

CSA 35/MAINTENANCE DISTRICT ROAD ZONE DISSOLUTION PROCESS SUMMARY

1. Form a Replacement Entity

Property owners must have an entity or organization (e.g., HOA or Road Maintenance Agreement) in place to take over Road Maintenance and the collection of Road Maintenance fees prior to initiating the dissolution process.

- a. For example, an HOA can update their CC&Rs to include Road Maintenance or provide a signed Road Maintenance Agreement covering all affected properties.
- b. Management/PWP Director must review and may approve the entity and its terms, at their discretion.

2. Submit a Written Request

A written request (petition) for a Dissolution of an existing Zone of Benefit within CSA 35 or Maintenance Districts (MD) must be submitted by a registered voter(s) or property owner(s) residing within the Zone.

- a. Example: 2024 CSA 35AI Dissolution Petition document.

3. Funding the Dissolution Process

There are two ways to fund the administrative costs of dissolution of a CSA Road Zone or MD:

- a. Unanimous Petition: If property owners would like CSA/MD funds to pay for the dissolution process (taking the item to the board/staff time/etc.), the petition must state that the costs associated with the dissolution process will be charged to the zone & every property owner must sign the petition consenting to the use of CSA/MD funds.
- b. Nonunanimous Petition: If all property owners do not sign the petition or do not consent to use CSA/MD funds, a Reimbursement Agreement must be signed by an individual (or group), and a \$5,000 deposit paid to the County before work can begin, so the County can recover the administrative costs associated with the dissolution process
 - i. All costs will be charged to this Reimbursement Agreement.
 - ii. If costs exceed \$5,000, additional deposits must be made before work continues.
 - iii. If actual costs are less than \$5,000, the remaining balance will be refunded to the party who signed the agreement.

4. Board of Supervisor Hearings

County staff will prepare the Board Agenda Items (BAIs) and schedule the three required hearings.

- a. 1- Resolution of Initiation Hearing - formally starts the dissolution process.
- b. 2- Resolution of Intention Hearing - notifies the Board of the district's intention to dissolve and sets the date for the Public Protest Hearing (which must be at least 30 days after adoption).
 - i. Hearings #1 and #2 may be consolidated and heard at the same meeting.
- c. 3- Public Protest Hearing - allows public testimony and submission of written protests against the dissolution.
 - i. For the dissolution to proceed, the outcome must be 100% approval (i.e., no valid protests filed by property owners).

There is a different process and requirements to vacate the road, which can be found at the following link: <https://www.co.fresno.ca.us/departments/public-works-and-planning/divisions-of-public-works-and-planning/design-division/real-property/road-vacations>