



Legislation Details (With Text)

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Title: CONTINUED HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding the territory associated with the development of Assessor's Parcel Number 313-280-73 and 313-280-75, Conditional Use Permit Application No. 2014-057, Annexation No. 17 of the City of Fresno Community Facilities District No. 9 (north side of East Kings Canyon Road east of North Armstrong Avenue) (Council District 5)

1. RESOLUTION - Directing Preparation of a Modified District Report Analyzing Impact of Proposed Decrease in Special Tax and Modifying Council Resolution No 2017-200
2. RESOLUTION - Receiving and Approving the Modified District Report and Modifying Council Resolution No 2017-200
3. ***RESOLUTION - Annexing Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax (Subject to Mayor's Veto)
4. ***RESOLUTION - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
5. ***RESOLUTION - Declaring Election Results (Subject to Mayor's Veto)
6. ***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. 17 (Subject to Mayor's Veto)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. C1457 Annex17 Location Map.pdf, 2. C2014-057 Annex17 HRG Directing Preparation of Modifications.pdf, 3. C2014-057 Annex17 HRG Receiving & Approving Modifications.pdf, 4. C2014-057 Annex17 HRG Exhibit A Resolution 2017-200.pdf, 5. C2014-057 Annex17 HRG Exhibit B Modified District Report.pdf, 6. C2014-057 Annex17 HRG Reso Annex-Levy.pdf, 7. C2014-057 Annex17 HRG Reso CallingElection.pdf, 8. C2014-057 Annex17 HRG Reso DeclaringResults.pdf, 9. C2014-057 Annex17 HRG Ordinance.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------|--------|
| 9/21/2017 | 1 | City Council | approved | Pass |

REPORT TO THE CITY COUNCIL

September 21, 2017

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

BY: ANDREW J. BENELLI, PE, City Engineer/Assistant Director
Public Works Department, Traffic and Engineering Services Division

ANN LILLIE, Senior Engineering Technician
Public Works Department, Traffic and Engineering Services Division

SUBJECT

CONTINUED HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding the territory associated with the development of Assessor's Parcel Number 313-280-73 and 313-280-75, Conditional Use Permit Application No. 2014-057, Annexation No. 17 of the City of Fresno Community Facilities District No. 9 (north side of East Kings Canyon Road east of North Armstrong Avenue) (Council District 5)

1. **RESOLUTION** - Directing Preparation of a Modified District Report Analyzing Impact of Proposed Decrease in Special Tax and Modifying Council Resolution No 2017-200
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4. *****RESOLUTION** - Calling Special Mailed-Ballot Election (Subject to Mayor's Veto)
5. *****RESOLUTION** - Declaring Election Results (Subject to Mayor's Veto)
6. *****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. 17 (Subject to Mayor's Veto)

RECOMMENDATIONS

1. Adopt Resolution Directing Preparation of a Modified District Report Analyzing Impact of Proposed Decrease in Special Tax and Modifying Council Resolution No 2017-200
2. Adopt Resolution Receiving and Approving the Modified District Report and Modifying Council Resolution No 2017-200
3. Adopt Resolution Annexing Territory to Community Facilities District No. 9 and Authorizing the Levy of a Special Tax
4. Adopt Resolution Calling Special Mailed-Ballot Election
5. Adopt Resolution Declaring Election Results
6. 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. 17

EXECUTIVE SUMMARY

On August 3, 2017, the Council of the City of Fresno ("Council") adopted Council Resolution No. 2017-200 annex territory to Community Facilities District No. 9 ("CFD No. 9") at the request of the landowner of Assessor's Parcel Number 313-280-73 and 313-280-75 to enable the landowner to provide funding for the Services to maintain certain public improvements fronting their development. Due to the decrease in the area of landscaping to be maintained, the Maximum Special Tax is decreased from \$7,055 to \$2,197 for Fiscal Year 2017-2018 This is the noticed public hearing to considering these changes and annexing the territory associated with the development of Assessor's Parcel Number 313-280-73 and 313-280-75, Conditional Use Permit Application No. 2014-057, as Annexation No. 17 to CFD No. 9. If approved, the recommended

resolutions and ordinance will levy a Special Tax on the properties in Annexation No. 17 for identified Services. (See attached location map)

BACKGROUND

A certain portion of the landscaped area has been deleted from Annexation No. 17 of CFD No. 9 decreasing the costs associated with this annexation from \$7,055 to \$2,197 for Fiscal Year 2017-2018.

The landowner has petitioned the City to have the territory associated with the development of Assessor's Parcel Number 313-280-73 and 313-280-75, Conditional Use Permit Application No. 2014-057, annexed to CFD No. 9 to finance the Services pertaining to certain public improvements within the public easements fronting along East Kings Canyon Road as associated with this development. Pursuant to this petition, the Council adopted Council Resolution No. 2017-200 ("ROI"), declared its intention to annex Assessor's Parcel Number 313-280-73 and 313-280-75 to CFD No. 9, and set the public hearing for formal consideration. Council Resolution No. 2017-200 also directed preparation of a written report describing the Services and the cost of these Services and this report is on file with the City Clerk.

As adopted by the Council, the ROI proposed a Maximum Special Tax totaling \$7,055 for Fiscal Year 2017-2018 and the maximum special tax may be adjusted annually at the discretion of the City at +3% plus increase, if any, in the Construction Cost Index for the San Francisco Region. Per request of the landowner of the territory within Annexation No. 17 the City reduced the landscaped area to be maintained by CFD No. 9 decreasing the costs for maintenance Services to a total of \$2,197 for Fiscal Year 2017-2018. Two additional resolutions addressing the modifications are attached for Council at the Noticed Public Hearing on this date.

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
 Resolutions (5)
 Ordinance