

Local Agency Formation Commission OF KINGS COUNTY

CITY MEMBERS

Sid Palmerin
Dave Brown
Martin Devine, Alternate

COUNTY MEMBERS

Joe Neves
Doug Verboon
Richard Valle, Alternate

PUBLIC MEMBERS

Dan Chin
Vernon Costa, Alternate

Greg Gatzka, Executive Officer, (559) 852-2682

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

REGULAR MEETING DATE AND TIME:

Wednesday, September 23, 2020 at 3:00 P.M.

KINGS LAFCO PUBLIC MEETING PROTOCOL IN RESPONSE TO CORONAVIRUS COVID-19

California Governor Gavin Newsom issued Executive Orders N-25-20 and N-29-20 on March 12, 2020 and March 17, 2020, respectively, relating to the convening of public agency meetings in light of the COVID-19 pandemic. Kings LAFCO hereby provides notice that it will convene its regularly scheduled public meetings of the Kings LAFCO by teleconference going forward, and will close its Chambers to the public generally, except as described below, until further notice. Pursuant to the Executive Orders, and to maintain the orderly conduct of the meeting, Kings LAFCO will allow the Board, LAFCO staff and interested members of the public to attend the meeting telephonically or by the Internet, and to participate in the meeting to the same extent as if they were present in the Chambers. Members of the public who choose to attend the meeting virtually, using certain digital or landline phones, may listen to the audio broadcast of the meeting, but will not be able to comment during the meeting. Only those members of the public who cannot participate virtually, due to a need for a special accommodation (vision, hearing, etc.), may attend the meeting in the Chambers where efforts will be made to allow adequate social distancing and to ensure that exposed surfaces are sanitized. No more than 10 individuals will be allowed in the Chambers at a time. To secure the accommodation consistent with the American's with Disabilities Act and to attend in person, interested parties will need to contact the Executive Secretary of Kings LAFCO as directed below no later than 8:30 a.m. the morning of the meeting. Members of the public who wish to participate in the meeting virtually can do so one of three ways: Via the worldwide web; by telephone; or by postal or electronic mail. Members of the public, who participate via their computers or through the WebEx app, may provide public comment at the meeting by using the "Raise Your Hand" function. Public comment will be limited to two (2) minutes during the "Unscheduled Appearances" section of the meeting. Public comment will not be available via phone. All others who wish to submit comments may only do so as outlined below.

- **Web Access:** To access the meeting via computer, please go to Kings LAFCO's homepage (<https://www.kingslafco.com/>) and click on the link that says **Join Meeting**. You may also participate from your smart phone by downloading the **WebEx Meetings**

app to your smartphone. After opening the app, click on **Join Meeting**, and then enter the meeting information. The **meeting number is 133 868 2610** and the **password is KingsLAFCO**.

- If you have trouble logging in through the Internet, you may join the meeting via telephone by calling **(415) 655-0003**, then enter the **access code of 133 868 2610#**.
- For members of the public who wish to participate, but are unable to do so virtually, you may submit written comments on any matter within the Board's subject matter jurisdiction, regardless of whether it is on the agenda for Board 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 executive secretary of the Kings LAFCO no later than 2:00 p.m. on the day of the noticed meeting. To submit written comments by email, please forward them to Terri.Yarbrough@co.kings.ca.us. To submit such comments by U.S. Mail, please forward them to:

Executive Secretary of Kings LAFCO, County of Kings, 1400 W. Lacey Blvd., 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 May 27, 2020 Minutes (Voice Vote)

II. OLD BUSINESS

None

III. NEW BUSINESS

A. Extension of Service No. 20-01, Mr. Dave Clevenger

- 1) Executive Officer's Report
- 2) Consideration of LAFCO Resolution 20-02

B. LAFCO Fee Schedule

- 1) Executive Officer's Report
- 2) Consideration of LAFCO Resolution 20-03

C. Designate voting delegate for 2020 CALAFCO

IV. LEGISLATION

None

V. MISCELLANEOUS

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

VII. ADJOURNMENT

- A. Next Scheduled Meeting – Regular Meeting Date October 28, 2020 at 3:00 p.m.**

LOCAL AGENCY FORMATION COMMISSION MINUTES

CITY MEMBERS

Sid Palmerin
Martin Devine
Vacant - Alternate

COUNTY MEMBERS

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

PUBLIC MEMBERS

Dan Chin
Vernon Costa - Alternate

CALL TO ORDER: A regular meeting of the Local Agency Formation Commission of Kings County was called to order by Chairman, Joe Neves, at 3:00 p.m., on May 27, 2020 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, Doug Verboon, Martin Devine, Sid Palmerin, Dan Chin

COMMISSIONERS ABSENT:

STAFF PRESENT: Diane Freeman – Counsel, Chuck Kinney – Assistant Executive Officer, Terri Yarbrough – Clerk

VISITORS PRESENT: Nathan Olson

UNSCHEDULED APPEARANCES: None

APPROVAL OF MINUTES:

A motion was made and seconded (Verboon/Devine) to approve the minutes of the January 22, 2020 meeting. Motion carried with four in favor and Palmerin absent.

OLD BUSINESS:

None

NEW BUSINESS

LAFCO Budget FY 2020-2021

Sid Palmerin joined the meeting at this time. Mr. Gatzka summarized the budget. He stated it was anticipated there would be a couple of projects next year which have been included in the budget. He also provided a breakdown of the shared city costs. No comments have been received regarding the budget.

Chairman Neves opened the Public Hearing and asked if anyone would like to give testimony regarding the proposed budget. Seeing none, he closed the Public Hearing.

A motion was made (Verboon/Chin) and seconded to adopt the FY2020-2021 budget as presented.

MISCELLANEOUS

A. **Correspondence** – Greg reported he had received a letter from the Kings County Grand Jury regarding the Home Garden Community Services District's financial deficit. He stated this situation didn't apply under LAFCO and he would send a letter to the Grand Jury advising them of that. The Commission authorized Mr. Gatzka to respond to the Kings County Grand Jury's

letter. Mr. Palmerin asked if it would be proper for him to talk to Supervisor Valle regarding this issue since this is in his district. Ms. Freeman advised he could only do so as an individual.

B. Items from the Commission – None

C. Staff Comments – Mr. Gatzka reported he is not anticipating any business for the June meeting.

ADJOURNMENT – With no further business before the Commission, the meeting was adjourned at 3:15 p.m.

A. A meeting is scheduled for June 24, 2020 at 3:00 p.m.

Respectfully submitted,

**LOCAL AGENCY FORMATION COMMISSION
OF KINGS COUNTY**



Greg Gatzka, Executive Officer

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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 September 18, 2020

EXECUTIVE OFFICER'S REPORT

EXTENSION OF SERVICE No. 20-01 CITY OF HANFORD WATER & SEWER SERVICE

I. BRIEF OVERVIEW OF PROPOSAL:

The Applicant, Mr. Dave Clevenger, has requested Commission approval to allow the City of Hanford to extend water and sewer service outside its jurisdictional boundaries to serve a 96 unit Single Room Occupancy (SRO) hotel to be located approximately 1/3 mile South of Hanford Armona Road along the West side of 10th Avenue (APN: 011-044-005). This property is within the Hanford Primary Sphere of Influence and adjacent to the city limits. See Exhibit "A" for a location map of the project site. The Hanford City Council has approved the request for the Hanford Public Works Department to provide water and sewer service contingent upon LAFCO approval.

The applicant has informed the City of Hanford and LAFCO that his development will provide housing to 96 homeless and/or extremely low income individuals. The City of Hanford, is the closest municipal water and sewer service provider thereby making them the most logical to provide service to the development.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 allows a City to provide extended services outside its jurisdictional boundaries only if it first requests and receives written approval from LAFCO.

II. EXECUTIVE OFFICERS RECOMMENDATION

The Executive Officer recommends that LAFCO Extension of Service No. 20-01 "Mr. Dave Clevenger" be approved.

III. ANALYSIS OF PROPOSAL:

A. Discussion of Proposal

The purpose of the Commission's action is to authorize the City of Hanford to provide water and sewer service outside of the City's jurisdiction and within their sphere of influence to a private development located immediately east of the Hanford City boundary. On September 15, 2020, the Hanford City Council approved a property owner request to extend City water and sewer service to the proposed development located approximately 1/3 mile south of Hanford Armona Road along the west side of 10th Avenue. Commission approval of the City to provide water and sewer service would allow the private development to receive reliable safe water service and sewer service through the City.

B. Factors required by Government Code Section 56133:

Pursuant to Government Code Section 56133, Commission approval is required for extension of service by local agencies to territory outside of the agency's jurisdictional boundary. This section permits extension of service within its sphere of influence in anticipation of a later change of organization.

The applicant has applied to enter into an agreement with the City of Hanford to provide water and sewer service connections to the development which will be located approximately 1/3 of a mile south of Hanford Armona Road along the west side of 10th Avenue. The agreement is contingent upon LAFCO approval of an Extension of Service. The subject development is within the sphere of influence of the City of Hanford.

1. Sphere Of Influence:

This extension of service is within the Primary Sphere of Influence of the City of Hanford as adopted by the Commission January 1, 2008. The development that would benefit from this service is located in the unincorporated Hanford Fringe, adjacent to the existing City Limit Boundary and it is anticipated that the property will be annexed into the City of Hanford at such time when the contiguous parcels to the north of the property are also annexed into the City.

2. Service Demand and Capacity:

The City of Hanford indicates that sufficient water and sewer service capacity is available and can be provided to the private development located approximately 1/3 of a mile south of Hanford Armona Road along the west side of 10th Avenue (APN 011-044-005).

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

The property owner is requesting to receive water and sewer service from the City of Hanford.

IV. ENVIRONMENTAL ASSESSMENT:

The proposed development is being permitted through the County of Kings and a Site Plan Review zoning permit application will be required to have been approved prior to the extension of potable water and sewer services being provided to the site. The proposed project is a Ministerial project, and is exempt from an environmental review under Section 15268 of the *Guidelines for California Environmental Quality Act (CEQA Guidelines)*, implemented through Kings County Board of Supervisors Resolution No. 16-001, adopted January 5, 2016. Section 4.g.1. of Resolution No. 16-001, *Kings County's Local Guidelines To Implement CEQA*, lists Site Plan Reviews conducted by the Zoning Administrator under the provisions of Article 16 of the *Kings County Development Code* as exempted projects. Also since the extension of the water and sewer service involves the installation of less than one (1) mile of pipeline for the service it is statutorily Exempt under the California Environmental Quality Act Guidelines, Section 15282(k).

V. RECOMMENDATIONS:

The Executive Officer recommends:

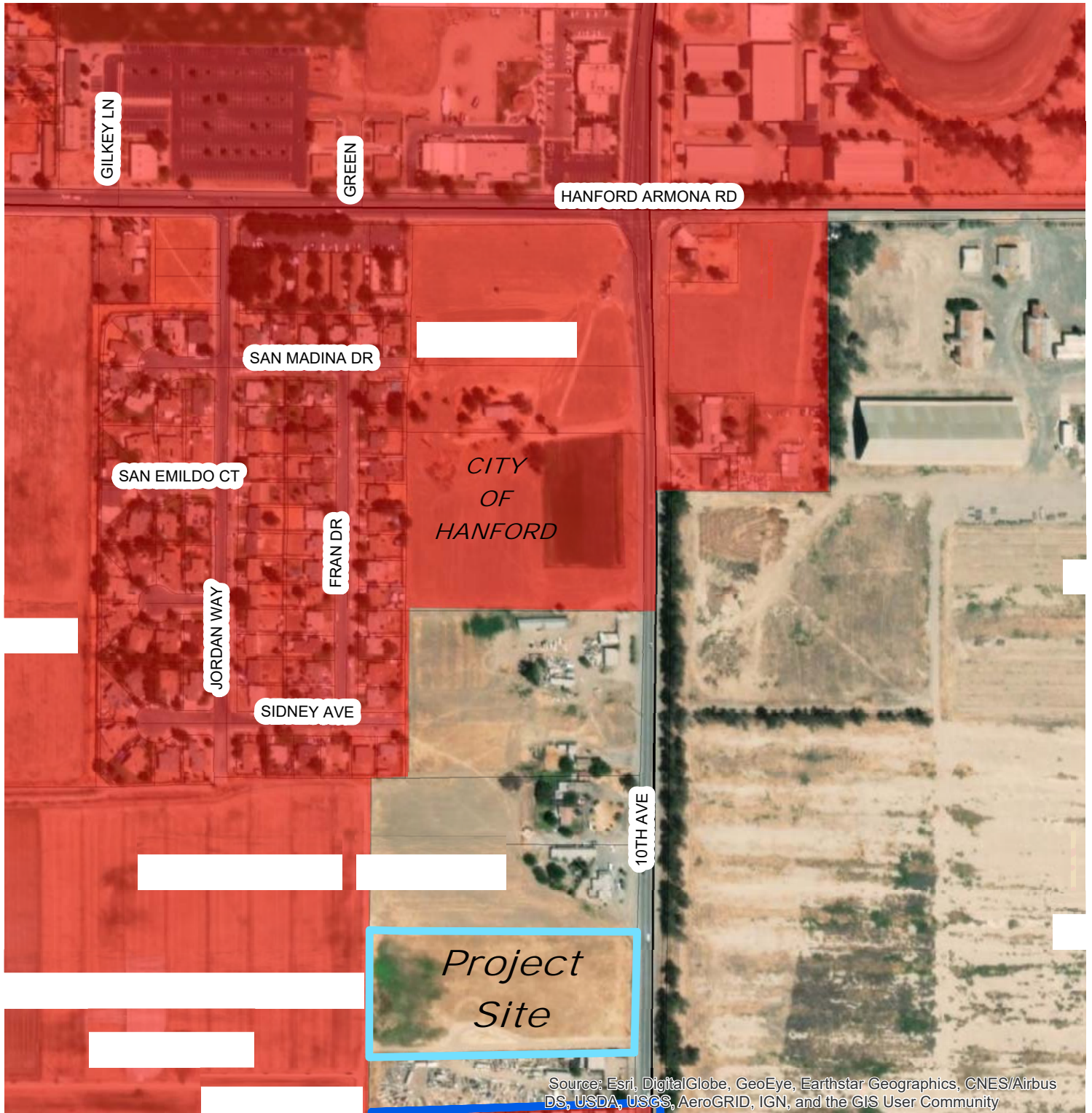
1. That the Commission make the following determinations:
 - a) The extension of service is a "Ministerial project" under the California Environmental Quality Act Guidelines, Section 15268 and "Statutorily Exempt" under the California Environmental Quality Act Guidelines, Section 15282(k).
 - b) The extension of service is being taken pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization of 2000.
 - c) All of the factors required by Government Code Section 56133 have been considered by the Commission before rendering a decision.
2. That the Commission approve LAFCO Extension of Service No. 20-01, Dave Clevenger by adopting Resolution No. 20-02 subject to the following condition:
 - a) The extension of service is restricted to the development to be located on APN 011-044-005 which is generally located approximately 1/3 mile south of Hanford Armona Road along the west side of 10th Avenue.

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Exhibit "A"

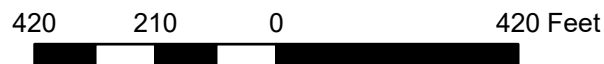
Extension of Service No. 20-01

"Mr. Dave Clevenger"






LOCAL AGENCY FORMATION
COMMISSION
OF KINGS COUNTY

September 18, 2020



Legend

-  APN: 011-440-005
-  Primary SOI
-  City of Hanford

BEFORE THE LOCAL AGENCY FORMATION COMMISSION
COUNTY OF KINGS, STATE OF CALIFORNIA

IN THE MATTER OF THE)
CITY OF HANFORD WATER &)
SEWER SERVICE EXTENSION)
)

Resolution No. 20-02
Re: Extension of Service
No. 20-01

WHEREAS, on September 18, 2020, Mr. Dave Clevenger requested Commission approval for an extension of City water and sewer service to a single parcel located outside the jurisdictional boundaries of the City; and

WHEREAS, on September 23, 2020, this Commission at a regular meeting considered the proposed extension of water and sewer service; 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 public meeting; and

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

WHEREAS, the extension of water and sewer service is considered a "Ministerial project" under the California Environmental Quality Act Guidelines, Section 15268 and since the extension of water service involves the installation of less than one (1) mile of pipeline for the service it is statutorily Exempt under the California Environmental Quality Act Guidelines, Section 15282(k).

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

1. The Commission finds that:
 - a) The extension of service is a "Ministerial project" under the California Environmental Quality Act Guidelines, Section 15268 and "Statutorily Exempt" under the California Environmental Quality Act Guidelines, Section 15282(k).
 - b) The extension of service is being taken pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization of 2000.
 - c) All of the factors required by Government Code Section 56133 have been considered by the Commission before rendering a decision.

2. The Commission approves LAFCO Extension of Service No. 20-01, Mr. Dave Clevenger by adopting Resolution No. 20-02 subject to the following condition:
- a) The extension of service is restricted to the development to be located on APN 011-044-005 which is generally located approximately 1/3 mile south of Hanford Armona Road along the west side of 10th Avenue.

The foregoing Resolution was adopted upon a motion by Commissioner _____, seconded by Commissioner _____, at a regular meeting held September 23, 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

LOCAL AGENCY FORMATION
COMMISSION OF KINGS COUNTY

Joe Neves, Chairman

WITNESS, my hand this _____ day of _____, 2020.

Gregory R Gatzka, Executive Officer

cc: City of Hanford
Dave Clevenger, P.O. Box 1124, Hanford, CA 93232

Local Agency Formation Commission OF KINGS COUNTY

MAILING ADDRESS:
1400 W. LACEY BLVD. BLDG 6, HANFORD, CA 93230
(559) 582-3211, EXT. 2670, FAX: (559) 584-8989

STAFF REPORT September 23, 2020

EXECUTIVE OFFICER'S REPORT

LAFCO FEE SCHEDULE

I. BRIEF OVERVIEW OF PROPOSAL:

Government Code Section 56383 permits LAFCO to establish a schedule of fees for the cost of proceedings of the Commission. The last Fee update was approved in 2001, and some changes are necessary to update other associated County department fees that have changed, and expand the definition of services.

II. EXECUTIVE OFFICERS RECOMMENDATION

The Executive Officer recommends that the Commission adopt the attached resolution which establishes fees for the costs of processing the proceedings of LAFCO.

III. ANALYSIS:

Fees charged to applicants are used to process annexations and detachments. Some County of Kings associated fee increases need to be updated, and the application for Extension of Service needs to be added which has historically been applied similar to Reconsideration of Commission Action for time and materials.

Current fees are as follows:

Annexation, Detachment or Reorganization	Cost of processing
Sphere of Influence Amendment	Cost of processing
Reconsideration of Commission Action	\$ 500
Assessor Fee:	\$ 325
Public Works Fee:	\$ 75

Staff is recommending adoption of the following fee schedule:

Annexation, Detachment or Reorganization	Cost of processing
Associated Assessor's Fee	\$481.80

Associated Public Works Fee	\$700
Sphere of Influence Amendment	Cost of processing
Extension of Service	\$500
Reconsideration of Commission Action	\$500

A deposit of \$1,000 shall be required upon application for proceedings for applications that are charged "Cost of processing". In addition, the Associated Assessor's fee and Public Works fee shall be paid in addition to this deposit. LAFCO staff will continue to track staff time, materials and other costs spent on processing applications. For applications with "Cost of processing" fees, any additional cost exceeds the initial deposit shall be paid by the applicant before the certificate of completion and map are recorded. Any unused deposit funds remaining after close out of the application process shall be refunded following the recording. Board of Equalization fees shall be the responsibility of the applicant and must be submitted before the certificate of completion and map are recorded.

IV. RECOMMENDATIONS:

Staff recommends approval of the attached resolution which adopts the new fee schedule.

**BEFORE THE LOCAL AGENCY FORMATION COMMISSION
COUNTY OF KINGS, STATE OF CALIFORNIA**

* * * * *

**IN THE MATTER OF UPDATING FEES FOR)
THE COST OF LAFCO APPLICATIONS)**

**Resolution No. 20-03
Re: LAFCO Fee Schedule**

WHEREAS, Government Code Section 56383 permits the Local Agency Formation Commission to establish a schedule of fees for the cost of the proceedings of LAFCO; and

WHEREAS, Government Code Section 56383 permits LAFCO to establish fees for filing and processing applications filed with the Commission, proceedings undertaken by the Commission, amendments to a sphere of influence and reconsideration of a resolution making a determination; and

WHEREAS, Government Code Section 56383(c) permits LAFCO to require that a fee be deposited with the Executive Officer before any further action is taken; and

WHEREAS, from time to time it is necessary to review the fees LAFCO charges for proceedings; and

WHEREAS, on September 23, 2020, this Commission considered the issue regarding the fee schedule.

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

1. The Commission establishes the following fee schedule:

Annexation, Detachment or Reorganization	Cost of processing
Associated Assessor’s Fee	\$481.80
Associated Public Works Fee	\$700
Sphere of Influence Amendment	Cost of processing
Extension of Service	\$500
Reconsideration of Commission Action	\$500

2. The Executive Officer shall require a deposit of \$1,000 for applications requiring “Cost of processing”. The Associated Assessor’s fee and Public Works fee shall be submitted in addition to the initial deposit.

3. Kings County LAFCO staff shall track staff time, materials and other costs spent on processing applications. The applicant shall pay any additional fees in excess of the initial deposit before the certificate of completion and map are recorded.

4. Board of Equalization fees shall be the responsibility of the applicant and must be submitted before the certificate of completion and map are recorded.

5. This fee schedule shall take effect September 23, 2020.

The foregoing Resolution was adopted upon a motion by Commissioner _____, seconded by Commissioner _____, at a regular meeting held September 23, 2020 by the following vote:

AYES: Commissioners
NOES: Commissioners
ABSENT: Commissioner
ABSTAIN: Commissioner

**LOCAL AGENCY FORMATION
COMMISSION OF KINGS COUNTY**

Joe Neves, Chairman

WITNESS, my hand this _____ day of September, 2020.

Gregory R. Gatzka, Executive Officer