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

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CONSENT AGENDA ITEM NO. 5-C

**DATE:** February 9, 2022

**TO:** Fresno Local Agency Formation Commission

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

**BY:** Amanda Castro, LAFCo Analyst I

**SUBJECT:** Consider Approval - City of Kingsburg "Kamm-Bethel Northwest Reorganization." A proposed reorganization consisting of the annexation of 22 acres 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 for territory generally located on the north side of Kamm Avenue, southwest of State Route 99. (LAFCo File No. RO-21-10)

**Applicant:** City of Kingsburg

**Landowners/Parties of Real Interest (100% Consent):** City of Kingsburg, Parminder Singh Sohal; Surinder Kaur Sohal; Jerry Smith, Khalsa Transportation Inc.

(This proposed reorganization has been placed on the consent agenda without notice pursuant to Govt. Code sec. 56662(a) because the territory is uninhabited, no affected local agency has submitted a written demand for notice and hearing, and all property owners have consented in writing to the annexation.)

**RECOMMENDATION: Approve by Taking the Following Actions:**

**Action 1:**

- 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 proposal as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines section 15096.

## **Action 2:**

- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”).
- C. Find pursuant to CKH and information in the record that:
  - a. The territory is uninhabited; and
  - b. All landowners and affected agencies have consented to the reorganization.
- D. Assign the distinctive short form designation “Kamm-Bethel Northwest Reorganization” and approve the annexation and detachments subject to the following conditions of approval:
  - a. Ownership of land permitting, the annexation shall include the full-width right-of-way along Kamm Avenue.
  - b. Submittal of corrected legal description and map.
  - c. Satisfactory verification that the City has accepted a final map shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.
  - d. The Selma-Kingsburg-Fowler County Sanitation District’s annexation fee shall be paid to the District prior to recordation. The proponents shall provide evidence to the Executive Officer as verified by the District that the condition has been met prior to recordation.
  - e. 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.
- E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

## **Executive Summary**

On July 8, 2021, the City of Kingsburg initiated this reorganization with the adoption of Resolution No. 2021-041 requesting that the Commission begin proceedings for the “Kamm-Bethel Northwest Reorganization” to annex approximately 22 acres to the City of Kingsburg and the Selma-Fowler-Kingsburg County Sanitation District and detachment from the Fresno County Fire Protection District, the Kings River Conservation District and the Consolidated

Irrigation District for the territory located north of Kamm Avenue and southwest of State Route 99.

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

The proposed development conforms to the Kingsburg General Plan and the Kingsburg Zoning Ordinance.

### **Proposal/Land Use**

- The proposal consists of the annexation of approximately 22 acres to the City of Kingsburg and Selma-Kingsburg-Fowler County Sanitation District and detachment from the Fresno County Fire Protection District, Kings River Conservation District, and the Consolidated Irrigation District located on the north side of Kamm Avenue and southwest of State Route 99. Information related to the proposals affected territory, land use, proposed development, special districts, surrounding areas, and existing/proposed services can be found on **Attachment A**.
- The affected territory is within the City of Kingsburg sphere of influence (**Attachment B**) and is contiguous to the Kingsburg city limits (**Attachment C**).
- The affected territory is within the Selma-Kingsburg-Fowler County Sanitation District sphere of influence and is contiguous to the District service area (**Attachment D**).
- The proposal territory is currently undesignated and will be rezoned to the City of Kingsburg CH (Highway Commercial) Zone District by Resolution No. 2021-042.
- The territory is uninhabited (11 or fewer registered voters).
- The proposal is consistent with the Kingsburg General Plan and the Kingsburg Zoning Ordinance.

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

- 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 Kingsburg and County of Fresno. (See letter from Mr. Jean Rousseau.)
- The proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.
- All properties within the proposal have been rezoned to the City of Kingsburg CH (Highway Commercial) Zone District by Resolution 2021-042.

### **Relationship to the City of Kingsburg General Plan Goals and Policies**

The proposal will provide Highway Commercial including a full-service trucking terminal, parking, fueling, repair, and restrooms.

## **Environmental Determination**

The City of Kingsburg, acting as “Lead Agency” under CEQA, prepared an Initial Environmental Study (“IES”) for the proposed project constant with the requirements of CEQA. The IES determined the project would not have a significant impact on the environment including impact on matters such as air quality, water consumption, loss of agricultural, and city service/infrastructure. Accordingly, a Mitigated Negative Declaration has been prepared on the project.

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.

## **Costs and Other Changes Affecting Residents or Landowners**

None reported by the City of Kingsburg staff.

## **Agencies and Individuals Submitting Comments**

- Jean Rousseau, County Administrative Officer
- Kevin Tsuda, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
- Chufeng Vang, IT Analyst, Fresno County Elections Department
- Bill Secrest, Heritage Center, Fresno County Public Library
- Jose Robledo, State Resource Control Board, Fresno Division

## **Territory Boundaries**

The boundaries of the proposed annexation **are** definite and certain and the County Assessor has determined that the map and legal description **are not adequate** to file with the State Board of Equalization.

## **Registered Voter Data**

The County of Fresno Elections Office reported that there were **two** registered voters in the affected territory.

## **Compliance with the Requirements of CEQA**

**Lead Agency:** City of Kingsburg

**Level of Analysis:** Mitigated Negative Declaration

**Finding:** Mitigated Negative Declaration (See Environmental Documents at [www.fresnolafco.org](http://www.fresnolafco.org) under the Hearing and Workshops tab in the February 9, 2022 file).

## **Individuals and Agencies Receiving this Report**

- Ken Price, LAFCo Counsel
- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- David Merritt, District Manager, Kings River Conservation District
- Chief Dustin Hail, Fresno County Fire Protection District
- Holly Owen, Community Development Director
- Alex Henderson, City Manager, City of Kingsburg
- Mike Noland, City of Kingsburg Counsel
- Ben Munoz, General Manager, Selma-Kingsburg-Fowler County Sanitation District

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## Attachment A

### PROPOSAL INFORMATION

1. Affected Territory

<b>Acreage:</b>	21.7
<b>Current Land Use:</b>	AE-20 (Agricultural Exempt)/ undesignated
<b>Number of Residences/ Population:</b>	Residents: 1 / Population: 1 estimated
<b>Registered Voters:</b>	Voters: 2
<b>Assessor Parcel Number(s):</b>	393-112-41S, 393-112-52 & 393-112-54

2. Proposed Development - The affected territory will be developed as highway commercial.

3. Surrounding Territory – State Highway 99 and commercial north, Agriculture and commercial to the south, Highway commercial east, and Agriculture west

4. Existing Service Agencies and Proposed Service Changes

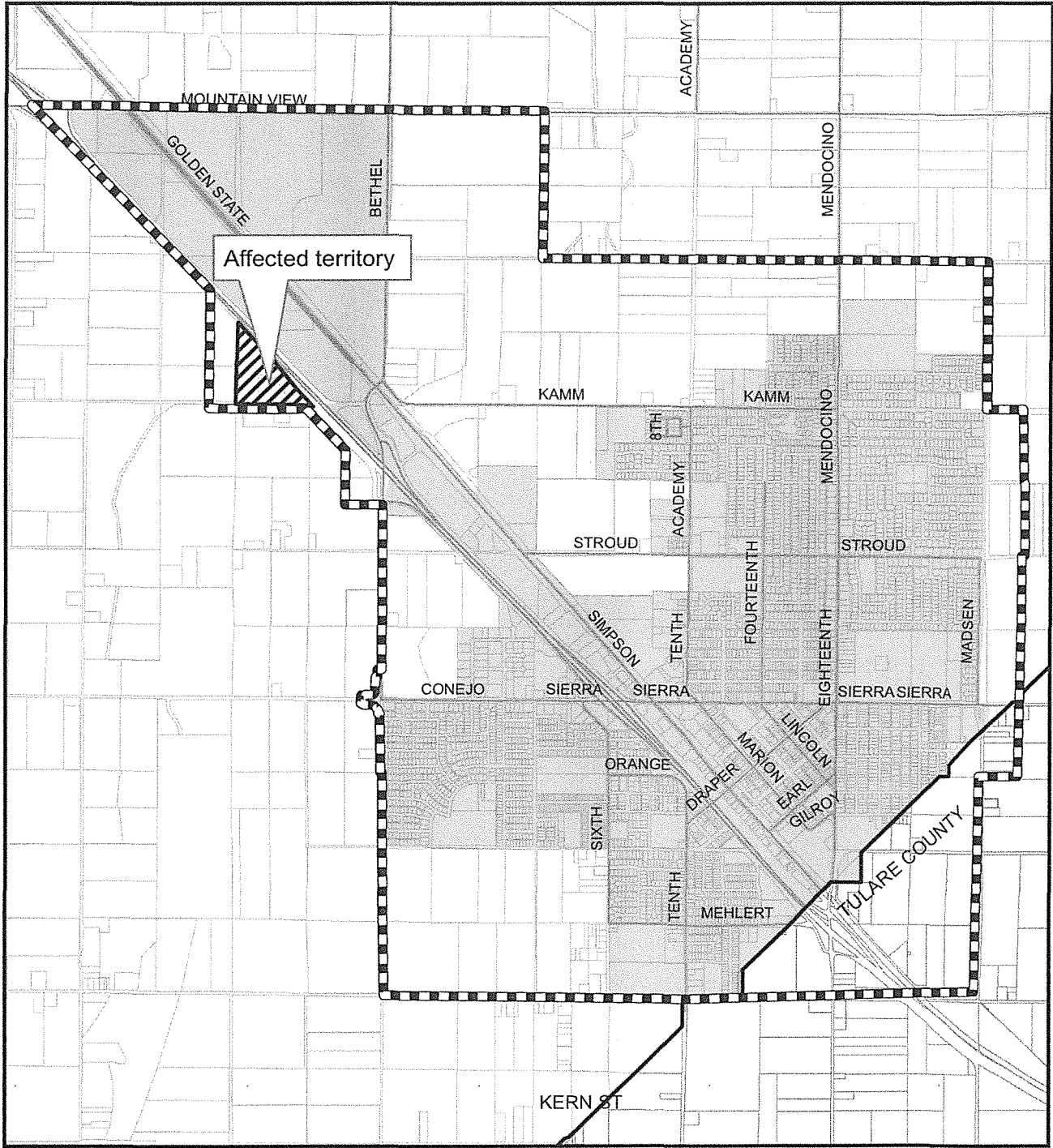
<b>Service</b>	<b>Existing Service</b>	<b>Change</b>
Water	Domestic wells	City of Kingsburg
Sewer	Private Septic	Selma-Kingsburg-Fowler County Sanitation District
Fire Protection	Fresno County Fire Protection District	Kingsburg Fire Department

(See Service Plan on our website at [www.fresnolafco.org](http://www.fresnolafco.org))



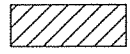
5. Cities and Districts Included Wholly or Partially Within the Affected Territory

Fresno County	Fresno County Library
Kingsburg Cemetery District	Fresno County Fire Protection District
Kingsburg Elementary School District	Fresno Metropolitan Flood Control Dist.
Kings River Conservation District	Consolidated Mosquito Abatement
Kingsburg High School District	Co. School Service
Selma-Kingsburg-Fowler County Sanitation District	Consolidated Irrigation District
State Center Community College District	West Fresno Red Scale District

# ATTACHMENT B

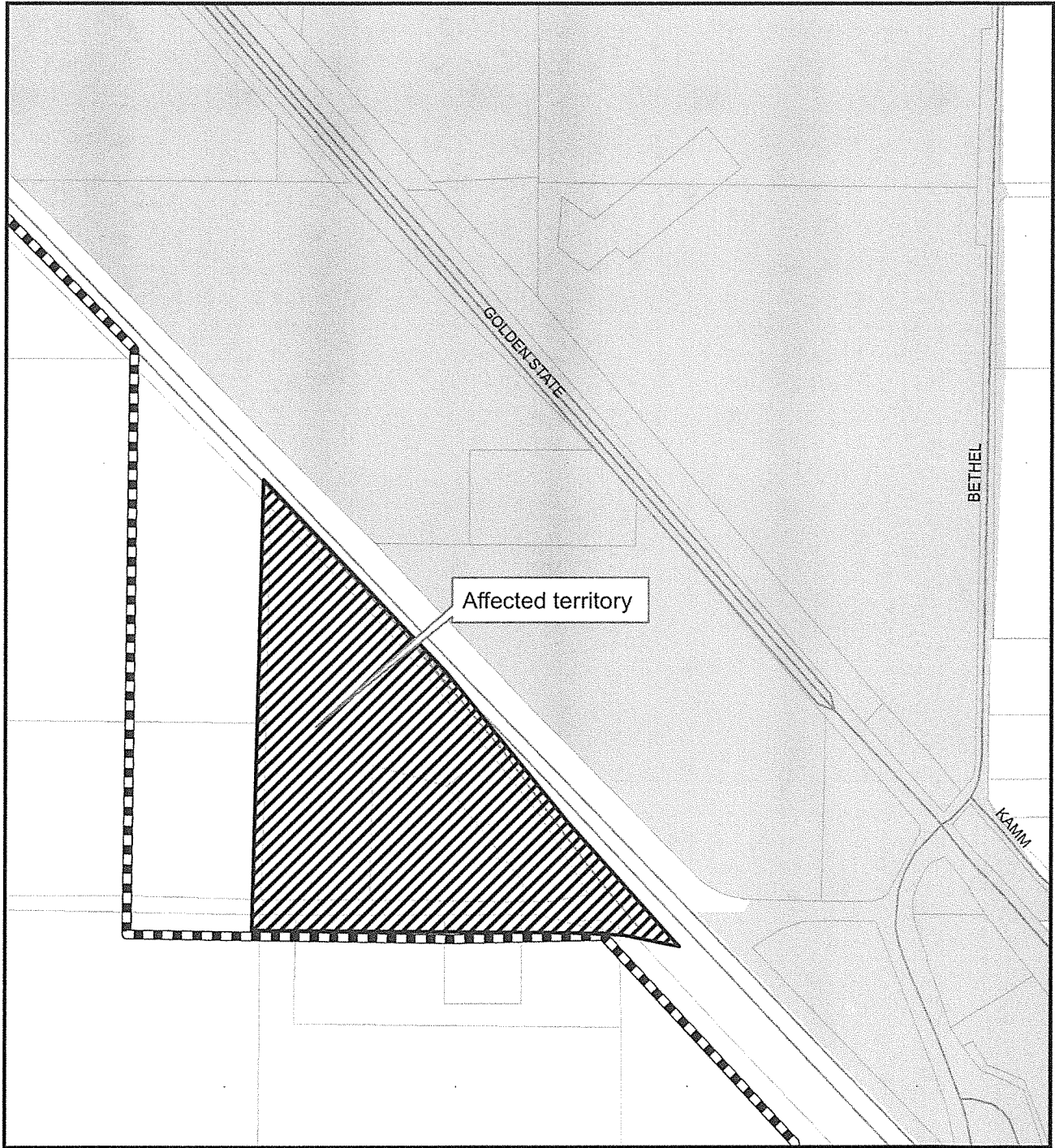


## Fresno Local Agency Formation Commission

-  Sphere of Influence
-  City limits
-  Affected territory



# ATTACHMENT C



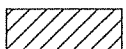
## Fresno Local Agency Formation Commission



Sphere of Influence



City limits



Affected territory

