



Legislation Details (With Text)

File #: ID16-539 **Version:** 1 **Name:**
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On agenda: 5/19/2016 **Final action:** 5/19/2016

Title: Actions pertaining to Community Facilities District No. 11 as it relates to Final Tract Map 5595
1. RESOLUTION - Rescinding Resolution No. 2016-45 to annexing territory to Community Facilities District No. 11 as it relates 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)
2. RESOLUTION - Of Intention to annex Final Tract Map No. 5595, Annexation No. 69, to the City of Fresno Community Facilities District No. 11 (area bounded by W. Spruce Avenue, N. Thiele Avenue and W. Farrington Avenue, north of W. Herndon Avenue) (Council District 2)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. T5595 Annex69 Location Map.pdf, 2. T5595 Annex69 Features Map.pdf, 3. T5595 Annex69 Reso Rescinding.pdf, 4. T5595 Annex69 ROI Resolution.pdf

Date	Ver.	Action By	Action	Result
5/19/2016	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

May 19, 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

Actions pertaining to Community Facilities District No. 11 as it relates to Final Tract Map 5595

1. RESOLUTION - Rescinding Resolution No. 2016-45 to annexing territory to Community Facilities District No. 11 as it relates 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)
2. RESOLUTION - Of Intention to annex Final Tract Map No. 5595, Annexation No.

69, to the City of Fresno Community Facilities District No. 11 (area bounded by W. Spruce Avenue, N. Thiele Avenue and W. Farrington Avenue, north of W. Herndon Avenue) (Council District 2)

RECOMMENDATIONS

1. Adopt Resolution Rescinding Resolution No. 2016-45 Annexing Territory to City of Fresno Community Facilities District No. 11 Relating to Final Tract Map No. 5595.
2. Adopt Resolution of Intention to annex Final Tract Map No. 5595 to City of Fresno Community Facilities District No. 11.

EXECUTIVE SUMMARY

The landowner petitioned the City of Fresno in February 2016 to have Final Tract Map No. 5595 annexed to CFD No. 11 to provide funding for the operation and reserves for maintenance ("Services") pertaining to the landscaping, trees and irrigation systems and certain above ground public improvements within the street rights-of-way, landscape easements and Outlots A, B, C and D, as associated with this subdivision. The cost for the Services for these improvements is \$1,195.99 per lot annually (totaling \$116,011). Final Tract Map No. 5595 is located entirely in the Fresno City Limits. On April 21, 2016, the Council adopted Resolution No. 2016-45 with the intent to annex territory to CFD No. 11 and authorize the levy of the special tax. Due to an error, the correct documents to support this adoption were not physically present before Council. The first resolution rescinds Resolution No. 2016-45 and the second is the Resolution of Intention which starts the process, sets the required public hearing for Thursday, June 9, 2016, at 10:15 a.m., and defines the steps required to complete the annexation. (See attached location and feature maps.)

BACKGROUND

The landowner petitioned the City of Fresno in February 2016 to have Final Tract Map No. 5595 annexed to CFD No. 11 to provide funding for the Services pertaining to the landscaping, trees and irrigation systems and certain above ground public improvements within the street rights-of-way, landscape easements and Outlots A, B, C and D, as associated with this subdivision. (See attached location and feature maps.)

On April 21, 2016, the Council adopted Resolution No. 2016-45 with the intent to begin the process to annex territory to CFD No. 11 and authorize the levy of the special tax. The correct documents to support this adoption were not physically present before Council at that time as such, Resolution No. 2016-45 must be rescinded.

The first resolution rescinds Resolution No. 2016-45 as it relates to Final Tract Map No. 5595 and CFD No. 11.

The second resolution initiates the annexation process, sets the public hearing on this matter for Thursday, June 9, 2016, at 10:00 a.m., sets the Maximum Special Tax at \$1,195.99 annually per residential lot (totaling \$116,011) for FY15-16 and sets the annual adjustment of the Special Tax at +3% plus the increase, if any, in the construction cost index for the San Francisco Region.

Annexations to existing community facilities districts are permitted under City Law. The legislative

body must follow certain prescribed procedures as outlined below:

- Adoption of a Resolution of Intention to Annex to CFD No. 11
- Required 7-day minimum Notice of Public Hearing
- Public hearing on Annexation and Levy of 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 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 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
Feature Map
Resolution (2)