

RESOLUTION NO. AD-19-2

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE “TRANQUILLITY RESOURCE CONSERVATION DISTRICT
ANNEXATION” WITH CONDITIONS
(LAFCO FILE NO. AD-19-2)**

WHEREAS, on August 20, 2019, the Tranquillity Resource Conservation District (“Tranquillity RCD”) submitted an application to amend the sphere of influence of Tranquillity RCD to the Fresno Local Agency Formation Commission (“LAFCo” or “Commission”) as required by State law; and

WHEREAS, annexation proceedings related to the SOI amendment were initiated by the Tranquillity RCD to annex approximately 89,085 acres to the Tranquillity RCD for territory generally conterminous with the McMullin Area Groundwater Sustainability Agency said territory being described by Attachment “A,” attached hereto and by this reference incorporated herein; and

WHEREAS, upon completion of the Municipal Service Review for the associated amendment of the sphere of influence of the Tranquillity RCD the application for said proposed annexation was accepted for filing and the Executive Officer set the hearing for the Proposal for the 12th day of May 2021, at the hour of 1:30 p.m.; and

WHEREAS, notice of the hearing to consider the proposed annexation was given as required by State law; and

WHEREAS, at this hearing, the Commission adopted an update of the Tranquillity RCD sphere of influence; and

WHEREAS, the Executive Officer reviewed the proposed annexation and prepared a report to the Commission, including a recommendation for approval upon certain conditions, said report having been mailed at least five days before said hearing and was duly considered by the Commission pursuant to State law; and

WHEREAS, acting as “Responsible Agency” under the California Environmental Quality Act (“CEQA”) the Commission considered the CEQA documents filed and adopted by the Tranquillity RCD acting as the “Lead Agency” under CEQA for the proposed annexation, which was included in the Executive Officer’s report to the Commission; and

WHEREAS, the Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on the proposed annexation.

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

Action 1:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act ("CEQA") Guidelines, find that prior to approving the proposed annexation, the environmental effects of the Proposal 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.

ADOPTED THIS 12th DAY OF MAY 2021 BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, SANTOYO, MAGSIG, YEP, BRANDAU

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Action 2:

- B. Find that the proposed annexation is consistent with LAFCo Policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH").
- C. Find pursuant to CKH and information in the record that:
 - a. The territory is inhabited; and
 - b. Not all landowners and registered voters have consented to the annexation.
- D. Assign the distinctive short form designation "Tranquillity Resource Conservation District Annexation" and approve the annexation subject to the following conditions of approval:
 - a. Pursuant to Fresno LAFCo Policy 103-05, the Executive Officer shall record the approved application if all conditions have been satisfied and once, he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.
 - b. Submittal of corrected legal description and map.
- E. Find that on April 21, 2021, notice was given pursuant to state law and disclosed that there is potential for the extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agency in the affected territory, and that the Commission intends to waive protest proceedings pursuant to section 56663(a)(b)(c) unless written opposition is received before the conclusion of the Commission proceedings.

- F. Waive further Conducting Authority Proceedings and order the annexation subject to the requirements of CKH.
- G. Find that no written opposition to the proposal was received prior to the conclusion of the hearing and approve the proposal subject to the requirements of the CKH, the 30-day reconsideration period, and compliance with all of the above conditions, and waive further conduction Authority Proceedings.
- H. Approve the proposal consisting of the annexation of approximately 89,085 acres to the Tranquillity RCD for territory generally conterminous with the McMullin Area Groundwater Sustainability Agency (Exhibit A).

ADOPTED THIS 12th DAY OF MAY 2021 BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS YEP, MAGSIG, PARRA, SANTOYO, BRANDAU

NOES: NONE


ABSENT: NONE

ABSTAIN: NONE

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

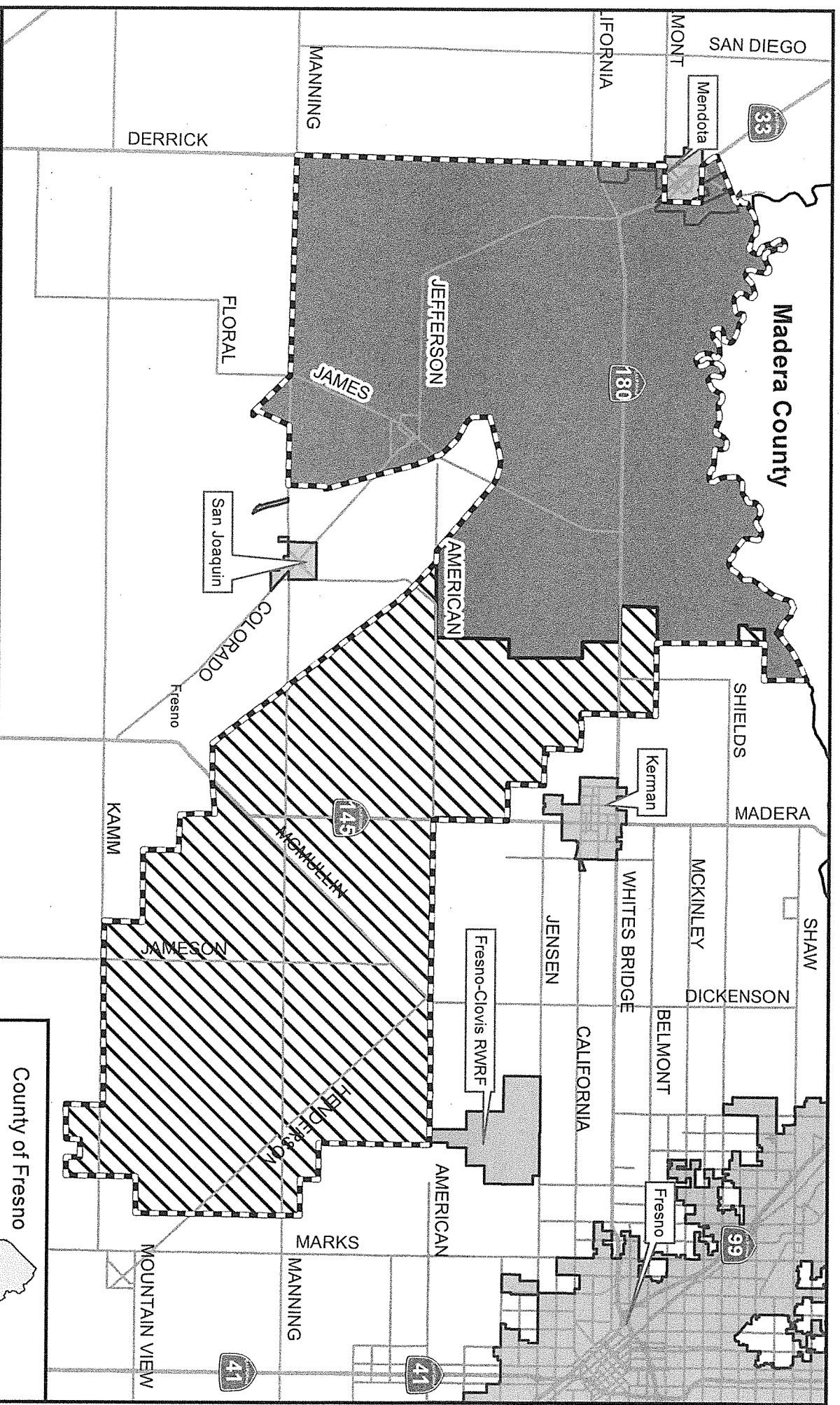
CERTIFICATION



I, David E. Fey, Executive Officer, Fresno Local Agency Formation Commission, hereby certify that the foregoing resolution was adopted by the Commission on the 12th day of May 2021.



 David E. Fey, Executive Officer
 Fresno Local Agency Formation Commission

EXHIBIT A Proposed Tranquillity Resource Conservation District annexation



-  District Service Area
-  Affected territory

Fresno Local Agency Formation Commission

Map prepared: 04/21/2021

