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

CONSENT AGENDA ITEM NO. 5B

DATE: June 8, 2016

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer 

SUBJECT: Consider Approval: City of Selma “DeWolf-Floral-Fahrney Reorganization,” consisting of the annexation of 35.88 acres to the City of Selma and the Selma-Kingsburg-Fowler County Sanitation District and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located east of DeWolf Avenue, north of Floral Avenue, and west of SR 99 (LAFCo File No. RO-16-4).

Applicant: Bryant Hemby, Planner, City of Selma

Land Owners/Parties of Real Interest (100% consent): City of Selma, Selma-Kingsburg-Fowler County Sanitation District, Gerald Fahrney & Donald Fahrney

(This proposed reorganization has been placed on the consent agenda because the territory is uninhabited and all property owners have consented in writing to the annexation.)

RECOMMENDATION: Approve By Taking the Following Actions:

1. 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.
2. 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).
3. 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.
4. Assign the distinctive short form designation “DeWolf-Floral-Fahrney Reorganization” and approve the annexations and detachments subject to the following conditions of approval:
 - A. Required fees shall be paid to the Selma-Kingsburg-Fowler County Sanitation District in accordance with District regulations. The City of Selma shall submit satisfactory verification to the Executive Officer that said fees have been paid prior to the completion of the reorganization.

- B. 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, are defined to include, but are not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.
5. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH and the 30-day reconsideration period.

Executive Summary

On May 2, 2016, the City of Selma initiated this reorganization with the adoption of Resolution No. 2016-23R, requesting that the Commission begin proceedings for the "DeWolf-Floral-Fahrney Reorganization" to annex 35.88 acres to the City of Selma and the Selma-Kingsburg-Fowler County Sanitation District and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District.

The Fresno County CAO determined that the proposal is consistent with the Standards of Annexation contained within the City/County Memorandum of Understanding.

The City of Selma and the Fresno County Fire Protection District have a fire transition agreement in place as required by Commission policy section 102-04.

Proposal

The Proposal is within the City of Selma's sphere of influence, west of and contiguous to the city limits (Exhibits A and B). The proposed development conforms to the City's General Plan, which designates the subject territory for regional commercial land uses. The Proposal is currently zoned County AE-20 (Agriculture Exclusive) and has been rezoned to C-R (Regional Commercial).

The Proposal consists of the annexation of 35.88 acres to the City of Selma and the Selma-Kingsburg-Fowler County Sanitation District and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located north of east of DeWolf Avenue, north of Floral Avenue, and west of SR 99.

Ability of the City to Serve Water to the Subject Territory

Potable water will be provided to the territory by the California Water Company, a private for-profit water service in accordance with the rules and regulations of the California Public Utilities Commission. The company has the ability to serve the territory, as outlined in the Urban Water Management Plan for the Selma District, which was prepared by the California Water Service Company in December, 2010, which is currently being updated.

Relationship to Regional Housing Goals and Policies

The subject territory will be developed for commercial purposes consistent with the Selma General Plan and the recently-adopted Housing Element update and will not contribute any housing.

Environmental Determination

The City of Selma as "lead agency" conducted an initial study and on May 2, 2016, adopted a Mitigated Negative Declaration. (See Environmental Documents on LAFCo's website at www.fresnolafco.org.)

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

APPLICATION INFORMATION

1. Subject Territory

Acreage:	35.88 acres
Current Land Use:	Agriculture
Number of Residences/ Population:	Residences:0 / Population: 0
Registered Voters:	Voters: 0
Assessor Parcel Number(s):	348-191-06S

2. **Proposed Development** - The territory proposed for annexation will be developed with a 102-room hotel, auto dealership, two anchor stores, and general retail, all comprising approximately 361,000 sq. ft. of commercial uses.

3. **Surrounding Territory** – Vineyard to the west; drainage and recharge pond to the north; commercial land to the east; and farm land to the south.

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

5. **Consistency with City and County General Plans** - The Proposal will be consistent with the City of Selma's General Plan once annexed. 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	None	California Water Company
Sewer	None	SKF Co. Sanitation Dist.
Fire Protection	Fresno Co. Fire Protection District	City of Selma

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

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

Kings River Conservation District	Fresno County Fire Protection District
Selma Cemetery District	Fresno Irrigation District
State Center Community College District	Selma Unified School District
County of Fresno	County Service Area No. 35
Consolidated Mosquito Abatement Dist.	Fresno County Library
Consolidated Irrigation District	Selma Hospital District

8. **Costs and Other Changes Affecting Residents or Landowners** - The landowner will be required to pay the City of Selma’s development fees for police and fire services and circulation impacts caused by the project.

9. **Consistency with LAFCo Policies, Standards and Procedures**

- All properties within the Proposal have been rezoned to the Selma C-R Zone District and the proposed uses conform to this rezoning.
- The County has determined that the Proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) and the Standards for Annexation between the City of Selma and County of Fresno (see letter from Mr. Jean Rousseau, Fresno County CAO dated May 13, 2016 - Correspondence and Comments). The County recommended that “the City of Selma include the full width of right-of-way of Floral Avenue in this reorganization.
- The City of Selma and the Fresno County Fire Protection District have a transition agreement in place to provide fire protection services to the affected territory.
- The Proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.

9. **Agencies and Individuals Submitting Comments**

- Jean Rousseau, County Administrative Officer
- Veronica Cazares, PE District Engineer, SKF County Sanitation District
- Judy Petersen, Administrative Assistant, Business & Support Services, Selma Unified School District
- Will Kettler, Manager, Dev. Services Division, Department of Public Works & Planning
- Janet Gardner, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
- Chufeng Vang, IT Analyst, Fresno County Elections Department
- David Padilla, Associate Transportation Planner, Department of Transportation
- Laurel Prysiazny, County Librarian
- Lt. Robert Kandarian, County Sheriff’s Office

10. **Territory Boundaries** - The boundaries of the proposed annexation **are** definite and certain and the County Assessor has determined that the map and legal description **are not adequate** to file with the State Board of Equalization. Corrected exhibits will be necessary for issuance of a Certificate of Completion if approved by the Commission.

11. **Registered Voter Data** - The County of Fresno Elections Office reported that there were **no** registered voters in the subject territory.

12. Compliance with the Requirements of CEQA

Lead Agency: City of Selma

Level of Analysis: Initial Study

Finding: Mitigated Negative Declarations (see Environmental Documents at www.fresnolaftco.org under the Hearing and Workshops tab in the June 8, 2016 file)

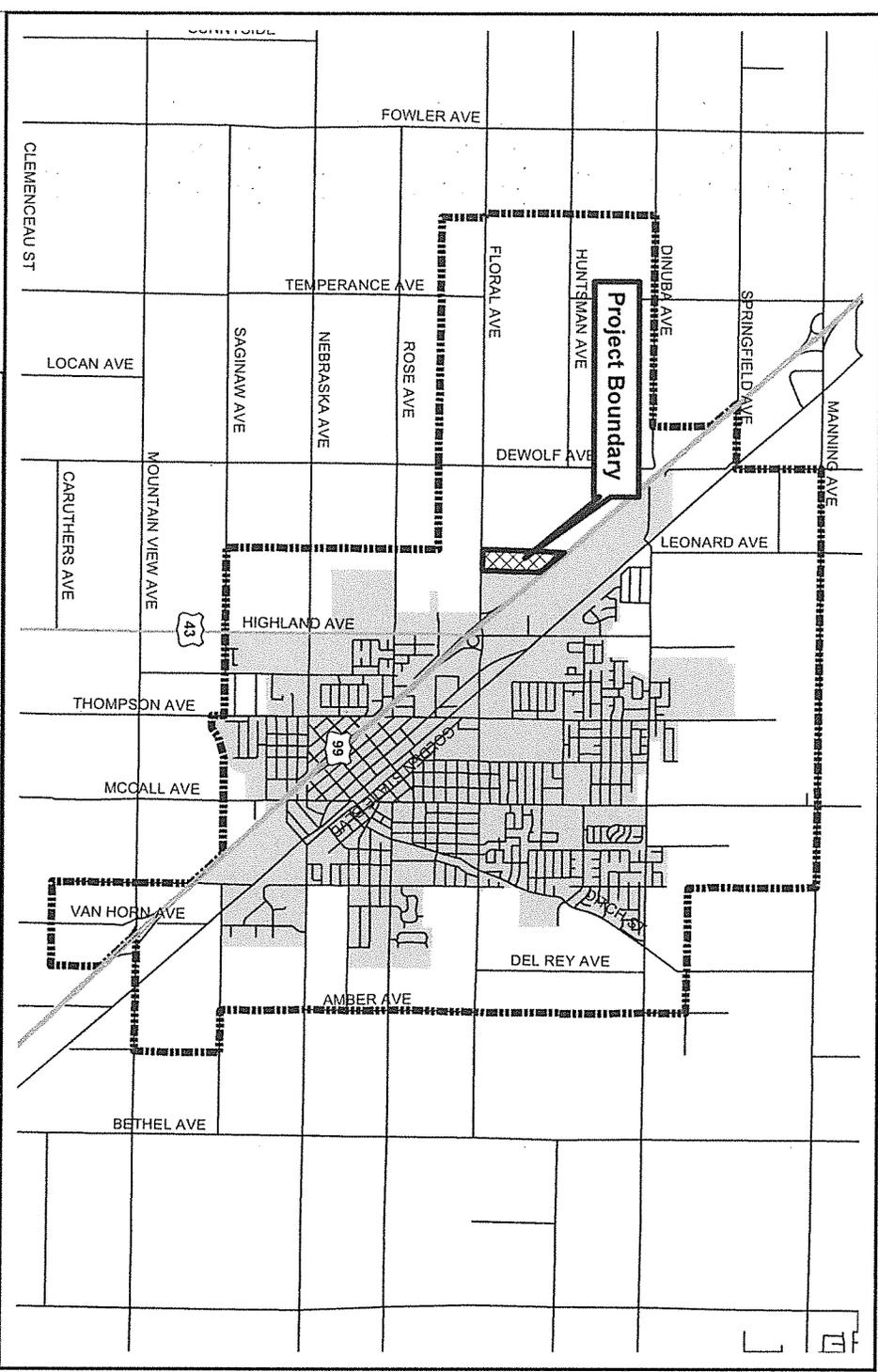
13. Public Notice of Hearing - Public notice concerning this Proposal was issued by the Executive Officer pursuant to State law.

14. Individuals and Agencies Receiving this Report

- Commissioners and Alternates
- Ken Price, LAFCo Counsel
- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- Will Kettler, Development Services Div. Mgr., Fresno Co. Public Works and Planning
- Ben Munoz, General Manager, SKF Sanitation District
- Mark Johnson, Chief, Fresno County Fire Protection District
- Paul Peschel, District Manager, Kings River Conservation District
- Phil Desatoff, Manager, Consolidated Irrigation District
- Bryant Hemby, Planner, City of Selma
- Donald and Gerald Fahrney

Exhibit A

CITY OF SELMA



- Legend**
- Sphere of Influence
 - City Limits
 - DeWolf-Floral

DeWolf-Floral Reorganization

City of Selma

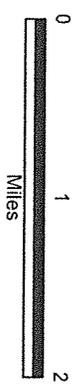
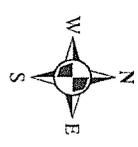
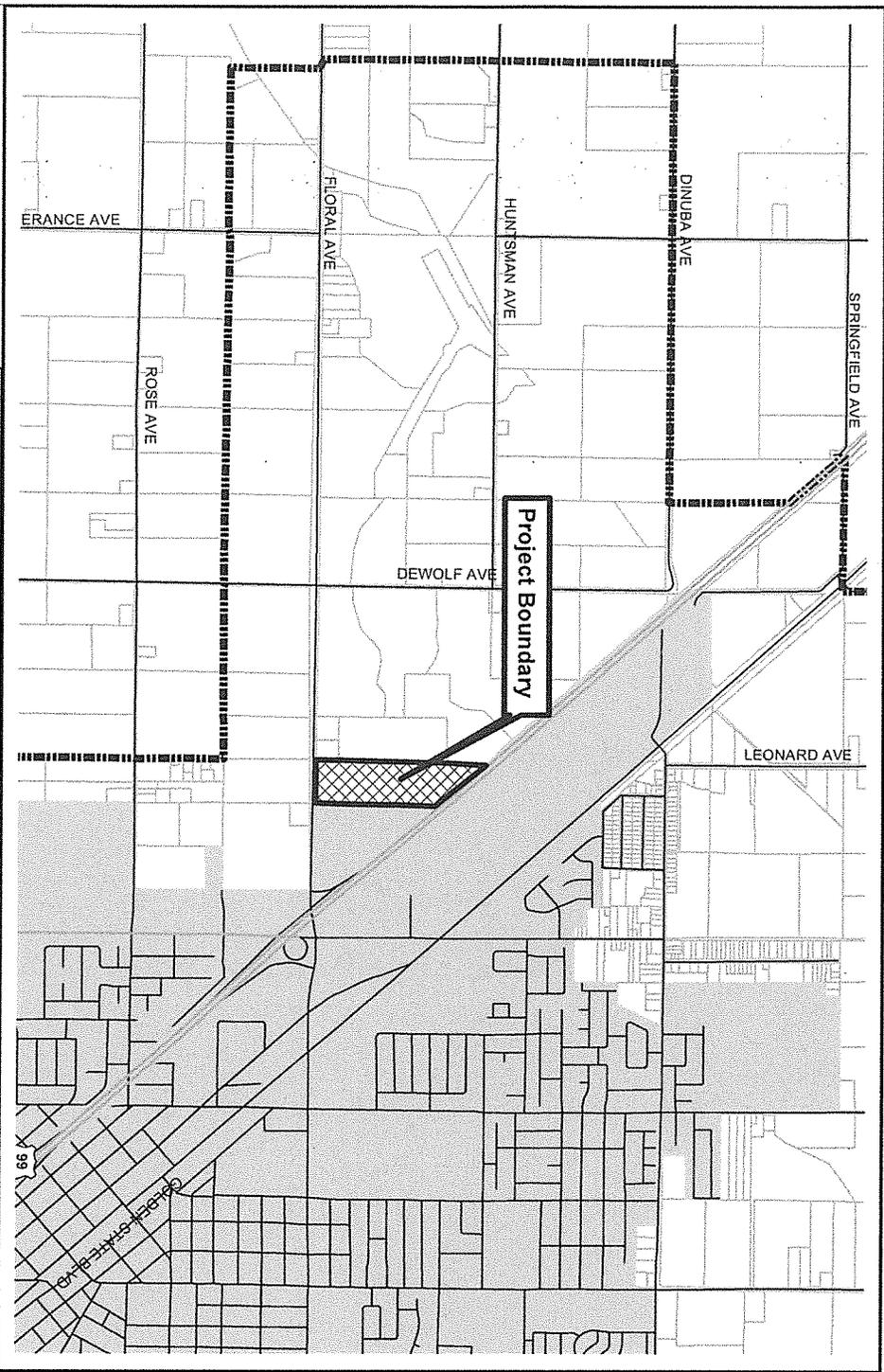


Exhibit B

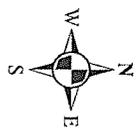
CITY OF SELMA



- Legend**
- Sphere of Influence
 - City Limits
 - DeWolf-Floral

DeWolf-Floral Reorganization

City of Selma





County of Fresno

COUNTY ADMINISTRATIVE OFFICE

JEAN M. ROUSSEAU

COUNTY ADMINISTRATIVE OFFICER

Received

MAY 16 2016
[Signature]
Fresno LAFCo

May 13, 2016

Kenneth Grey, City Manager
City of Selma
1710 Tucker Street
Selma, CA 93662

SUBJECT: Notice of Intent to file the DeWolf-Floral-Fahrney (Selma Grove Commercial Project) Annexation/Reorganization

Dear Mr. Grey:

In accordance with Article II, Section 2.4 of the Amended and Restated Memorandum of Understanding (MOU) between the City of Selma and the County of Fresno, the County has reviewed the proposed annexation described in the letter from the City received on April 1, 2016 and supplemental information subsequently provided.

We have determined that the proposed annexation by the City of Selma is consistent with the Alternate Standard for Annexation contained in Section 2.4 of Article II of the MOU. The subject property is located within the City of Selma's Sphere of Influence and is contiguous to the north and east of the City of Selma's incorporated boundary. The County recommends that the full width right-of-way of Floral Avenue be included in this annexation.

Also, as stipulated in Section 2.4, the County requests that the City of Selma arrange for an annual meeting to review the progress of the project and to identify ways to promote mutual economic development objectives.

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

Sincerely,

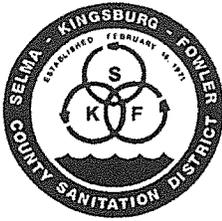
[Signature of Jean M. Rousseau]
Jean M. Rousseau
County Administrative Officer

JA:ksn

G:\4360Devs&Pln\PLANNING\ANNEXATIONS\Cities & Districts\Selma\2016\DeWolf-Floral-Fahrney (Selma Grove) RO\CAO Consistency Letter.doc

Enclosure

cc. Steven E. White, Department of Public Works and Planning
Bernard Jimenez, Department of Public Works and Planning
William M. Kettler, Development Services Division
Mohammad Khorsand, Development Services Division
David Fey, LAFCo
Bryant Hemby, City of Selma



SELMA - KINGSBURG - FOWLER
COUNTY SANITATION DISTRICT

DIRECTORS
David Cárdenas, Chairman
Buddy Mendes, Vice-Chairman
Henry Perea
Yvette Montijo
Michelle Roman

STAFF
Ben Muñoz, Jr., General Manager

May 13, 2016

Received

MAY 18 2016

Fresno LAFCo

Sent via electronic mail

Mr. Bryant Hemby
City of Selma
1710 Tucker St.
Selma, CA. 93662

**SUBJECT: Tutelian Company, Power Center Commercial Project (Selma Grove)
Re-Issue Will Serve Letter; APN 348-191-06S**

Dear Mr. Hemby,

The Selma-Kingsburg-Fowler County Sanitation District has received a letter dated April 14, 2016 from the City of Selma requesting that the District re-issue a will-serve letter for the subject project.

The District will serve the above-referenced development project estimated at two hundred eighty nine (289) Equivalent Single Family Residences (ESFR's). The estimated ESFR's are based on preliminary conceptual information provided by you. The actual ESFR's would be determined as the project may progress. This will-serve letter has a time limit of 2½ years from the date of this letter, or expiration of tentative map, whichever comes later. This will-serve letter is good for the life of a final map.

Sewer Infrastructure Plans - All information provided by the District to date has been provided as a preliminary response to describe District planning documents, policies or existing infrastructure. Discussions, information and this letter shall not be considered to be acceptance of any sewer infrastructure plans. Any interested party must submit to the District a detailed set of sewer infrastructure plans or floor and plumbing plans for all buildings. With regard to a detailed set of sewer infrastructure plans or floor and plumbing plans, District staff will review submitted plans, but plans will not be signed off until the annexation has been completed by LAFCo or the property is within the City boundaries.

Plan check and inspection fees shall be paid at the time of submittal of plans to the District. The plan check process is not complete until the District has signed off on the plans. All sewer improvements required for a project are identified at completion of the plan check process.

Design Standards and Master Plan – On site and off site sewer system facilities must be designed and constructed in accordance with the District's Collection System Construction Standards, the District's Sewer System Master Plan and other requirements as may be specified by the District. The Standards and the Master Plan may be viewed on the District's website at www.skfcsd.org.

Fees and Connection Permit - Applicable District annexation fees must be paid for the entire project prior to completion of annexation or, if the fees have been deferred, at the time the District issues the project's first sewer connection permit. District capacity charges must be paid at the time the District issues a sewer connection permit. District capacity charges are subject to change and must be paid at the rates in effect at the time the sewer connection permit is issued by the District. Sewer system improvements must be constructed, tested and approved by the District prior to the issuance of a sewer connection permit. You must contact the City in which the project is located in order to pay the separate City sewer connection fee and to determine if there are applicable reimbursement fees to be paid.

Will-Serve Letters Policy - The District's 6-14-07 Will-Serve Letter Policy states "Staff shall issue will-serve letters, with no up-front fee or deposit, at the request or concurrence of a City/County, with the will-serve letters having a time limit of 2 1/2 years, or expiration of tentative map, whichever comes later, with the will-serve letter being good for the life of the final map."

New City Sewer Collection System Infrastructure Reimbursement - The District does not participate financially in the construction of new City sewer collection system infrastructure. Persons interested in possible reimbursement for such construction must make arrangements in writing with the City in which the infrastructure is constructed and such written arrangements must be made prior to the District signing off on plans.

New District Interceptor System Infrastructure Reimbursement - With regard to the construction of new District interceptor system infrastructure, persons interested in possible reimbursement must obtain agreements or District determinations, each in writing, from the District prior to the District signing off on plans.

Existing City or District Sewer System Infrastructure Reimbursement - With regard to the refurbishment or replacement of existing City or District sewer system infrastructure, persons interested in possible District financial participation must obtain agreements or District determinations, each in writing, from the District

If you have any questions please call the District office. Thank you.

Sincerely,



Veronica Cazares, PE
District Engineer

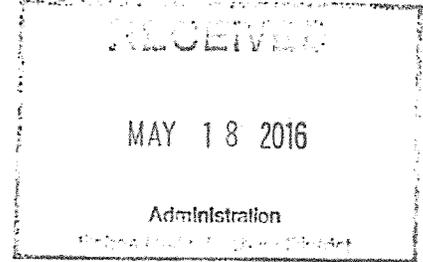
Copies: Jerry Howell; City of Selma
Cliff Tutelian, 1401 Fulton Street STE 210, Fresno CA 93721
Ben Muñoz, Frank Hernandez; SKF CSD

MAY 23 2016



Fresno LAFCo
Fresno Local Agency Formation Commission

DATE: May 27, 2016
TO: County Committee on School District Reorganization
Selma Unified School District
State Center Community College
FROM: Candie Fleming, Clerk to the Commission *cf*
SUBJECT: "DeWolf-Floral-Fahrney Reorganization"



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

1. Under present attendance boundaries, which schools will students from this area attend?
K-6: TERRY ELEM. 7-8: LINCOLN MIDDLE 9-12: SELMA HIGH

2. Are any of the above schools of the District already at or near capacity? Please describe:
TERRY IS AT CAPACITY AT MOST GRADES

3. Will this proposal and other pending proposals create any overcrowded conditions at any of the above schools? Please describe:
YES. IT WILL FURTHER OVERCROWD TERRY AND STUDENTS WILL LIKELY TRANSFER TO ERIC WHITE & WASHINGTON.

4. Is there any agreement, ordinance, or other arrangement of the District and/or City to provide for school facilities that would affect any resulting overcrowding from this proposal? Please describe:
YES. THE DISTRICT CHARGES AN IMPACT FEE OF \$0.47 PER FOOT FOR COMMERCIAL SPACE.

5. Describe any building plans of the District that would affect this proposal:
NONE.

6. Other Comments:

In order to proceed with the processing of this application, please return your comments to this office by **May 27, 2016**. Your assistance is greatly appreciated. Thank you.

CF

Attachments: Application, Map, Legal Description, Resolution



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

DATE: May 24, 2016
TO: David E. Fey, AICP, Executive Officer
FROM: William M. Kettler, Manager
Development Services Division
Department of Public Works and Planning
SUBJECT: City of Selma, "DeWolf-Floral-Fahrney Reorganization"; Agency No. RO-16-4

This is in response to your notice received May 16, 2016, regarding an annexation application submitted by the City of Selma to LAFCo known as the "DeWolf-Floral-Fahrney Reorganization"; Agency No. RO-16-4.

- County plan designation for the area:
The subject territory is designated as Agricultural in the County General Plan.
- Consistency of the proposal with adopted County General and Community Plans and Policies.
The County's General Plan directs urban type uses to incorporated cities and unincorporated communities where necessary support services are available. Annexation of the subject territory represents a logical expansion of the City of Selma's boundary. The subject territory is within the City of Selma's Sphere of Influence (SOI) and abuts the current City boundary. Therefore the proposed annexation is in conformance with the Amended and Restated Memorandum of Understanding (MOU) between the City of Selma and the County of Fresno.
- Any pending County plans, projects (*i.e.*, Community Development, roads, etc.) or development permits:
None.
- Other related comments:
On May 13, 2016, the County issued a consistency determination letter stating that the "DeWolf-Floral-Fahrney Reorganization" is consistent with the Alternate Standards of Annexation contained in Section 2.4 of Article II of the Restated Memorandum of Understanding between the County of Fresno and the City of Selma.
- Recommendations:
It is recommended that the City of Selma include the full width of right-of-way along Floral Avenue. Also, as stipulated in Section 2.4, the County requests that the City of Selma arrange for an annual meeting to review the progress of the project and to identify ways to promote mutual economic development objectives.



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

5/24/16

Date

JA:ksn

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Received

Fleming, Candace Lynn

MAY 17 2016

From: Gardner, Janet
Sent: Tuesday, May 17, 2016 2:56 PM
To: Fleming, Candace Lynn; Fey, David
Cc: Allen, Glenn; Tsuda, Kevin
Subject: LAFCo RO-16-4 DeWolf-Floral-Fahrney Reorg

Fresno LAFCo

Fresno County Environmental Health (EH) has completed the review of RO-16-4 DeWolf-Floral-Fahrney Reorganization requesting annexation to the City of Selma with connections to S-K-F sewer and City of Selma water services. A prior City of Selma (Selma Grove) application was routed to EH therefore EH has no further comments.

Sincerely;

Janet Gardner

Fresno County,
Department of Public Health
Environmental Health Division
Phone: (559) 600-3271

Received

MAY 20 2016

Fresno LAFCo



Fresno Local Agency Formation Commission

DATE: May 27, 2016
TO: Chufeng Vang and/or Erik Salcedo, Elections Division
FROM: Candie Fleming, Clerk to the Commission
SUBJECT: "DeWolf-Floral-Farhney Reorganization"
AGENCY NO.: RO-16-4

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

- A. [X] Number of registered voters in the area. [0]
B. [] For notification purposes, if 12 or more registered voters, please furnish two sets of labels that show all registered voters in the affected area along with their address and one set of labels for all registered voters residing within 300 feet of the exterior boundary of the property as shown upon the most recent assessment roll being prepared by the County.
D. [] What percent of the registered voters in the proposal area does the attached petition represent? []
E. [X] Will the proposal affect precinct boundaries or the conduct of elections? [yes]
F. [] Other comments:

In order to proceed with the processing of this application, please return your comments to this office by May 27, 2016. Your assistance is greatly appreciated. Thank you.

CF

Attachments: Map, Legal description

Signature and Title: Chufeng Vang FTA-1

Fleming, Candace Lynn

From: Padilla, Dave@DOT <dave.padilla@dot.ca.gov>
Sent: Wednesday, May 25, 2016 11:32 AM
To: Fleming, Candace Lynn
Subject: DeWolf-Floral-Fahrney Reorganization

Received
MAY 25 2016
Fresno LAFCo

Good Morning Candie,

In reference to Selma Grove-Phase I.

We have completed our review of the "DeWolf-Floral-Fahrney Reorganization" and we have no concerns with the reorganization.

06-FRE-99-6.512

Sincerely,

David Padilla
Associate Transportation Planner
Office of Planning & Local Assistance
1352 W. Olive Avenue
Fresno, CA 93778-2616
Office: (559) 444-2493, Fax: (559) 445-5875
 District 6



INTER OFFICE MEMO

Fresno County Public Library

Received

MAY 20 2016

Fresno LAFCo

Date: May 19, 2016

To: Candie Fleming, Clerk to the Commission

From: Laurel Prysiazny, County Librarian

Subject: DeWolf-Floral-Fahrney Reorganization

Annexation from Fresno to Selma District services.
No building will take place.

***If upon construction and digging there are any archaeological findings, they should not be disturbed until evaluation.

Fleming, Candace Lynn

From: Kandarian, Robert L. <Robert.Kandarian@fresnosheriff.org>
Sent: Tuesday, May 17, 2016 9:24 AM
To: Fleming, Candace Lynn
Subject: RE: De-Wolf-Floral-Fahrney Reorganizaton

Received

MAY 17 2016

Fresno LAFCo

No concerns from the Sheriff's Office. Selma PD will handle.

-----Original Message-----

From: Fleming, Candace Lynn [<mailto:cfleming@co.fresno.ca.us>]
Sent: Monday, May 16, 2016 2:07 PM
To: Jimenez, Bernard (cof) <BJimenez@co.fresno.ca.us>; Khorsand, Mohammad (cof) <mkhorsand@co.fresno.ca.us>;
Kandarian, Robert L. <Robert.Kandarian@fresnosheriff.org>; Prysiazny, Laurel C. <laurel.prysiazny@fresnolibrary.org>
Subject: FW: De-Wolf-Floral-Fahrney Reorganizaton

Please provide your comments for the attached no later than May 27th. Thank you.

Candie @ LAFCo