



Legislation Text

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**AGENDA REPORT  
REQUEST FOR CITY COUNCIL ACTION**

DATE: 9/5/2018

TO: Honorable Mayor and City Council Members

FROM: Administrative Services Department

**SUBJECT:**

Public Hearing for City Council consideration to adopt Resolution No. 2018-091, calling special election and Resolution No. 2018-092, declaring the results of the special election for Community Facilities District No. 2016-3 (Maintenance Services) of the City of Corona on the proposition of the annual levy of special taxes within the territory proposed to be annexed (Annexation No. 6).

**RECOMMENDED ACTION:**

That the City Council:

1. Adopt Resolution No. 2018-091 calling special election and submitting to the qualified electors of territory proposed to be annexed to Community Facilities District No. 2016-3 (Maintenance Services) of the City of Corona the question of levying special taxes within the territory proposed to be annexed (Annexation No. 6).
2. Adopt Resolution No. 2018-092 declaring the results of the special election for Community Facilities District No. 2016-3 (Maintenance Services) 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. 6).

**ANALYSIS:**

On August 1, 2018, the City Council adopted Resolution No. 2018-087, a Resolution of Intention to annex territory to the Community Facilities District No. 2016-3 (Maintenance Services) of the City of Corona ("CFD 2016-3") and commence the annexation proceedings for the territory to be annexed, also shown as Annexation No. 6. A public hearing was set for September 5, 2018 to conduct an election for the landowners and to declare the results of that election.

As required by the Resolution of Intention, an annexation map was recorded on August 8, 2018, at

11:29 a.m. in Book 82 Page 95, Document No. 2018-0318806 and the potential annexation area boundary map was recorded on November 7, 2016, at 4:40 p.m. in Book 80 Page 23, Document No. 2016-0494013 of Maps of Assessment and Community Facilities Districts with the Riverside County Recorder.

The Resolution of Intention was adopted by the City Council in response to petitions filed by Corona Associates, a general partnership; Jon Christopher Enterprises, Inc., a California corporation; Knowleton Partners, Inc., a California corporation; JBP, LLC, a California limited liability company; David Hunsaker and Charles Noble ("Property Owners") of approximately 62.36 gross acres (16.09 net taxable acres) included as Assessor's Parcel Number 275-090-013 within the City. The Property Owners have requested that the City assist them in annexing territory into CFD No. 2016-3 (Maintenance Services) to cover the costs associated with the maintenance of public improvements. The improvements proposed to be maintained include items such as landscaping and lighting, street sweeping, and pavement management.

The area proposed within Annexation No. 6 will encompass 62 residential units on 16.09 net acres, with a maximum annual tax of \$803 per residential unit, per year. The tract proposed to be annexed into CFD No. 2016-3 will be included in Tax Zone 7. This tax rate includes a Maximum Special Tax A of \$378 per residential unit per year for maintenance services of public facilities, and \$425 Maximum Special Tax B for contingent services. The Maximum Special Taxes are proposed to escalate each year at the greater of Consumer Price Index (CPI) or 2%.

The Property Owners have agreed to the annexation into CFD 2016-3 and submitted a "Consent and Waiver" form on file in the City Clerk's Office, to initiate and conduct proceedings pursuant to the Mello-Roos Act of 1982, requesting the annexation of property to CFD No. 2016-3 (Maintenance Services) and consenting to the shortening of election time requirements, waiving analysis and arguments, and waiving all notice requirements relating to the conduct of the election immediately following the public hearing scheduled for September 5, 2018.

Resolution No. 2018-091 calls for a special election on the proposition of the annual levy of special taxes on the Property to pay for the services described above. Resolution No. 2018-092 declares the results of the special election and adds the Subject Parcels to CFD 2016-3.

Should these resolutions be approved, the Subject Parcels will be added to and made a part of CFD 2016-3 with full legal effect and, upon recordation of a Notice of Special Tax Lien against the Property, special taxes may be levied against the Subject Parcels commencing in Fiscal Year 2019-20.

**COMMITTEE ACTION:**

Not applicable.

**STRATEGIC PLAN:**

Not applicable.

**FISCAL IMPACT:**

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. If the anticipated costs of maintaining the facilities in any given Fiscal Year, prior to buildout of the project, exceeds the special tax revenues

available from parcels for which building permits have been issued, then the special tax may also be on property with recorded final subdivision maps, as well as other undeveloped property.

The residential development will be assessed in accordance with the Rate and Method of Apportionment Special Tax A set forth in Exhibit "B" to Resolution No. 2018-087, the proposed total maximum assessment rate for Tax Zone 7 for Special Tax A is \$378 per unit per year and for Special Tax B (Contingent) is \$425 per unit per year. The assessment rate is proposed to escalate on July 1 of each year at the greater of Consumer Price Index (CPI) or 2%. The new residential property will generate a special annual tax of approximately \$23,388 for maintenance services. The total annexation cost was provided by the developer, which includes the City Attorney fees, Consultants, 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 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 2016-3 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:** JENNIFER SCHAEFER, FINANCE MANAGER

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

**REVIEWED BY:** MICHELE NISSEN, ASSISTANT CITY MANAGER

**SUBMITTED BY:** DARRELL TALBERT, CITY MANAGER