

RESOLUTION NO. RO-15-1

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

In the Matter of:

LAFCo Determination

**A REQUEST FROM THE CITY)
OF CLOVIS FOR APPROVAL)
OF THE "NEES-ARMSTRONG)
NORTHEAST REORGANIZATION")**

**APPROVED CEQA; APPROVED
"NEES-ARMSTRONG NORTHEAST
REORGANIZATION" WITH
CONDITION**

WHEREAS, reorganization proceedings were initiated by the City of Clovis to annex 3.48 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located on the east side of Armstrong Avenue, north of Nees Avenue, said territory being described within Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, the application was submitted to this Commission by the City of Clovis 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 6th day of May, 2015, at the hour of 10:00 a.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, this Commission reviewed and considered the information in the Initial Study and Mitigated Negative Declaration prepared by the Lead Agency, City of Clovis, 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 6TH DAY OF MAY, 2015, BY THE FOLLOWING VOTE:

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

NOES NONE

ABSTAIN: NONE

ABSENT: NONE

Section #2. This Commission finds that the proposed reorganization is sufficiently 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 "Nees-Armstrong Northeast Reorganization" and approves the reorganization (annexation and detachments) subject to the following condition of approval:

The City of Clovis 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 subject territory.

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 the 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 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 6TH DAY OF MAY, 2015, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PEREA, PARRA, PACHECO, SANTOYO, 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 6th day of May, 2015.



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

