



## Legislation Text

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File #: 20-025, Version: 1

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### **CITY COUNCIL AGENDA ITEM**

#### **ACTION REQUESTED:**

Conduct the public hearing for Special Service Area No. 32 for the Wagner Farms shared-use paths

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard, Project Manager - DRT

#### **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.

#### **DISCUSSION:**

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 should open and conduct the public hearing regarding establishment of SSA No. 32. After the public hearing has been closed, the City Council may direct staff to bring back an ordinance establishing the SSA upon expiration of the required sixty (60) day objection period. If a petition signed by at least 51% of the electors residing within the special service area and by at least 51% of the owners of land within the special service area is filed with the City Clerk objecting to its formation, then the special service area cannot be established. In the absence of such a petition, staff will bring back an ordinance establishing dormant SSA No. 32 for consideration at the City Council meeting scheduled for April 7, 2020.

#### **FISCAL IMPACT:**

N/A

