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

AGENDA ITEM NO. 6

DATE: March 9, 2016

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer 

SUBJECT: Consider Approval: City of Clovis "Barstow-Leonard Southwest Reorganization." A reorganization to annex approximately 38.02 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located at the southwest corner of Leonard and Barstow Avenues (LAFCo File No. RO-16-1)

Applicant: George Gonzalez, MPA, City of Clovis

Land Owners/Parties of Real Interest (asterisk indicates consent): City of Clovis*, Leo & Anna Lewis*, Wilson Premier Homes, Inc.*, Donald & Deena Diboll, Nolon & Joanne Doss, Joe & Nellie Rodriguez, Judith & Walter Reinhardt

RECOMMENDATION: Approve By Taking the Following Actions:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to approving the proposed annexation, the environmental effects of the project as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.
- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- C. Assign the distinctive short form designation "Barstow-Leonard Southwest Reorganization" and approve the annexation and detachments subject to the following condition of approval:

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 preceding 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 pursuant to the "Act" that:
1. The territory is uninhabited.
 2. Not all landowners and affected agencies have consented to the annexation in writing.
- E. Find that the notice mailed on February 16, 2016, was given to all landowners 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 pursuant to section 56663(b) and (c) that the Commission intends to waive protest proceedings unless written opposition is received before the conclusion of the Commission proceedings on this proposal.
- F. Find that no written opposition to the proposal from landowners within the affected territory 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 the above condition, and waive further Conducting Authority proceedings.
- Or
- G. If written opposition to the proposal from landowners within the affected territory was received prior to the conclusion of the hearing, approve the proposal subject to the requirements of CKH, the 30-day reconsideration period, and compliance with the above condition, 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 November 16, 2015, the City of Clovis initiated this reorganization with the adoption of Resolution No. 15-146, requesting that the Commission begin proceedings for the "Barstow-Leonard Southwest Reorganization" to annex 38.02 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District.

The Fresno County CAO determined that the proposal is consistent with the Standards of Annexation contained within the City/County Memorandum of Understanding. The proposed development conforms to the City's General Plan and Loma Vista Specific Plan. The City of Clovis and the Fresno County Fire Protection District have a fire transition agreement in place as required by Section 102-04 of the Commission's Policies, Standards, and Procedures.

Not all landowners in the affected territory consented in writing and therefore this proposal is subject to protest proceedings. CKH Section 56663 allows the Commission to waive protest proceedings if the notice of hearing discloses to the landowners that unless written opposition to the proposal from registered voters or landowners within the affected territory is received before the conclusion of the commission proceedings, the Commission intends to waive protest proceedings. The notice must also disclose that there is potential for the extension or continuation of previously authorized charges, fees, assessments, or taxes by the local agency in the affected territory. The mailed notice of public hearing did include this language and staff

is recommending that the Commission waive the protest proceedings, if no written protest is received prior to the conclusion of the hearing.

Proposal

The proposal consists of the annexation of 38.02 acres to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located south of Dakota Avenue and west of Highland Avenue. The Proposal area includes development of Tentative Tract Map 6064, a part and a community center.

Tentative Tract Map No. 6064

On November 16, 2015, the Clovis City Council adopted Resolution 15-145 approving Tentative Tract Map No. 6064. The Site Plan Review (SPR2008-10 Loma Vista Specific Plan's Urban Center North) was approved by the Clovis City Council on April 20, 2009. SPR2008-10 and Tentative Tract Map 6064 cover at least 50% of the area to be annexed. Tentative Tract Map 6064 proposes the development of a 250-lot single-family residential subdivision on approximately 27 acres. Ordinance 15-26 adopted by the Clovis City Council on December 7, 2015, rezoned approximately six acres from County AE-20 Zone District to the R-2 and R-3 Zone Districts for property located at the southwest corner of Barstow and Leonard Avenues. Ordinance 15-27 also adopted by the Clovis City Council on December 7, 2015 amended the Loma Vista Community Centers North and South Master Plan to include additional properties and permit an alternative single-family housing product within the high density residential area. The City of Clovis as "lead agency" conducted an initial study and on November 16, 2015, and adopted a Mitigated Negative Declaration for Tentative Tract Map No. 6064 (**Exhibit 1**).

Ability for the City to Serve Water to the Territory

Urbanization within the City of Clovis occurs both inside and outside the Kings River service area for Fresno Irrigation District (FID). Therefore, not all lands within Clovis' sphere of influence have access to a surface water source. Lands generally located south of the Enterprise Canal are within the Kings River service area and as such are entitled to an average annual allotment of about 2.1 acre-feet per acre (AF/ac). Those lands to the north and east of the Enterprise Canal do not have a source of surface water with some exceptions including the Garfield and International Water Districts. For those lands lying outside the Kings River service area, and for lands with land uses that will create a water demand that is greater than the 2.1 AF/ac Kings River allotment, the City has implemented a mechanism for development to pay a fee for the acquisition of the water supply necessary to cover the increased demand. The actual acquisition is accomplished through water exchange agreements between the City and FID.

The proposed annexation lies within the FID Service area and is, therefore, entitled to its allotment of 2.1 AF/ac per year. For the proposed 250-unit project, the land use is in conformance with the land use designation identified in the general plan of high density residential which is intended to accommodate between 15 and 25 dwelling units per acre. The proposed project is at the extreme low end of this range at about 15 dwelling units per acre. At this density, water demand will slightly exceed the Kings River allotment and the developer will pay the fee for acquisition of the additional water supply needed for the project. Further projects within the annexation area will, likewise, utilize the allotment and pay water supply fees if the allotment does not cover the project demand.

Relationship to Regional Housing Goals and Policies

The City of Clovis is currently updating its Housing Element to comply with the State regional housing allocations. The proposed project will not negatively change or impact the City's Housing Element objectives or needs.

Proposal / Land Use

- The territory is within the City of Clovis' Sphere of Influence, south and east of the city limits (**Exhibit A**).
- The proposal consists of the annexation of 38.02 acres to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District.
- The subject territory is located south of Barstow Avenue and west of Leonard Avenue (**Exhibit B**).
- The territory proposed for annexation contains nine parcels that include TM 6064 that proposes a 250-lot single-family residential subdivision, approximately 16 residences, five vacant properties recently cleared of homes, and accessory buildings through County permits. These other parcels will have an opportunity to connect to City sewer and water.
- The proposal area is designated by the General Plan as Master Plan Community, Medium-High, and High Residential and is currently zoned County AE-20.
- The territory is uninhabited.
- The proposed development and reorganization conform to the City of Clovis' General Plan and Loma Vista Specific Plan.

Environmental Determination

The City of Clovis prepared an initial study for TM 6064 and adopted a Mitigated Negative Declaration and Mitigation Monitoring Program on November 16, 2015. A Notice of Determination was filed with the County Clerk on November 20, 2015. (See Environmental Documents on LAFCo's website at www.fresnolafco.org.)

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.

Consistency with LAFCo Policies, Standards and Procedures

- All properties within the project area have been rezoned to the Clovis R-2, R-3 and P-F Zone Districts and the proposed uses conform to this rezoning.
- 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 (see letter from Mr. Jean Rousseau, Fresno County CAO dated January 6, 2016 - Correspondence and Comments).
- The City of Clovis 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.

APPLICATION INFORMATION

1. Subject Territory

Acreage:	38.02 acres
Current Land Use:	Rural Residential & Agriculture
Number of Residences/ Population:	Residences:16 / Population: 16
Registered Voters:	Voters: 11
Assessor Parcel Number(s):	554-051-16, 17, 18, 63, 69, 73, 75, 77, 79

2. **Proposed Development** - TM 6064 proposes a 250-lot single-family residential development, Public Area #1 and Planning Area #3.

3. **Surrounding Territory** - Rural-residential to the north and west and rural-residential and agriculture to the south and east.

4. **Consistency with Adopted Sphere of Influence (SOI)** - The subject territory is within the LAFCo-approved Sphere of Influence for Clovis.

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

6. Existing Service Agencies and Proposed Service Changes

Service	Existing Service	Change
Water	Private Well	City of Clovis
Sewer	Private Septic	City of Clovis
Fire Protection	Fresno Co. Fire Protection District	City of Clovis

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

7. Cities and Districts Included Wholly or Partially Within the Subject Territory

Kings River Conservation District	Fresno County Fire Protection District
Fresno Co. Fire, Zone 10	Fresno Irrigation District
State Center Community College District	Clovis Unified School District
Clovis Cemetery District	County Service Area No. 35
Fresno Metropolitan Flood Control District	Fresno County Library
County of Fresno	Clovis Memorial District
Consolidated Mosquito Abatement Dist.	West Fresno Co. Red Scale Protect. Dist.

8. **Costs and Other Changes Affecting Residents or Landowners** - The costs of services will not change upon annexation. Residents will not be required to change services at the time of annexation but will have an opportunity to connect to city sewer and water. Existing residents will receive new City of Clovis addresses.

9. **Agencies and Individuals Submitting Comments**

- Jean Rousseau, County Administrative Officer
- Will Kettler, Manager, Dev. Services Division, Department of Public Works & Planning
- Janet Gardner, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
- Chufeng Vang, IT Analyst, Fresno County Elections Department
- Michael Navarro, Chief, Planning North Branch, Department of Transportation
- Tricia Wathen, Visalia District Engineer, State Water Resources Control Board
- Michael Maxwell, Engineering Technician III, Fresno Metropolitan Flood Control District
- Laurel Prysiazny, County Librarian
- Lt. Frances Devins, Fresno County Sheriff-Coroner's Office

10. **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.

11. **Registered Voter Data** - The County of Fresno Elections Office reported that there were eleven) registered voters in the subject territory.

12. **Compliance with the Requirements of CEQA**

Lead Agency: City of Clovis

Level of Analysis: Initial Study

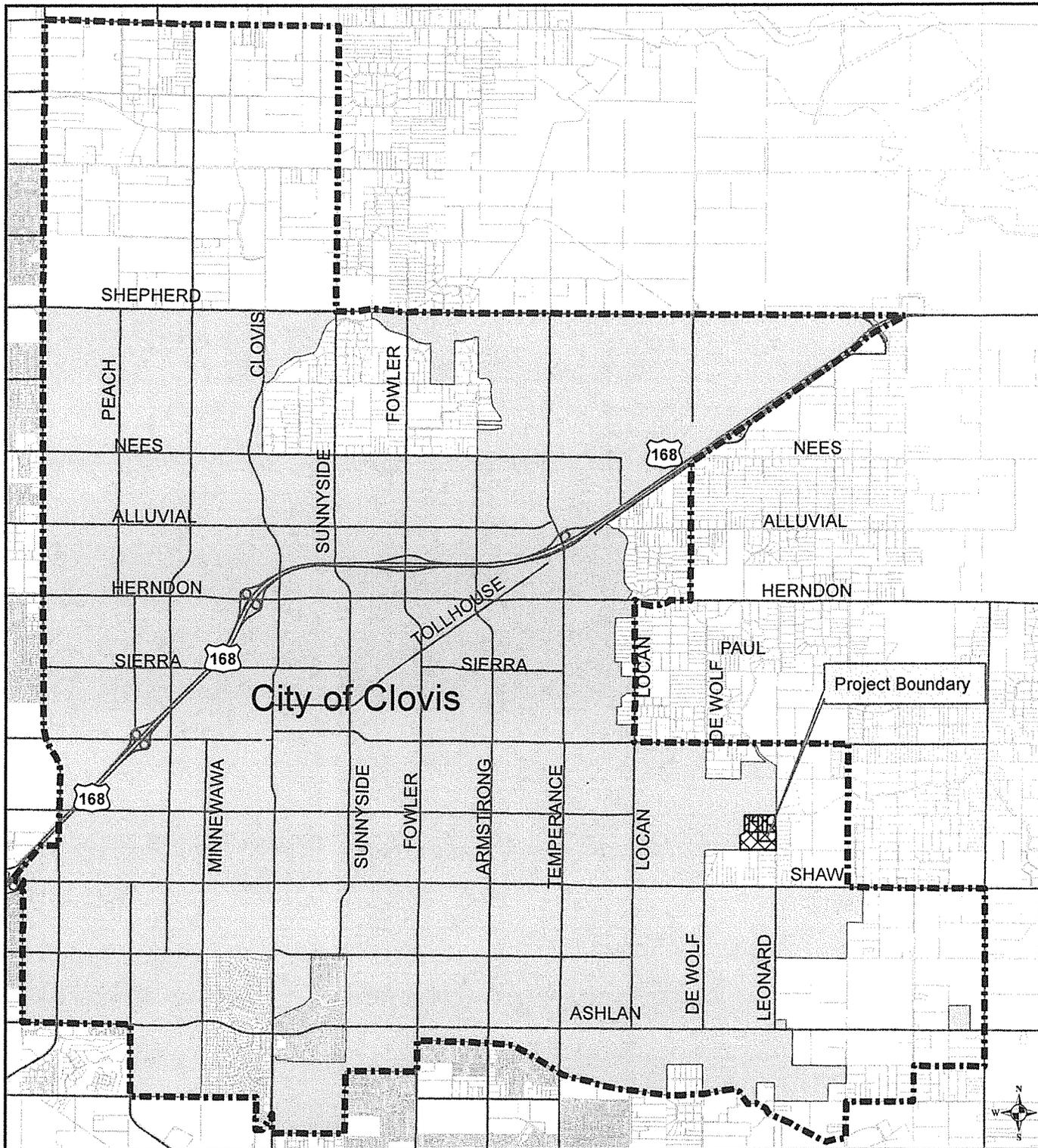
Finding: Mitigated Negative Declaration (see Environmental Documents at www.fresnolafco.org under the Hearing and Workshops tab in the March 9, 2016 file)

13. **Public Notice of Hearing** - Public notice concerning this Proposal was issued by the Executive Officer pursuant to State law.

14. **Individuals and Agencies Receiving this Report**

- Commissioners and Alternates
- 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
- Mark Johnson, Chief, Fresno County Fire Protection District
- Randy Shilling, Deputy District Manager, Kings River Conservation District
- George Gonzalez, Associate Planner, City of Clovis
- Jeff Harris
- Lorren Smith

EXHIBIT A



-  Barstow-Leoard SW Reorganization
-  Sphere of Influence, Clovis
-  City Limits, Clovis

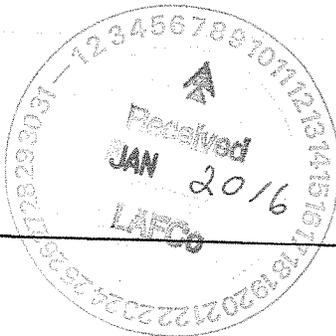
Barstow-Leoard SW Reorganization City of Clovis

EXHIBIT B



-  Barstow-Leonard SW Reorganization
-  Sphere of Influence, Clovis
-  City Limits, Clovis

**Barstow-Leonard SW Reorganization
City of Clovis**



County of Fresno

COUNTY ADMINISTRATIVE OFFICE

JEAN M. ROUSSEAU

COUNTY ADMINISTRATIVE OFFICER

January 6, 2016

Robert Woolley, City Manager
City of Clovis
1033 Fifth Street
Clovis, CA 93612

SUBJECT: Notice of Intent to File Barstow-Leonard Southwest Reorganization with LAFCo

Dear Mr. Woolley:

In accordance with the Amended and Restated Memorandum of Understanding between the City of Clovis and the County of Fresno, we have reviewed the annexation proposal described in the City's letter, dated December 9, 2015.

We have determined that the proposed Barstow Southwest Reorganization involving annexation of the subject approximately 36.43-acre territory 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 the County. We recommend that the full-width right-of-way along Barstow and Leonard Avenues be included in this annexation and the parcels to the south of the proposed annexation territory be included in future annexations as well.

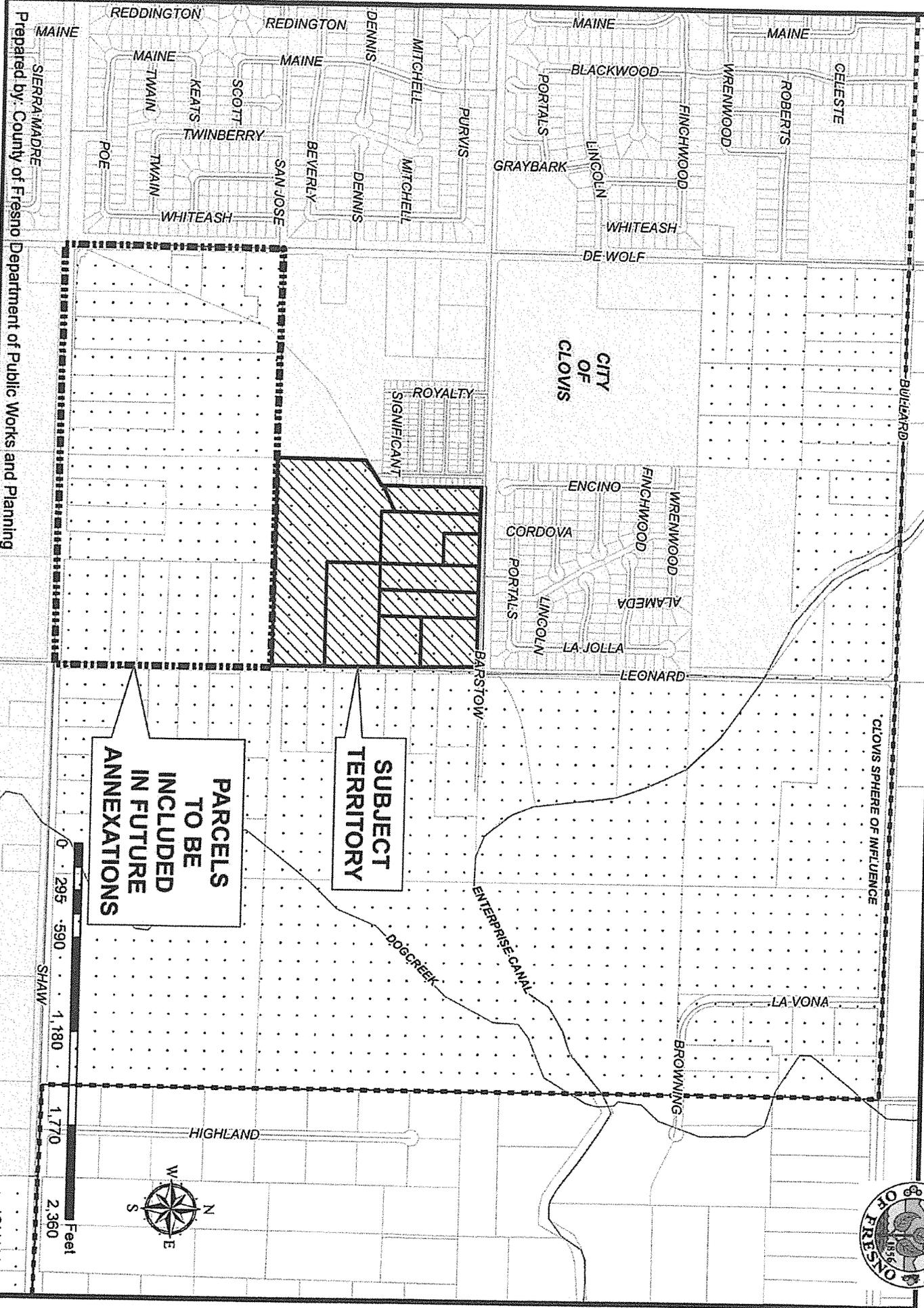
If you have any questions, you may contact me at (559) 600-1710 or William Kettler at (559) 600-4497.

Sincerely,

Jean M. Rousseau
County Administrative Officer

cc: Alan Weaver, Department of Public Works and Planning
Bernard Jimenez, Department of Public Works and Planning
Will Kettler, Department of Public Works and Planning
Mohammad Khorsand, Department of Public Works and Planning
David Fey, LAFCo
George Gonzalez, City of Clovis

LOCATION MAP



**PARCELS
TO BE
INCLUDED
IN FUTURE
ANNEXATIONS**

**SUBJECT
TERRITORY**





County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

DATE: January 25, 2016
TO: David E. Fey, AICP, Executive Officer
FROM: William M. Kettler, Manager
Development Services Division
Department of Public Works and Planning
SUBJECT: City of Clovis, "Barstow-Leonard Southwest Reorganization"; Agency No. RO-16-1

Received

JAN 25 2016

Fresno LAFCo

This is in response to your notice dated January 12, 2016, regarding an annexation application submitted by the City of Clovis to LAFCO known as the "Barstow-Leonard Southwest Reorganization"; Agency No. RO-16-1.

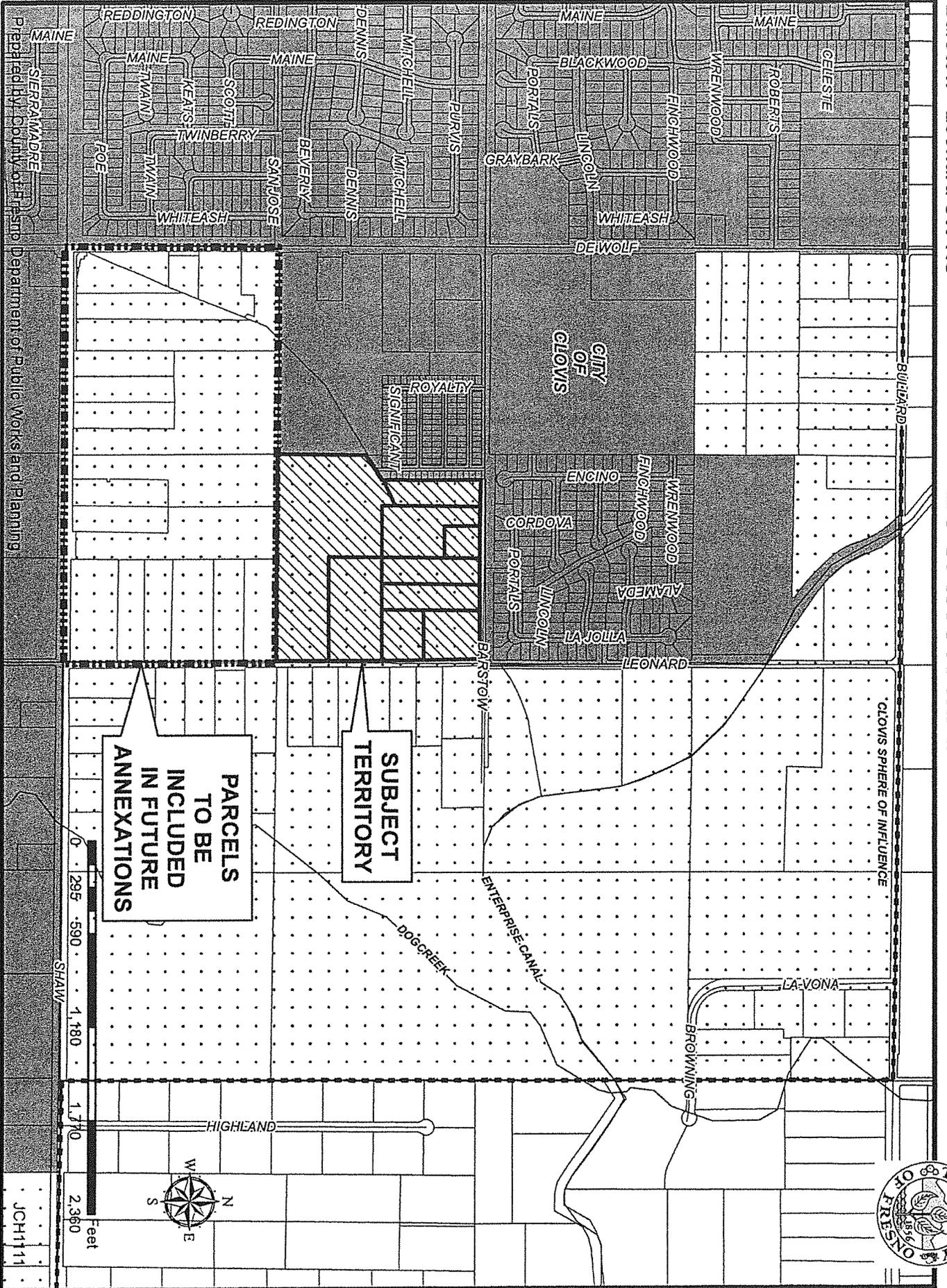
1. County plan designation for the area:
The subject territory is designated as Agricultural in the County General Plan.
2. Consistency of the proposal with adopted County General and Community Plans and Policies.
The County's General Plan directs urban type uses to incorporated cities and unincorporated communities where necessary support services are available. Annexation of the subject territory represents a logical expansion of the City of Clovis' boundary. The subject territory is within the City of Clovis' Sphere of Influence (SOI) and abuts the current city boundary. Therefore the proposed annexation is in conformance with the Amended and Restated Memorandum of Understanding (MOU) between the City of Clovis and the County of Fresno.
3. Any pending County plans, projects (i.e. Community Development, roads, etc.) or development permits:
NONE
4. Other related comments:
On December 30, 2015, the County issued a consistency determination letter stating that the "Leonard-Dakota Southeast Reorganization" is consistent with the Standards of Annexation contained in Exhibit 1 of the Memorandum of Understanding between the County of Fresno and the City of Clovis.
5. Recommendations:
It is recommended that the City of Clovis include the full width of right-of-way along Barstow and Leonard Avenues.

William M. Kettler, Development Services Manager
Department of Public Works and Planning

1/25/16
Date

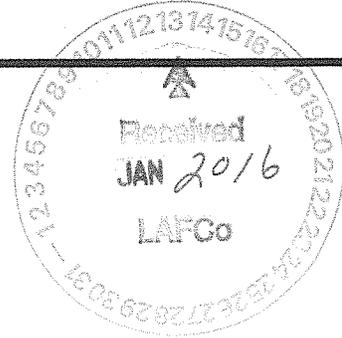
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LOCATION MAP



Fleming, Candace Lynn

From: Gardner, Janet
Sent: Wednesday, January 13, 2016 1:34 PM
To: Fleming, Candace Lynn; Fey, David
Cc: Allen, Glenn; Tsuda, Kevin
Subject: Barstow-Leonard SW Reorg RO-16-1



Fresno County Environmental Health (EH) has completed the review of RO-16-1 Barstow-Leonard Southwest Reorganization requesting annexation to the City of Clovis with connections to city sewer and water services. A prior City of Clovis application was routed to EH thus EH has no further comments.

Sincerely;

Janet Gardner

Environmental Health Specialist III
Environmental Health Division
Fresno County Department of Public Health
Office: (559) 600-3271



Fresno Local Agency Formation Commission

DATE: January 12, 2016
TO: Chufeng Vang and/or Erik Salcedo, Elections Division
FROM: Candie Fleming, Clerk to the Commission
SUBJECT: "Barstow-Leonard Southwest Reorganization"
AGENCY NO.: RO-16-1

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, we are requesting your agency's assistance in reviewing and commenting on this application. Please provide the following information indicated by an "X":

- A. Number of registered voters in the area. 11
B. For notification purposes, if 12 or more registered voters, please furnish two sets of labels that show all registered voters in the affected area along with their address and one set of labels for all registered voters residing within 300 feet of the exterior boundary of the property as shown upon the most recent assessment roll being prepared by the County.
D. What percent of the registered voters in the proposal area does the attached petition represent?
E. X Will the proposal affect precinct boundaries or the conduct of elections? yes
F. Other comments:

In order to proceed with the processing of this application, please return your comments to this office by January 25, 2016. Your assistance is greatly appreciated. Thank you.

CF

Attachments: Map, Legal description

[Handwritten signature] I TA - 1
Signature and Title

DEPARTMENT OF TRANSPORTATION

DISTRICT 6

1352 WEST OLIVE AVENUE

P.O. BOX 12616

FRESNO, CA 93778-2616

PHONE (559) 445-5868

FAX (559) 445-5875

TTY 711

www.dot.ca.gov

Received

JAN 28 2016

Fresno LAFCo

*Serious drought.
Help save water!*

January 28, 2016

06-FRE-168-R9.764+/-
BARSTOW-LEONARD SW REORG
RO-16-1Ms. Candace Fleming
Clerk to Commission
LAFCo
2607 Fresno Street
Fresno, CA 93721

Dear Ms. Fleming:

We have completed our review of the Barstow-Leonard Southwest Reorganization application. The project area is located on the southwest quadrant of Barstow and Leonard Avenues. This application runs in conjunction with the proposed Tract Map 6064 for a 250-lot single family planned residential development. Caltrans has the following comments:

We have no concerns with the annexation of the area known as Barstow-Leonard Southwest area. However, the project should pay into the Fresno Regional Transportation Mitigation Fee program to mitigate any potential impacts to regional facilities.

If you have any further questions, please feel free to contact Jennifer Bryan-Sanchez of my staff at (559) 488-7307.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Navarro".

MICHAEL NAVARRO, Chief
Planning North Branch

JAN 26 2016

Received

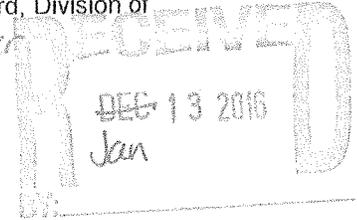
LAFCo Fresno Local Agency Formation Commission

Date: January 12, 2016

To: *Tricia Wathen*
Betsy Lichti, District Engineer, State Water Resources Control Board, Division of Drinking Water, Fresno-Division *Visalia District Engineer*

From: Candie Fleming, Clerk to the Commission *d*

Subject: "Barstow-Leonard Southwest Reorganization" – RO-16-1



The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, we are requesting your agency's assistance in reviewing and commenting on this application. At this time we are requesting information on the following particular factors:

- Adequacy and availability of existing and proposed community water systems:

The impact to the City of Clovis water supply of 250-lots is not identified. Additional source capacity is required to meet this project for water supply. Estimated additional demand and proposed source of demand needs to be identified.
- Need for services other than those proposed:

Water supply
- Effect of project on water quality/quantity?

City of Clovis water supply currently meets drinking water quality standards.
- Related State or County plans or projects:
- Other comments:

The Visalia District has regulatory oversight of the City of Clovis (and ~10 other PWS systems) in Fresno County. See attached list.

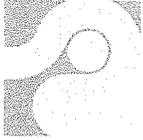
In order to proceed with the processing of this application, please return your comments to this office by **January 25, 2016**. Your assistance is greatly appreciated. Thank you.

Tricia Wathen - Visalia District Engineer
Signature and Title

1/21/16
Date

CF

Attachment: Application, Map, Legal Description, Resolution



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 170.44
310. "DO", "3G"

January 22, 2016

Received

JAN 25 2016

Fresno LAFCo

Ms. Candie Fleming, Clerk to the Commission
Fresno Local Agency Formation Commission
2607 Fresno Street, Suite "B"
Fresno, CA 93721

Dear Ms. Fleming,

LAFCO No. RO-16-1
Barstow-Leonard Southwest Reorganization
Annexation to the City of Clovis
Drainage Areas "DO" and "3G"

The proposed annexation boundary encompasses lands within the Fresno Metropolitan Flood Control District and will be served by the District's Storm Drainage and Flood Control Master Plan. Drainage service through Master Plan facilities does not exist for that portion of the annexation area located south of the Jefferson Canal.

It is our understanding there will be no change in the District's share of the property tax base, nor future property tax increments for the impacted Tax Rate areas.

The District further request its historic growth increment tax applied to this area.

If you have any questions or require further information, please do not hesitate to contact us.

Very truly yours,

Michael Maxwell
Engineering Technician III

MM/lrl

c: Alan Hofmann, Fresno Metropolitan Flood Control District

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INTER OFFICE MEMO

Fresno County Public Library

Date: January 19, 2016
To: Candice Fleming, Clerk to Commission
From: Laurel Prysiazny, County Librarian
Subject: Barstow-Leonard Southwest Reorganization

Annexation from Fresno to Clovis. Possible new housing tract in future plans.

Property once owned by Fresno pioneer Joseph Davidson Reyburn. Don't know if there was ever a house built there.

Resources:

Thompson, Thos. H., 1891, Atlas of Fresno County California.
Coffey, Jean, 1987, Biographical Index of Fresno and Madera Counties from Selected sources in the Roy J. Woodward Memorial Library of Californiana,

**If upon construction and digging there are any archaeological findings, they should not be disturbed until the right authorities are contacted.

Fleming, Candace Lynn

From: Devins, Frances <Frances.Devins@fresnosheriff.org>
Sent: Friday, January 22, 2016 2:19 PM
To: Fleming, Candace Lynn
Cc: Gularte, Greg
Subject: Barstow-Leonard Southwest Reorganization -RO -16-1

Good afternoon,

On behalf of the Fresno County Sheriff's Office, we have no objections to this application.

Thank you,
Frances

Lieutenant Frances Devins
Fresno County Sheriff-Coroner's Office
Area 2/Area 4 Commander
H.E.A.T./Explorers/O.H.V.
5717 E. Shields
Fresno, CA 93721
(559) 600-8039
frances.devins@fresnosheriff.org

Received

JAN 22 2016

Fresno LAFCo