

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

CONSENT AGENDA ITEM NO. 5-C

DATE: December 13, 2017

TO: Fresno Local Agency Formation Commission

FROM: David E. Fey, Executive Officer 

BY: Juan Lara, LAFCo Analyst

SUBJECT: **Consider Approval – Sanger Unified School District “Jensen-Armstrong No. 1 Reorganization.”** A proposed reorganization consisting of the annexation of 95.75 acres to the City of Fresno and detachment from Fresno County Fire Protection District and the Kings River Conservation District for territory located on the northeast corner of East Jensen and South Fowler Avenues. (LAFCo File No. RO-17-12).

Applicant: Sanger Unified School District

Land Owners/Parties of Real Interest (100% consent): City of Fresno, Sanger Unified School District.

(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:

1. 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.
2. 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).
3. 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.
4. Assign the distinctive short form designation “Jensen- Armstrong No. 1 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 Jensen Avenue.
 - C. Submittal of corrected legal description and map.
5. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.
6. The commission's action approving this proposal shall expire one year from the date of this resolution unless all proceedings are complete including condition compliance and Certificate of Completion issued by the executive officer.
7. Authorize and direct the executive officer to mail certified copies of this resolution as provided in Government Code Section 56882 and file as appropriate in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this proposal, as required by State Law.

Executive Summary

On October 17, 2017, the Sanger Unified School District initiated this reorganization with the adoption of Resolution No. 17-18~07 requesting that the commission begin proceedings for the "Jensen-Armstrong No. 1 Reorganization" to annex approximately 95.75 acres to the City of Fresno and detach same from the Fresno County Fire Protection District and the Kings River Conservation District for the territory located on the northeast corner of East Jensen and South Fowler Avenues.

The proposed development conforms to the City of Fresno's General Plan.

On August 22, 2017 the Sanger Unified School District adopted Resolution 17-18~06 rendering local zoning ordinances inapplicable to the Districts' site and facilities for the new education center project and Sequoia Elementary School.

Proposal

The proposal consists of the annexation of approximately 95.75 acres to the City of Fresno and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located on the northeast corner of East Jensen and South Fowler Avenues.

Proposal/Land Use

- The affected territory is within the City of Fresno sphere of influence (**Attachment A**) and is contiguous to Fresno city limits (**Attachment B**).

- The proposal consists of the annexation of approximately 95.75 acres to the City of Fresno and detachment from the Fresno County Fire Protection District and the Kings River Conservation District.
- The affected territory is located on the northeast corner of East Jensen and South Fowler Avenues.
- The proposal is currently zoned AE-20 (Agricultural) and will be rezoned to the City of Fresno PI (Public and Institutional.) Zone District by Ordinance No. 17-18~06 upon annexation.
- The territory is uninhabited (11 or fewer registered voters).

Relationship to Regional Housing Goals and Policies

The affected territory is located within the City of Fresno sphere of influence and is contiguous to the City's incorporated boundary along the northern and western property lines. The affected territory is currently planned for agricultural land uses by the Fresno County General Plan. Prezone Ordinance No. 17-18~06 and annexation Resolution No. 17-18~07 was filed by the Sanger Unified School District for the subject 95.75 acres. The affected territory will be included in the development of 79 acres which will be future improved to an educational center and 14 acres which is already substantially developed with the Sequoia Elementary School.

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 the year 2020. Fresno will be represented by the North Kings GSA.

The subject territory can be readily served by the city's sewer, water and storm drainage infrastructure. Further, the property is already within the service area of police and fire services as well as Mid Valley Disposal solid waste collection. Once the subject territory is annexed to the city, the new development in the area will require the extension of main water lines and installation of fire hydrants. According to the city engineer, the city has ample water supply to accommodate the water needs of the proposal.

Environmental Determination

The Sanger Unified School District, acting as "Lead Agency" under CEQA, prepared an Environmental Impact Report (EIR) for the proposed project constant with the requirements of CEQA. The EIR determined the project would have a significant impact on the environment including impact on matter such as air quality, water consumption, loss of agricultural and city service/infrastructure. Mitigation measures were made. Accordingly, a Final Environmental Impact report has been prepared on the project.

As a "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

Acreage:	95.75
Current Land Use:	Vacant
Number of Resident/ Population:	Residents / Population: 0
Registered Voters:	Voters: 1
Assessor Parcel Number(s):	316-022-29ST, 316-022-31T, 316-022-32, 316-022-33, 316-022-34, 316-022-35T, 316 022-59T

2. Proposed Development – The affected territory will be included in the development of 79 acres which will be future improved with an educational center and 14 acres which is already substantially developed with the Sequoia Elementary School.
3. Surrounding Territory – Residential to the west, agricultural to the north, south and east.
4. Consistency with Adopted Sphere of Influence (SOI) - The affected territory is within the Fresno sphere of influence.
5. Consistency with City and County General Plans - The proposal will be consistent with the City of Fresno General Plan once annexed. The proposal furthers the County's General Plan policies of directing growth to existing cities where infrastructure and a full range of municipal services are available to serve urban development.
6. Existing Service Agencies and Proposed Service Changes

Service	Existing Service	Change
Water	Community	City of Fresno
Sewer	Septic	City of Fresno
Fire Protection	Fresno County Fire Protection Dist.	Fresno City Fire

7. Cities and Special Districts Included wholly or partially within the Affected Territory

Kings River Conservation District	Fresno County Fire Protection District
West Fresno Red Scale Protection Dist.	County Service Area 35
State Center Community College District	Fresno Irrigation District
Consolidated Mosquito Abatement Dist.	Fresno County Library
County of Fresno	Fresno Metropolitan Flood Control
Sanger Unified School District	Clovis Cemetery District

8. Costs and Other Changes Affecting Residents or Landowners - None reported by the Sanger Unified School District staff.
9. Consistency with LAFCo Policies, Standards and Procedures
- All properties within the proposal are currently zoned AE-20 (Agricultural) and will be rezoned to the City of Fresno PI (Public and Institutional.) Zone District by Ordinance No. 17-18~06 upon annexation.
 - The County has determined that no MOU finding is needed.
 - The City of Fresno and the Fresno County Fire Protection District have a transition agreement in place to provide fire protection services to the affected territory.
 - The City of Fresno is within the North Kings GSA and has a groundwater recharge plan in place.
 - The proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.
10. Agencies and Individuals Submitting Comments
- Jean Rousseau, County Administrative Officer
 - Will Kettler, Manager, Dev. Services Division, Department of Public Works & Planning
 - Janet Gardner, Environmental Health Specialist III, Fresno Co. Dept. of Public Health
 - Chufeng Vang, IT Analyst, Fresno County Elections Department
 - Karen Coletti, Executive Secretary, Fresno County Public Library
 - Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
11. 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.
12. Registered Voter Data - The County of Fresno Elections Office reported that there is **one** registered voter in the affected territory.
13. Compliance with the Requirements of CEQA
- Lead Agency:** Sanger Unified School District
Level of Analysis: Environmental Impact Report (EIR)
Finding: EIR with mitigation measures (see Environmental Documents at www.fresnolaftco.org under the Hearing and Workshops tab in the December 13, 2017 file).
14. 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.

15. 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
- Scott Odell, ACIP, Contract Planner
- Bard Pawlowski, Sanger Unified School District

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This map displays the Fresno Service Order Inventory (SOI) area. The map includes the following features:

- Legend:**
 - Fresno SOI
 - Fresno city limits
 - Affected territory
- Geographic Labels:**
 - Counties:** Madera County (to the west), County of Fresno (to the east).
 - Neighborhoods/Cities:** TOLLHOUSE, HERNDON, SHAW, ASHLAN, ACADEMY, BETHEL, MCCALL, JENSEN, FOWLER, CLOVIS, AMERICAN, CENTRAL.
- Highways:** State Routes 99, 41, 168, and 180 are marked with their respective shields.
- Map Orientation:** A compass rose in the top right corner indicates North (N), South (S), East (E), and West (W).
- Inset Map:** A small map in the bottom right corner shows the location of the affected territory within the County of Fresno.
- Map Information:**
 - Title:** Fresno Local Agency Formation Commission
 - Prepared:** 12/05/2017

Attachment B

