

RESOLUTION NO. RO-15-9

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

| | |
|---|---------------------------------------|
| A REQUEST BY THE CITY OF PARLIER FOR) | APPROVED "REORGANIZATION 15-01 |
| APPROVAL OF "REORANIZATION 15-01) | (AVILA-SOUTH)" WITH CONDITIONS |
| (AVILA-SOUTH)") | |

WHEREAS, preliminary proceedings were initiated by the City of Parlier to annex 48.87 acres to the City of Parlier and detach from the Kings River Conservation District and the Consolidated Irrigation District for territory located on the south side of South Avenue and west of the Avila Street 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 14th day of October, 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, this Commission reviewed and considered the information in the Initial Study and Negative Declaration prepared by the Lead Agency, City of Parlier, 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 14TH DAY OF OCTOBER, 2015, BY THE FOLLOWING VOTE:

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

NOES NONE

ABSENT: NONE

Section #2. This Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).

Section #3. This Commission assigns the distinctive short form designation “Reorganization 15-01 (Avila-South)” 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.
- 2. Prior to issuing a certificate of completion, the executive officer will be provided with evidence that a Preliminary Endangerment Assessment (PEA) has been completed in accordance with the DTSC PEA guidance document dated October, 2013.

Section #4. This Commission finds pursuant to the CKH that:

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

Section #5. This Commission waives further Conducting Authority Proceedings and orders the reorganization subject to the requirements of the CKH and the 30-day reconsideration period.

Section #6. This 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 #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 this proposal, as required by State law.

* * * * *

ADOPTED THIS 14TH DAY OF OCTOBER, 2015, BY THE FOLLOWING VOTE:

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

NOES NONE

ABSENT: NONE

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

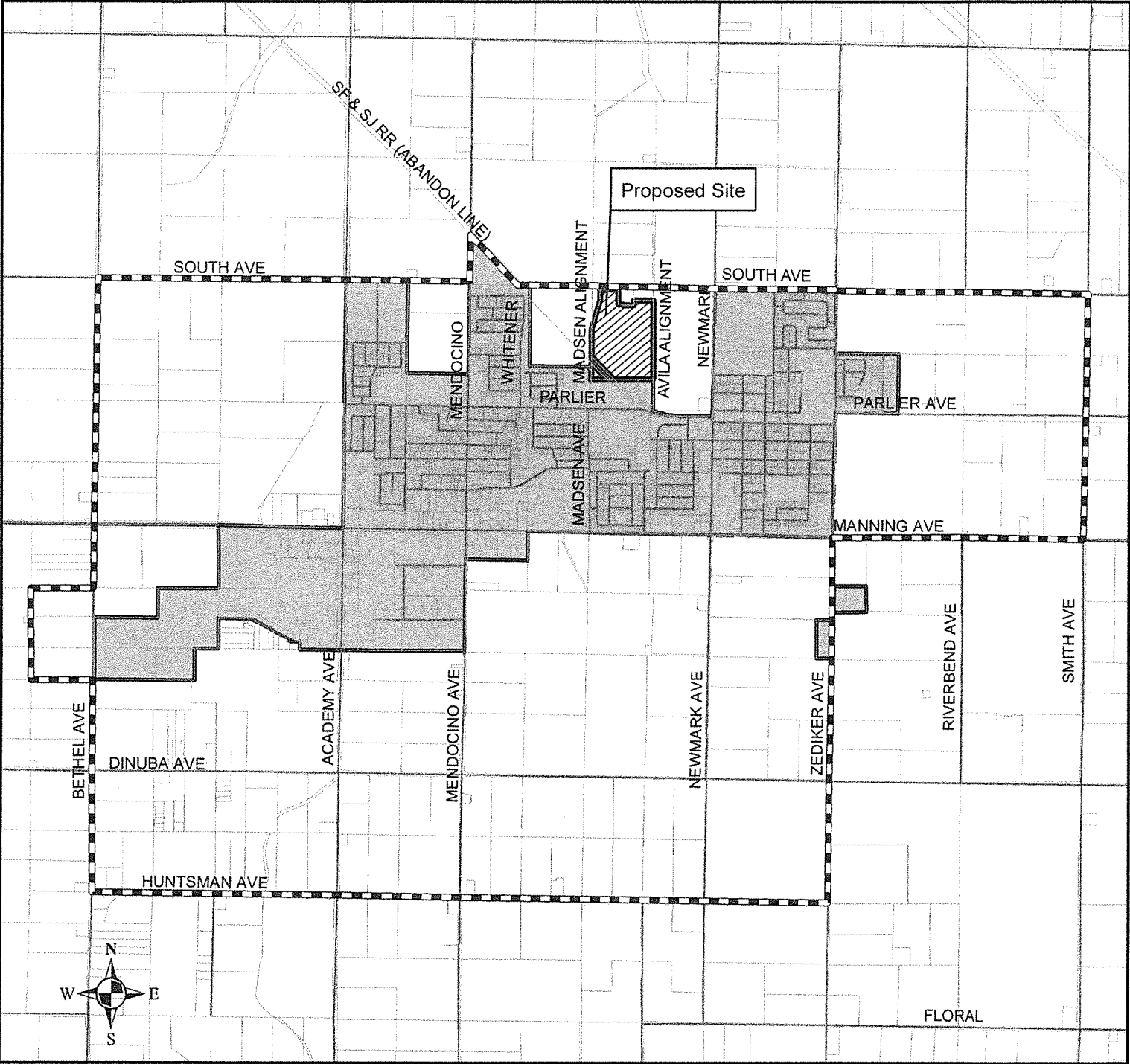
CERTIFICATION




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 14th day of October, 2015.

A handwritten signature in black ink, appearing to read 'D. Fey', is written over a horizontal line.

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

Figure 1



-  Avila-South SW RO No. 15
-  Sphere of Influence
-  City Limits, Parlier

**Avila-South SW Reorganization
City of Parlier**