

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

ATTACHMENT 7

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



COMMUNITY FACILITIES DISTRICT 2003-2 (SERVICES)  
ANNEXATION NO. 18 - PROPOSED BOUNDARY MAP  
IMPROVEMENT AREA NO. 42



Annexation Boundary - Annexation No. 18  
Improvement Area No. 42  
Compass Pointe Apartments II

# 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.**