

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

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 1:00 p.m., on August 23, 2023, in the Hanford Civic Auditorium, located at 400 N. Douty Street, in Hanford, California. Commissioner Patricia Matthews arrived at 1:17 p.m.

COMMISSIONERS PRESENT:

Joe Neves, Doug Verboon, Sid Palmerin,
Martin Devine, Patricia Matthews

COMMISSIONERS ABSENT:

None

STAFF PRESENT:

Chuck Kinney – Executive Officer;
Alex Hernandez – Assistant Executive Officer;
Chanda Jackson – Clerk
Erik Ramakrishnan – Legal Counsel (virtually)

VISITORS PRESENT:

Onan Champi, David Munsey, Ronald Jones

UNSCHEDULED APPEARANCES:

None

APPROVAL OF MINUTES:

A motion was made and seconded (Palmerin/Devine) to approve the minutes of the May 24, 2023 meeting. Motion carried unanimously with four in favor. Matthews not yet present.

OLD BUSINESS:

None

NEW BUSINESS

A. Annexation No. 23-02 (Island #4 of Hanford Reorganization No. 160) – Mr. Kinney provided the Executive Officer Report. He discussed the proposal to annex a separate County Island into the City of Hanford and detach the same from the Kings River Conservation District, and the Excelsior-Kings River Conservation District. Island Area No. 4 consists of 172 parcels (93.2 acres). The area of this island is less than 150 acres and the City is proposing to annex this territory under Government Code Section 56375.3 which waives all protest proceedings. Island Area No. 4 is a completely surrounded unincorporated island and is located generally northeast of the intersection of 10th Avenue and Lacey Blvd. Annexation of this area will result in the City adding these unincorporated fringe area properties and ensure that future development connect to City services and Case 23-02 occurs in accordance with City standards. The City has pre-zoned all the proposed annexation territory which is consistent with the Hanford General Plan. The City of Hanford found that the project is Categorical Exempt from the California Environmental Quality Act (CEQA), per Categorical Exemption Class 19 (annexation of areas containing existing public or private structures developed to the density allowed by the current rezoning) and because it can be seen with certainty

that there is no possibility that the activity in question may have a significant effect on the environment per CEQA Guidelines Section 15061(b)(3).

Mr. Kinney stated according to the findings for the proposed annexation, he recommended the Commission hold the public hearing and thereafter approve Annexation No. 23-02 by adopting Resolution 23-02.

Chairman Neves queried if there were any questions or comments by Commissioners. There were no questions or comments.

Chairman Neves opened the public hearing for comment.

Mr. Kinney read correspondence received from Kurt Lavenson and Lesly Avedisian in favor of Annexation No. 23-02 during the Executive Officer Report.

Onan Champi expressed concerns regarding zoning conflicts and expenses to property owners as a result of sycamore trees which were planted along the sidewalks by the City of Hanford. He stated the trees have damaged the sidewalk and were not maintained. He stated the cleanup of the trees and repair of the sidewalk should be the City's responsibility and not the property owners'.

Commissioner Palmerin asked Mr. Champi to clarify which parcels/properties belong to him. Mr. Champi explained which parcels were his and where they are located. Commissioner Palmerin asked who planted the trees. Mr. Champi stated they were under City contract when the road was reconstructed.

Chairman Neves, seeing there were no further comments, proceeded to close the public hearing.

Commissioner Verboon asked for clarification on responsibility of the street. Mr. Kinney explained there was an agreement between the City and the County, allowing the City to do an expansion of the street, however, Mr. Kinney was unclear whether the City purchased the right of way to allow for the widening of the road. Commissioner Verboon and Mr. Kinney discussed whether the County put in the curb gutters and sidewalks and the responsibility between Mr. Champi and the City.

Chairman Neves asked Mr. Champi if he knew if the City took ownership of the property when they widened the road. Mr. Champi explained Lue Camara negotiated property purchases for his family's frontage properties and at that time the City did purchase the property and the City took ownership. He also stated the City did not resurvey or reconvey any of the property. He stated the sidewalk, curb gutter and 8 feet behind the curb belong to the City, and the City paid his family for the property.

Mr. Kinney stated if this is the case, then the City may have the responsibility of the improvements going forward from the time when they purchased it. He stated this information can be further reviewed and brought back before the Commission for their consideration.

A motion was made and seconded (Verboon/Devine) to continue Annexation No. 23-02 and Resolution 23-02 until the September 27, 2023 meeting to allow the Commission to gather clarity on the ownership of the sidewalk, and to allow the City and property owners to resolve amongst themselves. Motion carried unanimously with five in favor.

B. City/County Memorandum of Understanding – Mr. Kinney provided the background for a proposed Memorandum of Understanding between the City of Hanford and County of Kings. He stated in 2015, Kings LAFCO conducted an island study to determine where unincorporated islands and substantially surrounded areas existed within each of the four incorporated Cities within Kings County. Resulting from that Study the Commission directed staff to begin a dialogue with the Cities to encourage annexation of said islands and substantially surrounded areas to help promote a more efficient way of providing services to those areas. In 2022 the City of Hanford annexed all but one remaining unincorporated island and that last unincorporated island was up for consideration in this LAFCO meeting on August 23, 2023.

In an effort to continue the work to clean up the Cities boundaries the City of Hanford has drafted a Memorandum of Understanding in which they desire to enter into with the County of Kings, which would establish parameters for the annexation of the five remaining unincorporated substantially surrounded areas. With these areas annexed the City of Hanford's boundaries would no longer have any areas left which fall under the island and substantially surrounded lands as defined by the Cortese Knox Hertzberg Act.

Mr. Kinney stated the City of Hanford has requested that the Commission review the draft Memorandum of Understanding to provide any feedback concerning the terms listed within the MOU. He stated he has reviewed it and explained the surrounded areas being considered and described the map included with the draft MOU copy provided to the Commissioners.

Mr. Kinney recommended that the LAFCO Commission review the draft Memorandum of Understanding and provide any feedback desired. Furthermore, since the City is pursuing annexation of these last unincorporated areas which are surrounded by the City, in good faith of their efforts, Mr. Kinney recommended the Commission direct staff to continue processing of all annexation applications submitted by the City in a timely manner provided that the conditions of the MOU are met.

Chairman Neves queried if there were any questions or comments by Commissioners. Commissioner Verboon asked if the MOU would cover the remaining parts of the annexations. Mr. Kinney explained the previous MOU for previous annexations and that the proposed MOU was for the upcoming or future annexations shown on the map, which would clean up the remaining boundaries of the City of Hanford.

Mr. Ramakrishnan advised that LAFCO could only make a recommendation on this matter.

Recommendation was made and seconded (Verboon/Neves) for LAFCO Commission to recommend the draft Memorandum of Understanding. Recommendation agreed upon unanimously.

C. Annexation No. 23-03 (Hanford Annexation No. 159) – Mr. Kinney provided the Executive Officer's Report. He described the proposal to annex a substantially surrounded parcel of land into the City of Hanford and detach the same from the Kings River Conservation District, and the Excelsior-Kings River Conservation District. The proposed parcel for annexation (APN: 018-242-019) consists of 12.64 acres. Since the area proposed for annexation is less than 150 acres and is substantially surrounded by the City on three sides it is being proposed to annex this territory under Government Code Section 56375.3 which waives all protest proceedings. The proposed annexation area is a planned and orderly extension of the City of Hanford, and annexation of this area is in keeping with the Hanford General Plan. The City of Hanford submitted as their resolution of

application a signed copy of City of Hanford Resolution No. 2022-48-R, adopted December 20, 2022.

Mr. Kinney stated according to the findings for the proposed annexation, he recommends the Commission approve Annexation No. 23-03, Hanford Annexation No. 159, by adopting Resolution No. 23-03 and order the annexation to the City of Hanford and detachment from the Kings River Conservation District, and Excelsior-Kings River Conservation District.

Chairman Neves queried if there were any questions or comments by Commissioners. There were no questions or comments.

Chairman Neves opened the public hearing for comment.

David Munsey stated he is a neighbor to Pittman Family Farms. He stated there's potholes and at times 60 plus trucks on the road. He expressed concern about the noise and what plans are in place for the property being annexed, as well as maintenance of the property.

Ronald Jones, 219 North Douty in Hanford, attorney speaking as representation for Pittman Family, stated the annexation satisfies the requirements of the City, County, and State. He stated it was put on hold due to the Hanford City Council considering what would happen to other properties adjacent to the proposed property for annexation. He explained the annexation does not negate or exacerbate Mr. Munsey's complaints. He recommended the Commission approve the annexation.

Chairman Neves, seeing there were no further comments, proceeded to close the public hearing.

A motion was made and seconded (Verboon/Palmerin) to adopt LAFCO Resolution 23-03 and approve Annexation No. 23-03. Motion carried unanimously with five in favor.

D. 2023 CALAFCO Conference – Mr. Kinney described the upcoming annual CALAFCO Conference which will be October 18-20, 2023 in Monterey, California. He stated the LAFCO budget includes funds for the Executive Officer and a Commissioner. Mr. Kinney requested LAFCO Commission authorization to attend the 2023 CALAFCO Conference and designate the LAFCO voting delegate.

A motion was made and seconded (Verboon/Devine) to authorize attendance and designate voting delegation at the 2023 CALAFCO Conference to Chuck Kinney, Executive Officer.

LEGISLATION

None

MISCELLANEOUS

A. Correspondence – None

B. Items from the Commission – Commissioner Matthews stated Dad's Cookies has opened in Lemoore. She also stated Lions Brewfest is an upcoming event. Commissioner Palmerin stated Corcoran will have a coronation meeting and also an upcoming Farmer's Market. Chairman Neves inquired if Mr. Devine is still an alternate, to which Mr. Kinney responded the matter is being resolved.

C. Staff Comments – Mr. Kinney stated his only comment was Annexation 23-02 will be brought back to the Commission on September 27, 2023.

ADJOURNMENT – With no further business before the Commission, the meeting was adjourned at 1:55 p.m.

A. A meeting is scheduled for September 27, 2023 at 1:00 p.m.

Respectfully submitted,

**LOCAL AGENCY FORMATION COMMISSION
OF KINGS COUNTY**



Chuck Kinney, Executive Officer