



Legislation Details (With Text)

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On agenda: 6/21/2017 **Final action:**
Title: Public Hearing for City Council consideration to adopt Resolution No. 2017-052, calling special election, and Resolution No. 2017-053, declaring the results of the special election for Community Facilities District No. 2001-1 of the City of Corona on the proposition of the annual levy of special taxes within the territory proposed to be annexed (Annexation No. 43).

Sponsors:

Indexes:

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Attachments: 1. Resolution No. 2017-052, 2. Resolution No. 2017-053

Date	Ver.	Action By	Action	Result
6/21/2017	1	City Council	adopted	Pass
6/21/2017	1	City Council	adopted	Pass

AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

DATE: 6/21/2017

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:

Public Hearing for City Council consideration to adopt Resolution No. 2017-052, calling special election, and Resolution No. 2017-053, declaring the results of the special election for Community Facilities District No. 2001-1 of the City of Corona on the proposition of the annual levy of special taxes within the territory proposed to be annexed (Annexation No. 43).

RECOMMENDED ACTION:

That the City Council:

1. Adopt Resolution No. 2017-052, calling special election and submitting to the qualified electors of territory proposed to be annexed to Community Facilities District No. 2001-1 of the City of Corona the question of levying special taxes within the territory proposed to be annexed (Annexation No. 43).

2. Adopt Resolution No. 2017-053, declaring the results of the special election for Community Facilities District No. 2001-1 of the City of Corona on the proposition of the annual levy of special taxes within the territory proposed to be annexed to said Community Facilities District to pay the costs of certain services to be provided by the Community Facilities District, determining that the territory proposed to be annexed is added to and part of said Community Facilities District with full legal effect (Annexation No. 43).

ANALYSIS:

On May 17, 2017, the City Council adopted Resolution No. 2017-037, declaring intent to annex approximately 7.3 acres of real property ("Property") to Community Facilities District No. 2001-1 ("CFD 2001-1"). The Property is comprised of four parcels for the construction of a commercial and religious center, and is located on the south side of Ontario Avenue, east of Fullerton Avenue within Parcel Map 36980.

Prior to the issuance of the first certificate of occupancy within Parcel Map 36980, the Property is required to be annexed into CFD 2001-1 in order to pay for the maintenance of master-planned public landscaping in the area. The owners of the Property, MJLSF LLC and Templo Nueva Vida Inc., have submitted petitions to the City requesting that the Property be annexed to CFD 2001-1.

The public hearing is the second step in the annexation of territory to CFD 2001-1. A public hearing notice was mailed to the property owners on May 31, 2017, and published in the Sentinel Weekly on June 14, 2017, in compliance with the provisions of the Mello-Roos Community Facilities Act of 1982 ("CFD Law"). This hearing will allow interested parties to be heard or make comments on the proposed annexation.

At the conclusion of the public hearing, the City Council will be asked to adopt a resolution calling a special election within the territory proposed to be annexed to CFD 2001-1. As permitted by the CFD Law, City staff obtained waivers from the owners of the Property waiving the time requirements of the election code with respect to the holding of the election, which allows the City to call and conduct the election on the same day as the public hearing. Because there are less than twelve (12) registered voters within the territory proposed to be annexed to CFD 2001-1, a landowner election will be held with each landowner having one (1) vote for each acre or portion thereof.

In preparation for tonight's meeting, an election ballot on the question of levying special taxes within the territory proposed to be annexed to CFD 2001-1 was mailed to the Property owners on June 7, 2017, with instructions to return the completed ballots to the office of the City Clerk prior to the conclusion of the public hearing. It is anticipated that the City Clerk will certify, during the meeting, that the levying of the special taxes was approved by at least two-thirds (2/3) of the votes cast at the election. The City Council can then consider a resolution declaring the results of the special election and ordering the annexation of the Property to CFD 2001-1. If adopted, the resolution will constitute the official declaration of the results of the election, and will direct the City Clerk to record a Notice of Special Tax Lien in accordance with the provisions of Section 3114.5 of the California Streets and Highways Code; at which point the Property will be included in the territory of CFD 2001-1, and will be subject to the special taxes for the Fiscal Year 2017-18.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

This annexation will add an estimated 0.16 acres of maintenance area to CFD 2001-1, and the project will also benefit from the existing and future landscaping that the district maintains. The commercial development will be assessed under Maintenance Category A, which has a current rate of \$421.20 per benefit unit with an automatic annual inflationary adjustment. The 27.5 benefit units brought by this annexation will generate a special annual tax of approximately \$11,583.00 for Fiscal Year 2017-18.

The total annexation cost is being borne by the property owners, which include the City Attorney fees, Assessment Engineer fees, publication, and City staff time.

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 activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action merely declares the City's intent to annex property into Community Facilities District 2001-1, and there is no possibility that adopting the resolution will have a significant effect on the environment. Therefore, no environmental analysis is required.

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