



## Legislation Details (With Text)

**File #:** ID18-0012    **Version:** 1    **Name:**

**Type:** Action Item    **Status:** Passed

**File created:** 12/18/2017    **In control:** City Council

**On agenda:** 1/11/2018    **Final action:** 1/11/2018

**Title:** HEARING to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 85 (Final Tract Map No. 5538) (northwest corner of North Polk and East Dakota Avenues) (Council District 1)

1. RESOLUTION - Directing Preparation of a Modified District Report Analyzing Impact of Proposed Change in the Unit Quantity for Services and Decrease in Probable Special Tax for Proposed Modification of Council Resolution No. 2017-320
2. RESOLUTION - Receiving and Approving the Modified District Report and Modifying Council Resolution No. 2017-320 for Annexation No. 85
3. \*\*\*RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 85 (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. 11, Annexation No. 85 (Subject to Mayor's Veto)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 18-0012 Location Map.pdf, 2. 18-0012 FEATURES MAP.pdf, 3. 18-0012 Resolution DirectingPreparationofaModifiedDistrict Report.pdf, 4. 18-0012 Resolution ReceivingandApprovingtheModifiedDistrictReport.pdf, 5. 18-0012 Resolution AnnexingTerritoryandAuthorizingLevy.pdf, 6. 18-0012 Resolution CallingSpecialMailed-BallotElection.pdf, 7. 18-0012 Resolution DeclaringElectionResults.pdf, 8. 18-0012 Ordinance.pdf

Date	Ver.	Action By	Action	Result
1/11/2018	1	City Council	adopted	Pass

## REPORT TO THE CITY COUNCIL

January 11, 2018

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

**BY:** ANDREW J. BENELLI, PE, City Engineer/Assistant Director  
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## SUBJECT

**HEARING** to adopt resolutions and ordinance to annex territory and levy a special tax regarding City of Fresno Community Facilities District No. 11, Annexation No. 85 (Final Tract Map No. 5538) (northwest corner of North Polk and East Dakota Avenues) (Council District 1)

1. **RESOLUTION** - Directing Preparation of a Modified District Report Analyzing Impact of Proposed Change in the Unit Quantity for Services and Decrease in Probable Special Tax for Proposed Modification of Council Resolution No. 2017-320
2. **RESOLUTION** - Receiving and Approving the Modified District Report and Modifying Council Resolution No. 2017-320 for Annexation No. 85
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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. 11, Annexation No. 85 (Subject to Mayor's Veto)

## RECOMMENDATIONS

1. Adopt Resolution Directing Preparation of a Modified District Report Analyzing Impact of Proposed Change in the Unit Quantity for Services and Decrease in Probable Special Tax for Proposed Modification of Council Resolution No. 2017-320
2. Adopt Resolution Receiving and Approving the Modified District Report and Modifying Council Resolution No. 2017-320 for Annexation No. 85
3. Adopt Resolution Annexing Territory to Community Facilities District No. 11 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. 11, Annexation No. 85

## EXECUTIVE SUMMARY

On December 7, 2017, the Council of the City of Fresno ("Council") adopted Council Resolution No. 2017-320 with the intent to annex territory to Community Facilities District No. 11 ("CFD No. 11") at the request of the landowner of Final Tract Map No. 5538. Modifications from a unit quantity revision of certain improvements for this subdivision were not included to show the resulting decreased special tax from \$665.80 to \$659.16. This is the noticed public hearing to consider these modifications and to annex Final Tract Map No. 5538 as Annexation No. 85 to CFD No. 11 to provide funding for maintenance Services for this subdivision. If approved, the recommended resolutions and ordinance will modify Council Resolution No. 2017-320 and levy a Special Tax on the properties in Final Tract Map No. 5538 for identified Services. (See attached location and features map.

## BACKGROUND

The landowner of Final Tract Map No. 5538 has petitioned the City of Fresno to be annexed into CFD No. 11 to provide funding for the operation and reserves for maintenance (“Services”) pertaining to the landscaping, trees and irrigation systems within the street rights-of-way, landscape easements and Outlot A, B and C; the concrete curbs and gutters, valley gutters, entrance median curbs, sidewalks, curb ramps and Outlot A and B walkway, street name signage, street lighting, and local street paving associated with this subdivision. Pursuant to this petition, the Council adopted Council Resolution No. 2017-320 on December 7, 2017, declared its intention to annex the Final Tract Map No. 5538 to CFD No. 11, and set the public hearing for formal consideration. Council Resolution No. 2017-320 also directed the preparation of an Engineer’s Report describing the Services and the costs of those services and this report is on file with the City Clerk. (See attached location and features map.)

It has been determined that Council Resolution No. 2017-320 did not include the revisions done for unit quantities of certain improvements which results in decreased costs for maintenance Services. These costs have been modified to reflect a decreased special tax from \$665.80 to \$659.16 per residential lot annually for fiscal year 2017-2018. A Modified District Report has been prepared and analyzed reflective of these modifications and is on file with the City Clerk and apart of this hearing.

As adopted by the Council, Council Resolution No. 2017-320 proposed a Maximum Special Tax (“Tax”) of \$665.80 per residential lot and now is proposed to be modified showing a decrease to \$659.16 per residential lot. This requires Council Resolution No. 2017-230 to be modified to adjust the Tax and is accomplished with the following two additional resolutions.

1. The first is Council direction to analyze the proposed change to Council Resolution No. 2017-320 in a Modified District Report.
2. The second is for Council to approve the Modified District Report and to modify Council Resolution No. 2017-320.

To annex Final Tract Map No. 5538 to CFD No. 11 requires three additional resolutions and an ordinance.

3. The third resolution annexes territory to CFD No. 11 and authorizes the levy of the special tax if the Tax is approved by a special election of the property owners.
4. Resolutions four and five conduct the special election approving the Tax.
5. The ordinance approves the levy of the Special Tax.

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
- Resolution Directing Preparation of a Modified District Report
- Resolution Receiving and Approving the Modified District Report
- Resolution Annexing Territory and Authorizing Levy
- Resolution Calling Special Mailed-Ballot Election
- Resolution Declaring Election Results
- Ordinance