



Legislation Details (With Text)

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Title: RESOLUTION - of Consideration to change types of services, rate and method of apportionment of the special tax and establishing a new maximum special tax for Final Tract Map Number 6410, Annexation Number 37, of the City of Fresno Community Facilities District Number 11. (Located on the northeast corner of East Church Avenue and South Peach Avenue) (Council District 5)

Sponsors: Public Works Department

Indexes:

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Attachments: 1. 24-810 Location Map, 2. 24-810 Revised Features Map, 3. 24-810 Resolution

Date	Ver.	Action By	Action	Result
6/20/2024	1	City Council		

REPORT TO THE CITY COUNCIL

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SUBJECT

RESOLUTION - of Consideration to change types of services, rate and method of apportionment of the special tax and establishing a new maximum special tax for Final Tract Map Number 6410, Annexation Number 37, of the City of Fresno Community Facilities District Number 11. (Located on the northeast corner of East Church Avenue and South Peach Avenue) (Council District 5)

RECOMMENDATION

Adopt Resolution of Consideration to change types of services, rate and method of apportionment of the special tax and establishing a new maximum special tax for Final Tract Map No. 6410, Annexation No. 37 of the City of Fresno Community Facilities District No. 11 ("CFD No. 11")

EXECUTIVE SUMMARY

The landowner (DR Horton) of Final Tract Map No. 6410 (73 lot single-family home subdivision) has

petitioned the City of Fresno (“City”) to amend Annexation No. 37 of CFD No. 11 and remove and add areas of service. The revision of the amount and types of services will decrease the maximum special tax from \$727.00 to \$637.74 per lot annually. Final Tract Map No. 6410 is located entirely in the Fresno City Limits. The Resolution of Consideration begins the process, sets the required public hearing for Thursday, July 25, 2024, at 9:10 a.m., and defines the steps required to complete the changes to Annexation No. 37. (See attached location and revised feature maps.)

BACKGROUND

On March 31, 2011, the Council of the City of Fresno adopted Resolution No. 2011-053 annexing Final Tract Map No. 5498 as Annexation No. 37 to CFD No. 11 and levying a special tax to fund public 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. 6410 has requested that the City amend Annexation No. 37 by changing the amounts and types of services. These alterations will include the removal of the subdivision entry treatments and median islands, while adding block wall along the trail. The changes require amending the rate and method of apportionment of the special tax and establishing a new maximum special tax. (See attached location and revised feature maps.)

Final Tract Map No. 6410 is not a phased map and is located entirely in the Fresno City Limits.

The attached Resolution initiates the process to amend Annexation No. 37, sets the public hearing on this matter for July 25, 2024, at 9:10 a.m., sets the new maximum special tax at \$637.74 annually per residential lot for Fiscal Year 2024-2025 and sets the annual adjustment of the special tax to 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.

Changing the rate and method of apportionment and establishing a new maximum special tax is permitted under City Law. The legislative body must follow certain prescribed procedures as outlined below:

- Adoption of a Resolution of Consideration to Amend Annexation No. 37
- Required 7-day minimum Notice of Public Hearing
- Public Hearing on changes to the rate and method of apportionment and the Levy of a new Maximum Special Tax
- Call a Special Mailed-Ballot Election on the proposed Special Tax
- Declare the Results of the Election
- Formal Adoption of Special Tax Levy (if election passes)

The attached Resolution has 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 item does not qualify as a “project” and is therefore exempt from the California Environmental

Quality Act requirements.

LOCAL PREFERENCE

Local preference was not considered since 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
- Revised Features Map
- Resolution