

LAFCO PROCEDURE CHECKLIST

RD-98-21

Wackenhut Prison Annexation

August 12, 1998

File Number

Application Name

Date Received

City of Huron

EIR ☐ Neg. Dec. ☒ Exempt ☐ /

Proponent

Environmental Determination / Date

Annex to Huron; detach from Westlands Water Dist. & Westside Resource Conservation Dist.
Affected Agency(s)

Inhabited ☐ Uninhabited ☒ Public Hearing ☒ 100% Consent ☐

1. Application File Complete

Date

Agency 20 Day Notice or LAFCO 20 Day Notice

☒ Request Info. from Proponent

Date Requested

Date Completed

☒ Property Tax Resolution Needed:

City -

To Auditor

45 Days

From Auditor

30 Days

Complete

District -

Notice

30 Day

To Auditor

45 Day

From Auditor

30 Day

Complete

District Formation -

To Auditor

From Auditor

☒ Environmental Assessment Needed

Date Sent

Date Completed

☐ Petition Verified

Date Sent

Date Completed

☐ Approval of Map and Description

Date of Map

Date of Legal

2. Request for Information from Other Agencies:

Date

Returned

Assessor (affected area only) ☒

(Check-LCC ☒, AV total, 20 day notice req.)

Planning

Environmental Health

Elections (Hold until just prior to cert/file)

School District - Coalinga Union

Affected Districts Westside RCD

Westlands WD

Imperial Co. Inc.

U.S. Soil Conservation District

* Other Sheriff

3. Certificate of Filing

4. Hearing Date

Continued to

5. Notices Published

6. Notices Mailed and Posted (Request for Notice ☐)

7. Agency Notice Sent to Landowners

8. Executive Officer's Report Mailed (Req. for Report ☐)

9. Commission Action

10. 60 Day Follow-Up

11. Proposal Log List Processing Deferment Letter

12. Revised map/legal needed - Conducting Auth. Contacted

13. Approved Revised Map and Legal

14. LAFCO Resolution Mailed

15. Condition Compliance Needed ☐

16. Notice of Determination Filed (if applicable)

17. Cert. Comp./Bound. Change Mailed

18. County Recorder - Time, Date, and Document

19. Effective Date

20. Conducting Authority Contacted

21. Effective Notices Mailed

22. Proposal Log List Processing

Notes:

* Reg. With Audit
Calif. Drinking

@ 12/1/98

Contact person:

Phone:

Fresno Local Agency Formation Commission

Rowell Building • 2100 Tulare Street, Suite 502 • Fresno, CA 93721 ☎ (559) 495-0604 Fax (559) 495-0655

COMMISSION MEMBERS

Juan Arambula, Chairman
Board of Supervisors
Victor Lopez, Chairman Pro Tem
City of Orange Cove
Larry Fortune
Public
Stan Oken
Board of Supervisors
Trinidad Rodriguez

ALTERNATES

Cynthia Downing
Public
Sharon Levy
Board of Supervisors
Tom Stearns
City of Clovis

EXECUTIVE OFFICER
Jeff Tweedie

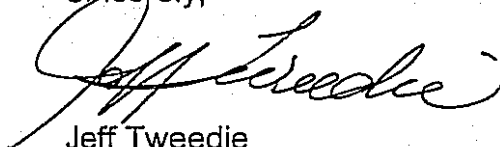
November 3, 2000

City Clerk, City of Huron
Fresno County Assessor's Office, Matt Wing - Stop #19
Fresno County Sheriff's Department - Stop #911
Westlands Water District
Westside Resource Conservation District

Subject: "Wackenhut Prison Annexation, Part 1" Reorganization
"Wackenhut Prison Annexation, Part 2" Reorganization

This is a notice for your records that the above proposal expired on October 28, 2000, two years after the Commission approval. We are closing our files on these city annexation proposals.

Sincerely,



Jeff Tweedie
Executive Officer

JT:cf

D:\data\candle\word\MISC LETTERS&MEMOS\Wackenhut Expiration Letters.doc

CITY OF HURON - 1999

Proposed Detachment from Huron City Limits and Annexation to the Westlands Water District and the Westside Resource Conservation District

LEGAL DESCRIPTION

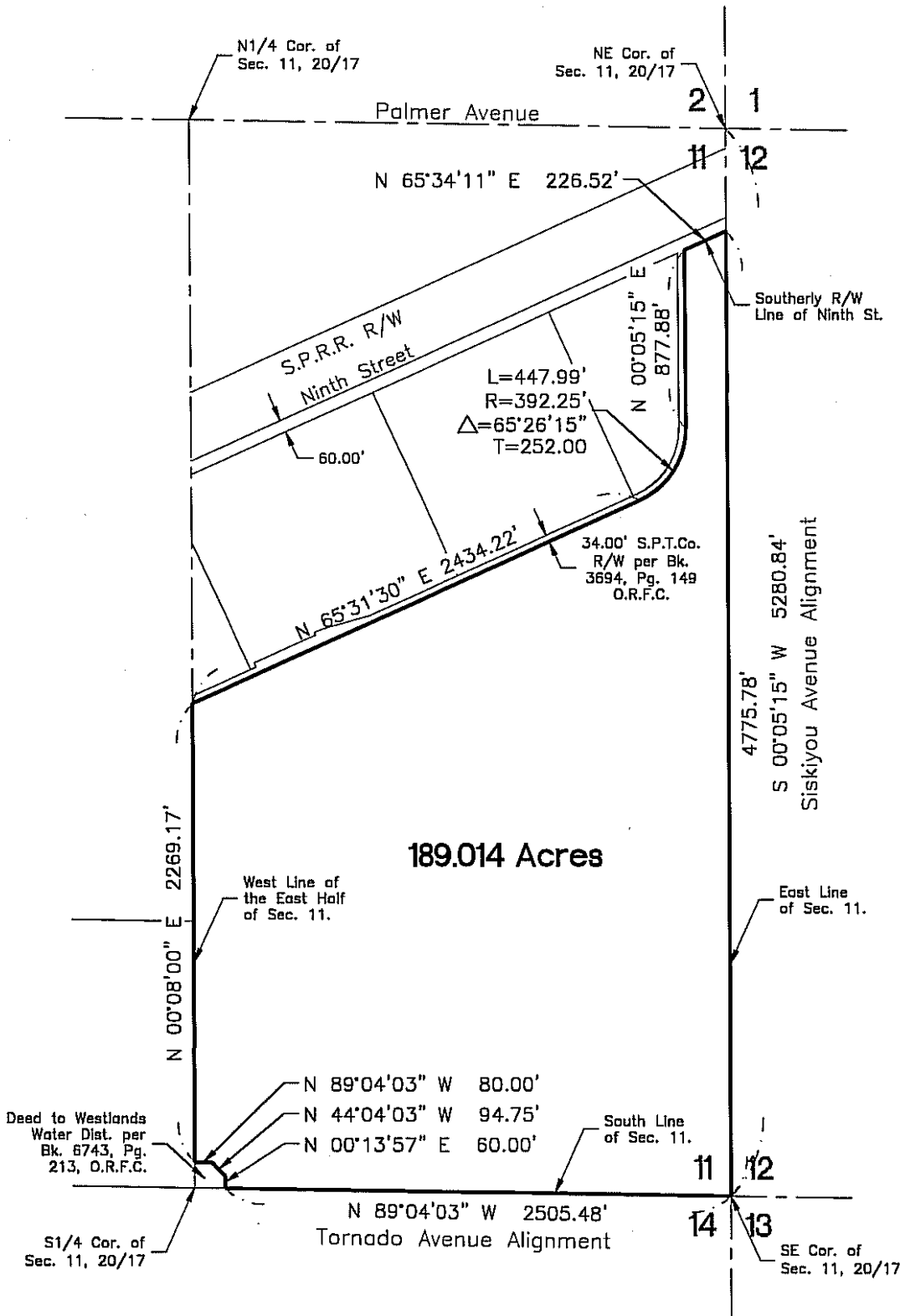
Description:

Being a portion of Parcel "C" of Parcel Map No. 77-1 in the City of Huron, County of Fresno, State of California as shown in Book 25 of Parcel Maps at Page 88, Fresno County Records; being more particularly described as follows:

Beginning at the Southeast Corner of said Parcel "C", said point also being the Southeast Corner of Section 11, Township 20 South, Range 17 East; Mount Diablo Base and Meridian; thence N89°04'03"W along the South line of said Section 11 a distance of 2505.48 feet to the East line of that certain property as deeded to Westlands Water District per deed recorded in Book 6743 at Page 213, Official Records Fresno County; thence N00°13'57"E along the said East line a distance of 60.00 feet; thence N44°04'03"W and continuing along the said East line a distance of 94.75 feet; thence N89°04'03"W along the North line of said Westlands Water District property a distance of 80.00 feet more or less to a point on the West line of the East Half of said Section 11; thence N00°08'00"E along the said West line of the East Half of Section 11 a distance of 2269.17 feet more or less to a point on the Southeasterly Right of Way line as deeded to Southern Pacific Company recorded in Book 3694 at Page 149, Official Records Fresno County; thence N65°31'30"E along the said Southeasterly Right of Way line a distance of 2434.22 feet to the Beginning of a curve concave to the Northwest, having a delta angle of 65°26'15" and a radius of 392.25 feet; thence continuing Northeasterly along said curve a distance of 447.99 feet to the end of said curve; thence N00°05'15"E and continuing along the East Right of Way line of said Southern Pacific Company a distance of 877.88 feet more or less to a point on the Southeasterly Right of Way line of Ninth Street; thence N65°34'11"E along the said Southeasterly Right of Way line of Ninth Street a distance of 226.52 feet more or less to a point on the East line of said Section 11; thence S00°05'15"W along the East line of said Section 11 a distance of 4775.78 feet to the Southeast Corner of said Section 11 and Point of Beginning.

Said Parcel contains 189.014 acres, more or less.

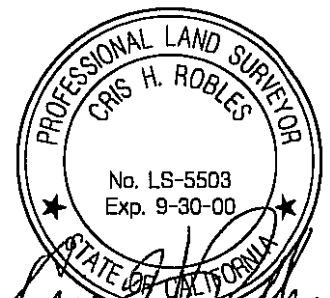




LAFCO RES. # RO-98-21
October 28, 1998
 DATE

APPROVED

Scale 1" = 800'



A.P.N.: 75-032-57&58
 Fresno County, California

Exhibit "A"

**Proposed Detachment from Huron City Limits
 and Annexation to the Westlands Water District
 and the Westside Resource Conservation District.
 County of Fresno, State of California.**

City of Huron 1999



TRI-CITY ENGINEERING
 ENGINEERS SURVEYORS

4466 W. SPAATZ AVE. #102 224 E. COOLIDGE ST.
 FRESNO, CA 93722-3400 COALINGA, CA 93210
 PH: 559-447-9075 PH: 559-935-6051
 FAX 559-447-9074 FAX 559-935-6051
 email: tricity@qns.net

TCE: JB#1038

WACKENHUT PRISON ANNEXATION PART 1 and PART 2, Reorganization Area to
Be Annexed to The City of Huron and Detached from the Westlands Water District

CONSISTING OF A PORTION OF NORTHEAST QUARTER OF SECTION 10 TOWNSHIP 20
SOUTH, RANGE 17 EAST, MOUNT DIABLO BASE AND MERIDIAN.

PHASE I - PARCEL

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 10,
TOWNSHIP 20 SOUTH, RANGE 17 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE NORTH
89°25'20" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER 997.42 FEET TO THE
"TRUE POINT OF BEGINNING", SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT
1811, AS RECORDED IN VOLUME 20 OF PLATS AT PAGE 56, FRESNO COUNTY RECORDS;
THENCE CONTINUING ALONG SAID SOUTH LINE NORTH 89°25'20" WEST 656.58 FEET; THENCE
LEAVING SAID SOUTH LINE NORTH 00°10'00" EAST PARALLEL WITH THE EAST LINE OF SAID
NORTHEAST QUARTER 1148.72 FEET; THENCE SOUTH 89°25'20" EAST PARALLEL TO SAID
SOUTH LINE OF SAID NORTHEAST QUARTER 1056.58 FEET; THENCE SOUTH 00°10'00" WEST
PARALLEL WITH SAID EAST LINE OF SAID NORTHEAST QUARTER 42.00 FEET; THENCE NORTH
89°25'20" WEST 400.00 FEET; THENCE SOUTH 00°10'00" WEST 1106.72 FEET TO SAID SOUTHWEST
CORNER OF SAID TRACT NO. 1811 AND "THE TRUE POINT OF BEGINNING".

SAID PARCEL CONTAINS 17.700 ACRES MORE OR LESS.


PHASE II - PARCEL

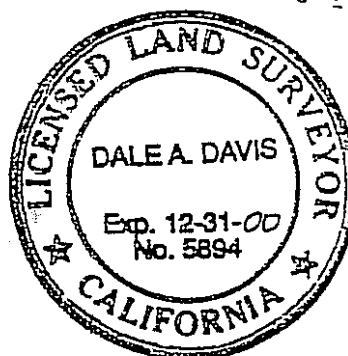
COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 10,
TOWNSHIP 20 SOUTH, RANGE 17 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE NORTH
89°25'20" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER 997.42 FEET TO THE
SOUTHWEST CORNER OF TRACT 1811, AS RECORDED IN VOLUME 20 OF PLATS AT PAGE 56,
FRESNO COUNTY RECORDS; THENCE CONTINUING ALONG SAID SOUTH LINE NORTH 89°25'20"
WEST 656.58 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING ALONG SAID
SOUTH LINE NORTH 89°25'20" WEST 986.00 FEET; THENCE LEAVING SAID SOUTH LINE NORTH
00°10'00" EAST PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER 1148.72 FEET;
THENCE SOUTH 89°25'20" EAST PARALLEL TO SAID SOUTH LINE OF SAID NORTHEAST
QUARTER 986.00 FEET; THENCE SOUTH 00°10'00" WEST PARALLEL WITH SAID EAST LINE OF
SAID NORTHEAST QUARTER 1148.72 FEET TO THE "TRUE POINT OF BEGINNING".

SAID PARCEL CONTAINS 26.001 ACRES MORE OR LESS.

FILE #:
DRAWING NO.:
AUGUST 9, 1999

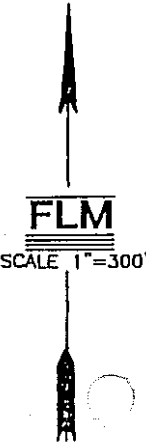
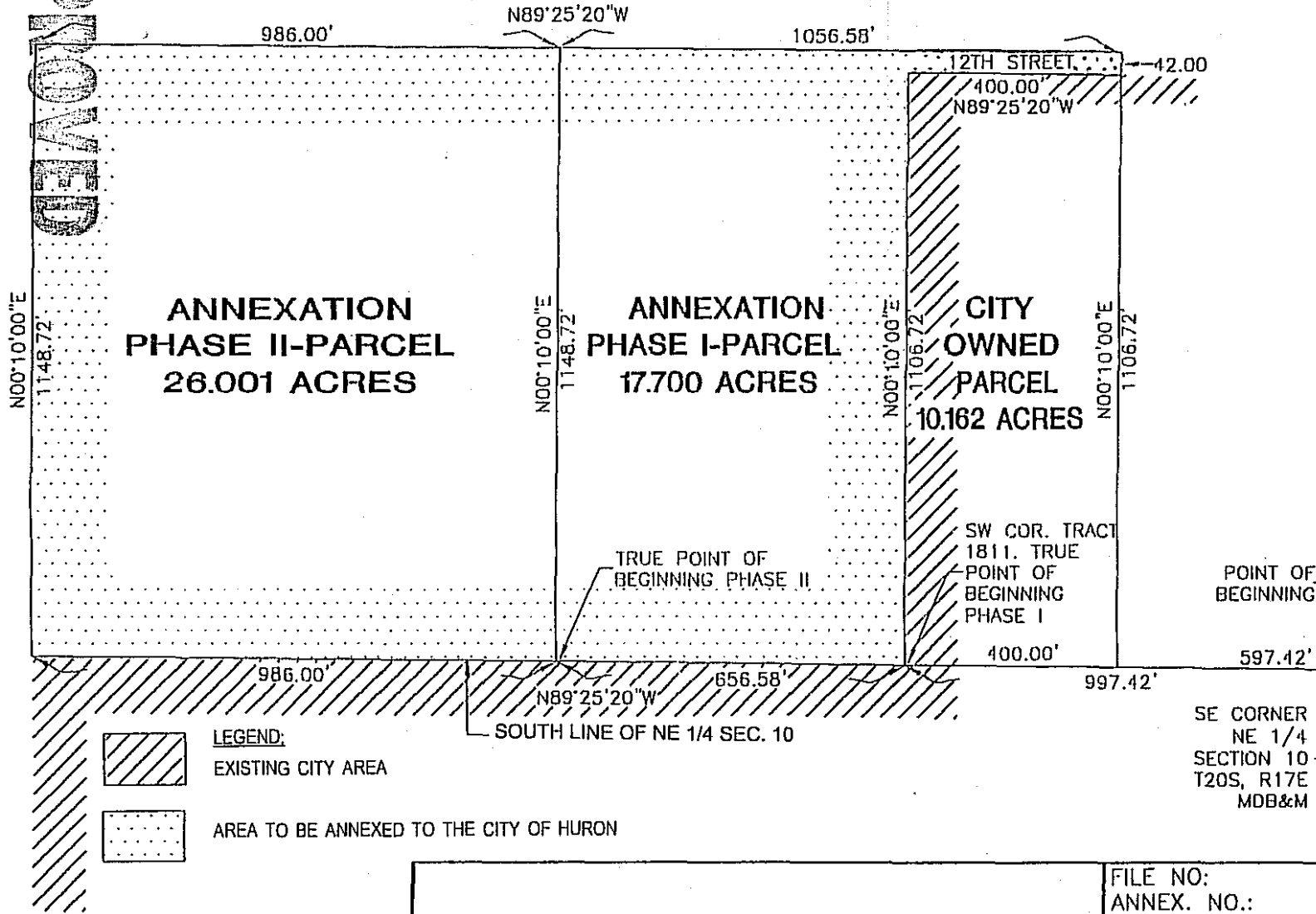
APPROVED


DALE A. DAVIS, P.L.S.
PROFESSIONAL LAND SURVEYOR #5894
EXPIRATION 12-31-02



APPROVED

WACKENHUT PRISON ANNEXATION PART 1 and PART 2, REORGANIZATION **Area to Be Annexed to The City of Huron and Detached from the Westlands Water District**



ALLOCATED TO CITY COUNCIL DISTRICT NO. _____ AS PER COUNCIL DISTRICT MAP DATED: _____	FILE NO: ANNEX. NO.: ACRES: COUNCIL DISTRICT NO.:
	DRAWN BY: DATE: SCALE:

MAKING DETERMINATION AND APPROVING
THE EXTENSION OF TIME FOR THE
"WACKENHUT PRISON REORGANIZATION,
PART 1"

RESOLUTION OF THE
FRESNO LOCAL AGENCY
FORMATION COMMISSION

WHEREAS, the Commission did approve the "Wackenhut Prison Reorganization, Part 1" on October 28, 1998; and

WHEREAS, State law provides that completion of a proposal exceeding one year past the date of approval constitutes abandonment of proceedings but that the Commission may grant an extension of time where necessary; and

WHEREAS, a request for extension of time was received from the City of Huron for a period of one year, to October 28, 2000; and

WHEREAS, the Commission did on October 20, 1999, consider said request at a public hearing and the recommendation of the Executive Officer regarding said request and all relevant testimony thereon.

NOW, THEREFORE, BE IT RESOLVED that the Local Agency Formation Commission does extend the period of time for completion of this proposal to October 28, 2000.

Adopted this 20th day of October, 1999, by the following vote:

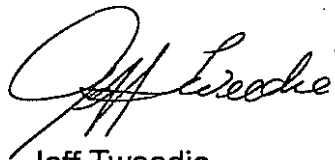
AYES: Commissioner Rodriguez, Lopez, Arambula, Fortune, Oken

NOES: None

ABSENT: None

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

I, Jeff Tweedie, Executive Officer of the Local Agency Formation Commission certify that the foregoing resolution was adopted by the Fresno County Local Agency Formation Commission, State of California, at a regular meeting held on the 20th day of October, 1999.



Jeff Tweedie
Executive Officer

Fresno Local Agency Formation Commission

Rowell Building • 2100 Tulare Street, Suite 502 • Fresno, CA 93721 ☎ (559) 495-0604 Fax (559) 495-0655

October 22, 1999

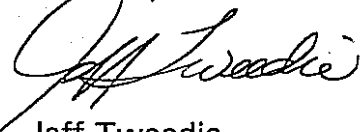
Mr. Al Puente, City Manager
City of Huron
P.O. Box 339
Huron, CA 93234

Dear Mr. Puente:

Subject: Revised "Wackenhut Prison Reorganization, Part 1 and 2"

As indicated in the attached resolution, the Local Agency Formation Commission has approved your proposal with revision to the boundaries. Before further proceedings are taken, we must receive a revised map and legal description depicting the area approved. After the revised map and description are approved further proceedings can be taken as required by State law, and the proposal may be completed under the terms and conditions in the resolution.

Sincerely,



Jeff Tweedie
Executive Officer

JT:cf

cc: Clerk, City of Huron
Westlands Water District
Westside Resource Conservation District.

Attachment


Chairman, Stan Oker
Board of Supervisor
Vice Chairman, Juan Arambula
Board of Supervisor

Members
Larry Fortuna
Public Member
Victor Lopez, Mayor
City of Orange Cove
Trinidad Rodriguez, Mayor
City of Kern

Alternate Members
William Donleavy
Public Member
Sharon Levy
Board of Supervisor
Tom Stearns
City of Clovis

Executive Officer
Jeff Tweedie

AGENDA ITEM NO. 3

DATE: OCTOBER 20, 1999
TO: LOCAL AGENCY FORMATION COMMISSION
FROM: JEFF TWEEDIE, EXECUTIVE OFFICER 
SUBJECT: EXECUTIVE OFFICER REPORT

REQUESTED EXTENSION OF TIME TO COMPLETE PROCEEDINGS –

- A. "WARHOLM REORGANIZATION" (CITY OF KINGSBURG)
- B. "WACKENHUT PRISON REORGANIZATION, PART 1" (CITY OF HURON)
- C. "WACKENHUT PRISON REORGANIZATION, PART 2" (CITY OF HURON)

RECOMMENDED ACTIONS:

Approve requests for extension for a period of one year for the "Warholm Reorganization" (City of Kingsburg), and "Wackenhut Prison Reorganization, Parts 1 and Part 2 (City of Huron).

DISCUSSION:

State law requires annexation proceedings to be completed within one year of the Commission's approval unless the Commission grants an extension of time prior to the expiration. The above proposals that have been previously approved by the Commission will expire before the December 15th regular LAFCo hearing unless the Commission grants extensions.

Commission Policy 315-03 states that extensions of time shall only be granted when it can be shown that the imminent need for the proposal still exists, the project is still viable, and progress is being made toward completion. The proposals are discussed below.

A. "WARHOLM REORGANIZATION" (RO-98-23)

Description

Annex 20.6 acres located between Harold and Howard Avenue, east of Academy Avenue to the City of Kingsburg 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 (Exhibit 1).

The purpose of the proposal is to annex the property to the City for a proposed future subdivision on the northerly ten acres of the site to meet housing needs.

The reorganization was approved on October 28, 1998, subject to conditions requiring submittal of a Right-to-Farm covenant to be recorded with the Final Tract Map, and payment of fees as required by the Selma-Kingsburg-Fowler County Sanitation District. Vesting Tentative Tract Map No. 4872 was approved by the City on October 7, 1998, and will expire on October 7, 2001 unless a Final Map is recorded. The City of Kingsburg was notified of the pending expiration and has requested an extension. This is the first request for a time extension for this proposal.

Reason for Requested Extension

The City has not accepted the Final Map for Vesting Tentative Tract Map No. 4872.

Imminent Need for Proposal/Changes in Circumstances Affecting Viability

No changes in circumstances have been identified that would affect the suitability of the property for annexation. Commencement of development is anticipated within the requested extension period.

Actions Taken to Date

The proponent indicates that Improvement plans and the final map for Vesting Tentative Tract Map No. 4872 were submitted during 1999 to the City of Kingsburg, and the plans will be re-submitted soon to complete the back-check process.

Interested Parties

Warholm Trust
That Girl, Inc.,
A California Corp.

Wigh Trust

Helen Wigh

B. "WACKENHUT PRISON REORGANIZATION, PART 1 AND PART 2" (RO-98-21 & RO-98-25)

Description

Part 1 – Annex 17.7 acres at the westerly terminus of 12th Street to the City of Huron and detach from the Westlands Water District; and detach 189± acres from the City of Huron and annex to the Westside Resource Conservation District. The proposed reorganizations are for the first phase of a proposed private community correctional facility, and removal of farmland from the City, respectively (Exhibit 2, *Phase I*).

Part 2 – Annex 26± acres to the City of Huron and detach from the Westlands Water District for the second phase of a proposed private community correctional facility (Exhibit 2, *Phase II*).

The reorganization was approved on October 28, 1998. The City of Huron was notified of the pending expiration and has requested an extension. This is the first request for a time extension for this proposal.

Reason for Requested Extension

The State has not yet approved the application for a correctional facility on the site. The Request For Proposal (RFP) from the State did not come out until June 30, 1999 (one year past when it initially was expected to). The California Department of Corrections (CDC) states that the delay was due to the elections and change of political party in November, which changed top administrative positions in most State departments.

Imminent Need for Proposal/Changes in Circumstances Affecting Viability

There have been no changes in the vicinity of the project since the proposal was approved that would effect its suitability for extension. The City indicates that the entire city is supportive of the project, with not one negative response.

Actions Taken to Date

1. The "Pre-bid Proposal" is complete and was submitted to the State on September 15, 1999. It will be reviewed and given back to the proponent, Wackenhut, for modification or correction and be resubmitted by November 15, 1999. If the application is acceptable, the final "Formal Proposal" will be filed by January 4, 2000.

If the site is selected, CDC will notify Wackenhut during the month of March 2000. The City is working closely with Wackenhut to make sure the application is complete. Wackenhut has told the City they expect to spend

\$250,000 to complete the application process. However, they are pretty confident that they will get at least one facility awarded.

Wackenhut has assured the City that Huron is their "number one preferred site in California" and the Huron City staff has worked hard to get to this point and the entire City is supportive of this project.

2. All official approvals (except final building plans) and public meetings have been completed, including the Parcel Map, Site Plan, and Property acquisition.

If the contract is awarded in March 2000, Wackenhut plans to begin grading in March or April.

Interested Parties

George Wackenhut
Howard Mouren

Richard Wackenhut
Juanda Mouren

Ruth Wackenhut

BASIS FOR STAFF RECOMMENDATION:

The reasons for the requested extensions are typical of complex projects, and should not be cause for the approvals to expire. From the information provided by the Cities, both projects appear to still be viable, circumstances favorable to annexation have not changed, and reasonable progress has been made toward satisfying the conditions of approval.

COPIES OF REPORT SENT TO:

Janelle Kelley, LAFCo Counsel
Joanne Striebich, Fresno County Planning and Resource Management Department
Al Puentes, City Manager, City of Huron
Bert Wills, City Manager, City of Kingsburg
Lars Anderson & Assoc., Inc.
That Girl, Inc.
Selma-Kingsburg-Fowler County Sanitation District
Fresno County Fire Protection District
Kings River Conservation District
Consolidated Irrigation District
Westlands Water District
Westside Resource Conservation District

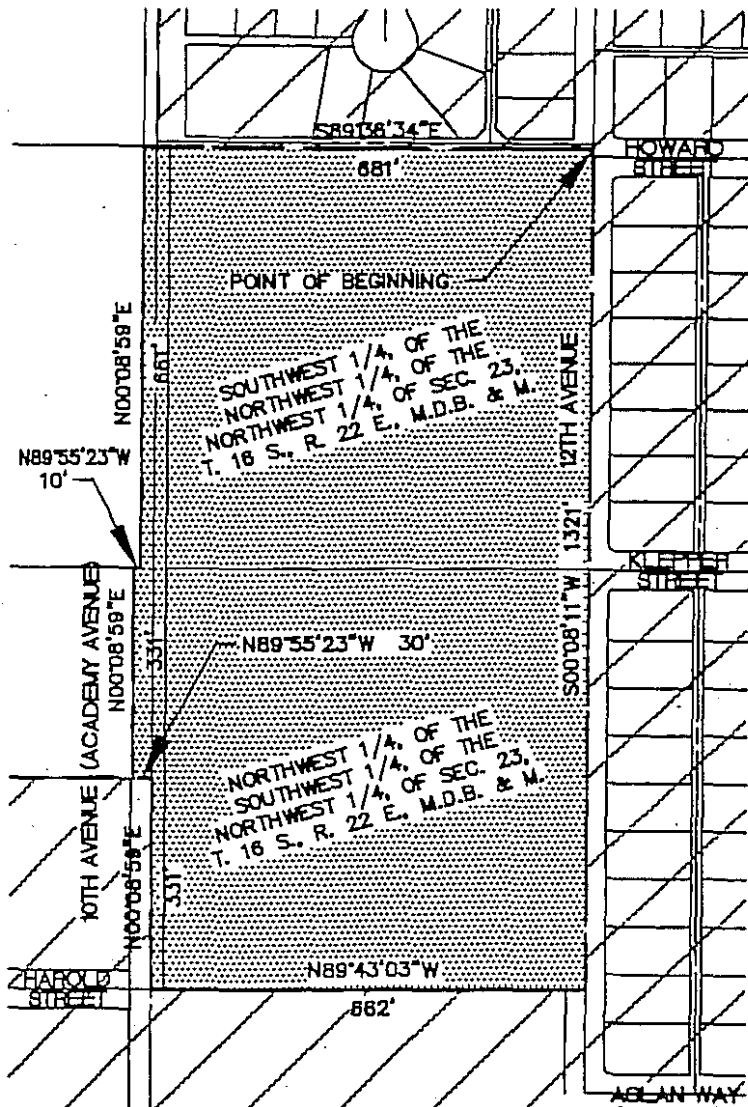
JT:cf

D:\data\candle\word\OCTOBER 20 HEARING\EXTENSION STAFF REPORT.doc

CITY OF KINGSBURG

DEPARTMENT OF PUBLIC WORKS

EXHIBIT 'A'



NORTH



SCALE: 1" = 300'

LEGEND:PROPOSED BOUNDARY OF
THE CITY OF KINGSBURGEXISTING BOUNDARY OF
THE CITY OF KINGSBURG

EXISTING CENTER LINE

ADJACENT LOT LINE

INDICATES PROPOSED PORTION
TO BE ANNEXED

INDICATES EXISTING CITY LIMITS

WARHOLM REORGANIZATION

ANNEX TO THE CITY OF KINGSBURG AND TO THE
SELMA-KINGSBURG-FOWLER CO. SANITATION DISTRICT
DETACH FROM CONSOLIDATED IRRIGATION DISTRICT,
FRESNO COUNTY FIRE PROTECTION DISTRICT AND
KINGS RIVER CONSERVATION DISTRICT

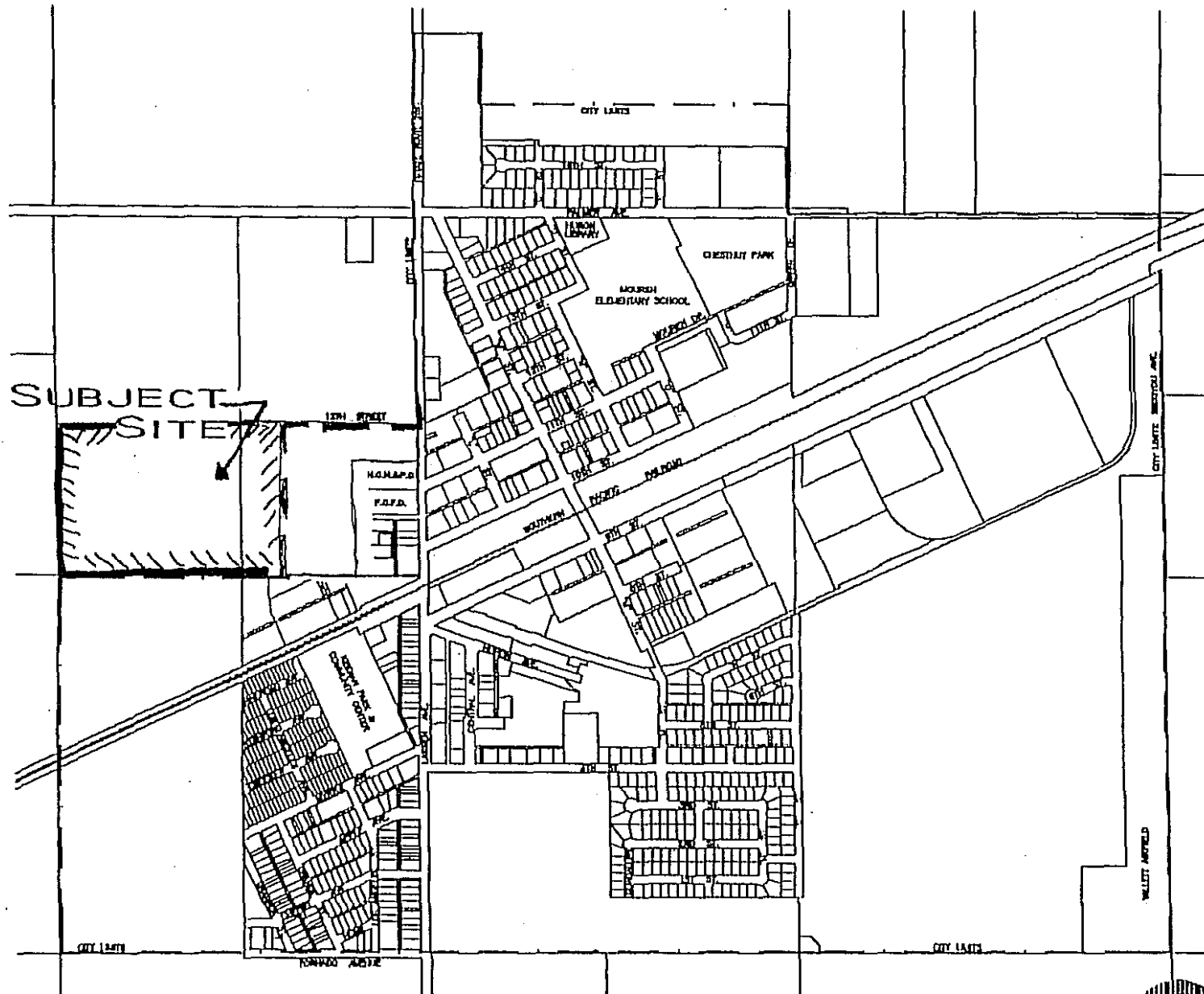


LARS ANDERSEN AND ASSOCIATES, INC.
CIVIL ENGINEERS - LAND SURVEYORS - PLANNERS

4630 WEST JACQUELYN AVENUE SUITE 119 FRESNO, CA 93722
209 276-2790 FAX 209 276-0850

JOB NO.: 88-067
DR. BY: EGE
CK. BY: SAM
DATE: 08/30/1998
SCALE: AS NOTED

SHEET NO. 1
OF 1 SHEETS



VICINITY MAP

CITY OF HURON - N.T.S.



CITY OF HURON ANNEXATION PARCELS

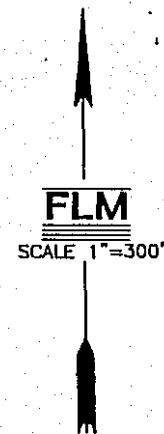
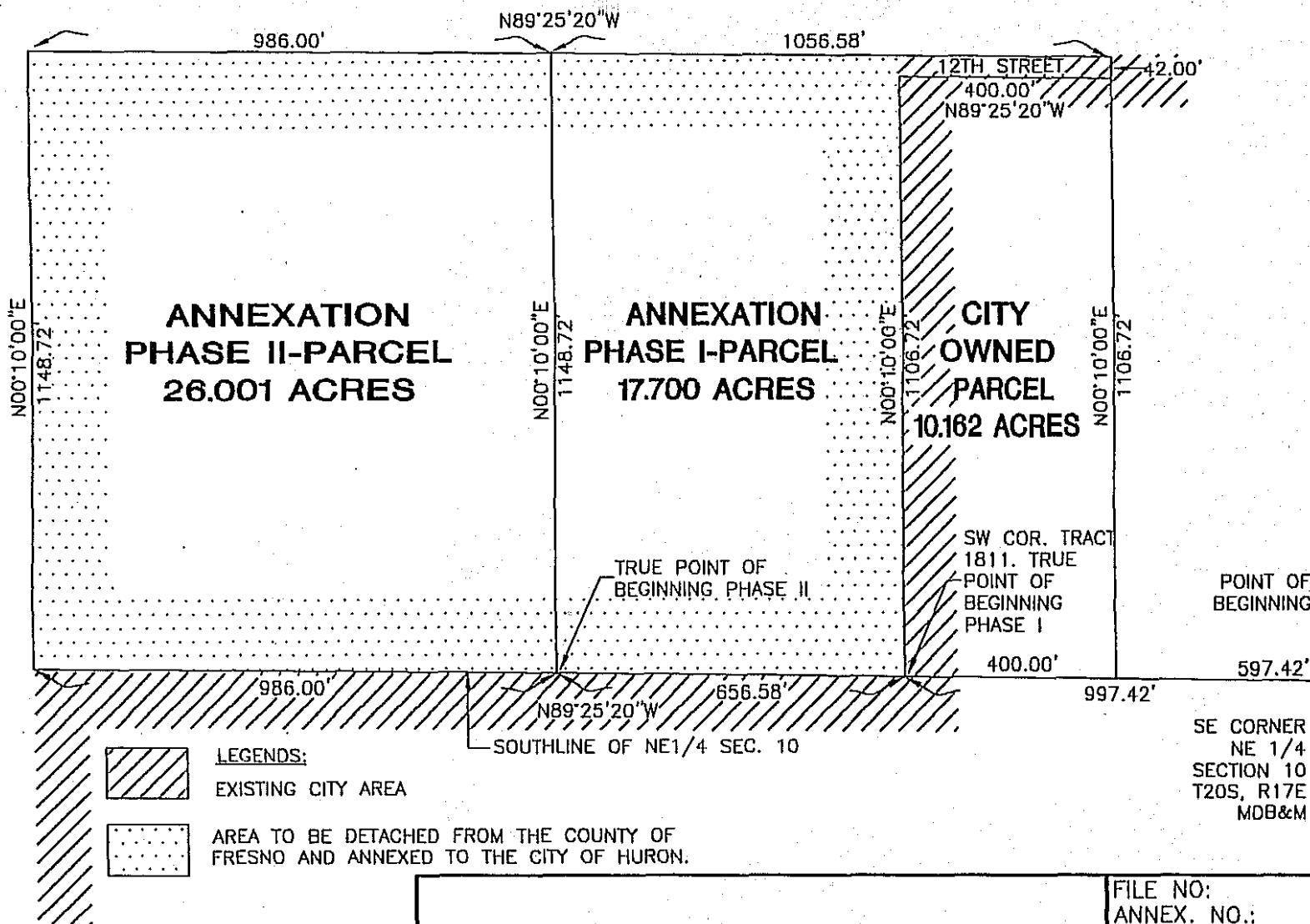
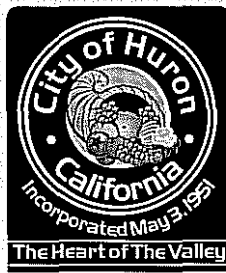


EXHIBIT 2

Page 2





36311 Lassen Avenue • P.O. Box 339 • Huron, California 93234 • (209) 945-2241 • FAX (209) 945-2609

September 13, 1999

Jeff Tweedie, Executive Officer
Local Agency Formation Commission
2100 Tulare Street Rm# 502
Fresno, CA 93721

Dear Mr. Tweedie:

This is to request an extension of the approval of the annexation project entitled "Wackenhut Prison Annexation". The reasons for the extension are as follows:

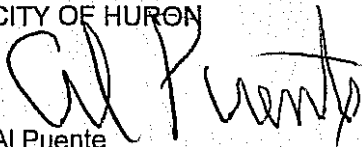
1. Construction has not begun but is still planned.
2. The Request For Proposal (RFP) from the State did not come out until June 30, 1999 (one year past when it initially was expected to). California Department of Correction (CDC) states it was due to the elections and change of political party in November, which, as a result, saw a change in the top administrative positions in most State departments.
3. To this date the "Prebid Proposal" is complete and was submitted to the State on September 15, 1999. It will be reviewed and given back to Wackenhut for modification or correction and resubmitted by November 15, 1999. Then if the application is acceptable, the final "Formal Proposal" will be filed by January 4, 2000. If the site is selected, CDC will notify Wackenhut during the month of March, 2000. We are working closely with Wackenhut to make sure the application is complete. Wackenhut has told us they expect to spend \$250,000.00 to complete the application process. However, they are pretty confident that they will get at least one facility awarded.
4. Wackenhut has assured us that Huron is their "number one preferred site in California" and the Huron city staff has worked hard to get to this point.
5. The entire city is supportive of this project with not one negative response.
6. All official approvals (except the final building plans) and public meetings have been completed for example Parcel Map, Site Plan, Property acquisition, etc.
7. If the contract is awarded in March 2000 they plan to begin grading in March or April and from the City's stand point we do not see any reason that would hold them up.

Jeff Tweedie, Executive Officer
Local Agency Formation Commission
Page 2
September 13, 1999

8. There have been no changes in the vicinity of the project since the proposal was approved that would effect its suitability for annexation.

Sincerely,

CITY OF HURON

A handwritten signature in black ink, appearing to read "Al Puente", written over the printed name.

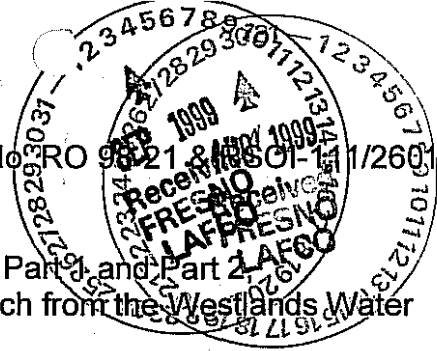
Al Puente
City Manager

cc: Jim Doughty
Bruce O'Neal

ASSESSOR'S BOUNDARY REPORT

Date 09/02/99

Proposal No. RO 98-21



1. Name of Proposal – "Wackenhut Prison Annexation," Part 1 and Part 2, Reorganization. Annex to the City of Huron and Detach from the Westlands Water District.
2. Acreage – 43.702 +/- acres
3. Location Description – Portion of the Northeast Quarter of Section 10, Township 20 South, Range 17 East, Mount Diablo Base and Meridian.
4. Cities and Districts included wholly or partially within proposal area.
No Change
5. Agricultural preserves and Land Conservation Contracts within affected territory –
No Change
Agricultural preserves and Land Conservation Contracts within adjoining territory –
No Change
6. Comments of map and legal description received on 08/26/99.
 - a. Correction needed? Comment a,b,c,d
 - b. Indefinite & uncertain boundaries? No
 - c. Conflicts with lines of assessment? No
 - d. Divides ownership? No
 - e. Additional territory recommended? No
 - f. Deletion of territory recommended? No
 - Proposal will create:
 - Island? No
 - Corridor? No
 - Noncontiguous boundary? No
 - h. Is map insufficient for filing? Comment a,b,c,d
7. Comments:
 - a. The proponent's map and legal description must each be titled "Wackenhut Prison Annexation, Part 1 and Part 2, Reorganization".
 - b. The proponent's map and legal description must each include a statement of intent reflecting annexation and detachment. (i.e.: Area to be annexed to the City of Huron and detached from the Westlands Water District.)
 - c. The proponent's map must be amended to reflect legal description by moving hatch lines reflecting existing city area 42' south, and by extending hatch dots reflecting area to be detached to cover said 42'.
 - d. If the map or legal description is revised for any reason, the date revised must be shown on same.

Daniel Sparks, Assessment Services Supervisor

RESOLUTION NO. RO-98-21

MAKING DETERMINATION AND APPROVING
PROPOSED "WACKENHUT PRISON
ANNEXATION, PART 1"

RESOLUTION OF THE
FRESNO LOCAL AGENCY
FORMATION COMMISSION

WHEREAS, preliminary proceedings were initiated by the City of Huron to annex and detach territory located west of Lassen Avenue between Palmer and Tornado Avenues to the City of Huron and annex and detach from the Westlands Water District and the Westside Resource Conservation District in the County of Fresno; and

WHEREAS, the subject agency has not requested any exchange of property tax revenue for this jurisdictional change; and

WHEREAS, a master property tax transfer agreement has been adopted by the responsible local agencies for the exchange of property tax revenue for this jurisdictional change; and

WHEREAS, on October 8, 1998, an application for said proposal was accepted for filing by this Local Agency Formation Commission; and said application was set for hearing on the 28th day of October 1998, at the hour of 1:30 p.m.; and

WHEREAS, on October 12, 1998, notice of the hearing of said application was given by mail, posting, and newspaper publication as required by law; and

WHEREAS, the City of Huron has offered to include as part of this reorganization, detachment from the City of approximately 180 acres, and annexation to the Westside Resource Conservation District; and

WHEREAS, the Executive Officer reviewed said application and prepared a report, including a recommendation, said application and report having been mailed to and considered by this Commission; and

WHEREAS, this Commission considered all relevant factors and heard all interested parties wishing to speak on said application; and

WHEREAS, the Commission has reviewed and considered the information in the Negative Declaration as provided in the Executive Officer's Report, prepared and filed by the City of Huron.

NOW, THEREFORE, BE IT RESOLVED that the Local Agency Formation Commission of the County of Fresno does HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section #1. The Commission finds that with the mitigation proposed by the City there is no substantial evidence that the project will have a significant effect on the environment, and approves the Negative Declaration for the project. The reorganization proposal is amended to include the City detachment and annexation to Westside Resource Conservation District for approximately 180 acres as part of Part 1.

Section #2. Said proposal is approved in two parts.

Section #3. The Commission does hereby waive the Conducting Authority proceedings and order the reorganization for Part 1, subject to the following terms and conditions:

- A. Approval by the State of the application for a correctional facility on the site.
- B. Offer by the City of an acceptable agreement for County Sheriff emergency services.
- C. Payment of a "detachment fee" to the Westlands Water District which consists of the net present value for future payments for which the District has a repayment obligation to the United States in the amount of \$79.74 per acre, totaling \$3,484.64.

Section #4. The property tax revenue exchange agreed to by the responsible local agencies shall be in accordance with the provisions of the master property tax exchange agreement on file with the Commission.

Section #5. Said territory is found to be Uninhabited and is assigned the following distinctive short form designation: "Wackenhut Prison Annexation, Part 1"

Section #6. The Commission's action shall expire one year from the date of this resolution unless all proceedings are complete, including condition compliance, and a Certificate of Completion issued by the Commission office.

Adopted this 28th day of October, 1998, by the following vote:

AYES: Commissioners Rodriguez, Stearns, Arambula, Fortune, Oken

NOES: None

ABSENT: Commissioner Lopez

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

I, Marvin L. Panter, Executive Officer of the Local Agency Formation Commission certify that the foregoing resolution was adopted by the Fresno County Local Agency Formation Commission, State of California, at a regular meeting held on the 28th day of October, 1998.

A handwritten signature in dark ink, appearing to read "Marvin L. Panter" with a stylized flourish at the end.

Marvin L. Panter
Executive Officer

APPROVED
LAFCO RES. # R0-98-21
October 28, 1998
DATE

CITY OF HURON - 1999

Proposed Detachment from Huron City Limits and Annexation to the Westlands Water District and the Westside Resource Conservation District

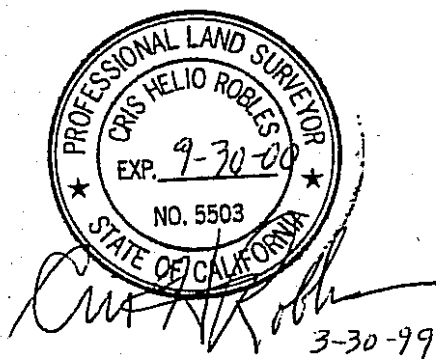
LEGAL DESCRIPTION

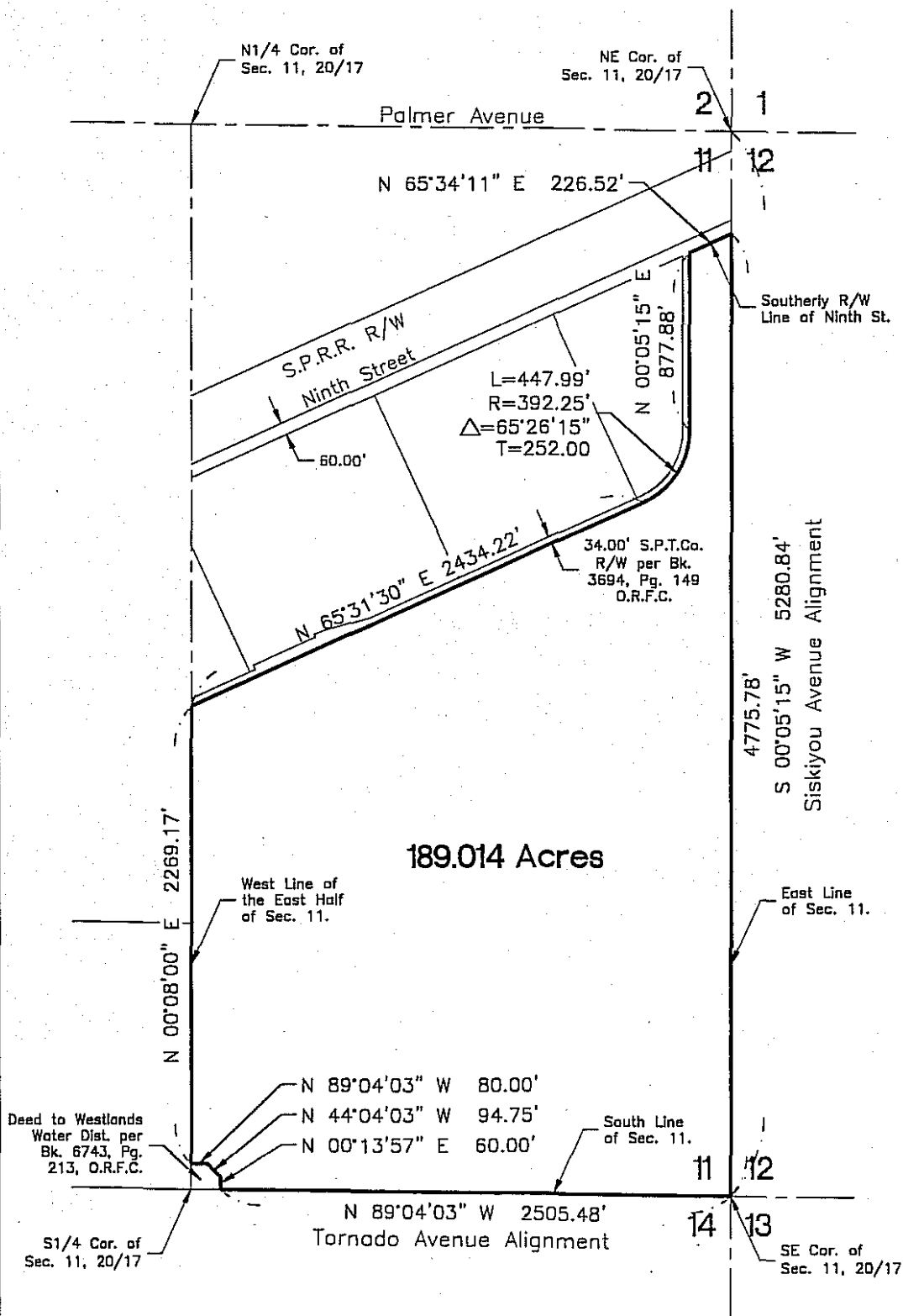
Description:

Being a portion of Parcel "C" of Parcel Map No. 77-1 in the City of Huron, County of Fresno, State of California as shown in Book 25 of Parcel Maps at Page 88, Fresno County Records; being more particularly described as follows:

Beginning at the Southeast Corner of said Parcel "C", said point also being the Southeast Corner of Section 11, Township 20 South, Range 17 East; Mount Diablo Base and Meridian; thence N89°04'03"W along the South line of said Section 11 a distance of 2505.48 feet to the East line of that certain property as deeded to Westlands Water District per deed recorded in Book 6743 at Page 213, Official Records Fresno County; thence N00°13'57"E along the said East line a distance of 60.00 feet; thence N44°04'03"W and continuing along the said East line a distance of 94.75 feet; thence N89°04'03"W along the North line of said Westlands Water District property a distance of 80.00 feet more or less to a point on the West line of the East Half of said Section 11; thence N00°08'00"E along the said West line of the East Half of Section 11 a distance of 2269.17 feet more or less to a point on the Southeasterly Right of Way line as deeded to Southern Pacific Company recorded in Book 3694 at Page 149, Official Records Fresno County; thence N65°31'30"E along the said Southeasterly Right of Way line a distance of 2434.22 feet to the Beginning of a curve concave to the Northwest, having a delta angle of 65°26'15" and a radius of 392.25 feet; thence continuing Northeasterly along said curve a distance of 447.99 feet to the end of said curve; thence N00°05'15"E and continuing along the East Right of Way line of said Southern Pacific Company a distance of 877.88 feet more or less to a point on the Southeasterly Right of Way line of Ninth Street; thence N65°34'11"E along the said Southeasterly Right of Way line of Ninth Street a distance of 226.52 feet more or less to a point on the East line of said Section 11; thence S00°05'15"W along the East line of said Section 11 a distance of 4775.78 feet to the Southeast Corner of said Section 11 and Point of Beginning.

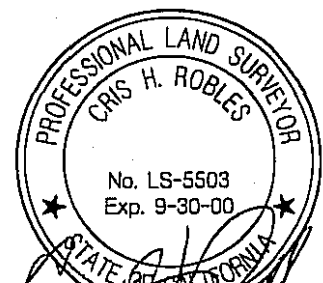
Said Parcel contains 189.014 acres, more or less.





LAFCO RES. # RO-98-21
DATE October 28, 1998

APPROVED



A.P.N.: 75-032-57&58
Fresno County, California

Exhibit "A"

Proposed Detachment from Huron City Limits and Annexation to the Westlands Water District and the Westside Resource Conservation District. County of Fresno, State of California.

City of Huron 1999

B.



TRI-CITY ENGINEERING
ENGINEERS SURVEYORS

4466 W. SPAATZ AVE. #102
FRESNO, CA 93722-3400
PH: 559-447-9075
FAX: 559-447-9074
email: tricity@qnia.net

224 E. CODYLIDGE ST.
COALINGA, CA 93210
PH: 559-935-6051
FAX: 559-935-6051

TCE: JB#1038

RECORDING REQUESTED BY:

TUTTLE & McCLOSKEY

AFTER RECORDATION MAIL TO:

CITY OF HURON
Post Office Box 339
Huron, California 93234



(Space Above for Recorder's Use)

AGREEMENT

This Agreement is made this 22nd day of October, 1998, at Huron, California, by the City of Huron, hereinafter referred to as "City", and John L. Woolf and Bernice Woolf, hereinafter collectively referred to as "Woolf".

R E C I T A L S

A. Woolf is the owner of certain real property commonly known as _____, in the City of Huron, hereinafter referred to as "said property" and described as follows:

Being a portion of Parcel "C" of Parcel Map No. 77-1, as recorded in Book 25 of Parcel Maps at Page 88, Fresno County Records, lying within the East Half of Section 11, Township 20 South, Range 17 East, Mount Diablo Base and Meridian.

EXCEPTING THEREFROM the following parcel as described per deed to Westlands Water District recorded in Book 6743, Page 213, Official Records Fresno County:

Beginning at the Southwest Corner of said East Half of Section 11, thence N00°08'00" E along the West line of said East Half of Section 11 a distance of 127.00 feet; thence S89°04'03" E and parallel to the South line of the said East Half of Section 11 a distance of 80.00 feet; thence S44°04'03" E 94.75 feet; thence S00°55'57" E 60.00 feet to a point on the South line of the said

East Half of Section 11; thence S89°04'03" W along the said South line 145.96 feet to the said Southwest Corner of the East half of Section 11 and Point of Beginning.

ALSO EXCEPTING THEREFROM the following parcel as described per deed to Willet Flying Service, Inc., recorded per Document No. 91052234, Official Records Fresno County:

Beginning at the Southeast Corner of said Section 11; thence N00°08'00" E along the East line of said Section 11 a distance of 3394.00 feet; thence N89°04'03" W parallel with the South line of said Section 11 a distance of 314.00 feet; thence S00°08'00" W parallel with the East line of said Section 11 a distance of 2761.00 feet; thence N89°04'03" W parallel with the South line of said Section 11 a distance of 322.00 feet; thence S00°08'00" W parallel with the East line of said Section 11 a distance of 633.00 feet to a point on the South line of said Section 11; thence S89°04'03" E along the South line of said Section 11 a distance of 636.00 feet to the Southeast corner of said Section 11 and Point of Beginning.

Said Parcel contains 149.54 acres more or less.

APN: 75-03-58S

B. City is a municipal corporation and said property lies within the current boundaries of City;

C. City and Woolf desire to enter into an agreement regarding said property and its detachment from the City.

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

1. That Woolf hereby consents to the City proceeding to a petition the Local Agency Formation Commission of Fresno County for detachment of said property from the City.

2. If said property, or any portion thereof is the subject of an annexation proceeding to place said property within the City limits, City shall pay any annexation fees required by the Local Agency Formation Commission on Fresno County.

3. This instrument contains the entire agreement between

the parties relating to the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification and writing, signed by the party to be charged.

4. This instrument shall bind and inure to the benefit of the respective heirs, personal representatives, successors, and assigns of the parties hereto.

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first above written.

WOOLF:

BY: John L. Woolf
JOHN L. WOOLF

CITY:

BY: Al Puente
AL PUENTE, City Manager

BY: _____
BERNICE WOOLF

STATE OF CALIFORNIA)

COUNTY OF FRESNO)

On October _____, 1998, before me, _____, Notary Public, personally appeared JOHN L. WOOLF, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature

STATE OF CALIFORNIA)

COUNTY OF FRESNO)

On October _____, 1998, before me, _____,
Notary Public, personally appeared BERNICE WOOLF, personally known
to me (or proved to me on the basis of satisfactory evidence) to be
the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the
same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the
instrument.

WITNESS my hand and official seal.

Signature

STATE OF CALIFORNIA)

COUNTY OF FRESNO)

On October 22nd, 1998, before me, JUANITA M. VELIZ,
Notary Public, personally appeared AL PUENTE, personally known to
me (or proved to me on the basis of satisfactory evidence) to be
the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the
same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the
instrument.

WITNESS my hand and official seal.

Juanita M. Veliz
Signature



RECORDING REQUESTED BY:

TUTTLE & McCLOSKEY

AFTER RECORDATION MAIL TO:

CITY OF HURON
Post Office Box 339
Huron, California 93234



AGREEMENT

This Agreement is made this 22nd day of October, 1998, at Huron, California, by the City of Huron, hereinafter referred to as "City", and Ag Wings, Inc., A California Corporation, hereinafter referred to as "Ag Wings".

RECITALS

A. Ag Wings is the owner of certain real property commonly known as _____, in the City of Huron, hereinafter referred to as "said property" and described as follows:

Being a portion of Parcel "C" of Parcel Map No. 77-1, as recorded in Book 25 of Parcel Maps at Page 88, Fresno County Records, lying within the East Half of Section 11, Township 20 South, Range 17 East, Mount Diablo Base and Meridian. Being more particularly described as follows:

Beginning at the Southeast Corner of said Section 11; thence N00°08'00" E along the East line of said Section 11 a distance of 3394.00 feet; thence N89°04'03" W parallel with the South line of said Section 11 a distance of 314.00 feet; thence S00°08'00" W parallel with the East line of said Section 11 a distance of 2761.00 feet; thence N89°04'03" W parallel with the South line of said Section 11 a distance of 322.00 feet; thence S00°08'00" W parallel with the East line of said Section 11 a distance of 633.00 feet to a point on the South line of said Section 11; thence

S89°04'03" E along the South line of said Section 11 a distance of 636.00 feet to the Southeast corner of said Section 11 and Point of Beginning.

Said Parcel contains 29.14 Acres, more or less.

APN: 75-03-57S

B. City is a municipal corporation and said property lies within the current boundaries of City;

C. City and Woolf desire to enter into an agreement regarding said property and its detachment from the City.

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

1. That Ag Wings hereby consents to the City proceeding to a petition the Local Agency Formation Commission of Fresno County for detachment of said property from the City.

2. If said property, or any portion thereof is the subject of an annexation proceeding to place said property within the City limits, City shall pay any annexation fees required by the Local Agency Formation Commission on Fresno County.

3. This instrument contains the entire agreement between the parties relating to the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification and writing, signed by the party to be charged.

4. This instrument shall bind and inure to the benefit of the respective heirs, personal representatives, successors, and assigns of the parties hereto.

/ / / / /

/ / / / /

IN WITNESS WHEREOF the parties hereto have executed this Agreement the day and year first above written.

AG WINGS:

CITY:

BY: Fredrick Donovan
FREDRICK DONOVAN, President

BY: Al Puente
AL PUENTE, City Manager

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

On October , 1998, before me, _____,
Notary Public, personally appeared FREDRICK DONOVAN, personally
known to me (or proved to me on the basis of satisfactory evidence)
to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the
same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the
instrument.

WITNESS my hand and official seal.

Signature

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

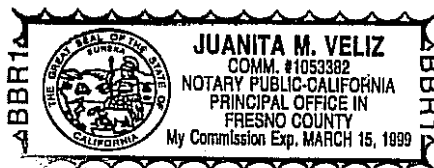
On October 22, 1998, before me, JUANITA M. VELIZ,
Notary Public, personally appeared AL PUENTE, personally known to
me (or proved to me on the basis of satisfactory evidence) to be
the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the
same in his/her/their authorized capacity(ies), and that by
his/her/their signature(s) on the instrument the person(s), or the
entity upon behalf of which the person(s) acted, executed the
instrument.

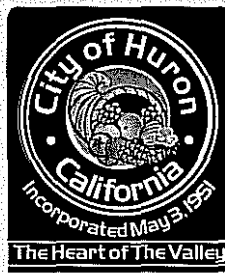
WITNESS my hand and official seal.

Juanita M. Veliz
Signature

HURON2AGREEMNTAGWINGS.01

3





36311 Lassen Avenue • P.O. Box 339 • Huron, California 93234 • (209) 945-2241 • FAX (209) 945-2609

July 13, 1999

Local Agency Formation Commission
Jeff Tweedie, Executive Officer
2100 Tulare Street Rm# 502
Fresno, CA 93721

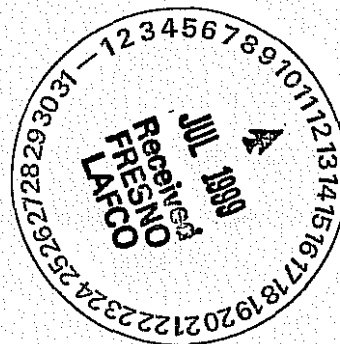
Jeff:

Thank you for your patience, the information you need is enclosed to complete the annexation of the land for the private prison. If you need any further information, please contact me. I will contact you Monday or Tuesday to discuss these.

Sincerely,

CITY OF HURON


Jim Doughty
Director of Development



MAKING DETERMINATION AND APPROVING
PROPOSED "WACKENHUT PRISON
ANNEXATION, PART 2"

RESOLUTION OF THE
FRESNO LOCAL AGENCY
FORMATION COMMISSION

WHEREAS, preliminary proceedings were initiated by the City of Huron to annex territory located west of Lassen Avenue between Palmer and Tornado Avenues to the City of Huron and detach from the Westlands Water District and the Westside Resource Conservation District in the County of Fresno; and

WHEREAS, the subject agency has not requested any exchange of property tax revenue for this jurisdictional change; and

WHEREAS, a master property tax transfer agreement has been adopted by the responsible local agencies for the exchange of property tax revenue for this jurisdictional change; and

WHEREAS, on October 8, 1998, an application for said proposal was accepted for filing by this Local Agency Formation Commission; and said application was set for hearing on the 28th day of October 1998, at the hour of 1:30 p.m.; and

WHEREAS, on October 12, 1998, notice of the hearing of said application was given by mail, posting, and newspaper publication as required by law; and

WHEREAS, the City of Huron has offered to include as part of this reorganization, detachment from the City of approximately 180 acres, and annexation to the Westside Resource Conservation District; and

WHEREAS, the Executive Officer reviewed said application and prepared a report, including a recommendation, said application and report having been mailed to and considered by this Commission; and

WHEREAS, this Commission considered all relevant factors and heard all interested parties wishing to speak on said application; and

WHEREAS, the Commission has reviewed and considered the information in the Mitigated Negative Declaration prepared and filed by the City of Huron, as provided in the Executive Officer's Report.

NOW, THEREFORE, BE IT RESOLVED that the Local Agency Formation Commission of the County of Fresno does HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section #1. The Commission finds that with the mitigation offered by the City there is no substantial evidence that the project will have a significant effect on the environment, and approves the Negative Declaration for the project.

Section #2. Said proposal is approved as Part 2 of two parts.

Section #3. The Commission does hereby waive the Conducting Authority proceedings and order the reorganization, subject to the following terms and conditions:

- A. Approval by the State of the application for correctional facility on the site.
- B. Offer by the City of an acceptable agreement for County Sheriff emergency services.
- C. Payment of a "detachment fee" to the Westlands Water District which consists of the net present value for future payments for which the District has a repayment obligation to the United States in the amount of \$79.74 per acre, totaling \$3,484.64.
- D. Provision of a water and wastewater service plan showing that adequate capacity exists in both treatment facilities for the proposed development.

Section #4. The property tax revenue exchange agreed to by the responsible local agencies shall be in accordance with the provisions of the master property tax exchange agreement on file with the Commission.

Section #5. Said territory is found to be Uninhabited and is assigned the following distinctive short form designation: "Wackenhut Prison Annexation, Part 2".

Section #6. The Commission's action shall expire one year from the date of this resolution unless all proceedings are complete, including condition compliance, and a Certificate of Completion issued by the Commission office.

Adopted this 28th day of October, 1998, by the following vote:

AYES: Commissioners Rodriguez, Stearns, Arambula, Fortune,
Oken

NOES: None

ABSENT: Commissioner Lopez

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

I, Marvin L. Panter, Executive Officer of the Local Agency Formation
Commission certify that the foregoing resolution was adopted by the Fresno
County Local Agency Formation Commission, State of California, at a regular
meeting held on the 28th day of October, 1998.

A handwritten signature in dark ink, appearing to read "Marvin L. Panter", with a stylized flourish at the end.

Marvin L. Panter
Executive Officer

WACKENHUT PRISON ANNEXATION PART 1 and PART 2, Reorganization Area to
Be Annexed to The City of Huron and Detached from the Westlands Water District
and Westside Resource Conservation District

CONSISTING OF A PORTION OF NORTHEAST QUARTER OF SECTION 10 TOWNSHIP 20
SOUTH, RANGE 17 EAST, MOUNT DIABLO BASE AND MERIDIAN.

PHASE I - PARCEL

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 10,
TOWNSHIP 20 SOUTH, RANGE 17 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE NORTH
89°25'20" WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER 997.42 FEET TO THE
"TRUE POINT OF BEGINNING", SAID POINT ALSO BEING THE SOUTHWEST CORNER OF TRACT
1811, AS RECORDED IN VOLUME 20 OF PLATS AT PAGE 56, FRESNO COUNTY RECORDS;
THENCE CONTINUING ALONG SAID SOUTH LINE NORTH 89°25'20" WEST 656.58 FEET; THENCE
LEAVING SAID SOUTH LINE NORTH 00°10'00" EAST PARALLEL WITH THE EAST LINE OF SAID
NORTHEAST QUARTER 1148.72 FEET; THENCE SOUTH 89°25'20" EAST PARALLEL TO SAID
SOUTH LINE OF SAID NORTHEAST QUARTER 1056.58 FEET; THENCE SOUTH 00°10'00" WEST
PARALLEL WITH SAID EAST LINE OF SAID NORTHEAST QUARTER 42.00 FEET; THENCE NORTH
89°25'20" WEST 400.00 FEET; THENCE SOUTH 00°10'00" WEST 1106.72 FEET TO SAID SOUTHWEST
CORNER OF SAID TRACT NO. 1811 AND "THE TRUE POINT OF BEGINNING".

SAID PARCEL CONTAINS 17.700 ACRES MORE OR LESS.

PHASE II - PARCEL

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 10,
TOWNSHIP 20 SOUTH, RANGE 17 EAST, MOUNT DIABLO BASE AND MERIDIAN; THENCE NORTH
89°25'20" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER 997.42 FEET TO THE
SOUTHWEST CORNER OF TRACT 1811, AS RECORDED IN VOLUME 20 OF PLATS AT PAGE 56,
FRESNO COUNTY RECORDS; THENCE CONTINUING ALONG SAID SOUTH LINE NORTH 89°25'20"
WEST 656.58 FEET TO THE "TRUE POINT OF BEGINNING"; THENCE CONTINUING ALONG SAID
SOUTH LINE NORTH 89°25'20" WEST 986.00 FEET; THENCE LEAVING SAID SOUTH LINE NORTH
00°10'00" EAST PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER 1148.72 FEET;
THENCE SOUTH 89°25'20" EAST PARALLEL TO SAID SOUTH LINE OF SAID NORTHEAST
QUARTER 986.00 FEET; THENCE SOUTH 00°10'00" WEST PARALLEL WITH SAID EAST LINE OF
SAID NORTHEAST QUARTER 1148.72 FEET TO THE "TRUE POINT OF BEGINNING".

SAID PARCEL CONTAINS 26.001 ACRES MORE OR LESS.

FILE #:

DRAWING NO.:

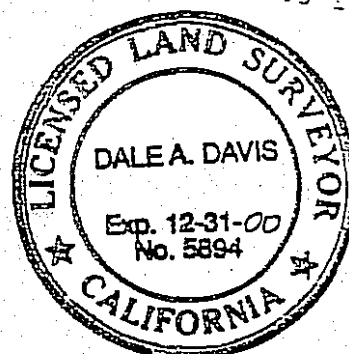
AUGUST 9, 1999



DALE A. DAVIS, P.L.S.

PROFESSIONAL LAND SURVEYOR #5894

EXPIRATION 12-31-02



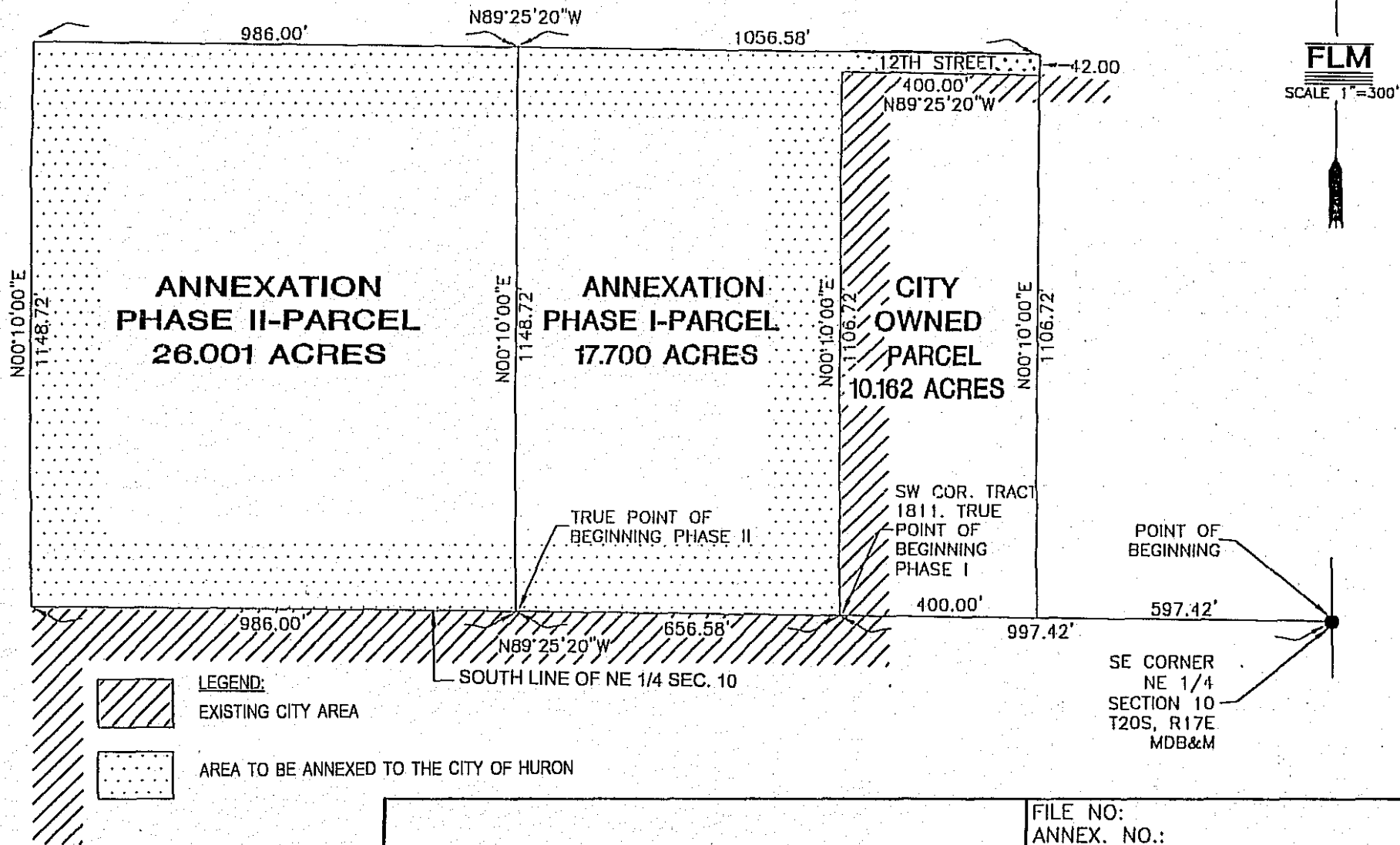
APPROVED

LAFCO RES. #

20-98-25

October 28, 1998

WACKENHUT PRISON ANNEXATION PART 1 and PART 2, REORGANIZATION **Area to Be Annexed to The City of Huron and Detached from the Westlands Water District** **and Westside Resource Conservation District**



APPROVED
LAFCO RES. # 20-98-25
October 28, 1998
DATE

ALLOCATED TO CITY COUNCIL DISTRICT NO. _____
 AS PER COUNCIL DISTRICT MAP DATED: _____

FILE NO:
 ANNEX. NO.:
 ACRES:
 COUNCIL DISTRICT NO.:

DRAWN BY:
 DATE:
 SCALE:

DATE: OCTOBER 28, 1998
TO: LOCAL AGENCY FORMATION COMMISSION
FROM: MARVIN L. PANTER, EXECUTIVE OFFICER
SUBJECT: EXECUTIVE OFFICER REPORT - AGENDA NO. 10

**CITY OF HURON "SPHERE OF INFLUENCE REVISION" AND "WACKENHUT PRISON ANNEXATION" PROPOSAL
LAFCo FILE NO. RSOI-111 AND RO-98-21**

Initiated by Resolution No. 1182 of the City of Huron, dated August 8, 1998, certified for filing October 8, 1998.

DESCRIPTION OF PROJECT:

Revise the Sphere of Influence of the City of Huron by adding 40 acres; and annex 45 acres to the City of Huron and detach from the Westlands Water District and the Westside Resource Conservation District; both located west of Lassen Avenue between Palmer & Tornado Avenues.

RECOMMENDED ACTIONS:

Approve the proposed Sphere of Influence Revision; and approve the "Wackenhut Prison Annexation" as revised by the City of Huron, to include city detachment of APN 75-030-57,58, consisting of approx. 180 acres east of Giffen Drive and south of the Southern Pacific Rail Road.

The city annexation shall be approved in two parts or phases corresponding with each of the two 1,000 bed prison facilities; referred to as Part 1 and Part 2, and a revised map and description prepared and approved for each part.

RECOMMENDED CONDITIONS:

1. Approval by the State of the application for correctional facility.
2. Offer by the City of an agreement for County Sheriff emergency services.
3. Part 2 only: Approval by the State of water and wastewater service plan showing that adequate capacity exists in both treatment facilities.

RELATED ACTIONS:

1. Review and consider the environmental information in the Mitigated Negative Declaration as provided in the Executive Officer's Report, prepared and filed by the City of Huron.
2. Designate the City of Huron as the conducting authority, such agency to take proceedings for the reorganization in accordance with the Cortese/Knox Local Government Reorganization Act of 1985 commencing with Section 57000, subject to compliance with the Commission's resolution making determination.
3. Find the territory to be uninhabited.

JUSTIFICATION GIVEN BY PROPONENT:

Annex land to the City on which a community correctional facility is proposed to be constructed. Sufficient land for the project is not otherwise available within the immediate extension of public services.

ENVIRONMENTAL REVIEW:

The City of Huron as lead agency has prepared and filed a Mitigated Negative Declaration for the City's development entitlements and the related sphere of influence revision and annexation. A copy of the Negative Declaration, Initial Study, and Comments and Response to Comments is attached to the staff report.

Several potential impacts were addressed by the City in their environmental review process, and mitigation of these impacts relegated them to less than significant. One of the impacts, however, was the loss of prime agricultural land, in particular that 40 acres which was the subject of a sphere of influence revision. This conversion of prime agricultural land to the proposed prison facility could result in the finding of significant impact requiring an Environmental Impact Report. The City of Huron has offered to reduce this impact to less than significant by recommending the Commission consider detachment of farmland in the City, with the consent of the landowner. The detachment of this land will be discussed further in the staff report.

The Commission must review the City's Mitigated Negative Declaration, and agree with the findings of the City or find that an Environmental Impact Report should be prepared for the project.

DISCUSSION OF PROPOSAL AND COMMISSION ACTIONS:

The City of Huron has approved several entitlement permits to allow construction of a private prison facility by Wackenhut Corrections. The subject territory is proposed for two independent 1,000 bed correctional facilities, operated privately for the State of California Corrections Dept. Each will be enclosed by a 12 foot high double fence, with over 200,000 sq. ft. of single story building space. A city street extending west from Lassen Avenue, also State Route 269, will be constructed and serve as prison access.

Approximately 40 acres of the site is outside the City sphere of influence; the proposed revision is to make the annexation consistent with the sphere of influence. Forty five acres of the site is outside existing City boundaries, requiring the annexation/reorganization of territory.

All of the area is defined by State law as prime agricultural land, and is being farmed with cotton. The area is served by the Westlands Water District. The parcel is within an agricultural preserve and is under Land Conservation Contract, which requires the land to continue in agriculture for a ten year period. The City intends to cancel the contract upon annexation of the land. State law requires the City to make findings about the parcel and use of the land, which the City is aware of.

The City has recommended that the proposal be revised to include detachment of two parcels totaling approximately 180 acres in the southeast part of Huron. These two parcels are in agriculture and related uses. The parcel on the east side is a airplane landing strip for agricultural spraying. Both landowners have consented to the detachment and annexation into the Westside Resource Conservation District. The land is already in the Westlands Water District. These parcels were part of a 320 acre annexation to the City in 1969. Development has not taken place, even though the land is shown on the City and County general plan for urban use, residential and industrial.

SPHERE OF INFLUENCE REVISION:

1. PRESENT AND PLANNED LAND USE IN THE AREA, INCLUDING AGRICULTURAL AND OPEN-SPACE LANDS.

EXISTING LAND USE

The subject parcel of the sphere revision is in agricultural use, cotton farming. The parcels to the north are under the same ownership and use, and also under the same Land Conservation Contract, No. 3691. Land uses to the north, south, and west are all agricultural as well. The area is on the northwest fringe of the City. Generally, land uses to the east are urban. Both State law and the policies of the Commission require an evaluation of vacant land already within the city and/or the sphere of influence of the city. A determination that the requested revision is necessary in spite of other vacant

land, or that there is no other vacant land for this particular use must be made. In this particular instance, the City has recommended the proposal be revised to include a detachment from the City of a 150 acre agricultural parcel, and a 30 acre airport strip, used for agricultural spraying. The two parcels would remain in the City sphere of influence and retain their land use designations on the City general plan. Also, the City has indicated that a general plan update will soon proceed. An update of the City sphere of influence is scheduled for mid-1999.

PLANNED LAND USE

The County plan shows agriculture for the subject 40 acres, and the City plan Urban Reserve, with undesignated land uses. Land uses to the north are the same. The City plan shows Civic Center to the east, where the City Hall and Fire Station are located. To the south is planned a K-6 School/Park. The City plan has been amended by this application to show Public Facility for the subject area, to allow the prison facility.

2. PRESENT AND PROBABLE NEED FOR PUBLIC FACILITIES AND SERVICES IN THE AREA.

Although the current agricultural uses do not require municipal services, both the former and amended general plan designations show a future need for both facilities and services from the City. The City operates its own police department, and provides water and sewer service. Fire protection is provided by the Fresno County Fire Protection District from their station to the east.

3. PRESENT CAPACITY OF PUBLIC FACILITIES AND ADEQUACY OF PUBLIC SERVICES WHICH THE AGENCY PROVIDES OR IS AUTHORIZED TO PROVIDE.

The City has submitted a plan for services which is attached. The plan addresses each service generally. More comment on adequacy of services is found in the Initial Study, and in the Comments and Response to Comments.

The services which prompted comments are addressed below, and are community water and sewer, traffic, and police protection.

Community water and sewer

City water is provided from the California Aqueduct, served by a water treatment plant with a capacity of 1.775 million gallons per day. The prison facility is expected to use .347 mgd, and current city consumption is an average of 1 mgd. Approximately .4 mgd would be available for future growth. Comments from the State Office of Drinking Water indicate that the complete project with 2,000 beds would have a significant impact on the City's capacity. The response of the City is that the State will award the project in 500 bed increments so that the City has time to correct this impact. However, the City

and Commission are asked to make decisions at this time on projects with known demands and City capacities. Staff is concerned about approval to annex both phases of the prison without knowledge of adequate capacity in the treatment facility for both in addition to future growth of the City.

The wastewater treatment facility is rated at 1 million gallons per day, with current use averaging .6 mgd. Estimated demand from the prison facility is .1876 mgd, leaving about 20 % capacity for other development in the future. A similar concern has been expressed about adequate future capacity of the wastewater facility.

Staff recommends that the Commission consider approval of the annexation in two parts. Phase 2, the second 1,000 bed prison facility, should be completed when the City has provided assurance that adequate water and wastewater treatment can be provided.

Traffic and circulation

Caltrans has requested a traffic study to consider impacts on the State Highway nearby. The City of Huron has agreed to do such a study if the State approves the Huron facility. The study would be based on the size of the facility, which may be in increments of 500 beds.

Police protection

The County Sheriff has raised questions about the maintenance of security at the private prison facility by prison guards. The City police department would provide backup in an emergency, and the County Sheriff would provide additional backup. The City and the Sheriff have met to discuss the impact. The City has indicated their willingness to enter into an agreement with the County Sheriff for law enforcement in and around the facility. No agreement or letter of intent from the City has been received.

4. EXISTENCE OF ANY SOCIAL OR ECONOMIC COMMUNITIES OF INTEREST IN THE AREA.

This factor is not particularly applicable in this revision. There are no other cities nearby that the subject area could be aligned with other than the City of Huron.



Marvin L. Panter
Executive Officer

Superseded

RESOLUTION NO. RO-98-25

MAKING DETERMINATION AND APPROVING
PROPOSED "WACKENHUT PRISON
ANNEXATION, PART 2"

RESOLUTION OF THE
FRESNO LOCAL AGENCY
FORMATION COMMISSION

WHEREAS, preliminary proceedings were initiated by the City of Huron to annex territory located west of Lassen Avenue between Palmer and Tornado Avenues to the City of Huron and detach from the Westlands Water District and the Westside Resource Conservation District in the County of Fresno; and

WHEREAS, the subject agency has not requested any exchange of property tax revenue for this jurisdictional change; and

WHEREAS, a master property tax transfer agreement has been adopted by the responsible local agencies for the exchange of property tax revenue for this jurisdictional change; and

WHEREAS, on October 8, 1998, an application for said proposal was accepted for filing by this Local Agency Formation Commission; and said application was set for hearing on the 28th day of October 1998, at the hour of 1:30 p.m.; and

WHEREAS, on October 12, 1998, notice of the hearing of said application was given by mail, posting, and newspaper publication as required by law; and

WHEREAS, the City of Huron has offered to include as part of this reorganization, detachment from the City of approximately 180 acres, and annexation to the Westside Resource Conservation District; and

WHEREAS, the Executive Officer reviewed said application and prepared a report, including a recommendation, said application and report having been mailed to and considered by this Commission; and

WHEREAS, this Commission considered all relevant factors and heard all interested parties wishing to speak on said application; and

WHEREAS, the Commission has reviewed and considered the information in the Negative Declaration as provided in the Executive Officer's Report, prepared and filed by the City of Huron.

Section #2. Said proposal is approved as Part 2. Any resolution of the conducting agency ordering this reorganization shall provide that such reorganization shall be subject to the following term and condition:

- A. Approval by the State of the application for correctional facility.
- B. Offer by the City of an agreement for County Sheriff emergency services.
- C. Payment of a "detachment fee" which consists of the net present value for future payments for which the District has a repayment obligation to the United States in the amount of \$79.74 per acre, totaling \$3,484.64.
- D. Provision of a water and wastewater service plan showing that adequate capacity exists in both treatment facilities.

Section #3. The property tax revenue exchange agreed to by the responsible local agencies shall be:

In accordance with the provisions of the master property tax exchange agreement on file with the Commission.

Section #4. Said territory is found to be Uninhabited and is assigned the following distinctive short form designation: "Wackenhut Prison Annexation, Part 2"

Section #5. The Commission does hereby waive the conducting proceedings and order the reorganization.

Section #6. The Commission resolution shall expire one year from the date of this resolution unless all proceedings are complete, including condition compliance, and a Certificate of Completion issued by the Commission office.

Adopted this 28th day of October, 1998, by the following vote:

AYES: Commissioners Rodriguez, Stearns, Arambula, Fortune,
Oken

NOES: None

ABSENT: Commissioner Lopez

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

I, Marvin L. Panter, Executive Officer of the Local Agency Formation Commission certify that the foregoing resolution was adopted by the Fresno County Local Agency Formation Commission, State of California, at a regular meeting held on the 28th day of October, 1998.

A handwritten signature in black ink that reads "Marvin Panter". The signature is written in a cursive, flowing style.

Marvin L. Panter
Executive Officer



Design • Construction • Financing • Management



October 21, 1998

Jim Doughry
Director of Development
City of Huron
36311 Lassen Avenue
Huron, CA 93234

Re: Wackenhut Corrections Corporation
Agreement for Extraordinary Expenses

Dear Mr. Doughry:

As a follow-up to our meeting with the Fresno County Sheriff's Department, Wackenhut would like to confirm our commitments to the City of Huron. The proposed project in Huron is one of several sites being considered by Wackenhut. The Huron project is the most cost effective site of the ones we are currently considering.

The issues of the reimbursement by Wackenhut to the City or the County of extraordinary costs incurred from responding to an emergency at the facility has become of concern. Wackenhut has mutual aid agreements with other governmental entities where our facilities are located and in some situations has negotiated an agreement to reimburse a law enforcement agency for costs incurred for an emergency response if those costs would not have been incurred except for the emergency. Wackenhut will commit to negotiating such an agreement with the City or County in the event that Wackenhut was awarded the California project and started to build in Huron.

Please be aware that the California Department of Corrections would be the first responder in the case of a major disturbance at a Huron facility. We currently have Mutual Aid Agreements at our other CDC facilities in which the parties (Wackenhut and CDC) agree to assist each other in emergency situations which cause additional personnel to be called upon and such assistance is at no cost or reimbursement. We would expect to have the same arrangement with the CDC in this project as well.

Please take this letter as our commitment to resolving these concerns in such a way as to ensure the success of the project, the safety of the community and the needs of the local

Executive Offices

4200 Wackenhut Drive #100 • Palm Beach Gardens, Florida 33410-4242

Tel (561) 822-5656 • (800) 666-5640

Fax: Operations (561) 691-6653 • Business Development (561) 691-6659 • Business Management (561) 691-6740
Health Services (561) 691-6417 • WCC Development Inc. (561) 691-6625

law enforcement agencies. Thank you for your help. Please feel free to call me or others at Wackenhut whom you have met for any further information.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Pat McNair Persante', with a stylized flourish at the end.

Patricia McNair Persante
Senior Vice President, Contracts

cc: Clويد Shuler
Richard Millwee
Daniel T. McCloskey

October 19, 1998

Land Use Associates
Bruce O'Neal, AICP
6273 N. Farris Avenue
Fresno, CA 93711

Dear Mr. O'Neal:

Subject: Wackenhut Prison Annexation



We have reviewed the proposed Wackenhut Prison Annexation proposal for consistency with the Standards for Annexation contained in Exhibit 1 of the MOU between the City of Huron and the County. We have determined that the proposal is consistent with the Standards for Annexation because at least 50 percent of the area to be annexed is covered by a site plan that was approved with the Conditional Use Permit approved for the project site.

This determination is contingent on the approval of the proposed change to the Sphere of Influence, which includes detachment of the agricultural and airstrip properties on the east side of the existing Sphere of Influence.

If you have questions concerning this matter, please contact me at 262-4055 or Jeff Tweedie at 262-4022.

Very truly yours,

Kerry L. McCants
Development Services Manager

KLM:JT:hm
G:\DEVS&PLN\PLANNING\MISC.LTR\KGWAR\HLM.LTR

c: Al Puente, City Manager, City of Huron, P.O. Box 339, Huron CA
William H. Randolph, County Administrative Officer, County Administrative Office,
ATTN.: Jose Barraza
Carolina Jimenez-Hogg, Director, Public Works & Development Services
Department
Jeff Tweedie, Senior Staff Analyst, Public Works & Development Services
Department - Planning
✓ Marvin Panter, LAFCo Executive Director

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

RECEIVED
OCT 14 1998

CLERK. BOARD OF SUPERVISORS

**CERTIFICATE OF POSTING
NOTICE OF PUBLIC HEARING**

The undersigned certifies under penalty of perjury as follows:

I am the duly selected Executive Officer of the Fresno County Local Agency Formation Commission of the above County.

I posted, or caused to be posted, notice of public hearing by the Local Agency Formation Commission of said County. A copy of said notice is attached hereto.

Said notice was posted upon the official bulletin board customarily used for the purpose of public notices by or pertaining to said Commission.

Said posting was commenced on the 14th day of October, 1998, and continued to the time of the hearing specified in the attached notice.

Executed this 14th day of October, 1998, in the above entitled city.

Marvin L. Panter, Executive Officer
Fresno County Local Agency
Formation Commission

Attachment

Proposal No. RO-98-21 & RSOI-111



NOTICE OF PUBLIC HEARING

FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION

A public hearing will be held to consider a proposal submitted by the City of Huron as follows:

- PROPOSAL:
1. Revise the Sphere of Influence for the City of Huron to include approximately 40 acres, located west of Lassen Avenue between Palmer and Tornado Avenues (RSOI-111).
 2. Annex a total of approximately 45 acres to the City of Huron and detach from the Westlands Water District and the Westside Resource Conservation District located west of Lassen Avenue between Palmer and Tornado Avenues (RO-98-21).
 3. The Commission will also consider a recommendation to detach two parcels totaling approximately 180 acres from the City of Huron, and annexing the same to Westlands Water District and Westside Resource Conservation Districts, described as Assessor Parcel Numbers 750-032-57 and 58, shown on the attached APN Map.

The LAFCo hearing will be held at 1:30 p.m., or as soon thereafter as possible on October 28, 1998, in Room 301, Hall of Records, Tulare and "M" Streets, Fresno. Anyone interested may testify.

For information contact Marvin Panter, Fresno County LAFCo, 2100 Tulare Street, Suite 502, Fresno, CA 93721, phone: (209) 495-0604.

Any interested party may also provide information to the LAFCo Office for submittal to the Commission.



Marvin L. Panter
Executive Officer

Dated: October 12, 1998
File: RO-98-21 & RSOI-111

Note: If you are an applicant for, or a participant in (actively supporting or opposing) any proceeding on the agenda and have made a campaign contribution of more than \$250 to or for any of the Commission members, State law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (Government Code Section 84308).

EXHIBIT "A"

WACKENHUT CORRECTIONAL FACILITY SITE

HURON 1998 ANNEXATION
 AREA TO BE ANNEXED TO THE CITY OF HURON
 AND DETACHED FROM THE WESTLANDS WATER DISTRICT
 CITY OF HURON, COUNTY OF FRESNO, STATE OF CALIFORNIA

INDICATES EXISTING
 CITY LIMITS LINE

INDICATES AREA ANNEXED
 INTO THE CITY OF HURON

NORTHEAST CORNER,
 SECTION 10, T20S,
 R17E, MDB&M

Palmer Ave.

COUNTY OF FRESNO
 CITY OF HURON

12th St.

11th St.

10th St.

Lassen Avenue (St. Rte. 269)

EAST LINE OF THE
 NORTHEAST QUARTER
 OF SECTION 10.

TRACT NO 1811
 MOURENS ADDITION NO.2
 TO THE TOWN OF HURON
 VOL. 20 PLATS, PG. 56

43.702± ACRES

NORTHWEST CORNER
 TRACT 1811.

WEST LINE
 TRACT 1811.

TRUE POINT OF BEGINNING
 SOUTHWEST CORNER TRACT 1811.

POINT OF COMMENCEMENT.
 SOUTHEAST CORNER OF THE
 NORTHEAST QUARTER OF
 SECTION 10, T20S, R17E, MDB&M.

SOUTH LINE OF THE
 NORTHEAST QUARTER
 OF SECTION 10.

CENTER CORNER OF
 SECTION 10, T20S, R17E,
 MDB&M.

WEST LINE OF THE NORTHEAST
 QUARTER OF SECTION 10.

COUNTY OF FRESNO
 CITY OF HURON

S89°25'20"E 2042.58'

N89°25'20"W 400.00'

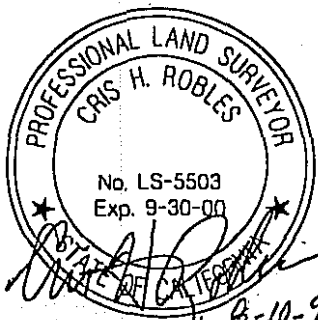
S00°10'00"W 42.00'

N00°10'00"E 1148.72'

S00°10'00"W 1106.72'

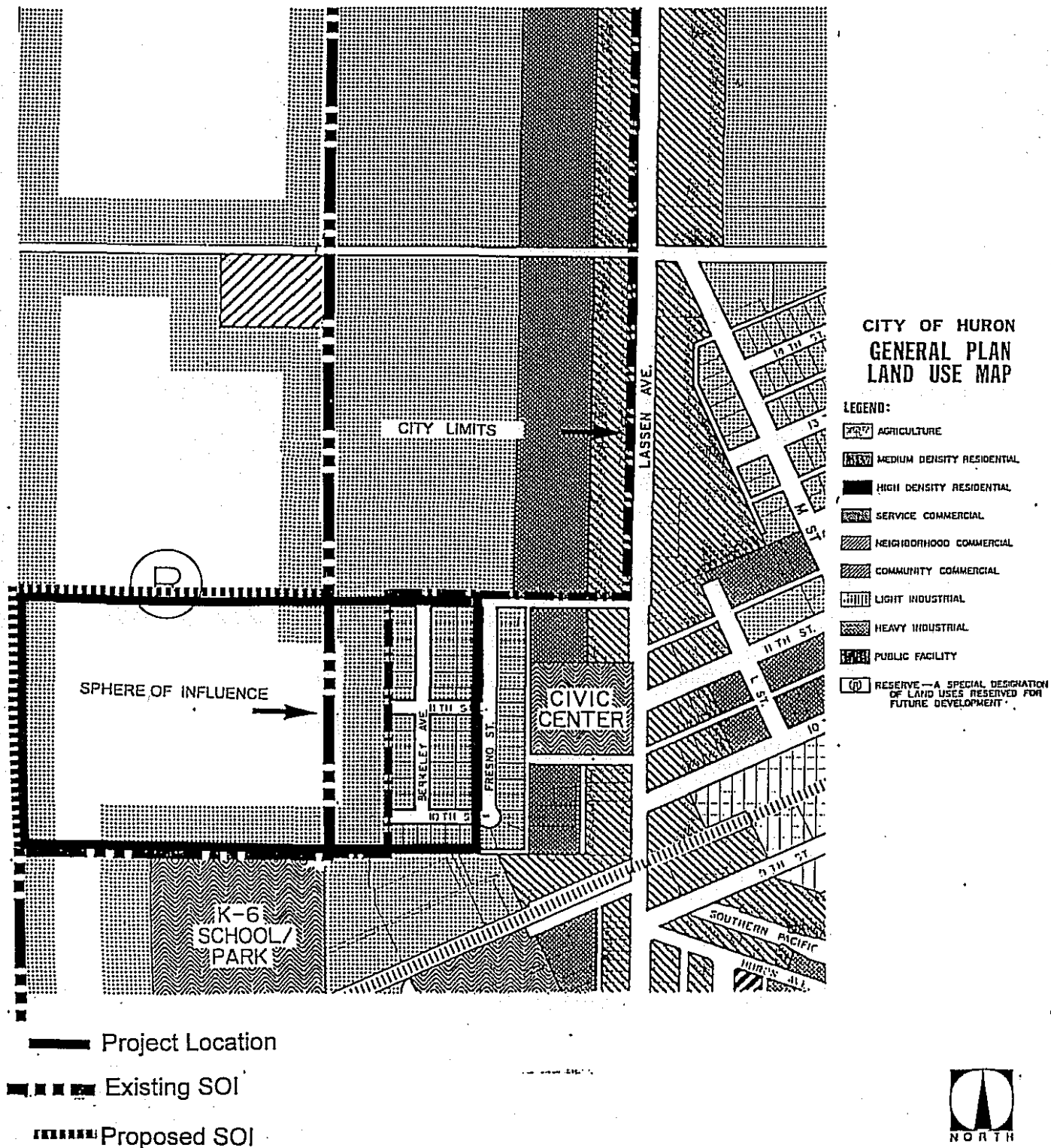
N89°25'20"W 1642.58'

N89°25'20"W 997.42'



TRI-CITY ENGINEERS
 SURVEYORS
 4466 W. SPAATZ AVE. #107
 FRESNO, CA 93722-3400
 PH: 208-447-8075
 FAX 208-447-8074
 email: tricity@qps.net
 324 E. COOLIDGE ST.
 COALHUA, CA 93210
 PH: 208-835-8051
 FAX 208-835-8051

Proposed SOI Revision



RESOLUTION #1192

**A RESOLUTION OF THE CITY OF HURON CITY COUNCIL
ADOPTING OF A MITIGATED NEGATIVE DECLARATION
FOR THE WACKENHUT PRISON ANNEXATION
(In accordance with Section 15074 California Code of Regulations
Title 14 (California Environmental Quality Act))**

WHEREAS, the Wackenhut Corrections Corporation has filed applications for Annexation, Pre-Zoning, General Plan Amendment, Re-Zoning, Tentative Parcel Map, Reversion to Acreage and a Conditional Use Permit in accordance with Section 15051 of Title 14 of the California Code of Regulations (CEQA) and Sections 21083 and 21087 of the Public Resources Code, as well as, the provision of the City of Huron Zoning Ordinance/Municipal Code, and;

WHEREAS, the Initial Study and Proposed Mitigated Negative Declaration, as attached and incorporated herein, was prepared in compliance with the California Environmental Quality Act (CEQA), Sections 15063 and 15070 of the CEQA Guidelines 1998 Supplement, and;

WHEREAS, the City of Huron has provided State and local agencies, as well as, the general public an opportunity to review and submit comments on the Initial Study/Proposed Mitigated Negative Declaration, in accordance with Section 15073 of the CEQA Guidelines, and;

WHEREAS, the Initial Study/Proposed Mitigated Negative Declaration was made available to the public and interested agencies on August 4, 1998 and sent via the U.S. Mail to responsible and commenting agencies, and;

WHEREAS, on August 20, 1998 the City of Huron published a combined Notice of Public Hearing and Notice of Intent to adopt a Mitigated Negative Declaration in the Coalinga Record, a newspaper of general circulation in the area of the proposed project in accordance with Section 15072(b-1) of the CEQA Guidelines, and;

WHEREAS, the public comment period for the Initial Study/Proposed Mitigated Negative Declaration was scheduled to close at 5:00 p.m. on August 25, 1998, and;

WHEREAS, on August 12, 1998, the City of Huron distributed a Notice of Errata amending the closure of the review period to 5:00 p.m. on September 7, 1998, and;

WHEREAS, the Public Notice of Availability of an Initial Study/Proposed Mitigated Negative Declaration was posted, pursuant to Public Resources Code Section 21082 and 21082.3 and the Sections 15072 and 15073 of the CEQA Guidelines at the County Clerk Office of the County of Fresno for the required thirty (30) day period, and;

WHEREAS, all affected property owners were sent written notices and publication of legal notices were accomplished in accordance with City of Huron policy,

Mitigated Negative Declaration and as listed below to be binding and included a conditions of approval of development approval obtained for the proposed project.

Air Quality Mitigation Measures:

1. On-site vehicle speed on unpaved roadways shall be limited to 15 miles per hour.
2. Loaded haul trucks operating at speeds over 15 miles per hour, shall be equipped with tarpaulins or other effective covers, or shall maintain at least two feet of freeboard.
3. Water trucks shall be used regularly to reduce dust and particulate matter generated at the construction site(s) and along non-paved roadways.



4. Construction shall be restricted or banned on days of high winds (in excess of 30 miles per hour).

Transportation and Circulation Mitigation Measure:

1. The City will include conditions on the Tentative Parcel Map to require dedication of a north-south street to Palmer Avenue and also include conditions of approval in the Conditional Use Permit that should traffic congestion at 12th Street and Lassen Avenue become problematic, that the project developer will be required to construct this alternate connection to Lassen Avenue. The City shall enter into a maintenance agreement with Fresno County for the maintenance of the facility.

Noise Mitigation Measures:

1. To minimize noise impacts to nearby residents during noise sensitive periods, construction within 244 meters (800 feet) of existing residences shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturday. Construction activities shall be prohibited on Sundays and Holidays.
2. Contractor(s) shall locate stationary noise sources (e.g., compressors and generators,) 800 feet from residential areas.

Cultural Resources Mitigation Measure:

1. It shall be the responsibility of City of Huron Development Department to instruct equipment operators as to what to watch for while excavating and trenching soil, which could be a sign of a subsurface archaeological feature or deposit. In the event that any historic subsurface archaeological features or deposits, including animal bone, shell, obsidian, mortars, or human remains are uncovered during construction, work within 9 meters (30 feet) of the find(s) shall cease and a qualified archaeologist shall be contacted for determination of resource significance. In the event human remains are found, the County Coroner shall be notified.

BE IT FURTHER RESOLVED, that the City Council directs the City Administrator to prepare the required Mitigation Monitoring Program as specified in Section 15074(d) of the CEQA Guidelines, when or if the project is approved.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination with the County Clerk of the County of Fresno in accordance with Section 15075 of the CEQA Guidelines.

City Council Resolution #1192
Wackenhut Annexation Mitigated Negative Declaration
September 16, 1998

PASSED AND ADOPTED, by the City Council of the City of Huron at a regularly scheduled meeting held on the 16th day of September, 1998.

AYES: DOMINGUEZ, CHAVES, CANO, CORTEZ, RODRIGUEZ

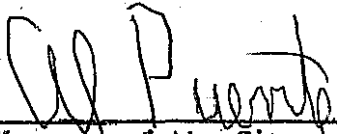
NOES:

ABASTAIN:

ABSENT:


Mayor

ATTEST:


City Manager of the City of Huron

CALIFORNIA DEPARTMENT OF FISH AND GAME

CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title/Location (Include County):

Wackenhut Prison Annexation, Pre-Zoning, General Plan Amendment, Re-Zoning, Tentative Parcel Map, Reversion to Acreage and Conditional Use Permit.

City of Huron, Fresno County.

Project Description:

Wackenhut Corrections may construct a maximum of two (2), independent but adjacent 1,000 bed community correctional facilities on approximately 54 acres in the City of Huron. Each facility will be independent and enclosed by a 12 foot high double fence topped with razor wire security fencing. Each 1,000 bed facility will be comprised of approximately 209,000 sq.ft. of building space in a single story configuration (a total of approximately 418,000 sq.ft.). Each of the facilities will be served by the extension of City water and sewer service and by public utility providers. Access will be provided via Lassen Avenue (S.R. 269) by the construction of 12th Street as a City standard Street.

In the processing of the development application, the City of Huron and the Fresno County Local Agency Formation Commission (LAFCo) will consider various elements of the application process.

The City of Huron will consider the following applications and actions:

- Application for Annexation of approximately 44 acres;
- Application for a Tentative Parcel Map;
- Application for Reversion to Acreage;
- Application for Pre-Zoning as Public Facilities (PF);
- Application for Re-Zoning from Residential to Public Facilities;
- General Plan Amendment to re-designate residential and residential reserve to public facilities, and a school/park to Light Industrial;
- Conditional Use Permit (CUP) establishing conditions for a community correctional facility in a PF Zone.
- Future cancellation of a Williamson Act Contract on approximately 38 acres.

The proposed project is comprises approximately 10 acres of land within the City of Huron and 44 acres in the un-incorporated territory of Fresno County, 38 of which are

currently in an agricultural preserve for which non-renewal has been filed by the property owner.

The project area is comprised of for the Fresno County Assessor's Parcel Numbers:

	Assessor's Parcel Numbers	Acreage
City of Huron	75-171-1 to 6	
	75-172-1 to 12	
	75-173-1 to 6	
	75-081-1 to 6	
	75-082-1 to 12	
Acres within the City		10
Fresno County	75-030-45	
	75-030-46	
Acres within the County		44
Total Acres		54

Please refer to the attached Project Location Map for project area boundaries.

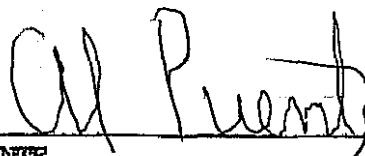
Findings of Exemption (attach as necessary):

- a. The proposed project may construct a maximum of two (2) independent but adjacent 1,000 bed community correctional facilities on approximately 54 acres in the City of Huron. Each facility will be independent and enclosed by a 12 foot high double fence topped with razor wire security fencing. Each 1,000 bed facility will be comprised of approximately 209,000 sq.ft. of building space in a single story configuration (a total of approximately 418,000 sq.ft.). Each of the facilities will be served by the extension of City water and sewer service and by public utility providers. Access will be provided via Lassen Avenue (State Route 269) by the construction of 12th Street as a City Standard Street. As such, the project will not substantially affect the overall housing demand or induce population growth. However, the proposed project is estimated to provide up to 400 new employment positions in the City. Any growth in population and/or housing is considered cumulative and has been previously accounted for in the City of Huron General Plan and Housing Element. Therefore, implementation of the proposed project would not cumulatively exceed regional or local population projections, nor would the proposed project substantially contribute to or induce any growth-inducing impacts.
- b. Proposed project would not require the displacement of housing, or institutional facilities. The proposed project will be constructed on vacant land and replacing farmland currently under production. All proposed improvements will be constructed to City Standards and Specifications.
- c. According to the California Department of Fish and Game Natural Diversity Data Base for the City of Huron General Plan (1986), there are no wildlife and/or biological habitats present on the project site or in the vicinity. As a part of the Initial Study/Proposed Mitigated Negative Declaration, the City retained a qualified biologist to undertake a reconnaissance level study of the property and the report

concluded that the site has no significant habitat value. Furthermore, the site is considered as disturbed agricultural land and unsuitable for substantial native habitat. The site has been graded and there are no areas of standing water or concentrations of native vegetation.

Certification:

I hereby certify that the public agency has made the above findings and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

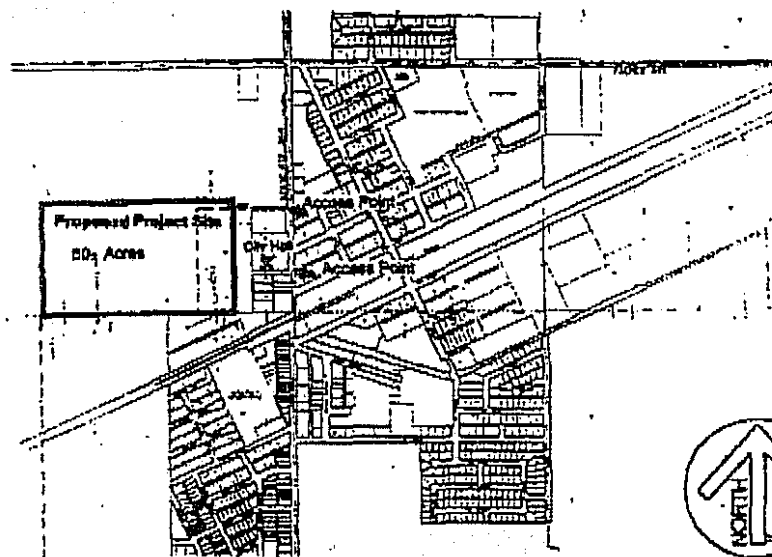


AL PUENTE

Title:
Lead Agency:
Date:

City Manager
City of Huron
September 17, 1998

Project Location Map



CITY OF HURON

Notice of Determination

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency) City of Huron
35311 Lassen Avenue
Huron, CA 93234

X County Clerk
County of Fresno
2221 Kern Street
Fresno, CA 93721

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Wackenhut Corrections Corporation Prison Annexation

Project Title

N/A	City of Huron	(209) 945-2241
State Clearing House Number (If submitted to Clearinghouse)	Lead Agency Contact Person	Area Code/Telephone/Extension

City of Huron, Fresno County

Project Location (include county)

Project Description:

The construction of two independent but adjacent 1,000 bed community correctional facilities on approximately 54 acres in the City of Huron. Each facility will be independent and enclosed by a 12 ft. high double fence topped with razor wire security fencing. Each 1,000 bed facility will be comprised of approximately 209,000 sq.ft. of building space in a single story configuration for a total of approximately 418,000 sq.ft. Each facility will be served by the extension of City water and sewer service and by public utility providers. Access will be provided via Lassen Avenue (S.R. 289) by the construction of 12th Street as a City standard street.

This is to advise that the City of Huron has approved the above described project on

☒ Lead Agency ☐ Responsible Agency

and has made the following determinations regarding the above described project:

(date)

- 1 The project [☐ will ☒ will not] have a significant effect on the environment
- 2 ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- 3 Mitigation measures [☒ were ☐ were not] made a condition of approval of the project.
- 4 A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:

Signature (Public Agency)	September 17, 1998 Date	City Manager Title
---------------------------	----------------------------	-----------------------

Date received for filing and posting at OPR:

Revised March 1986

INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION

for the

City of Huron
The Wackenhut Community Correction Facility
Annexation
Fresno County

August 4, 1998

Prepared For:

City of Huron
36311 Lassen Avenue
Huron, CA 93234
(209)945-2245

Prepared By:

Valley Planning Consultants, Inc.
4335 N. Golden State Blvd., Suite 101
Fresno, CA 93722
(209)276-1022



36311 Lassen Avenue • P.O. Box 339 • Huron, California 93234 • (209) 945-2241 • FAX (209) 945-2609

**City of Huron (Fresno County)
Environmental Document Transmittal Letter**

Date: August 4, 1998

To: (See Attached List)

From: Lead Agency
City of Huron
Mr. Jim Doughty, Director of Development
P.O. Box 339
Huron, CA 93234

Subject: Public Review of Initial Study/Proposed Mitigated Negative Declaration for the Wackenhut Prison Annexation.

Enclosed is a copy of the Public Notice of Availability and Notice of Intent to Adopt a Mitigated Negative Declaration for the above named environmental document. A copy of the environmental document is being transmitted to each "Responsible", "Trustee", and other public agency included on the attached list, which may exercise authority over resources that may be affected by the proposed project or which has jurisdiction by law over some aspect of the proposed project. Anyone not identified on the attached may obtain a copy of the above named environmental document by contacting the above noted Lead Agency at (209) 945-2609.

Any written comments regarding the above named environmental document must be received at the Lead Agency address no later than 5:00 p.m., August 25, 1998. Facsimiles will not be accepted. If no comments are received by the date indicated, it will be assumed that the document is acceptable.

Mr. Jim Doughty, Director of Development
City of Huron

CITY OF HURON
PUBLIC NOTICE OF AVAILABILITY OF AN INITIAL STUDY
AND NOTICE OF INTENT

TO ADOPT A MITIGATED NEGATIVE DECLARATION
(Public Resources Code Section 21092 and 21092.3, and
California Code of Regulation, Title 14, Sections 15072 and 15073)

The City of Huron has completed, independently reviewed and analyzed the Initial Study/Proposed Mitigated Negative Declaration for the following project:

Project Title:

Wackenhut Prison Annexation, Pre-Zoning, General Plan Amendment, Re-Zoning, Tentative Parcel Map, Reversion to Acreage, and Conditional Use Permit.

Project Description/Location:

Wackenhut Corrections is proposing to construct two (2), independent but adjacent 1,000 bed community correctional facilities on approximately 65 acres in the City of Huron. Each facility will be independent and enclosed by a 12 foot high double fence topped with razor wire security fencing. Each 1,000 bed facility will be comprised of approximately 209,000 sq.ft. of building space in a single story configuration (a total of approximately 418,000 sq.ft.). Each of the facilities will be served by the extension of City water and sewer service and by public utility providers. Access will be provided via Lassen Avenue (S.R. 269) by the construction of 12th Street as a City standard Street.

In the processing of the development application, the City of Huron and the Fresno County Local Agency Formation Commission (LAFCo) will consider various elements of the application process.

The City of Huron will consider the following applications and actions:

- Application for Annexation of approximately 55 acres;
- Application for a Tentative Parcel Map;
- Application for Reversion to Acreage;
- Application for Pre-Zoning as Public Facilities (PF);
- Application for Re-Zoning from Residential to Public Facilities;
- General Plan Amendment to re-designate residential and residential reserve to public facilities, and a school/park to Light Industrial;
- Conditional Use Permit (CUP) establishing conditions for a community correctional facility in a PF Zone.
- Future cancellation of a Williamson Act Contract on approximately 38 acres.

The proposed project is comprises approximately 10 acres of land within the City of Huron and 55 acres in the un-incorporated territory of Fresno County, 38 of which are

currently in an agricultural preserve for which non-renewal has been filed by the property owner.

The project area is comprised of for the Fresno County Assessor's Parcel Numbers:

	Assessor's Parcel Numbers	Acreage
City of Huron	75-171-1 to 6	
	75-172-1 to 12	
	75-173-1 to 6	
	75-081-1 to 6	
	75-082-1 to 12	
Acres within the City		10
Fresno County	75-030-45	
	75-030-46	
Acres within the County		55
Total Acres		65

Please refer to the attached Project Location Map for project area boundaries.

Availability of Document:

A copy of the Initial Study/Proposed Mitigated Negative Declaration may be reviewed and/or obtained at the following address:

City of Huron
Development Department
36311 Lassen Avenue
Huron, CA 93234

Public Review Period:

The review period for the Initial Study/Proposed Mitigated Negative Declaration shall commence on August 4, 1998 and terminate on August 25, 1998 (5:00 p.m.).

Any written comments pertaining to this document must be received at the above stated address no later than August 25, 1998 (5:00 p.m.). Facsimiles will not be accepted.

Public Hearing Schedule:

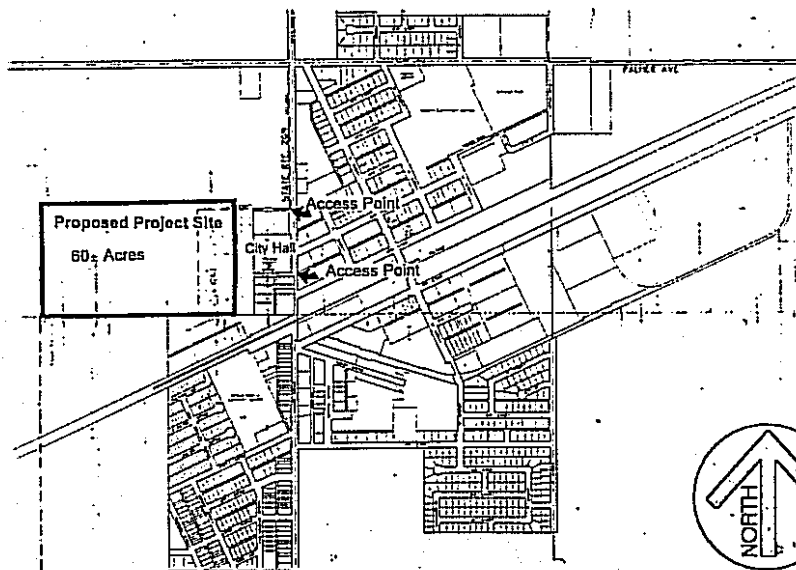
The City of Huron Planning Commission will conduct a Public Hearing to consider a recommendation to the City of Huron City Council on September 8, 1998 at 6:30 p.m., at Huron City Hall, City Council Chambers, 36311 Lassen Avenue, Huron, CA 93234.

The City of Huron City Council will conduct a Public Hearing to consider the recommendation of the Planning Commission on the Initial Study and Proposed Mitigated Negative Declaration on September 16, 1998 at 6:00 p.m. at Huron City Hall, City Council Chamber, 36311 Lassen Avenue, Huron, CA 93234.

Further information may be obtained by contacting Mr. Jim Doughty, Director of Development, at Huron City Hall (209-945-2241).


Mr. Jim Doughty, Director of Development
City of Huron

Project Location Map



CITY OF HURON

**AFFIDAVIT OF FILING AND POSTING
BY THE COUNTY CLERK OF THE COUNTY OF FRESNO**

I declare that on the date stamped below, I received and posted this notice as required by California Public Resources Code Section 21092.3. Said notice will remain posted for twenty-one (21) days from the filing date.

Signature:

Date:

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Introduction

This Initial Study evaluates the potential environmental effects from the annexation, pre-zoning, general plan amendment, re-zoning and conditional use permit applications/actions required for the development of a private correctional facility in the City of Huron. A subsequent action will be the cancellation of an agricultural preserve contract which the City of Huron would succeed to as part of the proposed annexation.

The City of Huron has received a development application from Wackenhut Corrections to construct two (2), 1,000 bed private community correction facilities to house short-term medium security inmates. Wackenhut's proposal is in response to a Request for Proposal from the California Department of Corrections for the construction and operation of such facilities. Several development timing options are being considered by Wackenhut which include the following:

Alternative One - Build one stand alone 1,000 bed facility now; and build a subsequent facility in future years as funding becomes available, or

Alternative Two-Build two 1,000 bed facilities at the same time.

This environmental analysis will consider the full build-out of Alternative Two.

Background

The City of Huron has received an application from Wackenhut Corrections for the construction of two, 1,000 bed community correctional facilities. These facilities may be constructed in connection with a request for proposals from the California Department of Corrections. It is anticipated, based on State Budget constraints, that the State of California may allow the construction of 15,000 new community correctional facility beds over the next three years. Such facilities would be provided by the private sector.

The City of Huron is currently in the process of acquiring 10 acres of a defunct residential subdivision. The adjoining property owner (to the west) has entered into a purchase option of approximately 44 acres with Wackenhut Corrections. The combined acreage (54 acres) would be used for a community correctional facility.

To allow construction of such a facility the City of Huron must amend it's General Plan, and re-zone land within the City for Public Facility purposes. The City must also annex approximately 44 acres and pre-zone the property as Public Facility. The City of Huron Zoning Ordinance requires the proposed use to first obtain a Conditional Use Permit prior to construction of the facility. A Tentative Parcel Map is proposed to divide the land within the unincorporated territory of Fresno County to provide for the annexation of a distinct parcel of land and allow Wackenhut to acquire the parcel. The land which is currently in the unincorporated territory is currently in an agricultural preserve contract. The property owner has filed for non-renewal of the contract. If annexed, the City of Huron will be succeed to the contract and be responsible for canceling such contract.

The City of Huron has determined that the proposed project could represent a desirable diversification of the community's economy providing non-agricultural jobs in a City whose primary source of employment is agriculture. Because the proposed project is owned by a for profit company the City and other local public agencies will benefit from increased property taxes from approximately \$50 million in

land and improvements from the facility. Public agencies will also benefit from an increased subvention revenue based on the population accruing to Huron because of the prison population.

Environmental Review Process

The City of Huron is assuming the role of "Lead Agency" for this project in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines. The City's review and determination regarding the potential environmental impacts of the project are based on the data presented in this document. This document has been prepared to provide the environmental documentation necessary for the City of Huron City Council to review and consider approving the proposed project.

This document contains a "Environmental Checklist Form" for assessing potential environmental impacts of the project, as required by CEQA Guidelines. This form identifies certain environmental impacts of the project. This document also fulfills the environmental review requirements for various other reviews and approvals by City of Huron and other agencies, as noted in Item 10 of the Environmental Checklist Form.

A brief explanation and supportive documents are provided for all the responses contained in the Environmental Checklist Form. Where appropriate, mitigation measures have been identified to reduce potentially significant impacts to a less-than-significant level.

Implementation of mitigation measures identified in the Environmental Checklist Form would reduce any potentially significant impacts of the project to a less-than-significant level. Therefore, the proposed project is not expected to result in any significant environmental impacts that would not be mitigated to an acceptable level through project design or mitigation measures. Based on this determination, The City of Huron is proposing to adopt a "Mitigated Negative Declaration" for the proposed project.

CITY OF HURON

ENVIRONMENTAL CHECKLIST FORM

1. Project Title:

Wackenhut Prison Annexation

2. Lead Agency Name and Address:

City of Huron
36311 Lassen Avenue
Huron, CA 93234
(209) 945-2241
(209) 945-2609 (fax)

3. Contact Person and Phone Number:

Jim Doughty, Director of Development
(209) 945-2241, (209) 945-2609 (fax)

4. Project Location:

A portion of the proposed project site is located within the City of Huron and the remainder in the unincorporated territory of Fresno County. The City of Huron is located approximately 180 miles north of Los Angeles and 180 miles south of San Francisco. The City is located on the West side of the Central Valley and the southwest side of Fresno County. The regional location of the project site relative to Fresno is shown in Figure 1.

The proposed project site is located immediately west of Fresno St. between West Palmer Road and the Southern Pacific railroad line, as shown in Figure 2. The Fresno County Assessor's parcel map for the project area are shown in Figure 3 and 4.

The project site consists of the following portions of parcels as shown in Table 1:

Table 1

	Assessor's Parcel Numbers	Acreage
City of Huron	75-171-1 to 6 75-172-1 to 12 75-173-1 to 6 75-081-1 to 6 75-082-1 to 12	
Acres within the City		10
Fresno County	75-030-45 75-030-46	7 37
Acres within the County		44
Total Acres		54

5. Project Sponsor's Name and Address:

Wackenhut Corrections
4200 Wackenhut Drive
Palm Beach Gardens, Florida 33410-4243

6. General Plan Designation:

The entire project is included within the City of Huron General Plan 1986 update which designates the project site as Medium Density (MD) and Reserve (R) as shown in Figure 5.

7. Zoning:

The portion of the project in Fresno County that is proposed to be annexed is zoned as AE-20, General Agriculture Zone. This zone is intended to preserve the agriculture industry and those related uses which are essential to, and an integral part of, the agricultural industry. The project area within the City are zoned as single family residential (R-1). The proposed project consists of approximately 54 acres, with approximately 44 acres to be annexed and pre-zoned by the City (Figure 6).

Figure 1 - Regional Location Map

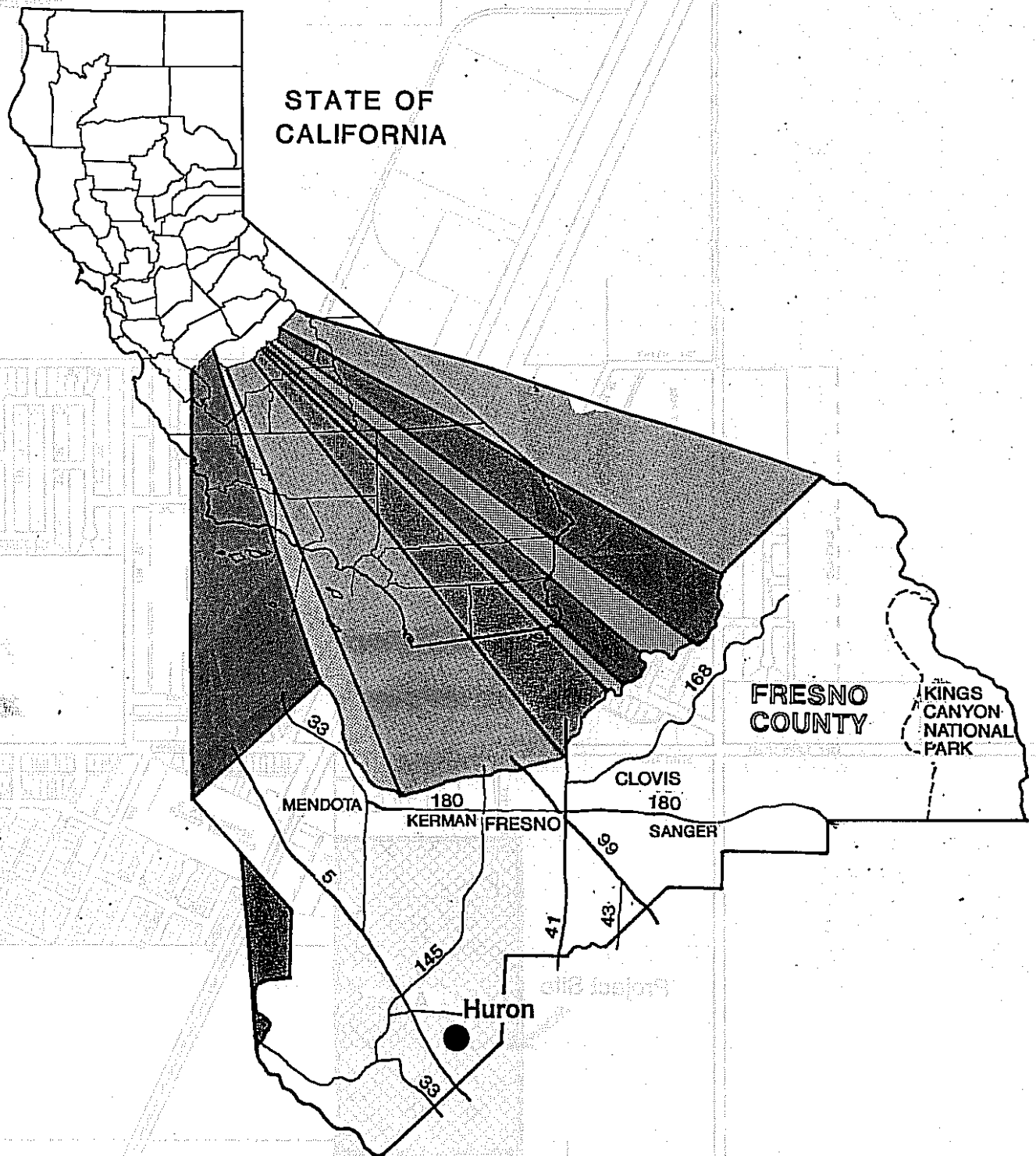
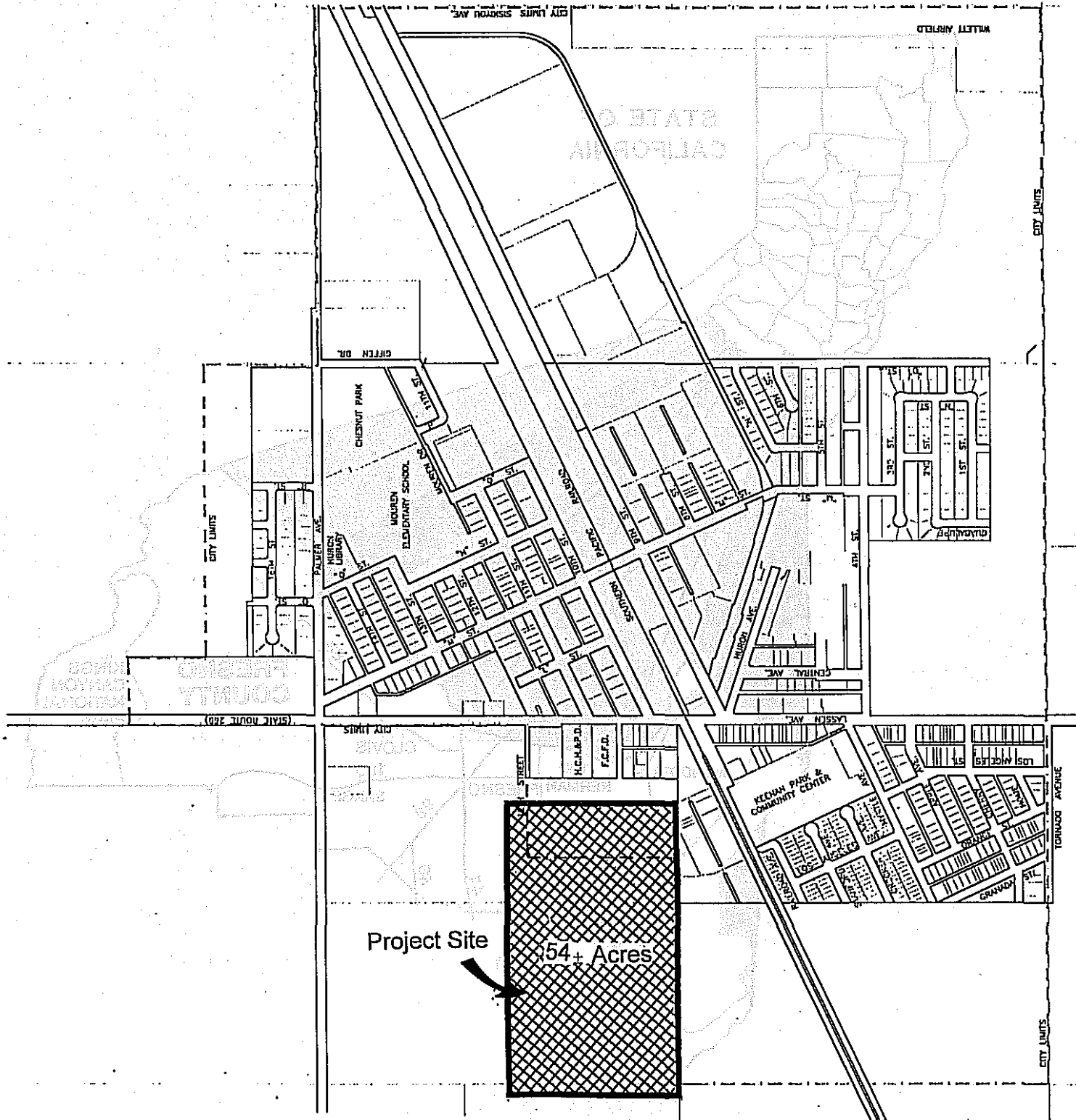


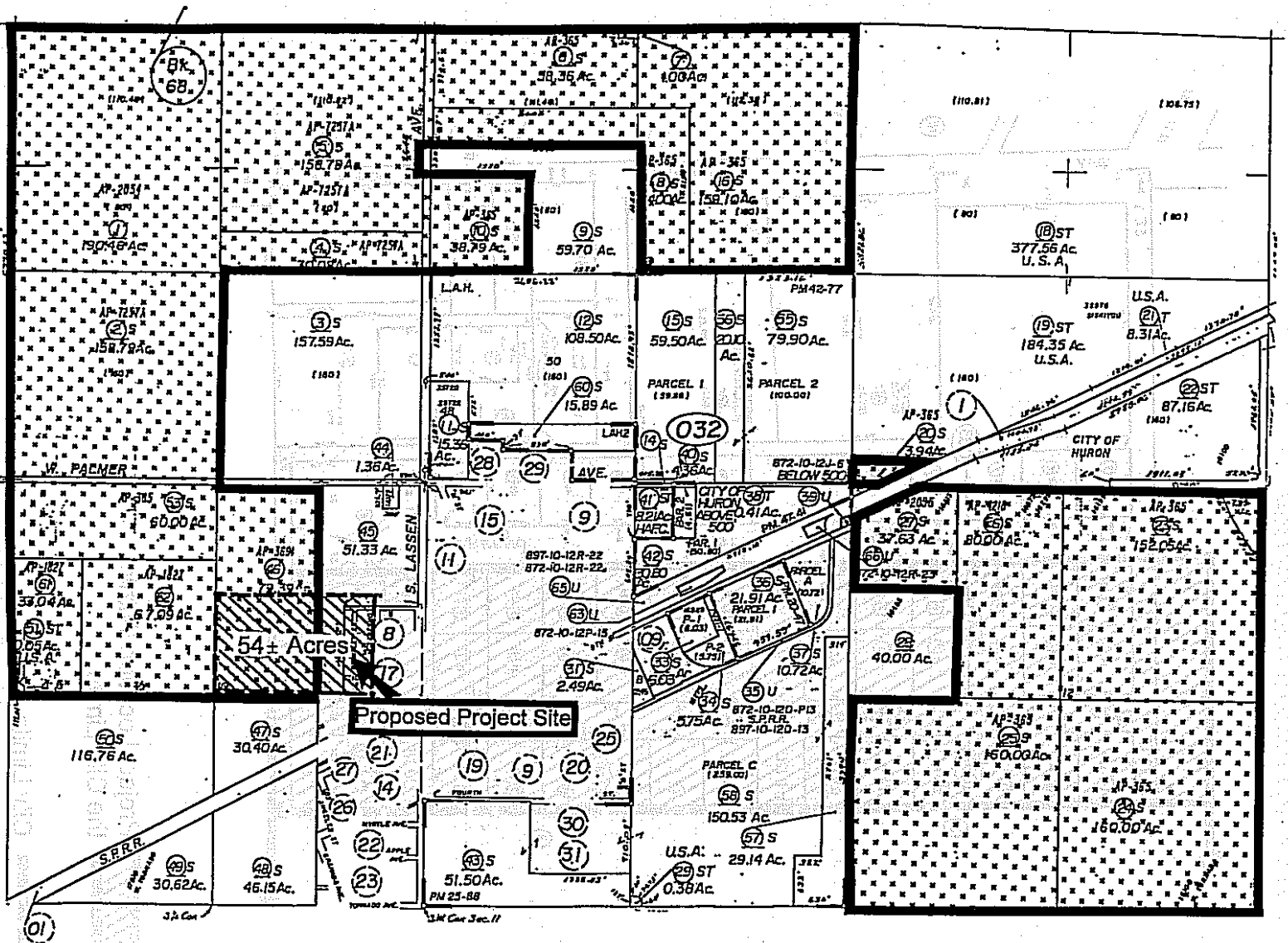
Figure 2 - Project Location



TRI-CITY ENGINEERING
ENGINEERS SURVEYORS
 4488 W. SPATZ AVE. #102 224 E. COOLIDGE ST.
 FRESNO, CA 93722-3400 COALINGA, CA 93210
 PH: 208-447-9075 PH: 208-835-8051
 FAX 208-447-9074 FAX 208-835-8051
 email: tricity@engr.net

Figure 3 - Assessor's Parcel Map

(County with Williamson Act Parcels shown)



Williamson Act Land



NORTH

Figure 4 - Assessor's Parcel Map (City)

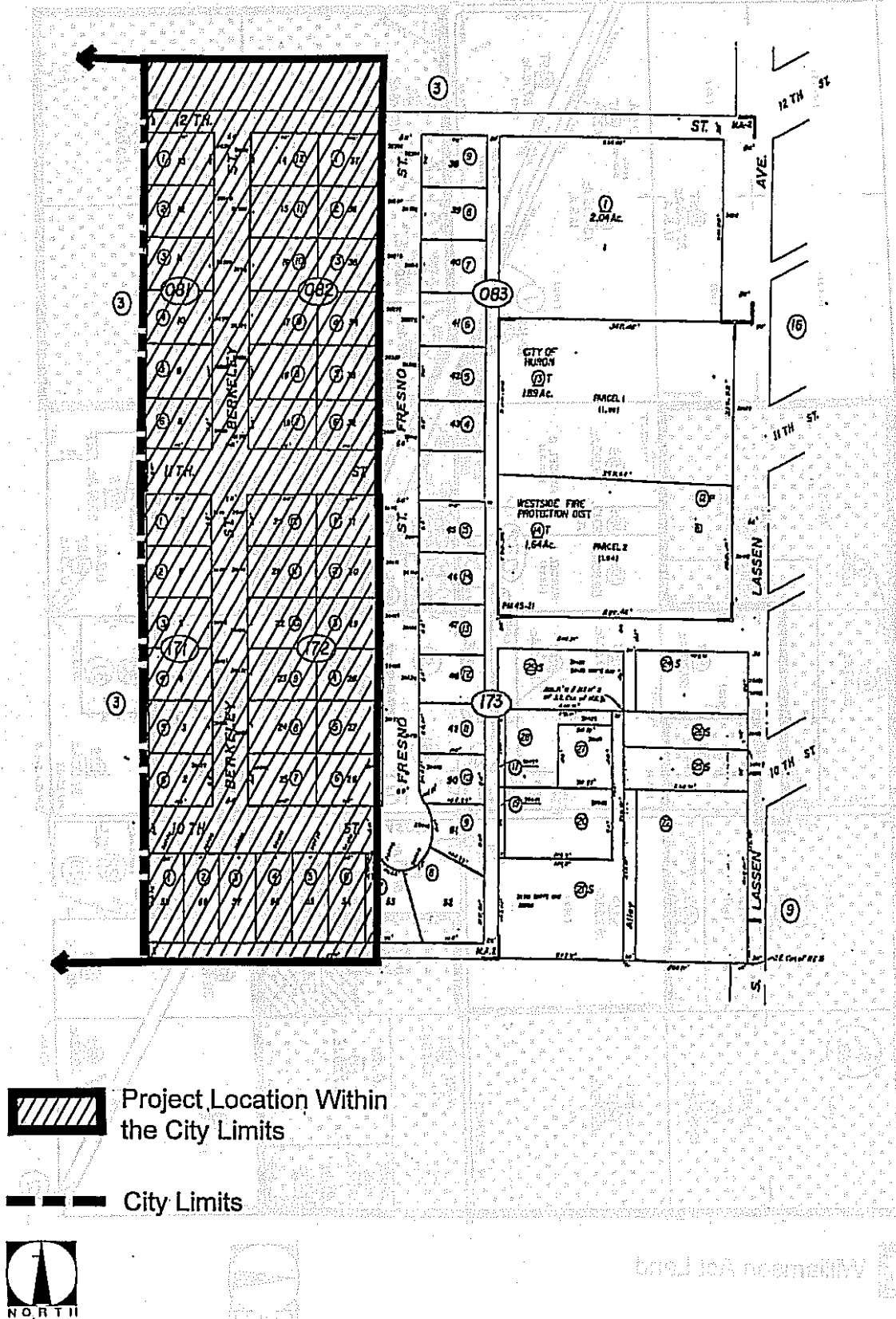


Figure 5 - General Plan Designations

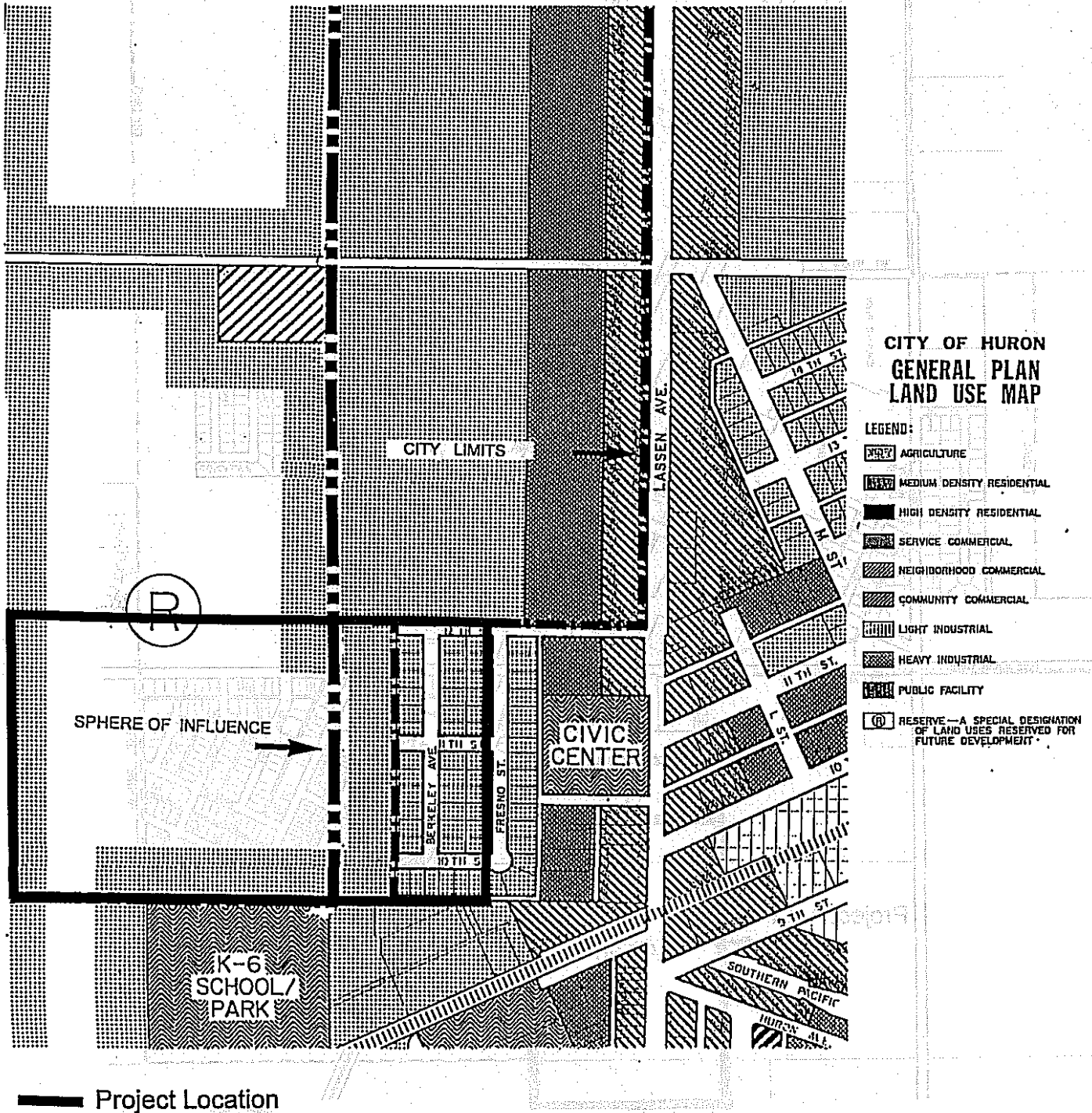
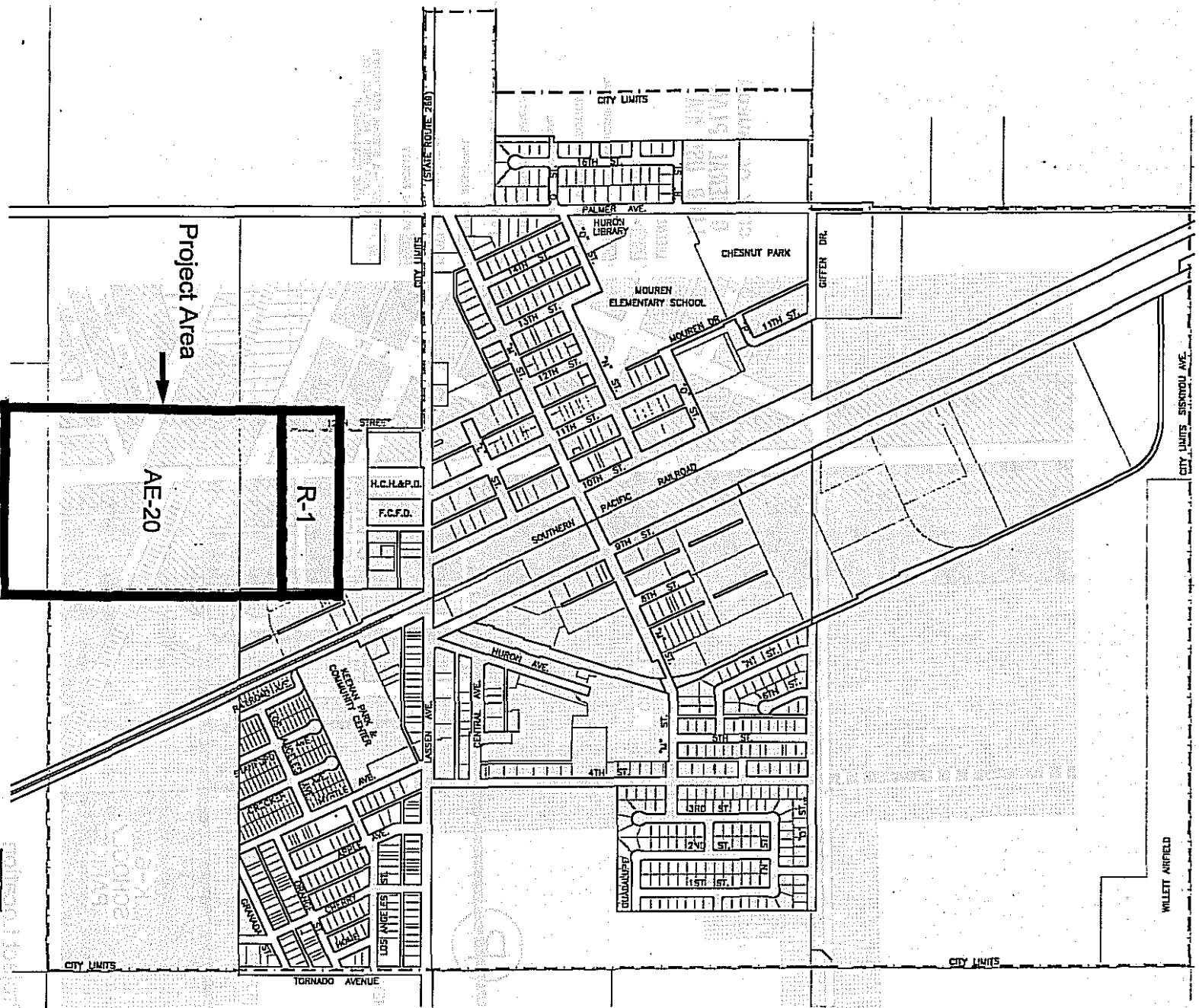


Figure 6 - Zoning Designations



TRI-CITY ENGINEERING
ENGINEERS
 4468 W. SPANZ AVE. #102
 PLEASANTON, CA 94566-3400
 PH: 209-447-9075
 FX: 209-447-9074
 email: ltracy@plead.net

SURVEYORS
 224 E. COOKING ST.
 COALINGA, CA 93310
 PH: 209-835-6031
 FX: 209-835-6031

8. Project Description

The City of Huron has received a development application from Wackenhut Corrections to construct two (2), 1,000 bed private community correction facilities to house short-term medium security inmates. Wackenhut's proposal is in response to a Request for Proposal from the California Department of Corrections for the construction and operation of such facilities. Several development timing options are being considered by Wackenhut which include the following:

Alternative One- Build one stand alone 1,000 bed facility now; and build a subsequent facility in future years as funding becomes available, or

Alternative Two- Build two 1,000 bed facilities at the same time.

The proposed location is approximately 54 acres located in and adjacent to the City of Huron (See Figure 2 for proposed location). Ten acres of the proposed site are already located in the City of Huron. For the purpose of this Initial Study/Mitigated Negative Declaration the City is considering the impacts of two, 1,000 bed facilities constructed at the proposed site.

In processing the development application, the City of Huron and the Fresno County Local Agency Formation Commission (LAFCo) will consider various elements of the application process.

The City of Huron will consider the following applications and actions:

- Application for Annexation of approximately 44 acres (Figure 7)
- Application for a Tentative Parcel Map (Figure 8)
- Application for reversion to acreage 12.5 acres (Figure 9)
- Application for pre-zoning as Public Facilities (PF), 44 acres (Figure 9)
- Application for re-zoning from Residential to PF, 10 acres (Figure 9)
- General Plan Amendment to re-designate a school/park to Light Industrial (Figure 9)
- Conditional Use Permit (CUP) establishing conditions for a community correction facility in a PF zone.
- A future action of the City of Huron to cancel an agricultural preserve contract on 44 acres.

LAFCo will consider the annexation of approximately 44 acres of agricultural land into the City of Huron as Public Facilities.

Development Proposal

Wackenhut Corrections has proposed to construct as many as two, independent but adjacent 1000 bed community correctional facilities. Wackenhut Corrections has optioned land totaling approximately 54 acres in, and adjacent to the City of Huron for this purpose. Figure 10 depicts the Preliminary Site Plan for the proposed community correctional facilities. Once developed Wackenhut Corrections intends to sell the property to REIT Correctional Properties Trust which is controlled by Wackenhut Corrections.

Each of the facilities will be independent and enclosed by 12 foot high double fence topped with razor wire security fencing. Each 1,000 bed facility will be comprised of approximately 209,000 square feet of building space in a single story configuration (a total of about 418,000 square feet). The security

system will be equipped with perimeter detection system processors which report to a central control room. Each facility will contain stand alone separate parking facilities for a total of approximately 270 spaces, inmate services, security systems, kitchens and eating areas, medical rooms, classrooms, library, central warehouse, emergency power supply, visiting areas, industrial training building, and exercise areas. Each of the facilities will be served by the extension of City water and sewer services and by public utilities provided by Pacific Gas and Electric, Pacific Bell, and cable TV services. Access will be provided from Lassen Avenue by the construction of 12th Street as a City standard street. The site plan is presented in Figure 10.

A plan to extend services to the proposed community correctional facilities are shown in Figures 11 and 12.

Perimeter security lighting will be provided by "low mast" low pressure sodium lights around the perimeter of the facility. These lights do not create substantial glare or spill over lighting associated with State correctional facilities which tend to illuminate the night sky. The proposed lighting is low to the ground and is shielded to focus illumination into the facility.

Projected time to complete construction of the facilities is approximately one year. At completion, each 1,000 bed facility will employ approximately 150 persons (a total of 300 employees) in a shift configuration as follows:

Each Correctional Facility Plans to Employ

Shift Sequence	Times	Staff #'s
• 1 st Shift	0600-1430	95 staff
• 2 nd Shift	1400-2230	33 staff
• 3 rd Shift	2200-0630	20 staff

**There is a 30 minute overlap between shifts*

**Employee numbers to not include relief personnel.*

Daily traffic generated by the proposed facility consists of three elements; staff reporting to work, deliveries of supplies and services, transportation of incoming or outgoing inmates. During weekends and holidays a fourth element, visitors is added to the expected daily traffic. Above is an estimate of total trips generated by the project and daily peak hour estimates based on two, 1000 inmate facilities. The number of trips forecasted were derived from a review of two community correction facilities located in McFarland, California and escalated to the proposed project. The trip assumptions consider a "worst case" scenario where deliveries, state transportation of inmates, and visitors all occur on the same day (Table2).

Table 2

Estimated Daily Trips
Proposed Huron Community Correctional Facility

Source of Traffic	Daily Trips Generated	Peak Hour Trips
Employee Trips	544	190
State Employees	53	5
Delivery Truck Trips	4	1
Inmate Transportation Trips (vans or bus)	8	1
Visitor Trips	160	16
Total Estimated Trips Per Day	879	254

The private correction officers must meet training standards established by the State of California Department of Corrections. Minimum training of the personnel include:

- All applicants must pass a State of California Personnel Test for Corrections Officers.
- 32 hours of training in essential subjects from CDC trainers
- 40 hours of pre-service training conducted by Wackenhut Corrections
- 116 hours of Board of Corrections Core Course work for Correctional Officers within one year of hire by Wackenhut Corrections conducted by a recognized college (same training requirements as any county correctional officer must undergo).

The California Department of Corrections requires on-site supervision staffing by it's personnel for all private correction facilities. The contract with the State Department of Corrections requires 24 hour on-site monitoring by an experienced CDC Sergeant or Lieutenant for each separate community correctional facility. In addition to CDC personnel, State Parole Agents are assigned to each facility at a current ratio of one Parole Agent per 100 inmates, plus one Parole Agent #3 level to supervise activities.

Inmates released from the facility are returned to the jurisdiction of original sentencing. If they are taken to a bus depot in Huron, they will be accompanied by a Parole Officer. Inmates must register with a parole agent in the jurisdiction of sentencing within one working day of release. There is little opportunity for released inmates to remain in the City upon release.¹

Wackenhut Corrections is a for profit company and as such will pay property tax on the estimated \$50 million project. Wackenhut Corrections proposes to include provisions in the Conditional Use Permit that will provide:

- to the extent possible and if employment criteria is met, personnel employed at the facility will be recruited from the Huron area;
- to the extent possible, materials and supplies for the facility, both during the construction and after completion, for its continued operation, will be purchased in the Huron area.

¹ Larry Brinkman, Facilities Administrator Golden State Correctional Facility, Central Valley Correctional Facility, McFarland, CA, (Personal Communication, 7-27-98)

- The use of the site shall be only for the community correction facility operated by Wackenhut Corrections. If the use is discontinued, the CUP will be null and void. Wackenhut intends to sell the facility to REIT Correctional Properties Trust, If the facility is subsequently sold, the new owner must apply for a new CUP.
- Currently, the community correctional facility screening criteria established by the California Department of Corrections. The current criteria is attached.
- The facility will provide assignment and supervision of inmates on community service work projects in conjunction with the CDC and the City Manager of the City of Huron.

Vehicle Type	Estimated Type Per Day	Estimated Type Per Day
Visitor Type	100	100
Inmate Transportation Type (Van or Bus)	8	8
Delivery Truck Type	4	4
State Employee Type	1	1
Emergency Type	1	1
Police Type	1	1
Fire Type	1	1
Other Type	1	1
Total Estimated Type Per Day	223	223

The private correction officers must meet training standards established by the State of California Department of Corrections. Minimum training of the personnel includes:

- All applicants must pass a State of California Personnel Test for Correctional Officers.
- 32 hours of training in essential subjects from CDC trainers.
- 40 hours of pre-service training conducted by Wackenhut Corrections.
- 16 hours of Board of Corrections Core Course work for Correctional Officers within one year of hire by Wackenhut Corrections conducted by a recognized college (same training requirements as any county correctional officer must undergo).

The California Department of Corrections requires on-site supervision staffing by its personnel for all private correction facilities. The contract with the State Department of Corrections requires 24-hour on-site monitoring by an experienced CDC Sergeant or Lieutenant for each separate community correctional facility. In addition to CDC personnel, State Parole Agents are assigned to each facility at a current ratio of one Parole Agent per 100 inmates, plus one Parole Agent's level to supervise activities.

Inmates released from the facility are returned to the jurisdiction of original sentencing. If they are taken to a bus depot in Huron, they will be accompanied by a Parole Officer. Inmates must register with a parole agent in the jurisdiction of sentencing within one working day of release. There is little opportunity for released inmates to remain in the City upon release.

Wackenhut Corrections is a for-profit company and as such will pay property tax on the estimated \$50 million project. Wackenhut Corrections proposes to include provisions in the Conditional Use Permit that will provide:

- to the extent possible and if employment exists in that, personnel employed at the facility will be recruited from the Huron area;
- to the extent possible, materials and supplies for the facility, both during the construction and after completion, for its continued operation, will be purchased in the Huron area.

Table 2
 Facility Name: Wackenhut Community Correctional Facility, Huron, Michigan
 Project Number: 1-07-02
 Date: 11/11/02

**CALIFORNIA DEPARTMENT OF CORRECTIONS
PAROLE AND COMMUNITY SERVICES DIVISION
COMMUNITY CORRECTIONAL CENTERS ADMINISTRATION**

**INMATE SCREENING CRITERIA
FOR COMMUNITY CORRECTIONAL FACILITIES**

All inmates and parole violators (including parolees pending revocation) with a term of 0-24 months left to serve [Earliest Possible Release Date (EPRD); Projected Revocation Release Date (PRRD); Revocation Release Date (RRD)] who have not had Division A, B (California Code of Regulations [CCR] Section 3323[d][6] drug related offenses are eligible) or C (CCR Section 3323[e][10] and [11] drug or alcohol related offenses are eligible) offenses within the last 6 month review period are eligible for placement in a Community Correctional Facility (CCF).

Pursuant to Title 15, California Code of Regulations, Director's Rules, Section 3375.2, an inmate meeting one or more of the administrative or irregular placement conditions, known as administrative determinants, may be housed in a facility with a classification level which is not consistent with the inmates' classification score.

Civil addict inmates or inmates with actual or probable USINS (United States Immigration and Naturalization Service) holds will not be excluded from placement.

Exclusion from placement in a CCF is mandatory if one or more of the following exclusionary criteria exist:

- New commitments and Parole Violators With New Terms with time to serve over 24 months.
- Validated prison gang members or associates.
- Protective Housing Unit or Security Housing Unit placement within the last 6 months.
- Conviction for escape, attempted escape or aiding an escape with force or conviction within the last 10 years for escape, attempted escape or aiding an escape from a secure perimeter (Penal Code [PC] Section 4530). --Escapes from and failure to return to work furlough are not excluded, nor are walk-aways from county road camps and California Department of Corrections' (CDC) camps or outside work crews.
- Current medical, dental or psychiatric problems which cannot be managed in a CCF or which require ongoing medical/dental/psychiatric treatment.
- Currently in a medical or psychiatric category (outpatient medical, severely mentally ill, developmentally disabled).
- Involved in documented predatory homosexual activity while incarcerated.
- Inmates designated as public interest cases or generate a high degree of news media or public interest which would focus undue community attention upon the program and its participants.

- **Convicted for assault upon a custodial officer (PC Section 241.1).**
- **Convicted for assault with a firearm on a peace officer or firefighter (PC Section 245[d]).**
- **Inmates who are currently serving a sentence of life imprisonment.**
- **Inmates designated as a Sexually Violent Predator (SVP).**
- **Active felony holds involving any of the above exclusionary criteria.**

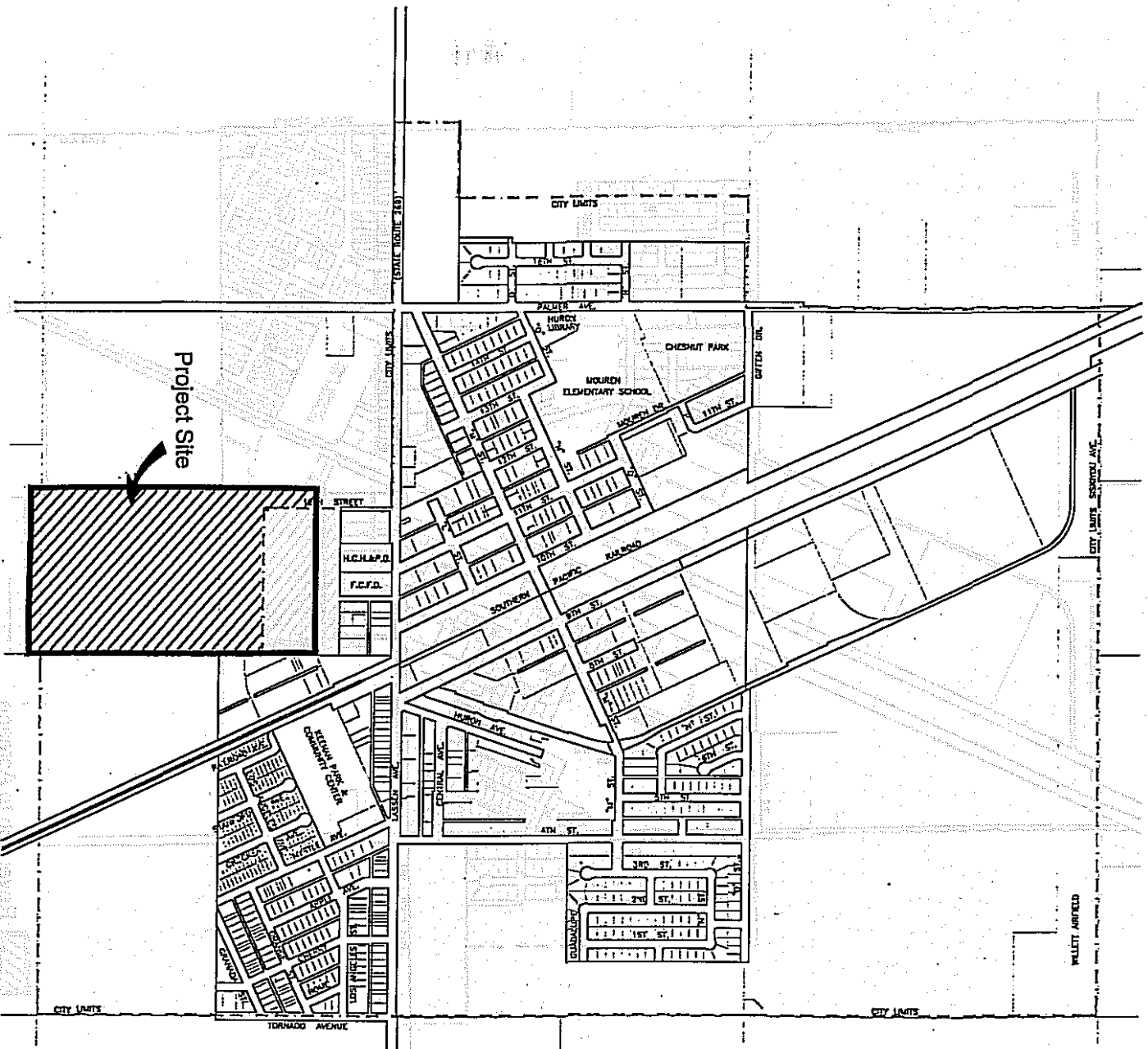
MEDICAL/DENTAL CASE FACTORS

The following criteria represents current exclusionary factors. However, departmental review is continuing in these areas which may result in modification or change:

- **Inmates classified as dental class 4.**
- **Inmates that are or have been on psychotropic drugs.**
- **Currently in a medical or psychiatric designation (Enhanced Outpatient Program, outpatient medical, severely mentally ill, or developmentally disabled).**
- **Insulin-dependent diabetics that require daily injections.**
- **Inmates with any seizure disorder(s) or documented seizure activity within the last 6 months.**
- **Diagnosed medical conditions or encounters which have required in-patient medical care within the last 3 months or will likely require in-patient medical care in the subsequent 3 months.**
- **Active tuberculosis cases that require isolation. (Inmates found to have active tuberculosis shall be placed in a negative pressure isolation cell pending appropriate transfer from the CCF.)**

CDC reserves the right to modify inmate screening criteria on an as-needed basis without amending the contract. Modifications become effective upon written notification from CDC. The screening criteria will not be expanded to include those inmates who, based on CDC's criteria, demonstrate a need for ongoing celled housing.

Figure 7 - Annexation Area



Area to be Annexed

Project Site



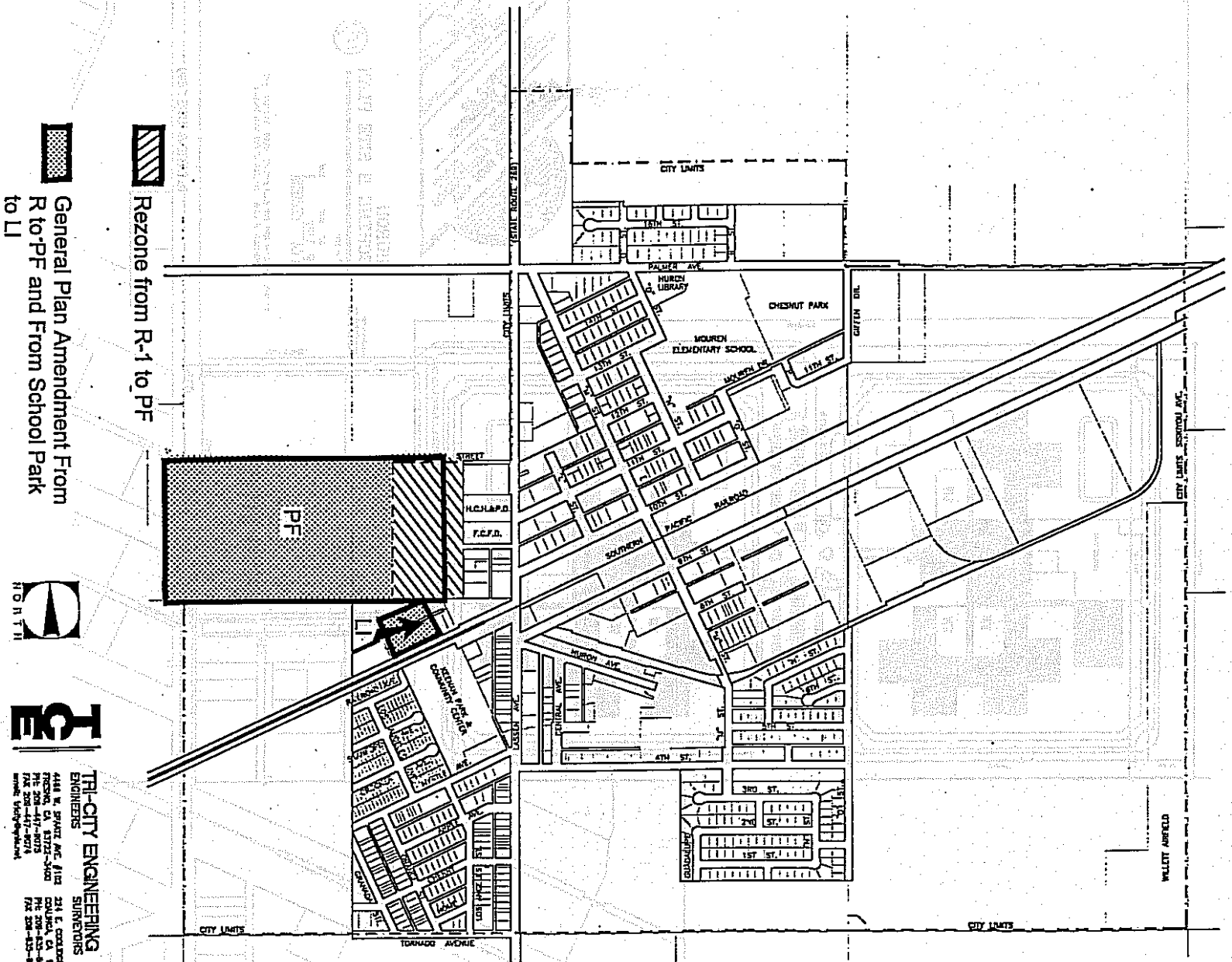
TCE CITY ENGINEERING
ENGINEERS SURVEYORS
4418 W. SPANZ AVE. #100 231 E. COOLIDGE ST.
PUEBLO, CO. 81001-3400 COLORED, CO. 81001
TEL 303-437-8071 FAX 303-437-8071
email: kelly@tce-engineers.com

Tentative Parcel Map



234 E. COALDER ST.
COLUMEC, CA 93110
PH: 708-825-8051
FAX 708-825-8051

Figure 9 - Pre-zoning, Re-zoning and General Plan Amendment proposal



TRI-CITY ENGINEERING
ENGINEERS
4444 N. SHAW AVE. #102
FREDERICK, CA 95721-3400
TEL: 209-447-4073
FAX: 209-447-4074
www.tricityeng.com

SURVEYORS
234 E. COCKER ST.
COLUSA, CA 95016
TEL: 209-433-0031
FAX: 209-433-0031





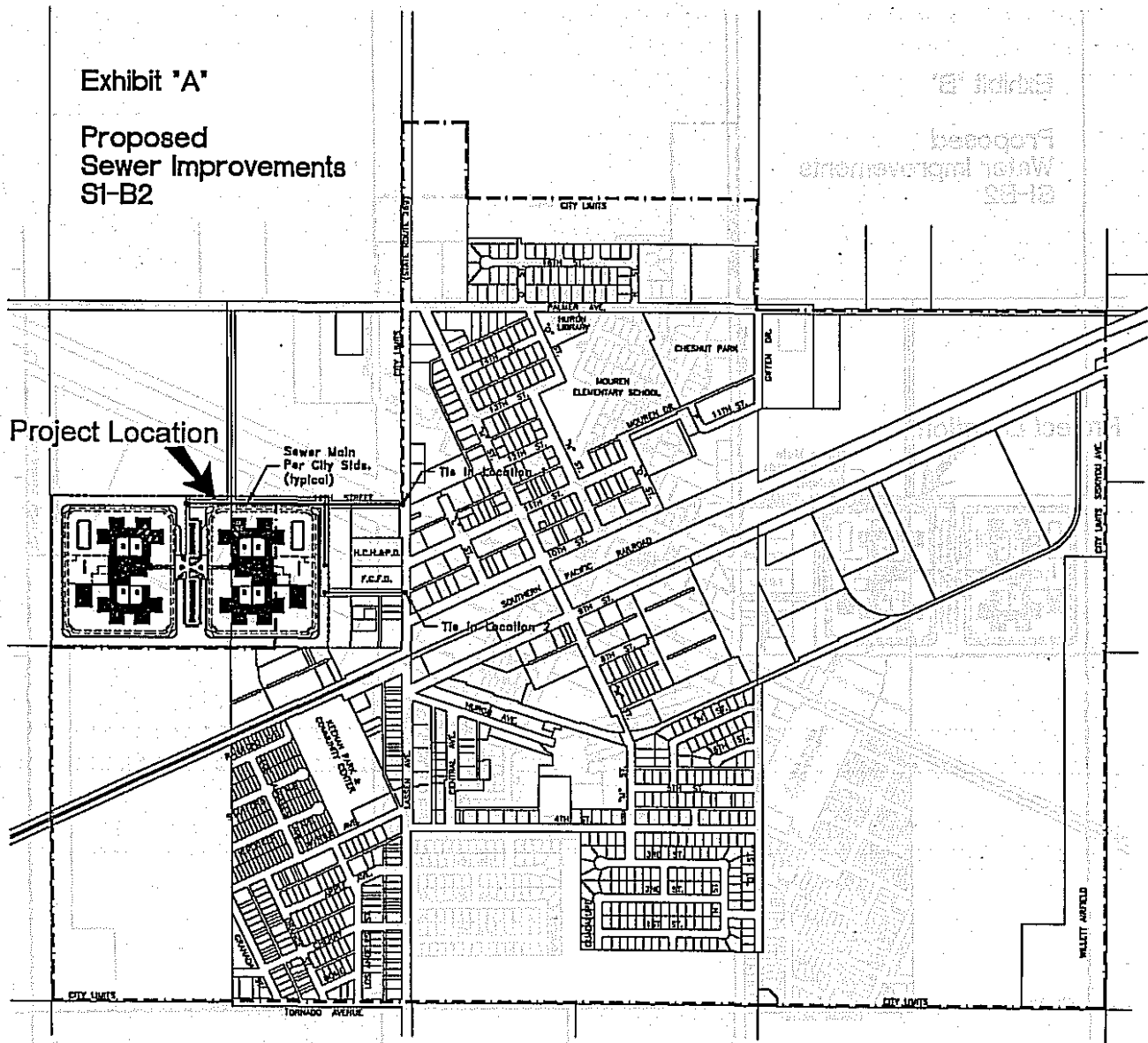
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Project Location

[illegible]

4488 W. SPARTZ AVE. #102, 224 E. COOLIDGE ST.
FRESNO, CA 93722-3400 COALINGA, CA 93210
PH: 208-447-8073 PH: 209-835-8051
FAX 208-447-8074 FAX 208-835-8051
email: tricky@qps.net

Figure 12 Sewer Service



TRI-CITY ENGINEERING
ENGINEERS SURVEYORS

4444 W. SPANZ AV. #102 224 E. COOLIDGE ST.
FRESNO, CA 93722-3400 SAN JOSE, CA 95131
PH: 208-447-9073 PH: 208-835-8051
FAX: 208-447-9071 FAX: 208-835-8051
email: tricity@earthlink.net

9. Environmental Setting:

I. Land Use

The City of Huron is located in western Fresno County. The current Huron General Plan was adopted in 1986. The City is in the process of beginning an update of the General Plan which is expected to be completed in late 1999. The current General Plan Map (as revised) for the proposed project area is attached Figure 5. The current General Plan Map shows the portion of the proposed project site outside of the City of Huron as R-Reserve for residential development. According to the Huron General Plan there is approximately 543 acres of vacant land designated for single family (452.6) or multi-family (90.4) development.

The City of Huron has a current Zoning Ordinance and Zoning Map. A portion of the project (10 acres) is located within the City of Huron and has a current Zoning Designation of R-1. The portion of the proposed project area lies within Fresno County and is currently zoned AE-20 Agricultural Exclusive, 20 acre minimum parcel size.

Fresno County Local Agency Formation Commission has established a Sphere of Influence for the City of Huron dated August 25, 1982 and for the project area it is shown in Figure 5. This boundary also is shown on the City's General Plan Map.

A portion of the proposed site, which is within the City of Huron, is a defunct subdivision. A Final Map was filed on the subdivision, however no development has taken place. The City of Huron is in the process of acquiring 10 acres of this approximately 12.5 acre subdivision. The City of Huron proposes to undertake a reversion to acreage to create a single parcel for sale to Wackenhut. The remaining 2.5 acres is currently being redesigned by the property owner.

The approximately 44 acres which is proposed to be annexed to the City for the proposed project is currently in cultivation for cotton. A Parcel Map is proposed which would create new parcels within existing Fresno County Assessor's Parcels 75-030-45 and 46.

An agricultural preserve contract (AP 3691) is currently in place between the County of Fresno and the property owner for Fresno County Assessors Parcel 75-032-46 (79 acres). Approximately 38 acres of this parcel is proposed to be annexed to the City of Huron. The balance will remain in the unincorporated territory of Fresno County. Agricultural preserve contracts are governed by Section 51200 of the California Government Code (Williamson Act). The City of Huron did not protest this contract at the time it was established. Upon annexation, such contracts would succeed to the City of Huron for that portion of the property that is annexed into the City (§51235). The City of Huron will administer the contract, and will make findings according to §51282 for the cancellation of the contract at the appropriate time. The property owner has recently filed for non-renewal of the contract.

The area of Huron is not included on the State Important Farmland Map, therefore there is no indication if the soils of the site are considered Prime Farmland.

Surrounding land uses include:

- East, Huron City Hall, Police Department, and County Fire Department
- West, agricultural land currently in production
- North, agricultural land currently in production
- South, agricultural land which is currently fallow, and residential uses and a community center within 500 feet of the easterly boundary of the proposed project.

II. Population and Housing

There is no permanent population and housing on the proposed project site. Temporary population is limited to agriculture (mostly seasonal operations) on the proposed site. The City's current estimated population is 5,680 (Department of Finance, January 1, 1998 estimations, E-5 report). The City is currently estimating a 3% annual growth rate will increase the City's population to 11,018 by the year 2020. It is estimated that an additional 1,588 dwelling units with accompanying commercial and industrial uses. Based on an average density of 4.5 dwelling units per acre, an approximately 282 acres of land will be required to accommodate this growth.

III. Geology

Huron is located in the San Joaquin Valley, which is the southern half of the Great Central Valley of California. The Great Central Valley is an elongated structural trough in the interior of California which has been filled with a thick sequence of clastic sediments derived from erosion of the bordering Sierra Nevada and Coast Ranges. The sequence of clastic sediments rests upon bedrock of the Sierra Nevada block at an undetermined depth beneath the project site. The Sierra Nevada Mountains are composed of granite and metamorphic rocks of pre-Tertiary age. These rocks comprise the basement complex beneath the east side of the valley. The Coast Ranges are composed of folded and faulted sedimentary rocks of Mesozoic and Cenozoic age.

The major geological constituents that apply to the project area include:

a. Seismic

No active or potentially active faults are known to exist in the project area. The nearest known faults are the Kettleman Hills fault zone (several "blind thrust" faults), which is located approximately 10 miles south of the City and the San Andreas Fault line located approximately 30 miles west of the City.

The San Andreas Fault has produced number of major earthquakes. The Central California area is considered active and is the site of a large number of major earthquakes. The fault averages one major earthquake every 140 years. Monitoring equipment has been placed in the town of Parkfield (which is approximately 35 miles to the West of Huron) in expectation that an earthquake will occur in this section of the Fault².

There have been two major earthquakes in the Area since 1980 that were not associated with the San Andreas fault. In May 1983, a 6.5 magnitude earthquake caused widespread damage to the City of Coalinga. In August 1985 and earthquake with the magnitude of 5.7 occurred. The quake epicenter was approximately 10 miles south of Huron in the Kettleman Hills Area³.

The Uniform Building Code (UBC) places Huron within a Seismic Zone 4⁴. Zone 4 imposes the most stringent structural requirements of the four seismic zones used by the UBC.

² PRA Group, 1992 Conditional Use Permit Application for Avenal Land Fill, Appendix E.

³ Ibid.

⁴ International Conference of Building Officials, 1994, *Uniformed Building Code*

b. Soils

The U.S. department of Agriculture Soil Conservation Service(USDASCS) is in the process of completing an updated soil survey for the west side of Fresno County which includes the Huron area. The portion of the survey within the proposed project area has been completed and a draft was provided for the project site. According to this survey the soils in and around the project area are made up of two soil types, Westhaven loam and Excelsior Sandy loam as seen in Figure 6. These very deep, moderately well drained soil are on alluvial fans and fan terraces. Elevation is about 250 ft. to 500 ft and the frost free period is 240 to 270 days. They formed in alluvium derived dominantly from sedimentary rock. Permeability of these soils is moderately slow and erosion is slight. Available water capacity is high and effective rooting depth of 60 inches. Most of these areas are mainly used for irrigated crops and some areas are used for housing development. The surface layer of Excelsior sandy loam is pale brown about 23 inches thick. The underlying material reaches to a depth of 72 inches. The surface layer of Westhaven loam is light brown about 17 inches thick with underlying material to a depth of 72 inches⁵. Figure 14 shows the soil types in the project area.

IV. Hydrology

a. Flooding

According to the Federal Emergency Management Agencies (FEMA) Flood Insurance Rate Map for the unincorporated areas of Fresno County, (Community Panel Number 054029-1620B, effective December 1, 1982) the project area is designated as C. FEMA classifies the C zone designation as areas of minimal flooding. The City of Huron received a from FEMA in 1981 which indicated that "for all practical purposes, the community would not be inundated by the base year flood..."

b. Groundwater

The Huron area is generally underlain by groundwater occurring in unconfined, perched, and semi-confined conditions. Regional movement of groundwater within the Central Valley is toward the topographic trough on the western side of the valley, and from there toward the north to the Sacramento River-Delta region.

The local ground water table elevation and flow direction fluctuate in the Huron area. This is caused by groundwater pumping for agricultural use and also groundwater recharge from rivers, canals, and ponding basins. According to Mr. John Allen of the Westlands Water District, the groundwater is encountered in the vicinity of the subject site at a depth of approximately 20 feet and the groundwater gradient indicated a west/southwest flow⁶.

The City of Huron does not use ground water as the source of drinking water. The City's domestic supply is treated water from the California Aqueduct.

⁵ David Durham, United States Department of Agriculture, Soils Conservation Service.

⁶ Technicon Engineering Services, Inc. Huron Report, Section 5, 1998.

V. Air Quality

The project area is located in the eight county San Joaquin Valley Air Basin (SJVAB). Bordered by mountain ranges to the east, west, and south, the SJVAB is subject to frequent temperature inversions throughout the year, restricting vertical mixing in the atmosphere. As a result, conditions favorable to the buildup of air pollutants often exists in the SJVAB. During the winter season, cold temperatures and calm winds can lead to high carbon monoxide concentrations near congested roadways. Frequent clear skies and warm temperatures promote the formation of ozone in the summer months. Ozone is a photochemical pollutant formed from a series of complex chemical reactions between oxides of nitrogen and reactive organic gases in the presence of sunlight.

The San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD) and the California Air Resource Board (CARB) operate a network of ambient air pollutant monitoring stations, the nearest monitoring station is located in the City of Kettleman. This station monitors PM₁₀ levels. Between the year 1992 and 1996, the state and national 8 hour standard was exceeded an average of 23 days per year⁷.

The nearest ozone monitoring station is located in the City of Hanford. Between 1992 and 1996, the number of annual exceedances of the state's standards for ozone ranged from 1 to 78. It can be assumed that exceedances of the state's 1-hour ozone standard occur in Hanford 1 to 78 days per year⁸.

Carbon monoxide levels are monitored at the Fresno, Fisher St. station. The highest 8 hour concentration level recorded between 1992 and 1996 was 12 PPM⁹.

Under amendments to the Federal Clean Air Act, EPA has classified air basins, or portions thereof, as either attainment or non-attainment for each criteria air pollutant, based on whether or not the national standards have been achieved. The State of California passed the California Clean Air Act which is patterned after the Federal Clean Air Act. Table 3 shows the SJVAB and Fresno County state and federal designations.

Table 3

Attainment/Non-attainment Designations

Pollutant	National	State
Ozone	Non-Attainment	Non-Attainment
Carbon Monoxide	Attainment	Attainment
Nitrogen Dioxide	Attainment	Attainment
Sulfur Dioxide	Attainment	Attainment
Particulate Matter (PM ₁₀)	Non-Attainment	Non-Attainment

⁷ David L. Crow, San Joaquin Valley Unified Air Pollution Control District Technical Document, May 1998

⁸ IBID

⁹ IBID

VI. Transportation/Circulation

The City of Huron is located in western Fresno County. The main arterial street in the City is Lassen Avenue (State Route 269) which generally runs north and south. Lassen Avenue is a four lane facility in this location. The north bound lanes have a continuous right turn lane. The south bound lanes require left turn to be made from the interior left lane (no turn lane provided). Interstate 5 is approximately 5 miles to the west of the City.

The proposed project is located to the west of Lassen Avenue and would be served by the extension of 12th Street. 12th Street is not currently constructed west of Lassen Avenue, although a portion of the right-of-way has been established (defunct subdivision). The extension of 12th Street west of this right-of-way will be a private drive which would serve the proposed community correctional facility. The extension of 12th Street east of Lassen Avenue is not planned. The planned development of 12th Street at Lassen Avenue is a "T" intersection. An approved residential subdivision(defunct) west of Lassen Avenue contains 58 lots. The City is acquiring 42 lots for the proposed project. This residential subdivision is the subject of a reversion to acreage application. The property owner will retain approximately 2.5 acres which may be redesigned for residential use. This redesign could generate as many as 16 single family units to be developed in the future. Based on an average of 10 trips per day for each single family dwelling¹⁰, the number of currently anticipated trips exiting 12th Street onto Lassen Avenue is 580 per day. Using a peak hour ratio of 10%, the daily peak hour is expected to be 58 trips.

Based on a recent Transportation Impact Analysis, the existing level-of-service of Lassen Avenue north of 9th Street is LOS "B" which is above the minimum acceptable level of LOS "C". The traffic analysis forecasted traffic to the year 2020 including planned projects. The analysis showed that Lassen Avenue north of 9th Street would operate at LOS "C" which is an acceptable level. This traffic analysis forecasted a 75% increase in traffic on Lassen Avenue by the year 2020. The current AM Peak Hour is estimated to be 908 vehicles, and the 2020 AM Peak hour is forecasted to be 1,596. Despite this increase Lassen Avenue is expected to continue to operate within an acceptable range without substantial improvements.

The City of Huron is considering a traffic impact fee for new development which will require new development to pay a fair share of traffic signal improvements on Lassen Avenue associated with additional traffic generated by new development. This traffic impact fee structure is based on the recent traffic analysis which forecasts additional traffic to the year 2020.

VII. Biological Resources

The proposed project site consists of agricultural fields used for row crops. A biological survey was conducted on the project site by Hartesveldt Ecological Consulting Services on July 26, 1998. The reconnaissance analysis of the site did not indicate any potential for vernal pools and wetlands subject to the Army Corps of Engineers or State Fish and Game regulations. The analysis also did not indicated the presence of any endangered, threatened or rare plants and/or animals. Vegetation within the proposed project area includes non-native grasslands and agricultural fields.

¹⁰ City of Huron Railroad Property Site Transportation Impact Analysis, Valley Research and Planning, June 1998, pg. 1-4.

VIII. Energy and Mineral Resources

The proposed project area does not have a direct impact on energy consumption within the regional setting. The site is limited to agricultural uses and consumption. Mineral resources at the site are also limited and no known resource is available on the proposed site. The proposed site is not listed as a Mineral Resource Zone by the State of California Division of Mines and Geology.

IX. Hazards

The project area has been historically utilized for agricultural production and as such hazardous (pesticides and agricultural related chemicals) materials may have been used or disposed of within the project area. A Transaction Screen Questionnaire has been conducted on the project site by Technicon Engineering on July 27, 1998. A review of the Fresno County Environmental Health System records revealed no records of above-ground or underground storage tanks, or other hazardous materials handling, storage, disposal or incidences at the project site.

X. Noise

The site is currently in row crops (cotton) and has historically been used for agricultural production. The existing noise affecting the project site is from agricultural operations, including spray aircraft fly-overs.

XI. Public Services

The City of Huron provides police services to residents and businesses. The Police Department currently has a ratio of 1.23 sworn personnel per 1,000 population (does not include grant funded personnel-3 officers). The existing police facility is located adjacent to the Huron City Hall near the intersection of Lassen Avenue and the future intersection of 12th Street.

The City of Huron maintains mutual aid agreements with the County of Fresno Sheriff's Department and the California Highway Patrol.

Fire prevention and suppression services are provided by the Fresno County Fire District. Huron's Fire Station is located adjacent to Huron City Hall. The County Fire District also maintains a volunteer firefighters in the City of Huron.

Electrical power, Cable Television and Telephone lines are located along Lassen Avenue and can be extended by the individual provider to service the proposed project site.

XII. Utilities and Service Systems

Water, wastewater, stormwater drainage, law enforcement and fire services in the project area are provided by the City of Huron and the Fresno County Fire District. The project area is located within the Huron School District. All City and County services are available to be extended to the proposed project. A plan of services has been prepared for the project in conjunction with the Annexation and Pre-Zoning application submitted to Fresno County LAFCo.

Water Services. The City of Huron purchases water from the Bureau of Reclamation, which is obtained from the California Aqueduct. The City's water system is comprised of three components; treatment plants No. 2 and No. 3 (Treatment Plant No. 1 was previously abandoned), three water storage facilities and the water distribution system. It is estimated that the normal production demand for Huron is approximately 1.1 million gallons per day.

Treatment plants No. 2 and No. 3 have flow capacities of 825,000 gpd and 900,000 gpd, respectively. These plants are located north of Palmer, east of Siskiyou and west of the Wastewater treatment plant.

The existing water Storage facilities has a total capacity of 2.5 million gallons, which consists of a 1.0 million gallon above ground tank, a 0.5 million gallon above ground tank and a 1.0 million gallon underground storage facilities.

The project area can be served by a new 8" main commencing at the above ground storage facility immediately to the east of the proposed project site. The storage facility consists of the 1.0 million gallon reservoir tank and booster pumps. The new line will loop the annexed area thereby providing both domestic and fire protection water.

According to the City Engineer there is sufficient capacity remaining in the City's water treatment and distribution system to accommodate the expected demand from the community correctional facility.

Wastewater System. The City of Huron owns and operates the wastewater treatment and disposal facilities, which consist of a concrete headworks, Parshall flume, lift station, 3800 lineal feet of fourteen (14") inch force main, four non-aerated oxidation ponds, and three evaporation/percolation ponds.

The treatment plant is located north of Palmer Avenue and east of Siskiyou Avenue. The ponds comprise of a total area of 34.68 acres. The lift station discharges to the treatment ponds via 3800 feet of 14" force main. The plant is rated at 1 million gallons per day. Currently, the treatment plant process approximately 0.6 million gallons per day (*population X 85 gpd X 1.25 peaking factor=current processing*).

The project area can be served by two existing 8" sewer mains. The point of connection for the southerly main is on the west side of Lassen Avenue and is currently serving some commercial and residential lots. The northerly sewer main is located in Lassen Avenue and can be extended through the future Twelfth Street to the west to service the project area.

According to the City Engineer there is sufficient capacity in the City's wastewater collection and treatment system to accommodate the demands from the proposed project.

Storm Drainage. The City of Huron is located near the base of a drainage trough that runs off into a natural drainage channel called the Arroyo Pasajero. The construction of the California Aqueduct created a barrier for the natural drainage floodwater. The Arroyo water was to be retained in a ponding basin and periodically discharged into the aqueduct. The Arroyo Pasajero channel passes approximately 2 miles north of Huron, with the ponding basin located to the east of the city. The ponding basin's northern boundary is formed by a training dike and its southern boundary is formed by the Gale Avenue crossing of the aqueduct.

The City has an approximately 7 acre ponding basin located south of Palmer and east of Giffen Drive. There are 3 additional small private basins of 0.25 acre or less, located in the northeast portion of the City.

The majority of the City storm drain system consists of surface flows through gutters in a northeast direction. A large portion of the City's storm water is retained in the ponding basin for the Arroyo Pasajero floodwaters.

The proposed project has incorporated into the site plan design on-site storage facilities for stormwater run-off. This necessarily means planning for a 100 year storm using Fresno County rainfall intensities and other local storm weather data.

XIII. Aesthetics

The project area is located on agricultural land. Agriculture parcels in this area are generally characterized by row crops and seasonally fallow fields. The surrounding area possess little aesthetic interest other than farmland and scenic vistas are marginal.

Lighting in the Huron Area is typical of a rural community in the western portion of Fresno County. There is very low level intensity of illumination throughout the City, typical of suburban development.

XIV. Cultural Resources

The project site is not recognized as having any archaeological sensitivity. It is not likely that prehistoric or historic sites and artifacts could be located below the surface of the project site. A record search conducted by California State University Bakersfield, Department of Anthropology South Central Information Center noted no resources in or around the project area.

XV. Recreation

Recreational uses provided by the City of Huron are not anticipated to be affected by the proposed project, as any increase in population generated by the project are inmates which will not have access to the City's recreational facilities.

Figure 13 Aerial Photo of Huron Area



Project Location



Figure 14 United States Geological Survey Map (Huron Quadrangle)

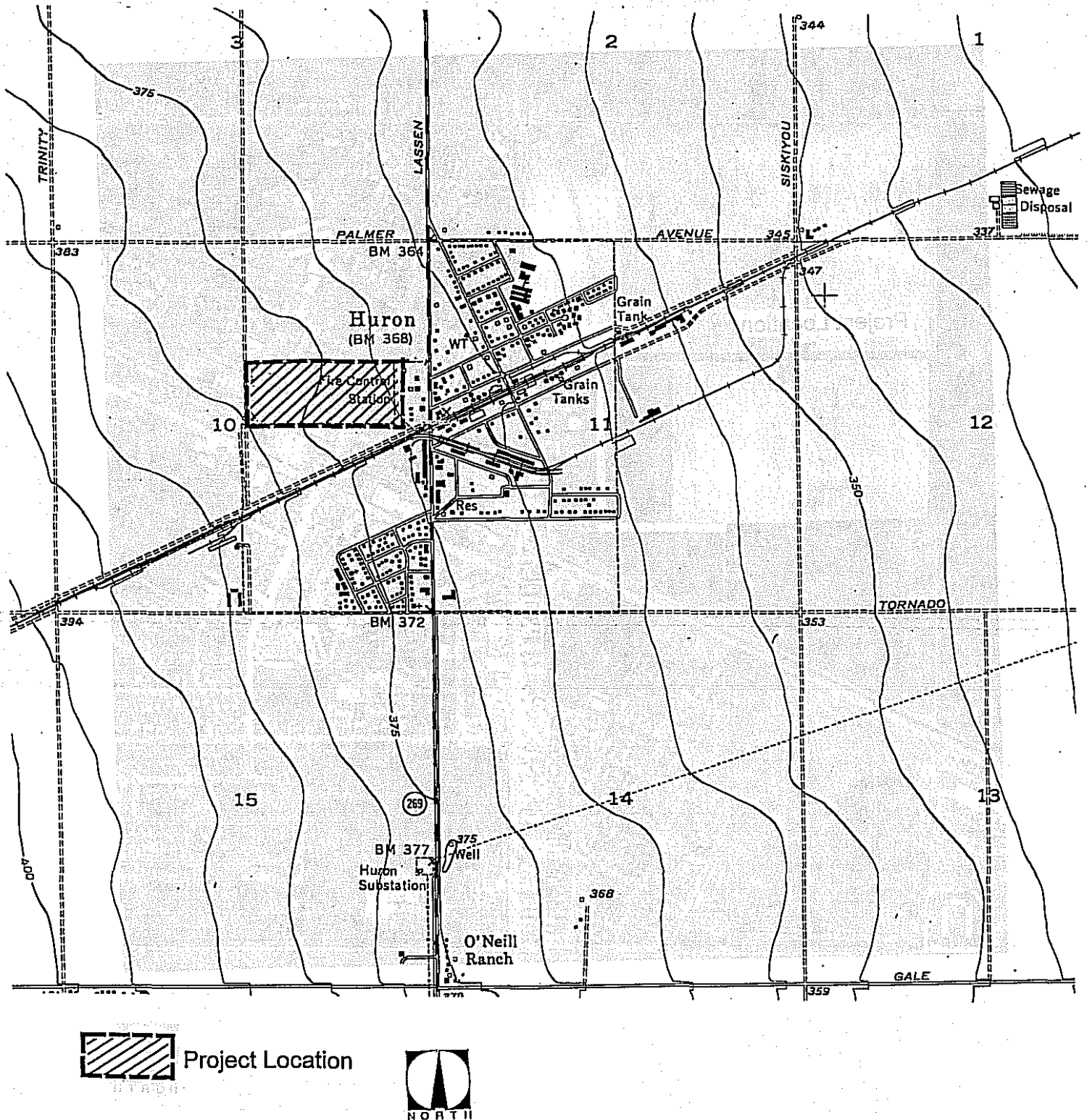
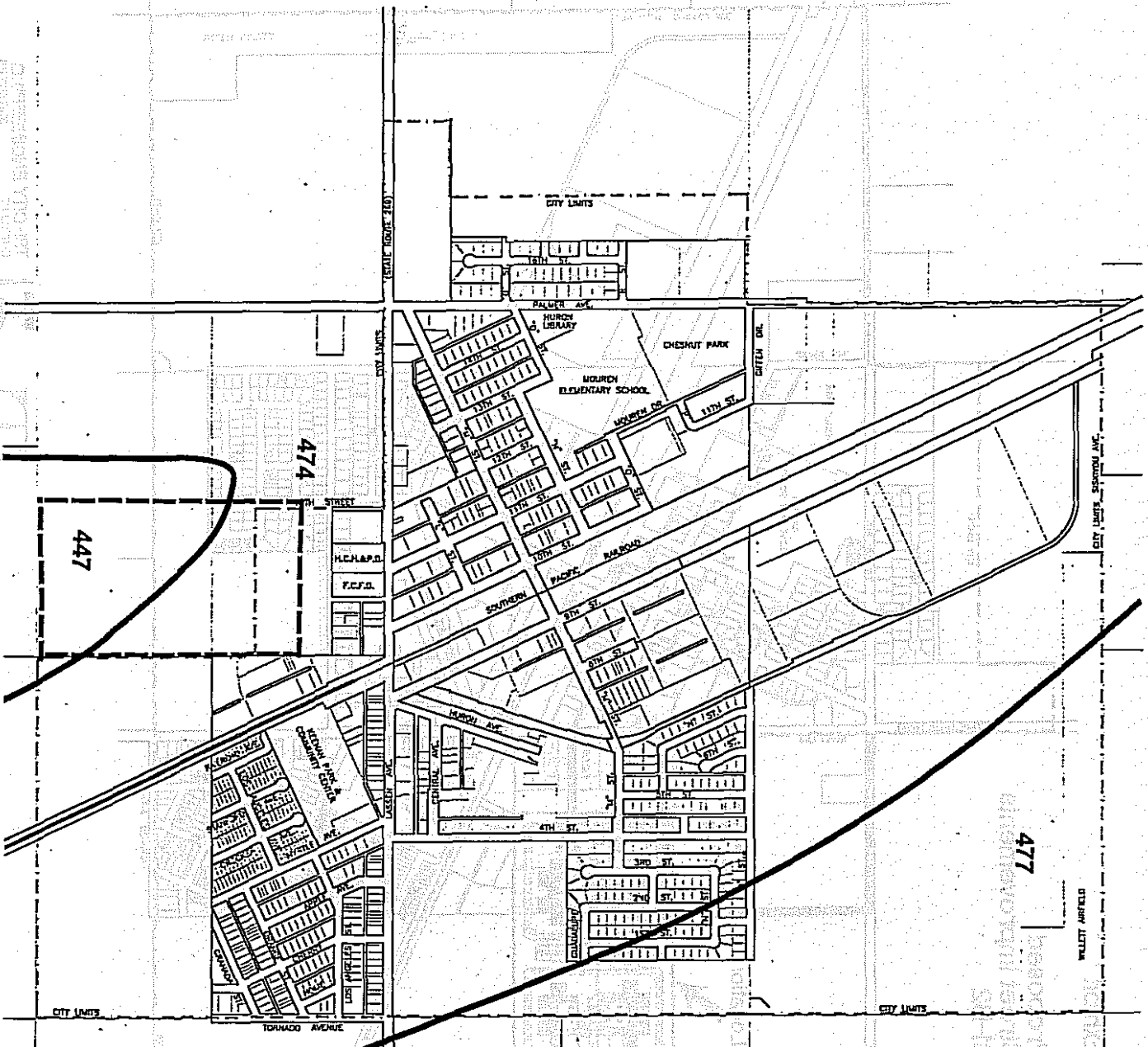


Figure 15 Soil Types of the Project Area



477 Soil Classification

Soil Classification Boundaries

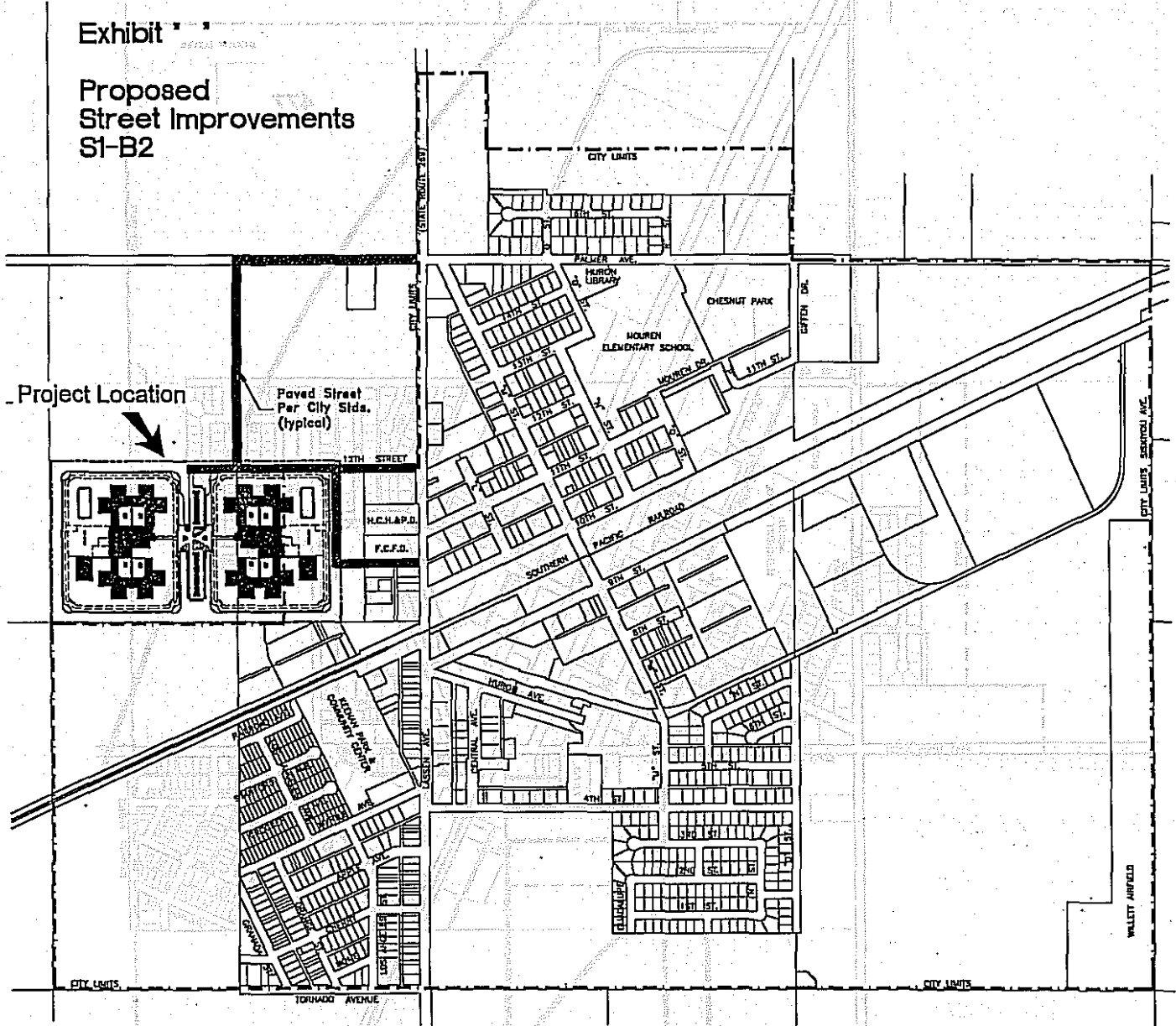
Project Location



TFC CITY ENGINEERING
ENGINEERS
4444 N. SHAW AVE. SUITE 100
DENVER, CO 80241
TEL: 303-441-8074
FAX: 303-441-8074
www.tfc-engineering.com

SURVEYORS
211 E. DOWNEY ST.
DENVER, CO 80202
TEL: 303-441-8074
FAX: 303-441-8074

Figure 16 Traffic and Circulation



TRI-CITY ENGINEERING
ENGINEERS SURVEYORS

4486 W. SPANZ AV. #102
FRESNO, CA 93722-3400
PH: 208-447-9073
FAX: 208-447-9074
email: tri-city@earthlink.net

224 E. COOLIDGE ST.
COALBURG, CA 93210
PH: 208-835-8051
FAX: 208-835-8051

10. Other agencies whose approval is required:

Agency	Permit/Approval/Review
City of Huron	Tentative Parcel Map; Reversion to Acreage; Annexation and Pre-Zoning for Public Facilities; Re-Zoning from Residential to Public Facilities; General Plan Amendment; Conditional Use Permit; Cancellation of Agricultural Preserve Contract.
Fresno County LAFCo	Annexation and Pre-Zoning

11. Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|--|
| <input type="checkbox"/> Land Use and Planning | <input checked="" type="checkbox"/> Transportation/Circulation | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Population and Housing Systems | <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities and Service |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input checked="" type="checkbox"/> Cultural Resources |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

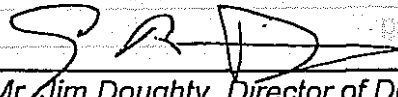
12. Determination:

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.
- ☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find the proposed project MAY have a significant effect(s) on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially

significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects: (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards; and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.


Mr. Jim Doughty, Director of Development
City of Huron

Date 08/03/98

☐ Public Services

☒ Transportation/Circulation

☐ Land Use and Planning

☐ Utilities and Service

☐ Biological Resources

☐ Population and Housing

☐ Energy and Mineral Resources

☐ Geological Problems

☒ Cultural Resources

☐ Hazards

☐ Water

☐ Recreation

☒ Noise

☒ Air Quality

☒ Mandatory Findings of Significance

17. Determination

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION will be prepared.

☐ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find the proposed project MAY have a significant effect(s) on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. If the effect is a "potentially significant impact" or "cumulatively

13. Environmental Check List:

Evaluation of Environmental Impacts:

1. A brief explanation is provided for all answers except "No Impact," answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers have taken account of the whole action involved, including off-site as well as on-site cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are more than one or more "Potentially Significant Impacts" entries when the determination is made, an EIR is required.
4. "Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analysis may be used where, pursuant to the tearing, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses are discussed in Section XVII at the end of the checklist.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). References to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated. See the sample question below. A source list is attached, and other sources used or individuals contacted should be cited in the discussion.

Issues (Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. LAND USE AND PLANNING. Would the proposal:				
a) Conflict with general plan designation or zoning?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be incompatible with existing land use in the vicinity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. POPULATION AND HOUSING. Would the proposal:				
a) Cumulatively exceed official regional or local population housing projections?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace existing housing, especially affordable housing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
III. GEOLOGIC PROBLEMS. Would the proposal result in or expose people to potential impacts involving:				
a) Fault rupture?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Seismic ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Seiche, tsunami or volcanic hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Landslides or mudflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues (Supporting Information Sources):		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f)	Erosion, changes in topography or unstable soil conditions from excavation, grading, or fill?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Subsidence of the land?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	Expansive soils?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i)	Unique geologic or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

IV. WATER. Would the proposal result in: ☐

a)	Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Exposure of people or property to water related hazards such as flooding?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Discharge into surface waters or other alteration of surface water quality (e.g. temperature, dissolved oxygen or turbidity)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Changes in the amount of surface water in any water body?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Changes in currents, or the course or direction of water movements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations, or through substantial loss of groundwater recharge capability?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Altered direction or rate of flow of groundwater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Impacts to groundwater quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i)	Substantial reduction in the amount of groundwater otherwise available for public water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

V. Air Quality. Would the proposal: ☐

a)	Violate any air quality standard or contribute to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Expose sensitive receptors to pollutants?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Wackenhut Community Correctional Facility Annexation
Initial Study/Proposed Mitigated Negative Declaration

Issues (Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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VIII. ENERGY AND MINERAL RESOURCES. Would the proposal:

- a) Conflict with adopted energy conservation plans?
- b) Use non-renewable resources in a wasteful and inefficient manner?
- c) Result in the loss of availability of a known mineral resource that would be of that would be of future value to the region and the residents of the State?

IX. HAZARDS. Would the proposal involve:

- a) A risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals, or radiation)?
- b) Possible interference with an emergency response plan or emergency evacuation plan?
- c) The creation of any health hazard or potential health hazard?
- d) Exposure of people to existing sources of potential health hazards?
- e) Increased fire hazard in areas with flammable brush, grass, or trees?

X. NOISE. Would the proposal result in:

- a) Increases in existing noise levels?
- b) Exposure of people to severe noise levels?

XI. PUBLIC SERVICES. Would the proposal have an effect upon, or result in a need for new or altered governments services in any of the following areas.

- a) Fire protection?
- b) Police protection?
- c) Schools?

Issues (Supporting Information Sources):

d) Maintenance of public facilities, including roads?

e) Other governmental services?

XII. UTILITIES AND SERVICE SYSTEMS. Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

a) Power or natural gas?

b) Communications system?

c) Local or regional water treatment or distribution facilities?

d) Sewer or septic tanks?

e) Storm water drainage?

f) Solid waste disposal?

g) Local or regional water supplies?

XIII. AESTHETICS. Would the proposal:

a) Affect a scenic vista or scenic highway?

b) Have a demonstrable negative aesthetic effect?

c) Create light or glare?

XIV. CULTURAL RESOURCES. Would the proposal:

a) Disturb paleontological resources?

b) Disturb archaeological resources?

c) Affect historical resources?

d) Have the potential to cause a physical change which would affect unique ethnic cultural values?

e) Restrict existing religious or sacred uses within the potential impact area?

Potentially Significant Impact

Potentially Significant Unless Mitigation Incorporated

Less Than Significant Impact

No Impact



Issues (Supporting Information Sources):	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact

XV. RECREATION. Would the proposal:

- a) Increase the demand for neighborhood or regional parks or other recreational facilities? ☒
- b) Affect existing recreational opportunities? ☒

XVI. MANDATORY FINDINGS OR SIGNIFICANCE.

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? ☒
- b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? ☒
- c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) ☒
- d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? ☒

14. Discussion and Mitigation Measures

Section I: Land Use and Planning

The proposed project is inconsistent with the current Huron General Plan. Currently land proposed for the project is designated as residential reserve and single family residential on the General Plan Land Use Map. The proposed use would be inconsistent with the uses allowed within these current designations. The City of Huron is proposing to amend it's General Plan to re-designate the land to Public Facilities which would allow a finding of consistency for this project with the General Plan. The portion of the land which lies in the unincorporated territory is zoned as AE-20 Agricultural Exclusive, 20 acre minimum parcel size by Fresno County. The proposal to annex the land and pre-zone as Public Facilities (PF) would make the proposed use consistent with the Huron General Plan.

The proposed project is inconsistent with the Huron Zoning Ordinance as a portion (10 acres) is part of an existing defunct residential subdivision. The City is in the process of acquiring this 10 acres and processing a reversion to acreage application as part of the proposed project. The City is also proposing to re-zone the 10 acres it is acquiring from R-1 Single Family to PF Public Facilities. With the approval of the re-zoning the proposed project would be consistent with the City of Huron Zoning Ordinance.

The City's General Plan includes approximately 543 acres of currently undeveloped land which is designated for residential development. The proposed project would reduce that amount by approximately 54 acres, leaving about 489 acres which could be developed for future residential uses. In a recent analysis prepared for the City which used an average growth rate of about 3% annually, it was estimated that approximately 282 acres of residential land will be required by the year 2020 to accommodate projected growth. It is estimated that this additional land will be necessary to accommodate an increase of 5,338 in Huron's population. An amendment to the City's General Plan removing 54 acres from the available land for residential development would leave 173% of the land needed for residential development in the General Plan. A factor of 70% more than is projected to be needed is a sufficient market factor to ensure competition among property owners for future residential development. The reduction in the amount of land available for residential development is not considered a less than significant impact.

The City's proposal also proposes to amend the General Plan to re-designate School/Park land use to Light Industrial. There is sufficient land to the south and east within the current General Plan boundary for the development of a school/park facility nearer planned residential development. The conversion of the proposed project site to Public Facilities would remove a substantial demand for a future school/park in this location shown on the current General Plan. This is considered a less than significant impact.

The proposed project will convert approximately 54 acres of cotton cropland into an essentially urban use. Cotton production ranked 2nd in Fresno County crops by dollar value generating more than \$458 million during the year 1997.¹¹ Upland cotton lint harvested in 1997 amounted to 318,000 acres which produced 827,000 bales at an estimated value of \$312.6 million. It is estimated that average cotton production is 1,300 lbs. of cotton lint per acre¹². At \$0.75 per pound, this project would generate

¹¹ 1997 Agricultural Crop and Livestock Report, Fresno County Department of Agriculture, 1997, pg. lv.

¹² Ibid. pg. 1

approximately \$52, 650 annually in income from cotton from the project site. This represents approximately 0.017% of the County total. The land that is proposed to be taken out of production also represents 0.017% of the total cotton acreage in Fresno County. This is considered a less than significant impact.

Approximately 38 acres of the land proposed to be annexed to the City of Huron is currently in an agricultural preserve contract (AP 3691) with Fresno County. The proposed Parcel Map will separate out that portion of APN 075-032-46 which will be annexed to the City. Upon annexation the City will succeed to the agricultural preserve contract currently held by Fresno County (§51235 Government Code). The proposed use of a community correctional facility is an urban use not compatible with an agricultural preserve (§51201). Therefore, the City of Huron as part of the project approval process will be charged with canceling the agricultural preserve contract upon the adoption of the appropriate ordinance (§51231) pursuant to §51280 of the Government Code. This provision requires the City to make one of the following findings:

- (1) That the cancellation is consistent with the purposes of the Williamson Act; or
- (2) That cancellation is in the public interest.

According to the Williamson Act, cancellation of a contract is consistent with the provisions of the Act if the City Council makes all of the following findings:

- (1) That the cancellation is for and on which a notice of non-renewal has been served pursuant to §51245.
- (2) That cancellation is not likely to result in the removal of adjacent lands from agricultural use.
- (3) That cancellation is for an alternative use which is consistent with the applicable provisions of the City General Plan.
- (4) That cancellation will not result in discontinuous patterns of urban development.
- (5) that there is no proximate non-contracted land which is both available and suitable for the use to which is proposed the contracted land be put, or , that development of the contracted land would provide more contiguous patterns of urban development than development of the proximate non-contracted land.

Upon the cancellation of the agricultural preserve contract the property owner is responsible for the payment of a fee as prescribed by the Williamson Act statutes for removal of the land from the agricultural preserve.

According to the Fresno County Assessors Map for the unincorporated territory surrounding the City of Huron, it is almost entirely surrounded by lands which are in agricultural preserve contracts with Fresno County (See Figure 3). Any proposal for urban development consisting of 44 acres adjacent to the existing urban area would involve consideration of property currently in agricultural preserves.

Consistent with the provisions of §51282 of the Government Code, the City of Huron can make the finding that the proposed project is in the public interest. This finding is supported by the fact that the proposed community correctional facility represents the potential for a substantial increase in the number of non-agricultural jobs available in the City. As such the project aids the City in its efforts to diversify its economy and reduce the dependency on agriculture as the main source of employment in the City. The community correctional facility will also increase the potential for additional property tax and sales tax revenues in the City, and generate supplemental business opportunities for local residents in the areas of retail sales, services and supplies. The amount of land removed from agriculture is minuscule compared to the economic benefits that the alternative use will provide to the community.

The land proposed to be removed from the agricultural preserve is unique compared to other land proximate to the City that are not currently in agricultural preserves. Land to the north is not available for this use. The land to the north would require the extension of City services to an area not directly contiguous to developed property in the City. This extension of services has been determined by the City to require substantial improvements to the City's public utilities that are not currently envisioned. On the other hand, extension of City's services to the project site would represent only a minor extension of existing services well within the capacity of the City to provide. The community correctional facility is considered an urban use and development on the nearest large parcel alternative not in agricultural preserve would leave large areas of agricultural land between the existing urban area of the City and the project at the alternative site. This spatial relationship would tend to put pressure on the intervening agricultural land to prematurely convert to urban use as well.

While other remote sites could be considered, they would not have the benefit of direct access to major circulation elements in the City and the extension of public services would be a substantial expense.

There are no mitigation measures associated with Land Use considerations for this project.

Section II: Population and Housing

The proposed project would not exceed regional or local population projections as the proposed project would increase the City's population by numbers that would be identified as group quarter residents. The estimated annual population growth rate for the City of Huron would remain at 3%.

The proposed project could generate new housing development in the City to provide for employees of the project. This growth in housing and the potential diversity to the City's economy is considered desirable by the City.

There would some positive impacts to the City as population based subventions from the State of California would be increased based on the City's total population including those in group quarters.

There are no mitigation measures associated with Population and Housing considerations for this project.

Section III: Geology

Construction of the proposed project will result in the displacement and over-covering of the soil necessary in the construction of roads and buildings. Analysis performed determined that there are no geologic substructures or unique physical features in the area.

The proposed project could be subject to geologic and seismic hazards, such as earthquakes and subsidence. Implementation of Uniform Building Code (U.B.C.) regulations and provisions will minimize adverse impacts from seismic movements.

There are no mitigation measures associated with geologic considerations for this project.

Section IV. Hydrology

The development of the project area will result in changes in absorption rates, drainage patterns and amount of surface water run-off. The construction of streets and other impermeable surfaces will decrease opportunities for infiltration of precipitation into the soil and increase total run-off. The project design includes construction of on-site stormwater drainage basins capable of holding 100 year flood events.

The source of domestic water is purchase of water from the Bureau of Reclamation, California Aqueduct. The City or the project will not use groundwater to serve the proposed use. There would be no additional reductions in groundwater level from the implementation of the project.

Because the proposed project will be required to contain and dispose of stormwater on-site, there could be a slight increase in contributions to groundwater recharge from the percolation of stormwater from the proposed project.

There are no mitigation measures associated with hydrologic considerations for this project.

Section V: Air Quality

Construction of the proposed project would temporarily increase particulate matter (PM₁₀) oxides of nitrogen (NO_x), reactive organic compounds (ROG) and carbon monoxide (CO) concentrations in the project vicinity. Motorized equipment traveling over exposed earth surfaces during construction, dirt clinging to truck wheels carried from the construction site onto roadways, dust escaping from loaded haul trucks during transportation of materials would be a major source of short-term PM₁₀ emissions, this is considered a potentially significant impact that can be mitigated by adherence to the San Joaquin Valley Unified Air Pollution Control District regulations and provisions.

Construction of the proposed project would potentially result in obstruction of access on adjacent roadways, which could temporarily cause localized increases in ambient CO emissions. Such increases are temporary and are not considered significant.

Adherence to the San Joaquin Valley Unified Air Pollution Control District Regulations VIII and implementation of the following mitigation measures would substantially reduce air pollutant short-term emissions generated during the project construction phase.

Mitigation Measures:

V-1 On-site vehicle speed on unpaved roadways shall be limited to 15 miles per hour.

V-2 Loaded haul trucks operating at speeds over 15 miles per hour, shall be equipped with tarpaulins or other effective covers, or shall maintain at least two feet of freeboard.

V-3 Water trucks shall be used regularly to reduce dust and particulate matter generated at the construction site(s) and along non-paved roadways.

V-4 Construction shall be restricted or banned on days of high winds (in excess of 30 miles per hour).

Implementation of the above mitigation measures consist including such measures as conditions of the Conditional Use Permit that is proposed for the project.

Section VI: Transportation/Circulation

The proposed project is expected to generate approximately 879 new vehicle (Table 4). Morning peak hour for the proposed project will occur between 6 am and 7 am when the night shift is leaving and the day shift is arriving. Peak AM hour traffic is expected to be approximately 190 trips. These trips are expected earlier than the AM Peak used in the recent traffic analysis. This proposed project would expand the anticipated AM Peak hours from 6 am to 9 am. It is expected that state employees, deliveries, transportation or arriving and departing inmates will begin occurring close to 8 am. Later morning traffic on weekends or holidays could include visitors. Assuming a worst case scenario where there is an overlap of the midnight shift and the day shift arriving and departing and it is a visitor day, the project may generate as many as 254 trips between 6 am and 9 am.

According to the recent traffic analysis¹³, forecasted 2020 traffic on Lassen Avenue would operate at LOS C. This forecast was based on existing traffic plus planned projects plus an increase in existing traffic escalated at 2% per year. Existing AM Peak hour traffic on Lassen Avenue (908) is forecasted to increase by 76% and continue to operate at LOS C by the year 2020. Considering the forecasted 190 peak hour trips from the proposed project, it will increase current peak hour traffic by 21%.

The proposed project would represent an increase of 66% above the current expected traffic from the defunct subdivision on approximately 12.5 acres. However, the traffic generated by this proposed use would be substantially less than the traffic generated by currently planned residential development occupying the same 54 acres and would generate less impact on City street systems.

Table 4
Comparison of Traffic Generated by the Proposed Project
With Traffic Generated by a Residential Development on 65 Acres

Use	Dwelling Units	Trips/Unit	Total Traffic
Proposed Project	0	n/a	879
Residential	243	10	2,430

The property owner and City are considering a re-design of the remaining 2.5 acres of residential land between the proposed project and the existing City Government Center. This redesign will create a north-south street and an additional connection to Lassen Avenue.

The City intends to condition the proposed Tentative Parcel Map to include dedication of a north-south street alignment between the extension of 12th Street (private street on the community correctional facility property) and the extension of Palmer Avenue. The Conditional Use Permit conditions will also include the improvement, at City standards, of the new north-south street and Palmer Avenue to Lassen Avenue as an alternative to using 12th Street as the only access to the project. These improvements would occur at such time when traffic congestion, in the City's judgment, requires developing alternative access to the project. Figure 16 shows the access to Lassen Avenue and the north-south street connecting to Palmer Avenue.

¹³ City of Huron Railroad Property Site Transportation Impact Analysis, Valley Research and Planning, June 1998

In consideration of the acceptable LOS C of Lassen Avenue in the year 2020, that the community correction facility will have an earlier peak hour, and that City will include conditions on the Tentative Parcel Map to require dedication of a north-south street to Palmer Avenue and also include conditions of approval in the Conditional Use Permit that the project developer will be required to construct an alternate connection to Lassen Avenue should traffic congestion at 12th Street and Lassen Avenue become problematic, the traffic impact is considered less than significant provided that the following mitigation measure is required:

Mitigation Measure:

VI-1 The City will include conditions on the Tentative Parcel Map to require dedication of a north-south street to Palmer Avenue and also include conditions of approval in the Conditional Use Permit that should traffic congestion at 12th Street and Lassen Avenue become problematic, that the project developer will be required to construct this alternate connection to Lassen Avenue

The proposed project shows a parking facility between the two elements of the community correction facility which contain approximately 270 parking spaces. The City staff has evaluated the number of parking spaces provided and found it to be adequate. There would be sufficient spaces to accommodate the overlapping shift changes, state employees and visitors. The peak demand for parking would occur between the midnight and the day shift. The overlap of demand would have passed by the time that additional spaces would be needed for state employees or visitors. Availability and location of parking for the proposed project is considered a less than significant impact.

Section VII: Biological Resources

A biological reconnaissance of the proposed project site was conducted by Hartesveldt Ecological Consulting Services on July 26, 1998. The complete Study is available from the City of Huron.

The project area has been leveled and used for agricultural for several decades. No vernal pools or other wetlands appeared to exist on the site.

The project and surrounding areas has been converted from natural terrestrial habitats to urbanized and agricultural lands. These lands are used by many native wildlife species. The regional availability of agricultural lands is so great that its conversion to urban use within the project area cannot be considered a substantial loss of habitat and, therefore is considered to be a less than significant impact.

There are no mitigation measures recommended for the Biological impacts.

Section VIII: Energy and Mineral Resources

Construction of the proposed project would result in the use of non-renewable resources. These materials include, but are not limited to, concrete, and petroleum products as fuel for construction equipment. During the operational phase of the project, electrical energy would not be consumed. The use and consumption of these resources would be typical, and as such, the use of natural resources is not considered to be a significant impact.

There are no mitigation measures recommended for the Energy and Mineral Resources.

Section IX: Hazards

Growth projected in the City of Huron, as well as, regional growth will have a substantial impact on the amount of traffic passing through the City along Lassen Avenue (State Route 269). As traffic increases, the risk of a hazardous waste accident involving vehicular traffic increases. Impacts relating to traffic and circulation are discussed in Section VI.

There are no mitigation measures recommended for Hazards.

Section X: Noise

Construction equipment used in the construction phase of the proposed project would cause a temporary increase in noise levels in and around the project site. According to the studies of heavy equipment noise the type of equipment expected to be used on this project may generate noise in the range of 80 to 95 dBA at 50 feet. This level of noise can be and the different frequency of sound generated from the equipment can be expected to disturb nearby sensitive receptors (residences) within 540 feet. Construction noise is not considered significant as it is short-term and usually not generated during nighttime hours. Implementation of the following mitigation measures would reduce the magnitude of construction generated noise impacts to a less than significant impact.

Mitigation Measures

X-1 To minimize noise impacts to nearby residents during noise sensitive periods, construction within 244 meters (800 feet) of existing residences shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturday. Construction activities shall be prohibited on Sundays and Holidays.

X-2 Contractor(s) shall locate stationary noise sources (e.g., compressors and generators,) 800 feet from residential areas.

Section XI: Public Services

The City of Huron provides law enforcement services for the proposed project area and the Fresno County Fire District provides fire protection. All City and County services are available to be extended to the proposed project. A plan of services has been prepared for the project in conjunction with the Annexation application submitted to Fresno County LAFCo.

The addition of two, 1,000 bed community correctional facilities represent the potential for increased service demands for the Huron Police Department. The community correctional facility maintains it's own trained security personnel which is supplemented by State Department of Corrections' Personnel and State Parole Agents. Based on the experience of other community correctional facilities the incidents of escapes and insurrections is very low and has not required the services of local law enforcement personnel or any mutual aid considerations.¹⁴ The proposed project will pay property taxes which will help generate additional revenue to the City of Huron for any supplemental equipment that is necessary to provide police services to the proposed project.

¹⁴ Dick Milwee, Wackenhut Corrections, McFarland facility, (personal communication), July 27, 1998 and

Inmates discharged from the facility will be released at the location of original sentencing. Inmates will be transported to those locations by State CDC transportation vehicles and not released into the City of Huron (unless originally sentenced in the City).

The demand placed on local law enforcement does not represent a significant impact. However, because of the nature of the facility, on-going communications between the City Police Department and the community correctional facility is required. This process is part of the operational characteristics of the community correctional facility.

The community correctional facility will be equipped with on-site fire suppression facilities (sprinkler system). The demand for local fire suppression services will be substantially minimized by such on-site systems. The building materials used in the construction of the community correctional center will be primarily of concrete and there will be very little combustible structural materials used in the proposed project. The impact on the Fresno Fire District will be less than significant. The proposed project will pay property taxes which will help generate additional revenue to the Fire District for any supplemental equipment that is necessary to provide fire services to the proposed project. As with law enforcement, on-going communications between the Fire District and the community correctional facility is required. This process is part of the operational characteristics of the community correctional facility.

There are no mitigation measures recommended for impacts on Public Services.

Section XII: Utilities and Services

Wastewater treatment, water supply and treatment, as well as, solid waste collection and disposal are available to be extended to the proposed project area by the existing service providers.

All public utilities, PG&E, Cable Television and Telephone services are available to be extended to the proposed project area by the individual provider.

a. Wastewater System

It is estimated that the proposed project would generate approximately 2,605 gallons per day in wastewater. The wastewater treatment plant is rated at 1 mgd and is currently operating at 0.6 mgd. The proposed project would increase the current wastewater treatment plant operation by approximately 0.04% and the addition of approximately of 2,605 gpd will not exceed the current capacity of the facility. This is not considered to be a significant impact.

The connection of the proposed correction facility to the current City collection system would require the extension of 8" lines. The amount of wastewater produced by the propose project is substantially less than the amount that would be produced by approximately 243 residential units that could be constructed on the residentially designated project site. A residential project would generate more than 88,000 gallons per day of wastewater. The proposed collection system is adequate to handle the approximately 2,605 gallons of wastewater generated from the proposed project (Table 5).¹⁵

¹⁵ Tri-City Engineering, City Engineer, Personal Contact, 7-28-98

Table 5**Estimated Wastewater Produced From Proposed Project**

Wastewater Production			
Population	Gal./day	Basis	Total GPD
Inmates	85	2,000	2,085
Employees	50	296	346
State	50	24	74
Employees			
Visitors	20	80	100
Total			2,605

b. Water System

The City of Huron source of domestic water is the California Aqueduct. It is estimated that the proposed project will use approximately 2,797 gallons per day. This amount of demand is within the current Capacity of the City to deliver given it's treatment and distribution system (Table 6).

The project area will be served by a new 8" main commencing at the above ground storage facility immediately to the west of City Hall. The storage facility consists of the 1.0 million gallon reservoir tank and booster pumps. The new line will loop the annexation providing both domestic and fire protection water.

Table 6**Domestic Water Demand from the Proposed Project**

Population	Gal./day	Basis	Total GPD
Inmates	155	2,000	2,155
Employees	111	296	407
State	111	24	135
Employees			
Visitors	20	80	100
Total			2,797

The amount of water that will used by the propose project is substantially less than the amount that would be required by approximately 243 residential units that could be constructed on the residentially designated project site. A residential project would use almost 162,000 gallons per day of domestic water. The City Engineer has determined that providing service to the proposed project will not have a substantial impact on the current City system.¹⁶

c. Storm Water System

The City of Huron's collection and disposal system does not extend to the proposed project's location. Land uses such as being proposed are required by City standards to create on-site stormwater

¹⁶ Ibid.

disposal facilities. In this case, a single or series of collection and disposal basins will be required by City development standards. The construction of on-site systems will not impact the existing City system nor create any additional stormwater collection or disposal demands for the City. The proposed project has incorporated into the site plan design on-site storage facilities for stormwater run-off. This necessarily means planning for a 100 year storm using Fresno County rainfall intensities and other local storm weather data.

The proposed project will have a less than significant impact upon utilities and services and no mitigation measures are proposed.

Section XIII: Aesthetics

While the on-site lighting is designed to be non-intrusive, any additional lighting represents a change in the existing environment. The level of the lighting will be more significant than if the site were developed as residential uses.

Perimeter security lighting will be provided by "low mast" low pressure sodium lights around the perimeter of the facility. These lights do not create substantial glare or spill over lighting normally associated with State Correctional Facilities, which tend to illuminate the night sky. The proposed lighting is low to the ground and is shielded to focus illumination into the facility boundaries.

The project description indicates that the proposed project will be constructed to ensure that no intrusive light will escape from the physical boundaries of the project site. The City intends to include in the conditions of approval for the Conditional Use Permit that some form of landscape barrier be constructed to minimize spill over lighting to nearby residential uses. Little screening is possible for increased glare from the proposed project lighting which reflects from buildings into the surrounding atmosphere. The proposed project will create a nighttime glow which is greater than a comparable residential development. However, such nighttime glow would be similar to any industrial type facility that could be built in the City's industrially designated areas. Such uses, if developed, would be in the same proximity to surrounding residential uses and create a change in nighttime lighting characteristics.

The City considers the change in nighttime lighting not to be a significant impact, however the nighttime lighting generated from the proposed project does represent a change that could be minimized with appropriate landscape screening. Such conditions should be included in the Conditional Use Permit. However, the City must balance the desired screening with security features of the proposed project.

Section XIV: Cultural Resources

The project site is not recognized as having any archaeological sensitivity. It is not likely that prehistoric or historic sites and artifacts could be located below the surface of the project site. A record search conducted by California State University Bakersfield, Department of Anthropology South Central Information Center noted no resources in or around the project area. However, there is the possibility that subsurface features could be uncovered during construction.

In the event the project would result in the disturbance of subsurface paleontological, archaeological or historical resources as a result of project construction, implementation of the mitigation measure would reduce this impact to a less-than-significant level.

Mitigation Measures

XIV-1 It shall be the responsibility of City of Huron Development Department to instruct equipment operators as to what to watch for while excavating and trenching soil, which could be a sign of a subsurface archaeological feature or deposit. In the event that any historic subsurface archaeological features or deposits, including animal bone, shell, obsidian, mortars, or human remains are uncovered during construction, work within 9 meters (30 feet) of the find(s) shall cease and a qualified archaeologist shall be contacted for determination of resource significance. In the event human remains are found, the County Coroner shall be notified.

Section XV: Recreation

The proposed project is not considered a growth inducing project that would require the creation of new or the expansion of existing park or recreation facilities. There are no nearby park/recreational facilities that would be directly impacted by the implementation of the proposed project. However, since the project in itself is not growth inducing the creation of jobs associated with the project development may impact the existing level of service currently being provided by the City for recreational/open space opportunities. Individual housing project initiated from the employment creation will be required to address impacts on recreational and open space needs.

14 Impacts adequately addressed:

Issue	Adequately Addressed	Adequately Addressed with Mitigation Measures
Land Use	X	
Population and Housing	X	
Geology	X	
Hydrology	X	
Air Quality		X
Traffic/Circulation		X
Biology	X	
Energy/Mineral Resources	X	
Hazards	X	
Noise		X
Public Services	X	
Utilities and Services	X	
Aesthetics	X	
Cultural Resources		X
Recreation	X	

15. Summary of Mitigation Measures, Implementation and Responsibility.

Air Quality:

V-1 On-site vehicle speed on unpaved roadways shall be limited to 15 miles per hour.

V-2 Loaded haul trucks operating at speeds over 15 miles per hour, shall be equipped with tarpaulins or other effective covers, or shall maintain at least two feet of freeboard.

V-3 Water trucks shall be used regularly to reduce dust and particulate matter generated at the construction site(s) and along non-paved roadways.

V-4 Construction shall be restricted or banned on days of high winds (in excess of 30 miles per hour).

Implementation of the above mitigation measures consist including such measures as conditions of the Conditional Use Permit that is proposed for the project.

Implementation: City of Huron Community Development Department during construction inspection.

Monitoring: City of Huron Community Development Department during construction inspection.

Traffic and Circulation:

VI-I The City will include conditions on the Tentative Parcel Map to require dedication of a north-south street to Palmer Avenue and also include conditions of approval in the Conditional Use Permit that should traffic congestion at 12th Street and Lassen Avenue become problematic, that the project developer will be required to construct this alternate connection to Lassen Avenue.

Implementation: City of Huron Community Development Department enforcement of CUP conditions.

Monitoring: City of Huron Community Development Department inspections.

Noise:

X-1 To minimize noise impacts to nearby residents during noise sensitive periods, construction within 244 meters (800 feet) of existing residences shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturday. Construction activities shall be prohibited on Sundays and Holidays.

X-2 Contractor(s) shall locate stationary noise sources (e.g., compressors and generators) 800 feet from residential areas.

Implementation: City of Huron Community Development Department during construction inspection.

Monitoring: City of Huron Community Development Department during construction inspection.

Cultural Resources:

XIV-1 It shall be the responsibility of City of Huron Development Department to instruct equipment operators as to what to watch for while excavating and trenching soil, which could be a sign of a subsurface archaeological feature or deposit. In the event that any historic subsurface archaeological features or deposits, including animal bone, shell, obsidian, mortars, or human remains are uncovered during construction, work within 9 meters (30 feet) of the find(s) shall cease and a qualified archaeologist shall be contacted for determination of

resource significance. In the event human remains are found, the County Coroner shall be notified.

Implementation: City of Huron Community Development Department during construction inspection.

Monitoring: City of Huron Community Development Department during construction inspection.

16. Earlier Analyses.

- a. City of Huron General Plan, 1986;
- b. City of Huron, Housing Element, 1996;
- c. United States Department of Agriculture, Soils Conservation Service, Preliminary Soils Survey and Classification of Western Fresno County, July 1998;
- d. City of Huron AB 1600 Development Fee Justification Study, Valley Planning Consultants, Inc., June 1998;
- e. City of Huron Railroad Property Site Transportation Impact Analysis, Valley Research and Planning Associates, June 1998;

17. Source References:

- a. U.S.G.S. Map, Huron Quadrangle, photo revised 1971;
- b. United States Department of Agriculture, Soils Conservation Survey, Preliminary Soils Classifications/Survey of Western Fresno County, 1998;
- c. Biological Reconnaissance, David Hartesveldt Ecological Consulting Service, July 26, 1998;
- d. Preliminary Site Reconnaissance Survey, Technicon Engineering, July 27, 1998;
- e. Federal Emergency Management Agency, FIRM Map, Community Panel Number 054029-1620-B, December 1982;
- f. Preliminary Plan for Services, Tri-City Engineering, July 27, 1998;
- g. City of Huron General Plan Land Use Designation Map, 1986;
- h. City of Huron Zoning Map, 1986;
- i. County of Fresno, General Plan Land Use Designation Map, 1998
- j. County of Fresno, Zoning Map, 1998
- k. Fresno County Assessor's Parcel Maps;
- l. State of California, Department of Conservation, Important Farmlands Maps, Fresno County, Currently not Mapped

18 Sources/Persons Consulted:

- a. Mr. Jim Doughty, Development Director, City of Huron;
- b. Mr. Oscar Ramirez, Tri-City Engineering, City of Huron Contract City Engineer;
- c. Mr. David Durham, United States Department of Agriculture, Soils Conservation Service;
- d. California State University Bakersfield, South Central Information Center;
- e. Mr. Cloid Shuler, Wackenhut Corrections Corporation;
- f. Mr. Stan Eddiger, Fresno County Public Works Department, Development Division;
- g. Mr. Jeff Tweedy, Fresno County Public Works Department, Development Division;

19. Report Preparation:

California Department of Transportation
Valley Planning Consultants, Inc.
 Checklist Preparers

Graphics

Production

Technicon Engineering
David Hartesveldt Ecological Consulting
Tri-City Engineering

Thomas Skinner, Principal
 William Skinner, Associate Planner
 Charles Przybylski, Assistant Planner
 Jacob Skinner, Planning Technician
 Charles Przybylski, Assistant Planner
 Jacob Skinner, Planning Technician
 Kimberly Settle, Office Assistant

Distribution List

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c/o Planning/Development
Sacramento, CA 95860-0721

Fresno County
Environmental Health Department
c/o Planning/Development
P.O. Box 11867
Fresno, CA 93775

PG&E
c/o Planning/Development
240 Coalinga Plaza
Coalinga, CA 93210

Fresno County Board of Supervisors
c/o Jose Barraza
2281 Tulare Street
Fresno, CA 93721

Fresno County Fire Protection
c/o Paul Smith
210 Academy Avenue
Sanger, CA 93547

Coalinga-Huron Unified School District
c/o Pat Lewis
547 Sunset
Coalinga, CA 93210

Fresno County Sheriff
c/o Steve Magarian
2200 Fresno Street
Fresno, CA 93721

SJVUAPCD
c/o Scott Nester
1999 Tuolumne Street
Fresno, CA 93721-1638

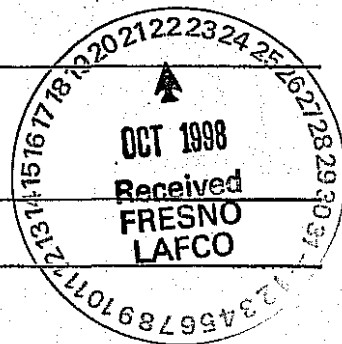
Fresno County Development Services
c/o Kerry L. McCants
2200 Tulare Street
Fresno, CA 93721

California Department of Transportation
c/o Moses Sites
1352 West Olive Avenue
P.O. Box 12161
Fresno, CA 93778

FRESNO LOCAL AGENCY FORMATION COMMISSION LANDOWNER CONSENT FORM

Name of Proposal DETACHMENT FROM CITY DIMITSON

Description of Proposal:

Annex to COUNTY OF FRESNODetach from CITY OF HURON

Each of the undersigned represents that they are the owner of the property described opposite their name and located within the territory described in the attached legal description, and hereby consents to the change of organization or reorganization described above of said property to the above named city and/or district.

Date	Name	Address	Property Description or County Assessor's Parcel Number
10-22-98	J. P. E. [Signature]	P.O. Box 215, Huron, CA 93234	75-03-58S
10-22-98	J. M. [Signature]	P.O. Box 215, Huron, CA 93234	75-03-57S
		2295 W. Cleveland Ave	
		M. A. [Signature]	9837

The legal description of the territory proposed for change of organization or reorganization must be attached at the time consent is signed.

Each individual listed on the last equalized assessment roll of the county must sign for the subject parcel(s).

Note: If you are an applicant for, or a participant in any proceeding on the agenda and have made a campaign contribution of \$250 or more to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (Government Code Section 84308).

Reference: Section 56837, Govt. Code.
Revised 1/87

LAND USE ASSOCIATES

Bruce O'Neal, AICP
Principal

Post-It® Fax Note	7671	Date	10/13	# of pages	1
To	Mary Panter	From	Bruce O'Neal		
Cto./Dept		On			
Phone #		Phone #			
Fax #	495-0655	Fax #			

October 13, 1998

Mr. Kerry McCants, Principal Staff Analyst
Fresno County Public Works & Development Services Department
2220 Tulare Street, Sixth Floor
Fresno, CA 93721

Dear Mr. McCants:

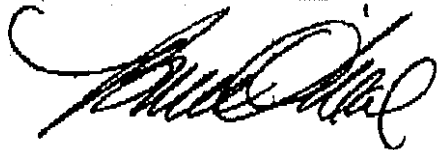
The City of Huron proposes to expand its Sphere of Influence and annex approximately 44 acres to develop a private correctional facility. In accordance with Article 2.2 of the MOU between Fresno County and Huron, the City requests concurrence with the City's position that the annexation meets the terms of the MOU.

Wackenhut Corrections proposes to construct two adjacent 1,000 bed facilities on approximately 54 acres, ten of which are already within the city. The project location, site plan, SOI expansion, and annexation are shown on the attached figures. The City has approved a GPA, rezoning, CUP, and negative declaration and has filed an application with LAFCO for the SOI expansion and annexation. All approvals are on file with the City and available for review.

In association with the Wackenhut annexation, and to reduce impacts on agricultural land, the City will seek detachment of approximately 160 acres (see attached figures). The owner will maintain the land in agriculture and is served by the Westlands Water District. The annexation and detachment would be contingent on Wackenhut successfully securing State prison funding. If the property is detached, the City desires to maintain acreage above that needed to match the Wackenhut annexation (about 116 acres) as a "mitigation bank" to offset future annexation impacts.

Should you have questions or need more information, please call. Thank you for your prompt attention to this matter.

Sincerely,
LAND USE ASSOCIATES



Bruce O'Neal, AICP
Huron Contract Planner

cc Al Puente
Marvin Panter

APPLICATION INFORMATION AND MAPS

AFFECTED AREA:

Land Use: cotton farming Acreage: 45

Number of Residences: 0 Population: 0

Landowners: 1 Registered Voters: 0

County Zoning: AE-20 City Zoning Upon Annexation: PF
(Public Facilities)

Agricultural Preserves/Contracts: Yes, AP #3694 The City of Huron intends to cancel the contract following annexation.

Agricultural Lands: Yes, the area is considered prime agricultural land by the Soil Conservation Service.

Proposed Development: Community Correctional Facility, 2000 beds, to be constructed in two phases of 1,000 beds each.

SURROUNDING AREA:

The surrounding area generally is: agricultural land to the north, south, and west. Urban uses in the City to the east, specifically the city hall and fire station, commercial along the highway.

CONSISTENCY WITH SPHERE OF INFLUENCE AND CITY AND COUNTY
GENERAL AND SPECIFIC PLANS: (Maps attached)

Consistency with adopted Sphere of Influence:

The annexation is not consistent with the City sphere of influence.

Conformity with City and County General Plans, which show the following:

City – Public Facility, as recently amended.

County - agriculture

CONSISTENCY WITH COMMISSION STANDARDS:

210 STANDARDS FOR ANNEXATION TO CITIES AND URBAN SERVICE
DISTRICTS

- 01 Proposal is consistent with the adopted spheres of influence and does not conflict with the goals and policies of the Commission
- 02 Proposal is consistent with city or county general and specific plans, including adopted goals and policies.
- 03 Proposal shows that there is insufficient available land within the community plan area, consistent with the community plan, to accommodate the proposed development.
- 04 Proposal mitigates any significant adverse affect on continuing agricultural operations on adjacent properties.
- 05 Proposal would result in planned, well ordered, efficient development patterns and service areas, and does not encourage urban sprawl.
- 06 Proposal shows that there is existing substantial development or gives indication of future development, thereby requiring urban services.

If no existing substantial development, a condition assuring that substantial development will occur upon annexation shall be made a part of the proposal.
- 07 Proposal shows that development can be provided all urban services and improvements or facilities necessary, as shown by the service plan and application.
- 08 Proposal would not create islands. Boundaries minimize creation of peninsulas and corridors, or other distortion of boundaries, and should include any developed islands or substantially surrounded area with the proposed developing area.
- 09 Proposal includes mitigation of any significant adverse affect to subject or affected agencies through transition agreement or other means.

EXISTING SERVICE AGENCIES AND PROPOSED SERVICE CHANGES:
(Maps attached)

	EXISTING	CHANGE
Water:	None	City of Huron
Sewer:	None	City of Huron
Fire Protection and Distance:	Fresno Co. Fire, 1,000 feet	Same

Service Plan attached.

COSTS AND OTHER CHANGES AFFECTING RESIDENTS/LANDOWNERS:

General bonded indebtedness of affected agencies: No

PROPERTY TAX EXCHANGE DATA:

Under the property tax agreement the following exchange would occur the first fiscal year following annexation based on current tax data: None

Total Assessed Value: \$114,941

Wackenhut Prison Annexation Plan of Services for the City of Huron

Waste Water System

The City of Huron owns and operates the wastewater treatment and disposal facilities in the SE 1/4 of Section 1, T205, R17E, MDB&M. The wastewater treatment facilities consist of a concrete headworks, Parshall flume, lift station, 3800 lineal feet of fourteen (14") inch force main, four non-aerated oxidation ponds, and three evaporation/percolation ponds.

The treatment plant is located north of Palmer Avenue and east of Siskiyou Avenue. The ponds comprise of a total area of 34.68 acres. The lift station discharges to the treatment ponds via 3800 feet of 14" force main. The plant is rated at 1 million gallons per day.

The area to be annexed will be served by two existing 8" sewer mains. The point of connection for the southerly main is on the west side of Lassen Avenue and is currently serving some commercial and residential lots. The northerly sewer main is located in Lassen Avenue and will be extended through the future Twelfth Street to the west to service the proposed annexation. See Exhibit for details.

Water System

The City of Huron purchases water from the Bureau of Reclamation, which is obtained from the California Aqueduct. The City's water system is comprised of three components; treatment plants No.2 and No.3 (Treatment Plant No.1 was previously abandoned), three water storage facilities and the water distribution system.

Treatment plants No.2 and No.3 have flow capacities of 825,000 gpd and 900,000 gpd, respectively. These plants are located north of Palmer, east of Siskiyou and west of the Wastewater treatment plant.

The existing water Storage facilities has a total capacity of 2.5 million gallons, which consists of a 1.0 million gallon above ground tank, a 0.5 million gallon above ground tank and a 1.0 million gallon underground storage facilities.

The proposed annexation area will be served by a new 8" main commencing at the above ground storage facility immediately to the west of City Hall. The storage facility consists of the 1.0 million gallon reservoir tank and booster pumps. The new line will loop the annexation providing both domestic and fire protection water. See Exhibit for details.

Storm Water System

The City of Huron is located near the base of a drainage basin that runs off into a natural drainage channel called the Arroyo Pasajero. The construction of the California Aqueduct created a barrier for the natural drainage floodwater. The Arroyo water was to be retained in a ponding basin and periodically discharged into the aqueduct. The Arroyo Pasajero channel passes approximately 2 miles north of Huron, with the ponding basin located to the east of the city. The ponding basin's northern boundary is formed by a training dike and its southern boundary is formed by the Gale Avenue crossing of the aqueduct.

The City has an approximately 7 acre ponding basin located south of Palmer and east of Giffen Drive. There are 3 additional small private basins of 0.25 acre or less, located in the northeast portion of the City.

The majority of the City storm drain system consists of surface flows through gutters in a northeast direction. A large portion of the City's storm water is retained in the ponding basin for the Arroyo Pasajero floodwaters.

The proposed development will be required to design and incorporate on-site storage of run-off. This necessarily means planning for a 100 year storm using Fresno County rainfall intensities and other local storm weather data.

Fire Prevention and Suppression

The Fresno County Fire District currently provides fire prevention and suppression services to the unincorporated territory and the City of Huron. The fire station serving the City of Huron and the surrounding territory is located within 1,000 feet of the proposed annexation area. The Fresno County Fire District will continue to provide fire services to the project area.

The proposed project will provide on-site fire suppression sprinkler system consistent with City Building Standards which will minimize the potential for substantial fire suppression services.

The Fresno County Fire District provides for fire impact fees to be assessed for new development.

Police and Public Protection Services

The Fresno County Sheriffs Office currently provides service to the unincorporated territory. Upon annexation the Huron Police Department will be responsible for providing services to the facility.

Huron maintains mutual aid agreements with the Fresno County Sheriff and the

California Highway Patrol. Wackenhut provides private correctional officers for services within the facility and the State Department of Corrections also has staff at the facility.

Streets and Roads

The City of Huron Public Works Department provides for street maintenance services. The proposed annexation and improvements will extend 12th Street approximately 1,000 feet to the west of Lassen Avenue. This addition to the maintained street system in the City of Huron is insignificant.

Timing of the Extension of Services

The property owner will be responsible for the extension of water and sewer services to the development site at the time the project is constructed. Access (public streets) will also be required to be constructed at the time of project development. At the time of occupancy, police and fire services will be provided.

Financing of Services

The property owner is responsible for providing for the cost extending services to the project site. Impact fees may be collected by the City and the Fresno County Fire District as allowed by Ordinance or as development impact measures.

Exhibit 'B'

Proposed Water Improvements SI-B2

City of Huron

Township 20 South, Range 17 East.

July 1998



TRI-CITY ENGINEERING
ENGINEERS SURVEYORS

4458 W. SPAATZ AVE. #102
FRESNO, CA 93722-3400
PH: 208-447-9075
FAX 208-447-9074
email: tricity@qnlx.net

224 E. COOLIDGE ST.
COALINGA, CA 93210
PH: 209-835-8051
FAX 208-835-6031

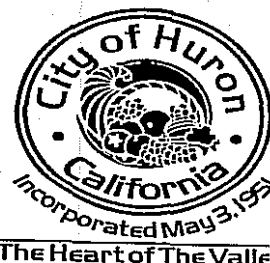
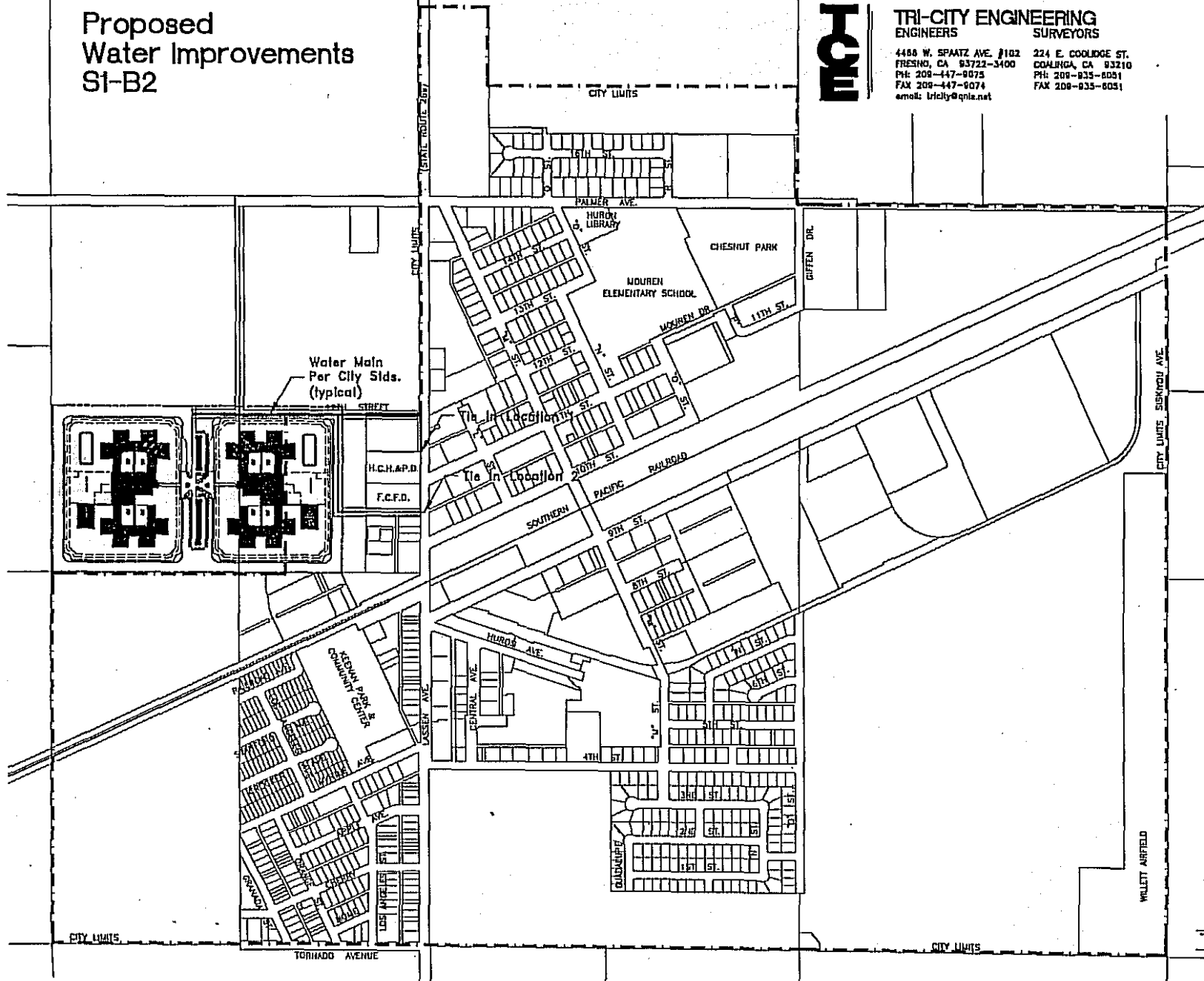


Exhibit "A"

Proposed
Sewer Improvements
S1-B2

City of Huron

Township 20 South, Range 17 East.

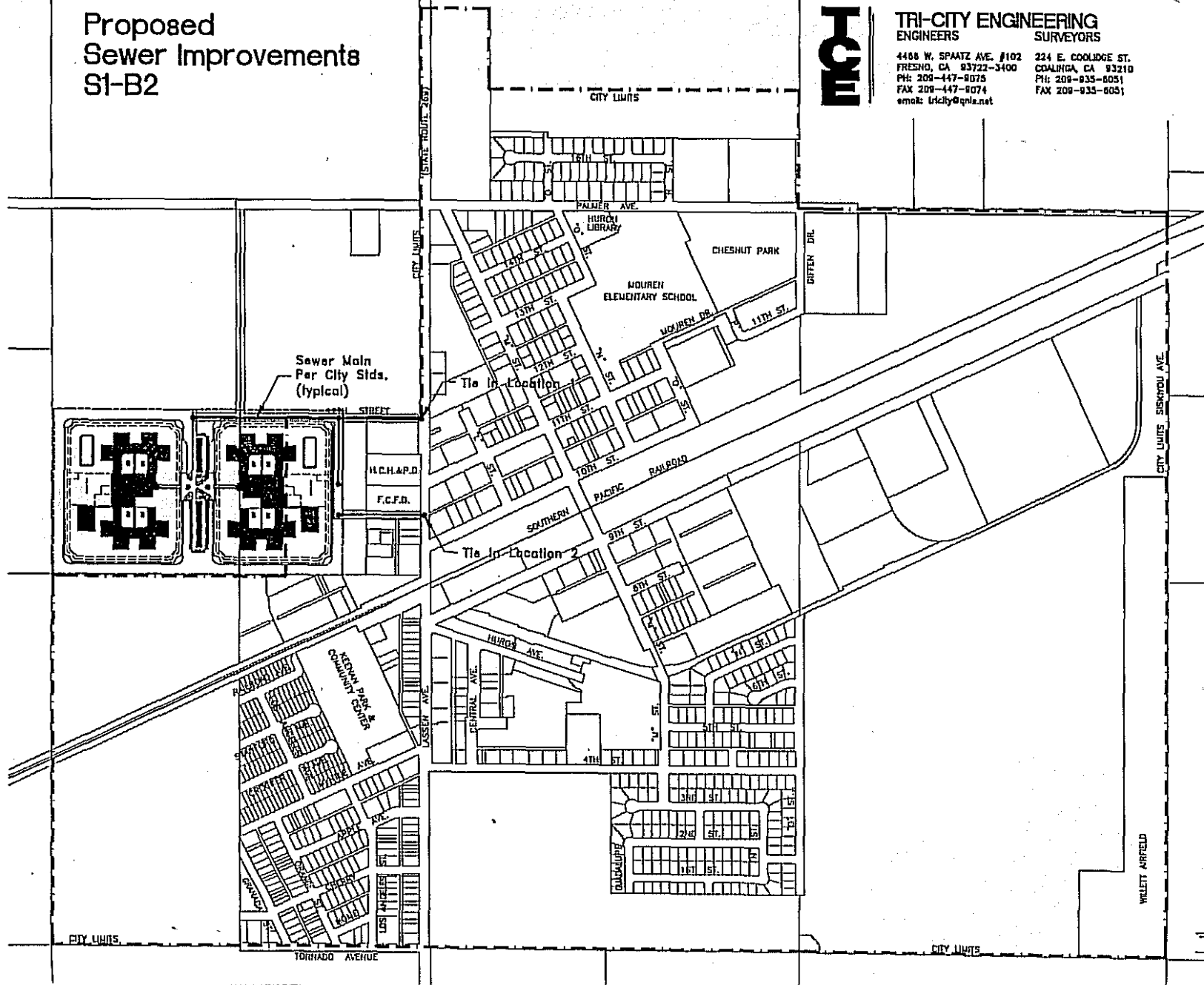
July 1998

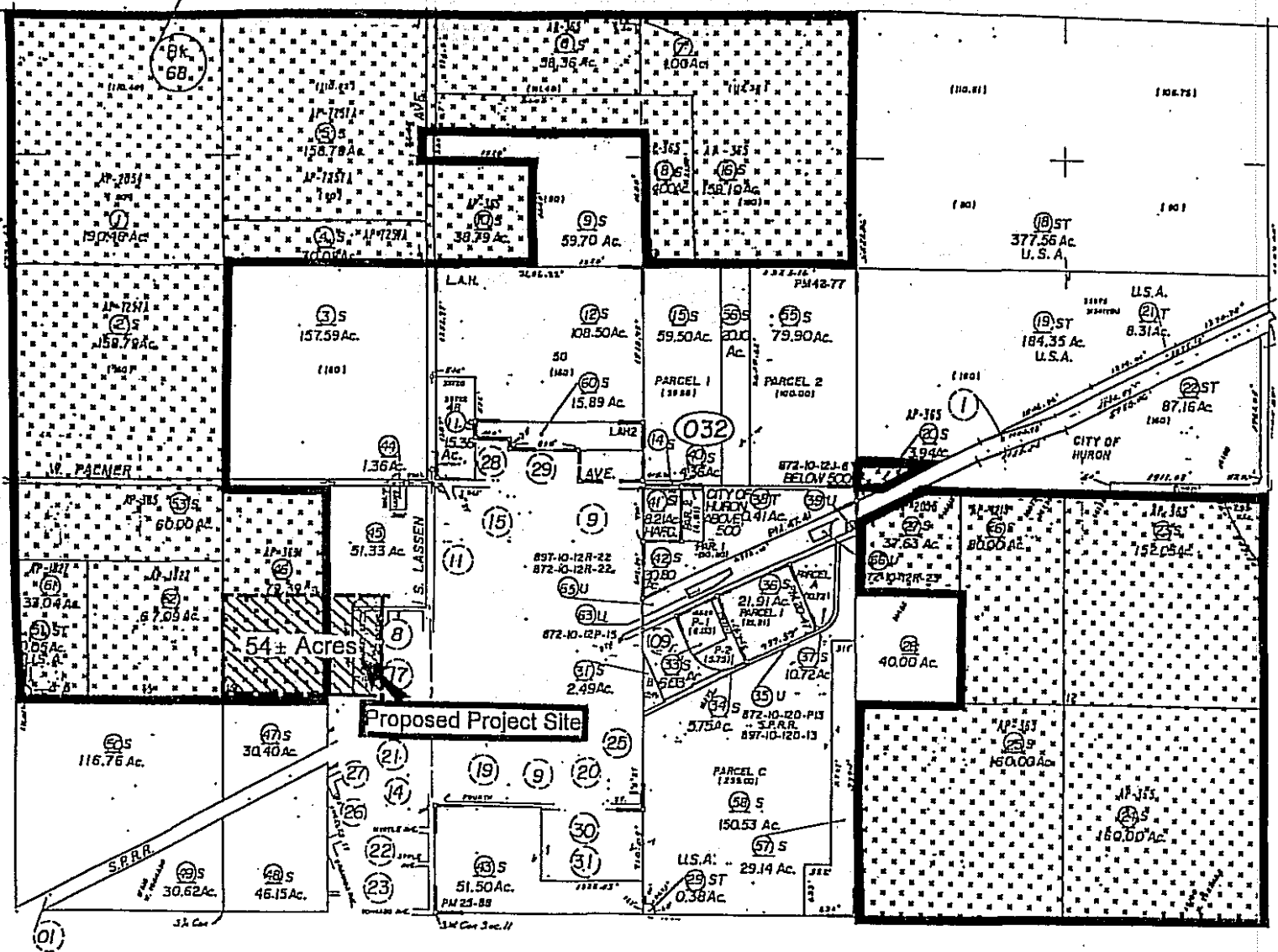
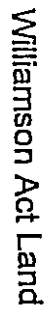


TRI-CITY ENGINEERING
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4408 W. SPAATZ AVE. #102
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224 E. COOLIDGE ST.
COALINGA, CA 93210
PH: 208-935-6051
FAX 208-935-6051





(County with Williamson Act Parcels shown)

Assessor's Parcel Map

**SUPPORTING DOCUMENTS AND WRITTEN COMMENTS
OF OTHER AGENCIES AND PUBLIC**

TERRITORY BOUNDARIES:

Boundaries **are** definite and certain; there **are** conflicts with lines of assessment ownership, but the Assessors Office indicates this will not be a problem.

The proposed annexation is contiguous to present boundaries on two sides.

The map and description **are** sufficient for filing with the State Board of Equalization.

REGISTERED VOTER DATA:

The Elections Office reports that on August 19, 1998, there were no registered voters in the affected territory.

COMPLIANCE WITH CEQA:

Lead Agency: City of Huron

Finding and date of finding: Mitigated Negative Declaration, dated August 4, 1998

Document attached.

PUBLICATION, POSTING, AND MAILED NOTICE:

Publication Newspaper and date: Fresno Business Journal, October 12, 1998

Notice posted and sent: October 12, 1998

Mailed by proponent to all landowners and residents on: October 12, 1998

Notice attached.

AFFECTED AGENCY AND SCHOOL DISTRICT COMMENTS: (Letters attached)

Stephanie Kahl, Environmental Health System

Steve Magarian, Sheriff

Coalinga-Huron Joint Unified School District

Dave Ciaponi, Westlands Water District

Carl Carlucci, State Department of Health Services

Karen Fullen, U.S. Soil Conservation Service

Landowner or Resident: (Letters attached)

Fresno Local Agency Formation Commission

Rowell Building • 2100 Tulare Street, Suite 502 • Fresno, CA 93721 ☎ (209) 495-0604 Fax (209) 495-0655

October 8, 1998

CERTIFICATE OF FILING

Mr. Al Puente, City Manager
City of Huron
P.O. Box 339
Huron, CA 93234

Dear Mr. Puente:

Subject: "Wackenhut Prison Annexation" Reorganization

This notice certifies that on October 8, 1998, pursuant to Section 56828 of the Government Code, the proposed reorganization for the City of Huron was accepted for filing with the Local Agency Formation Commission.

The date and place for the Local Agency Formation Commission's consideration of the subject proposal is October 28, 1998, in Room 301, Hall of Records, Tulare and "M" Streets, Fresno.

Sincerely,



Marvin L. Panter
Executive Officer

cc: Commissioners

NAMES OF LANDOWNERS OR PARTIES OF REAL INTEREST (Asterisk indicates consent):

George Wackenhut	Richard Wackenhut	Ruth Wackenhut
Howard Mouren	Juanda Mouren	John & Bernice Woolf
Willett Flying Service, Inc.		

Note: If you are an applicant for, or a participant in (actively supporting or opposing) any proceeding on the agenda and have made a campaign contribution of more than \$250 to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (Government Code Section 84308).

Chairman, Stan Oke
Board of Supervisors
Vice Chairman, Juan Arambulo
Board of Supervisors

Member
Larry Fortuna
Public Member
Victor Lopez, Mayor
City of Orange County
Trinidad Rodriguez, Mayor
City of Kern

Alternate Member
William Donleavy
Public Member
Sharon Levy
Board of Supervisors
Tom Stearns
City of Clovis

Executive Officer:
Marvin L. Panter

Fresno Local Agency Formation Commission

Rowell Building • 2100 Tulare Street, Suite 502 • Fresno, CA 93721 ☎ (209) 495-0604 Fax (209) 495-0655

October 18, 1998

Mr. Al Puente, City Manager
City of Huron
P.O. Box 339
Huron, CA 93234

Dear Mr. Puente:

I have discussed the matter of the property tax agreement with Mr. Kerry McCants, County of Fresno. He has informed me that a letter from the City in accordance with Article 2.2 of the Memorandum of Understanding (MOU) is required. The letter should request the County to concur with the City's position that the proposal meets terms of the MOU, and include information about the City proposal such as maps of the annexation and sphere revision, in addition to the recommendation discussed this morning for City detachment. He indicated that he would respond back to the City as soon as possible following receipt of the letter.

As agreed this morning, the City will provide landowner consent from the two landowners for detachment and a letter of recommendation from the City for the detachment. We are still waiting for the Negative Declaration from the City prior to making this a complete application and giving notice of hearing.

Sincerely,



Marvin L. Panter
Executive Officer

MLP:cf

Chairman, Stan Oken,
Board of Supervisors
Vice Chairman, Juan Arambula,
Board of Supervisors

Members:
Larry Fortune,
Public Member
Victor Lopez, Mayor,
City of Orange Cove
Trinidad Rodriguez, Mayor,
City of Kerman

Alternate Members:
William Donleavy,
Public Member
Sharon Levy,
Board of Supervisors
Tom Stearns,
City of Clovis

Executive Officer:
Marvin L. Panter

Wackenhut Prison Annexation Plan of Services for the City of Huron

Waste Water System

The City of Huron owns and operates the wastewater treatment and disposal facilities in the SE 1/4 of Section 1, T205, R17E, MDB&M. The wastewater treatment facilities consist of a concrete headworks, Parshall flume, lift station, 3800 lineal feet of fourteen (14") inch force main, four non-aerated oxidation ponds, and three evaporation/percolation ponds.

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Water Svstem

The City of Huron purchases water from the Bureau of Reclamation, which is obtained from the California Aqueduct. The City's water system is comprised of three components; treatment plants No.2 and No.3 (Treatment Plant No.1 was previously abandoned), three water storage facilities and the water distribution system.

Treatment plants No.2 and No.3 have flow capacities of 825,000 gpd and 900,000 gpd, respectively. These plants are located north of Palmer, east of Siskiyou and west of the Wastewater treatment plant.

The existing water Storage facilities has a total capacity of 2.5 million gallons, which consists of a 1.0 million gallon above ground tank, a 0.5 million gallon above ground tank and a 1.0 million gallon underground storage facilities.

The proposed annexation area will be served by a new 8" main commencing at the above ground storage facility immediately to the west of City Hall. The storage facility consists of the 1.0 million gallon reservoir tank and booster pumps. The new line will loop the annexation providing both domestic and fire protection water. See Exhibit for details.

Storm Water System

The City of Huron is located near the base of a drainage basin that runs off into a natural drainage channel called the Arroyo Pasajero. The construction of the California Aqueduct created a barrier for the natural drainage floodwater. The Arroyo water was to be retained in a ponding basin and periodically discharged into the aqueduct. The Arroyo Pasajero channel passes approximately 2 miles north of Huron, with the ponding basin located to the east of the city. The ponding basin's northern boundary is formed by a training dike and its southern boundary is formed by the Gale Avenue crossing of the aqueduct.

The City has an approximately 7 acre ponding basin located south of Palmer and east of Giffen Drive. There are 3 additional small private basins of 0.25 acre or less, located in the northeast portion of the City.

The majority of the City storm drain system consists of surface flows through gutters in a northeast direction. A large portion of the City's storm water is retained in the ponding basin for the Arroyo Pasajero floodwaters.

The proposed development will be required to design and incorporate on-site storage of run-off. This necessarily means planning for a 100 year storm using Fresno County rainfall intensities and other local storm weather data.

Fire Prevention and Suppression

The Fresno County Fire District currently provides fire prevention and suppression services to the unincorporated territory and the City of Huron. The fire station serving the City of Huron and the surrounding territory is located within 1,000 feet of the proposed annexation area. The Fresno County Fire District will continue to provide fire services to the project area.

The proposed project will provide on-site fire suppression sprinkler system consistent with City Building Standards which will minimize the potential for substantial fire suppression services.

The Fresno County Fire District provides for fire impact fees to be assessed for new development.

Police and Public Protection Services

The Fresno County Sheriffs Office currently provides service to the unincorporated territory. Upon annexation the Huron Police Department will be responsible for providing services to the facility.

Huron maintains mutual aid agreements with the Fresno County Sheriff and the

California Highway Patrol. Wackenhut provides private correctional officers for services within the facility and the State Department of Corrections also has staff at the facility.

Streets and Roads

The City of Huron Public Works Department provides for street maintenance services. The proposed annexation and improvements will extend 12th Street approximately 1,000 feet to the west of Lassen Avenue. This addition to the maintained street system in the City of Huron is insignificant.

Timing of the Extension of Services

The property owner will be responsible for the extension of water and sewer services to the development site at the time the project is constructed. Access (public streets) will also be required to be constructed at the time of project development. At the time of occupancy, police and fire services will be provided.

Financing of Services

The property owner is responsible for providing for the cost extending services to the project site. Impact fees may be collected by the City and the Fresno County Fire District as allowed by Ordinance or as development impact measures.

Exhibit "B"

Proposed Water Improvements S1-B2

City of Huron

Township 20 South, Range 17 East.

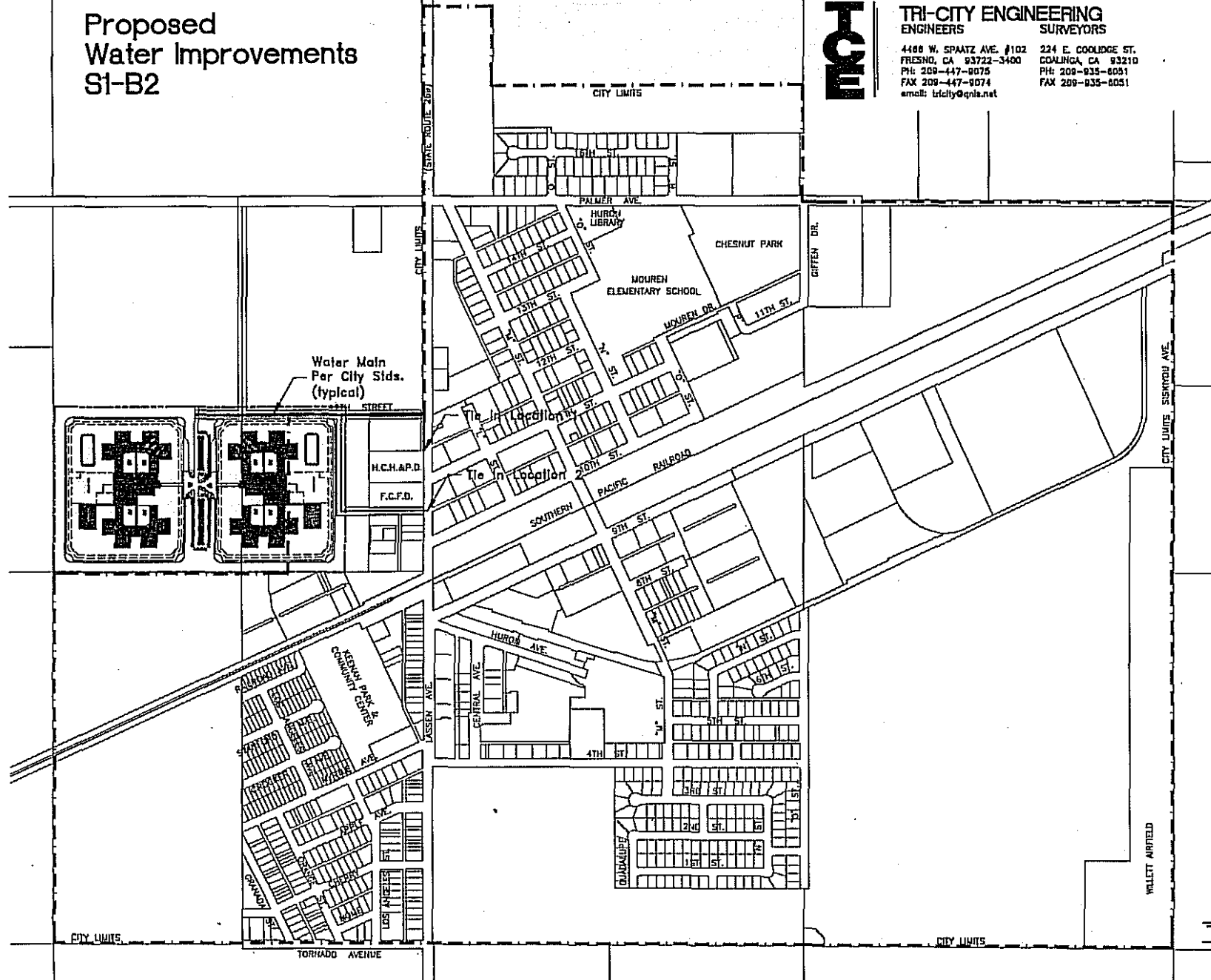
July 1998



TRI-CITY ENGINEERING
ENGINEERS SURVEYORS

4488 W. SPAATZ AVE. #102
FRESNO, CA 93722-3400
PH: 209-447-8075
FAX 209-447-8074
email: tricity@qnet.net

224 E. COOLIDGE ST.
COALINGA, CA 93210
PH: 209-835-6031
FAX 209-835-6031



The Heart of The Valley

Exhibit "A"

Proposed
Sewer Improvements
S1-B2

City of Huron

Township 20 South, Range 17 East.

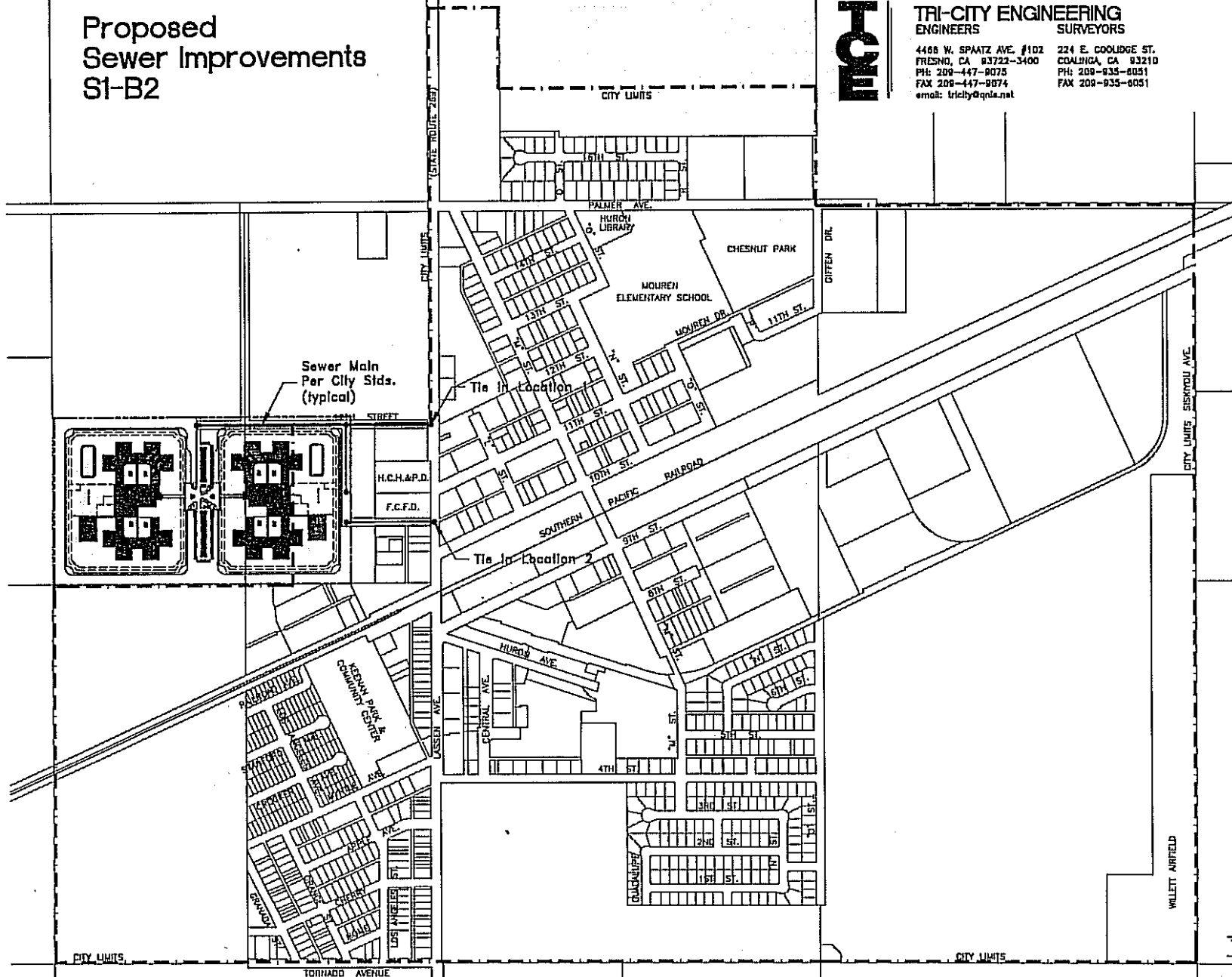
July 1998



TRI-CITY ENGINEERING
ENGINEERS SURVEYORS

4468 W. SPAATZ AVE. #102
FRESNO, CA 93722-3400
PH: 208-447-8075
FAX 208-447-8074
email: tricity@qnet.net

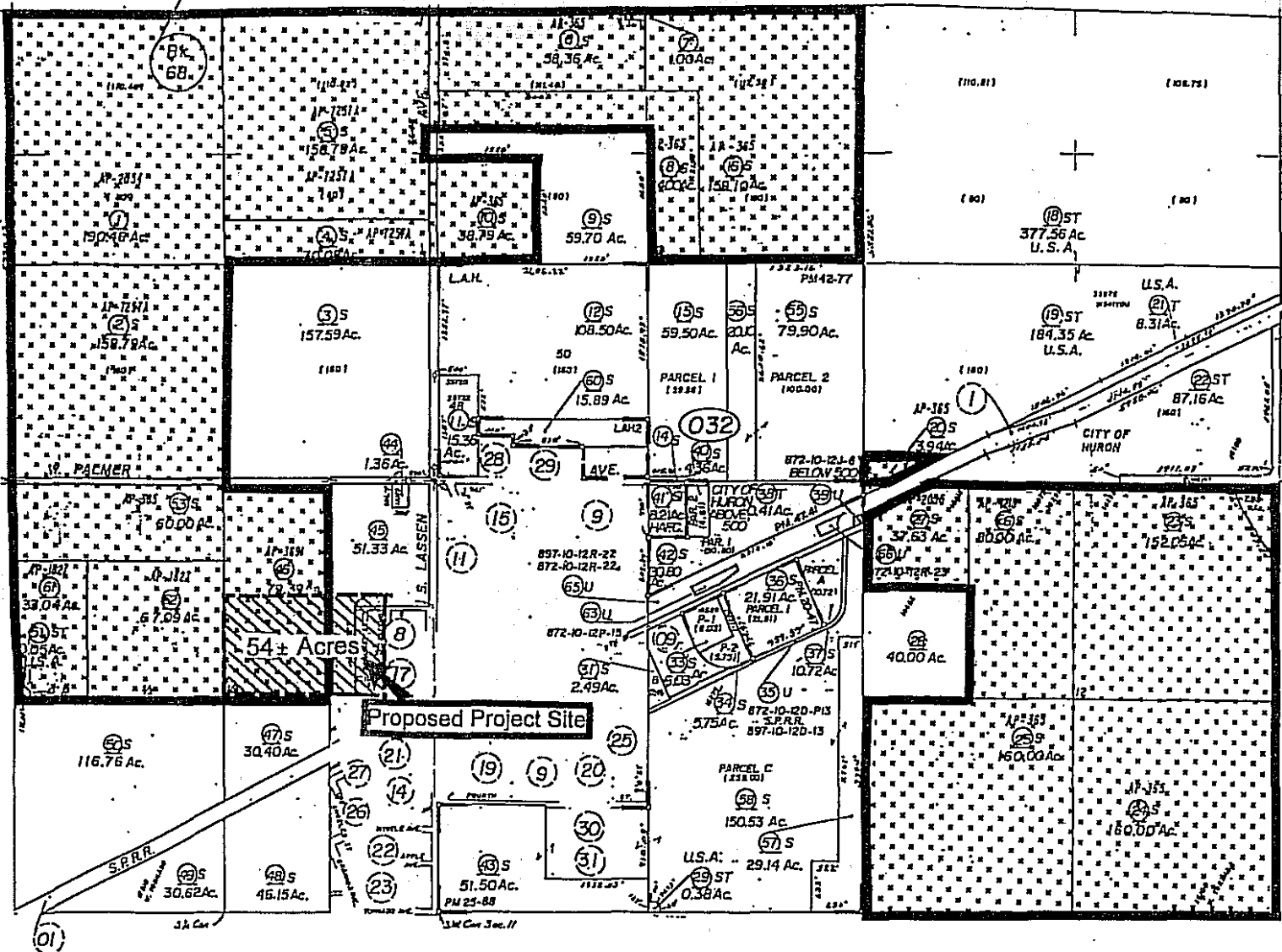
224 E. COOLIDGE ST.
COALINGA, CA 93210
PH: 208-835-6051
FAX 208-835-6051



The Heart of The Valley

Assessor's Parcel Map

(County with Williamson Act Parcels shown)



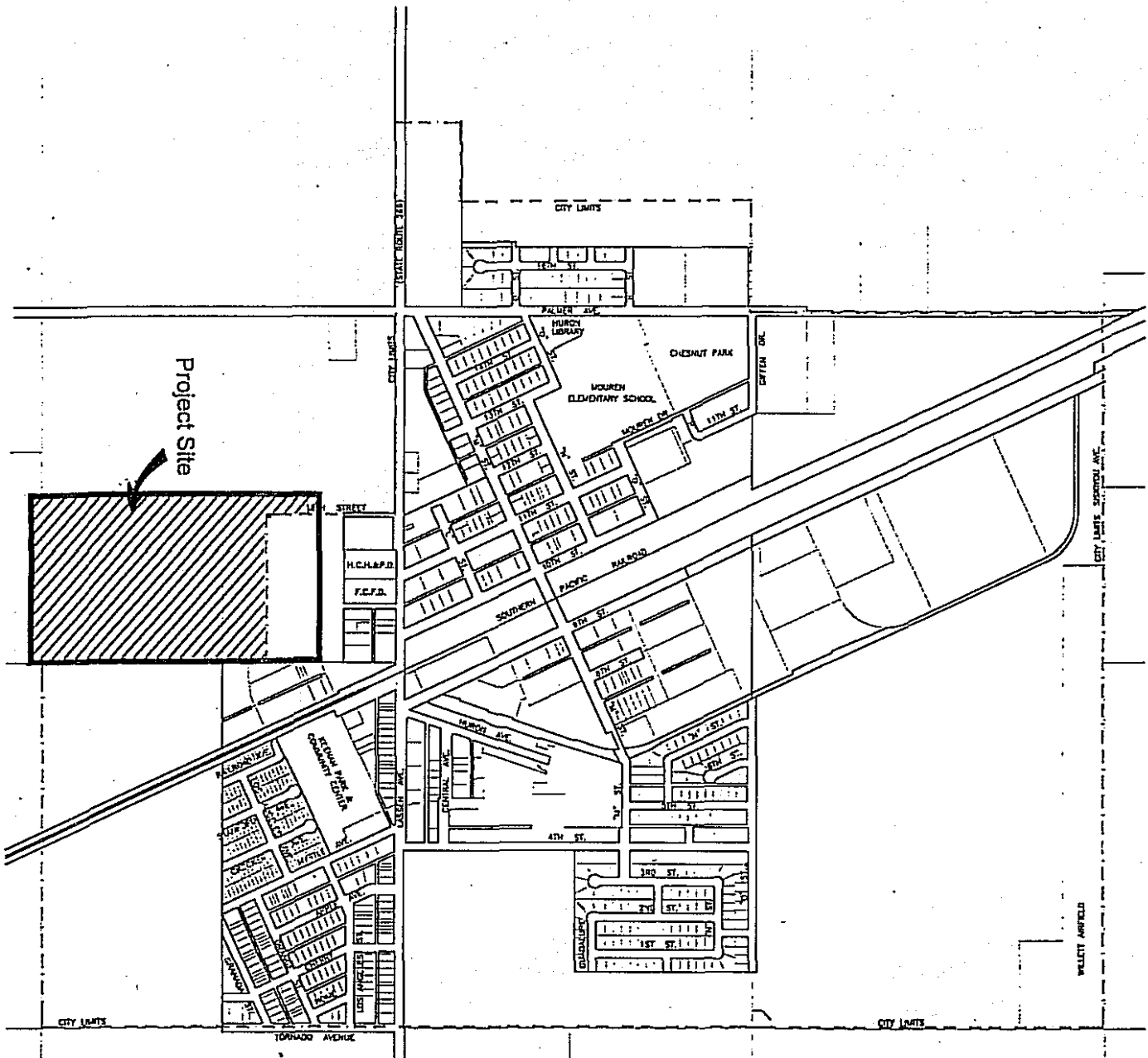
Williamson Act Land



Aerial Photo of Huron Area



Annexation Area



Area to be Annexed

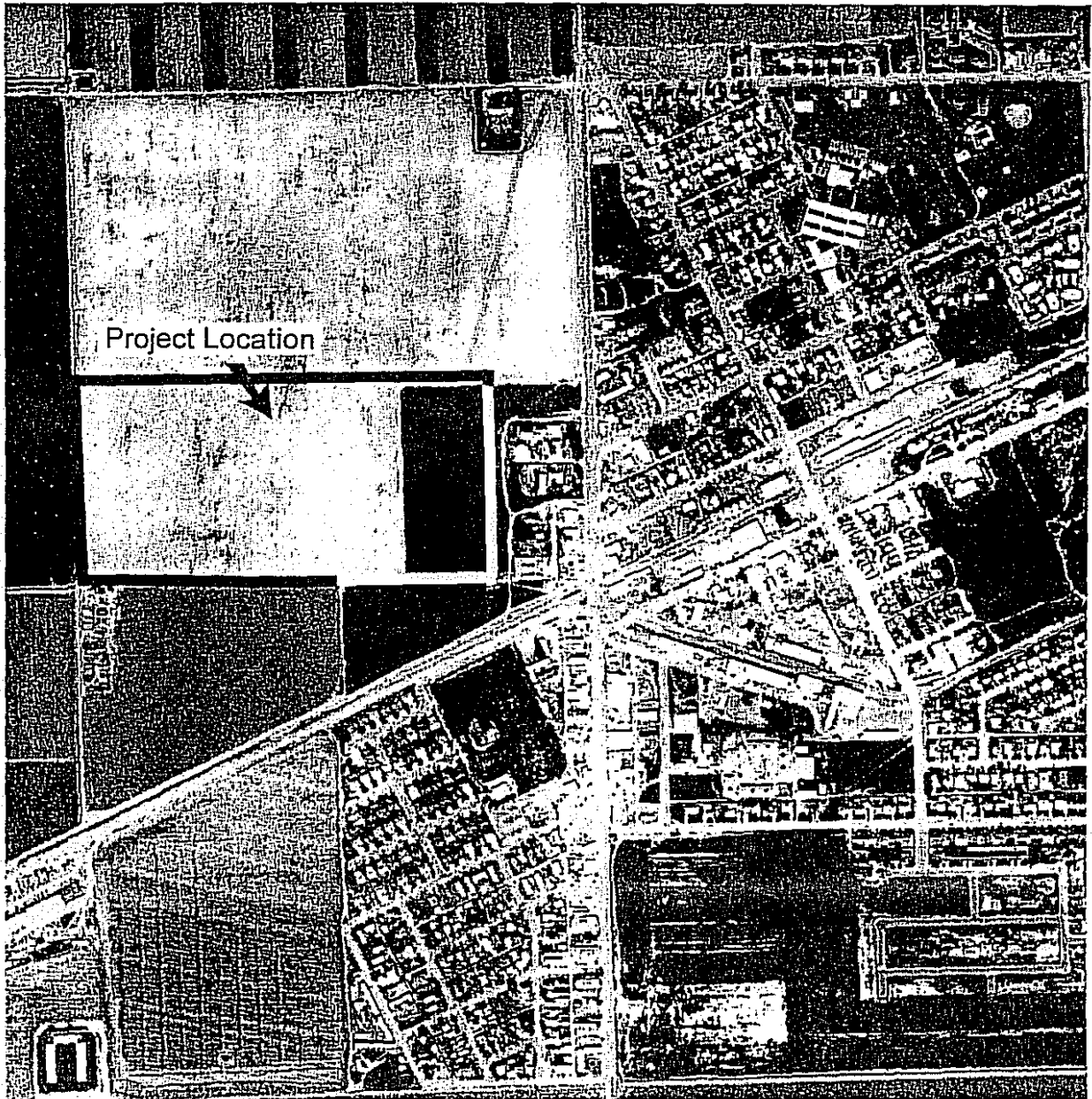


TRI-CITY ENGINEERING
ENGINEERS
SURVEYORS
4444 N. DAVIS AVE. SUITE 100
FRESNO, CA 93705
TEL: 208-447-4075
FAX: 208-447-4076
WWW: TRI-CITY-ENGINEERING.COM
234 E. CONCORD ST.
COVINGTON, LA 70044
TEL: 504-835-4001
FAX: 504-835-4002

(County with Williamson Act Parcels shown)



Aerial Photo of Huron Area



County of



Steve Magarian
Sheriff

August 24, 1998

Mr. Marvin L. Panter, Executive Officer
Fresno Local Agency Formation Commission
Rowell Building
2100 Fresno Street, Suite 502
Fresno, California 93721

RE: "Wackenhut Prison Annexation" Reorganization and Sphere of Influence
Revision for the City of Huron


Dear Mr. Panter:

We are in receipt of your letter dated August 13, 1998 regarding the above-referenced matter. Pursuant to your request for our review of this application, please be advised that our comments regarding this matter are contained within a letter dated August 24, 1998 to Mr. Jim Doughty, Director of Development, City of Huron. A copy of this letter is attached for your information and review. This letter, in essence, represents our comments in this matter.

Accordingly, we believe that this private prison proposal will have a significant impact on law enforcement with respect to the "Public Services/Police Protection" segment of the environmental document involved in this matter. Furthermore, we believe that until the public safety issues and concerns identified in our legal opinion request to the California Attorney General have been fully addressed and resolved, consideration for approval of this proposed annexation would be premature at this time.

Thank you for the opportunity to review and comment on this application.

Sincerely,


Steve Magarian
Sheriff

Attachments (2)

cc: Al Puente, Huron City Manager
Daniel T. McCloskey, Huron City Attorney
Pam Carozza, Fresno County Deputy Administrative Officer

G:\Administration\Administration\SHERIFF\Jail Privatization\Panter response.doc



Dedicated to Protect & Serve

Law Enforcement Administration Building/2200 Fresno Street/P.O. Box 1788/Fresno, California 93717/(209) 488-3939

Equal Employment Opportunity - Affirmative Action - Disabled Employer

August 24, 1998

Jim Doughty, Director of Development
City of Huron
36311 Lassen Avenue
Post Office Box 339
Huron, California 93234

RE: Wackenhut Correctional Facility, City of Huron

Dear Mr. Doughty:

We received your August 4, 1998 transmittal letter and mitigated Negative Declaration for the above project. Please consider the following with respect to the Public Services/Police Protection" segment of the environmental document (hereinafter "document").

The document represents at page 41 that the project will have "less than a significant impact" on police protection. Therefore at page 51 no mitigation measures are recommended.

The document represents at page 50:

The addition of two 1,000 bed community correctional facilities represent the potential for increased service demands of the Huron Police Department. The community correctional facility maintains its own trained security personnel which is supplemented by State Department of Corrections' Personnel and State Parole Agents. Based on the experience of other community correctional facilities the incidents of escapes and insurrections is very low and has not required the services of local law enforcement personnel or any mutual aid considerations...

We are hesitant to join in such a cavalier attitude about the threat of escapes and insurrections.

The document does reference at pages 15-16 Title 15 regulations and CDC inmate screening criteria which, if enforced, go a long way to maintaining security. However, even if only true minimum security inmates occupy the facility, riots, escapes, and assaults could still occur, as well as law violations by inmate visitors. To the extent that such incidents cannot be handled by Wackenhut correctional officers, Huron City Police,

Dedicated to Protect & Serve

Jim Doughty
August 24, 1998
Page Two

and any on site CDC or State Parole Officers, our Sheriff's Department would have to respond. In that event, we would face a drain on our own law enforcement resources, and the potential for civil liability for injuries to inmates and all staff.

Therefore, we recommend as a mitigation measure, augmented police protection for the facility and surrounding community. The augmented protections could be on-site staffing by State Department of Corrections personnel and/or State Parole Agents. Alternatively, Wackenhut and/or the City of Huron could negotiate a contract with Fresno County for law enforcement services by our Sheriff's Department in and around the facility.


The proposed Wackenhut facility in Huron was preceded by a proposed facility in the City of Mendota to be constructed and operated by another private provider, Corrections Corporation of America (CCA). We and other Fresno County departments have raised serious concerns about such private detention facilities. These concerns are fully discussed in the Fresno County August 7, 1998 opinion request to the California Attorney General. A copy without exhibits is enclosed and is self-explanatory.

In connection with the proposed CCA facility in Mendota, we are both pursuing comprehensive state legislation to regulate private prisons and pursuing a contract with CCA and/or Mendota.

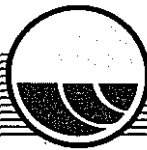
In the meantime, to permit contract negotiations, Mendota officials will join us on August 26, 1998 in requesting a continuance of LAFCo proceedings. We intend to also seek a continuance of LAFCo proceedings with respect to the Wackenhut facility in Huron. This will provide us the opportunity to negotiate augmented police protections for the facility and surrounding community as discussed in this correspondence.

Please feel free to contact me if you have questions or concerns regarding our comments.

Sincerely,


Steve Magarian
Sheriff

cc: Al Puente, Huron City Manager
Daniel T. McCloskey, Huron City Attorney
Pam Carozza, Fresno County- Deputy County Administrative Officer



Westlands Water District

3130 N. Fresno Street, P.O. Box 6056, Fresno, California 93703-6056, (209) 224-1523, FAX: (209) 241-6277

August 21, 1998

Mr. Marvin Panter
Executive Officer
Fresno County LAFCO
2100 Tulare St., Suite 502
Fresno, CA 93721

Dear Mr. Panter:

Subject: "Wackenhut Prison Annexation" Reorganization and Sphere of Influence
Revision for the City of Huron

This is in response to your letter of August 13, 1998, requesting comments on the proposed "Wackenhut Prison Annexation" Reorganization and Sphere of Influence Revision for the City of Huron, which involves the detachment of approximately 43.70 acres from Westlands Water District.

Westlands requests that the proposed detachment be conditional on the following:

- Payment of a "detachment fee" which consists of the net present value for future payments for which the District has a repayment obligation to the United States in the amount of \$79.74 per acre, totaling \$3,484.64.

The District has no objection to the proposed detachment upon the satisfaction of the foregoing condition. If you should have any further questions, please feel free to contact me at (209) 224-1523.

Sincerely,

Dave Ciapponi
Director of Finance & Administration





DEPARTMENT OF HEALTH SERVICES

DRINKING WATER FIELD OPERATIONS BRANCH

1505 EAST SIEMELDS AVENUE

FRESNO, CALIFORNIA 93727

(209) 297-3883

FAX (209) 297-3873

August 20, 1998

System No. 1010044

Mr. Jim Doughty, Director of Development
City of Huron
P. O. Box 339
Huron, CA 93234

Carl-

FYI

Marvin Panter

Dear Mr. Doughty:

Initial Study/Proposed Mitigated Negative Declaration for the Wackenhut Prison

3-01

Our office has reviewed the above-referenced document and we have the following comments:

Table 6 on Page 52 shows that the Total Domestic Water Demand would be 2,797 GPD. The Total GPD figures for each type of population are incorrect and they should be as follows:

Inmates	$155 \times 2,000 = 310,000$ GPD
Employees	$111 \times 296 = 32,856$ GPD
State Employees	$111 \times 24 = 2,664$ GPD
Visitors	$20 \times 80 = 1,600$ GPD

Corrected Total Domestic Water Demand = 347,120 GPD

3-02

Our records reveal that the total capacity of the City's two surface water treatment plants is 1,500 GPM (2.16 MGD) and that the maximum day demand of the existing water system is about 1.6 MGD. Therefore, the proposed prisons will have a potentially significant impact on the City's water system and this potential impact needs to be further addressed in the environmental document.

If you have any questions, please contact me at (209) 297-3883.

Sincerely,

Carl L. Carlucci, P.E.
Senior Sanitary Engineer
Drinking Water Field Operations Branch

cc: Fresno County Health Services Agency

CLC/clc/huronprison

Comment Letter 3: Department of Health Services, August 20, 1998

Response 3-01: Comment acknowledged. Page 52, Table 6 of the Initial Study/Mitigated Negative Declaration has been modified to reflect the comments from the Department of Health Services.

Table 1

Domestic Water Demand from the Proposed Project

Population	Gal./day	Basis	Total GPD
Inmates	155	2,000	31,000
Employees	111	296	32,856
State Employees	111	24	2,664
Visitors	20	80	1,600
Total			347,120

310,000

In addition, Table 5, Estimated Wastewater Produced from Proposed Project (page 52) has been reflected to correspond with the changes in Table 6:

Table 2

Estimated Wastewater Produced From Proposed Project

Wastewater Production			
Population	Gal./day	Basis	Total GPD
Inmates	85	2,000	170,000
Employees	50	296	14,800
State Employees	50	24	1,200
Visitors	20	80	1,600
Total			187,600

Response 3-02: Comment acknowledged, however, the City Engineer has thoroughly reviewed the impact of the proposed project on the City's water and wastewater plant capacities and has determined that the project impact would be within the service abilities of the City. The proposed project considered in the Initial Study and Proposed Negative Declaration was for a maximum of 2,000 beds. It is not likely that the State of California will award a single project of that size for Huron. It is more likely that the State will award projects in 500 bed increments. It is possible over a period of years that as many as 2,000 beds could be developed. The impact to the water supply system would be long term and not considered a significant impact for the City.

Fresno Local Agency Formation Commission

Rowell Building • 2100 Tulare Street, Suite 502 • Fresno, CA 93721 ☎ (209) 495-0604 Fax (209) 495-0655

August 13, 1998

U.S. Soil Conservation Service
4625 W. Jennifer, Suite 125
Fresno, CA 93722

Subject: "Wackenhut Prison Annexation" Reorganization and Sphere of Influence
Revision for the City of Huron

The subject application has been received in the office of the Local Agency Formation Commission for processing. In accordance with Section 56386 of the Government Code, your assistance in reviewing this application is requested. Those particular factors we request your comments on are:

1. Relationship of the proposal to prime agricultural land* in the area:
Will convert 85+/- acres of prime agricultural land to non-agri-
cultural use.
2. Effect of the proposal on unique agricultural areas:
Will convert 85+/- acres of unique agricultural land to non-agri-
cultural use.
3. Effect of the proposal on any soil hazard or limitation:
Map unit 447, Excelsior sandy loam, sandy substratum, 0-2% slopes,
is limited by high corrosivity to steel. Use treated steel pipe.
4. Other comments:
Soil map attached.

*See Government Code Section 35046 for definition.

Facts and your comments pertaining to this application should be returned to this office within twelve working days.

MLP:cf

Attachments: Application, Map, Legal Description, Resolution

Karen L. Fuller
Soil Conservationist

Signature and Title

8/24/98

Date

Chairman, Stan Oken
Board of Supervisor
Vice Chairman, Juan Arambula
Board of Supervisor

Members
Larry Fortune
Public Member
Victor Lopez, Mayor
City of Orange Cove
Trinidad Rodriguez, Mayor
City of Kern

Alternate Members
William Donleavy
Public Member
Sharon Levy
Board of Supervisor
Tom Stearns
City of Clovis

Executive Officer
Marvin L. Panter



966

445

195

T. 2

447

966

445

447

445

474

445

19205

PALMER

BM 36

BITON

(B 362)

Capitol

Station

Market

Grain

Tank

Grain

Tanks

474

BM 37

477

447

DATE: August 13, 1998

TO: Coalinga-Huron Joint Unified School District

FROM: Marvin L. Panter, LAFCo Executive Officer

SUBJECT: "Wackenhut Prison Annexation" Reorganization and Sphere of Influence Revision
for the City of Huron

Chairman, Stan Oke
Board of Supervisor
Vice Chairman, Juan Arambulo
Board of Supervisor

Member
Larry Fortun
Public Member
Victor Lopez, Mayor
City of Orange Cove
Trinidad Rodriguez, Mayor
City of Kern

Alternate Member
William Donleavy
Public Member
Sharon Levy
Board of Supervisor
Tom Stearns
City of Clovis

Executive Officer
Marvin L. Panter

The subject application has been received in the office of the Local Agency Formation Commission for processing. In accordance with Section 56386 of the Government Code, your assistance in reviewing this application is requested. Those particular factors we request your comments on are:

1. Under present attendance boundaries, which schools will students from this area attend?
Huron Elementary; Huron Middle School; Coalinga High School
2. Are any of the above schools of the District already at or near capacity? Please describe:
Yes - Huron Elementary at Capacity
3. Will this proposal and other pending proposals create any overcrowded conditions at any of the above schools? Please describe:
No, provided the new proposed Middle School is built in a timely manner.
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, City/District has a Mitigation Agreement that allows for Higher Developer Fees up to \$3.05
5. Describe any building plans of the District that would affect this proposal:
The District is in the process of construction of a New Middle School in Huron. This project when completed will eliminate the affect of this Project.
6. Other Comments:

MLP:cf

Attachments: Application, Map, Legal Description, Resolution



Fresno Local Agency Formation Commission

Rowell Building • 2100 Tulare Street, Suite 502 • Fresno, CA 93721 • (209) 495-0604 Fax (209) 495-0655

DATE: August 13, 1998
TO: Elections Division, Stop #43
FROM: Marvin L. Panter, LAFCo Executive Officer
SUBJECT: "Wackenhut Prison Annexation" Reorganization and Sphere of Influence Revision for the City of Huron

Chairman, Stan Oke
Board of Supervisor
Vice Chairman, Juan Arambula
Board of Supervisor

Member
Larry Fortuna
Public Member
Victor Lopez, Mayor
City of Orange Cove
Trinidad Rodriguez, Mayor
City of Kern

Alternate Member
William Donleavy
Public Member
Sharon Levy
Board of Supervisor
Tom Starn
City of Clovis

Executive Officer
Marvin L. Panter

The subject application has been received in the office of the Local Agency Formation Commission for processing. In accordance with Section 56386 of the Government Code, your assistance in reviewing this application is requested. Those particular factors we request for comments on are (answer if checked):

- A. ☒ Number of registered voters in the area. 0
- B. ☐ What percent of the registered voters in the proposal area does the attached petition represent?
- C. ☒ Will the proposal adversely affect precinct boundaries or the conduct of elections? NO
- D. ☐ Other comments:

MLP:cf

Attachments: Map, Legal description

Gary Modala Computer Graphic Specialist
Signature and Title

August 19 1998
Date



Rowell Building • 2100 Tulare Street, Suite 502 • Fresno, CA 93721 • (209) 495-0604 FAX (209) 495-0655

DATE: August 13, 1998

TO: Kerry L. McCants, Manager, Development Services Division, Stop #53
Public Works & Development Services Department

FROM: Marvin L. Panter, LAFCo Executive Officer

SUBJECT: "Wackenhut Prison Annexation" Reorganization and Sphere of Influence Revision of Huron

Chairman, Stan Oken
Board of Supervisors

Vice Chairman, Juan Arambula
Board of Supervisors

Members:
Larry Fortune,
Public Member
Victor Lopez,
Mayor, City of Orange Cove
Trinidad Rodriguez,
Mayor, City of Kerman

The subject application has been received in the office of the Local Agency Formation Commission for processing. In accordance with Section 56386 of the Government Code, your assistance in reviewing this application is requested. Those particular factors we request your comments on are:

Alternate Members:
William Donleavy,
Public Member
Sharon Levy,
Board of Supervisors
Tom Stearns,
City of Clovis

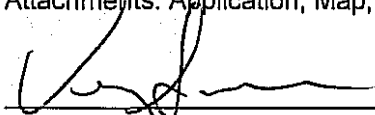
Executive Officer:
Marvin L. Panter

- County plan designation for the area is:
Agricultural and Medium Density Residential
- Consistency of the proposal with adopted city or county general and community plans and policies (Section 205-02:3.06 - Fresno County General Plan)
Consistent
- Any pending County plans, projects (i.e. community development, roads, etc.) or development permits:
None
- Other related comments:
See attached
- Recommendations:
Approval

We would appreciate your comments pertaining to this application returned to this office within **twelve working days**.

MLP:cf:gah
G:\DEVS&PLN\PLANNING\LAFCOWACKNUT.LTR

Attachments: Application, Map, Legal, Service Plan (if submitted), Resolution



Signature and Title

10/21/98

Date



Wackenhut Prison Annexation

4. Other related Comments:

The Wackenhut Prison Annexation is consistent with the Standards for Annexation contained in Exhibit 1 of the MOU between the City of Huron and the County because at least 50 percent of the area to be annexed is covered by a site plan that was approved with the Conditional Use Permit CUP approved for the project site. The proposed detachment of the agricultural and airstrip parcels to the east will help balance the Sphere of Influence to reflect anticipated community needs for expansion within the foreseeable future.

A portion of the area to be annexed is subject to Agricultural Land Conservation Contract No. 3691. The City of Huron will assume responsibility for the administration of that portion of the contract within their city limits upon completion of the annexation. Private prisons are not considered a compatible use on land under Agricultural Land Conservation Contract.

The proposed sphere of influence revision and annexation will divide existing parcels. Access to the site appears to be proposed across a parcel that will remain in the unincorporated area, which will require Board of Supervisors approval.

The use of Tract 1811 corners in the legal description of the annexation appears inappropriate. The section line would appear to be a better west boundary line.

The area proposed for annexation is located within Flood Zones A, B, & C per FIRM 1620-B.

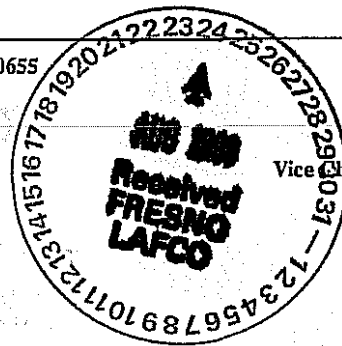
Fresno Local Agency Formation Commission

Rowell Building • 2100 Tulare Street, Suite 502 • Fresno, CA 93721 ☎ (209) 495-0604 Fax (209) 495-0655

August 13, 1998

State Department of Health Services
Office of Drinking Water
5545 E. Shields
Fresno, CA 93727

RECEIVED
AUG 14 1998
DEPT. OF HEALTH SERVICES
DRINKING WATER
OPERATIONS DIVISION



Chairman, Stan Oken
Board of Supervisor
Vice Chairman, Juan Arambula
Board of Supervisor

Members
Larry Fortune
Public Member
Victor Lopez, Mayor
City of Orange Cove
Trinidad Rodriguez, Mayor
City of Kern

Alternate Members
William Donleavy
Public Member
Sharon Levy
Board of Supervisor
Tom Stearns
City of Clovis

Executive Officer
Marvin L. Pante

Subject: "Wackenhut Prison Annexation" Reorganization and Sphere of Influence Revision
for the City of Huron

The subject application has been received in the office of the Local Agency Formation Commission for processing. In accordance with Section 56386 of the Government Code, your assistance in reviewing this application is requested. Those particular factors we request your comments on are:

1. Adequacy and availability of existing and proposed community water systems:
The proposed prisons may have a significant impact on the City's water system since the two water treatment plants are being opened near their design capacity.
2. Need for services other than those proposed:
N.A.
3. Effect of project on water quality:
If the two water treatment plants are overloaded, the treated water quality will be degraded.
4. Related State or County plans or projects:
N.A.
5. Other comments:

Facts and your comments pertaining to this application should be returned to this office within twelve working days. Thank you.

Attachment: Application, Map, Legal Description, Service Plan, Resolution

Carl C. [Signature] Senior Sanitary Engineer
Signature and Title

8/10/98
Date

RESOLUTION #1192

**A RESOLUTION OF THE CITY OF HURON CITY COUNCIL
ADOPTING OF A MITIGATED NEGATIVE DECLARATION
FOR THE WACKENHUT PRISON ANNEXATION
(In accordance with Section 15074 California Code of Regulations
Title 14 (California Environmental Quality Act))**

WHEREAS, the Wackenhut Corrections Corporation has filed applications for Annexation, Pre-Zoning, General Plan Amendment, Re-Zoning, Tentative Parcel Map, Reversion to Acreage and a Conditional Use Permit in accordance with Section 15051 of Title 14 of the California Code of Regulations (CEQA) and Sections 21083 and 21087 of the Public Resources Code, as well as, the provision of the City of Huron Zoning Ordinance/Municipal Code, and;

WHEREAS, the Initial Study and Proposed Mitigated Negative Declaration, as attached and incorporated herein, was prepared in compliance with the California Environmental Quality Act (CEQA), Sections 15063 and 15070 of the CEQA Guidelines 1998 Supplement, and;

WHEREAS, the City of Huron has provided State and local agencies, as well as, the general public an opportunity to review and submit comments on the Initial Study/Proposed Mitigated Negative Declaration, in accordance with Section 15073 of the CEQA Guidelines, and;

WHEREAS, the Initial Study/Proposed Mitigated Negative Declaration was made available to the public and interested agencies on August 4, 1998 and sent via the U.S. Mail to responsible and commenting agencies, and;

WHEREAS, on August 20, 1998 the City of Huron published a combined Notice of Public Hearing and Notice of Intent to adopt a Mitigated Negative Declaration in the Coalinga Record, a newspaper of general circulation in the area of the proposed project in accordance with Section 15072(b-1) of the CEQA Guidelines, and;

WHEREAS, the public comment period for the Initial Study/Proposed Mitigated Negative Declaration was schedule to close at 5:00 p.m. on August 25, 1998, and;

WHEREAS, on August 12, 1998, the City of Huron distributed a Notice of Errata amending the closure of the review period to 5:00 p.m. on September 7, 1998, and;

WHEREAS, the Public Notice of Availability of an Initial Study/Proposed Mitigated Negative Declaration was posted, pursuant to Public Resources Code Section 21092 and 21092.3 and the Sections 15072 and 15073 of the CEQA Guidelines at the County Clerk Office of the County of Fresno for the required thirty (30) day period, and;

WHEREAS, all effected property owners were sent written notices and publication of legal notices were accomplished in accordance with City of Huron policy,



FILED

OCT 1 5 1998

FRESNO COUNTY CLERK
By *Marsha Allen*
DEPUTY

proposed project substantially contribute to or induce any growth-inducing impacts.

- b. Proposed project would not require the displacement of housing, or institutional facilities. The proposed project will be constructed on vacant land and replacing farmland currently under production. All proposed improvements will be constructed to City Standards and Specifications.
- c. According to the California Department of Fish and Game Natural Diversity Date Base for the City of Huron General Plan (1986), there are no wildlife and/or biological habitats present on the project site or in the vicinity. As a part of the Initial Study/Proposed Mitigated Negative Declaration, the City retained a qualified biologist to undertake a reconnaissance level study of the property and the report concluded that the site has no significant habitat value. Furthermore, the site is considered as disturbed agricultural land and unsuitable for substantial native habitat. The site has been graded and there are no areas of standing water or concentrations of native vegetation.

WHEREAS, a Certificate of Fee Exemption and De Minimis Findings will be filed with the California Department of Fish and Game, and the County Clerk of the County of Fresno, and;

WHEREAS, objections to the proposed annexation have not been received from the property owner and/or adjacent property owners duly notified.

NOW THEREFORE BE IT RESOLVED, that the City of Huron City Council hereby adopts a Mitigated Negative Declaration for the Wackenhut Corrections Corporation Annexation.

BE IT FURTHER RESOLVED, that the City Council determines that a De Minimis Finding can be made.

BE IT FURTHER RESOLVED, that the City Council hereby incorporates the recommended mitigation measures contained in the prepared Initial Study/Proposed Mitigated Negative Declaration and as listed below to be binding and included a conditions of approval of development approval obtained for the proposed project.

Air Quality Mitigation Measures:

1. On-site vehicle speed on unpaved roadways shall be limited to 15 miles per hour.
2. Loaded haul trucks operating at speeds over 15 miles per hour, shall be equipped with tarpaulins or other effective covers, or shall maintain at least two feet of freeboard.
3. Water trucks shall be used regularly to reduce dust and particulate matter generated at the construction site(s) and along non-paved roadways.

4. Construction shall be restricted or banned on days of high winds (in excess of 30 miles per hour).

Transportation and Circulation Mitigation Measure:

1. The City will include conditions on the Tentative Parcel Map to require dedication of a north-south street to Palmer Avenue and also include conditions of approval in the Conditional Use Permit that should traffic congestion at 12th Street and Lassen Avenue become problematic, that the project developer will be required to construct this alternate connection to Lassen Avenue. The City shall enter into a maintenance agreement with Fresno County for the maintenance of the facility.

Noise Mitigation Measures:

1. To minimize noise impacts to nearby residents during noise sensitive periods, construction within 244 meters (800 feet) of existing residences shall be limited to between the hours of 7:00 a.m. and 7:00 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on Saturday. Construction activities shall be prohibited on Sundays and Holidays.
2. Contractor(s) shall locate stationary noise sources (e.g., compressors and generators,) 800 feet from residential areas.

Cultural Resources Mitigation Measure:

1. It shall be the responsibility of City of Huron Development Department to instruct equipment operators as to what to watch for while excavating and trenching soil, which could be a sign of a subsurface archaeological feature or deposit. In the event that any historic subsurface archaeological features or deposits, including animal bone, shell, obsidian, mortars, or human remains are uncovered during construction, work within 9 meters (30 feet) of the find(s) shall cease and a qualified archaeologist shall be contacted for determination of resource significance. In the event human remains are found, the County Coroner shall be notified.

BE IT FURTHER RESOLVED, that the City Council directs the City Administrator to prepare the required Mitigation Monitoring Program as specified in Section 15074(d) of the CEQA Guidelines, when or if the project is approved.

BE IT FURTHER RESOLVED, that the City Clerk is directed to file a Notice of Determination with the County Clerk of the County of Fresno in accordance with Section 15075 of the CEQA Guidelines.

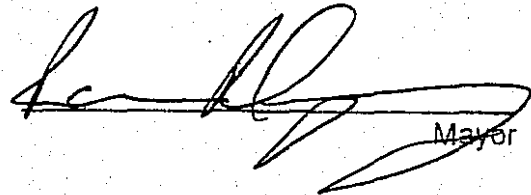
PASSED AND ADOPTED, by the City Council of the City of Huron at a regularly scheduled meeting held on the 16th day of September, 1998.

AYES: COUNCILMEMBERS CHAVEZ, RODRIGUEZ, CORTEZ, CANO, DOMINGUEZ

NOES: NONE

ABASTAIN: NONE

ABSENT: NONE



Mayer

ATTEST:



Juanita M. Veliz
City Clerk of the City of Huron

Notice of Determination

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency) City of Huron
36311 Lassen Avenue
Huron, CA 93234

FILED

OCT 15 1998

X County Clerk
County of Fresno
2221 Kern Street
Fresno, CA 93721

FRESNO COUNTY CLERK
By *Marsha Allen*
DEPUTY

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

E199810000109

Wackenhut Corrections Corporation Prison Annexation
Project Title

N/A	City of Huron	(209) 945-2241
State Clearing House Number (If submitted to Clearinghouse)	Lead Agency Contact Person	Area Code/Telephone/Extension

City of Huron, Fresno County
Project Location (include county)

Project Description:

The construction of two independent but adjacent 1,000 bed community correctional facilities on approximately 54 acres in the City of Huron. Each facility will be independent and enclosed by a 12 ft. high double fence topped with razor wire security fencing. Each 1,000 bed facility will be comprised of approximately 209,000 sq.ft. of building space in a single story configuration for a total of approximately 418,000 sq.ft. Each facility will be served by the extension of City water and sewer service and by public utility providers. Access will be provided via Lassen Avenue (S.R. 269) by the construction of 12th Street as a City standard street.

This is to advise that the City of Huron has approved the above described project on

☒ Lead Agency ☐ Responsible Agency

and has made the following determinations regarding the above described project:
(date)

- 1 The project [☐ will ☒ will not] have a significant effect on the environment
- 2 ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
- 3 Mitigation measures [☒ were ☐ were not] made a condition of approval of the project.
- 4 A Statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:

Al Puente
Signature (Public Agency)

September 17, 1998
Date

City Manager
Title

Date received for filing and posting at OPR:



Revised March 1986

Fresno Local Agency Formation Commission

Rowell Building • 2100 Tulare Street, Suite 502 • Fresno, CA 93721 ☎ (209) 495-0604 Fax (209) 495-0655

October 6, 1998

Mr. Al Puente, City Manager
City of Huron
P.O. Box 339
Huron, CA 93234

Dear Mr. Puente:

Subject: Prison Facility Annexation

Today I received the written comments and responses regarding the subject environmental review. I appreciated the opportunity to discuss these at our meeting. Please also forward a copy of this document as soon as possible to each agency on the list of commentators. Also before we can schedule and give notice of hearing, we will need a copy of the Negative Declaration approved and filed by the City of Huron for this project. I understand this action was taken on September 16th.

It is my understanding that you will be forwarding to us a letter of intent regarding entering into an agreement with the Fresno County Sheriff's Office. The agreement will be among the developer, the County Sheriff, and the City of Huron.

Two corrections that should be made to this document are on Page 7, Table 1, the total GPD from inmates should be 310,000. Another correction is on Page 14, second paragraph, should say that comments of LAFCO have stated that "The project will remove approximately 40 acres of prime agricultural land, resulting in a significant impact on land use. A definition of prime agricultural lands is stated in the State Government Code Section 56064." In addition, Mr. Skinner will be sending me a definition of prime agricultural land as defined by CEQA. I am also forwarding to you along with this letter a letter of comment we received from the U.S. Soil Conservation Service. You will note that the letter states that the project will convert prime agricultural land to non-agricultural use.

I am also forwarding to you for your information and comment three other letters from the State Office of Drinking Water, County Environmental Health Systems, and Westlands Water District.

Chairman, Stan Oke
Board of Supervisors
Vice Chairman, Juan Aramburo
Board of Supervisors

Member
Larry Fortuna
Public Member
Victor Lopez, Mayor
City of Orange County
Trinidad Rodriguez, Mayor
City of Kern

Alternate Member
William Donleavy
Public Member
Sharon Lev
Board of Supervisors
Tom Stearns
City of Clovis

Executive Office
Marvin L. Pantano

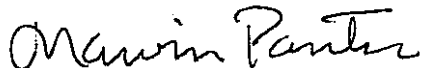
Mr. Al Puente, City Manager

October 6, 1998

Page 2

In general it is the responsibility of LAFCo to discourage annexations which would result in the conversion of prime agricultural land, and to encourage development of vacant land already within the city boundaries. To do this, I must state when prime agricultural land is an issue, especially when a sphere of influence change is proposed. A policy of the Commission is that prime agricultural land conversion will not be a primary issue for area within an existing sphere of influence. Conversely, it will be a primary issue for land where a sphere change is being proposed. Consequently, before this proposal goes to hearing and I write a report with recommendations, I may need to review with you what is referred to as Comment 6-01 and 6-03 on Page 14 of the document. I will contact you regarding this review as needed.

Sincerely,



Marvin L. Panter
Executive Officer

MLP:cf

cc: Tom Skinner
Jim Doughty

Attachments

August 28, 1998

Mr. Jim Doughty
City of Huron
P.O. Box 339
Huron, CA 93234

Dear Mr. Doughty:

Subject: Response to Initial Study for Sphere Revision and
Annexation for Wackenhut Prison Facility

The comments of the Fresno Local Agency Formation Commission
are as follows:

- 6-01 1. As noted, the proposal for the western 40 acres is currently inconsistent with both the City and County General Plan for Huron, and the Commission sphere of influence. Amendments and revisions remove the inconsistency but not the environmental impacts. The project will remove approximately 40 acres of prime agricultural land and soils, resulting in a significant impact on land use.
- 6-02 2. Also as noted, the project area is under Land Conservation Contract, and the project is inconsistent with the terms of the contract. The City proposes cancellation of the contract upon annexation. Several findings are difficult to make, given the circumstances of this location.

Chairman, Stan Oken,
Board of Supervisors
Vice Chairman, Juan Arambula,
Board of Supervisors

Members:
Larry Fortune,
Public Member
Victor Lopez, Mayor,
City of Orange Cove
Trinidad Rodriguez, Mayor,
City of Kerman

Alternate Members:
William Donleavy,
Public Member
Sharna Levy,
Board of Supervisors
Tom Stearns,
City of Clovis


Executive Officer:
Murvin L. Panter

- 6-03 3. The Commission must consider the availability of other vacant lands already in the City or in the sphere of influence. As the Initial Study indicates, there are over 500 acres of undeveloped residential land, most of which is already in the City and not under contract. Locating the prison on these lands must be looked at as an alternative to the subject location, both for the purpose of contract cancellation and in revising the sphere and the annexation.
- 6-04 4. In the discussion of both water and wastewater services, the study states there is sufficient capacity for the expected demand from the prison facility. Is there sufficient capacity for the demand from the project and the existing and planned growth of the balance of the City? Please show the capacity for each.
- 6-05 5. The traffic and circulation section, Figure 16, shows a connecting street north to Palmer Avenue which will remain under County jurisdiction. Maintenance of this street should be discussed in the study.
- 6-06 6. The impact on the adjacent lands and their continued planned uses is not reviewed. Currently these areas are shown for residential and a school/park. The proposed amendment will have an effect on these uses.

Mr. Jim Doughty
August 18, 1998
Page 3

Mitigation measures should include all impacts identified, as well as alternatives to the project and location. Please furnish a copy of all comments, responses, and City findings. Also, please provide us with a current copy of the City General Plan.

Thank you,


Marvin L. Panter
Executive Officer

MLP:cf

NOTICE OF PUBLIC HEARING

FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION

A public hearing will be held to consider a proposal submitted by the City of Huron as follows:

- PROPOSAL:
1. Revise the Sphere of Influence for the City of Huron to include approximately 40 acres, located west of Lassen Avenue between Palmer and Tornado Avenues (RSOI-111).
 2. Annex a total of approximately 45 acres to the City of Huron and detach from the Westlands Water District and the Westside Resource Conservation District located west of Lassen Avenue between Palmer and Tornado Avenues (RO-98-21).
 3. The Commission will also consider a recommendation to detach two parcels totaling approximately 180 acres from the City of Huron, and annexing the same to Westlands Water District and Westside Resource Conservation Districts, described as Assessor Parcel Numbers 750-032-57 and 58, shown on the attached APN Map.

The LAFCo hearing will be held at 1:30 p.m., or as soon thereafter as possible on October 28, 1998, in Room 301, Hall of Records, Tulare and "M" Streets, Fresno. Anyone interested may testify.

For information contact Marvin Panter, Fresno County LAFCo, 2100 Tulare Street, Suite 502, Fresno, CA 93721, phone: (209) 495-0604.

Any interested party may also provide information to the LAFCo Office for submittal to the Commission.



Marvin L. Panter
Executive Officer

Dated: October 12, 1998
File: RO-98-21 & RSOI-111

Note: If you are an applicant for, or a participant in (actively supporting or opposing) any proceeding on the agenda and have made a campaign contribution of more than \$250 to or for any of the Commission members, State law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (Government Code Section 84308).



Adult Services Department
Children & Family Services Department
Employment & Temporary Assistance Department



DATE: September 5, 1998

TO: Marvin L. Panter, Local Agency Formation Commission

FROM: Stephanie L. Kahl, Environmental Health System *SK*

SUBJECT: "Wackenhut Prison Annexation", Reorganization and Sphere of Influence
Revision for the City of Huron

1. **Adequacy and availability of existing and proposed community water and sewer systems:**

Upon review of the City of Huron's Initial Study and proposed Mitigated Negative Declaration for the Wackenhut Prison Annexation project, it has been determined that water and wastewater flows were incorrectly calculated resulting in an underestimation. This Department has recommended that revisions to the environmental document be made and the amended document be rerouted for review and comment to all agencies.

2. **Need for services other than those proposed:**

3. **Effect of project on air or water quality:**

4. **Related County plans or projects:**

5. **Other comments:**

SLK

c:\land\wacken.laf

August 24, 1998

Mr. Marvin L. Panter, Executive Officer
Fresno Local Agency Formation Commission
Rowell Building
2100 Fresno Street, Suite 502
Fresno, California 93721

RE: "Wackenhut Prison Annexation" Reorganization and Sphere of Influence
Revision for the City of Huron


Dear Mr. Panter:

We are in receipt of your letter dated August 13, 1998 regarding the above-referenced matter. Pursuant to your request for our review of this application, please be advised that our comments regarding this matter are contained within a letter dated August 24, 1998 to Mr. Jim Doughty, Director of Development, City of Huron. A copy of this letter is attached for your information and review. This letter, in essence, represents our comments in this matter.

Accordingly, we believe that this private prison proposal will have a significant impact on law enforcement with respect to the "Public Services/Police Protection" segment of the environmental document involved in this matter. Furthermore, we believe that until the public safety issues and concerns identified in our legal opinion request to the California Attorney General have been fully addressed and resolved, consideration for approval of this proposed annexation would be premature at this time.

Thank you for the opportunity to review and comment on this application.

Sincerely,


Steve Magarian
Sheriff

Attachments (2)

cc: Al Puente, Huron City Manager
Daniel T. McCloskey, Huron City Attorney
Pam Carozza, Fresno County Deputy Administrative Officer

G:\Administration\Administration\SHERIFF\Jail Privatization\Panter response.doc



Dedicated to Protect & Serve

August 24, 1998

Jim Doughty, Director of Development
City of Huron
36311 Lassen Avenue
Post Office Box 339
Huron, California 93234

RE: Wackenhut Correctional Facility, City of Huron

Dear Mr. Doughty:

We received your August 4, 1998 transmittal letter and mitigated Negative Declaration for the above project. Please consider the following with respect to the Public Services/Police Protection" segment of the environmental document (hereinafter "document").

The document represents at page 41 that the project will have "less than a significant impact" on police protection. Therefore at page 51 no mitigation measures are recommended.

The document represents at page 50:

The addition of two 1,000 bed community correctional facilities represent the potential for increased service demands of the Huron Police Department. The community correctional facility maintains its own trained security personnel which is supplemented by State Department of Corrections' Personnel and State Parole Agents. Based on the experience of other community correctional facilities the incidents of escapes and insurrections is very low and has not required the services of local law enforcement personnel or any mutual aid considerations...

We are hesitant to join in such a cavalier attitude about the threat of escapes and insurrections.

The document does reference at pages 15-16 Title 15 regulations and CDC inmate screening criteria which, if enforced, go a long way to maintaining security. However, even if only true minimum security inmates occupy the facility, riots, escapes, and assaults could still occur, as well as law violations by inmate visitors. To the extent that such incidents cannot be handled by Wackenhut correctional officers, Huron City Police,

Dedicated to Protect & Serve

Jim Doughty
August 24, 1998
Page Two

and any on site CDC or State Parole Officers, our Sheriff's Department would have to respond. In that event, we would face a drain on our own law enforcement resources, and the potential for civil liability for injuries to inmates and all staff.

Therefore, we recommend as a mitigation measure, augmented police protection for the facility and surrounding community. The augmented protections could be on-site staffing by State Department of Corrections personnel and/or State Parole Agents. Alternatively, Wackenhut and/or the City of Huron could negotiate a contract with Fresno County for law enforcement services by our Sheriff's Department in and around the facility.

The proposed Wackenhut facility in Huron was preceded by a proposed facility in the City of Mendota to be constructed and operated by another private provider, Corrections Corporation of America (CCA). We and other Fresno County departments have raised serious concerns about such private detention facilities. These concerns are fully discussed in the Fresno County August 7, 1998 opinion request to the California Attorney General. A copy without exhibits is enclosed and is self-explanatory.

In connection with the proposed CCA facility in Mendota, we are both pursuing comprehensive state legislation to regulate private prisons and pursuing a contract with CCA and/or Mendota.

In the meantime, to permit contract negotiations, Mendota officials will join us on August 26, 1998 in requesting a continuance of LAFCo proceedings. We intend to also seek a continuance of LAFCo proceedings with respect to the Wackenhut facility in Huron. This will provide us the opportunity to negotiate augmented police protections for the facility and surrounding community as discussed in this correspondence.

Please feel free to contact me if you have questions or concerns regarding our comments.

Sincerely,


Steve Magarian
Sheriff

cc: Al Puente, Huron City Manager
Daniel T. McCloskey, Huron City Attorney
Pam Carozza, Fresno County- Deputy County Administrative Officer

Westlands Water District

3130 N. Fresno Street, P.O. Box 6056, Fresno, California 93703-6056, (209) 224-1523, FAX: (209) 241-6277

August 21, 1998

Mr. Marvin Panter
Executive Officer
Fresno County LAFCO
2100 Tulare St., Suite 502
Fresno, CA 93721

Dear Mr. Panter:

Subject: "Wackenhut Prison Annexation" Reorganization and Sphere of Influence
Revision for the City of Huron

This is in response to your letter of August 13, 1998, requesting comments on the proposed "Wackenhut Prison Annexation" Reorganization and Sphere of Influence Revision for the City of Huron, which involves the detachment of approximately 43.70 acres from Westlands Water District.

Westlands requests that the proposed detachment be conditional on the following:

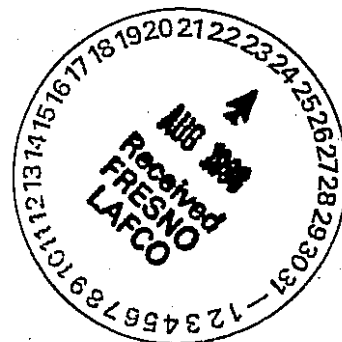
- Payment of a "detachment fee" which consists of the net present value for future payments for which the District has a repayment obligation to the United States in the amount of \$79.74 per acre, totaling \$3,484.64.

The District has no objection to the proposed detachment upon the satisfaction of the foregoing condition. If you should have any further questions, please feel free to contact me at (209) 224-1523.

Sincerely,



Dave Ciapponi
Director of Finance & Administration





August 13, 1998

State Department of Health Services
Office of Drinking Water
5545 E. Shields
Fresno, CA 93727

Subject: "Wackenhut Prison Annexation" Reorganization and Sphere of Influence Revision
for the City of Huron

The subject application has been received in the office of the Local Agency Formation Commission for processing. In accordance with Section 56386 of the Government Code, your assistance in reviewing this application is requested. Those particular factors we request your comments on are:

1. Adequacy and availability of existing and proposed community water systems:

The proposed prisons may have a significant impact on the City's water system since the two water treatment plants are being operated near their design capacity.

2. Need for services other than those proposed:

N.A.

3. Effect of project on water quality:

If the two water treatment plants are overloaded, the treated water quality will be degraded.

4. Related State or County plans or projects:

N.A.

5. Other comments:

Facts and your comments pertaining to this application should be returned to this office within twelve working days. Thank you.

Attachment: Application, Map, Legal Description, Service Plan, Resolution

Carl C. ... Senior Sanitary Engineer
Signature and Title

8/10/98
Date

Chairman, Stan O.
Board of Supervisors
Vice Chairman, Juan Aramburo
Board of Supervisors

Members
Larry Fortuna
Public Member
Victor Lopez, Mayor
City of Orange County
Trinidad Rodriguez, Mayor
City of Kern County

Alternate Members
William Donlevy
Public Member
Sharon Levy
Board of Supervisors
Tom Stearns
City of Clovis

Executive Officer
Marvin L. Paul

August 13, 1998

U.S. Soil Conservation Service
4625 W. Jennifer, Suite 125
Fresno, CA 93722

Subject: "Wackenhut Prison Annexation" Reorganization and Sphere of Influence
Revision for the City of Huron

The subject application has been received in the office of the Local Agency Formation Commission for processing. In accordance with Section 56386 of the Government Code, your assistance in reviewing this application is requested. Those particular factors we request your comments on are:

1. Relationship of the proposal to prime agricultural land* in the area:
Will convert 85+/- acres of prime agricultural land to non-agri-
cultural use.
2. Effect of the proposal on unique agricultural areas:
Will convert 85+/- acres of unique agricultural land to non-agri-
cultural use.
3. Effect of the proposal on any soil hazard or limitation:
Map unit 447, Excelsior sandy loam, sandy substratum, 0-2% slopes,
is limited by high corrosivity to steel. Use treated steel pipe.
4. Other comments:
Soil map attached.

*See Government Code Section 35046 for definition.

Facts and your comments pertaining to this application should be returned to this office within twelve working days.

MLP:cf

Attachments: Application, Map, Legal Description, Resolution

Karen L. Miller
Soil Conservationist

Signature and Title

8/24/98

Date

Chairman, Stan O.
Board of Supervi
Vice Chairman, Juan Aramb
Board of Supervi

Membr
Larry Fort
Public Mem
Victor Lopez, May
City of Orange C
Trinidad Rodriguez, May
City of Kern

Alternate Membr
William Donleav
Public Mem
Sharon Le
Board of Supervi
Tom Stear
City of Clo

Executive Offic
Marvin L. Pan



NAMES OF LANDOWNERS OR PARTIES OF REAL INTEREST: (If inhabited, only landowners of undeveloped parcels listed. Asterisk indicates consent to proposal.)

George Wackenhut,	Richard Wackenhut,	Ruth Wackenhut
Howard Mouren	Juanda Mouren	

COPIES OF THIS REPORT SENT TO:

Jeff Tweedie, County Planning Department
Janelle Kelley, LAFCo Counsel
Al Puente, City Manager, City of Huron
Westlands Water District
Westside Resource Conservation District

Name of Proposal - "Wackenhut Prison Annexation" Reorganization and Sphere of Influence Revision for the City of Huron. Annexation to the City of Huron and detached from the Westlands Water District.

2. Acreage - 43.702 +/- acres.
3. Location Description - Portion of the Northeast Quarter of Section 10, Township 20 South, Range 17 East, Mount Diablo Base and Meridian.
4. Cities and Districts included wholly or partially within proposal area.

- a. County of Fresno
- b. ? Coalinga-Huron Cemetery District
- c. Fresno County Fire Protection District
- d. Westlands Water District
- e. Coalinga Hospital District
- f. Coalinga Library District
- g. Coalinga-Huron Mosquito Abatement District
- h. Coalinga Huron Park and Recreation District
- i. Coalinga-Huron Joint Unified School District
- j. West Hills Community College
- k. ? West Fresno County Red Scale Protective District

5. Agricultural preserves and Land Conservation Contracts within affected territory -
Agricultural Preserve and ALCC#-3691

Agricultural preserves and Land Conservation Contracts within adjoining territory -
Agricultural Preserve and ALCC# 1827

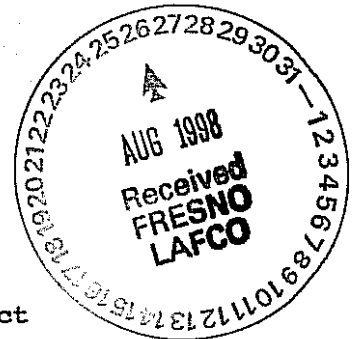
5. Comments of map and legal description received on 08/07/98

- | | |
|--|-------------|
| a. Correction needed? | Comment a,b |
| b. Indefinite & uncertain boundaries? | No |
| c. Conflicts with lines of assessment? | No |
| d. Divides ownership? | No |
| e. Additional territory recommended? | No |
| f. Deletion of territory recommended? | No |
| g. Proposal will create: | |
| Island? | Yes |
| Corridor? | No |
| Noncontiguous boundary? | No |
| h. Is map insufficient for filing? | Comment a |

7. Comments: see page 2.



Daniel Sparks, Assessment Services Supervisor



ASSESSOR'S BOUNDARY REPORT

Proposal No. RO 98-21 & RSOI-111/2601

Page 2

7. Comments

- a. The proposal area will split parcels 075-032-45 and 075-032-46.
This will not create an assesement problem.
- b. If the map or legal description is revised for any reason,
the date revised must be shown on same.

CHANGE OF ORGANIZATION OR REORGANIZATION
CORTESE-KNOX LOCAL GOVERNMENT REORGANIZATION
(Government Code Sec. 56000, et seq.)

CITY ANNEXATION APPLICATION
Proposals Initiated by Resolution or Petition
Not In Urban Service Areas

FRESNO LOCAL AGENCY FORMATION COMMISSION
2100 TULARE STREET, SUITE 502
FRESNO, CA 93721 PHONE: (209) 495-0604

Marvin L. Panter, Executive Officer
Candie Fleming, Secretary

OFFICE USE ONLY:

LAFCo File No.

R0-98-21

Date Received



Name of Proposal Wackenhut Prison Annexation

Changes of Organization listed in Resolution or Petition Annexation to the City of Huron,
detach from Westlands Water District & Westside Resource Conservation District

Al Puentes
Signature of Chief Petitioner or
Representative of Initiating Agency

8-10-98
Date

Name Al Fuentes Address P.O. Box 339, Huron, CA

Title City Manager Phone 945 - 2241

This application and attached documents are complete and are in all respects true and correct to the best of my knowledge.

List the name and address of officers or persons, not to exceed three in number, who are to receive the notice of hearing and the Executive Officer's Report.

Name

Address and Zip Code

City of Huron, City Manager P.O. Box 339, Huron 93234

1. Reasons for Proposal

- A. State the reasons for this change, and why the change is proposed at this time.

Annex Land to the City on which a Community Correctional Facility is proposed to be constructed. Sufficient land for the project is not otherwise available within the immediate extension of public services.

- B. Describe in detail any proposed development:

Development location and acreage See attached map. 45± acres

Types of uses and number of units Community Correctional Facility, 2,000 beds max.

Project file numbers and status _____

Other details: Project includes General Plan Amendment, Tentative Parcel Map, Re-Zoning and Pre-Zoning as Public Facilities, and Reversion to Acreage. City will succeed to Agricultural Preserve Contract #3694 on portion of land annexed to City. City intends to cancel contract.

If already developed, describe in detail any added service and greater frequency or range of services to be provided to residents of the area.

N/A

- C. What is the reason for the proposal boundaries? Describe the city plan to annex any remaining substantially surrounded area created.

The proposed boundaries is a logical extension of City Limits which was contemplated in the City General Plan. The proposed annexation would not create areas surrounded by the City.

2. Information on Proposal Area and Vicinity

- A. Acreage 45± No. of Registered Voters 0
Population Est. 0 County Zoning AE-20
City Zoning Upon Annexation Public Facilities (PF)

- B. List the uses of land in the affected area and give acreage for each. If in agricultural use, list crops produced over the past three years.

Agriculture land which is used for growing cotton.

- C. If annexation/development is adjacent to agricultural parcels, how has the city buffered the developing area or mitigated the impact of development on agricultural parcels.

There is sufficient buffer of open fenced land between Agricultural parcels and future occupied buildings so that the propose development will not pose a constraint to continued agricultural use of adjoining property.

- D. Is any of the affected territory in an agricultural preserve or under Land Conservation Contract?

Yes, AP#3694. City will succeed to contract and intends to cancel contract. No record of City protest when first established. If so, does the resolution of application state the city's intention not to succeed to the contract? City will succeed to contract.

- E. Does the proposed development and change of organization conform to the City General and Specific Plans (explain if not conforming)?

Yes. City proposes General Plan Amendment from Residential Reserve to Public Facilities.

What is the city plan designation? Residential Reserve to be amended to Public Facilities

3. Information on Services

- A. List below the names of agencies or companies now providing services and which agency will provide service after annexation completion. Include estimated date new service will begin (use "UA", if upon annexation, "UD" if upon development).

<u>Existing</u>	<u>Proposed Change</u>	<u>Date</u>
Domestic Water <u>None</u>	<u>City of Huron</u>	<u>UA</u>
Sewer Collection <u>None</u>	<u>City of Huron</u>	<u>UA</u>
Solid Waste Collection <u>None</u>	<u>City of Huron</u>	<u>UA</u>
Street Lighting <u>None</u>	<u>City of Huron</u>	<u>UA</u>
Parks and Recreation <u>None</u>	<u>City of Huron</u>	<u>UA</u>
Fire Protection <u>Fresno County Fire District</u>	<u>Same</u>	<u>UA</u>
(station distance) <u>12,000 Feet</u>		<u>UA</u>
Paramedic <u>Same</u>	<u>Same</u>	<u>UA</u>
(station distance) _____		<u>UA</u>
Police <u>Fresno County</u>	<u>City of Huron</u>	<u>UA</u>
Storm Drainage <u>None</u>	<u>City of Huron</u>	<u>UA</u>
Elementary School <u>N/A</u>	<u>N/A</u>	<u>UA</u>
High School <u>N/A</u>	<u>N/A</u>	<u>UA</u>

- B. Comment on the principal or other public service facilities or improvements which will serve the affected territory after annexation (i.e. water or sewer lines or facilities, fire stations, school facilities). Are any of these services or facilities below city standards, near or beyond their capacity to adequately serve the area? No Are there any notices or orders to the city from state or federal agencies related to these services or facilities and their standards that would affect city service?

No

If yes, explain how these improvements/facilities will be upgraded, when and how financed, or how any deficiencies are being met.

4. Information on Costs and Revenue

- A. Is there any outstanding general bonded indebtedness for any of the agencies whose boundaries are changed by this proposal? No

- B. If so, give information listed below:

<u>Name of Agency</u>	<u>Bond Tax Rate for Affected Territory</u>	<u>Date of Maturity</u>	<u>General Purpose of Bond</u>
-----------------------	---	-------------------------	--------------------------------

- C. Is the affected territory to be subject to all of the above general bonded indebtedness upon annexation? No

- D. If any costs of services to be or already being received by residents within the affected territory will change as a result of this proposal, give breakdown of change for a typical residential landowner or resident in the affected territory for comparison purposes.

No

- E. If any resident or landowner in the affected area will be required to connect to sewer or water lines as a result of annexation or construct any other improvements (other than as a requirement for a proposed development), list requirements, when required, and any other special circumstances related. (A letter from City to residents and landowners should also indicate these requirements.)

No current residents.

5. Information on Processing Change of Organization or Reorganization

- A. Property Tax Exchange (Revenue & Tax Code 99 & 99.1) Check either:

☒ Master Tax Agreement should apply to the change. If so, provide letter indicating consistency with the master agreement. To be Considered 8-25-98

☐ Other agreement for change is to be negotiated (Explain other agreement).

- B. Compliance with California Environmental Quality Act. Check either:

☐ Project is Exempt and a Notice of Exemption, prepared in consultation with LAFCo, is included.

☒ An initial study is complete and a Negative Declaration prepared for the annexation in consultation with LAFCo and other affected agencies and is included.

☐ An EIR has been prepared for the annexation project and 10 copies are included.

- C. Initiation of Application. A clear and reproducible legal description and map meeting Commission standards must be included, and a copy also attached to the resolution or petition. Check either:

☐ A certified resolution of application is included.

☐ A petition of landowners or registered voters is included.

D. Landowner Consent or Notice. Check either:

☐

1. Signed LAFCo property owner consent forms for all landowners are included as shown on Assessor's roll.

☐

2. Letter of Notification to Landowner and Residents (if no consent of all landowners).

a. All property owners and residents must be notified of the change and how to receive notice of LAFCo hearing.

b. For inhabited proposals, a City response to a neighborhood meeting, held for the annexation listing the issues and the City response.

E. Municipal Service Plan. Check either:

☒

A Service Plan for the change is included.

☐

A Master Service Plan is filed with LAFCo and is current (updated in 1993 or later).

F. Waiver of Conducting Authority proceeding.

☒

Check if all landowners have consented in writing and there are less than twelve registered voters, and if all annexing agencies have consented in writing to waive further Conducting Authority proceeding. Include State Board of Equalization filing information and fees.

6. Supplementary Maps

A map(s) showing land use, water and sewer service lines, and City and County zoning for the affected area and vicinity.

7. Application Fees

A fee must accompany the application in accordance with the LAFCo fee schedule.

8. Political Reform Act Compliance

List of Affected Landowners and Financial Interests

For all uninhabited proposals, or proposals where land use entitlements have been or may be filed with the city, the names of all landowners, lessees, options to purchase or lease the property, or any others having any ownership or financial interest in the property, must be furnished with the applications. If the interest is a corporation or partnership, list all persons owning more than 10% of the corporation shares or interest in partnership. If a trust or non-profit organization, list any directors or trustees, trustors, or beneficiaries.

<u>George Wackenhut</u>	<u>Howard Mouren</u>	<u> </u>
<u>Richard Wackenhut</u>	<u>Juanda Mouren</u>	<u> </u>
<u>Ruth Wackenhut</u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

If an applicant for or participant of any proceeding has made a campaign contribution of more than \$250 to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (Government Code Section 84308).

RESOLUTION NO. 1182

**A RESOLUTION OF APPLICATION
BY THE CITY OF HURON
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION
TO TAKE PROCEEDINGS FOR THE ANNEXATION OF
LAND FOR THE WACKENHUT CORRECTIONS
CORPORATION**

RESOLVED, by the City Council of the City of Huron, that

WHEREAS, the City of Huron desires to initiate proceedings pursuant to the Cortese-Knox Local Government Code, for the annexation; and

WHEREAS, the specific change of organization requested is revision to City Sphere of Influence; Annexation to City and Detach from Westlands Water District; and

WHEREAS, the territory proposed to be changed is uninhabited, and on this day contains zero registered voters, according to information received from the County Elections Officer; and

WHEREAS, a description of the boundaries of the territory is set forth in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, this proposal is not consistent with the sphere of influence of the affected City; and

WHEREAS, it is desired to provide that the proposed change be subject to the following terms and conditions; and

WHEREAS, the reasons for this proposed change are as follows:

WHEREAS, the City Council has considered the Negative Declaration/Environmental Impact Report/Categorical Exemption Finding prepared for the subject proposal in compliance with the California Environmental Quality Act.

NOW, THEREFORE, this Resolution of Application is hereby adopted and approved by the City Council of the City of Huron, and the Local Agency Formation Commission of Fresno County is hereby requested to take proceedings for the reorganization of territory as described in Exhibit "A", according to the terms and conditions stated above and in the manner provided by the Cortese-Knox Local Government Reorganization Act of 1985.

AND the City Council also does waive the conducting agency proceedings for the annexation as provided by law, finding that the proposed change is uninhabited and comes with consent of all landowners.

* * * * *

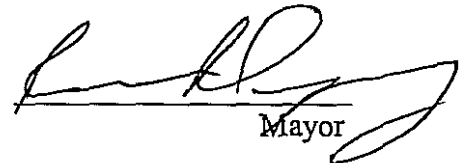
Passed and adopted by the City Council of the City of Huron at a special meeting thereof held on the 8th day of August, 1998, by the following vote:

AYES: COUNCILMEMBERS CANO, RODRIGUEZ, DOMINGUEZ

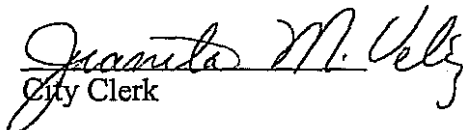
NOES: NONE

ABSENT: COUNCILMEMBERS CORTEZ, CHAVEZ

ABSTAIN: NONE


Mayor

ATTEST:


City Clerk

When recorded, return to the Fresno
County Public Works & Development
Services Department,
Development Services Division
2220 Tulare Street, Sixth Floor
Fresno, California 93721

ALCC: 3691

Space above this line for recorder's use

**NOTICE OF NON-RENEWAL
LAND CONSERVATION CONTRACT**

NOTICE IS HEREBY GIVEN BY "OWNER" That the Land Conservation Contract by and between

MOUREN FARMING CO., INC., a Corporation

and

the County of Fresno, recorded February 26, 19 71 as Instrument Number 16012, in Book 5369 Pages 751 through 752 of the Official Records of Fresno County, California, IS NOT TO BE RENEWED. The expiration date of said contract is the last day of December, 2007.

Howard E. Mouren
HOWARD E. MOUREN

JUANITA M. MOUREN

OWNERS

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

On 8/10/98 before me, (here insert name and title of the officer) _____

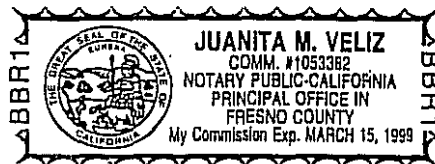
JUANITA M. VELIZ, NOTARY PUBLIC

, personally appeared _____

HOWARD E. MOUREN and JUANDA M. MOUREN

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ ~~she~~ ~~they~~ executed the same in ~~his/her~~ their authorized capacity(ies), and that by ~~his/her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the persons(s) acted, executed the instrument.

WITNESS my hand and official seal.



Signature

Juanita M. Veliz

(Seal)

Fresno Local Agency Formation Commission

Rowell Building • 2100 Tulare Street, Suite 502 • Fresno, CA 93721 ☎ (209) 495-0604 Fax (209) 495-0655

August 11, 1998

Mr. Bill Skinner
Valley Planning Consultants, Inc.
4335 North Golden State Blvd., Suite 101
Fresno, CA 93722

Mr. Al Puente, City Manager
City of Huron
P.O. Box 339
Huron, CA 93234

Dear Mr. Skinner and Mr. Puentes:

Subject: Wackenhut Prison Annexation

After a preliminary review of your application submitted yesterday afternoon, I have the following comments:

1. The annexation does not conform to the City sphere of influence. Approximately 40 acres is located outside the existing City sphere of influence. The City must submit an application requesting such a revision. Included is an application for this purpose.
2. The initial study does not mention the sphere of influence project nor does it include any maps showing the existing and proposed sphere of influence for the City. This should be corrected, and all reviewing agencies notified.
3. Two of the affected agencies whose boundaries may be changed are the Westside Resources Conservation District and the Westlands Water District, who should also be consulted as part of the initial study and the distribution list should be expanded to include the State Office of Drinking Water and the Regional Water Quality Control Board, as well as any State and Federal agencies responsible for reviewing potential flooding in the area.
4. The application lists only one change of organization, annexation to the City. It has been the policy of the City and LAFCo to also detach from the Westlands Water District and more recently, the Westside Resource Conservation District.

Chairman, Stan Oker
Board of Supervisor
Vice Chairman, Juan Arambula
Board of Supervisor

Members
Larry Fortuna
Public Member
Victor Lopez, Mayor
City of Orange Cove
Trinidad Rodriguez, Mayor
City of Kern

Alternate Members
William Donleavy
Public Member
Sharon Levy
Board of Supervisor
Tom Stearns
City of Clovis

Executive Officer
Marvin L. Panter

Mr. Bill Skinner and Mr. Al Puentes
August 11, 1998
Page 2

5. The City resolution follows the resolution form that I gave to a city official; however, there are several problems. It states that the change be subject to the following terms and conditions but lists none. Are there any terms or conditions? It states that the reasons for the proposed change are as follows, but none follow. The reasons should be stated. It states that the City Council has considered three documents which are contradictory: a Negative Declaration, a Environmental Impact Report, and a Categorical Exemption signed. Only one of these should be stated. However, since no Negative Declaration has been completed, only proposed, and the review period for the initial study is still ongoing, I doubt that this statement can be included anyway and comply with the California Environmental Quality Act procedures. Once all the comments are provided and the project properly reviewed, a determination made, and a recommendation given to the City Council, then the City Council can consider the environmental document.

The review date for the initial study should also be extended for the revised project. Also, is there any reasons why a facsimile will not be accepted?

6. The application fee for the annexation is \$7,500, plus 25% for the sphere of influence review for a total of \$9,375.

If you have any questions please give me a call.

Sincerely,



Marvin L. Panter
Executive Officer

Enclosures

cc: Jim Doughty

August 10, 1998

Fresno Local Agency Formation Commission
attn: Mr. Marvin Panter, Executive Director
2100 Tulare Street, Suite 502
Fresno, CA 93721

Dear Mr. Panter:

Valley Planning Consultants, Inc. (VPC) has been retained by the City of Huron to process an application for the Wackenhut Prison Annexation.

Please find enclosed the following:

1. Original application and one copy;
2. Wackenhut Prison Annexation Plan for Services;
3. Annexation Area;
4. Assessor's Parcel Maps, with Williamson Act Parcels shown;
5. Aerial Photography of the project area;
6. Legal Description and Meets and Bounds Map;
7. Resolution No. 1182 of the City of Huron City Council requesting LAFCo to take proceedings for the annexation of land for the Wackenhut Corrections Corporation;
8. Initial Study/Mitigated Negative Declaration for the City of Huron, Wackenhut Prison Annexation, August 4, 1998, and;
9. Release of property owner to proceed with filing for application for annexation to the City of Huron.

The City of Huron will be forwarding the required application fee of \$7,500.00 directly to LAFCo. If you should have any questions regarding the payment of fee's please contact Mr. Jim Doughty, City of Huron Director of Development at 945-2241.

For specific questions regarding the Initial Study/Mitigated Negative Declaration, Annexation or attached information, please contact either myself or Tom Skinner at 276-1022.

Sincerely,



BILL SKINNER

attached:



36311 Lassen Avenue • P.O. Box 339 • Huron, California 93234 • (209) 945-2241 • FAX (209) 945-2609

August 8, 1998

Mr. Howard E. Mouren
315 Cornell Avenue
Coalinga, California 93210

Dear Mr. Mouren:

As you are aware, the City of Huron is proceeding with requesting annexation of 45 acres of land that you own in Fresno County. Pursuant to §56837 of the Government Code, if a petition for annexation made by the City of Huron is accompanied by proof, satisfactory to the Fresno County Local Agency Formation Commission, that all the owners of the land to be annexed provide their written consent to annexation, LAFCo may approve the annexation without notice and hearing.

In order to expedite the proposed annexation and conserve public funds in the public hearing process, the City of Huron requests that you counter sign the bottom of this letter which **expresses your agreement to the annexation of 45 acres of land owned by you into the City of Huron.**

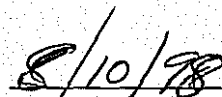
If you agree, please return a copy of this letter with your original signatures at the earliest possible date.

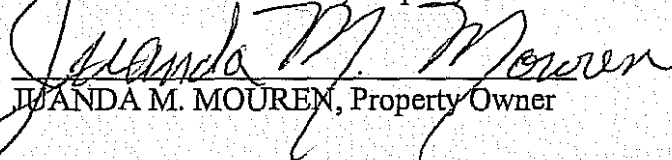
Sincerely,

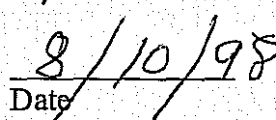
CITY OF HURON

JIM DOUGHTY
Director of Development


HOWARD E. MOUREN, Property Owner


Date


JUANDA M. MOUREN, Property Owner


Date

RESOLUTION NO. 1183

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HURON
APPROVING THE MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF FRESNO, THE CITY OF HURON
AND THE HURON DEVELOPMENT AGENCY

WHEREAS, the City of Huron is a municipal corporation in the State of California incorporated under the laws of the said State functioning under the general laws thereof and the COUNTY OF FRESNO is a Charter County within the State of California; and

WHEREAS, it is deemed to be in the public interest that these two entities work cooperatively and agree to meet at least annually regarding matters related to urban growth and development in the City of Huron; and

WHEREAS, it is the intent of the City of Huron and the County of Fresno to administer local governmental services in a prudent and efficient manner; and

WHEREAS, the two agencies recognize that many of the actions described in this resolution will require amendments to their General Plan and that such amendments will be subject to the required environmental documentation and public hearing processes:

THEREFORE, BE IT RESOLVED THAT THE COUNTY OF FRESNO AND THE CITY OF HURON AGREE THAT:

1. The City of Huron shall prepare general plan updates for their planning areas within the proposed urban boundary shown on Exhibit "A" (hereinafter referred to as the Urban Boundary), and Fresno County shall initiate an amendment to its general plan to include

The City of Huron and the County of Fresno do hereby express their intention not to amend the final Urban Boundary unless there is agreement among the affected parties to the change; and

2. The Urban Boundary shall be reviewed and updated a minimum of ten years; and
3. The City of Huron has the primary responsibility for comprehensive planning with the Urban Boundary and as part of their planning process may choose to designate some areas within the Urban Boundary as appropriate for interim agriculture, rural density, or permanent open space; and
4. The City of Huron and the County of Fresno shall recommend to the Local Agency Formation Commission (L.A.F.C.O) that it adopt as its Shere of Influence Line for the City of Huron a line conterminous with the urban boundary. Any changes resulting form the plan adoption process shall also be directed to L.A.F.C.O. for similar action; and
5. The Urban Boundar shall be based on the accommodation of a population of 5,600 persons for the planned urban areas of Huron; and
6. The County of Fresno does hereby initiate for consideration during its first General Plan amendment cycle of 1998, an amendment to is General Plan to revise the Fringe Area Policies to restore the referral policy for the City of Huron; and
7. In order to promote increased efficiency and economy is this provision of urban services and housing opportunity, and to conserve productive agricultural land, the County shall support the City-adopted land use plans within the Urban Boundaries of the City of Huron.
8. The City shall continue to make an effort to incorporate Fresno County land use policies for established neighborhoods and develop policies for protection of agriculturally related industrial operations at the urban iterface; and
9. Until the adoption of General Plan updates by the City of Huron, the county of Fresno expresses its intent that all unincorporated areas not designated urgan or not having an urban zone within the Urban Boundary shall be zoned AL-20 by the County of Fresno, and all properties zoned AE-20 shall retain those zones; and

10. The County shall institute procedures to amend the AL-20 zone district to eliminate those uses not compatible with the holding zone concept; and
11. Within the Urban Boundary and two miles beyond, each party to this agreement shall, in the early stages of preparation of land use and circulation proposals and General Plan amendments consult at the staff level in such fashion as to provide meaningful participation in the policy formulation process, and shall likewise consult on other policy changes which may have an impact on growth or the provision of urban services. Those parties shall also be given the opportunity to respond to the jurisdiction proposing the change before the final document is prepared for presentation to the hearing bodies; and
12. After the City of Huron adopts updated General Plan, the County shall initiate an amendment to the Fresno County General Plan to provide that the area planned by the City of Huron for eventual urban uses and currently designated on the County General Plan as rural residential shall be reserved for urban uses by the County by rezoning to agricultural zone districts. Further the County hereby expresses its intent not to add additional or expand existing rural residential areas adjacent to the Urban Boundary without concurrence of the affected City; and
13. Within those areas currently designated as Rural Residential in the County General Plan and which fall within the City's Urban Boundary general or community plans shall be prepared by the city in cooperation with the County which address the retention of rural residential uses and/or the eventual conversion of that land to higher density uses; and
14. Urban development and the provision of urban services within the Urban Boundaries shall be the responsibilities of the City of Fresno; and
15. The County will support urban unification; to this end, the County shall oppose the creation of new governmental entities within the Urban Boundary and will support efforts to consolidate existing special purpose districts; and
16. The County of Fresno shall initiate proceedings to consider the dissolution of those County Water Works Districts for which the Board of Supervisors is the governing body that are situated within the Urban Boundary of the City of Fresno to thereby transfer such responsibility of providing water to that city; and

17. The City of Fresno shall emphasize the inhabited annexation process and shall work with the established neighborhoods to encourage a negotiated unification of the existing urbanized area. Such a program shall stress the clarification and resolution of identified neighborhood concerns; and
18. For all annexations, the City of Huron shall provide to the property owners directly affected, an appropriate program which describes the service delivery program and the existing land use plan, including any proposed changes filed with the City or publicly proposed for the neighborhood; and
19. The City of Huron shall consult with the County of Fresno at the staff level when developing proposed annexation boundaries, and such boundaries shall be configured to create logical annexations; and
20. The City of Huron shall agree that, when an annexation is based on a County referral, the City will confine its request to that area necessary to establish legally required contiguity, or as required by L.A.F.C.O.; and
21. The City of Fresno and Clovis shall request, jointly with the County, that L.A.F.C.O. adopt a policy that that body will not consider requests to amend the Sphere of Influence unless the County and city have agreed to the change; and
22. During the general plan update process the two agencies shall discuss the policy ramifications of major sewer facilities. Following the adoption of the general plans of the City of Huron shall work out a plan for the financing and construction of the Huron sewer truckline system or an alternative means of sewerage for the northeastern portion of the planned urban area.

Mayor

ATTEST:

City Clerk

MEMORANDUM OF UNDERSTANDING BETWEEN
THE COUNTY OF FRESNO, THE CITY OF HURON
AND THE HURON REDEVELOPMENT AGENCY

THIS MEMORANDUM OF UNDERSTANDING (hereinafter "MOU") is made and executed this ____ day of _____, 1998, by and between the COUNTY OF FRESNO, a political subdivision of the State of California (hereinafter referred to as "COUNTY"), the CITY OF HURON, a municipal corporation of the State of California (hereinafter referred to as "CITY"), and the HURON REDEVELOPMENT AGENCY, a redevelopment agency organized and existing under and by virtue of the laws of the State of California (hereinafter referred to as "AGENCY").

W I T N E S S E T H

WHEREAS, COUNTY, CITY and AGENCY wish to work together to develop a fair and equitable approach to tax sharing and the encouragement of sound economic growth; and

WHEREAS, in order to encourage economic development and environmentally sound land use planning, it is important that any tax sharing among COUNTY, CITY and AGENCY be determined in advance and that such arrangements not be fiscally detrimental to either COUNTY, CITY, or AGENCY; and

WHEREAS, COUNTY, CITY and AGENCY recognize the importance of COUNTY, CITY, and AGENCY's services and are prepared to cooperate in an effort to address COUNTY's, CITY's, and AGENCY's fiscal problems; and

WHEREAS, through annexation and appropriate redevelopment, CITY and AGENCY provide the opportunity for economic growth and development to support public services for CITY, COUNTY, and AGENCY; and

WHEREAS, close cooperation between COUNTY, CITY and AGENCY is necessary to maintain the quality of life throughout Fresno County and deliver needed services in the most cost-efficient manner to all CITY and COUNTY residents; and

WHEREAS, COUNTY recognizes the need for orderly growth within and adjacent to CITY and for supporting appropriate annexations and promoting the concentration of

development within CITY; and

WHEREAS, CITY and AGENCY recognize that development within CITY limits may also have the effect of concentrating revenue-generating activities within CITY rather than in unincorporated areas; and

WHEREAS, annexation which results in the development of urban uses in response to a clearly demonstrated community demand is appropriate; and well planned and fiscally sound redevelopment can be a valuable tool in the physical and economic development of CITY and COUNTY.

NOW, THEREFORE, COUNTY, CITY and AGENCY hereby agree as follows:

ARTICLE I

DEFINITIONS

Unless the particular provision or context otherwise requires, the definitions contained in this article and in the Revenue and Taxation Code shall govern the construction, meaning, and application of words used in this MOU.

1.1 "Base property tax revenues" means property tax revenues allocated by tax rate equivalents to all taxing jurisdictions as to the geographic area comprising a given tax rate area annexed in the fiscal year immediately preceding the tax year in which property tax revenues are apportioned pursuant to this MOU, including the amount of State reimbursement for the homeowners' and business inventory exemptions.

1.2 Except as provided in Section 6.1, "property tax increment" means revenue from the annual tax increment, as "annual tax increment" is defined in Section 98 of the Revenue and Taxation Code, attributable to the tax rate area for the respective tax year.

1.3 "Substantial development" or "substantially developed" means real property which, prior to annexation, has an improvement value to land value ratio equal to or greater than 1.25:1, as of the lien date in the fiscal year in which the annexation becomes effective.

1.4 "Property tax revenue" means base property tax revenue, plus the property tax increment for a given tax rate area.

1.5 "Tax apportionment ratio" means the tax apportionment ratio of the parties for a given fiscal year and shall be ascertained by dividing the amount determined for each party pursuant to Revenue and Taxation Code Sections 96(a) or 97(a), whichever is applicable, by that party's gross assessed value, and by then dividing the sum of the resulting tax rate equivalents of both parties into each party's tax rate equivalent to produce the tax apportionment ratio.

1.6 "Tax rate equivalent" means the factor derived for an agency by dividing the property tax levy for the prior fiscal year computed pursuant to Section 97 of the Revenue and Taxation Code by the gross assessed value of the agency for the prior fiscal year.

ARTICLE II

ANNEXATIONS BY CITY

2.1 Any annexations undertaken by CITY following the date of the execution of this MOU shall be consistent with both the terms of this MOU and the standards (hereinafter "The Standards" or "Standards") as set forth in Exhibit "1", attached hereto and incorporated by reference herein as if set forth fully at this point. This MOU shall not apply to annexations proposed by CITY which are not in compliance with its terms or which fail to meet The Standards. If a proposed annexation is not in compliance with the terms of this MOU, including, but not limited to, The Standards, then no property tax exchange agreement, as required by Revenue and Taxation Code Section 99, shall exist in regards to that proposed annexation. Any such non-complying annexation shall be handled individually through separate negotiations between CITY and COUNTY.

2.2 In order to encourage the orderly processing of proposed annexations, CITY shall, at least thirty (30) days prior to filing any annexation proposal with the Fresno County Local Agency Formation Commission (hereinafter "LAFCO"), notify COUNTY of its intention to file such proposal and the date upon which CITY expects such proposal to be filed. Upon COUNTY's request, CITY agrees to meet with COUNTY to review whether its proposed annexation complies with The Standards. Within fifteen (15) days after the date COUNTY receives notice by CITY of its annexation proposal, COUNTY shall notify CITY

1 in writing if it has determined that the proposed annexation is inconsistent with The
2 Standards. The notice shall describe with particularity how the proposed annexation is
3 inconsistent with The Standards. Upon receipt of such notification, CITY may either
4 modify the proposal to COUNTY's specifications or adopt a resolution finding that the
5 proposed annexation is, in CITY's determination, consistent with The Standards.

6 2.3 If CITY adopts a resolution making the findings described in Section 2.2, then
7 COUNTY may challenge such findings by appropriate court action filed within thirty (30)
8 days of receipt of written notice of the adoption of CITY's resolution. The court shall
9 independently review the evidence and determine whether the proposed annexation is
10 consistent with The Standards.

11 As an alternative to a judicial challenge by the COUNTY, the parties may within the
12 aforesaid thirty (30) day period mutually agree in writing to arbitrate their dispute through
13 proceedings conducted in accordance with the rules established by the American
14 Arbitration Association. The parties upon agreeing to arbitrate will proceed with arbitration
15 in a timely manner. The arbitrator hearing the matter shall independently review the
16 evidence and determine whether the proposed annexation is consistent with The
17 Standards.

18 Costs incurred by the prevailing party, either in court proceedings or arbitration, shall
19 be paid by the non-prevailing party. The parties agree that CITY shall not proceed to
20 LAFCO with the proposed annexation until the dispute is finally resolved either by court or
21 arbitration proceedings. If CITY attempts to proceed with such proposed annexation prior
22 to the expiration of the period in which COUNTY may file its court action or agree to
23 arbitrate, or prior to the final conclusion of such court or arbitration proceedings, then this
24 memorandum shall immediately terminate as to such annexation and, in particular, no
25 property tax exchange agreement, as required by Section 99 of the Revenue and Taxation
26 Code, shall exist between CITY and COUNTY as to that proposed annexation.

27 2.4 Notwithstanding the foregoing, the CITY may proceed to LAFCO under this
28 MOU if court or arbitration proceedings are not completed within thirty (30) days after the

filing thereof provided, however, that LAFCO in its resolution of approval, at the request of the CITY, conditions the completion of the annexation upon the Executive Officer's prior receipt of a certified copy of the document evidencing the finality of the aforesaid court or arbitration proceedings determining that the proposed annexation is consistent with Exhibit "I" attached hereto, or alternatively, receipt of a written stipulation of the CITY and COUNTY agreeing that a master property tax agreement still exists permitting the completion of such proposed annexation.

2.5 If LAFCO declines to include the condition referenced in Paragraph 2.4 or the condition referenced in Paragraph 2.6 in its approval, or CITY fails to timely request such condition, no property tax exchange agreement as required by Section 99 of the Revenue and Taxation Code shall exist between CITY and COUNTY as to that proposed annexation. If CITY nevertheless attempts to proceed with the annexation, such action on the part of the CITY shall also be deemed good cause for the COUNTY at its option to terminate this Memorandum of Understanding in its entirety.

2.6 This Section provides an alternative for annexation proposals subject to Paragraph 3 of Exhibit "1" attached to this MOU. Where the CITY includes in the resolution initiating an annexation and the annexation application a statement that the annexation proposal of undeveloped property is expressly conditioned upon approval of a Tentative Subdivision Map or approved Site Plan as required by The Standards prior to final approval by LAFCO, the COUNTY shall consider the resolution and application as documentation that the proposal is consistent with the applicable Standard. If the proposed annexation of undeveloped property is not conditioned on the approval of the Tentative Subdivision Map or approved Site Plan as contained in The Standards and outlined above, the annexation proposal shall be governed by the terms of Article II, Section 2.5, of this Memorandum of Understanding.

ARTICLE III

EXCHANGE OF PROPERTY TAX REVENUES TO BE MADE UNDER

SECTION 99 OF THE REVENUE AND TAXATION CODE

1 3.1 The property tax revenues collected in relation to annexations covered by the
2 terms of this MOU shall be apportioned between CITY and COUNTY as set forth in
3 Sections 3.2 and 3.3 below. The parties acknowledge that, pursuant to Sections 54902,
4 54902.1 and 54903 of the Government Code and Sections 97 and 99 of the Revenue and
5 Taxation Code, the distribution of such property tax revenues will not be effective until the
6 revenues are collected in the tax year following the calendar year in which the statement
7 of boundary changes and the map or plat is filed with the County Assessor and the State
8 Board of Equalization.

9 3.2 In regards to the annexation of real properties which are not considered
10 substantially developed at the time of annexation, COUNTY will retain all of its base
11 property tax revenue upon annexation. The amount of the property tax increment for
12 special districts whose services are assumed by CITY shall be combined with the property
13 tax increment of the COUNTY, the sum of which shall be allocated between CITY and
14 COUNTY pursuant to the following ratio:

15 COUNTY: 58%

16 CITY: 42%

17 3.3 In regards to the annexation of real properties which are considered
18 substantially developed at the time of annexation, property tax revenue (base plus
19 increment) will be reallocated as follows: a detaching or dissolving district's property tax
20 revenue (base plus increment) shall be combined with COUNTY's and the sum of which
21 shall be allocated between CITY and COUNTY pursuant to the ratio set forth in Section
22 3.2.

23 ARTICLE IV

24 DEVELOPMENT WITHIN AND ADJACENT TO

25 CITY'S SPHERE OF INFLUENCE

26 4.1 COUNTY shall not approve any discretionary development permits for new
27 urban development or modifications to discretionary urban development permits within the
28 CITY's sphere of influence unless that development shall have first been referred to CITY

for consideration of possible annexation. If CITY does not, within sixty (60) days of receipt of notice from COUNTY, adopt a resolution of application to initiate annexation proceedings before LAFCO, COUNTY may approve development permits for that new urban development, considering CITY's general plan, and consistent with COUNTY's general plan policies, provided: (1) that the development is orderly and does not result in the premature conversion of agricultural lands, and (2) that COUNTY shall require compliance with development standards comparable to CITY's and charge fees, if CITY charges similar fees, reflecting the increased administrative and implementing cost where such CITY standards are more stringent than COUNTY's. CITY agrees to cooperate with COUNTY in providing data in support of fees covering the applicable standards. COUNTY's actual fees may be more or less than CITY's, depending on the review. CITY and COUNTY may annually prepare a fee schedule for COUNTY use to be adopted during COUNTY's budget process. COUNTY agrees to adopt the policies, procedures and ordinances necessary to effectuate the intent of this article.

4.2 COUNTY shall support urban unification. To this end, COUNTY shall oppose the creation of new governmental entities within CITY's sphere of influence, except for such entities that may be necessary to address service requirements that cannot be addressed by annexation to CITY. CITY and COUNTY will support transition agreements with current service providers which recognize the primary role of cities as providers of urban services within urban areas and where current service providers of urban services have participated in service master planning.

4.3 Within the CITY's sphere of influence and for the two-mile area beyond that sphere of influence, COUNTY and CITY agree that, in the early stages of preparation of general plan amendments for new urban development, they shall consult at the staff level in such fashion as to provide meaningful participation in the policy formulation process, and shall likewise consult on other policy changes which may have an impact on growth or the provision of urban services. CITY shall also be given the opportunity to respond to COUNTY before the final document is prepared for presentation to COUNTY's Planning

Commission. COUNTY agrees that it will solicit comments from CITY in the preparation of any Initial Study required by the California Environmental Quality Act undertaken within the area. If CITY determines such urban development may have a significant effect on the environment, the COUNTY shall require an EIR to be prepared if a fair argument can be made in support of the CITY's finding.

4.4 CITY acknowledges that COUNTY may adopt or has adopted fees which COUNTY deems necessary to provide joint planning and review services with the cities in COUNTY, including CITY, and to provide capital facilities necessary to serve new development in COUNTY, including COUNTY facilities necessary to serve new development in CITY. Upon request by COUNTY, CITY shall require that an applicant for any land use entitlement or permit within CITY shall pay all fees of COUNTY applicable to the entitlement or permit on behalf of COUNTY, whether for public facilities, joint planning services or joint review services. CITY shall either timely impose and collect such fees or require the applicant to present a voucher issued by COUNTY evidencing the payment of the fees directly to COUNTY. Capital facilities fees adopted by COUNTY are to mitigate the impact of development on required COUNTY facilities and services including, but not limited to, the criminal justice system, health, social services, parks, transportation and library. Joint planning and review services fees are to mitigate the expenses incurred by COUNTY in engaging in joint planning services with CITY and to mitigate the expenses of reviewing projects within CITY which are forwarded to COUNTY for COUNTY'S review. If CITY imposes and collects the fees on behalf of COUNTY, CITY shall transfer the fees to COUNTY at the earliest time it is legally permissible to do so. COUNTY may impose new fees and amend existing fees from time to time in its sole discretion. COUNTY shall give CITY at least thirty days notice before implementing any new fees or an amendment to existing fees. Notwithstanding this Section 4.4 or any other provision of this MOU, COUNTY shall be solely responsible for determining the amount of the fees and setting them in accordance with law. This Section shall not be construed as a representation by CITY as to the propriety of the fees or the procedures used in setting them. The County

1 shall hold harmless, indemnify and, at the City's request, defend the City and its officers
2 and employees for any claim and any and all liability arising from or related to COUNTY's
3 fees. Nothing herein shall prohibit the CITY from charging an applicant an additional
4 reasonable administrative fee for the collection of COUNTY's fees.

5 ARTICLE V

6 IMPLEMENTATION OF SALES TAX

7 REVENUE COLLECTION

8 5.1 Pursuant to the Bradley Burns Uniform Local Sales and Use Tax Law, Part
9 1.5, Division 2, of the Revenue and Taxation Code (commencing with Section 7200), CITY
10 is, concurrent with the execution of this MOU, amending its local sales and use tax
11 ordinance. This amendment shall be timely forwarded to the State Board of Equalization
12 so that it will become operative as of the first July 1 following the CITY reaching the
13 threshold set forth in Subsections 5.2.1 and 5.2.2. This amendment shall enable
14 COUNTY, pursuant to its sales and use tax ordinance, to collect a portion of the sales and
15 use tax revenues generated within the incorporated areas of CITY in accordance with the
16 applicable rate set forth on Exhibit "2", attached hereto and incorporated by reference as if
17 set forth fully at this point. The format of this amendment by CITY to its local sales and
18 use tax ordinance shall likewise provide as a credit against the payment of taxes due
19 under such ordinance, an amount equal to any sales and use tax due to COUNTY.

20 5.2 Except as otherwise provided herein, CITY further agrees that the amendment
21 adopted pursuant to Section 5.1 above shall likewise provide for the periodic reallocation
22 of additional sales tax revenues generated within the incorporated areas of CITY in
23 accordance with the schedule set forth on Exhibit "2". Each subsequent incremental
24 adjustment shall go into effect at the commencement of the fiscal year indicated. These
25 periodic adjustments shall enable COUNTY, pursuant to its sales and use tax ordinance,
26 to collect that portion of the sales and use tax revenues generated within the incorporated
27 areas of CITY equal to the applicable percentage as specified in Exhibit "2". These
28 periodic adjustments shall automatically go into effect provided that:

1 5.2.1 CITY receives sales tax revenues per capita in an amount greater
2 than fifty percent (50%) of the sales tax revenue per capita collected by all
3 Fresno County cities when taken as a group during the most recent fiscal
4 year for which State Board of Equalization information is available, then it
5 hereby agrees to reallocate sales tax revenues with COUNTY beginning in
6 fiscal year 1991-92 in accordance with the provisions of this article; and

7 5.2.2 CITY's annual sales tax revenue growth for the most recent fiscal
8 year for which sales tax revenue information is available from the State Board
9 of Equalization allows CITY to reallocate sales tax revenue at the percentage
10 designated in Exhibit "2" and still have a net increase in its remaining sales
11 tax revenue when compared with the fiscal year immediately preceding the
12 fiscal year described above. The periodic phase in of sales tax reallocation
13 described herein shall be delayed from year-to-year if CITY falls below the
14 sales tax reallocation threshold as identified in Section 5.2. In those years in
15 which CITY does not meet the sales tax reallocation threshold, CITY's
16 sharing proportion shall continue at the same rate as in the last year in which
17 CITY met or exceeded the threshold. When, in a subsequent year, CITY
18 again meets or exceeds the threshold, the sharing proportion of CITY shall be
19 at the next higher sharing proportion shown on Exhibit "2", and the annual
20 phase-in shall continue therefrom.

21 5.3 The sales tax ordinance amendments adopted by CITY pursuant to this
22 article are intended to reduce CITY's sales tax rate from its then-existing level to a level
23 which thereby enables COUNTY, pursuant to its sales tax ordinance, to continue
24 collecting those amounts set forth in the previous provisions of this article as well as the
25 applicable percentages set forth on Exhibit "2". In addition, each periodic adjustment is
26 intended by the parties to enable COUNTY to collect an amount equivalent to the
27 applicable percentage specified in Exhibit "2".

28 5.4 Whenever CITY proposes an annexation of unincorporated territory which

1 generates substantial sales tax revenue for COUNTY, CITY agrees to further amend its
2 local sales and use tax ordinance as set forth in this Section. Notwithstanding the
3 language of Subsections 5.2.1 and 5.2.2, this additional amendment shall become
4 operative no later than the commencement of the next calendar quarter following the date
5 upon which such annexation is certified as complete by the Executive Officer of LAFCO.
6 This additional amendment shall decrease CITY's sales tax rate to yield an amount equal
7 to the amount of substantial sales tax revenue being collected by COUNTY in the area to
8 be annexed, thus enabling COUNTY to increase its sales tax rate by a corresponding
9 percentage, which shall continue to accrue to COUNTY throughout the term of this MOU.
10 Any such additional amendment made by CITY pursuant to this Section shall likewise
11 preserve intact any periodic adjustments previously implemented pursuant to this MOU.
12 Further, CITY agrees that it shall not split or separate areas into smaller annexations for
13 the purpose of, or having the effect of, creating an annexation or annexations which,
14 individually, do not generate substantial sales tax revenue, but which would generate such
15 revenue if combined. For purposes of this article, the term "substantial sales tax revenue"
16 shall be defined as sales tax revenue derived from taxable sales in the area annexed
17 equal to at least:

18 5.4.1 If only information for less than one fiscal year exists, then
19 \$100,000 in taxable sales in the most recent quarter for which such
20 information from the State Board of Equalization is available in writing or
21 electronic or magnetic media, and projected to a full four quarters, at least
22 \$400,000 in taxable sales.

23 5.4.2 If information for one or more years exist, then \$400,000 in taxable
24 sales in the most recent year for which such information from the State Board
25 of Equalization is available in writing or electronic or magnetic media.

26 5.5 In each fiscal year succeeding the initial amendment by CITY of its local sales
27 and use tax ordinance pursuant to Section 5.4, CITY'S sales tax rate shall be readjusted
28 by dividing the sum of the sales tax revenue generated by the annexed substantial sales

1 tax generator(s), as first determined in Section 5.4, by the total sales tax revenue
2 generated in the CITY, based upon the most recent four consecutive calendar quarters for
3 which such information from the State Board of Equalization is available in writing or
4 electronic or magnetic media by April 1. The annual amendment by CITY of its local sales
5 and use tax ordinance pursuant to this Section and Exhibit 2 shall be timely forwarded to
6 the State Board of Equalization so that it will become effective on July 1 of each fiscal
7 year. COUNTY shall correspondingly amend its local sales and use tax ordinance.

8 5.6 If CITY fails to amend its sales tax ordinance as provided in Section 5.1, or if
9 the amendment to the sales tax ordinance fails to provide for the periodic reallocation of
10 additional sales tax revenues as provided in Section 5.2, the Subsections therein, and
11 Exhibit "2", or if CITY fails to further amend its sales tax ordinance upon the annexation of
12 unincorporated territory which generates substantial sales tax revenue for COUNTY as
13 provided in Section 5.4, or if CITY splits or separates areas into smaller areas as
14 prohibited by Section 5.4, then this MOU shall immediately terminate and, in particular, no
15 property tax exchange agreement, as required by Section 99 of the Revenue and Taxation
16 Code, shall exist between CITY and COUNTY.

17 5.7 CITY and COUNTY further agree that the annual report of the State Board of
18 Equalization and the Department of Finance Annual Population Estimates shall be used
19 as the data source for the purpose of calculating the per capita sales tax revenue pursuant
20 to this MOU.

21 5.8 Application of the formula to be used in the allocation of revenues pursuant to
22 Section 5.2 is illustrated in Exhibit "3", attached hereto and incorporated by reference
23 herein as if set forth fully at this point.

24 5.9 The arithmetic formula(s) to be used to make the calculations provided for in
25 Sections 5.4 and 5.5 are illustrated in Exhibit 4, attached thereto and incorporated by
26 reference herein as if set forth fully at this point. Exhibit 4 is incorporated as an example
27 only and shall not be construed to expand, limit or otherwise affect the rights and duties of
28 the parties under this MOU.

1 ARTICLE VI

2 COUNTY AND CITY ASSURANCES ON USE OF REVENUE

3 6.1 COUNTY recognizes that certain revenue reallocated to it by this MOU would
4 otherwise have been appropriated by CITY and AGENCY to meet demands for services.
5 Therefore, COUNTY agrees to use this new revenue in order to maintain levels of
6 COUNTY services that are supportive of CITY and AGENCY services, unless the federal
7 or state governments materially reduce the level of funding for such services. Examples
8 of such COUNTY services include: criminal justice system, public health, and other similar
9 services. This Section shall not be construed as establishing minimum levels of COUNTY
10 services that are supportive of CITY and AGENCY services.

11 6.2 CITY agrees to continue enforcement of laws which result in the collection of
12 fines and forfeitures.

13 ARTICLE VII

14 COOPERATIVE EFFORTS AT LEGISLATIVE REFORM

15 7.1 CITY, COUNTY, and AGENCY agree to work jointly for State legislation and
16 appropriations that would improve the fiscal condition of CITY, COUNTY, and AGENCY.

17 ARTICLE VIII

18 GENERAL PROVISIONS

19 8.1 Term of MOU.

20 This MOU shall commence as of the date of execution by COUNTY, CITY and
21 AGENCY and shall remain in effect for a period of six (6) years, unless terminated prior to
22 that time by mutual agreement of the parties.

23 8.2 Termination.

24 8.2.1 Should all or any portion of this MOU be declared invalid or
25 inoperative by a court of competent jurisdiction, or should any party to this
26 MOU fail to perform any of its obligations hereunder, or should any party to
27 this MOU take any action to frustrate the intentions of the parties as
28 expressed in this MOU, then in such event, this entire MOU, as well as any

1 ancillary documents entered into by the parties in order to fulfill the intent of
2 this MOU, shall immediately be of no force and effect and, in particular, no
3 property tax exchange agreement, as required by Section 99 of the Revenue
4 and Taxation Code, shall exist between the CITY and COUNTY as to
5 unincorporated property, and CITY shall not be required to further amend its
6 sales tax ordinance.

7 8.3 Renegotiation Following Court Action.

8 If this Agreement is terminated by reason of court action, the parties agree to
9 negotiate in good faith to achieve new agreement consistent with fundamental objectives
10 of this Agreement.

11 8.4 Penalty for CITY's Arbitrary Termination.

12 Conversely, other than termination for a reason specified in this Agreement, if the
13 CITY terminates this Agreement arbitrarily and without good cause, the COUNTY shall be
14 entitled to increase its sales tax by one-half of one percent (.005) above its tax in place at
15 the time of CITY's breach, beginning the next calendar quarter following the expiration of
16 thirty (30) days written notice of breach to CITY.

17 8.5 Penalty For County's Arbitrary Termination.

18 Other than termination for a reason specified in this MOU, if County terminates this
19 MOU arbitrarily and without good cause, CITY shall be entitled to increase its sales tax
20 rate by one-half of one percent (.005) above its tax rate in place at the time of COUNTY's
21 breach, beginning the next calendar quarter following the expiration of thirty days written
22 notice of breach to COUNTY.

23 8.6 Implementation of Penalties.

24 The parties covenant to make necessary changes in their respective sales tax
25 ordinances to effectuate the intent of penalty provisions notwithstanding termination of this
26 Memorandum of Understanding.

27 8.7 Termination Due to Changes in Law.

28 The purpose of this MOU is to alleviate in part the revenue shortfall experienced

by COUNTY which may result from CITY's annexation of revenue-producing or potentially revenue-producing properties located within the unincorporated area of COUNTY, and from CITY's and AGENCY's redevelopment projects. The purpose of this MOU is also to enable CITY to proceed with territorial expansion and economic growth consistent with the terms of existing law as mutually understood by the parties as well as to maximize each party's ability to deliver essential governmental services. In entering into this MOU, the parties mutually assume the continuation of the existing statutory scheme for the distribution of available tax revenues to local government and that assumption is a basic tenet of this MOU. Accordingly, it is mutually understood and agreed that this MOU may, by mutual agreement be terminated should changes occur in statutory law, court decisions or state administrative interpretations which negate the basic tenets of this MOU.

8.8 Modification.

This MOU and all of the covenants and conditions set forth herein may be modified or amended only by a writing duly authorized and executed by COUNTY, CITY and AGENCY.

8.9 Enforcement.

COUNTY, CITY and AGENCY each acknowledge that this instrument cannot bind or limit themselves or each other or their future governing bodies in the exercise of their discretionary legislative power. However, each binds itself that it will insofar as is legally possible fully carry out the intent and purposes hereof, if necessary by administrative action independent of ordinances, and that this MOU may be enforced by injunction to the extent allowed by law.

8.10 Entire MOU: Supersession.

With respect to the subject matter hereof, this MOU supersedes any and all previous negotiations, proposals, commitments, writings, and understandings of any nature whatsoever between COUNTY, CITY and AGENCY except as otherwise provided herein. This MOU does not supersede existing written agreements among COUNTY, CITY and AGENCY pertaining to redevelopment.

1 8.11 Notice.

2 All notices, requests, certifications or other correspondence required to be
3 provided by the parties to this MOU shall be in writing and shall be delivered by first class
4 mail or an equal or better form of delivery to the respective parties at the following
5 addresses:

6 COUNTY

CITY and AGENCY

7 County Administrative Officer
8 County of Fresno
9 Hall of Records, Room 300
 2281 Tulare Street
 Fresno, CA 93721

 City Manager/Exec. Director
 City of Huron
 City Hall
 P.O. Box 339
 Huron, CA 93234

10 8.12 Renegotiation.

11 If COUNTY enters into an MOU with another City that has terms and conditions
12 more favorable in the aggregate to that City than those terms and conditions contained
13 herein, COUNTY agrees that it will negotiate such terms and conditions upon written
14 request from CITY or AGENCY, with the intent of offering a more favorable agreement.
15 Negotiations shall conclude thirty (30) days from the date of receipt of notice by COUNTY
16 and, if agreement is tentatively reached during that period, the legislative bodies of the
17 parties shall approve any such amendment within thirty (30) days following the date of the
18 tentative agreement. COUNTY, CITY and AGENCY are not required to reach agreement.

19 8.13 Notice of Breach.

20 Except as provided in Article II, prior to this MOU being terminated for breach or
21 default by CITY or AGENCY, COUNTY shall provide notice to CITY and AGENCY of such
22 breach, and CITY and AGENCY shall comply with the terms and conditions of this MOU
23 within thirty (30) days of receipt of notice. If CITY or AGENCY fail to timely comply, this
24 MOU shall terminate as provided herein. During the thirty (30) day notice period and until
25 CITY and AGENCY certify in writing that they are in compliance and COUNTY agrees in
26 writing, no property tax exchange agreement, as required by Section 99 of the Revenue
27 and Taxation Code, shall exist between COUNTY and CITY with respect to any pending
28 annexations.

1 In like manner the CITY and AGENCY shall give COUNTY thirty (30) days written
2 notice and opportunity to cure any alleged breach of this MOU on the part of the
3 COUNTY.

4 8.14 Other Remedies.

5 Except as otherwise provided in this MOU for a breach of its terms and conditions,
6 the parties may enforce this MOU in an other manner authorized by law.

7 IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be
8 executed as of the day and year first above written.

9 COUNTY OF FRESNO, a Political
10 Subdivision of the State of California
11 ("COUNTY")

CITY OF HURON, a Municipal
Subdivision of the State of California
("CITY")

12 _____
13 Chairman, Board of Supervisors

Mayor, City of Huron

14 REDEVELOPMENT AGENCY OF THE
15 CITY OF HURON

16 _____
17 Chairman

Secretary

18 REVIEWED AND RECOMMENDED FOR
19 APPROVAL:

APPROVED AS TO LEGAL FORM:

20 _____
21 CAROLINA JIMENEZ-HOGG, Director
22 Public Works & Development Services Dept.

PHILLIP S. CRONIN, County Counsel

23 APPROVED AS TO ACCOUNTING FORM:

ATTEST:

24 _____
25 GARY W. PETERSON, Auditor-Controller/
26 Treasurer-Tax Collector

Shari Greenwood, Clerk to the
Board of Supervisors

**EXHIBIT 1
STANDARDS FOR ANNEXATION**

- ♦ The proposal must be consistent with the adopted sphere of influence of the city and not conflict with the goals and policies of the Cortese-Knox Act.
- ♦ The proposal must be consistent with city general and specific plans, including adopted goals and policies.
- ♦ Pursuant to CEQA, the proposal must mitigate any significant adverse effect on continuing agricultural operations on adjacent properties, to the extent reasonable and consistent with the applicable general and specific plan.
- ♦ A proposal for annexation is acceptable if one of the following conditions exist:
 1. There is existing substantial development provided the City confines its area requested to that area needed to include the substantial development and create logical boundaries.
 2. Development exists that requires urban services which can be provided by the City.
 3. If no development exists, at least 50% of the area proposed for annexation has:
 - a. Approved tentative subdivision map(s) (S.F. residential)
 - b. Approved site plan (for other uses)
- ♦ The proposal would not create islands. Boundaries must ultimately minimize creation of peninsulas and corridors, or other distortion of boundaries.

For any of the following circumstances a proposal for annexation is presumed to comply with all standards for annexation:

- ♦ The request for annexation is by a city for annexation of its own publicly-owned property for public use.
- ♦ The request for annexation is by a city in order to facilitate construction of public improvements or public facilities which otherwise could not be constructed.
- ♦ The request for annexation is to remove an unincorporated island or substantially surrounded areas.
- ♦ The request for annexation is for an industrial or regional commercial project for which a development application has been made and no significant adverse environmental impact will result that cannot be mitigated or overridden by a necessary public purpose. Condition(s) assuring the financing or completion of necessary development infrastructure before completion of annexation shall be made a part of the proposal.
- ♦ The annexation is intended to mitigate or otherwise comply with standards/conditions required by another agency with respect to another development/annexation.

EXHIBIT 2

EQUIVALENT SALES TAX REVENUE
SHARING PROPORTIONS

<u>YEAR</u>	<u>CITY</u>
0 (FISCAL YEAR 1998/99	0
1 (Beginning July 1, 19__*)	1/2
2 (Beginning July 1, 19__)	1 1/2
3	2
4	2 1/2
5	3
6	3 1/2
7	4
8	5
9	5
10	5
11	5
12	5
13	5
14	5
15	5

***NOTE:** The first year for sales tax reallocation is determined according to Section 5.1 and 5.2 of the MOU.

EXHIBIT 3

CITY	SALES TAX REVENUE 1996	POPULATION JANUARY 1 1996	PER CAPITA SALES TAX REVENUE 1996	SALES TAX REVENUE 1997	POPULATION JANUARY 1 1997	PER CAPITA SALES TAX REVENUE 1997	MEETS 50% CRITERIA 1996	MEETS 50% CRITERIA 1997	GROWTH OVER 1/2%	SALES TAX REVENUE GROWTH
	A	B	C	D	E	F	G	H	I	J
CLOVIS	\$7,113,695	65,047	\$109.36	\$7,549,797	66,477	\$113.57	A	A	YES	6.13%
COALINGA	\$639,841	9,937	\$64.39	\$638,904	10,250	\$62.33	A	A	NO	-0.15%
FIREBAUGH	\$451,229	5,822	\$77.50	\$459,318	6,000	\$76.55	A	A	YES	1.79%
FOWLER	\$391,204	3,746	\$104.43	\$395,985	3,793	\$104.40	A	A	YES	1.22%
FRESNO	\$39,523,277	400,884	\$98.59	\$40,643,227	406,937	\$99.88	A	A	YES	2.83%
HURON	\$144,293	5,534	\$26.07	\$142,651	5,590	\$25.52	B	B	NO	-1.14%
KERMAN	\$552,929	6,731	\$82.15	\$573,621	7,164	\$80.07	A	A	YES	3.74%
KINGSBURG	\$465,016	8,472	\$54.89	\$484,346	8,738	\$55.43	A	A	YES	4.16%
NDOTA	\$361,242	7,418	\$48.70	\$288,943	7,451	\$38.78	A	B	NO	-20.01%
ORANGE COVE	\$123,903	6,705	\$18.48	\$109,740	7,749	\$14.16	B	B	NO	-11.43%
PARLIER	\$136,919	9,464	\$14.47	\$137,730	10,377	\$13.27	B	B	YES	0.59%
REEDLEY	\$1,134,157	19,102	\$59.37	\$1,064,030	19,549	\$54.43	A	A	NO	-6.18%
SANGER	\$1,140,311	18,312	\$62.27	\$1,190,019	18,584	\$64.03	A	A	YES	4.36%
SAN JOAQUIN	\$134,944	2,924	\$46.15	\$156,862	2,975	\$52.73	B	A	YES	16.24%
SELMA	\$2,186,250	17,320	\$126.23	\$2,204,438	17,706	\$124.50	A	A	YES	0.83%
SALES TAX REVENUE TOTAL ALL CITIES	54,499,210	587,418		56,039,611	599,340					
PER CAPITA ALL CITIES			\$92.78			\$93.50				
50% MINIMUM			\$46.39			\$46.75				
UNINCORPORATED POPULATION		169,358			174,222					
TOTAL COUNTY POPULATION		756,776			773,562					

SALES TAX REVENUES:

COLUMNS A & D, SOURCE: STATE BOARD OF EQUALIZATION ANNUAL REPORT STATISTICAL APPENDIX; FISCAL YEAR DATA AVAILABLE IN JANUARY OF NEXT CALENDAR YEAR.

POPULATION DATA:

COLUMNS B & E, SOURCE: SOURCE STATE DEPARTMENT OF FINANCE JANUARY 1, POPULATION ESTIMATES; AVAILABLE IN MAY OF THAT CALENDAR YEAR.

PER CAPITA SALES TAX ALL CITIES:

(FY 1996) SUM COLUMNS A & B. THEN DIVIDE THE COLUMN A SUMMED TOTAL BY THE COLUMN B SUMMED TOTAL. THE RESULT IS LISTED IN COLUMN C AS "PER CAPITA CITIES".

PER CAPITA SALES TAX ALL CITIES:

(FY 1997) SUM COLUMNS D & E. THEN DIVIDE THE COLUMN D SUMMED TOTAL BY THE COLUMN E SUMMED TOTAL. THE RESULT IS LISTED IN COLUMN F AS "PER CAPITA CITIES".

50% MINIMUM CRITERIA:

THE PREVIOUS CALCULATIONS ARE DIVIDED BY 2. THEN A COMPARISON OF THIS NUMBER WITH THE NUMBERS IN COLUMNS C & F IS MADE. THE RESULTS ARE REFLECTED IN COLUMNS G & H. "A" MEANS ABOVE, "B" BELOW THE CRITERIA.

SALES TAX REVENUE GROWTH:

COLUMN J; COMPUTE PERCENTAGE GROWTH OF SALES TAX REVENUE: CHANGE IN SALES TAX REVENUE IN COLUMN D COMPARED TO COLUMN A.

GROWTH CRITERIA:

IF THE SALES TAX REVENUES OF THE CITY GREW BY AT LEAST 1/2%. THE RESULTS ARE REFLECTED IN COLUMN "I" WITH A "YES".

SUBSTANTIAL SALES TAX GENERATOR CALCULATION EXAMPLE

YEAR OF ANNEXATION	ESTIMATED TOTAL CITY SALES TAX	COUNTY PERCENT	SALES TAX AMOUNT OF SUBSTANTIAL SALES TAX GENERATOR IN YR OF ANNEXATION	ADDITIONAL COUNTY PERCENT	NEW COUNTY PERCENT
	<i>COLUMN A</i>	<i>COLUMN B</i>	<i>COLUMN C</i>	<i>COLUMN D</i>	<i>COLUMN E</i>
1988	\$31,964,868	1.0%			
1989	\$33,815,205	1.0%			
1990	\$36,384,480	1.5%	\$0	0.000%	1.500%
1991	\$38,756,748	2.5%	\$100,000	0.275%	2.775%
1992	\$41,283,688	3.0%	\$100,000	0.258%	3.258%
1993	\$43,975,385	4.0%	\$100,000	0.242%	4.242%
1994	\$46,842,580	4.5%	\$100,000	0.227%	4.727%
1995	\$49,896,716	5.0%	\$100,000	0.213%	5.213%
1996	\$53,149,982	5.0%	\$120,000	0.240%	5.240%
1997	\$56,615,360	5.0%	\$120,000	0.226%	5.226%
1998	\$60,306,682	5.0%	\$120,000	0.212%	5.212%
1999	\$64,238,678	5.0%	\$120,000	0.199%	5.199%
2000	\$68,427,039	5.0%	\$120,000	0.187%	5.187%
2001	\$72,888,482	5.0%	\$120,000	0.175%	5.175%
2002	\$77,640,811	5.0%	\$120,000	0.165%	5.165%

CALCULATION NOTES

<i>COLUMN A:</i>	SALES TAX DATA FOR YEARS 1991 THROUGH THROUGH 2002 ARE ESTIMATES USING A 6.52% GROWTH RATE.
<i>COLUMN B:</i>	COUNTY PERCENT. PERCENTAGES PER THE AGREEMENT EXHIBIT 2
<i>COLUMN C:</i>	SALES TAX AMOUNT OF SUBSTANTIAL SALES TAX GENERATOR, SHOWING \$100,000 ANNEXED IN 1991 AND \$20,000 IN 1996.
<i>COLUMN D:</i>	ADDITIONAL COUNTY PERCENT: COMPUTED AS FOLLOWS COLUMN C (AMOUNT OF SUBSTANTIAL SALES TAX GENERATOR) DIVIDED BY COLUMN A (SALES TAX AMOUNT) USE THE DATA FROM THE MOST RECENT FOUR QUARTERS FOR WHICH TOTAL CITY SALES TAX DATA IS AVAILABLE AS OF APRIL 1. THIS EXAMPLE USED THE PRIOR FISCAL YEAR.
<i>COLUMN E:</i>	NEW COUNTY PERCENT: COMPUTED AS FOLLOWS: THE NEW COUNTY PERCENT IS COMPUTED BY ADDING COLUMN D (ADDITIONAL COUNTY PERCENT) WITH COLUMN B, (THE COUNTY PERCENT).

NOTE: SUBSTANTIAL SALES TAX GENERATOR MINIMUM AMOUNT IS \$400,000 IN TAXABLE SALES PER YEAR.