

# **Ventana Hills Petition for Territory Transfer**

**The property to be transferred is described as follows:**

Lots 1-91 and Outlots A-R of “Map of Tract No. 5100, Ventana Hills,” recorded in the County of Fresno March 9, 2005 in Volume 71 of Plats, at pages 84 thru 92. This territory transfer proposal also includes land contained within Fresno County APNs 300-061-29, 300-061-30, 300-061-59, 300-061-62, 300-420-04S, 300-420-25S, 300-542-19, 300-542-20, 300-542-21, 300-542-22, 300-542-23. Please see **Exhibit A** for a visual delineation.

**Affected school districts:** Sierra Unified School District; Clovis Unified School District

The undersigned request the changes in the respective boundaries of the school districts for the following reasons:

1. Substantial community identity
2. Student safety and access to cocurricular activities

# Preface

# Summary of 9/5 Hearing

1. (a) The reorganized districts will be adequate in terms of number of pupils enrolled.



Currently, only two (2) students are attending Sierra Unified from Ventana Hills, resulting in an insignificant loss in enrollment should they decide to attend Clovis Unified.

2. (b) The districts are each organized on the basis of a substantial community identity.



Ventana Hills community aligns closer to Clovis/Fresno Urban neighborhoods due to similar construction styled neighborhoods, shopping and travel patterns, work locations, friendships and family connections as well as cocurricular opportunities. Additionally, Clovis Unified has a potential elementary school site nearby Ventana Hills that will be built out once demand for a new school site is met.

3. (c) The proposal will result in an equitable division of property and facilities of the original district or districts.



There are currently no school properties or facilities within the proposed transfer, presentation from the SUSD council indicated the potential for development growth & increased enrollment, later on we will discuss why these projections are unrealistic and inflated.

# Summary of 9/5 Hearing

4. (d) The reorganization of the districts will preserve each affected district's ability to educate students in an integrated environment and will not promote racial or ethnic discrimination or segregation.



5. (e) Any increase in costs to the state as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization.



No increase to state for the petition itself as presented by SUSD counsel. Additionally, the state would be paying less in ADA dollars if students were transferred to CUSD.

**Clovis ADA revenue: \$14,797      Sierra ADA revenue: \$18,690**

6. (f) The proposed reorganization will continue to promote sound education performance and will not significantly disrupt the educational programs in the districts affected by the proposed reorganization.



SUSD counsel stated that Clovis will not face adverse affects due to transfer of territory. SUSD counsel presented the board with various cocurricular programs offered at SUSD, while we appreciate the summary of programs the school district offers, our petition argues that our students be allowed to continue to participate in the cocurricular programs they are already enrolled in with their peers in the Clovis/Fresno areas.

# Summary of 9/5 Hearing Cont..

7. (g) Any increase in school facilities costs as a result of the proposed reorganization will be insignificant and otherwise incidental to the reorganization.

- Ventana Hills at build out with an assumed 5% annual interest rate (2024 dollars) = \$798,215 or \$8,772/dwelling unit or 3% of the current proposed bond. \*According to the County Assessor average value is \$1,268,000 on Current Lots
- There is sufficient existing capacity in facilities to accommodate the current projected growth of students, in this case there is actually **declining enrollment** so funding for new facilities to accommodate growth is not necessary.
- For smaller school districts like Sierra it is difficult to implement admin oversight on fee application

8. (h) The proposed reorganization is primarily designed for purposes other than to significantly increase property values.

Petition is to make our lives more manageable and predictable with our current family routines. This affects the lifestyle of each family member.

9. (i) The proposed reorganization will continue to promote sound fiscal management and not cause a substantial negative effect on the fiscal status of the proposed district or any existing district affected by the proposed reorganization.



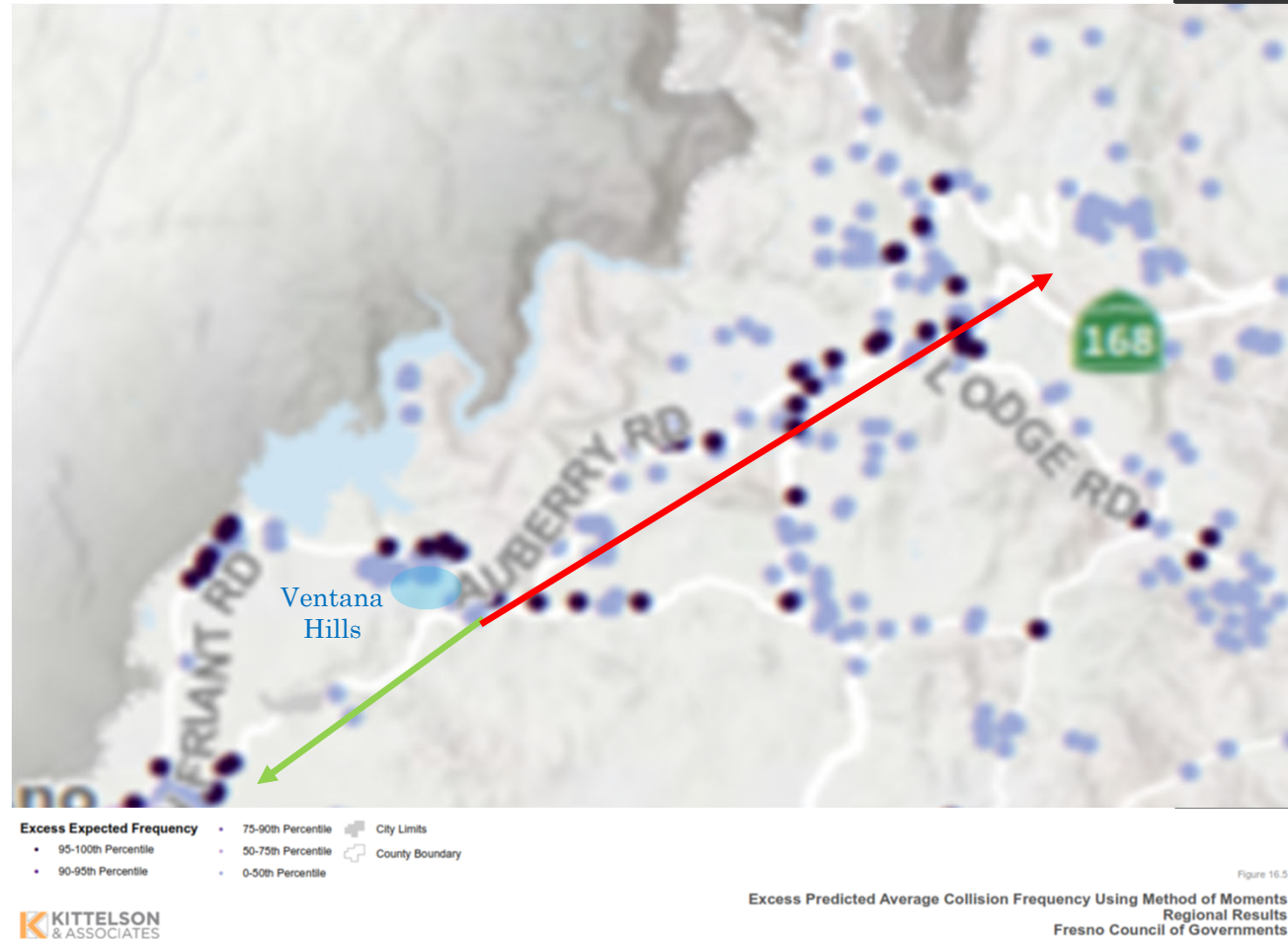
# Concerns from 9/5 Hearing

# Attempts to Negotiate

1. No territory transfer: Inter-district transfer resolution
  - Choice to attend either school district, one-time filing to ensure consistency year-to-year for our children
2. Complete territory transfer: % of sale and resales to SUSD
  - Worked with the developer to confirm their openness to discuss this cost neutral resolution with SUSD
3. Both Option 1 & 2 or open to negotiations with Ventana & SUSD

# Driving on Auberry Road

- The chart from Fresno Council of Governments shows the frequency of collisions along Auberry Road.
- Driving north on Auberry road is in the 95<sup>th</sup>-100<sup>th</sup> percentile for expected collision frequency.





# Driving on Auberry Road AND VMTs

By allowing this petition to pass, the state would be reducing vehicle miles traveled (VMTs) and greenhouse gases.

## What is SB 743?

Under CEQA, cities, counties, and other public agencies must analyze real estate and transportation projects to determine whether they may have a significant impact on the environment. One key determination under CEQA is the transportation impact of these projects. Traditionally, transportation impacts have been evaluated by examining whether the project is likely to cause automobile delay at intersections and congestion on nearby individual highway segments, and whether this delay will exceed a certain amount (this is known as Level of Service or LOS analysis).

SB 743, which was signed into law in 2013, initiated an update to the CEQA Guidelines to change how lead agencies evaluate transportation impacts under CEQA, with the goal of better measuring the actual transportation-related environmental impacts of any given project.

According to the Legislature: "New methodologies under the California Environmental Quality Act [were] needed for evaluating transportation impacts that are better able to promote the state's goals of reducing greenhouse gas emissions and traffic-related air pollution, promoting the development of a multimodal transportation system, and providing clean, efficient access to destinations."

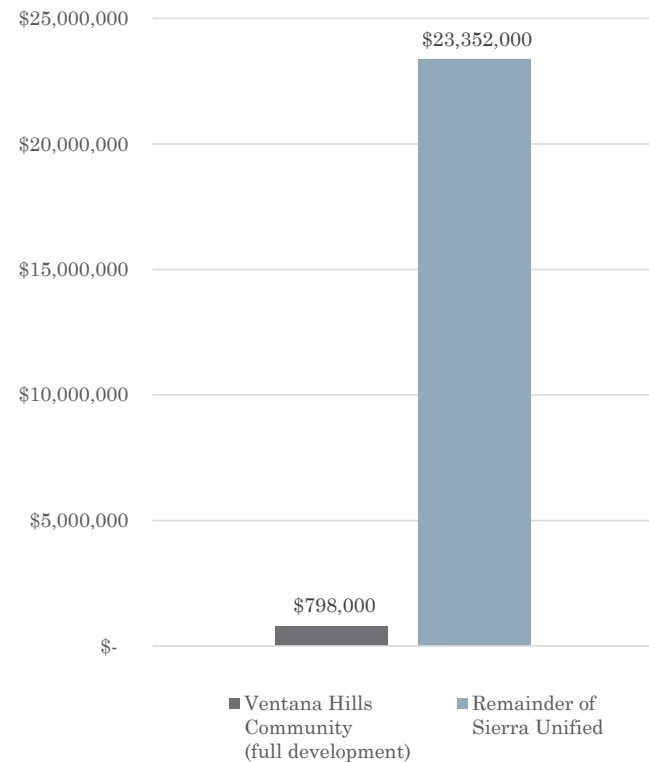
Starting on July 1, 2020, agencies analyzing the transportation impacts of new projects must now look at a metric known as vehicle miles traveled (VMT) instead of LOS. VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto our roads, the project may cause a significant transportation impact.

Agencies have used VMT as a concept and metric for some time. Prior to SB 743, VMT was already being used in CEQA to study other potential impacts such as greenhouse gas, air quality, and energy impacts.

# Bonding Capacity

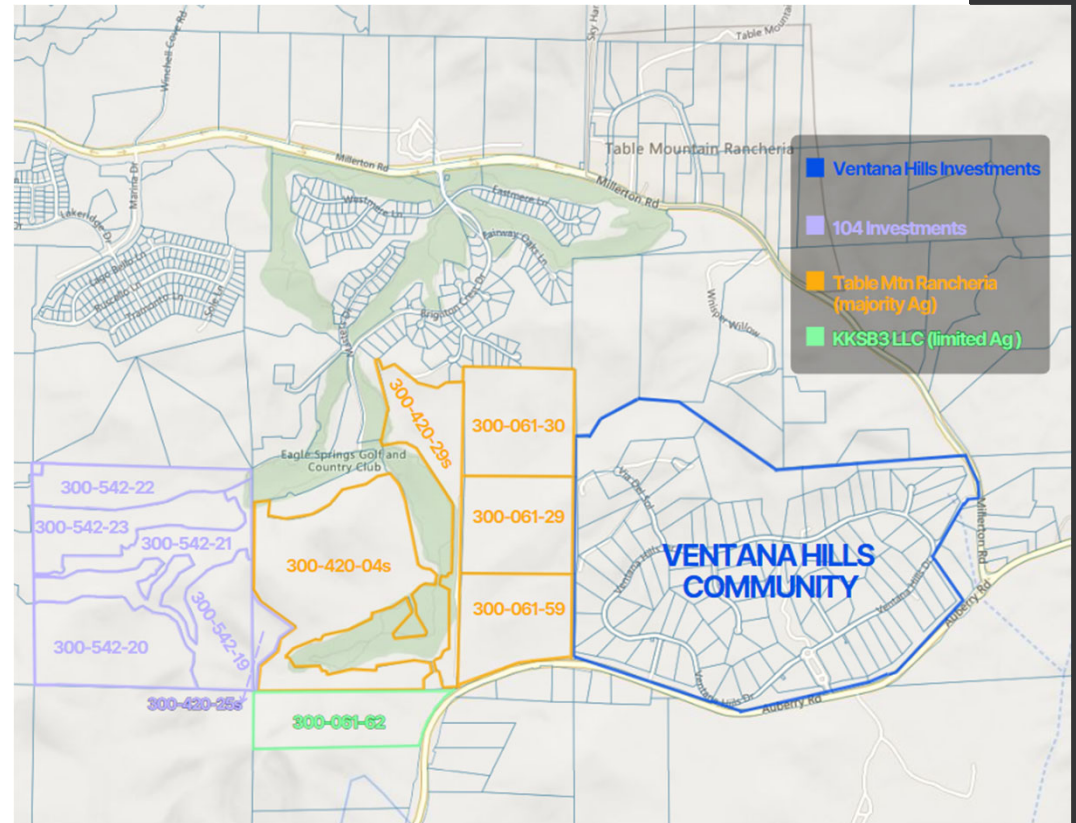
- *“This division of the tax base resource is far from equitable for Sierra USD, depriving the District of future funding opportunities and enrollment stability”*
- You will see in the chart that under the 2024-2025 statutory bonding capacity, Ventana Hills will only account for 3% of authorized bonds. Although at current rate, full development of the community will not occur within the lifetime of the bond on the November ballot.

Measure U Bonding Capacity



# Property Ownership

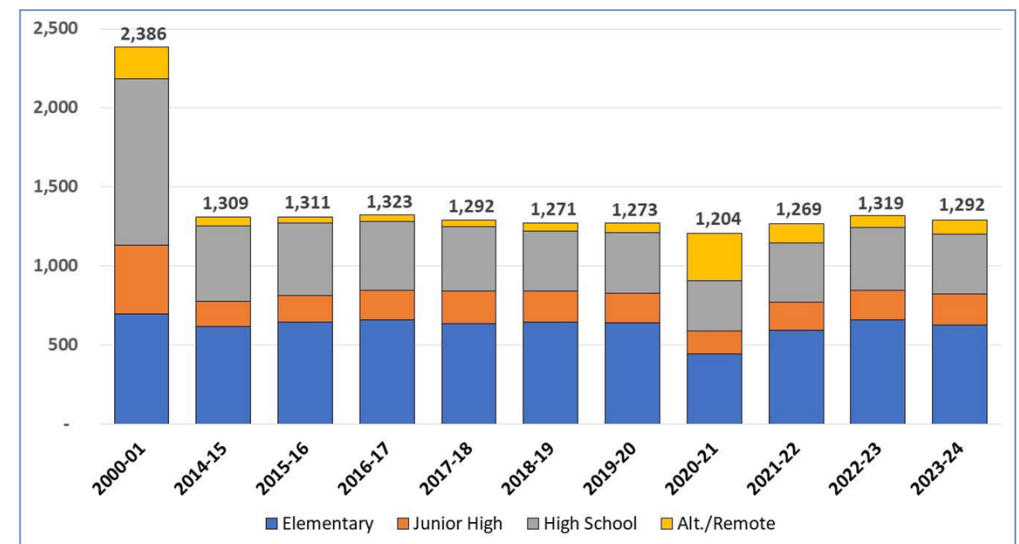
- *“Representation of the Assemi Group has been present in all conversations with Sierra USD on the topic of a territory transfer for more than a decade”*
- *“The proposed ‘bridge’ to connect Ventana Hills includes 156 acres of additional developable property owned by what **appears** to be the same developer”*
- The only developer present during discussions has been the developer of Ventana Hills, who was requested to join for negotiations. This developer does not own any additional property within this petition.



# Enrollment Stability

- *“Currently, Sierra USD enrollment of just under 1,300 students, 200 fewer than the recommended level”*
- This chart shows that for the past 10+ years, Sierra USD has had more decline in enrollment than they have seen growth
- Ventana Hills has been around since 2006, clearly reflecting no correlation to any significant growth.

Sierra USD Enrollment History



# Enrollment Stability

- *“New development is critical to the ability of Sierra USD to return to efficient operating size over the long-term”*
- At current rate, Ventana Hills will average 5 students for every 10 years and 100 years for full build out. In 2124, assuming all students attend Sierra Unified, enrollment would total 1,357 students which is still 143 students short of 1,500 adequate pupils in a school district.

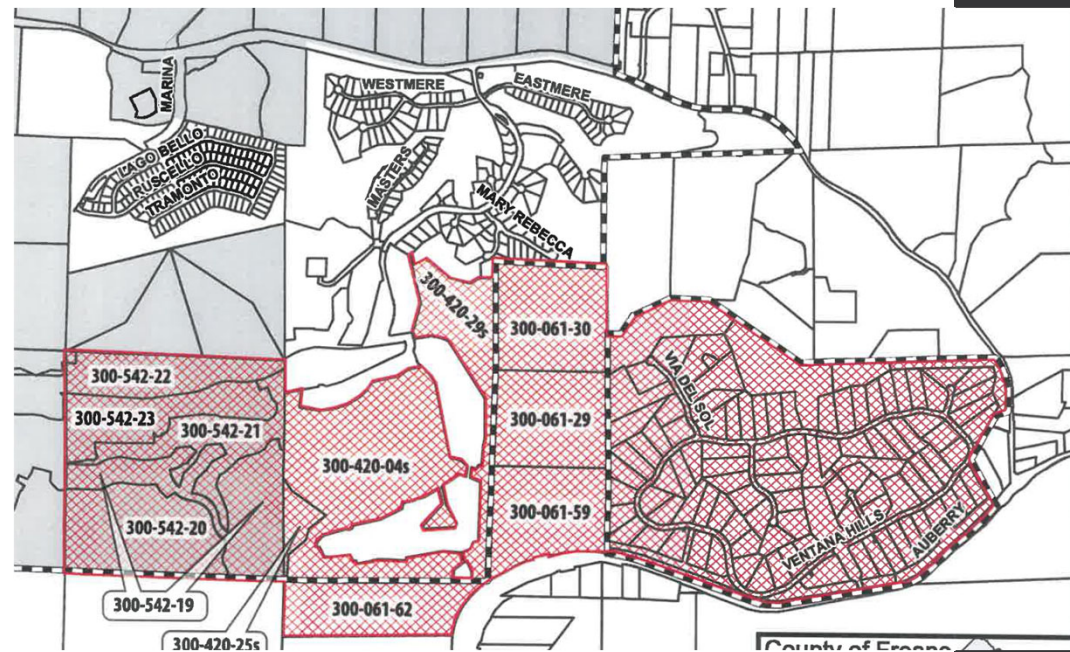
Years since VH founded / Rate of development (1.285 lots per yr)	Total lots	School year	VH Enrollment (Total lots * Students per household [0.71])	VH + SUSD Enrollment
(2024-2006) 18yrs	14	2024-25	10	1,302*
28yrs	22	2034-35	16	1,308
38yrs	29	2044-45	21	1,313
48yrs	37	2054-55	26	1,318
58yrs	45	2064-65	32	1,324
68yrs	53	2074-75	38	1,330
78yrs	60	2084-85	43	1,335
88yrs	68	2094-95	48	1,340
98yrs	76	2104-105	54	1,346
108yrs	84	2114-115	60	1,352
118yrs	91	2124-125	65	1,357

\*Assumes all students will attend Sierra USD



# Enrollment Stability AND Build-out Probability

- “Over 437 additional acres lost for Sierra USD from areas outside of Ventana Hills, a 205 acre subdivision, simply to gerrymander a connection to Clovis USD”
- Due to additional conditions required by the County of Fresno, the probability of development within these parcels is highly unlikely within the next 10 years. Includes extending sewer and water lines amidst current insufficient capacity.



# Long-term Build-out Probability

From a Fresno County staff report:

- *At this time the County is not releasing any building permits for the construction of new residences within the Millerton Specific Plan until the necessary improvements are completed.*

These obligations remain incomplete despite prior performance schedules. Completion of these obligations is necessary to provide the capacity for additional homes currently proposed to be constructed.

The County is adding the condition for installation of a beneficial re-use area or improvements required to service the proposed development and/or upgrading any existing infrastructure to serve existing and future development.

At this time the County is not releasing any building permits for the construction of new residences within the Millerton Specific Plan until the necessary improvements are completed. The request for a time extension does not grant the developer the ability to develop, and the Tentative Map is a discretionary action.

## **Recommended Additional Conditions of Approval:**

1. Prior to any services being provided the Developer, at its own expense, shall submit all plans for review and approval to extend sewer and water lines to the subject site. The plans will need to include information related to estimated flows in order to determine the size of the infrastructure and to upgrade existing infrastructure at the point of connection.
2. The Developer will be responsible for installation of improvements required to service the proposed development and/or upgrading any existing infrastructure if it is determined that there is insufficient water or sewer capacity to serve the tract.
3. The Developer will be responsible for installation of a beneficial re-use area or improvements required to service the proposed development and/or upgrading any existing infrastructure if it is determined that there is insufficient beneficial re-use area to serve the tract.
4. The method of improvement of the surface water treatment plant (SWTP) shall be by the installation of the granular activated carbon (GAC) system to bring the water system back into compliance with the MCL for Haloacetic Acids (HAA5) established in the Stage 2 Disinfection Byproduct Rule. The Developer shall participate in the GAC Cost Sharing Agreement to fund the cost of planning, design, approval and construction or installation of the GAC system.

Reason for Petition:  
Substantial Community Identity

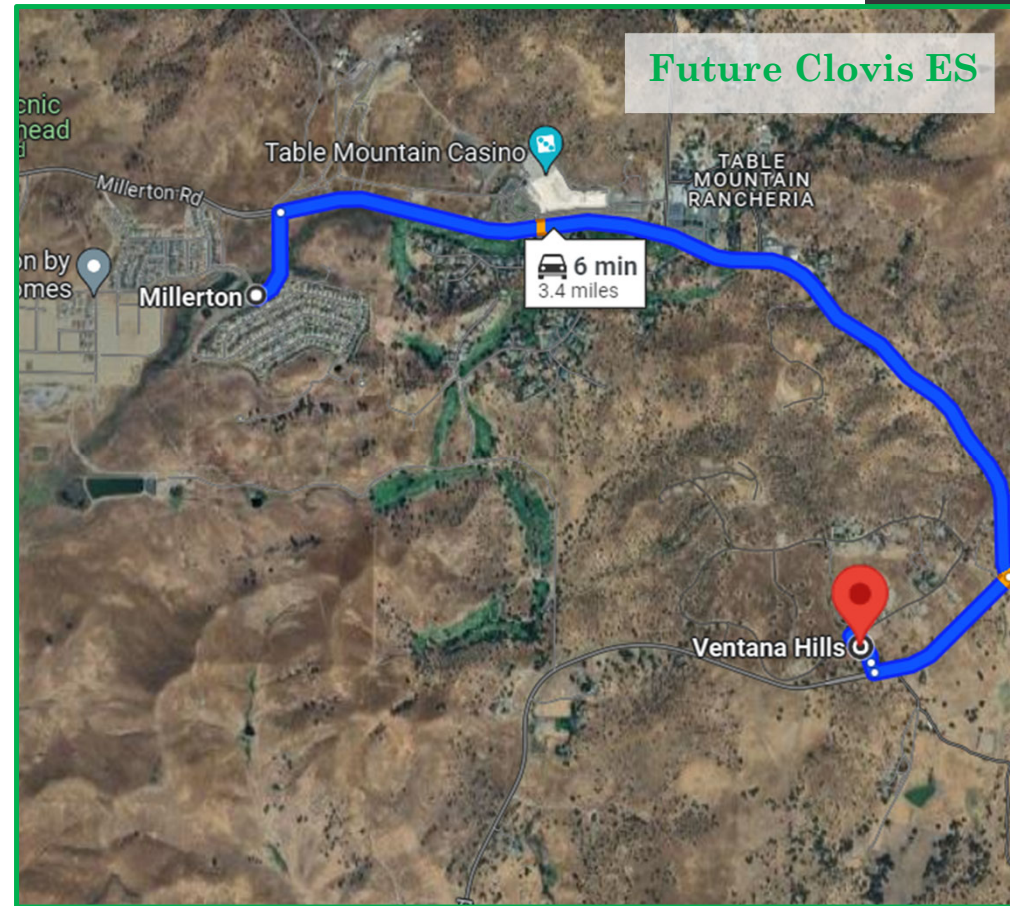


- # Substantial Community Identity

## Foothill ES



## Future Clovis ES

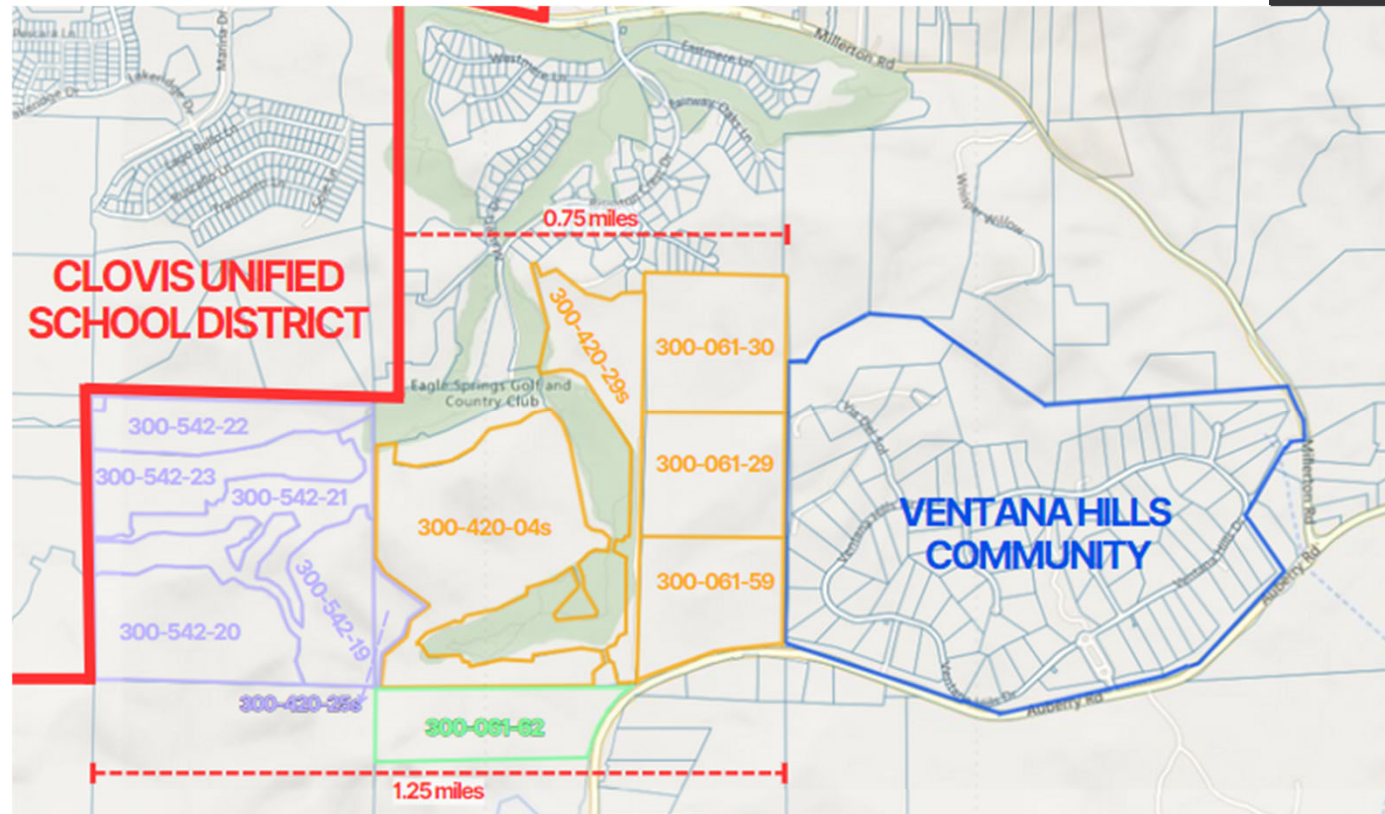






*“Over 437 additional acres lost for Sierra USD from areas outside of Ventana Hills, a 205 acre subdivision, simply to gerrymander a connection to Clovis USD”*

- Ventana Hills is within 1 mile of Clovis Unified’s boundary line. This is why the Ventana Hills community identifies most with Clovis USD.
- Ventana Hills community has been around since 2006 and 80% of students within the community are enrolled in schools not within Sierra USD. There have been no attempts to make us a part of the Sierra community.



# Conclusion

- There is a substantial community identity connection between Ventana Hills and the Fresno/Clovis Metropolitan Area.
- There are no substantial financial impacts:
  - low bonding capacity with current lots,
  - very unlikely development from remaining parcels in the near future,
  - no facilities within Ventana Hills.
  - no added costs to the state
- Several attempts to create a dialogue for our children's education to were ignored:
  - keeping the property in Sierra USD and asking for a resolution that gives parent's the choice of district for our children through a one-time filing to guarantee consistency in enrollment,
  - seeking a cost-neutral agreement for any perceived financial loss from Sierra USD
  - any combination of items so that Ventana Hills families can have the freedom of choice for our children.
- We want our children to stay in the community they identify with, as well as their entire family. The same way any SUSD parents want to stay in theirs-- "where lifelong friendships and relationships are built."