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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. 69 (Final Tract Map No. 5595) (area bounded by W. Spruce Avenue, N. Thiele Avenue and W. Farrington Avenue, north of W. Herndon Avenue) (Council District 2)

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 2015-2016 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 69, Final Tract Map No. 5595

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. T5595 Annex69 Location Map.pdf, 2. T5595 Annex69 Features Map.pdf, 3. T5595 Annex69 HRG Annex-Levy ap.pdf, 4. T5595 Annex69 HRG CallElection ap.pdf, 5. T5595 Annex69 HRG ElectionResults ap.pdf, 6. T5595 Annex69 HRG Ordinance ap.pdf

Date	Ver.	Action By	Action	Result
6/9/2016	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

June 9, 2016

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 Facilities District No. 11, Annexation No. 69 (Final Tract Map No. 5595) (area bounded by W. Spruce Avenue, N. Thiele Avenue and W.

Farrington Avenue, north of W. Herndon Avenue) (Council District 2)

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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 2015-2016 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 69, Final Tract Map No. 5595

EXECUTIVE SUMMARY

On May 19, 2016, the Council of the City of Fresno ("Council") adopted Council Resolution No. 2016-79 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. 5595 ("T5595"). This is the noticed public hearing to consider annexing T5595 as Annexation No. 69 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, landscape easements and Outlots A, B, C and D, the concrete curbs and gutters, valley gutters, entrance median curbs, Outlots A, B, C and D walks and pads, curb ramps and sidewalks, street name signage, street lighting, and local street paving associated with this subdivision. Such facilities include, without limitation, all above ground amenities within Outlots A, B, C and D, such as benches, picnic tables, trash receptacles, and exercise equipment. The cost for Services is \$1,195.99/lot annually (totaling \$116,011). If approved, the recommended resolutions and ordinance will levy a Special Tax on the properties in T5595 for identified Services. (See attached location and features map.)

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 T5595 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, landscape easements and

Outlots A, B, C and D, the concrete curbs and gutters, valley gutters, entrance median curbs, Outlots A, B, C and D walks and pads, curb ramps and sidewalks, street name signage, street lighting, and local street paving associated with this subdivision. Such facilities include, without limitation, all above ground amenities within Outlots A, B, C and D, such as benches, picnic tables, trash receptacles, and exercise equipment. Pursuant to this petition, the Council adopted Council Resolution No. 2016-79, declared its intention to annex the T5595 to CFD No. 11, and set the public hearing for formal consideration. (See attached location and features map.)

Resolution No. 2016-79 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 \$1,195.99 per residential lot (totaling \$116,011) to provide Services for FY15-16. 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