RESOLUTION NO.	
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A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, CALLING SPECIAL MAILED-BALLOT ELECTION

COMMUNITY FACILITIES DISTRICT NO. 11

**ANNEXATION NO. 159** 

WHEREAS, on September 25, 2025, the Council of the City of Fresno (Council) adopted Council Resolution No. 2025-273 to annex Final Tract Map No. 6466 to City of Fresno Community Facilities District No. 11 (CFD No. 11) and to authorize the levy of special taxes; and

WHEREAS, Council Resolution No. 2025-273 identified the services to be provided by Annexation No. 159 of CFD No. 11 and provided an estimate of the cost of providing those services; and

WHEREAS, Council Resolution No. 2025-273 contemplated the imposing of a special tax upon those properties within Annexation No. 159 of CFD No. 11 receiving said services; and

WHEREAS, a report has been filed with the City Clerk of the City of Fresno (City Clerk) that describes the proposed rate and method of apportionment of the special tax among the parcels of real property proposed to be annexed to CFD No. 11 in sufficient detail to allow all interested parties to estimate the maximum amount each property owner must pay; and

WHEREAS, the levy of said proposed special tax shall be subject to the approval of the qualified electors of the territory proposed to be annexed to CFD No. 11 at a special

1 of 4

Date Adopted:

Date Approved: Effective Date:

City Attorney Approval:

Resolution No:

election; and

WHEREAS, the Public Works Director has filed a Certificate (Certificate) in these proceedings providing that fewer than twelve (12) registered voters reside within the boundaries of the territory proposed for annexation to CFD NO. 11.

NOW, THEREFORE, BE IT RESOLVED by the Council as follows:

- 1. The levy of a special tax proposed in Council Resolution No. 2025-273 shall be submitted to the voters pursuant to the City of Fresno Special Tax Financing Law, Chapter 8, Division 1, Article 3, of the Fresno Municipal Code (City Law).
- 2. The setting of the appropriations limit shall be submitted to the voters pursuant to City Law.
- 3. The two ballot items described above shall be combined into a single ballot measure pursuant to City Law. The ballot language shall be as shown on the ballot form attached as Exhibit A, which is hereby approved.
- 4. This Council accepts the Certificate of the Public Works Director filed in these proceedings and, based on the Certificate, finds that fewer than twelve (12) registered voters reside within the boundaries of the territory proposed to be annexed to CFD No. 11. Accordingly, under City Law the voters in this election shall be the landowners owning land within the territory proposed to be annexed to CFD No. 11.
- 5. The Council further finds that the landowners of record owning property within the territory proposed to be annexed to CFD No. 11 are those set forth in the attachment to the Certificate and that the attachment correctly sets forth how much property is owned by each landowner and the number of votes to which each is entitled.
  - 6. This Council approves the form, attached as Exhibit B, entitled Waiver and

Consent From Sole Property Owner Shortening Time Periods and Waiving Various

Requirements for Conducting Mailed-Ballot Election in CFD No. 11, Annexation No. 159,

City of Fresno, County of Fresno, State of California. This Council finds that the rights,

procedures and time periods therein waived are solely for the protection of the voters,

may be waived under City Law, and that the waiver constitutes a full and knowing waiver

by any voter who has executed the form of these rights, procedures and time periods.

7. Accordingly, this Council calls the special election described herein and sets

October 30, 2025, as Election Day. Pursuant to City Law, the election shall be conducted

by mailed ballot.

8. The City Clerk or designee is directed to mail or to deliver the ballots, in the

form of Exhibit A hereto, to the landowners shown on the attachment to the Certificate.

The City Clerk or designee shall fill in the names of the landowners and the number of

votes to be cast on each ballot, according to the Certificate, before delivery or mailing.

9. The City Clerk or designee shall accept personal or mail delivery of the

ballots at any time up to the hearing on October 30, 2025, at 9:10 a.m. Upon receipt of all

eligible ballots, however, the City Clerk or designee shall immediately close the election

and declare the results to the Council.

Attachments:

Exhibit A - Special Election Ballot

Exhibit B - Waiver and Consent from Sole Property Owner

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STATE OF CALIFORNIA ) COUNTY OF FRESNO ) ss. CITY OF FRESNO )		
I, TODD STERMER, City Cleresolution was adopted by the Couron the day of  AYES : NOES : ABSENT : ABSTAIN :		
Mayor Approval/No Return: _ Mayor Veto:		, 2025 , 2025
	TODD STERMER, N City Clerk	имс
	BY:	Date
	Deputy	
APPROVED AS TO FORM: ANDREW JANZ City Attorney		
BY: Brent Richardson Deputy City Attorney	Date	

### **EXHIBIT A**

# SPECIAL ELECTION BALLOT (Mailed-Ballot Election)

# Community Facilities District No. 11 Annexation No. 159

This ballot is for the use of TPG AG EHC III (LEN) CA1, LP, the sole landowner owning land within the boundaries of Final Tract Map No. 6466, Community Facilities District No. 11, Annexation No. 159, City of Fresno, County of Fresno, State of California.

According to the provisions of the City of Fresno Special Tax Financing Law, Chapter 8, Division 1, Article 3, of the City of Fresno Municipal Code, and the resolutions of the City Council of the City of Fresno, the above-named landowner is entitled to cast eight (8) votes on this ballot.

In order to be counted, the ballot must be returned prior to the hearing on Thursday, October 30, 2025, at 9:10 a.m., to TODD STERMER, City Clerk, City of Fresno, 2600 Fresno Street, Room 2133, Fresno, CA 93721.

Mailing by that date will not be sufficient. The ballot must be physically <u>received</u> by the City Clerk prior to the deadline in order to be counted.

AN "X" OR OTHER MARK WILL CAST ALL VOTES ASSIGNED TO THIS BALLOT, OR THE VOTER MAY WRITE NUMBERS IN THE SPACES PROVIDED

## **BALLOT MEASURE**

Shall the City of Fresno be authorized to	Number of Votes
levy a special tax, and finance the	YES
authorized services, and costs and	
expenses by and through its Community	
Facilities District No. 11, Annexation No.	
159, all as specified in its Council	
Resolutions No. 2025-273 and	Number of Votes
No ; and shall the	NO
appropriations limit for Community Facilities	
District No. 11 Annexation No. 159 be	
established in accordance therewith?	

## **EXHIBIT A**

# **CERTIFICATION**

The undersigned is the authorized representative of the above-named landowner and is the person legally authorized and entitled to cast this ballot on behalf of the above-named landowner.

I declare under penalty of perjury under the laws of the Stoing is true and correct and that this declarate, 2025.	
Company Name:	
By:	
Print Name:	
Print Title:(Attach	Notary Acknowledgment)

#### **EXHIBIT B**

# WAIVER AND CONSENT FROM SOLE PROPERTY OWNER SHORTENING TIME PERIODS AND WAIVING VARIOUS REQUIREMENTS FOR CONDUCTING MAILED-BALLOT ELECTION

### Community Facilities District No. 11, Annexation No. 159

The undersigned is the person legally entitled and authorized to cast the ballots as the authorized representative of the sole owner of the property within the boundaries of Final Tract Map No. 6466 in this mailed-ballot election to be conducted within Community Facilities District No. 11 Annexation No. 159, to determine, among other things, whether the rate and method of apportionment of the annual special taxes shall be approved.

The undersigned hereby waives any and all minimum time periods relative to the election pursuant to the City of Fresno Special Tax Financing Law, Chapter 8, Division 1, Article 3, of the Fresno Municipal Code (City Law).

The undersigned hereby waives the preparation and distribution of an impartial analysis of the ballot measure, as well as arguments in favor and against, under the authority of City Law.

The undersigned hereby waives the requirement to publish notice of the election under City Law.

The undersigned hereby waives the requirements regarding the time to mail ballots to the qualified electors under Elections Code Section 4101, and agrees to accept either mailed service or personal service of the ballot.

The undersigned hereby waives the requirements regarding identification envelopes for the return of mailed ballots contained in City Law.

The undersigned hereby waives any and all defects in notice or procedure in the conduct of the election, whether known or unknown (other than the right to have ballots accurately counted), and states that the election is being expedited, pursuant to this waiver and consent, at the particular instance and request of the undersigned.

person legally entitled and authorized to cast the ballot as the authorized representative of the
landowner set forth in the first paragraph hereof, and to waive and consent to the above, that the
foregoing waivers and consents are voluntarily given and that this declaration is executed on
, 2025.

Company Name	,
By:	
Print Name	
Print Title	
	(Attach Notary Acknowledgment)