

RESOLUTION NO. RO-10-3

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

In the Matter of:

LAFCo Determination

**A REQUEST BY THE ORANGE COVE) APPROVED WITH CONDITIONS
IRRIGATION DISTRICT FOR APPROVAL OF)
"REORGANIZATION 2009-1, ORANGE COVE)
IRRIGATION DISTRICT")**

WHEREAS, reorganization proceedings were initiated by the Orange Cove Irrigation District to annex three areas located in Tulare County totaling 105.22 acres to the Orange Cove Irrigation District and detach two areas located in Fresno County totaling 120.42 acres from the Orange Cove Irrigation District; and

WHEREAS, the proposed reorganization was accepted for filing by the Executive Officer and set for public hearing on the 14th day of July, 2010, at the hour of 1:30 p.m.; and

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

WHEREAS, at its July 14, 2010 meeting, at the request of the Orange Cove Irrigation District, the Commission continued the hearing to the September 8, 2010 to allow the District an opportunity to work with the respective property owners and/or re-size their application; and

WHEREAS, the application was continued to the September 8, 2010 hearing date and

WHEREAS, the Executive Officer reviewed the application and prepared a report to this Commission, including a recommendation for approval, 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, the Orange Cove Irrigation District prepared an Initial Study to evaluate the potential environmental effects of the proposal, determined that the project will not have a significant impact on the environment, and filed a Negative Declaration and Notice of Determination with the County Clerk; 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 determined 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 (01-13), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the "Act").

Section #3. This Commission finds that approval of the proposed reorganization is based on sufficient information that was provided to the Commission in the Initial Study and Negative Declaration for the "project", the Executive Officer's report to the Commission, and all other testimony and information provided by persons and interested agencies, and is in compliance with state law, including, but not limited to, the Act, and Commission Policies, Standards and Procedures.

Section #4. This Commission assigns the distinctive short form designation "Reorganization No. 2009-10, Orange Cove Irrigation District" and approve the reorganization (annexations and detachments).

Section #5. 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.

Section #6. This Commission waives further Conducting Authority Proceedings and orders the annexations and detachments subject to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the 30-day reconsideration.

Section #7. This Commission's actions approving this proposal 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.

Section #8. 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 8TH DAY OF SEPTEMBER, 2010, BY THE FOLLOWING VOTE:

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

NOES None

ABSENT: None

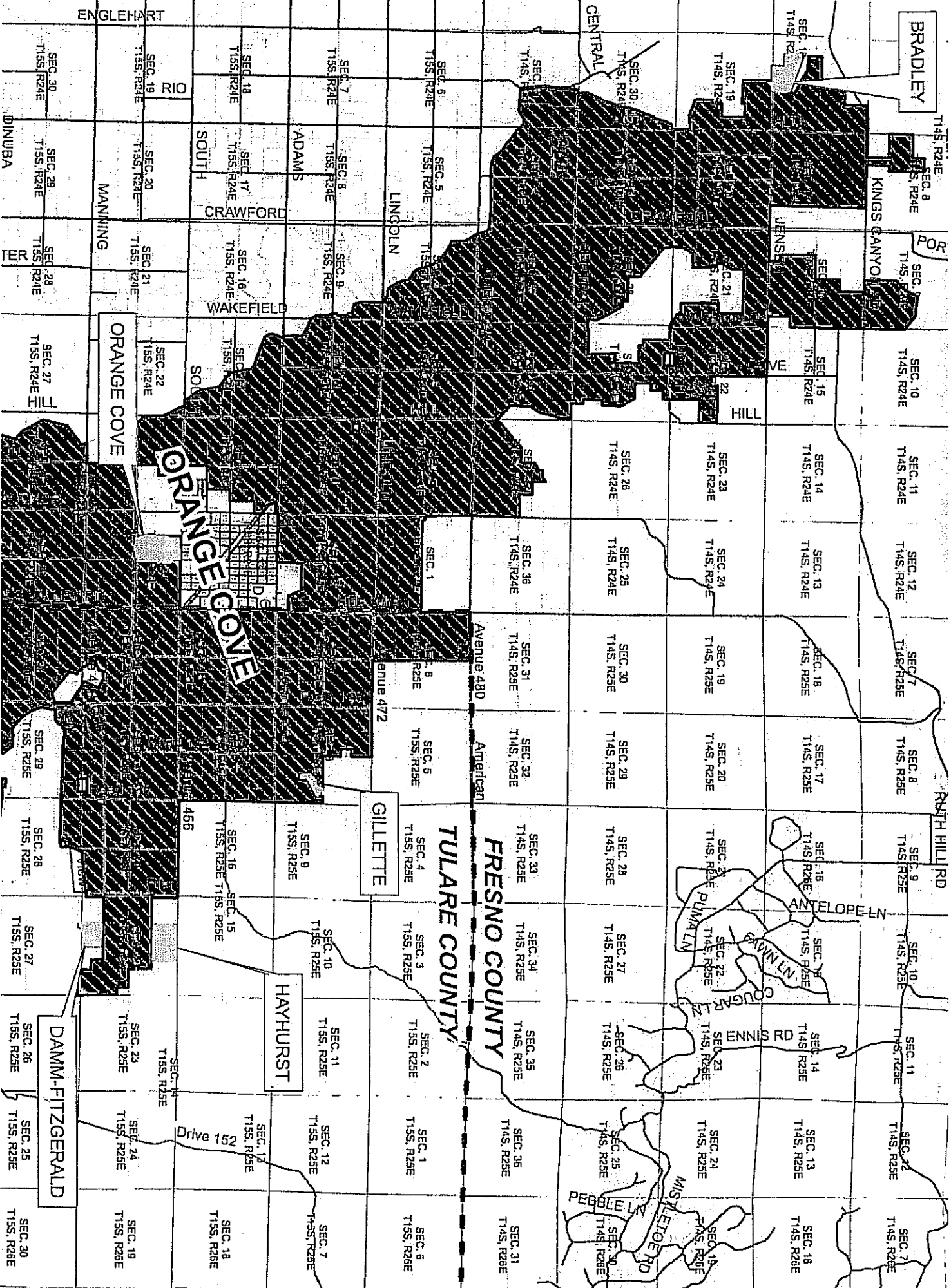
**STATE OF CALIFORNIA)
COUNTY OF FRESNO)**

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 8th day of September, 2010.



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



BRADLEY

KINGS CANYON

JENSEN

HILL

ORANGE COVE

GILLETTE

HAYHURST

DAMM-FITZGERALD

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