



## Legislation Details (With Text)

**File #:** ID17-1469    **Version:** 1    **Name:**  
**Type:** Resolution    **Status:** Mayor's Office  
**File created:** 10/23/2017    **In control:** City Council  
**On agenda:** 11/9/2017    **Final action:** 11/9/2017  
**Title:** RESOLUTION - Of Consideration to change the rate and method of apportioning the special tax and establishing a new maximum special tax for Final Tract Map No. 6139, Annexation No. 74, of the City of Fresno Community Facilities District No. 11  
**Sponsors:** Public Works Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. T6139 Annex74 Location Map.pdf, 2. T6139 Annex74 Revised Feature Map.pdf, 3. T6139 Annex74 ROC.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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## SUBJECT

**RESOLUTION** - Of Consideration to change the rate and method of apportioning the special tax and establishing a new maximum special tax for Final Tract Map No. 6139, Annexation No. 74, of the City of Fresno Community Facilities District No. 11

## RECOMMENDATION

Adopt Resolution of Consideration to change the rate and method of apportioning the special tax and establishing a new maximum special tax for Final Tract Map No. 6139, Annexation No. 74, of the City of Fresno Community Facilities District No. 11 ("CFD No. 11")

## EXECUTIVE SUMMARY

The landowner of Final Tract Map No. 6139 has petitioned the City of Fresno ("City") to amend

Annexation No. 74 of CFD No. 11 to increase the area of landscaping as associated with this subdivision. The revisions require a change to the rate and method of apportioning the special tax and increase the Maximum Special Tax to be levied per lot annually from \$540.57 to \$591.06. The Resolution of Consideration begins the process, sets the required public hearing for December 7, 2017, at 10:00 a.m., and defines the steps required to complete the amendment to Annexation No. 74. (See attached location and revised feature maps.)

## **BACKGROUND**

On March 2, 2017, the Council of the City of Fresno adopted Council Resolution No. 2017-57 annexing Final Tract Map No. 6139 as Annexation No. 74 to CFD No. 11 and authorizing the levy of a special tax to provide the funding for maintenance services pertaining to certain public improvements within the street rights-of-way and landscape easements as associated with this subdivision 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 landowner of Final Tract Map No. 6073 has requested that the City amend Annexation No. 74 by approving the requested change to increase the area of landscaping already approved by Council for CFD No. 11 Services. This change requires changing the rate and method of apportionment of the special tax and establishing a new Maximum Special Tax. (See attached location and revised feature maps.)

Final Tract Map No. 6139 is the first phase of Tentative Tract Map No. 6139, is located entirely in the Fresno City Limits, and is to share equally in the maintenance of all facilities associated with Tentative Tract Map No. 6139.

The attached Resolution of Consideration initiates the process to amend Annexation No. 74 of CFD No. 11, sets the public hearing on this matter for December 7, 2017, at 10:00 a.m., sets the new Maximum Special Tax at \$591.06 annually per residential lot (totaling \$60,288.00) for FY17-18 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 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. 74
- Required 7-day minimum Notice of Public Hearing
- Public hearing on changes to the rate and method of apportionment and the Levy of a new Maximum 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  
                         Revised Feature Map  
                         Resolution of Consideration