

**RESOLUTION NO. RO-15-2B**

**FRESNO LOCAL AGENCY FORMATION COMMISSION  
FRESNO COUNTY, CALIFORNIA**

<b>A REQUEST BY LANDOWNER PETITION FOR APPROVAL OF THE "LOCAN-FEDORA NORTHEAST REORGANIZATION"</b>	<b>)    APPROVED "LOCAN-FEDORA )    NORTHEAST REORGANIZATION" )    WITH CONDITIONS</b>
--	--

---

**WHEREAS**, preliminary proceedings were initiated by Landowner Petition to annex 24.6 acres to the City of Fresno and detach from the Fresno County Fire Protection District and Kings River Conservation District for territory located on the east side of Locan Avenue south of the East Dakota Avenue Alignment, as shown within Exhibit "A," attached hereto and by this reference incorporated herein; and

**WHEREAS**, said proposal was accepted for filing by the Executive Officer and set for hearing on the 8<sup>th</sup> day of July, 2015, at the hour of 1:30 p.m.; and

**WHEREAS**, notice of said hearing was given as required by State Law; and

**WHEREAS**, the Executive Officer reviewed the application and prepared a report to this Commission, said report having been mailed at least five days before the public hearing; and

**WHEREAS**, the Commission's Policies, Standards, and Procedures section 102-04 requires that there be a fire transition agreement in place before territory can be detached from a fire protection district; and

**WHEREAS**, at the time of the hearing there was no fire transition agreement in place and the Commission continued the item to August 12, 2015, and again to September 9, 2015, to allow more time for the City and the Fresno County Fire Protection District to enter into a fire transition agreement; and

**WHEREAS**, the Executive Officer prepared a report to this Commission, said report having been mailed at least five days before the public hearing; and

**WHEREAS**, the Executive Officer reported that the City and District reached an agreement on the fire transition agreement and prepared a report to this Commission, including a recommendation, said report having been mailed at least five days before said hearing and was duly considered by this Commission pursuant to State Law; and

**WHEREAS**, this Commission reviewed and considered the information in the Initial Study and Mitigated Negative Declaration prepared by the Lead Agency, City of Fresno, which was included in the Executive Officer's report to this Commission; and

**WHEREAS**, this Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on said application.

**NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does HEREBY STATE, FIND, RESOLVE, DETERMINE, AND ORDER as follows:**

**Section #1.** Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, this Commission finds that prior to approving the proposed annexation, the environmental effects of the project as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determined these documents to be adequate pursuant to CEQA Guidelines Section 15096.

**ADOPTED THIS 9<sup>TH</sup> DAY OF SEPTEMBER, 2015, BY THE FOLLOWING VOTE:**

**AYES: COMMISSIONERS SANTOYO, PARRA, PACHECO, SILVA**

**NOES NONE**

**ABSENT: COMMISSIONER PEREA**

**Section #2.** The Commission determined that the Proposal is exempt from the 2006 SEGA SOI resolution conditions of approval based upon the express support for this project by the City of Fresno and Fresno County.

**Section #3.** This Commission finds that the Proposal is consistent with LAFCo Policies, Standards and Procedures of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).

**Section #4.** This Commission assigns the distinctive short form designation "Locan-Fedora Northeast Reorganization" and approves the reorganization (annexation and detachments) subject to the following conditions of approval:

1. Pursuant to Fresno LAFCo policy 103-05, the Executive Officer shall record the approved application if all conditions have been satisfied and once he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission; and
2. The Executive Officer receives evidence that both the City and District have signed the fire transition agreement and that the agreement is in effect.

**Section #5.** This Commission finds pursuant to CKH that:

- A. The territory is uninhabited; and
- B. All landowners and affected agencies have consented to the reorganization.

**Section #6.** This Commission waives further Conducting Authority Proceedings and orders the reorganization subject to the requirements of CKH and the 30-day reconsideration period.

**Section #7.** The Commission's action approving this proposal shall expire one year from the date of this resolution unless all proceedings are complete, including condition compliance, and a Certificate of Completion issued by the Executive Officer.

**Section #8.** The Executive Officer is hereby authorized and directed to mail copies of this Resolution as provided in Government Code Section 56882 and to file, as appropriate, in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this proposal, as required by State law.

\* \* \* \* \*

**ADOPTED THIS 9<sup>TH</sup> DAY OF SEPTEMBER, 2015, BY THE FOLLOWING VOTE:**

**AYES: COMMISSIONERS PARRA, SANTOYO, PACHECO, SILVA**

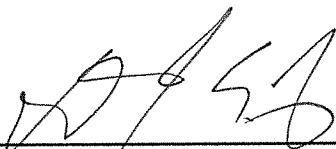
**NOES NONE**

**ABSENT: COMMISSIONER PEREA**

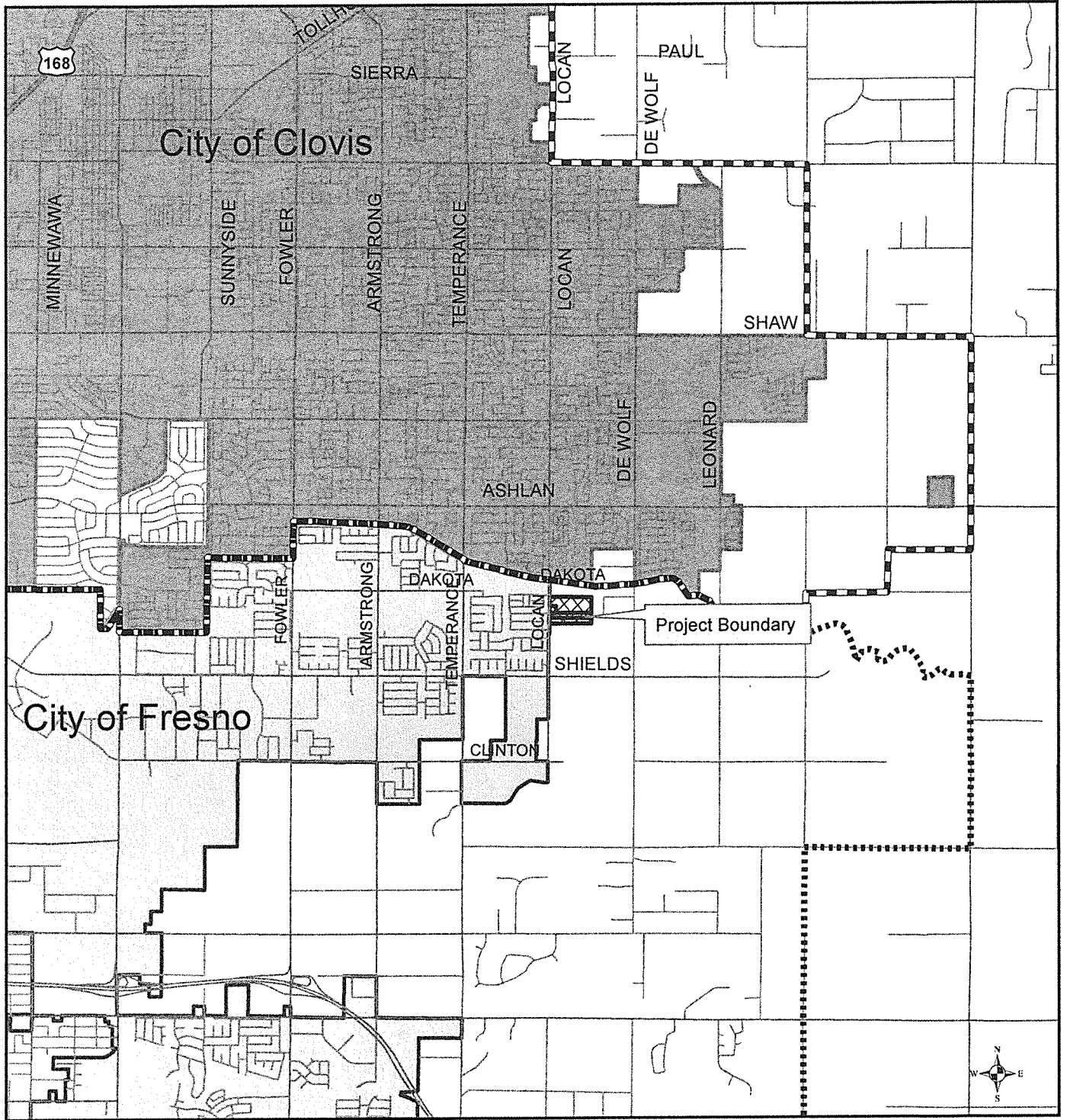
**STATE OF CALIFORNIA)  
COUNTY OF FRESNO )**






**CERTIFICATION**

I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certifies that the foregoing resolution was adopted by the Commission at a regular meeting held on the 9<sup>th</sup> day of September, 2015.

  
\_\_\_\_\_  
David E. Fey, AICP, Executive Officer  
Fresno Local Agency Formation Commission

# EXHIBIT B



-  Locan-Fedora NE Reorganization
-  Sphere of Influence, Fresno
-  City Limits, Fresno
-  Sphere of Influence, Clovis
-  City Limits, Clovis

**Locan-Fedora NE Reorganization  
City of Fresno**