

RESOLUTION NO. RO-19-6

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE "SHIELDS-POLK NO. 1 REORGANIZATION" WITH CONDITIONS
(LAFCO FILE NO. RO-19-6)**

WHEREAS, reorganization proceedings were initiated by the City of Fresno to annex 40.7 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for the territory located on the northeast corner of West Shields and North Polk Avenues, 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 City of Fresno as required by state law, and the application for said proposed reorganization ("Proposal") was accepted for filing by the Executive Officer and set for hearing on the 14th day of August 2019, at the hour of 1:30 p.m.; and

WHEREAS, prior to issuing the Certificate of Filing staff considered a request by Fresno County staff to include additional territory consisting of public street rights-of-way along the north portion of North Polk Avenue south of the West Dayton and North Polk Avenue intersection. Pursuant to LAFCo Policy 210-14(6), LAFCo staff recommended including this territory in order to create logical boundaries; and

WHEREAS, with the inclusion of the North Polk Avenue right-of-way, the total acreage for the Proposal increased to approximately 41.2 acres; 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, acting as "Responsible Agency" under the California Environmental Quality Act ("CEQA") the Commission considered the CEQA documents filed and adopted by the City of Fresno acting 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:

- A. Acting as a "Responsible Agency" pursuant to CEQA Guidelines, 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 are hereby determined to be adequate pursuant to CEQA Guidelines section 15096.
- B. Acting as a "Lead Agency" pursuant CEQA Guidelines, the Commission hereby adopts a Class 1 ("Existing Facilities") Exemption prepared for the additional street rights-of-way.
- C. The proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH").
- D. Pursuant to CKH and information in the record that:
 - a. The territory is uninhabited; and
 - b. All landowners and affected agencies have consented to the reorganization.
- E. Assigns the distinctive short form designation "Shields-Polk No. 1 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. Ownership of land permitting, the annexation shall include the full-width right-of-way along Polk and Shields Avenues frontage of the affected properties.
 - c. Submittal of corrected legal description and map.
 - d. Satisfactory verification that the City has accepted a final map shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.
- F. Waives further Conducting Authority Proceedings and orders the reorganization subject to the requirements of CKH.

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ADOPTED THIS 14th DAY OF AUGUST 2019, BY THE FOLLOWING VOTE:

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

NOES: NONE

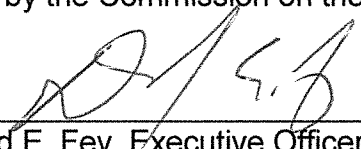
ABSENT: NONE

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 14th day of August 2019.



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

ATTACHMENT A

SHIELDS-POLK No. 1 REORGANIZATION – PROPOSED ANNEXATION TO THE CITY OF FRESNO AND DETACH FROM FRESNO COUNTY FIRE PROTECTION DISTRICT AND KINGS RIVER CONSERVATION DISTRICT

Portions of Parcels 2 and 3 of Parcel Map No. 2180, recorded January 6, 1975 in Book 15 of Parcel Maps at Page 18, Fresno County Records, and those portions of West Shields Avenue and North Polk Avenue, lying within Sections 22 and 27, Township 13 South, Range 19 East, Mount Diablo Base and Meridian situated in the County of Fresno, State of California, more particularly described as follows:

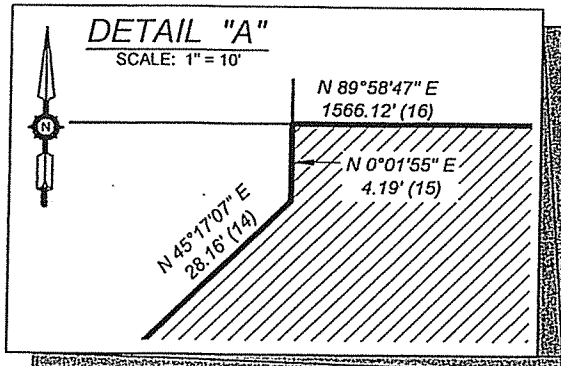
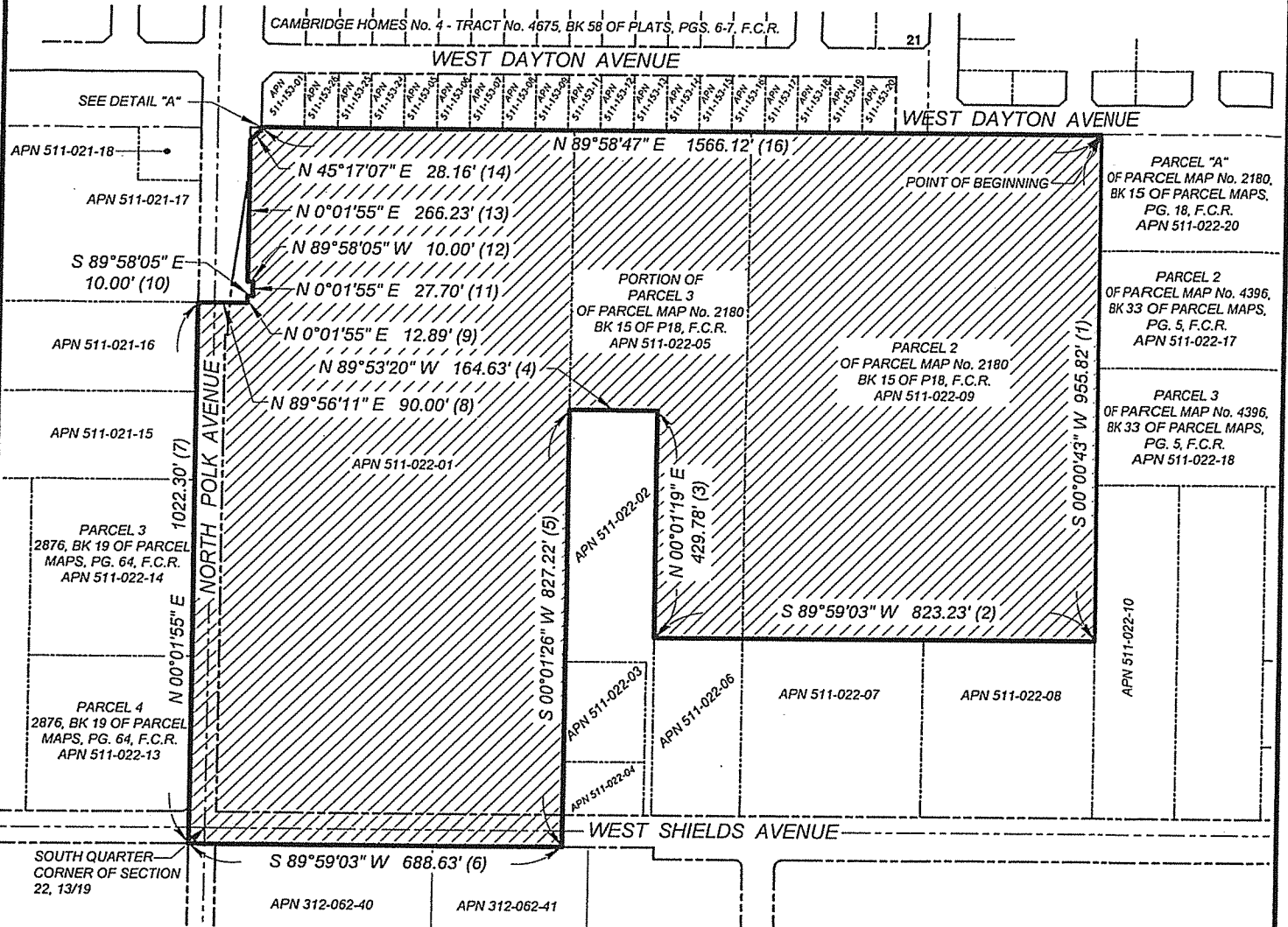
BEGINNING at the Northeast corner of said Parcel 2; thence

- Course 1. South 0°00'43" West, on the East line of said Parcel 2, a distance of 955.82 feet to the Southeast corner of said Parcel 2; thence
- Course 2. South 89°59'03" West, on the south line of said Parcel 2 and on a line parallel with and northerly 337.50 feet of the South line of said Section 22, a distance 823.23 feet to the East line of said Parcel 3; thence
- Course 3. North 0°01'19" East, on said East line, a distance of 429.78 feet; thence
- Course 4. North 89°53'20" West, on the boundary line of said Lot 3, a distance of 164.63 feet to the East line of the West half of the Southwest quarter of the Southeast quarter of said Section 22; thence
- Course 5. South 0°01'26" West, on last said East line, distance of 827.22 feet to the South line of the North 30.00 feet of said Section 27, said line being the South right-of-way line of West Shields Avenue; thence
- Course 6. South 89°59'03" West, on last said southerly lines, a distance of 688.63 feet to the West line of the East 30.00 feet of the Northwest quarter of said Section 27; thence
- Course 7. North 0°01'55" East, on last said West line and on the West line of the East 30.00 feet of the Southwest quarter of said Section 22, a distance of 1022.30 feet to the existing boundary line of the City of Fresno as shown on the City of Fresno Annexation No. 1348, "Shields-Polk No. 4E Reorganization, recorded February 13, 2017, as Document No. 2017-0017909, Official Records Fresno County; thence
- Course 8. North 89°56'11" East, on the boundary line of said Annexation No. 1348, a distance of 90.00 feet; thence
- Course 9. North 0°1'55" East, continuing on said boundary line, a distance of 12.89 feet; thence

- Course 10. South 89°58'05" East, continuing on said boundary line, a distance of 10.00 feet; thence
- Course 11. North 0°01'55" East, continuing on said boundary line, a distance of 27.70 feet; thence
- Course 12. North 89°58'05" West, continuing on said boundary line, a distance of 10.00 feet; thence
- Course 13. North 0°01'55" East, continuing on said boundary line, a distance of 266.23 feet; thence
- Course 14. North 45°17'07" East, continuing on said boundary line, a distance of 28.16 feet; thence
- Course 15. North 0°01'55" East, continuing on said boundary line, a distance of 4.19 feet to the existing boundary line of the City of Fresno as shown on the City of Fresno Annexation No. 1222, "Dakota-Polk No. 2 Reorganization, recorded May 26, 1992, as Document No. 92071654, Official Records Fresno County; thence
- Course 16. North 89°58'47" East, on last said boundary line, a distance of 1566.12 feet to the ***POINT OF BEGINNING***..

Containing as area of 40.74 acres, more or less.

SHIELDS-POLK No. 1 REORGANIZATION - PROPOSED ANNEXATION TO THE CITY OF FRESNO AND DETACH FROM FRESNO COUNTY FIRE PROTECTION DISTRICT AND KINGS RIVER CONSERVATION DISTRICT



INDICATES AREA FOR THE SHIELDS-POLK No. 1 REORGANIZATION - ANNEXATION. CONTAINING AN AREA OF 40.74 ACRES, MORE OR LESS.



1" = 300'



REF. & REV.
2016-XXX
15-A-XXXX
PLAT 2045

CITY OF FRESNO
DEPARTMENT OF PUBLIC WORKS

SHIELDS-POLK No. 1 REORGANIZATION - PROPOSED ANNEXATION TO THE CITY OF FRESNO AND DETACH FROM FRESNO COUNTY FIRE PROTECTION DISTRICT AND KINGS RIVER CONSERVATION DISTRICT

PROJ. ID. _____ RES TYPE _____
FUND NO. _____
ORG. NO. _____
DR. BY J.A.C.
CH. BY _____
DATE JAN. 23, 2019
SCALE NOT TO SCALE
SHEET NO. 1
OF 1 SHEET