



Certification of Mailing Notices

REC'D MAY 14 '18 PM 2:10
FRESNO CITY CLERK

I, Briana Parra, hereby certify and declare that I am and was at all times herein mentioned an Assistant City Clerk of the City of Fresno; I am over the age of eighteen (18) years and am not a party to the below referenced proceedings; my business address being 2600 Fresno Street, Fresno, California 93721.

On March 14, 2018, acting for and under the direction of the City Clerk and in accordance with the direction contained in Resolution 2018-116, relating to the proposed assessment increase for Tract 3884 of Landscaping and Lighting Maintenance District No. 1, I deposited in the United States mail at Fresno, California, enclosed in a sealed envelope with postage thereon fully prepaid, a notice entitled "Notice of Public Protest Hearing Regarding Landscaping and Lighting Maintenance District No. 1 – Tract 3884 Proposing Annual Assessment Increase," to each of the record owners of real property within Tract 3884 per the attached list provided by the Department of Public Works. A true and correct copy of such notice is attached hereto and made a part hereof.

I certify and declare under penalty of perjury that the foregoing is true and correct.

Executed May 14, 2018, at Fresno, California

A handwritten signature in blue ink that reads "Briana Parra". The signature is written in a cursive style and is positioned above a horizontal line.

Briana Parra

Assistant City Clerk

185 mailed



**NOTICE OF PUBLIC PROTEST HEARING REGARDING
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1 – TRACT 3884
PROPOSED ANNUAL ASSESSMENT INCREASE**

Dear Property Owner:

This is an important notice under the California Constitution, Article XIII D, section 4, and California Government Code section 53753 regarding your rights relating to a proposed assessment increase for Tract 3884 of Landscaping and Lighting Maintenance District No. 1 (“LLMD No. 1”). The proposed assessment increase would be used to pay for the cost of upgrading common area landscaping within Tract 3884 and augmenting routine landscape services.

Read this notice carefully. If you have any questions, please contact Aaron Aguirre, Public Works Manager, City of Fresno Department of Public Works, 2600 Fresno Street, Fresno, California 93721, by telephone at (559) 621-1315 or by email at Aaron.Aguirre@fresno.gov.

NOTICE OF PUBLIC HEARING

You are hereby notified that on **June 28, 2018**, at **10:00 a.m.**, (or as soon thereafter as practicable), the City Council of the City of Fresno will hold a public protest hearing regarding a proposed assessment increase for Tract 3884 of LLMD No.1 in the City Council Chambers at **Fresno City Hall, 2600 Fresno Street, Fresno, CA 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 City Council, and the City Council will consider all objections or protests to the proposed assessment.

THE PROPOSED ASSESSMENT

The following is the total annual amount of the proposed assessment for Tract 3884 of LLMD No. 1:

	Chargeable to Your Property	Chargeable to Entire Tract 3884
Years 1 to 3	\$210.74	\$36,458.12
Year 4 and Onward	\$97.99*	\$16,951.86*

*Assessments will continue until City Council reduces or terminates them, or there is a new proceeding to increase the assessment. Assessments will be subject to annual discretionary adjustment by no more than the annual Construction Cost Index (CCI) for the San Francisco Region for the prior 12-month period (Dec. through Dec.) as published in the Engineering News Record (or comparable index). Each annual adjustment of the assessment shall become effective on the subsequent July 1.

Assessments collected from a parcel may not exceed the reasonable cost for the proportional special benefit to that parcel. Assessments must be used for the purposes stated and may only be used within the assessed area, as shown on the map enclosed with this Notice.

REASON FOR PROPOSED ASSESSMENT

The assessment for Tract 3884 of LLMD No. 1 has not been adjusted for inflation, nor otherwise increased, in over 20 years. This has led to a steady decline of tract landscaping and service levels. The proposed assessment will fund upgrades to common area landscaping within the tract (including buffers, parkways, and entrances) and fund augmented landscaping maintenance services to bring the service levels in line with newer developments within the City. Currently, landscape maintenance is performed roughly on a 60-day cycle. The proposed increase will fund landscaping on a 30-day cycle. If approved, assessments collected in years 1 through 3 will be used to replace and augment plant material and trees, update irrigation system to current industry standards, and increase landscaping service levels. Assessment collected in year 4 and onward will be used to maintain the heightened landscaping service levels.

CALCULATION OF PROPOSED ASSESSMENT

The proposed assessment for years 1 through 3 is calculated using a per square-foot cost estimate for planned landscape upgrades for Tract 3884, together with per square-foot costs for routine landscaping services and incidental administrative costs. The total annual proposed assessment for year 4 and onward is calculated using the per square-foot cost for landscaping services together with incidental costs. The proposed assessment chargeable to your individual property represents the total proposed assessment for all of Tract 3884 divided by 173 (the number of assessable parcels within Tract 3884 that will benefit from the assessment). The proposed assessment is supported by an Engineer's Report that is available at the City Clerk's Office, in suite 2133 at 2600 Fresno Street, Fresno California 93721.

SUMMARY OF PROCEDURE FOR COMPLETION, RETURN, AND TABULATION OF 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 City Clerk 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 City Clerk, at 2600 Fresno Street, Suite 2133, Fresno, California 93721, 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.

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

The assessment will not be imposed if the City Council 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 City Council will impose the assessment.

Enclosures:

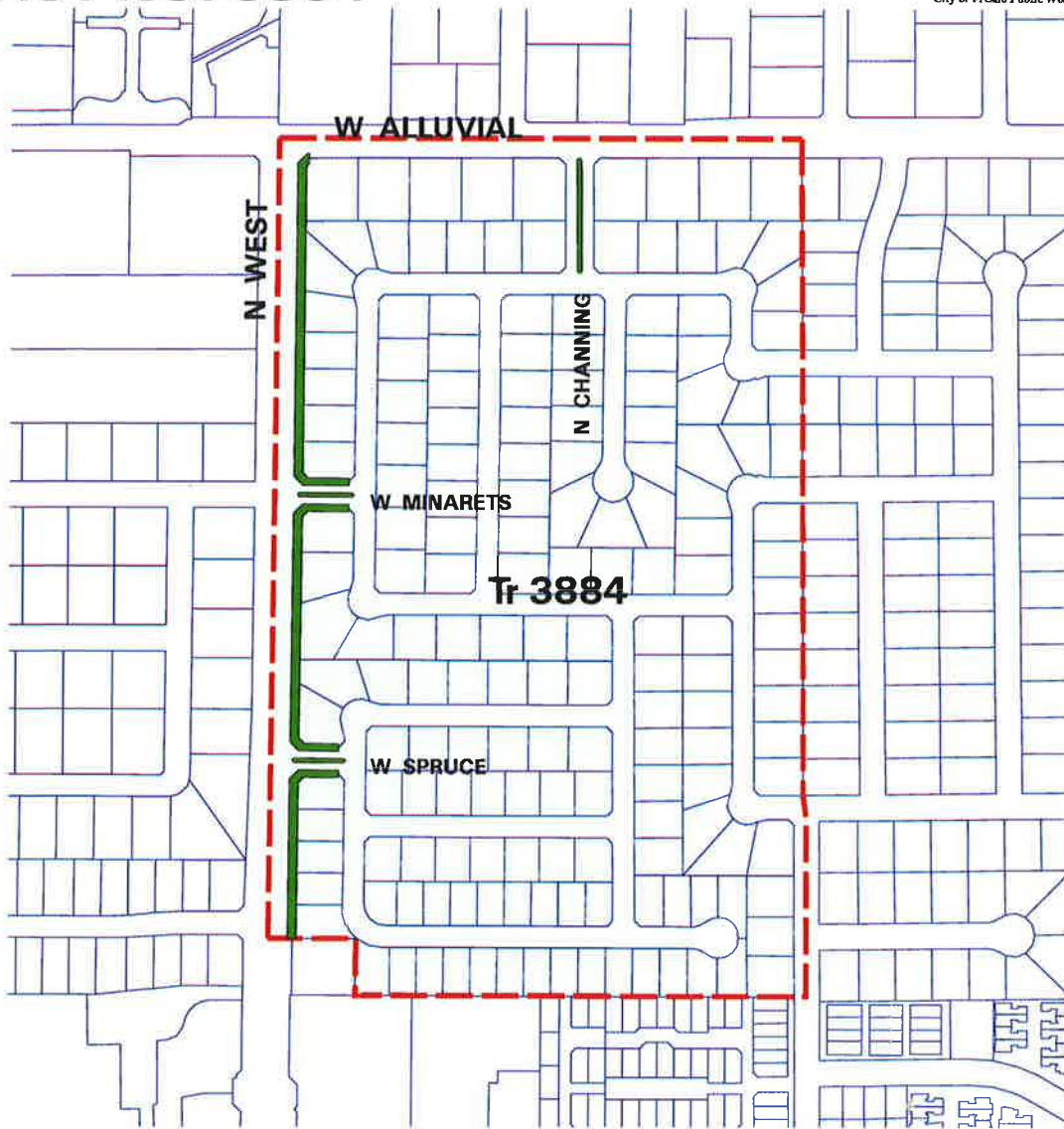
1. Map of LLMD No. 1 Tract 3884
2. Assessment Ballot with Instructions
3. Return Self-Addressed Mailing Envelope

FEATURES MAINTAINED BY LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1

TRACT NO. 3884



October 04, 2006
City of Fresno Public Works



DISTRICT MAINTAINED
LANDSCAPING



TRACT BOUNDARY
LINE

No Phases

Landscaped Area: 47,860 sf

Lots in Tract: 173

PUBLIC WORKS DEPT. / Technical Services



J. Paff File: ../lmd/tr/3884/traml



**OFFICIAL BALLOT
MAJORITY PROTEST VOTE
CITY OF FRESNO
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 1
TRACT 3884**

ASSESSED PROPERTY: APN:
RECORD OWNER: ADDRESS:

INSTRUCTIONS:

1. To vote, mark a cross (X) in the voting square after the word "YES" or after the word "NO". Mark only one box, using ink – do not use pencil. All marks otherwise made are forbidden. All other distinguishing marks are forbidden and make the ballot void.
2. Print your name, sign, and date the ballot – if more than one owner, only one owner needs to sign.
3. Return this ballot in the enclosed pre-addressed envelope to the office of the City Clerk of the City of Fresno no later than the close of the hearing regarding the proposed assessment increase for Tract 3884 of Landscaping and Lighting Maintenance District No. 1 on June 28, 2018, either by mail or in person. The City Clerk's Office is located at Fresno City Hall 2600 Fresno Street, Suite 2133, Fresno, California, 93721. If returned by mail you will need to provide first class postage. Once submitted, you may change or withdraw your ballot prior to the close of the hearing by contacting the City Clerk.

If you wrongly mark, tear, or deface this ballot, return it to the City Clerk and obtain another.

YES, I am IN FAVOR of the proposed increase to my LLMD No. 1 assessment for Tract 3884. I understand that my current assessment will increase to \$210.74 in years 1 through 3, beginning in Fiscal Year 2018-19 and will thereafter be \$97.99 (subject to an annual cost of construction index adjustment for inflation).

Yes

NO, I am OPPOSED to the proposed increase in my LLMD No. 1 assessment. I understand that a majority NO vote will mean common area landscaping in Tract 3884 will not be upgraded and landscaping maintenance services will not be augmented.

No

PRINT NAME

(Property Owner/Authorized Rep.)

ORIGINAL SIGNATURE

DATE

END OF BALLOT