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RESOLUTION NO. 19-372

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO APPROVING THE FORMATION OF ZONE G 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, 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. 6189 (TTM 6189) lies wholly within the boundaries of County Service Area No. 34; and

WHEREAS, as a condition of approval of TTM 6189, 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 6189 has proposed that the territory shown and described in Exhibit A to this resolution be designated County Service Area No. 34, Zone G (CSA 34G), which territory consists of approximately 40 acres and is planned to be developed into approximately 133 single-family residential lots under TTM 6189, for the development of the "Granville" 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, storm drainage, and road maintenance; and

WHEREAS, some of the facilities and services to be provided by the County to CSA 34G 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 34F (also known as The Vistas), and all of the parcels in CSA 34G (also known as Granville), 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, The Vistas, and Granville, 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 34G 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 sewer 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 34G 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 6189, including the funding of special reserve funds created and funded as a condition of approval for Tract 6189, 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 6189 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 34G streets for the benefit of all CSA 34G lots (collectively, Storm Drainage and Road Maintenance); and

WHEREAS, the facilities and services to be provided by the County in CSA 34G 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 34G 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 34G, 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 G, as described in Exhibit A to this resolution and in the resolution of intention.

1	Section 3	3. County staff s	hall assist the	property	y owners in establishing an advisory
2	committee for the	e area included with	in CSA 34G.		
3	Section 4	1. When a Coun	ty Service Are	a zone e	exists and levies charges or fees for services
4	and facilities, no	association or simil	ar organizatior	n shall le	evy or impose any assessments, fees, or
5	other charges against property owners for those specific services, and the county service area zone				
6	shall be the sole agency providing for authorized services within that zone.				
7	Section 5	5. This resolution	n is effective in	nmediate	tely upon its adoption.
8	THE FOR	REGOING was pass	sed and adopte	ed by the	e following vote of the Board of Supervisors
9	of the County of	Fresno this 8th	_ day of <u>Oct</u>	tober	, 2019, to-wit:
10	AYES:	Supervisors Brand	lau, Magsig, M	lendes, l	Pacheco, Quintero
11	NOES:	None			
12	ABSENT:	None			
13	ABSTAINED:	None			
14				1	2 Ju
15					n Magsig, Chairman of the Board pervisors of the County of Fresno
16	ATTEST:	1		0. 046	, o, 1, o,
17	Bernice E. Seidel Clerk of the Board of Supervisors County of Fresno, State of California				
18					
19	By Jose C	Lengt			
20	Deputy	\mathcal{O}			
21	G:\4360Resources\SPECIAL D	DISTRICTS\CSA - County Service A	realCSA 34G\FIN\Prop 21	18\7-9-19\CSA	A 34G Formation Reso 7-9-19.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 } ON, BEFORE ME,	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 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.
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 } ON, BEFORE ME,	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:

COUNTY OF ____

MY COMMISSION EXPIRES_____

MY COMMISSION NUMBER _____

GARY G. GIANNETTA CIVIL ENGINEERING & LAND SURVEYING

1119 "S" STREET FRESNO, CA 93721

(559) 264-3590

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.

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GARY G	. GIANNETTA	RCF	26996		DATE
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EXP. 3/31/19					
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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	DATE
DEPUTY COUNTY SURVEYOR	

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			
DATE	CLERK TO THE BOARD OF SUPERVISORS			
	BY:			
	DFPUTY			

RECORDER'S CERTIFICATE:		
DOCUMENT NO	FEE: \$	
FILED THISDAY OF_	, 2018 ATM. IN VOLUME	_
OF PLATS, AT PAGES GARY G. GIANNETTA	AND, AT THE REQUEST OF	
FRESNO COUNTY RECORDS		

PAUL	DICTOS,	COUNTY	RECORDER	
BY.				

DEPUTY

