



# Community Facilities District (CFD) 2003-2 (Services)

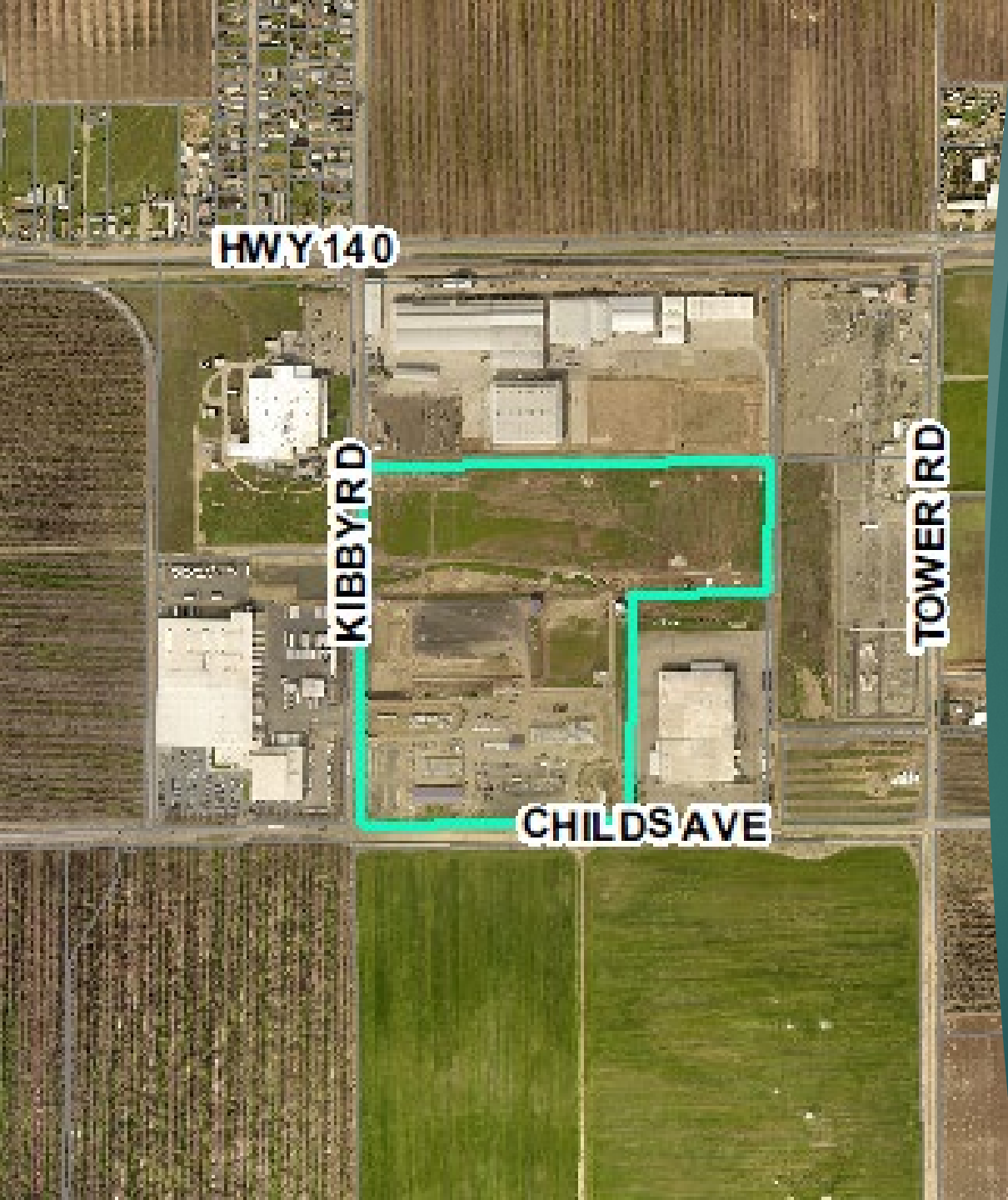
**ANNEXATION #13 -**

**PG&E**

**NORTHEAST CORNER OF CHILDS AVENUE & KIBBY ROAD**

City Council Meeting—September 21, 2020  
(Continued from August 17, 2020)

**ATTACHMENT 6**



HWY 140

KIBBYRD

TOWER RD

CHILDS AVE

Annexation  
Area –  
PG&E  
Facility

# CFD 2003-2 (Services)



- ▶ Formed in 2003.
- ▶ Covers the following services:
  - ▶ Police;
  - ▶ Fire;
  - ▶ Maintenance of:
    - ▶ Parks/Open Space
    - ▶ Landscaping
    - ▶ Storm Drain System

New  
Developments  
on vacant land  
are required to  
annex into CFD

# Process for Annexation



- ▶ City's tax consultant, Goodwin & Associates calculates the Rate and Method of Apportionment (RMA) to determine cost per lot (completed).
- ▶ Developer petitions the City to Annex into CFD (accepted on August 5, 2019, by City Council).
- ▶ Deposit and Reimbursement Agreements approved by City Council on August 5, 2019.
- ▶ Council adopts Resolution of Intent (ROI) to annex property into CFD (Resolution #2020-08, adopted on July 6, 2020).

# Public Hearing and Election (Sept. 21, 2020)

- ▶ At PG&E's request the public hearing was continued from August 17, 2020 to September 21, 2020.
- ▶ Ballots were mailed to the owner by the City's outside legal counsel (Maryann Goodkind of Norton Rose Fulbright).
- ▶ The Owner submitted a sealed ballot to the City Clerk.
- ▶ Public hearing will be held tonight (August 17, 2020).
- ▶ If no majority protest is heard at the public hearing, the Election will be held tonight (August 17, 2020).
- ▶ If the proposition passes with at least a 2/3 vote of the qualified voters (the landowner), the property is annexed into CFD and taxes are levied on lots after development has occurred.

# Order of Proceedings for Public Hearing and Election

## 1. Staff Presentation.

## 2. The Mayor announces the public hearing:

*“This is the time and place for the public hearing for the proposed Annexation No. 13 to the Community Facilities District No. 2003-2 (Services) of the City of Merced (the “CFD”), including the proposed levy of special taxes, and all other matters discussed in the Resolution of Intention adopted on July 6, 2020.*

*We will receive comments and questions and any oral protest from any interested persons. When all comments have been received the hearing will be closed.”*

# Order of Proceedings for Public Hearing and Election (Cont.)

## **3. Assistant City Clerk:**

*“Notice of the public hearing was given and the affidavit attesting to publication of such notice is on file in the City Clerk's office.”*

**4. Public Hearing Held with Oral Protests or Comments by Public, if any.**

**5. The Mayor closes the Public Hearing.**

*“The public hearing is hereby closed.”*

**6. Questions or discussion by members of the City Council.**

# Order of Proceedings for Public Hearing and Election (Cont.)

**7. Provided there is no majority protest at the public hearing, the City Council may make a motion to adopt the following resolution:**

**Resolution #2020-\_\_**-*Determining the Validity of Prior Proceedings, Calling a Special Election within Annexation No. 13 to the Community Facilities District No. 2003-2 (Services) of the City of Merced.*

## **8. Hold the Election**

The Mayor announces:

*“At this time, I ask the Assistant City Clerk to open the ballots and, after tabulation, announce the results of the election.”*

***Pause or break for Holding Election***

**9. The City Clerk opens the ballots and after reconvening the meeting, announces the results of the election.** The Assistant City Clerk then completes a Statement of all Votes Cast and the Certificate of the Election Official.



# Order of Proceedings for Public Hearing and Election (Cont.)

10. If the proposition passes with at least **2/3 vote** of the qualified voters (the landowner), the Mayor then announces:

“The results of the election being in favor of the Proposition, we may now proceed with further action for the CFD.”

11. The City Council makes a motion to consider adoption of the following resolutions:

**Resolution #2020-\_\_** -- *Canvassing the Results of the Election held within Community Facilities District No. 2003-2 (Services) Annexation No. 13.*

**Resolution #2020-\_\_** -- *Annexing Annexation No. 12 to the Community Facilities District No. 2003-2 (Services) of the City of Merced and Authorizing the Levy of a Special Tax Within said Annexation No. 13.*

**End of Item.**