



Fresno Local Agency Formation Commission

April 18, 2016

HAND DELIVERED

The Honorable Paul Caprioglio, President
Fresno City Council
City of Fresno
2600 Fresno Street, Room 2097
Fresno, California 93721

President Caprioglio,

During its April 13, 2016, meeting, the Fresno Local Agency Formation Commission ("LAFCo" or the "Commission") considered the Fresno Municipal Service Review (the "Fresno MSR") and the southeast Fresno sphere of influence (SE SOI, also known as "SEDA"). By this letter, I am writing to inform you that the Commission took action to continue this item for an additional 30 days to receive comment from the Fresno City Council regarding its intent to develop a specific plan for the SE SOI.

As you may know, on December 9, 2015, LAFCo created an *ad hoc* subcommittee to meet with interested community members regarding the scope of the City's sphere of influence and to consider all opinions regarding the Fresno MSR. As a result, LAFCo and its *ad hoc* committee heard testimony and received comment from many interested parties, including the City of Fresno, the Cities of Clovis and Sanger, Clovis and Sanger Unified School Districts, the State Center Community College District, the Building Industry Association, SE SOI property owners, and various members of the public. This testimony established that many of these parties have made significant investments in the SE SOI in the expectation of the City fulfilling its 2006 specific plan promise.

Prior to granting the continuance on this matter, the LAFCo subcommittee recommended considering, among other things, the possible reduction of approximately 2,560 acres between Kings Canyon Road and Jensen Avenue. Attached to this letter are the original and amended staff reports from the April 13, 2016 meeting.

During the last LAFCo meeting, the Commission noted that its 2006 resolution amending the SE SOI was based on a promise by the City to create and adopt a specific plan for this area and to complete other complementary actions. The Commission concluded that although the SE SOI had been determined in 2006 to be necessary to support the City's commitment to a specific plan for the SE growth area, the 2014 Fresno General Plan altered that course with significant

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reorientation of the City's growth priorities. Specifically, these priorities moved away from the SE SOI and toward infill and development west of SR 99.

A sphere of influence defined in statute as "a plan for the probable physical boundaries and service area of a local agency, as determined by the commission." By LAFCo policy, the Commission determines the probable physical boundaries of a local agency, albeit a city or a special district, using a 20-year planning horizon, meaning the probable expansion of that agency's service area within 20 years of the SOI's approval. Several Commissioners voiced the opinion that if the City's commitment to a SE SOI specific plan has substantially diminished, so too, may the need for a sphere of influence for a plan that may not come to fruition within LAFCo's 20-year planning horizon pursuant to LAFCo's policy.

In addition, the Commissioners noted, as a matter of public policy, the parties that have made public and private investments in the SE SOI in anticipation of a specific plan deserve to know the City's plans for this area.

As mentioned, LAFCo concluded that this issue is a policy matter best considered by the City Council and directed me to request, among other things, that the City Council affirms its commitment to adopt a specific plan for the SE SOI. Accordingly, LAFCo requests that the City provide a detailed plan of action whose goal is City Council adoption of a SE SOI specific plan and provide this information to the LAFCo at its next regular meeting, which will be on May 11, 2016.

I would appreciate the opportunity to meet with you personally and respond to any questions that you may have regarding LAFCo's request. I am also available to attend a City Council meeting to brief the Council on this matter and respond to any questions.

Sincerely,



David E. Fey, AICP
Executive Officer

c: Fresno City Council members
Ashley Swearengen, Mayor, City of Fresno
Bruce Rudd, City Manager, City of Fresno
LAFCo Commissioners
Jean Rousseau, Fresno County Administrative Officer