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BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

IN THE MATTER OF)	RESOLUTION OF INTENTION
COUNTY SERVICE AREA NO. 35)	TO DISSOLVE ZONE AI OF COUNTY
ZONE AI DISSOLUTION)	SERVICE AREA NO. 35 AND THE
)	TERMINATION OF ASSESSMENTS
)	ON REAL PROPERTY FOR ROAD
)	MAINTENANCE

WHEREAS as a condition of approval of Parcel Map Waiver No. 93-18 (Map 93-18), the Fresno County Board of Supervisors (Board) required the formation of a zone within County Service Area (CSA) 35 to fund the maintenance of roads serving properties within Parcel Map Waiver 93-18; and

WHEREAS Zone AI of CSA 35 (CSA 35-AI), also known as Round Mountain Estates, located approximately 13 miles northeast of the City of Sanger, west of Watts Valley Road in the County of Fresno, more particularly described in Exhibit A attached hereto and incorporated herein by reference, was formed on June 27, 1995, for the maintenance of roads benefiting parcels within Map 93-18; and

WHEREAS the roads constructed to serve properties within CSA 35-AI, bearing the name Bull Run Lane, and Williamsburg Lane, are private roads dedicated for public use; and

WHEREAS property owners within CSA 35-AI have installed gates at the entrance to Bull Run Lane and Williamsburg Lane to limit public access; and

WHEREAS roads dedicated for public use cannot be gated; and

WHEREAS property owners within CSA 35-AI, through Round Mountain Estates Homeowners Association (RMEHOA), desires to keep the gates and proposes that RMEHOA provide road maintenance for Bull Run Lane and Williamsburg Lane and that CSA 35-AI be dissolved; and

WHEREAS the RMEHOA has made amendments, acceptable to the Director (Director) of the Department of Public Works and Planning (Department), to their governing documents to officially assume road maintenance responsibilities upon dissolution of CSA 35-AI; and

1 WHEREAS property owner petitions, representing more than 10 percent of the registered
2 voters residing within CSA 35-AI, and over 50 percent of owners of property within CSA 35-AI,
3 were submitted to the Resources Division of the Department requesting dissolution of CSA 35-
4 AI; and

5 WHEREAS pursuant to Title 3, Division 2, Part 2, Chapter 2.5, Article 8 of the California
6 Government Code (CSA Zone Law), zones within a CSA may dissolved; and

7 WHEREAS in accordance with Section 25217.1 of the CSA Zone Law, the Board will hold
8 a public hearing to hear and consider protests to the dissolution of CSA 35-AI, and, at the close
9 of that hearing, determine if a majority protest to the dissolution of CSA 35-AI exists; and

10 WHEREAS the procedure for determining a majority protest, pursuant to Section 25721.1
11 of the CSA Zone Law, is based on the number of registered voters residing in the zone being
12 considered; and

13 WHEREAS a voter count provided by the Fresno County Clerk/Registrar of Voters, a
14 certificate of which is on file with the Clerk to the Board, shows that there are less than twelve
15 (12) registered voters residing in CSA 35-AI which, pursuant to Government Code Section
16 25210.2, (e), is defined as uninhabited territory; and

17 WHEREAS pursuant to Section 25721.1, (2), of the CSA Zone Law, if the Board
18 determines that more than 50 percent of the property owners who own more than 50 percent of
19 the assessed value of all taxable property in the proposed zone have filed written objections to
20 the formation, then the board shall determine that a majority protest exists and terminate the
21 proceedings; and

22 WHEREAS before adopting this Resolution, the Board fairly considered all testimony and
23 documentary evidence, and gave all persons a full and fair opportunity to be heard with respect
24 to any matter relating to the subject of this Resolution, both in favor and against it, and any
25 matter relevant to these proceedings, all of which was done in the interest of the public, and the
26 Board is fully informed of all matters referred to in this Resolution, and that, it is the intention of
27 the Board to consider the dissolution of CSA 35-AI and set the date, time, and location of a
28 public protest hearing.

1 NOW, THEREFORE, BE IT RESOLVED by the Board that each of the foregoing recitals
2 is true and correct.

3 BE IT FURTHER RESOLVED that the Board declares its intention to consider dissolving
4 CSA-AI and terminating assessments, currently being collected for maintenance of
5 approximately 1.35 miles of Bull Run Lane and Williamsburg Lane, upon real property within
6 CSA 35-AI beginning in the Fiscal Year 2025-26.

7 BE IT FURTHER RESOLVED that the Board shall conduct a public protest hearing at
8 9:30 A.M. (or as soon thereafter as circumstances permit) on August 20, 2024, in the meeting
9 chambers of the County of Fresno Board of Supervisors, Hall of Records, 2281 Tulare Street,
10 Third Floor, Fresno, California 93721, concerning the proposed dissolution of CSA 35-AI.

11 BE IT FURTHER RESOLVED that the Board, pursuant to Section 25217(d) of the
12 Government Code, directs the Clerk to the Board to provide a notice that: States that the
13 proposal to dissolve CSA 35-AI is made pursuant to CSA Zone Law; Sets forth a description of
14 the boundaries of the territory included in CSA 35-AI; States the reasons for dissolution; States
15 the different authorized services, different levels of service, different authorized facilities, or
16 additional revenues that are provided by CSA 35-AI; Sets forth the methods by which those
17 authorized services, levels of service, or authorized facilities will be continued to be performed
18 and financed.

19 BE IT FURTHER RESOLVED that the notice provided pursuant to Section 25217(d) of
20 the Government Code, shall be, at least twenty (20) days prior to the public hearing, published
21 one time in a newspaper of general circulation published in the County, mailed to all owners of
22 property within CSA 35-AI, mailed to each city and special district that contains, or whose sphere
23 of influence contains CSA 35-AI, and posted in at least three public places within CSA 35-AI.

24 BE IT FURTHER RESOLVED that any registered voter residing within CSA 35-AI or
25 owner of property within CSA 35-AI may file a written protest against the dissolution with the
26 Clerk to the Board at or before the time set for the public protest hearing. Each protest must
27 contain a description of the property in which the signer is interested, sufficient to identify the
28 property. Under this written protest proceeding, if at the conclusion of the public hearing, the

1 Board determines that more than 50 percent of the property owners who own more than 50
2 percent of the assessed value of all taxable property in the zone have filed written objections to
3 the formation, then the Board shall determine that a majority protest exists and terminate the
4 proceedings.

5 BE IT FURTHER RESOLVED that other interested parties may protest orally or in writing
6 regarding the dissolution of CSA 35-AI. Any protests pertaining to the regularity or sufficiency of
7 the proceeding must be in writing, clearly setting forth the irregularities and defects to which
8 objection is made.

9 BE IT FURTHER RESOLVED that all written protests must be filed with the Clerk to the
10 Board at or before the time fixed for the public protest hearing. Written protests from registered
11 voters, property owners, taxpayers or other interested parties may be withdrawn in writing at any
12 time prior to conclusion of the hearing.

13 BE IT FURTHER RESOLVED that if a majority protest is made, or if a majority of written
14 protests are received, the dissolution of CSA 35-AI shall be abandoned, each of the gates
15 blocking public entrance to Bull Run Lane and Williamsburg Lane shall be removed and CSA 35-
16 AI shall continue to maintain Bull Run Lane and Williamsburg Lane within CSA 35-AI.

17 PASSED AND ADOPTED this _____ day of _____, 2024, by the following vote
18 of the Board of Supervisors of the County of Fresno, to wit:

19 AYES:

20 NOES:

21 ABSENT

22 ABSTAINED:

24 _____
Nathan Magsig, Chairman of the Board of
Supervisors of the County of Fresno

26 ATTEST:
Bernice E. Seidel
27 Clerk of the Board of Supervisors
County of Fresno, State of California
28

By: _____
Deputy