

RESOLUTION NO. AD-08-1

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

**A REQUEST BY LANDOWNER PETITION) APPROVE
FOR APPROVAL OF THE "JAMES)
IRRIGATION DISTRICT ANNEXATION)
(GORDON PROPERTY)")**

WHEREAS, preliminary proceedings were initiated by the Landowner Petition to annex to the James Irrigation District, 86.20 acres of territory located north of Springfield Avenue and adjacent to the southwesterly line of the Union Pacific Railroad within the City of San Joaquin, said territory as shown within Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, the Executive Officer issued a Certificate of Sufficiency for the Petition of said proposal and said proposal was accepted for filing by the Executive Officer and set for hearing on the 4th day of February, 2009, at the hour of 1:30 p.m.; and

WHEREAS, all owners of land within the territory proposed to be annexed have given written consent to such proposal; and

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

WHEREAS, the Executive Officer reviewed said application and prepared a report, including a recommendation, said report having been mailed to and considered by this Commission; and

WHEREAS, the James Irrigation District determined that the proposed Annexation is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15320, "Changes in Organization of Local Agencies"; and

WHEREAS, this Commission considered all relevant factors and heard all interested parties wishing to speak to said proposal.

NOW, THEREFORE, BE IT RESOLVED that the Local Agency Formation Commission of the County of Fresno 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 project is 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.

Section #2. This Commission finds that the proposed annexation is consistent with LAFCo Policies, Standards and Procedures Section 220 – Standards for District Annexation for

Rural or Regional Services (01-08), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section #3. This Commission assigns the distinctive short form designation "James Irrigation District Annexation (Gordon Property)":

Section #4. This Commission finds and determines pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that:

- A. The territory is uninhabited.
- B. All landowners and affected agencies have consented to the annexation.

Section #5. This Commission waives further Conducting Authority Proceedings and orders the annexation subject to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and the 30 day-reconsideration period.

Section #6. This Commission's actions approving this proposal shall expire one year from the date of this Resolution unless all proceedings are complete, including the issuance of a Certificate of Completion by the Executive Officer.

Section #7. The Executive Officer is hereby authorized and directed to mail certified 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 4th DAY OF FEBRUARY, 2009, BY THE FOLLOWING VOTE:

AYES: Commissioners Rodriguez, Fortune, Perea, and Anderson


NOES: None

ABSENT: Commissioner Lopez

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

CERTIFICATION

I, Susan Anderson, Chair Pro Tem 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 4th day of February, 2009.







**Susan Anderson, Chair Pro Tem
Fresno Local Agency Formation Commission**

EXHIBIT "A"



Legend

-  James Irrigation District
-  Affected Territory
-  City Sphere of Influence
-  City Limits

James Irrigation District
Annexation (Gordon Property)
LAFCo File No. AD-08-1

