



Agenda Report

File #: 19-0448

AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

DATE: 5/15/2019

TO: Honorable Mayor and City Council Members

FROM: Administrative Services Department

SUBJECT:

City Council consideration of Resolution No. 2019-024, certifying the results of an election and adding territory to Community Facilities District No. 2016-1 (Public Services) of the City of Corona (Annexation No. 13).

RECOMMENDED ACTION:

That the City Council adopt Resolution No. 2019-024 certifying the results of an election and adding territory to Community Facilities District No. 2016-1 (Public Services) of the City of Corona (Annexation No. 13).

ANALYSIS:

MVV, LP ("Owners") are the Owners of one parcel totaling 3.95 acres, TR 36701, located southwest of the intersection of Green River Road and Paseo Grande, in the City of Corona, County of Riverside, State of California (the "Property"). The Owners has agreed to annex the Property into Community Facilities District No. 2016-1 ("CFD 2016-1") for the purpose of financing police protection services (including but not limited to criminal justice services), fire protection and suppression services, and paramedic services ("Public Services") within the area of CFD 2016-1, which is necessary to serve new development within the Property.

CFD 2016-1 was formed by the City Council on March 2, 2016 pursuant to the provisions of the Mello-Roos Community Facilities Act of 1982 ("Act"). As part of the formation process and in accordance with the Act, the City Council also established an area designated as the "Future Annexation Area" for CFD 2016-1 and authorized the annexation of parcels within the Future Annexation Area to CFD 2016-1 upon the unanimous approval and election of the Owners of any such parcel authorizing the levy of special taxes upon such parcel following the annexation of such parcel to CFD 2016-1. The annexation of parcels within the Future Annexation Area can be accomplished without any further public hearings or additional proceedings. The Property is within the Future Annexation Area and, thus, can be annexed to CFD 2016-1 with the unanimous approval and election of the Owners.

Prior to tonight's City Council meeting, the Owners executed a Consent and Waiver to Shortening of Time for Conducting a Special Elections which is on file in the City Clerk's office and submitted ballots, which authorize the annexation of the Property to CFD 2016-1 and the levy of special taxes on the Property to pay for the Public Services.

The attached resolution will certify the results of the election on the annexation of the Property to CFD 2016-1 and annex the Property to CFD 2016-1.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

Per tax rate set by the Rate and Method of Apportionment (RMA), total maximum assessment rate for CFD 2016-1 is \$580.43 per single family and \$402.70 per multi-family residential unit for Fiscal Year 2019-20. The RMA provides for an annual escalation up to the greater of 4% or the Consumer Price Index (CPI) on July 1, subject to the approval of the City Manager.

On March 1 of each year, every residential building for which a building permit has been issued will be subject to the special taxes in the ensuing fiscal year. Approval of the attached resolution is anticipated to result in approximately \$6,965 of additional annual special tax revenue per year when the Property is fully developed as planned. The additional assessment for CFD 2016-1 will provide a portion of the cost of Public Services to be provided to the residents within the Property. The Owners will pay for the entire annexation cost.

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the adoption of the resolutions may have a significant effect on the environment, the action is not subject to CEQA. This action merely annexes the Property to Community Facilities District 2016-1 and there is no possibility that adopting the above resolution will have a significant effect on the environment. Therefore, no environmental analysis is required.

PREPARED BY: LIEN-CHI CANTUBA, FINANCIAL ANALYST III

REVIEWED BY: JENNIFER SCHAEFER, FINANCE MANAGER III

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

REVIEWED BY: MICHELE NISSEN, ASSISTANT CITY MANAGER

File #: 19-0448

SUBMITTED BY: MITCHELL LANSDELL, ACTING CITY MANAGER

RESOLUTION NO. 2019-024

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, CERTIFYING THE RESULTS OF AN ELECTION AND ADDING TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2016-1 (PUBLIC SERVICES) OF THE CITY OF CORONA (ANNEXATION NO. 13)

WHEREAS, the City Council of the City of Corona, California (the “City Council”) has previously formed Community Facilities District No. 2016-1 (Public Services) of the City of Corona (“CFD No. 2016-1”) pursuant to the Mello-Roos Community Facilities Act of 1982 (the “Act”), as amended, for the purpose of financing certain facilities and services; and

WHEREAS, acting pursuant to the Act, the City Council also authorized, by the adoption of Resolution No. 2016-029 (the “Resolution Authorizing Future Annexation”), the annexation in the future of territory to CFD No. 2016-1, such territory designated as Future Annexation Area, Community Facilities District No. 2016-1 (the “Future Annexation Area”); and

WHEREAS, the City has received the unanimous consent to the annexation of certain territory located within the Future Annexation Area to CFD No. 2016-1 from the property owner of such territory, and such territory has been designated as Annexation No. 13 (the “Territory”); and

WHEREAS, less than twelve (12) registered voters have resided within the Territory for each of the ninety (90) days preceding the election date established for the Territory, therefore, pursuant to the Act the qualified elector of the Territory shall be the “landowner” of such Territory, as such term is defined in Government Code Section 53317(f); and

WHEREAS, the landowner(s) who is the owner of record as of the applicable election date, or the authorized representative thereof, shall have one vote for each acre or portion of an acre of the parcel of land that landowner owns within such Territory and if more than one of the record owners of an identified parcel submits a ballot, the votes attributable to the parcel shall be allocated in proportion to the respective record ownership interest of each record owner, rounded to the nearest one-tenth of a vote; and

WHEREAS, the time limit specified by the Act for conducting an election to submit the levy of the special taxes on the Territory to the qualified elector thereof and the requirements for impartial analysis and ballot arguments have been waived with the unanimous consent of the qualified elector of the Territory; and

WHEREAS, the City Clerk of the City of Corona has caused ballots to be distributed to the qualified elector of the Territory with votes allocated in proportion to the respective record ownership interest of each record owner, rounded to the nearest one-tenth of a vote, has received and canvassed such ballots and made a report to the City Council regarding the

results of such canvas, a copy of which is attached as Exhibit "A" hereto and incorporated herein by this reference; and

WHEREAS, at this time the measure voted upon did receive the favorable vote of the qualified elector of the Territory, and the City Council desires to declare the results of the election; and

WHEREAS, a map showing the Territory and designated as Annexation Map No. 13 (the "Annexation Map"), a copy of which is attached as Exhibit "B" hereto and incorporated herein by this reference, has been submitted to this legislative body.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Corona, California, acting as the legislative body of Community Facilities District No. 2016-1, as follows:

SECTION 1. Recitals. The above recitals are true and correct.

SECTION 2. Findings. The City Council hereby further determine as follows:

A. The unanimous consent as described in the recitals hereto to the annexation of the Territory to CFD No. 2016-1 has been given by the owner of the Territory and such consent shall be kept on file in the Office of the City Clerk of the City of Corona.

B. Less than twelve (12) registered voters have resided within the Territory for each of the ninety (90) days preceding the election date established for each of the parcels located within the Territory, therefore, pursuant to the Act the qualified elector for the Territory shall be the "landowner" of the Territory as such term is defined in Government Code Section 53317(f).

C. The qualified elector of the Territory has voted in favor of the levy of special taxes on the Territory upon its annexation to CFD No. 2016-1.

SECTION 3. Territory. The boundaries and parcels of property within the Territory and on which special taxes will be levied in order to pay for the costs and expenses of authorized public services and public facilities are shown on the Annexation Map as submitted to and hereby approved by the City Council.

SECTION 4. Declaration of Annexation. The City Council hereby determines and declares that the Territory, and each parcel therein, is now added to and becomes a part of CFD No. 2016-1. The City Council, acting as the legislative body of CFD No. 2016-1, is hereby empowered to levy the authorized special tax within the Territory.

SECTION 5. Notice. Immediately upon adoption of this Resolution, notice shall be given as follows:

A. A copy of the Annexation Map, as approved, shall be filed in the Office of the County Recorder no later than fifteen (15) days after the date of adoption of this Resolution.

B. An Amendment to the Notice of Special Tax Lien (Notice of Annexation) shall be recorded in the Office of the County Recorder no later than fifteen (15) days after the date of adoption of this Resolution.

SECTION 6. Effective Date. This Resolution shall become effective upon its adoption.

PASSED, APPROVED AND ADOPTED this 15th day May 2019.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, City Clerk of the City of Corona, California, do hereby certify that the foregoing Resolution was regularly passed and adopted by the City Council of the City of Corona, California, at a regular meeting thereof held on the 15th day May 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 15th day May 2019.

City Clerk of the City of Corona

CERTIFICATE OF ELECTION OFFICIAL AND STATEMENT OF VOTES CAST

The undersigned, ELECTION OFFICIAL OF THE CITY OF CORONA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DOES HEREBY CERTIFY that pursuant to the provisions of Section 53326 of the Government Code and Division 12, commencing with Section 17000 of the Elections Code of the State of California, I did canvass the returns of the votes cast at the

I FURTHER CERTIFY that this Statement of Votes Cast shows the whole number of votes cast in the area proposed to be annexed to Community Facilities District No. 2016-1 of the City of Corona for or against the Measure are full, true and correct.

WITNESS my hand this _____ day of _____, 2019.

CITY CLERK
ELECTION OFFICIAL
CITY OF CORONA
OF THE STATE OF CALIFORNIA

EXHIBIT "B"

ANNEXATION MAP

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| <p>THIS MAP SHOWS THE BOUNDARIES OF AREAS TO BE ANNEXED TO COMMUNITY FACILITIES DISTRICT NO. 2016-1 (PUBLIC SERVICES), OF THE CITY OF CORONA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.</p> | <p align="center">ANNEXATION MAP NO. 13 COMMUNITY FACILITIES DISTRICT NO. 2016-1 (PUBLIC SERVICES) CITY OF CORONA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA</p> | <p align="right">SHEET 1 OF 1 SHEET</p> <p>RECORDED THIS ____ DAY OF _____, 20____, AT THE HOUR OF ____ O'CLOCK ____ M IN BOOK ____ PAGE ____ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS IN THE OFFICE OF THE COUNTY RECORDER, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.</p> |
| <p>THE BOUNDARIES OF WHICH COMMUNITY FACILITIES DISTRICT ARE SHOWN AND DESCRIBED ON THE MAP THEREOF WHICH WAS PREVIOUSLY RECORDED ON JANUARY 28, 2016 IN BOOK 79 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT AT PAGE 26 AND AS INSTRUMENT NO. 2016-0034626 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.</p> | | <p>FEE: _____ NO.: _____ PETER ALDANA, ASSESSOR, COUNTY CLERK, RECORDER</p> |
| <p>I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF COMMUNITY FACILITIES DISTRICT NO. 2016-1 (PUBLIC SERVICES), CITY OF CORONA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF CORONA AT A REGULAR MEETING THEREOF, HELD ON ____ DAY OF _____, 20____, BY RESOLUTION NO. _____</p> | | <p>BY: _____ DEPUTY</p> |
| <p>_____ CITY CLERK CITY OF CORONA</p> | | <p>FILED IN THE OFFICE OF THE CITY CLERK, CITY OF CORONA, THIS ____ DAY OF _____, 20____.</p> |
| <p>_____ CITY CLERK CITY OF CORONA</p> | | |
| <p> SPICER CONSULTING U.S.A.</p> | <p>THIS ANNEXATION MAP CORRECTLY SHOWS THE LOT OR PARCEL OF LAND INCLUDED WITHIN THE BOUNDARIES OF THE COMMUNITY FACILITIES DISTRICT. FOR DETAILS CONCERNING THE LINES AND DIMENSIONS OF LOTS OR PARCELS, REFER TO THE COUNTY ASSESSOR MAPS FOR FISCAL YEAR 2016-16.</p> | |