

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

AGENDA ITEM No. 7

DATE: August 12, 2015

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer 

SUBJECT: Consider Application: City of Fresno "Locan-Fedora Northeast Reorganization." A reorganization submitted by landowner petition to annex 24.71 acres to the City of Fresno and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located on the east side of Locan Avenue south of the East Dakota Avenue Alignment (LAFCo File No. RO-15-2).
(Continued from July 8, 2015)

Applicant: John Bonadelle, Bonadelle Homes, Inc.

Land Owners/Parties of Real Interest: Bonadelle Homes, Inc. (John Bonadelle),
Jeremy Doyel

RECOMMENDATION: Continue the Public Hearing to September 9, 2015

This proposal was considered by the Commission at its July 8, 2015 hearing. At that time, the lack of a fire transition agreement between the City of Fresno and the Fresno County Fire Protection District was a concern to the Commission. Based in part on testimony from Fresno City Manager Bruce Rudd, the Commission continued the public hearing to August 12, 2015, to allow time for the City and the District to complete their negotiations their fire transition agreement.

On July 29, 2015, the City and District representatives met and came to agreement in concept on the terms of the transition agreement. Some additional refinement of the terms was needed prior to both agencies' approval of the agreement. The District Board and City Council are scheduled to take up this matter at their August 19 and August 20, 2015, hearings, respectively.

Because the agreements would not be ratified by the August 12 LAFCo meeting, staff approached Mr. Poeschel, the applicant's representative, and suggested that this item be continued to September 9. Such a continuation would also facilitate development of policy language to address staff's concern that the proposal is consistent with LAFCo conditions concerning development within the City's South East Growth Area (SEGA). Mr. Bonadelle was briefed on this development by Mr. Poeschel and agreed to the continuation (see attached emails).

Continuation of the July 8 meeting to September 9 is within the required timeframe of Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) §56666 (a).¹

Background / Discussion

This proposal is a request by landowner petition to annex 24.71 acres to the City of Fresno and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located on the east side of Locan Avenue south of the East Dakota Avenue Alignment. Dirk Poeschel, on behalf of John Bonadelle, submitted an application to LAFCo, which was determined to be complete by the Executive Officer on June 11, 2015.

The City pre-zoned the territory from County AE-20 (Exclusive 20-acre Agriculture) to R-1/CZ (Single-Family Residential/conditions of zoning) zone district and approved Tentative Map No. 6067 which would develop the site into a 98-lot single-family residential subdivision.

The affected territory is within the existing Fresno sphere of influence (SOI) and is located within SEGA. The County of Fresno stated that the proposal was consistent with the Standards for Annexation contained in Exhibit I of the Amended and Restated MOU between the City of Fresno and County of Fresno (see Correspondence at www.fresnolafco.org).

The full Executive Officer's July 8, 2015, report can be found on the LAFCo website at www.fresnolafco.org under "Hearings and Workshops."

Individuals and Agencies Receiving this Report

- Commissioners and Alternates
- Ken Price, LAFCo Counsel
- Will Kettler, Division Manager, Fresno County Public Works and Planning Department
- Bernard Jimenez, Deputy Director of Public Works and Planning
- Bruce Rudd, City Manager, City of Fresno
- Jennifer Clark, DARM, City of Fresno
- Randy Shilling, Assistant General Manager, Kings River Conservation District
- Mark Johnson, Chief, Fresno County Fire Protection District
- Dirk Poeschel, Dirk Poeschel Land Development Services
- John Bonadelle, Bonadelle Homes, Inc.

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¹ "The hearing shall be held by the commission upon the date and at the time and place specified. The hearing may be continued from time to time but not to exceed 70 days from the date specified in the original notice." Pursuant to statute, this time period is directory, not mandatory.

EXHIBIT A

Figure 1: Proposed SOI Amendment to Include the Southeast Growth Area

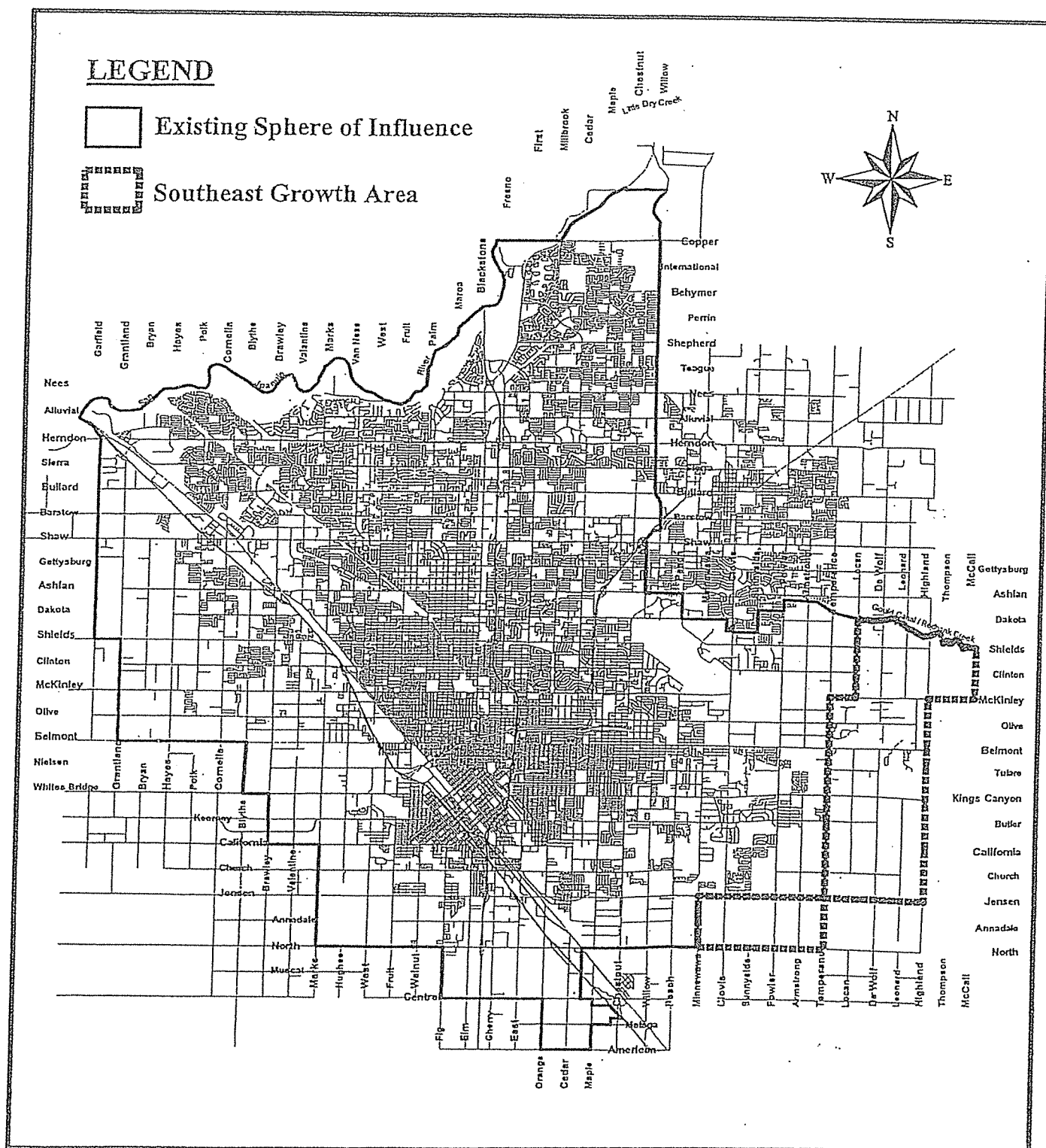
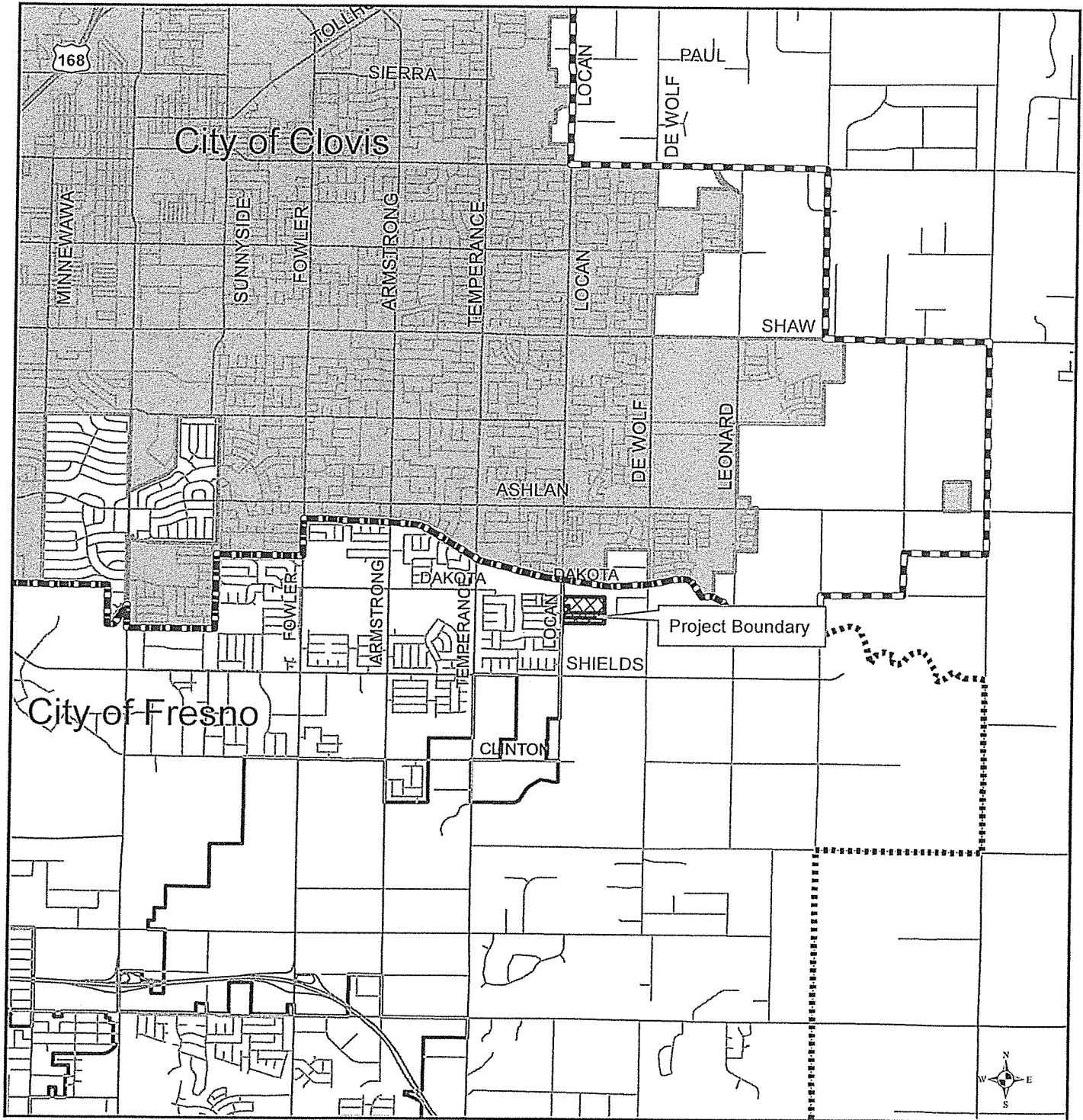







EXHIBIT B



-  Locan-Fedora NE Reorganization
-  Sphere of Influence, Fresno
-  City Limits, Fresno
-  Sphere of Influence, Clovis
-  City Limits, Clovis

**Locan-Fedora NE Reorganization
City of Fresno**

Fey, David

From: Dirk Poeschel <dirk@dplds.com>
Sent: Tuesday, August 04, 2015 11:22 AM
To: Fey, David
Cc: John Bonadelle; Kenneth J. Price (KPrice@bakermanock.com)
Subject: RE: Bonadelle Annexation

Understood. We have faith in the process and your abilities of persuasion.

From: Fey, David [mailto:dfey@co.fresno.ca.us]
Sent: Monday, August 03, 2015 1:04 PM
To: Dirk Poeschel <dirk@dplds.com>
Cc: John Bonadelle <John@bonadelle.com>; Kenneth J. Price (KPrice@bakermanock.com) <KPrice@bakermanock.com>
Subject: RE: Bonadelle Annexation

Dirk,

Per item 1 below, I agree.

Per item 2 below, during our conversation last week, I spoke of a procedural benefit if the Fresno MSR (tentatively scheduled for hearing on September 9) was considered prior to Mr. Bonadelle's project. Based on our conversation, I will make a good-faith effort to have the MSR before the commission at its September hearing and to develop recommendations for Mr. Bonadelle's project that include the option of amending the SEGA SOI conditions. I can't speak to the commission's inclination, however.

DF

From: Dirk Poeschel [mailto:dirk@dplds.com]
Sent: Monday, August 03, 2015 11:08 AM
To: Fey, David
Cc: John Bonadelle
Subject: Bonadelle Annexation

David

Thank you for meeting with me last Thursday and proposing a pathway to allowing approval of the Bonadelle annexation. I discussed your suggestion with John.

Said continuance would allow for the completion of the fire transition agreement affecting the subject annexation and completion of the city of Fresno municipal service review. To that end, we concur with your recommendation for a continuance to the September LAFCo hearing with the following provisions:

1. If the aforementioned fire transition agreement or municipal service review are not ready for the September LAFCo commission hearing, Mr. Bonadelle may be heard on that date.

2. As LAFCo Director, you will make your best effort to provide language so your commission could find the Bonadelle annexation consistent with LAFCo/SEGA policies. With said language in place, LAFCo would be inclined to not oppose said annexation.

I trust this communication accurately reflects our understanding of the process. If not, please communicate with me accordingly as soon as possible. Thank you again for your assistance in processing the subject annexation.

Dirk Poeschel, AICP

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