

RESOLUTION NO. USOI-163

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

In the Matter of

LAFCo Determination

**MAKING DETERMINATIONS AND)
APPROVING SPHERE OF INFLUENCE))
UPDATE FOR THE CITY OF CLOVIS)
)**

**MADE DETERMINATIONS AND APPROVED
SPHERE OF INFLUENCE UPDATE FOR THE
CITY OF CLOVIS**

WHEREAS, State law requires each Local Agency Formation Commission to determine a Sphere of Influence for each City in the County and periodically update and revise those Spheres; and

WHEREAS, the City of Clovis submitted an application and supporting materials to this Commission pursuant to Government Code Section 56428 requesting revisions to the City of Clovis' sphere of influence that would add 860 acres to the City of Clovis' Sphere of Influence for territory located east of the Clovis Avenue Alignment between Copper and Shepherd Avenues, said territory being described within Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, the application for said proposal was accepted for filing by the Executive Officer of this Local Agency Formation Commission and was set for hearing by the Executive Officer on the 1st day of April, 2015, at the hour of 10:00 a.m. of said day; and

WHEREAS, notice of the hearing of said application was duly given by mail, posting, and newspaper publication 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, 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, the City of Clovis, acting as lead agency per CEQA requirements, prepared a Final Program Environmental Impact Report (EIR) for its General Plan Update and Development Code Update, that included the entire SOI Expansion area, made necessary findings, certified the Final EIR, and adopted a Statement of Facts, Findings and Overriding Considerations, and Mitigation Monitoring Program on August 25, 2014; and

WHEREAS, as the "Responsible Agency" pursuant to California Environmental Quality Act (CEQA) Guidelines, the Commission independently reviewed and considered the environmental effects of the project as presented in the adopted Final EIR for the City of Clovis' Sphere of Influence Update prepared by the Lead Agency, the City of Clovis, prior to reaching a decision on the project (Section 15096 *et seq.*).

NOW, THEREFORE, BE IT RESOLVED that the Local Agency formation Commission of Fresno County does hereby STATE, FIND, AND DETERMINE AS FOLLOWS:

Section #1. This Commission finds that a Municipal Service Review was prepared and adopted pursuant to California Government Code Section 56430.

Section #2. This Commission finds that approval of the requested sphere of influence update for the City of Clovis is based on sufficient information provided to the Commission in the Municipal Service Review, the Executive Officer's Report to the Commission, and all other testimony, evidence and information provided by persons and interested agencies, and is in compliance with State law, including, but not limited to, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

ADOPTED THIS 1ST DAY OF APRIL, 2015, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, PACHECO, SILVA

NOES NONE

ABSENT: COMMISSIONERS PEREA, SANTOYO

Section #3. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, this Commission finds that prior to approving the proposed sphere of influence update, the environmental effects of the project as shown in Environmental Impact Report SCH No. 2012061069, prepared and certified by the City of Clovis as Lead Agency, were reviewed and considered, and determined these documents to be legally adequate pursuant to CEQA Guidelines Section 15096.

ADOPTED THIS 1ST DAY OF APRIL, 2015, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, PACHECO, SILVA

NOES NONE

ABSENT: COMMISSIONERS PEREA, SANTOYO

Section #4. This Commission finds that the proposed Clovis sphere of influence update is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Fresno LAFCo adopted Policies, Standards and Procedures, including, but not limited to Sections 100, 200, and 330, and that approval of the proposed sphere of influence update fulfills LAFCo's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

Section #5. This Commission adopts the required written determinations for the proposed sphere of influence update and determines that these written determinations have been prepared pursuant to California's Government Code, Section 56425(e).

Section #6. This Commission finds that all public notices of this Commission's hearing of this matter were duly given in accordance with State law.

Section #7. This Commission approves the "Sphere of Influence Update USOI-163," adding approximately 860 acres to the City of Clovis' SOI located east of the Clovis Avenue Alignment between Copper and Shepherd Avenues (**LAFCo File No. USOI-163**) with the condition that the applicant shall execute an indemnification agreement with the Commission, 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 #8. 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 1ST DAY OF APRIL, 2015, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, PACHECO, SILVA

NOES NONE


ABSENT: COMMISSIONERS PERREA, SANTOYO

ABSTAIN: NONE

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

CERTIFICATION

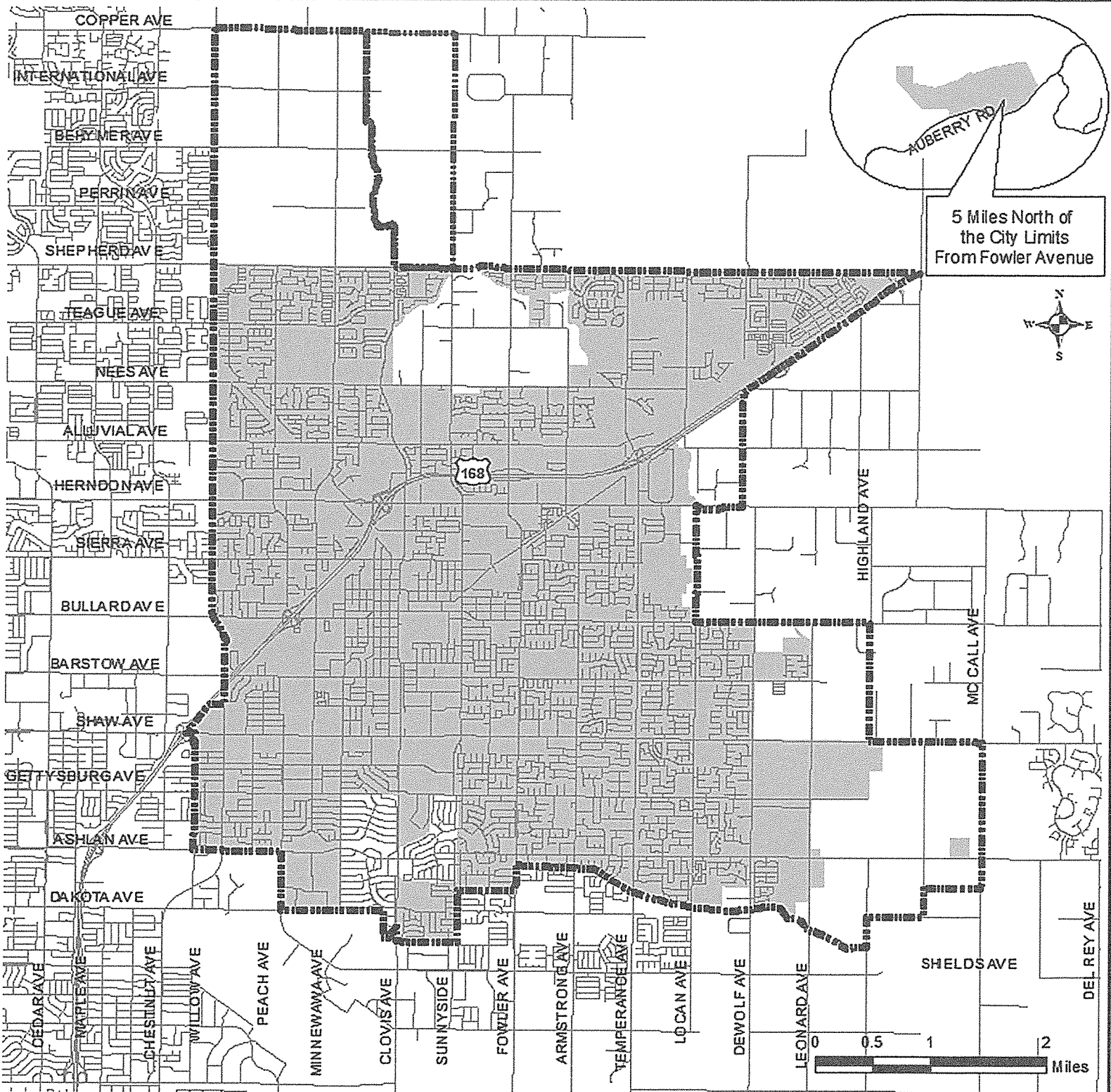
I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certify that the foregoing resolution was adopted by the Commission on the 1ST day of April, 2015.




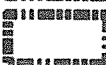

**DAVID E. FEY, AICP, Executive Officer
Fresno Local Agency Formation Commission**

FRESNO LOCAL AGENCY FORMATION COMMISSION

CITY OF CLOVIS SPHERE OF INFLUENCE



Legend

-  SOI Update - 860 Acres
-  Sphere of Influence
-  City Limits

Incorporated: 1912
 SOI Adopted: 5/08/1974
 SOI Updated: 10/10/2007
 Map Date: FEBRUARY 2015

CITY OF CLOVIS
 Sphere Area: 20,249 Acres
 City Area: 15,332 Acres