



Legislation Details (With Text)

File #: ID17-1576 **Version:** 1 **Name:**

Type: Resolution **Status:** Mayor's Office

File created: 11/17/2017 **In control:** City Council

On agenda: 12/7/2017 **Final action:** 12/7/2017

Title: HEARING to adopt resolutions and ordinance amending Annexation No. 54 of the City of Fresno Community District No. 11, Final Tract Map No. 6073, to change the rate and method of apportionment of the special tax, and the Maximum Special Tax to be levied (Southeast corner of N. Fowler and E. Hamilton Avenues) (Council District 5)

1. ***RESOLUTION - Authorizing the Amendment of Annexation No. 54 of Community Facilities District No. 11 and to Authorize the Change in the Rate and Method of Apportionment of the Special Tax and the Levy of a New Maximum 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) - Amending Ordinance No. 2014-37 and Levying a Changed Maximum Special Tax for the Property Tax Year 2017-2018 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 54 (Subject to Mayor's Veto)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. T6073 Annex84 Location Map.pdf, 2. T6073 Annex54 Revised Feature Map.pdf, 3. T6073 Annex54 HRG Amending Annex-Levy Reso.pdf, 4. T6073 Annex54 HRG Calling Election.pdf, 5. T6073 Annex54 HRG Declaring Results.pdf, 6. T6073 Annex54 HRG Amended Ordinance.pdf

Date	Ver.	Action By	Action	Result
12/7/2017	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

December 7, 2017

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

THROUGH: ANDREW J. BENELLI, PE, City Engineer/Assistant Director
Public Works Department, Traffic Operations and Planning Division

BY: ANN LILLIE, Senior Engineering Technician
Public Works Department, Traffic Operations and Planning Division

SUBJECT

HEARING to adopt resolutions and ordinance amending Annexation No. 54 of the City of Fresno Community District No. 11, Final Tract Map No. 6073, to change the rate and method of apportionment of the special tax, and the Maximum Special Tax to be levied

(Southeast corner of N. Fowler and E. Hamilton Avenues) (Council District 5)

1. *****RESOLUTION** - Authorizing the Amendment of Annexation No. 54 of Community Facilities District No. 11 and to Authorize the Change in the Rate and Method of Apportionment of the Special Tax and the Levy of a New Maximum 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) - Amending Ordinance No. 2014-37 and Levying a Changed Maximum Special Tax for the Property Tax Year 2017-2018 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 54 (Subject to Mayor's Veto)

RECOMMENDATIONS

1. Adopt Resolution Amending Annexation No. 54 to Change the Rate and Method of Apportionment of the Special Tax and the Maximum Special Tax to be Levied for Services by Community Facilities District No. 11
2. Adopt Resolution Calling Special Mailed-Ballot Election
3. Adopt Resolution Declaring Election Results
4. Adopt Ordinance Amending Ordinance No. 2014-37, and Levying a Changed Maximum Special Tax for the Property Tax Year 2017-2018 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 54

EXECUTIVE SUMMARY

On November 2, 2017, the Council of the City of Fresno ("Council") adopted Council Resolution No. 2017-304 with the consideration to amend Annexation No. 54 of Community Facilities District No. 11 ("CFD No. 11") at the request of the landowner of Final Tract Map No. 6073. This is the noticed public hearing to consider the changes and amend Annexation No. 54 of CFD No. 11 to finance the Services pertaining to certain public improvements associated with Final Tract Map No. 6073. The change in the cost for these Services is \$583.26 per lot annually for Fiscal Year 2017-2018. If approved, the recommended resolutions and ordinance will levy a changed Maximum Special Tax on the properties in Final Tract Map No. 6073 for identified Services. (See attached location and features map.

BACKGROUND

On August 21, 2014, the Council adopted Council Resolution No. 2014-134 annexing Final Tract Map No. 6073 as Annexation No. 54 to CFD No. 11 to provide funding for the Services pertaining to the landscaping and irrigation systems within street right-of-ways, landscape easements, and Outlots A, B, and C; including, concrete curbs and gutters, valley gutters, curb ramps, sidewalks, and traffic calming curbs and hardscaping, Outlot A block wall, street name signage, local street paving and street lighting as associated with Final Tract Map No. 6073 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 new landowners of Final Tract Map No. 6073 have requested that the Council amend

Annexation No. 54 of CFD No. 11 by removing and adding quantities of certain improvements of their development. These proposed changes require the change in the rate and method of apportionment of the special tax and a new Maximum Special Tax to be levied for Annexation No. 54. Pursuant to this request, the Council adopted Council Resolution No. 2017-304, declared its consideration to amend Annexation No. 54 of CFD No. 11, and set the public hearing for formal consideration. (See attached location and features map.)

Council Resolution No. 2017-304 directed the preparation of an Amended Engineer's Report describing the changes to the costs to perform those Services. This report is on file with the City Clerk.

If adopted by the Council, the attached ordinance would levy the proposed new Maximum Special Tax of \$583.26 per residential lot to provide Services for Fiscal Year 2017-2018. The Maximum Special Tax will be adjusted upward annually by 3% plus the rise, if any, in the Construction Cost Index for the San Francisco Region.

The levy of the new Maximum 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 ordinance and resolutions 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 tract.

Attachments: Location Map
 Feature Map
 Resolutions (3)
 Ordinance