

**Mayor**  
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City Clerk**

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**To:** Lemoore City Council Item # 4  
**From:** Mary Jane French, Interim City Clerk  
**Date:** July 20, 2012  
**Subject:** Resolution 2012-33 Ordering Annexation and Inclusion of Additional Territories as Zone 1 Phase III of Public Facilities Maintenance District No. 1; and Confirming the Diagram and Assessment of Annual Levy for Fiscal Year 2012-2013 for Public Facilities Maintenance District No. 1, Zone 1

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**Discussion:**

On June 5, 2012 the Council approved Resolution 2012-21, "A Resolution of Intention to (i) Annex and Include Additional Territories in Public Facilities Maintenance District No. 1 in the City of Lemoore, and (ii) Levy and Collect Annual Assessments in Such Annexed Territory for Fiscal Year 2012-2013 and Thereafter."

The Added Territories included in Public Facilities Maintenance District No. 1 are Tract 817 Phase III previously referred to as the Landing subdivision for Flatley Homes now being developed by Lennar Fresno, Inc.

In order for the annexation to be approved and the assessments levied on the lots in the Added Territories, the majority of the ballots submitted by property owners within the boundary of the Added Territories must consent to the annexation and levy of the assessment. The City staff has confirmed that ballots have been sent, and have been returned by the property owners to the City. Votes will be tabulated Tuesday evening during the Council meeting. If the ballots submitted and not withdrawn in favor of the proposed annexation exceed the assessment ballots submitted and not withdrawn in opposition, then the Added Territories may be included in the Public Facilities Maintenance District No. 1, Zone 1 Phase III.

If Resolution 2012-33 is approved, a fee in the amount of \$724.56 will be applied on an annual per lot basis, beginning in fiscal year 2012-2013, and will be applied to each lot within the newly Added Territories.

**Budget Impact:**

None.

**Recommendation:**

The Council hold a public hearing on the annexation of Zone 1 Phase II of the Public Facilities Maintenance District No. 1, the services and the first annual levy of assessments in the Added Territories. After the public hearing, direct the City Clerk to count the ballots and if ballots submitted are in favor of the proposed annexation, that the Council, by motion, approve Resolution 2012-33 Ordering the Annexation and Inclusion of Additional Territories as Zone 1 Phase III in Public Facilities Maintenance District No. 1; and Confirming the Diagram and Assessment of Annual Levy for Fiscal Year 2012-2013 for the Additional Territories Annexed as Zone 1 Phase III of Public Facilities Maintenance District No. 1. Authorize and direct the City Clerk to file the diagram of the PFMD including the Added Territories, and assessments therein,

a notice of assessment with respect to the Added Territories, and an amended map of the boundaries of the PFMD, incorporating the Added Territories as required by Sections 3110, 3113 and 3114 of the Streets & Highways Codes, with the Kings County Recorder.