

RESOLUTION NO. RO-15-8

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE “MT VIEW-HIGHWAY 99 (SELMA CROSSINGS) REORGANIZATION”
WITH CONDITIONS**

WHEREAS, annexation proceedings were initiated by the City of Selma to annex 288 acres to the City of Selma and the Selma-Kingsburg-Fowler County Sanitation District for the territory located south of Saginaw Avenue and east and west of Dockery Avenue; and

WHEREAS, the application was submitted to the Fresno Local Agency Formation Commission (LAFCo or Commission) by the City of Selma 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 12th day of July, 2017, at the hour of 1:30 p.m.; and

WHEREAS, notice of the hearing of said application was given as required by State Law; and

WHEREAS, the notice of public hearing also gave notice that the Commission intended to waive the conducting authority proceedings in accordance with Government Code Section 56663(b)(c), if no registered voters or landowners submitted written opposition to the reorganization before the conclusion of the public hearing; and

WHEREAS, the Executive Officer reviewed said application 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, the Commission acting as “Responsible Agency” reviewed and considered the information in the Final Environmental Impact Report for this project filed on August 22, 2013, prepared and adopted by the City of Selma acting as the Lead Agency under the California Environmental Quality Act (“CEQA”) for the “Mt View-Highway 99 (Selma Crossings) Reorganization”; and

WHEREAS, the Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on said application; and

WHEREAS, no registered voters or landowners submitted written opposition to the reorganization prior to the conclusion of the public hearing.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does HEREBY RESOLVE AND DETERMINE, as follows:

Section No. 1. Acting as Lead Agency under CEQA Guidelines, find that prior to approving the proposed reorganization, the environmental effects of the Proposal as shown in the CEQA document prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15050.

Section No. 2. The Commission finds that the proposed reorganization is consistent with LAFCo policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).

Section No. 3 This Commission finds that in accordance with the procedures set forth in GC sec. 51243.5(d) the City of Selma filed a protest with the Fresno County Board of Supervisors to exercised its option to not succeed to the rights, duties, and powers of the County under Land Conservation Contract No. 4369, APN 393-180-44.

Section No. 4. The Commission finds pursuant to the CKH and information in the record that:

- A. The territory is uninhabited; and
- B. Not all landowners and affected agencies have consented to the reorganization.

Section No. 5. The Commission assigns the distinctive short form designation “Mt View-Highway 99 (Selma Crossings) Reorganization” and approves 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 in 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 Mountain View, Saginaw, and Dockery Avenues.

Section No. 6. The Commission waives further Conducting Authority proceedings and orders the annexation subject to the requirements of the CKH and the 30-day reconsideration period.

Section No. 7. The Commission action approving the Proposal shall expire one year from the date of this resolution unless all proceedings are complete, including condition compliance, and Certificate of Completion issued by the Executive Officer.

Section No. 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 the Proposal, as required by State law.

* * * * *
* * * * *
* * * * *
* * * * *
* * * * *

ADOPTED THIS 12th DAY OF JULY 2017, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS MAGSIG, SANTOYO, QUINTERO, SILVA

NOES: NONE

ABSENT: COMMISSIONERS PARRA

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 12th day of July 2017.



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