19-0472

# 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

## RESOLUTION NO. 19-371

### A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVING THE FORMATION OF ZONE F WITHIN COUNTY SERVICE AREA NO. 34

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, the County of Fresno (County) provides services including water, wastewater collection and treatment, street lighting, public right-of-way landscaping, open space maintenance, storm drainage, and road maintenance within CSA 34 through zones established under Article 8 of the County Service Area law (Government Code sections 25217 through 25217.4); and

WHEREAS, Tentative Tract Map. No. 4934 (TTM 4934) lies wholly within the boundaries of County Service Area No. 34; and

WHEREAS, as a condition of approval of TTM 4934, the County of Fresno Board of Supervisors requires the formation of a Zone of Benefit in CSA 34 to provide operation and maintenance services for authorized infrastructure in a new subdivision; and

WHEREAS, the developer/landowner of the TTM 4934 has proposed that the territory shown and described in Exhibit A to this resolution be designated County Service Area No. 34, Zone F (CSA 34F), which territory consists of approximately 5 acres and is planned to be developed into approximately 10 single-family residential lots under TTM 4934, for the development of the "The Vistas" subdivision; and

WHEREAS, the territory is undeveloped and the County Clerk/Registrar of Voters has certified that no registered voters reside within the territory, and a copy of the certification regarding the number of registered voters residing within the territory is on file with the Clerk of the Board; and

WHEREAS, Local Agency Formation Commission (LAFCo) action is not required for the formation of a zone within a County Service Area, under Government Code section 25217.4, and LAFCo has previously authorized services to be provided by CSA 34 that include municipal services such water, wastewater collection and treatment, street lighting, public right-of-way landscaping, open space maintenance, storm drainage, and road maintenance; and

WHEREAS, some of the facilities and services to be provided by the County to CSA 34F are

shared with all zones in CSA 34 and include: (1) administering three contracts between the County and three other agencies (Arvin-Edison Water Storage District, Lower Tule River Irrigation District, and the Deer Creek and Tule River Authority) to provide a firm, long-term surface water supply for delivery to all of the parcels in CSA 34, zone A (also known as Brighton Crest), all of the parcels in CSA 34, zone C (also known as Bella Vista), all of the parcels in CSA 34, zone D (also known as Renaissance at Bella Vista), all of the parcels in CSA 34G (also known as Granville), and all of the parcels in CSA 34F (also known as The Vistas), and a portion of the parcels in CSA 34 that are not within zones A, C, D, F or G (collectively, Water Contract Administration); and (2) maintaining in ready-to-serve status the water pumping facilities located on a submerged platform in Millerton Lake that pump untreated surface water from Millerton Lake (a) to storage and treatment facilities that currently process raw water to produce potable water for domestic uses for delivery to Brighton Crest, Bella Vista, Renaissance at Bella Vista, Granville and The Vistas, and (b) and for use on the golf course in Brighton Crest for fairway turf irrigation (collectively, Lake Pump Maintenance); and

WHEREAS, the facilities and services to be provided by the County in CSA 34F include: (1) maintaining water distribution system, fire hydrants, and water storage facilities in ready-to-serve status for all user classes, regardless of whether they have an active water service, available to provide a new water service and meters as currently vacant lots of record are developed; (2) maintaining sewer facilities in a ready-to-serve status for all user classes, regardless of whether they have an active sever service, and available to support new sewer service connections from currently vacant lots of record (collectively, Water and Sewer Facilities);

WHEREAS, the facilities and services to be provided by the County in CSA 34F also include: (1) storm drainage, including periodic monitoring during and after storm events and operation of the basin outlet controls as needed to empty the basin between storm events; (2) road maintenance, including street paving, striping, signage maintenance, repair and reconditioning to maintain all of the in-tract and off-site streets constructed pursuant to the development of Tract 4934, including the funding of special reserve funds created and funded as a condition of approval for Tract 4934, and including inspection of street pavement to identify sections in need of immediate repair, inspection of all street signage installed pursuant to the development of Tract 4934 and replacement as needed of any damaged or

degraded street signs and poles, inspection and reconditioning of all street striping, and all related insurance and administrative costs to maintain the ready-to-serve status of CSA 34F streets for the benefit of all CSA 34F lots (collectively, Storm Drainage and Road Maintenance); and

WHEREAS, the facilities and services to be provided by the County in CSA 34F also include landscape maintenance and street lighting services, specifically: (1) paying electrical costs for the PG&E owned and operated street lighting for the purpose of providing street safety lighting throughout the community and for maintaining the visual presentation of those streets; and (2) providing public right-of-way landscape maintenance to maintain the current standard of visual presentation of the community for the benefit of all CSA 34F properties (collectively, Lighting and Landscape Maintenance); and

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

WHEREAS, the Board has conducted majority protest proceedings for user fees and benefit assessments to pay for the services and facilities listed above and there was no majority protest to any of those benefit assessments and fees, and the Board is, by separate resolutions today, levying those benefit assessments and fees; and

WHEREAS, 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 County Service Area Law (Government Code, Title 3, Division 2, Part 2, Chapter 2.5) and any other law referred to in this resolution.

NOW, THEREFORE, BE IT RESOLVED:

**Section 1.** Each of the recitals above is true and correct.

**Section 2.** The Board finds that there is not a majority protest and hereby forms County Service Area No. 34, Zone F, as described in Exhibit A to this resolution and in the resolution of intention.

28

1

2

3

4

5

6

7

8

9

10

15

16

17

18

19

20

21

22

23

24

25

26

27

**Section 3.** County staff shall assist the property owners in establishing an advisory council

1	for the area included with in CSA 34F.
2	Section 4. When a County Service Area zone exists and levies charges or fees for services
3	and facilities, no association or similar organization shall levy or impose any assessments, fees, or
4	other charges against property owners for those specific services, and the county service area zone
5	shall be the sole agency providing for authorized services within that zone.
6	Section 5. This resolution is effective immediately upon its adoption.
7	THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors
8	of the County of Fresno this <u>8th</u> day of <u>October</u> , 2019, to-wit:
9	AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero
10	NOES: None
11	ABSENT: None
12	ABSTAINED: None
13	The second
14	Nathan Magsig, Chairman of the Board of Supervisors of the County of Fresno
15	ATTEST: Bernice E. Seidel
16	Clerk of the Board of Supervisors
17	County of Fresno, State of California
18	By Ruse Cupp
19	Deputy
20	G:\4360Resources\SPECIAL DISTRICTS\CSA - County Service Area\CSA 34G\FIN\Prop 218\7-9-19\CSA 34G Formation Reso 7-9-19.docx
21	
22	
23	
24	
25	
26	
27	
28	

		TRAC <sup>1</sup>
	TIES HAVING ANY RECORD TITLE INTEREST IN THE LAND WITHIN	
·	T TO THE PREPARATION AND RECORDATION OF THIS MAP, AND OR PUBLIC USE THE PUBLIC UTILITY EASEMENTS, AS INDICATED	IN THE COUNTY O
ON MAP, AND	FOR PUBLIC STREET AND UTILITY PURPOSES ROCKY BRANCH	SURVEYED A
CREEK AVENUE AND GOLDF 3. OFFER FOR DEDICATION FO SUBDIVISION, SUBJECT TO	FINCH LANE AS INDICATED ON THIS MAP, AND OR PUBLIC USE ALL RIGHTS TO GROUND WATER BENEATH THE DEVELOPMENT BY THE SUBDIVIDER OR HIS ASSIGNEE AND ONLY	WC MILLE
FOR LANDS TO BE SEF BOUNDARIES, AND	RVED BY THE COUNTY SERVICE AREA WITH ITS EXISTING	
5. CERTIFY THAT OUTLOT "A	IT OF DIRECT VEHICULAR ACCESS AS SHOWN HEREON. " IS AN UNSUBDIVIDED REMAINDER FOR FUTURE DEVELOPMENT INTEREST OF SAID OUTLOT "A" IS TO BE RESERVED BY THE	G
WC MILLERTON DEVELOPERS, INC., A	A CALIFORNIA CORPORATION	CIVIL P. 559-3. 40
BY:	DATE	CONSIS
JOSH PETERSON, PRESIDENT	DATE	
U.S. BANK NATIONAL ASSOCIATION,	D/B/A HOUSING CAPITAL, AS BENEFICIARY	
		LEGAL DESCRIPTIO
BY:	RESIDENT DATE	REAL PROPERTY IN THE UNINCORPO DESCRIBED AS FOLLOWS:
		THE SOUTH HALF OF THE NORTHW EAST, MOUNT DIABLO BASE AND
NOTARY ACKNOWL	EDGEMENT	ACCORDING TO THE OFFICIAL PLAT 1
	OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE O SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS	
ATTACHED, AND NOT THE TRUTHF	ULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.	SOILS REPORT
ATTACHED, AND NOT THE TRUTHF	_ BEFORE ME,, NOTARY PUBLIC, ERSON, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY HOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND	A SOILS REPORT HAS BEEN PREPA
ATTACHED, AND NOT THE TRUTHFI STATE OF CALIFORNIA } COUNTY OF ON PERSONALLY APPEARED JOSH PETE EVIDENCE TO BE THE PERSON WH ACKNOWLEDGED TO ME THAT HE E BY HIS SIGNATURE ON THE INSTRU THE PERSON ACTED, EXECUTED THE I CERTIFY UNDER PENALTY OF PEF	BEFORE ME,, NOTARY PUBLIC, ERSON, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY HOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT JMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH INSTRUMENT. RJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT	A SOILS REPORT HAS BEEN PREPA FRESNO. THE SOILS REPORT WAS P
ATTACHED, AND NOT THE TRUTHFI STATE OF CALIFORNIA } COUNTY OF	BEFORE ME,, NOTARY PUBLIC, ERSON, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY HOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT JMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH INSTRUMENT. RJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT JE AND CORRECT.	A SOILS REPORT HAS BEEN PREPA FRESNO. THE SOILS REPORT WAS P
ATTACHED, AND NOT THE TRUTHFI STATE OF CALIFORNIA } COUNTY OF	BEFORE ME,, NOTARY PUBLIC, ERSON, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY HOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT JMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH INSTRUMENT. RJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT	A SOILS REPORT HAS BEEN PREPA FRESNO. THE SOILS REPORT WAS P
ATTACHED, AND NOT THE TRUTHFI STATE OF CALIFORNIA } COUNTY OF		A SOILS REPORT HAS BEEN PREPA FRESNO. THE SOILS REPORT WAS P
ATTACHED, AND NOT THE TRUTHFI STATE OF CALIFORNIA } COUNTY OF	BEFORE ME,, NOTARY PUBLIC, ERSON, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY HOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT JMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH INSTRUMENT. RJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT JE AND CORRECT. 	A SOILS REPORT HAS BEEN PREPA FRESNO. THE SOILS REPORT WAS P
ATTACHED, AND NOT THE TRUTHFI STATE OF CALIFORNIA } COUNTY OF	BEFORE ME,, NOTARY PUBLIC, TRSON, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY HOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND XECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT JMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH INSTRUMENT. RJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT JE AND CORRECT. 	A SOILS REPORT HAS BEEN PREPA FRESNO. THE SOILS REPORT WAS PL AS JOB NO. 17
ATTACHED, AND NOT THE TRUTHFI STATE OF CALIFORNIA } COUNTY OF	BEFORE ME,, NOTARY PUBLIC, ERSON, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY HOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT JMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH INSTRUMENT. RJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT JE AND CORRECT. 	A SOILS REPORT HAS BEEN PREPA FRESNO. THE SOILS REPORT WAS P AS JOB NO. 17
ATTACHED, AND NOT THE TRUTHFI STATE OF CALIFORNIA } COUNTY OF	BEFORE ME,, NOTARY PUBLIC, SERSON, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY HOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND XECUTED THE SAME IN HIS AUTHORIZED CAPACITY, AND THAT JMENT THE PERSON, OR THE ENTITY UPON BEHALF OF WHICH INSTRUMENT. RJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT JE AND CORRECT. SIGNATURE COMMISSION NUMBER  EDGEMENT DEFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE O SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS	A SOILS REPORT HAS BEEN PREPA FRESNO. THE SOILS REPORT WAS P AS JOB NO. 17
ATTACHED, AND NOT THE TRUTHFI STATE OF CALIFORNIA } COUNTY OF		A SOILS REPORT HAS BEEN PREPA FRESNO. THE SOILS REPORT WAS P AS JOB NO. 17
ATTACHED, AND NOT THE TRUTHFI STATE OF CALIFORNIA } COUNTY OF		A SOILS REPORT HAS BEEN PREPA FRESNO. THE SOILS REPORT WAS P AS JOB NO. 17
ATTACHED, AND NOT THE TRUTHFI STATE OF CALIFORNIA } COUNTY OF	BEFORE ME,	A SOILS REPORT HAS BEEN PREPA FRESNO. THE SOILS REPORT WAS PL AS JOB NO. 17
ATTACHED, AND NOT THE TRUTHFI STATE OF CALIFORNIA } COUNTY OF		A SOILS REPORT HAS BEEN PREPA FRESNO. THE SOILS REPORT WAS PL AS JOB NO. 17

# /ISION MAP OF **NO. 4934**

FRESNO, STATE OF CALIFORNIA ID PLATTED IN APRIL 2017 FOR TON DEVELOPERS, INC.

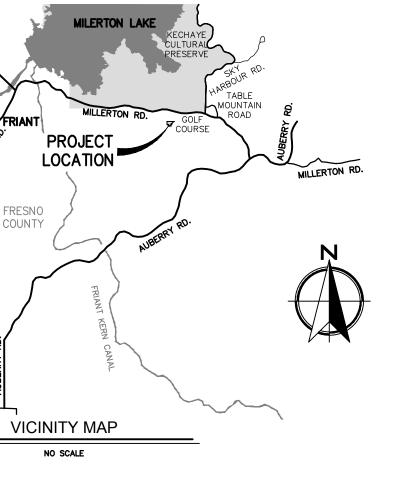


NG OF FOUR SHEETS

ED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA,

QUARTER OF SECTION 15, TOWNSHIP 11 SOUTH, RANGE 21 IDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA,

FOR THIS PROPERTY AND IS ON FILE WITH THE COUNTY OF ARED BY SEE'S CONSULTING AND TESTING AND IS REFERENCED



## SURVEYOR'S STATEMENT

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 ORDINANCES AT THE REQUEST OF WC MILLERTON DEVELOPERS, INC., ON JANUARY 28TH, 2019. I HEREBY STATE THAT THE MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE ONE YEAR OF THE DATE THIS MAP IS RECORDED. 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.



JOSEPH D. DAGGETT, LS 8861

DATE: \_\_\_

## COUNTY SURVEYOR'S STATEMENT

I HAVE EXAMINED THIS MAP, THAT THE SUBDIVISION AS SHOWN IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED 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.

> STEVEN 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 \_\_\_\_\_\_, 2019 APPROVED THE WITHIN MAP, AND ON BEHALF OF THE PUBLIC:

- 1. ACCEPTED THE OFFER OF DEDICATION FOR PUBLIC USE THE PUBLIC UTILITY EASEMENTS AS INDICATED ON THIS MAP, AND
- 2. ACCEPTED THE OFFER OF DEDICATION FOR PUBLIC STREET AND UTILITY PURPOSES ROCKY BRANCH CREEK AVENUE AND GOLDFINCH LANE AS INDICATED ON THIS MAP, AND
- 3. SITTING AS THE BOARD OF DIRECTORS FOR COUNTY SERVICE AREA NO. 34, ACCEPTED THE OFFER OF DEDICATION OF ALL RIGHTS TO GROUND WATER BENEATH THE SUBDIVISION, AND
- 4. ACCEPTED THE RELINQUISHMENT OF DIRECT VEHICULAR ACCESS AS INDICATED ON THIS MAP.

BERNICE E. SEIDEL CLERK TO THE BOARD OF SUPERVISORS

BY: \_\_\_\_

DATE

## **RECORDER'S STATEMENT**

DEPUTY

 DOCUMENT NO.
 FEE: \$ 22.00

 FILED THIS \_\_\_\_\_\_ DAY OF \_\_\_\_\_, 2019,

AT \_\_\_\_\_\_ M IN VOLUME \_\_\_\_\_\_ OF PLATS, AT PAGE(S) \_\_\_\_\_

FRESNO COUNTY RECORDS, AT THE REQUEST OF FIRST AMERICAN TITLE COMPANY.

PAUL DICTOS, C.P.A., FRESNO COUNTY RECORDER

DEPUTY COUNTY RECORDER



