



## Legislation Details (With Text)

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**File created:** 10/9/2018    **In control:** City Council  
**On agenda:** 10/25/2018    **Final action:** 10/25/2018  
**Title:** RESOLUTION - Of Intention to annex Final Tract Map No. 5493 as Annexation No. 95 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes (east side of North Bryan Avenue between West Shaw and Gettysburg Avenues) (Council District 1)  
**Sponsors:** Public Works Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. 18-1216 Location Map.pdf, 2. 18-1216 Feature Map.pdf, 3. 18-1216 Resolution of Intention.pdf

Date	Ver.	Action By	Action	Result
10/25/2018	1	City Council	approved	

## REPORT TO THE CITY COUNCIL

**October 25, 2018**

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## SUBJECT

**RESOLUTION** - Of Intention to annex Final Tract Map No. 5493 as Annexation No. 95 to the City of Fresno Community Facilities District No. 11 and to Authorize the Levy of Special Taxes (east side of North Bryan Avenue between West Shaw and Gettysburg Avenues) (Council District 1)

## RECOMMENDATION

Adopt Resolution of Intention to annex Final Tract Map No. 5493 to City of Fresno Community Facilities District No. 11 ("CFD No. 11").

## EXECUTIVE SUMMARY

The landowner has petitioned the City of Fresno to have Final Tract Map No. 5493 annexed to 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 Outlots A, B, C, and D; all above ground public improvements, including, the concrete curbs and gutters, valley gutters, bus bay concrete work, sidewalks, curb ramps and Outlots A, B, C, and D walkways and trail, street name signage, street lighting, and local street paving associated with this subdivision. The cost for the Services for these improvements is \$471.23 per lot annually for Fiscal Year 2018-2019. Final Tract Map No. 5493 is located entirely in the Fresno City Limits. The Resolution of Intention begins the process, sets the required public hearing for Thursday, November 15, 2018, at 10:00 a.m., and defines the steps required to complete the annexation. (See attached location and feature maps.)

## **BACKGROUND**

On November 15, 2005, the Council of the City of Fresno adopted Council Resolution No. 2005-490 forming CFD No. 11 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 has made a request to the City of Fresno to have Final Tract Map No. 5493 annexed to CFD No. 11 to provide funding for the Services pertaining to the landscaping, trees and irrigation systems within the street rights-of-way, landscape easements and Outlots A, B, C, and D; all above ground public improvements, including, the concrete curbs and gutters, valley gutters, bus bay concrete work, sidewalks, curb ramps and Outlots A, B, C, and D walkways and trail, street name signage, street lighting, and local street paving associated with this subdivision. (See attached location and feature maps.)

Final Tract Map No. 5493 has not been designated as 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, November 15, 2018, at 10:00 a.m., sets the Maximum Special Tax at \$471.23 annually per residential lot for Fiscal Year 2018-2019 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.

Annexations to existing community facilities districts are permitted under City Law. The legislative body must follow certain prescribed procedures as outlined below:

- Adoption of a Resolution of Intention to Annex to CFD No. 11
- Required 7-day minimum Notice of Public Hearing
- Public hearing on Annexation 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

Resolution of Intention