

RESOLUTION NO. MSR-19-02A / USOI-198

A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND ADOPTING AN ADDENDUM TO AN EXISTING MUNICIPAL SERVICE REVIEW; MAKING SPHERE OF INFLUENCE DETERMINATIONS FOR THE CITY OF CLOVIS LANDFILL FACILITY

WHEREAS, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH"), the Fresno Local Agency Formation Commission is required to review and update, as necessary, spheres of influence ("SOI") of local agencies not less than once every five years; and,

WHEREAS, the City of Clovis submitted an application (File No. USOI-198 Clovis Landfill SOI Update) and supporting materials to this Commission pursuant to Government Code section 56428 requesting LAFCo to determine a 447-acre SOI that encompasses the existing Clovis Landfill Facility and additional land that will facilitate planned, orderly, and efficient growth of the City's Landfill Facility (Attachment A); and,

WHEREAS, CKH directs the Commission to conduct a Municipal Service Review ("MSR") no later than the time it considers an action to either determine, amend, or update a SOI for a local agency; and,

WHEREAS, on April 3, 2019, the Commission adopted Resolution No. MSR-19-2/SOI-185, and made the required written determinations and recommendations for the Clovis MSR and SOI update pursuant to Government Code sections 56430 and 56425; and,

WHEREAS, the Executive Officer reviewed the 2019 Clovis MSR and SOI written determinations and found that no subsequent environmental or service conditions will result from the Clovis Landfill SOI determination; and,

WHEREAS, the Executive Officer prepared an addendum to the 2019 Clovis MSR in response to the Clovis Landfill SOI Update application because it warrants a minor technical change to the 2019 Clovis MSR and SOI determinations; and,

WHEREAS, the Executive Officer published the addendum to the 2019 Clovis MSR on the Commission's website and provided a mailed 21-day public notice to all affected local agencies and landowners within the affected territory; and,

WHEREAS, notice of the Commission hearing for the Clovis Landfill SOI update was duly given in a publication of general circulation as required by CKH, at the time, in the form, and manner provided by law; and,

WHEREAS, the Executive Officer reviewed said application and prepared a staff report to the Commission, including a recommendation for approval, said report having been mailed to each affected local agency within the affected territory and interested individuals pursuant to Government Code section 56428(c); and

WHEREAS, at the duly noticed public meeting, held on July 8, 2020, the Commission heard, discussed, and considered all relevant evidence, including but not limited to the addendum to the MSR determinations and recommendations, environmental review documentation, and all testimony, correspondence, and attachments received during the public hearing process.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does hereby DETERMINE AND ORDER, as follows:

- A. Acting as Lead Agency pursuant to California Environmental Quality Act ("CEQA") Guidelines find that the MSR addendum prepared for the City is Categorically Exempt from the provisions of CEQA under section 15306, "Information Collection."

ADOPTED THIS 8th DAY OF July 2020, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS MENDES, YEP, PACHECO, SANTOYO, PARRA,

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- B. Acting as Responsible Agency pursuant to CEQA Guidelines, find that prior to approving the Clovis Landfill SOI update, the environmental effects of the Proposal as shown in Environmental Impact Report for the Clovis Landfill Expansion (SCH #2002091105); and the Initial Study, and Addendum prepared pursuant to Section 15164 of CEQA for the Clovis Landfill Buffer No. 4 SOI update, prepared and certified by the City of Clovis as Lead Agency, were reviewed and considered, and determine these documents to be legally adequate pursuant to CEQA Guidelines.

ADOPTED THIS 8th DAY OF JULY 2020, BY THE FOLLOWING VOTE:

AYES: COMMISSIONER MENDES, YEP, PACHECO, SANTOYO, PARRA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- C. Receive this report and any public testimony regarding the proposed Municipal Service Review addendum and proposed sphere of influence update.
- D. Approve the recommended Municipal Service Review determination addendum, together with any changes deemed appropriate.
- E. Approve the recommended sphere of influence update determination addendum, together with any changes deemed appropriate.
- F. Determine that the Clovis Landfill SOI update is consistent with the 2014 Clovis General Plan.
- G. Revise the City of Clovis sphere of influence to include 447 acres of the Clovis Landfill as depicted in **Attachment A**.

ADOPTED THIS 8th DAY OF JULY 2020, BY THE FOLLOWING VOTE:

AYES: COMMISSIONER MENDES, YEP, PACHECO, SANTOYO, PARRA

NOES: NONE

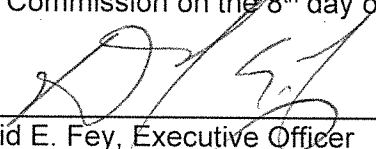
ABSENT: NONE

ABSTAIN: NONE

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

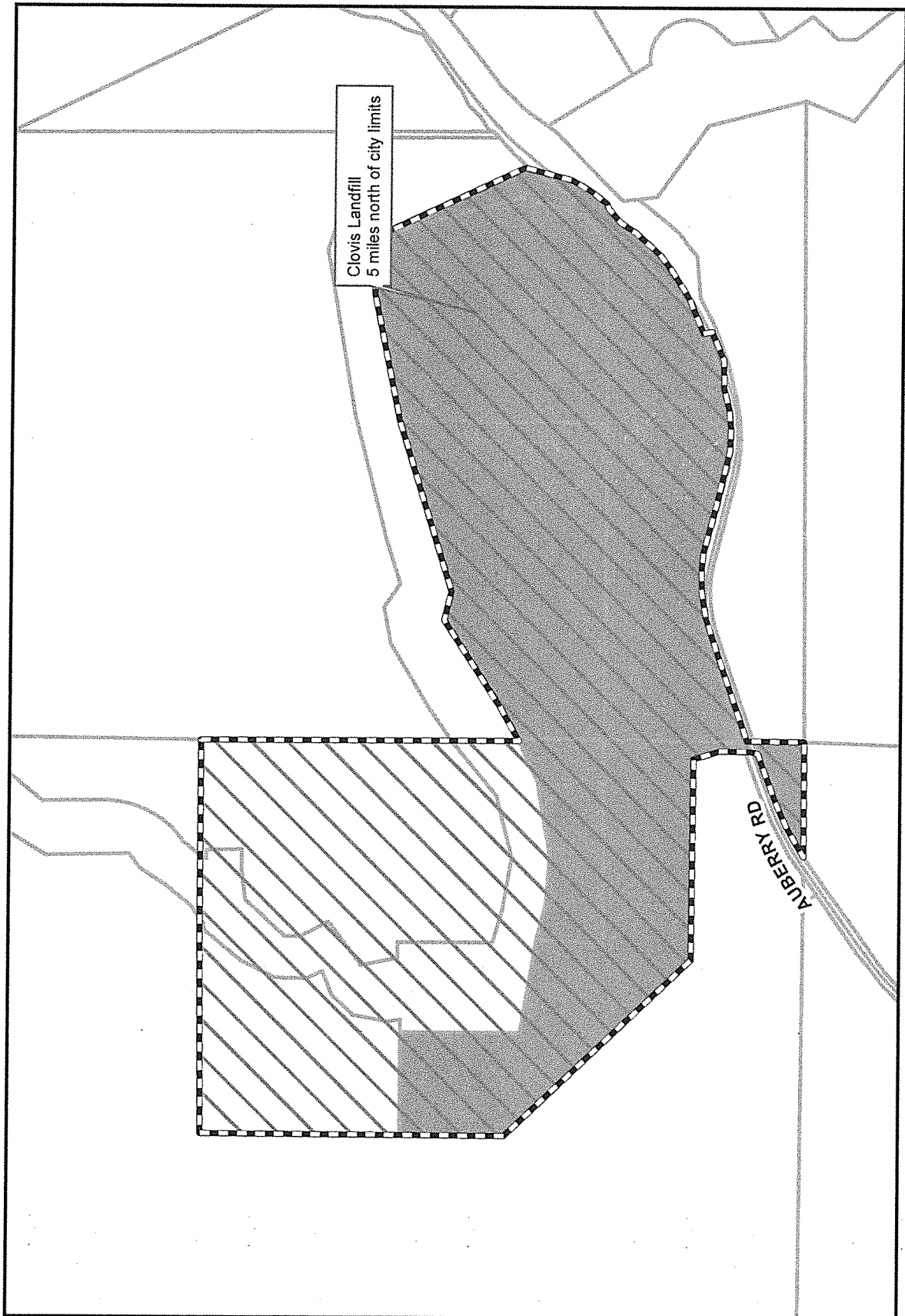
CERTIFICATION


I, David E. Fey, Executive Officer, Fresno Local Agency Formation Commission, hereby certify that the foregoing resolution was adopted by the Commission on the 8th day of July 2020.




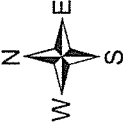
David E. Fey, Executive Officer
Fresno Local Agency Formation Commission

Proposed Clovis Landfill SOI update



 Proposed SOI update

 Clovis city limits, Landfill



Clovis city limits: 16,244
Clovis SOI: 22,145 acres
Total proposed SOI update: 447 acres