

RESOLUTION NO. 46

**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
FRESNO COUNTY, CALIFORNIA**

In the Matter of:

LAFCo Determination:

REQUEST BY THE EASTERBY KINGS)
CANYON HOMEOWNERS ASSOCIATION)
TO WAIVE RECONSIDERATION FEE)
FOR THE "BELMONT-SUNNYSIDE NO. 3)
REORGANIZATION (ISLAND ANNEXATION")

APPROVED REQUEST TO
WAIVE RECONSIDERATION FEE

WHEREAS, a written request from the Easterby Kings Canyon Homeowners Association was received and considered by the Commission to waive the to waive the reconsideration fee for the "Belmont-Sunnyside No. 3 Reorganization (Island Annexation)"; and

WHEREAS, Section 350.08 of Fresno LAFCo's adopted Policies, Standards, and Procedures (Fee Schedule-Exceptions to Required Fees), state that the Commission may take action on a four-fifths affirmative vote to "waive" filing fees if the imposition of such fee(s) would be detrimental to the public interest as determined by the Commission; and

WHEREAS, the Executive Officer reviewed said request and prepared a report to this Commission, said report having been mailed at least five days before the public hearing; and

WHEREAS, said report was duly considered by this Commission pursuant to State Law; 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 RESOLVE, DETERMINE, AND ORDER as follows:

Section #1. This Commission finds that imposition of the \$500 reconsideration fee would be detrimental to the public interest and waives the reconsideration fee.

Section #2. This Commission hereby directs the Executive Officer to forward a copy of this resolution to the Easterby Kings Canyon Homeowners Association.

ADOPTED THIS 15th DAY OF APRIL, 2009, BY THE FOLLOWING VOTE:

AYES: Commissioners Fortune, Rodriquez, Anderson, Perea, Lopez

NOES: None

ABSENT: None

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

CERTIFICATION

I, Victor Lopez, Chairman 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 15th day of April, 2009.



**Victor Lopez, Chairman
Fresno Local Agency Formation Commission**