



CITY OF CLOVIS

Department of Planning and Development Services

CITY HALL • 1033 FIFTH STREET • CLOVIS, CA 93612

October 7, 2014

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

Subject: Herndon-Locan Southeast Reorganization

Dear Mr. Fey,

This letter is to confirm that the terms and conditions outlined in Resolution 14-97 will be the responsibility of the City of Clovis to monitor and enforce. The identified terms and conditions desired for the subject reorganization are as follows:

1. The regular assessment roll shall be utilized.
2. Each new development will be required to demonstrate adequate water availability and, if necessary, will be required to drill and test a well, and to connect it to the city water system.
3. Each new development will be required to obtain sewage capacity from the trunk sewer specified by the City Engineer.
4. The provisions of Article II, Annexation by City, as agreed between the City of Clovis and the County of Fresno pursuant to the August 21, 1990, Memorandum of Understanding, as amended from time to time, regarding tax sharing shall apply.
5. The applicants shall reimburse the City for any expense associated with the transition agreement for fire services with the Fresno County Fire Protection District that would apply to this proposal.
6. A "Right-to-Farm" covenant shall be recorded for each tract map or made a condition of each tract map.
7. Pursuant to Government Code Section 56663, the City shall consent to the annexation and waive its rights to a hearing.



8. Prior to approval, recordation or filing of an annexation, tentative map, final map, parcel map, or site plan (Project), the property covered by the Project shall be included within or annexed to a Community Facilities District (CFD), established by the City for the provision of public facilities and services, for which proceedings have been consummated, and shall be subject to the special tax approved with the formation or annexation to the CFD.

The applicant and the property owner acknowledge and agree that if the Project was not part of a CFD, the City might lack the financial resources to operate facilities and provide public services, such as police protection, fire protection, emergency medical services, parks and recreation services, street maintenance, and public transit. Absent the requirement for inclusion of the Project within a CFD, the City might not be able to make the finding that the Project is consistent with the General Plan and relevant specific plans, and might not be able to make the findings supporting approval of the Project as required by the Subdivision Map Act and the California Environmental Quality Act, and the City might be required to deny the application for the Project.

The owner/developer shall notify all potential lot buyers prior to sale that this Project is a part of a Community Facilities District and shall inform potential buyers of the special tax amount. Said notification shall be in a manner approved by the City.

This requirement may be waived in the discretion of the City Council if, at the time of the approval, recordation, or filing of the Project, the City Council has determined that it is not necessary that the Project be included in the CFD.

The Fresno Local Agency Formation Commission will not be required to enforce the aforesaid terms and conditions as a responsible agency. City staff will modify language in future annexation/ reorganization resolutions to identify the City of Clovis as the sole responsible agency of the eight (8) terms and conditions listed above.

If you have any questions or require additional information, please feel free to contact me at 324-2340 or [dwightk@cityofclovis.com](mailto:dwrightk@cityofclovis.com).

Sincerely,



Dwight Kroll, AICP
Director of Planning and Development Services



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

DATE: October 17, 2014
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, "Herndon-Locan Southwest Reorganization", Agency No. RO-14-2



This is in response to your notice dated October 2, 2014, regarding an annexation application submitted by the City of Clovis to LAFCo known as the "Herndon-Locan"; LAFCo Application No. RO-14-2.

- County plan designation for the area:
The subject territory is designated Reserve Low Density Residential within the County adopted Clovis Community Plan.
- Consistency of the proposal with adopted County General and Community Plans and Policies.
Annexation of the subject territory represents a logical expansion of the City of Clovis boundary. The subject territory is within the City of Clovis' Sphere of Influence (SOI) and abuts the current city boundary. Therefore, the proposed annexation is in conformance with the Standards of Annexation stated in the Amended and Restated Memorandum of Understanding (MOU) between the City of Clovis and the County of Fresno.
- Any pending County plans, projects (i.e. Community Development, roads, etc.) or development permits:
None
- Other related comments:
On September 12, 2014, the City of Clovis "Herndon-Locan Southwest Reorganization" was determined to be consistent with the Standards of Annexation contained in Exhibit 1 of the Amended and Restated Memorandum of Understanding between the County of Fresno and the City of Clovis.
- Recommendations:
It is recommended that full-width road right-of-way along Herndon and Locan Avenues be included in this annexation and that a Right-to-Farm Notice be recorded for all the parcels within the territory proposed for annexation.

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

10/17/14

Date

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FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File 170.44
310. "7H"

October 22, 2014



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

Dear Mr. Fey,

LAFCo File No. RO-14-2
"Herndon-Locan Southwest Reorganization"
Drainage Areas "7H"

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,

Robert Villalobos
Engineering Technician III

RV/jt

c: Alan Hofmann, Fresno Metropolitan Flood Control District

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Fleming, Candace Lynn

From: Fey, David
Sent: Thursday, October 09, 2014 3:46 PM
To: Fleming, Candace Lynn
Subject: FW: RO-14-2 Herndon-Locan Southwest Reorganization



FYI

From: Tsuda, Kevin
Sent: Thursday, October 09, 2014 3:19 PM
To: Fey, David
Cc: Allen, Glenn; Gardner, Janet
Subject: RO-14-2 Herndon-Locan Southwest Reorganization

Fresno County Environmental Health has completed the review of RO-14-2 for the Herndon-Locan Southwest Reorganization and have no comments to offer at this time.

Sincerely,

Kevin Tsuda, R.E.H.S.
Environmental Health Specialist II
Environmental Health Division
(559) 600-3271
ktsuda@co.fresno.ca.us



INTER OFFICE MEMO

Fresno County Public Library



Date: October 10, 2014

To: David E. Fey, AICP, Executive Officer

From: Laurel Prysiazny, County Librarian *RWP*

Subject: "Herndon-Loacan Southwest Reorganization"; AGENCY.: RO-14-2

Annexation: some digging for wells may be involved. Uninhabited and no demolition of buildings.

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



Fresno Local Agency Formation Commission

DATE: October 2, 2014
 TO: Ryan Lopez, Elections Division
 FROM: David E. Fey, AICP, Executive Officer *df*
 SUBJECT: "Herndon-Locan Southwest Reorganization"; AGENCY NO.: RO-14-2

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. _____ 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. 4
- 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 within 15 days of the date of this letter. Your assistance is greatly appreciated. Thank you.

DF:cf

Attachments: Map, Legal description

[Handwritten Signature]

 Signature and Title

 10/6/14

 Date

