



Legislation Details (With Text)

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Title: RESOLUTION - Of Intention to Annex the Territory known as Assessor's Parcel Number 402-440-07 as Annexation No. 38 to the City of Fresno Community Facilities District No. 9 and to Authorize the Levy of Special Taxes; and setting the public hearing for April 11, 2019 at 10:00 a.m. (northeast corner of North Glenn Avenue and West Nees Avenue) (Council District 2)
Sponsors: Public Works Department
Indexes:
Code sections:
Attachments: 1. 19-1234 Location Map.pdf, 2. 19-1234 Resolution of Intention.pdf

Date	Ver.	Action By	Action	Result
2/28/2019	1	City Council	adopted	

REPORT TO THE CITY COUNCIL

February 28, 2019

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SUBJECT

RESOLUTION - Of Intention to Annex the Territory known as Assessor's Parcel Number 402-440-07 as Annexation No. 38 to the City of Fresno Community Facilities District No. 9 and to Authorize the Levy of Special Taxes; and setting the public hearing for April 11, 2019 at 10:00 a.m. (northeast corner of North Glenn Avenue and West Nees Avenue) (Council District 2)

RECOMMENDATION

Adopt Resolution of Intention to annex the territory known as Assessor's Parcel Number 402-440-07 as Annexation No. 38 to the City of Fresno Community Facilities District No. 9 ("CFD No. 9").

EXECUTIVE SUMMARY

The landowner has petitioned the City of Fresno ("City") to have Assessor's Parcel Number 402-440-07 annexed to CFD No. 9 to provide funding for the operation and reserves for maintenance ("Services") pertaining to certain public improvements, including the concrete curbs, gutters, sidewalks and curb ramps, and street lighting associated with this development (Development Permit Application No. 2017-128). The cost for these Services for the public improvements totals \$459.00 annually for fiscal year 2018-2019. Annexation No. 38 is located entirely in the Fresno City Limits. The Resolution of Intention begins the process, sets the required public hearing for Thursday, April 11, 2019, at 10:00 a.m., and defines the steps required to complete the annexation. (Reference attached location map.)

BACKGROUND

New commercial, industrial, and multi-family subdivisions and parcel maps have different needs and standards than those of a standard single-family residential subdivision. Commercial, industrial and multi-family subdivisions are traditionally self-maintained with different proprietary requirements for landscaping, signage and general designs. CFD No. 9 is designed to accommodate these requirements by providing funding for services for certain required public improvements along the perimeters of these developments. On December 16, 2008, the Council of the City of Fresno adopted Council Resolution No. 2008-351, forming CFD No. 9 to provide funding for the Services for certain public improvements located within and adjacent to public streets on the perimeter of commercial, industrial and multi-family subdivisions as described and permitted pursuant the Goals and Policies for CFD No. 9 and the City of Fresno Special Tax Financing Law, Chapter 8, Division 1, Article 3 of the Fresno Municipal Code ("City Law") and the Mello-Roos Community Facilities Act of 1982 (Chapter 2.5, commencing with Section 53311, of Part 1, Division 2, Title 5 of the California Government Code).

The landowner developing Assessor's Parcel Number 402-440-07 has petitioned the City to have this territory annexed to CFD No. 9 to provide funding for the Services pertaining to certain public improvements, including the concrete curbs, gutters, sidewalks and curb ramps, and street lighting associated with this development (Development Permit Application No. 2017-128). (Reference attached location map.)

The attached Resolution initiates the annexation process, sets the public hearing for Thursday, April 11, 2019, at 10:00 a.m., sets the Maximum Special Tax at a total of \$459.00 for Annexation No. 38 of CFD No. 9 annually for FY2018-19, and that the maximum special tax may be adjusted annually at the discretion of the City 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. 9
- 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 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 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 will be borne by the landowner as set by Exhibit D of the Resolution of Intention attached herein.

Attachments:

Location Map

Resolution of Intention