



## Legislation Details (With Text)

<b>File #:</b>	ID 21-794	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Action Item	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	10/25/2021	<b>In control:</b>		City Council	
<b>On agenda:</b>	11/4/2021	<b>Final action:</b>			
<b>Title:</b>	RESOLUTION- Of Intention to Annex the Territory Identified as the Adjusted Parcel B of Lot Line Adjustment No. 2020-15 as Annexation No. 53 (DSS Campus West Dakota Avenue HAWK Traffic Signal) to the CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 9 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, December 9, 2021, at 10:00 am (southeast corner of West Dakota Avenue and East Airways Boulevard) (Council District 4)				
<b>Sponsors:</b>	Public Works Department				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 21-794 Location Map, 2. 21-794 Resolution of Intention				

Date	Ver.	Action By	Action	Result
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## REPORT TO THE CITY COUNCIL

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

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

## SUBJECT

**RESOLUTION-** Of Intention to Annex the Territory Identified as the Adjusted Parcel B of Lot Line Adjustment No. 2020-15 as Annexation No. 53 (DSS Campus West Dakota Avenue HAWK Traffic Signal) to the CITY OF FRESNO COMMUNITY FACILITIES DISTRICT NO. 9 and to Authorize the Levy of Special Taxes; and setting the public hearing for Thursday, December 9, 2021, at 10:00 am (southeast corner of West Dakota Avenue and East Airways Boulevard) (Council District 4)

## RECOMMENDATION

Adopt Resolution of Intention to Annex the Territory Identified as the Adjusted Parcel B of Lot Line Adjustment No. 2020-15 as Annexation No. 53 to the City of Fresno Community Facilities District No. 9 (CFD No. 9) and to Authorize the Levy of Special Taxes.

## EXECUTIVE SUMMARY

The Department of Social Services (DSS) has moved into an office building on the northeast corner of Dakota and Peach. The parking lot at the office building is not sufficient for the demand created by DSS. The DSS has leased property on the south side of Dakota from the Boys and Girls Club. A

parking lot has been constructed and a HAWK traffic signal is planned to improve safety for pedestrians crossing from the parking lot to the DSS office. The parking lot is being annexed into CFD No. 9 to generate revenue to fund the maintenance and power costs.

The annual cost of the maintenance, power, and replacement of the equipment when damaged is estimated to be \$5,628. Annexation No. 53 is located entirely within City limits. The Resolution of Intention begins the process, sets the required public hearing for Thursday, December 9, 2021, at 10:00 am, 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 to 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 has petitioned the City to have the Adjusted Parcel B of Lot Line Adjustment No. 2020-15 annexed to CFD No. 9 to provide funding for the operation and reserves for maintenance (Services) pertaining to certain above ground public improvements located within the public street easements on West Dakota Avenue. The improvements are the traffic signal associated with this development. (Reference attached Location Map.)

The Adjusted Parcel B of Lot Line Adjustment No. 2020-15 is located entirely within City limits.

The attached Resolution of Intention initiates the annexation process, sets the public hearing for Thursday, December 9, 2021, at 10:00 am, sets the Maximum Special Tax at a total of \$5,628 for Annexation No. 53 annually for fiscal year 2021-2022, and sets the annual adjustment of the Special Tax to be adjusted upward annually by 2% or by the rise of the Construction Cost Index (CCI), if it exceeds 2% 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**

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378 this action does not qualify as a "project" and is therefore exempt from CEQA requirements.

## **LOCAL PREFERENCE**

Local preference was not implemented, as 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 forth in Exhibit D of the Resolution of Intention attached herein.

Attachments:

Location Map

Resolution of Intention