

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 special 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 December 6, 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, Paul Thompson, John Rachford

COMMISSIONERS ABSENT: Jim Wadsworth

STAFF PRESENT: Greg Gatzka, Kara Bounds, Sydney Highfill, Pete Mook, LAFCO Counsel

VISITORS PRESENT: None

UNSCHEDULED APPEARANCES: None

MINUTES OF OCTOBER 25, 2006:

The minutes of October 25, 2006 were unanimously approved by the members present on a motion by Commissioners (Craighead / Thompson) with no abstentions.

I. OLD BUSINESS:

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

Mr. Gatzka summarized the proposed annexation of two areas totaling 11.71 acres to the City of Hanford. Area 1 is located south of Flint Avenue and west of Highway 43 and Area 2 is located along the north and south sides of Fargo Avenue and west of the B.N. & S.F. Railroad. The proposal does not represent 100 percent consent of all land owners, and a public hearing was held on October 25, 2006, with the subsequent protest hearing set for December 6, 2006.

Commissioner Neves initiated the protest hearing. Representatives of the Square Eights Hall were in attendance to protest the annexation. George R. Silva, President of Square Eights, represented the group and expressed opposition to the annexation and handed to the Commission their formal protest. Also in attendance were Julian Terstegen, John Amaral, Johnny Duke and Marvin Bettencourt, had several questions regarding the annexation of the Square Eights Hall. They indicated they had unanswered questions about what would happen to their use if annexed to the City and that they had not received any response from the City. They expressed concern over more fees and restrictions on their use. No City representative was in attendance at the meeting to reply.

Mr. Gatzka addressed some of their questions, and Mr. Mook clarified other issues related to taxes and permits. Commissioner Rachford recommended postponing the meeting and trying to reach someone at the City to answer those questions that the City would need to address. Commissioner

Neves agreed and tabled the item until Mr. Gatzka could contact someone at the City. Mr. Moock explained the protest hearing regulations. Mr. Gatzka called the City and they indicated that Cathy Cain was not available but a representative from the City would be calling him back. Commissioner Neves moved onto the next item to give the City an opportunity to respond.

B. LAFCO Case No. 06-09, Hanford Reorganization No. 140

Ms. Bounds summarized the proposed annexation of one area totaling 12.12 acres to the City of Hanford located a 1/8 mile south of Hanford-Armona Road and a ¼ mile east of 13th Avenue. The application represents 100 percent land owner consent and is requested to be considered without notice and hearing. She stated that the parcel is under a Williamson Act Contract, and is considered protested and valid.

Commissioner Thompson asked if the property owner is applying for the annexation and if the City was in favor of it. Commissioner Rachford asked if the annexation would create a substantially surrounded territory. Ms. Bounds answered yes to both questions. Mr. Gatzka clarified that the City is creating a substantially surrounded territory and the City will be requested to annex that area if additional annexation proposals are considered in that immediate vicinity.

After Commission members discussed the proposal, a motion was made and seconded by Commissioners (Thompson / Rachford) to approve Resolution 06-13. Motion carried unanimously.

AYES: Commissioners: Thompson, Rachford, Craighead, Neves

NOES: None

ABSENT: Commissioner Wadsworth

Continued from earlier

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

Commissioner Neves resumed the meeting. Mr. Gatzka stated that he spoke to Mr. John Stowe an Associate Planner from the City of Hanford Planning Department, who stated that the City would not require any right of ways and would not require any additional fees from the Square Eights facility. Mr. Gatzka stated that Mr. Stowe said there would not be any additional fees required because it is a non profit organization and could continue their operation as usual. Mr. Stowe indicated that if Square Eights shut down and was left unused for more than a six month period then the City would require a Conditional Use Permit application to be submitted to re-start a business at that location. Commissioner Neves stated that a copy of the minutes can be sent to Mr. Silva and to the Square Eights that would include the statements made by Mr. Stowe for their records.

Mr. Moock explained the LAFCO Commission's constraints of what they can and can not do as a result of the protest hearing. He also informed the public that they can withdraw their protest any time before the close of the hearing. Commissioner Neves stated that they should still receive a copy of the minutes. Mr. Gatzka stated that the Resolution will need to be changed to state that there was one valid protest.

After Commission members discussed the proposal a motion was made and seconded by Commissioners (Craighead / Rachford) to approve Resolution 06-12 with the change to the Resolution. Motion carried unanimously.

AYES: Commissioners: Craighead, Rachford, Neves
NOES: None
ABSENT: Commissioner Wadsworth
ABSTAIN: Commissioner Thompson

III. LEGISLATION

Commissioner Rachford asked about the removal of Reclamation Districts from LAFCO. Mr. Gatzka stated that there has been no further progress by other LAFCOs on this item.

IV. MISCELLANEOUS

- A. Correspondence – None**
- B. Commission Appointments – None**
- C. Items from the Commission – None**
- D. Staff Comments – None**

VI. CLOSED SESSION –

- A. Pending Litigation: The title is: Hanford Citizens for Responsible Planning and Valley Advocates v. Kings County Local Agency Formation Commission, City of Hanford, and State of California Department of Health Services. [Public Resources Code Section 21167.5] No Action Taken**

VII. ADJOURNMENT

- A. Next scheduled regular meeting is January 24, 2007 at 3:30 p.m.**

Respectfully submitted,

**LOCAL AGENCY FORMATION COMMISSION
OF KINGS COUNTY**

Gregory R. Gatzka, Assistant Executive Officer

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