

LOCAL AGENCY FORMATION COMMISSION MINUTES

CITY MEMBERS

David Ayers
Jim Wadsworth
Sid Craighead - Alternate

COUNTY MEMBERS

Joe Neves – Chair
Jon Rachford - Vice Chair
Alene Taylor - Alternate

PUBLIC MEMBERS

Paul Thompson
Vacant - Alternate

CALL TO ORDER: A regular meeting of the Local Agency Formation Commission of Kings County was called to order by the Chairman, Joe Neves, at 3:30 p.m., on October 25, 2006, in the Board of Supervisors Chambers of the Kings County Government Center, located at 1400 W. Lacey Blvd., in Hanford, California.

COMMISSIONERS PRESENT: Joe Neves, Sid Craighead, Jim Wadsworth, Paul Thompson, Alene Taylor

COMMISSIONERS ABSENT: None

STAFF PRESENT: Bill Zumwalt, Greg Gatzka, Kara Bounds, Marti Seniff, Kyle Sand, LAFCO County Counsel

VISITORS PRESENT: Cathy Cain

UNSCHEDULED APPEARANCES: None

COMMENTS REGARDING OUTSTANDING BILL: Mr. Gatzka addressed the outstanding bills that are owed to LAFCO for processing fees by the City of Hanford and asked to add a condition to the Resolutions that the processing fees be paid prior to any new annexation recordings.

INTRODUCE NEW EMPLOYEE: Mr. Zumwalt introduced new staff member, Ms. Kara Bounds, who will be assisting Mr. Gatzka.

MINUTES OF SEPTEMBER 27, 2006:

The minutes of September 27, 2006 were unanimously approved by the members present on a motion by Commissioners (Craighead / Neves) with three abstentions, Commissioner Alene Taylor, Paul Thompson, and Jim Wadsworth.

I. OLD BUSINESS:

None

II. NEW BUSINESS:

A. LAFCO Case No. 06-05, Hanford Reorganization No. 129

Mr. Gatzka summarized the proposal to annex two separate areas totaling 189.17 acres into the City of Hanford. He stated that Area 1 consists of four parcels and Area 2 has one parcel consisting of the industrial “Pirelli Plant”. The location for Area 1 is south of the Hanford Armona Road and east of 10th Avenue, and Area 2 is located south of Idaho Avenue and east of 11th Avenue. He discussed the City’s pre-zoning for the properties. He indicated that the project

represents 100 percent consent of all land owners and does not require a public hearing. The parcels also are not under any Williamson Act contract.

Mr. Gatzka summarized the Resolution and added a new condition (d) in section 3 which reads “that all unpaid LAFCO proceeding fees and balances due be paid in full prior to the final recording of the Certificate of Completion for LAFCO case 06-05.” Mr. Zumwalt added a new condition (e) to the Resolution that would address the signed tax agreement from the City of Hanford.

Commission members discussed the proposal and a motion was made and seconded by Commissioners (Craighead / Wadsworth) to approve Resolution 06-09. Motion carried unanimously.

AYES: Commissioners: Craighead, Wadsworth, Neves, Taylor, Thompson
NOES: None
ABSENT: None

B. LAFCO Case No. 06-06, Hanford Reorganization No. 131

Mr. Gatzka summarized the proposal to annex two areas, totaling 81.88 acres. He stated that Area 1 is a single parcel located southeast of Grangeville Blvd. and Beulah St., and Area 2 is located south of Grangeville Blvd. east of 13th Avenue consisting of 11 parcels. He discussed the City’s pre-zoning. Mr. Gatzka stated that the project does not represent 100 percent consent of all land owners since one of the property owners did not provide any written consent. He stated that since the project is not considered inhabited that the Commission could wave the public hearing if no objection is received before the close of the public hearing. Mr. Gatzka also indicated that the Commission’s intent to waive the protest proceedings if no opposition is presented was indicated in the public hearing notice.

Mr. Gatzka stated that only one parcel in Area 2 is under a Williamson Act Contract and was not protested and does not have a Notice of Non-Renewal filed on it. As a condition of approval, LAFCO could require that the City adopt a City initiated Notice of Non-Renewal to phase it out since their intended uses are urban and not agricultural. In the interim, the City is required to adopt rules and regulations to administer land conservation contracts, which the City does have in place.

Mr. Gatzka stated that he would also like to add condition (d) to Section 3 which reads “that all unpaid LAFCO proceeding fees and balances due be paid in full prior to the final recording of the Certificate of Completion for LAFCO case 06-06.”

Commissioner Neves opened the public hearing and asked if anyone would like to protest the annexation. Mrs. Cain, Planner from the City of Hanford, stated that the City is in support of the annexation and is available for questions. Seeing that no one came forward to protest and there were no written protest, Commissioner Neves closed the public hearing.

After Commission members discussed the proposal a motion was made and seconded by Commissioners (Thompson / Taylor) to approve Resolution 06-10. Motion carried unanimously.

AYES: Commissioners: Thompson, Taylor, Craighead, Wadsworth, Neves
NOES: None

ABSENT: None

C. LAFCO Case No. 06-07, Hanford Reorganization No. 132

Mr. Gatzka summarized the proposed annexation of two areas, totaling 3.92 acres and LAFCO staff and executive officer is recommending the Commission include 7.79 acres adjacent substantially surrounded territory to the south which was created as a result of Hanford Reorganization No. 127 in January 26, 2005. He stated that Area 1 is a single parcel located south of Flint Avenue and west of Highway 43 and Area 2 is located north of Fargo Avenue and west of the BNSF Railroad. He discussed the zoning changes and no parcels are under the Williamson Act Contract.

Mr. Gatzka stated that he would also like to add condition (d) to Section 3 which reads “that all unpaid LAFCO proceeding fees and balances due be paid in full prior to the final recording of the Certificate of Completion for LAFCO case 06-07.”

Mr. Gatzka stated that the project does not represent 100 percent consent of all land owners and will require a public hearing.

Commissioner Neves opened the public hearing and asked if anyone would like to protest the annexation. Mrs. Cain stated that the City is in support of the recommended made by LAFCO to add the 7.79 acres into the annexation. Seeing that no one came forward to protest and there was not written protest, Commissioner Neves closed the public hearing.

Commission members discussed the proposal and a motion was made and seconded by Commissioners (Wadsworth / Craighead) to approve Resolution 06-11. Motion carried unanimously.

AYES: Commissioners: Thompson, Craighead, Wadsworth, Neves, Taylor

NOES: None

ABSENT: None

III. LEGISLATION

A. CALAFCO Legislative Update

Mr. Gatzka stated that AB2223 was signed by the Governor which extends the Island Annexation provisions to January 1, 2014.

IV. MISCELLANEOUS

A. Correspondence – Mr. Kyle Sand stated that there was a successful win on the Hanford Citizens for Responsible Planning and Valley Advocates v. Kings County Local Agency Formation Commission, City of Hanford, et al. re Kemp Land Company, Sanchez, et. al. ruling. Mr. Zumwalt followed by indicating that a similar ruling had also been rendered for the second lawsuit on Hanford Citizens for Responsible Planning and Valley Advocates v. Kings County Local Agency Formation Commission, City of Hanford, et al. re Lennar/Cambridge, Souza, et al.

B. Commission Appointments – None

D. Items from the Commission – None

E. Staff Comments – Mr. Gatzka discussed the fees that are outstanding from the City of Hanford and outstanding fees from Mr. Richard Harriman for the lawsuits filed by Hanford Citizens for Responsible Planning and Valley Advocates. Mr. Sand said that he would look into options for collection.

V. CLOSED SESSION – The Commission did not meet in closed session as listed on the agenda. No new information was available concerning the lawsuits.

VI. ADJOURNMENT

A. Next scheduled special meeting is December 6, 2006 at 3:30 p.m.

Respectfully submitted,

**LOCAL AGENCY FORMATION COMMISSION
OF KINGS COUNTY**

William R. Zumwalt, Executive Officer

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