



Legislation Details (With Text)

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Title: RESOLUTION - Of Intention to Annex the Territory Known as Assessor's Parcel Number 329-090-19 as Annexation Number 57 to the City of Fresno Community Facilities District Number 9 and to Authorize the Levy of Special Taxes; and setting the Public Hearing for Thursday, May 2, 2024, at 9:30 am (Southwest corner of East North Avenue and South East Avenue) (Council District 3)

Sponsors: Public Works Department

Indexes:

Code sections:

Attachments: 1. 24-331 Location Map, 2. 24-331 Features Map, 3. 24-331 Resolution of Intention

Date	Ver.	Action By	Action	Result
3/21/2024	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

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SUBJECT

RESOLUTION - Of Intention to Annex the Territory Known as Assessor's Parcel Number 329-090-19 as Annexation Number 57 to the City of Fresno Community Facilities District Number 9 and to Authorize the Levy of Special Taxes; and setting the Public Hearing for Thursday, May 2, 2024, at 9:30 am (Southwest corner of East North Avenue and South East Avenue) (Council District 3)

RECOMMENDATION

Adopt Resolution of Intention to Annex the Territory Known as APN 329-090-19 as Annexation No. 57 to the City of Fresno Community Facilities District No. 9 (CFD No. 9) and to Authorize the Levy of Special Taxes.

EXECUTIVE SUMMARY

The landowner (Lone Oak - Fresno LLC) has petitioned the City of Fresno (City) to have APN 329-

090-19 annexed to CFD No. 9 to provide funding for the Services (as defined hereinafter) pertaining to certain above ground public improvements associated with this Commercial development. The cost of these Services for the public improvements totals \$2,595.00 annually for Fiscal Year 2024-2025. Annexation No. 57 is located entirely within City limits. The Resolution of Intention begins the process, sets the required public hearing for Thursday, May 2, 2024, at 9:30 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 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 APN 329-090-19 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 City street easements. These improvements include trees and irrigation systems; concrete curbs and gutters, valley gutters, sidewalks, and curb ramps; and street lighting as associated with this development. (Reference attached Location Map.)

APN 329-090-19 is located entirely within City limits.

The attached Resolution of Intention initiates the annexation process, sets the public hearing for Thursday, May 2, 2024, at 9:30 am, sets the Maximum Special Tax at a total of \$2,595.00 to be apportioned proportionately for each assessor's parcel within Annexation No. 57 annually for fiscal year 2024-2025, 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 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 forth in Exhibit D of the Resolution of Intention attached herein.

Attachments:

Location Map

Features Map

Resolution of Intention