



# CITY OF CARSON

## Legislation Text

File #: 2019-706, Version: 1

### Report to Mayor and City Council

Tuesday, August 06, 2019

Consent

#### SUBJECT:

**CONSIDER RESOLUTION NO. 19-142, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE CITY OF CARSON COMMUNITY FACILITIES DISTRICT NO. 2018-01 (MAINTENANCE AND SERVICES) APPROVING ANNEXATION NO. 2 OF PROPERTY LOCATED WITHIN THE FUTURE ANNEXATION AREA (21809 AND 21811 FIGUEROA STREET; APN: 7343-020-009 AND 7343-020-010) (CITY COUNCIL)**

#### **I. SUMMARY**

On November 7, 2018, the City adopted Resolution No. 18-119 establishing the City of Carson Community Facilities District No. 2018-01 ("CFD No. 2018-01") (Maintenance and Services) and Future Voluntary Annexation Areas. With the formation of CFD No. 2018-01 complete, projects in the city-wide Future Voluntary Annexation Areas are now able to be annexed into CFD No. 2018-01. This item includes the property owned by Real Quest Holding LLC, also commonly referred to as the "Birch" Project, located at 21809 and 21811 Figueroa Street (APN: 7343-020-009 and 7343-020-010) (collectively, "Property") into CFD No. 2018-01. If approved, the Birch Property will be the second annexation and third property included in the CFD No. 2018-01, after AL2 (Alpert & Alpert) (Annexation No. 1) and JJ.ER (CalPak) (Original CFD No. 2018-01).

#### **II. RECOMMENDATION**

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 19-142, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF THE CITY OF CARSON COMMUNITY FACILITIES DISTRICT NO. 2018-01 (MAINTENANCE AND SERVICES) APPROVING ANNEXATION NO. 2 OF PROPERTY LOCATED WITHIN THE FUTURE ANNEXATION AREA (21809 AND 21811 FIGUEROA STREET; APN: 7343-020-009 AND 7343-020-010)"

2. RECEIVE and FILE the Unanimous Approval Consent Letter from Real Quest Holding LLC.

### **III. ALTERNATIVES**

TAKE another action deemed appropriate by the City Council.

### **IV. BACKGROUND**

The project at the Birch Property consists of construction of a four-story, 32-unit residential condominium development on a 0.78 acre site on S. Figueroa Street, adjacent to the I-110 freeway. The project was approved by the City Council on March 19, 2019, and the Property Owner concurrently entered into a Development Impact Fees and Community Facilities District Participation Agreement (“CFD-DIF Agreement”) with the City. If approved by the City Council, the approval would allow the Birch Project to annex into the CFD in accordance to the approved CFD-DIF agreement for the property owner(s) of the property to pay for ongoing costs associated with the project. These ongoing costs include sheriff services, landscaping maintenance, street sweeping/sidewalk cleaning, and road maintenance.

When the City formed CFD No. 2018-01, certain properties including the subject Property were identified on the boundary map as being within the Future Voluntary Annexation Area. Pursuant to the Mello-Roos Community Facilities Act of 1982, Section 53311, et seq. of the California Government Code (the “Act”), this prior hearing allowed the Property to be annexed by unanimous consent of affected landowners of the Property without holding a second public hearing. The City received the Unanimous Consent Letter to annex the Birch Property into CFD No. 2018-01, under Tax Zone No. 3, pursuant to the simplified process for annexations under the Act. Should Council adopt Resolution No. 19-142 (Exhibit No. 2), the City Clerk, or designee, would be directed to record the Amendment No. 2 to Notice of Special Tax Lien (Exhibit No. 3) with the Los Angeles County Recorder’s Office to effectuate the levying of special taxes on the Property for Tax Zone No. 3.

On July 10, 2019, the owner of the Birch Property filed a unanimous approval form with the City Clerk’s Office, which is attached separately here and made a part of the record as Exhibit No. 1 (“Real Quest Holding Signed Unanimous Consent Letter”), also attached as Exhibit B to Resolution No. 19-142. The Unanimous Approval Consent Letter requests to have the Property included within the boundaries of the newly formed CFD No. 2018-01, authorizes the levy of special taxes on the Property for the purposes of financing the supplemental services associated with the Birch development. Birch will be taxed in accordance to Tax Zone No. 3 of the Rate and Method of Apportionment for CFD No. 2018-01, which amounts to \$20,604.80 (\$643.90 per unit) annually. The amount was previously established through a Development Impact Fees and Community Facilities District Participation Agreement with Real Quest Holding LLC.

### **V. FISCAL IMPACT**

Annexation of the Property into CFD No. 2018-01 will increase City’s revenues and

expenses by approximately to \$20,604.80 annually. The cost for the annexation will be paid by the developer pursuant to the City's Deposit System (Development Application Process), and there is no immediate impact to the City's General Fund as a result these actions.

## **VI. EXHIBITS**

1. Signed Real Quest Holding LLC Unanimous Approval Consent Letter (pgs. 4-17)
2. Resolution No. 19-142 (pgs. 18-38)
3. Amendment No. 2 to Notice of Special Tax Lien (pgs. 39-49)

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