

RESOLUTION NO. RO-21-10

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE CITY OF KINGSBURG “KAMM-BETHEL NORTHWEST
REORGANIZATION” WITH CONDITIONS
(LAFCO FILE NO. RO-21-10)**

WHEREAS, reorganization proceedings were initiated by the City of Kingsburg consisting of the annexation of 22 acres to the City of Kingsburg and Selma-Kingsburg-Fowler County Sanitation District and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory generally located on the north side of Kamm Avenue, southwest of State 99, said territory being described by Attachment “A,” attached hereto and by this reference incorporated herein; and

WHEREAS, the application was submitted to the Fresno Local Agency Formation Commission (“LAFCo” or “Commission”) by the City of Kingsburg as required by State law, and the application for said proposed reorganization was accepted for filing by the Executive Officer and set for hearing on the 9th day of February 2022, at the hour of 1:30 p.m.; and

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

WHEREAS, the Executive Officer reviewed the Proposal 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 City of Kingsburg acting as the “Lead Agency” under CEQA for the Proposal and associated rezoning, 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 Proposal.

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

- A. Acting as a 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 9th DAY OF FEBRUARY 2022 BY THE FOLLOWING VOTE:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures 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 uninhabited; and
 - b. All landowners and affected agencies have consented to the reorganization.
- D. Assign the distinctive short form designation "Kamm-Bethel Northwest Reorganization" and approve the annexation and detachments subject to the following conditions of approval:
 - a. Ownership of land permitting, the annexation shall include the full-width right-of-way along Kamm Avenue.
 - b. Submittal of corrected legal description and map.
 - c. Satisfactory verification that the City has accepted a final map shall be submitted to the Executive Officer prior to completion (recordation) of the annexation.
 - d. The Selma-Kingsburg-Fowler County Sanitation District's annexation fee shall be paid to the District prior to recordation. The proponents shall provide evidence to the Executive Officer as verified by the District that the condition has been met prior to recordation
 - e. 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.
- E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

ADOPTED THIS 9th DAY OF FEBRUARY 2022 BY THE FOLLOWING VOTE:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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

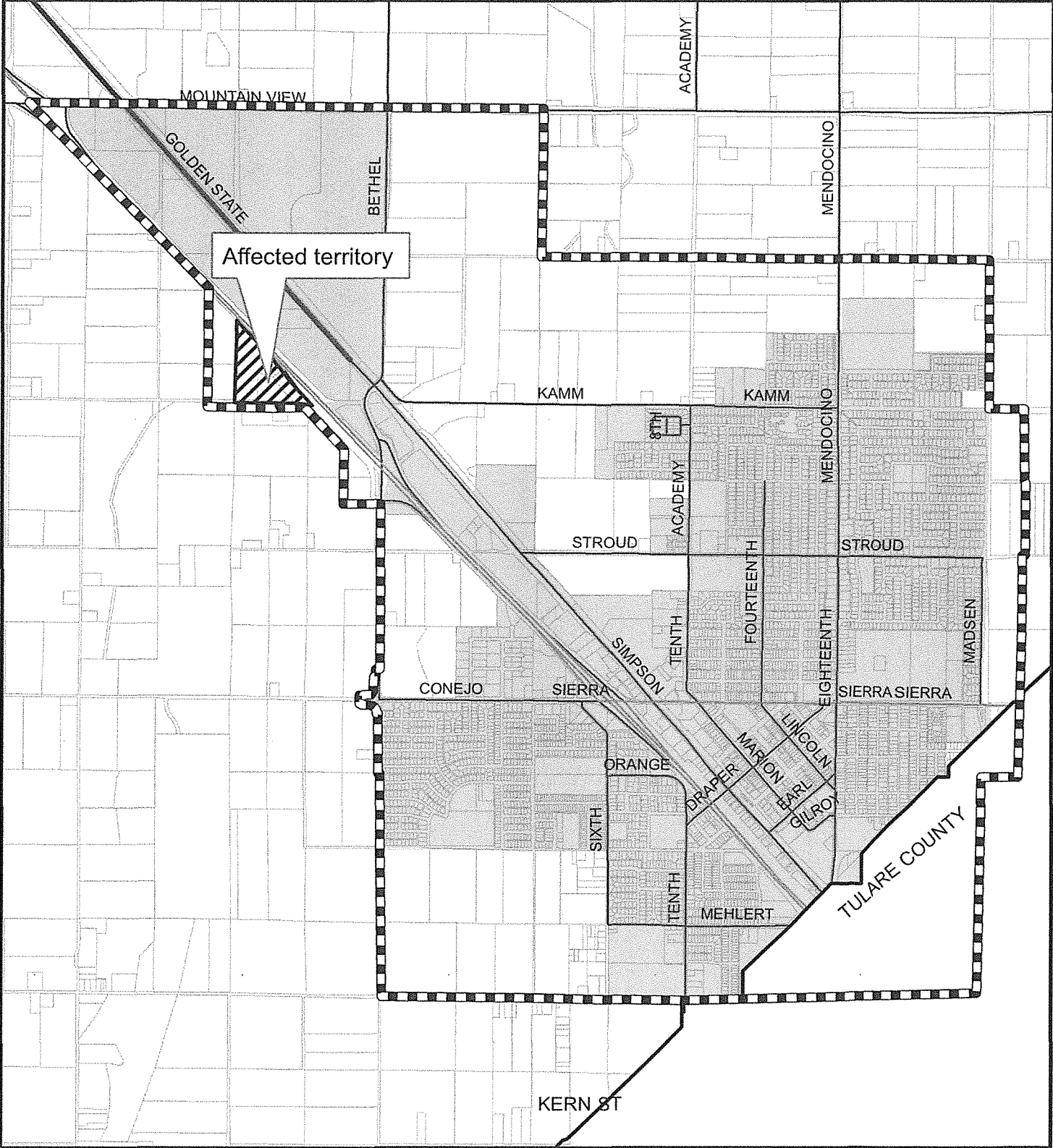
CERTIFICATION

I, David E. Fey, Executive Officer, Fresno Local Agency Formation Commission, hereby certify that the foregoing resolution was adopted by the Commission on the 9th day of February 2022.



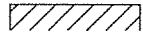


David E. Fey, Executive Officer
Fresno Local Agency Formation Commission

ATTACHMENT A



Fresno Local Agency Formation Commission

-  Sphere of Influence
-  City limits
-  Affected territory

