

RESOLUTION NO. RO-18-9

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE “LOCAN AVENUE REORGANIZATION” WITH CONDITIONS
(LAFCO FILE NO. RO-18-9)**

WHEREAS, reorganization proceedings were initiated by the Clovis Unified School District to annex 1.79 acres to the City of Fresno and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located on the east portion of Locan Avenue north and south of East Shields Avenue, said territory being described within Attachment “A”, attached hereto and by this reference incorporated herein; and

WHEREAS, the application was submitted to the Fresno Local Agency Formation Commission (LAFCo or Commission) by the Clovis Unified School District as required by State law, and the application for said proposed reorganization was accepted for filing by the Executive Officer and set for hearing on the 13th day of February 2019, at the hour of 1:30 p.m.; and

WHEREAS, notice of the hearing to consider the Proposal was given as required by State law; and

WHEREAS, the Executive Officer reviewed the Proposal and prepared a report to the Commission, including a recommendation for approval upon certain conditions, said report having been mailed at least five days before said hearing and was duly considered by the Commission pursuant to State law; and

WHEREAS, at that said hearing during the public comment portion a Fresno Public Works Department representative stated support of the annexation but requested a change of the limits of the annexation to not include the section east of the Shields/Locan intersection. The applicant’s representative agreed to the requested change; and

WHEREAS, after approval it was brought to staff’s attention that the reorganization’s legal description inadvertently contained an error that omitted a small portion of the affected territory.

WHEREAS, the Executive Officer exercised his discretion under Government Code sec. 56883 and accepted the amended map and legal description; and

WHEREAS, upon completion of the reorganization the Executive Officer will distribute the revised map and legal description; and

WHEREAS, acting as “Responsible Agency” under the California Environmental Quality Act (“CEQA”) the Commission considered the CEQA documents filed and adopted by the Clovis Unified School District as the “Lead Agency” under CEQA for the Proposal and associated rezoning, which was included in the Executive Officer’s report to the Commission; and

WHEREAS, the Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on the Proposal.

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

Action 1

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to approving the proposed annexation, the environmental effects of the Proposal as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.

ADOPTED THIS 13th DAY OF FEBRUARY 2019, BY THE FOLLOWING VOTE:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Action 2

- B. Find that the proposed reorganization is consistent with LAFCo Policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- C. Find pursuant to CKH and information in the record that:
 - a. The territory is uninhabited; and
 - b. Not all landowners and affected agencies have consented to the reorganization.
- D. Assign the distinctive short form designation "Locan Avenue Reorganization" and approve the annexation and detachments subject to the following conditions of approval:
 - a. 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.
 - b. Submittal of corrected legal description and map.
- E. The Commission's action delegates to the Executive Officer the authority to revise all maps and related documents to reflect the boundaries approved by the Commission.

- F. Find that the notice mailed on January 23, 2019, was given to all landowners and registered voters within the affected territory, as well as within 300 feet of the affected territory, and that the Commission intends to waive protest proceedings pursuant to Section 56663(a)(b)(c) unless written opposition is received before the conclusion of the Commission proceedings.
- G. The Commission's action approving the Proposal shall expire one year from the date of the resolution unless all proceedings are complete including condition compliance and Certificate of Completion issued by the Executive Officer.
- H. Authorize and direct the Executive Officer to mail copies of the resolution as provided in Government Code (GC) Section 56822 and 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.
- I. Find that no written opposition of the Proposal was received prior to the conclusion of the hearing and approve the Proposal subject to the requirements of CKH, the 30-day reconsideration period, compliance with all of the above conditions, and waive further Conducting Authority Proceedings.

ADOPTED THIS 13th DAY OF FEBRUARY 2019, BY THE FOLLOWING VOTE:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

CERTIFICATION

I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission, hereby certify that the foregoing resolution was adopted by the Commission on the 13th day of February 2019.



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

ATTACHMENT A

EXHIBIT A
Page 1 of 2

APPROVED
LAFCO RES. # 10-18-9
February 13, 2019
DATE

LOCAN AVENUE REORGANIZATION

LEGAL DESCRIPTION

Area to be annexed to the City of Fresno and detached from the Fresno County Fire Protection District and the Kings River Conservation District.

That portion of the Southeast quarter of Section 23 and the Northeast quarter of Section 26, Township 13 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

BEGINNING at the South quarter corner of said Section 23, also being the existing City of Fresno boundary;

Thence, (1) North $00^{\circ}24'42''$ East, along the West line of the Southeast quarter of said Section 23 and said City of Fresno boundary, a distance of 1319.03 feet;

Thence, (2) South $89^{\circ}36'36''$ East, continuing along said City of Fresno boundary, a distance of 30.00 feet to the point of intersection thereof with a line which is parallel with and 30.00 feet East of the West Line of the Southeast quarter of said Section 23;

Thence, (3) South $00^{\circ}24'42''$ West, along said parallel line, a distance of 139.51 feet to the Northwest corner of Parcel 4 as shown on Parcel Map No. 3102, recorded in Book 20 of Parcel Maps, at Page 83, Fresno County Records;

Thence, (4) South $89^{\circ}28'47''$ East, along the North Line of said Parcel 4, a distance of 4.00 feet to the point of intersection thereof with a line which is parallel with and 34.00 feet East of the West line of the Southeast quarter of said Section 23;

Thence, (5) South $00^{\circ}24'42''$ West, along last said parallel line, a distance of 343.85 feet;

Thence, (6) South $45^{\circ}03'35''$ East, a distance 22.44 feet to the point of intersection thereof with a line which is parallel with and 50.00 feet East of the West line of the Southeast quarter of said Section 23;

Thence, (7) South $00^{\circ}24'42''$ West, along last said parallel line, a distance of 58.21 feet;

Thence, (8) South $45^{\circ}00'52''$ West, a distance of 22.79 feet to the point of intersection thereof with a line which is parallel with and 34.00 feet East of the West line of the Southeast quarter of said Section 23;

Thence, (9) South $00^{\circ}24'42''$ West, along last said parallel line, a distance of 85.94 feet to the point of intersection thereof with the South line of said Parcel 4;

Thence, (10) North $89^{\circ}28'33''$ West, along the South Line of said Parcel 4, a distance of 9.00 feet to the point of intersection thereof with a line which is parallel with and 25.00 feet East of the West line of the Southeast quarter of said Section 23;

Thence, (11) South $00^{\circ}24'42''$ West, along last said parallel line, a distance of 575.37 feet;

EXHIBIT A
Page 2 of 2

Thence, (12) South 89°35'18" East, a distance of 19.00 feet to the point of intersection thereof with a line which is parallel with and 44.00 feet East of the West Line of the Southeast quarter of said Section 23;

Thence, (13) South 00°24'42" West, along last said parallel line, a distance of 23.95 feet;

Thence, (14) South 44°31'50" East, a distance of 18.91 feet to the point of intersection thereof with a line which is parallel with and 47.00 feet North of the South Line of the Southeast quarter of said Section 23;

Thence, (15) South 89°28'23" East, along last said parallel line, a distance of 11.61 feet;

Thence, (16) South 00°31'37" West, a distance of 47.00 feet to the point of intersection thereof with the South Line of the Southeast quarter of said Section 23;

Thence, (17) South 89°28'23" East, along the South Line of the Southeast quarter of said Section 23, a distance of 1.35 feet;

Thence, (18) South 00°31'37" West, a distance of 44.00 feet to the point of intersection thereof with a line which is parallel with and 44.00 feet South of the North Line of the Northeast quarter of said Section 26;

Thence, (19) North 89°28'23" West, along last said parallel line, a distance of 12.65 feet;

Thence, (20) South 45°25'27" West, a distance of 18.94 feet to the point of intersection thereof with a line which is parallel with and 44.00 feet East of the West Line of the Northeast quarter of said Section 26;

Thence, (21) South 00°19'16" West, along last said parallel line, a distance of 12.65 feet;

Thence, (22) North 89°40'44" West, a distance of 14.00 feet to the point of intersection thereof with a line which is parallel with and 30.00 feet East of the West Line of the Northeast quarter of said Section 26;

Thence, (23) South 00°19'16" West, along last said parallel line, a distance of 287.00 feet;

Thence, (24) North 89°40'44" West, a distance of 30.00 feet to the West Line of the Northeast quarter of said Section 26, also being the existing City of Fresno boundary;

Thence, (25) North 00°19'16" East, along the West line of the Northeast quarter of said Section 26 and said City of Fresno boundary, a distance of 357.22 feet to the **POINT OF BEGINNING**.

Containing 1.27 acres more or less.

APNs: portions of 310-230-33, 310-230-24, 310-230-19, and 310-260-35.

Date: 02/22/2019
Revised: 12/21/2018
Revised: 11/30/2018
Revised: 08/02/2018

BOUNDARY CHANGE RECORDED

TIME _____ DATE _____

DOCUMENT # _____

EFFECTIVE _____

BOUNDARY CHANGE RECORDED

APPROVED

TIME _____ DATE _____

LAFCO RES. # _____

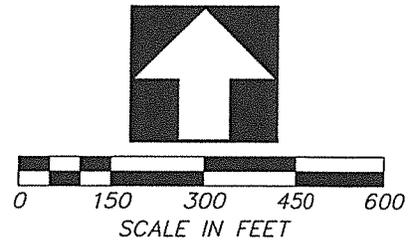
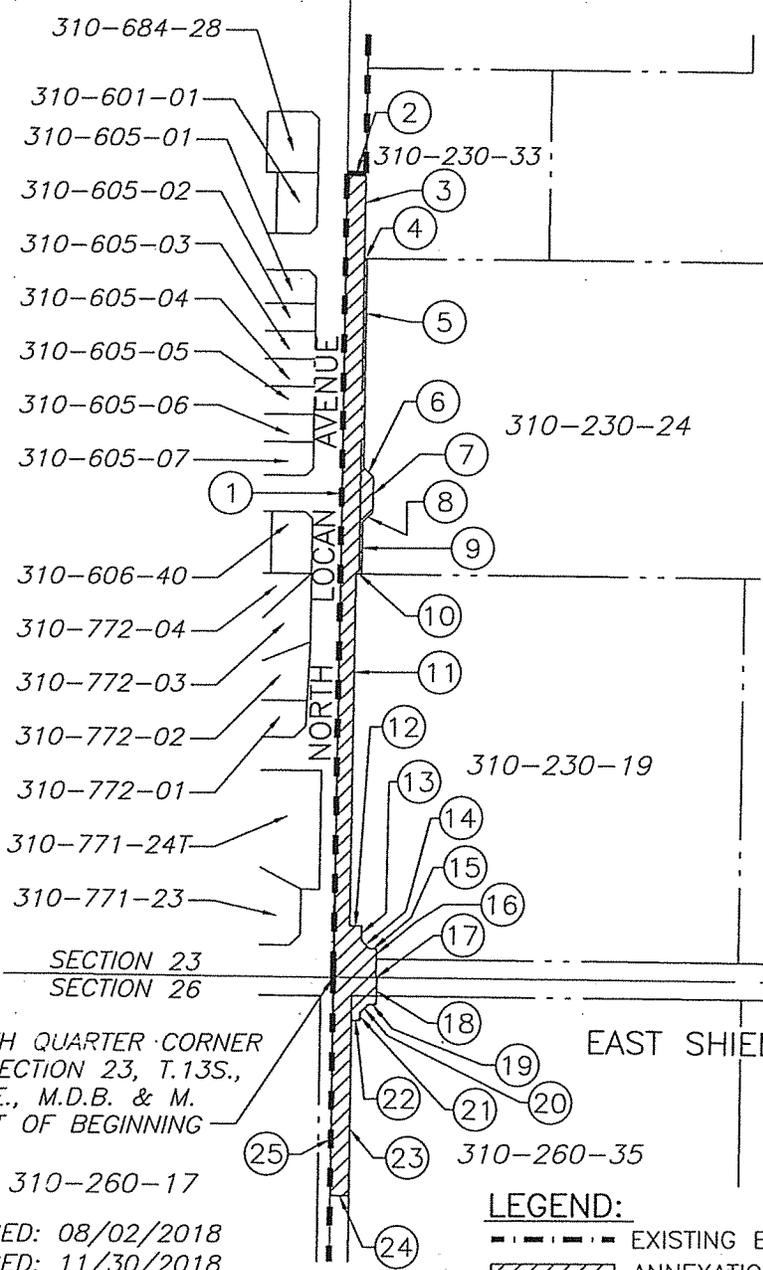
DOCUMENT # _____

EFFECTIVE _____

DATE

CENTER QUARTER CORNER
OF SECTION 23, T.13S.,
R.21E., M.D.B. & M.

- ① N 00°24'42" E 1319.03'
- ② S 89°36'36" E 30.00'
- ③ S 00°24'42" W 139.51'
- ④ S 89°28'47" E 4.00'
- ⑤ S 00°24'42" W 343.85'
- ⑥ S 45°03'35" E 22.44'
- ⑦ S 00°24'42" W 58.21'
- ⑧ S 45°00'52" W 22.79'
- ⑨ S 00°24'42" W 85.94'
- ⑩ N 89°28'33" W 9.00'
- ⑪ S 00°24'42" W 575.37'
- ⑫ S 89°35'18" E 19.00'
- ⑬ S 00°24'42" W 23.95'
- ⑭ S 44°31'50" E 18.91'
- ⑮ S 89°28'23" E 11.61'
- ⑯ S 00°31'37" W 47.00'
- ⑰ S 89°28'23" E 1.35'
- ⑱ S 00°31'37" W 44.00'
- ⑲ N 89°28'23" W 12.65'
- ⑳ S 45°25'27" W 18.94'
- ㉑ S 00°19'16" W 12.65'
- ㉒ N 89°40'44" W 14.00'
- ㉓ S 00°19'16" W 287.00'
- ㉔ N 89°40'44" W 30.00'
- ㉕ N 00°19'16" E 357.22'



SOUTH QUARTER CORNER
OF SECTION 23, T.13S.,
R.21E., M.D.B. & M.
POINT OF BEGINNING

EAST SHIELDS AVENUE

SOUTHEAST CORNER
OF SECTION 23, T.13S.,
R.21E., M.D.B. & M.

LEGEND:

- EXISTING BOUNDARY OF THE CITY OF FRESNO
 - ▨ ANNEXATION TO THE CITY OF FRESNO
- ACREAGE: 1.27 ACRES

REVISED: 08/02/2018
REVISED: 11/30/2018
REVISED: 12/21/2018

EXHIBIT "B"

**Blair,
Church
& Flynn**
CONSULTING ENGINEERS

CONSULTANT
Blair, Church & Flynn
Consulting Engineers
451 Clovis Avenue,
Suite 200
Clovis, California 93612
Tel (559) 326-1400
Fax (559) 326-1500

LOCAN AVENUE REORGANIZATION
TO BE ANNEXED TO THE CITY OF FRESNO
AND DETACHED FROM THE FRESNO COUNTY
FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT

DR. BY DRG
CH. BY DRG
DATE 02/22/19
SCALE: AS NOTED

SHEET NO. 1
OF 1 SHEETS

Parcel Map Check Report

Date: 2/22/2019 5:52:17 AM

LAFCO ANNEXATION

Revised: 02-22-2019

| | |
|---------------------|-------------------|
| Course: N00°24'42"E | Length: 1,319.03' |
| Course: S89°36'36"E | Length: 30.00' |
| Course: S00°24'42"W | Length: 139.51' |
| Course: S89°35'18"E | Length: 4.00' |
| Course: S00°24'42"W | Length: 343.85' |
| Course: S45°03'35"E | Length: 22.44' |
| Course: S00°24'42"W | Length: 58.21' |
| Course: S45°00'52"W | Length: 22.79' |
| Course: S00°24'42"W | Length: 85.94' |
| Course: N89°28'33"W | Length: 9.00' |
| Course: S00°24'42"W | Length: 575.37' |
| Course: S89°35'18"E | Length: 19.00' |
| Course: S00°24'42"W | Length: 23.95' |
| Course: S44°31'50"E | Length: 18.91' |
| Course: S89°28'23"E | Length: 11.61' |
| Course: S00°31'37"W | Length: 47.00' |
| Course: S89°28'23"E | Length: 1.35' |
| Course: S00°31'37"W | Length: 44.00' |
| Course: N89°28'23"W | Length: 12.65' |

| | |
|---------------------|-----------------|
| Course: S45°25'27"W | Length: 18.94' |
| Course: S00°19'16"W | Length: 12.65' |
| Course: N89°40'44"W | Length: 14.00' |
| Course: S00°19'16"W | Length: 287.00' |
| Course: N89°40'44"W | Length: 30.00' |
| Course: N00°19'16"E | Length: 357.22' |

| | |
|------------------------|-----------------------|
| Perimeter: 3,508.43' | Area: 55,339.52Sq.Ft. |
| Error Closure: 0.0108 | Course: S40°39'34"W |
| Error North : -0.00823 | East: -0.00706 |

Precision 1: 324,853.70