

Local Agency Formation Commission OF KINGS COUNTY

CITY MEMBERS

Sid Palmerin

Alvaro Preciado

Patricia Matthews, Alternate

COUNTY MEMBERS

Joe Neves

Doug Verboon

Richard Valle, Alternate

PUBLIC MEMBERS

Martin Devine, Alternate

Chuck Kinney, Executive Officer, (559) 852-2674

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Agency at (559) 852- 2680 by 4:00 p.m. on the Monday prior to this meeting.

Agenda backup information and any public records provided to the Commission after the posting of the agenda for this meeting will be available for public review at the Kings County Community Development Agency, 1400 W. Lacey Blvd., Hanford, CA 93230.

AGENDA

**SPECIAL MEETING DATE AND TIME:
Wednesday, April 19, 2023 at 1:00 P.M.**

The Local Agency Formation Commission of Kings County Special Meeting will be held in the Hanford Civic Auditorium, 400 N. Douty Street, Hanford, CA 93230, California.

Members of the public who wish to comment may submit written comments on any matter within LAFCO's subject matter jurisdiction, regardless of whether it is on the agenda for Commission consideration or action, and those comments will be entered into the administrative record of the meeting. To submit written comments by U.S. Mail or email for inclusion in the meeting record, they must be received by the Secretary of LAFCO no later than 8:00 a.m. on the morning of the noticed meeting. To submit written comments by email, please forward them to Chanda.Jackson@co.kings.ca.us. To submit such comments by U.S. Mail, please forward them to: Kings LAFCO, 1400 W. Lacey Blvd. Building #6, Hanford, CA 93230.

I. CALL MEETING TO ORDER – Chairman

A. Unscheduled Appearances:

Any person may address the Commission on any subject matter within the jurisdiction or responsibility of the Commission at the beginning of the meeting; or may elect to address the Commission on any agenda item at the time the item is called by the Chair, but before the matter is acted upon by the Commission. Unscheduled comments will be limited to five minutes.

B. Approval of March 22, 2023 Minutes

II. OLD BUSINESS

None

III. NEW BUSINESS

A. Sphere of Influence/Annexation No. 23-01 (Tulare Lake Drainage District)

- 1) Executive Officer's Report**
- 2) Public Hearing**
- 3) Consideration of LAFCO Resolution No. 23-01**

B. LAFCO Budget FY 2023-2024

- 1) Executive Officer's Report**
- 2) Public Hearing**
- 3) Continue Hearing to May 24, 2023**

IV. LEGISLATION

None

V. MISCELLANEOUS

- A. Correspondence –**
- B. Items from the Commission -**
- C. Staff Comments –**

VII. ADJOURNMENT

- A. Next Scheduled Meeting – May 24, 2023 at 1:00 p.m.**

LOCAL AGENCY FORMATION COMMISSION MINUTES

CITY MEMBERS

Sid Palmerin
Alvaro Preciado
Patricia Matthews - Alternate

COUNTY MEMBERS

Joe Neves – Chair
Doug Verboon – Vice Chair
Richard Valle - Alternate

PUBLIC MEMBERS

Dan Chin
Martin Devine - Alternate

CALL TO ORDER: A special meeting of the Local Agency Formation Commission of Kings County was called to order by Chairman, Joe Neves, at 1:06 p.m., on March 22, 2023, in the Hanford Civic Auditorium, located at 400 N. Douty Street, in Hanford, California.

COMMISSIONERS PRESENT: Joe Neves, Doug Verboon, Sid Palmerin, Martin Devine

COMMISSIONERS ABSENT: Alvaro Preciado

STAFF PRESENT: Chuck Kinney – Executive Officer

VISITORS PRESENT: None

UNSCHEDULED APPEARANCES: None

APPROVAL OF MINUTES:

A motion was made and seconded (Verboon/Devine) to approve the minutes of the February 22, 2023 meeting. Motion carried unanimously with four in favor and Preciado absent.

OLD BUSINESS:

A. None

NEW BUSINESS

A. LAFCO Preliminary Budget FY 2023-2024 – Mr. Kinney discussed the public hearings required for the fiscal year 23-24 budget. He explained the proposed budget is not yet complete, but close to anticipated figures for the year. He stated there is a new line item of \$1,100 to hire a firm to assist with the LAFCO webpage, and that there is an approximate 3% increase in the total budget. Mr. Kinney recommended the first public hearing for the fiscal year 2023-24 budget to be held April 19, 2023 and for staff to send out notices to the cities and throughout the County to make them aware of the proposed budget and the dates of the meeting.

A motion was made and seconded (Verboon/Palmerin) to approve the scheduling of the first public hearing for April 19, 2023. Motion carried with four in favor and Preciado absent.

LEGISLATION

Mr. Kinney shared that CALAFCO is monitoring AB68. He stated this bill would make local jurisdictions submit plan reviews to LAFCO, however, CALAFCO deems this to be the realm of land use authority, which LAFCO does not have oversight of. He stated CALAFCO is currently opposing the bill unless it is amended.

MISCELLANEOUS

- A. **Correspondence** – Chairman Neves asked Mr. Kinney if all 700 Forms had been received from Commissioners. Mr. Kinney stated they were still being collected and they are due April 1, 2023.
- B. **Items from the Commission** – Vice Chairman Palmerin stated Corcoran is “on pins and needles” considering the amount of water and flooding in the area.
- C. **Staff Comments** – Chairman Neves asked Mr. Kinney to share any updates on legal counsel for LAFCO. Mr. Kinney reiterated that Sean Cash has changed departments within Kings County and is no longer legal counsel for LAFCO. He stated Diane Freeman will be stepping in as legal counsel for LAFCO. Mr. Kinney also shared the Tulare Lake Drainage Annexation will be coming soon, requesting an additional 1200 acres being added to their district. He also stated the final island annexation is in process for Hanford. Mr. Kinney then shared that the regular meeting for April will be cancelled due to staff attending the Annual CALAFCO Workshop, a special meeting is scheduled for April 19, 2023. He mentioned although Commission approved attendance of three staff members for the workshop, legal counsel is unable to attend.

ADJOURNMENT – With no further business before the Commission, the meeting was adjourned at 1:17 p.m.

- A. **A special meeting is scheduled for April 19, 2023 at 1:00 p.m.**

Respectfully submitted,

**LOCAL AGENCY FORMATION COMMISSION
OF KINGS COUNTY**



Chuck Kinney, Executive Officer

Local Agency Formation Commission OF KINGS COUNTY

MAILING ADDRESS:
1400 W. LACEY BLVD. BLDG 6, HANFORD, CA 93230
(559) 852-2670, FAX: (559) 584-8989

STAFF REPORT April 19, 2023

EXECUTIVE OFFICER'S REPORT

Tulare Lake Drainage District – Sphere of Influence Amendment/Annexation No. 23-01

I. INTRODUCTION:

The Tulare Lake Drainage District has submitted an application (LAFCO Case No. 23-01) to annex APN's 026-200-001, 003, 004, 005, 006, 011, 012 and APN's 026-210-021, 039, 040, 041, 042, 043 into the Tulare Lake Drainage District. The subject parcels are 1284.86 acres and are contiguous to the District boundary. The project site is located on the southeast corner of Lansing Avenue and the 18th Avenue intersection.

A sphere of influence amendment must first be adopted by the Commission before the proposed annexation may be considered. This SOI amendment proposes to include the land needed for the annexation mentioned above.

II. SPHERE OF INFLUENCE ANALYSIS AND FINDINGS:

A sphere of influence is defined by Government Code Section 56076 as "...a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission". Section 56425(e) requires the LAFCO Commission to consider:

- 1) The present and planned land uses in the area, including agricultural and open space lands;
- 2) The present and probable need for public facilities and services in the area;
- 3) The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide; and
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
- 5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

A. Present and Planned Uses in the Area

The land proposed for annexation in LAFCO Case No. 23-01 has been utilized for agricultural operations. The proposed annexation site contains the following general plan and zoning designations.

Kings County Zoning: General Agriculture (AG-40)

The current and proposed use of this land is for the cultivation and farming of agricultural crops. The planned annexation would allow for agricultural drainage water disposal services to be provided to the lands proposed within the annexation.

B. Present and Probable Need for Public Facilities and Services

The current cultivated fields could benefit from the use of the agricultural drainage water disposal service and a connection to these services can efficiently be added as shown in the attached (Exhibit “A”) Municipal Service Review.

C. Present Capacity of Public Facilities and Adequacy of Public Services

Tulare Lake Drainage District (TLDD or District) provides agricultural drainage disposal services to lands within its boundary. The District does not provide any other service. The proposed annexation territory is adjacent to the current District boundary. Land use within the proposed annexation territory is consistent with lands currently in the District’s boundary. In addition, the Municipal Service Review (MSR) (see attached Exhibit “A”) provides analysis on the present and planned capacity of facilities and the adequacy of services.

D. Evidence of Any Social or Economic Communities of Interest

This is not applicable to the proposed sphere of influence amendment. A social or economic community of interest does not exist in the area.

E. Disadvantaged Unincorporated Communities

No Disadvantaged Unincorporated Communities exist within the current Primary Sphere of Influence. No additional DUC’s have been identified in the vicinity. The project sites are comprised of agricultural land.

California Government Code Section 56426.6(a) states that the Commission shall not approve a change to the sphere of influence of a local government agency of territory that is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1) if that local government agency provides, or would provide, facilities or services related to sewers, nonagricultural water, or streets and roads to the territory, unless these facilities or services benefit land uses that are allowed under the contract and the landowner consents to the change to the sphere of influence. Since the Tulare Lake Drainage District does not provide facilities or services related to sewers, nonagricultural water, nor streets and roads, this project is consistent with California Government Code Section 56426.6(a).

III. ANNEXATION ANALYSIS AND FINDINGS:

I. BRIEF OVERVIEW OF PROPOSAL:

The proposal is to annex one area which totals 1284.86 acres to the Tulare Lake Drainage District. The area includes thirteen parcels located on the southeast corner of Lansing Avenue and the 18th Avenue intersection. This territory is adjacent to the Tulare Lake Drainage District and if approved by Kings LAFCo today would be within the District's Primary Sphere of Influence as adopted by LAFCO and effective April 19, 2023. See Exhibit "A" for a location map of the project site. This proposed reorganization is not considered inhabited since fewer than 12 registered voters reside within the boundaries of the proposed annexation. 100% of the property owners have signed a document consenting to this area of land being annexed into the Tulare Lake Drainage District. The Commission may consider the proposal without notice, hearing, or election pursuant to Government Code Section 56662. The proposal is currently under a Williamson Act Contract.

II. EXECUTIVE OFFICERS RECOMMENDATION

The Executive Officer recommends the LAFCO Commission consider the project and adopt LAFCO Resolution No. 23-01 for approval of LAFCO Case No. 23-01 "Tulare Lake Drainage District 2022 Annexation". The application does represent 100 percent consent of land owners.

III. ANALYSIS OF PROPOSAL:

A. Discussion of Proposal

A Tulare Lake Drainage District application for annexation of territory was received on December 19, 2022. The application was certified complete on January 31, 2023. The purpose of the action is to annex one area containing thirteen parcels totaling 1284.86 acres into the Tulare Lake Drainage District. All of the properties are privately owned and the district is the project proponent.

The area represents thirteen parcels located southeast of the corner of 18th Avenue and Lansing Avenue. Under the Kings County General Plan, the project area is designated as General Agriculture. The site is zoned AG-40.

B. Factors required by Government Code Section 56668:

1.

Project Site

Population:	0
Population Density:	0.00 residents per acre
Land Area:	1284.86 acres
Land Use:	Agriculture
Assessed Value of Annexation Area:	\$4,909,199
Per Capita Assessed Valuation:	\$4,909,199

Topography:	Flat land
Natural Boundaries:	18 th Ave. and Lansing Ave.
Drainage Basins:	None
Proximity to other populated areas:	Approximately 2 miles east of the unincorporated community of Stratford
Likelihood of growth in area:	No – the proposed use of the site is for commercial cultivation
Detachment:	None.

2. Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

The current land use surrounding the proposed annexation Area are primarily agricultural type uses. The Kings County General Plan designates the area as agricultural uses. The area is comprised of agricultural fields. The proposed development is to establish a tile drainage system on the approximately 1284.86 acres of agricultural land which would then drain into the existing agricultural drainage system which is run and operated by the Tulare Lake Drainage District. The Tulare Lake Drainage District is the most logical provider of this type of agricultural service within the Area, and annexation is required for the District to provide service. The Tulare Lake Drainage District will establish an appropriate rate for drainage service and connection fees and sufficient capacity has been identified to exist to serve the annexed territory.

3. The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

There is no anticipated effect of the proposed action on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the County.

4. The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.

The proposed annexation is a planned and orderly extension of the Tulare Lake Drainage District. The 2035 Kings County General Plan designates this area for agricultural uses. Therefore, the impact of this proposal upon patterns of development will occur as outlined in the County's General Plan. Since the District currently borders the project area along the southern border, this territory would keep extension of services in line with the orderly development of the District. This

proposal is in keeping with the intent of LAFCO as detailed in Section 56301, and is reflected in the Policies and Procedures manual for LAFCO of Kings County whereby it encourages the orderly formation of local governmental agencies.

5. The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

The annexation territory is planned for Agricultural uses under the County's 2035 General Plan. The annexation of this property into the Tulare Lake Drainage District will allow these properties to obtain agricultural drainage services which will benefit the physical and economic integrity of these agricultural lands.

The proposal is currently under a Williamson Act Contract.

6. The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The boundaries are definite and certain (See Exhibit "A" of the Resolution). No islands or substantially surrounded areas will be created as a result of this annexation.

7. A regional transportation plan adopted pursuant to Section 65080.

The 2022 Kings County Regional Transportation Plan was adopted on September 14, 2022 pursuant to Section 65080 of the California Government Code.

8. Consistency with city or county general and specific plans.

The annexation is consistent with the 2035 Kings County General Plan

Current Zoning: General Agriculture (AG-40)

County General Plan Designation: General Agriculture.

9. The sphere of influence of any local agency which may be applicable to the proposal being reviewed.

This territory is adjacent to the Tulare Lake Drainage District and if approved by Kings LAFCo today would be within the District's Primary Sphere of Influence as adopted by LAFCO and effective April 19, 2023.

10. The comments of any affected local agency or other public agency.

No written comments have been received by the Executive Officer as of April 15, 2023.

11. The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The District indicates that services for agricultural drainage can be provided to the annexation territory.

12. Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

The District only provides for agricultural drainage services therefore Section 65352.5 does not pertain to this annexation.

13. The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

The subject territory is planned for Agricultural uses and proposes to use the site for cultivation of agricultural crops. Since this property is zoned Agricultural, the County of Kings has never considered it to be used for housing purposes and was not relied upon when planning for the 2014 Kings County Regional Housing Needs Allocation Plan, nor was it included in the 2016 Housing Element update.

14. Any information or comments from the landowner or owners.

Notices for today's meeting to hold a public hearing was mailed out to inform existing residents and land owners in the annexation area. All of the landowners of the area proposed for annexation have signed a consent form for the proposed annexation to the Tulare Lake Drainage District. No additional information or comments have been received by property owners or residents in regards to this proposal.

15. Any information relating to existing land use designations.

No other information is applicable.

16. Extent to which the proposal will promote environmental justice.

The proposed annexation will not result in inferior services being provided to areas of low income residents. The annexation does include project specific information regarding future development of the land to be used for cultivation of agricultural crops. In addition, the proposal will not locate undesirable land uses within the proximity of low income residents.

IV. ENVIRONMENTAL ASSESSMENT:

Inclusion of the proposed territory described as LAFCO Case No. 23-01 – Tulare Lake Drainage District 2022 Annexation for inclusion into the District's Primary Sphere of Influence was reviewed by the District and determined that the inclusion of these lands into the District's Primary Sphere of Influence is categorically exempt from CEQA under Section 15319(a) which states that annexations to a special district of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. This area has historically been used for the growing of agricultural crops and the proposed land use designation and zoning for the sites are Agricultural, which will only allow agricultural uses. This proposed Sphere of Influence Amendment and Annexation will not change the existing use of the land and will not result in any change to the environment. LAFCO, as a Responsible Agency, may rely upon Tulare Lake Drainage District's categorical exemption determination for this action.

IV. RECOMMENDATIONS:

The Executive Officer recommends that:

A. Recommendations concerning the Sphere of Influence Amendment:

1. The Commission make the following determinations:
 - a) It is a Responsible Agency under the California Environmental Quality Act Guidelines, Section 15096, and finds that:
 - 1) The areas of land designated as Agricultural which are included in this Sphere of Influence Amendment are Categorically Exempt from CEQA under Section 15319; and
 - b) The Sphere of Influence Amendment is determined exempt from the *California Environmental Quality Act (CEQA)* under the General Rule Exemption, Public Resources Code Section 15061(b)(3) of the CEQA Guidelines.
 - c) The required considerations for Sphere of Influence amendments mandated by Government Code Section 56425(e) have been met as set forth in the attached resolution.
2. The Commission approve the sphere of influence amendment for the Tulare Lake Drainage District by adopting LAFCO Resolution 23-01.

B. Recommendations concerning the Annexation:

1. That the Commission make the following determinations:
 - a) It is a Responsible Agency under the California Environmental Quality Act Guidelines, Section 15096.
 - b) The annexation is being taken pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
 - c) The distinctive short form designation of the annexation is "Tulare Lake Drainage District 2022 Annexation".
 - d) The District requested annexation of one unincorporated area and all the property owners have given consent to the annexation.
 - e) The proposed annexation conforms to the newly adopted sphere of influence for the Tulare Lake Drainage District.
 - f) The subject territory is not considered inhabited.
 - g) All of the factors required by Government Code Section 56668 have been considered by the Commission before rendering a decision.
 - h) The reorganization is necessary to provide agricultural drainage services.
 - i) The regular county assessment roll will be utilized for this annexation.
 - j) The affected territory will not be taxed for existing general bonded indebtedness.
2. Find that the Commission has reviewed the Class 19 Categorical Exclusion for the annexation by the Tulare Lake Drainage District and has relied on the determination therein that this project will not have a significant effect on the environment.
3. That the Commission approve LAFCO Case No. 23-01, Tulare Lake Drainage District 2022 Annexation by adopting Resolution No. 23-01 and order the annexation to the Tulare Lake Drainage District subject to the following conditions:
 - a) The Kings County Local Agency Formation Commission be designated as the conducting authority for the "Tulare Lake Drainage District 2022 Annexation" and be authorized to proceed with legal steps necessary to complete the annexation without notice, hearing or election.
 - b) The District prepare a final map for recordation with an accompanying legal description that meets Board of Equalization Standards.

- c) The District shall provide a sufficient fee deposit with LAFCO to cover all administrative processing prior to final recording of the Certificate of Completion.

VI. APPROVED LEGAL DESCRIPTION

A legal description of the annexation territory is attached to the resolution.

ADDENDUM

A. Proponent:

Tulare Lake Drainage District

B. Affected Districts Whose Boundaries Will Change:

Tulare Lake Drainage District

C. Affected Districts Who's Boundaries Will Not Change:

County of Kings
Kings Mosquito Abatement District

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MUNICIPAL SERVICES REVIEW

Tulare Lake Drainage District

2022 Annexation

Tulare Lake Drainage District (TLDD or District) provides agricultural drainage disposal services to lands within its boundary. The District does not provide any other service. The proposed annexation territory is adjacent to the current District boundary. Land use within the proposed annexation territory is consistent with lands currently in the District's boundary.

The following information was prepared in accordance with California Government Code Section 56430, to assist Kings County LAFCO with developing its Municipal Service Review and updating spheres of influence of the Tulare Lake Drainage District.

California Government Code Section 56430

(https://california.public.law/codes/ca_gov't_code_section_56430)

a) In order to prepare and to update spheres of influence in accordance with Section 56425, the commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission. The commission shall include in the area designated for service review the county, the region, the subregion, or any other geographic area as is appropriate for an analysis of the service or services to be reviewed, and shall prepare a written statement of its determinations with respect to each of the following: Section 5643 of the California Government Code requires a service review of the municipal services provided in the area. The government code requires a written determination of each of the following:

1. Growth and population projections for the affected area

All lands within the proposed annexation area are irrigated agricultural lands, owned by the same party. Population nor land use within the proposed annexation area is expected to change in the foreseeable future. No urban expansion into the proposed annexation area is currently proposed and is not expected. The provision of drainage services to these lands by the District will have no effect on population/growth within the annexation area. Annexation of the proposed territory by TLDD will not impact growth or populations.

2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

There are no disadvantaged communities within or adjacent to the proposed annexation territory. The community nearest to the proposed annexation is the unincorporated community of Stratford (approximately 2 miles West of the proposed annexation).

3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence.

The District's drainage disposal system has adequate capacity to accommodate drainage flows from the proposed annexation territory. The annexation does not affect any other public facilities, services or infrastructure. Additionally, the District does not provide any public services outside of agricultural drainage disposal.

4. Financial ability of agencies to provide services.

No modification to District facilities are required and no changes to District operations will be required to accommodate new drainage flows from the annexation territory. The District is financially stable and is capable of providing agricultural drain water disposal services to the lands with the proposed annexation territory. The District will recover costs for drainage services provided to the annexation territory through annual assessments.

5. Status of, and opportunities for, shared facilities.

District facilities convey and dispose of agricultural drain water which is high in salt concentration and other constituents. District facilities are not suitable for any other purpose than conveying agricultural drainage water.

6. Accountability for community service needs, including governmental structure and operational efficiencies.

The District provides a highly specialized and unique service. Tulare Lake Drainage District operates under waste discharge requirements issued by the State Water Resources Control board (WDR No. R5-2015-0134 and 93-136) and works closely with environmental and regulatory agencies to ensure compliance with applicable state and federal laws.

7. Any other matter related to effective or efficient service delivery, as required by commission policy.

There are no other matters relative to effective or efficient service delivery.

- b) In conducting a service review, the commission shall comprehensively review all of the agencies that provide the identified service or services within the designated geographic area. The commission may assess various alternatives for improving efficiency and affordability of infrastructure and service delivery within and contiguous to the sphere of influence, including, but not limited to, the consolidation of governmental agencies.

There are no other entities that provide agricultural drainage disposal services in the area.

- c) In conducting a service review, the commission may include a review of whether the agencies under review, including any public water system as defined in Section 116275, are in compliance with the California Safe Drinking Water Act (Chapter 4 (commencing with Section 116270) of Part 12 of Division 104 of the Health and Safety Code). A public water system may satisfy any request for information as to compliance with that act by submission of the consumer confidence or water quality report prepared by the public water system as provided by Section 116470 of the Health and Safety Code.

Tulare Lake Drainage District does not operate a public water system.

- d) The commission may request information, as part of a service review under this section, from identified public or private entities that provide wholesale or retail supply of drinking water, including mutual water companies formed pursuant to Part 7 (commencing with Section 14300) of Division 3 of Title 1 of the Corporations Code, and private utilities, as defined in Section 1502 of the Public Utilities Code.

Tulare Lake Drainage District does not provide wholesale or retail supplies of drinking water.

- e) The commission shall conduct a service review before, or in conjunction with, but no later than the time it is considering an action to establish a sphere of influence in accordance with Section 56425 or 56426.5 or to update a sphere of influence pursuant to Section 56425.

A completed plan for services form is attached.

BEFORE THE LOCAL AGENCY FORMATION COMMISSION

COUNTY OF KINGS, STATE OF CALIFORNIA

**IN THE MATTER OF AMENDING)
THE SPHERE OF INFLUENCE OF THE)
AND ANNEXATION TO THE)
TULARE LAKE DRAINAGE DISTRICT)**

**Resolution No. 23-01

Re: LAFCO SOIA\
ANNEXATION NO 23-01**

WHEREAS, on December 19, 2022, an application was filed by the Tulare Lake Drainage District with the Executive Officer, to amend the Primary Sphere of Influence and annex certain territory to the Tulare Lake Drainage District; and

WHEREAS, the application was certified complete on January 31, 2023; and

WHEREAS, said application involves, APN's 026-200-001, 003, 004, 005, 006, 011, 012 and APN's 026-210-021, 039, 040, 041, 042, 043 that are proposed to be included in the Tulare Lake Drainage District's Primary Sphere of Influence; and

WHEREAS, the Commission is a Responsible Agency for the project's compliance with CEQA; and

WHEREAS, the reorganization represents 100 percent consent of all landowners within the subject territory; and

WHEREAS, on October 19, 2022, The District determined that the project is Categorically Exempt from further environmental review, pursuant to California Environmental Quality Act (CEQA) Guidelines Class 19 for the reorganization.

WHEREAS, on April 19, 2023, this Commission at a Special Meeting held a duly noticed public hearing concerning the proposed sphere of influence amendment and annexation to hear any and all comments, evidence, or testimony from interested or affected persons; and

WHEREAS, the Executive Officer's report, with recommendations, was forwarded to officers, persons, and public agencies as prescribed by law and was reviewed at said meeting; and

WHEREAS, the Commission has duly considered the Executive Officer's Report, and the proposal.

NOW, THEREFORE, THE LOCAL AGENCY FORMATION COMMISSION OF KINGS COUNTY RESOLVES AS FOLLOWS:

1. The Commission finds that:
 - a) It is a Responsible Agency under the California Environmental Quality Act Guidelines, Section 15096, and finds that:
 - 1) The areas of land designated as Agricultural which are included in this Sphere of Influence Amendment are Categorically Exempt from CEQA under Section 15319; and
 - b) The Sphere of Influence Amendment is determined exempt from the *California Environmental Quality Act (CEQA)* under the General Rule Exemption, Public Resources Code Section 15061(b)(3) of the CEQA Guidelines.
 - c) The required considerations for Sphere of Influence amendments mandated by Government Code Section 56425(e) have been met as described below.
 - d) The required considerations for sphere of influence amendments mandated by Government Code Section 56425(e) have been met as follows:
 1. Present and Planned Uses in the Area:
 - A) The land proposed for annexation in LAFCO Case No. 23-01 has been utilized for agricultural operations. The proposed annexation site contains the following general plan and zoning designations.

Kings County Zoning: General Agriculture (AG-40)

The current and proposed use of this land is for the cultivation and farming of agricultural crops. The planned annexation would allow for agricultural drainage water disposal services to be provided to the lands proposed within the annexation.
- 2) Present and Probable Need for Public Facilities and Services: The current cultivated fields could benefit from the use of the agricultural drainage water disposal service and a connection to these services can efficiently be added as shown in the attached (Exhibit "A") Municipal Service Review
- 3) Present Capacity of Public Facilities and Adequacy of Public Services: Tulare Lake Drainage District (TLDD or District) provides agricultural drainage disposal services to lands within its boundary. The District does not provide any other service. The proposed annexation territory is adjacent to the current District boundary. Land use within the proposed annexation territory is consistent with lands currently in the District's boundary. In addition, the Municipal Service Review (MSR) (see Exhibit "A" of the Executive Officers report) provides analysis on the present and planned capacity of facilities and the adequacy of services..

- 4) Evidence of Any Social or Economic Communities of Interest: This is not applicable to the proposed sphere of influence amendment. A social or economic community of interest does not exist in the area.
- 5) Disadvantaged Unincorporated Communities: No Disadvantaged Unincorporated Communities exist within the current Primary Sphere of Influence. No additional DUC's have been identified in the vicinity. The project sites are comprised of agricultural land.
- e) California Government Code Section 56426.6(a) states that the Commission shall not approve a change to the sphere of influence of a local government agency of territory that is subject to a contract entered into pursuant to the California Land Conservation Act of 1965 (Chapter 7 (commencing with Section 51200) of Part 1 of Division 1) if that local government agency provides, or would provide, facilities or services related to sewers, nonagricultural water, or streets and roads to the territory, unless these facilities or services benefit land uses that are allowed under the contract and the landowner consents to the change to the sphere of influence. Since the Tulare Lake Drainage District does not provide facilities or services related to sewers, nonagricultural water, nor streets and roads, this project is consistent with California Government Code Section 56426.6(a).
- f) The reorganization is being taken pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
- g) The distinctive short form designation of the reorganization is "Tulare Lake Drainage District 2022 Annexation".
- h) The Tulare Lake Drainage District is the applicant who requested annexation of APN 026-200-001, 003, 004, 005, 006, 011, 012 and APN's 026-210-021, 039, 040, 041, 042, 043 (hereinafter the "subject territory") to proceed and all of the property owners have given consent to the annexation.
- i) The proposed reorganization conforms to the newly adopted Sphere of Influence for the Tulare Lake Drainage District as adopted by LAFCO of Kings County and became effective April 19, 2023.
- j) The subject territory is not considered inhabited.
- k) All of the factors required by Government Code Section 56668 have been considered by the Commission before rendering a decision.
- l) The reorganization is necessary to provide agricultural drainage services.
- m) The regular county assessment roll will be utilized for this reorganization.
- n) The affected territory will not be taxed for existing general bonded indebtedness.

2. The Commission approves the sphere of influence amendment for the Tulare Lake Drainage District by adopting LAFCO Resolution 23-01. The sphere amendment will add the following APN's 026-200-001, 003, 004, 005, 006, 011, 012 and APN's 026-210-021, 039, 040, 041, 042, 043 within the Tulare Lake Drainage District's Primary Sphere of Influence.
3. The Commission has reviewed the Class 19 Categorical Exclusion for the annexation by the Tulare Lake Drainage District and has relied on the determination therein that this project will not have a significant effect on the environment.
4. That the Commission approve LAFCO Case No. 23-01, Tulare Lake Drainage District 2022 Annexation by adopting Resolution No. 23-01 and order the annexation to the Tulare Lake Drainage District subject to the following conditions:
 - a) The Kings County Local Agency Formation Commission be designated as the conducting authority for the "Tulare Lake Drainage District 2022 Annexation" and be authorized to proceed with legal steps necessary to complete the annexation without notice, hearing or election.
 - b) The District prepare a final map for recordation with an accompanying legal description that meets Board of Equalization Standards.
 - c) The District shall provide a sufficient fee deposit with LAFCO to cover all administrative processing prior to final recording of the Certificate of Completion.
5. The legal description for the annexation to the Tulare Lake Drainage District is attached as Exhibit A.

The foregoing Resolution was adopted upon a motion by Commissioner _____, seconded by Commissioner _____, at a special meeting held April 19, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

LOCAL AGENCY FORMATION
COMMISSION OF KINGS COUNTY

Joe Neves, Chairman

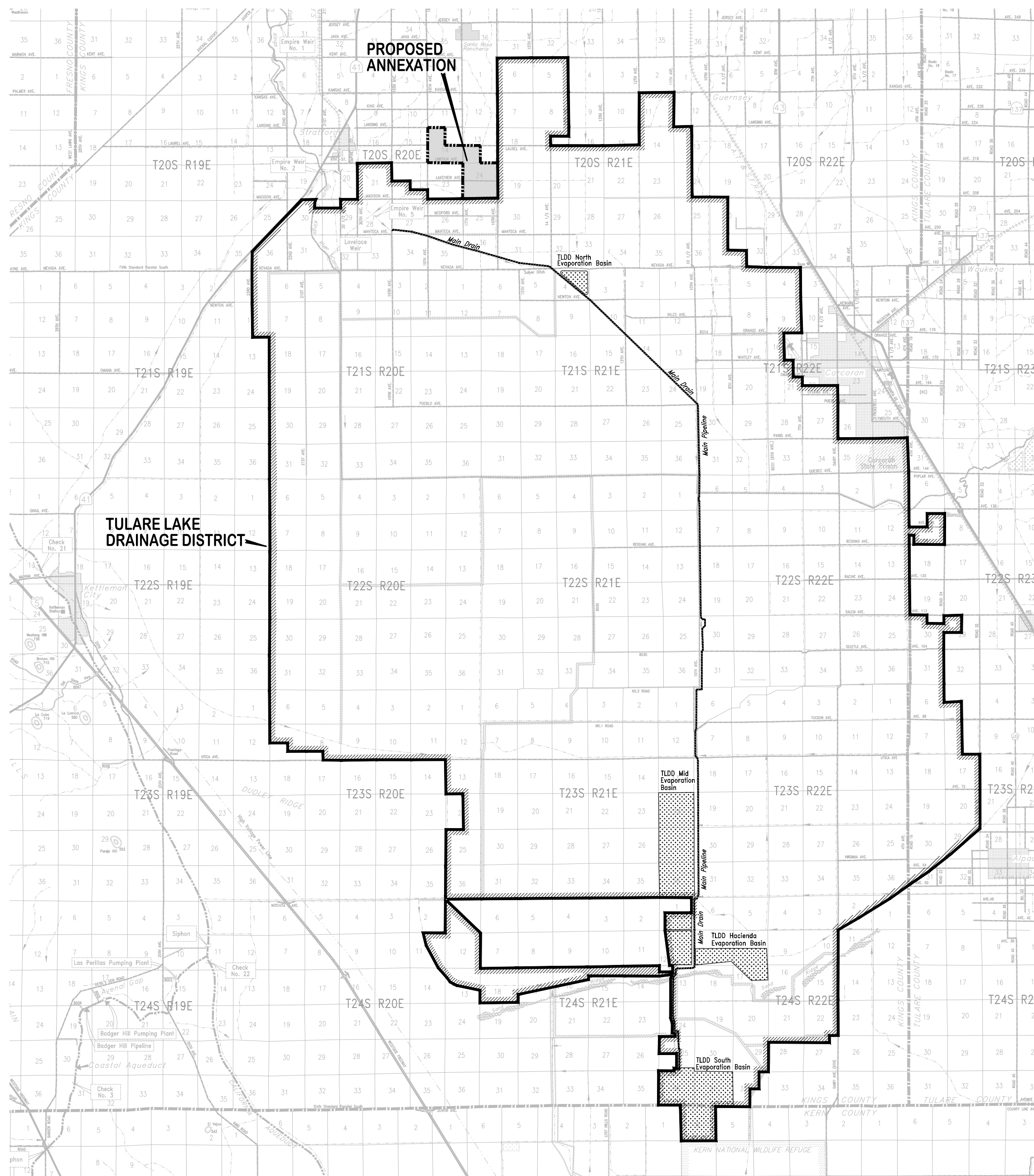
WITNESS, my hand this _____ day of _____, 2023.

Chuck Kinney, Executive Officer

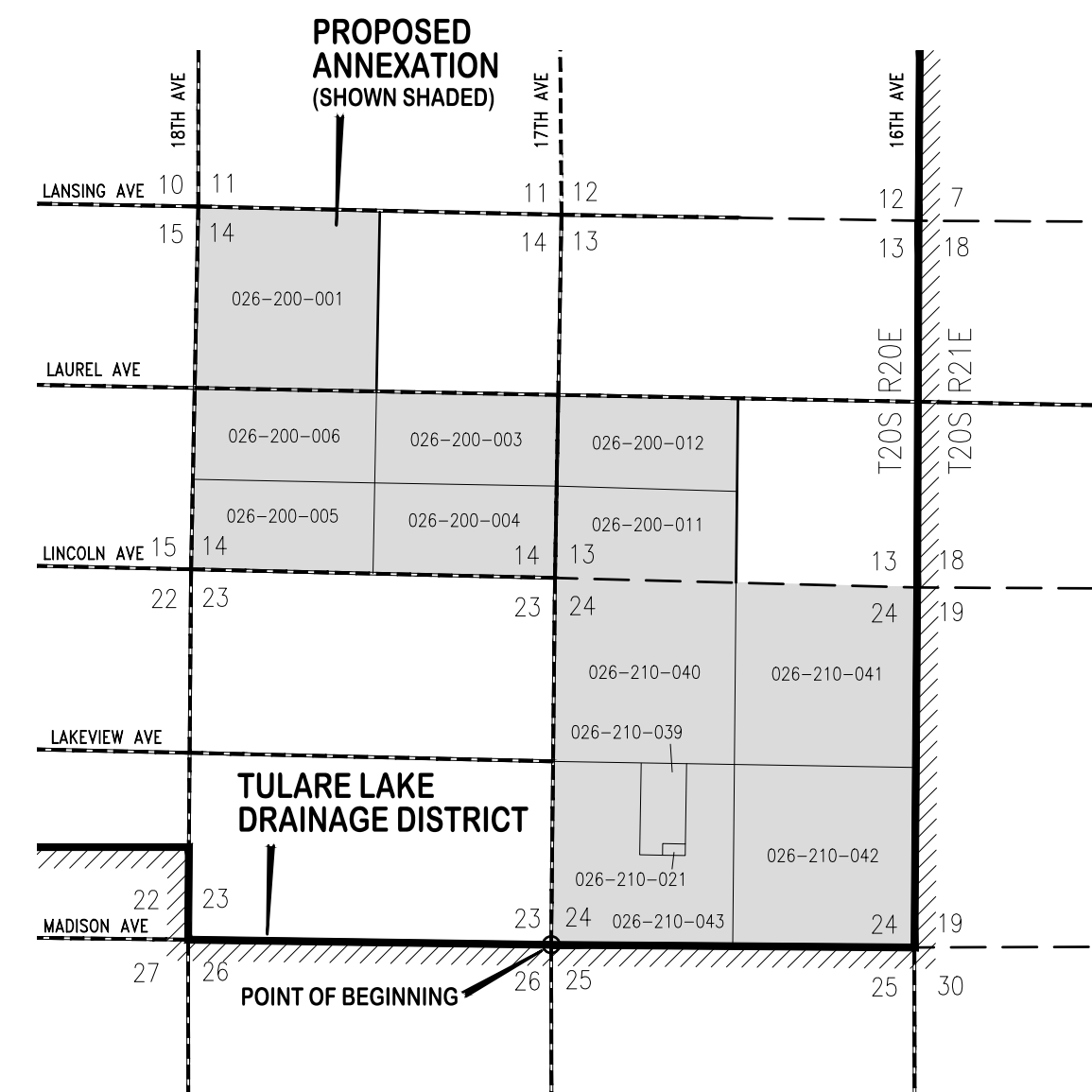
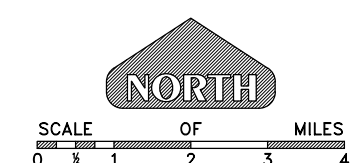
cc: Tulare Lake Drainage District

METS AND BOUNDS DESCRIPTION OF PROPOSED ANNEXATION
TO THE TUALRE LAKE DRAINAGE DISTRICT

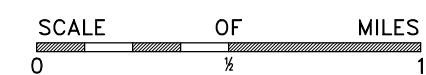
Beginning at a point on the South-West Corner of Sec. 24, T. 20 S., R. 20 E., MDB&M; thence North along the West line of said Sec. 24 to the South-East Corner of Sec. 14, T. 20 S., R. 20 E., MDB&M; thence West along the South line of said Sec. 14 to the South-West Corner of said Sec. 14; thence North along the West Line of said Sec. 14 to the North-West Corner of said Sec. 14; thence East along the North line of said Sec. 14 to the North $\frac{1}{4}$ Corner said Sec. 14; thence South along the East line of the West $\frac{1}{2}$ of said Sec. 14 to the Center $\frac{1}{4}$ Corner of said Sec. 14; thence East along the North line of the South $\frac{1}{2}$ of said Sec. 14 to the West $\frac{1}{4}$ Corner of Sec. 13 T. 20., R. 20 E MDB&M; thence East along the North line of the South $\frac{1}{2}$ of said Sec. 13 to the center $\frac{1}{4}$ Corner of said Sec. 13; thence South along the East line of the West $\frac{1}{2}$ of said Sec. 13 to the North $\frac{1}{4}$ Corner of Sec. 24, T. 20 S., R. 20 E; thence East along the North Line of said Sec. 24 to the North-East Corner of said Sec. 24; thence South along the East line of said Sec. 24 to the South-East Corner of said Sec. 24; thence West along the South line of said Sec. 24 to the South-West Corner of said Sec. 24, the point of beginning.



LOCATION MAP



PROPOSED ANNEXATION



PRELIMINARY
For Review Only
Subject to Revision
SEPTEMBER 23, 2022

TULARE LAKE DRAINAGE DISTRICT

CORCORAN CALIFORNIA

2022 ANNEXATION

SUMMERS ENGINEERING, INC.
Consulting Engineers
HANFORD CALIFORNIA
OCTOBER 2022

Local Agency Formation Commission OF KINGS COUNTY

CHUCK KINNEY, EXECUTIVE OFFICER

MAILING ADDRESS: 1400 W. LACEY BLVD., HANFORD, CA 93230

OFFICES AT: ENGINEERING BUILDING, KINGS COUNTY GOVERNMENT CENTER, HANFORD

(559) 852-2670 • FAX: (559) 584-8989 • WWW.KINGSLAFCO.COM

TO: LAFCO Commissioners
FROM: Chuck Kinney, Executive Officer
DATE: April 19, 2023
SUBJECT: 2023-2024 Proposed Budget Review

I. INTRODUCTION:

Attached is the summary review of the proposed budget recommended by the Executive Officer for Fiscal Year 2023-2024. This proposed Budget includes all the updated costs related to other County Departments. The requested budget of \$78,638 is an increase of \$2,436 more than last year's request, a 3.20% increase. The requested amount covers LAFCO's general activities as required by Assembly Bill 2838, the Cortese – Knox – Hertzberg Act, and continued involvement with CALAFCO to keep current on legislative and procedural changes. The net result of all of the budget changes resulted in the budget with an increase of \$1,218. Revenues are projected at \$41,319. This amount includes the estimated LAFCO Application Fees of \$4,000 and City shares for half of the remaining LAFCO budget. The County covers the remaining half of the LAFCO Budget share of \$37,319, which is an increase of \$1,218 from last FY. The total budget estimate is \$78,638.

II. LAFCO 2023-2024 FISCAL YEAR OBJECTIVES

The primary objectives for the 2023-2024 Fiscal Year Budget will center on continued training for LAFCO staff on operational procedures and processes, timely processing of reorganization and extension of service applications, processing of all spheres of influence amendments for the cities, communities, and special districts in Kings County, and preparing resources for the next required update. Staff will also review and assist Cities and Districts with the preparation of detailed MSRs for any Sphere of Influence Amendment application submitted to LAFCO to ensure compliance with Government Code Section 56430. As LAFCO staff is often relied upon by Cities to advise their prospective development applicants on annexation processes, staff needs to remain current on LAFCO processes, procedures, issues and implementation strategies. Continuing Legislative changes to LAFCO processes and procedures also necessitates staff's need for continual update through CALAFCO legislative review activities. LAFCO staff has remained actively involved with CALAFCO workshops and other training venues to fulfill that need. The two annual CALAFCO training events are organized by LAFCO volunteers to keep all LAFCOs current on issues and implementation strategies.

III. SUMMARY OF RECOMMENDATION:

The recommended draft budget for FY 2023-2024 will require a budget of approximately \$76,638. After applying the estimated \$4,000 in fee revenue, the County's share is \$37,319. The Cities share is also \$37,319. An estimated summary of individual City shares based on population (not including prison populations) is provided in the chart below. The Executive Officer recommends that the Commission open the public hearing to receive public comment and testimony on the proposed LAFCO Budget and continue the public hearing to the May 24, 2023, Commission meeting. A copy of the detailed line item Budget for the proposed LAFCO Expenditures and Revenues is attached.

**2020 City/County Population Percentages for LAFCO Budget
April 19, 2023**

County/City	Population 4/1/2020	Percentage of Population	City Share Percentage	LAFCO Cost
KINGS COUNTY POP.	152486			
AVENAL	8989	5.89%	8.48%	\$3,164.65
CORCORAN	12087	7.93%	11.39%	\$4,250.64
HANFORD	57990	38.03%	54.65%	\$20,394.83
LEMOORE	27038	17.73%	25.48%	\$9,508.88
CITY SUB TOTAL	106104	69.58%	100.00%	\$37,319
Prison Population	14959	9.82%		
Federal Territories	6568	4.31%		
UNINCORPORATED	24855	16.29%		\$37,319
		100.00%		\$72,192.00

Prepared by: LAFCO of Kings County, April 7, 2023

LOCAL AGENCY FORMATION COMMISSION OF KINGS CO.

Fiscal Year 2023-2024

UNIT NUMBER:	280000
UNIT TITLE:	LAFCO
FUNCTION:	Pub. Safety
ACTIVITY:	Other Protect.

Department: Local Agency Formation Commission of Kings County (LAFCO)										Run date:
ACCOUNT DESCRIPTION		ACCT. NO.	Budget 22-23	To Date 2/27/23	Difference 2/27/23	% of Bud. Expended to Date	2/27/23 Estimated 22-23	DEPT. REQ'T 2023-2024	Change 22-23 to 23-24	% Change 22-23 to 23-24
SALARIES & BENEFITS:										
Regular Employees	91000	82-1010	\$ -	\$ -	\$ -	NA	\$ -	\$ 0	\$ -	N/A
Extra Help	91001	82-1020	\$ -	\$ -	\$ -	NA	\$ -	\$ 0	\$ -	N/A
Overtime	91002	82-1030	\$ -	\$ -	\$ -	NA	\$ -	\$ 0	\$ -	N/A
O.A.S.D.I.	91005	82-1100	\$ -	\$ -	\$ -	NA	\$ -	\$ 0	\$ -	N/A
Retirement	91007	82-1110	\$ -	\$ -	\$ -	NA	\$ -	\$ 0	\$ -	N/A
Health Insurance	91008	82-1120	\$ -	\$ -	\$ -	NA	\$ -	\$ 0	\$ -	N/A
Unemployment Insurance	91010	82-1122	\$ -	\$ -	\$ -	NA	\$ -	\$ 0	\$ -	N/A
Insurance-Work Comp.	91011	82-1123	\$ -	\$ -	\$ -	NA	\$ -	\$ 0	\$ -	N/A
Management Benefits	91012	82-1140	\$ -	\$ -	\$ -	NA	\$ -	\$ 0	\$ 0	N/A
TOTAL LABOR:			\$ -	\$ -	\$ -	N/A	\$ -	\$ 0	\$ 0	N/A

SERVICES & SUPPLIES:										
Communications	92006	82-212000	\$ 80	\$ 59	\$ 21	74.29%	\$ 36	\$ 80	\$ -	0.00%
Office Expenses	92018	82-222000	\$ 250	\$ 21	\$ 229	8.23%	\$ 12	\$ 250	\$ -	0.00%
Memberships	92027	82-220000	\$ 3,313	\$ 3,313	\$ -	100.00%	\$ 3,261	\$ 3,313	\$ -	0.00%
Record Storage Charges	92032	82-222015	\$ 288	\$ 170	\$ 118	59.18%	\$ 316	\$ 304	\$ 16	5.56%
Postage & Freight	92033	82-222030	\$ 12	\$ 775	\$ (763)	6456.58%	\$ 400	\$ 500	\$ 488	4066.67%
Offset Printing/Stores	92035	82-222040	\$ -	\$ -	\$ -	#DIV/0!	\$ -	\$ -	\$ -	#DIV/0!
Legal Expenses	92038	82-223005	\$ 11,000	\$ 896	\$ 10,105	8.14%	\$ 539	\$ 11,000	\$ -	0.00%
Publi. and Legal Notices	92056	82-224000	\$ 1,050	\$ 215	\$ 835	20.46%	\$ 129	\$ 1,050	\$ -	0.00%
Rents & Leases - Equipment	92057	82-225000	\$ 1,215	\$ 581	\$ 634	47.82%	\$ 350	\$ 1,276	\$ 61	5.02%
Purchasing Charges	92068	82-228200	\$ 89	\$ 52	\$ 37	58.75%	\$ 31	\$ 104	\$ 15	16.85%
Bd. & Comm. Mem. Expenses	92069	82-228205	\$ 3,064	\$ 60	\$ 3,004	1.96%	\$ 36	\$ 3,064	\$ -	0.00%
Travel & Expenses	92090	82-229010	\$ 6,700	\$ 1,629	\$ 5,071	24.32%	\$ 981	\$ 6,700	\$ -	0.00%
Motor Pool Serv.	92089	82-229000		\$ -	\$ -	N/A	\$ -	\$ -	\$ -	N/A
Utilities	92094	82-230000	\$ 600	\$ 273	\$ 327	45.46%	\$ 164	\$ 650	\$ 50	8.33%
CAP Charges	93038	82-314060	\$ 850	\$ 638	\$ 213	75.00%	\$ 384	\$ 1,602	\$ 752	88.47%
Information Tech Services	93048	82-314050	\$ 1,031	\$ -	\$ 1,031	0.00%	\$ -	\$ 1,000	\$ (31)	
Administrative Allocation	93057	82-314000	\$ 46,287	\$ 21,546	\$ 24,741	46.55%	\$ 12,977	\$ 46,287	\$ -	0.00%
Utility Bond	98001	82-8100010	\$ 373	\$ 337	\$ 36	90.30%	\$ 203	\$ 358	\$ (15)	-4.02%
							\$ -			
Consultant Expense	92048	82-223060			\$ -	0.00%	\$ -	\$ 1,100	\$ 1,100	0.00%
TOTAL SERV/SUPP:			\$ 76,202	\$ 30,564	\$ 45,638	40.11%	\$ 19,821	\$ 78,638	\$ 2,436	3.20%

REVENUE:		ACCT. NO.	Budget 22-23	To Date 2/27/23	Difference 2/27/23	% of Bud. Expended to Date	2/27/23 Estimated 22-23	DEPT. REQ'T 2023-2024	Change 22-23 to 23-24	% Change 22-23 to 23-24
INTERGOV'T REVENUE										
Cities-LAFCO Shares	80008	81-540012	\$ 36,101	\$ -	\$ (36,101)	0.00%	\$ -	\$ 37,319	\$ 1,218	3.37%
CHARGES FOR SERVICES										
LAFCO Fees	87095	81607025	\$ 4,000	\$ 1,000	\$ (3,000)	25.00%	\$ 602	\$ 4,000	\$ -	0.00%
LAFCO MSR/SOI Fees					\$ -	0.00%	\$ -		\$ -	0.00%
TOTAL REVENUE:			\$ 40,101	\$ 1,000	\$ (39,101)	2.49%	\$ 602	\$ 41,319	\$ 1,218	3.0%

TOTALS		ACCT. NO.	Budget 22-23	To Date 2/27/23	Difference 2/27/23	% of Bud. Expended to Date	2/27/23 Estimated 22-23	DEPT. REQ'T 2023-2024	Change 22-23 to 23-24	% Change 22-23 to 23-24
SALARIES & BENEFITS:			\$ -	\$ -	\$ -	N/A	\$ -	\$ 0	\$ 0	N/A
SERVICES & SUPPLIES:			\$ 76,202		\$ 76,202	40.11%	\$ 19,821	\$ 78,638	\$ 2,436	3.20%
FIXED ASSETS:		824500	\$ -		\$ -	0%	\$ -	\$ -	\$ -	0.00%
GROSS EXPENDITURES:			\$ 76,202		\$ 76,202	0.00%	\$ 19,821	\$ 78,638	\$ 2,436	3.20%
REVENUE:			\$ 40,101	\$ 1,000	\$ 39,101	2.49%	\$ 602	\$ 41,319	\$ 1,218	3.04%
COST APPLIED:	98000	825380	\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0.00%
GEN. FUND CONTRIBUTION:			\$ (36,101)	\$ 1,000	\$ (37,101)	-2.77%	\$ (19,219)	\$ (37,319)	\$ (1,218)	3.37%