

RESOLUTION NO. AD-16-1

A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE "JDS LAND, LLC ANNEXATION TO THE CONSOLIDATED IRRIGATION  
DISTRICT" REORGANIZATION WITH CONDITIONS

**WHEREAS**, annexation proceedings were initiated by a property owner petition to annex 22.67 acres to the Consolidated Irrigation District for the territory located south of Church Avenue, east of Quality Avenue; and

**WHEREAS**, the application was submitted to the Fresno Local Agency Formation Commission (LAFCo or Commission) by JDS Land, LLC, 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 10<sup>th</sup> day of May, 2017, at the hour of 1:30 p.m.; and

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

**WHEREAS**, the Executive Officer reviewed said application 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**, the Commission acting as "Lead Agency" reviewed and considered the information in the Negative Declaration for this project filed on April 19, 2017, prepared and adopted by the Fresno Local Agency Formation Commission acting as the Lead Agency under the California Environmental Quality Act ("CEQA") for the "JDS Land, LLC annexation to the Consolidated Irrigation District;" and

**WHEREAS**, the 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 RESOLVE AND DETERMINE**, as follows:

**Section No. 1.** Acting as Lead Agency under CEQA Guidelines, find that prior to approving the proposed annexation, the environmental effects of the Proposal as shown in the CEQA document prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15050.

**Section No. 2.** The Commission finds that the proposed annexation is consistent with LAFCo policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).

**Section No. 3.** The Commission finds pursuant to the CKH and information in the record that:

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

**Section No. 4.** The Commission assigns the distinctive short form designation "JDS Land, LLC annexation to the Consolidated Irrigation District" and approves the annexation as generally depicted in Exhibit "A" subject to the following condition of approval:

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 in not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.

**Section No. 5.** The Commission waives further Conducting Authority proceedings and orders the annexation subject to the requirements of the CKH and the 30-day reconsideration period.

**Section No. 6.** The Commission action approving the Proposal shall expire one year from the date of this resolution unless all proceedings are complete, including condition compliance, and Certificate of Completion issued by the Executive Officer.

**Section No. 7.** 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 the Proposal, as required by State law.

**ADOPTED THIS 10<sup>th</sup> DAY OF MAY 2017, BY THE FOLLOWING VOTE:**

AYES: COMMISSIONERS MAGSIG, SANTOYO, PARRA, QUINTERO, SILVA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

STATE OF CALIFORNIA )  
COUNTY OF FRESNO )

**CERTIFICATION**

I, David E. Fey, Executive Officer, Fresno Local Agency Formation Commission, hereby certify that the foregoing resolution was adopted by the Commission on the 10<sup>th</sup> day of May 2017.

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