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

CONSENT AGENDA ITEM No. 5D

DATE: December 9, 2015

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, AICP, Executive Officer 

SUBJECT: Consider Approval: City of Reedley "Dinuba-Fisher-Hemlock Annexation No. 2015-01" Reorganization A proposed reorganization to annex 19.31 acres to the City of Reedley and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located south of Dinuba Avenue, east of Fisher Avenue, and west of Hemlock Avenue (**LAFCo File No. RO-15-12**).

Applicant: City of Reedley

Land Owners/Parties of Real Interest: Gerald & Cynthia Issak, Gerald & Jim Johnson, Margie Jean Vise Burk Trust, Daniel Gerawan

(Documents referenced in this report may be found on LAFCo's website at www.fresnolafco.org)

RECOMMENDATION: Approve by Taking the Following Actions

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to approving the proposed annexation, the environmental effects of the project as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency, City of Reedley, were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.
- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- C. Assign the distinctive short form designation "Dinuba-Fisher-Hemlock Annexation No. 201-01" Reorganization and approve the reorganization (annexation and detachments) subject to the following conditions of approval:
 - 1. Pursuant to Fresno LAFCo policy 103-05, the Executive Officer shall record the approved application if all conditions have been satisfied and once he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.

2. Prior to recordation, the map and legal description must be approved by the County Assessor.

D. Find pursuant to CKH that:

1. The territory is uninhabited; and
2. All landowners and affected agencies have consented to the reorganization.

E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH and the 30-day reconsideration period.

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

Background

The “Dinuba-Fisher-Hemlock Annexation No. 201-01” Reorganization was submitted by the City of Reedley’s Resolution No. 2015-103 initiating reorganization in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The reorganization is to annex 19.31 acres to the City of Reedley and detach from the Fresno County Fire Protection District and the Kings River Conservation District.

On September 22, 2015, the City, in accordance with State law requirements and the City of Reedley’s City-Wide Change of Zone Program, pre-zoned the proposed territory to appropriate zone districts consistent with the City of Reedley’s General Plan. The City of Reedley adopted a Negative Declaration for Environmental Assessment No. 2015-20 for Annexation Application No. 2015-1.

Consideration of this reorganization requires the Commission to review and consider the Negative Declaration prepared and adopted by the City for the “Dinuba-Fisher-Hemlock Annexation No. 201-01” Reorganization” and rezoning under the requirements of the California Environmental Quality Act (“CEQA”).

Discussion

The proposal consists of the annexation of 19.31 acres to the City of Reedley and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located south of Dinuba Avenue, east of Fisher Avenue, and west of Hemlock Avenue. The subject territory is surrounded by the City of Reedley and is considered a peninsula. There is approximately an 86-foot opening located in the southwesterly corner of the territory and serves as the connection point to the County of Fresno. There is currently no development proposed for the territory and is being annexed to create a more logical boundary.

Proposal / Land Use

- The territory is within the City of Reedley’s Sphere of Influence, and is surrounded by the city limits on all sides except for an 86-foot opening that connects to County territory (Figure 1).

- The proposal consists of the annexation of 19.31 acres to the City of Reedley and detachment from the Fresno County Fire Protection District and the Kings River Conservation District.
- The City of Reedley pre-zoned the territory to the ML (Light Industrial) Zone District.
- The subject territory is located south of Dinuba Avenue, east of Fisher Avenue, and west of Hemlock Avenue (**Figure 2**) and is uninhabited.
- The proposed development and reorganization conform to the City of Reedley's 2030 General Plan.

Environmental Determination

On October 13, 2015, the Reedley City Council considered the Negative Declaration that was tiered from the certified Program Environmental Impact Report (SCH No. 2010031106) (PEIR) prepared for the Reedley General Plan Update 2030 and determined that there was no substantial evidence in the record that the project may have additional significant direct, indirect, or cumulative effects on the environment that are significant and that were not identified and analyzed in the certified Program Environment Impact report prepared for the Reedley General Plan Update 2030. The City Council also determined that after conducting a review of the adequacy of the PEIR pursuant to Public Resources Code, Section 21083.3, the City determined that no substantial changes have occurred with respect to the circumstances under which the Program EIR was certified, and that there was no new information which was not known and could not have been known at the time the PEIR was certified as complete and approved. Accordingly, the Reedley City Council approved Environmental Assessment No. 2015-20 (Negative Declaration, dated September 16, 2015) for the proposed annexation.

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

Consistency with LAFCo Policies, Standards and Procedures

- The Proposal was prezoned ML consistent with the City's General Plan land use designation.
- The County has determined that the Proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) and the Standards for Annexation between the City of Reedley and County of Fresno.
- The City of Reedley and the Fresno County Fire Protection District have a transition agreement in place to provide fire protection services to the affected territory.

Accordingly, the Proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.

APPLICATION INFORMATION

1. Subject Territory

| | |
|--|--|
| Acreage: | 19.31 |
| Current Land Use: | Rural Residential and Undeveloped Land |
| Number of Residences/ Population: | Residences: 2; Population: 4 |
| Registered Voters: | Voters: 4 |
| Assessor Parcel Number(s): | 370-070-27, 45, 85, 85 |

2. **Proposed Development:** There is currently no development proposed for the territory and is being annexed to create a more logical boundary.

3. **Surrounding Territory:** Multiple-family residential to the north, east and west is existing industrial development, and to the south is the rails-to-trails parkway.

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

5. Existing Service Agencies and Proposed Service Changes

| Service | Existing Service | Change |
|-----------------|-------------------------------------|-----------------|
| Water | Private | City of Reedley |
| Sewer | Private | City of Reedley |
| Fire Protection | Fresno Co. Fire Protection District | City of Reedley |

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

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

| | |
|---|--|
| County of Fresno | Fresno County Library |
| State Center Community College District | Kings Canyon Union School District |
| Kings River Conservation District | Alta Irrigation District |
| Sierra Kings Hospital District | Fresno County Fire Protection District |
| Central Valley Pest Control District | Consolidated Mosquito Abatement District |

7. **Costs and Other Changes Affecting Residents or Landowners:** None

8. Agencies and Individuals Submitting Comments

- Jean Rousseau, Fresno County Administrative Officer
- Will Kettler, Manager, Fresno County Development Services Division
- Janet Gardner, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
- Laurel Prysiazny, Fresno County Librarian
- Chufeng Vang, IT Analyst, Fresno County Elections Department
- Michael Navarro, Chief, Planning North, Office of Transportation
- Dr. John Quinto, Assistant Superintendent, Kings Canyon Unified School District

9. **Territory Boundaries:** The boundaries of the proposed annexation **are** definite and certain. The County Assessor has determined that the map and legal description **are** adequate to file with the State Board of Equalization.

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

Lead Agency: City of Reedley

Level of Analysis: Environmental Assessment

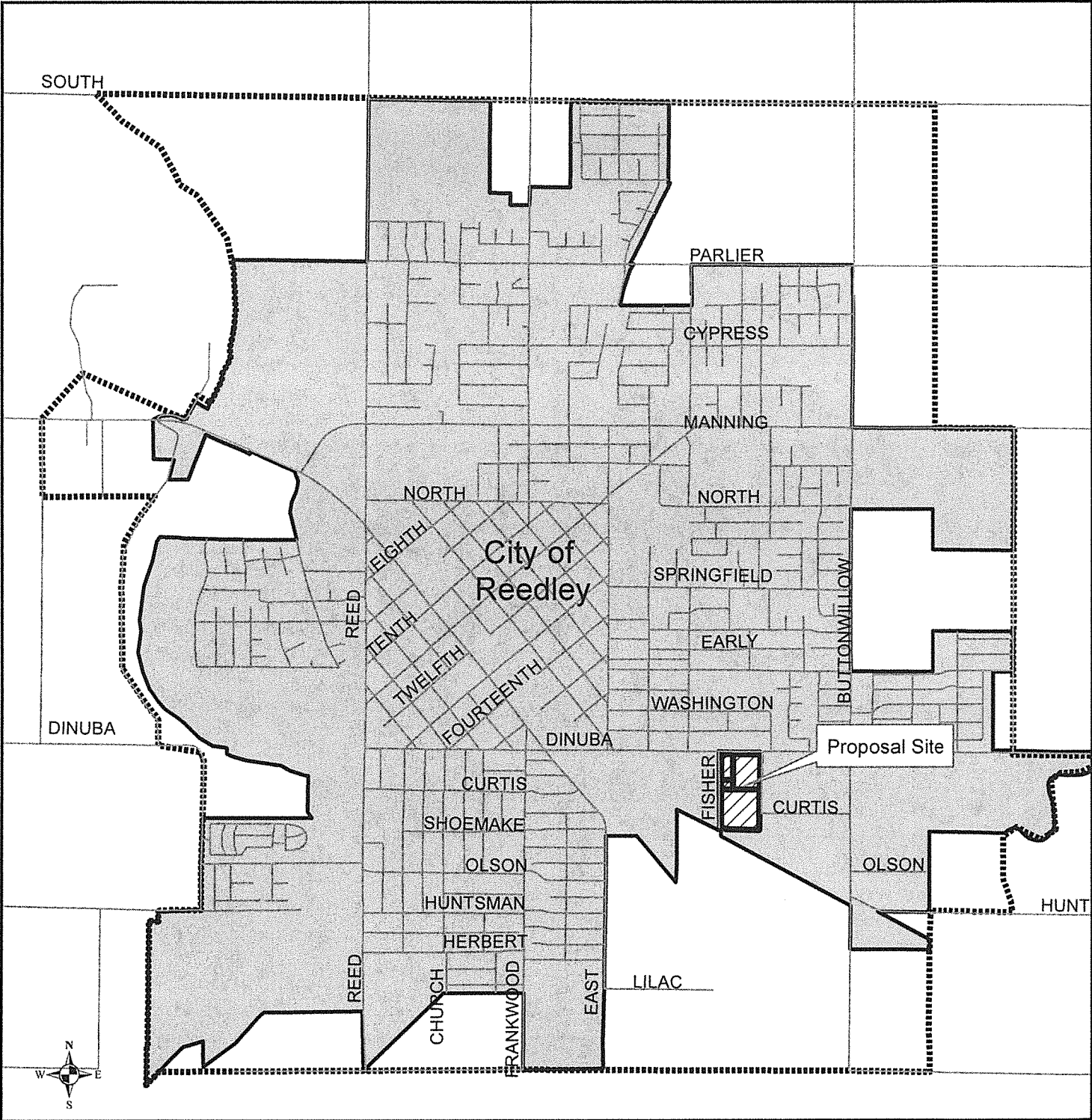
Finding: Negative Declaration




11. **Public Notice of Hearing:** Public notice concerning this proposal was issued by the Executive Officer pursuant to State law.

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

- Ken Price, LAFCo Counsel
- Nichole Zieba, City Manager, City of Reedley
- Kevin Fabino, Community Development Director, City of Reedley
- Bernard Jimenez, Deputy Director of Planning, County of Fresno Public Works and Planning Department
- Will Kettler, Division Manager, Development Services Division, County of Fresno
- Mohammad Khorsand, Development Services Division, County of Fresno
- Mark Johnson, Chief, Fresno County Fire Protection District
- Randy Shilling, Interim District Manager, Kings River Conservation District

Figure 1



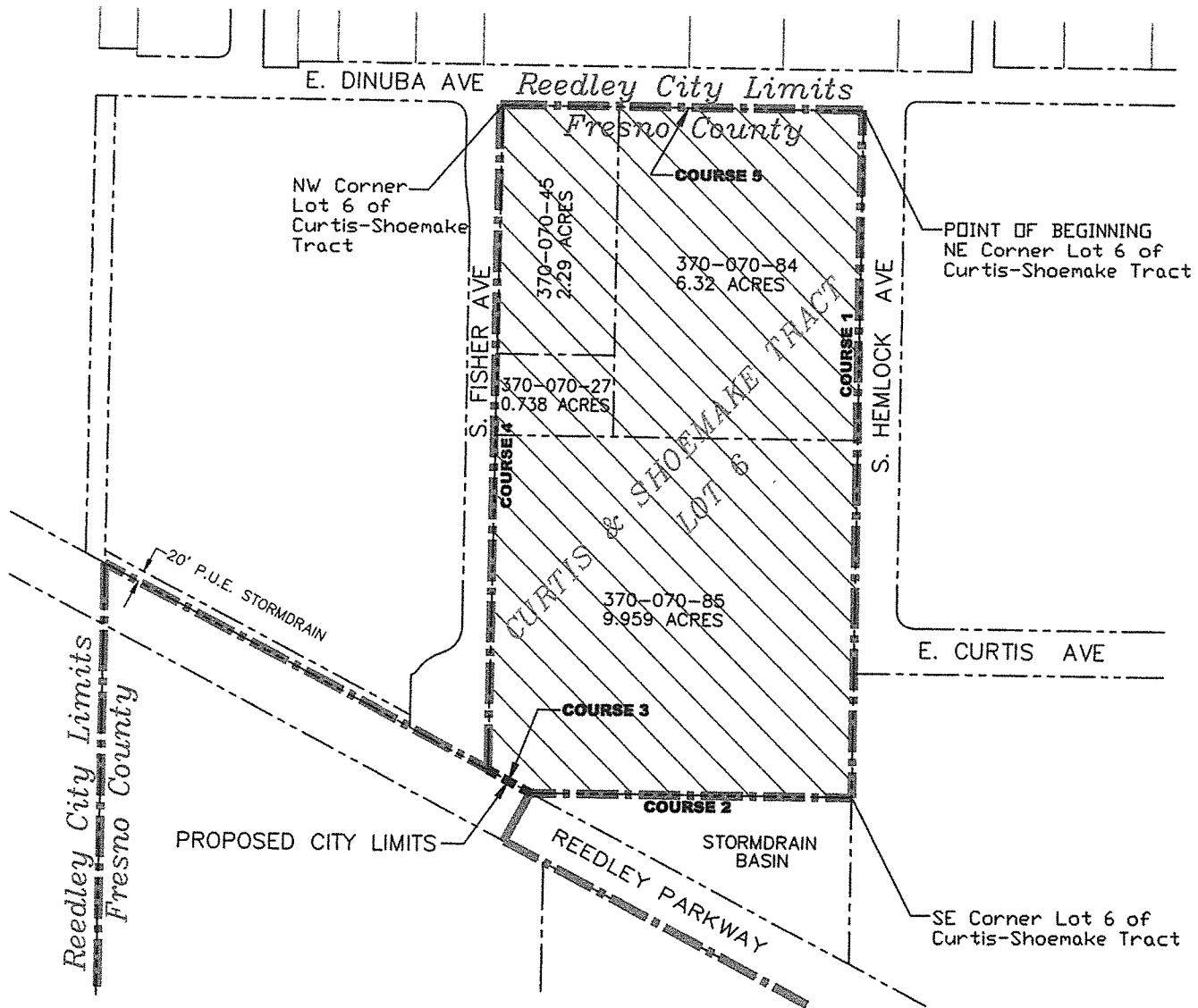
-  Dinuba-Fisher-Hemlock Annexation
-  Sphere of Influence
-  City of Reedley

**Dinuba-Fisher-Hemlock
Annexation No. 2015-01
City of Reedley**

Figure 2



SCALE: 1"=300'



| COURSE | BEARING | DISTANCE |
|--------|-------------|--------------|
| 1 | S00°16'01"W | 1277.16 FEET |
| 2 | N89°30'31"W | 589.29 FEET |
| 3 | N61°57'25"W | 85.57 FEET |
| 4 | N00°16'01"E | 1237.58 FEET |
| 5 | S89°30'31"E | 660.00 FEET |

ANNEXATION

841,421 Sq.Ft.
19.316 Acres

PREPARED BY:

CITY OF REEDLEY

ENGINEERING DIVISION
1733 9th STREET
REEDLEY, CA 93654
Phone: (559)637-4200, ext. 221
Fax: (559)637-2139

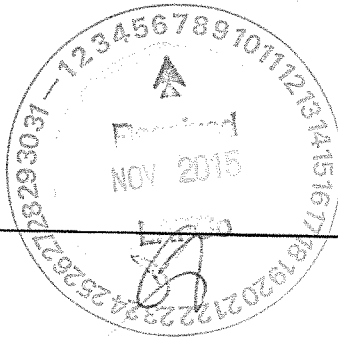
FILE NO. _____
ANNEX. NO. 2015-001
ACRES 19.316
DATE 08/27/2015
DRAWN BY KJP

SHEET NO. 1 OF 1

**Dinuba-Fisher-Hemlock
Annexation No. 2015-01**

AREA OF REORGANIZATION

ANNEXATION TO THE CITY OF REEDLEY AND DETACHMENT
FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT
AND KINGS RIVER CONSERVATION DISTRICT



County of Fresno

COUNTY ADMINISTRATIVE OFFICE
JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER

November 5, 2015

Nicole R. Zieba, City Manager
City of Reedley
1733 Ninth Street
Reedley, CA 93654

Subject: *Nicole* Proposed Dinuba Avenue Annexation No. 2015-1

Dear Ms. Zieba:

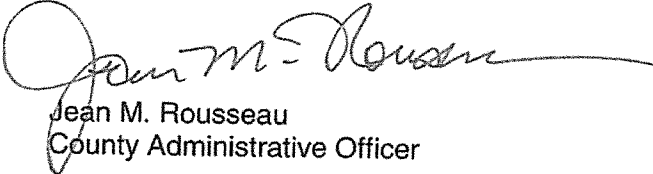
In accordance with Article II, Section 2.2 of the Amended and Restated Memorandum of Understanding between the City of Reedley and the County of Fresno, we have reviewed the annexation proposal described in the Notice of Intent to annex received from Kevin Fabino, City of Reedley's Community Development Director on October 8, 2015. According to the letter, the proposed 19-acre annexation area is a substantially surrounded by the City's incorporated boundary.

We have determined that the proposed annexation by the City of Reedley is consistent with the Standards for Annexation contained in Exhibit I of the Amended and Restated Memorandum of Understanding (MOU) between the City of Reedley and the County of Fresno.

It is recommended that the full width right-of-way along Dinuba, Hemlock and Fisher Avenues and the Reedley Parkway be included in this annexation.

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

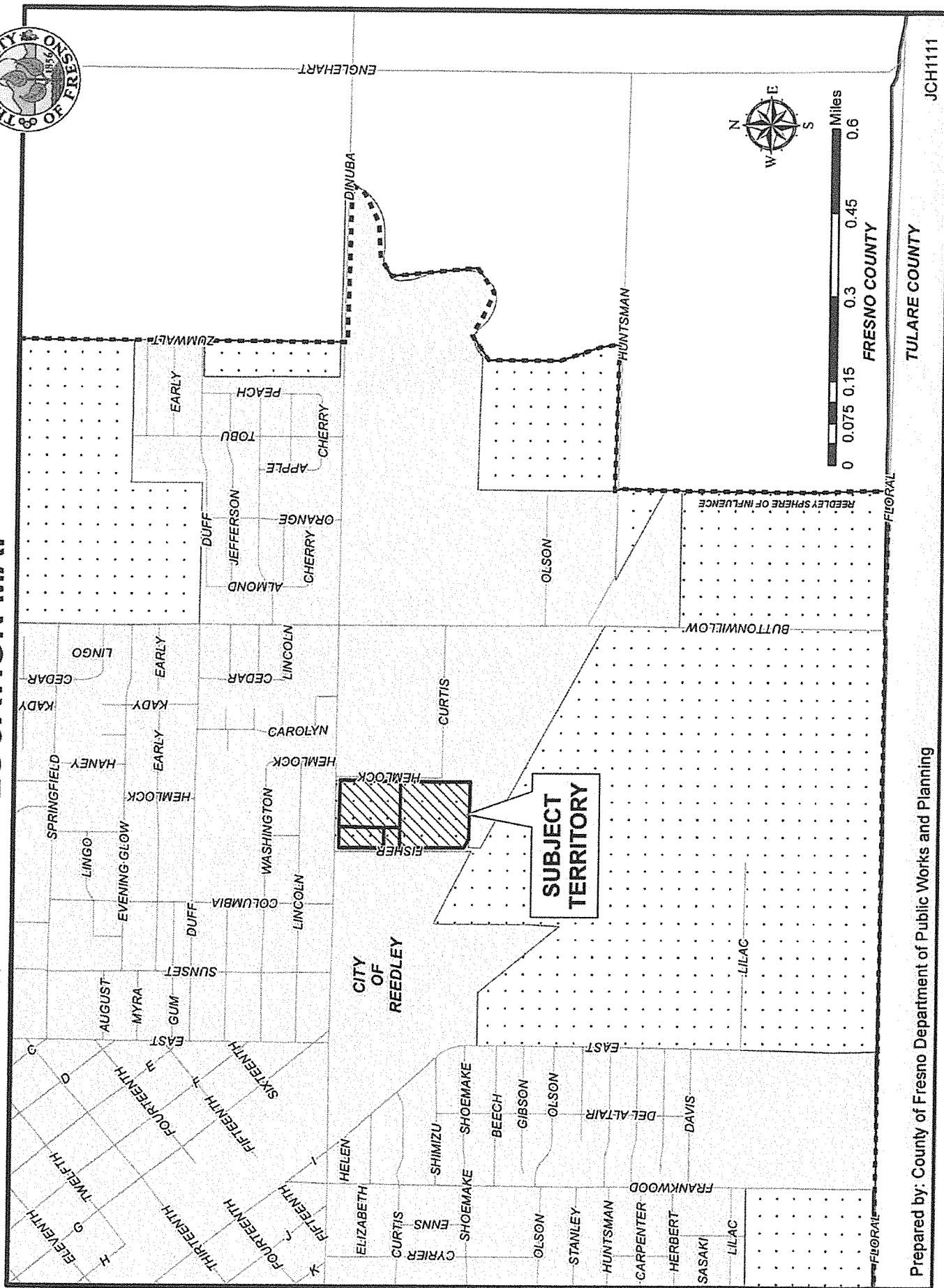
Sincerely,


Jean M. Rousseau
County Administrative Officer

G:\4360Devs&Pin\PLANNING\ANNEXATIONS\Cities & Districts\Reedley\2015\Dinuba Ave\CAO Consistency Letter.doc

c: Alan Weaver, Department of Public Works and Planning
Bernard Jimenez, Department of Public Works and Planning
Will Kettler, Development Services Division
Chris Motta, Development Services Division
Mohammad Khorsand, Development Services Division
Kevin E. Fabino, City of Reedley
Dave Fey, LAFCo

Annexation 2015-1 Dinuba Ave



Prepared by: County of Fresno Department of Public Works and Planning

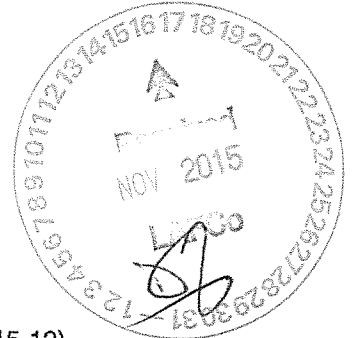
TULARE COUNTY

JCH1111



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER, DIRECTOR



DATE: November 16, 2015
TO: David E. Fey, AICP, Executive Officer
FROM: William M. Kettler, Manager
Development Services Division
Department of Public Works and Planning
SUBJECT: City of Reedley, "Dinuba-Fisher-Hemlock Annexation No. 2015-01" (RO-15-12)

This is in response to your notice dated November 2, 2015, regarding an annexation application submitted by the City of Reedley to LAFCO known as "Dinuba-Fisher-Hemlock Annexation No. 2015-01"; LAFCo File No. RO-15-12.

1. County plan designation for the area:

The subject territory is designated as Limited Industrial and Limited Industrial Reserve within the County adopted Reedley Community Plan.

2. Consistency of the proposal with adopted County General and Community Plans and Policies.

The County's General Plan directs urban type uses to incorporated cities and unincorporated communities where necessary support services are available. Annexation of the subject territory represents a logical expansion of the City of Reedley's boundary. The subject territory is within the City of Reedley's Sphere of Influence (SOI) and is surrounded by the City of Reedley's incorporated boundary. Therefore, the proposed annexation is consistent with adopted County General and Community Plan policies.

3. Any pending County plans, projects (i.e. Community Development, roads, etc.) or development permits:


None.

4. Other related comments:

On November 5, 2015, the County issued a consistency determination letter stating that the "Dinuba-Fisher-Hemlock Annexation No. 2015-01" is consistent with the Standards of Annexation contained in Exhibit 1 of the Memorandum of Understanding between the County of Fresno and the City of Reedley.

5. Recommendations:

It is recommended that the City of Reedley include the full width right-of-way along Dinuba, Hemlock and Fisher Avenues.



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

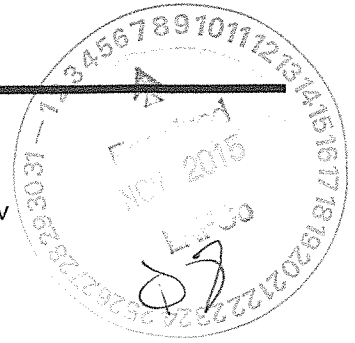
11/16/15

Date

JA
G:\4360Devs&Pln\PLANNING\ANNEXATIONS\Cities & Districts\Reedley\2015\Dinuba Ave\LAFCo Response.doc

Fleming, Candace Lynn

From: Gardner, Janet
Sent: Friday, November 06, 2015 9:40 AM
To: Fey, David; Fleming, Candace Lynn; Kevin.Fabino@reedley.ca.gov
Cc: Allen, Glenn; Tsuda, Kevin
Subject: LAFCo RO-15-12 Dinuba-Fisher-Hemlock



The Fresno County Environmental Health Division has completed the review of "Dinuba-Fisher-Hemlock Annexation No. 2015-01" and encourages the annexation with future connections to the City of Reedley's community water and sewer services.

Environmental Health has no record of a prior routing of this project, therefore the City of Reedley is encouraged to take measures to protect groundwater in their area.

Drinking water, which meets state quality standards for public water systems, is a precious commodity that must be protected. Existing standards for water well construction and destruction are designed to protect groundwater quality, thereby protecting the public health. The expense associated with proper destruction of a well is infinitesimally small in comparison to the expense of cleaning up contaminated groundwater.

The Fresno County Department of Public Health is concerned that abandoned water wells are not being properly destroyed, particularly with respect to new development projects. As city boundaries expand, community services are provided to areas originally served by individual water wells and septic systems. Improper abandonment of water wells presents a significant risk of contaminating the city's community water supply. For this reason, when development occurs, it is extremely important to ensure the safe and proper destruction of all abandoned water wells.

- As development progresses on the property, all water wells and septic systems within the property shall be properly destroyed by appropriately licensed contractors.

If you have any questions or need assistance concerning this project, feel free to contact me.

Sincerely;

Janet Gardner

Environmental Health Specialist III
Environmental Health Division
Fresno County Department of Public Health
Office: (559) 600-3271



INTER OFFICE MEMO

Fresno County Public Library

Date: November 9, 2015
To: David E Fey, AICP
From: Laurel Prysiazny, County Librarian
Subject: "Dinuba-Fisher-Hemlock Annexation No. 2015-01", Ro-15-12



Annexation for services.

There is no Township and Range to research the Property Atlases.

Using the Assessor's Rolls online: <http://www.co.fresno.ca.us/DepartmentPage.aspx?id=39199>

APN: 370-070-27 10114 S. FISHER, REEDLEY the house was built in 1950.

APN: 370-070-45 1055 E DINUBA, REEDLEY the house was built in 1958.

APN: 370-070-84 1145 E DINUBA, REEDLEY the house was built in 1918.

APN: 307-070-85 10166 S FISHER, REEDLEY has no house.

I don't know if the houses still exist.

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



Fresno Local Agency Formation Commission



DATE: November 2, 2015

TO: Chufeng Vang/Erik Salcedo, County Clerk/Registrar of Voters

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

SUBJECT: "Dinuba-Fisher-Hemlock Annexation No. 2015-01"

AGENCY NO.: RO-15-12

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

- A. X Number of registered voters in the area. 4
- B. If 12 or more registered voters, for notification purposes please furnish two sets of labels that show all registered voters in the affected area along with their address. Also please furnish one set of labels for all registered voters residing within 300 feet of the exterior boundary of the property as shown upon the most recent assessment roll being prepared by the County.
- D. What percent of the registered voters in the proposal area does the attached petition represent?
- E. X Will the proposal adversely affect precinct boundaries or the conduct of elections? no
- F. Other comments:

In order to proceed with the processing of this application, your comments need to be returned to this office by **November 16, 2015**. Your assistance is greatly appreciated. Thank you.

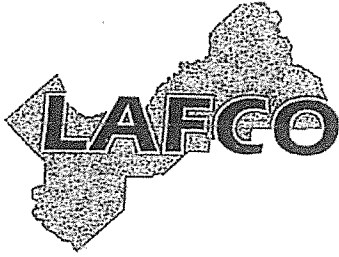
DEF:cf

Attachments: Map

David E. Fey 1TA-1
Signature and Title

11-3-15
Date

FRE-99-9.1647-



Fresno Local Agency Formation Commission

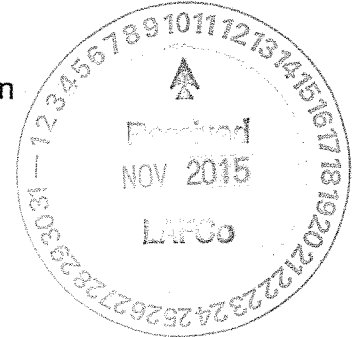
19,137,643 36,586,12

DATE: November 2, 2015

TO: Ken Price, LAFCo Counsel
Fresno County Fire Protection District
Reedley Cemetery District
Fresno County Library, Historical Landmarks and Records
Commission (HLRC)
Michael Navarro, Chief, Planning North, Office of Transportation
Consolidated Mosquito Abatement District
Sierra-Kings Hospital District
Alta Irrigation District
Central Valley Pest Control District

RECEIVED
NOV 06 2015

BY: *GM*



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

SUBJECT: "Dinuba-Fisher-Hemlock Annexation No. 2015-01", RO-15-12

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, your agency has been identified as an affected and/or interested agency and your assistance in reviewing and commenting on this application is requested.

The Fresno Local Agency Formation Commission (LAFCo) is in receipt of a resolution initiating proceedings for this proposal. LAFCo can not take any further action on this application for 10 days following this notice and request for comments.

If your agency files a written request for a hearing during this 10-day period (**December 22, 2014**) LAFCo must notice and hear this proposal at a public hearing. If no written request is filed by your agency, the Commission may proceed without notice and hearing if all required conditions pursuant to state law have been satisfied (Gov Code Sec 56663 (b))

Please return any comments you have regarding this proposed reorganization by **November 16, 2015**. Your assistance is greatly appreciated. Thank you.

DEF:cf

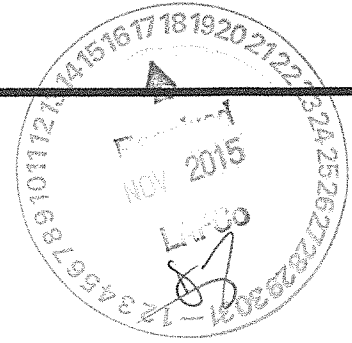
Attachments: Application, Map, and Resolution

No Comment

[Signature]
11/10/15

Fleming, Candace Lynn

From: Aide Garza <garza-a@kcsd.com>
Sent: Wednesday, November 18, 2015 8:28 AM
To: Fleming, Candace Lynn
Cc: John Quinto; Scott Odell
Subject: Dinuba-Fisher-Hemlock annexationNo 2015-01



Good morning Mr. Fleming,

The proposed land to be annexed is primarily vacant and designated for light industrial use by the City of Reedley General Plan. Annexation of the property will not have any direct impact on the District. To the extent that annexation facilitates future industrial development on the site, such development could impact the District by attracting new employees to the area, the children of which would need to attend District schools. To help defray the impact of such development, any commercial or industrial development on the site would be required to pay the District's commercial/industrial development fee. This fee is currently \$0.54 per square foot and is increased periodically as allowed by law.

Thank you for the opportunity to comment.

Aide Garza
For Dr. John Quinto/Assistant Superintendent

Kings Canyon Unified
675 W Manning Avenue
1502 "I" Street (mailing)
Reedley CA 93654
(559) 305-7025