

Fresno Local Agency Formation Commission
2115 Kern Street, Suite 310, Fresno, CA 93721

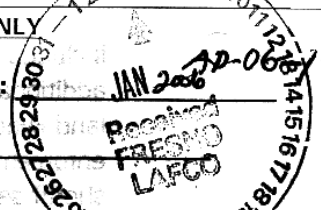
APPLICATION FOR SPECIAL DISTRICT ANNEXATION
Urban Service Districts

CORTESE-KNOX LOCAL GOVERNMENT REORGANIZATION - Proposals Initiated by Resolution or Petition
(Government Code Sec. 56000, et seq.)

FRESNO LOCAL AGENCY FORMATION COMMISSION
2115 KERN STREET, SUITE 310
FRESNO, CA 93721 - PHONE: (559) 495-0604

Mike Waiczis, Executive Officer
Rick Ballantyne, Deputy Executive Officer
Candie Fleming, Commission Clerk

OFFICE USE ONLY
LAFCo File No.: <u>20-068</u>
Date Received: <u>JAN 20 2006</u>



Name of Proposal - "Fig Garden Police Protection District Annexation"

Changes of Organization listed in Resolution or Petition - Annexation of territory to the District

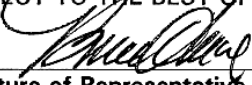
Name of Applicant - Russell G. VanRozeboom Title - Commissioner

Address - 5200 N. Palm Avenue, Suite 211, Fresno CA 93704-2225

Phone - (559) 225-6550 Fax Number - Cell Phone

Email Address rvanrozeboom@caswellbell.com

THIS APPLICATION AND ATTACHED DOCUMENTS ARE COMPLETE AND ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.


Signature of Representative of Initiating District
Or Chief Petitioner

Dec. 27, 2005

Date

The names and addresses of officers or persons, not to exceed three in number, who are to receive the notice of hearing and the Executive officer's Report:

Name, Address, Zip Code, Phone Number and Email Address:

William Pipes - 2444 Main Street, Suite 215, Fresno, California, 93721-2734

Russell G. VanRozenboom 5200 North Palm Avenue, Suite 211, Fresno, California 93704-2225

Bruce O'Neal 286 W. Cromwell Avenue, Fresno, CA 93711

Reasons for Proposal

- A. State the reasons for this proposed change of organization. Briefly explain why the change is proposed at this time.

The Fig Garden Police Protection District is seeking expanded service boundaries as a result of increases in the costs charged to the District by the Fresno County Sheriff and in response to requests by some residents in the affected territories. No new development or alteration in other municipal services is proposed. The proposal seeks to include three separate areas in addition to the existing District boundary into a single cohesive compact district. The overall proposal includes annexation of these areas to the district. The proposal does not include any change in land use. Residents in the affected territory are currently receiving police protection from the Fresno County Sheriff, the cost of which is included in their base property tax. The district is proposing to serve these areas with additional law enforcement services. This enhanced service would be paid for by a landowner annual assessment of approximately \$299.00 per year. The additional law enforcement service would reduce response times in the areas over current "regular" sheriff service. Patrol frequency would increase from once or twice a day to once or twice an hour. The district is currently operating at a deficit and exists on utilization of reserves. Thus, service will have to be reduced for the existing service area unless additional areas and fees area incorporated into the district.

- B. Describe in detail any proposed development: No development is proposed.

Development location and acreage: N/A

Types of uses and number of units: N/A

Project file numbers and status: N/A

Other details: N/A

- C. If already developed, describe in detail any added service and greater frequency or range of services to be provided to residents of the area:

Residents of the affected territory currently receive police protection from the Fresno County Sheriff. Approval of this request will allow enhanced service to be provided by the Fig Garden Police Protection District through a contract with the County Sheriff. The enhanced service will cut response times from an average 20 minutes to two minutes and patrol frequency will increase from once or twice a day to once or twice an hour.

- D. What is the reason for the proposal change in boundaries? Describe any plan to annex remaining substantially surrounded area created:

N/A

2. Information on Proposal Area and Vicinity

A. Current Acreage - 255 + acres Current No. of Registered Voters - 900 est .

Current Population Est. - 1,400 County Zoning - SF Residential and Office

Proposed Zoning - N/A

B. If applicable, list the uses of land in the affected territory and give approximate acreage for each.

Uses consist of 90% Residential and 10% Office. The total of all three areas proposed for annexation is 255 acres.

C. Is any of the affected territory in an agricultural preserve or under Land Conservation Contract?

N/A

D. Does the proposed change of organization conform to the County General and Specific Plans (explain if not conforming)?

N/A

E. What is the County plan designation?

SF Residential and Office.

3. Information on Services

A. As applicable to this application, please list the names of agencies or companies now providing services in the affected territory and any proposed changes to those services that will result from approval of this proposal. to those proposed by district annexation.

	<u>Existing</u>	<u>Proposed Change</u>
Domestic Water	City of Fresno	none
Sewer Collection	City of Fresno	none
Solid Waste Collection	Private	none
Street Lighting	County District	none
Parks and Recreation	none	
Fire Protection	Fig Garden Fire Protection District	none
(station/distance)	Station at 4537 N. Wishon is within district	
Paramedic	Fresno County	none
(station/distance)	Fresno County	none
Police	Fresno County Sheriff	enhanced service
Storm Drainage	F.M.F.C.D.	none
Elementary School	Fresno Unified School District	none
High School	Fresno Unified School District	none

- B. If applicable, please provide information about the existing district or other public service facilities or improvements which will serve the affected territory after annexation (i.e. water or sewer lines or facilities, fire stations, school facilities). Are any of these services or facilities below standards, near or beyond their capacity to adequately serve the area?

No

- C. Are there any notices or orders from state or federal agencies related to these services or facilities and their standards that would affect service(s)?

No

- D. If yes, explain how these improvements/facilities will be upgraded, when and how financed, or how any deficiencies are being met.

N/A

4. **Information on Costs and Revenue**

- A. Is there any outstanding general bonded indebtedness for any of the agencies whose boundaries are changed by this proposal?

No

- B. If so, give information listed below:

<u>Name of Agency</u>	<u>Bond Tax Rate for Affected Territory</u>	<u>Date of Maturity</u>	<u>General Purpose of Bond</u>
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N/A

- C. Is the affected territory to be subject to all of the above general bonded indebtedness upon annexation?

N/A

- D. If any costs of services to be or already being received by residents within the affected territory will change as a result of this proposal, give breakdown of change for a typical residential landowner or resident in the affected territory for comparison purposes.

The proposed new, enhanced service will cost each homeowner an annual assessment currently estimated at approximately \$299.00 per year.

- E. If any resident or landowner in the affected area will be required as a result of annexation to pay for or construct any improvements, list requirements, when required, and any other special circumstances related. (A letter to residents and landowners should also indicate these requirements.)

N/A

5. **APPLICATION CHECKLIST**

**Checklist of Application Materials submitted for this Change of Organization or Reorganization.
Please check the boxes where applicable:**

A. Property Tax Exchange (Revenue & Tax Code 99 & 99.1) - Check either:

☐

The Master Tax Agreement should apply to the change.

☒

Other agreement for change is to be negotiated (Explain other agreement).

The contract with the County Sheriffs Department will be amended to allow enhanced service to the area.

Comments:

B. Compliance with California Environmental Quality Act. Check either:

☐

Proponent requests LAFCo to be lead agency. Additional project data may be necessary.

☒

Project is Exempt and a Notice of Exemption, will be prepared by LAFCo.

An initial study is complete and a Negative Declaration prepared for the annexation in consultation with LAFCo and other affected agencies and is included.

An EIR has been prepared for the annexation project and 10 copies are included.

Comments: LAFCO will be Lead Agency pursuant to CEQA Guidelines.

C. Initiation of Application. A clear and reproducible legal description and map meeting Commission standards must be included, and a copy also attached to the resolution or petition. Check either:

☒

A certified resolution of application is included.

☐

A petition of landowners or registered voters is included.

Comments:

D. Landowner Consent or Notice. Check either:

Signed LAFCo property owner consent forms for all landowners are included as shown on Assessor's roll.

Letter of Notification to Landowner and Residents (if no consent of all landowners).

1. All property owners and residents must be notified of the change and how to receive notice of LAFCo hearing.
2. For inhabited proposals, a City response to a neighborhood meeting, held for the annexation listing the issues and the City response.

Comments: The District held a neighborhood meeting on December 14, 2005. A copy of the notice was submitted to LAFCo prior to the neighborhood meeting.

E. District Service Plan. Check either:



A Service Plan for the change is included.



A Master Service Plan is filed with LAFCo and is current.

Comments:

F. Waiver of Conducting Authority proceeding.

Check if all landowners have consented in writing and there are less than twelve registered voters, and if all annexing agencies have consented in writing to waive further Conducting Authority proceeding. Include State Board of Equalization filing information and fees.

Comments: Territory is inhabited.

6. **Supplementary Maps**



Map(s) showing land use, water and sewer service lines, and City and County zoning for the affected area and vicinity.

Comments: Will submit upon request, although no change is proposed and land use, water, and sewer services will not be affected.

7. **Application Fees**

Application fee for the application in the amount required by the adopted LAFCo fee schedule.

Comments:

The District has a percentage of the application fee on deposit with LAFCo. Once this amount has been used, additional money to cover the cost of fees may be provided, if necessary, on a time and materials basis.

8. **Political Reform Act Compliance**

List of Affected Landowners and Financial Interests.

For all uninhabited proposals, or proposals where land use entitlements have been or may be filed with the city, the names of all landowners, lessees, options to purchase or lease the property, or any other having any ownership or financial interest in the property, must be furnished with the applications. If the interest is a corporation or partnership, list all persons owning more than 10% of the corporation shares or interest in partnership. If a trust or non-profit organization, list any directors or trustees, trustors, or beneficiaries.

This proposed annexation is inhabited and no land use entitlements have or will be filed with any local agency.

Please Note: 1) Note: If you are an applicant for, or a participant in any proceeding on the agenda for a land use entitlement and have made a **campaign contribution** of more than \$250 to or for any of the Commission members or alternate Commission members within 12 months prior to the Commission hearing, State law disqualifies such members from participating and voting in such a proceeding. State law also prohibits applicants and participants from making such campaign contributions, depending on their timing and circumstances. All of these restrictions also apply to agents of applicants or participants. Please consult with Commission staff at (559) 495-0604 as to the requirements of the **Political Reform Act** (Government Code Section 84308); 2) In compliance with the Americans with Disabilities Act (**ADA**), if you need special assistance to participate at this meeting, please contact Ms. Candie Fleming, Clerk to the Commission at 559-495-0604. Notification 48 hours prior to the meeting will enable the Clerk to make reasonable arrangements to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically disabled.

RESOLUTION NO. 060125-1

**A RESOLUTION OF APPLICATION
BY THE FIG GARDEN POLICE PROTECTION DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION TO
TAKE PROCEEDINGS FOR THE "FIG GARDEN POLICE PROTECTION DISTRICT
SPHERE OF INFLUENCE REVISION" AND "FIG GARDEN POLICE PROTECTION
DISTRICT ANNEXATION"**

RESOLVED, by the Board of Directors of the Fig Garden Police Protection District, that:

WHEREAS, the Fig Garden Police Protection District desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, for the annexation; and

WHEREAS, the specific changes of organization requested are the annexation of three separate territories to the Fig Garden Police Protection District; and

WHEREAS, the territories proposed to be annexed are inhabited, and on this day contains 972 registered voters, according to information received from the County Elections Officer; and

WHEREAS, the boundaries of the territory are set forth in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, this proposal is not consistent with the sphere of influence of the affected district; and

WHEREAS, it is desired to provide that the proposed annexation be subject to the following terms and conditions:

(None); and

WHEREAS, the reasons for this proposed sphere of influence revision and annexation are to provide enhanced police protection within the expanded district boundaries through a contract with the Fresno County Sheriffs Department; and

WHEREAS, the Board of Directors has considered the Categorical Exemption filed for the subject proposal in compliance with the California Environmental Quality Act.

NOW, THEREFORE, this Resolution of Application is hereby adopted and approved by the Board of Directors of the Fig Garden Police Protection District, and the Fresno Local Agency Formation Commission is hereby requested to take proceedings for the sphere revision and annexation of territory as described in Exhibit "A", according to the terms and conditions stated above in the manner provided by the Cortese-Knox-Hertzberg Reorganization Act of 2000.


The foregoing resolution was adopted upon motion of Commissioner Pipes, seconded by Commissioner Greenwood, at a special meeting of the Fig Garden Police Protection District held on the 25th day of January, 2006, by the following vote:

AYES: VanRozeboom, Pipes, Greenwood

NOES: None

ABSENT: None

Figarden Police Protection District

By 

Russell G. VanRozeboom, Chairman

**ANNEXATION TO FIG GARDEN POLICE
PROTECTION DISTRICT
LEGAL DESCRIPTION
FEBRUARY 24, 2006**

AREA 1

BEGINNING AT NORTH QUARTER CORNER OF SECTION 16, TOWNSHIP 13 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN, ALSO BEING AN ANGLE POINT IN THE FIG GARDEN POLICE PROTECTION DISTRICT LIMITS; THENCE EASTERLY, ALONG THE NORTH LINE OF EAST HALF OF SAID SECTION 16, TO THE INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE WEST LINE OF THE EAST 150 FEET OF LOT 72 OF SIERRA VISTA PARK, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 9 OF PLATS AT PAGE 25, FRESNO COUNTY RECORDS; THENCE SOUTHERLY, ALONG LAST SAID WEST LINE, TO A POINT ON THE SOUTH LINE OF NORTH 120 FEET OF SAID LOT 71; THENCE EASTERLY, ALONG LAST SAID SOUTH LINE AND THE EASTERLY PROLONGATION THEREOF, TO THE CENTERLINE OF NORTH GLENN AVENUE, SIXTY FEET WIDE; THENCE SOUTHERLY ALONG LAST SAID CENTERLINE, TO THE INTERSECTION WITH THE EASTERLY PROLONGATION OF THE SOUTH LINE OF LOT 11 OF PLEASANT VIEW ACRES ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 8 OF PLATS AT PAGE 92, FRESNO COUNTY RECORDS; THENCE WESTERLY, ALONG SAID EASTERLY PROLONGATION AND SAID SOUTH LINE OF SAID LOT 11, TO THE SOUTHWEST CORNER OF SAID LOT 11; THENCE SOUTHERLY, ALONG THE EAST LINES OF LOTS 17, 18 AND 19 OF SAID PLEASANT VIEW ACRES, TO THE NORTHWEST CORNER OF LOT 15 OF SAID PLEASANT VIEW ACRES; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID LOT 15, TO THE WEST LINE OF THE EAST 85.00 FEET OF SAID LOT 15; THENCE SOUTHERLY, ALONG LAST SAID WEST LINE AND THE SOUTHERLY PROLONGATION THEREOF, TO A POINT ON THE CENTERLINE OF EAST INDIANAPOLIS AVENUE, SIXTY FEET WIDE; THENCE WESTERLY ALONG LAST SAID CENTERLINE, TO A POINT ON THE NORTHERLY PROLONGATION OF THE EAST LINE OF LOT 8 OF MORADIAN TRACT ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 13 OF PLATS AT PAGE 92; FRESNO

COUNTY RECORDS; THENCE SOUTHERLY ALONG LAST SAID NORTHERLY PROLONGATION AND THE EAST LINES OF LOTS 5, 6, 7 AND 8 OF SAID MORADIAN TRACT, TO THE SOUTHEAST CORNER OF SAID LOT 5; THENCE WESTERLY, ALONG THE SOUTH LINE OF SAID LOT 5 AND THE WESTERLY PROLONGATION THEREOF, TO THE CENTERLINE OF NORTH SAN PABLO AVENUE, SIXTY FEET WIDE; THENCE SOUTHERLY, ALONG LAST SAID CENTERLINE AND THE SOUTHERLY PROLONGATION THEREOF, TO THE CENTERLINE OF EAST HOLLAND AVENUE, SIXTY FEET WIDE; THENCE EASTERLY, ALONG LAST SAID CENTERLINE, TO THE CENTERLINE OF NORTH GLENN AVENUE, SIXTY FEET WIDE; THENCE SOUTHERLY, ALONG LAST SAID CENTERLINE, TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 16; THENCE EASTERLY ALONG THE NORTH LINE OF LAST SAID SOUTH HALF, TO A POINT ON THE WEST LINE OF THE EAST 355 FEET OF THE SOUTHEAST QUARTER OF SAID SECTION 16; THENCE SOUTHERLY, ALONG LAST SAID WEST LINE, TO A POINT ON THE SOUTH LINE OF THE NORTH 150 FEET OF LAST SAID SOUTH HALF; THENCE WESTERLY TO A POINT ON THE EAST LINE OF THE WEST 105.9 FEET OF LAST SAID SOUTH HALF; THENCE SOUTHERLY ALONG LAST SAID EAST LINE, TO A POINT ON THE SOUTH LINE OF SAID SECTION 16; THENCE WESTERLY ALONG LAST SAID SOUTH LINE, TO THE CENTERLINE OF NORTH DEL MAR AVENUE, SIXTY FEET WIDE; THENCE NORTHERLY, ALONG LAST SAID CENTERLINE, TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 16; THENCE WESTERLY ALONG LAST SAID SOUTH LINE, TO A POINT ON THE EAST LINE OF THE WEST 383 FEET THE LAST SAID NORTH HALF; THENCE NORTHERLY ALONG LAST SAID EAST LINE, TO A POINT ON THE NORTH LINE OF LAST SAID NORTH HALF, ALSO BEING THE CENTERLINE OF EAST SWIFT AVENUE, SIXTY FEET WIDE; THENCE WESTERLY, ALONG LAST SAID NORTH LINE, TO THE WEST LINE OF THE EAST HALF OF SAID SECTION 16; ALSO BEING THE EXISTING FIG GARDEN POLICE PROTECTION DISTRICT LIMITS THENCE NORTHERLY, ALONG THE WEST LINE OF THE EAST HALF OF SAID SECTION 16, ALSO BEING THE EXISTING FIG GARDEN POLICE PROTECTION DISTRICT LIMITS

TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID SECTION 16, ALSO BEING THE POINT OF BEGINNING.

AREA 2

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 13 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN, ALSO BEING AN ANGLE POINT OF THE FIG GARDEN POLICE PROTECTION DISTRICT LIMITS; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, ALSO BEING ALONG THE EXISTING FIG GARDEN POLICE PROTECTION DISTRICT LIMITS, TO THE CENTERLINE OF NORTH WISHON AVENUE EIGHTY FEET WIDE; THENCE SOUTHERLY, ALONG SAID CENTERLINE AND LEAVING THE LIMITS OF THE FIG GARDEN POLICE PROTECTION DISTRICT, TO THE INTERSECTION OF THE EASTERLY PROLONGATION OF THE NORTH LINE OF LOT 34 OF BOULEVARD TRACT ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 7 AT PAGE 6, FRESNO COUNTY RECORDS; THENCE WESTERLY, ALONG SAID EASTERLY PROLONGATION AND THE NORTH LINE OF SAID LOT 34, TO THE NORTHWEST CORNER OF SAID LOT 34; THENCE SOUTHERLY, ALONG THE WEST LINE OF SAID LOT 34 AND THE SOUTHERLY PROLONGATION THEREOF, TO THE CENTERLINE OF EAST SAGINAW AVENUE, SIXTY FEET WIDE; THENCE EASTERLY, ALONG LAST SAID CENTERLINE, TO THE CENTERLINE OF NORTH WISHON AVENUE; THENCE SOUTHERLY, ALONG LAST SAID CENTERLINE, TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE WESTERLY, ALONG SAID SOUTH LINE, TO THE SOUTHWEST QUARTER, ALSO BEING AN ANGLE POINT OF THE FIG GARDEN POLICE PROTECTION DISTRICT LIMITS; THENCE NORTHERLY, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER AND THE EXISTING FIG GARDEN POLICE PROTECTION DISTRICT LIMITS, TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER, ALSO BEING THE POINT OF BEGINNING.

AREA 3

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 13 SOUTH, RANGE 20 EAST, MOUNT DIABLO BASE AND MERIDIAN, ALSO BEING AN ANGLE POINT IN THE FIG GARDEN POLICE PROTECTION DISTRICT LIMITS; THENCE SOUTHERLY, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 21, TO THE INTERSECTION WITH THE EASTERLY PROLONGATION OF THE NORTH LINE OF LOT 26 OF COLONIAL CIRCLE ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 11 OF PLATS AT PAGE 64, FRESNO COUNTY RECORDS; THENCE WESTERLY, ALONG SAID EASTERLY PROLONGATION AND THE NORTH LINE OF SAID LOT 26, TO THE NORTHWEST CORNER OF SAID LOT 26; THENCE SOUTHERLY, ALONG THE WEST LINES OF LOT 25 AND 26 OF SAID COLONIAL CIRCLE AND THE SOUTHERLY PROLONGATION THEREOF, TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHWEST QUARTER; THENCE WESTERLY, ALONG LAST SAID SOUTH LINE, TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD, FORMERLY ATCHISON, TOPEKA AND SANTA FE RAILROAD; THENCE NORTHWESTERLY, ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER, ALSO BEING A POINT ON THE FIG GARDEN POLICE PROTECTION DISTRICT LIMITS; THENCE EASTERLY, ALONG LAST SAID NORTH LINE ALSO BEING THE FIG GARDEN POLICE PROTECTION DISTRICT LIMITS, TO THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER, ALSO BEING THE TRUE POINT OF BEGINNING.

EXHIBIT-A
REORGANIZATION NO. — ANNEXATION TO THE
FIG GARDEN POLICE PROTECTION DISTRICT

Map showing the reorganization of police protection districts in Fresno, California. The map includes street names, district boundaries, and area labels.

EXISTING BOUNDARY

AREA 2

AREA 3

HERNDON CANAL

SANTA FE

SCALE: 1" = 1200'

PREPARED BY:
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 PH. 559-244-3123 FAX 559-244-3120

PREPARED 2/24/06

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