

## **RESOLUTION NO. 2024-04**

**RESOLUTION INITIATING PROCEEDINGS  
FOR ASSESSMENT DISTRICT NO. 24-04  
Victory Oaks Subdivision  
(Pursuant to Landscape and Lighting Act of 1972)**

**NOW THEREFORE BE IT RESOLVED AS FOLLOWS:**

1. The City Council proposes to form an assessment district pursuant to the Landscaping & Lighting Act of 1972 (Section 22500 and following, Streets & Highways Code) for the purpose of the following improvements:

Maintenance of local streets, streetlights, landscaping, block wall, and any other applicable equipment or improvements.
2. The proposed district shall be designated "Assessment District No. 24-04, City of Visalia, Tulare County, California," and shall include the land shown on the map designated "Assessment Diagram, Assessment District No. 24-04, City of Visalia, Tulare County, California", which is on file with the City Clerk and is hereby approved and known as "Victory Oaks."
3. The City Engineer of the City of Visalia is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the Engineer to prepare and file with the City Clerk a report in accordance with Article 4 of Chapter 1 of the Landscape & Lighting Act of 1972.
4. The owner "VOV Capital LP, a California limited partnership" hereafter referred to as "D.R. Horton".

PASSED AND ADOPTED: \_\_\_\_\_, 2024    LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA )  
COUNTY OF TULARE ) ss.  
CITY OF VISALIA )

I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2024-\_\_ passed and adopted by the Council of the City of Visalia at a regular meeting held on \_\_\_\_\_, 2024.

Dated: **LESLIE B. CAVIGLIA, CITY CLERK**

By Michelle Nicholson, Chief Deputy City Clerk

## **CLERK'S CERTIFICATION TO COUNTY AUDITOR**

**ASSESSMENT DISTRICT NO. 24-04  
Victory Oaks Subdivision  
(Pursuant to Landscaping & Lighting Act of 1972)**

TO THE COUNTY AUDITOR OF THE COUNTY OF TULARE:

I hereby certify that the attached document is a true copy of that certain Engineer's Report, including assessments and assessment diagram, for "Assessment District No. 24-04, City of Visalia, Tulare County, California" confirmed by the City Council of the City of Visalia on \_\_\_\_\_, 2024, by its Resolution No. 2024-\_\_\_.

This document is certified, and is filed with you, pursuant to Section 22641 of the Streets and Highways Code.

Dated: **LESLIE B. CAVIGLIA, CITY CLERK**

By Michelle Nicholson, Chief Deputy City Clerk

**RESOLUTION NO. 2024-04**

**RESOLUTION ORDERING THE IMPROVEMENTS FOR  
ASSESSMENT DISTRICT NO. 24-04  
Victory Oaks Subdivision  
(Pursuant to the Landscape & Lighting Act of 1972)**

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City Council adopted its Resolution Initiating Proceedings for Assessment District No. 24-04, City of Visalia, Tulare County, California, and directed the preparation and filing of the Engineer's Report on the proposed formation.
2. The Engineer for the proceedings has filed an Engineer's Report with the City Clerk.
3. The owners of all land within the boundaries of the proposed landscape and lighting district have filed their consent to the formation of the proposed district, and to the adoption of the Engineer's Report and the levy of the assessments stated therein.
4. The City Council hereby orders the improvements and the formation of the assessment district described in the Resolution Initiating Proceedings and in the Engineer's Report.
5. The City Council hereby confirms the diagram and the assessment contained in the Engineer's Report and levies the assessment for the fiscal year 2024-25.
6. The City Council hereby forwards the following attachments to Tulare County Recorder's Office for recordation:
  - a. Clerk's Certification to County Auditor
  - b. Resolution Initiating Proceedings
  - c. Resolution Ordering Improvements
  - d. Engineer's Report:

Exhibit A	-	Assessment Diagram showing all parcels of real property within the Assessment District
Exhibit B	-	Landscape Location Diagram
Exhibit C	-	Tax Roll Assessment
Exhibit D	-	Engineer's Report

PASSED AND ADOPTED: \_\_\_\_\_, 2024

LESLIE B. CAVIGLIA, CITY CLERK

STATE OF CALIFORNIA )  
COUNTY OF TULARE ) ss.  
CITY OF VISALIA )

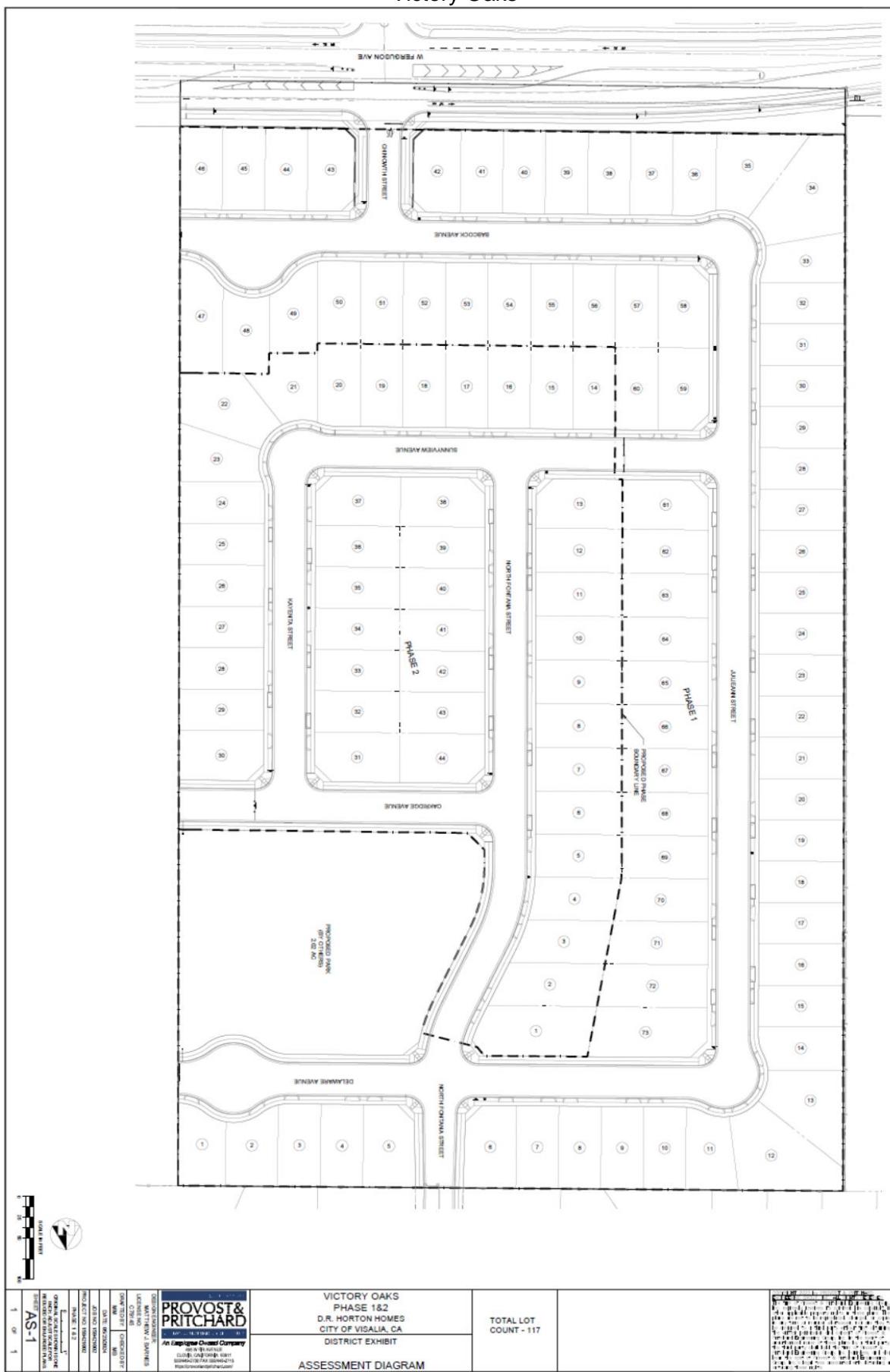
I, Leslie B. Caviglia, City Clerk of the City of Visalia, certify the foregoing is the full and true Resolution 2024-\_\_ passed and adopted by the Council of the City of Visalia at a regular meeting held on \_\_\_\_\_, 2024.

Dated:

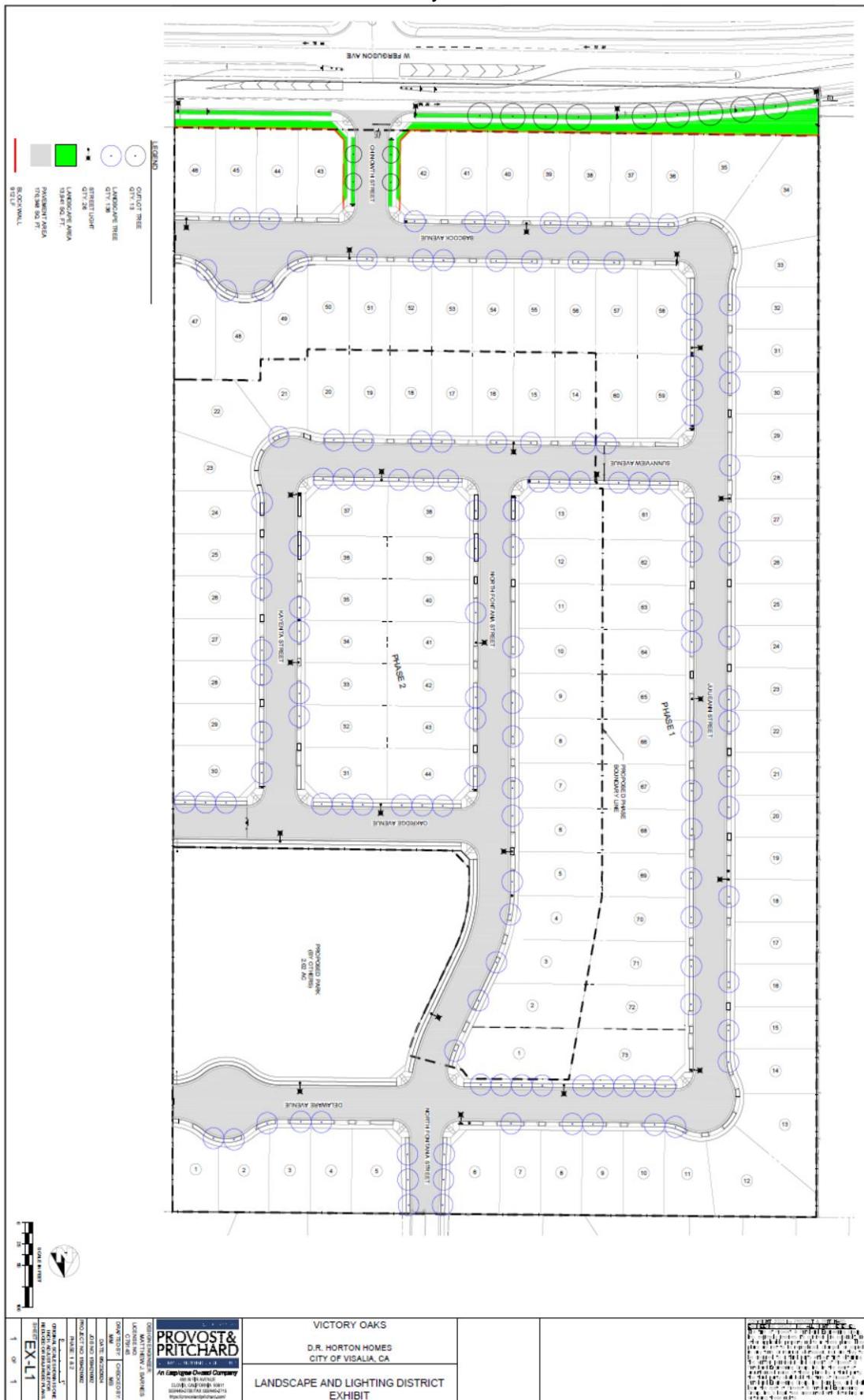
LESLIE B. CAVIGLIA, CITY CLERK

By Michelle Nicholson, Chief Deputy City Clerk

**Exhibit "A"**  
Landscape Location Diagram  
Landscape & Lighting Assessment District No. 24-04  
Victory Oaks



**Exhibit "B"**  
**Landscape Location Diagram**  
**Landscape & Lighting Assessment District No. 24-04**  
**Victory Oaks**



**Exhibit "C"**  
Tax Roll Assessment  
Landscape & Lighting Assessment District 24-04  
Victory Oaks  
Fiscal Year 2024-25

**Exhibit "C"**  
Tax Roll Assessment  
Landscape & Lighting Assessment District 24-04  
Victory Oaks  
Fiscal Year 2024-25

**Exhibit "C"**  
 Tax Roll Assessment  
 Landscape & Lighting Assessment District 24-04  
 Victory Oaks  
 Fiscal Year 2024-25

<b>APN</b>	<b>ASSESSMENT</b>	<b>OWNER</b>	<b>LOT #</b>	<b>DISTRICT</b>
TBD	\$669.73	Vov Capital LP a California Limited Partnership	91	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	92	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	93	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	94	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	95	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	96	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	97	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	98	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	99	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	100	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	101	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	102	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	103	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	104	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	105	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	106	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	107	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	108	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	109	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	110	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	111	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	112	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	113	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	114	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	115	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	116	24-04 Victory Oaks
TBD	\$669.73	Vov Capital LP a California Limited Partnership	117	24-04 Victory Oaks

**Exhibit "D"**  
Engineer's Report  
Landscape & Lighting Assessment District 24-04  
Victory Oaks  
Fiscal Year 2024-25

**General Description**

This Assessment District (24-04, Victory Oaks) is located on the north side of Ferguson Avenue approximately 800 feet west of Demaree Street. Exhibit "A" is a map of Assessment District 24-24. This District includes maintenance of street trees, streetlights, block wall, pavement on local streets, and other applicable equipment or improvements. The maintenance of irrigation systems and block walls includes, but is not limited to, maintaining the structural and operational integrity of these features and repairing and acts of vandalism (graffiti, theft or damage) that may occur. This District includes the preventive maintenance of all internal local streets by means including, but not limited to overlays, cape seals, crack seals, and reclamite (oiling). The total number of lots within the district is 117 lots.

**Determination of Benefit**

The purpose of landscaping is to provide an aesthetic impression for the area. The lighting is to provide safety and visual impressions for the area. The block wall provides security, aesthetics, and sound suppression. The maintenance of any landscape areas, streetlights, streets, and block walls is vital for the protection of both economic and humanistic values of the development. In order to preserve the values incorporated within developments and to concurrently have an adequate funding source for the maintenance of all internal local streets within the subdivision, the City Council has determined that landscape areas, street lights, block walls, street trees, and all internal local streets, should be included in a maintenance district to ensure satisfactory levels of maintenance.

**Method of Apportionment**

In order to provide an equitable assessment to all owners within the District, the following method of apportionment has been used. All lots in the District benefit equally, including lots not adjacent to landscape areas, block walls, and street lights. The lots not adjacent to landscape areas, block walls, and street lights benefit by the uniform maintenance and overall appearance of the District. All lots in the District have frontage on an internal local street and therefore derive a direct benefit from the maintenance of the local streets.

**Estimated Costs**

The estimated costs to maintain the District includes the costs to maintain any landscaping, street trees, landscape trees, street lights, block walls, and pavement on local streets. The regular preventive maintenance of pavement on local streets is based on the following schedule: Reclamite on a 5 year cycle, Crack Seal on a 7 year cycle; Cape Seal on a 15 year cycle and Overlays on a 20 year cycle.

**Exhibit "D"**  
Engineer's Report  
Landscape & Lighting Assessment District 24-04  
Victory Oaks  
Fiscal Year 2024-25

The quantities, estimated costs, and per lot assessment in the "Victory Oaks" landscape and lighting district are as follows:

**Exhibit "D"**  
Engineer's Report  
Landscape & Lighting Assessment District 24-04  
Victory Oaks  
Fiscal Year 2024-25

Annual Cost Increase

This assessment district shall be subject to an automatic annual increase derived by the following formula:

$$\text{year "n" assessment} = (\$78,358.84) (1.05)^{(n-1)}$$

where "n" equals the age of the assessment district with year one (1) being the year that the assessment district was formed;

However, in no case shall the assessment be greater than 1) The actual cost of providing the benefit conferred to each parcel plus any prior years' deficit and less any carryover, as determined annually or; 2) a 10% increase over the prior year's assessment.

The reserve fund shall be replenished as necessary to maintain a level of 10% of the estimated maintenance cost so long as the annual assessment change does not exceed the limits identified above.

- Example 1) The year four estimated costs are \$85,411.13 [a 9% increase over the base year assessment of \$78,358.84]. The ceiling on the assessment increase for year four would be \$90,710.15 [ceiling =  $(\$78,358.84) (1.05)^{(4-1)}$ ]. The assessment would be set at \$85,411.13 or the actual cost of providing the maintenance effort.
- Example 2) The year four assessment is estimated at the actual cost of providing the maintenance effort of \$88,545.49 [a 7% increase over the previous year assessment and a 13.0% increase over the base year assessment]. The ceiling on the assessment increase for year four would be \$90,710.15 [ceiling =  $(\$78,358.84) (1.05)^{(4-1)}$ ]. The assessment would be set at \$88,545.49 or the actual cost of providing the maintenance effort because it is less than the ceiling amount and the year-to-year increase is less than the 10% cap on increases in any given year.
- Example 3) The year four assessment is \$85,411.13 [a 9% increase over the base year assessment \$78,358.84] and damage occurred to the masonry wall raising the year five assessment to \$104,201.58 [a 22% increase over the previous year assessment]. The year five assessment will be capped at \$93,952.11, a 10% increase over the previous year and under the ceiling of \$95,245.66 [ceiling =  $(\$78,358.84) (1.05)^{(5-1)}$ ]. The difference of \$10,249.34 will be recognized as a deficit and carried over into future years' assessment.

**Exhibit "D"**  
Engineer's Report  
Landscape & Lighting Assessment District 24-04  
Victory Oaks  
Fiscal Year 2024-25

**City Engineer Certification**

I hereby certify that this report was prepared under my supervision and this report is based on information obtained from the improvement plans of the subject development.

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Jason Huckleberry  
For City Engineer

Date