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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:** August 8, 2018

**TO:** Fresno Local Agency Formation Commission

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

**BY:** Juan Lara, LAFCo Analyst

**SUBJECT:** Consider Approval City of Clovis "Teague-Fowler Northwest Reorganization." A proposed reorganization consisting of the annexation of 63.06 acres to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located on the northwest side of East Teague and North Fowler Avenues.  
(LAFCo File No. RO-18-7)

**Applicant:** City of Clovis

**Land Owners/Parties of Real Interest (100% consent):** City of Clovis, Woodside LP, Lisa J & Charles F Keller, Darell L & Katherine F Kroeker, Suzanne Robertson, Suhardi Tjuanta, Paul Krause & Monique Benoit, Inland Star Distribution Centers 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 "Teague-Fowler Northwest Reorganization" and approve the annexation and detachments subject to the following condition of approval:
  - a. 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.
  - b. Ownership of land permitting, the annexation shall include the full-width right-of-way along Teague and Fowler Avenues.
  - c. Submittal of corrected legal description and map.
  - d. Satisfactory verification that the City has accepted a final map shall be submitted to the executive officer prior to completion (recordation) of the annexation.
- E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

## **Executive Summary**

On June 4, 2018, The City of Clovis initiated this reorganization with the adoption of Resolution No. 18-74 requesting that the commission begin proceedings for the "Teague-Fowler Northwest Reorganization". A proposed reorganization consisting of the annexation of 63.06 acres to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for the territory located on the northeast side of East Teague and North Fowler Avenues.

### Proposal/Land Use

- The proposal consists of the annexation of 63.06 acres to the City of Clovis and detachment from the Fresno County Fire Protection and the Kings River Conservation District.
- The affected territory is within the City of Clovis' sphere of influence (**Attachment A**) and is contiguous to the Clovis' city limits (**Attachment B**).
- The affected territory is located on the northwest corner of East Teague and North Fowler Avenues.
- The proposal is currently zoned R-R (Rural Residential) and has been rezoned to the Clovis R-1 (Single-Family Residential), and to the Clovis R-R (Rural Residential) zone districts by Pre-zone Applications: R2016-07, City Ordinance No. 18-12.
- The territory is uninhabited.

### Relationship to Regional Housing Goals and Policies

The proposal will assist in the implementation of Policy 1.2 of the City of Clovis General Plan Housing Element, which states "Facilitate development of new housing for all economic segments of the community, including extremely low-, very low-, low-, moderate- and above moderate-income households.

### Sustainable Groundwater Management Act

California's Sustainable Groundwater Management Act ("SGMA") was signed into law by Governor Edmund G. Brown Jr. on September 16, 2014. This three-part legislation requires local agencies to develop groundwater sustainability plans that are compatible with their regional economic and environmental needs. SGMA creates a framework for sustainable local groundwater management for the first time in California's history.

SGMA requires local agencies to form Groundwater Sustainability Agencies ("GSAs") in local groundwater basins by June 2017, and requires the adoption of Groundwater Sustainability Plans ("GSPs") for groundwater basins deemed high priority by year 2020. The North Kings GSA will represent the City of Clovis.

The subject territory can be readily served by the City's sewer, water and storm drainage infrastructure. Once the subject territory is annexed to the City, new development in the area will require the extension of main water lines and installation of fire hydrants. The affected territory is within the Fresno Irrigation District Service area. After annexation the surface water entitlement within the Dry Creek Preserve will be managed by the City of Clovis. The Clovis water system is composed of 37 domestic wells to provide its need for residents. According to the city engineer, the City has ample water supply to accommodate the water needs of the proposed development and has provided a "will-serve" letter.

## Environmental Determination

The City of Clovis, acting as “Lead Agency” under CEQA, adopted a Mitigated Negative Declaration for the Dry Creek Preserve Master Plan Annexation Agreement, GPA 2016-06 R2016-07, TM 6154 and RO296 filed with the Fresno County Clerk Office on June 7, 2018 consistent with the requirements of CEQA. The Mitigated Negative Declaration 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.

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.

## APPLICATION INFORMATION

### 1. Affected Territory

<b>Acreage:</b>	63.06
<b>Current Land Use:</b>	Rural Residential & Vacant
<b>Number of Residences/ Population:</b>	Residents 16 / Population: 16 estimated
<b>Registered Voters:</b>	Voters: 9
<b>Assessor Parcel Number(s):</b>	559-011-01, 09S, 10S, 11, 12, 13, 14, 15

2. Proposed Development – The affected territory will be developed with Low Density Residential and Rural Residential.
3. Surrounding Territory – Urban Development to the north, Rural Residential to the east, Rural Residential to the south and Rural Residential & Agriculture to the west.
4. Consistency with Adopted Sphere of Influence (SOI) - The affected territory is within the Clovis SOI.
5. Existing Service Agencies and Proposed Service Changes

<b>Service</b>	<b>Existing Service</b>	<b>Change</b>
Water	Wells/ Groundwater	City of Clovis
Sewer	Private Septic	City of Clovis
Fire Protection	Fresno County Fire Protection District	Clovis Fire Department

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

6. Cities and Districts Included Wholly or Partially Within the Affected territory

Fresno County	Fresno County Library
Clovis Cemetery	Fresno County Fire
County Service Area No. 35	Fresno Metropolitan Flood Control Dist.
Kings River Conservation	Consolidated Mosquito Abatement
Clovis Memorial	Co School Service
Clovis Unified School District	Fresno Irrigation
State Center Community College	West Fresno Red Scale

7. Costs and Other Changes Affecting Residents or Landowners - None reported by the City of Clovis staff.

8. Consistency with LAFCo Policies, Standards and Procedures

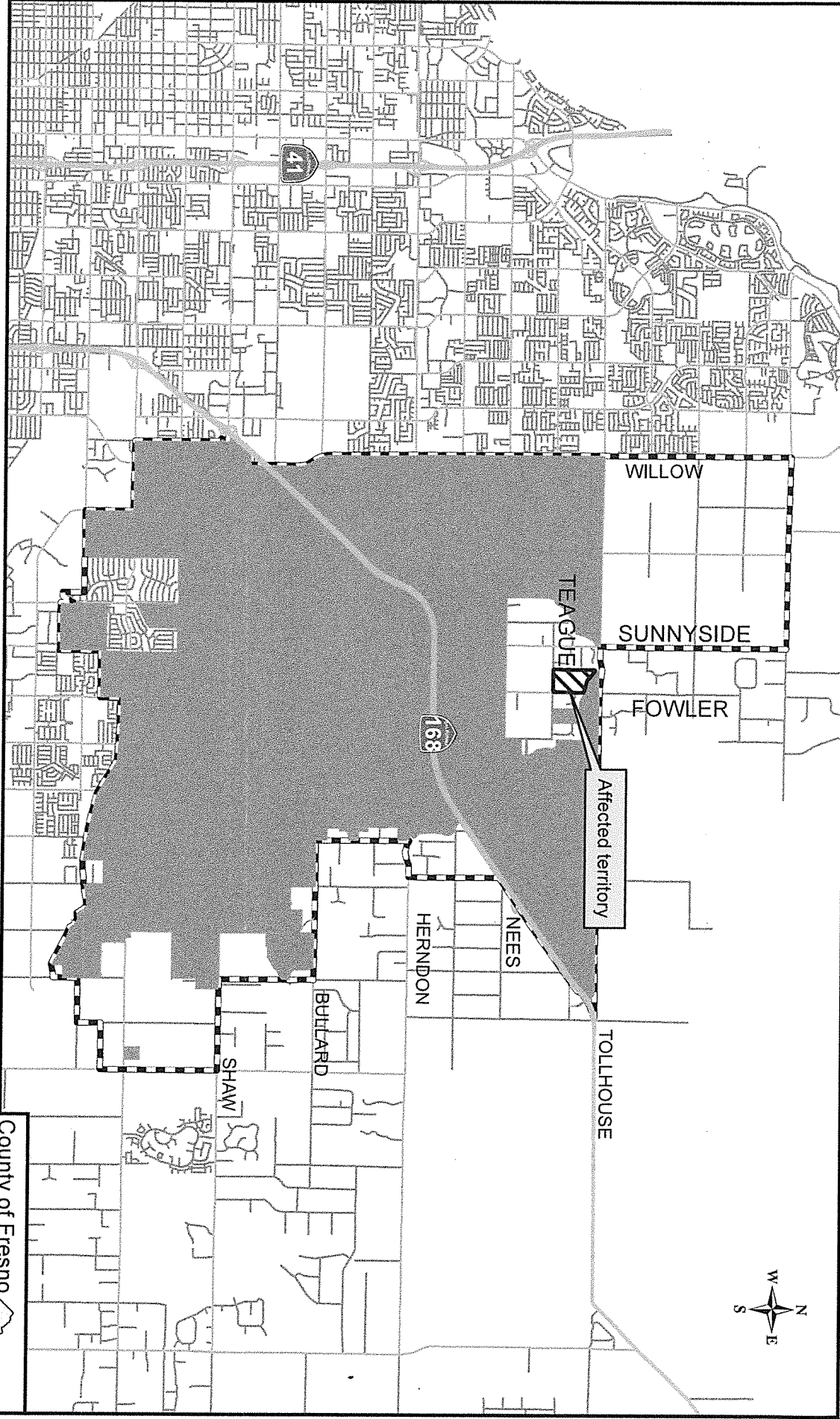
- The County has determined that the proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) and the Standards for Annexation between the City of Clovis and County of Fresno (see letter from Mr. Jean Rousseau).
- The City of Clovis and the Fresno County Fire Protection District have a transition agreement in place to provide fire protection services to the affected territory.
- 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 Clovis R-1 (Single-Family Residential -6,000 Sq. Ft.) zone district and to the Clovis RR (Rural Residential) zone district by Pre-zone Ordinance No. 18-12.
- The City of Clovis is within the North Kings GSA and has a groundwater recharge plan in place.
- On June 4, 2010 Clovis City Council approved Resolution No.18-76 approving the first amendment to the 2017 amended and restated Memorandum of Understanding between the County of Fresno and the City of Clovis regarding the standard of annexation, Resolution No.18-71 approving Master Plan for focus Area 7 of the Clovis General Plan also referred to at the Dry Creek Preserve and Resolution 18-72 approving a General Plan Amendment to the City of Clovis General Plan amending the land use element for 48.61 of property located on the northwest corner of Teague and Fowler Avenues.

9. Agencies and Individuals Submitting Comments

- Jean Rousseau, County Administrative Officer
- Chufeng Vang, IT Analyst, Fresno County Elections Department
- Jamaica Gentry, Transportation Planner, Caltrans-District 6
- Karen Coletti, Executive Secretary, Fresno County Public Library
- Paul Peschel, General Manager, Kings River Conservation District

10. 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.
11. Registered Voter Data - The County of Fresno Elections Office reported that there were **nine** registered voters in the affected territory.
12. Compliance with the Requirements of CEQA  
  
**Lead Agency:** City of Clovis  
**Level of Analysis:** Initial Study  
**Finding:** Mitigated Negative Declaration (see Environmental Documents at [www.fresnolafco.org](http://www.fresnolafco.org) under the Hearing and Workshops tab in the August 8 file).
13. Public Notice of Hearing - 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.
14. Individuals and Agencies Receiving this Report
  - Ken Price, LAFCo Counsel
  - Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
  - Will Kettler, Development Services Div. Mgr., Fresno Co. Public Works and Planning
  - Paul Peschel, District Manager, Kings River Conservation District
  - Chief Mark Johnson, Fresno County Fire Protection District
  - George Gonzales, MPA, Associate Planner, City of Clovis

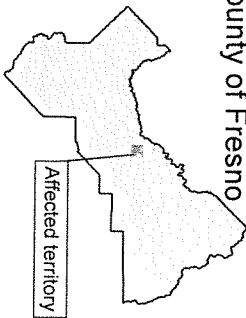
# Attachment A



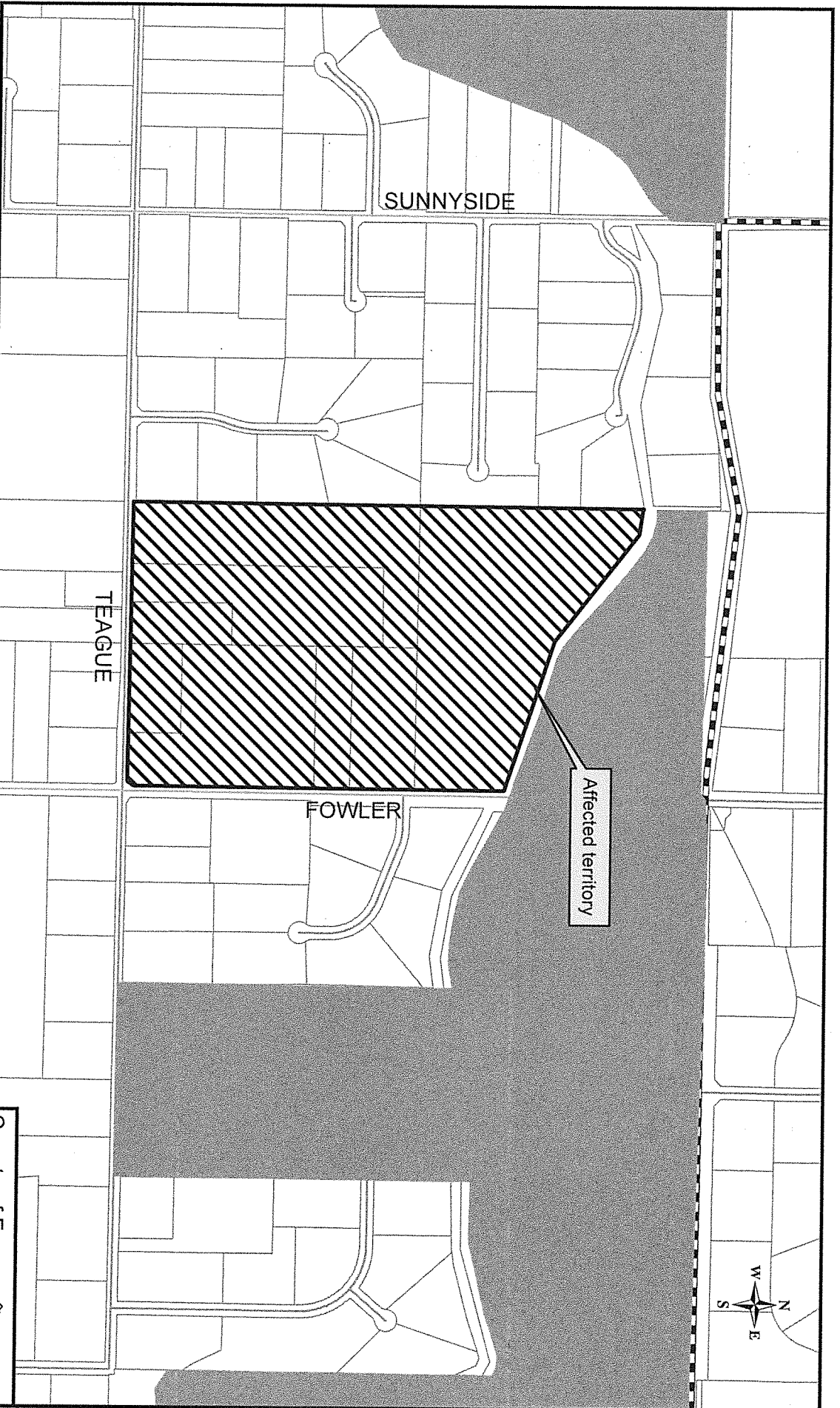
Fresno Local Agency Formation Commission

- Clovis SOI
- Clovis city limit
- Affected territory

County of Fresno



# Attachment B



Fresno Local Agency Formation Commission



Clovis SOI



Clovis city limit



Affected territory

County of Fresno

