



## Legislation Details (With Text)

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**Title:** RESOLUTION - Of Consideration to change the types of services, change the rate and method of apportioning the special tax and establishing a new maximum special tax for Final Tract Map No. 6067, Annexation No. 70, of the City of Fresno Community Facilities District No. 11 (east side of North Locan Avenue between East Shields and Dakota Avenues) (Council District 4)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. T6067 Annex70a Location Map.pdf, 2. T6067 Annex70 CFD Features Existing.pdf, 3. T6067 Annex70a Revised Features Map.pdf, 4. T6067 Annex70a ROC Resolution ap.pdf, 5. T6067 Annex70a ROC Exhibit A.pdf, 6. T6067 Annex70a ROC Exhibit B.pdf, 7. T6067 Annex70a ROC Exhibit C.pdf, 8. T6067 Annex70a ROC Exhibit D Descrip Services.pdf, 9. T6067 Annex70a ROC Exhibit E RMA.pdf

Date	Ver.	Action By	Action	Result
8/25/2016	1	City Council	approved	Pass

## REPORT TO THE CITY COUNCIL

**August 25, 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

**RESOLUTION** - Of Consideration to change the types of services, change the rate and method of apportioning the special tax and establishing a new maximum special tax for Final Tract Map No. 6067, Annexation No. 70, of the City of Fresno Community Facilities District No. 11 (east side of North Locan Avenue between East Shields and Dakota Avenues) (Council District 4)

## RECOMMENDATION

Adopt Resolution of Consideration to change the types of services, change the rate and method of apportioning the special tax and establishing a new maximum special tax for Final Tract Map No. 6067, Annexation No. 70 of the City of Fresno Community Facilities District No. 11 (“CFD No. 11”)

## **EXECUTIVE SUMMARY**

The Developer of Final Tract Map No. 6067 has petitioned the City of Fresno (“City”) to amend Annexation No. 70 of CFD No. 11 and make some alterations to their open space park. These alterations will include the removal of turf areas to provide for the addition of concrete walkways and pads, benches, picnic tables, an arbor and a structure for barbequing. The change in cost for these alterations in Services increases the Maximum Special Tax from \$517.94 to \$519.55 annually per lot. Final Tract Map No. 6067 is located entirely in the Fresno City Limits. The Resolution of Consideration begins the process, sets the required public hearing for September 22, 2016, at 10:05 a.m., and defines the steps required to complete the changes to Annexation No. 70. (See attached location and feature maps.)

## **BACKGROUND**

On May 19, 2016, the Council of the City of Fresno adopted Resolution No. 2016-86 annexing Final Tract Map No. 6067 as Annexation No. 70 to CFD No. 11 and levying a special tax to fund public 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 Final Tract Map No. 6067 has requested that the City amend Annexation No. 70, and approve the proposed changes to the types of services by altering the design of their open space park and adding park amenities. Alterations will include the removal of turf areas to provide for the addition of concrete walkways and pads, benches, picnic tables, an arbor and a structure for barbequing within Outlot A of this subdivision. (See attached location and feature maps.)

Final Tract Map No. 6067 is not a phased map and is located entirely in the Fresno City Limits.

The attached Resolution initiates the annexation process, sets the public hearing on this matter for Thursday, September 22, 2016, at 10:05 a.m., sets the new Maximum Special Tax at \$519.55 annually per residential lot for FY16-17 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.

Changing types of services and the rate and method of apportionment and establishing a new Maximum Special Tax is permitted under City Law. The legislative body must follow certain prescribed procedures as outlined below:

- Adoption of a Resolution of Consideration to amend Annexation No. 70 of CFD No. 11
- Required 7-day minimum Notice of Public Hearing
- Public hearing on changes to the types of services, 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**

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 (Existing)

Feature Map (Revised)

Resolution