
**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
EXECUTIVE OFFICER'S REPORT**

AGENDA ITEM No. 11

DATE: April 9, 2008

TO: Fresno Local Agency Formation Commission

FROM: Rick Ballantyne, Executive Officer

SUBJECT: **Consider Approval - City of Parlier "City of Parlier Reorganization No. 06-02"**. A proposed reorganization to annex 81.97 acres to the City of Parlier and detach from the Fresno County Fire Protection District, the Kings River Conservation District and the Consolidated Irrigation District for territory located between the Madsen Avenue Alignment and Avila Street Alignment, south of E. South Avenue and north of E. Parlier Avenue (**LAFCo File No. RO-08-5**).

Applicant: Bruce O'Neal, Contract Planner, City of Parlier

Land Owners/Parties of Real Interest: AMG Associates, Lennar Fresno Inc., Richard M., Penny K. & Helen Nicholas, William J & Janie A Chiasson, Affordable Housing Land Consultants, LLC (C. Johnson & Alexis Gerorgian), Nachhatar, Gurdial, & Jagtar Dhaliwal

Background:

- This Proposal has been scheduled for public hearing because not all property owners (i.e. railroad company) have consented to the reorganization.
- This Proposal was initiated by the City of Parlier on October 17, 2007, with the adoption of Resolution No. 2007-67, and a Certificate of Filing has been issued by the LAFCo Executive Officer.
- On April 5, 2006, the City Council of the City of Parlier pre-zoned 55.6 acres located east of the railroad line from County AE-20 (Exclusive Agriculture, 20-acre minimum) District to City R-1 (Single-Family Residential) District. The City also approved Vesting Tentative Tract Map No. 5615 to allow a 129-lot single-family residential subdivision on 48.87 acres.
- On November 7, 2007, the Parlier City Council pre-zoned the affected territory located west of the railroad line from County AE-20 (Exclusive Agriculture, 20 acre-minimum) District to City R-1 (Single-Family Residential) and M-1 (Light Industrial) Districts.
- On February 7, 2007, the Parlier City Council pre-zoned the southeasterly 5.07 acres of the affected territory from County AE-20 (Exclusive Agriculture, 20-acre minimum) District to City R-2 (Multiple-Family Residential) District. A site plan has been approved to allow for the "Avila Avenue Apartments", which would provide 24 four-bedroom apartment units, 60 three-bedroom apartment units, and a manager's unit.

Proposal / Land Use:

- The Proposal consists of the annexation of 81.97 acres to the City of Parlier and detach from the Fresno County Fire Protection District, the Kings River Conservation District and the Consolidated Irrigation District.
- The affected territory is located within the City of Parlier's Sphere of Influence area and is bounded by Parlier's City Limits on the south and west sides (see attached Maps).
- The affected territory is predominately undeveloped. Single-family residential and a prior landfill exist to the west; agricultural and rural residential lands are located to the north and east; and single-family residential, apartments, and a school are located to the south.

Environmental Determination:

The City of Parlier prepared Initial Studies (Lennar subdivision and Avila apartments) to evaluate the potential environmental effects of the proposed reorganization and development proposals. The City made findings that no potential significant impacts to the environment would occur with regard to the proposed reorganization. The City of Parlier adopted Final Negative Declarations for both projects.

As Responsible Agency, the Commission is required to review and consider the City's Initial Studies and Negative Declarations prior to taking its action. If the Commission determines that these documents are adequate pursuant to CEQA, a finding must be made that the Commission independently reviewed and considered the information in the Initial Study and Negative Declaration and that these environmental documents are sufficient on which to make a determination on the proposed reorganization.

Impacts to Consolidated Irrigation District

Although potential environmental impacts to regional hydrology and Consolidated Irrigation District (CID) facilities as identified by CID were not addressed as a part of the environmental analysis, these potential impacts have been addressed as a part of the "Service Plan" prepared for this project (see CID Section in attached Service Plan). The identified cumulative groundwater impacts as well as the site specific impacts to District facilities will be reduced to a level of "less than significant" if the mitigation measures incorporated within the Service Plan are implemented.

Staff is informed that the City of Parlier has agreed to the Interim Guidelines recommended by the LAFCo-sponsored facilitation group. Furthermore, staff is informed that the City, CID, and the developer of the project, Lennar Fresno, Inc. and AMG Associates, have, as of this writing, executed or will soon execute an agreement whereby the City and Lennar will agree to mitigate the impacts of the Project and CID facilities.

Concerns Raised by Fresno County Health Department

On or about January 12, 2007, the Fresno County Health Department, Environmental Health Division, provided comments to the Initial Study prepared for the Avila Avenue Apartment project, which raised concern related to potential impacts related to elevated arsenic levels in the soils along the former railroad easement which borders the southwestern portion of the project site. The letter stated that the California Regional Water Quality Control Board had recommended that further sampling be undertaken in order to determine the extent and level of arsenic on the project site.

The Health Department raised concern related to potential impacts to the proposed development from the City of Parlier/Kash Inc. prior landfill site. The Health Department indicated that the City began using the disposal site in the late 1950s or early 1960s as a rubbish dump for the discharge of municipal solid waste. The City was later issued a permit to operate the disposal site as a burn dump through the State Department of Conservation prior to 1970. In 1986, Kash, Inc. began disposing of construction and demolition debris at the disposal site. This site was closed in January of 1992.

The Health Department noted that the Fresno County Community Health Department (FCCHD), California Integrated Waste Management Board (CIWMB) and California Regional Water Quality Control Board (CRWQCB) all have regulatory oversight responsibilities. The Department stated that the potential environmental impacts of the landfill on the future development of the site should be considered. This particularly applies to the environmental impacts of landfill gas migration, final cover of the landfill, and site security.

Lastly, the Health Department expressed its continuing concern regarding the potential of elevated arsenic levels in the soils along the former railroad easement, which bisects the southwestern portion of the subject site. The Department noted that, while the CRWQCB had requested that additional testing be conducted, they have not received any correspondence regarding the results of the approved Work Plan and/or any plan for remediation.

The Health Department has raised concerns related to potential health conditions that may plague the old landfill site and potentially impact adjacent land, which may be affecting or could potentially affect the subject property. Based upon the County's comments, it appears that project applicants have not provided information necessary to determine specific impacts to future development to State and Local Health officials and it is not known to what extent future health hazards may occur to future residents within the affected territory.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 allows the Commission to consider a broad array of factors when reviewing a proposal. These include, but are not limited to, the present cost and adequacy of governmental services and controls in the area, probable future needs for those services and controls, probable effect of the proposed annexation on the cost and adequacy of services and controls in the area and adjacent areas, the effect of the proposed action on adjacent areas, on mutual and economic interests, and the extent to which the proposal will promote environmental justice. (Gov. Code section 56668.)

Given the Health Department's concerns, staff is uncertain whether or not it can answer to the Commission's satisfaction questions regarding such factors. Staff does not believe that the applicant has adequately addressed the environmental concerns raised by the Health Department. Therefore, staff recommends that this matter be continued for thirty (30) days until staff can convene a meeting between the City of Parlier, developers, and the Health Department to address these concerns. After such meeting, staff may be able to provide the Commission with more information regarding this matter.

If the Commission chooses to approve the subject reorganization, staff would recommend that as a condition of approval that the City of Parlier execute an indemnification agreement with the Commission agreeing to defend, indemnify, and hold harmless the Commission from and against any claims, actions (including those filed by any state or governmental agency), costs, or damages arising out of or in connection with the Commission's actions related directly or indirectly to this matter.

Consistency with LAFCo Policies, Standards and Procedures

- The affected territory is located within the City of Parlier's Sphere of Influence (SOI) and adjacent to the existing City Limits along the south and west territory boundaries (see location maps).
- The Proposal is consistent with the Parlier General Plan that designates the territory for Medium-Low and Medium Density Residential.
- The Proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) Standards for Annexation between the City of Parlier and County of Fresno (see letter from Mr. Bart Bohn, Fresno County CAO, August 22, 2006 - Correspondence and Comments). The County in its review of the proposal did require that three additional parcels located within the southwesterly portion of the territory be added to the proposal. While staff is aware that three additional rural residential properties located to the north of the property should eventually be included within the City, these owners have indicated that they are opposed to annexation at this time. They will be included within future annexations when properties to the east and west are proposed for development.
- The City of Parlier and the Fresno County Fire Protection District have an agreement in place to provide for the transition of fire protection services to the affected territory.
- The Proposal furthers the County's General Plan policies of directing growth to existing cities where infrastructure and a full-range of municipal services are available to serve urban development.
- Substantial development is planned for the affected territory. The Service Plan submitted for this Reorganization indicates that all necessary urban services (water, sewer, police, fire, etc.) are available to serve the affected territory (see Service Plan).
- The Proposal will reasonably assist the City in achieving its fair share of the regional housing needs, as required under Government Code Section 56668.
- The Proposal, with the recommended conditions, does not conflict with the goals and policies of LAFCo. The Proposal is timely, it represents an appropriate action, and would result in orderly land use planning, efficient development patterns and service areas, and does not encourage urban sprawl.
- The Proposal, with the recommended conditions, would carry out LAFCo's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

Accordingly, the Proposal, with the recommended conditions, is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code 56000 et seq.), and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.

Conducting Authority

The affected territory is uninhabited but not all property owners have consented to the reorganization. Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, should this Proposal be approved, it will be necessary to set a protest hearing. The protest hearing cannot be held prior to the expiration of the reconsideration period (30 days), and the date of the hearing shall not take place less than 21 days after notice is given.

Recommendation – Continue for Thirty Days.

Alternative Action: Approve With Conditions by Taking the Following Actions:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to approving the proposed reorganization the environmental effects of the project as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.
- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures Section 210 - Standards for Annexation to Cities and Urban Service Districts (01-10), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
- C. Assign the distinctive short form designation "City of Parlier, Reorganization No. 06-02" and approve the reorganization (annexation and detachments) subject to the following conditions of approval:
 1. The City of Parlier shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.
 2. Satisfactory verification that the City has accepted a final tract map shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.
 3. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.
 4. Satisfactory verification by the Consolidated Irrigation District and the City of Parlier that the conditions as agreed to and as set forth within the approved *Service Plan for the Reorganization No. 06-02* (Vesting Tentative Tract Map No. 5615) and Agreement as entered into by Lennar Fresno, Inc. and AMG Associates, the City of Parlier, and the Consolidated Irrigation District, have been complied with.
 5. The City of Parlier shall execute an indemnification agreement with the Commission, agreeing to defend, indemnify, and hold harmless the Commission from and against any claims, actions (including those filed by any state or governmental agency), costs, or damages arising out of or in connection with the Commission's actions related directly or indirectly to this matter.

Note: A Fresno LAFCo fee to cover preparation costs as per LAFCo's adopted Fee Schedule is required

- D. Find and determine pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that:
 - 1. The territory is uninhabited.
 - 2. All landowners have not consented to the Reorganization in writing.
- E. Direct staff to set a protest hearing pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 57000 et seq.).

APPLICATION INFORMATION

1. **Affected Territory**

Acreage:	81.97 acres
Current Land Use:	Agriculture
Number of Residences/ Population:	Residences: 0/ Population: 0
Landowners/ Registered Voters:	Landowners: 4 / Voters: 0
Previous County Zoning:	AE-20 and AL-20
City Zoning Upon Annexation:	R-1, R-2, and M-1
Ag. Preserves/Contracts:	None
Assessors Parcel Number:	355-020-35, 36, 38, 46, and 82S

2. **Proposed Development:** A 129-lot single-family residential subdivision and an 85 unit apartment complex.

3. **Surrounding Territory:** Single-family residential and a prior landfill exist to the west, agricultural lands are located to the north and east, and single- and multiple-family residential and a school is located to the south.

4. **Consistency with Adopted Sphere of Influence (SOI):** The affected territory is within the City of Parlier's adopted SOI.

5. **Consistency with City and County General and Specific Plans:** The Proposal is consistent with the City of Parlier's adopted long-range goals and policies. The Proposal furthers the County's General Plan policies of directing growth to existing cities where infrastructure and a full-range of municipal services are available to serve urban development.

6. **Existing Service Agencies and Proposed Service Changes**

Service	Existing Service	Change
Water	Well	City of Parlier
Sewer	Septic	City of Parlier
Fire Protection	Fresno County Fire Protect. Dist.	City Contract with FCFPD
Distance to Station	1/2 mile	1/2 mile

Please Note: A service plan for this Proposal is attached to the Executive Officer's Report.

7. **Cities and Districts Included Wholly or Partially within the Affected Territory.**

County of Fresno	Fresno County Library District
Kings River Conservation District	Fresno County Fire Protection District
State Center Community College District	Parlier Unified School District
Consolidated Mosquito Abatement District	West Fresno Red Scale Protective District
Consolidated Irrigation District	

8. **Costs and Other Changes Affecting Residents or Landowners**

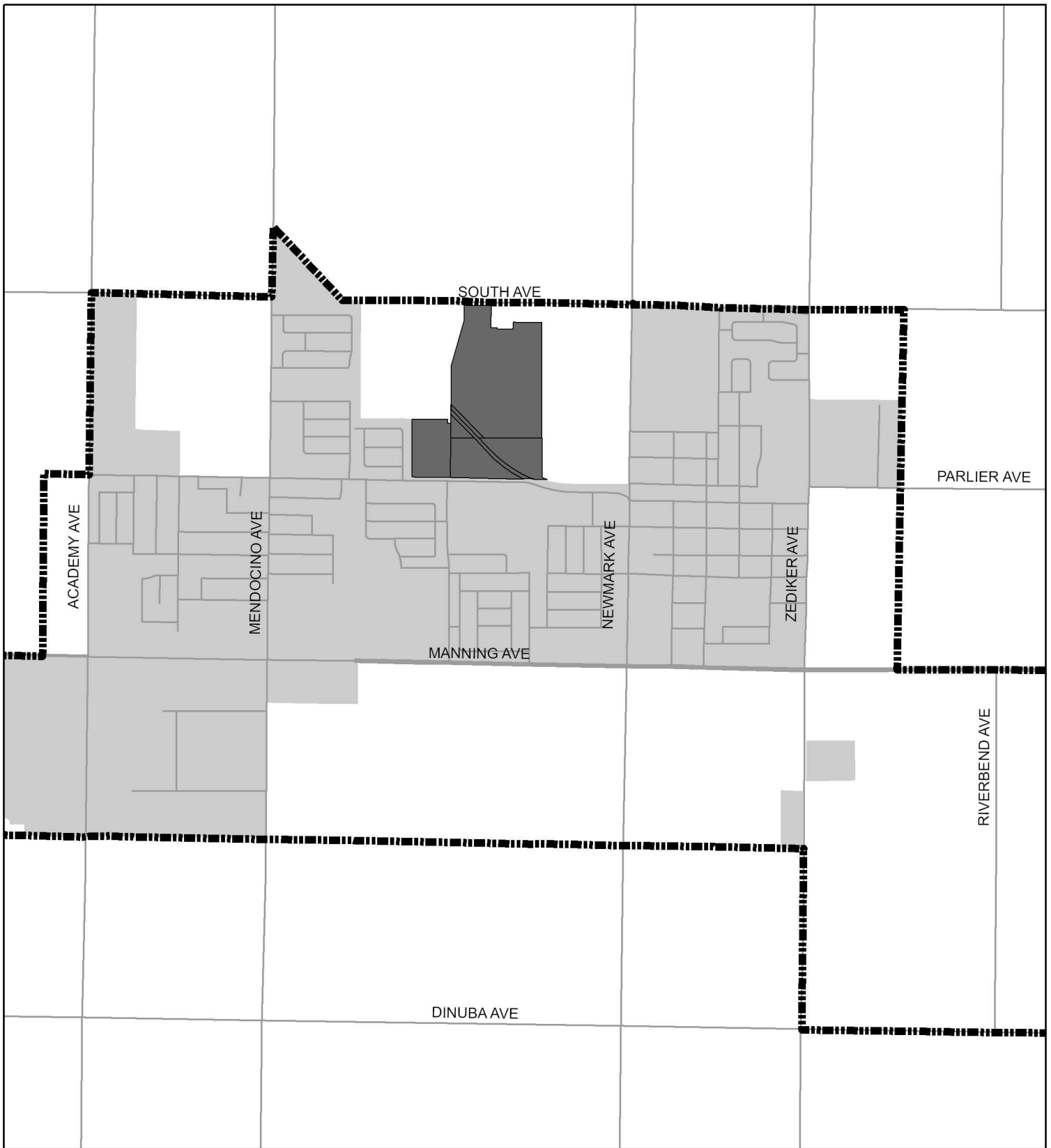
No costs are anticipated that will affect residents or landowners.

9. **Agencies and Individuals Submitting Comments** (see Correspondence and Comments)




- Bart Bohn, CAO, County of Fresno
- Betty Vaughn, Elections Division, County of Fresno
- Bernard Jimenez, Department of Public Works and Planning
- Richard Sepulveda, Sanger Unified School District
- Glenn Allen, REHS, Fresno County Health
- Bruce Champion, Natural Resource Conservation Service
- Karen Bosch Cobb, County Library

- 10. Territory Boundaries:** The boundaries of the proposed annexation are definite and certain, and there are no conflicts with lines of assessment ownership. The map and description are not sufficient per Dave King (Fresno County Assessor, Assessment Services Supervisor) for recordation or filing with the State Board of Equalization. **A revised map and legal description title are required per the County Assessor's specifications.**
- 11. Registered Voter Data**
The County of Fresno Elections Office reported that on March 13, 2008, there was **four (4)**-registered voters in the affected territory.
- 12. Compliance with the Requirements of CEQA**
Lead Agency: City of Parlier - **Level of Analysis:** Initial Studies
Finding: Negative Declaration (see Environmental Documents).
- 13. Proponent:** Bruce O'Neal, Contract Planner, City of Parlier
- 14. Public Notice of Hearing** – Public notice concerning this Proposal was issued by the Executive Officer pursuant to State law.
- 15. Individuals and Agencies Receiving this Report**
- LAFCo Commissioners and Alternates
 - Mike Noland, LAFCo Special Counsel
 - Bruce O'Neal, Contract Planner, City of Parlier
 - Lou Martinez, City of Parlier
 - Shun Patlan, City of Parlier
 - Les Peterson, Lennar Fresno Inc.
 - AMG Associates, LLC
 - Bernard Jimenez, Planning Manager, Development Services Department
 - Chris Motta, Public Works and Planning
 - Chief Keith Larkin, Fresno County Fire Protection District
 - David Orth, Kings River Conservation District
 - Phil Desatoff, Consolidated Irrigation District
 - Glenn Allen, County Health Department, Environmental Health Division
 - Dale Essary, California Regional Water Quality Control Board
 - California Integrated Waste Management Board
 - Nancy Miller, LAFCo Special Counsel/Facilitator

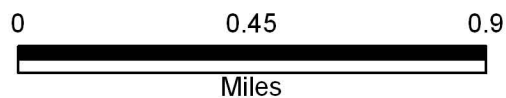
FIGURE 1 - GENERAL SITE LOCATION



Legend

-  Sphere of Influence
-  City Limits
-  Affected Territory

City of Parlier "Reorganization No. 06-02"
LAFCo File No. RO-08-5



CITY OF PARLIER SERVICES PLAN
REORGANIZATION NO. 06-02
Vesting Tentative Tract Map No. 5615

March 2008

A. INTRODUCTION

A plan for providing services and improvements to land being annexed to cities is required by the Fresno Local Agency Formation Commission (LAFCo). The services plan provides assurance to LAFCo that newly annexed territory to a City will be properly served as urban territory. The plan also provides information to property owners, districts and interested individuals who may have plans or proposals underway in the immediate vicinity of a proposed annexation. The services plan indicates the City's best intentions, assuming that no major financial crisis or disaster occurs.

The annexation includes 81.97 acres located on the northwest quadrant of the Avila Street alignment and Parlier Avenue (APNs 355-020-35, 36, 38, 82s and 46). Included are Vesting Tentative Tract Map No. 5615, the Avila Apartments, and the Nicholas/Chiasson Property. The parcels are within Parlier's SOI and bounded on the south and west by the City limits. Prior to submitting an application for annexation, the Parlier City Council approved pre-zoning of the parcels within the annexation and approved Vesting Tentative Tract Map No. 5615 for a 129 -lot single family subdivision on 48.87 acres. The approved tentative map covers approximately 60% of the proposed annexation area.

Tentative Tract Maps are the first step in the subdivision process. Such maps are required to be consistent with requirements of the General Plan and the zone district in which the site is located. A Vesting Tentative Tract Map confers a vested right to proceed with a development in substantial compliance with the ordinances, policies and standards in effect at the time a local agency approves or conditionally approves a vesting tentative map.

Tentative Tract Maps must also resolve service delivery system and infrastructure issues. Consistency with the City's Sewer, Water, and Drainage Master Plans is an important part of the service delivery and infrastructure review process, as are site-specific comments from staff (Community Services Coordinator, City Engineer, Public Works Director, Fire Chief, and Police Chief). Tentative Tract Maps must also resolve conflicts between agencies that have jurisdiction over the site so that the ability of other agencies to discharge their responsibilities is not compromised by the subdivision.

B. SERVES EXISTING OR PROPOSED TO BE EXTENDED TO THE REORGANIZATION AREA

1. COMMUNITY WATER SERVICE

The subject territory to be annexed is being served by private wells and surface irrigation at the present time. Once the property is annexed to the city, new development will require an extension of main lines and facilities for required domestic water supply and fire flow. The Parlier area receives surface water managed by the Consolidated Irrigation District (CID). The surface water source for CID is the Kings River. Any land annexed into the City is detached from CID. As urban development occurs within the City, domestic water supply will be from underground sources. No additional sources of surface water supplies are planned for this area. The City and CID, however, are discussing possible programs to increase surface water delivery in order to recharge the underground aquifer. Also see Item B. 13, Consolidated Irrigation District.

The City extracts groundwater from municipal wells. Existing water system facilities include domestic wells, a network of water mains with line sizes ranging from two inches to 12 inches in diameter. Sub-surface geologic conditions are favorable for continued withdrawal and underground supplies will have capacity to serve the growth anticipated by the Parlier General Plan.

Analysis of the current distribution system indicates that future improvements will be necessary to serve future development. The existing water system has capacity sufficient to supply the maximum day plus fire flow demand and domestic use to the project. No additional well site is required within the project. The development will be required to provide an 8" water main loop system from Whitener Avenue extended to Madsen Avenue for ultimate connection to Parlier Avenue, in Fifth Street from Madsen to Avila Street, and in Avila Street to Parlier Avenue. Water mains at the periphery of the project shall be extended for future connections to the north, west, and east. All interior water mains shall be 8" and looped within the system piping network.

2. WASTEWATER

The City's existing sewer system is comprised of a network of approximately 30 miles of sewer pipelines ranging from 6 to 30 inches in diameter, and including four sewage lift stations and associated force mains. Wastewater is conveyed by the collection system to the City's Wastewater Treatment Plant located west of Academy and south of Manning Avenue.

The Parlier wastewater plant has a capacity of 2 million gallons per day (mgd), with an existing flow of 1.5 mgd. The project will generate about 75,000 gallons per day, or 15% of the remaining treatment capacity. Collection of effluent is through a system of main trunk lines within major street rights-of-way. As development occurs, main trunks are extended through a combination of major facilities extensions funded through development fees and state and federal grants. Local extensions are constructed by developers based on project requirements.

The development is proposed to discharge wastewater through a 12" and 15" sewer to the intersection of Ann Avenue and Milton Avenue. The sewer system improvements are to include sewer pipelines, manholes, and sewer laterals, and must be constructed in accordance to the requirements of the City's standard specifications. All sewer collectors for residential lot services shall be a minimum of 8", except in cul-de-sacs where the collector may be reduced to 6".

3. ROADS

Development of residential homes within the proposed project would bring about an increase in vehicle trips (approximately 720 vehicle trips per day). Increases in residential traffic will be accommodated by the existing major roadway system. Parlier Avenue is a designated arterial developed with a right-of-way of 80 feet to include four travel lanes. The project developers will provide right-of-way improvements for Avila Avenue, a planned collector, and Madsen Avenue, a planned arterial, including full right-of-way, landscaping, and sidewalks. Future development of the site will not cause an increase in traffic that is substantial in relation to the existing traffic load and planned capacity of the current street system.

The street system within the TTM No. 5615 is designed to accommodate safe residential traffic movement and incorporates features such as non-through streets and other traffic calming measures. These features will reduce speed and minimize traffic hazards. Additional right-of-way and landscaping improvements along the Madsen and Avila frontages adjacent to the project site will be installed by the developer in accordance with City standards and these roadway improvements will also mitigate potential hazards.

Local roads within the subdivision will have a combination of 60-foot and 56-foot wide rights-of-way. Street tree planter strips will be provided between the sidewalk and curb instead of a monolithic design. Street tree planter strips provide a quality characteristic to a residential neighborhood and also help to slow traffic, provide shade and improve the streetscape, which will reflect higher property values for the community.

4. SOLID WASTE COLLECTION

Solid waste collection is by the City of Parlier who contracts with a private franchise hauler. Expansion of the system is funded through user fees. Refuse trucks haul solid waste to Fresno County's American Avenue Landfill. The landfill is permitted to receive mixed municipal wastes, non-hazardous construction/demolition wastes, and agricultural wastes. Any hazardous waste is inventoried and labeled and then shipped to an approved Class III facility. The American Avenue Landfill has sufficient capacity for growth within the County until the year 2035.

5. FIRE PROTECTION

Fire suppression within the City is provided by the Fresno County Fire Protection District (FCFPD) by contract with the City of Parlier. The entire City is served by a headquarters station located on Parlier Avenue at Madsen in the center of the community. The unincorporated area is also serviced by the FCFPD station. The Fire Department reports that current staffing levels are adequately meeting demand. However, based on growth projections, modifications to current staffing levels and locations may be implemented as growth occurs. Response times are currently four minutes or less for the Fire Department.

Staff levels vary based on workload and funding availability rather than population. If funding is available, additional fire fighters and support staff will be added to the current work force in order to accommodate an increased workload. New growth generates property and sales taxes, employment, and other revenue, which offsets increased costs for fire protection services. In addition, continued state and federal dollars are anticipated to be available for limited funding of equipment and personnel.

Emergency and non-emergency ambulance service is provided by the FCFPD. The department is equipped to provide increased medical services to the proposed project based on build-out of the area. The District further indicates that the proposed annexation will have no affect on their ability to provide emergency medical services to the area.

6. LAW ENFORCEMENT

The Parlier Police Department provides law enforcement within the City limits. In addition, the Police Department assists in medical emergency calls as well as traffic collision investigations. City Police staff levels vary based on workload and funding availability rather than population.

If funding is available, additional officers and support staff will be added to the current work force in order to accommodate an increased workload. At present, the Parlier Police Department is adequately meeting the law enforcement needs of the community. If additional staff were hired, this would allow for staffing of pro-active crime prevention programs.

The Fresno County Sheriff's Department provides general law enforcement services to unincorporated areas of the County. Similar to the City, the County Sheriff's Office also provides limited traffic enforcement as well as coroner services. The Sheriff's Department distributes officers between the Fresno/Clovis Metropolitan Area and the Rural County Area.

The impact of the project on the Police Department is on staffing and availability of officers to respond to an increase in calls due to population growth. These effects will be balanced by the addition of officers and support staff to accommodate residential growth and commercial development. Typically, general fund revenues needed for funding of police services grow in proportion to population growth and commercial/industrial development. This new growth generates property and sales taxes, employment, and other revenue, which offsets increased costs for police services. In addition, continued state and federal dollars are anticipated to be available for limited funding of equipment and personnel.

7. PARKS AND RECREATION

The City of Parlier has excellent park and recreation programs. The State Quimby Act requires as a condition of a tentative subdivision map that the developer dedicate land and/or pay a fee for parkland space. The Quimby Act requires the dedication of parkland at a rate of .01062 acres per dwelling unit. By applying this formula to the 129-lot subdivision, the applicant would be required to provide approximately 1.37 acres of parkland for the proposed subdivision (.01062 x 129 units). No land is proposed for park development in the subdivision and the developer will be required to pay in-lieu park development fees.

8. TRANSIT SERVICES

In cooperation with the Fresno County Rural Transit Agency, the City of Parlier provides intra-city transit services to the general public, seniors and disabled Monday through Friday from 8:00 am to 5:00 pm. Orange Cove Transit provides inter-city transit services to

Fresno, Orange Cove, Parlier, Reedley, and the Amtrak station in Fresno.

9. STORM DRAINAGE

The City's existing storm drainage system is comprised primarily of gutter flow to pipelines that drain to storage basins or irrigation canals and pipelines.

Storm drain facilities are designed on a drainage sub-area. If permanent storm drainage facilities are not available to serve a proposed development, the developer must install temporary drainage facilities and/or permanent drainage facilities. Each new development pays a storm drain fee or installs permanent facilities required by the City. If the costs of the facilities exceed the fees, the developer is reimbursed from future developments.

The project will be required to provide a parcel of land for discharge, storage, and disposal of storm water. The storm basin will be designed to adequately contain two 50-year storms back to back, with a minimum of two feet of freeboard. The proposed development will comply with all City ordinances and standards to assure proper grading and drainage. Compliance with all local, state, and federal regulations will prevent violation of water quality standards or waste discharge requirements.

10. STREET LIGHTING

Pacific Gas and Electric (PG & E) serves the area and as the area develops, new energy efficient lighting will be provided as a condition of tentative tract map approval and as determined by the City Engineer.

11. SCHOOLS

The subject territory is within the Parlier Unified School District (PUSD). In addition to school services, the community uses a number of District facilities for meetings, recreation, and youth and adult athletic programs. Future student enrollment is expected to increase at a high rate. The City General Plan projects an annual population increase of 2% to 3% per year over the next twenty years. Since most of the existing schools have reached their capacity, new schools will need to be constructed to accommodate growth. Additional student enrollment will occur from the proposed development. To mitigate impacts brought by new development, PUSD levies development fees for all new residential development. Any new development will be subject to development fees in place at the time fee certificates are obtained. The City will involve the District during the development review process to ensure that school facilities are sized and funded to service the target

area. Additionally, through diligent implementation of both mitigation measures and policies and actions of the General Plan, impacts can be mitigated to an acceptable level.

12. OTHER SERVICES

City of Parlier development services, Public Works, Fire, Police, and City utility services would be available to the project site. Additional services available include recreation and senior activities, animal control services, zoning assistance and building inspection, redevelopment and housing assistance, and neighborhood watch and D.A.R.E services.

13. CONSOLIDATED IRRIGATION DISTRICT

The project is located within the Consolidated Irrigation District (CID). Disputes have arisen between CID and certain cities (Five Cities) within the district regarding the effect of urban development on CID facilities, use and availability of ground water, and the lack of groundwater recharge.

As a result, representatives of CID, the Five Cities, and LAFCO have initiated discussions in order to resolve the disputes regarding the effects of urbanization on CID facilities, ground water, ground water recharge, and storm drainage.

During the facilitation session held on December 3, 2007, the parties agreed upon interim mitigation measures to be incorporated into environmental documents for development projects to be considered by the cities and/or LAFCO prior to final agreement about the appropriate CEQA environmental assessments and mitigation measures to be used by the Five Cities (Mitigation Measures). These interim Mitigation Measures have been adopted by the Parlier City Council and will allow projects to proceed during the facilitation process. The facilitation committee, on advise of the facilitator Nancy Miller, also determined that, in order to address CID's concerns regarding its facilities, Parlier could alternatively amend its "service plan" to address impacts to district facilities rather than addressing such impacts during the environmental review process.

In a letter dated January 24, 2007 commenting on the proposed Negative Declaration for the Avila Apartments, CID expressed concerns related to potential impacts. Issues, to which the parties agree, are summarized as follows:

1. Studies commissioned by CID have shown definitively that urbanization significantly increases the net consumption of groundwater and that cities in the District have not mitigated this impact heretofore.

2. The District is concerned that the City has not adequately addressed storm water impacts, and that storm water overflow from the proposed development may ultimately impact District facilities.
3. The district comments that the Harp Canal is located along the eastern boundary of the project and that impacts could result to public safety, potential flooding risks, trash, and increased liability to CID and the City.

As a result of these factors, and in consideration of the City of Parlier approving the "Mitigation Measures," the service plan includes the following requirements:

1. "Reorganization No. 06-02" and any and all future development within the annexation area shall be subject to the negotiated agreement resulting from the current LAFCO facilitation process.
2. All storm drainage shall be accommodated in permanent storm drain facilities designed and constructed in accordance with standards of the City of Parlier. These facilities shall prevent any connection by flow or otherwise to facilities of the Consolidated Irrigation District to ensure that storm water shall not enter these facilities of the District. With regard to TTM No. 5615, Condition No. 17 of the October 16, 2006 letter of conditions from City Engineer Giersch and Associates requires that stormwater shall be discharged to the proposed TTM No. 5615 stormwater basin and that the developer shall be responsible to pay a fair share cost of the basin and full costs of the pipeline. The pipeline shall be extended in and through the proposed development to drain all the stormwater to the basin. Drainage for the Avila Apartments shall be accommodated in this basin.
3. With regard to the Harp Canal, Condition No. 11 of the October 16, 2006 letter of conditions for TTM No. 5615 from City Engineer Giersch and Associates states that the Harp Canal running parallel to the extension of Avila Avenue shall be the responsibility of the developer to comply with conditions of the Consolidated Irrigation District for under-grounding the system for public safety.

C. FINANCING OF SERVICES AND FACILITIES

All services are financed by one, or a combination, of the following methods:

1. Property tax
2. Development fees are collected for parks, sewers, water, traffic, drainage, solid waste, and for various business licenses and activities

3. Sales tax
4. State funds such as gas tax and motor vehicle in lieu tax are utilized by the City for street work and supporting the transit system
5. Federal funds such as Community Development Block Grant Funds
6. Bonds an/or assessment districts as needed
7. Construction by the Developer
8. Landscape and Lighting Assessment District

Capital Improvement Plan. The City maintains and regularly updates citywide capital improvement programs addressing funding for all major construction, improvement, and repair projects in a manner that is responsive to the needs and desires of the community. The plan outlines funding sources for road improvement, road rehabilitation, bridge, drainage, parks and miscellaneous projects.