



CONSENT CALENDAR

City of San Bernardino Request for Council Action

Date: September 6, 2023

To: Honorable Mayor and City Council Members

From: Charles E. McNeely; Interim City Manager;
Mary Lanier; Interim Agency Director of Community, Housing,
and Economic Development

Department: Community, Housing, & Economic Development (CED)

Subject: **Adoption of Ordinance No. MC-1617 for CFD No. 2019-1 (Maintenance Services), Annexation No. 35 (Ward 2)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1617 amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2023-2024 to pay the annual costs of the maintenance and servicing of landscaping, lighting, water quality improvements, graffiti, streets, street sweeping, parks and trail maintenance, a reserve fund for capital replacement, and administrative expenses with respect to City of San Bernardino Community Facilities District No. 2019-1 (Maintenance Services).

Executive Summary

The recommended action is the final step of the annexation process for the proposed development into Community Facilities District (CFD) No. 2019-1 (Maintenance Services). The property owner has petitioned the City to annex into the City's CFD to mitigate its impacts for maintenance service of public facilities as a result of the new development. The Public Hearing was held on August 2, 2023, approving the annexation and conducted the first reading of the Ordinance. The special taxes will be levied annually to offset general fund expenditures related to maintenance of public improvements within and for the benefit of the development.

Background

On June 5, 2019, the Mayor and City Council adopted Resolution No. 2019-81, a Resolution of Intention to form Community Facilities District No. 2019-1 (Maintenance Services) of the City of San Bernardino (the "Resolution of Intention"), pursuant to the

provisions of the “Mello-Roos Community Facilities Act of 1982”. A public hearing was set for July 17, 2019 for the issue of establishment of the community facilities district.

Discussion

On August 2, 2023, Ordinance No. MC-1617 was introduced for first reading to the Mayor and City Council. The Ordinance is now being returned to the Mayor and City Council for adoption. The Ordinance will become effective 30 days from the date of adoption.

2021-2025 Strategic Targets and Goals

This project is consistent with Key Target No 1. Improved Operational & Financial Capacity and Key Target No 4. Economic Growth & Development. This project will contribute to ensure that the City is clean and attractive and provide infrastructure designed for long term economic growth.

Fiscal Impact

There is no fiscal impact associated with the recommended action of this item. All costs associated with annexing property into the District has been borne by the Property Owner. By annexing the subject property into the District, the costs of maintaining improvements located within the development will be financed through special taxes levied on the parcels within CFD 2019-1 and not through the City’s General Fund.

Conclusion

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1617 amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2023-2024 to pay the annual costs of the maintenance and servicing of landscaping, lighting, water quality improvements, graffiti, streets, street sweeping, parks and trail maintenance, a reserve fund for capital replacement, and administrative expenses with respect to City of San Bernardino Community Facilities District No. 2019-1 (Maintenance Services).

Attachments

Attachment 1	Ordinance No. MC-1617 (Ordinance Levying Special Taxes)
Attachment 2	Exhibit A – Description of Services
Attachment 3	Exhibit B – Description of Territory
Attachment 4	Project Location Map

Ward:

Second Ward

Synopsis of Previous Council Actions:

June 5, 2019	Mayor and City Council adopted Resolution No. 2019-81, a Resolution of Intention to form Community Facilities District No. 2019-1 (Maintenance Services) of the City of San
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Bernardino (the “Resolution of Intention”), pursuant to the provisions of the “Mello-Roos Community Facilities Act of 1982.”

July 17, 2019

Mayor and City Council adopted Resolution No. 2019-178 establishing Community Facilities District No. 2019-1; Resolution No. 2019-179 declaring election results for Community Facilities District No. 2019-1; and conducted the first reading of Ordinance No. MC-1522 levying special taxes to be collected during FY 2019-20 to pay annual costs of maintenance, services and expenses with respect to Community Facilities District No. 2019-1.

August 7, 2019

Mayor and City Council conducted the final reading of Ordinance No. MC-1522 levying special taxes to be collected during FY 2019-20 to pay annual costs of maintenance, services and expenses with respect to Community Facilities District No. 2019-1.

June 21, 2023

Mayor and City Council adopted Resolution No. 2023-085, a Resolution of Intention to annex territory into Community Facilities District No. 2019-1 (Maintenance Services) of the City of San Bernardino (the “Resolution of Intention”), pursuant to the provisions of the “Mello-Roos Community Facilities Act of 1982.”

August 2, 2023

Mayor and City Council adopted Resolution No. 2023-123 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. 2019-1 (Annexation No. 35), and adopted Resolution No. 2023-124 declaring election results for Community Facilities District No. 2019-1 (Annexation No. 35); and introduced Ordinance No. MC-1617 amending Ordinance No. MC-1522.