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

CONSENT AGENDA ITEM No. 5-B

DATE: April 13, 2022

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, Executive Officer 

BY: Amanda Castro, LAFCo Analyst I

SUBJECT: Consider Approval - City of Fowler "Armstrong-Adams Reorganization." A proposed reorganization consisting of the annexation of 29.4 acres to the City of Fowler and the Selma-Kingsburg-Fowler County Sanitation District and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located north of the northwest corner of Armstrong and Adams Avenues. (LAFCo File No. RO-22-01)

Applicant: City of Fowler

Land Owners/Parties of Real Interest (100% Consent): City of Fowler, Paul Bedrosian

(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 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 "Armstrong-Adams 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 description and map.
 - c. Satisfactory verification that the City has accepted a final map shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.
 - d. The Selma-Kingsburg-Fowler County Sanitation District's annexation fee shall be paid to the District prior to recordation. The proponents shall provide evidence to the Executive Officer as verified by the District that the condition has been met prior to recordation.

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

Executive Summary

On January 4th, 2022 the City of Fowler initiated this reorganization with the adoption of Resolution No. 2529 requesting the Commission to begin proceedings for the "Armstrong-Adams Reorganization " to annex approximately 29.4 acres to the City of Fowler and the Selma-Kingsburg-Fowler County Sanitation District ("SKF") and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District, and Fresno County Fire Protection District for territory located on the northwest corner of Armstrong and Adams Avenues.

The Fresno County Administrative Officer determined that the proposal is consistent with the Standards of Annexation contained within the City/County Memorandum of Understanding.

The proposal conforms to the Fowler General Plan and the City of Fowler development standards.

Proposal/Land Use

- The proposal consists of the annexation of approximately 29.4 acres to the City of Fowler and Selma-Kingsburg-Fowler County Sanitation District and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District, for territory located north of the northwest corner of Armstrong and Adams Avenues.
- Information related to the proposal's 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 Fowler sphere of influence (**Attachment B**) and is contiguous to the Fowler 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 (Agricultural) and will be zoned to the City of Fowler R-1-10 (Single Family Residential-10,000 SQ. FT.) Zone District by Prezone Ordinance No. 2022-02.
- The territory is uninhabited (11 or fewer registered voters).

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 Fowler and County of Fresno. (See letter from Mr. Paul Nerland.)
- The City of Fowler 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 prezoned to the City of Fowler R-1-10 (Single Family Residential- 10,000 SQ. FT.) Zone District by Prezone Ordinance No. 2022-02.
- The City of Fowler is within the South Kings GSA and has a Groundwater Recharge Plan in place.

Relationship to Regional Housing Goals and Policies

The proposal will assist the City of Fowler in achieving its fair share of regional housing needs as determined by the Fresno Multi-Jurisdictional Housing Element adopted April 5, 2016, by developing at a density consistent with the City of Fowler's General Plan.

Sustainable Groundwater Management Act

Former Governor Edmund G. Brown Jr. signed California's Sustainable Groundwater Management Act ("SGMA") 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 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 Fowler and is comprised of the City of Kingsburg, the City of Fowler, the City of Sanger, the City of Parlier, and the Del Rey Community Service District.

Environmental Determination

The City of Fowler, acting as "Lead Agency" under CEQA, prepared an Initial Environmental Study ("IES") for the proposed project constant with the requirements of CEQA. The IES determined the project would have a significant impact on the environment and city service/infrastructure. Accordingly, a Mitigated Negative Declaration has been prepared for the project pursuant to the provisions of CEQA and was filed with the Fresno County Clerk's office on January 25, 2022.

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

The subdivision will be required to pay the Selma-Kingsburg-Fowler Sanitation District fee.

Agencies and Individuals Submitting Comments

- Paul Nerland, County Administrative Officer
- Kevin Tsuda, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
- Chufeng Vang, IT Analyst, Fresno County Elections Department
- Frank Hernandez, Engineering Tech I, Selma-Kingsburg-Fowler Sanitation District
- Bobby Sanders, Fresno County Assessor
- Josh I Chrisman, Fresno County Fire Protection District

Territory Boundaries

The boundaries of the proposed annexation **are** definite and certain; 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 are **five** registered voters in the affected territory.

Compliance with the Requirements of CEQA

Lead Agency: City of Fowler

Level of Analysis: Initial Study

Finding: Mitigated Negative Declaration (See Environmental Documents at www.fresnolafco.org under the Hearing and Workshops tab in the April 13, 2022, file).

Individuals and Agencies Receiving this Report

- Ken Price, LAFCo Counsel
- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- Wilma Quan, City Manager, City of Fowler
- Provost & Pritchard Consulting Group

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Attachment A

PROPOSAL INFORMATION

1. Affected Territory

Acreage:	29.4
Current Land Use:	AE-20 (Agricultural Exempt)
Number of Residents/Population:	Residents: 1 / Population: 2 estimated
Registered Voters:	Voters: 5
Assessor Parcel Number(s):	343-020-15

2. Proposed Development - The affected territory will be developed with 74 single-family residential lots.

3. Surrounding Territory – Residential to the north, south, east, and west

4. Existing Service Agencies and Proposed Service Changes

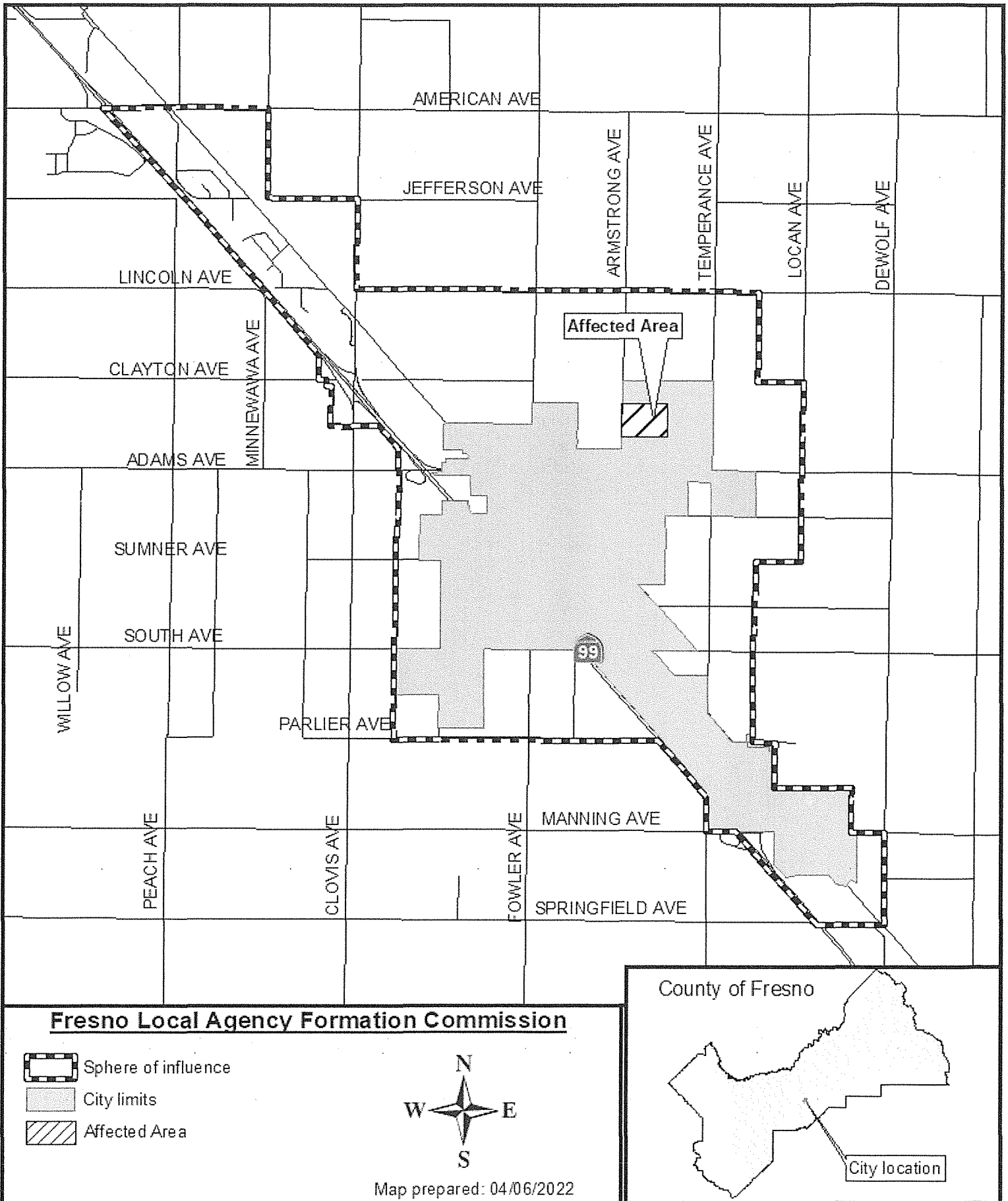
Service	Existing Service	Change
Water	City of Fowler	City of Fowler
Sewer	Selma-Kingsburg-Fowler County Sanitation District	Selma-Kingsburg-Fowler County Sanitation District
Fire Protection	Fresno County Fire Protection District	City of Fowler Fire Department

(See Service Plan on our website at www.fresnolaftco.org).

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

Fresno County	Fresno County Library
Fowler Cemetery District	Fresno County Fire Protection District
Fowler Unified School District	Consolidated Mosquito Abatement District
Kings River Conservation Dist.	Co. School Service
West Fresno Red Scale District	Consolidated Irrigation District
Selma-Kingsburg-Fowler County Sanitation District	CSA 35
State Center Community College	

Attachment B



Attachment C

