Date: May 21, 2025

Board Memo Author and title: Mandy Stewart, Senior Management Analyst, Nevada County

Title: **Public Hearing Requirement**

Recommended Action: The Board discuss options and provide staff direction for the timing of the required public hearing. Staff is recommending holding the public hearing on the same day as the approval of the Resolution of Formation documents.

Background:

As outlined by the requirements in the Mello-Roos Act for the formation of a Community Facilities District (CFD), within 30-60 days from the date of the Resolution of Intention, the Governing Board of the Local Agency will hold a public hearing on the formation of the CFD and the incurrence of bonded indebtedness in an amount not to exceed the amount set forth in the Resolutions of Intention.

Following the closing of the public hearing, the JPA Board will adopt the Resolution of Formation.

Given approval of the Resolution of Intention on May 21, 2025, the public hearing must occur between June 20, 2025 and July 20, 2025.

However, given the timeline request by the Nevada and Placer County elections offices to have the ballot language completed and submitted 125 days prior to the special election date, the Resolution of Formation (which includes the ballot language) needs to be approved no later than July 2, 2025.

Therefore, the JPA Board needs to both: (i) hold the public hearing and (ii) adopt the Resolution of Formation between June 20, 2025 and July 2, 2025.

Stradling Law has provided guidance to schedule the public hearing the same day as the intended adoption of the Resolution of Formation documents. Should any issues arise during the public hearing which the JPA Board needs to address prior to adopting the Resolution of Formation, a special meeting can be scheduled prior to July 2, 2025, to adopt the Resolution of Formation.

Staff is recommending the JPA Board approve holding the public hearing on the same day as the intended approval of the Resolution of Formation currently scheduled for June 23, 2025.

Attachments: