

COUNCIL AGENDA: JANUARY 20, 2015

SUBJECT: INTENT TO SET A PUBLIC HEARING TO CONSIDER THE FORMATION OF A SEWER UTILITY DISTRICT FOR AREA 459

SOURCE: Public Works Department - Engineering Division

COMMENT: Staff respectfully requests that the City Council set a Public Hearing for February 3, 2015, to allow for a "protest hearing" from property owners who live or own property within Sewer Utility District Area 459. Proposition 218 guidelines require 45 days marked notice of the Public Hearing. A ballot must be included in the notice for property owners to vote for or against formation of the sewer utility district.

A Resolution declaring the Council's intent to create a sewer utility district is attached for Council's action. Proposition 218 Guidelines specify that the Public Works Director must prepare and present an Engineer's Report to the City Council prior to the Public Hearing. The Engineer's Report must provide:

1. A description of the improvements;
2. A cost estimate of the improvements;
3. Maps and/or drawings describing the boundaries of the utility district;
4. Methodology used by the Engineer of Record to equitably spread the cost of the improvements throughout the utility district; and
5. An assessment roll listing all parcels in the district and the proposed assessment against each parcel in the district.

RECOMMENDATION: That the City Council:

1. Set a Public Hearing for February 3, 2015, pursuant to Proposition 218 Guidelines, for consideration to form Sewer Utility District 459;
2. Approve the Engineer's Report for Sewer Utility District Area 459; and
3. Authorize staff to notify all affected property owners of the Public Hearing, via regular mail, including the sewer connection assessment amount, length of time provided on the assessment, reason for the assessment and a summary on how the voting will function.

Dir 36 Appropriated/Funded AMB CM J

Item No. 12

ATTACHMENTS: Draft Resolution to Approve the Intent to Form a Sewer Utility District
Engineer's Report w/ Attachments (including locator map)
Draft Resolution to Accept the Engineer's Report

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RESOLUTION NO.: _____ - 2015

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE APPROVING
THE INTENT TO FORM AN
ISLAND ANNEXATION AREA 459 SEWER UTILITY DISTRICT,
LEVYING THE ASSESSMENT

WHEREAS, Island Annexation Area 459, was annexed into the city in November 2006; and

WHEREAS, the parcels in this area utilize individual septic tanks that are failing; and

WHEREAS, the City Council of the City of Porterville unanimously approved the design of the Island Annexation 459 Project contingent upon the establishment of the Island Annexation Area 459 Sewer Utility District; and

WHEREAS, in accordance with California Streets and Highways Code Section 10000 et seq. and other applicable laws, the property owners were provided with Notice of the Public Hearing and assessment ballot proceeding; and

WHEREAS, it is the intent of the City Council to hold a Public Hearing to receive comment from the public, accept and tabulate ballots; and

WHEREAS, the property owners within the proposed District will be given the opportunity to cast ballots at the end of the Public Hearing to be held on February 3, 2015, and approve the imposition of the assessment and the formation of the District;

NOW, THEREFORE, BE IT RESOLVED, that it is the intention of the City Council of the City of Porterville to:

- 1) Approve the formation of the Island Annexation Area 459 Sewer Utility District establishing an assessment to pay for the installation of new sewer mains and laterals. A diagram of the District setting forth the boundaries and parcels located within the District is attached hereto as Exhibit "A;"
- 2) Authorize the levying of the assessment as set forth in Exhibit "B;"
- 3) Authorize the City to permit property owners to pay the total one-time assessment on a bi-yearly basis through property taxes over a period of 30 years, with 3% interest. This cost shall be as set forth in Exhibit "B."

PASSED, APPROVED AND ADOPTED this 3rd day of February, 2015.

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk

CITY OF PORTERVILLE
ENGINEER'S REPORT FOR ISLAND ANNEXATION AREA 459
SEWER PROJECT

SECTION 1. Authority for Report

This report is prepared by order of the City Council of the City of Porterville Resolution No. _____ . **This assessment is authorized pursuant to the Municipal**

Improvement Act of 1913 (California Streets and Highways Code Section 10000 et seq.) and California Constitution Article XIID, Section 4. The report is in compliance with the requirements of **California Streets and Highways Code Section 10204.**

SECTION 2. General Description

The City Council has elected to finance the Island Annexation Area 459 Sewer Facility District (hereinafter referred to as "District") which includes the installation of approximately 40' of 8" sewer main, 13,300' of 6" sewer mains, 368 sewer laterals and 30 manholes.

The City Council has determined that the new sewer system will have a positive effect upon all parcels within the proposed boundaries of the "District". Proposed sewer laterals will be provided on both sides of the streets to all parcels located within the district. The installed sewer system will be maintained and operated by the City of Porterville.

SECTION 3. Plans and Specifications

The plans and specifications for the "District" were prepared by the City of Porterville's Public Works Department, Engineering Division and are in conformance with City Standards and Specifications. The sewer mains, laterals and manholes are shown on the plans approved by the City Council on July 3, 2014. The total length of 8" & 6" sewer mains to be maintained is 13,340 L.F. **The plans and specifications for the project are on file with the Public Works Department of the City and are hereby incorporated by reference.**

SECTION 4. Improvements

Improvements to be constructed include:

40 LF of 8" sewer main, 13,300 LF of 6" sewer main, 368 sewer laterals and 30 manholes and other sewer related appurtenances.

SECTION 5. Estimated Costs

The initial construction cost will be borne by the City through a loan from re-financed Certificate of Participation Bond sewer funds. Payment on the loan will be made by a "one-time" assessment on the properties within the district receiving sewer facilities and paid annually over thirty (30) years at 3% interest by agreement between the City of Porterville and the Property Owner. A "District" map will be filed for record purposes upon voter approval of the "District" and installation of the improvements. The assessments are appropriate and will be used to pay the loan for construction and construction management of the Island Annexation Area 459 Sewer Project. District assessments will begin in the 2015-2016 Fiscal Year and will end in the 2045/2046 Fiscal Year. Assessments are based on the cost of construction and includes all or a portion of a 10% Construction Contingency and a Construction Management fee component. The "Actual Cost of Construction" is shown in Exhibit "A" attached herein.

SECTION 6. Assessment Legal Description & Boundary Map

A legal description and copy of the proposed assessment Boundary Map titled "Island Annexation Area 459 Sewer Facility District", referenced as Exhibit "C" and Exhibit "B" respectively is attached herein for review.

SECTION 7. Assessment

The initial cost of constructing improvements will be borne by the City of Porterville. The improvements are established for the benefit of all properties within the proposed Island Annexation Area 459 Sewer Facility District. The maintenance of the improvements (sewer mains and manholes) shall be performed by the City in perpetuity. The City Council of Porterville has determined that in order to pay for the construction of the 8” and 6” sewer main and related appurtenances, those properties in Exhibit ‘A’, should form a sewer facility district and that said district pay a semi-annual fee incorporated into the County’s tax roll to cover the cost of construction and construction management of the Island Annexation Area 459 Sewer Project.

The determination of benefits takes into consideration the following facts:

1. The purpose of the improvements is to provide a reliable, consistent and safe method of sewer disposal.
2. A safe and reliable sewer system benefits all properties within the “District”.
3. The parcels (lots) not adjacent to the newly installed 8” and 6” sewer mains shall have the opportunity to connect to a sewer lateral located at or near the Public Right-of-Way and extend private sewer laterals to those parcels (lots) in question.

Exhibit “A”, attached herein provides the following information:

Column 1 - Identifies the Property Number of the parcel located within the “District”.

Column 2 – Identifies the street address of the parcel within the “District”.

Column 3 - Identifies the Property Owner of the parcel within the “District” based on latest Tulare County Tax Roll.

Column 4 – Identifies the parcel within the “District” by County Assessor Number.

Column 5 – Identifies the parcel within the “District” by square footage.

Column 6 – Identifies the parcel within the “District” based on acreage.

Column 7 – Identifies the acreage fee per acre for each lot within the “District” based on actual construction cost. This cost includes a 10% “Construction Contingency”

Column 8 – Identifies the Zoning for each parcel within the “District”.

Column 9 – Identifies the width of each parcel within the “District”

Column 10 – Identifies the number of residential units per lot.

Column 11 – Identifies “Acreage” fee per lot based on the construction cost (Col. 6 x Col. 7) with the 10% construction contingency included.

Column 12 – Identifies Sewer Lateral cost per lot within the “District” based on actual construction cost plus a 10% construction contingency.

Column 13 – Identifies Plumbing Permit fee per lot within the “District”. This fee will not be assessed and must be paid by the property owner prior to connecting to the City sewer system.

Column 14 – Identifies Construction Management cost per lot within the “District” based on 5% of the construction cost.

Column 15 – Identifies the Total Connection Fee per lot within the “District”

NOTE: Column 15 identifies the actual assessment per parcel (lot) based on construction and construction management costs and is the sum of Columns 11, 12 & 14. This fee (cost) is the amount to be assessed each parcel over the life of the Island Annexation Area 459 Sewer Facility District loan.

The “Assessed Cost” per “typical” parcel is calculated as follows:

Column 11 = Construction bid + 10% contingency / Total Acreage within “District” x

Individual Parcel Size = $(\$746,094 \times 1.1) / 81.235 \text{ Ac.} \times 0.28 \text{ Ac.} = \mathbf{\$2,828.79}$

Note: The “construction bid” does not include the sewer lateral costs.

Column 12 = Cost of sewer lateral per parcel = $\$1,000 \times 1.1 = \mathbf{\$1,100}$

Note: Sewer lateral costs are specific to each property. The calculation above is representative of the methodology used in determining the cost associated to each parcel.

Column 14 = Construction Management Cost = $(\$1,155,064 \times 5\%) / 386 \text{ Serviceable Lots} = \mathbf{\$156.94 \text{ per lot.}}$

Note: The 5% is calculated based on the total cost of construction including the cost to install sewer laterals.

Column 15 = Total Assessment per Parcel (Lot) = Col 11 + Col. 12 + Col. 14 = **\$4,085.73**

Semi-Annual Payment Calculated As Follows:

$$A = P(i/12) [(1+i/12)^n / (1+i/12)^n - 1]$$

Where:

A = Semi-Annual Assessment (payment) per Residential Unit

P = Per Residential Unit Cost for Construction, Construction Management & Sewer Lateral Cost

= **\$4,085.73**

i = Interest (3%) compounded semi-annually = $.03/2 = .015$

n = Number of payments over 30 years = 60

Per Residential Unit Assessment Calculated as follows:

$$A = \$4,085.79 \times .015 \times [(1.015)^{60} / (1.0025)^{60} - 1] = \mathbf{\$103.75}$$

Baldomero Rodriguez, P.E.
Public Works Director
City of Porterville

Engineer of Record

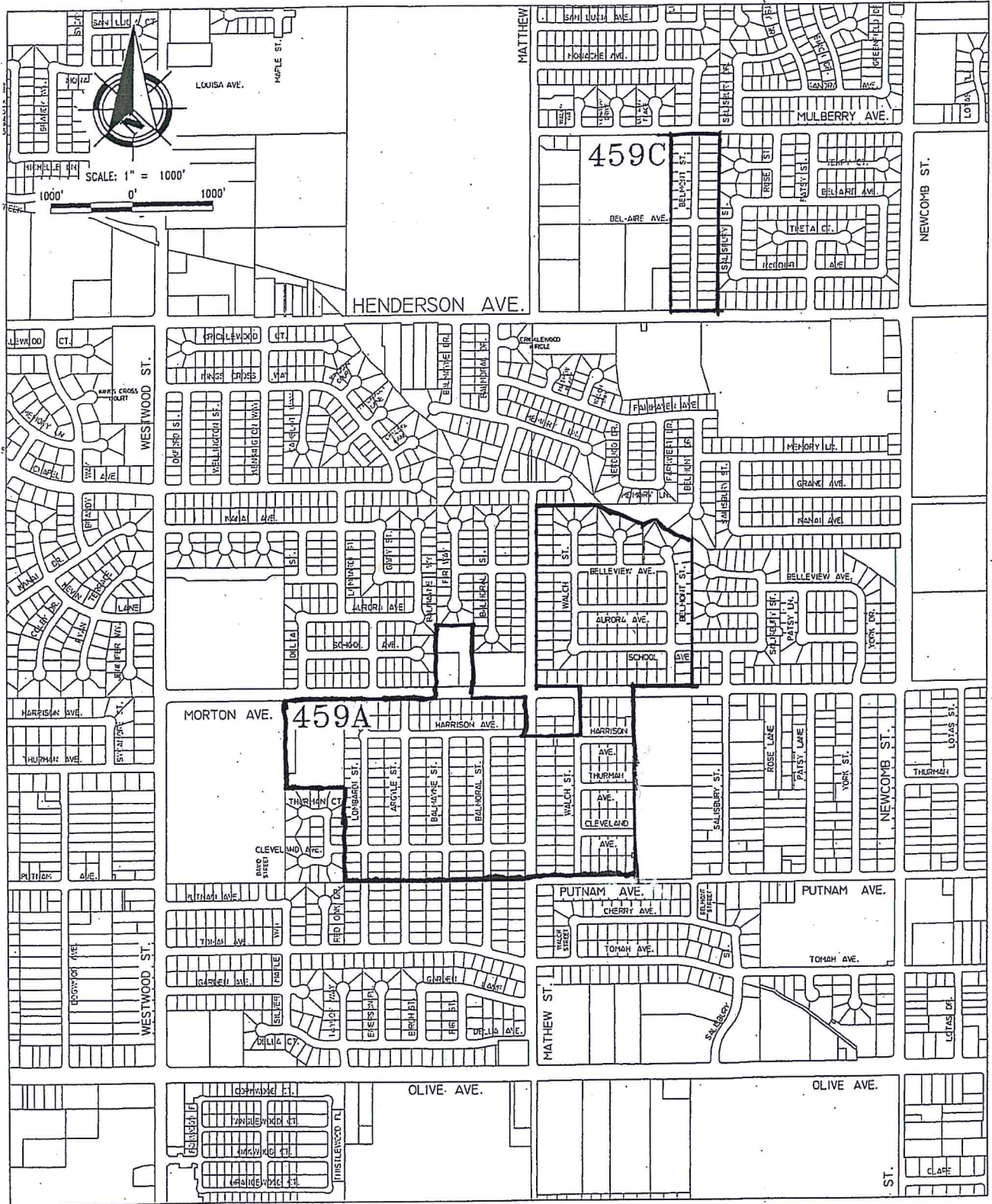
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Property No.	Property Address	Owner/First Name(s)	Owner/Last Name	APN	Lot Area (SF)	Lot Area (AC)	Acreage Fee/Acre	Zoning	Lot Front Footage	Units per Lot	Acreage Fee	Sewer Lateral Cost	Plumbing Permit	Construction Management Cost	Total Connection Fees
1	2	3			5	6	7	8	9	10	11 = (6) x (7)	12		14	(11) + (12) + (14)
350	445 N WALCH ST	FLORENCIO & GLORIA	HERNANDEZ	245171012	8366.6453	0.1921	\$ 10,102.83	RS-2	74	1	\$ 1,940.47	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,197.41
351	459 N WALCH ST	NARCISO	GARCIA	245171011	8038.3923	0.1845	\$ 10,102.83	RS-2	68	1	\$ 1,864.34	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,121.28
352	460 N WALCH ST	TERRY A	BERGFALK	245172018	7952.2208	0.1826	\$ 10,102.83	RS-2	95	1	\$ 1,844.35	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,101.29
353	467 N WALCH ST	ENRIQUETA	FERNANDEZ	245171010	8464.9207	0.1943	\$ 10,102.83	RS-2	68	1	\$ 1,963.26	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,220.20
354	472 N WALCH ST	CARLOS M & FRANCIS	SANCHEZ	245172001	8126.6365	0.1866	\$ 10,102.83	RS-2	95	1	\$ 1,884.80	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,141.74
355	479 N WALCH ST	PETE L & BARBARA	RODRIGUEZ	245171009	8402.5128	0.1929	\$ 10,102.83	RS-2	68	1	\$ 1,948.79	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,205.73
* 356	487 N WALCH ST	THOMAS	LOPEZ	245171008	8361.1829	0.1919	\$ 10,102.83	RS-2	68	1	\$ 1,939.20	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 196.14
357	503 N WALCH ST	JAIME	LOMELI	245184006	8253.3334	0.1895	\$ 10,102.83	RS-2	68	1	\$ 1,914.19	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,171.13
358	504 N WALCH ST	RAY & CHRISTINE	ALFARO	245183018	7928.2851	0.1820	\$ 10,102.83	RS-2	95	1	\$ 1,838.80	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,095.74
359	513 N WALCH ST	MIGUEL CEBALLOS	LEMUS	245184005	8145.1443	0.1870	\$ 10,102.83	RS-2	68	1	\$ 1,889.10	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,146.04
360	518 N WALCH ST	JOHN A & DEBORAH LEE	LOPEZ	245183001	7907.1661	0.1815	\$ 10,102.83	RS-2	95	1	\$ 1,833.90	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,090.84
361	552 N WALCH ST	RONALD L & JOYLYNN	NIX	245182036	9737.4809	0.2235	\$ 10,102.83	RS-2	72	1	\$ 2,258.40	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,515.34
362	553 N WALCH ST	PEGGY I	BRACKETT	245182027	8735.7672	0.2005	\$ 10,102.83	RS-2	72	1	\$ 2,026.08	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,283.02
363	563 N WALCH ST	MARIA	CEBALLOS	245182028	9161.7704	0.2103	\$ 10,102.83	RS-2	72	1	\$ 2,124.88	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,381.82
364	564 N WALCH ST	ROBERTO	YBARRA	245182035	9803.4657	0.2251	\$ 10,102.83	RS-2	72	1	\$ 2,273.71	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,530.65
365	573 N WALCH ST	ANDREW J	GARCIA	245182029	8383.7488	0.1925	\$ 10,102.83	RS-2	56	1	\$ 1,944.44	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,201.38
366	574 N WALCH ST	LETICIA C	BEDOLLA	245182034	8777.3722	0.2015	\$ 10,102.83	RS-2	55	1	\$ 2,035.73	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,292.67
367	579 N WALCH ST	CHARLENE	DUNLAVY	245182030	9034.4884	0.2074	\$ 10,102.83	RS-2	45	1	\$ 2,095.36	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,352.30
368	580 N WALCH ST	BILL B & RHONDA J	LONG	245182033	10735.1264	0.2464	\$ 10,102.83	RS-2	45	1	\$ 2,489.79	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,746.73
369	583 N WALCH ST	CAROLE TRASK	PEREZ	245182031	11072.7822	0.2542	\$ 10,102.83	RS-2	45	1	\$ 2,568.10	\$ 1,100.00	\$ 80.00	\$ 156.94	\$ 3,825.04
370	584 N WALCH ST	ARMANDO	GARAY	245182032	11129.4588	0.2555	\$ 10,102.83	RS-2	45	1	\$ 2,581.24	\$ 1,100.00	\$ 80.00	\$ 215.00	\$ 3,896.24

* House has been paying monthly sewer charge over 10 years.
 Owner has agreed to Baldo's Option 1, \$3,000 deduction of assessment.

81.2350 368 \$ 820,703.24 \$ 449,867.00 \$ 58,127.86 \$ 1,325,698.10

Exhibit 'B'



□ PROJECT BOUNDARIES

ISLAND ANNEX. 459A & 459C

EXHIBIT "C"
City of Porterville
Annexation No. 459, Area A
Description for Annexation

That portion of Section 28, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Commencing at the Southwest corner of the Northeast quarter of said Section 28; thence, westerly, along the South line of the Northeast quarter of said Section 28, a distance of 40 feet, more or less, to the intersection with the southerly prolongation of the East right of way line of Mathew Street; thence, northerly, along said southerly prolongation of the East right of way line of Mathew Street, a distance of 60 feet, more or less, to the end of curve / point of tangency on the East right of way line of Mathew Street, an angle point on the existing City Limits Line, the TRUE POINT OF BEGINNING;

A1 Thence, northerly, along the existing City Limits Line and the East right of way of Mathew Street, a distance of 1,259.95 feet, more or less, to an angle point in the existing City Limits Line;

A2 Thence, southwesterly, along the existing City Limits Line, a distance of 410 feet, more or less, to an angle point in the existing City Limits Line;

A3 Thence, southwesterly, along the existing City Limits Line, a distance of 138.39 feet, more or less, to an angle point in the existing City Limits Line;

A4 Thence, southwesterly, along the existing City Limits Line, a distance of 71.29 feet, more or less, to an angle point in the existing City Limits Line;

A5 Thence, southwesterly, along the existing City Limits Line, a distance of 134.84 feet, more or less, to an angle point in the existing City Limits Line;

A6 Thence, southwesterly, along the existing City Limits Line, a distance of 42.85 feet, more or less, to an angle point in the existing City Limits Line;

A7 Thence, northwesterly, along the existing City Limits Line, a distance of 83.87 feet, more or less, to an angle point in the existing City Limits Line;

A8 Thence, northwesterly, along the existing City Limits Line, a distance of 22.00 feet, more or less, to an angle point in the existing City Limits Line;

A9 Thence, southwesterly, along the existing City Limits Line, a distance of 107.26 feet, more or less, to an angle point in the existing City Limits Line;

A10 Thence, southwesterly, along the existing City Limits Line, a distance of 112.51 feet, more or less, to an angle point in the existing City Limits Line;

A11 Thence, southwesterly, along the existing City Limits Line, a distance of 81.43 feet, more or less, to the East line of Tract 368 as per Map recorded in Volume 23 of Maps, page 43, Tulare County Records, an angle point in the existing City Limits Line;

A12 Thence, southerly, along the existing City Limits Line and said East line, a distance of 1025 feet, more or less, to the North right of way line of Morton Avenue, an angle point in the existing City Limits Line;

A13 Thence, westerly, along the existing City Limits Line, a distance of 81.43 feet, more or less, to the intersection with the northerly prolongation of the East line of Tract No. 339, per Map recorded in Volume 22 of Maps, at Page 98, Tulare County Records, an angle point in the existing City Limits Line;

A14 Thence, southerly, along the existing City Limits Line and the prolongation of the East line of said Tract No. 339, and said East line, a distance of 1334.76 feet, more or less, to the North right of way line of Putnam Avenue, an angle point in the existing City Limits Line;

A15 Thence, westerly, along the existing City Limits Line and the North right of way line of Putnam Avenue, a distance of 704.04 feet, more or less, to an angle point in the existing City Limits Line;

A16 Thence, southerly, along the existing City Limits Line, a distance of 60.00 feet, more or less, to an angle point in the existing City Limits Line;

A17 Thence, westerly, along the existing City Limits Line, a distance of 40.00 feet, more or less, to the East line of the Southwest quarter of said Section 28, an angle point in the existing City Limits Line;

A18 Thence, northerly, along the existing City Limits Line and the East line of the Southwest quarter of said Section 28, a distance of 30.00 feet, more or less, to the Southeast corner of Tract No. 411, Unit No. 2 as shown on the map thereof recorded in Volume 24 of Maps at page 52, Tulare County Records, an angle point in the existing City Limits Line;

A19 Thence, westerly, along the existing City Limits Line and the South line of said Tract No. 411, Unit No. 2 and the South line of Tract No. 411, Unit No. 1, as shown on the map thereof recorded in Volume 24 of Maps at page 16, Tulare County Records, a distance of 1320.42 feet, more or less, to the East line of the West half of the Southwest quarter of said Section 28, an angle point in the existing City Limits Line;

A20 Thence, northerly, along the existing City Limits Line and the East line of the West half of the Southwest quarter of said Section 28, a distance of 664 feet, more or less, to the North line of the South half of the Northwest quarter of the Southwest quarter of said Section 28, an angle point in the existing City Limits Line;

A21 Thence, westerly, along the existing City Limits Line and the North line of the South half of the Northwest quarter of the Southwest quarter of said Section 28, a distance of 425.22 feet, more or less, to an angle point in the existing City Limits Line;

A22 Thence, northerly, along the existing City Limits Line, a distance of 617 feet, more or less, to the South right of way line of Morton Avenue, an angle point in the existing City Limits Line;

A23 Thence, easterly, along the existing City Limits Line and the South right of way line of Morton Avenue, a distance of 1039 feet, more or less, to the intersection with the southerly prolongation of the East line of the West three-quarters of the South half of the Northwest quarter of said Section 28, an angle point in the existing City Limits Line;

A24 Thence, northerly, along the existing City Limits Line and said southerly prolongation and along the East line of the West three-quarters of the South half of the Northwest quarter of said Section 28, a distance of 515 feet, more or less, to the Southwest corner of Parcel 1 of Parcel Map No. 3323 per map recorded in Book 34, page 25, of Parcel Maps, an angle point in the existing City Limits Line;

A25 Thence, easterly, along the existing City Limits Line and the South line of said Parcel 1, a distance of 257.68 feet, more or less, to the West line of the East 402 feet of the Southeast quarter of the Northwest quarter of said Section 28, an angle point in the existing City Limits Line;

A26 Thence, southerly, along the existing City Limits Line and said West line and the southerly prolongation of said West line, a distance of 516 feet, more or less, to the South right of way line of Morton Avenue, an angle point in the existing City Limits Line;

A27 Thence, easterly, along the existing City Limits Line and the South right of way line of Morton Avenue, a distance of 346 feet, more or less, to the beginning of a curve, an angle point in the existing City Limits Line;

A28 Thence, southeasterly, along the existing City Limits Line and a curve concave to the Southwest having a radius of 20.00 feet, more or less, a central angle of $90^{\circ} 19'36''$, more or less, a chord distance of 28.36 feet, more or less, and an arc distance of 31.53 feet, more or less, to the West right of way line of Mathew Street, an angle point in the existing City Limits Line;

A29 Thence, southerly, along the existing City Limits Line and the West right of way line of Mathew Street, a distance of 251.10 feet, more or less, to the westerly

prolongation of the South line of Lot 1 of Tract No. 477, per map recorded in Volume 25, page 84, of Maps, Tulare County Records, an angle point in the existing City Limits Line;

A30 Thence, easterly, along the existing City Limits Line and the westerly prolongation of the South line of said Lot 1, and said South line, and the easterly prolongation of said South line, a distance of 395.91 feet, more or less, to the East right of way line of Walsh Street, an angle point in the existing City Limits Line;

A31 Thence, northerly, along the existing City Limits Line and the East right of way line of Walsh Street, and the northerly prolongation of said East right of way line, a distance of 351.00 feet, more or less, to the North right of way line of Morton Avenue, an angle point in the existing City Limits Line;

A32 Thence, westerly, along the existing City Limits Line and the North right of way line of Morton Avenue, a distance of 296.00 feet, more or less, to the beginning of a curve, an angle point in the existing City Limits Line;

A33 Thence, northwesterly, along the existing City Limits Line and a curve concave to the Northeast having a radius of 20.00 feet, more or less, a central angle of $90^{\circ} 19'36''$, more or less, a chord distance of 28.36 feet, more or less, and an arc distance of 31.53 feet, more or less, to the East right of way line of Mathew Street, the TRUE POINT OF BEGINNING

ACREAGE = 99 ± ACRES

EXHIBIT "C"
City of Porterville
Annexation No. 459, Area B
Description for Annexation

That portion of Section 33, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Commencing at the Northwest corner of said Section 33; thence, westerly, along the North line of the Northeast quarter of Section 32, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, a distance of 40.00 feet, more or less, to the intersection with the southerly prolongation of the West line of Westwood Street, a point on the existing City Limits Line; thence, southerly, along the existing City Limits Line and said southerly projection, a distance of 80.00 feet, more or less, to the intersection with the South right of way line of Olive Avenue, a point on the existing City Limits Line; thence, easterly, along said South right of way line, a distance of 82.00 feet, more or less, to the intersection with the East right of way line of Westwood Street, a point on the existing City Limits Line, and the TRUE POINT OF BEGINNING;

B1 Thence, easterly, along the existing City Limits Line and the South right of way line of Olive Avenue, a distance of 123 feet, more or less, to the East line of the West 165 feet of the Northwest quarter of said Section 33, an angle point in the existing City Limits Line;

B2 Thence, southerly, along the existing City Limits Line and the East line of the West 165 feet of the Northwest quarter of said Section 33, a distance of 448 feet, more or less, to the South line of the North 528 feet of the Northwest quarter of said Section 33, an angle point in the existing City Limits Line;

B3 Thence, westerly, along the existing City Limits Line and the South line of the North 528 feet of the Northwest quarter of said Section 33, a distance of 123 feet, more or less, to the East right of way line of Westwood Street, an angle point in the existing City Limits Line;

B4 Thence, northerly, along the existing City Limits Line and said East right of way line, a distance of 448 feet, more or less, to the South right of way line of Olive Avenue, a point in the existing City Limits Line, and the TRUE POINT OF BEGINNING.

ACREAGE = 1.3 ± ACRES

EXHIBIT "C"
City of Porterville
Annexation No. 459, Area C
Description for Annexation

That portion of Section 21, Township 21 South, Range 27 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, described as follows:

Commencing at the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 21; thence, northerly, along the West line of the Southeast quarter of the Southeast quarter of said Section 21, a distance of 112.61 feet, more or less, to the Northeast corner of Lot 19 of Tract No. 325, recorded in Volume 23 of Maps, Page 4, Tulare County Records, an angle point on the existing City Limits Line, the TRUE POINT OF BEGINNING;

C1 Thence, westerly, along the existing City Limits Line and the North line of said Lot 19, the westerly prolongation of said North line, and the North line of Lot 18 of said Tract No. 325, a distance of 329.90 feet, more or less, to the Northwest corner of said Lot 18, an angle point in the existing City Limits Line;

C2 Thence, northerly, along the existing City Limits Line and the West line of said Tract No. 325, a distance of 1192 feet, more or less, to the South right of way line of Mulberry Avenue, an angle point in the existing City Limits Line;

C3 Thence, easterly, along the existing City Limits Line and the South right of way line of Mulberry Avenue, a distance of 330 feet, more or less, to the West line of the Southeast quarter of the Southeast quarter of said Section 21, an angle point in the existing City Limits Line;

C4 Thence, southerly, along the existing City Limits Line and said West line, a distance of 1192 feet, more or less, to the Northeast corner of said Lot 19, an angle point on the existing City Limits Line, the TRUE POINT OF BEGINNING.

ACREAGE = 9 ± ACRES

RESOLUTION NO.: _____ - 2015

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE ACCEPTING
THE ENGINEER'S REPORT FOR
ISLAND ANNEXATION AREA 459 SEWER PROJECT

WHEREAS, Island Annexation Area 459, was annexed into the city in November 2006; and

WHEREAS, the parcels in this area utilize individual septic tanks that are failing; and

WHEREAS, an Engineer's Report has been prepared by direction of the City Council of the City of Porterville; and

WHEREAS, the report states that the new sewer system will have a positive effect upon all parcels within the proposed boundary and provide a reliable, consistent and safe method of sewage disposal; and

WHEREAS, the report states construction costs will initially be provided by a loan from re-financed Certificate of Participation Bond Sewer funds, and establishes repayment of the loan by property owners through a Sewer Utility District; and

WHEREAS, legal descriptions of properties and the proposed assessment Boundary Map is referenced in the report;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville accepts the Engineer's Report for the Island Annexation Area 455 sewer project.

PASSED, APPROVED AND ADOPTED this 3rd day of February, 2015.

Milt Stowe, Mayor

ATTEST:
John D. Lollis, City Clerk

By: _____
Patrice Hildreth, Chief Deputy City Clerk