

---


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

---

**AGENDA ITEM No. 6**

**DATE:**       **October 1, 2014**

**TO:**           **Fresno Local Agency Formation Commission**

**FROM:**       **David E. Fey, AICP, Executive Officer** 

**SUBJECT:**   **Consider Approval: Fresno County Fire Protection District "Annexation of the City of Parlier to the Fresno County Fire Protection District."** Proposal submitted by the Fresno County Fire Protection District to annex the boundaries of the entire City of Parlier to the District **(AD-14-2)**.

**Applicant:** Fresno County Fire Protection District

**Land Owners/Parties of Real Interest (asterisk indicates consent):**

Fresno County Fire Protection District\*  
City of Parlier\*

**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 annexation, 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 adequate pursuant to CEQA Guidelines Section 15320 (Class 20) and find the proposal to be Categorically Exempt.
- B. Find that the proposed annexation is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) and Fresno LAFCo adopted Policies, Standards and Procedures including but not limited to Section 220, Standards for District Annexation, and that this action carries out LAFCo's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.
- C. Find that approval of the proposed annexation is based on sufficient information that was provided to the Commission, the Executive Officer's report to the Commission, and all other testimony and information provided by persons and interested agencies, and is in compliance with state law, including, but not limited to the CKH and Commission Policies, Standards and Procedures.

- D. Find and determine pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that:
1. The territory is inhabited.
  2. All landowners and affected agencies have not consented to the annexation.
- E. Assign the distinctive short form designation "Annexation of the City of Parlier to the Fresno County Fire Protection District" and approve the annexation.
- F. Waive further Conducting Authority Proceedings and order the annexation subject to the requirements of the CKH and the 30-day reconsideration period.

### **Procedural Note**

Pursuant to Section 56157 of the CKH, because the total number of notices exceeded 1,000, the requirement for mailed notice was waived and the notice was published in The Fresno Bee in both English and Spanish on September 10, 2014.

If approved, the Commission must normally set a protest hearing because the proposal does not have written consent from all of the property owners. However, Section 56663 of the CKH allows the Commission to waive the protest hearing if certain conditions have been met.

- (a) The notice pursuant to section 56157 has been given to landowners and registered voters within the affected territory.
- (b) The notice discloses to the registered voters and landowners that unless written opposition to the proposal is received before the conclusion of the commission proceedings on the proposal, the commission intends to waive protest proceedings. The notice shall disclose 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.
- (c) Written opposition to the proposal from landowners or registered voters within the affected territory is not received before the conclusion of the commission proceedings on the proposal.

### **Background**

The Fresno County Fire Protection District initiated these proceedings on August 20, 2014, with the adoption of Resolution 2014-07, and filed the application with LAFCo on August 21, 2014. On August 21, 2014, the City of Parlier adopted a resolution also requesting LAFCo to commence proceedings to annex the City's territory to the Fresno County Fire Protection District.

### **Proposal / Land Use**

The Fresno County Fire Protection District was created in 1994, when the Mid Valley Fire Protection District and Westside Fire Protection District were consolidated. The predecessor districts were formed, respectively, in 1949 and 1936. The District operates pursuant to the Fire Protection District Law of 1987 (Health and Safety Code, Sections 13800 et seq.).

The District provides fire prevention and suppression, emergency medical response, search and rescue, and emergency dispatch services. It also conducts building permit and other inspections.

The District encompasses approximately 2,547 square miles. It extends from Kings and Tulare Counties on the south to Madera County on the north, and from the coastal range on the west to the foothills of the Sierras on the east. Its boundaries and sphere of influence are coterminous. Its boundaries encompass unincorporated "islands" that are surrounded by the Cities of Clovis and Fresno.

The California Department of Forestry and Fire Protection (CalFire) protect the eastern and western ends of the County of Fresno. There are mutual aid agreements between the District and CalFire.

The City of Parlier is approximately 16 miles south of the City of Fresno between Fowler to the west and Reedley to the east. The population as of 1/1/09 was approximately 13,555. The City provides a variety of municipal services either directly or through contract. The City contains 1,423 acres and its LAFCo-approved 2010 sphere of influence encompasses 2,946 acres. The Parlier SOI lies entirely within the District.

### **Environmental Determination**

The Fresno County Fire Protection District determined that the Project will not have a potentially significant effect on the environment and filed a Notice of Exemption on August 20, 2014 (see Environmental Documents on our website at [www.fresnolafco.org](http://www.fresnolafco.org) (CEQA Documents for Upcoming Projects)).

As Responsible Agency, the Commission is required to review and consider the District'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.

### **Project Analysis**

#### **Project Description**

The project consists of the annexation of the incorporated territory of the City of Parlier to the Fresno County Fire Protection District (**Figure 1**).

As the City of Parlier annexed land, it has been its practice to detach from the District. The City became responsible for local fire protection services through a contract with the Fresno County Fire Protection District to provide fire prevention and suppression to the City. The City of Parlier has been unable to adequately fund its Fire Protection contract with the District in both the 2013/14 and 2014/15 City Budgets. Since the City of Parlier does not foresee the ability to fund those budget years or future years, the City made the decision to work with the District to re-attach the City's territory to the District.

## **Consistency with LAFCo Policies, Standards, and Procedures**

- No changes to land use will result from the project; it is therefore consistent with the City of Parlier's General Plan.
- The project will not have an effect on the City of Parlier/County of Fresno Memorandum of Understanding (Tax Sharing Agreement) Standards for Annexation with the County of Fresno.
- The City of Parlier has a current fire transition agreement in place with the Fresno County Fire Protection District. Approval of the proposal will nullify the agreement as a transition agreement is only required by LAFCo policy when detachments occur.
- The affected territory is located within the District's Sphere of Influence (**Figure 2**).
- The Proposal does not conflict with the goals and policies of LAFCo.
- The Proposal is timely, represents an appropriate response by the City 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 annexation is consistent with 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**

<b>Acreage:</b>	1,479 acres
<b>Current Land Use:</b>	Rural Residential
<b>Number of Residences/ Population:</b>	Residences:10 / Population: 30
<b>Registered Voters:</b>	Voters: 3,759

### **2. Proposed Development - None**

### **3. Surrounding Territory - No change to the surrounding territory**

### **4. Consistency with Adopted Sphere of Influence (SOI) - The affected territory is within the District's LAFCo-approved Sphere of Influence**

6. **Existing Service Agencies and Proposed Service Changes**

Service	Existing Service	Change
Water	City of Parlier	City of Parlier
Sewer	City of Parlier	City of Parlier
Fire Protection	Contract with FCFPD	Reattachment to FCFPD
Distance to Station	Located within the City of Parlier	None

**Please Note:** A service plan for this Proposal is available at [www.fresnolafco.org](http://www.fresnolafco.org) under the hearings and workshops tab in the October 1, 2014 folder.

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

City of Parlier	Fresno County Library District
Kings River Conservation District	Fresno County Fire Protection District
State Center Community College District	Parlier Unified School District
Consolidated Irrigation District	West Fresno Red Scale Protective District
Consolidated Mosquito Abatement Dist.	Kings River Conservation District

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

The costs of services will not change upon annexation. Nor will the project result in substantive changes to the service currently provided by the District.

9. **Agencies and Individuals Submitting Comments** (see Correspondence and Comments attached to the staff report on our website at [www.fresnolafco.org](http://www.fresnolafco.org))

- Kevin Tsuda, Environmental Health Specialist II, Fresno County Department of Public Health
- Department of Transportation
- Laurel Prysiazny, County Librarian
- Ryan Lopez, County Elections Division

10. **Territory Boundaries:** The boundaries of the proposed annexation are definite and certain.

11. **Registered Voter Data**

The County of Fresno Elections Office reported that there were 3,759 registered voters in the affected territory.

12. **Compliance with the Requirements of CEQA**

**Lead Agency:** Fresno County Fire Protection District

**Level of Analysis:** Notice of Exemption

**Finding:** Exempt (see Environmental Documents – [www.fresnolafco.org](http://www.fresnolafco.org) under CEQA Documents for Upcoming Projects.

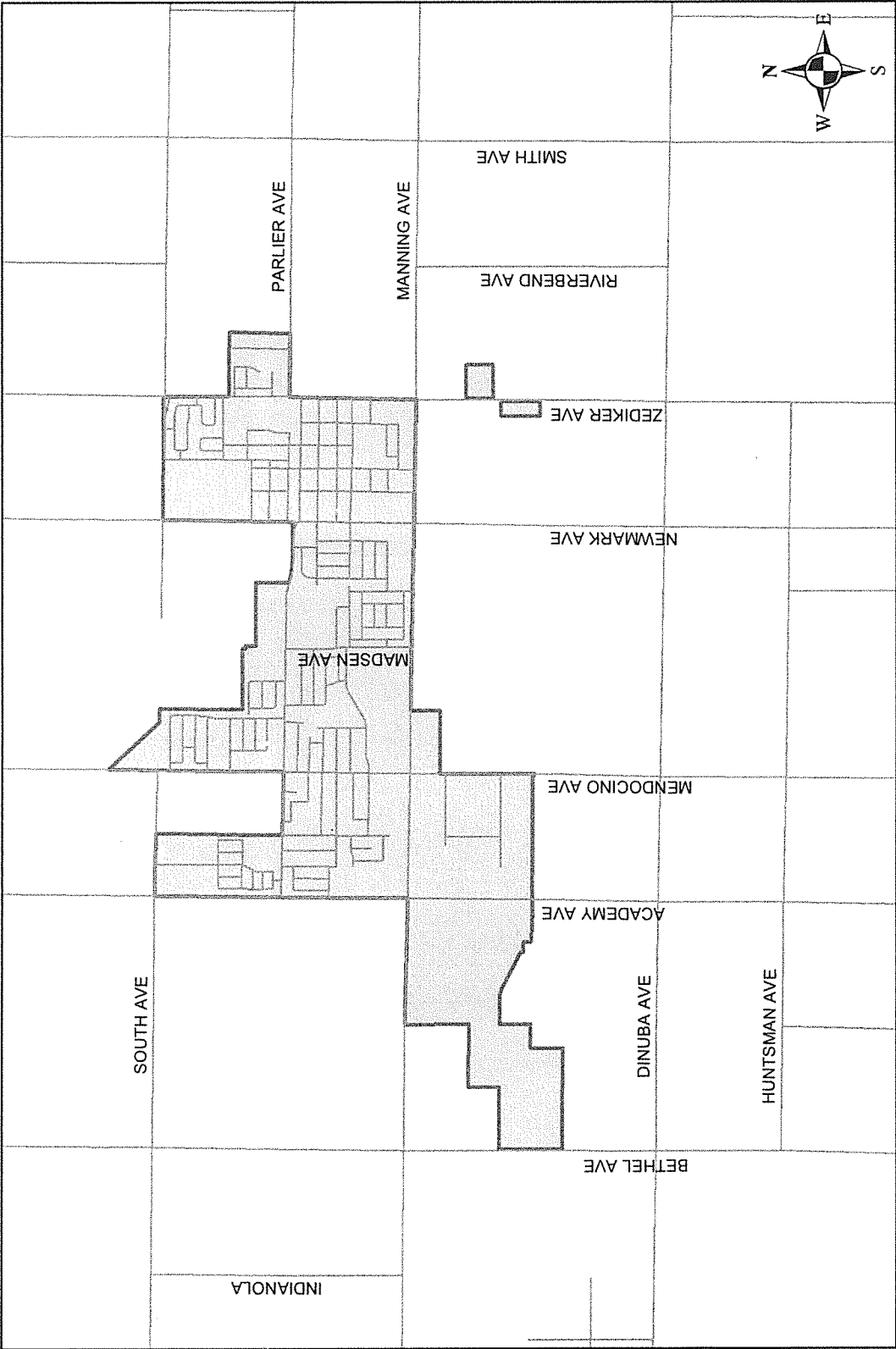
13. **Public Notice of Hearing** – Public notice concerning this Proposal was issued by the Executive Officer pursuant to State law.

**14. Individuals and Agencies Receiving this Report**


- Commissioners and Alternates
- Ken Price, LAFCo Counsel
- Will Kettler, Division Manager, Development Services Division, Fresno County Public Works and Planning Department
- Bernard Jimenez, Deputy Director of Public Works and Planning
- Mark Johnson, Chief, Fresno County Fire Protection District
- Ray Franklin, Fresno County Fire Protection District
- Andy Cosentino, Fresno County Fire Protection District
- Dave Orth, Manager, Kings River Conservation District

Figure 1

# Fresno County Fire Protection District Proposed Annexation of the City of Parlier

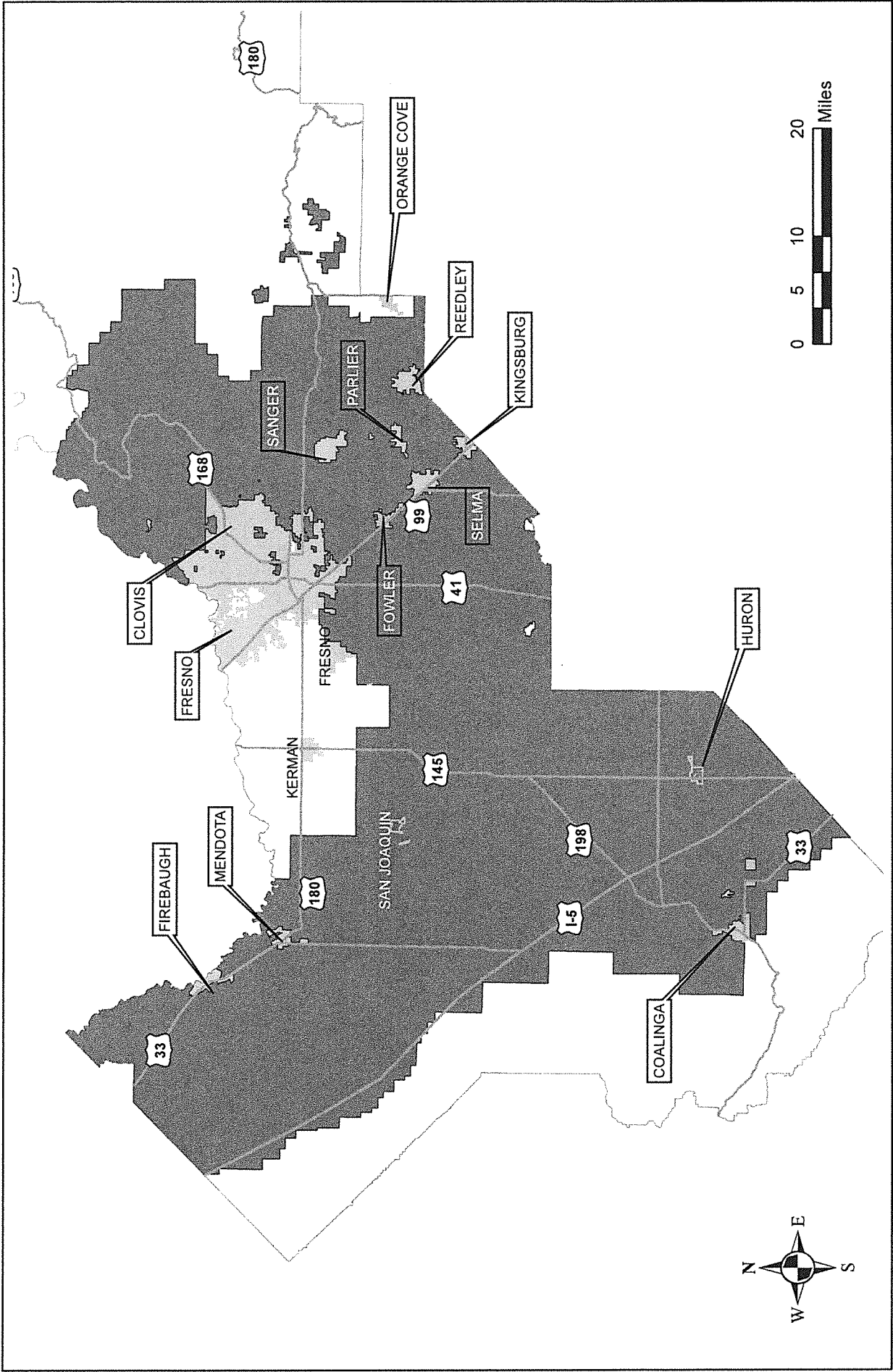


## Legend

 City Limits and Area Subject to Proposed Annexation

City of Parlier

Figure 2



## Fresno Local Agency Formation Commission Fresno County Fire Protection District

### Legend

- District Area and Sphere
- City Limits

Mid Valley Formed: 1949  
Westside Formed: 1936  
Consolidated: 1994

SOI Adopted: 6/25/1975  
SOI Updated: 6/13/2007  
Map Date: May 2014

District Area: 1,623,283 Acres  
Sphere Area: 1,623,283 Acres