

RESOLUTION NO. RO-15-5

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

In the Matter of:

LAFCo Determination

A REQUEST BY LANDOWNER PETITION)	APPROVED CEQA; APPROVED
FOR APPROVAL OF THE "MENDOCINO-)	"MENDOCINO-KLEPPER NORTHWEST
KLEPPER NORTHWEST REORGANIZATION")	REORGANIZATION WITH CONDITION

WHEREAS, reorganization proceedings were initiated by landowner petition to annex 10.02 acres to the City of Kingsburg and the Selma-Kingsburg-Fowler County Sanitation District and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located west of Mendocino Avenue, north of Klepper Avenue; and

WHEREAS, the application was submitted to this Commission by landowner petition 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 12th day of August, 2015, 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 this 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 this Commission pursuant to State Law; and

WHEREAS, a Final Environmental Impact Report was prepared and certified for the North Kingsburg Specific Plan (NKSP) which covered the proposal area and the City of Kingsburg found that the project would have no significant impacts on the environment and determined that the project met the criteria of the NKSP and adopted a negative declaration; and

WHEREAS, this Commission reviewed and considered the information in the Negative Declaration prepared by the Lead Agency, City of Kingsburg, 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 12TH DAY OF AUGUST, 2015, BY THE FOLLOWING VOTE:

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

NOES NONE

ABSTAIN: 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 "Mendocino-Klepper Northwest Reorganization" and approves the reorganization (annexations and detachments) 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 is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.

Section #4. This Commission finds pursuant to 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 CKH and the 30-day reconsideration period.

Section #6. 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 #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.

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ADOPTED THIS 12TH DAY OF AUGUST, 2015, BY THE FOLLOWING VOTE:

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

NOES NONE

ABSENT: NONE

ABSTAIN: NONE

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

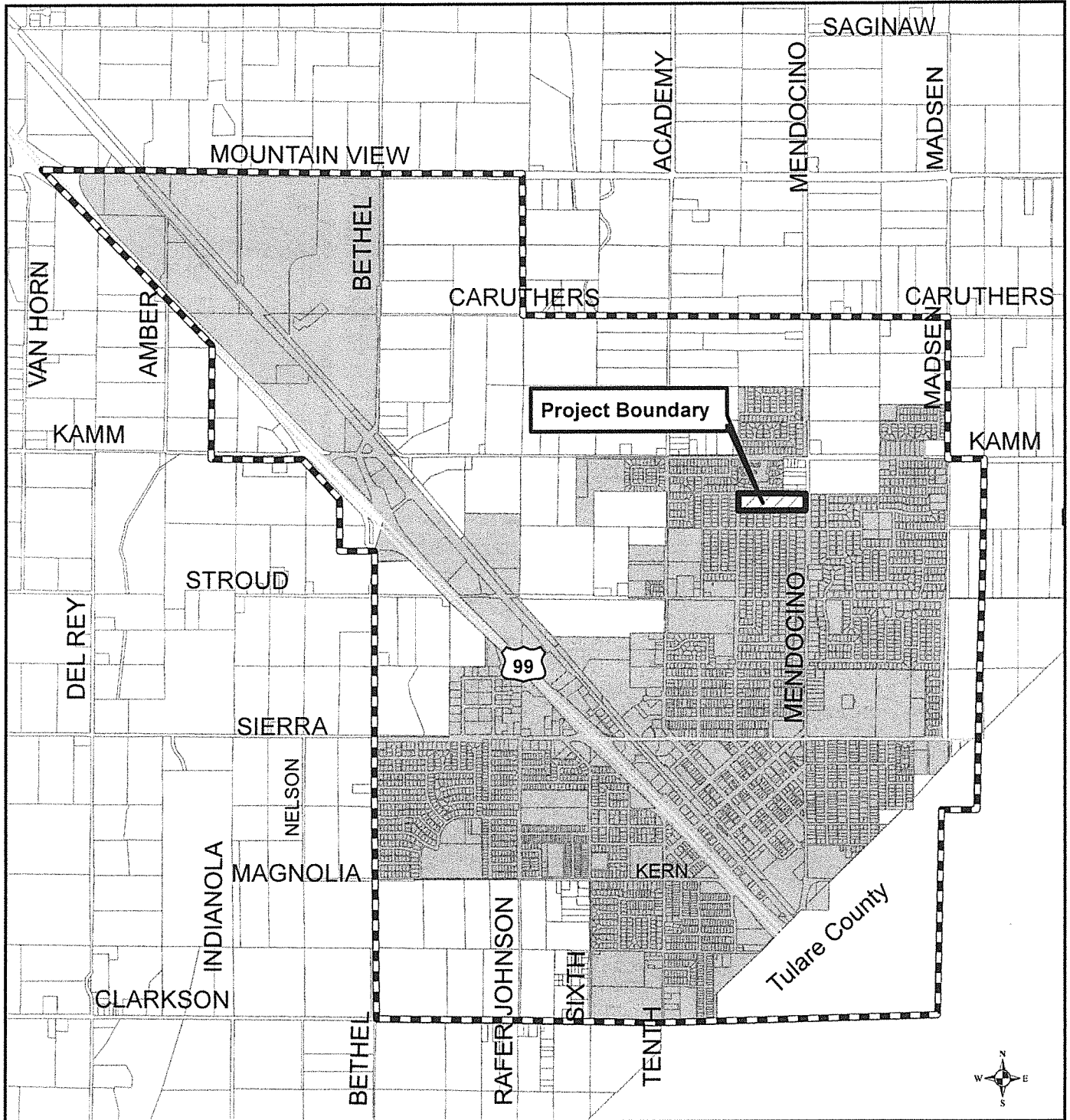
CERTIFICATION




I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certifies that the foregoing resolution was adopted by the Commission at a regular meeting held on the 12th day of August, 2015.



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

EXHIBIT



-  Sphere of Influence, Kingsburg
-  City Limits, Kingburg
-  Mendocino Klepper NW Reorganization

Mendocino-Klepper NW Reorganization City of Kingsburg