



Legislation Details (With Text)

**File #:** ID#15-067      **Version:** 1      **Name:**  
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**File created:** 1/16/2015      **In control:** City Council  
**On agenda:** 2/5/2015      **Final action:** 2/5/2015

**Title:** HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 11, Annexation No. 58 (Final Tract Map No. 6033) (northeast corner of N. Fowler and E. Clinton Avenues) (Council District 4)  
1. RESOLUTION - Annexing Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax  
2. RESOLUTION - Calling Special Mailed-Ballot Election  
3. RESOLUTION - Declaring Election Results  
4. \*\*\* BILL - (For introduction and adoption) - Levying a Special Tax for the Property Tax Year 2014-2015 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 58, Final Tract Map No. 6033

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. T6033 Annex58 Location Map.pdf, 2. T6033 Annex58 Feature Maps.pdf, 3. T6033 Annex58 HRG Annex-Levy Reso.pdf, 4. T6033 Annex58 HRG CallElection Reso.pdf, 5. T6033 Annex58 HRG DeclareResults Reso.pdf, 6. T6033 Annex58 HRG Ordinance.pdf

Date	Ver.	Action By	Action	Result
2/5/2015	1	City Council	adopted	Pass

**REPORT TO THE CITY COUNCIL**

February 5, 2015

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

**THROUGH:** ANDREW J. BENELLI, PE, City Engineer/Assistant Director  
Public Works Department, Traffic and Engineering Services Division

**BY:** ANN LILLIE, Senior Engineering Technician  
Public Works Department, Traffic and Engineering Services Division

**SUBJECT**

**HEARING** to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community District No. 11, Annexation No. 58 (Final Tract Map No. 6033) (northeast corner of N. Fowler and E. Clinton Avenues) (Council District 4)

**1. RESOLUTION** - Annexing Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax

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## **RECOMMENDATIONS**

1. Adopt Resolution Annexing Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax.
2. Adopt Resolution Calling Special Mailed-Ballot Election.
3. Adopt Resolution Declaring Election Results.
4. Adopt Ordinance Levying a Special Tax for the Property Tax Year 2014-2015 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 58, Final Tract Map No. 6033.

## **EXECUTIVE SUMMARY**

On January 15, 2015, the Council of the City of Fresno ("Council") adopted Council Resolution No. 2015-3 with the intent to annex territory to Community Facilities District No. 11 ("CFD No. 11") at the request of the landowner of Final Tract Map No. 6033. This is the noticed public hearing to consider annexing Final Tract Map No. 6033 as Annexation No. 58 to CFD No. 11 to provide funding for the operation and reserves for maintenance ("Services") pertaining to the landscaping, trees and irrigation systems within the street rights-of-way and landscape easements along North Fowler and East Clinton Avenues and Outlot A; concrete curbs and gutters, median curbs and hardscaping, valley gutters, curb ramps and sidewalks, traffic calming curbs and hardscaping, street name signage, street lighting, and local street paving associated with this subdivision. Facilities also include, without limitation, all above ground infrastructure and park amenities, including the block wall, within Outlot A (one-acre Park). The cost for the Services for these improvements is \$1,009.26/lot annually (totaling \$94,870). If approved, the recommended resolutions and ordinance will levy a Special Tax on the properties in Final Tract Map No. 6033 for identified Services. (See attached location, features, Outlot A detail maps.)

## **BACKGROUND**

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 street lights 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. 6033 has petitioned the City of Fresno to be annexed into CFD No. 11 to provide funding for the operation and reserves for maintenance ("Services") pertaining to the landscaping, trees and irrigation systems within the street rights-of-way and landscape easements along North Fowler and East Clinton Avenues and Outlot A; concrete curbs and gutters, median curbs and hardscaping, valley gutters, curb ramps and sidewalks, traffic calming curbs and hardscaping, street name signage, street lighting, and local street paving

associated with this subdivision. Facilities also include, without limitation, all above ground infrastructure and park amenities, including the block wall, within Outlot A (one-acre Park). Pursuant to this petition, the Council adopted Resolution No. 2015-3, declared its intention to annex the Final Tract Map No. 6033 to CFD No. 11, and set the public hearing for formal consideration. (See attached location, features, Outlot A detail maps.)

Resolution No. 2015-3 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 \$1,009.26 per residential lot (totaling \$94,870) to provide Services for FY14-15. The Maximum Special Tax will be adjusted upward annually by 3% plus the rise, if any, in the Construction Cost Index 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**

By the definition provided in the California Environmental Quality Act Guidelines Section 15378 this hearing does not qualify as a "project" and is therefore exempt from the California Environmental Quality Act requirements.

## **LOCAL PREFERENCE**

Local preference was not considered because this hearing 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  
                            Resolutions (3)  
                            Ordinance