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

AGENDA ITEM No. 7

DATE: October 14, 2020

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, Executive Officer 

BY: Juan Lara, LAFCo Analyst II

SUBJECT: **Consider Approval - City of Kerman "Eastside Community Park Reorganization."** A proposed reorganization consisting of the annexation of 17.8 acres to the City of Kerman and detachment from the Kings River Conservation District for territory located at the northeast corner of Goldenrod and California Avenues. (LAFCo File No. RO-20-8)

Applicant: City of Kerman

Landowners/Parties of Real Interest (100% Consent): City of Kerman, Shannon Ford LLC, Union Pacific Railroad.

RECOMMENDATION: Approve by Taking the Following Actions:

Action 1:

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

Action 2:

- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH").
- C. Find pursuant to CKH and information in the record that:
 - a. The territory is uninhabited; and
 - b. All landowners and affected agencies have consented to the reorganization.

- D. Assign the distinctive short form designation "Eastside Community Park Reorganization" and approve the annexation and detachments subject to the following conditions of approval:
- a. Pursuant to Fresno LAFCo Policy 103-05, the Executive Officer shall record the approved application if all conditions have been satisfied and once he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.
 - b. Submittal of corrected legal and map.
 - c. Satisfactory verification that the City has accepted a final map shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.
- E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

Executive Summary

On November 13, 2019, the City of Kerman adopted Resolution No. 19-63 requesting the Commission to begin proceedings for the "Eastside Community Park Reorganization." A proposed reorganization consisting of the annexation of 17.8 acres to the City of Kerman and detachment from the Kings River Conservation District for territory located at the northeast corner of Goldenrod and California Avenues.

On June 23, 2020 the City of Kerman submitted the "Eastside Community Park Reorganization" and the City of Kerman "Eastside Community Park SOI Amendment" applications (LAFCo File No. USOI-199) to be processed concurrently.

Proposal/Land Use

- The proposal consists of the annexation of 17.8 acres to the City of Kerman and detachment from 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 Kerman sphere of influence (**Attachment B**) and is contiguous to city limits (**Attachment C**).
- The proposal is currently zoned AE-20 (Exclusive Agricultural) and has been rezoned to the Kerman Open Space zone district by Pre-zone Application No. 2019-01, City Ordinance No. 19-09.
- The territory is uninhabited.
- The proposal is consistent with the 2030 Kerman General Plan Update.

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 Kerman and County of Fresno. (See letter from Mr. Jean Rousseau.)
- The City of Kerman is within the North Central Fire Protection District service area and will continue receiving fire protection services from the District.
- 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 Kerman Open Space zone districts by Pre-zone Application No. 2019-1, City Ordinance No. 19-09.
- The City of Kerman is within the North Kings GSA.

Sustainable Groundwater Management Act

Former Governor Edmund G. Brown Jr. signed the 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 Kerman.

Environmental Determination

The City of Kerman, acting as Lead Agency under California Environmental Quality Act ("CEQA"), prepared an initial study and a Negative Declaration ("ND") for the Eastside Community Park (SCH No. 2019080200) pursuant to Public Resources Code section 21092 and CEQA Guidelines section 15070. The Kerman SOI amendment and subsequent annexation were included in the project description and analyzed in the Initial Study. On November 13, 2019, the City adopted Resolution No. 19-64 certifying the ND for the Eastside Community Park. The City filed a Notice of Determination with the County of Fresno's Clerk office on December 23, 2019 Document No. E201910000463.

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

Costs and Other Changes Affecting Residents or Landowners

None reported by the City of Kerman staff.

Agencies and Individuals Submitting Comments

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

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 **zero** registered voters in the affected territory.

Compliance with the Requirements of CEQA

Lead Agency: City of Kerman

Level of Analysis: Initial Study

Finding: Negative Declaration. (See Environmental Documents at www.fresnolafco.org under the Hearing and Workshops tab in the October 14, 2020 file).

Individuals and Agencies Receiving this Report

- Ken Price, LAFCo Counsel
- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- Paul Peschel, District Manager, Kings River Conservation District
- Chief Mark Johnson, Fresno County Fire Protection District
- Olivia Pimentel, City of Kerman
- John Jansons, City Manager, City of Kerman

Attachment A

PROPOSAL INFORMATION

1. Affected Territory

Acreage:	17.8
Current Land Use:	AE-20 (Exclusive Agricultural)
Number of Residences/ Population:	Residents: 0 / Population: 0 estimated
Registered Voters:	Voters: 0
Assessor Parcel Number(s):	025-010-040U,025-200-18S

2. Proposed Development - The affected territory will be developed into a Community Park.

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

4. Existing Service Agencies and Proposed Service Changes

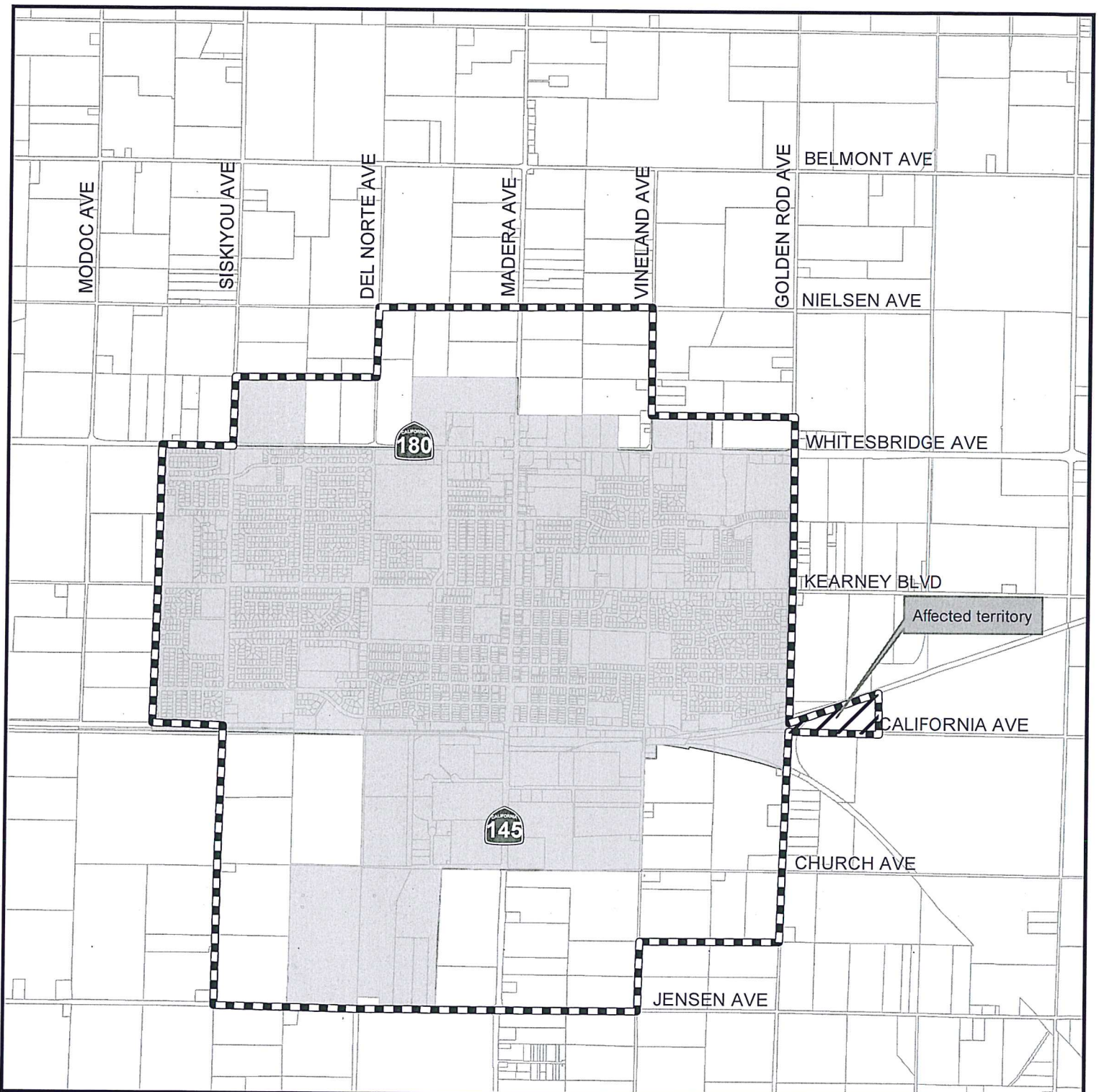
Service	Existing Service	Change
Water	Wells/ Groundwater	City of Kerman
Sewer	Private Septic	City of Kerman
Fire Protection	Fresno County Fire Protection District	North Central Fire Protection District

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


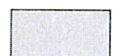
5. Cities and Districts Included Wholly or Partially Within the Affected Territory

Fresno County	Fresno County Library
Fresno Irrigation District	North Central Fire Protection District
County Service Area No. 35	Central Valley Pest Control District
Kings River Conservation Dist.	Fresno Mosquito and Vector Control District
Co. School Service	Kerman Unified School District
Kerman Unified School District	State Center Community College

Attachment B



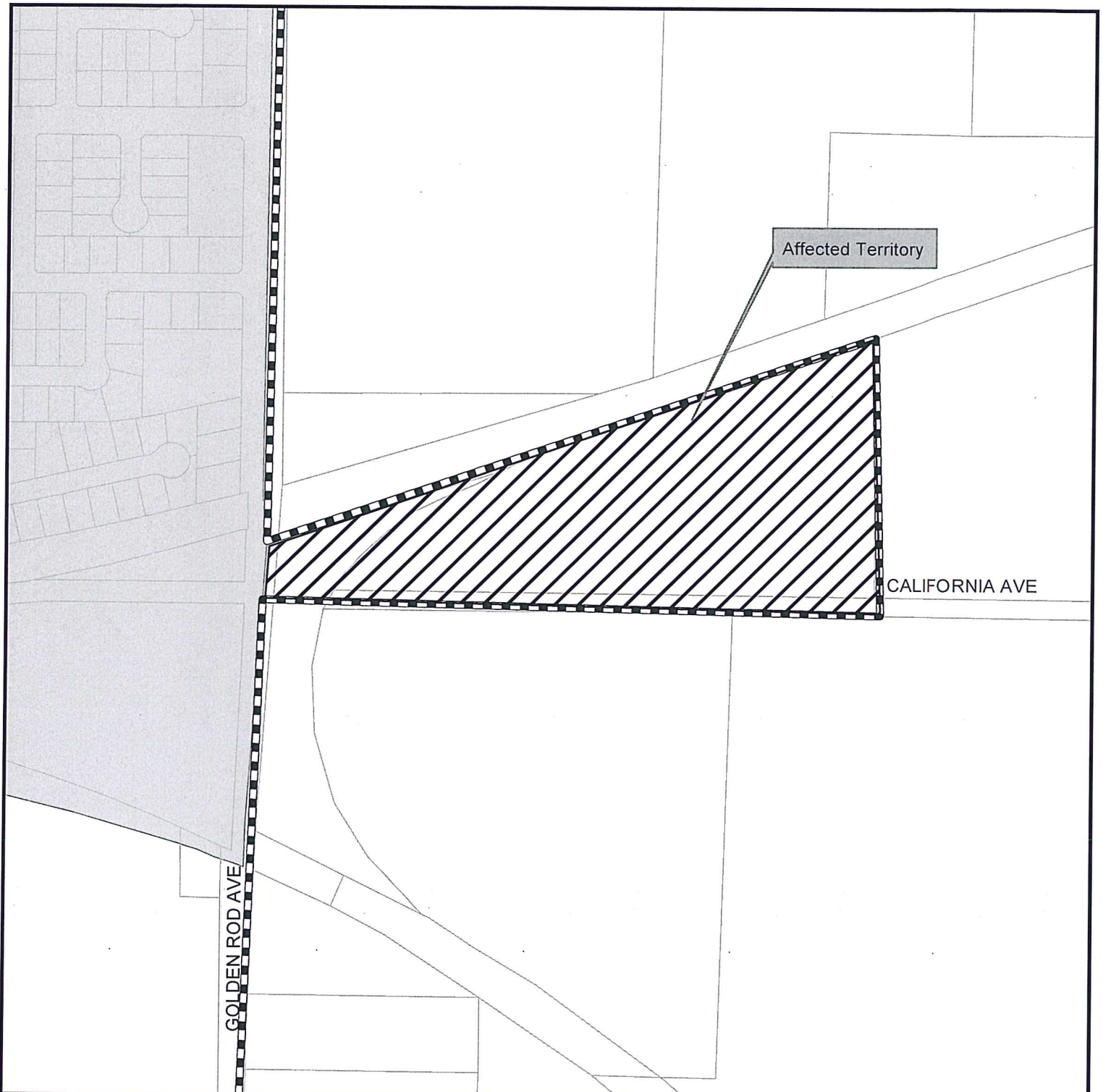
Fresno Local Agency Formation Commission

-  Sphere of influence
-  City limits



Map prepared: 10/06/2020

Attachment C



Fresno Local Agency Formation Commission



Sphere of influence



City limits



Map prepared: 10/06/2020