



Legislation Details (With Text)

**File #:** ID 23-458      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Passed  
**File created:** 3/13/2023      **In control:** City Council  
**On agenda:** 3/30/2023      **Final action:** 3/30/2023

**Title:** HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 137 (Final Tract Map No. 6299) (Southeast corner of East Belmont Avenue and North Armstrong Avenue) (Council District 5)  
1. \*\*\*RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 137 (Subject to Mayor's Veto)  
2. \*\*\*RESOLUTION - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)  
3. \*\*\*RESOLUTION - Declaring Election Results (Subject to Mayor's Veto)  
4. \*\*\*BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 137 (Subject to Mayor's Veto)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 23-458 Location Map, 2. 23-458 Features Map, 3. 23-458 Resolution ANNX-LEVY, 4. 23-458 Resolution CALLING ELECTION, 5. 23-458 Resolution DECLARING RESULTS, 6. 23-458 Ordinance

Date	Ver.	Action By	Action	Result
3/30/2023	1	City Council	ADOPTED	Pass

**REPORT TO THE CITY COUNCIL**

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

**BY:** ANDREW J. BENELLI, PE, City Engineer/Assistant Director  
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Public Works Department, Traffic Operations and Planning Division

**SUBJECT**

HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 137 (Final Tract Map No. 6299) (Southeast corner of East Belmont Avenue and North Armstrong Avenue) (Council District 5)

1. \*\*\*RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 137 (Subject to Mayor's Veto)
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3. \*\*\*RESOLUTION - Declaring Election Results (Subject to Mayor's Veto)
4. \*\*\*BILL - (For introduction and adoption) - Levying a Special Tax for the Property

Tax Year 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 137 (Subject to Mayor's Veto)

## RECOMMENDATION

1. Adopt Resolution to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 137,
2. Adopt Resolution Calling Special Mailed-Ballot Election,
3. Adopt Resolution Declaring Election Results, and
4. Adopt Ordinance Levying a Special Tax for the Property Tax Year 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 137.

## EXECUTIVE SUMMARY

On February 9, 2023, the Council of the City of Fresno (Council) adopted Council Resolution No. 2023-029 with the intent to annex territory to Community Facilities District No. 11 (CFD No. 11) at the request of the landowner (KB Homes) of Final Tract Map No. 6299 (218 lot Single-Family Home subdivision). This is the noticed public hearing to consider annexing Final Tract Map No. 6299 as Annexation No. 137 to CFD No. 11 to provide funding for the Services (as hereafter defined) pertaining to certain required above ground public improvements associated with this subdivision. The cost for Services is \$548.61 per lot annually. If approved, the recommended resolutions and ordinance will levy a Special Tax on the properties in Final Tract Map No. 6299 for identified Services. (See attached Location and Features map.)

## BACKGROUND

Subdivision: T-6299

Developer: KB Homes

Number of Lots: 218

Maximum Special Tax Per Lot: \$548.61

Features: Certain required above ground public improvements; including Landscaping and irrigation systems; concrete and hardscape improvements, paving, streetlights, park hardscaping and amenities.

On November 15, 2005, the Council adopted Council Resolution No. 2005-490 forming CFD No. 11 to fund the maintenance of landscaping, open spaces, local streets, local streetlights and street furniture, curbs, gutters, sidewalks, street trees and other public facilities and services as defined by the City of Fresno Special Tax Financing Law, Chapter 8, Division 1, Article 3 of the Fresno Municipal Code (City Law).

The landowner of Final Tract Map No. 6299 has petitioned the City of Fresno to be annexed into CFD No. 11 to provide the funding for the operation and reserves for maintenance (Services) pertaining to the landscaping, trees and irrigation systems within the street rights-of-way, landscape easements and dedicated Outlots; the concrete curbs and gutters, valley gutters, sidewalks, curb ramps, street name signage, street lighting, and local street paving associated with this subdivision. Pursuant to this petition, the Council adopted Council Resolution No. 2023-029, declared its intention to annex the Final Tract Map No. 6299 to CFD No. 11, and set the public hearing for formal consideration. (See attached Location and Features map.)

Resolution No. 2023-029 also directed the preparation of an Engineer's Report describing the Services and the costs of those services and this report is on file with the City Clerk.

If adopted by the Council, the attached ordinance would levy the proposed Maximum Special Tax of \$548.61 per residential lot to provide Services for Fiscal Year 2022-2023. The Maximum Special Tax will be adjusted upward annually by 2% or by the rise of the Construction Cost Index (CCI) if it exceeds 2% for the San Francisco Region.

The levy of the special tax is subject to approval by the qualified electors through a special election. Two additional resolutions are attached for Council consideration pertaining to this special election.

Today's public hearing has been duly noticed and the attached ordinance and resolutions have been approved as to form by the City Attorney's Office.

## **ENVIRONMENTAL FINDINGS**

Pursuant to the definition in California Environmental Quality Act Guidelines Section 15378, this action is not a project.

## **LOCAL PREFERENCE**

Local preference was not implemented, as this item does not include a bid or award of a construction or services contract.

## **FISCAL IMPACT**

No City funds will be involved. All costs for services will be borne by the property owners within the subject tract.

### **Attachments:**

Location Map

Feature Map

Resolution Annex-Levy

Resolution Calling Election

Resolution Declaring Results

Ordinance