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RESOLUTION NO. 19-323

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO INITIATING 2 ASSESSMENT PROCEEDINGS UNDER THE UNIFORM STANDBY CHARGE PROCEDURES ACT FOR LOCAL WATER AND SEWER UTILITY SYSTEM READY-TO-SERVE OPERATIONS AND 3 MAINTENANCE, UNDER CHAPTER 2 OF THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR 4 STREET LIGHTING AND PUBLIC RIGHT-OF-WAY LANDSCAPE MAINTENANCE, AND UNDER THE BENEFIT ASSESSMENT ACT OF 1982 FOR STORM DRAINAGE AND ROAD MAINTENANCE, ALL FOR COUNTY SERVICE AREA 34, PROPOSED ZONE G (GRANVILLE), APPOINTING AND 5 DESIGNATING AN ASSESSMENT ENGINEER, AND DIRECTING THE PREPARATION AND FILING 6 OF AN ENGINEER'S REPORT

WHEREAS, the Board of Supervisors (Board) formed County Service Area No. 34 (CSA 34) in 1986 to provide a wide variety of governmental services for the community of Millerton New Town; and

WHEREAS, Tentative Tract Map No. 6189 (Tract 6189) lies wholly within the boundaries of

CSA 34; and

WHEREAS, to comply with a condition of approval of Tract 6189, a developer/landowner has 11 requested the formation of CSA 34, proposed Zone G (CSA 34G), also known as Granville; and 12

WHEREAS, for the reasons stated above, the formation of CSA 34G is proposed under Article 8 of the County Service Area Law and to that end the Board is also, by separate resolution today, declaring 15 its intention to form CSA 34G;

WHEREAS, the facilities and services proposed to be provided by the County in CSA 34G include: 16 (1) maintaining water distribution piping system facilities and sewer collection piping and pumping 17 facilities in ready-to-serve status (collectively, Water and Sewer Facilities); (2) paying for operations and 18 maintenance of a street lighting system owned by PG&E, providing street safety lighting along all of the 19 Tract 6189 streets, to maintain the visual presentation of those streets, and all work and expenses 20 associated with the maintenance of public right-of-way landscaping, installed pursuant to the 21 development of Tract 6189, to preserve the visual presentation of the community (collectively, Lighting, 22 and Public Right-of-Way Landscape Maintenance); and (3) storm drainage and road maintenance, 23 including street paving, striping, signage maintenance, repair and reconditioning to maintain all of the in-24 tract and off-site streets constructed pursuant to the development of Tract 6189, including the funding of 25 special reserve funds created and funded as a condition of approval for Tract 6189, and including 26 inspection of street pavement to identify sections in need of immediate repair, inspection of all street 27 signage installed pursuant to the development of Tract 6189 and replacement as needed of any damaged 28

or degraded street signs and poles, inspection and reconditioning of all street striping, and all related
insurance and administrative costs (collectively, Storm Drainage and Road Maintenance); and

WHEREAS, under Government Code, section 25217.1, subdivision (d), before the formation of CSA 34G may be approved by the Board, user fees and benefit assessments to pay for the services described above must be approved by owners of benefitted and specially benefitted properties as required by Proposition 218 (California Constitution, Article XIII D, sections 4 and 6); and

WHEREAS, Government Code, section 25215.6 authorizes the County to impose benefit assessment in CSA 34G under the Uniform Standby Charge Procedures Act (Government Code, section 54984 through 54984.9) to pay for the costs of Water and Sewer Facilities; and

WHEREAS, Government Code, section 25215.3 authorizes the County to impose a benefit assessment in CSA 34G under Chapter 2 of the Landscaping and Lighting Act of 1972 (Streets and Highways Code, Division 15, Part 2, beginning with section 22500) to pay for the costs of the Lighting, Public Right-of-Way Landscape Maintenance; and

WHEREAS, Government Code, section 25215.3 authorizes the County to impose a benefit assessment in CSA 34G under the Benefit Assessment Act of 1982 (Government Code, sections 54703 through 54720) to pay for the costs of Storm Drainage and Road maintenance; and

WHEREAS, CSA 34G, which is shown on by a boundary line on the map attached to this resolution as Exhibit A-1, is the territory where benefit assessments to pay for the costs the Water and Sewer Facilities, the Lighting, Public Right-of-Way Landscape Maintenance, and the Storm Drainage and Road Maintenance, are proposed for imposition;

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

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

Section 2. The Board hereby proposes to proceed under the Uniform Standby Charge Procedures Act and to levy and collect a benefit assessment in CSA 34G for the costs of the Water and Sewer Facilities; to proceed under Chapter 2 of the Landscaping and Lighting Act of 1972 and to levy and collect a benefit assessment in CSA 34G for the costs of the Lighting, and Public Right-of-Way Landscape Maintenance; and to proceed under the Benefit Assessment Act of 1982 and to levy and

1 collect a benefit assessment in CSA 34G for the costs of the Storm Drainage and Road Maintenance in 2 CSA 34G.

Section 3. For purposes of the benefit assessment for Lighting and Public Right-of-Way Landscape Maintenance, the area to be assessed, which is CSA 34G in its entirety, the boundaries of which are described in Exhibit A, is designated as "Granville Lighting and Public Right-of-Way Landscape Maintenance District."

7 Section 3. The Board hereby appoints and designates Kheng Vang, registered under the 8 Professional Engineers Act (Division 3, Chapter 7 of the California Business and Professions Code, beginning with Section 6700), as the Assessment Engineer (Assessment Engineer) for all three of the proposed benefit assessments. 10

The Assessment Engineer is hereby authorized and directed to make and, no later Section 4. than August 20, 2019, file with the Clerk of the Board a written report (Engineer's Report) with regard to the proposed benefit assessments for the costs of the Water and Sewer Facilities, the Lighting, Public 14 Right-of-Way Landscape Maintenance, and the Storm Drainage and Road Maintenance, which Engineer's Report shall comply with the requirements of Section 4 of Article XIII D of the California 16 Constitution, Government Code, section 54716 in the Benefit Assessment Act of 1982, and Chapter 1. 17 Article 4 (beginning with section 22565 of the Streets and Highways Code) of the Landscaping and 18 Lighting Act of 1972.

Section 5. The Board hereby finds and determines that it took all of the foregoing actions and made all of the foregoing findings in full compliance with the law, including, without limitation, the Uniform Standby Charge Procedures Act, the Benefit Assessment Act of 1982, the Landscaping and Lighting Act of 1972, and Article XIII D of the California Constitution, and any other law referred to in this resolution.

This resolution shall take effect immediately upon its adoption.

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Section 6.

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| 1 | THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors | | |
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| 2 | of the County of Fresno this 20th day of August, 2019, to-wit: | | |
| 3 | AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero | | |
| 4 | NOES: None | | |
| 5 | ABSENT: None | | |
| 6 | ABSTAINED: None | | |
| 7 | 752 | | |
| 8 | Nathan Magsig, Chairman of the Board | | |
| 9 | of Supervisors of the County of Fresno | | |
| 10 | ATTEST: | | |
| 11 | Clerk of the Board of Supervisors | | |
| 12 | County of Fresno, State of California | | |
| 13 | By Susan Bishop | | |
| 14 | Deputy | | |
| 15 16 | G:\4360Resources\SPECIAL DISTRICTS\CSA - County Service Area\CSA 34G\FIN\Prop 218\ROI\Local\Local\Local Reso of Initiation docx | | |
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NOTARY 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 FRESNO

__, BEFORE ME, _____ ON

PERSONALLY APPEARED__ 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

| SIGNATURE | | |
|-----------------------|--|--|
| NAME | | |
| COUNTY OF | | |
| MY COMMISSION EXPIRES | | |

MY COMMISSION NUMBER _____

NOTARY 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 FRESNO

__, BEFORE ME, _____ ON

PERSONALLY APPEARED_ . 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 | | | | |
|-----------------|--|--|--|--|
| SIGNATURE | | | | |
| NAME | | | | |

COUNTY OF ____

MY COMMISSION EXPIRES_____

MY COMMISSION NUMBER _____

LEGAL DESCRIPTION:

PARCEL 3 AND PARCEL 4 OF PARCEL MAP NO. 5988, RECORDED IN BOOK 41 OF PARCEL MAPS, AT PAGE 22, FRESNO COUNTY RECORDS.

SUBDIVIDER'S STATEMENT

THE UNDERSIGNED BEING ALL PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN THIS SUBDIVISION, HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP AND; 1. OFFER FOR DEDICATION THE RELINQUISHMENT OF DIRECT VEHICULAR ACCESS AS SHOWN ON

THE MAP, AND;

2. OFFER FOR DEDICATION FOR PUBLIC USE THE STORM DRAINAGE AND PUBLIC UTILITY EASEMENTS AS SHOWN ON THE MAP.

_____, A CALIFORNIA LIMITED LIABILITY COMPANY WHICH ACQUIRED TITLE AS

BY:

DARIUS ASSEMI, PRESIDENT

PREPARED BY:

GARY G. GIANNETTA CIVIL ENGINEERING & LAND SURVEYING

1119 "S" STREET FRESNO, CA 93721

(559) 264-3590

TRACT NO. 6189 IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA SURVEYED AND PLATTED IN MAY, 2017 BY GARY G. GIANNETTA CONSISTING OF TWO SHEETS SHEET ONE OF TWO SHEETS

SURVEYOR'S STATEMENT:

THE SURVEY FOR THIS MAP WAS MADE BY ME OR UNDER MY DIRECTION AND IS TRUE AND COMPLETE AS SHOWN.

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF DARIUS ASSEMI ON APRIL 1, 2017. I HEREBY STATE THAT ALL THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE ONE YEAR OF THE DATE THIS MAP IS RECORDED, OR ANY TIME EXTENSION APPROVED BY THE COUNTY ENGINEER. THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED, AND THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP.

GARY G.. GIANNETTA R.C.E. 26996 EXP. 3/31/19

DATE

COUNTY SURVEYORS STATEMENT:

I HAVE EXAMINED THIS MAP: THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP, AND ANY APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND THAT I AM SATISFIED THAT THE MAP IS TECHNICALLY CORRECT.

STEVE E. WHITE, DIRECTOR DEPARTMENT OF PUBLIC WORKS AND PLANNING

BY:

KEVIN W. NEHRING P.L.S. 8200 DEPUTY COUNTY SURVEYOR

DATE

BOARD OF SUPERVISOR'S STATEMENT:

I. HEREBY STATE THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO, BY RESOLUTION ADOPTED _____ ____, 2018 APPROVED THE WITHIN MAP, AND ON BEHALF OF THE PUBLIC:

- 1. ACCEPT THE OFFER OF DEDICATION FOR PUBLIC USE AUBERRY ROAD AS SHOWN ON THE MAP, AND;
- 2. ACCEPT THE RELINQUISHMENT OF DIRECT VEHICULAR ACCESS AS SHOWN ON THE MAP, AND;
- 3. ACCEPT THE OFFER OF DEDICATION FOR PUBLIC USE THE STORM DRAINAGE AND PUBLIC UTILITY EASEMENTS AS SHOWN ON THE MAP.

BERNICE E. SEIDEL

CLERK TO THE BOARD OF SUPERVISORS

BY: DEPUTY

RECORDER'S CERTIFICATE:

DATE

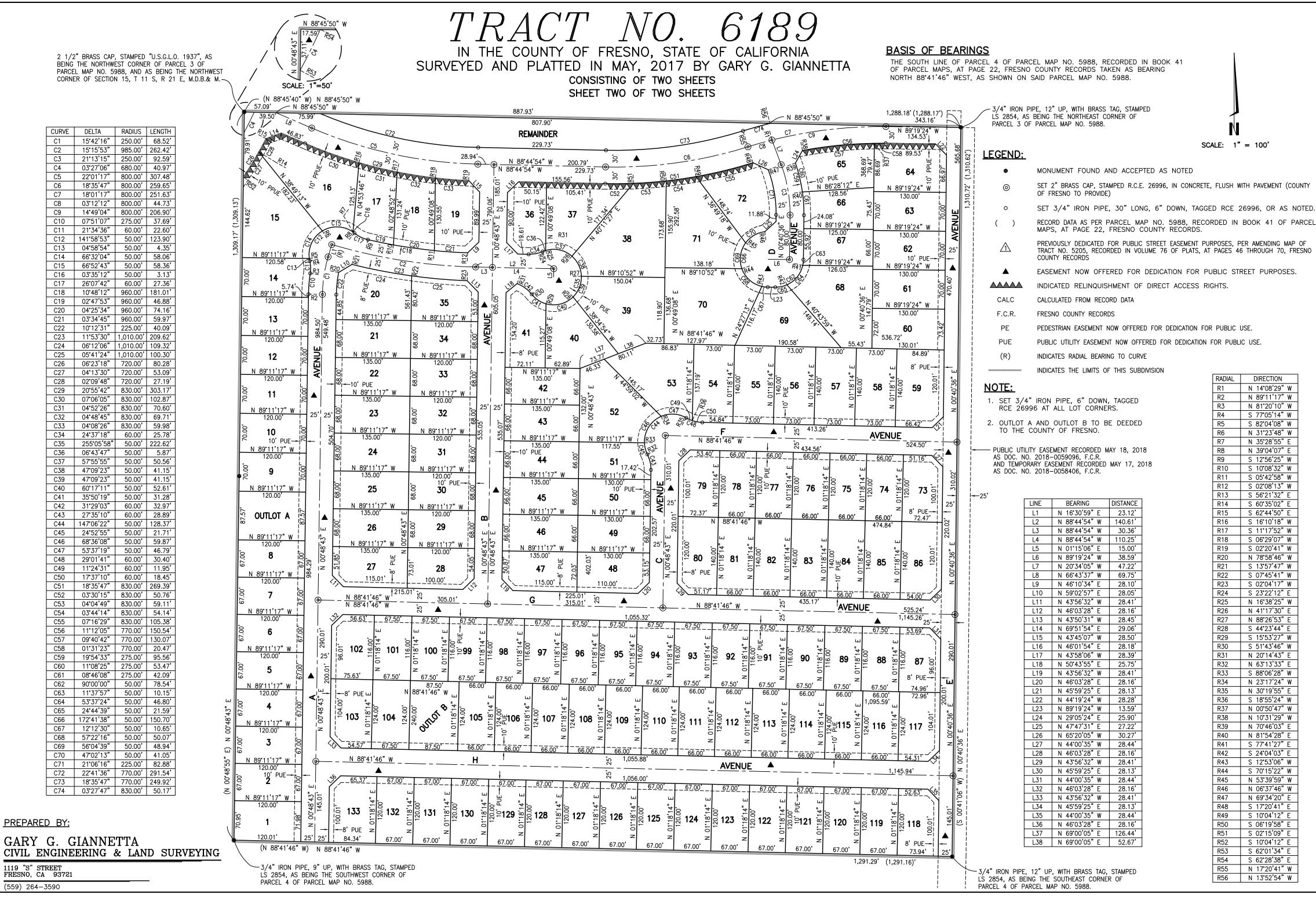
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| FILED THISDAY OF | , 2018 ATM. IN VOLUME |
| OF PLATS, AT PAGES AND, | AT THE REQUEST OF |
| GARY G. GIANNETTA | |

FRESNO COUNTY RECORDS

PAUL DICTOS, COUNTY RECORDER

DEPUTY





THE SOUTH LINE OF PARCEL 4 OF PARCEL MAP NO. 5988, RECORDED IN BOOK 41



SCALE: 1" = 100'

RADIAL

R1

R2

R3

R4

R5

R6

R7

R9

R14

R15

R16

R19

R21

R22

R27

R28

R29

R41

R43

R17

DIRECTION

N 14°08'29"W

N 89°11'17"W

N 81°20'10" W

S 77°05'14" W

S 82°04'08"W

N 31°23'48" W

N 35°28'55" E

S 12°56'25" W

S 60°35'02" E

S 62**°**44'50" E

S 16°10'18" W

S 11°17'52"W

S 02°20'41" W

S 13°57'47"W

S 07**°**45'41" W

N 88°26'53" E

S 44°23'44" E

S 15°53'27"W

R8 N 39°04'07" E

R10 S 10°08'32" W

R11 S 05*42'58" W

R12 S 02°08'13" W

R13 S 56°21'32" E

R18 S 06°29'07" W

R20 N 78*58'46" W

R23 S 02*04'17" W

R24 S 23°22'12" E

R25 | N 16°38'25" W

R26 N 41°17'30" E

R30 S 51°43'46" W

R31 N 20°14'43" E

R32 N 63'13'33" E

R33 S 88°06'28" W

R34 N 23°17'24" W

R35 N 30°19'55" E

R36 S 18*55'24" W

R37 N 00°50'47" W

R38 N 10'31'29" W

R39 N 70°46'03" E

R40 N 81°54'28" E

R42 S 24°04'03" E

R44 S 70°15'22" W

R45 N 53°39'59" W

R46 N 06'37'46" W

R47 N 69'34'20" E

R48 S 17°20'41" E

R49 S 10°04'12" E

R50 S 06•19'58" E

R51 S 02°15'09" E

R52 S 10°04'12" E

R53 S 62*01'34" E

R54 S 62*28'38" E

R55 N 17°20'41" W

R56 N 13'52'54" W

S 77°41'27" E

S 12°53'06" W