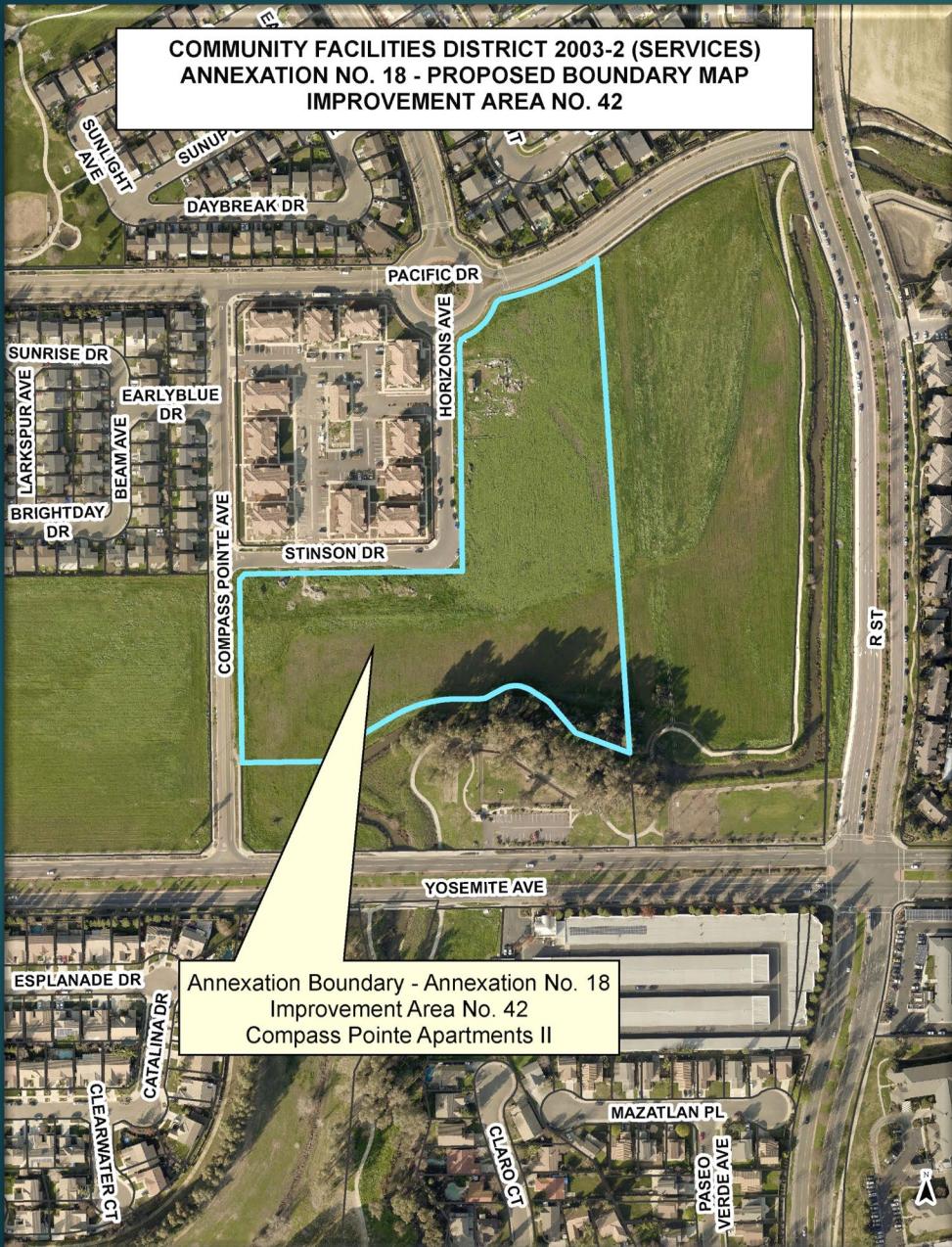


Community Facilities District (CFD) 2003-2 (Services)

ATTACHMENT 7

**ANNEXATION NO. 18 -
SOUTHEAST CORNER OF HORIZONS AVE. AND PACIFIC DR.**



Annexation Area

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 1, 2022, by City Council).
- ▶ Deposit and Reimbursement Agreement approved by City Council on August 1, 2022.
- ▶ Council adopts Resolution of Intent (ROI) to annex property into CFD (Resolution #2022-40, adopted on August 1, 2022).

Public Hearing and Election (August 15, 2022)

- ▶ The Petition to Annex into the CFD included a consent and waiver of the typical 30 days required between the adoption of the Resolution of Intent and the election.
- ▶ The developer waived their rights to vote in this election and designated either the Director of Development Services or the Finance Director to vote on their behalf.
- ▶ The City's outside legal counsel (Maryann Goodkind of Norton Rose Fulbright) mailed the ballot to the City to vote on behalf of the developer.
- ▶ Scott McBride, Director of Development Services cast the ballot and submitted the sealed ballot to the City Clerk.
- ▶ Public hearing will be held tonight (August 15, 2022).
- ▶ If no majority protest is heard at the public hearing, the Election will be held tonight (August 15, 2022).
- ▶ 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. 18 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 August 1, 2022.

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 #2022-50 -Determining the Validity of Prior Proceedings, Calling a Special Election within Annexation No. 18 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 #2022-51 --Canvassing the Results of the Election held within Community Facilities District No. 2003-2 (Services) Annexation No. 18.

Resolution #2022-52 -- Annexing Annexation No. 18 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. 18.

End of Item.