

RESOLUTION NO. RO-08-14B

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

IN THE MATTER OF

LAFCO DETERMINATION

REQUEST FOR RECONSIDERATION OF)
RESOLUTION NO.RO-8-14A CONDITIONALLY)
APPROVING THE "BELMONT-SUNNYSIDE)
NO. 3 REORGANIZATION (ISLAND)
ANNEXATION)")

APPROVE REQUEST FOR
RECONSIDERATION

WHEREAS, reorganization proceedings were initiated by the City of Fresno to annex 94 acres to the City of Fresno and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and County Service Area No. 7 for territory generally located at the southwest corner of E. Belmont and N. Sunnyside Avenues, said territory being the "Belmont-Sunnyside No. 3 Reorganization (Island Annexation)" described within Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, a public notice to consider the "Belmont-Sunnyside No. 3 Reorganization (Island Annexation)" proposal was given as required by State Law; and

WHEREAS, on March 11, 2009, the Commission conditionally approved the "Belmont-Sunnyside No. 3 Reorganization (Island Annexation)" by adoption of Resolution No.RO-08-14A"; and

WHEREAS, pursuant to Government Code Section 56895, the Executive Officer received a timely and proper written request for reconsideration of the Commission's Resolution of approval from the Easterby Kings Canyon Homeowners Association; and

WHEREAS, the Executive Officer placed the request for reconsideration for public hearing before the Commission on May 13, 2009; and

WHEREAS, public notice of the reconsideration request was made in the same manner as for the original proposal, and mailed notice was sent to all interested agencies and individuals in accordance with State law requirements; and

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

WHEREAS, pursuant to State law this Commission considered all relevant factors and evidence and heard all interested parties wishing to testify upon said request.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does **HEREBY STATE, FIND, RESOLVE, DETERMINE, AND ORDER** as follows:

Section #1. This Commission finds and determines that the request for reconsideration contained sufficient new information to consider modifications to Resolution No.RO-08-14A.

Section #2 – This Commission finds and determines that there are new or different facts that could not have been presented previously that warrant reconsideration of Resolution No.RO-09-14 under Government Code Section 56895.

Section #3. This Commission hereby grants the reconsideration request.

Section #4. The Executive Officer is hereby authorized and directed to mail certified copies of this Resolution as provided for in Government Code Section 56882.

* * * * *

ADOPTED THIS 13th DAY OF MAY, 2009, BY THE FOLLOWING VOTE:

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

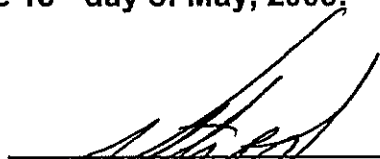
NOES None

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 13th day of May, 2009.





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

EXHIBIT "A"



Legend

-  City Limits
-  Affected Territory

City of Fresno "Belmont-Sunnyside
No. 3 Reorganization" (Island Annexation)
LAFCo File No. RO-08-14

