

RESOLUTION NO. RO-15-14

**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 "LEONARD-DAKOTA)
SOUTHEAST REORGANIZATION")

APPROVED CEQA; APPROVED
"LEONARD-DAKOTA SOUTHEAST
REORGANIZATION" WITH
CONDITION

WHEREAS, reorganization proceedings were initiated by the City of Clovis to annex 86.6 acres to the City of Clovis and detach from the Kings River Conservation District and the Fresno County Fire Protection District for territory located south of Dakota Avenue and west of Highland Avenue; 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 13th day of January, 2016, 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 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 13TH DAY OF JANUARY, 2016, 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 consistent with LAFCo Policies, Standards and Procedures of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).

Section #3. This Commission finds that the reorganization includes territory that is subject to a land conservation contract executed pursuant to the Williamson Act, and based on substantial evidence in the record, determines that the City of Clovis shall succeed to the rights, duties, and powers of the County pursuant to Government Code Section 51243.

Section #4. This Commission finds pursuant to the CKH that the territory is inhabited and not all landowners, registered voters, and affected agencies have consented to the reorganization.

Section #5. This Commission finds that the notice mailed on December 21, 2015, was given to all landowners and registered voters within the affected territory, as well as within 300 feet of the affected territory, disclosed that there is potential for the extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agencies in the affected territory, and that the Commission intends to waive protest proceedings pursuant to section 56663(b)(c) unless written opposition is received before the conclusion of the Commission proceedings on this proposal.

Section #6. This Commission approves the reorganization and assigns the distinctive short form designation "Leonard-Dakota Southeast Reorganization," and approves the annexation and detachments subject to the following condition of approval:

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.

Section #7. This Commission finds that no written opposition to the proposal was received prior to the conclusion of the hearing, waives further conducting authority proceedings and orders the reorganization subject to the requirements of CKH and the 30-day reconsideration period.

Section #7. 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 Executive Officer.

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 13TH DAY OF JANUARY, 2016, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, SANTOYO, PACHECO, PEREA, 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 13th day of January, 2016.



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

LEONARD-DAKOTA SOUTHEAST REORGANIZATION

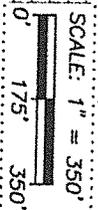
ANNEXATION TO THE CITY OF CLOVIS AND DETACHMENT FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT

A PORTION OF SECTION 24, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B. & M.
 DECEMBER 18, 2015

LEGEND

- P.O.B. POINT OF BEGINNING
- F.C.R. FRESNO COUNTY RECORDS
- ① COURSE CALL OF LEGAL DESCRIPTION
- ⋯ EXISTING CITY LIMITS

AREA TO BE DETACHED FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT, KINGS RIVER CONSERVATION DISTRICT, AND ANNEXED TO THE CITY OF CLOVIS



LINE	BEARING	DISTANCE
L1	S45°22'48"W	70.64'
L2	S77°09'05"W	85.21'
L3	N70°49'45"W	166.43'
L4	N65°55'37"W	379.75'

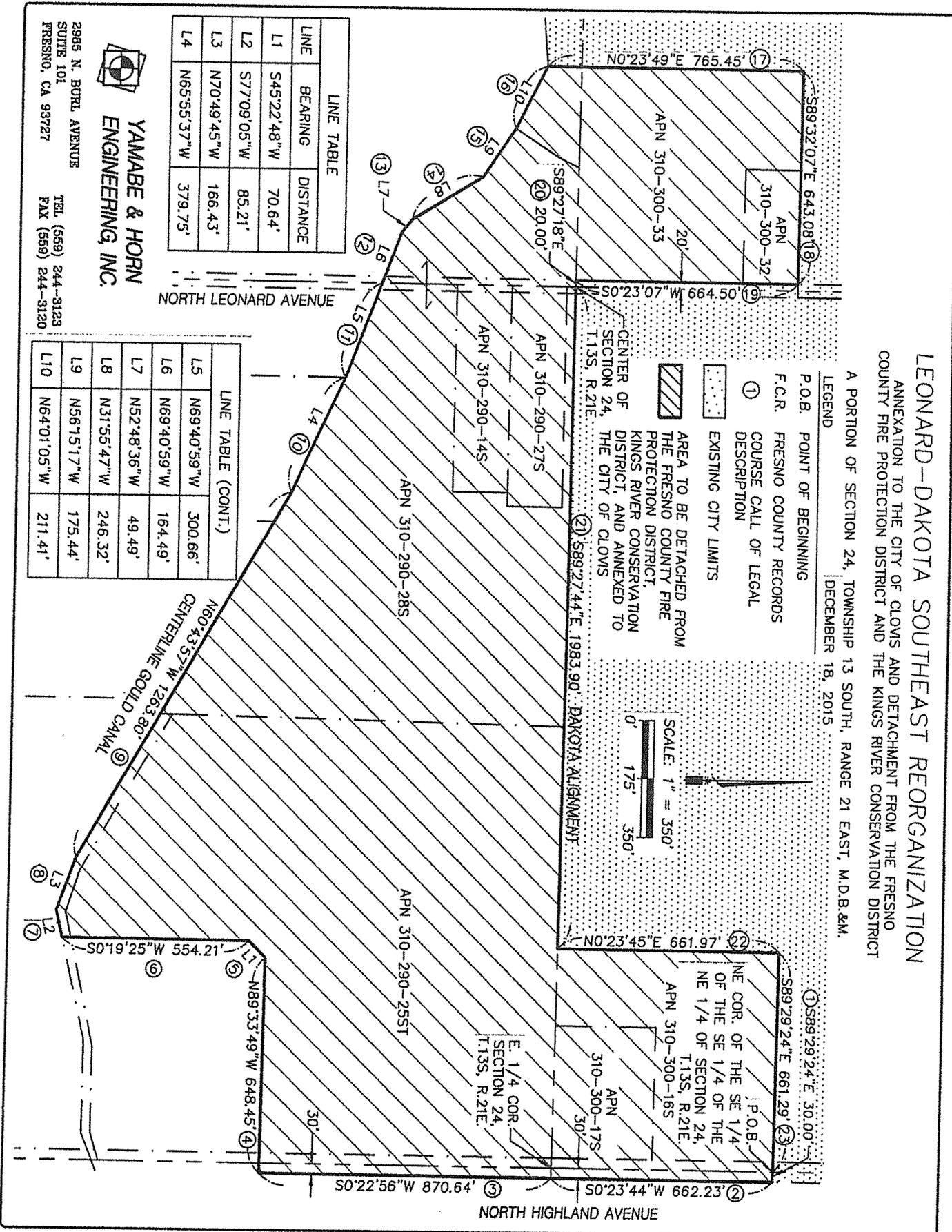
LINE	BEARING	DISTANCE
L5	N69°40'59"W	300.66'
L6	N69°40'59"W	164.49'
L7	N52°48'36"W	49.49'
L8	N31°55'47"W	246.32'
L9	N56°15'17"W	175.44'
L10	N64°01'05"W	211.41'



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NORTH HIGHLAND AVENUE

NORTH LEONARD AVENUE

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