

# 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

### Tape Count # 00 :

**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 September 28, 2005, 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, Alene Taylor, David Ayers, Paul Thompson

### COMMISSIONERS ABSENT:

Jim Wadsworth

### STAFF PRESENT:

Bill Zumwalt, Greg Gatzka, Marti Seniff

### VISITORS PRESENT:

Jan Kahn, Kathy Cain, Steve Sopp

### UNSCHEDULED APPEARANCES:

None

### MINUTES OF July 27, 2005:

The minutes of August 24, 2005 were unanimously approved by the members present on a motion by Commissioners (Neves / Thompson).

### Tape Count # 00 :

## I. OLD BUSINESS:

None

## II. NEW BUSINESS:

### Tape Count #00 :

### A. LAFCO Case No. 05-07 – Tulare Lake Reclamation District No. 761 Detachment

Mr. Zumwalt stated that the detachment requires a public hearing and would have to be rescheduled for the public hearing since it was not identified on the agenda. Commission Chair Neves directed that the project would be carried over to the October agenda and asked for a brief overview of the project. Mr. Gatzka stated that the District proposed to detach one parcel and a portion of another from the District, which total 157.51 acres. The territory is located approximately 1 mile east of the Kettleman City Community. Mr. Gatzka explained that the main property owner, Franklin Tract Landowners Association, was not in consent of the detachment, but recently submitted a letter withdrawing their opposition. Mr. Zumwalt read the letter into the record. Mr. Jan Kahn addressed the Commission and explained that the Franklin Tract Landowners Association property would not benefit from being within the District since there are no water rights assigned through the District for this property. In addition, he stated that the property owners would potentially be liable for District related expenses should District improvement costs be levied against landowners within the District. Mr. Zumwalt clarified that protest proceeding would be necessary for this project since the Franklin

Tract Landowners Association did not formally state their consent to the detachment. The letter withdrawing protest is not considered as a letter of consent. The Chairman Neves stated that the item will continue to the next meeting in October.

**B. LAFCO Case No. 05-09 – City of Hanford Reorganization No. 125**

Mr. Gatzka gave the Executive Offices Report. He stated that the proposal is to annex two (2) parcels totaling 51.61 acres to the City of Hanford and detach the same from the Kings River Conservation District, and Excelsior-Kings River Resource Conservation District. Mr. Gatzka summarized the project for the Commission and presented project related information for the Commission members to make the necessary findings. Mr. Gatzka stated that the parcels are adjacent to the City of Hanford, and that the area is located south of Flint Avenue and east of the BNSF Railroad. The properties are also presently designated for “Very Low Density Residential” and “Low Density Residential” under the 2002 Hanford General Plan, and is proposed for future residential development. He stated that the property is under Williamson Act Contract and that the contract was protested by the City and subsequently upheld by LAFCO. A Certificate of Termination would need to be recorded in order for the City to not succeed to the contract. Mr. Gatzka concluded with the Executive Officer’s recommendation to approve LAFCO Case No. 05-09 subject to the condition that pre-clearance be obtained from the U.S. Department of Justice.

After Commission members discussed the proposal a motion was made and seconded by Commissioners (Taylor / Ayers) to make the necessary findings and approve LAFCO Resolution No. 05-11. Motion carried unanimously.

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

**C. LAFCO Case No. 05-11 – City of Hanford Reorganization No. 123**

Mr. Gatzka gave the Executive Offices Report. He stated that the proposal is to annex one (1) parcel totaling 8.96 acres to the City of Hanford and detach the same from the Kings River Conservation District, and Excelsior-Kings River Resource Conservation District. Mr. Gatzka summarized the project for the Commission and presented project related information for the Commission members to make the necessary findings. Mr. Gatzka stated that the parcel is adjacent to the City of Hanford, and is located west of 12th Avenue and about 1/8 mile north of Hume Avenue. The property is presently designated for “Low Density Residential” under the 2002 Hanford General Plan, and is proposed for future residential development. Mr. Gatzka concluded with the Executive Officer’s recommendation to approve LAFCO Case No. 05-11 subject to the condition that pre-clearance be obtained from the U.S. Department of Justice.

After Commission members discussed the proposal a motion was made and seconded by Commissioners (Ayers / Thompson) to make the necessary findings and approve LAFCO Resolution No. 05-12. Motion carried unanimously.

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

**D. LAFCO Case No. 05-10 – City of Avenal Annexation 2005-1**

Mr. Gatzka gave the Executive Offices Report. He stated that the City of Avenal is proposing to is to annex two (2) parcels to the City. Mr. Gatzka clarified, however, that the legal description and map submitted were incorrect but that definite and certain boundaries could be described for the Commission’s decision. He continued and stated that the description identified territory in Freson County. Mr. Zumwalt stated Kings County and Fresno County have had changes along there boundary and that the City is defined as up to the County boundary line. He further stated that by defining the annexation to include all that territory within Section 18, Township 21 South, Range 18 East, lying west of the California Aqueduct would encompass definite and certain boundaries for the proposed annexation. Mr. Gatzka continued to summarize the project for the Commission and presented project related information for the Commission members to make the necessary findings. Mr. Gatzka stated that the parcel is adjacent to the City of Avenal, and is located along the Avenal Cutoff just north of the City. The properties are presently designated for “General Agricultural” use under the County’s General Plan, but would be designated for “Industrial” under Avenal’s newly adopted 2005 General Plan. No development is proposed for these properties other than the City’s turnout from the California Aqueduct to supply increased water capacity to the City. Mr. Gatzka concluded with the Executive Officer’s recommendation to approve LAFCO Case No. 05-10 subject to the condition that pre-clearance be obtained from the U.S. Department of Justice.

After Commission members discussed the proposal a motion was made and seconded by Commissioners (Ayers / Thompson) to make the necessary findings and approve LAFCO Resolution No. 05-12. Motion carried unanimously.

- AYES: Commissioners: Ayers, Thompson, Taylor, Neves
- NOES: None
- ABSENT: Commissioners: Wadsworth

Tape Count #0\_\_:

**III.LEGISLATION**

Mr. Gatzka provided a brief overview of the two recently signed bills, AB 1746 and SB 135. He stated that both were signed into law by the Governor on September 22, 2005. AB 1746 makes changes to LAFCO law that includes the extended deadline for Sphere of Influence updates and Municipal Service Reviews to be complete by January 1, 2008. SB 135 is a complete reorganization of the laws related to special districts which are now compiled into the Community Services District Law.

**IV.MISCELLANEOUS**

- A. Correspondence – None
- B. Unscheduled Public Comments – None
- C. Items from the Commission – None
- D. Staff Comments – Mr. Gatzka summarized the CALAFCO Conference sessions and provided some handouts to Commission members demonstrating some of the topics discussed. Commission members inquired about the Ag Easements and Smart Growth initiatives being developed by other Counties.

Tape Count #0\_\_\_\_:

**V. ADJOURNMENT**

**A. Next scheduled meeting is October 26, 2005**

Respectfully submitted,

**LOCAL AGENCY FORMATION COMMISSION  
OF KINGS COUNTY**

William R. Zumwalt, Executive Officer

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