the corporation;

(b) To open, keep, and close general and special bank accounts, including, without limitation, general deposit accounts, payroll accounts, and working fund accounts, with any such depository;

(c) To cause to be deposited in such accounts with any such depository the funds of the corporation as the appropriate officer deems necessary or advisable, and to designate or change the designation of the agent or agents of the corporation who will be authorized to make such deposits and to endorse checks, drafts, or other instruments with respect to such deposits;

(d) To designate or change the designation of the agent or agents of the corporation who will be authorized to sign or countersign checks, drafts, or other orders for the payment of money issued in the name of the corporation against any funds deposited in any such accounts and to revoke any such designation;

(e) To make such general and special rules and regulations with respect to such accounts as deemed necessary or advisable; and

(f) To complete, execute, and certify any form of signature card required to exercise the authority granted by this resolution.

RESOLVED FURTHER, that all resolutions required by any such depository are hereby adopted in the form required by the depository, and the secretary of the corporation is hereby authorized to certify such resolutions as having been adopted in this action by consent and is directed to insert these actions in the minute book of the corporation; and

RESOLVED FURTHER, that any depository to which a certified copy of these resolutions is delivered shall be entitled to rely thereon for all purposes until it shall have

received written notice of the revocation or amendment of these resolutions by the board of directors of this corporation.

Accounting Year / EIN Number

RESOLVED FURTHER, that the corporation adopts an accounting year beginning on January 1 and ending on December 31.

RESOLVED FURTHER, that the officers are hereby authorized and directed to prepare, cause to be executed and to be filed with the appropriate office of the Internal Revenue Service, an Application for an Employer Identification Number (Form SS-4).

Date for Annual Meeting of Shareholders

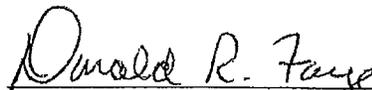
RESOLVED FURTHER, that the date for annual meetings of the shareholders shall be May 24, or the next business day should such date fall on a weekend or national holiday. The time for the annual meetings of the shareholders shall be 12:00 PM.

Incorporation Expenses

RESOLVED FURTHER, the president is authorized and directed to pay the expenses of the incorporation and organization of the corporation, including effecting reimbursement to any persons who have advanced funds to the corporation for such purposes and payment of any amounts remaining owing to the corporation's legal counsel or accountants.

RESOLVED FINALLY, that this document may be signed in counterparts and facsimile signatures are the equivalent of original signatures.

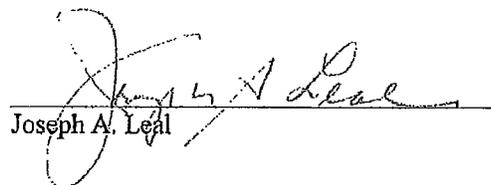
IN WITNESS WHEREOF, the undersigned have executed this Action of the Directors by Unanimous Written Consent in Lieu of Organizational Meeting as of May 24, 2013.



Donald R. Faye



Thomas Rock



Joseph A. Leal

EXHIBIT "A"

FORM SHARE CERTIFICATE

Certificate No. _____ For _____ Received Certificate No. _____
 Issued to _____ From whom transferred _____
 Dated _____ Dated _____
 this _____ day of _____
 NO. ORIGINAL CERTIFICATE _____ NO. ORIGINAL SHARES _____ SHARES TRANSFERRED _____

NUMBER	INCORPORATED UNDER THE LAWS OF THE STATE OF CALIFORNIA MAY 24, 2013	SHARES
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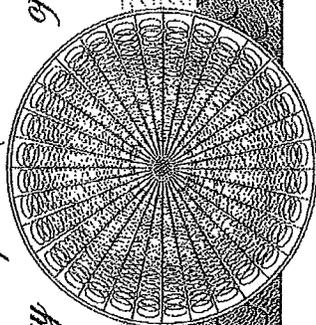
JJR Management Services, Inc.
 AUTHORIZED 100,000 SHARES COMMON STOCK

CANCELLED

This Certifies that _____ is the registered holder of _____ Shares of the above named Corporation transferable only on the books of the Corporation by the holder hereof in person or by Attorney upon surrender of this Certificate properly endorsed.

In Witness Whereof, the said Corporation has caused this Certificate to be signed by its duly authorized officers and its Corporate Seal to be hereunto affixed
 this _____ day of _____ A.D. _____

SECRETARY _____ PRESIDENT _____



**ACTION BY UNANIMOUS WRITTEN CONSENT
OF
THE MANAGEMENT COMMITTEE
OF
PRESIDIO JJR MASTER V, LLC**

- Authority to Act

THE UNDERSIGNED, being the Management Committee of Presidio JJR Master V, LLC, a Delaware limited liability company (the "Company"), acting pursuant to the provisions of the Limited Liability Company Agreement of the Company dated September 1, 2016 (the "LLC Agreement"), hereby adopts the following actions by written consent:

WHEREAS, pursuant to Section 5.4 and Section 5.5.27 of the LLC Agreement, the Management Committee of the Company has the right to approve all Major Decisions concerning the business and affairs of the Company, including any matter which requires the approval of the manager of a Subsidiary LLC;

WHEREAS, the Company, acting as Manager of **PRESIDIO JJR SUMMERLIN 123, LLC**, a Delaware limited liability company ("Summerlin") believes it to be in the best interest of Summerlin to authorize the Operating Manager of Summerlin to execute certain documents as more specifically set forth in the Action by Unanimous Written Consent of the Manager of Presidio JJR Summerlin 123, LLC, attached hereto as Exhibit "A" (the "Manager Consent");

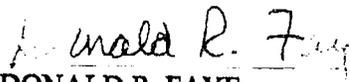
WHEREAS, Summerlin is a Subsidiary LLC of the Company;

WHEREAS, the Management Committee finds it to be in the best interests of the Company to approve the acts of the Company as set forth in the Manager Consent.

NOW THEREFORE BE IT RESOLVED that the attached Manager Consent is approved and the Company, as Manager of Summerlin, a Subsidiary LLC of the Company, is authorized to execute that certain Manager Consent attached hereto as Exhibit A.

IN WITNESS WHEREOF, the undersigned have executed this Action by Unanimous Written Consent effective as of May 5, 2017.

MANAGEMENT COMMITTEE:


DONALD R. FAYE

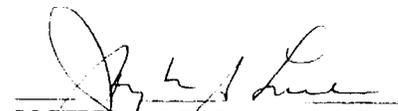

JOSEPH A. LEAL

EXHIBIT A
"MANAGER CONSENT"

**ACTION BY UNANIMOUS WRITTEN CONSENT
OF
THE MANAGER
OF
PRESIDIO JJR SUMMERLIN 123, LLC**

- Authority to Sign

THE UNDERSIGNED, being the sole Manager of Presidio JJR Summerlin 123, LLC, a Delaware limited liability company (the "Company"), acting pursuant to the provisions of the Limited Liability Company Agreement of the Company dated as of May 2, 2017 (the "LLC Agreement"), hereby adopts the following actions by written consent:

WHEREAS, pursuant to Section 3.11 of the LLC Agreement, the Manager of the Company has the right to authorize the Operating Manager of the Company to execute documents, instruments, statements or similar items required in connection with transactions or potential transactions of the Company.

WHEREAS, the Manager finds it to be in the best interests of the Company to authorize the Operating Manager to sign documents, instruments, statements or similar items required in connection with entitlements of Company property, the Company's sale or potential sale of individual single family homes or lots on behalf of the Company, or other actions authorized by the documents set forth below; provided, however, the authorization granted hereunder shall be limited to executing such documentation as is consistent with the current approved Business Plan of the Company.

NOW THEREFORE BE IT RESOLVED, that JJR MANAGEMENT SERVICES, INC., a California corporation, as Operating Manager of the Company, is hereby authorized by the Manager to sign and execute documents of the Company in furtherance of the current approved Business Plan as may be applicable to the entitlement process, the sale of single family homes and/or individual lots owned by the Company, or other Business Plan approved actions as specifically set forth below:

- 1) Joint Purchase Agreement and Escrow Instructions;**
- 2) Grant Deed;**
- 3) Notice of Completion;**
- 4) Indemnity Agreement;**
- 5) Disclosures;**
- 6) Settlement Statements;**
- 7) Escrow Amendments and/or Addendums;**
- 8) Lenders forms and certifications;**
- 9) Covenants, Conditions and Restrictions;**
- 10) Annexation of Covenants, Conditions and Restrictions;**
- 11) Easements;**
- 12) Utility Agreements;**

- 13) Joint Use and Maintenance Agreements;
- 14) Lot Line Adjustment Applications and Grant Deeds;
- 15) Subdivision Maps;
- 16) Parcel Maps;
- 17) Subdivision Agreements; and
- 18) Reimbursement Agreements.

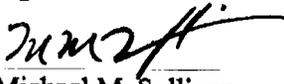
RESOLVED, FURTHER, that the execution and delivery of any instrument set forth above, or any amendment thereto, by JJR Management Services, Inc., a California corporation is hereby ratified and approved by the Company.

IN WITNESS WHEREOF, the undersigned has executed this Action by Unanimous Written Consent effective as of May 5, 2017.

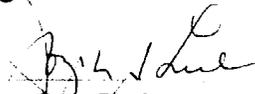
MANAGER:

PRESIDIO JJR MASTER V, LLC
a Delaware limited liability company

By: Presidio Merced Land V Active I, LLC
a Delaware limited liability company
Its: Co-Manager

By: 
Michael M. Sullivan
Its: Authorized Person

By: JJR Associates, LLC
a California limited liability company
Its: Co-Manager

By: 
Joseph A. Leal
Its: Managing Member

**COMMUNITY FACILITIES DISTRICT REPORT
MELLO-ROOS COMMUNITY FACILITIES ACT OF 1982**

**CITY OF KINGSBURG
COMMUNITY FACILITIES DISTRICT NO. 2017-01
(PUBLIC SERVICES DISTRICT)**

Prepared for

**CITY OF KINGSBURG
1401 Draper Street
Kingsburg, California 93631**

Prepared by

**DAVID TAUSSIG & ASSOCIATES, INC.
1302 Lincoln Avenue, Ste 204
San Jose, California 95125**

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APPENDICES

- Appendix A** Rate and Method of Apportionment
- Appendix B** CFD No. 2017-01 Boundary Map

I. INTRODUCTION

WHEREAS, the City of Kingsburg (hereinafter referred to as the “City”) did, pursuant to the provisions of the “Mello-Roos Community Facilities Act of 1982,” being Chapter 2.5, Part 1, Division 2, Title 5 of the Government Code of the State of California (hereinafter referred to as the “Act”), and specifically Section 53321.5 thereof, expressly order the filing of a written “Report” with the legislative body of the proposed City of Kingsburg Community Facilities District No. 2017-01 (Public Services District), County of Fresno, State of California, hereinafter referred to as:

“CFD No. 2017-01”; and,

WHEREAS, the Council has determined that the establishment of the Community Facilities District is consistent with and follows the Local Goals and Policies concerning the use of the Act that have been adopted by the City and are now in effect; and

WHEREAS, the City Council of the City of Kingsburg approved the Resolution of Intention to establish CFD No. 2017-01, to authorize the levy of a Special Tax to finance certain Authorized Services within CFD No. 2017-01, and to request the preparation of a CFD Report to demonstrate the following:

- 1) A brief description of the Authorized Services by type which will be required to adequately meet the needs of CFD No. 2017-01;
- 2) An estimate of the fair and reasonable cost of providing the Authorized Services and an estimate of the incidental expenses related thereto; and

WHEREAS, the matters and information set forth in this report constitute a compilation of information otherwise on file and available for review by the Council at the date of adoption of Resolution 2017-017 on May 3, 2017.

NOW, THEREFORE, the City Clerk of the City of Kingsburg (the “City Clerk”), the authorized representative of the City, and the appointed responsible officer directed to prepare the CFD Report (the “Report”) or cause the Report to be prepared pursuant to the provisions of the Act, does hereby submit this Report.

II. PROJECT DESCRIPTION

CFD No. 2017-01 (Public Services District) encompasses approximately 61.70 gross acres of land in the City of Kingsburg located generally north of Klepper Street and generally south of East Caruthers Avenue, west of South Madsen Avenue, and generally east of Golden State Boulevard. A map showing this territory is provided as Appendix B of this report.

A Future Annexable Area has also been identified on the map, within which future residential and non-residential property will be able to annex into the CFD on a parcel by parcel basis.

Within the CFD, a Special Tax shall be levied only on new development as set forth in the Rate and Method of Apportionment ("RMA"), attached herewith as Appendix A.

III. DESCRIPTION AND ESTIMATED COST OF SERVICES

A. Description of Proposed Public Services

A community facilities district *may* finance any one or more of the following types of services: police protection services; fire protection and suppression services; ambulance and paramedic services; recreation program services, library services, maintenance services for elementary and secondary school sites and structures, operation and maintenance of museums and cultural facilities; maintenance of parks, parkways (including street lights), and open space; flood and storm protection services, including the operation and maintenance of storm drainage systems and sandstorm protection systems; and services with respect to the removal or remedial action cleanup of hazardous substances. The proposed community facilities district shall provide and finance Public Services, including but not limited to (i) the costs of contracting services, (ii) the maintenance and servicing of police, fire, and emergency response, parks and open space, alley maintenance, street lighting and landscape maintenance, maintenance or upkeep of related facilities, equipment, vehicles, apparatus, and supplies (iii) the salaries and benefits of staff that directly provide such services, and (iv) overhead costs associated with providing such services within the CFD.

The Authorized Services, as defined in the Rate and Method of Apportionment, Appendix A, may be financed only to the extent that such services are in addition to those services provided in the City prior to implementation of the Community Facilities District.

Again, CFD No. 2017-01 shall only finance the above listed services only to the extent that they are in addition to existing services provided within the boundaries of CFD No. 2017-01 before creation of the CFD and such Authorized Services may not supplant services already available within CFD No. 2017-01 at creation of said CFD. The Special Taxes required to finance the related annual costs of those public services will be apportioned as described in the Rate and Method of Apportionment of the Special Tax for CFD No. 2017-01.

B. Estimated Costs of Proposed Public Services

The intent of the CFD is to fund the anticipated revenue shortfall in providing the Authorized Services listed above. The maximum special taxes that could be levied presently would be \$594 per Dwelling Unit for Single Family Residential Property, \$396 per Dwelling Unit for Multi-Family Residential Property, \$0.20 per Sq. Ft. of Non-Residential Floor Area for Retail and Office Property, and \$0.07 per Sq. Ft. of Non-Residential Floor Area for Industrial and Institutional Property; however, this amount is subject to annual escalation. The actual amount to be levied will be determined by the City Council on an annual basis. It is anticipated that the cost of administering the CFD in its earlier years will be approximately \$5,000 per year.

IV. BONDED INDEBTEDNESS AND INCIDENTAL EXPENSES

A. Projected Bond Sales

CFD No. 2017-01 is not authorized to sell bonds.

B. Incidental Expenses to be Included in the Annual Levy of Special Taxes

Pursuant to Section 53340 of the Act, the proceeds of any Special Tax may only be used to pay, in whole or part, the cost of providing public facilities, services, and incidental expenses. As defined by the Act, incidental expenses include, but are not limited to, the cost of planning and designing public facilities to be financed, including the cost of environmental evaluations of those facilities. As there is no intention or authorization for CFD No. 2017-01 to sell bonds, the incidental expenses to be funded through Special Taxes shall be limited to the costs associated with the creation of the CFD, determination of the amount of Special Taxes, collection of Special Taxes, payment of Special Taxes, or costs otherwise incurred in order to carry out the authorized purposes of the CFD. While the actual cost of administering CFD No. 2017-01 may vary, it is anticipated that the amount of Special Taxes that can be collected will be sufficient to fund the CFD's annual administrative expenses.

V. RATE AND METHOD OF APPORTIONMENT

Pursuant to Section 53325.3 of the Act, the tax imposed in a CFD “is a special tax and not a special assessment, and there is no requirement that the tax be apportioned on the basis of benefit to any property.” The Special Tax “may be based on benefit received by parcels of real property, the cost of making facilities or authorized services available to each parcel, or other reasonable basis as determined by the legislative body,” although the Special Tax may not be apportioned on an ad valorem basis pursuant to Article XIII A of the California Constitution. The adopted Rate and Method of Apportionment (“RMA”), attached herewith as Appendix A, provides information sufficient to allow each property owner within CFD No. 2017-01 to estimate the maximum annual Special Tax he or she will be required to pay.

The RMA requires that all Assessor’s Parcels within CFD No. 2017-01 be categorized as Developed Property, Undeveloped Property, Property Owner Association Property, or Public Property. The principal assumption inherent in the calculation of Special Taxes as defined in the RMA is that the level of budgetary shortfall impacting the City is the *primary* result of new development within the City. These determinations are based on an evaluation of the City’s recurring costs and revenues. No Special Taxes will be levied on Undeveloped Property, Property Owner Association Property, or Public Property.

Each Fiscal Year, the Special Tax levy shall be calculated in an amount sufficient to cover the costs required to meet the financial needs for the proposed Authorized Services, but not to exceed the maximum Special Tax for Developed Property. The maximum Special Tax necessary to cover the public service shortfall generated by one (1) Single Family and Multi-Family Residential Dwelling Unit is \$594 and \$396, respectively, for the 2017-18 Fiscal Year. The maximum annual Special Tax that can be levied within the CFD on Developed Property shall increase annually by the greater of the change in the Blended Consumer Price Index during the twelve (12) months ending in December of the Fiscal Year prior to the Fiscal Year in which the Special Tax is being levied, or four percent (4.00%). Commencing with Fiscal Year 2017-18 and for each following fiscal year, the City Council shall levy the annual special tax proportionately for each Assessor’s Parcel of Developed Property at up to 100% of the applicable maximum special tax, until the amount of special taxes equals the special tax requirement.

In order to establish the Maximum Special Tax rates for CFD No. 2017-01 as set forth in the Rate and Method of Apportionment, David Taussig & Associates, Inc. has relied on information regarding land-use types, geographic location, and Taxable Property provided to it by others. David Taussig & Associates, Inc. has not independently verified such data and disclaims responsibility for the impact of inaccurate data, if any, on the Rate and Method of Apportionment for CFD No. 2017-01, including the inability to meet the financial obligations within CFD No. 2017-01.

VI. BOUNDARIES OF COMMUNITY FACILITIES DISTRICT

The boundaries of CFD No. 2017-01 include all land on which the Special Taxes may be levied. A reduced scale map showing the boundaries of CFD No. 2017-01 is provided as Appendix B. A full scale map is on file with the Fresno County Recorder's Office and was recorded on May 4, 2017 at 11:03 am in the Fresno County Recorder's Office at Book 44 of Maps of Assessment and Community Facilities Districts at Page 91-92 (Instrument No. 2017-0055084), and there has been no change in the boundaries of the Community Facilities District since its formation, nor is any contemplated here.

VII. GENERAL TERMS AND CONDITIONS

A. Substitution of Services

The description of the Authorized Services, as set forth herein, is general in their nature. The final nature and location of the specific services to be funded by the CFD will be determined by the City Council. The actual services funded may show substitutes, in lieu or modifications to the proposed services that benefit the CFD, and any such substitution shall not be a change or modification in the proceedings as long as the services provided are of a type substantially similar to that as set forth in this Report.

B. Appeals and Interpretations

Any landowner or resident who feels that the amount of the Special Tax levied on his Assessor's Parcel is in error may submit a written appeal to the CFD Administrator. The CFD Administrator shall review the appeal and if the CFD Administrator concurs, the amount of the Special Tax levied shall be appropriately modified through an adjustment to the Special Tax levy in the following Fiscal Year. No refunds shall be given. Interpretations may be made by the Council by ordinance or resolution for purposes of clarifying any vagueness or ambiguity in the Rate and Method of Apportionment for CFD No. 2017-01.

APPENDIX A

**CITY OF KINGSBURG
COMMUNITY FACILITIES DISTRICT NO. 2017-01
(PUBLIC SERVICES DISTRICT)**

RATE AND METHOD OF APPORTIONMENT

**RATE AND METHOD OF APPORTIONMENT FOR
CITY OF KINGSBURG
COMMUNITY FACILITIES DISTRICT NO. 2017-01
(PUBLIC SERVICES DISTRICT)
CITY OF KINGSBURG, COUNTY OF FRESNO, STATE OF CALIFORNIA**

A Special Tax as hereinafter defined shall be levied on all Assessor's Parcels of Taxable Property in City of Kingsburg Community Facilities District No. 2017-01 (Public Services District), City of Kingsburg, County of Fresno, State of California ("CFD No. 2017-01") and collected each Fiscal Year commencing in Fiscal Year 2017-18, in an amount determined by the City Council through the application of the appropriate Special Tax for "Developed Property," as described below. All of the real property in CFD No. 2017-01, unless exempted by law or by the provisions hereof, shall be taxed for these purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5, Part 1, Division 2 of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the following actual or reasonably estimated costs directly related to the administration of CFD No. 2017-01: the costs of computing the Special Taxes and preparing the annual Special Tax collection schedules (whether by the City or any designee thereof or both); the costs of collecting the Special Taxes (whether by the City or otherwise); the costs to the City, CFD No. 2017-01, or any designee thereof of complying with CFD No. 2017-01 or obligated persons disclosure requirements associated with the Act; the costs associated with preparing Special Tax disclosure statements and responding to public inquiries regarding the Special Taxes; the costs to the City, CFD No. 2017-01, or any designee thereof related to an appeal of the Special Tax; and the City's annual administration fees and third party expenses. Administrative Expenses shall also include amounts estimated or advanced by the City or CFD No. 2017-01 for any other administrative purposes of CFD No. 2017-01, including attorney's fees and other costs related to commencing and pursuing to completion any foreclosure of delinquent Special Taxes.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown on an Assessor's Parcel Map with an assigned Assessor's Parcel number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel number.

"Authorized Services" means those services eligible to be funded by CFD No. 2017-01, as defined in the Resolution of Formation and authorized to be financed by CFD No. 2017-01 pursuant to Section 53313 and Section 53313.5 of the Act. CFD No. 2017-01 shall finance Authorized Services only to the extent that they are in addition to those provided in the territory of CFD No. 2017-01 before the CFD was created and such Authorized

Services may not supplant services already available within CFD No. 2017-01 when the CFD was created.

“Blended Consumer Price Index” means the sum of the Los Angeles Urban Consumer Price Index and the San Francisco Urban Consumer Price Index, divided by two (2).

“Building Permit” means a permit issued by the City or other governmental agency for the construction of a residential or non-residential building on an Assessor’s Parcel.

“CFD Administrator” means an official of CFD No. 2017-01, or any designee thereof, responsible for determining the Special Tax Requirement and providing for the levy and collection of the Special Taxes.

“CFD No. 2017-01” means City of Kingsburg Community Facilities District No. 2017-01 (Public Services District), City of Kingsburg, County of Fresno, State of California.

“City” means the City of Kingsburg, California.

“City Council” means the City Council of the City.

“County” means the County of Fresno.

“Developed Property” means, for each Fiscal Year, all Assessor’s Parcels for which a Building Permit was issued after January 1, 2017 and on or before May 1 of the Fiscal Year preceding the Fiscal Year for which the Special Taxes are being levied.

“Dwelling Unit” means a building or portion thereof designed for and occupied in whole or part as a residence or sleeping place, either permanently or temporarily, by one (1) family and its guests, with sanitary facilities and one (1) kitchen provided within the unit. Boarding or lodging houses, dormitories, and hotels shall not be defined as Dwelling Units unless the land use permit specifies a residential use.

“Fiscal Year” means the period starting July 1 and ending on the following June 30.

“Industrial and Institutional Property” means all Non-Residential Property, other than Retail and Office Property.

“Los Angeles Urban Consumer Price Index” means, for each Fiscal Year, the Consumer Price Index published by the U.S. Bureau of Labor Statistics for All Urban Consumers in the Los Angeles – Anaheim – Riverside Area, measured as of the month of December in the calendar year which ends in the previous Fiscal Year. In the event this index ceases to be published, the Los Angeles Urban Consumer Price Index shall be another index as determined by the CFD Administrator that is reasonably comparable to the Los Angeles Urban Consumer Price Index.

“Maximum Special Tax” means, for each Fiscal Year, the maximum Special Tax, determined in accordance with Section C, below, that can be levied on any Assessor’s Parcel.

“Multi-Family Residential Property” means, all Assessor’s Parcels of Developed Property for which a Building Permit has been issued for purposes of constructing a Dwelling Unit that shares an inside wall with another Dwelling Unit, and consists of more than two (2) Dwelling Units, including, but not limited to, triplexes, condominiums, and apartment units.

“Non-Residential Floor Area” means the total building square footage of the non-residential building(s) or the non-residential portion of a building with both residential and non-residential areas located on an Assessor’s Parcel of Developed Property, measured from outside wall to outside wall, exclusive of overhangs, porches, patios, carports, or similar spaces attached to the building but generally open on at least two (2) sides. The determination of Non-Residential Floor Area shall be made by reference to the Building Permit(s) issued for such Assessor’s Parcel and/or to the appropriate records kept by the City’s Building Division, as reasonably determined by the CFD Administrator.

“Non-Residential Property” means any and each Assessor’s Parcel of Developed Property for which a Building Permit permitting the construction of one or more non-residential units or facilities, including Retail and Office Property or Industrial and Institutional Property, has been issued by the City or some other governmental agency.

“Property Owner Association Property” means, for each Fiscal Year, any Assessor’s Parcel within the boundaries of CFD No. 2017-1 that is owned by or irrevocably offered for dedication to a property owner association, including any master or sub-association, not including any such property that is located directly under a residential or non-residential structure.

“Proportionately” means that the ratio of the actual annual Special Tax levy to the Maximum Special Tax is equal for all Assessor’s Parcels of Developed Property.

“Public Property” means, for each Fiscal Year, (i) any property within the boundaries of CFD No. 2017-01 that is owned by or irrevocably offered for dedication to the Federal government, the State, the City, or any other public agency; provided however that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1 of the Act, as such section may be amended or replaced, shall be taxed and classified in accordance with its use; or (ii) any property within the boundaries of CFD No. 2017-01 that is encumbered by an unmanned utility easement making impractical its utilization for other than the purpose set forth in the easement.

“Rate and Method of Apportionment” or **“RMA”** means this Rate and Method of Apportionment of Special Tax.

“Resolution of Formation” means the resolution forming CFD No. 2017-01.

“Retail and Office Property” means, all Non-Residential Property that is or will be: (i) for retail purposes consisting of one or more commercial establishment(s) that sell general merchandise, hard goods, food and beverage, personal services, and other items directly to consumers, including but not limited to restaurants, bars, entertainment venues, health clubs, laundromats, dry cleaners, repair shops, storage facilities, and parcel delivery shops, and (ii) for office space in which professional, banking, insurance, real estate, administrative, or in-office medical or dental activities are conducted.

“San Francisco Urban Consumer Price Index” means, for each Fiscal Year, the Consumer Price Index published by the U.S. Bureau of Labor Statistics for All Urban Consumers in the San Francisco – Oakland – San Jose Area, measured as of the month of December in the calendar year that ends in the previous Fiscal Year. In the event this index ceases to be published, the San Francisco Urban Consumer Price Index shall be another index as determined by the CFD Administrator that is reasonably comparable to the Consumer Price Index for the San Francisco – Oakland – San Jose Area.

“Single Family Residential Property” means all Assessor’s Parcels of Developed Property for which a Building Permit has been issued for purposes of constructing one (1) single-family residential Dwelling Unit.

“Special Tax” or “Special Taxes” means the special tax or special taxes to be levied in each Fiscal Year on each Assessor’s Parcel of Developed Property to fund the Special Tax Requirement.

“Special Tax Requirement” means that amount to be collected in any Fiscal Year for CFD No. 2017-01 to pay for certain costs as required to meet the needs of the CFD in that Fiscal Year. The costs to be covered shall be the direct costs for (i) Authorized Services, including the establishment of reserves for future costs of Authorized Services, (ii) Administrative Expenses, and (iii) an amount to cover anticipated delinquencies for the payment of the Special Tax, based on the delinquency rate for the preceding Fiscal Year; less (iv) a credit for funds available to reduce the annual Special Tax levy, if any, as determined by the CFD Administrator. Under no circumstances shall the Special Tax Requirement include debt service payments for debt financings by CFD No. 2017-01.

“State” means the State of California.

“Taxable Property” means all of the Assessor’s Parcels within the boundaries of CFD No. 2017-01 which are not exempt from the Special Tax pursuant to law or Section E below.

“Undeveloped Property” means, for each Fiscal Year, all property not classified as Developed Property, Property Owner Association Property, or Public Property.

B. ASSIGNMENT TO LAND USE CATEGORIES

Each Fiscal Year, all Assessor's Parcels within CFD No. 2017-01 shall be classified by the CFD Administrator as Developed Property, Undeveloped Property, Property Owner Association Property, or Public Property, and shall be subject to annual Special Taxes in accordance with this Rate and Method of Apportionment as determined by the CFD Administrator pursuant to Sections C and D below. The CFD Administrator's allocation of property to each type of Land Use Class shall be conclusive and binding. However, only Developed Property shall be subject to annual Special Taxes in accordance with the Rate and Method of Apportionment as determined pursuant to Sections C and D below.

C. MAXIMUM SPECIAL TAX RATE

1. Developed Property

a. Maximum Special Tax

The Maximum Special Tax for Fiscal Year 2017-18 for Developed Property is shown below in Table 1. Under no circumstances shall a Special Tax be levied on additions to existing Dwelling Units.

TABLE 1

**Maximum Special Taxes for Developed Property
For Fiscal Year 2017-18
Community Facilities District No. 2017-01**

Land Use Class	Land Use	Fiscal Year 2017-2018 Maximum Special Tax
1	Single Family Residential Property	\$594 per Dwelling Unit
2	Multi-Family Residential Property	\$396 per Dwelling Unit
3	Retail and Office Property	\$0.20 per Sq. Ft. of Non-Residential Floor Area
4	Industrial and Institutional Property	\$0.07 per Sq. Ft. of Non-Residential Floor Area

b. Multiple Land Use Classes

In some instances, an Assessor's Parcel of Developed Property may contain more than one Land Use Class. The Maximum Special Tax that can be levied on an Assessor's Parcel shall be the sum of the Maximum Special Taxes that can be levied for all Land Use Classes located on that Assessor's Parcel.

c. Increase in the Maximum Special Tax

On each July 1, commencing on July 1, 2018, the Maximum Special Tax for Developed Property shall be increased annually by the greater of the change in the Blended Consumer Price Index during the twelve (12) months prior to December of the previous Fiscal Year, or four percent (4.00%).

2. **Undeveloped Property**

No Special Taxes shall be levied on Undeveloped Property.

D. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

Commencing with Fiscal Year 2017-18 and for each following Fiscal Year, the City Council shall levy the annual Special Tax Proportionately for each Assessor's Parcel of Developed Property at up to 100% of the applicable Maximum Special Tax, until the amount of Special Taxes equals the Special Tax Requirement.

E. EXEMPTIONS

In addition to Undeveloped Property being exempt from annual Special Taxes, no Special Tax shall be levied on Public Property or Property Owner Association Property. However, should an Assessor's Parcel no longer be classified as Public Property or Property Owner Association Property, such Assessor's Parcel shall, upon each reclassification, no longer be exempt from Special Taxes.

F. APPEALS AND INTERPRETATIONS

Any landowner or resident may file a written appeal of the Special Tax on his/her property with the CFD Administrator, provided that the appellant is current in his/her payments of Special Taxes. During the pendency of an appeal, all Special Taxes previously levied must be paid on or before the payment date established when the levy was made. The appeal must specify the reasons why the appellant claims the Special Tax is in error. The CFD Administrator shall review the appeal, meet with the appellant if the CFD Administrator deems necessary, and advise the appellant of its determination. If the CFD Administrator agrees with the appellant, the CFD Administrator shall eliminate or reduce the Special Tax

on the appellant's property and/or provide a refund to the appellant. If the CFD Administrator disagrees with the appellant and the appellant is dissatisfied with the determination, the appellant then has thirty (30) days in which to appeal to the City Council by filing a written notice of appeal with the clerk of the City, provided that the appellant is current in his/her payments of Special Taxes. The second appeal must specify the reasons for the appellant's disagreement with the CFD Administrator's determination. The CFD Administrator may charge the appellant a reasonable fee for processing the appeal.

The City may interpret this Rate and Method of Apportionment for purposes of clarifying any ambiguity and make determinations relative to the annual administration of the Special Tax and any landowner or resident appeals. Any decision of the City will be final and binding as to all persons.

G. MANNER OF COLLECTION

The annual Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; provided, however, that the City may directly bill the Special Tax, may collect Special Taxes at a different time or in a different manner if necessary or otherwise advisable to meet its financial obligations for CFD No. 2017-01, and may covenant to foreclose and may actually foreclose on delinquent Assessor's Parcels as permitted by the Act.

H. FUTURE ANNEXATIONS

It is anticipated that additional properties will be annexed to CFD No. 2017-01 from time to time. As each annexation is proposed, an analysis may be prepared to determine the annual cost for providing Authorized Services to such parcels. Based on this analysis, any parcels to be annexed, pursuant to California Government Code Section 53339 *et seq.* will be assigned the approximate Maximum Special Tax rates when annexed and included in Exhibit A.

I. TERM OF SPECIAL TAX

The Special Tax shall be levied in perpetuity as necessary to meet the Special Tax Requirement, unless no longer required to pay for Authorized Services as determined at the discretion of the City.

APPENDIX B

**CITY OF KINGSBURG
COMMUNITY FACILITIES DISTRICT NO. 2017-01
(PUBLIC SERVICES DISTRICT)**

BOUNDARY MAP

**PROPOSED BOUNDARIES OF
CITY OF KINGSBURG
COMMUNITY FACILITIES DISTRICT NO. 2017-01
(PUBLIC SERVICES DISTRICT)
COUNTY OF FRESNO
STATE OF CALIFORNIA**

The CFD Future Annexation Area is co-terminous with the City of Kingsburg Sphere of Influence as of January 4, 2017.

Reference is hereby made to the Assessor maps of the County of Fresno for a description of the lines and dimensions of these parcels.

Assessor Parcels within
City of Kingsburg
Community Facilities District No. 2017-01
(Public Services District):
394-021-14
393-123-26
393-123-27

(1) Filed in the office of the Clerk of the City of Kingsburg this 31st day of MAY, 2017.

Abigail Palsgaard
Abigail Palsgaard, Clerk of the City of Kingsburg,
California

(2) I hereby certify that the within map showing the proposed boundaries of City of Kingsburg Community Facilities District No. 2017-01 (Public Services District), County of Fresno, State of California, was approved by the City Council of the City of Kingsburg at a regular meeting thereof, held on this 31st day of MAY, 2017, by its Resolution No. 2017-017.

Abigail Palsgaard
Abigail Palsgaard, Clerk of the City of Kingsburg,
California

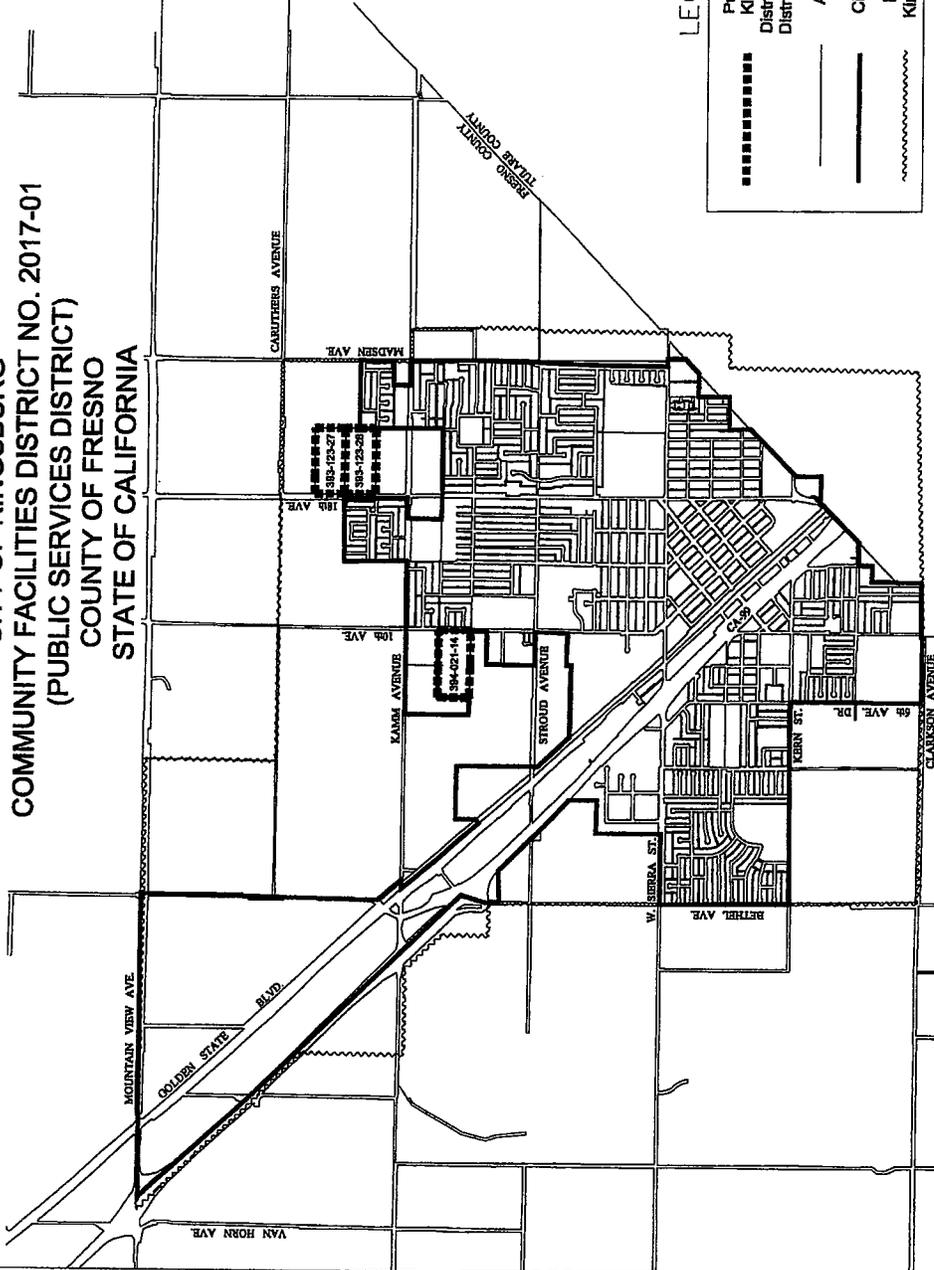
(3) Filed this 17th day of MAY, 2017, at the hour of 11:03 o'clock AM, in Book 44 of Maps of Assessment and Community Facilities Districts at Page 91-92 and as Instrument No. 2017-005024 in the office of the County Recorder in the County of Fresno, State of California.

Paul Dicos, CPA
Assessor-Recorder, County of Fresno
By Paul Dicos
Deputy
Fee \$ 10.00

Exempt recording requested,
per CA Government Code §6103

SHEET 2 OF 2

**PROPOSED BOUNDARIES OF
CITY OF KINGSBURG
COMMUNITY FACILITIES DISTRICT NO. 2017-01
(PUBLIC SERVICES DISTRICT)
COUNTY OF FRESNO
STATE OF CALIFORNIA**



LEGEND

- Proposed Boundaries of City of Kingsburg Community Facilities District No. 2017-01 (Public Services District), County of Fresno, California
- Assessor Parcel Line
- City of Kingsburg City Limits
- Future Annexation Area /
- Kingsburg Sphere of Influence

APN 396-020-14

FRESNO County Recorder
Paul Dictos, C.P.A.
DOC-
2018-0113179-00
Acct 3078-Chicago Title - Fresno
Friday, SEP 14, 2018 16:24:00
Ttl Pd \$31.00 Rcpt # 0005074748
ARG/R3/1-5

RECORDING REQUESTED BY:
Chicago Title Company

**When Recorded Mail Document
and Tax Statement To:**
Steven Cecil Hash
86 S. Newport
Napa, CA 94559

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Escrow Order No.: FWVI-4211604281
APN: 028-140-012, Tulare County
028-140-013, Tulare County
028-140-022 Tulare County
396-020-14, Fresno County ✓
396-020-08, Fresno County ✓

GRANT DEED

The undersigned grantor(s) declare(s)

- This transfer is exempt from the documentary transfer tax.
 - The documentary transfer tax is \$ _____ and is computed on:
 - the full value of the interest or property conveyed.
 - the full value less the liens or encumbrances remaining thereon at the time of sale.
- The property is located in an Unincorporated area.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Steven Cecil Hash and Elizabeth McNalley Shafer, Trustees of the Hash/Shafer 2016 Revocable Trust dated March 24, 2016

hereby GRANT(S) to Steven Cecil Hash and Elizabeth McNalley Shafer, Trustees of the Hash/Shafer 2016 Revocable Trust dated March 24, 2016

the following described real property in the Unincorporated Area of the County of Tulare and County of Fresno, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THIS DEED IS BEING RECORDED PURSUANT TO THAT CERTAIN LOT LINE ADJUSTMENT NO. 18-02 FOR CITY OF KINGSBURG AND PLA 18-017 FOR TULARE COUNTY AND BEING RECORDED IN COUNTERPART BOTH IN FRESNO COUNTY AND TULARE COUNTY.

Exempt from fee per GC 27388.1 (a)
(1); fee cap of \$225 reached

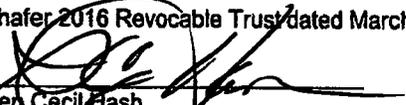
MAIL TAX STATEMENTS AS DIRECTED ABOVE

GRANT DEED
(continued)

Dated: September 4, 2018

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Hash/Shafer 2016 Revocable Trust dated March 24, 2016

BY: 
Steven Cecil Hash
Trustee

BY: 
Elizabeth McNalley Shafer
Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

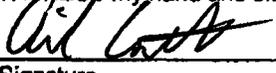
State of California
County of Napa

On 09/04/2018 before me, Ariel Julian Castillo, Notary Public,
(here insert name and title of the officer)

personally appeared Steven Cecil Hash and Elizabeth McNalley Shafer
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.


Signature

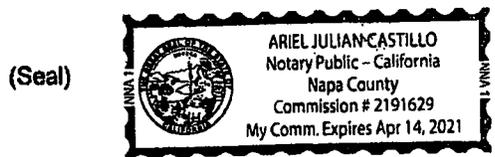


EXHIBIT A

PARCEL A

A portion of Lot 3 of the Kingsburg Colony Lots (Tulare County) recorded in Volume 5 of Maps, at Page 312, of Tulare County Records, located in the Northeast quarter of Section 26, Township 16 South, Range 22 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows;

Beginning at the Southeast corner of said Lot 3, said point also being the East quarter corner of said Section 26;
Thence North 89°22'32" West, along the South line of said Lot 3, a distance of 1324.38 feet, to the Southwest corner of said Lot 3,
Thence North 00°29'01" East, along the West line of said Lot 3, a distance of 20.00 feet, to a line parallel with and 20.00 feet North of said South line;
Thence South 89°22'32" East, along said parallel line, 208.71 feet to a line parallel with and 208.71 feet East of said West line;
Thence North 00°29'01" East, along said parallel line 208.71 feet, to a line parallel with said South line;
Thence South 89°22'32" East, along said parallel line 11.31 feet;
Thence South 44°22'32" East, 29.29 feet, to a line parallel with and 208.00 feet North of said South line;
Thence South 89°22'32" East, along said parallel line 140.27 feet;
Thence South 67°26'54" East, 74.98 feet, to a line parallel with and 180.00 feet North of said South line;
Thence South 89°22'32" East, along said parallel line 874.00 feet, to the East line of said Lot 3 and the East line of said Northeast quarter;
Thence South 00°30'13" West, along said East lines, 180.00 feet to the Point of Beginning.

PARCEL B

That portion of Lot 4, in the unincorporated areas of Fresno and Tulare Counties, State of California according to the following maps: Kingsburg Colony Lots (Fresno County), recorded May 21, 1889, in Book 4, Page 33 of Plats, in the office of the County Recorder of Fresno County; Kingsburg Colony Lots (Tulare County), recorded March 18, 1918 in Book 8, Page 33 of Plats, in the office of the County recorder of Fresno County; and Plat of Kingsburg Colony Lots (Tulare County), recorded June 7, 1889, in Book 5, Page 31 of Maps, in the County Recorder of Tulare County, lying South of a line that begins at a point in the East line of Section 26, Township 16 South, Range 22 East, Mount Diablo Base and Meridian, distant 660.40 feet Southerly of the Northeast corner of Section 26 and bears Westerly 662.25 feet, more or less, to terminate at a point in the West line of said Lot 4, distant 660.16 feet Southerly of the North line of said Section 26.

TOGETHER WITH, that portion of Lots 3 and 17 of Kingsburg Colony Lots (Fresno County), recorded May 21, 1889, in Book 4, Page 33 of Plats, in the office of the County Recorder of Fresno County; Kingsburg Colony Lots (Tulare County), recorded March 18, 1918 in Book 8, Page 33 of Plats, in the office of the

County recorder of Fresno County; and Plat of Kingsburg Colony Lots (Tulare County), recorded June 7, 1889, in Book 5, Page 31 of Maps, in the County Recorder of Tulare County of the Northeast quarter of Section 26, Township 16 South, Range 22 East, Mount Diablo Base and Meridian, in the Counties of Fresno and Tulare, State of California, described as follows;

Commencing at the Southeast corner of said Lot 3, said point also being the East quarter corner of said Section 26;

Thence North $00^{\circ}30'13''$ East, along the East line of said Lot 3, a distance of 180.00 feet to a line parallel with and 180.00 feet North of the South line of said Lot 3, and the TRUE POINT OF BEGINNING;

Thence North $89^{\circ}22'32''$ West, along said parallel line 339.00 feet, to a line parallel with and 339.00 feet West of the East line of said East line;

Thence North $00^{\circ}30'13''$ East, along said parallel line, 119.95 feet;

Thence South $89^{\circ}29'47''$ East, 2.50 feet, to a line parallel with and 336.50 feet West of the East line of said East line;

Thence North $00^{\circ}30'13''$ East, along said parallel line, 174.00 feet;

Thence South $89^{\circ}29'47''$ East, 2.00 feet, to a line parallel with and 334.50 feet West of the East line of said East line;

Thence North $00^{\circ}30'13''$ East, along said parallel line, 120.00 feet;

Thence South $89^{\circ}29'47''$ East, 38.00 feet, to a line parallel with and 296.50 feet West of the East line of said East line;

Thence North $00^{\circ}30'13''$ East, along said parallel line, 174.00 feet;

Thence North $89^{\circ}29'47''$ West, 535.53 feet;

Thence North $66^{\circ}44'40''$ West, 118.70 feet;

Thence North $89^{\circ}30'59''$ West, 76.86 feet;

Thence North $00^{\circ}29'01''$ East, 198.61 feet;

Thence southeasterly 21.06 feet, along a non-tangent curve, concave to the Southwest, with a radius of 300.00 feet, a central angle of $04^{\circ}01'19''$, and a beginning radial which bears North $13^{\circ}18'16''$ East;

Thence North $17^{\circ}19'35''$ East, 54.00 feet;

Thence North $00^{\circ}29'01''$ East, 80.19 feet;

Thence North $89^{\circ}30'59''$ West, 342.30 feet, to the West line of said Lot 17 of Kingsburg Colony Lots (Fresno County);

Thence North $00^{\circ}29'01''$ East, along said West line, 183.19 feet, to the Northwest corner of said Lot 17;

Thence South $89^{\circ}26'14''$ East, along the North line of said Lot 17, a distance of 1324.84 feet, to the Northeast corner of said Lot 17;

Thence South $00^{\circ}30'13''$ West, along the East line of said Lots 3 and 17, a distance of 1141.35 feet, to the TRUE POINT OF BEGINNING;

PARCEL C

A portion of Lots 3 and 17 of Kingsburg Colony Lots (Fresno County), recorded May 21, 1889, in Book 4, Page 33 of Plats, in the office of the County Recorder of Fresno County; Kingsburg Colony Lots (Tulare County), recorded March 18, 1918 in Book 8, Page 33 of Plats, in the office of the County recorder of Fresno County; and Plat of Kingsburg Colony Lots (Tulare County), recorded June 7, 1889, in Book 5,

Page 31 of Maps, in the County Recorder of Tulare County of the Northeast quarter of Section 26, Township 16 South, Range 22 East, Mount Diablo Base and Meridian, in the Counties of Fresno and Tulare, State of California, described as follows;

Commencing at the Southeast corner of said Lot 3, said point also being the East quarter corner of said Section 26;

Thence North 00°30'13" East, along the East line of said Lot 3, a distance of 180.00 feet to a line parallel with and 180.00 feet North of the South line of said Lot 3;

Thence North 89°22'32" West, along said parallel line 339.00 feet, to a line parallel with and 339.00 feet West of the East line of said East line, and the TRUE POINT OF BEGINNING;

Thence North 00°30'13" East, along said parallel line, 119.95 feet;

Thence South 89°29'47" East, 2.50 feet, to a line parallel with and 336.50 feet West of the East line of said East line;

Thence North 00°30'13" East, along said parallel line, 174.00 feet;

Thence South 89°29'47" East, 2.00 feet, to a line parallel with and 334.50 feet West of the East line of said East line;

Thence North 00°30'13" East, along said parallel line, 120.00 feet;

Thence South 89°29'47" East, 38.00 feet, to a line parallel with and 296.50 feet West of the East line of said East line;

Thence North 00°30'13" East, along said parallel line, 174.00 feet;

Thence North 89°29'47" West, 535.53 feet;

Thence North 66°44'40" West, 118.70 feet;

Thence North 89°30'59" West, 76.86 feet;

Thence North 00°29'01" East, 198.61 feet;

Thence southeasterly 21.06 feet, along a non-tangent curve, concave to the Southwest, with a radius of 300.00 feet, a central angle of 04°01'19", and a beginning radial which bears North 13°18'16" East;

Thence North 17°19'35" East, 54.00 feet;

Thence North 00°29'01" East, 80.19 feet;

Thence North 89°30'59" West, 342.30 feet, to the West line of said Lot 17 of Kingsburg Colony Lots (Fresno County);

Thence South 00°29'01" West, along the West line of said Lot 17 and Lot 3, a distance of 908.02 feet, to a line parallel with the South line of said Lot 3;

Thence South 89°22'32" East, along said parallel line 220.02 feet;

Thence South 44°22'32" East, 29.29 feet, to a line parallel with and 208.00 feet North of said South line;

Thence South 89°22'32" East, along said parallel line 140.27 feet;

Thence South 67°26'54" East, 74.98 feet, to a line parallel with and 180.00 feet North of said South line;

Thence South 89°22'32" East, along said parallel line 535.00 feet, to the TRUE POINT OF BEGINNING;



Ownership

County: FRESNO, CA
 Assessor: PAUL DICTOS, ASSESSOR
 Parcel # (APN): 396-020-23
 Parcel Status:
 Owner Name: PRESIDIO JJR SUMMERLIN 123 LLC
 Mailing Address: 5607 AVENIDA LOS ROBLES VISALIA CA 93291
 Legal Description: 2.60 AC PAR LOT 17 KINGSBURG COL BK 8 PG

Assessment

Total Value:	Use Code:	Use Type: NO VALUE
Land Value:	Tax Rate Area:	Zoning:
Impr Value:	Year Assd: 2019	Census Tract: 72.01/4
Other Value:	Property Tax:	Price/SqFt:
% Improved: 0%	Delinquent Yr:	
Exempt Amt:	HO Exempt:	

Sale History

	Sale 1	Sale 2	Sale 3	Transfer
Document Date:				10/21/2019
Document Number:				0125401
Document Type:				
Transfer Amount:				
Seller (Grantor):				

Property Characteristics

Bedrooms:	Fireplace:	Units:
Baths (Full):	A/C:	Stories:
Baths (Half):	Heating:	Quality:
Total Rooms:	Pool:	Building Class:
Bldg/Liv Area:	Park Type:	Condition:
Lot Acres:	Spaces:	Site Influence:
Lot SqFt:	Garage SqFt:	Timber Preserve:
Year Built:		Ag Preserve:
Effective Year:		



Meeting Date: 05/20/2020
Agenda Item: 4.4; 4.5; 4.6

CITY COUNCIL MEETING STAFF REPORT

REPORT TO: Mayor Roman & City Council

REPORT FROM: Alma Colado, Finance Director **REVIEWED BY:** AP

AGENDA ITEM: Initiating Proceedings for The Annual Levy and Collection of Assessments for Landscape Assessment District No. 93.01 for Fiscal Year 2020-21.

ACTION REQUESTED: ___Ordinance Resolution ___Motion ___Receive/File

EXECUTIVE SUMMARY

The City of Kingsburg currently levies and collects special assessments for Landscape Assessment District No. 93-01 to offset the cost of the maintenance, servicing, and operation of landscape and lighting improvements within public easements and right-of-ways, parks, open spaces and appurtenant facilities throughout the District. Each year the Council must approve the annual levy of assessments within the District to fund the coming fiscal year budget for the District.

The City has prepared resolutions initiating proceedings to levy and collect assessments to fund the cost of maintenance of landscape improvements within Landscape Assessment District No. 93-01. The attached resolution also sets a date of June 17, 2020 for the public hearing. At that time the Engineer's Report and resolution approving the levy will confirm the levy and authorize staff to place the assessments on the County tax rolls to be collected through the property tax bills.

RECOMMENDED ACTION BY CITY COUNCIL

1. Staff recommends that the City approve resolutions initiating proceedings for the annual levy and collection of assessments, preliminary approve the Engineer's Report and declaring the City's Intention to levy assessments within Landscape Assessment District No. 93-01 for Fiscal Year 2020-2021.

POLICY ALTERNATIVE(S)

1. None.

REASON FOR RECOMMENDATION/KEY METRIC

1. Ensure Financial Stability

FINANCIAL INFORMATION

FISCAL IMPACT:

1. Is There A Fiscal Impact?	<u>Yes</u>
2. Is it Currently Budgeted?	<u>Yes</u>
3. Budgeted, Which Line?	Fund 759

FINANCIAL SUMMARY

The amount of \$102,445.83 will provide funding for the City's Landscape maintenance assessment district, whereby each property owner, through property tax assessments, participates in the upkeep of common areas located within their housing subdivision.

These funds are used to help pay for the wages and benefits of city employees, contracted services, and lighting costs.

ATTACHED INFORMATION

- 1 Resolution 2020-029
- 2 Resolution 2020-030
- 3 Resolution 2020-031
- 4 Engineer's Report.

RESOLUTION NO. 2020-029

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KINGSBURG,
COUNTY OF FRESNO, STATE OF CALIFORNIA INITIATING PROCEEDINGS FOR
THE ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR THE CITY
ASSESSMENT DISTRICT NO. 93-01 FOR FISCAL YEAR 2020-21 PURSUANT TO THE
LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE
STREETS AND HIGHWAYS CODE AND AS PROVIDED BY ARTICLE XIII D OF
THE CALIFORNIA CONSTITUTION; AND ORDERING THE PREPARATION OF AN
ENGINEER'S REPORT IN CONNECTION THEREWITH**

THE CITY COUNCIL OF THE CITY OF KINGSBURG FINDS, DETERMINES,
ORDERS AND RESOLVES AS FOLLOWS:

Section 1. The City Council hereby proposes to levy and collect annual assessments for the City Assessment District No 93-01 (hereinafter referred to as the "District"), and to levy and collect assessments against the lots and parcels of land within such District to pay for the costs and expenses of the improvements described in Section 3 hereof for the fiscal year commencing July 1, 2020 and ending June 30, 2021, pursuant to the Landscaping and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code (the "Act") and as provided by Article XIII D of the California Constitution.

Section 2. The general location and boundaries of the District including the amendment to the boundaries is shown on maps on file in the office of the City Clerk, and is incorporated herein by reference, and open to public inspection. The designation of the existing District is as follows: "Kingsburg Assessment District No. 93-01". The District includes the following zones:

Pheasant Grove, Phases 1 and 2, Tracts 4210 and 4635
Goldcreek Estates, Tract 4659
Pheasant Grove, Phases 3 and 4, Tracts 4751 and 4769 (a.k.a. Kings Estates)
Kingsburg Country Estates, Phases 1 and 2, Tract 4900 and 5005
Sierra Ranch West, Phase 1, Tract 4950
Kingsburg Country Estates, Phase 3, Tract 5068
Sierra Ranch West, Phase 2, Tract 5089
Sierra Ranch, Unit No. 6, Tract 5151
Sierra Annexation, No. 9, Tract 5177
Annexation No. 10, Tract 5087
Annexation No. 11, Tract 5610
Annexation No. 12
Annexation No. 13
Annexation No. 14, Tract 6094

Section 3. The proposed improvements may be briefly described as follows: the operation, maintenance and servicing of turf, ground cover, shrubs, trees, irrigation, lighting systems, entry monuments, walls, drainage systems, park facilities, and associated appurtenances, located in

public places within the boundaries of the District. These improvements include all necessary service, operations, administration, and maintenance required to keep the above-mentioned improvements in a healthy, vigorous, and satisfactory condition.

Section 4. The City Council hereby designates Willdan Financial Services as the Engineer for the purposes of these proceedings and orders the Engineer to prepare and file with the City Clerk a written report in accordance with Article XIII D, Section 4 of the California Constitution and Article 4 (commencing with Section 22565) of Chapter 1 of the Act for that portion of the fiscal year 2020/2021 commencing July 1, 2020 and ending June 30, 2021. Such Report shall refer to the District by its distinctive designations.

Section 5. Lots or parcels within the District that are owned or used by any county, city, city and county, special district or any other local or regional governmental entity, the State of California or the United States shall be assessed unless the City demonstrates by clear and convincing evidence that such lots or parcels receive no special benefit from the proposed improvements.

I, Abigail Palsgaard, City Clerk of the City of Kingsburg, do hereby certify that the foregoing Resolution No. 2020-029 was duly passed and adopted at a regular meeting of Kingsburg City Council held on this 20th day of May 2020, by the following vote:

Ayes: Councilmembers
Noes: Councilmembers
Absent: Councilmembers
Abstain: Councilmembers

Abigail Palsgaard, City Clerk
City of Kingsburg

RESOLUTION NO. 2020-030

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF KINGSBURG, COUNTY OF FRESNO, STATE OF CALIFORNIA
PRELIMINARILY APPROVING THE REPORT OF THE ENGINEER IN
CONNECTION WITH THE ANNUAL LEVY OF AND COLLECTION OF
ASSESSMENTS FOR THE CITY ASSESSMENT DISTRICT NO. 93-01 FOR FISCAL
YEAR 2020/21, PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972,
PART 2 OF DIVISION 15 OF THE STREETS AND HIGHWAYS CODE AND AS
PROVIDED BY ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION**

THE CITY COUNCIL OF THE CITY OF KINGSBURG FINDS, DETERMINES,
ORDERS AND RESOLVES AS FOLLOWS:

Section 1. The City Council, pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code (the "Act") and as provided by Article XIII D of the California Constitution, by its previous Resolution No. 2020-029 initiated proceedings for the annual levy and collection of assessments of the City Assessment District No. 93-01 (hereinafter referred to as the "District") as described on maps of the District on file in the office of the City Clerk and incorporated herein by reference, and the levy and collection of assessments against the assessable lots and parcels of land within such District for the fiscal year commencing July 1, 2020 and ending June 30, 2021 and ordered the Engineer, Willdan Financial Services, to prepare and file a written report in accordance with Article XIII D, Section 4 of the California Constitution and Article 4 of Chapter 1 of the Act.

Section 2. The Engineer has prepared and filed with the City Clerk of the City of Kingsburg and the City Clerk has presented to the City Council such report entitled "City of Kingsburg, Assessment District No. 93-01, 2020/2021 Engineer's Annual Levy Report" (hereinafter referred to as the "Report") which pertains to the annual levy of assessments and the amendment to the boundaries of the District.

Section 3. The City Council has carefully examined and reviewed the Report, and the Report is hereby approved as filed.

I, Abigail Palsgaard, City Clerk of the City of Kingsburg, do hereby certify that the foregoing Resolution No. 2020-_____ was duly passed and adopted at a regular meeting of Kingsburg City Council held on this 20th day of May 2020, by the following vote:

Ayes: Councilmembers
Noes: Councilmembers
Absent: Councilmembers
Abstain: Councilmembers

Abigail Palsgaard, City Clerk

City of Kingsburg

RESOLUTION NO. 2020-031

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF KINGSBURG, COUNTY OF FRESNO, STATE OF CALIFORNIA
DECLARING ITS INTENTION TO ORDER THE ANNUAL LEVY AND COLLECTION
OF ASSESSMENT FOR THE CITY LANDSCAPE MAINTENANCE ASSESSMENT
DISTRICT NO. 93-01 FOR FISCAL YEAR 2020/2021 PURSUANT TO THE
LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE
STREETS AND HIGHWAYS CODE AND AS PROVIDED BY ARTICLE XIII D OF
THE CALIFORNIA CONSTITUTION, AND APPOINTING A TIME AND PLACE FOR
HEARING PROTESTS**

THE CITY COUNCIL OF THE CITY OF KINGSBURG FINDS, DETERMINES, ORDERS AND RESOLVES AS FOLLOWS:

Section 1. By its previous Resolution No. 2020-029, the City Council initiated proceedings pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code, commencing with Section 22500 (hereinafter referred to as the "Act") and as provided by Article XIII D of the California Constitution, for the levy and collection of annual assessments against the assessable lots and parcels of land within, and for consideration of an amendment to the boundaries of the existing City Assessment District No 93-01 (hereinafter referred to as the "District") described on maps on file in the office of the City Clerk and incorporated herein by reference, for fiscal year 2020/2021 and ordered the Engineer, Willdan Financial Services, to prepare and file a written report in accordance with Article XIII D, Section 4 of the California Constitution and Article 4 of Chapter 1 of the Act. The Engineer has prepared and filed a written report (the "Report") with the City Clerk, which pertains to the annual levy and collection of assessments and amendment to the boundaries of the District; and by previous resolution, the City Council approved the Engineer's Report.

Section 2. The City Council hereby (1) finds that the public interest and convenience requires; (2) declares its intention to order the annual levy and collection of assessments and to levy and collect assessments against the assessable lots and parcels of land within such District for that portion of the fiscal year commencing July 1, 2020 and ending June 30, 2021 to pay the costs and expenses of the improvements described in Section 3. For Kingsburg Country Estates Phase 3, Sierra Ranch West Phase 2, Sierra Ranch Unit No. 6, Sierra Annexation No. 9, Annexation No. 10, Annexation No. 11, Annexation No. 12, Annexation No. 13 and Annexation No. 14 the assessments proposed by this resolution were approved by the property owners pursuant to a mailed ballot election conducted in accordance with Article XIII D of the California Constitution. For these Zones the City Council in subsequent fiscal years may thereafter impose the assessment at any rate or amount that is less than or equal to the amount authorized for Base Fiscal Year for each Zone, increased each year based upon the Consumer Price Index, All Urban Consumers, for the San Francisco-Oakland-Hayward ("CPI"), as determined by the United States Department of Labor, or its successor without conducting another mailed ballot election. The Base Fiscal Year being 2004/2005 for Zones Kingsburg Country Estates Phase 3, Sierra Ranch West Phase 2, Sierra Ranch Unit No. 6, 2006/2007 for Sierra Annexation No. 9, 2007/2008 for Annexation No. 10 and Annexation No. 11, 2010/2011 for Annexation No. 12, 2015/2016 for Annexation No. 13 and

2016/2017 for Annexation No. 14. The Engineer shall compute the percentage of difference between the CPI for February of each year and the CPI for the previous February, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Engineer shall use the revised index or a comparable system as approved by the City Council for determining fluctuations in the cost of living; and the current CPI has been determined to be 2.91% calculated from the average of All Urban Consumers for San Francisco-Oakland-Hayward Area.

Section 3. The proposed improvements may be briefly described as follows: the operation, maintenance and servicing of turf, ground cover, shrubs, trees, irrigation, lighting systems, entry monuments, walls, drainage systems, park facilities, and associated appurtenances, located in public places within the boundaries of the District. These improvements include all necessary service, operations, administration, and maintenance required to keep the above-mentioned improvements in a healthy, vigorous, and satisfactory condition.

Section 4. The general location and boundaries of the District including the amendment to the boundaries is shown on maps on file in the office of the City Clerk, and is incorporated herein by reference, and open to public inspection. The designation of the existing District is as follows: "Assessment District No. 93-01." The District includes the following zones:

Pheasant Grove, Phases 1 and 2, Tracts 4210 and 4635
Goldcreek Estates, Tract 4659
Pheasant Grove, Phases 3 and 4, Tracts 4751 and 4769 (a.k.a. Kings Estates)
Kingsburg Country Estates, Phases 1 and 2, Tract 4900 and 5005
Sierra Ranch West, Phase 1, Tract 4950
Kingsburg Country Estates, Phase 3, Tract 5068
Sierra Ranch West, Phase 2, Tract 5089
Sierra Ranch, Unit No. 6, Tract 5151
Sierra Annexation, No. 9, Tract 5177
Annexation No. 10, Tract 5087
Annexation No. 11, Tract 5610
Annexation No. 12
Annexation No. 13
Annexation No. 14, Tract 6094

Section 5. Reference is hereby made to the Engineer's Annual Levy Report, on file in the office of the City Clerk and open to public inspection, for a full and detailed description of the improvements, the amended boundaries of the District and the proposed assessments upon assessable lots and parcels of land within the District.

Section 6. Notice is hereby given that Wednesday, the 17th day of June, 2020 at 7:00 p.m. in the Council Chambers of the City Hall of the City of Kingsburg, 1401 Draper Street, Kingsburg, California, is the time and place fixed for a public hearing by the City Council on the question of the levy and collection of assessments for fiscal year 2020/21 against lots and parcels of land within the District. At the hearing, all interested persons shall be afforded the opportunity to hear and be heard.

Section 7. The City Clerk is hereby authorized and directed to give notice of the public hearing by publishing this resolution not less than one time and not less than ten days prior to the above hearing date as set forth in Section 6 and in accordance with law.

Section 8. The City Council hereby designates Hays Darren telephone number (559) 897-5328, to answer inquiries regarding the hearing, protest proceedings, and procedural or technical matters.

Section 9. Lots or parcels within the District that are owned or used by any county, city, city and county, special district or any other local or regional governmental agency, the State of California or the United States shall be assessed unless the City demonstrates by clear and convincing evidence that such lots or parcels receive no special benefit from the proposed improvements.

I, Abigail Palsgaard, City Clerk of the City of Kingsburg, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of Kingsburg City Council held on the 20th day of May 2020, by the following vote:

Ayes:	Councilmembers:
Noes:	Councilmembers:
Absent:	Councilmembers:
Abstain:	Councilmembers:

Abigail Palsgaard, City Clerk
City of Kingsburg



City of Kingsburg Assessment District No. 93-01

2020/2021 ENGINEER'S ANNUAL LEVY REPORT

Intent Meeting: May 20, 2020
Public Hearing: June 17, 2020

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Suite 200
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I. OVERVIEW

A. INTRODUCTION

The City of Kingsburg (the “City”) annually levies and collects special assessments in order to maintain the improvements that provide a special benefit to properties within Assessment District 93-01 (the “District”). The District was formed by the adoption of Resolution 93-50, on September 15, 1993. The assessments within the District are levied annually for the District pursuant to the *Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code* (the “1972 Act”).

The Engineer’s Annual Levy Report (“Report”) describes the District, any annexations, or changes to the District, and the proposed assessments for Fiscal Year (“FY”) 2020/2021. The assessments are based on the historical and estimated cost to maintain the improvements that provide a special benefit to properties within the District and Zones, as described below in subsection D. The improvements within the District and the corresponding costs, including all expenditures, deficits, surpluses, revenues, and reserves, are budgeted and assessed for each Zone.

For the purposes of this Report, the word “parcel” refers to an individual property assigned its own Assessment Number by the Fresno County Assessor’s Office. The Fresno County Auditor/Controller uses Assessment Numbers and specific Fund Numbers to identify properties assessed for special district benefit assessments on the tax roll.

Following consideration of all public comments and written protests at a noticed public hearing and review of the Engineer’s Annual Levy Report, the City Council may order amendments to the Report or confirm as submitted. Following final approval of the Report and confirmation of the assessments, the Council may then order the levy and collection of assessments for FY 2020/2021 pursuant to the 1972 Act. In such case, the assessment information will be submitted to the County Auditor/Controller and included on the property tax roll for each parcel in FY 2020/2021.

B. PROVISIONS OF THE 1972 ACT (IMPROVEMENTS AND SERVICES)

The Method of Apportionment described for the District utilizes commonly accepted assessment-engineering practices and have been established pursuant to the 1972 Act and the provisions of the California Constitution. As generally defined, the improvements and the associated assessments for any district formed pursuant to the 1972 Act may include one or any combination of the following:

- 1) The installation or planting of landscaping.
- 2) The installation or construction of statuary, fountains, and other ornamental structures and facilities.
- 3) The installation or construction of public lighting facilities, including, but not limited to streetlights and traffic signals.
- 4) The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof; including but not limited to, grading, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
- 5) The installation of park or recreational improvements including, but not limited to the following:
 - i. Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
 - ii. Lights, playground equipment, play courts and public restrooms.
- 6) The maintenance or servicing, or both, of any of the foregoing including the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement, including, but not limited to:
 - i. Repair, removal, or replacement of all or any part of any improvements;
 - ii. Grading, clearing, removal of debris, the installation, repair or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities;
 - iii. Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury;
 - iv. The removal of trimmings, rubbish, debris, and other solid waste;
 - v. The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.
 - vi. Electric current or energy, gas, or other agent for the lighting or operation of any other improvements.
 - vii. Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.
- 7) The acquisition of land for park, recreational or open-space purposes, or the acquisition of any existing improvement otherwise authorized by the 1972 Act.

- 8) Incidental expenses associated with the improvements including, but not limited to:
 - i. The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
 - ii. The costs of printing, advertising, and the publishing, posting and mailing of notices;
 - iii. Compensation payable to the County for collection of assessments;
 - iv. Compensation of any engineer or attorney employed to render services;
 - v. Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements; and,
 - vi. Costs associated with any elections held for the approval of a new or increased assessment.

C. COMPLIANCE WITH THE CALIFORNIA CONSTITUTION

All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are in compliance with the provisions of the *California Constitution Article XIID* (“*Article XIID*”), which was added to the California Constitution with the passage of state-wide Proposition 218 in 1996.

The assessments contained in this report were imposed in accordance with voter approval pursuant to the establishment of the District and annexations. As such, the City has determined that the assessments are compliant with the substantive and procedural requirements of Article XIID of the California Constitution. The proposed assessments for the current fiscal year may be less than or equal to the maximum assessment rates previously approved and adopted for the District and annexations. Any proposed assessment that exceeds the adjusted maximum assessment rate is considered an increased assessment. Pursuant to the provisions of the California Constitution Article XIID, all new or increased assessments (the incremental increase) are subject to both the substantive and procedural requirements of Article XIID Section 4, including a property owner protest proceeding (property owner assessment balloting).

D. GENERAL DESCRIPTION OF THE DISTRICT AND SERVICES

The District provides for the maintenance, servicing and operation of landscape and lighting improvements within public easements and right-of-ways, parks, open spaces and appurtenant facilities throughout the District. The District consists of fourteen (14) district benefit zones (“Zones”).

Each Zone has specific improvements that provide a special benefit to the parcels within the Zone. In general, improvements within the District are open space areas; parkways; and slopes; neighborhood, passive, and community parks. The

improvements include: turf, ground cover, shrubs, trees, irrigation systems, lighting systems, entry monuments, walls, drainage systems, park facilities, and associated appurtenances. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous, and satisfactory condition.

All parcels identified as being within a Zone share in both the cost and the benefits of the improvements. The costs associated with the improvements, are equitably spread between all benefiting parcels within that Zone. Only parcels that receive benefit from the improvements are assessed, and each parcel is assessed in proportion to the estimated special benefit received.

Table I is a list of the District Zones within the District along with related tracts and the number of parcels:

**TABLE I:
DISTRICT ZONES**

<u>Zone Description</u>	<u>Tract(s)</u>	<u>Parcels*</u>
Pheasant Grove, Phases 1 and 2	4210 and 4635	88
Goldcreek Estates	4659	31
Pheasant Grove, Phases 3 and 4	4751 and 4769	79
Kingsburg Country Estates, Phases 1 and 2	4900 and 5005	64
Sierra Ranch West, Phase 1	4950	53
Kingsburg Country Estates, Phase 3	5068	30
Sierra Ranch, Phase 2	5089	61
Sierra Ranch, Unit No. 6	5151	50
Sierra Annexation, No. 9	5177	42
Annexation No. 10	5087	57
Annexation No. 11	5610	58
Annexation No. 12	N/A	5
Annexation No. 13	N/A	46
Annexation No. 14	6094	34
Total:		698

* The Parcels count for each Zone is the total parcels located in the Zone. The number of parcels levied may change. The parcel count will be updated upon receipt of the final secured roll from the County of Fresno.

E. BUDGET AND LEVY SUMMARY

Table II shows a comparison of the FY 2019/2020 District Budgets and the proposed FY 2020/2021 District Budgets for each Zone.

**TABLE II:
BUDGET AND LEVY SUMMARY
Fiscal Year 2019/2020**

Costs	PHEASANT GROVE 1 AND 2	GOLDCREEK ESTATES	PHEASANT GROVE 3 AND 4	KINGSBURG COUNTRY ESTATES 1 AND 2	SIERRA RANCH WEST 1	KINGSBURG COUNTRY ESTATES 3	SIERRA RANCH WEST 2	SIERRA RANCH UNIT 6	SIERRA ANNEX NO. 9	ANNEX NO. 10	ANNEX NO. 11	ANNEX NO. 12	ANNEX NO. 13	ANNEX NO. 14	TOTAL*
Total Maintenance Costs	\$3,766.40	\$1,735.07	\$4,080.35	\$3,492.48	\$3,115.87	\$2,410.23	\$5,280.18	\$4,530.11	\$17,528.23	\$5,944.61	\$7,356.32	\$4,246.44	\$4,283.74	\$999.41	\$68,769.45
Incidental Expenses for Administration and Overhead Allocation	2,166.56	763.53	1,945.77	1,576.32	1,305.39	1,087.17	2,212.06	2,040.95	7,897.11	2,677.33	3,314.29	3,134.64	1,370.58	70.91	31,562.62
Total Balance to Levy	\$5,932.96	\$2,498.60	\$6,026.12	\$5,068.80	\$4,421.26	\$3,497.40	\$7,492.24	\$6,571.06	\$25,425.35	\$8,621.94	\$10,670.61	\$7,381.08	\$5,654.17	\$1,070.32	\$100,332.07
Number of Equivalent Dwelling Units (EDUs)	88.00	31.00	79.00	64.00	53.00	30.00	61.00	53.50	204.32	57.00	58.00	114.72	46.00	34.00	973.54
Levy Rate per EDU	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$116.58	\$122.82	\$122.82	\$124.44	\$151.26	\$183.98	\$64.34	\$122.92	\$31.48	
Max Rate per EDU	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$116.59	\$122.83	\$122.83	\$124.44	\$151.27	\$183.98	\$64.34	\$122.93	\$31.49	

*Totals may not foot due to county's even cent levy requirement.

Fiscal Year 2020/2021

Costs	PHEASANT GROVE 1 AND 2	GOLDCREEK ESTATES	PHEASANT GROVE 3 AND 4	KINGSBURG COUNTRY ESTATES 1 AND 2	SIERRA RANCH WEST 1	KINGSBURG COUNTRY ESTATES 3	SIERRA RANCH WEST 2	SIERRA RANCH UNIT 6	SIERRA ANNEX NO. 9	ANNEX NO. 10	ANNEX NO. 11	ANNEX NO. 12	ANNEX NO. 13	ANNEX NO. 14	TOTAL*
Total Maintenance Costs	\$3,766.40	\$1,735.07	\$4,080.35	\$3,492.48	\$3,115.87	\$2,480.13	\$5,432.88	\$4,661.28	\$18,035.94	\$6,116.66	\$7,569.04	\$4,369.36	\$4,407.86	\$1,028.38	\$70,291.68
Incidental Expenses for Administration and Overhead Allocation	2,166.56	763.53	1,945.77	1,576.32	1,305.39	1,118.70	2,276.03	2,100.05	8,061.17	2,754.82	3,410.13	3,192.86	1,410.29	72.53	32,154.15
Total Balance to Levy	\$5,932.96	\$2,498.60	\$6,026.12	\$5,068.80	\$4,421.26	\$3,598.82	\$7,708.90	\$6,761.33	\$26,097.11	\$8,871.48	\$10,979.17	\$7,562.22	\$5,818.15	\$1,100.91	\$102,445.83
Number of Equivalent Dwelling Units (EDUs)	88.00	31.00	79.00	64.00	53.00	30.00	61.00	53.50	203.82	57.00	58.00	114.24	46.00	34.00	972.56
Levy per EDU	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$119.96	\$126.38	\$126.38	\$128.04	\$155.64	\$189.30	\$66.20	\$126.48	\$32.38	
Max Rate Per EDU	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$119.97	\$126.39	\$126.39	\$128.04	\$155.65	\$189.31	\$66.20	\$126.49	\$32.39	

*Totals may not foot due to county's even cent levy requirement.

II. DESCRIPTION OF THE DISTRICT

A. GENERAL IMPROVEMENTS AND SERVICES WITHIN THE DISTRICT

Landscape and lighting improvements provided in the District includes turf, ground cover, shrubs, trees, irrigation, lighting systems, entry monuments, walls, drainage systems, park facilities, and associated appurtenances. These improvements include all necessary service, operations, administration, and maintenance required to keep the above-mentioned improvements in a healthy, vigorous, and satisfactory condition.

The costs associated with all improvements in each Zone, are collected through annual assessments for each parcel receiving benefit. The funds collected for each Zone are dispersed and used for only the services and operations provided to that Zone. The special benefits associated with the landscaping improvements and facilities have specifically:

- Enhanced desirability of properties through association with the improvements.
- Improved aesthetic appeal of properties within the District providing a positive representation of the area.
- Environmental enhancement through improved erosion resistance, and dust and debris control.
- An enhanced sense of pride in ownership of property within the District and increased business opportunities resulting from well-maintained improvements associated with the properties.
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
- Enhanced environmental quality of the parcels within the District by moderating temperatures, providing oxygenation and attenuating noise.

B. DISTRICT ZONES AND SPECIFIC AREAS OF IMPROVEMENT

Pheasant Grove, Phases 1 and 2 – Zone consists of residential tract numbers 4210 and 4635. Improvements include maintenance of turf area, trees, landscape and irrigation system, and wall along Rafer Johnson Drive adjacent to and fronting the Pheasant Grove Subdivisions.

Goldcreek Estates – Zone consists of residential tract number 4659. Improvements include maintenance of turf area, trees, shrubs, landscape and irrigation system, and fence surrounding the temporary ponding basin and park area located along 10th Avenue south of Silverbrooke Street within said subdivision.

Pheasant Grove, Phases 3 and 4 – Zone consists of residential tract numbers 4751 and 4769. Improvements include maintenance of shrubs, trees, landscape and irrigation system, and wall along Sierra Street fronting Phase 4 of the Pheasant Grove subdivision, and maintenance of the special concrete crosswalks at intersections within the boundaries of the subdivision.

Kingsburg Country Estates, Phases 1 and 2 – Zone consists of residential tract numbers 4900 and 5005. Improvements include maintenance of turf area, trees, landscape and irrigation system, and wall along Rafer Johnson Drive adjacent to and fronting the Kingsburg Country Estates Subdivision.

Sierra Ranch West, Phase 1 – Zone consists of residential tract 4950. Improvements include maintenance of landscape and irrigation improvements and decorative masonry wall along Sierra Street and Bethel Avenue, adjacent to and fronting the subdivision.

Kingsburg Country Estates, Phase 3 – Zone consists of residential tract number 5068. Improvements include maintenance of turf area, trees, landscape and irrigation system, and wall along Magnolia Avenue and Rafer Johnson Drive adjacent to and fronting the subdivision.

Sierra Ranch West, Phase 2 – Zone consists of residential tract 5089. Improvements include maintenance of turf area, trees, landscape and irrigation system, and wall along Bethel Avenue adjacent to and fronting the subdivision.

Sierra Ranch, Unit No. 6 – Zone consists of residential tract 5151. This tract includes forty-four (44) single family and seven (7) multifamily parcels (lots 2, 3, 21, 22, 40, 41, and 42). Improvements include maintenance of turf area, trees, landscape and irrigation system, and wall along Kern Street (formerly Magnolia Avenue) and South Bethel Avenue adjacent to and fronting the subdivision.

Sierra Annexation, No. 9 – Zone consists of commercial tract 5177. Improvements include maintenance of turf area, trees, landscape and irrigations systems, along W. Sierra Street fronting the development.

Annexation No. 10 – Zone consists of residential tract 5087. Improvements include maintenance of turf area, trees, landscape and irrigation system, and wall along 18th Avenue and the landscaping and maintenance of a drainage basin along 14th Avenue in the northwest corner of the development.

Annexation No. 11 – Zone consists of residential tract 5610. Improvements include maintenance of turf area, trees, landscape and irrigation system within a multi-purpose trail along Azalea Street, and the landscaping and maintenance of a drainage basin along 23rd Avenue in the northwest corner of the development.

Annexation No. 12 – Zone consists of a commercial development consisting of two parcels located on 19.12 acres. Improvements include maintenance of turf area, trees, landscape and irrigation systems, along Simpson Street fronting the development and landscape and irrigation systems surrounding a drainage basin along Highway 99 to the south of the development.

Annexation No. 13 – Zone consists of a residential subdivision consisting of 46 lots on over 11 acres. Improvements include maintenance of turf area, trees, landscape and irrigation system, along East Kamm Avenue and South Academy Avenue fronting the development, as well as entryway landscaping into the development on South Academy Avenue.

Annexation No. 14 – Zone consists of residential tract 6094 subdivision consisting of 34 lots on over 9.75 acres. Improvements include maintenance and provision of street lighting within and surrounding the Annexation area consisting of 8 street lights. The APN's within the District consist of the land within and associated with the development located on the Southeast corner of Howard Street and 14th Avenue.

III. CHANGES TO THE DISTRICT

A. ANNEXATIONS TO THE DISTRICT

The annexation of Annexation No. 10 and Annexation No. 11 was approved by the property owners on June 20, 2007. FY 2007/2008 was the first year these Zones were assessed. The annexation of Annexation No. 12 was approved by the property owners on August 4, 2010. FY 2010/2011 was the first year this Zone was assessed. Annexation No. 13 was approved by property owners on December 3, 2014. FY 2015/2016 was the first year this Zone was assessed. Annexation No. 14 was approved by property owners on August 3, 2016. FY 2016/2017 was the first year this Zone was assessed. There are no planned annexations for FY 2020/2021.

B. DISTRICT RATE CHANGES

The rate per EDU for Pheasant Grove Phases 1 and 2, Goldcreek Estates, Pheasant Grove Phases 3 and 4, Kingsburg Country Estates Phases 1 and 2 and Sierra Ranch West Phase 1, will remain the same as the previous fiscal year. For Kingsburg Country Estates 3, Sierra Ranch Phase West 2, Sierra Ranch Unit No. 6, and Sierra Annexations No's. 9 through 14, the maximum assessment amount allowed for each fiscal year shall be increased in an amount equal to the annual percentage increase of the Local Consumer Price Index ("CPI") for "All Urban Consumers" for the San Francisco-Oakland-Hayward California.

Each fiscal year the administrator for the District shall identify the percentage difference between the CPI for February and the CPI for the previous February. This percentage difference shall then establish the range of increased assessments allowed based on CPI. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living.

IV. METHOD OF APPORTIONMENT

A. BACKGROUND

The Landscaping and Lighting Act of 1972 provides that assessments may be apportioned upon all assessable lots or parcels of land within a district or annexation in proportion to the estimated benefits to be received by each lot or parcel from the improvements. In addition, Article XIID of the California Constitution (Proposition 218) requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. The Proposition provides that only special benefits are assessable, and the City must separate the general benefits from the special benefits conferred on a parcel. A special benefit is different from a general benefit in that it is a particular and distinct benefit over and above general benefits. General benefits are conferred on the public at large, including real property within the district. The general enhancement of property value does not constitute a special benefit.

B. SPECIAL BENEFIT

Each and every parcel within the District receives a particular and distinct benefit from the improvements over and above general benefits conferred by the improvements.

The proper maintenance of landscaping and appurtenant facilities specially benefit parcels within the District by moderating temperatures, providing oxygenation, attenuating noise from adjacent streets, and controlling dust for those properties in close proximity to the landscaping, thereby enhancing the environmental quality of the parcels and making them more desirable. Properly maintained landscaping also deters the erosion of slopes and thereby minimizes the risk of instability and the potential destruction of property within the District. The spraying and treating of landscaping for disease reduces the likelihood of insect infestation and other diseases spreading to landscaping located throughout the properties within the District. The proper maintenance of the landscaping, ornamental structures, and appurtenant facilities reduces property-related crimes (especially vandalism) against properties in the District through the abatement of graffiti and the screening of properties within the District from arterial streets. Finally, the proper maintenance of landscaping and ornamental structures improves the attractiveness of the properties within the District and provides a positive visual experience each and every time a trip is made to or from the property. All of the above-mentioned contributes to a specific enhancement of the property values of each of the parcels within the District.

C. GENERAL BENEFIT

In addition to the special benefits received by the parcels within the District, there are incidental general benefits conferred by the proposed improvements.

The proper maintenance of landscaping and appurtenant facilities within the District will not only control dust from blowing onto properties within the District, but will also control dust from blowing onto properties outside of the District. Also, the control of slope erosion will not only protect properties within the District, but will also reduce runoff into the City's storm drain system. The proper maintenance of drainage basin and similar landscaped areas not only facilitates proper drainage of properties within the District, but also reduces the potential for flooding damage to properties on the downward slope from the District. The spraying and treating of landscaping within the District for disease reduces the likelihood of insect infestation and other diseases spreading to landscaping located throughout other properties within the City. Finally, the proper maintenance of landscaping and ornamental structures provides a positive visual experience to persons passing by the District. All of the above-mentioned constitutes incidental general benefits conferred by the improvements.

The total benefits are thus a combination of the special benefits to the parcels within the District and the general benefits to the public at large and to adjacent property owners. The portion of the total landscape maintenance costs which are associated with general benefits will not be assessed to the parcels in the District, but will be paid from other City Funds.

Because the landscaping is located immediately adjacent to properties within the District, and is maintained solely for the benefit of the properties within the District, any benefit received by properties outside of the District is merely incidental. It is estimated that the general benefit portion of the benefit received from the improvements for any District is less than one (1) percent of the total benefit. Nonetheless, the City has agreed to contribute a percentage of the total cost of the improvements for the District to ensure that no property is assessed in excess of the reasonable cost of the proportional special benefit conferred on that property.

D. APPORTIONMENT

Pursuant to the 1972 Act, the costs of the maintenance of the improvements may be apportioned by any formula or method that fairly distributes the net amount to be assessed among all assessable dwelling units in proportion to the estimated benefits to be received by each parcel from the improvements. The benefit formula used within the District may vary. The formula used for the District reflects the composition of the parcels, and the

improvements and services provided, to accurately proportion the costs based on estimated special benefit to each parcel.

Each parcel within the District is assigned a weighting factor known as an Equivalent Dwelling Unit (“EDU”).

Single-family residential (“SFR”) units consist of one unit per parcel, and receive the same special benefit from the improvements due to their similarity in size and use and their similar proximity to the improvements. Therefore, each parcel or dwelling unit is assessed an equal amount or one (1) EDU per parcel.

The multi-family residential units consist of three units per parcel and are specifically located on seven parcels within the Sierra Ranch, Unit No. 6 District zone. These parcels also receive the same benefit from the improvements. However, the multi-family parcels are of a larger size, approximately 1.5 times that of a single-family parcel. Therefore, the multi-family parcel is equal to 1.5 times the single-family parcel and is assessed based on (1.5) EDUs per parcel.

All the commercial parcels are currently located in the District zone of Sierra Annexation No. 9 and receive the same special benefit from the improvements due to their similarity in size and use and their similar proximity to the improvements. Each acre is equivalent in size to six residential parcels. Therefore, each parcel is assessed based on six (6) EDUs per acre.

The following formula is used to arrive at a levy amount for parcels in each Zone:

Property Type	EDU Value
Single Family Residential (SFR)	1.00
Multi-Family Residential	1.50
Commercial, Developed (per acre)	6.00

The Total EDUs in a Zone is the sum of all parcel’s individual EDUs that receive benefit from the improvements in that Zone.

$$\text{Total Balance to Levy in a Zone} / \text{Total EDU's in a Zone} = \text{Levy per EDU in a Zone}$$

$$\text{Parcel's EDUs} \times \text{Levy per EDU's} = \text{Parcel's Levy Amount}$$

V. ZONE BUDGETS AND HISTORICAL RATES

A. DESCRIPTION OF BUDGET ITEMS

The Act provides that the estimated costs of the improvements shall include the total cost of the improvements for the entire Fiscal Year 2020/2021, including incidentals, which may include reserves to operate the Zones.

The following describes the costs that are funded through the District shown in the Zone Budgets.

Electricity - Utility costs for electricity required to run irrigation systems and ornamental lighting for landscaped areas.

Water - Utility costs for water required to irrigate landscaped areas.

Maintenance - Includes all contracted labor, material and equipment required to properly maintain the improvements within the Zone. All improvements within the Zone are maintained and serviced on a regular basis. The frequency and specific maintenance operations required within the Zone are determined by City staff, but are generally scheduled weekly.

Fertilizer - Costs for annual fertilizing of landscaped areas.

Graffiti Removal - This item includes repairs that are generally unforeseen and may not be included in the yearly maintenance contract costs. This includes repair of damaged improvements due to vandalism.

Concrete and Sprinkler Repairs - These items include repairs that are generally unforeseen and may not be included in the yearly maintenance contract costs. This may include repair of damaged amenities due to vandalism, storms, earthquakes, etc. Also included may be planned upgrades that provide a direct benefit to the Zone.

Incidental Expenses for Administration and Overhead Allocation - The cost to all particular departments and staff of the City, for providing the coordination of Zone services and operations, response to public concerns and education, as well as procedures associated with the levy and collection of assessments. This item also includes the costs of contracting with professionals to provide any additional administrative, legal or engineering services specific to the Zone including any required notices, mailings or property owner protest ballot proceedings.

Total Balance to Levy - This is the total amount to be levied to the parcels within the Zone. The Balance to Levy represents the total maintenance and

administration costs. This dollar amount represents the funds that are to be collected for the Fiscal Year from the property owners.

Total Equivalent Dwelling Units The Equivalent Dwelling Unit (EDUs) is a numeric value calculated for each parcel based on the parcel's land use and size as compared to a single family residence. The EDUs shown in the Zone budgets represents the sum of all parcel EDUs that receive benefit from the improvements in each Zone.

Levy per EDU - The amount levied for each EDU. For a more detailed explanation please refer to Section IV. Method of Apportionment.

Max Rate per EDU - The maximum rate per EDU is the maximum assessment that the Council can levy per EDU based on the approved assessment range formula for the Zone. The maximum amounts are typically rounded down and levied at the nearest even penny for the purpose of the County.

Historical Max Rate History - This table shows the history of the max tax by Zone over the prior ten years of the District.

B. ZONE BUDGETS

Table III is the budget of the District Zones for Fiscal Year 2020/2021:

**TABLE III:
ZONE BUDGETS
FY 2020/2021**

ZONE	Pheasant Grove, 1 and 2	Goldcreek Estates	Pheasant Grove, 3 and 4	Kingsburg Country Estates 1 and 2	Sierra Ranch West 1	Kingsburg Country Estates 3	Sierra Ranch West 2	Sierra Ranch Unit 6	Sierra Annex No. 9	Annex No. 10	Annex No. 11	Annex No. 12	Annex No. 13	Annex No. 14	Total ^{1,2}
Maintenance Costs															
Electricity	\$72.00	\$72.00	\$72.00	\$72.00	\$72.00	\$109.08	\$109.08	\$205.00	\$792.72	\$269.23	\$333.72	\$92.68	\$117.55	\$982.56	
Water	516.00	516.00	357.60	516.00	471.60	714.46	714.46	1,342.79	5,195.81	1,761.24	2,179.01	701.75	822.93	0.00	
Maintenance	2,328.40	797.07	2,100.75	1,754.48	1,422.27	861.26	2,867.15	1,618.68	6,263.25	2,124.42	2,629.11	1,721.33	2,351.22	0.00	
Fertilizer	200.00	200.00	200.00	200.00	200.00	302.99	302.98	569.46	2,202.80	747.40	925.45	264.79	235.12	0.00	
Graffiti Removal	350.00	0.00	350.00	350.00	350.00	265.12	530.23	498.27	1,928.09	653.45	809.07	397.20	410.83	45.81	
Sprinkler Repair	300.00	150.00	500.00	300.00	300.00	227.22	454.49	427.09	1,653.28	560.90	692.68	1,191.61	352.68	0.00	
Concrete Repair	0.00	0.00	500.00	300.00	300.00	0.00	454.49	0.00	0.00	0.00	0.00	0.00	117.53	0.00	
Subtotal ¹	\$3,766.40	\$1,735.07	\$4,080.35	\$3,492.48	\$3,115.87	\$2,480.13	\$5,432.88	\$4,661.28	\$18,035.94	\$6,116.66	\$7,569.04	\$4,369.36	\$4,407.86	\$1,028.38	\$70,291.68
Incidental Expenses for Administration and															
Overhead Allocation	2,166.56	763.53	1,945.77	1,576.32	1,305.39	1,118.70	2,276.03	2,100.05	8,061.17	2,754.82	3,410.13	3,192.86	1,410.29	72.53	32,154.15
Total Balance to Levy* ¹	\$5,932.96	\$2,498.60	\$6,026.12	\$5,068.80	\$4,421.26	\$3,598.82	\$7,708.90	\$6,761.33	\$26,097.11	\$8,871.48	\$10,979.17	\$7,562.22	\$5,818.15	\$1,100.91	\$102,445.83
STATISTICS															
Total Equivalent															
Dwelling Units (EDUs)	88.00	31.00	79.00	64.00	53.00	30.00	61.00	53.50	203.82	57.00	58.00	114.24	46.00	34.00	972.56
Levy per EDU	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$119.96	\$126.38	\$126.38	\$128.04	\$155.64	\$189.30	\$66.20	\$126.48	\$32.38	
Max Rate per EDU	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$119.97	\$126.39	\$126.39	\$128.04	\$155.65	\$189.31	\$66.20	\$126.49	\$32.39	

¹ Totals may not foot due to rounding.

² Zone Budget totals have been reduced by any General Benefit.

C. ASSESSMENT RATE HISTORICAL INFORMATION

Table IV portrays historical rate information for the District Zones since Fiscal Year 1993/1994 through Fiscal Year 2020/2021 proposed charge.

**Table IV
Assessment Rate Historical Information**

ZONE	Pheasant Grove, 1 and 2	Goldcreek Estates	Pheasant Grove, 3 and 4	Kingsburg Country Estates 1 and 2	Sierra Ranch West 1	Kingsburg Country Estates 3	Sierra Ranch West 2	Sierra Ranch, Unit 6	Sierra Annex No. 9	Annex No. 10	Annex No. 11	Annex No. 12	Annex No. 13	Annex No. 14
HISTORICAL INFORMATION														
2020/21	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$119.96	\$126.38	\$126.38	\$128.04	\$155.64	\$189.30	\$66.20	\$126.48	\$32.38
2019/20	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$116.58	\$122.82	\$122.82	\$124.44	\$151.26	\$183.98	\$64.34	\$122.92	\$31.48
2018/19	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$112.62	\$118.65	\$118.65	\$120.20	\$146.12	\$177.71	\$62.15	\$118.74	\$30.42
2017/18	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$108.75	\$114.57	\$114.57	\$116.07	\$141.10	\$171.60	\$60.02	\$114.66	\$29.38
2016/17	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$105.14	\$110.76	\$110.76	\$112.21	\$136.41	\$165.90	\$58.03	\$110.85	\$28.41
2015/16	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$102.07	\$107.52	\$107.52	\$108.93	\$132.42	\$161.05	\$56.34	\$107.61	N/A
2014/15	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$99.55	\$104.87	\$104.87	\$106.24	\$129.15	\$157.08	\$54.95	N/A	N/A
2013/14	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$97.18	\$102.37	\$102.37	\$103.71	\$126.07	\$153.33	\$53.64	N/A	N/A
2012/13	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$94.86	\$99.93	\$99.93	\$101.24	\$123.06	\$149.67	\$52.36	N/A	N/A
2011/12	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$92.10	\$97.02	\$97.02	\$98.30	\$119.48	\$145.32	\$50.84	N/A	N/A
2010/11	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$90.57	\$95.41	\$95.41	\$96.67	\$117.49	\$142.90	\$50.00	N/A	N/A
2009/10	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$88.98	\$93.73	\$93.73	\$94.97	\$115.42	\$140.39	N/A	N/A	N/A
2008/09	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$87.96	\$92.66	\$92.66	\$93.88	\$114.10	\$138.78	N/A	N/A	N/A
2007/08	\$67.42	\$80.60	\$76.28	\$79.20	\$83.42	\$85.57	\$90.15	\$90.15	\$91.33	\$111.00	\$135.00	N/A	N/A	N/A
2006/07	\$67.43	\$80.60	\$76.28	\$79.20	\$83.42	\$82.92	\$87.35	\$87.35	\$88.49	N/A	N/A	N/A	N/A	N/A
2005/06	\$67.43	\$80.60	\$76.28	\$79.20	\$83.42	\$80.59	\$84.89	\$84.89	N/A	N/A	N/A	N/A	N/A	N/A
2004/05	\$67.43	\$80.60	\$76.28	\$79.20	\$83.42	\$79.34	\$83.58	\$83.58	N/A	N/A	N/A	N/A	N/A	N/A
2003/04	\$67.43	\$80.60	\$76.28	\$79.20	\$83.42	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2002/03	\$67.43	\$80.60	\$76.28	\$79.20	\$83.42	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2001/02	\$67.43	\$80.60	\$76.28	\$79.20	\$83.42	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2000/01	\$67.43	\$80.60	\$76.28	\$79.20	\$83.42	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1999/00	\$67.43	\$80.60	\$76.28	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1998/99	\$67.43	\$80.60	\$76.28	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1997/98	\$67.43	\$80.60	\$76.28	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1996/97	\$67.43	\$80.60	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1995/96	\$67.43	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1994/95	\$67.43	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
1993/94	\$67.43	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Appendix A — DISTRICT BOUNDARY MAPS

The Boundary Maps for the District, reflecting the various non-contiguous residential tracts within the City that represent the District Zones, have previously been submitted to the Clerk of the City in the format required under the 1972 Act and by reference are made part of this Report. The Boundary Maps are available for inspection at the office of the City Clerk during normal business hours.

Appendix B — 2020/2021 ASSESSMENT ROLL

Parcel identification, for each lot or parcel within the District, shall be the parcel as shown on the Fresno County Assessor Parcel Maps and/or the Fresno County Secured Tax Roll for the year in which this Report is prepared.

Non-assessable lots or parcels may include government owned land, public utility owned property, land principally encumbered with public right-of-ways or easements and dedicated common areas. These parcels will not be assessed.

Upon approval of the Engineer's Annual Levy Report and confirmation of the assessments, the assessment information will be submitted to the County Auditor/Controller, and included on the property tax roll in Fiscal Year 2020/2021. If the parcels or assessment numbers within the District and referenced in this Report are re-numbered, re-apportioned or changed by the County Assessor's Office after approval of the Report, the new parcel or assessment numbers with the appropriate assessment amount will be submitted to the County Auditor/Controller. If the parcel change made by the County includes a parcel split, parcel merger or tax status change, the assessment amount submitted on the new parcels or assessment numbers will be based on the method of apportionment and levy amount approved in this Report by the City Council.



Meeting Date: 05/20/2020
Agenda Item: 4.7

CITY COUNCIL MEETING STAFF REPORT

REPORT TO: Mayor Roman & City Council

REPORT FROM: Alexander J. Henderson, City Manager; ICMA-CM **REVIEWED BY:** AP

AGENDA ITEM: Alley Vacation Agreement

ACTION REQUESTED: Ordinance Resolution Motion Receive/File

EXECUTIVE SUMMARY

As part of the development of Tract Map 4555, Nelson Estates II, an alley was dedicated and developed along the Howard Street alignment between 18th and 19th Avenues as shown in Exhibit 'B'. Staff proposes to vacate this alley because it no longer serves a necessary circulation function given the new housing development to the north (Tract 6122). The property owner of that parcel to which the alley right-of-way will revert to has agreed to accept the summary vacation and maintain the improvements in place. An agreement between the City and the property owner has been drafted to ensure the alley improvements remain and are maintained by the property owner and that signage and barriers are installed to eliminate public access. There are no utilities in this portion of alley and our contracted waste hauler has already indicated they will no longer utilize this portion of alley due to the new housing.

Attached is a proposed agreement that will outline the property owner's responsibility in exchange for the vacation of property:

1. Property owner will indemnify the city.
2. Property owner will assume all improvements within the vacated alley way and agrees to maintain proper drainage.
3. Property owner will install fencing, gates and signage. All will be approved by the city's engineer prior to installation.
4. Property owner will reimburse city actual staff costs for preparing documents and reviewing improvements for an amount not to exceed \$2,000.

RECOMMENDED ACTION BY CITY COUNCIL

1. *Approve alley vacation agreement as drafted by the city's legal counsel.*

POLICY ALTERNATIVE(S)

1. Council could choose to not approve the vacation of property.

STRATEGIC INITIATIVE

1. Ensure Financial Stability
2. Promote Sustainable Development

FINANCIAL INFORMATION

FISCAL IMPACT:

- | | |
|------------------------------|------------|
| 1. Is There A Fiscal Impact? | <u>No</u> |
| 2. Is it Currently Budgeted? | <u>N/A</u> |
| 3. If Budgeted, Which Line? | <u>N/A</u> |

PRIOR ACTION/REVIEW

None.

BACKGROUND INFORMATION

See Executive Summary.

ATTACHED INFORMATION

1. Alley Vacation Agreement
2. Exhibit B - Location of Alley
3. Photo of Alley

RECORDING REQUESTED BY:

CITY OF KINGSBURG

WHEN RECORDED MAIL TO:

CITY OF KINGSBURG

**Attn: City Clerk
1401 Draper Street
Kingsburg, CA 93631**

[Space Above This Line for Recorder's Use]

ALLEY VACATION AGREEMENT

This ALLEY VACATION AGREEMENT ("**Agreement**") is made and entered into this day of _____, 2020, by the City of Kingsburg ("**City**") and _____, ("**Property Owner**") whose address is _____, (City and Property Owner are referred to collectively as the "**Parties**" and individually as a "**Party**").

RECITALS

A. Property Owner owns that certain real property commonly known as 19th Avenue, Kingsburg, California, APN: 394-351-12 and more particularly described in Exhibit "A" which is attached hereto and made a part thereof ("**Property Owner's Parcel**"). City possesses a right-of-way for alley purposes ("**Alley Way**") adjacent to no other property line of the Property Owner's Parcel.

B. The Property Owner has requested that a portion of the Alley Way shown on Exhibit "B" ("**Vacated Alley Way**") between 19th Avenue and the 18th/19th Avenue alley be vacated. The Vacated Alley Way is no longer needed by the City for public purposes.

C. The City has determined that it is beneficial to vacate the Vacated Alley Way which will become part of the Property Owner's Parcel.

D. Property Owner agrees to receive and accept the Vacated Alley Way in accordance with the provisions of this Agreement.

AGREEMENT

NOW, THEREFORE, FOR GOOD AND VALUABLE CONSIDERATION, the receipt and adequacy of which are acknowledged, Property Owner and City agree as follows:

1. Vacated Alley Way. Subject to City Council approval of this Agreement, City agrees to vacate the Vacated Alley Way as shown in Exhibit “B” which is attached hereto and made a part thereof. As a result of such vacation, the Vacated Alley Way shall revert to and become a part of the Property Owner’s Parcel.

2. Indemnification. Property Owner shall indemnify, hold harmless and defend City and its officials, officers and employees for, from and against any and all claims, damages, expenses (including, without limitation, attorneys’ fees and reasonable investigative and discovery costs), liabilities and judgments on account of any act or omission to act of Property Owner or any employee, invitee, representative or contractor of Property Owner, including, without limitation, any act or omission to act which causes injury to persons, loss of life, or damage to property occurring in or on the Vacated Alley Way or the breach by Property Owner of any of its obligations under this Agreement.

3. Alley Maintenance. The Property Owner shall maintain all improvements within the Vacated Alley Way, including, without limitation, the valley gutter and asphalt pavement, in good condition and repair and including regular sweeping and pavement maintenance. Drainage patterns of the Vacated Alley Way including the ability to convey off-site drainage shall not be modified by Property Owner.

4. Gates, Fencing, and Signage. Within sixty (60) days after the date the Kingsburg City Council approves this Agreement, the Property Owner shall install fencing and gates and provide signage stating the Vacated Alley Way shall not be utilized as a public access. All improvements shall comply with City Standards and be approved by the City Engineer before installation. Property Owner shall maintain the fencing, gates and signage in good condition and repair.

5. Binding on Successors and Assigns. The terms and conditions of this Agreement shall be binding upon and incur to the benefit of the Parties and their successors and assigns. This Agreement shall remain valid and transfer with title to the Property Owner’s Parcel and any subsequent owner of the Property Owner’s Parcel shall perform all of the Property Owner’s obligations and responsibilities under this Agreement in accordance with the provisions of this Agreement.

6. Governing Law. This Agreement will be construed and enforced under the laws of the State of California.

7. Entire Agreement. This Agreement constitutes the entire agreement between the Parties pertaining to the subject matter of this Agreement. All prior and contemporaneous agreements, representations and understandings of the Parties, oral or written, are superseded by and merged in this Agreement. No supplement, modification or amendment of this Agreement will be binding unless in writing and executed by each Party and recorded in the records of the County of Fresno.

8. Reimbursement to City. Prior to City’s execution of this Agreement, Property Owner shall reimburse to City the costs incurred by the City in the preparation and administration of this Agreement, including without limitation, City Engineer fees, City Attorney fees and City Staff costs.

The reimbursement amount shall be identified on an invoice provided by the City to the Property Owner and shall not to exceed \$2,000.

THIS AGREEMENT IS EXECUTED as of the date written above.

CITY OF KINGSBURG

PROPERTY OWNER:

By: _____

By: _____

Print Name: Alex Henderson, City Manager

Print Name: _____

Attest:

By: _____

Print Name: Abigail Palsgaard, City Clerk

F:\WORD\11\11140.70\Shantz Alley Agreement Revised 2020-05-11.docx

EXHIBIT "A"

Legal Description of Property Owner Parcel

TRACT 6122

SILVERBROOK STREET

LOT 2

LOT 37

LOT 39

LOT 1

LOT 38

131'

16'

31'

109'

LOT 1

LOT 12

21'

HOWARD STREET

LOT 13

18TH AVENUE

ALLEY

19TH AVENUE

LOT 2

LOT 11

TRACT 4555



1" = 60'

LEGEND:



301 ± SF

CITY OF KINGSBURG
ALLEY ABANDONMENT
WEST OF 19TH AVENUE
SOUTH OF SILVERBROOK STREET





Meeting Date: 05/20/2020
Agenda Item: 4.8

CITY COUNCIL MEETING STAFF REPORT

REPORT TO: Mayor Roman & City Council

REPORT FROM: David Peters, City Engineer **REVIEWED BY:** AP

AGENDA ITEM: Partial Acceptance of Tract 6122 Improvements

ACTION REQUESTED: Ordinance Resolution Motion Receive/File

EXECUTIVE SUMMARY

Tract 6122 is a recently constructed 60 lot residential subdivision located at the southeast corner of 18th Avenue and Kamm Avenue in northeast Kingsburg. The developer entered into a subdivision agreement with the City of Kingsburg to complete infrastructure improvements associated with the tract. The improvements have been partially completed to the satisfaction of the City Engineer. Outstanding public improvements include irrigation pipeline and park improvements which are dependent upon irrigation water deliveries and availability of park equipment. Since these improvements do not have a health and safety impact on public, staff is recommending partial approval of the public infrastructure improvements such that completed homes in the subdivision can be issued Certificates of Occupancy. It is anticipated that these remaining public improvements will be completed prior to the end of the calendar year and will be secured by bonding in the amount determined by the City Engineer to be sufficient to complete unfinished public improvements.

RECOMMENDED ACTION BY CITY COUNCIL

Staff recommends that Council:

1. Partially accept infrastructure improvements related to Tract 6122, excluding pipeline and public space improvements, and authorize the City Engineer to file the Notice of Completion for the partially completed improvements.
2. Authorize the reduction of security bonds to amounts determined by the City Engineer to be sufficient to complete unfinished public improvements.
3. Authorize the Building Official to issue Certificates of Occupancies on completed homes in the subdivision.

POLICY ALTERNATIVE(S)

Do not partially accept the public improvements related to Tract 6122.

REASON FOR RECOMMENDATION/KEY METRIC

The infrastructure improvements related to Tract 6122 have been partially completed to the satisfaction of the City Engineer and the developer is requesting Certificates of Occupancies on completed homes in the subdivision.

FINANCIAL INFORMATION

FISCAL IMPACT:

- | | |
|------------------------------|------------|
| 1. Is There A Fiscal Impact? | <u>No</u> |
| 2. Is it Currently Budgeted? | <u>No</u> |
| 3. If Budgeted, Which Line? | <u>N/A</u> |

FINANCIAL SUMMARY

None

PRIOR ACTION/REVIEW

None

BACKGROUND INFORMATION

See Executive Summary.

ATTACHMENTS

1. Partial Notice of Completion

RECORDING REQUESTED BY:

City Engineer for the City of Kingsburg

AND WHEN RECORDED MAIL TO:

City of Kingsburg
1401 Draper Street
Kingsburg, CA 93631

SPACE ABOVE THIS LINE FOR RECORDER'S USE

NOTICE OF COMPLETION

(Notice pursuant to Civil Code Section 3093, must be recorded within 10 days after completion)

NOTICE IS HEREBY GIVEN THAT:

1. The undersigned is an owner or agent of an owner of the interest or estate stated below.
2. The full name of the owner is City of Kingsburg
3. The full address of the owner is 1401 Draper Street, Kingsburg, CA 93631
4. The nature of the interest or estate is: in fee.

Public Property / Right of Way / Easement

(If Other Than Fee, Strike "In Fee" And Insert, For Example, "Purchase Under Contract Of Purchase" Or "Lessee")

5. That on the 20th day of May, 2020 a work of improvement on the real property hereinafter described was completed excepting irrigation line and public space improvements.
6. The name of the original contractor, if any, for such work of improvement was
Westar Construction
7. That the real property herein referred to is situated in the City of Kingsburg
County of Fresno, State of California, and is described as follows:

Tract 6122

City of Kingsburg

Owner

David Peters, City Engineer

VERIFICATION

STATE OF CALIFORNIA }

SS

COUNTY OF FRESNO }

The undersigned being duly sworn says: That he has read the foregoing notice and knows the contents thereof, and the same is true of his own knowledge.

Signature of Owner or Owners Agent

Date



City of Kingsburg

1401 Draper Street, Kingsburg, CA 93631-1908
(559) 897-5821 Fax: (559) 897-5568

Michelle Roman
Mayor

Laura North
Mayor Pro Tem

COUNCIL MEMBERS
Sherman Dix
Vince Palomar
Jewel Hurtado

Alexander J. Henderson
City Manager

May 15, 2020

Lisa Delgado
Kingsburg Senior Center

Dear Lisa,

I'm writing you to offer congratulations on your nomination and award for the employee recognition program with the City of Kingsburg. Kingsburg is a wonderful community that is maintained through the hard work of our citizens, volunteers, and employees.

Please accept congratulations from the City Council and me. We sincerely thank you for the hard work you have given in keeping our vulnerable senior community fed with daily nutritious meals. Having dedicated individuals such as yourself gives Kingsburg an invaluable asset, especially when it involves the quality of life for our residents.

You were nominated by your supervisor for several reasons, including your dedicated efforts to cook, package, and help deliver balanced meals to Kingsburg seniors in need. Thanks to you, volunteers and staff, over 2,300 meals have been provided to local seniors since March 16, 2020. These efforts are especially notable during the COVID-19 pandemic. Not only do you help provide meals to seniors, you brighten their days with your warm and friendly attitude.

We know your daily public service and commitment to the community can go unrecognized but want you to know your efforts are an important part of our community culture. You are always willing to step up and take on additional tasks for the community and your work does not go unnoticed.

Again, thank you and congratulations.

Respectfully,

Alex Henderson
City Manager



Meeting Date: 05/20/2020
Agenda Item: 5.3

CITY COUNCIL MEETING STAFF REPORT

REPORT TO: Mayor Roman & City Council

REPORT FROM: Alexander J. Henderson, ICMA-CM

REVIEWED BY: MN

AGENDA ITEM: COVID-19 Update 5/20/2020

ACTION REQUESTED: Ordinance Resolution Motion Receive/File

EXECUTIVE SUMMARY

NOTE: This information is the best available as of posting on Friday, May 15. The rapidly changing nature of this pandemic means information may not be accurate with current events.

On March 23, the city council declared a local state of emergency. Staff continues to monitor and follow public health experts' advice. Some updates since our last meeting from a local perspective include:

1. Council provided direction during their May 8 special meeting as it relates to local enforcement of the State's stay at home order.
 - Per Council's direction, a resolution is included for consideration that outlines the council's intentions.
2. The Fresno County Department of Public Health (FCDPH) continues to advance their reporting, while also giving additional demographic details.
 - As of this report, Kingsburg had 24 confirmed positive cases out of a total of 1,074 (696 are active) in Fresno County (Kingsburg cases represent 2.2%)
3. California League of Cities estimates a revenue loss of at least \$7 billion to cities over the next two fiscal years.
4. Governor Newsom outlined budget cuts during his May revision. With the projected \$54 billion shortfall announced last week, Governor Newsom is proposing a multiyear recovery approach that significantly draws down nearly all available reserves while delivering a balanced budget. The May Revision budget proposal is scaled down to \$203 billion from the \$222.2 billion proposed in January, as the state faces its first deficit in eight years.
5. We continue to grow our senior meal program, delivering 140 meals Monday – Friday. Most of the food has been donated and residents have been volunteering to assist with meal prep/assembly. Fresno County Rural Transit drivers are delivering the lunches.
6. We submitted our proposed uses of emergency CDBG funding as it relates to COVID-19. The list of eligible expenditures is included in this packet – they are very limited for Kingsburg. We anticipate utilizing the funds for our Senior Meal program (supplies and labor) and hopefully exploring a partnership with Fresno County that would allow us to either supplement a local food bank or provide economic relief to small businesses.
7. Fresno County also approved a small business grant program funded via \$84 million dollars allocated to the County through the CARES Act. The "Help Undeserved Business (HUB) Program" will provide up to \$5,000 for eligible Fresno County businesses. Applications and guidelines are currently being developed by the County.
8. The city drafted a reopening checklist to provide resources to businesses/entities wishing to open. The checklist also provides information related to acquiring PPE and other materials.

RECOMMENDED ACTION BY CITY COUNCIL

1. Consider and approve the proposed Resolution 2020-029 clarifying the city's roles and responsibilities under the governor's stay at home order and clarifying the city's enforcement responsibilities related thereto.

POLICY ALTERNATIVE(S)

1. Council could propose changes to the resolution.
2. Council could choose to not adopt the resolution.

STRATEGIC GOAL(S) MET:

1. Improve Community Communication
2. Ensure Financial Stability

FINANCIAL INFORMATION

FISCAL IMPACT:

- | | |
|------------------------------|------------|
| 1. Is There A Fiscal Impact? | <u>N/A</u> |
| 2. Is it Currently Budgeted? | <u>N/A</u> |
| 3. If Budgeted, Which Line? | <u>N/A</u> |

BACKGROUND INFORMATION

Community Preparedness

- Our facilities are equipped with the necessary sanitizing supplies and we have been regularly cleaning public counters, as we always do. All of our public counters have CDC fact sheets providing educational information about the virus as well as information regarding proper prevention techniques.
- We have been in regular contact with local school administrators as well as Fresno County Public Health officials to coordinate any local notifications and to monitor the changing landscape. Both Kingsburg School Districts have essentially closed for the remainder of the 2019-2020 school year.
- Closed our public playgrounds to further promote social distancing recommendations.
- Created and continue to update an active businesses list.
- Working to ensure all seniors have at least one meal during the week. We are providing meals for 120+ seniors during the week.
- The City and Chamber of Commerce are working on contingency plans that may impact future events. The Car Show and Swedish Festival have been canceled.
- Council has approved policy related to the suspension of water shut offs for non-payment.

Organizational Preparedness

- Development of updated leave policy to be compliant with newly enacted Federal legislation.
- Continued organizational continuity planning for employees working from home (technology, alternate work schedules).
- Examination of revenue projections and impacts on sales tax, transient occupancy tax and community development fees.

- The city's Economic Stabilization Fund was created for just this purpose. The fund currently has balance of \$630,509. These funds can be utilized to help stabilize short-term General Fund impacts due to the anticipated loss of revenue.
- Development of internal protocols should virus spread affect Kingsburg – including continuity of operations planning for all departments. Coordination with Fresno Co. Dept. of Public Health. This includes potential deployment of emergency operations center.
- Focused efforts on communicating during a crisis. Information provided by Bloomberg Harvard City Leadership Initiative.
- Taking care of employees is a vital concern. All our departments and employee areas have CDC fact sheets providing educational information about the virus as well as information regarding proper prevention techniques.
- City Hall is operating virtually, closed to the public since March 16. Continued organizational continuity planning for employees working from home (technology, alternate work schedules).
- The City utilizes an internal employee newsletter that is used frequently to provide updated information related to the virus and actions being taken to protect employees.
- First responders and their safety remain a big focal point, and we are utilizing expert fact sheets that provide guidance for EMS and Law enforcement providers as well.
- On March 11, the Kingsburg Tri-County Health Care District authorized up to \$75,000 in funding to help with the sanitizing of first responder vehicles and equipment, as well as emergency funding for a potential declared emergency that could impact the community. We have purchased four (4) commercial fogging/decontamination machines capable of large-scale dissemination of a viricidal agent.

Federal & State Action

The President and State of California have declared emergencies regarding the COVID-19 pandemic. Each have provided several resources, including:

- [FEMA](#)
- [State of California](#)
- [CDC](#)

ATTACHED INFORMATION

1. Resolution 2020-032
2. FCDPH Chart from May 15
3. List of Eligible CDBG Expenditures (COVID-19)
4. Fresno County Business Grant Press Release
5. Kingsburg business owner checklist

RESOLUTION NO. 2020-032

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
KINGSBURG CLARIFYING THE CITY'S ROLES AND
RESPONSIBILITIES UNDER THE GOVERNOR'S STAY AT HOME
ORDER AND CLARIFYING THE CITY'S ENFORCEMENT
RESPONSIBILITIES RELATED THERETO**

WHEREAS, on March 19, 2020, with the adoption of Executive Order N-33-20, the Governor ordered a Statewide stay at home/stay in place order as amended and supplemented from time to time (collectively "Stay at Home Order") to address the spread of COVID-19 in the State of California, which the City is operating under, and will continue to operate under; and

WHEREAS, there exists a local emergency in the City of Kingsburg pursuant to Resolution 2020-022, approved by the City Council on March 23, 2020, where the City declared a local emergency as a result of the threatened spread of COVID-19 in the City, surrounding areas, and the State; and

WHEREAS, the Governor has begun the process for allowing non-essential businesses to reopen in the State; and

WHEREAS, the City has determined that there is a need to clarify the City's roles and responsibilities in interpreting and enforcing the Governor's Stay at Home Order; and

WHEREAS, on March 16, 2020, the California Department of Public Health established guidelines for social distancing, elimination of non-essential gatherings, and isolation for specific individuals, in order to prevent the transmission of COVID-19 ("DPH Guidance").

NOW, THEREFORE, the City Council of the City of Kingsburg resolves as follows:

IT IS HEREBY ORDERED, effective immediately upon adoption of this Resolution, that:

1. In interpreting the Governor's Stay at Home Order, the City shall rely upon the DPH Guidance. If there is an ambiguity, the City shall make its own interpretation in consultation with the Fresno County Health Officer.

2. With regards to enforcing the DPH Guidance and the Governor's Stay at Home Order, the Fresno County Health Officer, California Department of Public Health, or California Office of Emergency Services shall have primary enforcement responsibility,

with the City reserving its right to enforce all local emergency orders, the DPH Guidance and the Governor's Stay at Home Order.

3. Nothing herein shall be deemed to preclude the City from issuing verbal or written warnings for violations of all local emergency orders, the DPH Guidance and the Governor's Stay at Home Order, or from providing a reasonable time to correct violations before issuing a citation.

4. Administrative citations shall be reserved for egregious situations, as determined by the City, where the State or County refuse, decline, or ignore a request for enforcement.

BE IT FURTHER ORDERED, that this order shall remain in effect until such time as it is terminated, repealed, amended, or modified by the City Council of the City of Kingsburg.

I, Abigail Palsgaard, City Clerk of the City of Kingsburg, do hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of Kingsburg City Council held on the 20th day of May 2020, by the following vote:

Ayes:	Councilmembers:
Noes:	Councilmembers:
Absent:	Councilmembers:
Abstain:	Councilmembers:

Abigail Palsgaard, City Clerk
City of Kingsburg

Fresno County COVID-19 Data and Surveillance Dashboard

Department of Public Health | Epidemiology Program



Data and Surveillance Dashboard | Additional Surveillance | CDC COVID-19 Information

Total Cases

1,156
of 13,232 Total Tests

Active Cases

764
of 1,156 Total Cases

Recovered

376
of 1,156 Cases

Deceased

16
of 1,156 Cases

Hospitalized

153
of 1,156 Cases

8.7% Tested Positive

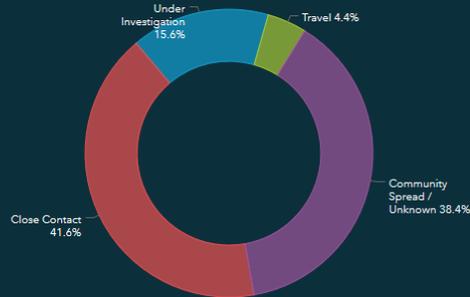
66.1% Active

32.5% Recovered

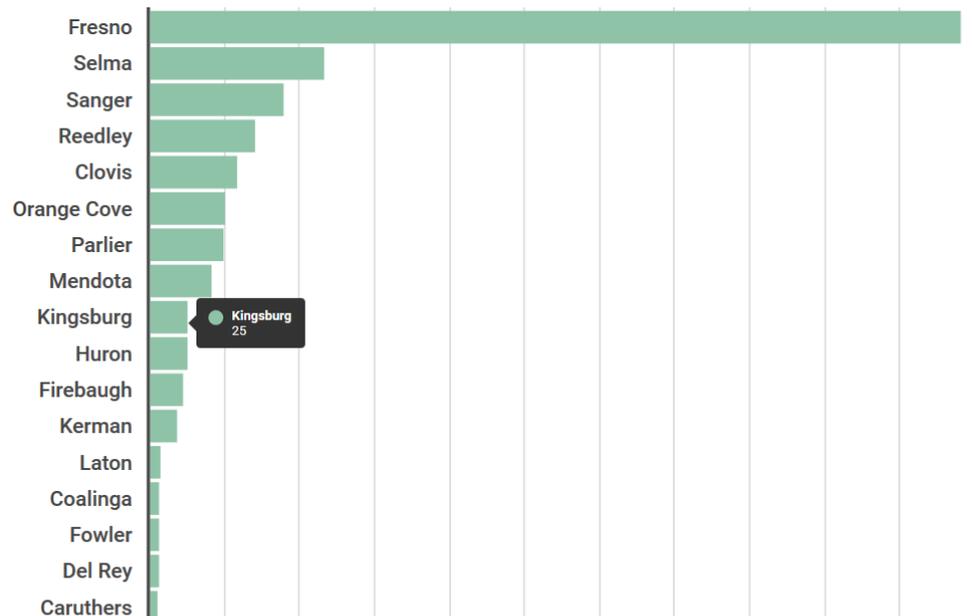
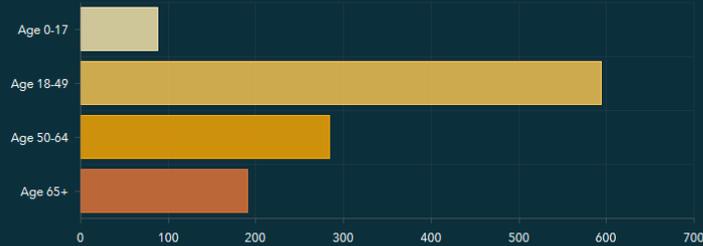
1.4% Deceased

13.2% Hospitalized

Source of Exposure



Cases by Age



Cases by Age | Cases by Gender | Cases by Race/Ethnicity | Cases | Case Trends | Logarithmic | Map | Cases by Community | Dashboard Details

Eligible CDBG-CV Activities

The funds must be used to: Prevent, Prepare or Respond to the spread of Coronavirus (infectious disease).

All the activities listed below are activities that can be CDBG eligible. Some of the listed activities may not be feasible if there is no contractor and/or program in place to provide the activity timely. Community Development staff, in consultation with HUD, would review the specifics of the proposed activity to determine eligibility and feasibility. Any activity selected, must NOT result in a duplication of benefits (funded by another program).

- Emergency Assistance Grants (Need to Verify Income Eligibility of recipients)
 - Utilities
 - Rent

- Food
 - Meals on Wheels style program (serving Elderly, Disabled OR income eligible)
 - Food Banks (would need to verify income eligibility of recipients)
 - Great Plates Delivered Program (local contribution, only for elderly OR income eligible)

- Health
 - Individual Testing (verify income eligibility)

- Education and Outreach
 - Spanish Language Outreach (only in income eligible areas)
 - Homeless outreach workers

- Broadband/Internet Connectivity
 - Connectivity (would need to service income eligible area/individuals)
 - Infrastructure (would need to provide to income eligible neighborhood/development)

- Fire Protection Equipment (for Cities that qualify for citywide benefit)

- Homeless Activities
 - Shelters
 - Vouchers

- Business Loans / Grants – (verify income eligibility)
The County of Fresno is currently reviewing the possibility of a countywide program, that may be less restrictive.

Activities that are **NOT** CDBG eligible: Countywide Lab/Testing, Safety Upgrades to Govt Facilities, Food Vouchers, I-Pads, PPE for 1st responders and/or city staff (except for fire dept. in cities that qualify for citywide benefits)



MEDIA ADVISORY

MEDIA ADVISORY

Date: May 12, 2020

Contact: Jordan Scott, PIO
Ph: (559) 600-1224/Cell: (559) 666-0987
jjscott@fresnocountyca.gov

Fresno County Board of Supervisors to announce small business grant program

This afternoon members of the Fresno County Board of Supervisors will join with the Fresno County Economic Development Corporation to announce the launch of a new grant program available to local small businesses impacted by the ongoing COVID-19 pandemic.

Please see conference information below:

Media Availability

WHAT:

PRESS CONFERENCE - The Fresno County Board of Supervisors will address media following the Board's approval of the "Help Underserved Business Program", a small business grant program funded through the Coronavirus Aid, Relief, and Economic Security (CARES) Act that aims to help local businesses recover as the economy begins reopening from the Coronavirus shutdown.

WHEN:

Tuesday, May 12, 2020

TIME:

1:00 PM

WHO:

Vice Chairman, Fresno County Board of Supervisors, Steve Brandau
Fresno County Supervisor, District 1, Brian Pacheco
Lee Ann Eager, President and CEO, Fresno County EDC

WHERE:

Fresno County Board of Supervisors chambers
2281 Tulare St., 3rd Floor
Fresno, CA 93721

To maintain physical distancing and/or for those unable to attend, we will look to stream the press conference on the County Facebook page at <https://www.facebook.com/FresnoCountyCA/>

###



Kingsburg Re: Launch A Checklist To Relaunching Your Business

Updated: 5/13/20 1:00 PM

This document will be updated as conditions and guidance changes.

The City of Kingsburg must adhere to the State of California's Shelter in Place order. It is the City's intent to allow businesses to operate as soon as this order is modified and/or removed. You can view the order [here](#).

At this time the State of California has not made changes to the essential business list or which businesses are allowed to operate. The City of Kingsburg will update this document and notify the community when changes occur. Now is the time to get ready. In preparation for businesses being allowed to reopen a checklist has been developed in consultation with the Fresno County Department of Public Health, and the City of Kingsburg.

For any clarifying questions please contact [Alexander J. Henderson](#). Please contact the City of Kingsburg to help you prepare and be ready for business.

What resources, policies and training are needed to accomplish the following?

<input type="checkbox"/>	Screen employees health (Must be done per Fresno County Public Health Order Dated 4/14/20) <ul style="list-style-type: none"><input type="checkbox"/> Order Located Here: https://www.co.fresno.ca.us/Home/ShowDocument?id=43284
<input type="checkbox"/>	Screen client/customer health with long term (more than 15 minutes) exposure to employees/others without personal protection (Must be done per Fresno County Public Health Order Dated 4/14/20) <ul style="list-style-type: none"><input type="checkbox"/> Order Located Here: https://www.co.fresno.ca.us/Home/ShowDocument?id=43284
<input type="checkbox"/>	Allow for social distancing if feasible <ul style="list-style-type: none"><input type="checkbox"/> What layout changes can be made?<input type="checkbox"/> What shift changes can be made?<input type="checkbox"/> Can some employees work remotely?<input type="checkbox"/> What change in managing customer/clients is needed?

<input type="checkbox"/>	<p>If social distancing is not feasible, what else can be done to mitigate risk?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Provide appropriate personal protective equipment to employees and/or customers/clients <input type="checkbox"/> Install physical barriers <input type="checkbox"/> Change layout
<input type="checkbox"/>	<p>How will the facility be kept sanitized?</p> <ul style="list-style-type: none"> <input type="checkbox"/> Identify frequently touched surfaces <input type="checkbox"/> Develop cleaning protocol
<input type="checkbox"/>	<p>Designate Contact person to work with local health officials if employee/client/customer test positive for COVID-19</p> <ul style="list-style-type: none"> <input type="checkbox"/> Can you track employee/client/customers that use your facility? <input type="checkbox"/> Do you have a policy on how to handle COVID-19 related sick leave?

Understand Fresno County Department of Public Health Requirements/Guidance

<input type="checkbox"/>	<p>Interim Guidance for Reopening Fresno County Businesses While Maintaining Customer Safety And Public Health</p>
<input type="checkbox"/>	<p>Fresno County Health Officer Order for Businesses, Hospitals and County Residents (amended 4/14/20) https://www.co.fresno.ca.us/Home/ShowDocument?id=43284</p>

Assess Supply Chain for main line of business

<input type="checkbox"/>	<p>How to obtain products needed in order to reopen</p>
<input type="checkbox"/>	<p>Identify shortages in supply chain</p>
<input type="checkbox"/>	<p>Adjust business plan accordingly</p>

Assess Supply chain for needed additional items such as:

<input type="checkbox"/>	<p>Local Resources: Facemasks - Disposable</p> <ul style="list-style-type: none"> ▪ Core Team – Lance Garrett (559) 392-6459 ▪ Bottom-Line Development
--------------------------	--

	<p>Facemasks - Reusable</p> <ul style="list-style-type: none"> ▪ Trinkets & Treasures ▪ Core Team – Lance Garrett (559) 392-6459 <p>Floor Decals</p> <ul style="list-style-type: none"> ▪ Russell Kulow dba Kulow Bros <p>Face Shields</p> <ul style="list-style-type: none"> ▪ Core Team – Lance Garrett (559) 392-6459 <p>Thermometers – Infrared Touchless</p> <ul style="list-style-type: none"> ▪ Core Team – Lance Garrett (559) 392-6459 <p>Plexiglas Barriers</p> <ul style="list-style-type: none"> ▪ Precision Plastics <p>Hand Sanitizer</p> <ul style="list-style-type: none"> ▪ Ramos Torres Winery ▪ Core Team – Lance Garrett (559) 392-6459 ▪ Nelson's Ace Hardware Kingsburg <p>Cleaning Supplies</p> <ul style="list-style-type: none"> ▪ Nelson's Ace Hardware Kingsburg ▪ Sierra Packaging Solutions in Kingsburg
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Develop Strategy to Communicate to Customers/Clients

<input type="checkbox"/>	You are Open!
<input type="checkbox"/>	Communicate limitations/changes in place on offerings and procedures
<input type="checkbox"/>	Provide confidence to customers and employees they are safe with your actions and communication

Research and Consider Guidance from other entities:

<input type="checkbox"/>	<p>Center for Disease Control</p> <ul style="list-style-type: none"> ▪ Reopening Guidance for Cleaning and Disinfecting Public Spaces, Workplaces, Businesses, Schools, and Homes CDC ▪ Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19 CDC
--------------------------	---

	<ul style="list-style-type: none"> ▪ List N: Disinfectants for Use Against SARS-CoV-2 Pesticide Registration US EPA
<input type="checkbox"/>	<p>Federal Department of Labor https://www.osha.gov/Publications/OSHA3990.pdf</p>
<input type="checkbox"/>	<p>Fresno County Department of Public Health https://www.co.fresno.ca.us/departments/public-health/covid-19</p>
<input type="checkbox"/>	<p>California Department of Public Health https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Guidance.aspx</p>
<input type="checkbox"/>	<p>International Council of Shopping Centers (Retail/Commercial Property Owner) https://www.icsc.com/uploads/t07subpage/Coronavirus_Reopening_Guidance_final_043020.pdf?utm_source=Email&utm_medium=Eloqua&utm_campaign=2020MEM&utm_term=1&utm_content=Members</p>
<input type="checkbox"/>	<p>National Restaurant Association https://restaurant.org/Downloads/PDFs/business/COVID19-Reopen-Guidance.pdf</p>
<input type="checkbox"/>	<p>International Health, Racquet & Sports club Association: https://www.ihrsa.org/improve-your-club/safety-considerations-for-your-health-club-reopening-plan/</p>
<input type="checkbox"/>	<p>California Association of Realtors https://www.carcovidupdates.org/best-practices-guidelines</p>



CITY OF KINGSBURG

POLICE DEPARTMENT

1300 California Street, Kingsburg, CA 93631 (559) 897-4418

Neil Dadian
Chief of Police

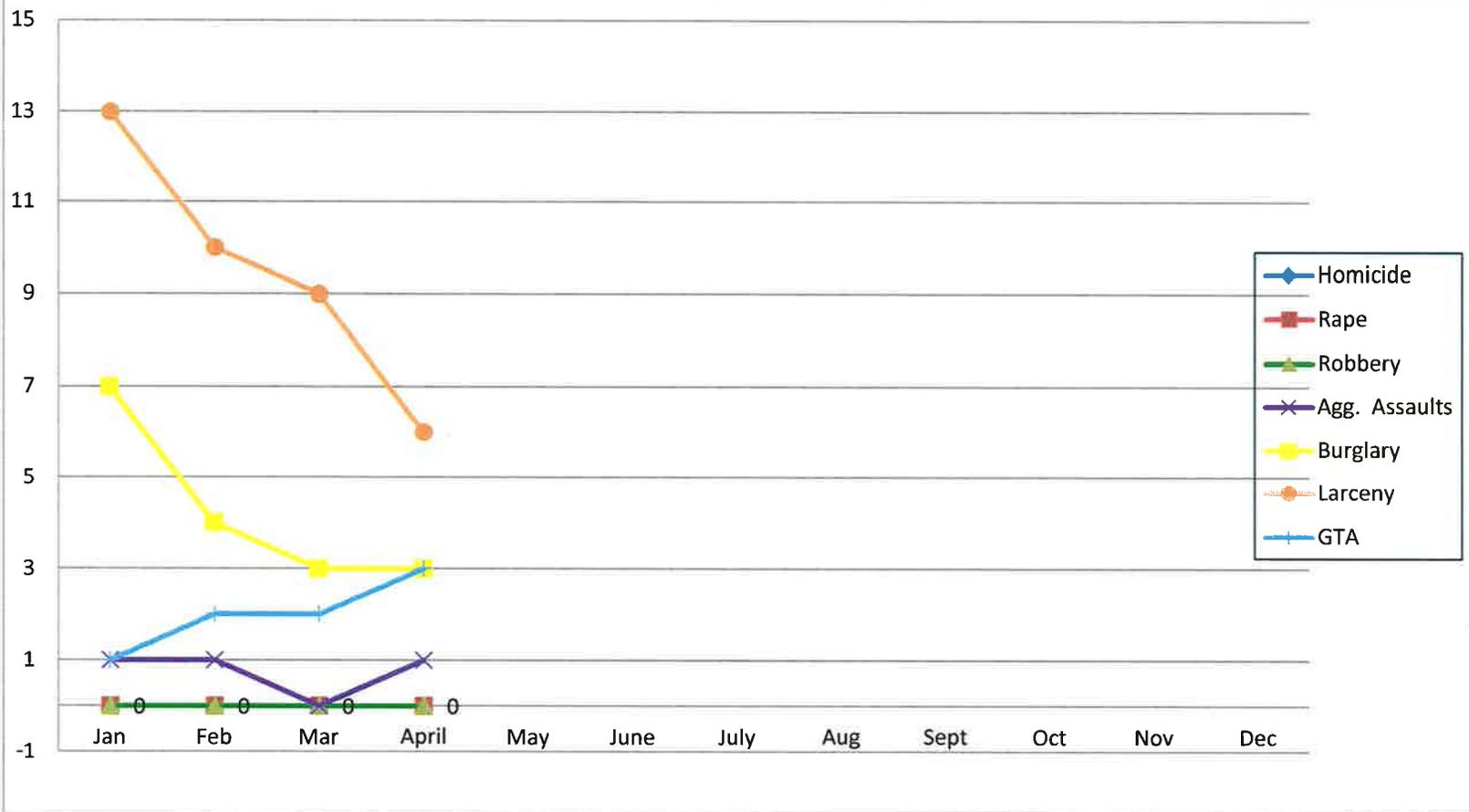
To: Mayor & City Council
From: Corina Padilla
Date: May 14, 2020
Subject: April Crime Statistics & Prevention Update

- Part I Crimes decreased by one.
- Other Offenses decreased by nine.
- Traffic collisions decreased by two.
- The number of arrests decreased by three.
- Traffic citations decreased by 37.

We continue to use Facebook, Kingsburg PD mobile application, Twitter, and NIXLE as situations warrant in order to keep our citizens informed.

**Kingsburg Police Department
2020 Part I Crimes**

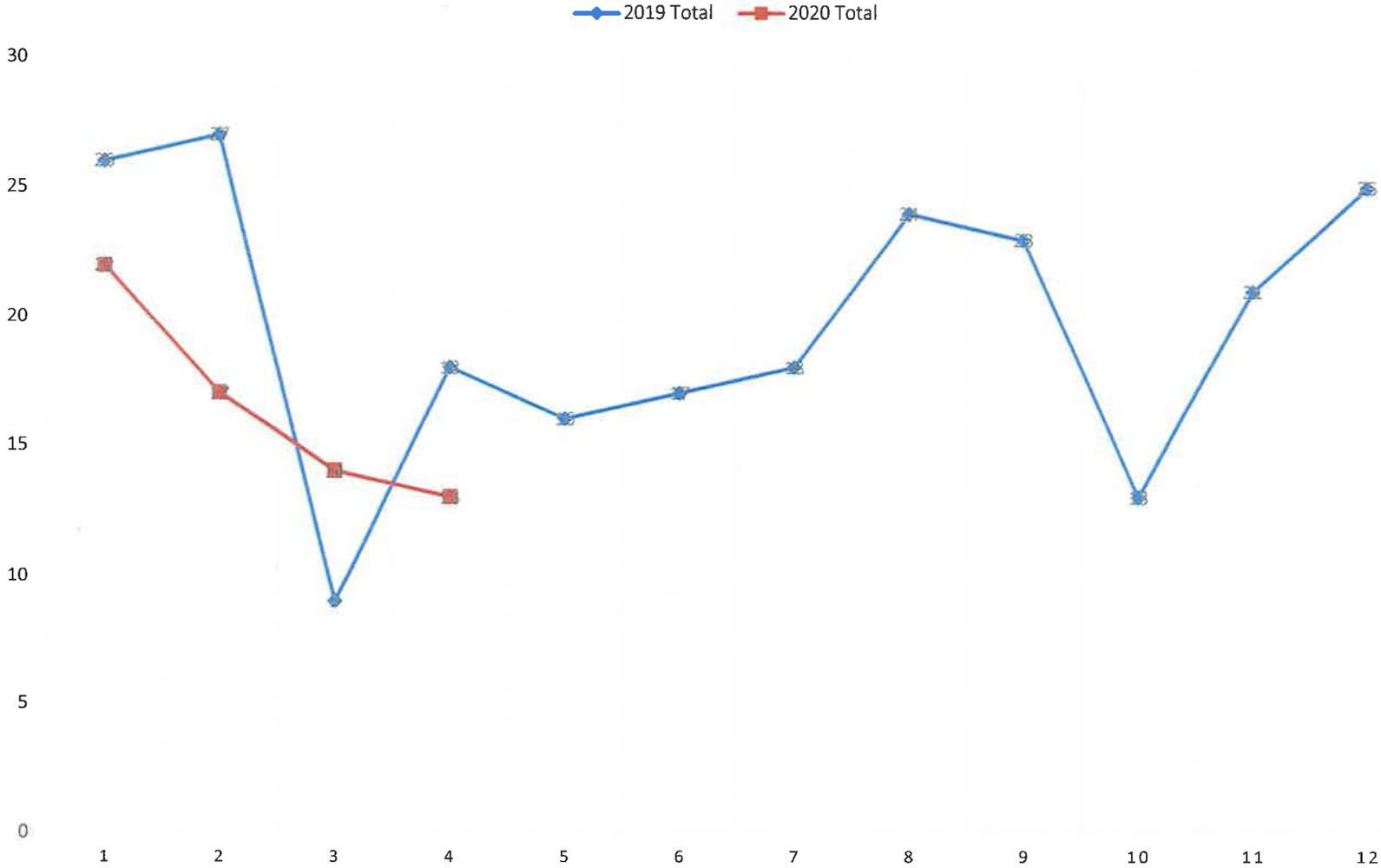
Part I Crimes	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	Monthly % Change
Homicide	0	0	0	0									0	0%
Rape	0	0	0	0									0	0%
Robbery	0	0	0	0									0	0%
Agg. Assaults	1	1	0	1									3	infinity
Burglary	7	4	3	3									17	0%
Larceny	13	10	9	6									38	-33%
GTA	1	2	2	3									8	50%
2020 Total	22	17	14	13	0	66	-7%							



**Kingsburg Police Department
2020 Part I Crimes**

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	2019-2020
2019 Total	26	27	9	18	16	17	18	24	23	13	21	25	80	%Change
2020 Total	22	17	14	13									66	-18.00%

2019/2020 PART I COMPARISON



Kingsburg Police Department
2020
Calls for Service

Initiated	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total	Monthly %
Officer	235	311	325	217	0	0	0	0	0	0	0	0	1088	-33%
Citizen	455	462	457	476	0	0	0	0	0	0	0	0	1850	4%
TOTAL	690	773	782	693	0	0	0	0	0	0	0	0	2938	-11%
Average Calls per Day	22	27	25	23										

2020 Calls for Service

