

City of Sacramento

Legislation Text

File #: 2018-01464, Version: 1

Title:

(Pass for Publication) Greenbriar Community Facilities District No. 2018-03 Formation (Improvement) and the Sacramento Services Community Facilities District No. 2018-05 Formation: Results of Special Mail Ballot Elections and Ordinances to Levy Special Taxes

File ID: 2018-01464

Location: District 1

Recommendation:

1) Adopt a Resolution declaring the results of the special mailed ballot election for the Greenbriar Community Facilities District (CFD) No. 2018-03 (Improvements) (Greenbriar Improvement CFD), and if the election is in the affirmative, also do all of the following: a) pass a motion allowing the City Council to review and adopt an ordinance to levy a special tax for the Greenbriar Improvement CFD without the Law and Legislation Committee's prior review (City Council Rules of Procedure, Chapter 13, Section B.1.b(ii)); b) review the ordinance to levy a special tax on land within the Greenbriar Improvement CFD; and c) pass for publication the ordinance title as require by Section 32(c) of the Sacramento City Charter for adoption on December 11, 2018; and 2) adopt a Resolution declaring the results of the special mailed ballot election for the Sacramento Services CFD No. 2018-05 (Maintenance CFD), and if the election is in the affirmative, also do all of the following, a) pass a motion allowing the City Council to review and adopt an ordinance to levy a special tax for the Maintenance CFD without the Law and Legislation Committee's prior review (City Council Rules of Procedure, Chapter 13, Section B.1.b(ii)); b) review the ordinance to levy a special tax on land within the Maintenance CFD; and c) pass for publication the ordinance title as required by Section 32(c) of the Sacramento City Charter for adoption on December 11, 2018.

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Presenter: None

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-Schedule of Proceedings
- 4-Resolution - Declaring Election Results - (Improvement CFD)

5-Ordinance - Levy of Special Tax - (Improvement CFD)

6-Resolution - Declaring Election Results - (Maintenance CFD)

7-Ordinance - Levy of Special Tax - (Maintenance CFD)

Description/Analysis

Issue Detail: On November 27, 2018, City Council passed Resolution 2018-0461 calling for a special mailed ballot election on whether to levy a special tax within the boundaries of the Greenbriar Improvement CFD and on whether to issue bonds supported exclusively by the special tax to partially reimburse the developer for the cost of public infrastructure. The City Council also passed Resolution 2018-0463 calling for the special mailed ballot election on whether to levy a special tax within the boundaries of the Maintenance CFD. The votes for each CFD were held on November 28, 2018, and both were in the affirmative. Staff recommends that City Council adopt the resolutions declaring the results of the elections, pass motions bypassing review by the Law and Legislation Committee, and pass for publication ordinances levying the special taxes.

Policy Considerations: The procedures under which these CFDs are being formed are set forth in Title 5, Division 2, Part 1, Chapter 2.5 of the Government Code, Sections 53311-53368.3, entitled “The Mello Roos Community Facilities Act of 1982” (the Act). Formation of the CFDs is consistent with the City’s Policies and Procedures for Use of Special Assessment and Mello-Roos Community Facilities District Financing for Infrastructure and Public Facilities, as amended, adopted August 9, 1994 by Resolution 94-491 (Mello-Roos Policy).

Economic Impacts: None.

Environmental Considerations:

California Environmental Quality Act (CEQA): Under the CEQA Guidelines, the formation of community facilities districts does not constitute a project because it is merely a funding mechanism and is therefore exempt from review [CEQA Guidelines Section 15378(b)(4)].

Sustainability: Not applicable.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: The recommended actions are required by the Act and by the City Charter to complete the formation process for the CFDs.

Financial Considerations: Specific to the Improvement CFD, the Developer of the Greenbriar project will initially fund the construction of authorized public improvements or pay development

impact fees used to construct authorized public improvements. Later, if and when sufficient bond proceeds or special taxes are available, the City will reimburse the Developer consistent with the City's Mello-Roos Policy or any subsequent update to such policy and with associated agreements. The bond proceeds and special taxes will be used for the sole purposes of (a) funding construction-costs and development-fee reimbursements to the Developer and (b) paying the City's administrative expenses. This may be done from bond proceeds, directly from special taxes on a pay-as-you-go basis, or from a combination of bond proceeds and special taxes.

Specific to the Maintenance CFD, the property owners will pay all costs associated with the formation of the CFD, and the approved special tax can be levied each fiscal year to pay for authorized maintenance and services costs of the CFD. Initially, the developer of the Greenbriar project will be the only owner of land in the Maintenance CFD, and other projects are expected to annex into the CFD in the future as part of their conditions of development.

There is no impact on the General Fund or any other funds of the City as a result of this action.

Local Business Enterprise (LBE): Not applicable.