

**RESOLUTION NO. OS-09-1**

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

**CONTINUING HEARING ON EXTENSION ) CONTINUED TO APRIL 15, 2009  
OF MUNICIPAL SERVICES FOR THE )  
AQUARIUS AQUARIUM, INC. )**

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**WHEREAS**, preliminary proceedings were initiated by the Aquarius Aquarium Institute to extend municipal water, sewer, and fire (fire hydrants only) services from the City of Fresno to the Aquarius Aquarium project site located approximately 1,500 feet north of W. Herndon Avenue, adjacent to and southwest of State Route 99, and approximately 900 feet east of the San Joaquin River; and

**WHEREAS**, an application for said proposal was accepted for filing by the Executive Officer of this Local Agency formation Commission; and

**WHEREAS**, said application was set for hearing by the Executive Officer on the 11<sup>th</sup> day of March, 2009, at the hour of 1:30 p.m. of said day; and

**WHEREAS**, notice of the hearing of said application was duly given by mail, posting, and newspaper publication as required by State law; and

**WHEREAS**, a recommendation had been made by LAFCo Counsel to continue the hearing on Sphere of Influence Revision #SOI-152 to allow staff to determine the extent to which LAFCo, acting as the "Responsible Agency" under the California Environmental Quality Act (CEQA) had either been given or not given proper opportunity to comment upon the Negative Declaration prepared for the project as provided for in Government Code Section 15096 (CEQA-Process for a Responsible Agency); and

**WHEREAS**, it was determined that action upon the subject proposal could not take place prior to action being taken on the Sphere of Influence Revision Proposal.

**NOW, THEREFORE, BE IT RESOLVED** that the hearing on the Extension of Services request be continued to the hour of 1:30 p.m. on the 15<sup>th</sup> day of April, 2009.

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**ADOPTED THIS 11<sup>th</sup> DAY OF MARCH, 2009, BY THE FOLLOWING VOTE:**

- AYES:** Commissioners Rodriguez, Anderson, Fortune, Perea, Lopez
- NOES:** None
- ABSENT:** None

STATE OF CALIFORNIA)  
COUNTY OF FRESNO )

CERTIFICATION

I, Victor P. 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 11<sup>th</sup> day of March, 2009.



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Victor P. Lopez, Chairman  
Fresno Local Agency Formation Commission