



## Legislation Details (With Text)

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**File #:** 20-419      **Version:** 1

**Type:** Ordinance      **Status:** Agenda Ready

**File created:** 3/24/2020      **In control:** City Council

**On agenda:** 4/7/2020      **Final action:**

**Title:** Pass the ordinance proposing the establishment of and setting a public hearing for Special Service Area No. 32 for the Wagner Farms shared-use paths

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance adopting the Dormant SSA for Wagner Farms April 7, 2020.pdf, 2. Exhibit A - Legal Description.pdf, 3. Exhibit B - Addresses.pdf, 4. Exhibit C - Boundary Map.pdf, 5. Exhibit D - Affidavit.pdf

Date	Ver.	Action By	Action	Result
4/7/2020	1	City Council		

### CITY COUNCIL AGENDA ITEM

#### **ACTION REQUESTED:**

Pass the ordinance proposing the establishment of and setting a public hearing for Special Service Area No. 32 for the Wagner Farms shared-use paths

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard

**BOARD/COMMISSION REVIEW:**  
N/A

#### **BACKGROUND:**

On February 5, 2019 City Council passed Ordinances 19-020 through 19-024 pertaining to the Wagner Farms Subdivision, a residential development comprised of approximately 105 acres at the northeast corner of Route 59 and 103<sup>rd</sup> Street. The Annexation Agreement authorized by Ordinance 19-020 requires the developer (Pulte Home Corporation) to take all necessary steps to form a dormant special service area ("SSA") in order to provide funding for the continued maintenance, repair, reconstruction, and operation of the shared-use paths within the Wagner Farms subdivision in the event the developer or the Wagner Farms Homeowners' Association fail to perform those responsibilities. The shared-use paths consist of approximately 4,460 linear feet of path generally located in the middle of the subject property from Frontier Park to the north and 103<sup>rd</sup> Street to the south.

On November 19, 2019, the City Council passed Ordinance 19-152 which proposed the establishment of SSA No. 32 and scheduled a public hearing on the matter for January 21, 2020. The public hearing was scheduled for not less than 60 days after adoption of Ordinance 19-152, and

notice of the public hearing was properly given by publication and mailing.

At its January 21, 2020 City Council meeting, the City Council opened and conducted the public hearing regarding establishment of SSA No. 32. After the public hearing had been closed, the City Council directed staff to bring back an ordinance establishing the SSA upon expiration of the required sixty (60) day objection period.

**DISCUSSION:**

The proposed Special Service Area No. 32 will provide funding for the continued operation, maintenance, repair and reconstructions of the shared-use paths located within the Wagner Farms subdivision (except the 103<sup>rd</sup> Street shared-use path), in the event that either the developer or the Wagner Farms Homeowners' Association fail to timely and adequately perform those responsibilities. The shared-use paths consist of approximately 4,460 linear feet of path generally located in the middle of the subject property from Frontier Park to the north and 103<sup>rd</sup> Street to the south.

Staff has not received any petitions of objection since the public hearing held on January 21, 2020. Therefore, staff recommends that an ordinance establishing Special Service Area No. 32 is adopted.

**FISCAL IMPACT:**

N/A