

# AGENDA

## FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

April 9, 2025 – 1:30 P.M.

Hall of Records, Room 301, 2281 Tulare Street, Fresno, California

### COMMISSION MEMBERS

Buddy Mendes, Chair  
Mario Santoyo, Chair Pro Tem  
Nathan Magsig  
Daniel Parra  
Gary Yep

### ALTERNATE MEMBERS

Tom Chaney  
Scott Robertson  
Vacant

### LAFCO STAFF

Brian Spaunhurst, Executive Officer  
Amanda Olivas, Clerk to the Commission  
Jessica Gibson, LAFCo Analyst  
Joel Matias, LAFCo Analyst  
Monica Leon, LAFCo Analyst  
Jessica Johnson, LAFCo Counsel

LAFCo Office: 1401 Fulton Street, Suite 800, Fresno, CA - 93721 - (559) 600-0604  
Staff reports prepared for each item listed in this agenda may be viewed at [www.fresnolafco.org](http://www.fresnolafco.org).

- 
- 1. Call to Order and Roll Call**
  - 2. Pledge of Allegiance**
  - 3. Comments from the Public:** Any person wishing to address the Commission on a subject not listed on the agenda may do so at this time. (State your name and address and please keep your comments to three (3) minutes.)
  - 4. Potential Conflict of Interest:** Any Commission member who has a potential conflict of interest shall now identify the item and recuse themselves from discussing and voting on the matter pursuant to Govt. Code sec 84308.

### CONSENT AGENDA

All consent agenda items are considered routine in nature and will be enacted by one motion; there will be no individual discussion of these items unless requested by a member of the Commission or the public. Any item pulled from the consent agenda for discussion will be set aside until after approval of the consent agenda. Prior to taking any action the public will be given the opportunity to comment on any consent item. The consent agenda will be considered on or about 1:30 p.m.

- 5. Recommendation:** Approve 5A-5D by taking the following actions:
  - A. Consider Approval:** Minutes from the LAFCo meeting of March 12, 2025.
  - B. Consider Approval: City of Kerman “Crown-Schaad Reorganization.”** A proposed reorganization to annex approximately 9.69 acres to the City of Kerman and detach from the Kings River Conservation District for territory located west of Siskiyou Ave and Kearney Blvd. (LAFCo File RO-24-08)

**C. Consider Approval: City of Kerman “Whispering Falls Reorganization.”** A proposed reorganization to annex approximately 64.76 acres to the City of Kerman and detach from the Kings River Conservation District for territory located East of Modoc Ave and Kearney Blvd and West California Ave/ San Joaquin Valley Railroad alignment. (LAFCo File RO-25-01)

**D. Consider Approval: City of Kingsburg “Kings Estates V Reorganization.”** A proposed reorganization to annex approximately 43.13 acres to the City of Kingsburg and Selma- Kingsburg- Fowler Sanitation District and detach from the Kings River Conservation District, Fresno County Fire Protection District, and the Consolidated Irrigation District for territory located on the southwest corner of Mendocino and Caruthers Avenues. (LAFCo File RO-25-05)

### **REGULAR AGENDA ITEMS**

**6. Consider Approval: City of Clovis “Peach-Behymer Southeast Reorganization.”** A proposed reorganization to annex approximately 42 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located south of East Behymer Avenue, west of North Minnewawa Avenue, and east of North Peach Avenue. (LAFCo File No. RO-25-02)

**Recommendation:** Approve.

**7. Consider Approval: City of Clovis “Shepherd-Minnewawa Northeast Reorganization”** A proposed reorganization to annex approximately 200.38 acres to the City of Clovis and detach from the Fresno County Fire Protection District and Kings River Conservation District for territory located on the east of N. Minnewawa Ave, between East Behymer and Shepherd Ave within the City’s Heritage Grove growth area. (LAFCo File RO-25-04)

**Recommendation:** Approve.

**8. Informational Item:** CALAFCO Status Update.

**Recommendation:** Receive and File.

**9. Workshop:** Proposed Budget and Work Plan for FY 2025-26.

**Recommendation:** Receive and File, Provide Direction.

**10. Executive Officer Comments**

**11. Commission Comments/ Reports**

**12. Adjournment**

**THE NEXT LAFCO MEETING** will be held on May 14, 2025, at 1:30 p.m. in the Board of Supervisors’ Chamber – Hall of Records, Room 301, Fresno, California.

**PLEASE NOTE:**

(1) "If you are an applicant for, or a participant in, any proceeding on the agenda for a land use entitlement and have made campaign contributions totaling more than \$500.00 to any member or alternative member of the Commission within twelve (12) months prior to the Commission considering your application, please immediately inform the Commission of your contribution. State law disqualifies each Commissioner and Alternate Commissioner from participating in and voting on land use entitlement decisions (which include changes of organization and reorganizations) if the Commissioner or Alternative Commissioner has received campaign contributions from (i) an applicant for a land use entitlement, (ii) someone who lobbies the Commission or LAFCo staff regarding an application for land use entitlement, (iii) someone who testifies in person before the Commission regarding an application for land use entitlement, or (iv) someone who otherwise acts to influence the outcome of an application for land use entitlement. State law also prohibits applicants, agents, and participants from making campaign contributions to a Commissioner or Alternate Commissioner within twelve (12) months after the Commission's action. If you have any questions regarding these requirements (which are contained in the California Gov. Code sec. 84308 *et seq.*) please feel free to contact LAFCo staff at (559) 600-0604."

(2) In compliance with the Americans with Disabilities Act (**ADA**), if you need special assistance to participate at this meeting, please contact Ms. Amanda Olivas, Clerk to the Commission at 559-600-0604. Notification provided a minimum of 48 hours prior to the meeting will enable the Clerk to make reasonable arrangements to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically disabled.



Fresno Local Agency Formation Commission  
1401 Fulton Street, Suite 800, Fresno, CA 93721, (559) 600-0604

**CONSENT AGENDA ITEM NO. 5-A**

**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)**

**MEETING MINUTES**

**March 12, 2025**

**Members Present:** Commissioners Chaney, Magsig, Robertson, Mendes

**Members Absent:** Commissioner Parra

**Staff Present:** Brian Spaunhurst, LAFCo Executive Officer  
Amanda Olivas, Clerk to the Commission  
Jessica Gibson, LAFCo Analyst  
Joel Matias, LAFCo Analyst  
Monica Leon, LAFCo Analyst  
Jessi Johnson, LAFCo Counsel

**1. Call to Order and Roll Call**

Chair Mendes called the meeting to order at 1:30 p.m.

**2. Pledge of Allegiance**

Commissioner Robertson led the Pledge of Allegiance.

**3. Comments from the Public**

There were no Comments from the Public.

**4. Potential Conflicts of Interest**

There were no Conflicts of Interest.

**CONSENT AGENDA**

**5. A. Minutes from the LAFCo Meeting of February 12, 2025.**

Motion: Approve Items 5A

Moved: Commissioner Magsig

Second: Commissioner Chaney

Ayes: Commissioners Magsig, Chaney, Robertson, Mendes

Noes: 0

Absent: 1

Abstain: 0

Passed: 4-0-1-0

## **REGULAR AGENDA ITEMS**

### **6. Preliminary Budget and Work Plan for Fiscal Year 2025-2026.**

This was a receive and file item; no action was needed.

### **7. CALAFCO Staff Update.**

This was an informational item; no action was needed.

### **8. Executive Officer Comments.**

LAFCo Executive Officer Brian Spaunhurst provided comments.

### **9. Commission Comments/Reports.**

There were no comments from the Commission.

### **10. Adjournment.**

Moved: Commissioner Robertson  
Second: Commissioner Magsig  
The meeting adjourned at 1:51 p.m.

---

Amanda Olivas  
Clerk to the Commission

---

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

---

**AGENDA ITEM No. \_\_\_\_\_**

**DATE:** April 9, 2025

**TO:** Fresno Local Agency Formation Commission

**FROM:** Brian Spaunhurst, Executive Officer *BS*

**BY:** Joel Matias, LAFCo Analyst

**SUBJECT:** Consider Approval – City of Kerman “Crown-Schaad Reorganization.” A proposed reorganization to annex approximately 9.69 acres to the City of Kerman and detach from the Kings River Conservation District for territory located west of Siskiyou Ave and Kearney Blvd. (LAFCo File No. RO-24-08)

**Applicant:** Joseph Crown Construction & Development Inc.

**Landowners/Parties of Real Interest:** City of Kerman, Joseph Crown Construction & Development Inc.

(This proposed reorganization has been placed on the consent agenda without notice pursuant to Govt. Code sec. 56662(a) because the territory is uninhabited, no affected local agency has submitted a written demand for notice and hearing, and all property owners have consented in writing to the annexation.)

**RECOMMENDATION: Approve by taking the following actions:**

**Action 1:**

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to approving the proposed annexation, the environmental effects of the Proposal 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.

**Action 2:**

- A. Find that the proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- B. Find pursuant to CKH and information in the record that:
  - a. The territory is uninhabited; and
  - b. All landowners and affected agencies have consented to the reorganization.
- C. Assign the distinctive short form designation “Crown-Schaad Reorganization” and approve the annexation and detachments subject to the following conditions of approval:

- a. Pursuant to Fresno LAFCo Policy 108-07, the executive officer shall record the approved application if all conditions have been satisfied and once, he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.

D. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

### Executive Summary

On September 25, 2024, the City of Kerman initiated this reorganization with the adoption of Resolution 24-78 requesting that the commission begin proceedings for the “Crown Schaad Reorganization” to annex approximately 9.69 acres located west of Siskiyou Ave and Kearney Blvd

### Proposal/Land Use

- The proposal consists of the annexation of approximately 9.69 acres to the City of Kerman and detach from the Kings River Conservation District for territory located west of Siskiyou Ave and Kearney Blvd.
- Information related to the proposed affected territory, land use, proposed development, special district, surrounding areas, and existing/proposed services can be found on **Attachment A**.
- The affected territory is within the City of Kerman sphere of influence (**Attachment B**) and is contiguous to the Kerman city limits.
- The proposal is currently zoned AE-20 (Agricultural) and has been rezoned to the City of Kerman as SD-R-4.2 (Single-Family Planned Residential Development) in conformance with the City’s 2040 General Plan.
- The territory is uninhabited (0 registered voters).

### Relationship to Regional Housing Goals and Policies

The affected territory is located within the City of Kerman sphere of influence and is contiguous to the Kerman city limit. The affected territory is currently planned for agricultural land uses by the Fresno County General Plan. Ordinance 24-07 and annexation Resolution 25-16 was approved and filed by the City of Kerman for the subject 9.69 acres.

### Sustainable Groundwater Management Act

California’s Sustainable Groundwater Management Act (“SGMA”) was signed into law on September 16, 2014. This three-part legislation requires local agencies to develop groundwater sustainability plans that are compatible with their regional economic and environmental needs. SGMA creates a framework for sustainable local groundwater management.

SGMA required local agencies to form Groundwater Sustainability Agencies (“GSAs”) in local groundwater basins by June 2017 and required the adoption of Groundwater Sustainability Plans (“GSPs”) for groundwater basins deemed high priority by year 2020.

The subject territory can be readily served by the city’s sewer, water, and solid waste infrastructure. The City owns, operates, and maintains its water supply and distribution system to provide water services to developed properties within its city limits. Two (2) new wells are also currently being developed, with one being a replacement well and one well-being a new source of supply to ensure capacity for planned growth in accordance with the City’s Water System Master Plan.

### Environmental Determination

The City of Kerman, acting as “Lead Agency” under CEQA, adopted a Mitigated Negative Declaration 2023-03 (MND) for the project. The MND identified annexation of the entire Project Area that is not within the City limits. The annexation does not change the environmental assessment of the MND. The City Council finds Annexation 2023-02 has already been fully assessed in accordance with CEQA, no subsequent review is required under CEQA Guidelines section 15162, and no further action or review is required under CEQA.

As “Responsible Agency”, the Commission is required to review and consider the City’s environmental documents prior to taking its action. If the Commission determines that these documents are adequate, pursuant to CEQA, it may make the required findings provided under “Recommendations” above.

Pursuant to CEQA Guidelines section 15096(i), if the Commission determines that these documents are adequate, a Notice of Determination will be prepared and filed with the County of Fresno Clerk's office in compliance with section 21152 of the Public Resources Code. Costs and Other Changes Affecting Residents or Landowners - None reported by the City of Kerman staff.

### Consistency with LAFCo Policies, Standards and Procedures

- The County has determined that the proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) and the Standards for Annexation between the City of Kerman and County of Fresno (see letter from Paul Nerland).
- The proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.
- All properties within the proposal have been rezoned to the Kerman as SD-R-4.2 (Single-Family Planned Residential Development) in conformance with the City’s 2040 General Plan by Prezone Ordinance 2023-02.

### Agencies and Individuals Submitting Comments

- Paul Nerland, County Administrative Officer
- Chufeng Vang, Fresno County Election Division IT
- Dave Merritt, Kings River Conservation District
- Wendy Nakagawa, Fresno County Planning, Senior Engineer Road Maintenance and Operation
- Karen Coletti, Executive Assistant, Fresno County Public Library



### Territory Boundaries

The boundaries of the proposed annexation **are** definite and certain, and the County Assessor has determined that the map and legal description **are adequate** to file with the State Board of Equalization.

### Registered Voter Data

The County of Fresno Elections Office reported that there were **0** registered voters in the affected territory.

### Compliance with the Requirements of CEQA

Lead Agency: City of Kerman

Level of Analysis: Mitigated Negative Declaration

Finding: The project will not have a significant effect on the environment. A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Findings were made pursuant to the provisions of CEQA (see Environmental Documents at [www.fresnolafco.org](http://www.fresnolafco.org) under the LAFCo Commission Hearing Quicklink in the April 9, 2025, tab).

### Public Notice of Hearing

Public notice concerning this Proposal was issued by the executive officer pursuant to State Law.

### Individuals and Agencies Receiving this Report

- Jessica Johnson, LAFCo Counsel
- Bernard Jimenez, Assistant Director, Fresno County Public Works & Planning
- Will Kettler, Development Services Division Manager, Fresno County Public Works & Planning
- David Merritt, District Manager, Kings River Conservation District
- Marci Reyes, Fresno County Fire Protection District
- City of Kerman Community Development Director

1. Affected Territory

<b>Acreage:</b>	9.69 acres
<b>Current Land Use:</b>	Agricultural
<b>Number of Residents/ Population:</b>	Residents: 0 / Population: 0
<b>Registered Voters:</b>	Voters: 0
<b>Assessor Parcel Number(s):</b>	020-140-22S

2. Proposed Development - The affected territory will be included in the phased development of 57 residential units consistent to the City of Kerman General Plan.

3. Surrounding Territory - Agriculture to the North, Residential to the East, Residential and Agriculture to the South, and Agriculture to the West.

4. Consistency with Adopted Sphere of Influence (SOI) - The affected territory is within the Kerman SOI.

5. Consistency with City and County General Plans - The proposal will be consistent with the City of Kerman General Plan once annexed. 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

<b>Service</b>	<b>Existing Service</b>	<b>Change</b>
Water	Private Well	City of Kerman
Sewer	Septic	City of Kerman
Fire Protection	North Central Fire Protection District	North Central Fire Protection District
Police Protection	Fresno County Sheriff	City of Kerman Police Department

(See Service Plan on our website at [www.fresnolafco.org](http://www.fresnolafco.org))

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

Kings River Conservation District	North Central Fire Protection District
West Fresno Red Scale Protective Dist.	City of Kerman
State Center Community College District	Fresno Irrigation District
Consolidated Mosquito Abatement Dist.	Fresno County Library
County of Fresno	Fresno Metropolitan Flood Control District
Kerman Unified School District	Sierra Resource Conservation District

# Attachment B



## Fresno Local Agency Formation Commission

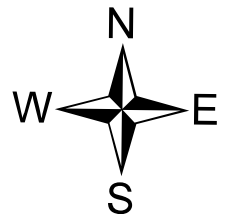
Kerman SOI



Affected Territory



Kerman City Limits



---


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

---

**CONSENT AGENDA ITEM No. 5-C**

**DATE:** April 9, 2025

**TO:** Fresno Local Agency Formation Commission

**FROM:** Brian Spaunhurst, Executive Officer 

**BY:** Monica Leon, LAFCo Analyst

**SUBJECT:** Consider Approval – City of Kerman “Whispering Falls Reorganization.” A proposed reorganization to annex approximately 64.76 acres to the City of Kerman and detach from the Kings River Conservation District for territory located East of Modoc Ave and Kearney Blvd and the West California Ave/San Joaquin Valley Railroad alignment (LAFCo File No. RO-25-01)

**Applicant:** City of Kerman

**Landowners/Parties of Real Interest (100% Consent):** City of Kerman, Ken Boyd, Cuadros LLC, Lum Family Enterprises LLC

(This proposed reorganization has been placed on the consent agenda without notice pursuant to Govt. Code sec. 56662(a) because the territory is uninhabited, no affected local agency has submitted a written demand for notice and hearing, and all property owners have consented in writing to the annexation.)

**RECOMMENDATION: Approve by taking the following actions:**

**Action 1:**

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to approving the proposed annexation, the environmental effects of the Proposal 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.

**Action 2:**

- A. Find that the proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- B. Find pursuant to CKH and information in the record that:
  - a. The territory is uninhabited; and
  - b. All landowners and affected agencies have consented to the reorganization.

- C. Assign the distinctive short form designation “Whispering Falls Reorganization” and approve the annexation and detachments subject to the following conditions of approval:
- a. Pursuant to Fresno LAFCo Policy 108-07, the executive officer shall record the approved application if all conditions have been satisfied and once, he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the commission.
  - b. The applicant shall provide evidence from Fresno Irrigation District confirming their comments have been adequately addressed.
  - c. The applicant shall confirm if the City will take responsibility for the Williamson Act contract. If the City decides not to take responsibility a receipt of cancellation fees shall be submitted prior to the Notice of Completion issuance.
  - d. Submit a revised Map and Legal Description adequate to file with the State Board of Equalization.
  - e. Ownership of land permitting, the annexation shall include the full existing right-of-way width of adjacent roadways.
- D. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

### **Executive Summary**

On March 12, 2025, the City of Kerman adopted Resolution No. 25-17 requesting the Commission to begin proceedings for the “Whispering Falls Reorganization” to annex approximately 64.76 acres located east of Modoc Ave and Kearney Blvd and the West California Ave /San Joaquin Valley Railroad alignment into the City of Kerman.

### **Proposal/Land Use**

- The Proposal consists of the annexation of approximately 64.76 acres to the City of Kerman and detach from the Kings River Conservation District for territory located east of Modoc Ave and Kearney Blvd and the West California Ave Alignment/San Joaquin Valley Railroad.
- Information related to the proposals affected territory, land use, proposed development, special districts, surrounding areas, and existing/proposed services can be found on **Attachment A**.
- The affected territory is within the City of Kerman sphere of influence (**Attachment B**) and is contiguous to the Kerman city limits (**Attachment C**).
- The proposal is currently zoned AE-20 (Agricultural) and has been rezoned to the City of Kerman as SD-R-2.5 zoning district (Single-Family Planned Residential Development), SD-R-5 zoning district (Multi-Family Residential), and 3.19 acres of O (Open Space) by Ordinance 24-05.
- The territory is uninhabited (0 registered voters).
- The Proposal is consistent with the Kerman General Plan Land Use Diagram.

## **Consistency with LAFCo Policies, Standards and Procedures**

- The County has determined that the proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) and the Standards for Annexation between the City of Kerman and County of Fresno (see letter from Paul Nerland).
- The proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.
- All properties within the proposal have been rezoned to the City of Kerman as SD-R-4.2 (Single-Family Planned Residential Development), SD-R-5 (Multi-Family Planned Residential Development) and O (Open Space) in conformance with the City's 2040 General Plan by Prezone Ordinance 24-05.

## **Revenue & Tax Code**

Fresno County has determined that proposed Whispering Falls Reorganization involving the annexation of 64.76 acres is consistent with the standards of annexation contained in the Memorandum of Understanding between the City of Kerman and County of Fresno. Therefore, no further tax negotiations are necessary pursuant to Revenue and Tax Code section 99b.

## **Relationship to Regional Housing Goals and Policies**

The affected territory is located within the City of Kerman sphere of influence and is contiguous to the Kerman city limit. The affected territory is currently planned for agricultural land uses by the Fresno County General Plan. Ordinance 24-05 and annexation Resolution 25-17 was approved and filed by the City of Kerman for the subject 64.76 acres.

## **Sustainable Groundwater Management Act**

California's Sustainable Groundwater Management Act ("SGMA") was signed into law on September 16, 2014. This three-part legislation requires local agencies to develop groundwater sustainability plans that are compatible with their regional economic and environmental needs. SGMA creates a framework for sustainable local groundwater management.

SGMA required local agencies to form Groundwater Sustainability Agencies ("GSAs") in local groundwater basins by June 2017 and required the adoption of Groundwater Sustainability Plans ("GSPs") for groundwater basins deemed high priority by year 2020.

The subject territory can be readily served by the City's sewer, water, and solid waste infrastructure. The City owns, operates, and maintains its water supply and distribution system to provide water services to developed properties within its city limits. Two (2) new wells are also currently being developed, with one being a replacement well and one being a new source of supply to ensure capacity for planned growth in accordance with the City's Water System Master Plan.

## **Environmental Determination**

The City of Kerman, acting as "Lead Agency" under CEQA, adopted a Mitigated Negative Declaration for Annexation (ANX) 2023-01, Rezone 2023-01, Tentative Subdivision Map No. TSM 2023-01 and Conditional Use Permit (CUP) 2023-02 filed with the Fresno County Clerk's

office on September 03, 2024, Document No. E202410000086 and is consistent with the requirements of CEQA. The Mitigated Negative Declaration determined the project would not have a significant impact on the environment including impact on matters such as air quality, water consumption, loss of agricultural and city service/infrastructure therefore the preparation of an Environmental Impact Report is not required.

As “Responsible Agency”, the Commission is required to review and consider the City’s environmental documents prior to taking its action. If the Commission determines that these documents are adequate, pursuant to CEQA, it may make the required findings provided under “Recommendations” above.

Pursuant to CEQA Guidelines section 15096(i), if the Commission determines that these documents are adequate, a Notice of Determination will be prepared and filed with the County of Fresno Clerk's office in compliance with section 21152 of the Public Resources Code.

### **Costs and Other Changes Affecting Residents or Landowners**

None reported by the City of Kerman staff.

### **Agencies and Individuals Submitting Comments**

- Paul Nerland, County Administrative Officer
- Cesar Gonzalez, Fresno County Election Division IT
- Bryant VanderVelde, Supervising Cadastral Technician, Fresno County Assessor
- Kevin Tsuda, Environmental Health Specialist II, Environmental Health Division
- Kings River Conservation District
- Wendy Nakagawa, Fresno County Planning, Senior Engineer Road Maintenance and Operation
- Bernard Jimenez, Fresno County Planning and Public Works
- Jeremy Landrith, Engineering Technician III, Fresno Irrigation District

### **Territory Boundaries**

The boundaries of the proposed annexation **are** definite and certain and the County Assessor has determined that the map and legal description **are adequate** to file with the State Board of Equalization.

### **Registered Voter Data**

The County of Fresno Elections Office reported that there were **0** registered voters in the affected territory.

### **Compliance with the Requirements of CEQA**

**Lead Agency:** City of Kerman

**Level of Analysis:** Mitigated Negative Declaration

**Finding:** Mitigated Negative Declaration measures were made a condition of approval including a Mitigation Monitoring and Reporting Program. A Statement of Overriding Considerations were not adopted (see Environmental Documents at [www.fresnolafo.org](http://www.fresnolafo.org) under the LAFCo Commission Hearing Quicklink in the April 9, 2025, file).

## **Individuals and Agencies Receiving this Report**

- Jessica Johnson, LAFCo Counsel
- Bernard Jimenez, Assistant Director, Fresno County Public Works & Planning
- Will Kettler, Development Services Division Manager, Fresno County Public Works & Planning
- Kings River Conservation District
- North Central Fire Protection District
- Jeremy Landrith, Fresno Irrigation District
- Jerry Jones, City of Kerman Community Development Director
- Ken Boyd
- Bonique Emerson, Precision Engineering
- John Jansons, City of Kerman

G:\LAFCo Projects\Cities\Kerman\RO\RO-25-01\Staff Report-RO-25-01.doc



## Attachment A

### Proposal Information

1. **Affected Territory**

<b>Acreage:</b>	64.76 acres
<b>Current Land Use:</b>	Agricultural
<b>Number of Residents/ Population:</b>	Residents: 0 / Population: 0
<b>Registered Voters:</b>	Voters: 0
<b>Assessor Parcel Number(s):</b>	020-160-36S, 020-160-18S, 020-160-19S, 020-041-45S, 020-041-47S, 020-041-09U

2. **Proposed Development** - The affected territory will be included in the phased development of 118 single-family units and 56 multi-family units, plus 3.19 acres of common open space, smart development (SD) consistent to the City of Kerman General Plan.

3. **Surrounding Territory** - Agriculture to the North, Residential to the East, Agriculture to the South, and Agriculture to the West.

4. **Consistency with Adopted Sphere of Influence (SOI)** - The affected territory is within the Kerman SOI.

5. **Consistency with City and County General Plans** - The proposal will be consistent with the City of Kerman General Plan once annexed. 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.

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

<b>Service</b>	<b>Existing Service</b>	<b>Change</b>
Water	None	City of Kerman Public Works Department
Sewer	None	City of Kerman Public Works Department
Fire Protection	North Central Fire Protection District	North Central Fire Protection District
Police Protection	Fresno County Sheriff	City of Kerman Police Department

(See Service Plan on our website at [www.fresnolafco.org](http://www.fresnolafco.org))

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




Kings River Conservation District	North Central Fire Protection District
West Fresno Red Scale Protective Dist.	Kerman Cemetery District
State Center Community College District	Fresno Irrigation District
Consolidated Mosquito Abatement Dist.	Fresno County Library

County of Fresno	Fresno Metropolitan Flood Control District
Kerman Unified School District	Sierra Resource Conservation District
City of Kerman	

# Attachment B



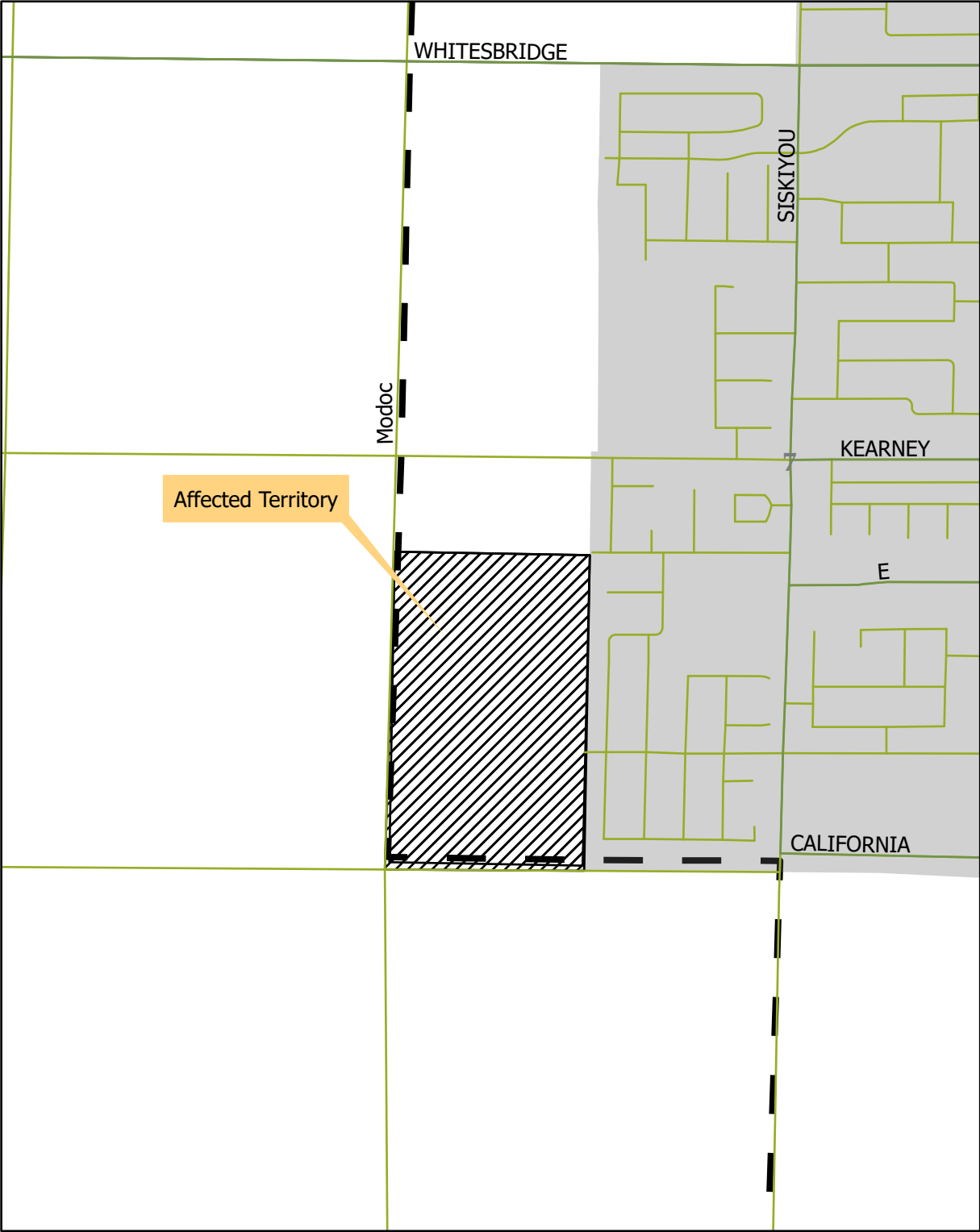
## Fresno Local Agency Formation Commission

-  Affected Territory
-  Kerman City Limits
-  City of Kerman SOI




0 0.25 0.5 1 Miles

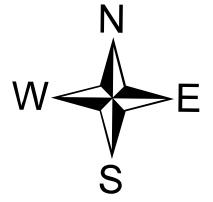
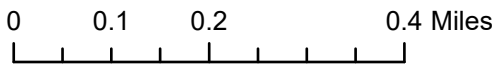


# Attachment C



## Fresno Local Agency Formation Commissions

-  Affected Territory
-  Kerman City Limits
-  City of Kerman SOI



---

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

---

**CONSENT AGENDA ITEM NO. 5-D**

**DATE:** April 9, 2025

**TO:** Fresno Local Agency Formation Commission

**FROM:** Brian Spaunhurst, Executive Officer *BS*

**BY:** Monica Leon, LAFCo Analyst

**SUBJECT:** **Consider Approval - City of Kingsburg "Kings Estates V Reorganization."**  
A proposed reorganization consisting of the detachment of approximately 43.13 acres from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District and annexation to the City of Kingsburg and the Selma-Kingsburg-Fowler County Sanitation District, said territory being located on the southwest corner of Mendocino and Caruthers Avenues in North Kingsburg (LAFCo File No. RO-25-05)

**Applicant:** City of Kingsburg

**Landowners/Parties of Real Interest (100% Consent):** City of Kingsburg, M Prop LLC, and Mike Morton

(This proposed reorganization has been placed on the consent agenda without notice pursuant to Govt. Code sec. 56662(a) because the territory is uninhabited, no affected local agency has submitted a written demand for notice and hearing, and all property owners have consented in writing to the annexation.)

**RECOMMENDATION: Approve by Taking the Following Actions:**

**Action 1:**

- 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 Proposal 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.

**Action 2:**

- A. Find that the proposed reorganization is consistent with LAFCo Policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH").

- B. Find pursuant to CKH and information in the record that:
  - a. The territory is uninhabited; and
  - b. All landowners and affected agencies have consented to the reorganization.
  
- C. Assign the distinctive short form designation “Kings Estates V Reorganization” and approve the reorganization subject to the following conditions of approval:
  - a. Pursuant to Fresno LAFCo Policy 108-07, the Executive Officer shall record the approved application if all conditions have been satisfied and once, he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.
  
  - b. Required fees shall be paid to the Selma-Kingsburg-Fowler County Sanitation District in accordance with District regulations. The City of Kingsburg shall submit satisfactory verification to the Executive Officer that said fees have been paid prior to the completion of the reorganization.
  
  - c. Submit a revised Map and Legal Description adequate to file with the State Board of Equalization.
  
  - d. Ownership of land permitting, the annexation shall include the full-width right-of-way width of adjacent roadways
  
- D. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

**Executive Summary**

On January 15, 2025, the City of Kingsburg adopted Resolution No. 2025-002 requesting the Commission to begin proceedings for the “Kings Estates V Reorganization” to detach approximately 42.52 acres located on the southwest corner of Mendocino and Caruthers Avenues in North Kingsburg from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District and annex it to the City of Kingsburg and the Selma-Kingsburg-Fowler County Sanitation District.

**Proposal/Land Use**

- The proposal consists of the detachment of approximately 43.13 acres from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District and annexation to the City of Kingsburg and the Selma-Kingsburg-Fowler County Sanitation District for territory located on the southwest corner of Mendocino and Caruthers Avenues in North Kingsburg.

- Information related to the proposals affected territory, land use, proposed development, special districts, surrounding areas, and existing/proposed services can be found on **Attachment A**.
- The affected territory is within the City of Kingsburg sphere of influence (**Attachment B**) and is contiguous to the Kingsburg city limits (**Attachment C**).
- The affected territory is within the Selma-Kingsburg-Fowler County Sanitation District sphere of influence and is contiguous to the district service area.
- The proposal is currently zoned AE-20 (Exclusive Agricultural) and has been rezoned to the Kingsburg R-1-7 (Single Family Residential) zone district by Resolution No. 2025-003.
- The territory is uninhabited.

### **Consistency with LAFCo Policies, Standards, and Procedures**

- The County has determined that the proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) and the Standards for Annexation between the City of Kingsburg and County of Fresno.
- The proposal is subject to the 10-year property tax allocation agreement between the City of Kingsburg and the Fresno County Fire Protection District set to expire on June 30, 2033.
- The proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, sections 100 and 200.
- All properties within the proposal have been rezoned to the Kingsburg R-1-7 (single family residential) district by Resolution No. 2025-003.
- The city of Kingsburg is within the South Kings GSA and has a Groundwater Recharge Plan in place.

### **Revenue & Tax Code**

Fresno County has determined that proposed Kings Estates V Reorganization involving the annexation of approximately 43.13 acres is consistent with the with the Standards of Annexation of the Amended and Restated Memorandum of Understanding (Master Tax Sharing Agreement) between the City of Kingsburg and County of Fresno. Therefore, no further tax negotiations are necessary pursuant to Revenue and Tax Code section 99b.

### **Relationship to Regional Housing Goals and Policies**

The affected territory is located within the City of Kingsburg sphere of influence and is contiguous to Kingsburg city limits. The affected territory is currently planned for agricultural land uses by the Fresno County General Plan. Resolution 2025-003 and Annexation Resolution 2025-002 was approved and filed by the City of Kingsburg for the subject 42.52 acres.

## **Sustainable Groundwater Management Act**

California's Sustainable Groundwater Management Act ("SGMA") was signed into law by former Governor Edmund G. Brown Jr. on September 16, 2014. This three-part legislation requires local agencies to develop groundwater sustainability plans that are compatible with their regional economic and environmental needs. SGMA creates a framework for sustainable local groundwater management for the first time in California's history.

SGMA requires local agencies to form Groundwater Sustainability Agencies ("GSAs") in local groundwater basins by June 2017 and requires the adoption of Groundwater Sustainability Plans ("GSPs") for groundwater basins deemed high priority by year 2020. The South Kings GSA will represent the City of Kingsburg.

## **Environmental Determination**

The City of Kingsburg, acting as "Lead Agency" under CEQA, adopted a Mitigated Negative Declaration for the Kings Estates V Reorganization filed with the Fresno County Clerk's office on December 18, 2024, Document No. E202410000304, consistent with the requirements of CEQA.

As "Responsible Agency", the Commission is required to review and consider the City's environmental documents prior to taking its action. If the Commission determines that these documents are adequate, pursuant to CEQA, it may make the required findings provided under "Recommendations" above.

Pursuant to CEQA Guidelines section 15096(i), if the Commission determines that these documents are adequate, a Notice of Determination will be prepared and filed with the County of Fresno Clerk's office in compliance with section 21152 of the Public Resources Code.

## **Costs and Other Changes Affecting Residents or Landowners**

None reported by the City of Kingsburg staff.

## **Agencies and Individuals Submitting Comments**

- Paul Nerland, Fresno County Administrative Officer
- Cesar Gonzalez, Fresno County Election Division IT
- Bryant VanderVelde, Supervising Cadastral Tech, Fresno County Assessor's Office
- Wendy Nakagawa, Fresno County Planning, Supervising Engineer Road Maintenance and Operations Division
- Sudarshan Poudyal, Fresno District Engineer, State Water Resources Control Board
- Kingsburg Joint Union High School District
- Bernard Jimenez, Planning & Resource Management Officer, Public Works and Planning
- Mohammad Khorsand, Policy Planning Unit, Public Works and Planning



## **Territory Boundaries**

The boundaries of the proposed annexation **are** definite and certain, and the County Assessor has determined that the map and legal description **are adequate** to file with the State Board of Equalization.

## **Registered Voter Data**

The County of Fresno Elections Office reported that there were **zero** registered voters in the affected territory.

## **Compliance with the Requirements of CEQA**

**Lead Agency:** City of Kingsburg

**Level of Analysis:** Mitigated Negative Declaration

**Finding:** Mitigated Negative Declaration measures were made a condition of approval including a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations were not adopted (see Environmental Documents at [www.fresnolaftco.org](http://www.fresnolaftco.org) under the LAFTCo Commission Hearing Quicklink in the April 9, 2025 file).

## **Public Notice of Hearing**

Public notice concerning this Proposal was issued by the executive officer pursuant to State Law.

## **Individuals and Agencies Receiving this Report**

- LAFTCo Counsel
- Bernard Jimenez, Planning and Resources Management Officer
- Kings River Conservation District
- Fresno County Fire Protection District
- Consolidated Irrigation District
- Selma-Kingsburg-Fowler County Sanitation District
- Holly Owen, Community Development Director, City of Kingsburg

## Attachment A

### PROPOSAL INFORMATION

1. Affected Territory

<b>Acreage:</b>	43.13 acres
<b>Current Land Use:</b>	Agricultural
<b>Number of Residents/ Population:</b>	Residents: 0 / Population: 0
<b>Registered Voters:</b>	Voters: 0
<b>Assessor Parcel Number(s):</b>	393-121-37, 393-121-42, 393-121-43, 393-121-46

2. Proposed Development - The affected territory will be included in the phased development of 97 single-family units and, plus an approximately 43,477 sq ft park (0.99 acres) and an approximately 58,411 sq ft basin (1.34 acres) consistent to the City of Kingsburg General Plan.

3. Surrounding Territory - Agriculture to the North, Residential to the East, Residential to the South, and Agriculture to the West.

4. Consistency with Adopted Sphere of Influence (SOI) - The affected territory is within the Kingsburg SOI.

5. Consistency with City and County General Plans - The proposal will be consistent with the City of Kingsburg General Plan once annexed. 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

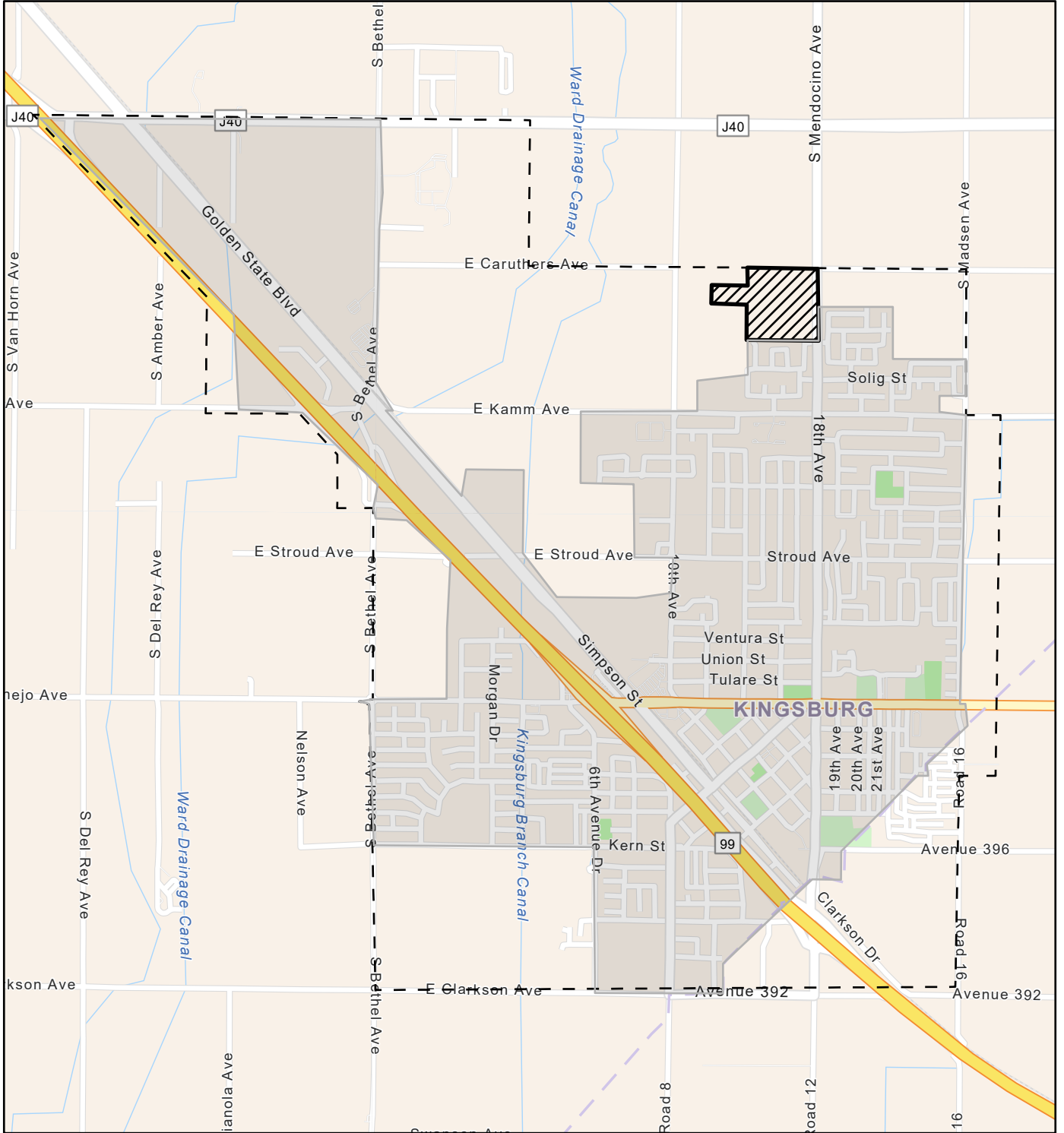
<b>Service</b>	<b>Existing Service</b>	<b>Change</b>
Water	Private Well	City of Kingsburg
Sewer	Septic	SKF Sanitation
Fire Protection	CalFire	City of Kingsburg Fire Department
Police Protection	Fresno County Sheriff	City of Kingsburg Police Department

(See Service Plan on our website at [www.fresnolafo.org](http://www.fresnolafo.org))




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

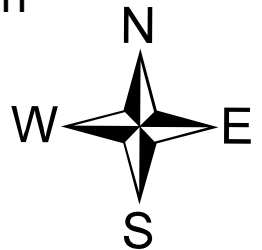
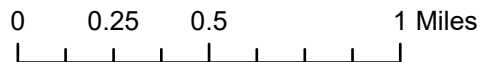
Kingsburg Union Elementary School District	Selma-Kingsburg-Fowler County Sanitation District
West Fresno Red Scale Protective Dist.	Kingsburg Cemetery District
State Center Community College District	Consolidated Irrigation District
Consolidated Mosquito Abatement Dist.	Fresno County Fire Protection District
County of Fresno	Fresno Metropolitan Flood Control District
Kingsburg Unified School District	Kingsburg Healthcare District
City of Kingsburg	Kings River Conservation District

# Attachment B

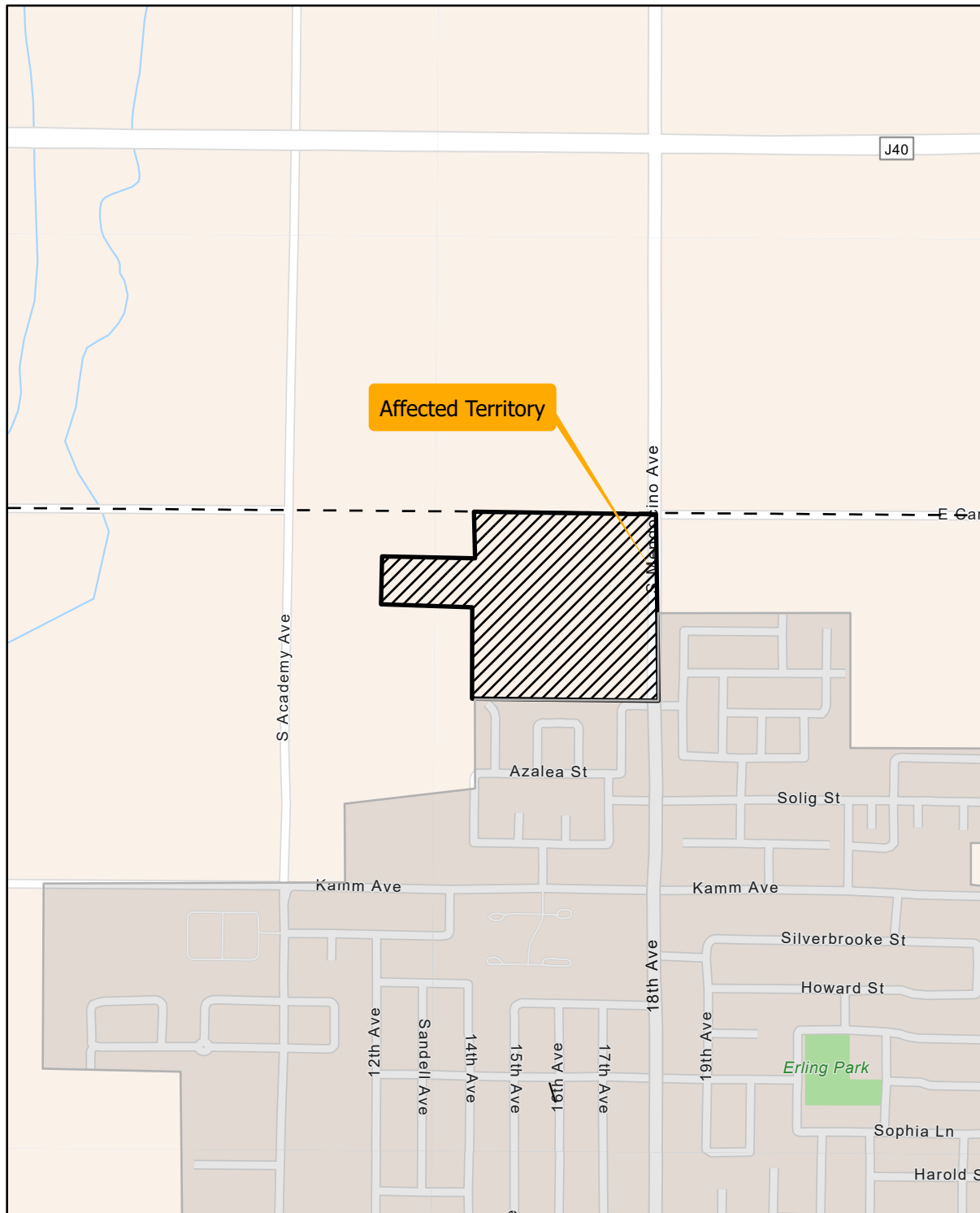


## Fresno Local Agency Formation Commission

-  Kingsburg City Limit
-  Annexation
-  Kingsburg SOI

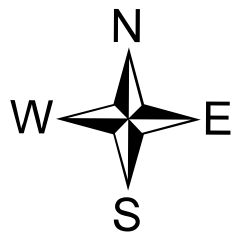
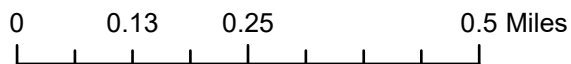


# Attachment C



## Fresno Local Agency Formation Commission

- Kingsburg City Limit
- Annexation
- Kingsburg SOI



---


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

---

**AGENDA ITEM No. 6**

**DATE:** April 9, 2025

**TO:** Fresno Local Agency Formation Commission

**FROM:** Brian Spauhurst, Executive Officer 

**BY:** Jessica Gibson, LAFCo Analyst

**SUBJECT:** Consider Approval - City of Clovis "Peach- Behymer Southeast Reorganization." A proposed reorganization to annex approximately 41.85 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for properties generally located south of East Behymer Avenue between North Minnewawa and North Peach Avenues. (LAFCo File No. RO-25-02)

**Applicant:** City of Clovis

**Landowners/Parties of Real Interest :** City of Clovis, Christopher Brandon De Young – Peach/Behymer LP, Gary T. Yamamoto, June S. Yamamoto, Gordon Y. Yamamoto, Anthony K. Yamamoto, Rhoda L. Woo, Cheri L. Hattam, Sheila Lefevre

**RECOMMENDATION: Approve by Taking the Following Actions:**

**Action 1:**

- 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 Proposal 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 § 15096.

**Action 2:**

- A. Find that the proposed annexation is consistent with LAFCo Policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- B. Find pursuant to CKH and information in the record that:
  - a. The territory is inhabited; and
  - b. Not all landowners or registered voters have consented to the reorganization.

- C. Assign the distinctive short form designation “Peach-Behymer Southeast Reorganization” and approve the annexation subject to the following conditions of approval:
- a. Pursuant to Fresno LAFCo Policy 108-07, the Executive Officer shall record the approved application if all conditions have been satisfied and once, he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.
- D. Find that pursuant to CKH the territory is inhabited and not all registered voters have consented to the annexation.
- E. Find that the notice mailed on March 19, 2025, was given to all landowners and registered voters within the affected territory, as well as within 300 feet of the affected territory, disclosed that there is potential for the extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agency in the affected territory, and that the Commission intends to waive protest proceedings pursuant to Section 56663(a)(b)(c) unless written opposition is received before the conclusion of the Commission proceedings.
- F. This commission’s action approving this proposal shall expire one year from the date of this resolution unless all proceedings are complete including condition compliance and Certificate of Completion issued by the executive officer.
- G. Find that no written opposition to the proposal was received prior to the conclusion of the hearing and approve the proposal subject to the requirements of the CKH, the 30-day reconsideration period, and compliance with all of the above conditions, and waive further Conducting Authority Proceedings.

-Or-

- H. If written opposition to the proposal was received prior to the conclusion of the hearing, approve the proposal subject to the requirements of the CKH, the 30-day reconsideration period, and compliance with all of the above conditions, and direct staff to set a protest hearing pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code § 57000 et seq.).

### **Executive Summary**

On May 15, 2023, the City of Clovis adopted Resolution No. 24-147 requesting the Commission to begin proceedings for the “Peach-Behymer Southeast Reorganization” to detach approximately 41.85 acres from the Fresno County Fire Protection District and the Kings River Conservation District and annex it to the City of Clovis.

## **Proposal/Land Use**

- The proposal consists of the detachment of approximately 41.85 from the Fresno County Fire Protection District and the Kings River Conservation District and annexation to the City of Clovis.
- Information related to the proposals affected territory, land use, proposed development, special districts, surrounding areas, and existing/proposed services can be found on **Attachment A**.
- The affected territory is within the City of Clovis' sphere of influence and is contiguous to the Clovis city limits. **(Attachment B)**
- The proposal is currently zoned AE-20 (Exclusive Agricultural) and has been rezoned to the Clovis R-1-PRD (Single-Family Planned Residential Development) zone district by Pre-zone City Ordinance No. 24-19.
- The territory is inhabited.
- The proposal is consistent with the Clovis General Plan Land Use Diagram.

## **Consistency with LAFCo Policies, Standards and Procedures**

- The County has determined that the proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) and the Standards for Annexation between the City of Clovis and County of Fresno.
- The proposal is subject to the 10-year property tax allocation agreement between the City of Clovis and the Fresno County Fire Protection District set to expire in 2029.
- The proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.
- All properties within the proposal have been rezoned to the Clovis R-1-PRD (Single-Family Planned Residential Development) zone district by Pre-zone City Ordinance No. 24-19.
- The City of Clovis is within the North Kings GSA and has a Groundwater Recharge Plan in place.

## **Revenue & Tax Code**

Fresno County has determined that proposed Peach-Behymer Southeast Reorganization involving the annexation of approximately 41.85 acres is consistent with the standards of annexation contained in exhibit I of the Amended and Restated Memorandum of Understanding between the City of Clovis and County of Fresno therefore no further tax negotiations are necessary pursuant to Revenue and Tax Code Section 99b.

## **Relationship to Regional Housing Goals and Policies**

The proposed development assists in implementing Policy 1.2 of the General Plan Housing Element which is to facilitate development of new housing for all economic segments of the community. The proposed development plans for a 266-lot single-family subdivision.



## **Sustainable Groundwater Management Act**

California's Sustainable Groundwater Management Act ("SGMA") was signed into law by former Governor Edmund G. Brown Jr. on September 16, 2014. This three-part legislation requires local agencies to develop groundwater sustainability plans that are compatible with their regional economic and environmental needs. SGMA creates a framework for sustainable local groundwater management for the first time in California's history.

SGMA required local agencies to form Groundwater Sustainability Agencies ("GSAs") in local groundwater basins by June 2017 and required the adoption of Groundwater Sustainability Plans ("GSPs") for groundwater basins deemed high priority by year 2020. The North Kings GSA represents the City of Clovis.

After annexation, the water entitlement within the area will be managed by the City of Clovis. A Site Specific Service Plan is submitted by the City to Fresno LAFCo, providing information on services and improvements to the annexation area, including water services.

## **Environmental Determination**

The City of Clovis, acting as "Lead Agency" under CEQA, adopted a Mitigated Negative Declaration for Prezone R2024-006, Vesting Tentative Tract Map No. TM 6482, and Planned Development Permit PDP2024-002 filed with the Fresno County Clerk's office on December 23, 2024 Document No. E2024100000311 consistent with the requirements of CEQA. The Mitigated Negative Declaration determined the project would not have a significant impact on the environment including impact on matters such as air quality, water consumption, loss of agricultural, and city service/infrastructure. Therefore, the preparation of an Environmental Impact Report is not required.

As "Responsible Agency", the Commission is required to review and consider the City's environmental documents prior to taking its action. If the Commission determines that these documents are adequate, pursuant to CEQA, it may make the required findings provided under "Recommendations" above.

Pursuant to CEQA Guidelines section 15096(i), if the Commission determines that these documents are adequate, a Notice of Determination will be prepared and filed with the County of Fresno Clerk's office in compliance with Public Resources Code § 21152.

## **Costs and Other Changes Affecting Residents or Landowners**

None reported by the City of Clovis staff.

## **Agencies and Individuals Submitting Comments**

- Paul Nerland, County Administrative Officer
- Cesar Gonzalez, IT Analyst, Fresno County Elections Department
- Scott Lee, Cadastral Tech II, Fresno County Assessor-Recorder Office

- Laurence Kimura, P.E., Chief Engineer, Fresno Irrigation District
- Caitlin Juarez, Water Resource Control Engineer, State Water Resources Control Board
- David Merritt, General Manager, Kings River Conservation District
- Karen Coletti, Executive Assistant, Fresno County Public Library
- Kevin Tsuda, R.E.H.S., Environmental Health Specialist III, Fresno County Environmental Health Division
- Wendy Nakagawa, P.E., Supervising Engineer, Road Maintenance & Operations Division, Fresno County Department of Public Works & Planning

### **Territory Boundaries**

The boundaries of the proposed annexation **are** definite and certain, and the County Assessor has determined that the map and legal description **is adequate** to file with the State Board of Equalization.

### **Registered Voter Data**

The County of Fresno Elections Office reported that there were **five** registered voters in the affected territory.

### **Compliance with the Requirements of CEQA**

**Lead Agency:** City of Clovis

**Level of Analysis:** Mitigated Negative Declaration (MND)

**Finding:** Mitigation Monitoring & Reporting Program (MMRP). (See Environmental Documents at [www.fresnolaftco.org](http://www.fresnolaftco.org) under the LAFTCo Commission Hearing quick link in the April 9, 2025 file)

### **Individuals and Agencies Receiving this Report**

- Jessica S. Johnson, Attorney, LAFTCo Counsel
- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- Kings River Conservation District
- Fresno County Fire Protection District
- Marissa Parker, M.A., Assistant Planner, City of Clovis

# Attachment A

## PROPOSAL INFORMATION

1. Affected Territory

<b>Acreage:</b>	41.85
<b>Current Land Use:</b>	AE-20 (Exclusive Agricultural)
<b>Number of Residences/ Population:</b>	Residents: 3/ Population: 3 estimated
<b>Registered Voters:</b>	Voters: 5
<b>Assessor Parcel Number(s):</b>	556-010-12, 556-010-28, 556-010-29

2. Proposed Development – The vast majority of the annexation area will be developed into a 266-lot single-family residential subdivision.

3. Surrounding Territory – Agriculture to the north, south, and east. Rural residential to the west.

4. Existing Service Agencies and Proposed Service Changes

<b>Service</b>	<b>Existing Service</b>	<b>Change</b>
Water	Wells/ Groundwater	City of Clovis
Sewer	Private Septic	City of Clovis
Fire Protection	Fresno County Fire Protection District	Clovis Fire Department

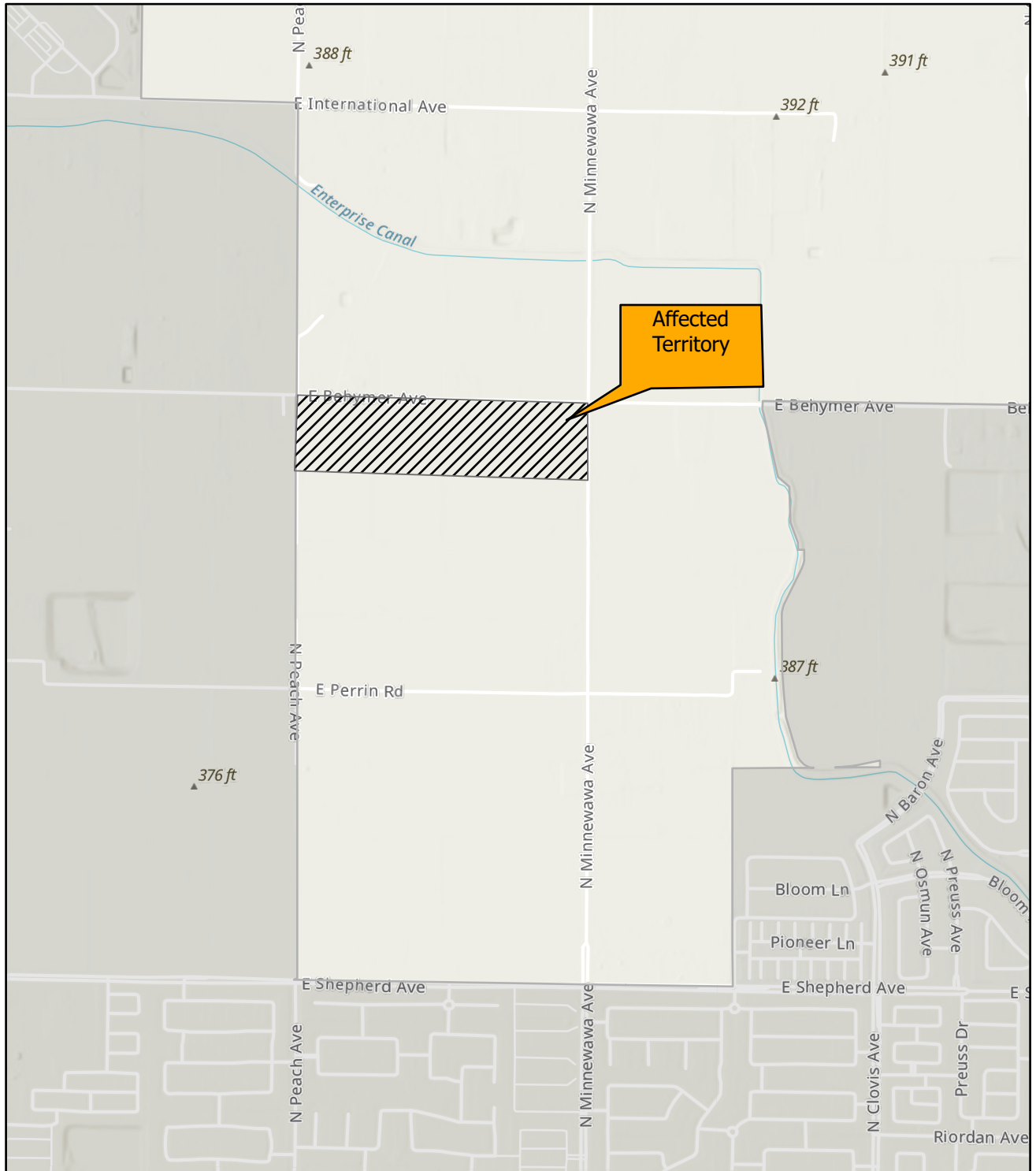
(See Service Plan on our website at [www.fresnolaftco.org](http://www.fresnolaftco.org))

5. Cities and Districts Included Wholly or Partially Within the Affected Territory



Fresno County	Fresno County Library
Clovis Cemetery District	Fresno County Fire Protection District
County Service Area No. 35	Fresno Metropolitan Flood Control District
Kings River Conservation District	Consolidated Mosquito Abatement District
Clovis Memorial District	County School Service
Clovis Unified School District	Fresno Irrigation District
State Center Community College District	West Fresno Red Scale Pest Control District

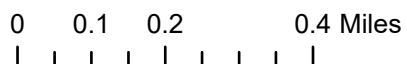
# Attachment B

## Peach-Behymer Southeast Reorganization RO-25-02



### Fresno Local Agency Formation Commission

-  Affected Territory
-  Clovis City Limits



---


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

---

**AGENDA ITEM No. 7**

**DATE:** April 9, 2025

**TO:** Fresno Local Agency Formation Commission

**FROM:** Brian Spaunhurst, Executive Officer 

**BY:** Joel Matias, LAFCo Analyst

**SUBJECT:** Consider Approval - City of Clovis "Shepherd-Minnewawa Northeast Reorganization." A proposed reorganization to annex approximately 200.38 acres to the City of Clovis and detach from the Fresno County Fire Protection District and Kings River Conservation District for territory located on the east of N. Minnewawa Ave, between East Behymer and Shepherd Ave within the City's Heritage Grove growth area. (LAFCo File RO-25-04)

**Applicant:** City of Clovis

**Landowners/Parties of Real Interest (100% Consent):** City of Clovis, Great Bigland LP, Palomate Packing Co. INC., Great Bigland, L,P, Nico P. Gentile and Alix Gentile, John Zimmerer and Tricia Zimmer, Lennar Homes of California LLC, Partick Vincent Ricchiuti, O. James White and Patricia L. White, Pritpal Kaur, Simon Y.H Wong and Berlinda L.Wong,

**RECOMMENDATION: Approve by Taking the Following Actions:**

**Action 1:**

- 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 Proposal 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.

**Action 2:**

- A. Find that the proposed reorganization is consistent with LAFCo Policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH").
- B. Find pursuant to CKH and information in the record that:
  - a. The territory is inhabited; and
  - b. All landowners and affected agencies have consented to the reorganization.

- C. Assign the distinctive short form designation “Shepherd-Minnewawa Northeast Reorganization” and approve the reorganization subject to the following conditions of approval:
- a. Pursuant to Fresno LAFCo Policy 108-07, the Executive Officer shall record the approved application if all conditions have been satisfied and once, he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.
  - b. Ownership of land permitting, the annexation shall include the full-width right-of-way width of adjacent roadways.
- D. Find that pursuant to CKH the territory is inhabited, and all registered voters have consented to the annexation.
- E. Find that the notice mailed on April 19, 2025, was given to all landowners and registered voters within the affected territory, as well as within 300 feet of the affected territory, disclosed that there is potential for the extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agency in the affected territory, and that the commission intends to waive protest proceedings pursuant to section 56663(a)(b)(c) unless written opposition is received before the conclusion of the commission proceedings.
- F. This commission’s action approving this proposal shall expire one year from the date of this resolution unless all proceedings are complete including condition compliance and Certificate of Completion issued by the executive officer.
- G. Authorize and direct the executive officer to mail certified copies of this resolution as provided in Government Code Section 56882 and file as appropriate in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this proposal, as required by State Law.
- H. Find that no written opposition to the proposal was received prior to the conclusion of the hearing and approve the proposal subject to the requirements of the CKH, the 30-day reconsideration period, compliance with all of the above conditions, and waive further conducting authority proceedings.

-Or-

- I. If written opposition to the proposal was received prior to the conclusion of the hearing, approve the proposal subject to the requirements of the CKH, the 30-day reconsideration period, and compliance with all of the above conditions, and 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.).

### **Executive Summary**

On March 18, 2024, the City of Clovis adopted Resolution No. 25-08 requesting the Commission to begin proceedings for the “Shepherd-Minnewawa Northeast Reorganization” to detach approximately 200.38 acres from the Fresno County Fire Protection District and Kings River Conservation and annex it to the City of Clovis.

### **Proposal/Land Use**

- The proposal consists of the detachment of approximately 200.38 acres from the Fresno County Fire Protection District and the Kings River Conservation District and annexation to the City of Clovis.
- Information related to the proposals affected territory, land use, proposed development, special districts, surrounding areas, and existing/proposed services can be found on **(Attachment A)**.
- The affected territory is within the City of Clovis’ sphere of influence **(Attachment B)** and is contiguous to the Clovis’ city limits **(Attachment C)**.
- The proposal is currently zoned AE-20 (Exclusive Agricultural) and has been rezoned to the Clovis R-1-PRD (Single-Family Residential-Planned Residential Development), O (Open Space), C-1 (Neighborhood Commercial), and PPC (Planning Commercial Center), by Pre-zone City Ordinance No. 24-20.
- The territory is inhabited.
- The proposal is consistent with the Clovis General Plan Land Use Diagram.

### **Consistency with LAFCo Policies, Standards and Procedures**

- The County has determined that the proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) and the Standards for Annexation between the City of Clovis and County of Fresno.
- The proposal is subject to the 10-year property tax allocation agreement between the City of Clovis and the Fresno County Fire Protection District set to expire in 2029.
- The proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, sections 100 and 200.
- All properties within the proposal have been rezoned to the Clovis R-1-PRD (Single-Family Residential-Planned Residential Development), O (Open Space), C-1 (Neighborhood Commercial), and PPC (Planning Commercial Center), by Pre-zone City Ordinance No. 24-20. The City of Clovis is within the North Kings GSA and has a Groundwater Recharge Plan in place.

## **Revenue & Tax Code**

Fresno County has determined that proposed Shepherd-Minnewawa Northeast Reorganization involving the annexation of 200.38 acres is consistent with the standards of annexation contained in exhibit I of the Amended and Restated Memorandum of Understanding between the City of Clovis and County of Fresno therefore no further tax negotiations are necessary pursuant to Revenue and Tax Code section 99b.

## **Relationship to Regional Housing Goals and Policies**

The proposal will assist in the implementation of Policy 1.2 of the City of Clovis General Plan Housing Element, which states “Facilitate development of new housing for all economic segments of the community, including extremely low-, very low-, low-, moderate- and above moderate-income households.

## **Sustainable Groundwater Management Act**

California’s Sustainable Groundwater Management Act (“SGMA”) was signed into law by former Governor Edmund G. Brown Jr. on September 16, 2014. This three-part legislation requires local agencies to develop groundwater sustainability plans that are compatible with their regional economic and environmental needs. SGMA creates a framework for sustainable local groundwater management for the first time in California’s history.

SGMA requires local agencies to form Groundwater Sustainability Agencies (“GSAs”) in local groundwater basins by June 2017 and requires the adoption of Groundwater Sustainability Plans (“GSPs”) for groundwater basins deemed high priority by year 2020. The North Kings GSA will represent the City of Clovis.

After annexation, the water entitlement within the area will be managed by the City of Clovis. The Clovis water system is composed of 37 domestic wells to provide its need for residents.

## **Environmental Determination**

The City of Clovis, acting as “Lead Agency” under CEQA, adopted a Mitigated Negative Declaration for Reorganization (RO) 310, Prezone 2024-005, Vesting Tentative Tract Map No. TM 6375 and Planned Development Permit (PDP) 2024-001 filed with the Fresno County Clerk’s office on December 18, 2024, Document No. E202410000292 consistent with the requirements of CEQA. The Mitigated Negative Declaration determined the project would not have a significant impact on the environment including impact on matters such as air quality, water consumption, loss of agricultural and city service/infrastructure therefore the preparation of an Environmental Impact Report is not required.

As “Responsible Agency”, the Commission is required to review and consider the City’s environmental documents prior to taking its action. If the Commission determines that these documents are adequate, pursuant to CEQA, it may make the required findings provided under “Recommendations” above.



Pursuant to CEQA Guidelines section 15096(i), if the Commission determines that these documents are adequate, a Notice of Determination will be prepared and filed with the County of Fresno Clerk's office in compliance with section 21152 of the Public Resources Code.  
Project Level Applications

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

The proposed Project is located within the City's existing SOI; therefore, a SOI expansion is not required for the project.

**Agencies and Individuals Submitting Comments**

- Fresno County Assessor's Office
- Fresno County Fire Protection District
- Fresno County Elections Department
- Fresno Irrigation District
- Fresno County Public Works Department
- Kings River Conservation District

**Territory Boundaries**

The boundaries of the proposed annexation **are** definite and certain, and the County Assessor has determined that the map and legal description **are adequate** to file with the State Board of Equalization.

**Registered Voter Data**

The County of Fresno Elections Office reported that there were **eighteen** registered voters in the affected territory.

**Compliance with the Requirements of CEQA**

**Lead Agency:** City of Clovis

**Level of Analysis:** Non-Exemption

**Finding:** A Mitigated Negative Declaration was prepared for the Project pursuant to the provision of CEQA and adopted by the City council. Findings were made pursuant to the provisions of CEQA. (See Environmental Documents at [www.fresnolaftco.org](http://www.fresnolaftco.org) under the Hearing Quicklink tab in the April 9, 2025, file).

**Individuals and Agencies Receiving this Report**

- LAFCo Counsel
- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- Kings River Conservation District
- Fresno County Fire Protection District
- Liz Salazar Assistant Planner, City of Clovis

# Attachment A

## PROPOSAL INFORMATION

1. Affected Territory

<b>Acreeage:</b>	200.38
<b>Current Land Use:</b>	AL-20 (Limited Agricultural)
<b>Number of Residences/ Population:</b>	Residents: 28/ Population: 28 estimated
<b>Registered Voters:</b>	Voters: 18
<b>Assessor Parcel Number(s):</b>	556-040-01S, 556-040-03S, 556-030-17S, 556-040-05S, 556-030-01S, 556-030-03S, 556-030-08S, 556-030-09S, 556-030-04S, 556-030-06S, 556-030-10S, 556-030-12S, 556-050-01, 556-050-02, 556-050-30, 556-050-04, 556-050-14

2. Proposed Development - The affected territory will be developed a total of 547 units, each subdivision is a planned development community with a homeowner’s association.

3. Surrounding Territory – Agriculture to the North and West, Single-Family Residential and Agriculture to the East, and Single-Family Residential to the South

4. Existing Service Agencies and Proposed Service Changes

Service	Existing Service	Change
Water	Wells/ Groundwater	City of Clovis
Sewer	Private Septic	City of Clovis
Solid Waste	Private Collection	City of Clovis
Street Light	Not Applicable	City of Clovis
Park and Recreation	Not Applicable	City of Clovis
Fire Protection	Fresno County Fire Protection District	Clovis Fire Department
Police Protection	Fresno County Sheriff’s Department	Clovis Police Department
Storm Drainage	Fresno Metropolitan Flood Control District	Fresno Metropolitan Flood Control District

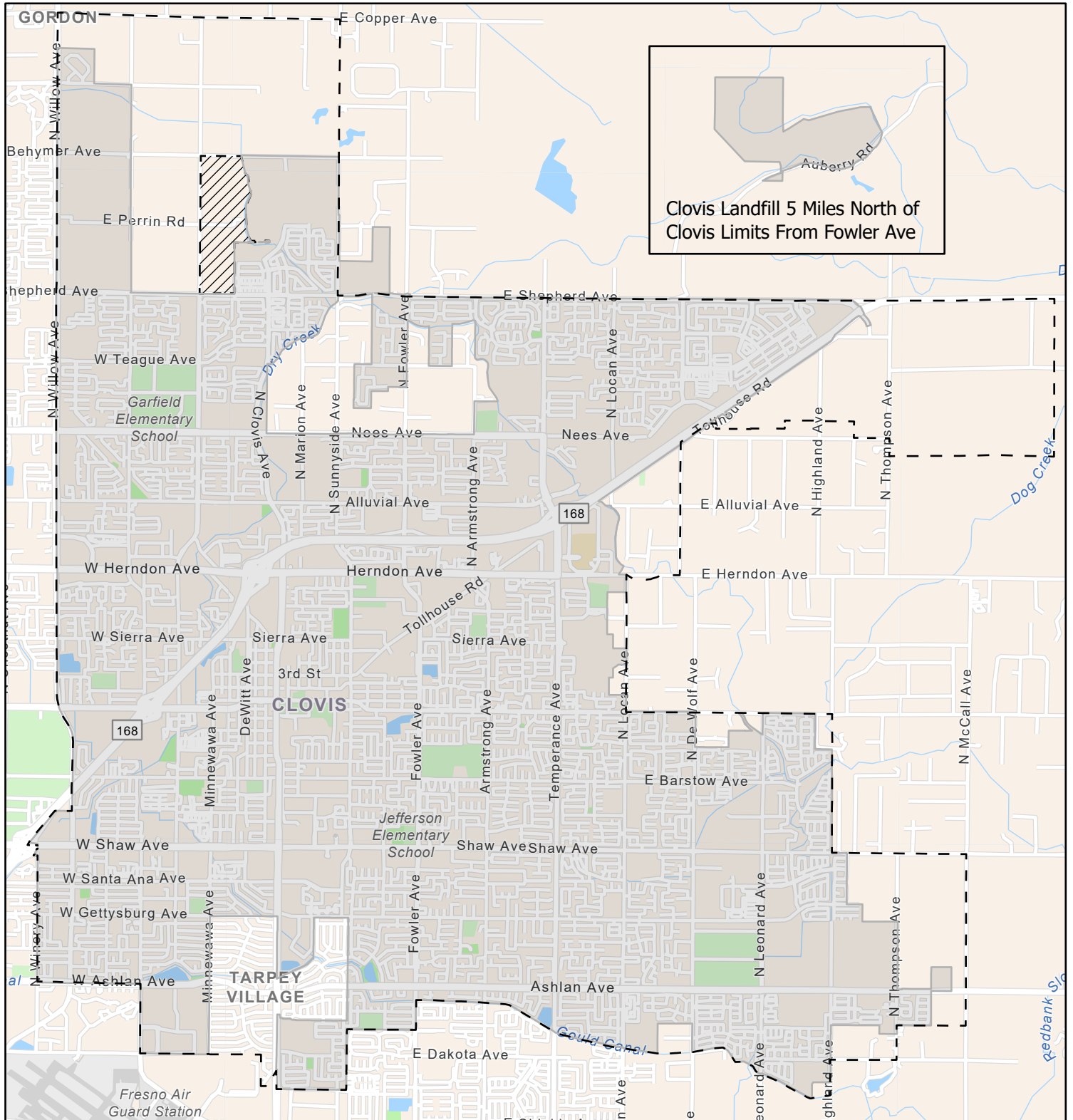
(See Service Plan on our website at [www.fresnolaftco.org](http://www.fresnolaftco.org))

5. Cities and Districts Included Wholly or Partially Within the Affected Territory




Fresno County	Fresno County Library
---------------	-----------------------

Clovis Cemetery District	Fresno County Fire Protection District
County Service Area No. 35	Fresno Metropolitan Flood Control District
Kings River Conservation District	Consolidated Mosquito Abatement District
Clovis Memorial District	City of Clovis
Clovis Unified School District	Fresno Irrigation District
State Center Community College District	West Fresno Red Scale Pest Control District

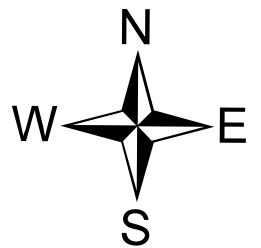
# Attachment B



**Fresno Local Agency Formation Commission**

Clovis City Limits	
Clovis SOI	
Affected Territory	


0 0.4 0.8 1.6 Miles




# Attachment C

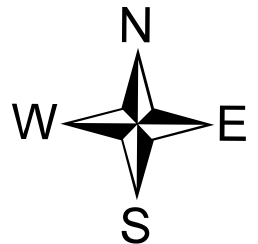
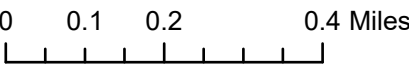


**Fresno Local Agency Formation Commission**

Clovis City Limits 

Affected Territory 

0 0.1 0.2 0.4 Miles



---


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

---

**AGENDA ITEM No. 8**

**DATE:** April 9, 2025

**TO:** Fresno Local Agency Formation Commission

**FROM:** Brian Spaunhurst, Executive Officer 

**SUBJECT:** CALAFCO Status Update.

**RECOMMENDATION:** Receive and File.

**Background**

At its February 12, 2025, Commission Hearing, the Executive Officer provided an update on the status of CALAFCO that provided an overview of the recent departure of the Executive Director and notification of three LAFCOs that will not be renewing their memberships for FY 25/26. Additional information was provided at the March 12, 2025, Hearing that provided an overview of CALAFCO Board actions taken and general steps under consideration in order to retain membership and solidify the Association.


This report is to serve as a formal update on the status of membership, significant changes underway, and discuss any questions the Commission may have on updates that have occurred since the March 12 Hearing.

---

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

---

**AGENDA ITEM NO. 9**

**DATE:** April 9, 2025  
**TO:** Fresno Local Agency Formation Commission  
**FROM:** Brian Spaunhurst, Executive Officer   
**SUBJECT:** Proposed Budget and Work Plan for Fiscal Year 2025-26.

**RECOMMENDATION:** Receive Report and Provide Direction.

**Executive Summary**

The fiscal year (“FY”) 2025-26 LAFCo proposed budget estimate is summarized in Attachment “A” and the proposed 2025-26 work plan is presented in Attachment “B” for the Commission’s consideration and direction to staff.

The FY 2024-25 budget is \$782,044. Staff anticipates that fee revenue will close approximately \$90,000 above projections and expenses as a whole are projected to close approximately \$40,000 under budget at approximately \$742,407.

The proposed budget continues the Commission’s practice of maintaining an operational reserve of \$200,000. Staff estimates a proposed FY 2025-26 budget of approximately \$876,551, an increase of approximately \$94,507 from FY 2024-25.

Despite the overall increase in costs, budget savings and increased fee revenues from FY 2024-25 provides the Commission with the opportunity to consider applying these savings into the FY 2025-26 budget resulting in Allocations increasing by \$9,753 for the County and \$9,753 to be split among the Cities (less than 3% increase).

This proposed estimate will be further refined based on continuing staff analysis and Commission direction leading up to the presentation of the Final Budget in May.

Based on Commission comments and direction a Final Budget and Work Plan will be presented to the Commission at its May 14, 2025, hearing. In accordance with Government Code (GC) sec. 56381, the proposed and final budgets will be distributed to all local agencies and the County Administrative Officer.

## **Overview of Budget Process**

GC section 56381(a) states, “The commission shall adopt annually, following noticed public hearings, a Proposed Budget by May 1 and Final Budget by June 15. At a minimum, the Proposed and Final Budget shall be equal to the budget adopted for the previous fiscal year unless the commission finds that reduced staffing or program costs will nevertheless allow the commission to fulfill the purposes and programs of this chapter.”

The Commission’s *Financial and Accounting Procedures* stipulate that “In order to get an early start on the budget and allow for careful consideration of the budget options, the Executive Officer will present a preliminary budget to the Commission in March of each year in order to obtain advance direction from the Commission.” The Commission’s budget is based on a July 1st to June 30th fiscal year.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) authorizes the operational costs of LAFCo to be shared one-half by the County and one-half by cities where only the County and cities are represented on the Commission. In the event that special districts choose to be represented on the Commission, LAFCo funding would then be shared one-third by the County, cities, and the special districts or by an alternative method approved pursuant to GC sec. 56381(b)(4).

LAFCo’s operational expenses are augmented by fees established by the Commission in accordance with section 56383 of the GC for services rendered to process applications for annexations, reorganizations, and detachments, as well as other LAFCo actions.

## **Proposed Summary of FY 24-25 Budget to Close**

### **Revenue**

FY 24-25 anticipated \$782,044 in revenue, comprised of a net allocation of \$707,044 (\$353,522 from both the County and the 15 cities), and \$25,000 anticipated in application fees. Staff anticipates that FY 24-25 fee revenue will close \$90,000 higher than projected due to an influx of project applications.

### **Expense - Office Operations**

FY 24-25 budgeted office operations for \$168,927 and are estimated at this point to close at approximately \$135,000. Contributing factors include the preservation of our Contingency Fund, opting for free/reduced online training instead of in person, as well as reducing Commission Hearing Expenses by only meeting when Agendas are full or as needed. Staff was also able to secure significant savings by switching Liability Insurance carriers.



### Expense - Personnel

FY 24-25 personnel expenses were budgeted for \$547,407 and are estimated to close at \$547,407.

### Expense - Consulting Services

Consulting services expenses were budgeted for \$65,710 and are estimated to close at \$60,000.

## **Proposed FY 25-26 Budget and Work Plan**

The Proposed FY 25-26 budget estimate is \$876,550, comprised of the following:

### Revenue

The proposed FY 2025-26 revenue forecast is approximately \$876,550, with an estimate of County and cities' contribution of approximately \$363,275, respectively, \$50,000 in application fees, and a \$100,000 fund balance contribution from surplus and interest rolled over from FY 2024-25.

### Expenses – Personnel

The proposed personnel expense forecast is \$639,606. This figure reflects anticipated updates to the Salary Resolution, merit-based step increases for permanent staff and funding three, part time student interns.

### Expense - Office Operations

The proposed office operations expense forecast is \$160,112. This figure reflects planned increases in: Office lease, CALAFCO and SDRMA dues, liability insurance, staff and Commissioner participation in the Annual CALAFCO Conference/Staff Workshop, publication and legal noticing fees, and staff mileage.

### Expense - Consultant Services

The proposed consulting services expenses forecast is \$76,833. This figure includes expenses anticipated for the next audit.

## **Proposed FY 2025-26 Work Plan**

The proposed budget supports the Commission's role as an independent planning and regulatory agency whose purposes are to encourage the orderly formation of local governmental agencies, preserve agricultural land resources, and discourage urban sprawl. The Commission's work plan represents projects and activities that fulfill its goals and

objectives. The budget represents the funding to accomplish projects important to the Commission.

A proposed FY 2025-26 work plan is included as Attachment “B,” consistent with the analysis presented in this report. It contains ongoing assignments such as the MSR program, application processing and consultation and facilitation to local agencies and the public.

In addition to the traditional work plan, this FY staff has identified three categories of special district types to focus on: Fire/Police, Mosquito Abatement, and Pest Control. When/if application driven projects slow down throughout the FY, Staff will aim to complete MSRs for these types of Districts within the Work Plan.

G:\LAFCO WORKING FILES\000 HEARINGS\2025\04- April\Staff Report - Proposed Budget.doc

**ATTACHMENT A**

<b>-- Proposed FY25-26 BUDGET --</b>			
Updated 4-4-2025			
<b>REVENUE SUMMARY</b>	<b>Adopted FY 24-25 Budget</b>	<b>Estimate to Close FY 24-25</b>	<b>Proposed FY 25-26 Budget</b>
ALLOCATION COUNTY	353,522	353,522	363,275
ALLOCATION CITIES	353,522	353,522	363,275
APPLICATION FEES	25,000	114,150	50,000
ACCOUNT INTEREST	0	13,442	0
AUTH. FUND BALANCE CONTRIBUTION	50,000	50,000	100,000
AUTH. CONTRIBUTION FROM RESERVES	0	0	0
<b>Total</b>	<b>782,044</b>	<b>884,636</b>	<b>876,550</b>
<b>EXPENDITURE SUMMARY</b>			
EXPENDITURE - OFFICE OPERATIONS	168,927	135,000	160,112
EXPENDITURE - PERSONNEL	547,407	547,407	639,606
EXPENDITURE - CONSULTING SERVICES	65,710	60,000	76,832
<b>Total</b>	<b>782,044</b>	<b>742,407</b>	<b>876,550</b>

**PROPOSED FY 2025-26 WORKPLAN**  
**April 9, 2025**

**1. PROCESS APPLICATIONS, REORGANIZATIONS AND CITIES' SOI AMENDMENTS**

**Proposed budget implication: application fees will fund this activity.**

Proposals under discussion but not submitted include a City of Clovis Annexation, City of Selma SOI Amendment and Annexation, City of Reedley Annexation, a City of Kingsburg Annexation, WWD 41 SOI Amendment and Annexation and WWD 42 Detachment.

**2. FRESNO LAFCO'S MUNICIPAL SERVICE REVIEW PROGRAM**

**Proposed budget implication: this activity can be funded from LAFCo's operating account.**

On November 5, 2014, the Commission adopted its MSR program. The goal of the Fresno LAFCo MSR program is to provide cities and special districts with an assessment of their provision of services, make recommendations regarding areas of improvement, and determine whether an agency is equipped to effectively provide services within its existing or expanded SOI.

A MSR is necessary for any update of a SOI pursuant to GC sec. 56430.

Fresno LAFCo's 132 MSRs are informally categorized in three "generations:"

- **"1.0" MSRs** are the first generation of MSRs adopted in 2007. These are the first MSRs performed; they are generally brief, frequently conclusory, and may not have been developed with the cooperation of the affected local agency.
- **"1.5" MSRs** are second generation MSRs that were updated between 2008 and 2014. These MSRs may present more analysis of the affected local agency as staff's experience preparing MSRs grew (locally and statewide through the CALAFCO community).
- **"2.0" MSRs** are MSRs that have been updated pursuant to the Commission's 2014 MSR Policy. The 2.0 MSRs present more complete and comprehensive data and analysis in compliance with the 2014 MSR Policy.

Since adoption of the Commission's 2014 MSR Program, this Commission has adopted a total of 49 2.0 MSRs in conjunction with the update of affected local agencies' SOIs. A list of the agencies with 2.0 MSRs is presented in **Attachment C**. Table 1-1 shows the Commission's MSR Inventory by generations.

Table 1-1, Fresno LAFCo MSR inventory by Generation

Municipal Service Review Program	MSRs by Generation			Total MSRs
	1.0	1.5	2.0	
Special District MSRs by Generation	17	50	49	116
City MSRs by Generation	1	7	7	15
Total MSRs by Generation	18	57	56	131

### Summary of Remaining 1.0 MSRs

Of the remaining 17 special district 1.0 MSRs, the following types of special districts hold the largest number of 1.0 MSRs:

- 6 Irrigation Districts,
- 1 Mosquito Abatement Districts,
- 3 Community Service Districts,
- 2 Pest Control Districts (one currently in progress),
- 2 California Water District
- 1 Hospital District
- 1 Levee District
- 1 County Water District

The balance of 1.0 MSRs consist of the following agencies: Consolidated Irrigation District, Fresno Irrigation District, Hills Valley Irrigation District, James Irrigation District, Riverdale Irrigation District, Tranquillity Irrigation District, Fresno Westside Mosquito Abatement District, Big Creek Community Services District, Del Rey Community Services District, Lanare Community Services District, Central Valley Pest Control District, West Fresno County Red Scale Protective District, Tri-County Hospital District, Lower San Joaquin Levee District, Liberty Water District, Westlands Water District, and Malaga County Water District.

In 2018, the Commission directed staff to defer updates of Irrigation District and California Water Districts' MSRs until after these agencies' GSAs have adopted their GSPs.

Staff recommends that the Commission's work plan continue to prioritize the update of the remaining 2007 special district MSRs (AKA the "1.0 MSRs"). Work on these MSRs would, however, take second place to application-driven MSRs.

The remaining MSRs would either require additional staffing or will need to be placed on hold until all of the 1.0 MSRs are completed:

- Central Valley Pest Control District
- West Fresno County Red Scale Protective District

- Coalinga-Huron Mosquito Abatement
- Consolidated Mosquito Abatement
- Fresno Mosquito and Vector Control
- Fresno Westside Mosquito Abatement
- Lower San Joaquin Levee District
- 12 County Service Areas
- Six County Waterworks Districts

Staff has identified three categories of special district types to focus on this FY: Fire/Police, Mosquito Abatement, and Pest Control. When/if application driven projects slow down throughout the FY, Staff will aim to complete MSR's for these types of Districts within the Work Plan.

### **3. Review and update of Fresno LAFCo Policy Manual**

**Proposed budget implication: Can be funded by operational funds.**

Fresno LAFCo's Policy Manual has undergone a complete and thorough examination to update policies consistent with CKH, and to reflect contemporary priorities and characteristics of the Commission's local agencies. Unless major changes to CKH occur, only minor annual amendments will be made as needed.

## **BACKGROUND ON FRESNO LAFCO'S WORK PLAN**

Fresno LAFCo's Financial and Accounting Procedures specify that before July 1, the LAFCo Executive Officer shall prepare for the Commission's review and approval of an annual work plan. The work plan is prepared in conjunction with the annual budget. The work plan identifies the purposes and plans of state law and local policy, including requirements for service reviews, sphere of influence updates, and other mandated functions. The budget supports the work program.

This work plan reflects the Fresno LAFCo's Policies and Procedures and the current and the dynamic needs of the local agencies in Fresno County. The work plan is composed of projects to be undertaken directly by LAFCo staff during the year.

The work plan is developed to advance the goals and mission of Fresno LAFCo, consistent with state law.

### **I. SCOPE OF WORK PLAN**

The scope of the work plan is consistent with the legislature's findings and declarations:

- It is the policy of the state to encourage orderly growth and development, which are essential to the social, fiscal, and economic well-being of the state.

- The logical formation and determination of local agency boundaries is an important factor in promoting orderly development and in balancing that development with sometimes competing state interests of discouraging urban sprawl, preserving open-space and prime agricultural lands, and efficiently extending government services.
- Providing housing for persons and families of all incomes is an important factor in promoting orderly development.
- This policy should be affected by the logical formation and modification of the boundaries of local agencies, with a preference granted to accommodating additional growth within, or through the expansion of, the boundaries of those local agencies which can best accommodate and provide necessary governmental services and housing for persons and families of all incomes in the most efficient manner feasible.
- The Legislature also finds that, whether governmental services are proposed to be provided by a single-purpose agency, several agencies, or a multipurpose agency, responsibility should be given to the agency or agencies that can best provide government services.

## II. PROJECTS OF THE WORK PLAN

The projects are identified to address important issues identified by the Commission in its initial Policies, Standards, and Procedures Document, adopted in 1986 or as revised. Fresno LAFCo identified the following list of problems and needs locally, which pertain to the Commission's responsibilities, and developed policies, standards and procedures in this document in order to help resolve the problems and meet needs within the Commission's jurisdiction:

1. Proliferation of overlapping and competing local agencies.
2. Need for more cooperation/coordination among local agencies.
3. Inadequate level or range of services in county/community.
4. Inadequate revenue base or adverse fiscal impacts for local agencies.
5. Illogical, gerrymandered agency boundaries, islands, surrounded areas.
6. Illogical agency service areas.
7. Conflicts between urban and rural/agricultural land uses.
8. Premature proposals and lack of development proposals.
9. Phasing of agency expansion/growth.
10. Determining environmental effects of proposals.
11. Determining consistency with city or county general plans.
12. Urban sprawl and leapfrog urban development.
13. Guiding urban growth away from prime agricultural lands.
14. Defining agricultural lands and open space lands.
15. Opposition of proposals by residents and popularity of proposals by landowners/developers.
16. Provision of adequate noticing of LAFCO hearing and conducting authority hearing.

On February 18, 2015, the following Special District issues were presented to the Commission:

1. No adopted annual budget, by-laws, or procedures.
2. No services.
3. District board nonfeasance.
4. Special district is the subject of a Grand Jury reports.
5. Lack of staff or staff lacks technological/managerial/financial (T/M/F) expertise.
6. Board members fulfill both policy and operational functions.
7. Lack of coordination of similar services between and among different special districts.
8. Lack of transparency and/or Brown Act compliance.
9. Changing demographics, antiquated mission.
10. The special district does not cooperate with LAFCo on the MSR.

Other special district issues have since emerged:

11. The district board frequently lacks a quorum.
12. Board members lack technical, managerial, and/or financial expertise.
13. Board members continue to serve after terms expire (though frequently permitted by the district's principal act).
14. District does not file annual financial statements with County Auditor Controller Treasurer Tax Collector.

### III. WORK PLAN CONFORMITY WITH FRESNO LAFCo GOALS

The work plan is refined annually to conform to Commission's adopted goals:

1. Encouraging orderly formation and development of agencies;
2. Encouraging consistency with spheres of influence and recommended reorganization of agencies;
3. Encouraging orderly urban development and preservation of open space patterns;
4. Encouraging conservation of prime agricultural lands and open space areas;
5. Providing public access to the Commission via the internet; and
6. LAFCo disadvantaged communities' policy.