

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

CONSENT AGENDA ITEM NO. 5-F

DATE: November 14, 2018

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, Executive Officer 

BY: Juan Lara, LAFCo Analyst II

SUBJECT: Consider Approval - City of Reedley "Manning-Buttonwillow Reorganization." A proposed reorganization consisting of the annexation of 20.47 acres to the City of Reedley and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located on the northeast corner of East Manning and South Buttonwillow Avenues. (LAFCo File No. RO-18-11)

Applicant: City of Reedley

Land Owners/Parties of Real Interest (100% consent): City of Reedley, United Health Centers of The SJV (Steven G. & Janine D. Minami).

(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:

- B. 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).
- C. 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.
- D. Assign the distinctive short form designation "Manning-Buttonwillow Reorganization" and approve the annexation and detachments subject to the following conditions of approval:
- a. Pursuant to Fresno LAFCo policy 103-05, 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. Submittal of corrected legal and map.
 - c. Ownership of land permitting, the annexation shall include the full-width right-of-way along Manning and Buttonwillow Avenues.
 - d. Satisfactory verification that the City has accepted a final map shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.
- E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

Executive Summary

On June 12, 2018, The City of Reedley initiated this reorganization with the adoption of Resolution No. 2018-062 requesting the Commission to begin proceedings for the "Manning-Buttonwillow Reorganization." A proposed reorganization consisting of the annexation of 20.47 acres to the City of Reedley and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located on the northeast corner of East Manning and South Buttonwillow Avenues.

Proposal/Land Use

- The proposal consists of the annexation of 20.47 acres to the City of Reedley and detachment from the Fresno County Fire Protection District and the Kings River Conservation District.
- 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 Reedley sphere of influence (**Attachment B**) and is contiguous to city limits (**Attachment C**).

- The proposal is currently zoned AE-20 (Exclusive Agricultural) and has been rezoned to the Reedley CC (Central and Community Commercial) zone districts by Pre-zone Application: R2017-2, City Ordinance No. 2018-001.
- The territory is uninhabited.
- The proposal is consistent with the Reedley General Plan Update 2030.

Land Conservation Contract No. AP-2767

The affected territory was subject to Land Conservation Contract No. AP-2767, which was entered on February 26, 1971. Notice of Non-Renewal was filed for Land Conservation Contract No. AP-2767 (APN No. 363-070-44) on July 25, 2005, initiating a process that ended with the expiration of the contract in December 2014.

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 Reedley and County of Fresno. (See letter from Mr. Jean Rousseau.)
- The City of Reedley and the Fresno County Fire Protection District have a transition agreement in place to provide fire protection services to the affected territory.
- 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 Reedley CC (Central and Community Commercial) zone district by Pre-zone Application: R2017-2, City Ordinance No. 2018-001.
- The City of Reedley is within the Kings River East GSA.

Relationship to Regional Housing Goals and Policies

Developing commercial land in the City of Reedley increases demand for jobs and housing. The proposed commercial zoning of the property allows mixed-use developments as a by-right use so the property to be annexed has the potential to provide for additional housing.

Sustainable Groundwater Management Act

California's Sustainable Groundwater Management Act ("SGMA") was signed into law by 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 Kings River East GSA will represent the City of Reedley.

The affected territory is within the Alta Irrigation District service area. After annexation, the surface water entitlement within the affected territory will be reassessed and managed by the City of Reedley. According to the City Engineer, the City has ample water supply to accommodate the water needs of the proposed development and has provided a “will-serve” letter.

Environmental Determination

The City of Reedley, acting as “Lead Agency” under CEQA, adopted a Mitigated Negative Declaration for Environmental Assessment No. 2017-1 AA No. 2017-2, Prezone application No. 2017-2, and Site Plan Application No. 2017 filed with the Fresno County Clerk office on June 13, 2018 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.

Costs and Other Changes Affecting Residents or Landowners

None reported by the City of Reedley staff.

Agencies and Individuals Submitting Comments

- Jean Rousseau, County Administrative Officer
- Chufeng Vang, IT Analyst, Fresno County Elections Department
- Kevin Tsuda, Environmental Health Specialist II, Fresno County Environmental Health Division
- Karen Coletti, Executive Secretary, Fresno County Public Library
- Mikel Maxwell, Engineering Technician III, Fresno Metropolitan Flood Control District
- Samantha Hendricks, Cadastral Tech II, Fresno County Assessor-Recorder Office
- Jose A Robledo, P.E., State Water Recourse Control Board
- Luis M Rios, Resource Analyst I, Alta Irrigation District
- Mohammad Khorsand, Senior Planner, Fresno Co. Department of 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 not adequate** to file with the State Board of Equalization.

Registered Voter Data

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

Compliance with the Requirements of CEQA

Lead Agency: City of Reedley

Level of Analysis: Initial Study

Finding: Mitigated Negative Declaration. (See Environmental Documents at www.fresnolafco.org under the Hearing and Workshops tab in the November 14 file).

Individuals and Agencies Receiving this Report

- Ken Price, LAFCo Counsel
- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- Will Kettler, Development Services Div. Mgr., Fresno Co. Public Works and Planning
- Paul Peschel, District Manager, Kings River Conservation District
- Chief Mark Johnson, Fresno County Fire Protection District
- Ellen Moore, Associate Planner, City of Reedley