

November 5, 2013

Sent via U.S. Mail and email: dfey@co.fresno.ca.us

David E. Fey, AICP
Executive Officer, Fresno LAFCO
2607 Fresno Street, Ste. B
Fresno, California 93721



RE: Shaw-DeWolf Southeast Reorganization

Dear Mr. Fey:

Lennar has formally requested a special LAFCO hearing to be held on or before November 20, 2013 to consider and approve the Shaw-DeWolf Southeast Reorganization ("Shaw-DeWolf Reorg"). The Shaw-DeWolf Reorg consists of approximately 340 acres from DeWolf Avenue, east, between Shaw Avenue and Gettysburg Avenue, to just past the current N. Highland Avenue alignment and includes Clovis' 160 acre Southeast Urban Village.

Lennar is currently under contract to purchase approximately 80 acres ("Lennar Agreement"), within the Shaw-DeWolf Reorg, which would give Lennar control of approximately 120 acres immediately east of the proposed Southeast Urban Village. Lennar is currently processing entitlements for the development of approximately 500 residential dwelling units within the above described 120 acres. The Lennar Agreement requires Lennar to close escrow on the 80 acres on or before December 31, 2013. A condition of closing is that all entitlements, including annexation, have been approved and all appeal periods have expired prior to closing. Conducting the LAFCO hearing on the scheduled December 4, 2013, hearing date would cause certain conditions of the Lennar Agreement to not be timely met. Chiefly, the statutory period of reconsideration would extend into 2014 and Lennar would not be in a position to close on or before December 31, 2013. The Seller has advised Lennar that he must close escrow in 2013 for income tax purposes and is not willing to extend the closing to 2014. If Lennar cannot close escrow because the Shaw-DeWolf Reorg is not recorded on or before December 31, 2013, Lennar will terminate entitlement efforts on the 80 acres, eliminating 391 homes from the Southeast Growth Area.

For the reasons set forth below, it is critical that annexation be approved and all periods to challenge annexation have expired, prior to December 31, 2013.

Impact on Reaching 60% Threshold in Southeast Growth Area.

Lennar's close of escrow is critical to the success of the Southeast Growth Area and balanced growth in Clovis. As you also know, the City of Clovis and the County of Fresno are currently subject to a tax sharing agreement which requires that 60% of the developable property in Clovis' Southeast Growth Area must be subject to development before the City may consider development in the City's Northwest Growth Area. Approval of the Shaw-DeWolf Reorg is a critical path to the City of Clovis reaching the 60% threshold and critical to development of the Southeast Urban Village.

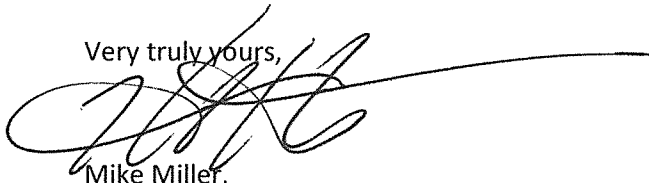
Economic Impact on Southeast Urban Village

A significant amount of the 160 village is rezoned for commercial purposes. The 500 residential dwelling units planned for Lennar's property are critical to the buildout and economic success of the City's Urban Village. If Lennar is unable to close escrow by December 31, 2013, Lennar will terminate entitlement efforts, eliminating 391 homes from the Southeast Growth Area, which will have a significant impact on the economic success of the City's Urban Village.

Granting Lennar's request for a special LAFCO hearing on or before November 20, 2013, would allow Lennar the statutory reconsideration period to expire prior to the end of the year. For the reasons set forth above, affording Lennar the opportunity to close escrow on the 80 acres on or before December 31, 2013 is for the betterment of the Southeast Growth Area, balanced growth and the community of Clovis as a whole.

Your consideration of Lennar's request is greatly appreciated.

Very truly yours,



Mike Miller,
Division President

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

AGENDA ITEM No. 5

DATE: November 13, 2013

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer

SUBJECT: **Consider Approval:** **City of Clovis "Shaw-DeWolf Southeast Reorganization."** A proposed reorganization to annex 340 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located on the east side of DeWolf Avenue, south of Shaw Avenue, west of Highland Avenue, and north of Gettysburg Avenue (**LAFCo File No. RO-13-4**).

Applicant: George Gonzalez, MPA, City of Clovis

Land Owners/Parties of Real Interest: Larry Crawford, Edward J. & Margaret Neufeld Trustees, William A. Dyck Trustee, Lennar Fresno Inc. (Bill Walls), Robert N. III & Marcia D. Lowder Trustees, Ricarda D. Armenta, Debenedetto Properties LLC, Wicks Family Limited Partnership, Manny & Thida Penn Trustees, Claude W & Marjorie J. Henry Trustees, Manny & Thida Penn Trustees, Zaid Maqbool, Monte F. Person Trustee, Joginder S. Matharu /Jaswant K. Chahal Trustees, City of Clovis, and Frank & Georgia W. Sorrenti

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 reorganization the environmental effects of the project as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency were reviewed and considered, and determine these documents to be legally adequate pursuant to CEQA Guidelines Section 15096.
- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures Section 210 - Standards for Annexation to Cities and Urban Service Districts (01-13), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the "Act").
- C. Assign the distinctive short form designation "Shaw-DeWolf Southeast Reorganization" and approve the reorganization (annexation and detachments) subject to the following conditions of approval:
 - 1. The City of Clovis shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.

2. Ownership of land permitting, the annexation shall include the full existing right-of-way width of adjacent roadways.
 3. The City shall administer the land conservation contracts to which it will succeed in accordance with its adopted rules and policies.
 4. Prior to recordation, the applicant will verify that all of the rezoning conditions of approval have been satisfied.
- D. Find pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("Act") that the territory is inhabited and all landowners and affected agencies have not consented to the annexation.
- E. The notice mailed on October 21, 2013 was given to all landowners and registered voters within the affected territory, as well as within 300 feet of the affected territory and included the language that "The Commission intends to waive protest proceedings pursuant to section 56663(b)(c) unless written opposition is received before the conclusion of the Commission proceedings on this proposal."
- F. If no written opposition is received, waive further Conducting Authority Proceedings and approve the annexation and detachments subject to the requirements of the "Act", the 30-day reconsideration period, and compliance with all of the above conditions.

Background / Discussion:

The City of Clovis initiated this Proposal on July 15, 2013, with the adoption of Resolution No. 13-94 and a Certificate of Filing has been issued. The City pre-zoned the territory from County AE-20 (Exclusive Agriculture-20 Acre Minimum) District to City R-1 (Single-Family Residential), R-3 (Medium Density Multiple-Family Residential), R-4 (High Density Multiple-Family Residential), C-3 (Central Trading), P-C-C (Planned Commercial Center), and P-F (Public Facility) Districts and approved TM 5937 for a 352-lot single family residential subdivision and SPR2008-10 for a master planned community.

The affected territory is within the existing sphere of influence and adjacent to the existing city limits on the west. The County of Fresno stated that the proposal was consistent with the Standards for Annexation contained in City of Clovis-County of Fresno MOU. (see Correspondence at www.fresnolafco.org).

Proposal / Land Use:

- The Proposal consists of the annexation of 340 acres to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District.
- The affected territory is located on the east side of DeWolf Avenue, south of Shaw Avenue, west of Highland Avenue, and north of Gettysburg Avenue. The territory is located inside the City of Clovis' Sphere of Influence and adjacent to the City limits on the west (see Maps and Figures).

- The Affected Territory is mostly in agricultural production with some residences. The surrounding land uses consist of rural residential uses to the north and east, single family residential to the west, and rural residential and public facilities (schools) to the south.

Environmental Determination:

The City of Clovis prepared an Initial Study to evaluate the potential environmental effects of the reorganization. The City made findings that no potential significant impacts to the environment would occur with implementation of the project. The Clovis City Council adopted a Mitigated Negative Declaration on July 6, 2009 and a Notice of Determination was filed with the County Clerk on July 18, 2013 (see Environmental Documents at www.fresnolafco.org).

As Responsible Agency, the Commission is required to review and consider the City's Initial Study and Mitigated Negative Declaration 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.

Williamson Act Contract

Four parcels (approximately 88 Acres) located within the affected territory are presently encumbered by Williamson Land Use Conservation Contracts AP136, AP-230, and AP-6273. As required by law the proposal was referred to the California Department of Conservation for comment.

The City of Clovis adopted a Resolution No. 13-136 on October 21, 2013 indicating its intent to succeed to these contracts. The City has administered the land conservation contracts to which it will succeed in accordance with its adopted rules and policies.

Government Code Section 56889 requires LAFCo to condition its approval of the annexation on the City's adoption of the rules and procedures for the administration of the contracts to which it will succeed. The City did indicate that it will succeed to all rights, duties, and powers of the County under the contract.

Consistency with LAFCo Policies, Standards, and Procedures:

- The Proposal is consistent with the City of Clovis' General Plan, the Loma Vista Specific Plan and the Memorandum of Understanding (Tax Sharing Agreement) Standards for Annexation with the County of Fresno (See Correspondence - www.fresnolafco.org).
- The City of Clovis has a current fire transition agreement in place with the Fresno County Fire Protection District.
- The affected territory is located within the City of Clovis' Sphere of Influence (SOI) and adjacent to the existing city limits along its western boundary (see Maps and Figures).
- The Proposal furthers the County's General Plan policies of directing growth to existing cities where infrastructure and a full range of municipal services are available to serve urban development.

- Substantial development is planned for the affected territory. The Service Plan submitted for this Proposal indicates that all necessary urban services (water, sewer, police, fire, etc.) are available to serve the affected territory (see Service Plan - www.fresnolaftco.org).
- The Proposal does not conflict with the goals and policies of LAFCo.
- The Proposal is timely, represents an appropriate action, and does not encourage urban sprawl.
- The Proposal would carry out LAFCo's purposes and responsibilities for the coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

Accordingly, the Executive Officer has determined that the proposed reorganization is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the "Act," Government Code 56000 et seq.), and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.

APPLICATION INFORMATION

1. Affected Territory

Acreage:	340 acres
Current Land Use:	Agriculture and Rural Residential
Number of Residences/ Population:	Residences: 19/ Population: 25
Landowners/ Registered Voters:	Landowners: 17 / Voters: 14
Previous County Zoning:	AE-20
City Zoning Upon Annexation:	R-1, R-3, R-4, C-3, P-F and P-C-C
Ag. Preserves/Contracts:	AP-230, AP-6273, and AP-136
Assessors Parcel Number:	555-031-03, 04, 09, 11, 17, 18, 19, and 24, 555-032-01, 02, 03, 04, 05, 06, 07, 08, 09, and 10, and 571-010-01S, 02S, and 79S

- 2. Proposed Development:** The City proposes to develop TM 5937 for a 352-lot single family residential subdivision and SPR2008-10 for a master planned community.
- 3. Surrounding Territory:** The surrounding land uses consist of rural residential uses to the north and east, single family residential to the west, and rural residential and public facilities (schools) to the south.
- 4. Consistency with Adopted Sphere of Influence (SOI):** The affected territory is within the City of Clovis' adopted Sphere of Influence.

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	Well/Groundwater	City of Clovis
Sewer	Septic	City of Clovis
Fire Protection	Fresno Co. Fire Protect. District	City of Clovis
Distance to Station	2.8 miles	1.6 miles

Please Note: A service plan for this Proposal is available at www.fresnolafco.org.

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

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

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

No costs are anticipated that will affect residents or landowners.

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

John Navarrette, Fresno County Administrative Officer
Will Kettler, Fresno County Department of Public Works and Planning
Morgan Barnett, Fresno County Elections Division
Supervising Sanitary Engineer, California Department of Health Services
Janet Gardner, Fresno County Department of Public Health
Neda Shakeri, Engineer III, Fresno Metropolitan Flood Control District
Paul-Albert Marquez, Chief, Office of Transportation
Laurel C. Prysiazny, County Librarian, Fresno County Public Library

10. **Territory Boundaries:** The boundaries of the proposed annexation **are** definite and certain, and there **are no** conflicts with lines of assessment ownership. The map and legal are not sufficient per Dave King (Fresno County Assessor's Office) for recordation or filing with the State Board of Equalization.

11. **Registered Voter Data**

The County of Fresno Elections Office reported that there were **fourteen** (14) registered voters in the affected 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 – www.fresnolafco.org).

13. Names of Landowners or Parties of Real Interest

Larry Crawford, Edward J & Margaret Neufeld Trustees, William A Dyck Trustee, Lennar Fresno Inc.(Bill Walls), Robert N Iii & Marcia D Lowder Trustees, Ricarda D Armenta, Debenedetto Properties LLC, Wicks Family Limited Partnership, Manny & Thida Penn Trustees, Claude W & Marjorie J Henry Trustees, Manny & Thida Penn Trustees, Zaid Maqbool, Monte F Person Trustee, Joginder S Matharu /Jaswant K Chahal Trustees, Monte F Person Trustee, City Of Clovis, and Frank & Georgia W Sorrenti

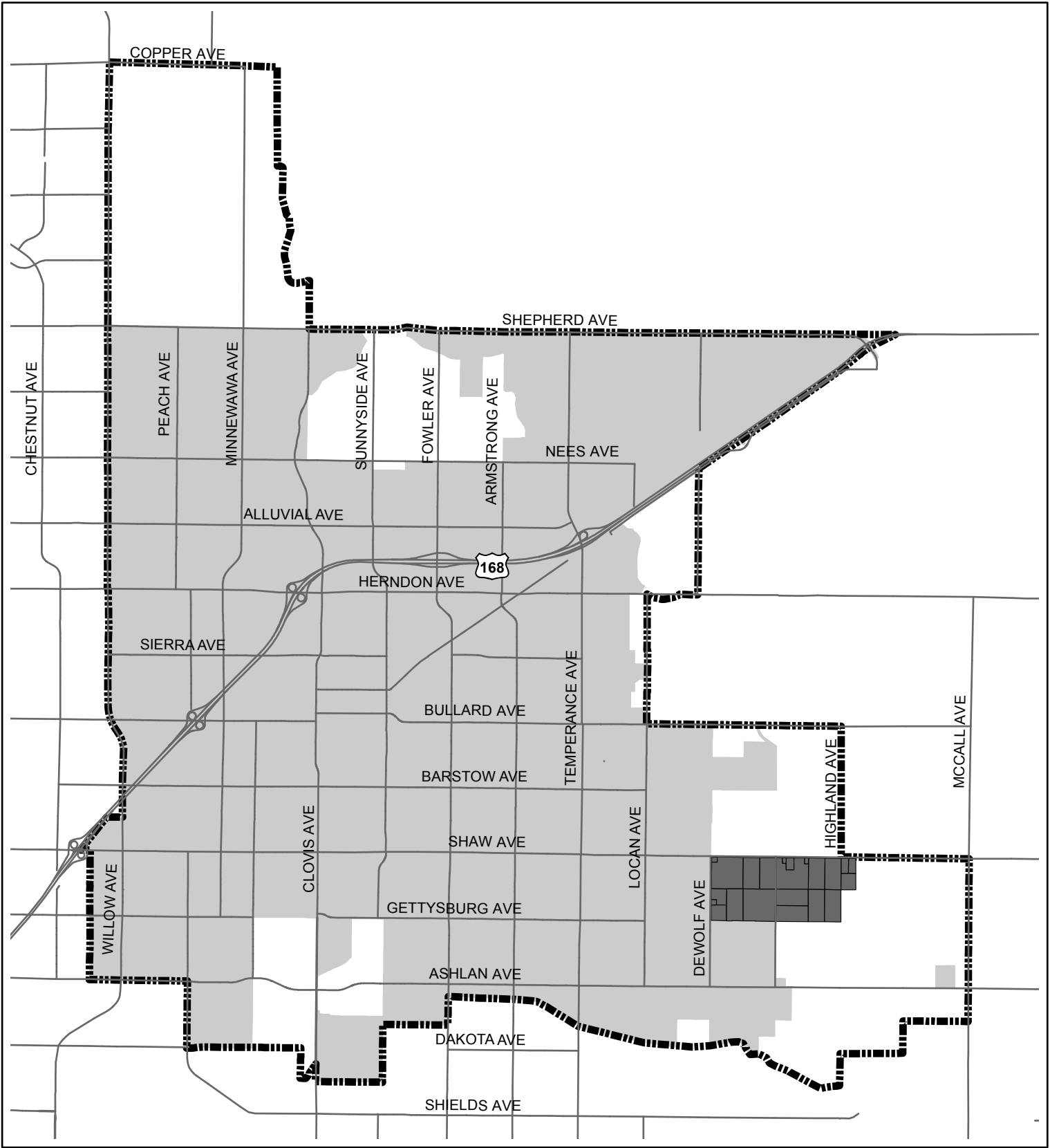
Proponent: George Gonzalez, MBA, City of Clovis

14. Public Notice of Hearing – Public notice concerning this Proposal was issued by the Executive Officer pursuant to State law.




15. Individuals and Agencies Receiving this Report

- Commissioners and Alternates
- Ken Price, LAFCo Counsel
- Will Kettler, Planning Manager, Fresno County Public Works and Planning
- Bernard Jimenez, Deputy Director of Public Works and Planning
- John Hernandez, Fresno County Public Works and Planning
- Keith Larkin, Chief, Fresno County Fire Protection District
- Andy Cosentino, Fresno County Fire Protection District
- Ray Franklin, Fresno County Fire Protection District
- David Orth, Kings River Conservation District
- George Gonzalez, MPA, City of Clovis
- Andrew Haussler, City of Clovis
- Bill Walls, Lennar Homes

FIGURE 1 - GENERAL SITE LOCATION



Legend

-  Sphere of Influence
-  City Limits
-  Affected Territory

City of Clovis "Shaw-DeWolf
Southeast Reorganization".
(LAFCo File No. RO-13-4)

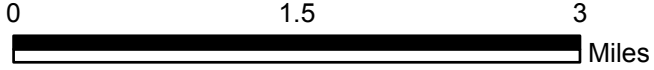
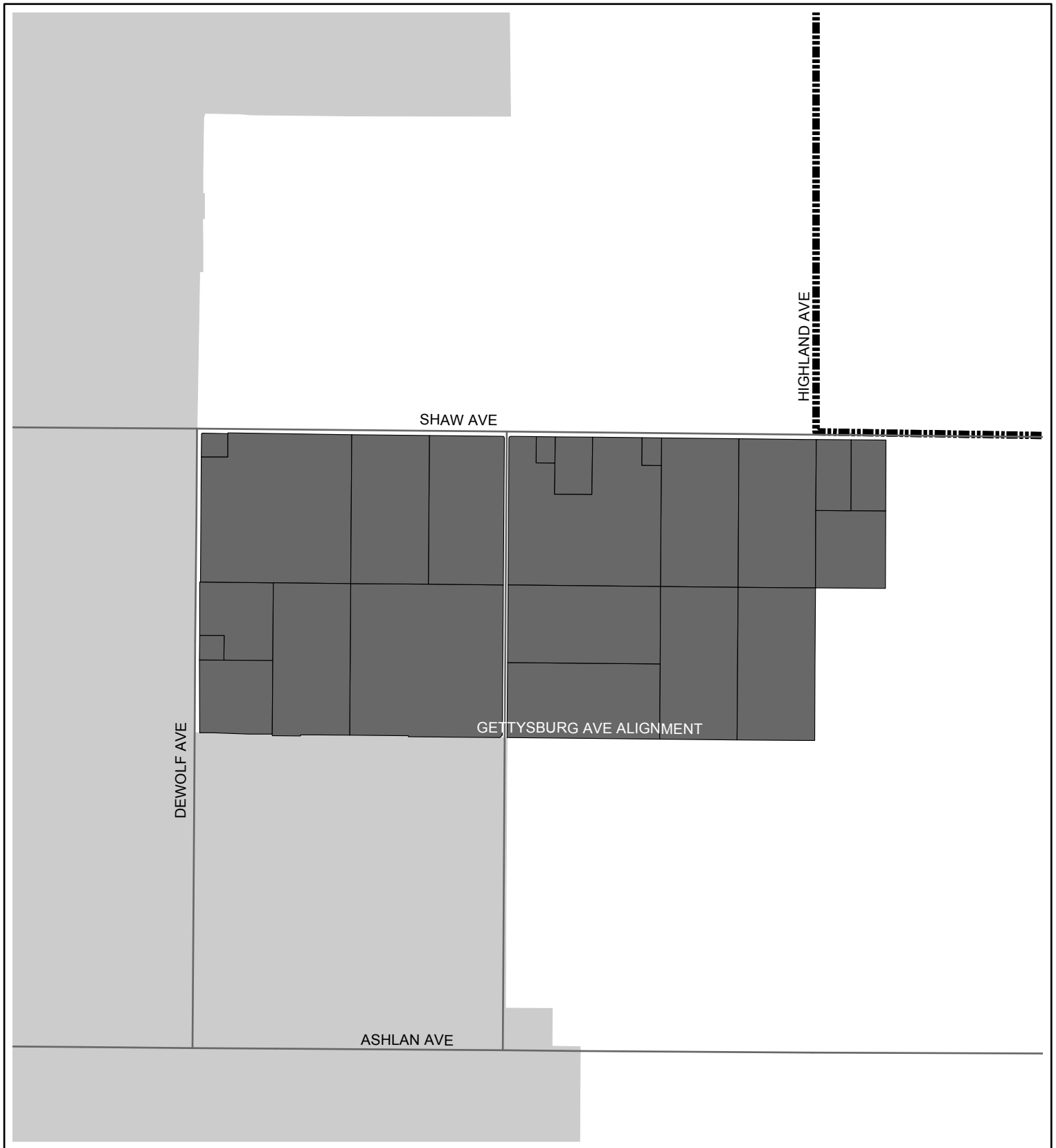





FIGURE 2 - ANNEXATION MAP



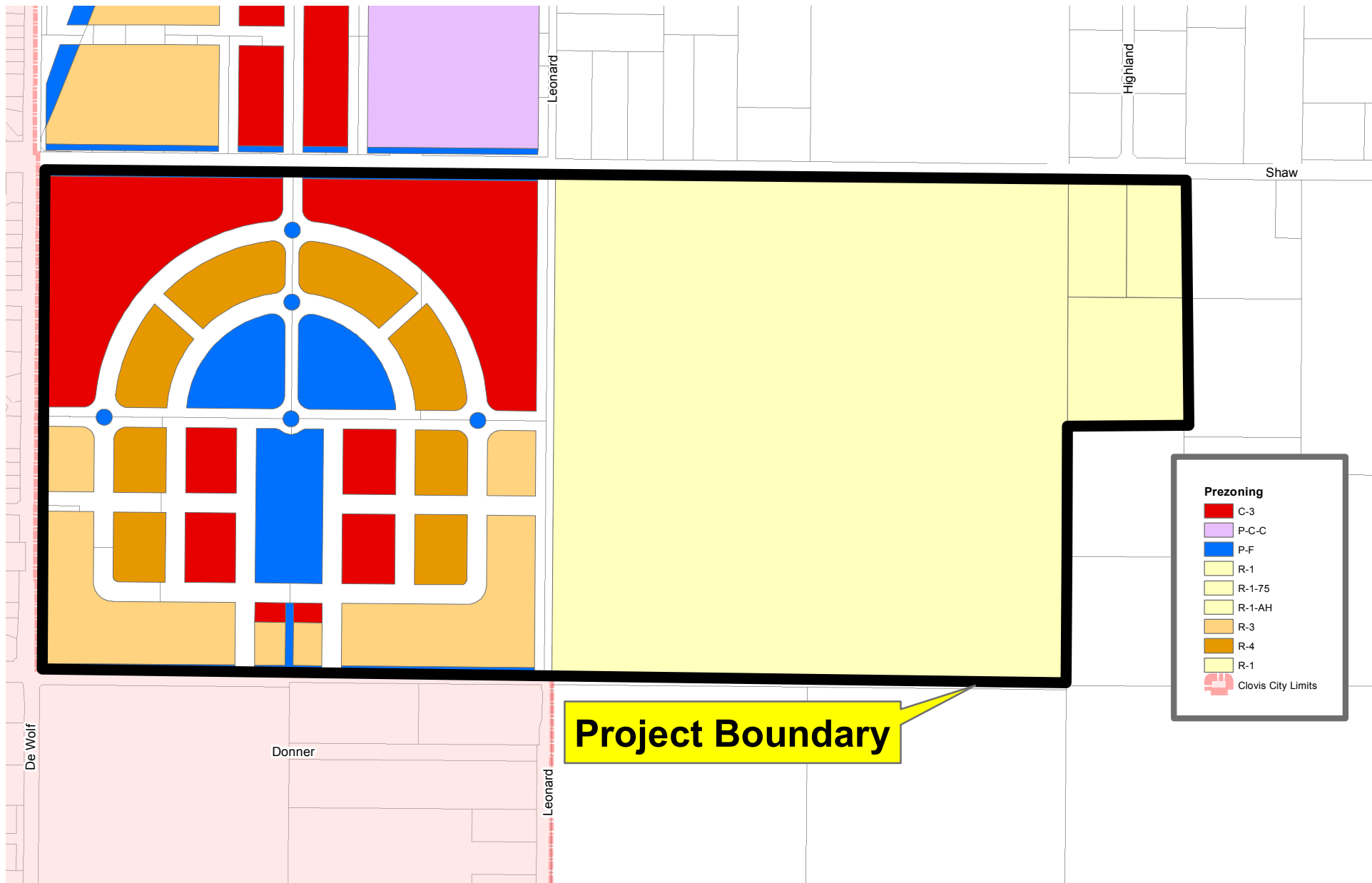
Legend

-  Sphere of Influence
-  City Limits
-  Affected Territory

City of Clovis "Shaw-DeWolf
Southeast Reorganization".
(LAFCo File No. RO-13-4)

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Miles





Shaw-DeWolf SE Reorganization Prezone Plan Exhibit 3

8/7/2013



1" = 699'



County of Fresno

COUNTY ADMINISTRATIVE OFFICE

JOHN NAVARRETTE

COUNTY ADMINISTRATIVE OFFICER

August 26, 2013



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

SUBJECT: Notice of Intent to File the Shaw-DeWolf SE Annexation/Reorganization

Dear Mr. Woolley:

In accordance with the City of Clovis-County of Fresno Memorandum of Understanding, we have reviewed the annexation proposal described in the letter from the city received on August 12, 2013.

We have determined that the proposed annexation by the City of Clovis is consistent with the Standards for Annexation contained in the City of Clovis-County of Fresno Memorandum of Understanding.

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

Very truly yours,

John Navarrette
County Administrative Officer

JN:RJJ

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c: Alan Weaver, Director, Department of Public Works and Planning
Bernard Jimenez, Deputy Director of Planning
Will Kettler, Division Manager, Development Services Division
Mohammad Khorsand, Senior Planner, Development Services Division
David Fey, Executive Officer, LAFCO
George Gonzalez, Associate Planner, City of Clovis



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

DATE: September 25, 2013
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, "Shaw-DeWolf Southeast Reorganization"; Agency No. RO-13-4



This is in response to your notice dated September 17, 2013, regarding an annexation application submitted by the City of Clovis to LAFCo known as the "Shaw-DeWolf Southeast Reorganization"; Agency No. RO-13-4.

1. County plan designation for the area:

The subject territory is designated for Agriculture and is zoned AE-20 (Exclusive Agriculture, 20-acre minimum).

2. Consistency of the proposal with adopted County General and Community Plans and Policies.

The County's General Plan directs the location of urban density uses to incorporated cities and unincorporated communities where necessary support services are available. Annexation and development of the subject property represents a logical continuation of the existing development pattern within the City of Clovis's Sphere of Influence (SOI) 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 August 26, 2013, the "City of Clovis "Shaw-DeWolf Southeast Reorganization" was determined to be consistent with the Standards for Annexation contained in Exhibit 1 of the Memorandum of Understanding between the County of Fresno, the City of Clovis and the Clovis Community Development Agency as amended June 25, 2002.

5. Recommendations:

It is recommended that the City of Clovis include the full width right-of-way of Shaw, Gettysburg, and DeWolf Avenues.

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

9/26/13

Date

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DEVELOPMENT SERVICES DIVISION

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LAFCo Fresno Local Agency Formation Commission

DATE: September 17, 2013
TO: Morgan Barnett, Elections Division
FROM: David E. Fey, AICP, Executive Officer *DF*
SUBJECT: "Shaw-DeWolf Southeast Reorganization"; AGENCY NO.: RO-13-4

In accordance with Section 56658 of the Government Code this will serve as notice that the attached application has been submitted for processing with the Local Agency Formation Commission office and a request for your agency's assistance in reviewing and commenting on this application. The proposal and affected territory are generally described in the attached materials. At this time we are requesting the following information indicated by an "X":

- A. X Please furnish a list of all registered voters along with their address as shown upon the most recent assessment roll being prepared by the County within 300 feet of the exterior boundary of the property.
- B. X Number of registered voters in the area. 14
- C. X If more than 11 registered voters, for notification purposes please furnish a list of all registered voters along with their address as shown upon the most recent assessment roll being prepared by the County. Also please furnish a list of registered voters along with their addresses for the territory within 300 feet of the exterior boundary of the property.
- D. _____ What percent of the registered voters in the proposal area does the attached petition represent? _____
- E. X Will the proposal adversely affect precinct boundaries or the conduct of elections? No
- F. _____ Other comments:

In order to proceed with the processing of this application, your comments need to be returned to this office by **October 4, 2013**. Your assistance is greatly appreciated. Thank you.

DF:sh

Attachments: Map, Legal description

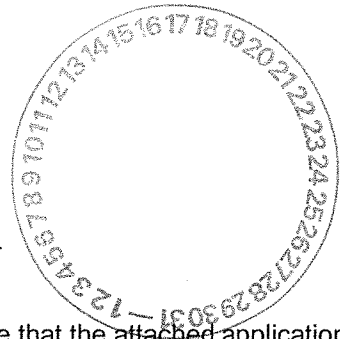
Morgan J. Barnett I TA
Signature and Title

10/1/2013
Date



Fresno Local Agency Formation Commission

Date: September 17, 2013
To: State Department of Health Services
From: David E. Fey, AICP, Executive Officer *DF*
Subject: "Shaw-DeWolf Southeast Reorganization"; AGENCY NO.: RO-13-4



In accordance with Section 56658 of the Government Code this will serve as notice that the attached application has been submitted for processing with the Local Agency Formation Commission office and a request for your agency's assistance in reviewing and commenting on this application. The proposal and affected territory are generally described in the attached materials. At this time we are requesting information on the following particular factors:

1. Adequacy and availability of existing and proposed community water systems:

Satisfactory

2. Need for services other than those proposed:

N.A.

3. Effect of project on water quality:

None

4. Related State or County plans or projects:

None

5. Other comments:

None

In order to proceed with the processing of this application, your comments need to be returned to this office by **October 4, 2013**. Your assistance is greatly appreciated. Thank you.

[Signature]
Signature and Title *Supervising Sanitary Engineer*

Date *9/23/13*

DF:sh

Attachment: Application, Map, Legal Description, Service Plan, Resolution



County of Fresno
DEPARTMENT OF PUBLIC HEALTH
DAVID POMAVILLE, M.B.A., R.E.H.S.
INTERIM DIRECTOR

September 23, 2013

Mr. David E. Fey
Local Agency Formation Commission
2607 Fresno Street, Suite B
Fresno, CA 93721



LU0017480
2620

Dear Mr. Fey:

PROJECT NO: RO-13-4

SUBJECT: Shaw-DeWolf Southeast Reorganization

1. Adequacy and availability of existing and proposed community water and sewer systems:

- Construction permits for the development should be subject to assurance of sewer capacity of the Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB). For more information, contact staff at (559) 445-5116.
- Construction permits for the development should be subject to assurance that the City of Clovis community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Department of Health Services, Division of Drinking Water and Environmental Management (DDWEM). For more information call (559) 447-3300.

2. Need for services other than those proposed:

3. Effect of project on air or water quality:

4. Related County plans or projects:

5. Other comments:

- As a measure to protect groundwater, any water wells and/or septic systems that have been abandoned within the project area shall be properly destroyed by an appropriately licensed contractor. At such time when the existing properties connect to community water and/or sewer, the individual onsite systems shall be properly destroyed under permit and inspection with the appropriate agency.

Prior to destruction of agricultural wells, a sample of the upper most fluid in the water well column should be sampled for lubricating oil. The presence of oil staining around

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David E. Fey
RO-13-4
September 23, 2013
Page 2 of 2

the water well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements. Transportation of these materials on public roadways may require special permits and licensure.

- Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
- Appropriate measures should be incorporated into the project to minimize potentially significant short-term localized noise impacts to noise sensitive receivers caused by the operation of construction equipment. Construction specifications for the project should require that all construction equipment be maintained according to the manufacturers' specifications, and that noise generating construction equipment be equipped with mufflers. In addition, consideration should be given to limiting noise-generating construction activities to daytime hours as specified in the City's Municipal Code.

If I can be of more assistance, please contact me at (559) 600-3271.

Sincerely,

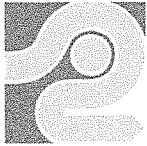
R.E.H.S., M.P.H.

R.E.H.S., M.P.H.
Environmental Health Specialist III
Environmental Health Division

jg

cc Wayne Fox, Environmental Health Division

LAFCo RO-13-4 Shaw-DeWolf SE Reorg



FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 170.44
310. "DO"

October 29, 2013

Mr. David E. Fey, Executive Officer
Fresno Local Agency Formation Commission
2607 Fresno Street, Suite "B"
Fresno, CA 93721



Dear Mr. Fey,

LAFCo File No. RO-12-4
Shaw-DeWolf Southeast Reorganization
Drainage Area "DO"

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 by the Master Plan does not exist for the annexation at this time.

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 requests its historic growth increment tax be applied to this area.

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

Very truly yours,

Neda Shakeri
Engineer III

NS/lrl

c: Bob Van Wyk, Fresno Metropolitan Flood Control District

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FRE-168-R009.150 +/-


LAFCo

Fresno Local Agency Formation Commission

DATE: September 17, 2013

TO: County of Fresno
Laurel Prysiazny Fresno County Library
Historical Landmarks and Records Commission (HLRC)
Paul-Albert Marquez, Chief, Office of Transportation
Clovis Memorial District
Clovis Cemetery District
Fresno Irrigation District
Fresno Metropolitan Flood Control District
Consolidated Mosquito Abatement District
West Fresno Red Scale Protective District
Sierra Resource Conservation District



FROM: David E. Fey, AICP, Executive Officer 

SUBJECT: "Shaw-DeWolf Southeast Reorganization"; AGENCY NO.: RO-13-4

In accordance with Section 56658 of the Government Code this will serve as notice that the attached application has been submitted for processing with the Local Agency Formation Commission office and a request for your agency's assistance in reviewing and commenting on this application. The proposal and affected territory are generally described in the attached materials.


The Fresno Local Agency Formation Commission (LAFCo) is in receipt of a resolution of application initiating proceedings for this proposal. LAFCo cannot take any further action on this resolution of application for 10 days following this notice and request for comments.

If your agency files a written request for a hearing during this 10-day period, LAFCo must notice and hear this proposal at a public hearing. If no written request is filed by your agency, the Commission may proceed without notice and hearing if all required conditions pursuant to state law have been satisfied (Gov Code Sec 56663 (b))

Please return any comments you have regarding this proposed reorganization by **October 4, 2013**. Your assistance is greatly appreciated. Thank you.


DF:sh

Attachments: Application, Map, Legal Description, Service Plan, and Resolution

No Comment

9/23/13

RECEIVED

SEP 19 2013

Department of Transportation
District 6
Attention: 

Fleming, Candace Lynn

From: Prysiazny, Laurel <laurel.prysiazny@fresnolibrary.org>
Sent: Tuesday, October 08, 2013 4:01 PM
To: Fleming, Candace Lynn
Subject: Shaw-DeWolf Southeast Re-org; Agency #: RO 13-0

The Library's comments are below:

Plan is for providing services and improvements to land being annexed.
It has no impact on any historic properties within the affected area.

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

Sincerely,

Laurel C. Prysiazny

County Librarian
Fresno County Public Library
2420 Mariposa Street
Fresno, CA 93721
Ph: 559-600-6237 (O)
559-392-9500 (C)
Fax: 559-600-7628

E-mail: laurel.prysiazny@fresnolibrary.org

Web: www.fresnolibrary.org

Fresno County Public Library: A Place To Grow





City of Clovis
Department of Planning and Development Services
CITY HALL · 1033 FIFTH STREET · CLOVIS, CA 93612

**SITE SPECIFIC SERVICE PLAN –SHAW-DeWOLF SE REORGANIZATION
RO277, R2013-04 AND SPR2008-10**

1.1 INTRODUCTION

A Site Specific Service Plan for providing services and improvements to land being annexed to the City is required by the Fresno Local Agency Formation Commission (LAFCo). The site specific service plan provides assurance to LAFCo that newly annexed land to the City will be properly served as urban territory. The service plan also provides information to property owners, districts and interested parties who may have projects underway within the vicinity of the proposed annexation.

On June 27, 2013, the Clovis Planning Commission recommended approval of Prezone R2013-04 for the properties located on the south side of Shaw Avenue, between N. Leonard and N. Thompson Avenues. The entitlement requested approving a Prezone from the County AE-20 to the R-1 (Single Family Residential – 6,000 Sq. Ft.). The Project site consists of approximately 17.28 acres of property currently located outside the City limits. The Project is consistent with the Clovis Zoning Ordinance and General Plan land use designations.

On July 15, 2013, the Clovis City Council approved the Reorganization RO277 and Prezone R2013-04 entitlements along with a resolution of application for the annexation of the Project boundary and the adjacent current right-of-way consisting of approximately 337 acres. The resolution approval allowed staff to submit an annexation application to LAFCo requesting the Commission to proceed with reorganization of the Project site.

1.2 SERVICES EXISTING OR PROPOSED

1. Community Water Service

The Water Master Plan Updates, completed in 1995 and 1997, by Provost & Pritchard, Inc., was prepared to support the 1993 Clovis General Plan, and the development plans therein. The plan examined the feasibility of continued growth in the greater Clovis area from a water resource perspective. This included a review of existing and future demands for water from both surface and groundwater. The study area corresponded with the General Plan planning area. Since the 1995 report, the City completed construction of the Surface Water Treatment Facility (SWTF). The 2010 Urban Water Management Plan updated the water supply and demand issues identified in the 1995 Master Plan and recognized the changes in water supply dynamics resulting from the completion of the SWTF.

The City has 37 domestic water wells to provide for the needs of its residents. Some of these have wellhead treatment facilities to treat contaminated groundwater. The wells discharge water into a distribution main grid, based on a minimum of 12-inch mains, spaced at half-mile intervals. The present water storage facilities consist of two elevated tanks and three ground level tanks. The total storage capacity is 7.06 million gallons.

The City began operations of the Surface Water Treatment Facility, located on the Enterprise Canal on the east side of Clovis, in 2004. Kings River water is supplied to the plant via Fresno Irrigation District's (FID) Enterprise Canal. This 15 million gallons per day (MGD) plant allows Clovis to serve existing users and new growth areas, while lessening the demand on groundwater.

In 2009, the City began operation of the Water Reuse Facility (WRF) to treat wastewater from a portion of the City's growth areas. In 2012, the City began using recycled water from this facility to irrigate public landscapes. At build-out of the system, this facility will be able to produce 8.4 MGD of recycled water.

The strategy for future water supply is termed "conjunctive use" where multiple elements are used to provide a secure long-term supply. It includes using both groundwater and treated surface water to insure a secure drought-resistant water supply with the flexibility to use surface and groundwater supplies in a cost and operationally-efficient manner. This strategy is conducive to phased development that is critical to both community approval and existing operational constraints.

Water systems for newly developed areas, such as the project site, will be financed by development fees, assessment districts, and capital facilities funding. Additional surface water supplies for certain growth areas will be financed by the Water Supply development fee.

The following water and non-potable water conditions have been placed on the project:

- a) The applicant shall install water mains of the sizes and in the locations indicated below, and provide an adequately looped water system prior to occupancy. The water improvements shall be in accordance with the City's master plans and shall match existing improvements. The applicant's engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Any alternative routing of the mains will require approval of the City Engineer and must be supported by appropriate calculations.
 - Shaw Avenue - install 18" main between DeWolf and Highland Avenues.
 - Highland Avenue - install 12" main between Shaw and Gettysburg Avenues.
 - Gettysburg Avenue - install 12" main between Highland and Leonard Avenues.
 - Leonard Avenue - install 12" main between Gettysburg and Shaw Avenues.
 - Interior streets - install 8" mains.
- b) The applicant shall provide dedication of 15-foot wide utility easements for all on-site water mains, hydrants, blow-offs, and water meters not located in otherwise dedicated rights-of-way.
- c) The applicant shall install a City standard water service to each lot of the proposed subdivision. Water services shall be grouped at property lines to accommodate automatic meter reading system, including installation of connecting conduit.
- d) The applicant shall install non-potable water mains of the sizes and in the locations indicated below. The non-potable water improvements shall be in accordance with the City's master plans and shall match existing improvements. The applicant's engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Any alternative routing of the mains will require approval of the City Engineer and may require appropriate calculations.
 - Shaw Avenue - install 8" main along the property frontage.

- Leonard Avenue – install 8" main along the property frontage.
 - Gettysburg Avenue – install 8" main along property frontage.
 - Highland Avenue – install 12" main along property frontage.
 - Trails and Paseos – install mains as necessary to serve the trails, paseos, and neighborhood parks.
- e) Under SPR2008-10 approval, water mains and facilities needed to serve each development shall be identified at the time of each entitlement is submitted.
- f) Under SPR2008-10 approval, non-potable water mains and facilities needed to serve each development shall be identified at the time of each entitlement is submitted.

2. Wastewater

The Fresno-Clovis Regional Wastewater Treatment Facility serves the Fresno and Clovis urban area from its location southwest of the two cities. The City of Clovis owns and maintains sewer lines within the City Sphere of Influence, with the exception of the Tarpey Village area, which is maintained by the City of Fresno. The City operates the Water Reuse Facility which treats wastewater from a portion of the City and provides recycled water for use in public landscapes. This facility will be expanded as required to serve portions of the northwest and northeast growth areas. The City does not have sewer collection facilities constructed for the entire current Sphere of Influence at this time, but all areas have been master planned.

The Clovis Wastewater Master Plan Update in 1996 provided the City with a course of action with respect to wastewater service needs through the year 2030, in keeping with the Clovis General Plan.

Wastewater facilities for newly developed areas will be financed by development fees, assessment districts, and capital facilities funding.

The following sewer conditions have been placed on the project:

- a) The applicant shall install sanitary sewer mains of the size and in the locations indicated below, prior to occupancy. The sewer improvements shall be in accordance with the City's master plans and shall match existing improvements. The applicant's engineer shall be responsible for verifying the size, location, and elevations of existing improvements. Any alternative routing of the mains will require approval of the City Engineer and must be supported by appropriate calculations.
- Shaw Avenue - install 8" main from Fancher Avenue to approximately 1100' east of Fancher Avenue.
 - Shaw Avenue - install 10" main between Fancher and Leonard Avenues.
 - Leonard Avenue - install 15" main between Shaw and Gettysburg Avenues.
 - Gettysburg Avenue – install 10" main between Fancher and Leonard Avenues.
 - Gettysburg Avenue – install 8" main between Fancher Avenue and 700 east of Fancher Avenue.
 - Gettysburg Avenue – install 8" main between Highland Avenue and 600' west of Highland Avenue.
 - Fancher Road – install 8" main between Gettysburg Avenue and approximately 1850' north of Gettysburg Avenue.
 - Loma Vista Parkway – install 8" main between Leonard and Langley Avenues.

SITE SPECIFIC SERVICE PLAN

- Loma Vista Parkway – install 8" main between Fancher Avenue and Street F.
 - Loma Vista Parkway – install 8" main between Las Rosa and Highland Avenues.
 - Highland Avenue – install 8" main between Shaw and the proposed Gettysburg Avenues.
 - Highland Avenue – install 15" main between proposed Gettysburg Avenue alignment and Ashlan Avenue.
 - Ashlan Avenue – install 24" main between Highland Avenue and Pump Station E.
 - Interior streets - install 8" mains.
- b) The applicant shall provide dedication of a minimum 15' wide utility easement for all on-site sewer mains, not located in otherwise dedicated rights-of-way.
- c) The applicant shall install one (1) 4" sewer service house branch to each lot within the tentative tract.
- d) Under SPR2008-10 approval, sanitary sewer mains and facilities needed to serve each development shall be identified at the time each entitlement is submitted.

3. Streets

The following street conditions have been placed on the project.

- a) The applicant shall provide right-of-way acquisition or dedicate free and clear of all encumbrances and/or improve the following streets to City standards. The street improvements shall be in accordance with the City's specific plans and shall match existing improvements. The applicant's engineer shall be responsible for verifying the type, location, and grades of existing improvements.
- Shaw Avenue - Between Leonard and Highland Avenues, provide right-of-way acquisition for 82' (exist 55') south of and 28' (exist 20') north of the centerline and sectionline and improve with curb, gutter, sidewalk, drive approaches, handicap ramps, street lights, median island, landscaping, irrigation, 58' (42+16) of permanent paving, 3' paved swale, and all transitional paving as required. For nonadjacent major street requirements, Shaw Avenue between DeWolf and Leonard Avenues shall be designated to meet this requirement, with the existing street section being wide enough and in good condition, only minor work may be required depending on grades, or another City approved alternate route.
 - Leonard Avenue - Between Shaw Avenue and Loma Vista Parkway, provide right-of-way acquisition for 70' (exist 25') east of and 28' (exist 25') west of the centerline and improve with curb, gutter, sidewalk, handicap ramps, street lights, fiber optic conduits, median island, landscaping, irrigation, 46' (30+16) of permanent paving, 3' paved swale, and all transitional paving as required.
 - Gettysburg Avenue - just west of Fancher Avenue to Highland Avenue, provide right-of-way acquisition for 122' (exist 0') and improve with curb, gutter, sidewalk, handicap ramps, street lights, fiber optic conduits, landscaping, irrigation, 72' (36+36) of permanent paving, and all transitional paving as required.
 - Highland Avenue - along entire property frontage, including the remainder, provide right-of-way acquisition for 60' (exist 0') west of and 28' (exist 0') east of the centerline and sectionline and improve with curb, gutter, sidewalk, handicap ramps, street lights,

fiber optic conduits, median island, landscaping, irrigation, 36' (20+16) of permanent paving, 3' paved swale, temporary cul de sac at the south end of Highland Avenue, and all transitional paving as required.

- Fancher Avenue – Between Shaw Avenue and south of Loma Vista Parkway, provide right-of-way acquisition for 54' (exist 0') and improve with curb, gutter, sidewalk, drive approaches, handicap ramps, street lights, landscaping, irrigation, 36' (18+18) of permanent paving, and all transitional paving as required.
- Fancher Avenue – Between south of Loma Vista Parkway and Gettysburg Avenue, provide right-of-way acquisition for 47' (exist 0') east of and 20' (exist 0') west of the centerline and improve with curb, gutter, sidewalk, handicap ramps, street lights, landscaping, irrigation, 34' (18+16) of permanent paving, 3' paved swale, and all transitional paving as required. In areas where both side of Fancher Avenue are in the tract map full improvements shall be required.
- Loma Vista Parkway - Between Highland Avenue and west of Fancher Avenue, provide right-of-way acquisition for 120' (exist 0') and improve with curb, gutter, sidewalk, handicap ramps, street lights, median island, landscaping, irrigation, 40' (20+20) of permanent paving, and all transitional paving as required.
- Loma Vista Parkway - Between west of Fancher Avenue and Leonard Avenue, provide right-of-way acquisition for 60' (exist 0') north of and 28' (exist 0') south of the centerline and improve with curb, gutter, sidewalk, handicap ramps, street lights, median island, landscaping, irrigation, 36' (20+16) of permanent paving, 3' paved swale, and all transitional paving as required.
- Interior streets dedicate to provide for 54' right-of-way and improve with curb, gutter, sidewalk, drive approaches, handicap ramps, streetlights, 36' permanent paving except in cul de sac, and all transitional paving as needed.
- If the applicant chooses the Narrower Residential Street Policy, the applicant shall dedicate to provide for 50' right-of-way and improve with curb, gutter, sidewalk, drive approaches, handicap ramps, streetlights, 32' permanent paving except in cul de sac, and all transitional paving as needed. The maximum distance for a narrow 50' wide street is 1000' to 54' wide or wider street.
- Round-a-bouts – dedicate and improve to Federal Highway Administration guidelines and approval of the City Engineer. Additional right-of-way and permanent paving may be necessary for round-a-bouts as approved by the City Engineer.
- Cul de sac bulb - dedicate to provide for 52' radius and improve with curb, gutter, sidewalk, street lights, 43' permanent paving and all transitional paving as needed.
- Temporary cul de sac bulbs - dedicate to provide for a 48' radius and improve with a 45' radius of temporary or combination permanent paving and 3' paved swale.
- Install traffic signal facilities at Leonard and Loma Vista, Shaw and Leonard, and Shaw and Highland Avenues.

- Replace the bridge for Dog Creek at Shaw Avenue and construct bridges where Dog Creek crosses Gettysburg Avenue and Loma Vista Parkway. Local street crossings shall also be provided and shall be at the developer's cost.
- The applicant shall provide a dedication for a 10' public utility easement, where applicable, along all frontages or alternate widths approved by the utilities companies.
- Applicant's Engineer shall provide traffic geometric studies to determine exact limits of dedication(s) on all major streets, and lengths and configuration of left turn, right turn pockets and bus bays. Additional dedication and improvements may be required depending on the traffic study.
- Applicant shall provide preliminary title report, legal description and drawings for all dedications required which are not on the site. All contact with owners, appraisers, etc. of the adjacent properties where dedication is needed shall be made only by the City. The City will prepare an estimate of acquisition costs including but not limited to appraised value, appraisal costs, legal costs, negotiation costs, and administrative costs. The applicant shall pay such estimated costs as soon as they are determined by the City.
- The sideyard side of all corner lots shall have full width sidewalk except where planter strips or meandering sidewalk is proposed.
- The applicant shall obtain "R Value" tests in quantity sufficient to represent all street areas, and have street structural sections designed by a registered civil engineer based on these "R Value" tests
- The applicant shall, at the ends of any permanent pavement abutting undeveloped property, install 2" x 6" redwood header boards that shall be placed prior to the street surfacing.
- Standard barricades with reflectors shall be installed at ends of streets abutting undeveloped property and any other locations to be specified by the City Engineer.
- Under SPR2008-10 approval, streets and dedications and improvements shall be designated at the time each specific entitlement is submitted. Access, circulation, and specific street designs shall also be done at the time of each entitlement.

4. Solid Waste Collection

Refuse Collection collects and disposes of solid waste generated by residential and commercial customers located within the City. Private vendors, under City contract, collect waste from select commercial customers and recyclables and yard wastes from residential customers. For improved cost accounting and control, the Refuse Collection Unit is further organized into four sub-accounts identified as Administration, Landfill, and Residential which includes Commercial and Community Cleanup.

Refuse Landfill conducts all operations necessary to landfill City refuse in accordance with county, state, and federal requirements. The Clovis landfill is an active Class III landfill which accepts municipal solid waste that is currently permitted through the year 2053.

Refuse Contracts provides refuse-related services to the community through contracts with private vendors. These include refuse compactor and roll-off services for larger businesses, and residential curbside recycling, and greenwaste programs.

Under SPR2008-10 approval, solid waste service requirements shall be identified at the time each entitlement is submitted. This may include detailed residential rolling bin placement diagrams as required by the City Engineer and Solid Waste Manager.

5. Fire Protection

The Fire Department employs two primary measures in determining service for the community and future development. The first measure is distribution. "Distribution" describes station locations that allow for a rapid first-due response deployment to mitigate fire and medical aid emergencies before they result in further life/property loss. Distribution is measured by how much of the jurisdiction is covered by first due units within our adopted response time goal of arrival within 5 minutes or less 90% of the time. The second term, "concentration" is a measure of how many multiple units are within sufficient proximity to provide the necessary tools, equipment and personnel, known as an effective response force, for a large scale incident or when another unit is assigned to a concurrent emergency. An initial effective response force is one that has been determined likely to stop the escalation of a fire emergency and bring it effectively under control.

In addition to these factors, Clovis Fire has conducted several station location studies over the last ten years to ensure efficient and effective operations. Stations have generally been located in between 4.5 to 5 mile squares near major street intersections. Previous studies identified various station configurations that could serve City growth depending on the type of development and infrastructure planned for these areas. Currently, the Clovis Fire Department operates out of five fire stations located throughout the City.

In determining desired levels of resource concentration to maintain existing standards and to provide equal protection to future growth areas, the Clovis Fire Department analyzed the risk assessment, call volume, population, critical task analysis, and industry standards. Depending on the factors previously noted, the number of units needed for an initial effective response force are dispatched as defined in the Critical Task Analysis document.

Consideration for community protection must also take into account utilization of Automatic Aid Agreements that provide the closest available resources, regardless of jurisdiction. Using software programs and data from neighboring jurisdictions, fire staff are able to analyze the concentration of units revealing detailed information regarding the deployment of resources necessary to provide an effective fire fighting force within defined response time goals for a geographic area neighboring other fire protection districts.

The Emergency Services Bureau is responsible for providing the resources needed by Fire Department staff who respond daily to requests for emergency and non-emergency services from the citizens of Clovis through four divisions: Operations, Special Operations, Training and Support Services, and Communications. The Operations Division activities include: responding to fires, first responder medical services, mapping, radio communications, apparatus replacement, etc. The Special Operations Division is covered below under Emergency Preparedness. The Training and Support Services Division activities include: recruitment, testing and training of new employees, in-service training for all Fire Department safety employees, coordination of the Fire Explorer program, apparatus maintenance, facilities maintenance, station supplies, etc. The

Communications Division has the responsibility for providing dispatch services to the Fire Department. The fire dispatch center coordinates the emergency response of all City fire resources, mutual or automatic aid resources, and general information management. The Department continues to promote sound planning, economic efficiency, and effective use of the City resources while providing essential and valuable services.

Life Safety and Enforcement Bureau regulates and enforces fire safety through three divisions using adopted fire codes, standards, and local ordinances while continually educating the citizens and youth in our community about fire behavior and life safety. The Bureau has the responsibility to investigate all fires for cause and origin, and enforce minimum standards to safeguard life or limb, health, property, and public welfare. The provision of public education regarding home safety, disaster preparedness, and arson prevention is critical to maintain a fire-safe community. The Fire Prevention Division provides quality support for our growing community through consultations with developers, plan review, and new construction inspections. In addition, an aggressive weed abatement program reduces fire hazards and helps maintain an attractive community. The Administrative Services Division activities include: incident response data management, time keeping, and other routine duties performed daily that support the delivery of emergency and non-emergency services.

Emergency Preparedness Division has the responsibility for preparing and carrying out emergency plans to protect property and the citizens of Clovis in case of actual or threatened conditions of disaster or extreme peril. This includes having an emergency plan in place, maintaining an Emergency Operations Center (EOC), and following the Standard Emergency Management System (SEMS) and the National Incident Management System (NIMS) guidelines. The Special Operations Division is managed under the Emergency Services Bureau and has the responsibility for responding to emergency incidents that require specific and advanced training and specialized tools and equipment. The Department currently fields a Hazardous Materials Response Team and an Urban Search and Rescue Team. Some funding for this division is augmented by state and federal grants.

The following fire conditions have been placed on the project:

- a) The applicant shall install thirty-four (34) 6 x 4 ½ x 2 ½ approved Residential Type fire hydrant(s) and Blue Dot hydrant locators, paint fire hydrant(s) yellow with blue top and caps, and paint the curb red as specified by the adopted Clovis Fire Department Standard #7. Plans shall be submitted to the Clovis Fire Department for review and approval prior to installation. The hydrant(s) shall be charged and in operation prior to any framing or combustible material being brought onto the site.
- b) The applicant shall install approved looped water main capable of the necessary flow of water for adequate fire protection and approved by the Clovis Fire Department.
- c) The applicant shall provide all weather access to the site during all phases of construction to the satisfaction of the approved Clovis Fire Department Standard #29 or #30.
- d) The applicant shall install temporary street signs that meet City Temporary Street Sign Standard #35 prior to issuance of building permits within a subdivision.

6. Law Enforcement

The responsibility of the Police Department is to provide protection and police-related services to the community. The Department's mission is to do this in a manner that builds public confidence and improves the quality of life in Clovis. Police headquarters is located at the Clovis Civic Center. Currently, the Police Department has 96 sworn officers. The current ratio is 0.97 sworn officers per 1,000 residents. In accordance with the recommendations contained in the Police Department Master Service Plan, the Police Department will seek funding to achieve and maintain a ratio of 1.3 officers per 1,000 residents.

Police protection to the unincorporated areas is provided by the Fresno County Sheriff and California Highway Patrol. The City has a mutual aid assistance agreement with both agencies.

The operations of the Police Department, now and as the City grows, will be funded through the General Fund, Community Facilities District (CFD) fund, and grants. It is noted that continued annexation and development without proportionate increase in the funding of safety services will have an effect on the city's ability to maintain acceptable service levels.

The Department is organized into four major divisions, which are composed of seven budgetary sections.

7. Parks & Recreation

The Parks Section provides maintenance to City parks, trails, street landscaping, City trees, and numerous recreational facilities, including playgrounds and picnic sites; maintains Old Town streetscape; and provides grounds maintenance at City administrative facilities. Parks provide support for civic activities such as hanging banners and decorating for Christmas, Rodeo Weekend, Big Hat Days, and Farmer's Market. The Park Section administers the Landscape Maintenance District (LMD), which provides funding for maintenance of certain parks, trails, street landscaping, streetlights, and neighborhood architectural enhancement features for areas within the Landscape Maintenance District. All City owned landscaping that is not within the LMD is funded through the General Fund.

With the approval of TM5937, the applicant is required to contribute a proportional share towards the development and improvement of a neighborhood park. The formula for park contribution is based on one acre of park for each 1,000 residents to be used for the acquisition and improvement of a neighborhood park facility. Contribution greater than this formula may be reimbursable. The development of the site shall also contribute a proportionate share to the development of a "paseo" system as required by the Loma Vista Specific Plan.

With the approval of SPR2008-10, the following trees listed in the landscape palette shall not be allowed in park strips less than 11 feet in width and must be deleted from the tree palette: Cedrus deodara; Celtis sinensis, Liriodendron tulipifera, Platanus acerfolia, Quercus agrifolia, Quercus virginiana, Zelkova serrata. These varieties are acceptable in 11' wide or greater planter strips.

8. Transit Services

The Community Services Division administers various senior citizen programs at the Clovis Senior Center. The Division also administers the City's Round-Up demand-response transit program, the fixed-route Stageline transit program, and administers the City's contract with Fresno Area Express (FAX). User fees, and state and federal transit funds and grants support the transit service.

9. Storm Drainage

Storm Drain responds to significant rainfall events by providing sand bags, pumping of flooded areas, monitoring stream channels, placing warning signage, and pumping temporary storm drain basins when needed. It also provides pre-storm cleaning of drain inlets to ensure debris do not hamper proper operation of the storm drain collection system.

The following grading and drainage conditions have been placed on the project:

- a) The applicant shall contact the Fresno Metropolitan Flood Control District (FMFCD) and address all requirements, pay all applicable fees required, obtain any required NPDES permit, and implement Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology to reduce or eliminate storm water pollution. Plans for these requirements shall be included in the previously required set of construction plans, and shall be submitted to and approved by FMFCD prior to the release of any development permits.
- b) Applicant shall be responsible for providing, at his sole cost, all studies, permits, and regulatory actions required of all resource agencies as necessary for the realignment and construction activities in Dog Creek and its tributaries, including California Department of Fish and Game, California Department of Fish and Wildlife, Army Corp of Engineers, Regional Water Quality Control Board. All costs for such regulatory actions including any mitigation measures identified by the regulatory agencies shall be borne by the applicant. Applicant will be required to provide wetland delineation studies for Dog Creek and its tributaries by a qualified consultant firm, as indicated in the FMFCD notice of requirements. Applicant will be required to work with the FMFCD to provide all necessary hydraulic analyses between Shaw Avenue and the Gould Canal.
- c) Dog Creek lies within a flood zone. The applicant shall contact FEMA and obtain their requirements.
- d) The applicant shall be required to provide street crossings for Dog Creek Tributary No. 1. None of the construction costs are reimbursable.
- e) The applicant shall coordinate with the developer south of Gettysburg Avenue to determine the future street and Dog Creek alignments.
- f) Maintenance of the Dog Creek Canal has not been programmed in the Landscape Maintenance District. Applicant shall work with FMFCD, and City of Clovis to devise an acceptable maintenance agreement.
- g) In the event permanent storm drainage facilities are not available, the applicant shall provide temporary on-site retention basins for storm water disposal and provide a cash deposit for each basin to offset the City's cost of maintaining the basins. The size and design shall be in accordance with the requirements of the City Engineer and may change based on design calculations and access requirements for maintenance. The temporary pond maintenance deposit shall be based on size, depth, expected maintenance schedule, etc. However, the property owner shall be responsible for periodic cleaning of toxic material. The temporary basin is solely for the convenience of the subdivision.
- h) The owner of the property on which the temporary basin(s) are located shall backfill said basin(s) within ninety (90) days after notice is given by the City that the basin(s) are no longer needed. In the event the owner fails to backfill said basin(s) within said 90 days, the City may

cause the basin to be backfilled. A lien to cover the cost of the work will be placed on the property, including the costs to prepare and enforce the lien. A covenant shall be prepared and recorded on the lot on which the basin(s) is/are located.

- i) Grade differentials between lots and adjacent properties shall be adequately shown on the grading plan and shall be treated in a manner in conformance with City of Clovis Standard Drawing No. M-4 as modified by the City Council. Any retaining walls required one foot or higher shall be masonry construction and any retaining walls required less than one foot may be wood or masonry construction. All retaining walls shall be designed by a registered civil engineer. All retaining walls installed in public right-of-way shall be masonry construction.

10. Street Lighting

Street Lighting and Traffic Signals provides maintenance and operations of traffic signals and City owned street lights. It also coordinates repairs of PG&E-owned street lights and pays all street light and traffic signal utility bills.

The following street lighting condition has been placed on the project:

- a) The applicant shall install street lights along the major streets on metal poles to local utility providers standards at the locations designated by the City Engineer. Street light locations shall be shown on the utility plans submitted with the final map for approval. Street lights at future traffic signal locations shall be installed on approved traffic signal poles, including all conduits and pull boxes. Street lights along the major streets shall be owned and maintained by local utility providers. Proof of local utility providers approval shall be provided. The applicant may install thematic lighting, as approved by the City Engineer. If the applicant chooses to install thematic lighting, the applicant shall provide a conceptual lighting plan identifying adjacent properties that may be incorporated with thematic lights to create a neighborhood effect. The thematic lighting shall be maintained by an additional landscape maintenance assessment.

11. Schools

The City of Clovis and its sphere of influence lies primarily within the Clovis Unified School District (CUSD). Only a small portion of the southwest area of the city lies in the Fresno Unified School District (FUSD). A small portion of the southeast area of the proposed sphere of influence lies within the Sanger Unified School District (SUSD). These districts are affected by residential growth in the Clovis area. CUSD is managing the growth by financing new facilities through bonds, development fees, and state schools funding. The area of the City serviced by FUSD is fully built-out and future development within the City's sphere of influence will not affect this district.

The majority of the Project site is located within the Clovis Unified School District. Approximately 17.28 acres along the northeastern section of the annexation boundary are located within the Sanger Unified School District.

12. Other Services

Pacific Gas and Electric (P. G. & E.) provides gas and electrical service to the City of Clovis, its sphere of influence, and Fresno County. Electrical service is supplied by underground and overhead lines routed through three substations in the greater Clovis area. The hierarchy of establishing electrical power lines from generation stations to customers is as follows: transmission

distribution; sub-transmission; and service. P. G. & E. provides gas to customers through plastic and steel underground lines. Residents not serviced by P. G. & E. use propane fuel.

13. FINANCING OF SERVICES AND FACILITIES

The City Council has established fiscal policies that govern the city's financial administration and are designed to safeguard the city's assets, provide a stable funding base, and ensure that adequate accounting data are compiled. These accounting data allow for the preparation of various accounting reports such as the annual budget and the annual year-end financial report. Following are the financial policies that provide the basis for the financial direction of the city.

- The City's budget policy states that all operating budgets shall be balanced and ongoing costs will not exceed current revenues plus available fund balance that exceeds reserve requirements. The minimum reserve for any operational fund is 5% of the budgeted expenditures with the goal for reserves of 15% of budgeted expenditures unless capital borrowing or extraordinary fiscal conditions require that higher levels of reserves be maintained. Budgetary and purchasing controls have been instituted that ensure adherence to the adopted budget.
- The Enterprise Funds are to be fully supported by user fees and charges, and the Internal Services Funds are to be funded at appropriate levels to ensure reasonable ability to respond to unforeseen events. In response to this policy, in 1992 the city began transferring funds into the General Government Services Fund (an Internal Service Fund) to address the building space needs for new fire stations, corporation yard consolidation, new animal shelter, regional parks, industrial parks, and major remodeling, repairs, or additions to existing facilities. The fund also provides resources to improve and expand the use of technology for improved productivity and effectiveness.
- The City will not issue long-term debt to cover current operations. The city will consider the issuance of long-term debt to purchase/build capital assets when those assets will benefit users over several years and it is determined that it is more equitable to spread the capital investment and financing costs of the asset to current and future users of the asset.
- Annually the City must have an audit of its financial records by a certified public accountant and submit an annual financial report to the City Council by December 31 for the previous fiscal year.
- Fees for services are to be charged for services provided where appropriate and should cover the cost to deliver the service. Fees are to be reviewed on an annual basis to ensure that the fee is appropriate for the service provided.
- The City has established development impact fees so that growth pays the cost of infrastructure improvements as well as other development related impacts.
- The City will invest available cash assets in a manner consistent with the safeguards and diversity that a prudent investor would adhere to with primary emphasis on preservation of principal, sufficient liquidity to cover anticipated payment outflows, and, lastly, high yields consistent with the first two goals. The City's investments will be consistent with Section 53601 of the Government Code of the State of California that identifies which

types of investments are eligible for investment of public funds and the maximum percentage of an investment portfolio that are allowed in any one investment.

The City is in compliance with all of its financial policies.

14. California Environmental Quality Act (CEQA) Compliance

The City of Clovis has completed an environmental review (an assessment of the Project's impact on natural and manmade environments) of the proposed project, as required by the State of California. A Mitigated Negative Declaration was approved and adopted by the Clovis City Council.