

RESOLUTION NO. RO-13-1A

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

A REQUEST BY LANDOWNER PETITION FOR APPROVAL OF THE "SHIELDS- GRANTLAND NO. 1 (WESTLAKE) REORGANIZATION"))))	APPROVED CEQA; APPROVED THE "SHIELDS-GRANTLAND NO. 1 (WESTLAKE) REORGANIZATION" WITH CONDITIONS
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WHEREAS, preliminary proceedings were initiated by landowner petition to annex 447.78 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located south of Gettysburg Avenue, north of Shields Avenue, east of Garfield Avenue and west of Grantland Avenue, 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 May, 2014, at the hour of 10:00 a.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 considered all relevant factors and evidence and heard all interested parties wishing to speak on said application; and

WHEREAS, this Commission continued this item for 90 days to allow the County and City of Fresno time to enter into a Stand Alone MOU for the affected area; and

WHEREAS, on July 16, 2014, the Executive Officer 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, this Commission reviewed and considered the information in Environmental Impact Report prepared by the City of Fresno.

NOW, THEREFORE, BE IT RESOLVED that the Local Agency formation Commission of Fresno County does hereby STATE, FIND, AND DETERMINE 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 reorganization 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 legally adequate pursuant to CEQA Guidelines Section 15096.

ADOPTED THIS 16th DAY OF JULY, 2014, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS LARSON, SANTOYO, LOPEZ, SILVA

NOES COMMISSIONER PEREA

ABSENT: NONE

ABSTAIN: NONE

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

Section #3. This Commission assigns the distinctive short form designation "Shields-Grantland No. 1 (Westlake) Reorganization" and approves the reorganization (annexation and detachments) subject to the following conditions of approval:

- A. The City of Fresno shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.
- B. Ownership of land permitting, the annexation shall include the full existing right-of-way width of adjacent roadways.
- C. Allocation of property tax revenue shall conform to the terms and conditions of the 2003 Amended and Restated Memorandum of Understanding between the County of Fresno and the City of Fresno.
- D. Applicant shall execute an indemnification agreement with the Commission reasonably acceptable to the LAFCo Executive Officer and legal counsel, agreeing to defend, indemnify, and hold harmless the Commission from and against any claims, actions (including those filed by any state or governmental agency), costs, or damages arising out of or in connection with the Commission's actions related to this matter;

Section #4. This Commission finds pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH") that:

- A. The territory is uninhabited.
- B. All landowners have consented to the annexation.

Section #5. This Commission waives further Conducting Authority Proceedings and approves the annexation and detachments subject to the requirements of the "CKH," the 30-day reconsideration period, and compliance with all of the above conditions.

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 Commission office.

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 16th DAY OF JULY, 2014, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS SANTOYO, LARSON, LOPEZ, SILVA

NOES COMMISSIONER PEREA

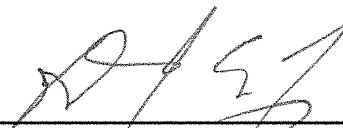
ABSENT: NONE

ABSTAIN: NONE

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

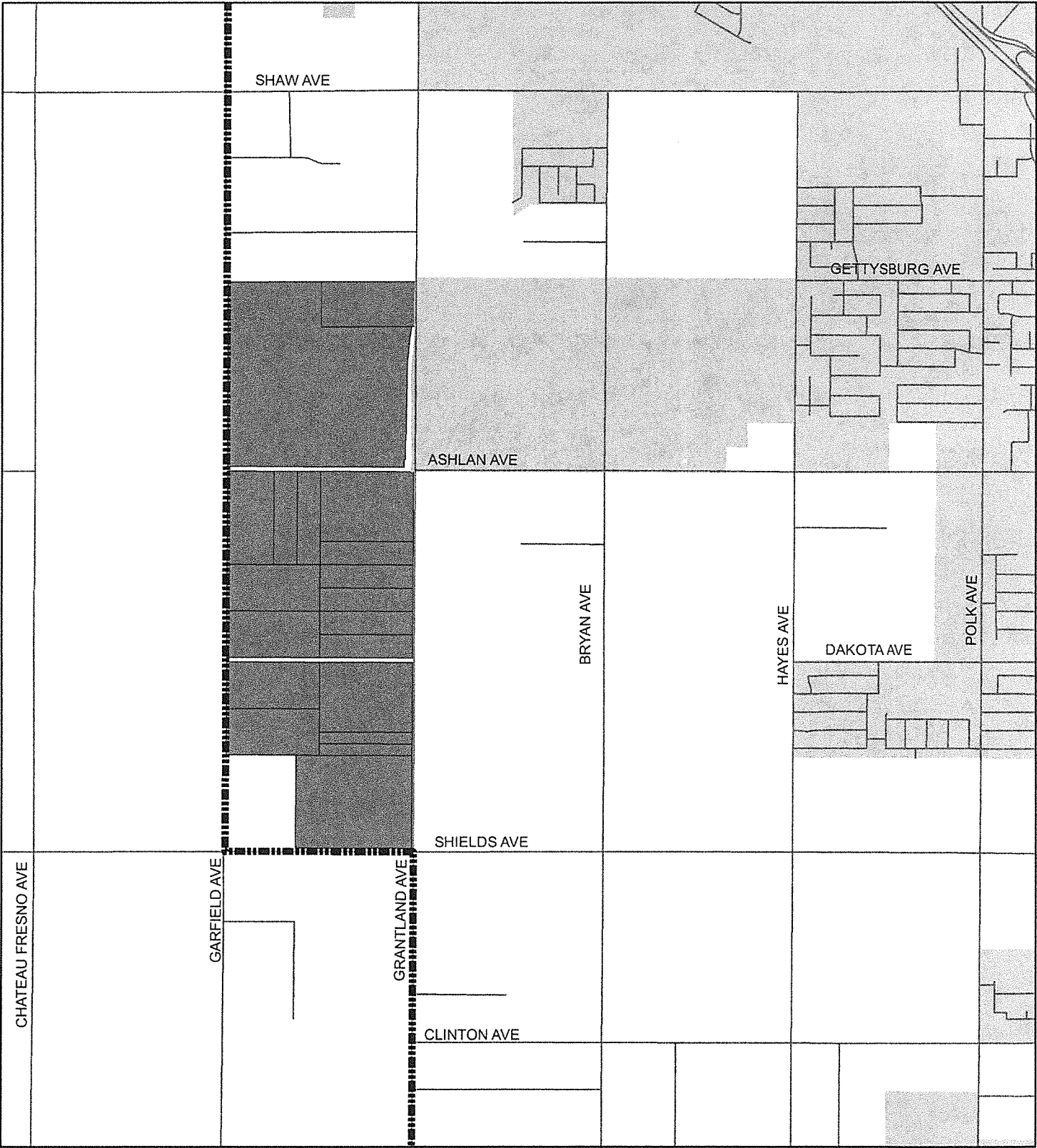
CERTIFICATION

I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certify that the foregoing resolution was adopted by the Commission on the 16th day of July, 2014.






**DAVID E. FEY, AICP, Executive Officer
Fresno Local Agency Formation Commission**

FIGURE 2 - ANNEXATION MAP



Legend

-  Sphere of Influence
-  City Limits
-  Affected Territory

City of Fresno "Shields-Grantland
No. 1 (Westlake) Reorganization"
LAFCo File No. RO13-1

