



Legislation Details (With Text)

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**On agenda:** 2/9/2023      **Final action:** 2/9/2023

**Title:** RESOLUTION - Of Intention to Annex Final Tract Map No. 6299 as Annexation No. LS003 to the City of Fresno Community Facilities District No. 17 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, March 30, 2023 at 10:05 am (southeast corner of East Belmont Avenue and North Armstrong Avenue) (Council District 5)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 23-196 Location Map, 2. 23-196 Resolution of Intention

Date	Ver.	Action By	Action	Result
2/9/2023	1	City Council	ADOPTED	Pass

**REPORT TO THE CITY COUNCIL**

**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

ADRIAN GONZALEZ, Senior Engineering Technician  
Public Works Department, Traffic Operations and Planning

**SUBJECT**

RESOLUTION - Of Intention to Annex Final Tract Map No. 6299 as Annexation No. LS003 to the City of Fresno Community Facilities District No. 17 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, March 30, 2023 at 10:05 am (southeast corner of East Belmont Avenue and North Armstrong Avenue) (Council District 5)

**RECOMMENDATION**

Adopt Resolution of Intention to Annex Final Tract Map No. 6299 to the City of Fresno Community Facilities District No. 17 (CFD No. 17).

**EXECUTIVE SUMMARY**

The Landowner (KB Homes) has petitioned the City of Fresno to have Final Tract Map No. 6299 (218

Lot Single-Family Home Subdivision) annexed to CFD No. 17 to provide funding for the Services (as hereafter defined) pertaining to the maintenance of the required sewer lift station associated with the proposed development. The cost for the Services for these improvements is \$83.80 per lot annually for the Fiscal Year 2022-2023. Final Tract Map No. 6299 is located entirely within City limits. The Resolution of Intention begins the process, sets the required public hearing for Thursday, March 30, 2023 at 10:05 am, and defines the steps required to complete the annexation. (See attached Location Map.)

## **BACKGROUND**

Subdivision: 6299  
Developer: KB Homes  
Number of Lots: 218  
Maximum Special Tax Per Lot: \$83.80  
Features: Sewer Lift Station

On May 21, 2020, the Council of the City of Fresno (Council) adopted Council Resolution No. 2020-113, forming CFD No. 17 to provide funding for Services pertaining to the maintenance of 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) and the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5, commencing with Section 53311, of Part 1, Division 2, Title 5 of the California Government Code).

The landowner has petitioned the City to have Final Tract Map No. 6299 annexed to CFD No. 17 to provide funding for the operation and reserves for maintenance (Services) pertaining to certain required above ground public improvements/sewer lift station(s) associated with the proposed developments. (See attached Location and Feature Maps.)

Final Tract Map No. 6299 is not a phased map and is located entirely within City limits.

The attached Resolution initiates the annexation process, sets the public hearing on this matter for Thursday, March 30, 2023 at 10:05 am, sets the Maximum Special Tax at \$83.80 annually per residential lot for Fiscal Year 2022-2023 and sets the annual adjustment of the Special Tax to be adjusted upward annually by 3% plus the rise, if any, in the Construction Cost Index (CCI) 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. 17
- 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 Resolution has 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 implemented, as 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/development.

#### Attachments:

Location Map

Resolution of Intention