



# Notice of a Public Meeting and Public Protest Hearing on a Proposed Assessment

For Costs of Street Lighting and Street Sweeping  
Services for Fresno County Service Area No. 34, Zone A

APN: «APN»  
«NAME1»  
«NAME2»  
«ADDRESS1»  
«ADDRESS2»

Dear Property Owner:

This is an important notice regarding your rights under Proposition 218 relating to a proposed assessment on your property. The proposed assessment would be used to pay for the cost of services for the local utility street lighting and street sweeping necessary to deliver these services within County Service Area No. 34, Zone A.

**Read this notice carefully.** If you have any questions, please contact Julie Zimmer-Belle, Staff Analyst, County of Fresno Department of Public Works and Planning, Resources Division, 2220 Tulare Street, 6th Floor, Fresno, California 93721, by telephone at (559) 600-4259 or by email at [jzimmer@co.fresno.ca.us](mailto:jzimmer@co.fresno.ca.us).

This notice is given under the California Constitution, Article XIII D, section 4, and California Government Code sections 53753, 53954.6, and 54716.

The proposed assessment is supported by an Engineer's Report that is available online at: <http://www.co.fresno.ca.us/viewdocument.aspx?id=65512>

## Notice of Public Meeting

**You are notified** that on **March 2, 2016**, at **6:00 p.m.**, there will be a public meeting at **17200 Burrows Ave. Friant, CA. 93626**. The meeting will be open to all members of the public. During the meeting, members of the public may give testimony regarding the proposed assessment. Staff from the County of Fresno (County) will also be present to answer questions. There will be no official action to impose the proposed assessment at this meeting. The County staff person who conducts the meeting may continue it to a later date without further notice by the Board of Supervisors, but in any case the meeting must be completed not later than March 2, 2016.

## Notice of Public Protest Hearing

**You are notified** that on **March 15, 2016**, at **11:00 a.m.** (or as soon after as practicable), the Board of Supervisors (Board) will conduct a public protest hearing on the proposed assessment. The public protest hearing will happen in the Board's regular meeting chambers in the **Hall of Records, 2281 Tulare Street, Third Floor, Fresno, California 93721**. The public protest hearing will be open to all members of the public. During the hearing, any person may present relevant oral or written testimony to the Board, and the Board will consider all objections or protests to the proposed assessment. During the hearing, the Board may decide to continue the hearing to a later date without further notice.

## Summary of Procedures for the Completion, Return, and Tabulation of the Assessment Ballots

An assessment ballot and assessment ballot instructions are enclosed with this notice. If you wish to support or oppose the assessment, and have your support or opposition counted for purposes of the majority protest determination, you must properly complete an assessment ballot and timely submit to the Clerk to the Board by following the assessment ballot instructions. The instructions apply equally to all ballots, including substitute, change of ownership, and co-owner assessment ballots,

In summary, the assessment ballot instructions require that each ballot must be:

1. Marked "YES" or "NO" by the owner of the affected property, or that person's legally authorized representative, and dated and signed, all in ink;
2. Sealed inside the return envelope provided; and
3. Delivered personally or by mail so that the Clerk to the Board of Supervisors, at 2281 Tulare Street, Room 301, Fresno, California 93721-2198, receives the sealed ballot no later than the conclusion of public testimony at the public protest hearing at the date, time, and place stated above.

The assessment ballot instructions describe the procedures to withdraw an assessment ballot before the conclusion of public testimony at the public protest hearing. The instructions also describe the circumstances in which you may obtain a substitute assessment ballot, a change of ownership assessment ballot, or a co-owner assessment ballot, and the procedures to do so.

Please note that alterations to assessment ballots are prohibited. Alterations to, or comments written on, your ballot will be disregarded. If you wish to explain your support or opposition, or make detailed objections to the proposed assessment, you may do so orally or in writing at the public protest hearing.

At the conclusion of the public hearing, County staff designated by the Board will tabulate the assessment ballots that have been properly completed and timely submitted to the Clerk to the Board, and not withdrawn, in support of or opposition to the proposed assessment. County staff will then report the tabulation totals to the Board.

***The assessment will not be imposed if the Board determines, based on the tabulation totals, that there is a majority protest to the proposed assessment. A majority protest occurs if the ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment, with ballots weighted according to the proportional financial obligation of the affected property.***

If there is not a majority protest, the Board will impose the assessment.

## Duration and Amount of Proposed Assessment

The **maximum total annual amount of the proposed assessment for all assessed properties** is **\$27,217.65** in the first year, **\$27,752.32** in the second year, **\$28,274.36** in the third year, **\$25,706.26** in the fourth year and **\$26,257.77** in the fifth year and each year after that unless the Board reduces or terminates the assessment, or there is new proceeding to increase the assessment.

The **maximum amount of the proposed assessment on your property** is **\$64.65** in the first year, **\$65.92** in the second year, **\$67.16** in the third year, **\$61.06** in the fourth year and **\$62.37** in the fifth year and each year after that unless the Board reduces or terminates the assessment, or there is new proceeding to increase the assessment.

## **Reason for Proposed Assessment**

County Service Area No. 34, Zone A (CSA 34A) was formed in 1989 to provide community services for the development of “Brighton Crest” which consists of 442 acres lying on the south side of Millerton Road. Through CSA 34A, the County currently provides a variety of services. Those services include:

- (1) street sweeping services to maintain the visual presentation of the entire community for the benefit of all CSA 34A properties; and
- (2) street lighting services for safety and to maintain the visual presentation of the entire community for the benefit of all CSA 34A properties; and

The proposed assessment is intended to recover all operating costs for those services. The proposed assessment would also recover the one-time cost of this Proposition 218 proceeding. Current assessments in CSA 34A are not sufficient to recover all of the costs described above.

For more detailed information about the reason for the proposed assessment, see Section 6 of the Engineer’s Report.

## **Basis of Calculation for the Proposed Assessment**

The calculation of the proposed assessment begins with the total annual cost of the services and reserves described above. Those costs are then allocated to parcels in proportion to an “Equivalent Benefit Unit,” or “EBU.” That method is used because CSA 34A includes several different kinds of parcels, including developed parcels, undeveloped parcels, parcels owned by a homeowners association, and a golf course. One EBU represents the special benefit provided to a single dwelling unit, or residential home, by the services and reserves described above.

Each parcel in CSA 34A is assigned a number of EBUs, as follows: each of the 152 developed residential lots has 1 EBU; each of the 266 future residential lots of record has 1 EBU; the golf course clubhouse has 2 EBUs and the golf course restrooms have 1 EBU, for a total of 3 EBUs for the golf course. There are 421 total EBUs.

After the total annual cost of the services and reserves described above are allocated by EBU, then the one-time cost of this Proposition 218 proceeding is spread in the same proportions over the first three years of the assessment. The Assessment Engineer originally allocated that one-time cost to a single year, but the Board of Supervisors has approved spreading those costs over three years.

The proposed assessment, excluding the one-time costs, may be increased, beginning in the second year, through the fifth year, by no more than 5 percent over the previous year, to account for inflation. The maximum assessment amounts shown above include the maximum inflation amounts; the actual assessment may be less.

For more detailed information about the basis upon which the proposed assessment was calculated, see Section 6 of the Engineer’s Report.

## Additional Information

If proposed assessment is not imposed due to a “majority protest,” as defined above, County staff will schedule a public community meeting. The purpose of that meeting will be to discuss strategies to reduce street sweeping and street lighting services to avoid exceeding available revenues.

A copy of the agenda materials for the Board’s January 26, 2016 meeting, including the resolution setting the public meeting and the public protest hearing described above, and all of the documents referred to in this notice, are on file and available for public inspection at the Office of the Clerk to the Board of Supervisors, at the County of Fresno’s Hall of Records, 2281 Tulare Street, Third Floor, Fresno, California 93721. All of those materials are also available on the County’s website at: <https://fresnocounty.legistar.com/>.

A copy of the agenda materials for the Board’s March 15, 2016 meeting, including the public protest hearing described above, will be made available for public inspection at the Office of the Clerk to the Board of Supervisors, at the address stated above, on or around the Wednesday before that date.

Dated: \_\_\_\_\_

Bernice E. Seidel  
Clerk to the Board of Supervisors  
County of Fresno

By: \_\_\_\_\_  
Deputy

### Enclosures:

1. Assessment Ballot Instructions
2. Assessment Ballot
3. Return Self-Addressed Stamped Mailing Envelope