



Legislation Details (With Text)

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**File created:** 5/4/2020    **In control:** City Council

**On agenda:** 5/21/2020    **Final action:** 5/21/2020

**Title:** HEARING to adopt Resolutions and Ordinance to Consider the Formation of a Community Facilities District (Community Facilities District No. 17 - Sewer Lift-Station Maintenance District) and Authorize the Levy of a Special Tax (Annadale Commons Development Final Tract Map No. 6187; Assessor's Parcel Number 479-270-33), near the northwest corner of Annadale and Elm; Final Tract Map No. 5434, northeast corner of Temperance and McKinley Avenues) (Council Districts 3 and 4)

1. \*\*\*RESOLUTION - of Formation of Community Facilities District No. 17, Authorizing the Levy of a Special Tax, and Preliminarily Establishing an Appropriations Limit (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 2019-2020 and Future Tax Years Within and Relating to Community Facilities District No. 17 (Subject to Mayor's Veto)

**Sponsors:** Public Works Department, Department of Public Utilities

**Indexes:**

**Code sections:**

**Attachments:** 1. 20-00591 CFD No. 17 Location Map, 2. 20-00591 CFD No. 17 Resolution of Formation-Levy, 3. 20-00591 CFD No. 17 Resolution Calling Election, 4. 20-00591 CFD No. 17 Resolution Declaring Results, 5. 20-00591 CFD No. 17 Ordinance

Date	Ver.	Action By	Action	Result
5/21/2020	1	City Council	adopted	Pass

**REPORT TO THE CITY COUNCIL**

**May 21, 2020**

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

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

**SUBJECT**

**HEARING** to adopt Resolutions and Ordinance to Consider the Formation of a Community Facilities District (Community Facilities District No. 17 - Sewer Lift-Station Maintenance District) and Authorize the Levy of a Special Tax (Annadale Commons Development Final Tract Map No. 6187; Assessor's Parcel Number 479-270-33), near the northwest corner of Annadale and Elm; Final Tract Map No. 5434, northeast corner of Temperance and McKinley Avenues) (Council Districts 3 and 4)

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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 2019-2020 and Future Tax Years Within and Relating to Community Facilities District No. 17 (Subject to Mayor's Veto)

## RECOMMENDATIONS

1. Adopt Resolution of Formation to Establish Community Facilities District No. 17 and Authorizing the Levy of a Special Tax therein and Preliminarily Establishing an Appropriation Limit thereon,
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 2019-2020 and Future Tax Years Within and Relating to Community Facilities District No. 17 Sewer Lift-Station Maintenance District.

## EXECUTIVE SUMMARY

On April 23, 2020, the Council of the City of Fresno (Council) adopted Council Resolution No. 2020-083 with the intention to establish a community facilities district (Community Facilities District No. 17 Sewer Lift-Station Maintenance District) (CFD No. 17) at the request of the landowners of the Annadale Commons Development (Final Tract Map No. 6187; Assessor's Parcel Number 479-270-33) and of Final Tract Map No. 5434. This is the noticed public hearing to consider formation of CFD No. 17 to provide funding for the Services (as hereafter defined) pertaining to the maintenance of the required sewer lift stations associated with these proposed developments. The total cost for Services is \$18,000 for each sewer lift station annually. If approved, the recommended resolutions and ordinance will levy a Special Tax on the properties within the boundaries of CFD No. 17 for identified Services. (See attached Location Map.)

## BACKGROUND

On April 23, 2020, the Council adopted Council Resolution No. 2020-083 establishing CFD No. 17 to provide Services pertaining to the maintenance of the required sewer lift stations associated with planned developments and 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 landowners of the Annadale Commons Development (Final Tract Map No. 6187; Assessor's Parcel Number 479-270-33) and Final Tract Map No. 5434 petitioned the City of Fresno to establish Community Facilities District No. 17 Sewer Lift-Station Maintenance District (CFD No. 17) to provide the funding for the operation and reserves for maintenance (Services) pertaining their proposed developments' sewer lift stations (LS001 and LS002). Pursuant to this petition, the Council adopted Council Resolution No. 2020-083, declared its intention to form CFD No. 17, and

set the public hearing for formal consideration. (See attached Location Map.)

Council Resolution No. 2020-083 also directed the preparation of an Engineer's Report describing the Services and the costs of those Services. The Engineer's Report is on file with the City Clerk.

If adopted by the Council, the attached ordinance would levy the proposed Maximum Special Tax of \$18,000 to provide Services for each sewer lift station (LS001 and LS002) for Fiscal Year 2019-2020. 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**

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378 this action does not qualify as a "project" and is therefore exempt from CEQA 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

Resolution of Formation-Levy

Resolution Calling Election

Resolution Declaring Results

Ordinance