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**SUBJECT:** Annexation #16 to Community Facilities District No. 5.

**DEPARTMENT:** Engineering

**STAFF:** Allen Baquilar, Director of Engineering/City Engineer  
Debra Galey, Senior Analyst

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### **TITLE/RECOMMENDATION**

Staff recommends that the City Council:

1. Hold the public hearing regarding the annexation of territory to the City of Brentwood ("City") Community Facilities District No. 5 ("CFD No. 5");
2. Adopt a Resolution determining to annex territory to CFD No. 5 and calling a special election for CFD No. 5;
3. Conduct the special election for the annexation of territory to CFD No. 5; and
4. Adopt a Resolution determining the results of the special election for the annexation of territory to CFD No. 5.

This action has been reviewed under the criteria contained in the California Environmental Quality Act ("CEQA," as codified at Public Resources Code §§ 21000, et seq., and as further governed by the State CEQA Guidelines, found at 14 CCR §§ 15000, et seq.) and the City's environmental regulations. The action is not subject to CEQA pursuant to CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3), as it will not result in a direct or reasonably foreseeable indirect physical change to the environment because there is no possibility that the action would result in a significant environmental impact, and because it does not constitute a "project" as defined in Section 15378.

### **FISCAL IMPACT**

Annexation of property will provide approximately \$181,290 in additional revenue (in FY 2024/25 Dollars) for CFD facilities and services on an annual basis, once development occurs. Funds are deposited with the City by the developers to cover costs associated with the annexation of property into the Community Facilities Districts ("CFDs").



## **BACKGROUND**

CFDs are a funding mechanism for the increased public facilities and services provided by the City necessitated by new development. These facilities and services include:

- Public Protection and Safety
- Community Amenities (e.g., Community Center and library)
- Joint Use School Sites
- Flood and Storm Drainage Improvements
- Roadway Maintenance
- Utility Undergrounding

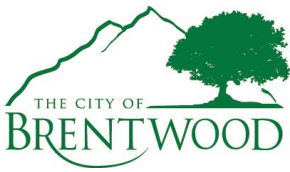
As a Standard Condition of Approval, all new development is required to mitigate the impacts of their project. As such, many property owners elect to annex into the CFD as a means to fund the services and facilities provided to address the additional growth and associated impacts. Funding is collected by the levying of an annual special tax at a rate that was previously set when the CFD was formed (\$909.40/single-family residential parcel, \$454.70/multi-family residential unit and \$6,793.33/acre non-residential parcels (in FY 2024/25 dollars)). Parcels are eligible to have the special tax be levied against them the fiscal year following the issuance of a building permit.

The proposed boundary and development project of the area to be annexed under Annexation#16 is shown as Exhibit "A" to the attached resolution. The annexation includes 63 single-family homes developed by Trumark Homes south of Apricot Way (Trailside Trumark), 94 single-family homes developed by Meritage Homes along Hanson Lane, 5 single-family homes developed by Leeanne and Joseph Alfaro along Lone Tree Way (Trinity Estates), and 23 commercial acres developed by Costco.

The property owners within the annexation boundary have been provided a "Waiver and Consent" form, along with the special election ballot to cast their vote. At the conclusion of the public hearing, a two-thirds majority of the qualified voters returning ballots (and 100% of the consent forms) in the affirmative will allow the completion of the annexation of the properties into CFD No. 5.

## **CITY COUNCIL STRATEGIC INITIATIVE**

Not Applicable.



### **PREVIOUS ACTION**

Previous Action by the City Council is included on Attachment 1.

### **DATE OF NOTICE**

As required by law, notice of the public hearing to annex territory to CFD. No.5 was published in the Brentwood Press on August 2, 2024.

### **ENVIRONMENTAL DETERMINATION**

This action has been reviewed under the criteria contained in the California Environmental Quality Act ("CEQA," as codified at Public Resources Code §§ 21000, et seq., and as further governed by the State CEQA Guidelines, found at 14 CCR §§ 15000, et seq.) and the City's environmental regulations. The action is not subject to CEQA pursuant to CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3), as it will not result in a direct or reasonably foreseeable indirect physical change to the environment because there is no possibility that the action would result in a significant environmental impact, and because it does not constitute a "project" as defined in Section 15378.

### **ALTERNATIVE OPTION(S)**

1. Do not conduct the election to annex the four new development projects into CFD No.5.
2. Require the development projects to provide an alternate means of funding City services otherwise covered by the CFD provided to address development impacts.

### **ATTACHMENT(S)**

1. Previous Action
2. Citywide CFD Exhibit
3. Resolution – Calling a Special Election
4. Resolution – Determining Election Results