

RESOLUTION NO. RO-20-11

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE "SHEPHERD-CLOVIS NORTHWEST REORGANIZATION" WITH
CONDITIONS
(LAFCO FILE NO. RO-20-11)**

WHEREAS, reorganization proceedings were initiated by the City of Clovis to annex 38.99 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for the territory located on the northwest corner of East Shepherd and North Clovis Avenues said territory being described by 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 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 9th day of September 2020, at the hour of 1:30 p.m.; 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 Clovis 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:

Action 1:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that 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 determine these documents to be adequate pursuant to CEQA Guidelines section 15096.

ADOPTED THIS 9th DAY OF SEPTEMBER 2020 BY THE FOLLOWING VOTE:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Action 2:

- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- C. Find 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.
- D. Assign the distinctive short form designation "Shepherd-Clovis Northwest 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 Shepherd and Clovis Avenues.
 - 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.
- E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

ADOPTED THIS 9th DAY OF SEPTEMBER 2020 BY THE FOLLOWING VOTE:

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

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 9th day of September 2020.



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

ATTACHMENT A

SHEPHERD-CLOVIS NORTHWEST REORGANIZATION TO BE ANNEXED TO THE CITY OF CLOVIS AND DETACHMENT FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT

That portion of the Southeast quarter of the Southwest quarter of Section 20, Township 12 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

COMMENCING at the South quarter corner of said Section 20; thence North $00^{\circ}08'35''$ West, along the East line of the Southeast quarter of the Southwest quarter of said Section 20, a distance of 30.00 feet to the **POINT OF BEGINNING**; thence [1] North $89^{\circ}50'35''$ West, parallel with and 30.00 feet North of the South line of the Southeast quarter of the Southwest quarter of said Section 20 and along the existing City of Clovis limits, a distance of 1322.24 feet to a point on the West line of the Southeast quarter of the Southwest quarter of said Section 20; thence [2] North $00^{\circ}13'23''$ West, leaving the existing City of Clovis limits, along said West line, a distance of 1293.75 feet to the Northwest corner of the Southeast quarter of the Southwest quarter of said Section 20; thence [3] South $89^{\circ}50'07''$ East, along the North line of the Southeast quarter of the Southwest quarter of said Section 20, a distance of 1143.19 feet to the existing City of Clovis limits; thence [4] South $89^{\circ}50'07''$ East, along the existing City of Clovis limits, continuing along said North line a distance of 67.48 feet to the beginning of a 1308.00 foot radius non tangent curve, concave Southwesterly, a radial to said beginning bears North $60^{\circ}11'49''$ East; thence [5] Southeasterly, along the existing City of Clovis limits and along said curve through a central angle of $12^{\circ}32'01''$, an arc distance of 286.13 feet to a point on the East line of the Southeast quarter of the Southwest quarter of said Section 20; thence [6] South $00^{\circ}08'35''$ East, continuing the existing City of Clovis limits, and along said East line, a distance of 1032.08 feet to the **TRUE POINT OF BEGINNING**.

Containing 38.99 Acres, more or less.

APPROVED
LAFCO RES. # 20-20-11
September 9, 2020
DATE



BOUNDARY CHANGE RECORDED
TIME 2:14pm DATE 10/12/2020
DOCUMENT # 2020-0142496
EFFECTIVE 10/12/2020

8-17-2020

**CERTIFICATE OF COMPLETION
FRESNO LOCAL AGENCY FORMATION COMMISSION**

The Fresno Local Agency Formation Commission waived the Conducting Authority proceedings.

The names of the agencies whose territory is changed and the type of change for each are:

Annexation to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District.

The County in which the entire boundary change occurred is Fresno County.

The short title of the reorganization proceeding is "Shepherd-Clovis Northwest Reorganization," LAFCo File No. RO-20-11.

The affected territory is uninhabited.

The Reorganization was ordered without an election, and Resolution No. RO-20-11 ordering the Reorganization was approved by the Fresno Local Agency Formation Commission on September 9, 2020.

Maps and legal descriptions of the territory affected by the Reorganization are set forth in Attachment "A".

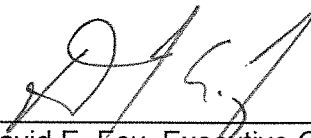
The condition of approval was as follows and has been complied with:

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.

Submittal of corrected legal description and map.

Satisfactory verification that the City has accepted a final map shall be submitted to the Executive Officer prior to completion (recording) of the annexation.

I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission, do hereby certify that the attached maps and legal descriptions for the change of organization do comply with the Commission's resolution of approval.



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

Dated: October 12, 2020