

RESOLUTION NO. RO-10-1

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

**A REQUEST BY THE CITY OF REEDLEY FOR) APPROVED WITH CONDITIONS
APPROVAL OF THE "MANNING-ZUMWALT)
REORGANIZATION, ANNEXATION NO. 2008-1")**

WHEREAS, reorganization proceedings were initiated by the City of Reedley to annex 82.3 acres to the City of Reedley and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located at the southwest corner of Manning and Zumwalt Avenues, said territory being described within Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, an application was submitted to this Commission by the City of Reedley 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 June, 2010, at the hour of 1:30 p.m.; and

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

WHEREAS, a Master Property Tax Sharing Agreement has been entered into between the City of Reedley and the County of Fresno, the responsible local agencies for the exchange of property tax revenues covering this reorganization; and

WHEREAS, the County of Fresno submitted a letter to this Commission stating that the County has determined that the proposed annexation of the affected territory to the City of Reedley is consistent with the Master Property Tax Sharing Agreement; and

WHEREAS, the Executive Officer reviewed the 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 the public hearing; and

WHEREAS, said report 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 City of Reedley, 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 reorganization 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 determines these documents to be adequate pursuant to CEQA Guidelines Section 15096.

Section #2. This Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures Section 210 - Standards for Annexation to Cities and Urban Service Districts (01-10), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Section #3. This Commission assigns the distinctive short form designation "Manning-Zumwalt Reorganization, Annexation No. 2008-1" and approves the reorganization (annexation and detachments) subject to the following conditions of approval:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, this Commission finds that prior to approving the proposed reorganization 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 determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.
- B. This Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures Section 210 - Standards for Annexation to Cities and Urban Service Districts (01-10), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.
- C. This Commission assigns the distinctive short form designation "Manning-Zumwalt Reorganization, Annexation No. 2008-1" and approves the reorganization (annexation and detachments) subject to the following conditions of approval:
 1. The City of Reedley shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with the final tract map approved by the City for the affected territory.
 2. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.
- D. This Commission finds pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("Act") that:
 1. The territory is uninhabited.
 2. All landowners and affected agencies have consented to the annexation.

- E. This Commission waives further Conducting Authority Proceedings and orders the annexation and detachments subject to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the 30-day reconsideration period, and compliance with all of the above conditions.

Section #4. 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.

Section #5. This Commission's actions approving this reorganization shall expire one year from the date of this Resolution unless all proceedings are complete, including compliance with all conditions of approval, Terms and Conditions, and the issuance of a Certificate of Completion by the Executive Officer.

ADOPTED THIS 9th DAY OF JUNE, 2010, BY THE FOLLOWING VOTE:

AYES: Commissioners Rodriguez, Fortune, Perea, Lopez

NOES None

ABSENT: Commissioner Anderson

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

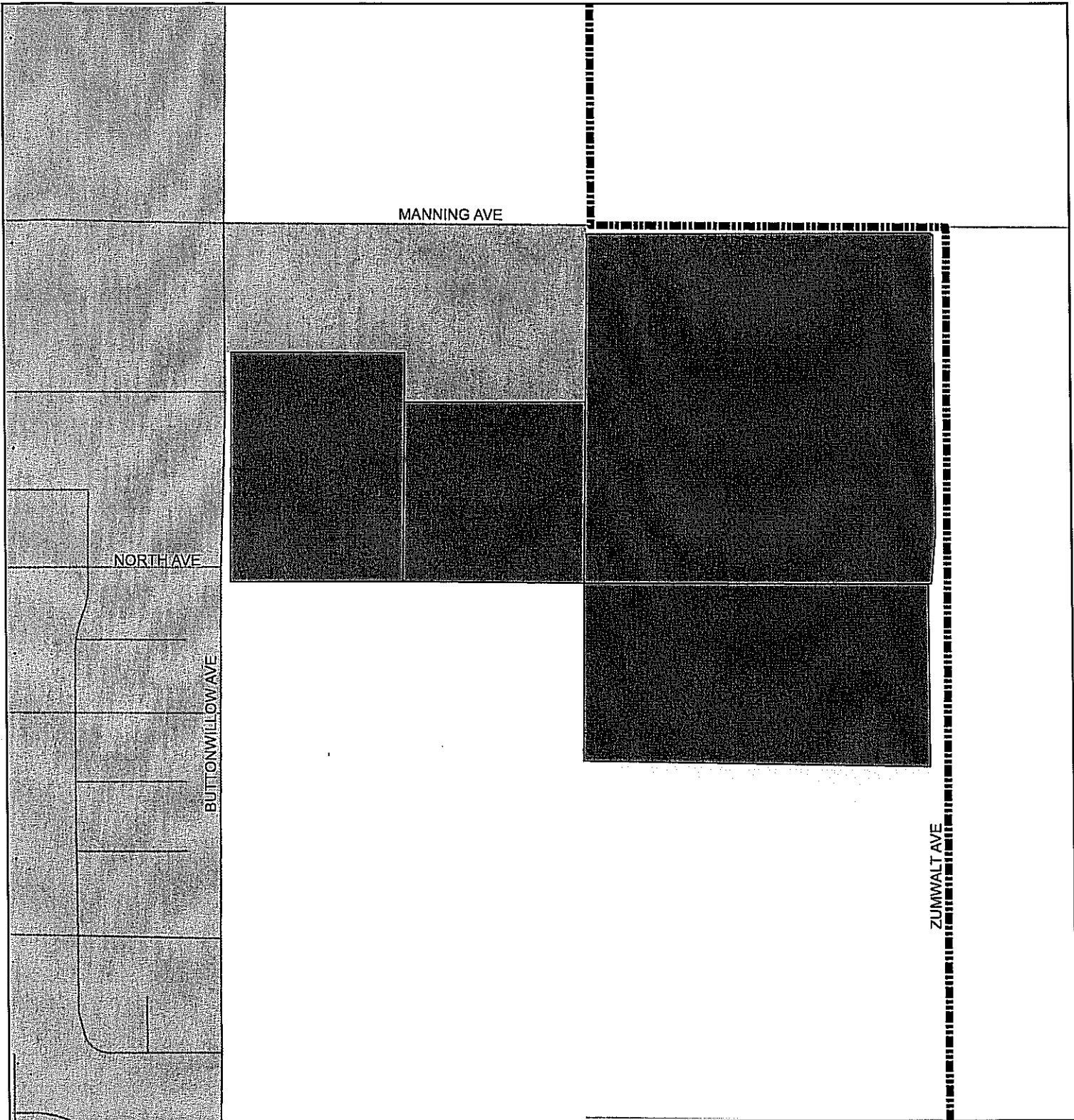
CERTIFICATION

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 9th day of June, 2010.






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

EXHIBIT "A"



Legend

-  Sphere of Influence
-  City Limits
-  Affected Territory

City of Reedley "Manning-Zumwalt
Reorganization, Annexation 2008-1"
LAFCo File No. RO-10-1

