Legislation Details (With Text)

File #:	ID 23-731	**Version:**	1	**Name:**	
Type:	Action Item			**Status:**	Passed
File created:	5/2/2023			**In control:**	City Council
On agenda:	5/25/2023			**Final action:**	5/25/2023

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. 143 (Final Tract Map No. 6370) (Located on the west side of North Chestnut Avenue and East Powers Avenue) (Council District 6)
1. ***RESOLUTION - to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 143 (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) - Levying a Special Tax for the Property Tax Year 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 143 (Subject to Mayor's Veto)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 23-731 Location Map, 2. 23-731 Feature Map, 3. 23-731 Resolution Annex-Levy, 4. 23-731 Resolution Calling Election, 5. 23-731 Resolution Declaring Results, 6. 23-731 Ordinance

Date	Ver.	Action By	Action	Result
5/25/2023	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

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

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

ADRIAN GONZALEZ, Senior Engineering Technician
Public Works Department, Traffic Operations and Planning Division

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. 143 (Final Tract Map No. 6370) (Located on the west side of North Chestnut Avenue and East Powers Avenue) (Council District 6)

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RECOMMENDATION

1. Adopt Resolution to Annex Territory to Community Facilities District No. 11 and Authorizing the Levy of a Special Tax for Annexation No. 143,
1. Adopt Resolution Calling Special Mailed-Ballot Election,
2. Adopt Resolution Declaring Election Results, and
3. Adopt Ordinance Levying a Special Tax for the Property Tax Year 2022-2023 and Future Tax Years Within and Relating to Community Facilities District No. 11, Annexation No. 143.

EXECUTIVE SUMMARY

On April 20, 2023, the Council of the City of Fresno (Council) adopted Council Resolution No. 2023 -100 with the intent to annex territory to Community Facilities District No. 11 (CFD No. 11) at the request of the landowner (Granville Homes) of Final Tract Map No. 6370 (26 Lot Single-Family Home Subdivision). This is the noticed public hearing to consider annexing Final Tract Map No. 6370 as Annexation No. 143 to CFD No. 11 to provide funding for the Services (as hereafter defined) pertaining to certain required above ground public improvements associated with this subdivision. The cost for Services is $179.62 per lot annually. If approved, the recommended resolutions and ordinance will levy a Special Tax on the properties in Final Tract Map No. 6370 for identified Services. (See attached Location and Features map.)

BACKGROUND

Subdivision: 6370
Developer: Granville Homes
Number of Lots: 26
Maximum Special Tax Per Lot: $179.62
Features: Certain required above ground public improvements; including Landscaping and irrigation systems; concrete, paving, streetlights.

On November 15, 2005, the Council adopted Council Resolution No. 2005-490 forming CFD No. 11 to fund the maintenance of landscaping, open spaces, local streets, local streetlights 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 of Final Tract Map No. 6370 has petitioned the City of Fresno to be annexed into CFD No. 11 to provide the 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 dedicated Outlots; the concrete curbs and gutters, valley gutters, sidewalks, curb ramps, street name signage, and street lighting associated with this subdivision. Pursuant to this petition, the Council adopted Council Resolution No. 2023-100, declared its intention to annex the Final Tract Map No. 6370 to CFD No. 11, and set the public hearing for formal consideration. (See attached Location and Features map.)

Resolution No. 2023-100 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.

If adopted by the Council, the attached ordinance would levy the proposed Maximum Special Tax of $179.62 per residential lot to provide Services for Fiscal Year 2022-2023. The Maximum Special Tax will 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.

The levy of the 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

Pursuant to the definition in California Environmental Quality Act Guidelines Section 15378, this action is not a project.

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 for services will be borne by the property owners within the subject tract.

Attachment(s):
Location Map
Feature Map
Resolution Annex-Levy
Resolution Calling Election
Resolution Declaring Results
Ordinance