

RESOLUTION NO. 21-214**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO DECLARING ITS INTENTION TO LEVY AN ANNUAL ASSESSMENT UNDER CHAPTER 3 OF THE LANDSCAPING AND LIGHTING ACT OF 1972 IN THE RENAISSANCE AT BELLA VISTA ASSESSMENT DISTRICT FOR COUNTY SERVICE AREA NO. 34, ZONE D, AND SETTING A PUBLIC HEARING ON THE PROPOSED ASSESSMENT.**

WHEREAS, the County provides street lighting services, open space maintenance and public right-of-way landscape maintenance, in County Service Area No. 34, Zone D – Renaissance at Bella Vista (CSA 34D);

WHEREAS, Government Code section 25215.3 authorizes the Board of Supervisors (Board), on behalf of CSA 34D, to impose a benefit assessment in CSA 34D under the Landscaping and Lighting Act of 1972 (Streets and Highways Code, Division 15, Part 2, (beginning with Section 22500) for street lighting services, open space maintenance and public right-of-way landscape maintenance , subject to the requirements of California Constitution, article XIII D, section 4; and

WHEREAS, the Board, by Resolution 17-544 on December 5, 2017, formed the Renaissance at Bella Vista Assessment District, whose boundaries are coextensive with those of CSA 34D, the location and boundaries of which are shown on the map attached to this resolution as Exhibit A; and

WHEREAS, the Board, by Resolution 17-544, also provided that, beginning in fiscal year 2018-19, and for each year after, the Board may levy an annual assessment that includes an inflation increase in an amount not to exceed the amounts shown in Exhibit B to Resolution 17-544; and

WHEREAS, the “improvements” for purposes of Streets and Highways Code section 22525 are generally described as street lighting services, open space maintenance and public right-of-way landscape maintenance for CSA 34D; and

WHEREAS, the Board has received and approved an engineer’s report, dated July 13, 2021, and prepared by a registered professional engineer certified by the State of California, supporting an annual assessment in the Assessment District for street lighting services, open space maintenance, and public right-of-way landscape maintenance in CSA 34D in the 2021-22 fiscal year (Engineer’s Report); and

1 WHEREAS, the Engineer's Report contains a full and detailed description of the improvements,
2 the boundaries of the Assessment District, and the proposed assessments upon assessable lots and
3 parcels of land within the Assessment District; and

4 WHEREAS, the Engineer's Report is on file with the Clerk of the Board; and

5 WHEREAS, before adopting this Resolution, the Board considered all testimony and
6 documentary evidence, and gave all persons a full and fair opportunity to be heard with respect to any
7 matter relating to the subject of this Resolution, both in favor and against it, and any matter relevant to
8 these proceedings, all of which was done in the interest of the public, and the Board is fully informed of
9 all matters referred to in this resolution.

10 NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO DOES
11 HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

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

13 **Section 2.** The Board hereby declares its intention to levy and collect an assessment in the
14 Assessment District, under Chapter 3 of the Landscaping and Lighting Act of 1972, for street lighting
15 services, open space maintenance and public right-of-way landscape maintenance for the 2021-22
16 fiscal year. The assessment is not proposed to increase from the previous year, under the definition of
17 "increase" provided by Streets and highways Code section 22630.5, Government Code section
18 54954.6, subdivision (a)(1)(D), and Government Code section 53750, subdivision (h)(1), because it
19 does not increase any applicable rate used to calculate the assessment, revise the methodology by
20 which the assessment is calculated, or result in an assessment being levied on any person or parcel
21 that exceeds what was approved in the Proposition 218 proceeding in 2017, but applies the inflation
22 increases approved by the Board in Resolution 17-544, and for those reasons is not subject to the
23 special notice, protest, hearing, and assessment balloting procedures under Government Code section
24 53753.

25 **Section 3.** A public hearing of the Board is hereby set for **August 10, 2021, at 10:00 A.M.**,
26 or as soon after as practicable, in the Board Room of the Fresno County Board of Supervisors, Room
27 301, Hall of Records, 2281 Tulare Street, Fresno, California, 93721, for hearing all objections and
28 protests to the annual assessment, the amount assessed against each parcel, and related matters as

1 set forth in the Engineer's Report (collectively, Public Hearing). The Public Hearing shall be held under
2 Sections 22629 through 22631 of the California Streets and Highways Code. The Public Hearing may
3 be continued from time to time by the Board without further notice, except that it may not be continued
4 to a date after August 10, 2021, without prior consent of the County Auditor-Controller/Treasurer-Tax
5 Collector.

6 **Section 4** The Board hereby authorizes and directs the Clerk of the Board to cause notice
7 of the filing of the Engineer's report, and of the time, date, and place of the Public Hearing to be
8 published under Government Code section 6061, one time, at least 10 days before the Public Hearing,
9 as required by Streets and Highways Code sections 22552 and 22553. The publication required by this
10 Section 4 of this resolution shall include all the information in this resolution.

11 **Section 5.** Property owners wishing to preserve the opportunity to file a lawsuit challenging
12 the assessment, if levied, must file a written protest and state therein the specific grounds of protest.
13 Any grounds of protest not stated in a written protest filed prior to the close of the public hearing of
14 protests are deemed waived in any subsequent lawsuit and may not be raised in such lawsuit.

15 **Section 6.** The validity of the assessment announced by the Board of Supervisors shall not
16 be contested in any action or proceeding unless the action or proceeding is commenced within thirty
17 days after the assessment is announced and adopted (Fresno County Ordinance Code Section
18 4.28.040).

19 **Section 7.** The Board hereby finds and determines that it took all of the foregoing actions
20 and made all of the foregoing findings in full compliance with the law, including, without limitation,
21 Landscaping and Lighting Act of 1972, Article XIIIID of the California Constitution, and any other law
22 referred to in this resolution. All proceedings referred to in this resolution have been taken with respect
23 to the Assessment District for CSA 34D.

24 **Section 8.** This Resolution shall take effect immediately upon its adoption.

25 **Section 9.** The Clerk of the Board shall certify to the adoption of this Resolution and shall
26 cause a certified copy of this Resolution to be filed in the office of the Clerk.


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THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors of the County of Fresno this 13th day of July, 2021, to-wit:

- AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero
- NOES: None
- ABSENT: None
- ABSTAINED: None



Steven Brandau, Chairman of the Board of Supervisors of the County of Fresno

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


By  _____
Deputy

EXHIBIT B
PROPOSED BENEFIT ASSESSMENT
FOR STREET LIGHT SERVICES, OPEN SPACE AND PUBLIC RIGHT-OF-WAY LANDSCAPE
MAINTENANCE COUNTY SERVICE AREA NO. 34D ASSESSMENT ROLL

Number	APN	Owner Name	FY 2021-22
1	30067101S	CRABTREE JACK RAY JR & SARAH ASHEL	\$187.51
2	30067102S	SRENASKI SHANE & JENNIFER	\$187.51
3	30067103S	HUNSDORFER ARTHUR H	\$187.51
4	30067104S	MARTINEZ GUY J	\$187.51
5	30067105S	MAGNA ERICK	\$187.51
6	30067106S	SENG VANG & MAI YANG	\$187.51
7	30067107S	BURTON CRAIG R & MELANIE MACK	\$187.51
8	30067108S	BLOOM BRUCE & WHITNEY	\$187.51
9	30067201S	YANG LEE & MAI CHAO	\$187.51
10	30067202S	JENNINGS TIFFANY	\$187.51
11	30067203S	JOHNSON NICHOLE	\$187.51
12	30067204S	FLECK TRENTON D & SARAH ANNE	\$187.51
13	30067205S	WINSLOW DOUGLAS E & CHRISTINE A TRS	\$187.51
14	30067206S	STEWART CLAYTON DAVID & EMILY ROSE	\$187.51
15	30067207S	TUCKER RYAN & MARIA IZABEL	\$187.51
16	30067208S	JPJ INCORPORATED	\$187.51
17	30067209S	YBARRA ANTHONY A & JOSEPHINE	\$187.51
18	30067210S	DENNIS BRIAN S & ELIZABETH	\$187.51
19	30067301S	ARBUCKLE GARRETT & JULIE	\$187.51
20	30067302S	JACOBSON-MESSNER KRISTIN	\$187.51
21	30067303S	TRANG DUNG A & HANH TUYET THI NGUYEN	\$187.51
22	30067304S	DOUGLAS CALVIN B	\$187.51
23	30067305S	HOLDBROOKS CHRISTOPHER & JOANNE YAMBAO	\$187.51
24	30067306S	KEVORKIAN ANDRE G	\$187.51
25	30067307S	JPA INVESTMENTS	\$187.51
26	30067308S	JPA INVESTMENTS	\$187.51
27	30067309S	JPA INVESTMENTS	\$187.51
28	30067310S	JPA INVESTMENTS	\$187.51
29	30067401S	JPA INVESTMENTS	\$187.51
30	30067402S	GONZALEZ MARCOS	\$187.51
31	30067403S	CHUKWU UZOMA	\$187.51
32	30067404S	JPA INVESTMENTS	\$187.51
33	30067405S	JPA INVESTMENTS	\$187.51
34	30068101S	JACKSON NATHANIEL	\$187.51
35	30068102S	LEWIS TOM & MARYANN	\$187.51
36	30068103S	BURT CHARLES	\$187.51
37	30068104S	BURT RACHEL	\$187.51
38	30068105S	LAMBERT TONI	\$187.51
39	30068106S	BAUNE KARL	\$187.51
40	30068107S	CAPUCHINO DAWN	\$187.51
41	30068108S	JPA INVESTMENTS	\$187.51
42	30068109S	JPA INVESTMENTS	\$187.51
43	30068201S	JPA INVESTMENTS	\$187.51

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44	30068202S	JPA INVESTMENTS	\$187.51
45	30068203S	JPA INVESTMENTS	\$187.51
46	30068204S	JPA INVESTMENTS	\$187.51
47	30068205S	JPA INVESTMENTS	\$187.51
48	30068206S	JPA INVESTMENTS	\$187.51
49	30068207S	JPA INVESTMENTS	\$187.51
50	30068208S	KLIKNA JASON & KARIS	\$187.51
51	30068209S	104 INVESTMENTS, LLC	\$187.51
52	30068210S	104 INVESTMENTS, LLC	\$187.51
53	30068211S	104 INVESTMENTS, LLC	\$187.51
54	30068212S	104 INVESTMENTS, LLC	\$187.51
55	30068213S	104 INVESTMENTS, LLC	\$187.51
56	30068214S	104 INVESTMENTS, LLC	\$187.51
57	30068215S	104 INVESTMENTS, LLC	\$187.51
58	30068216S	104 INVESTMENTS, LLC	\$187.51
59	30068217S	104 INVESTMENTS, LLC	\$187.51
60	30068218S	104 INVESTMENTS, LLC	\$187.51
61	30068219S	104 INVESTMENTS, LLC	\$187.51
62	30068220S	104 INVESTMENTS, LLC	\$187.51
63	30068221S	104 INVESTMENTS, LLC	\$187.51
64	30068222S	104 INVESTMENTS, LLC	\$187.51
65	30068223S	104 INVESTMENTS, LLC	\$187.51
66	30068224S	104 INVESTMENTS, LLC	\$187.51
67	30068225S	104 INVESTMENTS, LLC	\$187.51
68	30068226S	104 INVESTMENTS, LLC	\$187.51
69	30068301S	JPA INVESTMENTS	\$187.51
70	30068302S	JPA INVESTMENTS	\$187.51
71	30068303S	JPA INVESTMENTS	\$187.51
72	30068304S	JPA INVESTMENTS	\$187.51
73	30068305S	JPA INVESTMENTS	\$187.51
74	30068306S	JPA INVESTMENTS	\$187.51
75	30068307S	JPA INVESTMENTS	\$187.51
76	30068401S	JPA INVESTMENTS	\$187.51
77	30068402S	JPA INVESTMENTS	\$187.51
78	30068403S	JPA INVESTMENTS	\$187.51
79	30068404S	JPA INVESTMENTS	\$187.51
80	30068405S	JPA INVESTMENTS	\$187.51
81	30068406S	JPA INVESTMENTS	\$187.51
82	30068407S	JPA INVESTMENTS	\$187.51
83	30068408S	GEBHART MICHAEL & COURTNEY	\$187.51
84	30068409S	JPJ INCORPORATED	\$187.51
85	30068410S	OCHOA RYAN	\$187.51
86	30068411S	LEGORRETA IVAN & SAMANTHA	\$187.51

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MAINTENANCE COUNTY SERVICE AREA NO. 34D ASSESSMENT ROLL

87	30068412S	CASS BRIAN DAVID & SHANNON SHALENE	\$187.51
88	30068413S	GRAHLMAN MARGRET	\$187.51
89	30068414S	WILLOW SPENCER	\$187.51
90	30068415S	ACLE RALPH	\$187.51
91	30068416S	KNUDSEN DEVIN	\$187.51
92	30068417S	MITCHUM RYAN	\$187.51
93	30068418S	DENETTE ASHLEY	\$187.51
94	30068419S	MONTOYA FLOR YAZMIN	\$187.51
95	30068420S	CANALES-SHRUM GUADALUPE TRS	\$187.51
96	30068421S	MADARANG DARWIN & PATRICK ESCALANTE	\$187.51
97	30068422S	JPJ INCORPORATED	\$187.51
98	30068423S	CANALES BRIAN & NADINE	\$187.51
99	30068424S	GONZALEZ JOHN H & MAGALENA	\$187.51
100	30068425S	APSAY JORGE & AMELIA	\$187.51
101	30068501S	JPA INVESTMENTS	\$187.51
102	30068502S	JPA INVESTMENTS	\$187.51
103	30068503S	JPA INVESTMENTS	\$187.51
104	30068504S	JPA INVESTMENTS	\$187.51
105	30068505S	JPA INVESTMENTS	\$187.51
106	30068506S	JPA INVESTMENTS	\$187.51
TOTAL			\$19,876.06