



## REPORT TO CITY COUNCIL

**To:** Honorable Mayor and Members of the City Council

**From:** Jason Simpson, City Manager

**Prepared by:** Shannon Buckley, Assistant City Manager

**Date:** December 12, 2023

**Subject:** Public Hearing and Election for Annexation Proceedings for Annexation No. 20 Into Community Facilities District No. 2015-2 (Maintenance Services) for Alberhill

### **Recommendation**

1. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, CALLING AN ELECTION TO SUBMIT TO THE QUALIFIED ELECTORS THE QUESTION OF LEVYING A SPECIAL TAX WITHIN THE AREA PROPOSED TO BE ANNEXED TO COMMUNITY FACILITIES DISTRICT NO. 2015-2 (MAINTENANCE SERVICES) (ANNEXATION NO. 20);
2. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DECLARING ELECTION RESULTS FOR COMMUNITY FACILITIES DISTRICT NO. 2015-2 (MAINTENANCE SERVICES) (ANNEXATION NO. 20); and
3. Introduce by title only and waive further reading of AN ORDINANCE AMENDING ORDINANCE NO. 2016-1359 OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2015-2 OF THE CITY OF LAKE ELSINORE (MAINTENANCE SERVICES) AUTHORIZING THE LEVY OF SPECIAL TAXES.

### **Background**

On October 24, 2023, the City Council adopted Resolution No. 2023-83, declaring its intention to annex territory to Community Facilities District No. 2015-2 (Maintenance Services) and commence the annexation proceedings for the territory to be annexed, also known as Annexation No. 20. A public hearing was set for December 12, 2023. Following such a public hearing, if there is no majority protest against the annexation and the levy of the special tax, the City Clerk will conduct an election for the landowners and declare the results of that election.

As required by the Resolution of Intention, an annexation map was recorded on October 27, 2023, at 11:47 a.m. in Book 92, Page 19-20, Document No. 2023-0319350 of Maps of Assessment and Community Facilities Districts with the Riverside County Recorder.

Pulte Home Company, LLC (the "Owner"). The Resolution of Intention was adopted by the City Council in response to a request by the Owners for the City to assist them in annexing territory into CFD No. 2015-2 (Maintenance Services) to cover the costs associated with the maintenance of public improvements. The improvements proposed to be maintained include items such as landscaping, street maintenance, drainage, parks, and graffiti abatement. The Applicants have agreed to the annexation into the CFD 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. 2015-2 (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.

The original area proposed within Annexation No. 20 will encompass 344 detached single-family residential lots. The territory proposed to be annexed into CFD No. 2015-2 will be included in Tax Zone 23. The proposed total maximum tax rate is \$647 per unit per year for Special Tax A and \$19 per unit per year for Special Tax B. The maximum annual tax rates are proposed to escalate each year at the greater of the Consumer Price Index (CPI) or 2%.

### **Discussion**

In order to annex property to CFD No. 2015-2 pursuant to the provisions of California Government Code Section 53311 et seq., the City must adopt a series of three statutorily required Resolutions and an Ordinance which are summarized below.

Resolution declaring the City's intent to annex territory to Community Facilities District No. 2015-2 including the boundary of the area to be annexed and the rate and method of apportionment of special taxes within the annexation area (the special tax applies only to properties within the annexation area), adopted October 24, 2023.

Resolution calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to the District.

Resolution declaring the results of the election and directing the recording of the notice of special tax lien.

Amend the Ordinance and order the levy and collection of special taxes in the District. With the adoption of the Resolutions and the first reading of the amended Ordinance, the second reading of the amended Ordinance would be scheduled for January 9, 2024. After the second reading of the amended Ordinance, the City will record a Notice of Cessation for CFD 2005-2 Improvement Area B Special Tax for Services.

### **Fiscal Impact**

On March 1 of each year, every taxable property for which a building permit has been issued will be subject to special taxes in the ensuing Fiscal Year. If the anticipated costs of maintaining the facilities in any given Fiscal Year, prior to the 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 undeveloped property within the Tax Zone. Once developed, the Special Tax A for Tax Zone 23 will generate \$222,371 annually plus the annual escalator for maintenance services.

**Attachments**

Attachment 1 - Project Map

Attachment 2 – Resolution Calling an Election

Exhibit A - Rate and Method of Apportionment

Exhibit B - Ballot

Attachment 3 – Resolution Declaring Election Results

Exhibit A - Certificate of Election Results

Attachment 4 - Certificate of Registrar of Voters

Attachment 5 - Ordinance