



Legislation Details (With Text)

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**Type:** Resolution    **Status:** Mayor's Office  
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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. 9, Annexation No. 20 (Assessor's Parcel Number 403-021-03, Development Permit Application No. 2016-031) (south side of East Shepherd Avenue between North Millbrook and Cedar Avenues) (Council District 6)

1. \*\*\*RESOLUTION - Annexing Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax (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 2017-2018 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 20 (Subject to Mayor's Veto)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. D2016-031 Annex20 Location Map.pdf, 2. D2016-031 Annex20 HRG Reso Annex-Levy.pdf, 3. D2016-031 Annex20 HRG Reso CallingSpecialMailed-BallotElection.pdf, 4. D2016-031 Annex20 HRG Reso DeclaringElectionResults.pdf, 5. D2016-031 Annex20 HRG Ordinance.pdf

Date	Ver.	Action By	Action	Result
11/9/2017	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

November 9, 2017

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Public Works Department

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Public Works Department, Traffic Operations and Planning Division

**SUBJECT**

**HEARING** to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 9, Annexation No. 20 (Assessor's Parcel Number 403-021-03, Development Permit Application No. 2016-031) (south side of East Shepherd Avenue between North Millbrook and Cedar Avenues)

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### **RECOMMENDATIONS**

1. Adopt Resolution Annexing Territory to Community Facilities District No. 9 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 2017-2018 and Future Tax Years Within and Relating to Community Facilities District No. 9, Annexation No. 20

### **EXECUTIVE SUMMARY**

On October 12, 2017, the Council of the City of Fresno ("Council") adopted Council Resolution No. 2017-274 with the intent to annex territory to Community Facilities District No. 9 ("CFD No. 9") at the request of the landowner of the territory known as Assessor's Parcel Number 403-021-03. This is the noticed public hearing to consider annexing Assessor's Parcel Number 403-021-03 as Annexation No. 20 to CFD No. 9 to provide funding for the operation and reserves for maintenance ("Services") pertaining to the concrete curbs, gutters and sidewalks, and street lighting as associated with this development. The cost for Services totals \$225.00 annually for FY 2017-18. If approved, the recommended resolutions and ordinance will levy a Special Tax on Assessor's Parcel Number 403-021-03 for identified Services. (See attached location map)

### **BACKGROUND**

New commercial, industrial and multi-family subdivisions and parcel maps have different needs and standards than those of a standard single-family residential subdivision. Commercial, industrial and multi-family subdivisions are traditionally self-maintained with different proprietary requirements for landscaping, signage and general designs. CFD No. 9 is designed to accommodate these requirements by providing funding of services for certain required public improvements in the public rights-of-way along the perimeters of these developments.

The landowner has petitioned the City to have Assessor's Parcel Number 403-021-03 annexed to CFD No. 9 to finance the Services for the concrete curbs, gutters and sidewalk, and street lighting along East Shepherd Avenue as associated with the development. Pursuant to this petition, the Council adopted Council Resolution No. 2017-274, declared its intention to annex the territory known as Assessor's Parcel Map Number 403-021-03 to CFD No. 9, and set the public hearing for formal consideration.

Resolution No. 2017-274 also directed preparation of a District Report describing the Services and

the costs of those services and this report is on file with the City Clerk of the City of Fresno.

If adopted by the Council, the attached ordinance would levy the proposed maximum special tax totaling \$225.00 for Fiscal Year 2017-2018 ("FY 2017-18"). The Maximum Special Tax may be adjusted upward annually at the discretion of the City with a limit of 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 resolutions and ordinance 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 territory.

Attachments:        Location Map  
                         Resolution Annexing Territory and Authorizing the Levy of a Special Tax  
                         Resolution Calling Special Mailed-Ballot Election  
                         Resolution Declaring Election Results  
                         Ordinance