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

AGENDA ITEM NO. 7

DATE: August 12, 2020

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, Executive Officer 

BY: Juan Lara, LAFCo Analyst II

SUBJECT: Consider Approval - City of Clovis "Teague-Fowler Southwest Reorganization." A proposed reorganization to annex approximately 52.2 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for properties located east of North Sunnyside between East Teague and north of East Nees Avenues. (LAFCo File No. RO-20-7)

Applicant: City of Clovis

Landowners/Parties of Real Interest: City of Clovis, Troy A & Debra McKenney, Charles & Sheree Lee Merrill, Javier L & Irma Herrenjon, Carol J Haun Trustee, Adam & Kelsey Kook, Ronald E & Judith A Talent TRS, Dina Ibrahim, Russell A & Esther I Carter Trustees, Sidney J & Linda J Adams, Robert Wilson Sharma, Amardeep S Aulakh, Rick J & Susan M Warren Trustees.

RECOMMENDATION: Approve by Taking the Following Actions:

Action 1:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act ("CEQA") Guidelines, find that prior to approving the proposed annexation, the environmental effects of the proposal as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines section 15096.

Action 2:

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

- C. Assign the distinctive short form designation "Teague-Fowler Southwest Reorganization" and approve the annexation subject to the following conditions of approval:
- a. Pursuant to Fresno LAFCo Policy 103-05, the Executive Officer shall record the approved application if all conditions have been satisfied and once, he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.
 - b. Submittal of corrected legal description and map.
 - c. Satisfactory verification that the City has accepted a final map shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.
- D. Find that pursuant to CKH the territory is uninhabited and not all landowners have consented to the annexation.
- E. Find that the notice mailed on July 22 , 2020, was given to all landowners and registered voters within the affected territory, as well as within 300 feet of the affected territory, disclosed that there is potential for the extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agency in the affected territory, and that the Commission intends to waive protest proceedings pursuant to section 56663(a)(b)(c) unless written opposition is received before the conclusion of the Commission proceedings.
- F. Find that no written opposition to the proposal was received prior to the conclusion of the hearing and approve the proposal subject to the requirements of the CKH, the 30-day reconsideration period, and compliance with all of the above conditions, and waive further conduction Authority Proceedings.

-Or-

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

Executive Summary

On May 11, 2020, the City of Clovis adopted Resolution No. 20-57 requesting the Commission to begin proceedings for the "Teague-Fowler Southwest Reorganization" A proposed reorganization consisting of the annexation of 52.2 acres to the City of Clovis and detachment

from the Fresno County Fire Protection District and the Kings River Conservation District for located east of North Sunnyside between East Teague and north of East Nees Avenues.

Proposal/Land Use

- The proposal consists of the annexation of acres to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District.
- Information related to the proposals affected territory, land use, proposed development, special districts, surrounding areas, and existing/proposed services can be found on **Attachment A**.
- The affected territory is within the City of Clovis sphere of influence (**Attachment B**) and is contiguous to city limits (**Attachment C**).
- The proposal is currently zoned RR (Rural Residential) and has been rezoned to the City of Clovis R-1 (Single-Family Residential) and R-R (Rural Residential) zone district by City Ordinance No. 20-10.
- The territory is inhabited (more than 12 registered voters).

Consistency with LAFCO Policies, Standards and Procedures

- The County has determined that the proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) and the Standards for Annexation between the City of Clovis and County of Fresno. (See letter from Mr. Jean Rousseau.)
- 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 subject to the 10-year property tax allocation agreement between the City of Clovis and the Fresno County Fire Protection District set to expire in 2029.
- The proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, sections 100 and 200.
- All properties within the proposal have been rezoned to the City of Clovis R-1 (Single-Family Residential) and R-R (Rural Residential) zone district by City Ordinance No. 20-10.

Relationship to Regional Housing Goals and Policies

The proposal assists the City of Clovis in implementing policy 1.2 of the Housing Element, which states “facilitate developments of new housing for all economic segments of the community, including extremely low, very low, low, moderate and above moderate-income households.

Sustainable Groundwater Management Act

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

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

The affected territory is within the Fresno Irrigation District service area. After annexation, the surface water entitlement within the area will be managed by the City of Clovis.

Environmental Determination

The City of Clovis, acting as “Lead Agency” under CEQA, adopted a Mitigated Negative Declaration for GPA 2019-006, Prezone R2019-007, Vesting Tentative Tract Map TM 6284 and, Reorganization RO301 filed with the Fresno County Clerk Office on May 20, 2020 Document No. E202010000177 consistent with the requirements of CEQA. The Mitigated Negative Declaration determined the project would not have a significant impact on the environment including impact on matters such as air quality, water consumption, loss of agricultural and city service/infrastructure.

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

Costs and Other Changes Affecting Residents or Landowners

None reported by City representative.

Agencies and Individuals Submitting Comments

- Jean Rousseau, County Administrative Officer
- Chufeng Vang, IT Analyst, Fresno County Elections Department
- Kevin Tsuda, Environmental Health Specialist II, Fresno County Environmental Health Division
- Fresno County Public Library
- Bryant VanderVelde, Cadastral Tech II, Fresno County Assessor-Recorder Office
- Caitlin Juarez, Engineer, State Water Resource Control Board
- Jeremy Landrith, Engineering Tech III, Fresno Irrigation District

Territory Boundaries

The boundaries of the proposed annexation **are** not definite and certain, and the County Assessor has determined that the map and legal description **are not adequate** to file with the State Board of Equalization.

Registered Voter Data

The County of Fresno Elections Office reported that there were **21** registered voters in the affected territory.

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 August 12, 2020 file).

Individuals and Agencies Receiving this Report

- Ken Price, LAFCo Counsel
- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- Sonja Thiede, GISP, Kings River Conservation District
- Chief Mark Johnson, Fresno County Fire Protection District
- George Gonzalez, MPA, Associate Planner, City of Clovis

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Attachment A

PROPOSAL INFORMATION

1. Affected Territory

Acreage:	52.2
Current Land Use:	RR (Rural Residential)
Number of Residences/ Population:	Residents: 13/ Population: 28 estimated
Registered Voters:	Voters: 21
Assessor Parcel Number(s):	559-021-03S,559-021-04,559-021-05,559-021-06,559-021-07,559-021-08,559-021-37,559-021-57,559-021-58,559-021-59,559-021-60,559-021-64,559-021-69.

2. Proposed Development - The affected territory will be developed into approximately 74-lot single-family residential development on 32 acres of land.

3. Surrounding Territory – Residential to the North and Rural Residential to the East, West, and South.

4. Existing Service Agencies and Proposed Service Changes

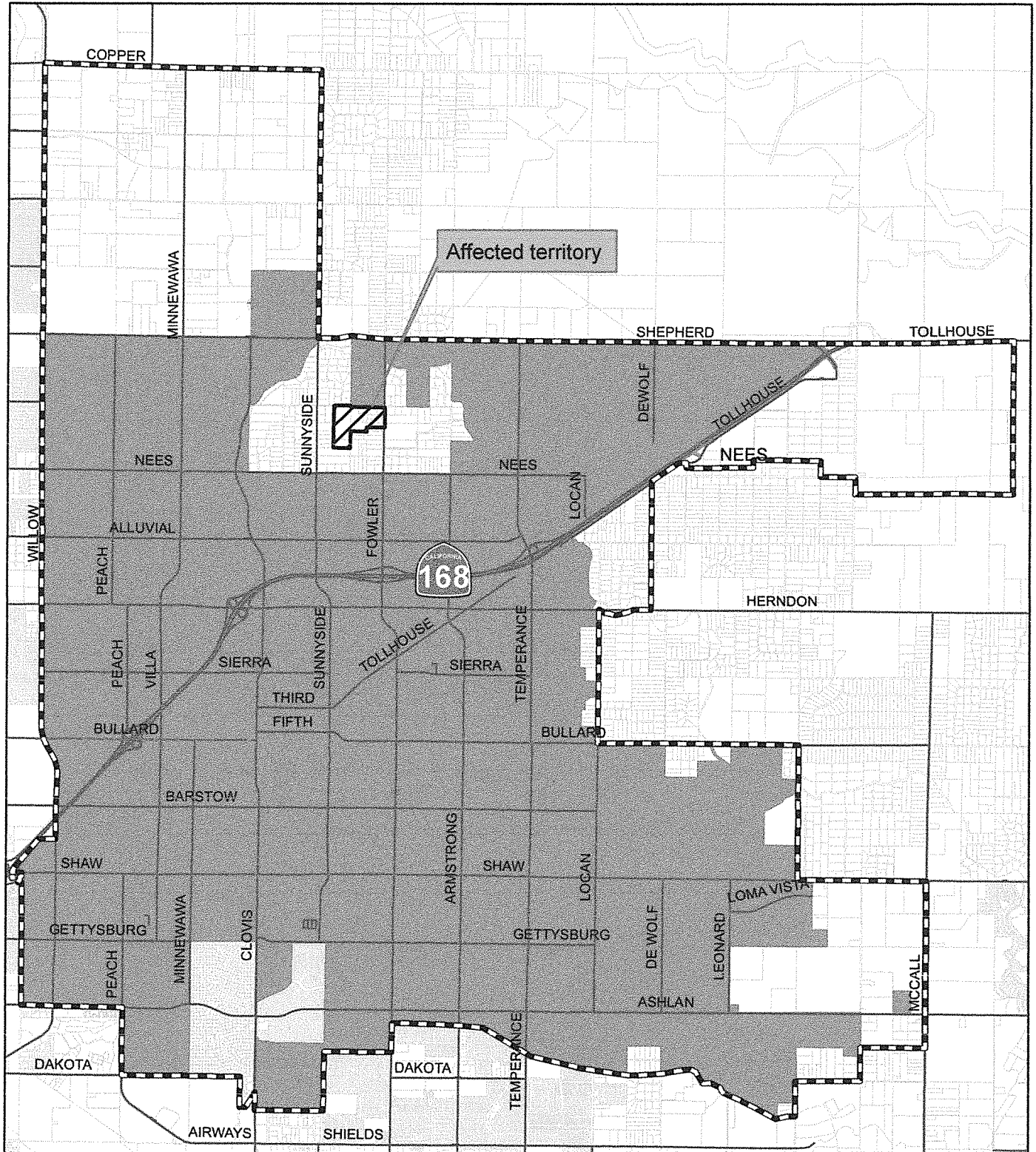
Service	Existing Service	Change
Water	Wells/ Groundwater	City of Clovis
Sewer	Private Septic	City of Clovis
Fire Protection	Fresno County Fire Protection District	Clovis Fire Department

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

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

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

ATTACHMENT B



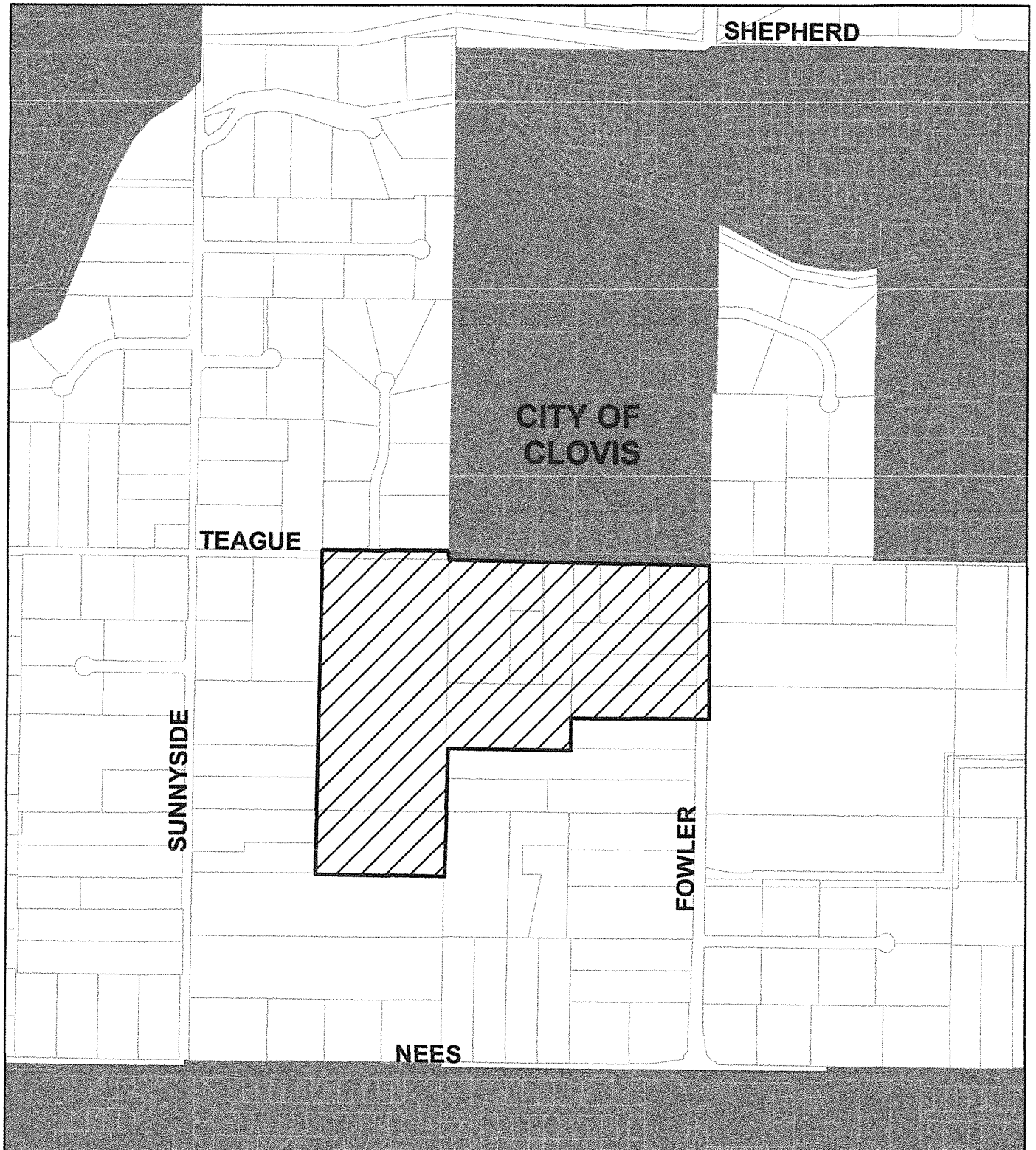
Fresno Local Agency Formation Commission



Clovis city limits



ATTACHMENT C



Fresno Local Agency Formation Commission



Clovis city limits



Affected territory

