LAFCO PROCEDURE CHECKLIST

RO-08-3	CITY OF MENDOTA WASTEWATER TRESTMENT PLANT	JANUARY 30, 2008
File Number	Application Name	Date Received

ANNEX TO CITY OF MENDOTA, DETACH FROM FRESNO CO. FIRE, ~~KINGS CNTY FIRE~~ CONS. & CONS. IRR. DISTS. & SCDD
Subject Agency(s)

Inhabited ☐ Uninhabited ☒ Public Hearing ☐ 100% Consent X Land Conservation ☐

Sphere of Influence Consistency ☐ Sphere Revision Needed X SOI File Number RSOI-150

☐ Request Info. from Proponent _____ Date Requested _____ Date Completed

☐ Property Tax Resolution Needed: _____ Date Requested _____ Date Completed

☐ Environmental Assessment Needed _____ Date Sent _____ Date Completed EIR ☐ Neg. Dec ■ Exempt ☐ _____ Environmental Determination/Date

☐ Petition Verified _____ Date Sent _____ Date Completed

1. Application File Complete _____ Date

2. Request for Information from Other Agencies: Date / Returned

	Date	Returned
☐ Assessor (aff. area only ☐) Landowner ☐ LCC ☐ AV ☐	2-12-08	
☐ Planning		
☐ Environmental Health		
☐ State Office of Drinking Water		
☐ California Regional Water Quality Control Board		
☐ Elections		
☐ Affected Districts		
☐ U.S. Soil Conservation District		
☐ Director of Conservation		
☐ Other _____		

3. Map and Description Approval
4. Certificate of Filing — 2-28-08
5. Hearing Date Set
6. Notices Published — 2-13-08
7. Notices Mailed and Posted (Request for Notice ☐) — 2-11-08
8. Executive Officer's Report Mailed (Req. for Report ☐ — 2-28-08
9. Commission Action _____

☐ Rev. M/L needed – CA Cont. _____ 30 Day Follow Up _____ App. Rev. M & L _____

10. 60 Day Follow-up
11. Proposal Log _____
12. LAFCO Resolution Mailed

☐ Condition Compliance Needed ☐ Notice of Determination Filed (if 07/25/2008,20080106638

13. Cert. Comp./Bound. Change Mailed
14. County Recorder – Time, Date, and Document — 3:40 p.m. 7/25/08 20080106638
15. Effective Date — 7/25/08
16. Conducting Authority Contacted — 7/25/08
17. Effective Notices Mailed — 8/1/08
18. Proposal Log — 7/25/08

Notes: _____

Re-Recorded 10/26/10 to correct error on Map & legal 9:54 a.m. 10/26/2010,20100143230

Contact Person: _____ Phone: _____

RECORDING REQUESTED BY AND MAIL TO

NAME FRESNO LAFCO

STREET 2115 KERN STREET, #310

CITY & STATE FRESNO, CA 93721

ATTN: CANDIE

FRESNO County Recorder
Robert C. Werner
DOC- 2010-0143230
Tuesday, OCT 26, 2010 09:54:40
Ttl Pd $0.00 Nbr-0003315960
DJG/R6/1-12

NOV 2010
Received
FRESNO
LAFCO

"WASTEWSATER TREATMENT PLANT EXPANSION NO. 1, REORGANIZATION"

This reorganization was previously recorded on July 25, 2008, Document No. 2008-0106638. A slight error on the map and legal description was recently discovered and this re-recording is to correct the map and legal description.

CERTIFICATE OF COMPLETION
FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION

The Fresno Local Agency Formation Commission waived the Conducting Authority proceedings.

The names of the agencies whose territory is changed and the type of change for each are:

Annexation to the City of Mendota and detachment from the Fresno County Fire Protection District and the Silver Creek Drainage District.

The County in which the entire boundary change occurred is Fresno County.

The short title of the reorganization proceeding is "Wastewater Treatment Plant Expansion No. 1 Reorganization", LAFCo File No. RO-08-3.

The affected territory is uninhabited.

The change of organization was ordered without an election, and Resolution No. RO-08-3 ordering the change of organization was adopted by the Fresno Local Agency Formation Commission on March 5, 2008.

A **corrected map and legal description** of the territory affected by the reorganization is set forth in the attached Exhibit "A".

The conditions of approval of the reorganization have been complied with as follows:

1. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.
2. All parcels included within the affected territory shall be designated for Public Facility use in the City of Mendota's General Plan prior to completion (recordation) of the annexation.
3. The entire affected territory shall be pre-zoned to the appropriate District prior to completion (recordation) of the annexation.
4. The New Planned Growth Area identified in the Amended and Restated Memorandum of Understanding (Master Tax Sharing Agreement) between the City of Mendota and the County of Fresno shall be amended to include the entire area proposed for annexation in this proposal prior to completion (recordation) of the annexation.
5. City Resolution 08-09 shall be revised so that reference to Consolidated Irrigation District and Kings River Conservation District are not included in the Resolution.

   Note: The City shall provide the Executive Officer with a corrected Resolution No. 07-48, and Ordinance No. 07-07 identifying current Assessor Parcel Numbers as per the County Assessor's Office.

6. The City of Mendota shall execute an indemnification agreement with the Commission, agreeing to defend, indemnify, and hold harmless the Commission from and against any claims, actions (including those filed by any state or local governmental agency), costs, or damages arising out of or in connection with the Commission's actions related to this matter. The form of such agreement shall be satisfactory to LAFCo Counsel.

I, Jeff Witte, Executive Officer of the Fresno County Local Agency Formation Commission, hereby certify that the attached legal description, map, and terms and conditions of the change of organization do comply with the Commission's resolution of approval.

JEFF WITTE, EXECUTIVE OFFICER
FRESNO LOCAL AGENCY FORMATION COMMISSION

Dated: October 26, 2010

LEGAL DESCRIPTION
For
WASTEWATER TREATMENT PLANT EXPANSION,
AN ANNEXATION TO THE CITY OF MENDOTA
AND
DETACHMENT FROM THE SILVER CREEK DRAINAGE DISTRICT,
AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT
County of Fresno
(Total Annexation Area = 465.92 acres, more or less)

PROFESSIONAL LAND SURVEYOR
19 OCT 10
RICHARD C. SHEPARD
Richard C. Shepard
NO. 6218
EXP. 31MAR12
STATE OF CALIFORNIA

Those portions of Sections 19, 20, 29, 30 and 32, Township 13 South, Range 15 East, Mount Diablo Baseline & Meridian, County of Fresno, State of California of the United States of America, more particularly described as the following three parcels:

ANNEXATION PARCEL 1:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the east line of said Section 30, South 01°30′57″ West, a distance of 19.33 feet to a point on the northerly line of a parcel of land as described in a Decree of Condemnation, recorded April 9, 1948, in Book 2630, at Page 326, as Document No. 18018, Official Records of Fresno County, said point being the **TRUE POINT OF BEGINNING of PARCEL 1**;

From said Point of Beginning of Parcel 1:

Course L1. Along the northerly line of said parcel of land, North 85°15′16″ East, a distance of 597.20 feet, thence,

Course L2. Along the northerly line of said parcel of land, North 74°10′16″ East, a distance of 372.00 feet, thence,

Course L3. Along the northerly line of said parcel of land, North 88°43′30″ East, a distance of 329.93 feet, thence,

Course L4. South 04°03′32″ West, a distance of 1115.77 feet to the southeast corner of the aforementioned parcel of land, thence,

Course L5. South 88°32′46″ East, a distance of 144.19 feet, thence,

Course L6. South 01°32′28″ West, a distance of 441.49 feet to a point on the north line of a parcel of land as described in a Grant Deed, recorded December 31, 1984, as Document No. 84126193, Official Records of Fresno County, thence,

Course L7. Along the boundary line of said parcel of land, and its southerly prolongation, South 01°30′57″ West, a distance of 2485.58 feet, thence,

Course L8. South 43°37′34″ East, a distance of 2521.59 feet, thence,

Course L9. South 01°30′52″ West, a distance of 1992.00 feet, thence,

Course L10. North 89°00′35″ West, a distance of 2944.70 feet to a point 80.00 feet easterly from, measured at right angle to, the easterly boundary line of the San Luis Drain, as per U.S. Bureau of Reclamation Right-of-Way Map No. 805-238-880 dated September 15, 1967, thence,

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

Course L11. Parallel with said easterly boundary line, North 01°30′46″ East, a distance of 998.87 feet, thence,

Course L12. North 88°29′08″ West, a distance of 80.00 feet to said easterly boundary line, thence,

Course L13. North 01°30′46″ East, a distance of 1347.67 feet along said easterly boundary line to the North Line of the aforementioned Section 32, thence,

Course L14. Along said easterly boundary line, North 01°35′25″ East, a distance of 259.46 feet, thence,

Course L15. Along said easterly boundary line, North 25°59′50″ West, a distance of 3923.00 feet, thence,

Course L16. Along said easterly boundary line, North 02°51′28 East, a distance of 46.62 feet, thence,

Course L17. Along said easterly boundary line, North 30°13′06″ East, a distance of 707.82 feet, thence,

Course L18. Along said easterly boundary line, North 03°08′41″ West, a distance of 129.74 feet to a point on the southeasterly right-of-way line of the Intake Canal, thence,

Course L19. Along said southeasterly right-of-way line, North 65°58′48″ East, a distance of 1041.55 feet, thence,

Course L20. North 41°01′55″ East, a distance of 126.20 feet to a point on the southwesterly line of the aforementioned parcel of land as described in a Decree of Condemnation, recorded April 9, 1948, thence,

Course L21. Along said boundary line of said Decree of Condemnation parcel, North 38°38′59″ West, a distance of 59.94 feet, thence,

Course L22. Along said boundary line of said Decree of Condemnation parcel, North 37°17′13″ East, a distance of 220.61 feet, thence,

Course L23. Along said boundary line of said Decree of Condemnation parcel, South 86°59′44″ East, a distance of 235.55 feet to the **TRUE POINT OF BEGINNING of PARCEL 1.**

The above described property encompasses 449.83 acres, more or less.

ANNEXATION PARCEL 2:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the north line of said Section 30, North 89°11′54″ West, a distance of 1037.36 feet to a point on the easterly right-of-way line of Bass Avenue (60.00 feet in width), said point being the **TRUE POINT OF BEGINNING of PARCEL 2**, thence,

Course L24. Along said north line of Section 30, North 89°11′54″ West, a distance of 222.53 feet to the northeasterly line of the "Outside Canal", thence,

Course L25. Along said northeasterly line, North 43°58′54″ West, a distance of 766.18 feet to the southerly line of the "Delta Mendota Canal", thence,

Course L26. Along said southerly line, North 80°12′37″ East, a distance of 656.64 feet to the aforementioned easterly right-of-way line of Bass Avenue, thence,

Course L35. Along said easterly line, South 09°10′01″ East, a distance of 674.69 feet to the **TRUE POINT OF BEGINNING of PARCEL 2.**

The above described property encompasses 6.47 acres, more or less.

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

ANNEXATION PARCEL 3:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the north line of said Section 30, North 89°11′54″ West, a distance of 1037.36 feet to a point on the easterly right-of-way line of Bass Avenue (60.00 feet in width), thence,

Parcel Tie Course. South 09°10′01″ East, along said easterly right-of-way line, a distance of 112.48 feet, thence,

Parcel Tie Course. South 30°21′30″ West, along the southeasterly right-of-way line of said Bass Avenue, a distance of 780.00 feet to a point on the southeasterly line of the "Intake Canal", and the **TRUE POINT OF BEGINNING of PARCEL 3**, thence,

Course L28. Along said southeasterly right-of-way line, South 30°21′30″ West, a distance of 1267.56 feet, thence,

Course L29. South 59°38′30″ East, a distance of 70.00 feet, thence,

Course L30. South 30°21′30″ West, a distance of 114.00 feet, thence,

Course L32. North 59°38′30″ West, a distance of 130.00 feet to a point on the northwesterly right-of-way line of Bass Avenue, thence,

Course L33. Along said northwesterly right-of-way line, North 30°21′30″ East, a distance of 128.96 feet to the boundary line between Assessor's parcels 013-050-20 and 013-050-21 (circa 2007), thence,

Course L34. Along the common boundary line between the aforementioned Assessor's parcels, North 22°58′06″ West, a distance of 703.40 feet to said southeasterly line of the "Intake Canal", thence,

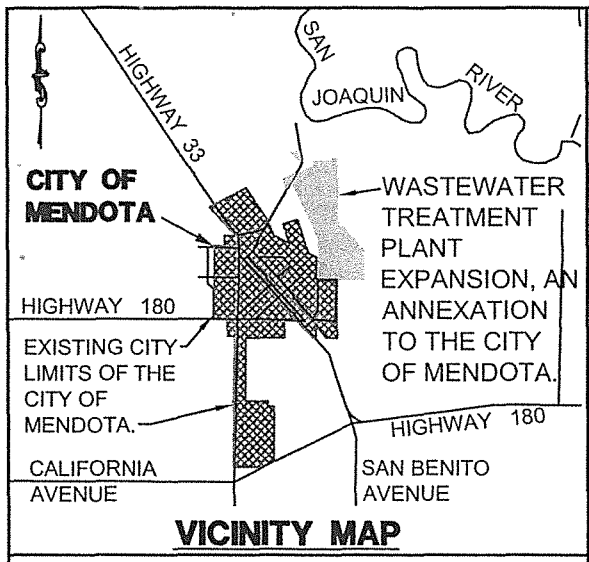
Course L35. Along said southeasterly line, North 67°13′07″ East, a distance of 1040.50 feet to the **TRUE POINT OF BEGINNING of PARCEL 3.**

The above described property encompasses 9.62 acres, more or less.

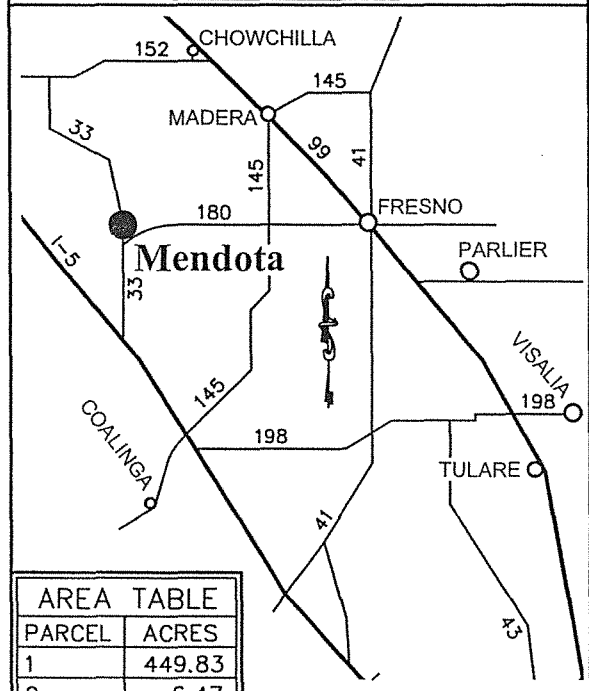
The property described herein encompasses a total of 465.92 acres, more or less.

End of Legal Description.

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

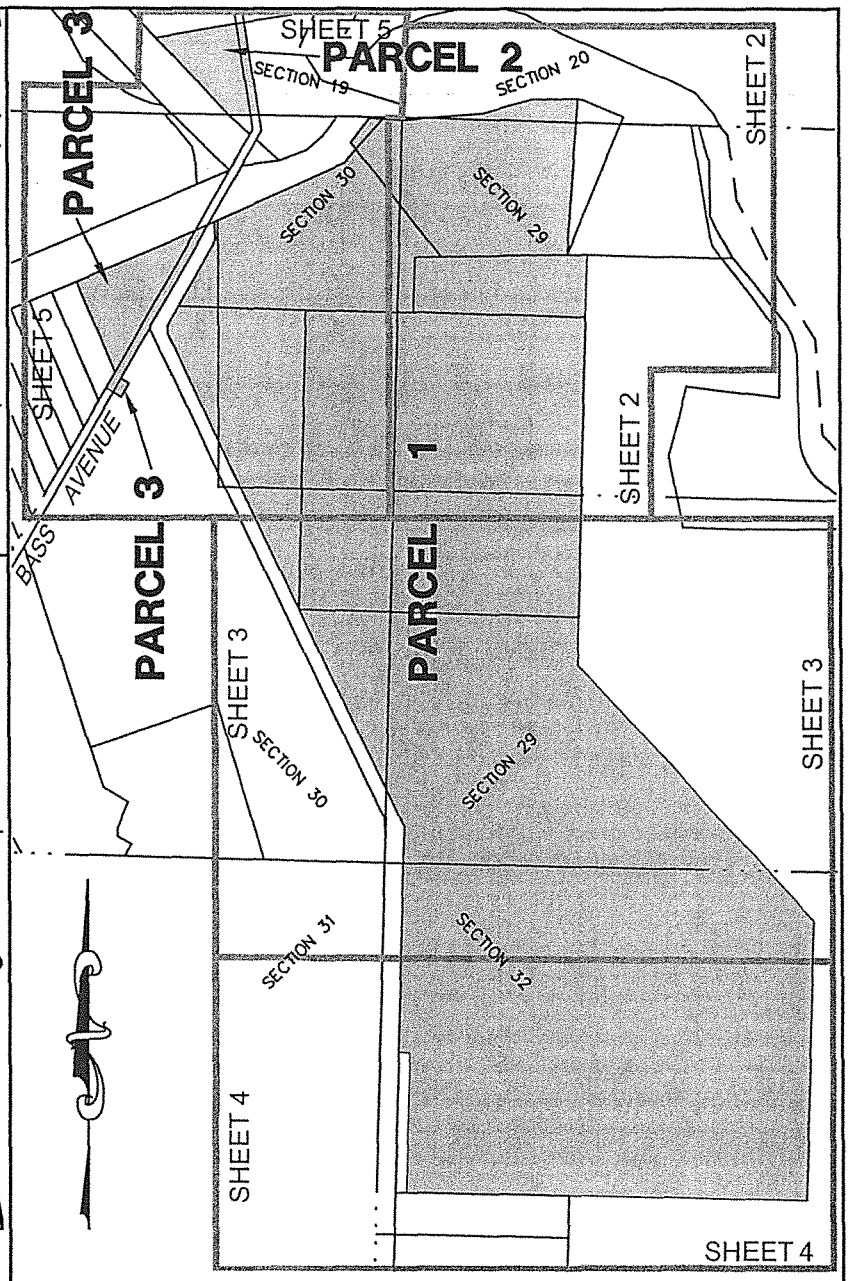


VICINITY MAP



LOCATION MAP

AREA TABLE	
PARCEL	ACRES
1	449.83
2	6.47
3	9.62
TOTAL	465.92



INDEX MAP

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA, AND DETACHMENT FROM THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

PROFESSIONAL LAND SURVEYOR
19 OCT 10
RICHARD C. SHEPARD
Richard C. Shepard
NO. 6218
EXP. 31MAR12
STATE OF CALIFORNIA

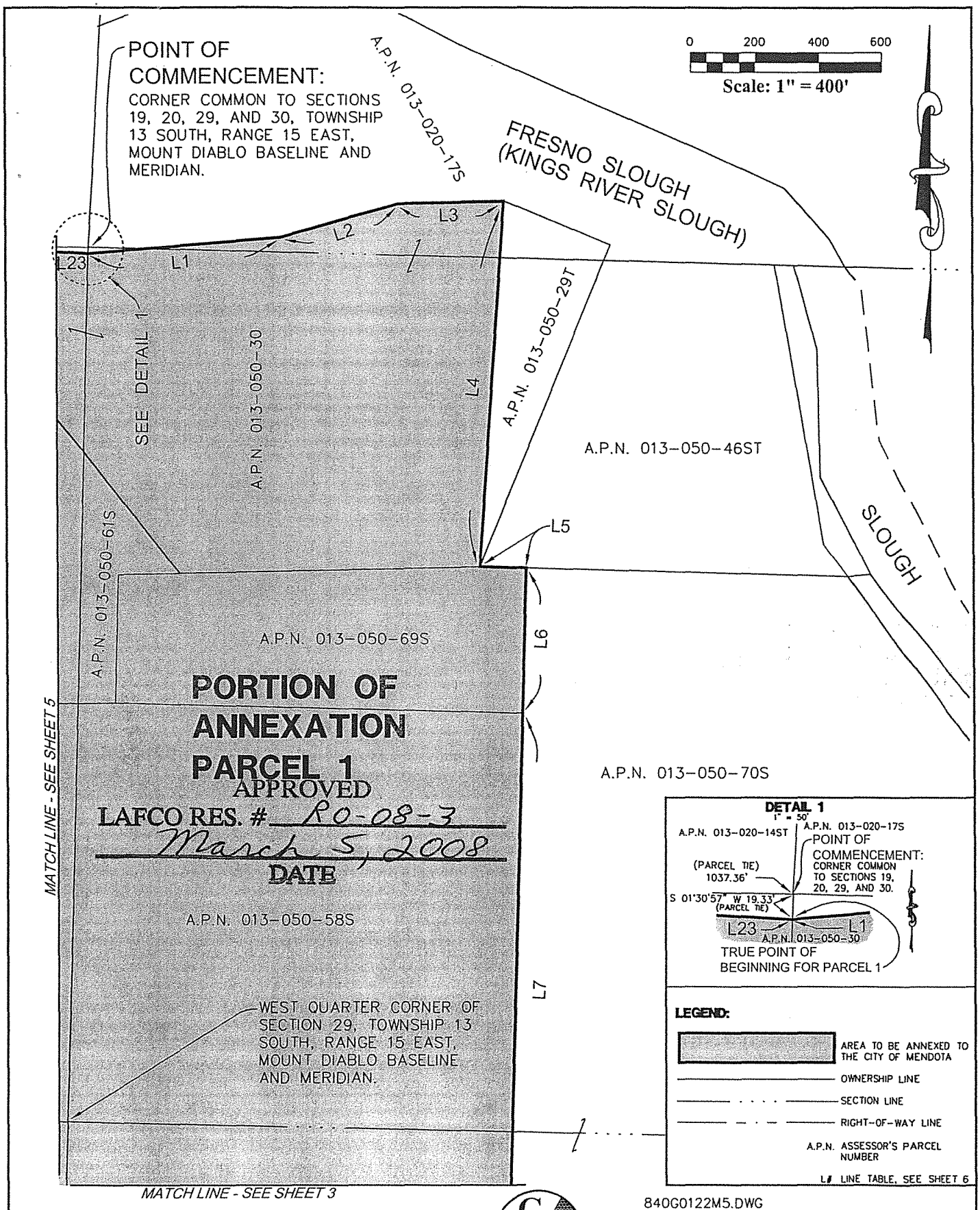
APPROVED
LAFCO RES. # RO-08-3
DATE March 5, 2008

BOUNDARY CHANGE RECORDED
TIME _____ DATE _____
DOCUMENT NO. _____
EFFECTIVE _____

REVISED 24MAY2010
840G0122M5.DWG

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
421 No. "I" Street
Madera, California 93637
(559) 673-5981 FAX 675-3544
E-mail: office@gai-online.com
www.gai-online.com

7



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WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
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Madera, California 93637
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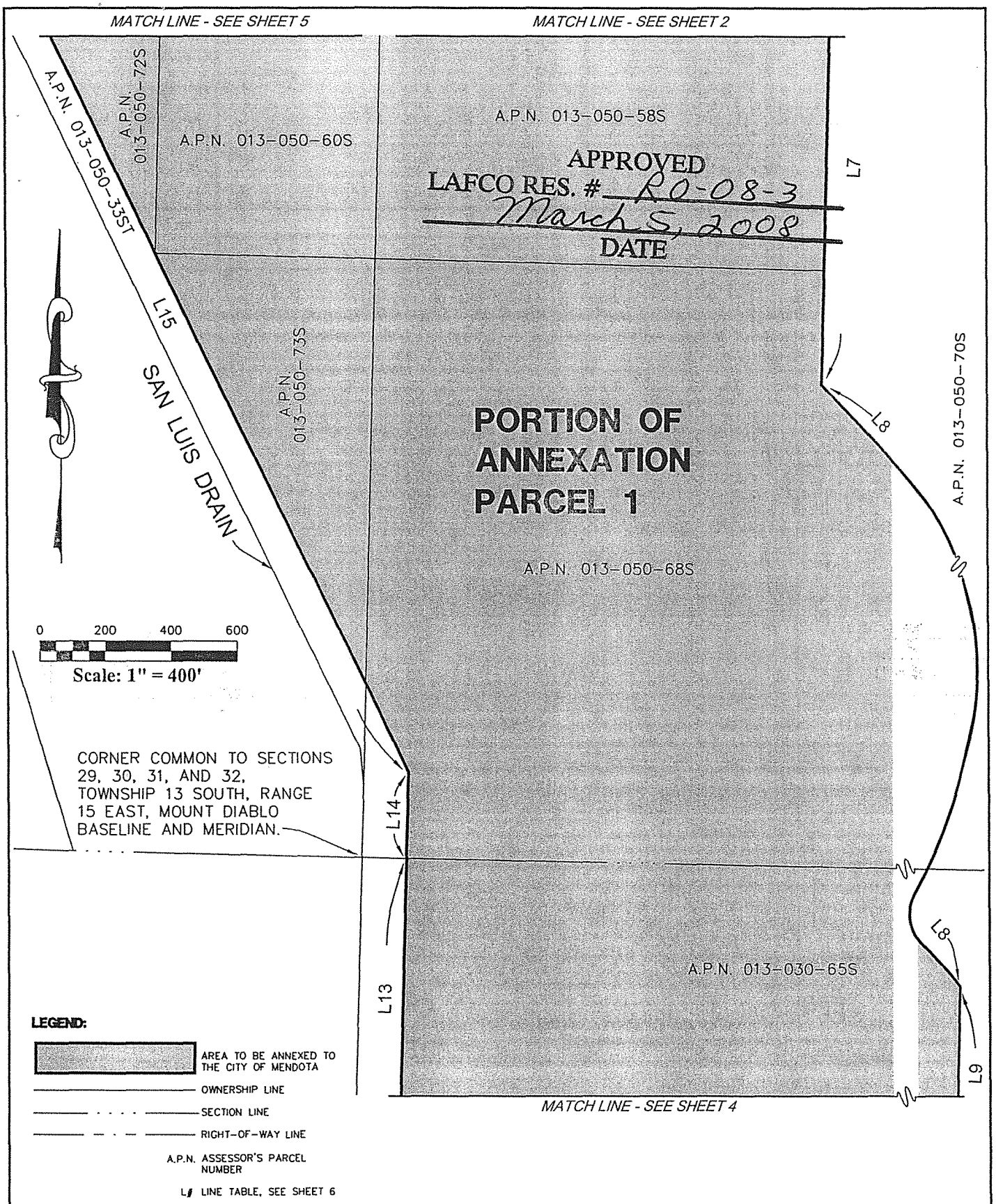
E-mail: office@gai-online.com
www.gai-online.com

8



WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

840G0122M5.DWG

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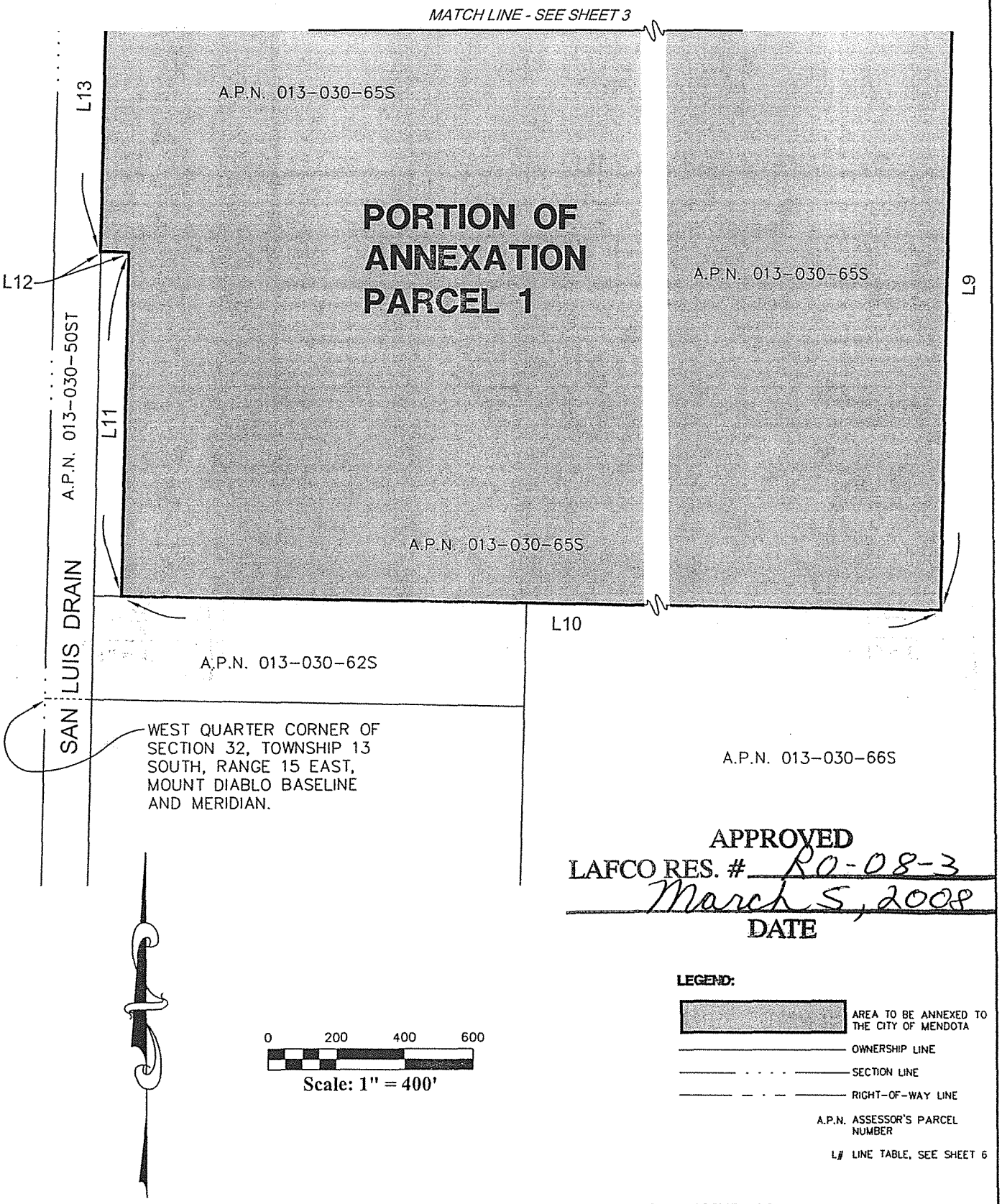
9



APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

LEGEND:

- AREA TO BE ANNEXED TO THE CITY OF MENDOTA
- OWNERSHIP LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- A.P.N. ASSESSOR'S PARCEL NUMBER
- L# LINE TABLE, SEE SHEET 6

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

840G0122M5.DWG

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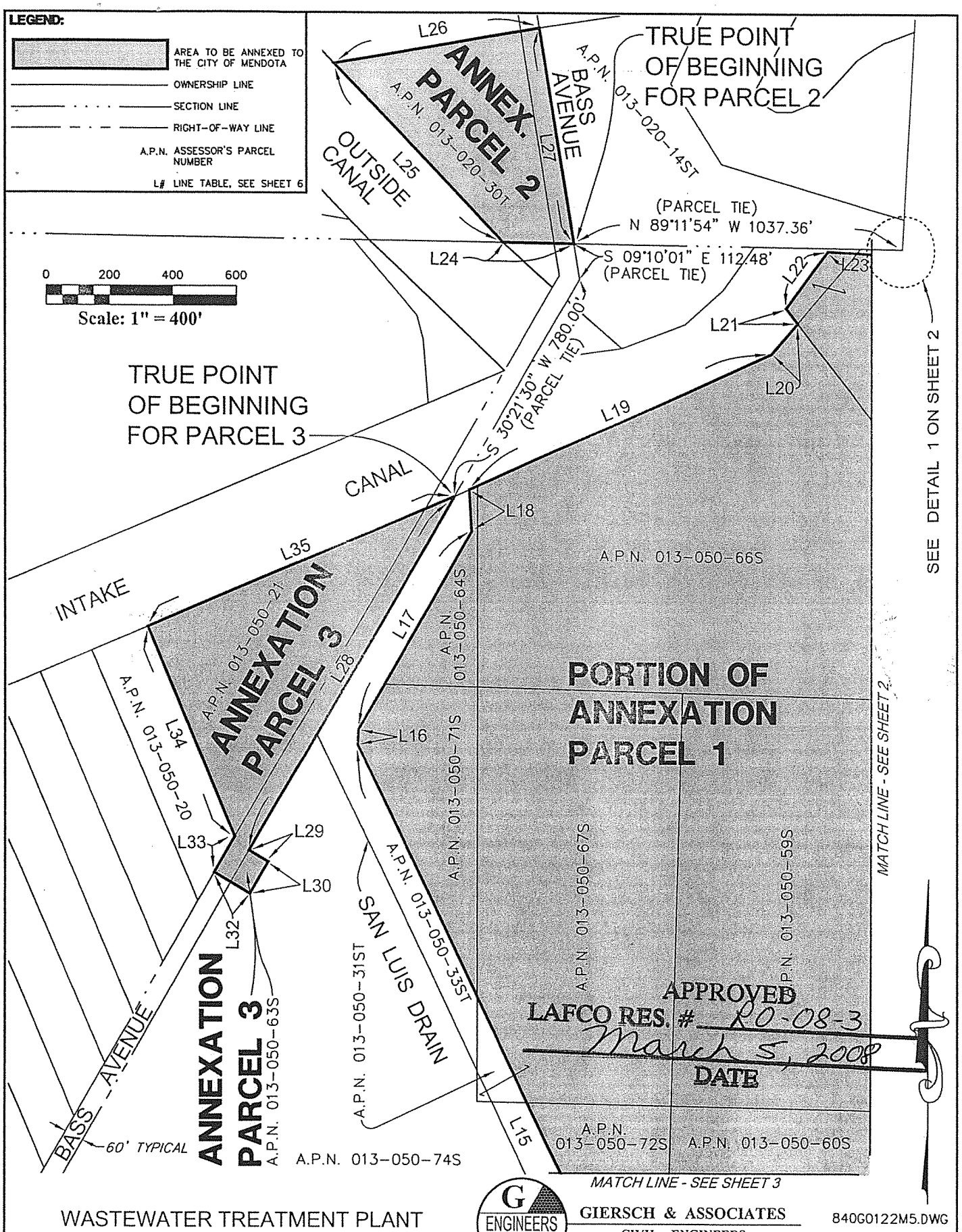

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

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840G0122M5.DWG

LINE TABLE		
LINE	BEARING	LENGTH
L1	N85°15'16"E	597.20'
L2	N74°10'16"E	372.00'
L3	N88°43'30"E	329.93'
L4	S04°03'32"W	1115.77'
L5	S88°32'46"E	144.19'
L6	S01°32'28"W	441.49'
L7	S01°30'57"W	2485.58'
L8	S43°37'34"E	2521.59'
L9	S01°30'52"W	1992.00'
L10	N89°00'35"W	2944.70'
L11	N01°30'46"E	998.87'
L12	N88°29'08"W	80.00'
L13	N01°30'46"E	1347.67'
L14	N01°35'25"E	259.46'
L15	N25°59'50"W	3923.00'
L16	N02°51'28"E	46.62'
L17	N30°13'06"E	707.82'
L18	N03°08'41"W	129.74'
L19	N65°58'48"E	1041.55'
L20	N41°01'55"E	126.20'
L21	N38°38'59"W	59.94'
L22	N37°17'13"E	220.61'
L23	S86°59'44"E	235.55'
L24	N89°11'54"W	222.53'
L25	N43°58'54"W	766.18'
L26	N80°12'37"E	656.64'
L27	S09°10'01"E	674.69'
L28	S30°21'30"W	1267.56'
L29	S59°38'30"E	70.00'
L30	S30°21'30"W	114.00'
L32	N59°38'30"W	130.00'
L33	N30°21'30"E	128.96'
L34	N22°58'06"W	703.40'
L35	N67°13'07"E	1040.50'

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

840G0122M5.DWG

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www.gai-online.com

12

County of Fresno

Robert C. Werner
Assessor - Recorder

10/28/2010

NOV 2010
FRESNO
LAFCO

Local Agency Formation Commission
2115 Kern St. Suite 310
Fresno, CA 93721

Re: 2011-12 Assessment Roll

Dear Mr. Ballantyne:

This will acknowledge that the below change has been filed with this office pursuant to Section 54,900 et. seq. of the Government Code.

Date Filed: OCTOBER 26, 2010
City/ District: CITY OF MENDOTA

Ord./Resolution #: ~~RO 10-2~~ RO-08-3

Subject: WASTEWATER TREATMENT PLANT EXPANSION ANNEX.

Yours Truly,
Robert C. Werner
Fresno County Assessor

Virginia Quevedo

Virginia Quevedo
Cadastral Technician III

Hall of Records, 2281 Tulare Street / Fresno, California 93721 / Phone (559) 488-3585 / Fax (559) 488-6774
P.O. Box 1146 / Fresno, California 93715-1146
Equal Employment Opportunity • Affirmative Action • Disabled Employer

Fresno Local Agency Formation Commission

TO: Ralph Davis, State Board of Equalization
Robert Werner, County Assessor
Vicki Crow, County Auditor

SUBJECT: "Wastewater Treatment Plant Expansion No. 1 Reorganization", LAFCo File No. RO-08-3

This reorganization was previously recorded on July 25, 2008, Document No. 2008-0106638. A slight error on the map and legal description was recently discovered and LAFCo is requesting the map and legal description for this reorganization to be re-recorded in order to correct the error.

A certified copy of the Certificate of Completion correcting the map and legal description is enclosed along with the map and legal description indicating the recording numbers affixed by the County Recorder.

The change of organization was effective on July 25, 2008.

Jeff Witte
Executive Officer

Date: October 26, 2010

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

Fresno Local Agency Formation Commission

October 26, 2010

NOTICE OF COMPLETION OF BOUNDARY CHANGE

To: Clerk, City of Mendota

From: Jeff Witte, Executive Officer

Subject: "Wastewater Treatment Plant Expansion No.1 Reorganization"
LAFCo File No. RO-08-12

This reorganization was previously recorded on July 25, 2008, Document No. 2008-0106638. A slight error on the map and legal description was recently discovered and LAFCo is requesting the map and legal description for this reorganization to be re-recorded in order to correct the error.

A certified copy of the Certificate of Completion correcting the map and legal description is enclosed along with the map and legal description indicating the recording numbers affixed by the County Recorder.

A corrected map showing the change of boundaries was also sent to the agencies listed on the attached letter of transmittal.

RB:cf

Attachments

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

Fresno Local Agency Formation Commission

DATE: October 26, 2010

TO: Fresno County Recorder

FROM: Jeff Witte, Executive Officer JW

SUBJECT: Re-recording of "Wastewater Treatment Plant Expansion No. 1, Reorganization", LAFCo File No. RO-08-3

This reorganization was previously recorded on July 25, 2008, Document No. 2008-0106638. A slight error on the map and legal description was recently discovered and LAFCo is requesting the map and legal description for this reorganization to be re-recorded in order to correct the error.

In order to complete the filing for this approved change of organization, we are sending you a counterpart original of the Certificate of Completion for recordation.

Please assist the completion of this filing by making the required filing of the boundary description with the County Assessor's Office and by providing the information above for verification purposes. Thank you for your assistance.

Recorded at Fresno County on Oct. 26th, 2010

Document Number 10/26/2010,20100143230 9:54 a.m.

Signed Donita Kinney

cc: Dave King, Assessor's Office

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

BOUNDARY CHANGE RECORDED
TIME 9:54 a.m. DATE 10/26/10
DOCUMENT # 201001432 30
EFFECTIVE October 26, 2010

LEGAL DESCRIPTION
For
WASTEWATER TREATMENT PLANT EXPANSION,
AN ANNEXATION TO THE CITY OF MENDOTA
AND
DETACHMENT FROM THE SILVER CREEK DRAINAGE DISTRICT,
AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT
County of Fresno
(Total Annexation Area = 465.92 acres, more or less)

PROFESSIONAL LAND SURVEYOR
19 OCT 10
RICHARD C. SHEPARD
Richard C. Shepard
NO. 6218
EXP.31MAR12
STATE OF CALIFORNIA

Those portions of Sections 19, 20, 29, 30 and 32, Township 13 South, Range 15 East, Mount Diablo Baseline & Meridian, County of Fresno, State of California of the United States of America, more particularly described as the following three parcels:

ANNEXATION PARCEL 1:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the east line of said Section 30, South 01°30′57″ West, a distance of 19.33 feet to a point on the northerly line of a parcel of land as described in a Decree of Condemnation, recorded April 9, 1948, in Book 2630, at Page 326, as Document No. 18018, Official Records of Fresno County, said point being the **TRUE POINT OF BEGINNING of PARCEL 1**;

From said Point of Beginning of Parcel 1:

Course L1. Along the northerly line of said parcel of land, North 85°15′16″ East, a distance of 597.20 feet, thence,

Course L2. Along the northerly line of said parcel of land, North 74°10′16″ East, a distance of 372.00 feet, thence,

Course L3. Along the northerly line of said parcel of land, North 88°43′30″ East, a distance of 329.93 feet, thence,

Course L4. South 04°03′32″ West, a distance of 1115.77 feet to the southeast corner of the aforementioned parcel of land, thence,

Course L5. South 88°32′46″ East, a distance of 144.19 feet, thence,

Course L6. South 01°32′28″ West, a distance of 441.49 feet to a point on the north line of a parcel of land as described in a Grant Deed, recorded December 31, 1984, as Document No. 84126193, Official Records of Fresno County, thence,

Course L7. Along the boundary line of said parcel of land, and its southerly prolongation, South 01°30′57″ West, a distance of 2485.58 feet, thence,

Course L8. South 43°37′34″ East, a distance of 2521.59 feet, thence,

Course L9. South 01°30′52″ West, a distance of 1992.00 feet, thence,

Course L10. North 89°00′35″ West, a distance of 2944.70 feet to a point 80.00 feet easterly from, measured at right angle to, the easterly boundary line of the San Luis Drain, as per U.S. Bureau of Reclamation Right-of-Way Map No. 805-238-880 dated September 15, 1967, thence,

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

Course L11. Parallel with said easterly boundary line, North 01°30′46″ East, a distance of 998.87 feet, thence,

Course L12. North 88°29′08″ West, a distance of 80.00 feet to said easterly boundary line, thence,

Course L13. North 01°30′46″ East, a distance of 1347.67 feet along said easterly boundary line to the North Line of the aforementioned Section 32, thence,

Course L14. Along said easterly boundary line, North 01°35′25″ East, a distance of 259.46 feet, thence,

Course L15. Along said easterly boundary line, North 25°59′50″ West, a distance of 3923.00 feet, thence,

Course L16. Along said easterly boundary line, North 02°51′28 East, a distance of 46.62 feet, thence,

Course L17. Along said easterly boundary line, North 30°13′06″ East, a distance of 707.82 feet, thence,

Course L18. Along said easterly boundary line, North 03°08′41″ West, a distance of 129.74 feet to a point on the southeasterly right-of-way line of the Intake Canal, thence,

Course L19. Along said southeasterly right-of-way line, North 65°58′48″ East, a distance of 1041.55 feet, thence,

Course L20. North 41°01′55″ East, a distance of 126.20 feet to a point on the southwesterly line of the aforementioned parcel of land as described in a Decree of Condemnation, recorded April 9, 1948, thence,

Course L21. Along said boundary line of said Decree of Condemnation parcel, North 38°38′59″ West, a distance of 59.94 feet, thence,

Course L22. Along said boundary line of said Decree of Condemnation parcel, North 37°17′13″ East, a distance of 220.61 feet, thence,

Course L23. Along said boundary line of said Decree of Condemnation parcel, South 86°59′44″ East, a distance of 235.55 feet to the **TRUE POINT OF BEGINNING of PARCEL 1**.

The above described property encompasses 449.83 acres, more or less.

ANNEXATION PARCEL 2:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the north line of said Section 30, North 89°11′54″ West, a distance of 1037.36 feet to a point on the easterly right-of-way line of Bass Avenue (60.00 feet in width), said point being the **TRUE POINT OF BEGINNING of PARCEL 2**, thence,

Course L24. Along said north line of Section 30, North 89°11′54″ West, a distance of 222.53 feet to the northeasterly line of the "Outside Canal", thence,

Course L25. Along said northeasterly line, North 43°58′54″ West, a distance of 766.18 feet to the southerly line of the "Delta Mendota Canal", thence,

Course L26. Along said southerly line, North 80°12′37″ East, a distance of 656.64 feet to the aforementioned easterly right-of-way line of Bass Avenue, thence,

Course L35. Along said easterly line, South 09°10′01″ East, a distance of 674.69 feet to the **TRUE POINT OF BEGINNING of PARCEL 2**.

The above described property encompasses 6.47 acres, more or less.

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

BOUNDARY CHANGE RECORDED
TIME 9:54 a.m. DATE 10/26/10
DOCUMENT # 20100143230
EFFECTIVE October 26, 2010

ANNEXATION PARCEL 3:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the north line of said Section 30, North 89°11′54″ West, a distance of 1037.36 feet to a point on the easterly right-of-way line of Bass Avenue (60.00 feet in width), thence,

Parcel Tie Course. South 09°10′01″ East, along said easterly right-of-way line, a distance of 112.48 feet, thence,

Parcel Tie Course. South 30°21′30″ West, along the southeasterly right-of-way line of said Bass Avenue, a distance of 780.00 feet to a point on the southeasterly line of the "Intake Canal", and the **TRUE POINT OF BEGINNING of PARCEL 3**, thence,

Course L28. Along said southeasterly right-of-way line, South 30°21′30″ West, a distance of 1267.56 feet, thence,

Course L29. South 59°38′30″ East, a distance of 70.00 feet, thence,

Course L30. South 30°21′30″ West, a distance of 114.00 feet, thence,

Course L32. North 59°38′30″ West, a distance of 130.00 feet to a point on the northwesterly right-of-way line of Bass Avenue, thence,

Course L33. Along said northwesterly right-of-way line, North 30°21′30″ East, a distance of 128.96 feet to the boundary line between Assessor's parcels 013-050-20 and 013-050-21 (circa 2007), thence,

Course L34. Along the common boundary line between the aforementioned Assessor's parcels, North 22°58′06″ West, a distance of 703.40 feet to said southeasterly line of the "Intake Canal", thence,

Course L35. Along said southeasterly line, North 67°13′07″ East, a distance of 1040.50 feet to the **TRUE POINT OF BEGINNING of PARCEL 3**.

The above described property encompasses 9.62 acres, more or less.

The property described herein encompasses a total of 465.92 acres, more or less.

End of Legal Description.

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

BOUNDARY CHANGE RECORDED
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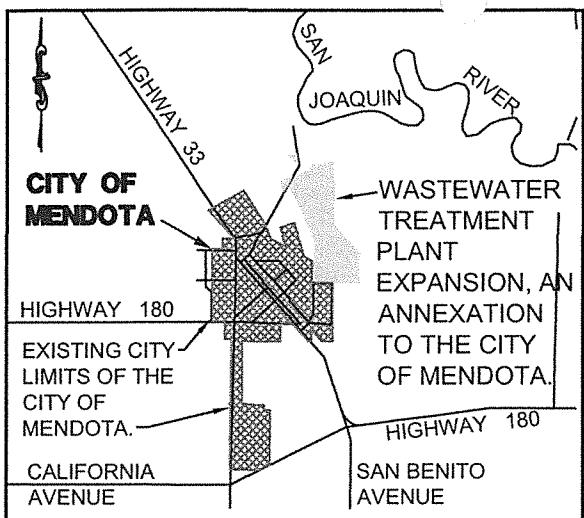
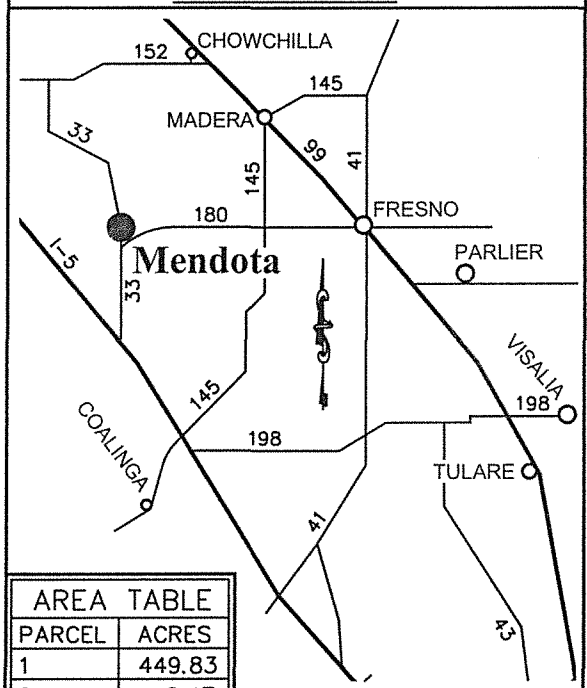
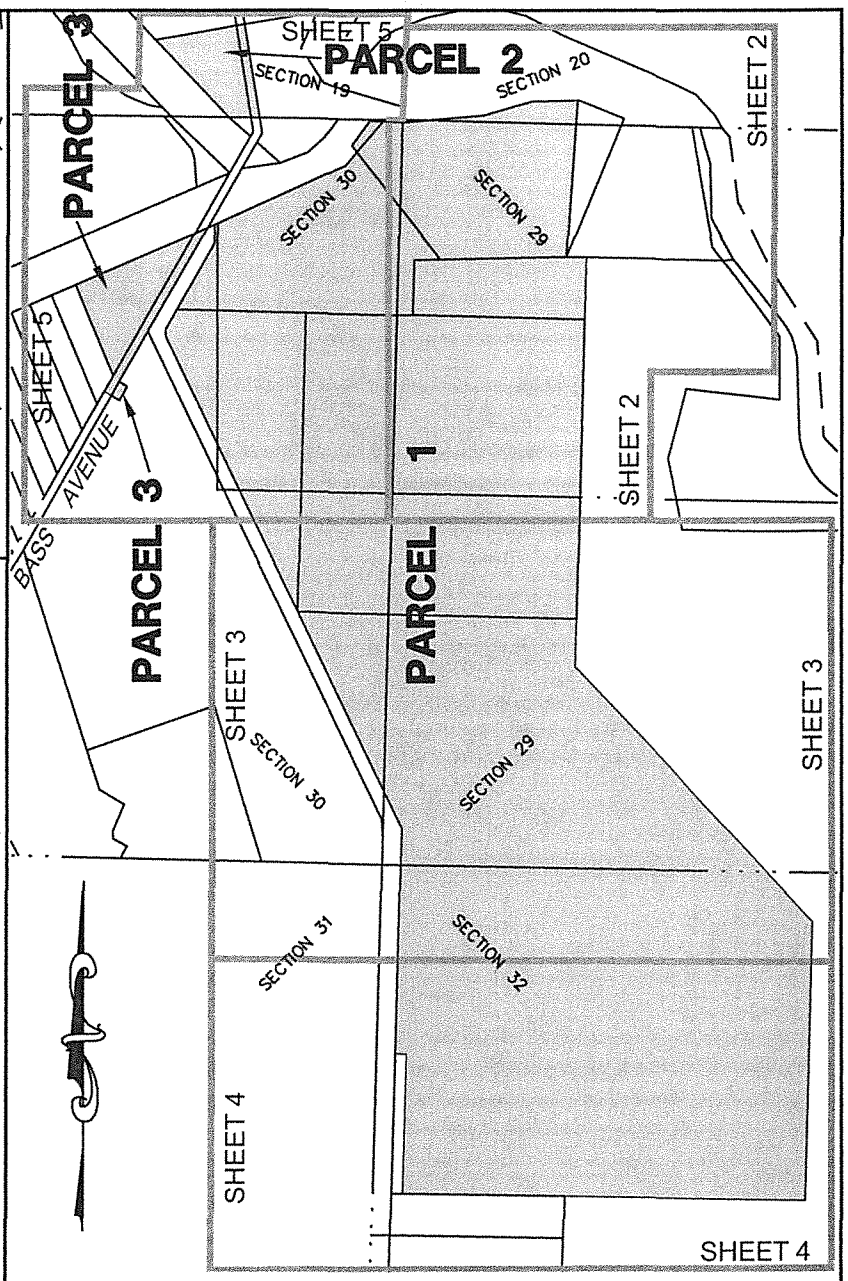


VICINITY MAP



LOCATION MAP

AREA TABLE	
PARCEL	ACRES
1	449.83
2	6.47
3	9.62
TOTAL	465.92



INDEX MAP

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA, AND DETACHMENT FROM THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

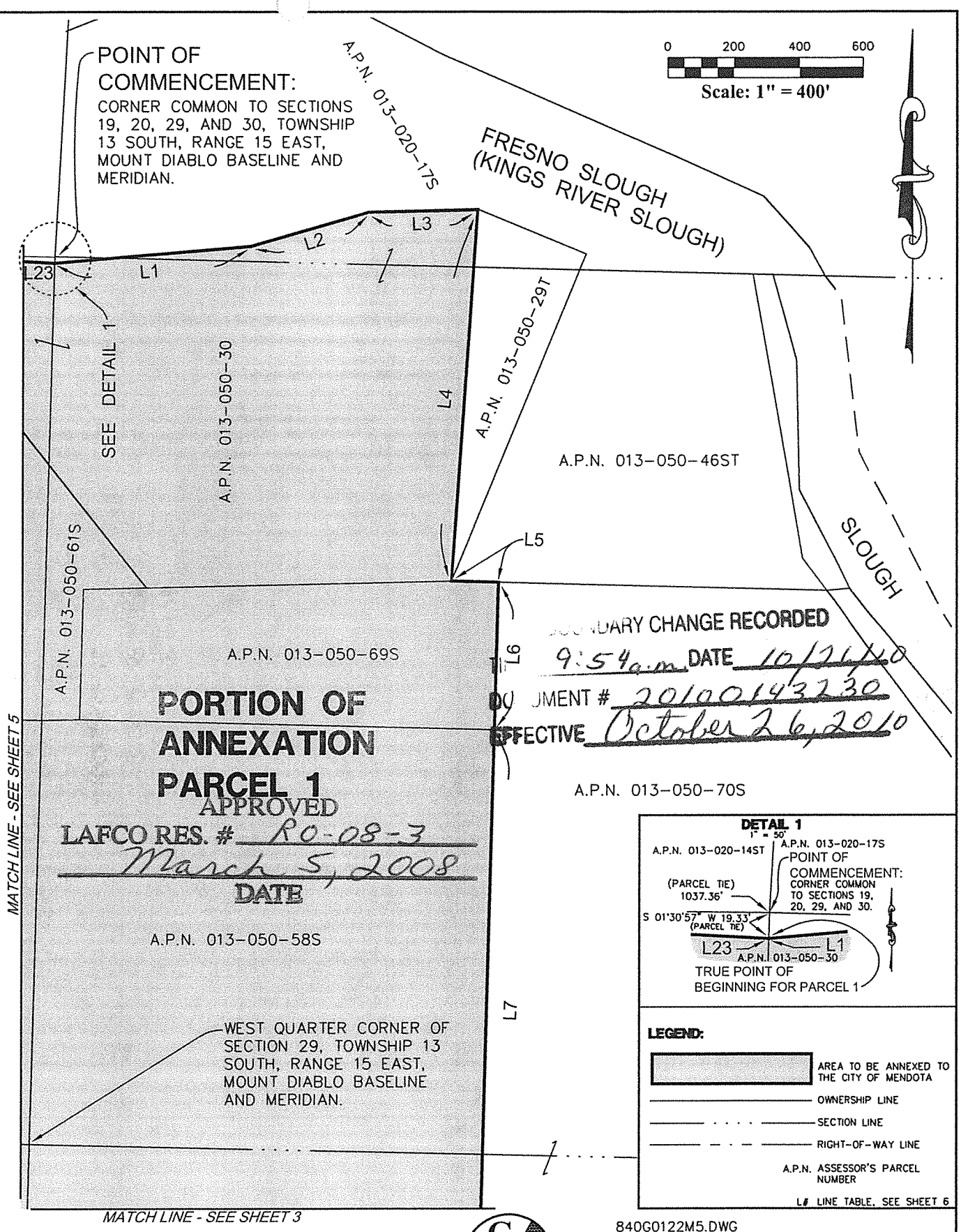
PROFESSIONAL LAND SURVEYOR
19 OCT 10
RICHARD C. SHEPARD
Richard C. Shepard
NO. 6218
EXP. 31MAR12
STATE OF CALIFORNIA

APPROVED
LAFCO RES. # RO-08-3
DATE March 5, 2008

BOUNDARY CHANGE RECORDED
TIME 9:54 a.m. DATE 10/26/10
DOCUMENT NO. 2010014323 0
EFFECTIVE October 26, 2010

REVISED 24MAY2010
840G0122M5.DWG

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
421 No. "I" Street
Madera, California 93637
(559) 673-5981 FAX 675-3544
E-mail: office@gai-online.com
www.gai-online.com



WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

840G0122M5.DWG

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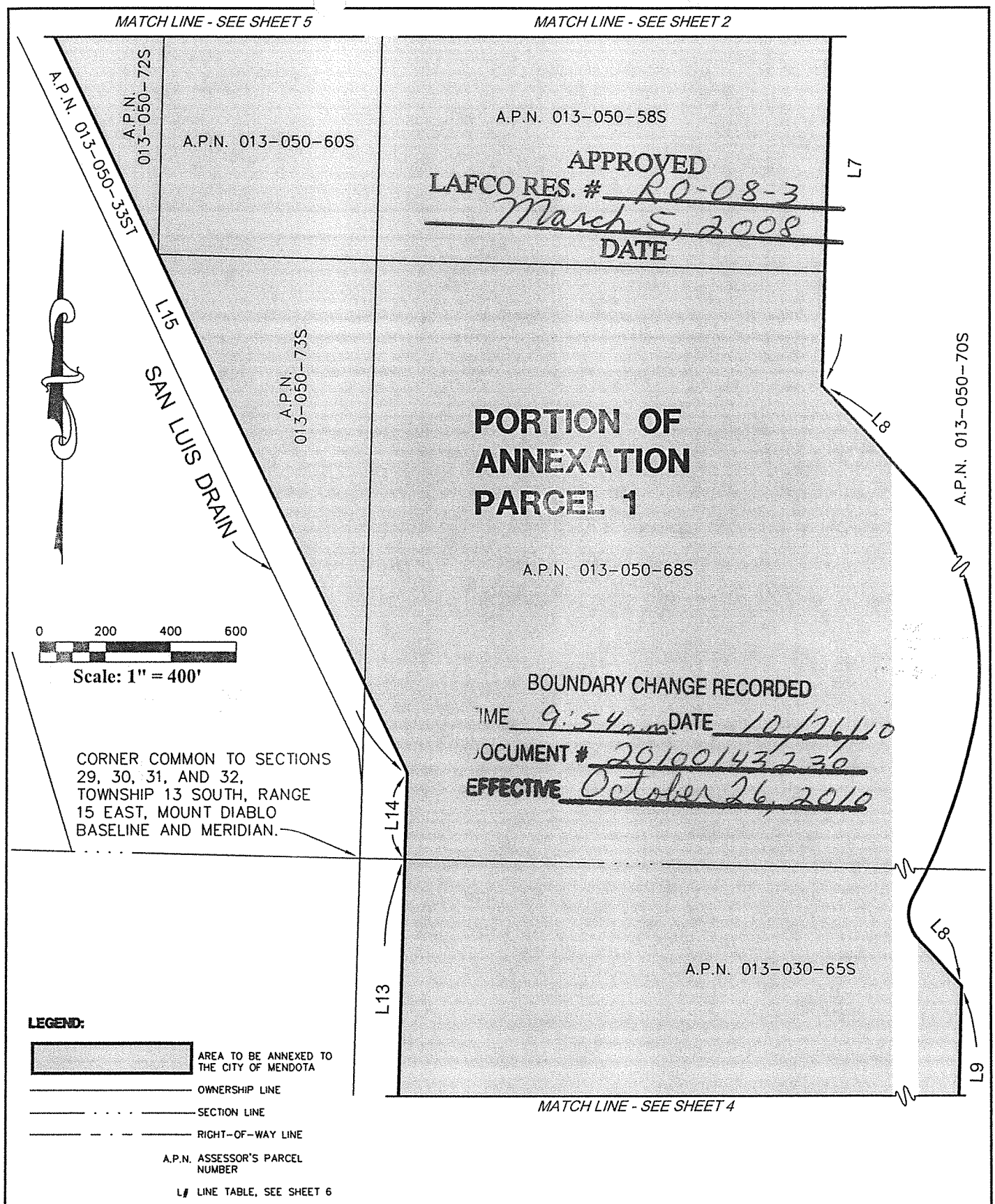

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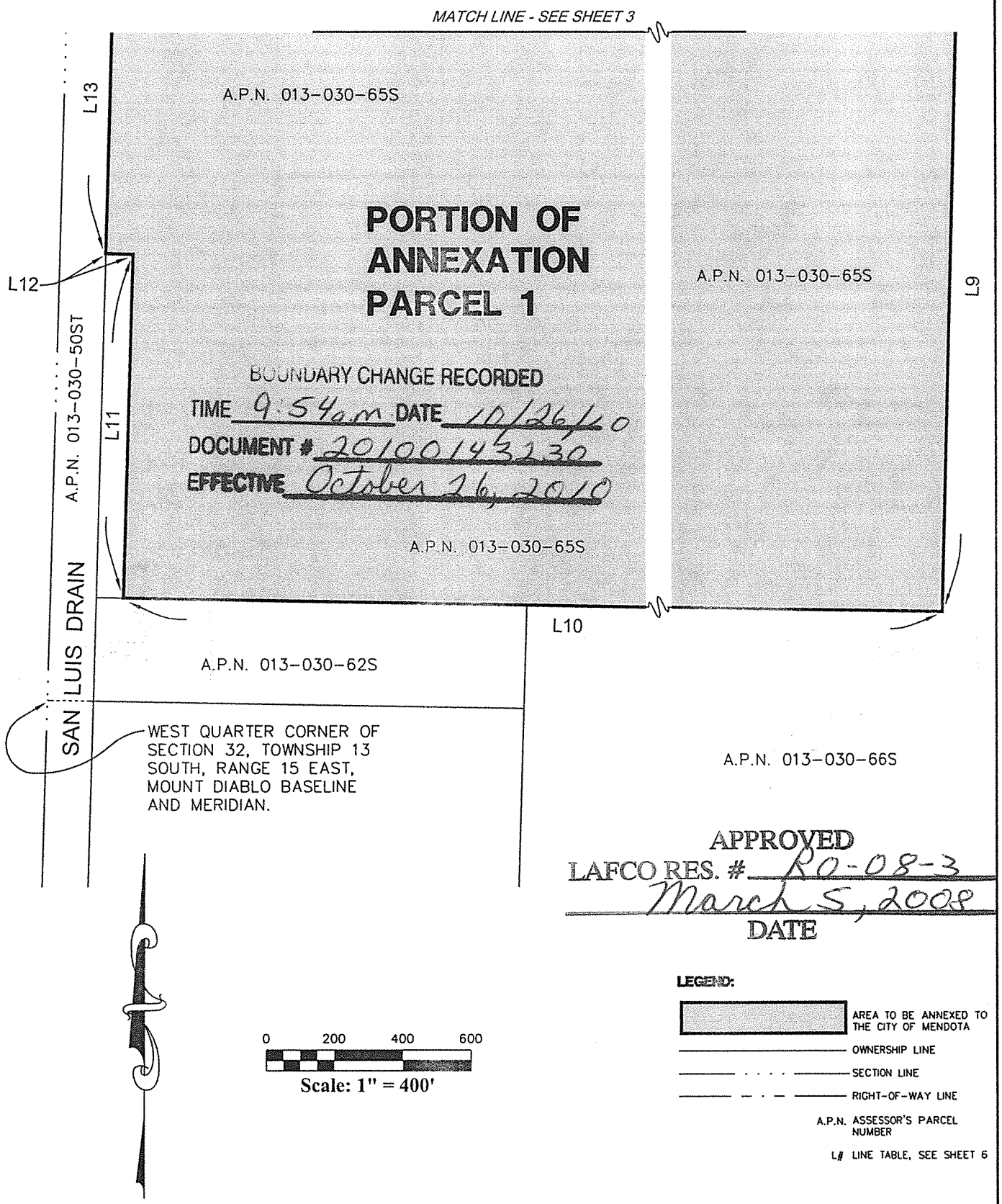

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

LEGEND:

- AREA TO BE ANNEXED TO THE CITY OF MENDOTA
- OWNERSHIP LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- A.P.N. ASSESSOR'S PARCEL NUMBER
- L# LINE TABLE, SEE SHEET 6

840G0122M5.DWG

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

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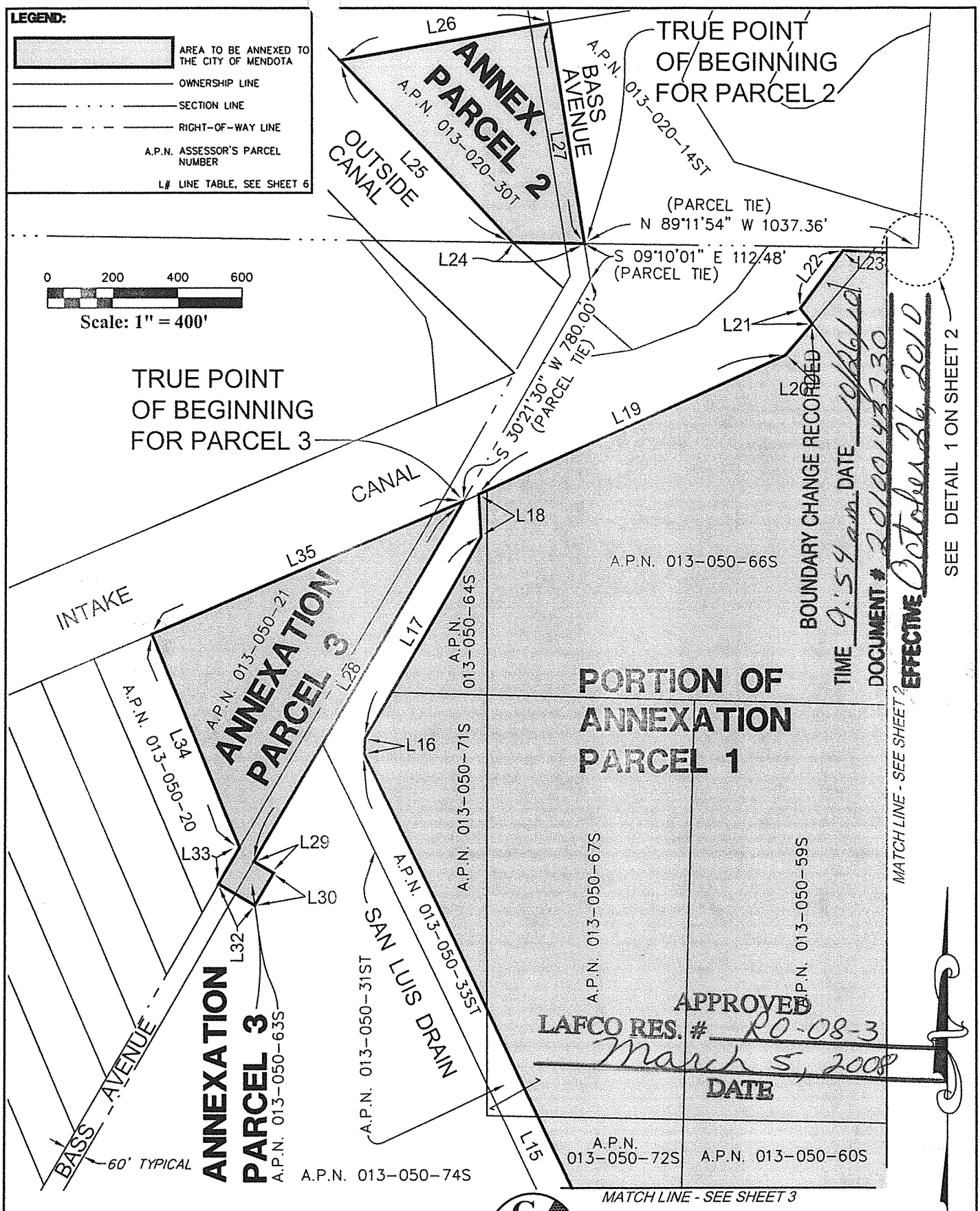

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

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840G0122M5.DWG

LINE TABLE		
LINE	BEARING	LENGTH
L1	N85°15'16"E	597.20'
L2	N74°10'16"E	372.00'
L3	N88°43'30"E	329.93'
L4	S04°03'32"W	1115.77'
L5	S88°32'46"E	144.19'
L6	S01°32'28"W	441.49'
L7	S01°30'57"W	2485.58'
L8	S43°37'34"E	2521.59'
L9	S01°30'52"W	1992.00'
L10	N89°00'35"W	2944.70'
L11	N01°30'46"E	998.87'
L12	N88°29'08"W	80.00'
L13	N01°30'46"E	1347.67'
L14	N01°35'25"E	259.46'
L15	N25°59'50"W	3923.00'
L16	N02°51'28"E	46.62'
L17	N30°13'06"E	707.82'
L18	N03°08'41"W	129.74'
L19	N65°58'48"E	1041.55'
L20	N41°01'55"E	126.20'
L21	N38°38'59"W	59.94'
L22	N37°17'13"E	220.61'
L23	S86°59'44"E	235.55'
L24	N89°11'54"W	222.53'
L25	N43°58'54"W	766.18'
L26	N80°12'37"E	656.64'
L27	S09°10'01"E	674.69'
L28	S30°21'30"W	1267.56'
L29	S59°38'30"E	70.00'
L30	S30°21'30"W	114.00'
L32	N59°38'30"W	130.00'
L33	N30°21'30"E	128.96'
L34	N22°58'06"W	703.40'
L35	N67°13'07"E	1040.50'

BOUNDARY CHANGE RECORDED
TIME 9:54 a.m DATE 10/26/10
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WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

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(559) 673-5981 FAX 675-3544
E-mail: office@gai-online.com
www.gai-online.com

DATE: October 21, 2010

TO: Dave King, Assessor's Office

FROM: Candie Fleming, LAFCo

SUBJECT: ""Wastewater Treatment Plant Expansion" RO-08-3

Please review the attached revised map and/or legal description, and approve or notify us as to how it is insufficient. We would appreciate your comments as soon as possible.

Thank you.

cf

Attachment: Map/Legal Description

Dave,

Please see attached e-mail.

Fleming, Candace Lynn

From: Fleming, Candace Lynn
Sent: Monday, October 18, 2010 1:18 PM
To: 'Price, Anna Marie'
Cc: Witte, Jeff; 'Jeff O'Neal'; King, David
Subject: RE: Mendota Wastewater Treatment Plant

Thanks, we will take care of it.

Candie Fleming,
Fresno LAFCo Clerk

From: Price, Anna Marie [mailto:Anna.Price@boe.ca.gov]
Sent: Monday, October 18, 2010 12:55 PM
To: Fleming, Candace Lynn
Cc: Thorn, Nikkole
Subject: RE: Mendota Wastewater Treatment Plant

We don't have a set policy for minor clerical errors. When they occur, and they do, we usually pencil them in or attach a document explaining the error. If the file was not yet submitted to our office, then we prefer a correct copy of the map and description. If the file was already submitted then documentation, such as a print out of your email, will be added to the file. If the error is significant, then an updated map and legal is necessary.

From: Fleming, Candace Lynn [mailto:CFleming@co.fresno.ca.us]
Sent: Monday, October 18, 2010 12:13 PM
To: Price, Anna Marie
Cc: Witte, Jeff; 'Jeff O'Neal'
Subject: FW: Mendota Wastewater Treatment Plant

Anna,

This is a response from Fresno County's Assessor's Office.

Candie

From: King, David
Sent: Monday, October 18, 2010 12:11 PM
To: Fleming, Candace Lynn
Subject: RE: Mendota Wastewater Treatment Plant

I agree, L3 of legal called out 333.30 feet and should have been 329.30feet.

David King
Supervising Cadastral Technician
Assessor's Office, Hall of Records, RM 201
2281 Tulare St, Fresno, CA 93721
davidking@co.fresno.ca.us
559 600-1592

From: Fleming, Candace Lynn
Sent: Monday, October 18, 2010 11:55 AM

To: King, David
Cc: Witte, Jeff; 'Jeff O'Neal'
Subject: Mendota Wastewater Treatment Plant

Dave,

Jeff O'Neal contacted our office regarding an error that had been made on the map and legal for the Mendota Waste Water Treatment Plant. Apparently there was a very small privately owned sliver of land (as shown on the attached) that was erroneously included with the City annexation.

I just talked to Jeff Witte, and he agrees that this is a clerical-type error and there is no need to go back to the Commission. However, it is an error that needs to be corrected. I will contact the State Board of Equalization to see what their process is for correcting such errors. In the meantime, I will ask Jeff O'Neal to submit a corrected map and legal for your approval and we can go from there.

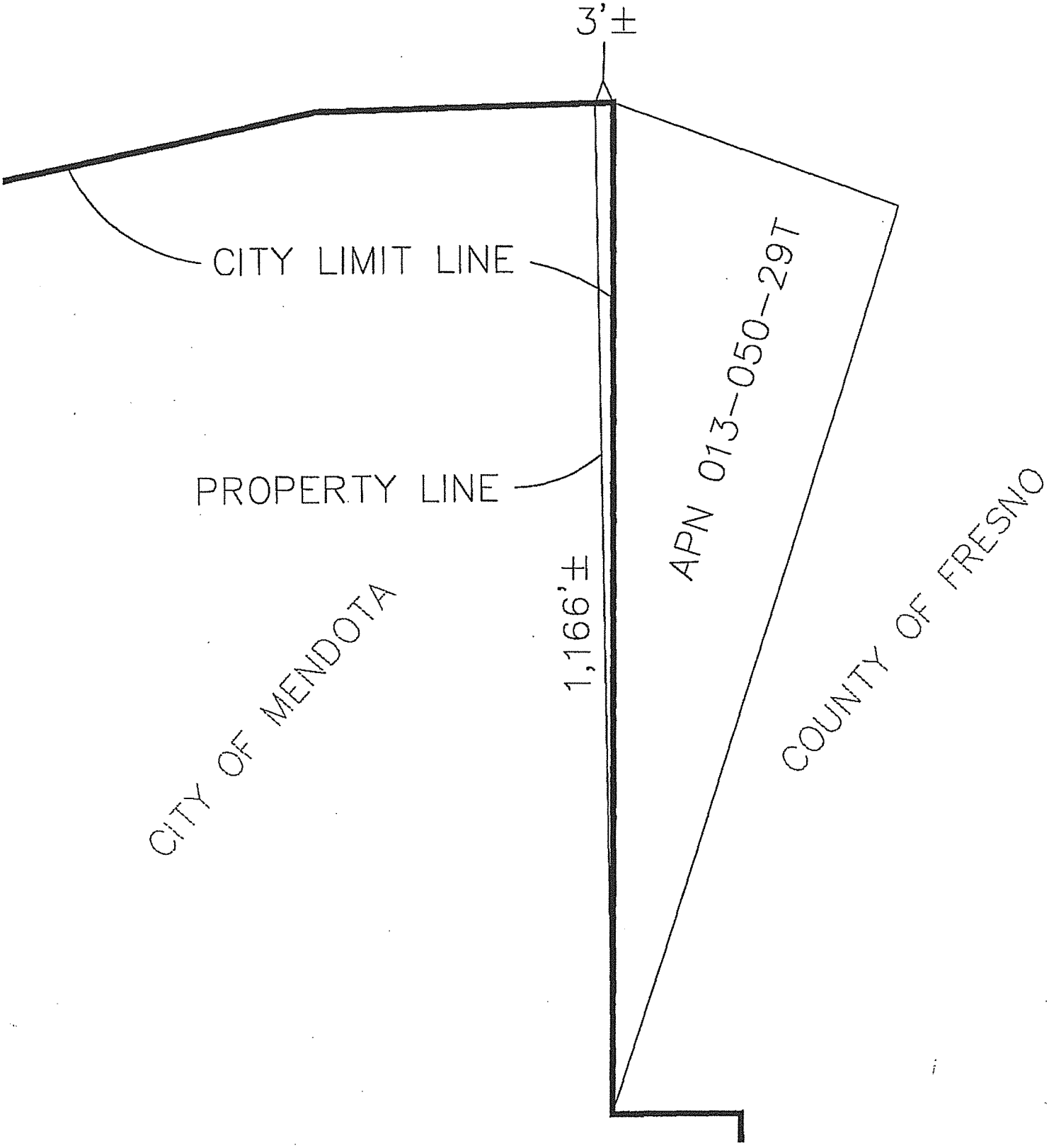
<< File: SCAN7041_000.pdf >> << File: SCAN7042_000.pdf >>

Candie Fleming
Clerk to the Commission
(559) 495-0604

Go to www.fresnolafco.org for agendas, staff reports, forms, and much more.

Tracking:

Recipient	Read
'Price, Anna Marie'	
Witte, Jeff	Read: 10/18/2010 1:44 PM
'Jeff O'Neal'	
King, David	Read: 10/18/2010 3:31 PM


3'±
CITY LIMIT LINE
PROPERTY LINE
1,166'±
APN 013-050-29T
CITY OF MENDOTA
COUNTY OF FRESNO

12

RECORDING REQUESTED BY AND MAIL TO

NAME LAFCO

STREET 2115 KERN STREET, SUITE #310

CITY & STATE FRESNO, CA 93721

ATTN: CANDIE

FRESNO County Recorder
Robert C. Werner
DOC- 2008-0106638
Friday, JUL 25, 2008 15:40:16
Ttl Pd $0.00 Nbr-0002813089
DJG/R6/1-12

"WASTEWATER TREATMENT PLANT EXPANSION NO. 1" REORGANIZATION

CERTIFICATE OF COMPLETION
FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION

The Fresno Local Agency Formation Commission waived the Conducting Authority proceedings.

The names of the agencies whose territory is changed and the type of change for each are:

Annexation to the City of Mendota and detachment from the Fresno County Fire Protection District and the Silver Creek Drainage District.

The County in which the entire boundary change occurred is Fresno County.

The short title of the reorganization proceeding is "Wastewater Treatment Plant Expansion No. 1 Reorganization", LAFCo File No. RO-08-3.

The affected territory is uninhabited.

The change of organization was ordered without an election, and Resolution No. RO-08-3 ordering the change of organization was adopted by the Fresno Local Agency Formation Commission on March 5, 2008.

A legal description of the territory affected by the reorganization is set forth in the attached Exhibit "A".

The conditions of approval of the reorganization have been complied with as follows:

1. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.
2. All parcels included within the affected territory shall be designated for Public Facility use in the City of Mendota's General Plan prior to completion (recordation) of the annexation.
3. The entire affected territory shall be pre-zoned to the appropriate District prior to completion (recordation) of the annexation.
4. The New Planned Growth Area identified in the Amended and Restated Memorandum of Understanding (Master Tax Sharing Agreement) between the City of Mendota and the County of Fresno shall be amended to include the entire area proposed for annexation in this proposal prior to completion (recordation) of the annexation.
5. City Resolution 08-09 shall be revised so that reference to Consolidated Irrigation District and Kings River Conservation District are not included in the Resolution.

   Note: The City shall provide the Executive Officer with a corrected Resolution No. 07-48, and Ordinance No. 07-07 identifying current Assessor Parcel Numbers as per the County Assessor's Office.

2

6. The City of Mendota shall execute an indemnification agreement with the Commission, agreeing to defend, indemnify, and hold harmless the Commission from and against any claims, actions (including those filed by any state or local governmental agency), costs, or damages arising out of or in connection with the Commission's actions related to this matter. The form of such agreement shall be satisfactory to LAFCo Counsel.

I, Rick Ballantyne, Executive Officer of the Fresno County Local Agency Formation Commission, hereby certify that the attached legal description, map, and terms and conditions of the change of organization do comply with the Commission's resolution of approval.

RICK BALLANTYNE, EXECUTIVE OFFICER
FRESNO LOCAL AGENCY FORMATION COMMISSION

Dated: July 25, 2008

LEGAL DESCRIPTION
For
WASTEWATER TREATMENT PLANT EXPANSION,
AN ANNEXATION TO THE CITY OF MENDOTA
AND
DETACHMENT FROM THE SILVER CREEK DRAINAGE DISTRICT,
AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT
County of Fresno
(Total Annexation Area = 465.97 acres, more or less)

Those portions of Sections 19, 20, 29, 30 and 32, Township 13 South, Range 15 East, Mount Diablo Baseline & Meridian, County of Fresno, State of California of the United States of America, more particularly described as the following three parcels:

ANNEXATION PARCEL 1:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the east line of said Section 30, South 01°30′57″ West, a distance of 19.33 feet to a point on the northerly line of a parcel of land as described in a Decree of Condemnation, recorded April 9, 1948, in Book 2630, at Page 326, as Document No. 18018, Official Records of Fresno County, said point being the **TRUE POINT OF BEGINNING of PARCEL 1**;

From said Point of Beginning of Parcel 1:

Course L1. Along the northerly line of said parcel of land, North 85°15′16″ East, a distance of 597.20 feet, thence,

Course L2. Along the northerly line of said parcel of land, North 74°10′16″ East, a distance of 372.00 feet, thence,

Course L3. Along the northerly line of said parcel of land, North 88°34′16″ East, a distance of 333.30 feet, thence,

Course L4. South 04°13′36″ West, a distance of 1116.97 feet to the southeast corner of the aforementioned parcel of land, thence,

Course L5. South 88°32′46″ East, a distance of 144.19 feet, thence,

Course L6. South 01°32′28″ West, a distance of 441.49 feet to a point on the north line of a parcel of land as described in a Grant Deed, recorded December 31, 1984, as Document No. 84126193, Official Records of Fresno County, thence,

Course L7. Along the boundary line of said parcel of land, and its southerly prolongation, South 01°30′57″ West, a distance of 2485.58 feet, thence,

Course L8. South 43°37′34″ East, a distance of 2521.59 feet, thence,

Course L9. South 01°30′52″ West, a distance of 1992.00 feet, thence,

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APPROVED
LAFCO RES. # RO-08-3
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Course L11. Parallel with said easterly boundary line, North 01°30′46″ East, a distance of 998.87 feet, thence,

Course L12. North 88°29′08″ West, a distance of 80.00 feet to said easterly boundary line, thence,

Course L13. North 01°30′46″ East, a distance of 1347.67 feet along said easterly boundary line to the North Line of the aforementioned Section 32, thence,

Course L14. Along said easterly boundary line, North 01°35′25″ East, a distance of 259.46 feet, thence,

Course L15. Along said easterly boundary line, North 25°59′50″ West, a distance of 3923.00 feet, thence,

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Course L17. Along said easterly boundary line, North 30°13′06″ East, a distance of 707.82 feet, thence,

Course L18. Along said easterly boundary line, North 03°08′41″ West, a distance of 129.74 feet to a point on the southeasterly right-of-way line of the Intake Canal, thence,

Course L19. Along said southeasterly right-of-way line, North 65°58′48″ East, a distance of 1041.55 feet, thence,

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Course L21. Along said boundary line of said Decree of Condemnation parcel, North 38°38′59″ West, a distance of 59.94 feet, thence,

Course L22. Along said boundary line of said Decree of Condemnation parcel, North 37°17′13″ East, a distance of 220.61 feet, thence,

Course L23. Along said boundary line of said Decree of Condemnation parcel, South 86°59′44″ East, a distance of 235.55 feet to the **TRUE POINT OF BEGINNING of PARCEL 1**.

The above described property encompasses 449.88 acres, more or less.

ANNEXATION PARCEL 2:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the north line of said Section 30, North 89°11′54″ West, a distance of 1037.36 feet to a point on the easterly right-of-way line of Bass Avenue (60.00 feet in width), said point being the **TRUE POINT OF BEGINNING of PARCEL 2**, thence,

Course L24. Along said north line of Section 30, North 89°11′54″ West, a distance of 222.53 feet to the northeasterly line of the "Outside Canal", thence,

Course L25. Along said northeasterly line, North 43°58′54″ West, a distance of 766.18 feet to the southerly line of the "Delta Mendota Canal", thence,

Course L26. Along said southerly line, North 80°12′37″ East, a distance of 656.64 feet to the aforementioned easterly right-of-way line of Bass Avenue, thence,

Course L35. Along said easterly line, South 09°10′01″ East, a distance of 674.69 feet to the **TRUE POINT OF BEGINNING of PARCEL 2**.

The above described property encompasses 6.47 acres, more or less.

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

ANNEXATION PARCEL 3:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the north line of said Section 30, North 89°11′54″ West, a distance of 1037.36 feet to a point on the easterly right-of-way line of Bass Avenue (60.00 feet in width), thence,

Parcel Tie Course. South 09°10′01″ East, along said easterly right-of-way line, a distance of 112.48 feet, thence,

Parcel Tie Course. South 30°21′30″ West, along the southeasterly right-of-way line of said Bass Avenue, a distance of 780.00 feet to a point on the southeasterly line of the "Intake Canal", and the **TRUE POINT OF BEGINNING of PARCEL 3**, thence,

Course L28. Along said southeasterly right-of-way line, South 30°21′30″ West, a distance of 1267.56 feet, thence,

Course L29. South 59°38′30″ East, a distance of 70.00 feet, thence,

Course L30. South 30°21′30″ West, a distance of 114.00 feet, thence,

Course L32. North 59°38′30″ West, a distance of 130.00 feet to a point on the northwesterly right-of-way line of Bass Avenue, thence,

Course L33. Along said northwesterly right-of-way line, North 30°21′30″ East, a distance of 128.96 feet to the boundary line between Assessor's parcels 013-050-20 and 013-050-21 (circa 2007), thence,

Course L34. Along the common boundary line between the aforementioned Assessor's parcels, North 22°58′06″ West, a distance of 703.40 feet to said southeasterly line of the "Intake Canal", thence,

Course L35. Along said southeasterly line, North 67°13′07″ East, a distance of 1040.50 feet to the **TRUE POINT OF BEGINNING of PARCEL 3**.

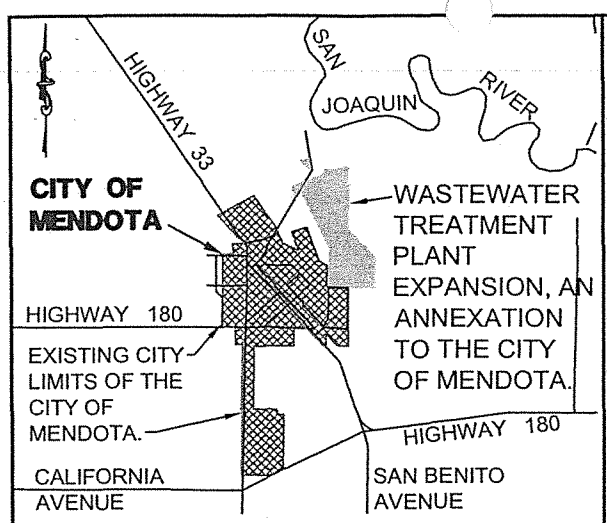
The above described property encompasses 9.62 acres, more or less.

The property described herein encompasses a total of 465.97 acres, more or less.

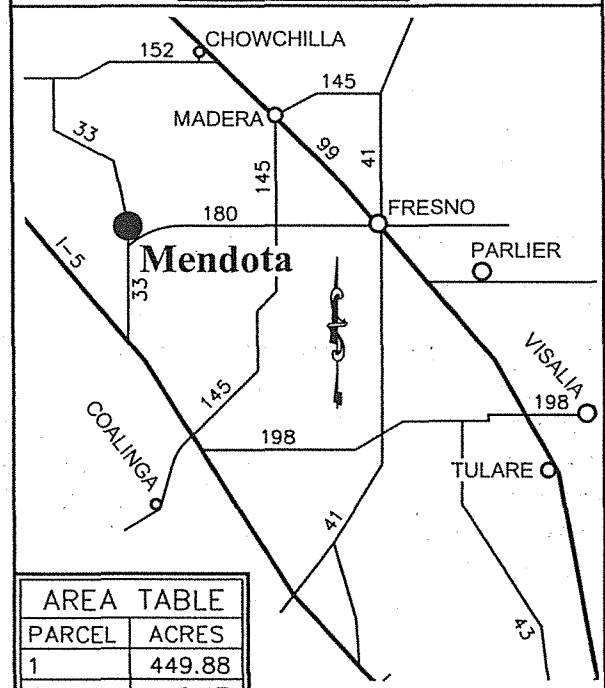
End of Legal Description.

PROFESSIONAL LAND SURVEYOR
07 APR 08
RICHARD C. SHEPARD
Richard C. Shepard
NO. 6218
EXP.31MAR10
STATE OF CALIFORNIA

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

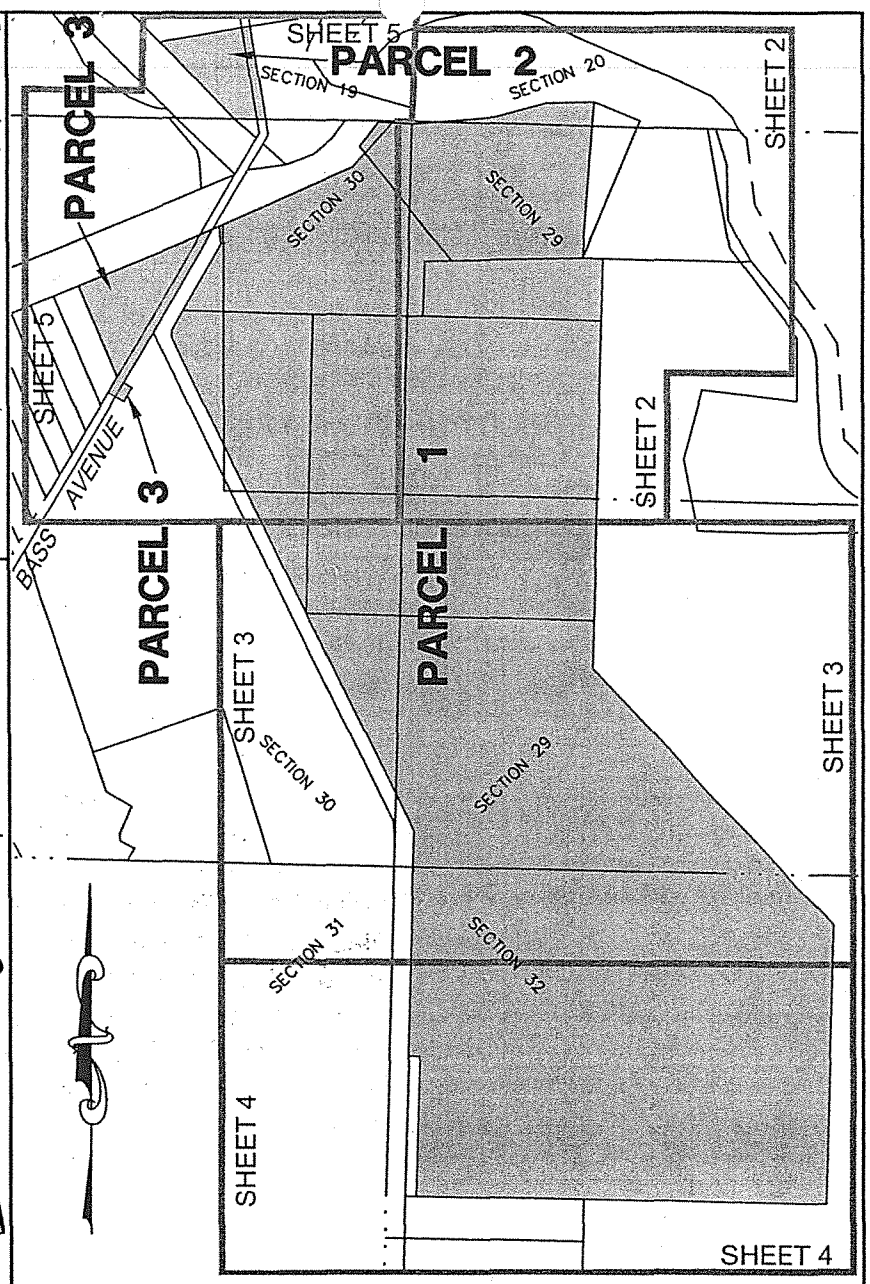


VICINITY MAP



LOCATION MAP

AREA TABLE	
PARCEL	ACRES
1	449.88
2	6.47
3	9.62
TOTAL	465.97



INDEX MAP

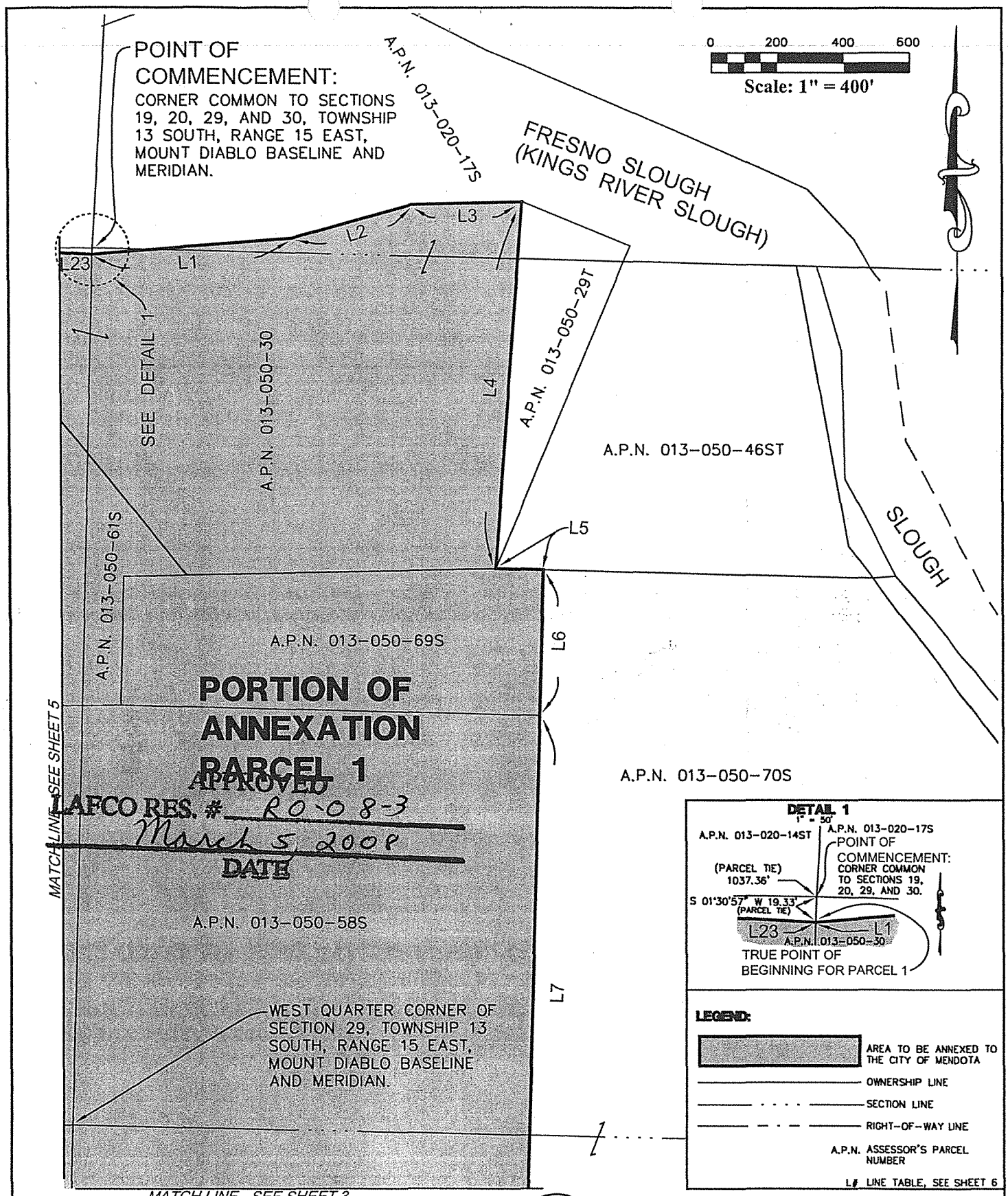
WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA, AND DETACHMENT FROM THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

APPROVED
LAFCO RES. # RO-08-3
DATE March 5, 2008

BOUNDARY CHANGE RECORDED
TIME _____ DATE _____
DOCUMENT NO. _____
EFFECTIVE _____

840G0122M4.DWG REVISED 07APR2008

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
421 No. "I" Street
Madera, California 93637
(559) 673-5981 FAX 675-3544
E-mail: office@gai-online.com
www.gai-online.com



WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

840G0122M4.DWG

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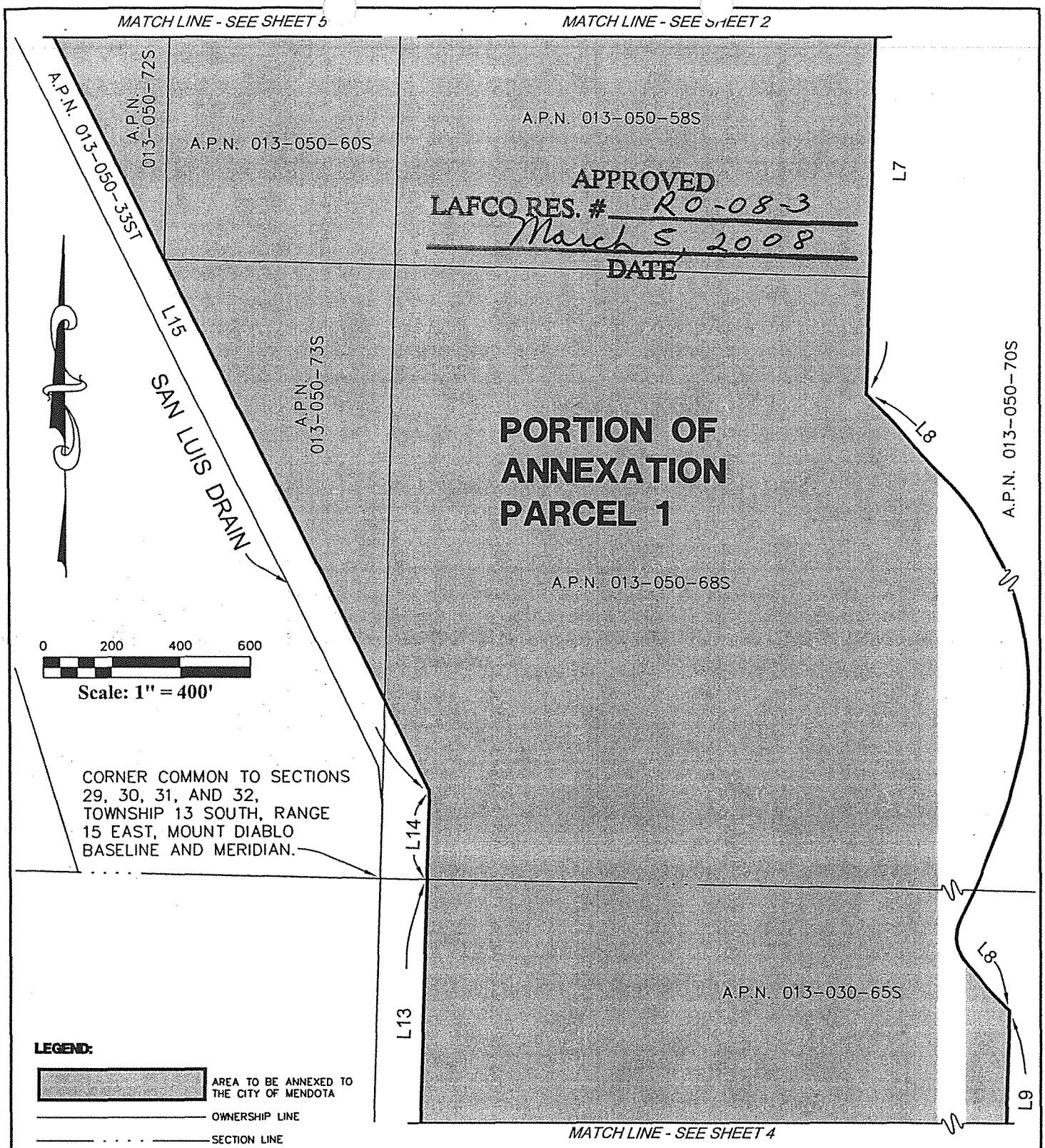
8



LEGEND:

- AREA TO BE ANNEXED TO THE CITY OF MENDOTA
- OWNERSHIP LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- A.P.N. ASSESSOR'S PARCEL NUMBER
- L# LINE TABLE, SEE SHEET 6

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

840G0122M4.DWG

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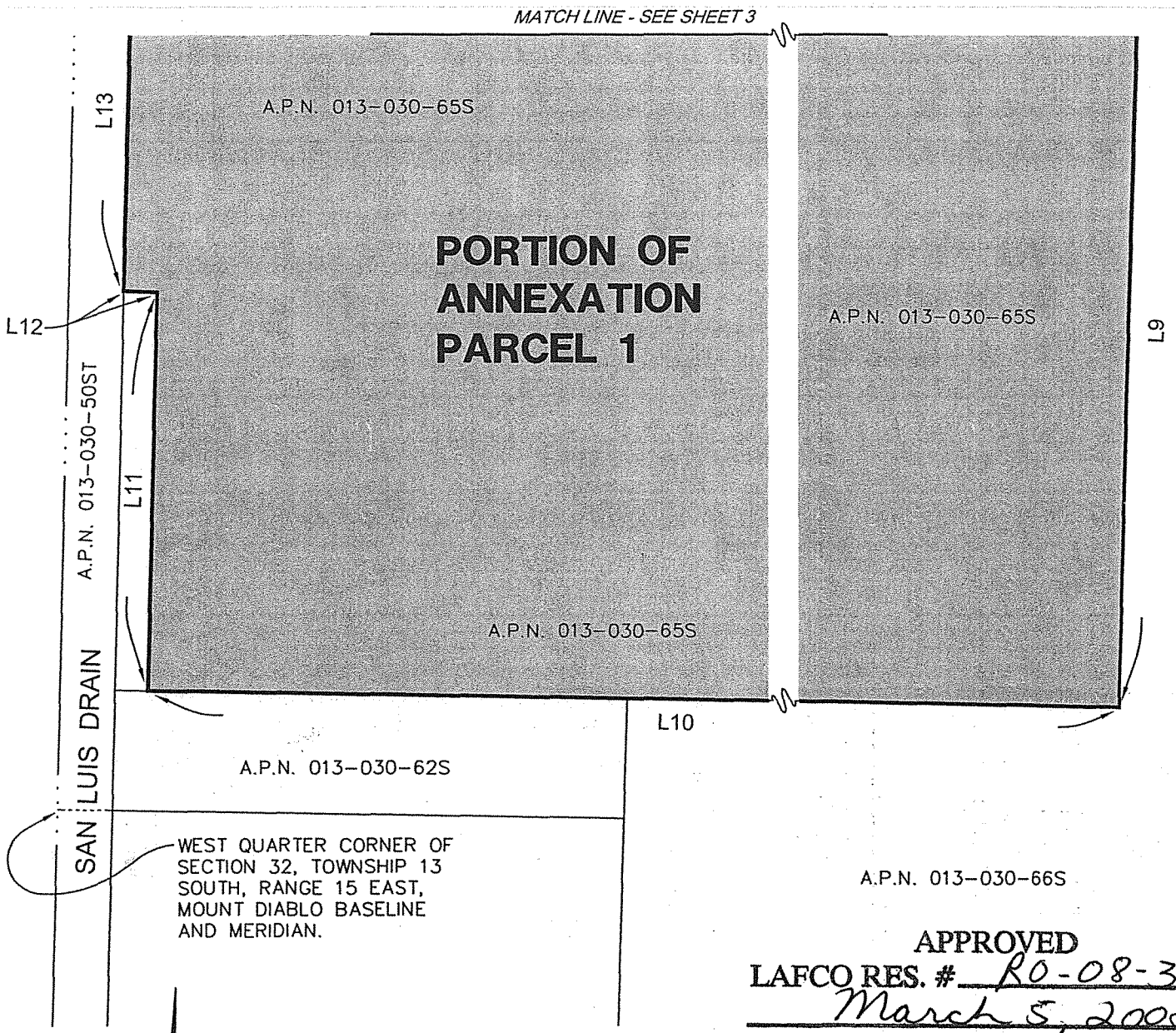
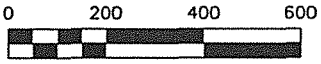
9



APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE



Scale: 1" = 400'

LEGEND:

- AREA TO BE ANNEXED TO THE CITY OF MENDOTA
- OWNERSHIP LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- A.P.N. ASSESSOR'S PARCEL NUMBER
- L# LINE TABLE, SEE SHEET 6

840G0122M4.DWG

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

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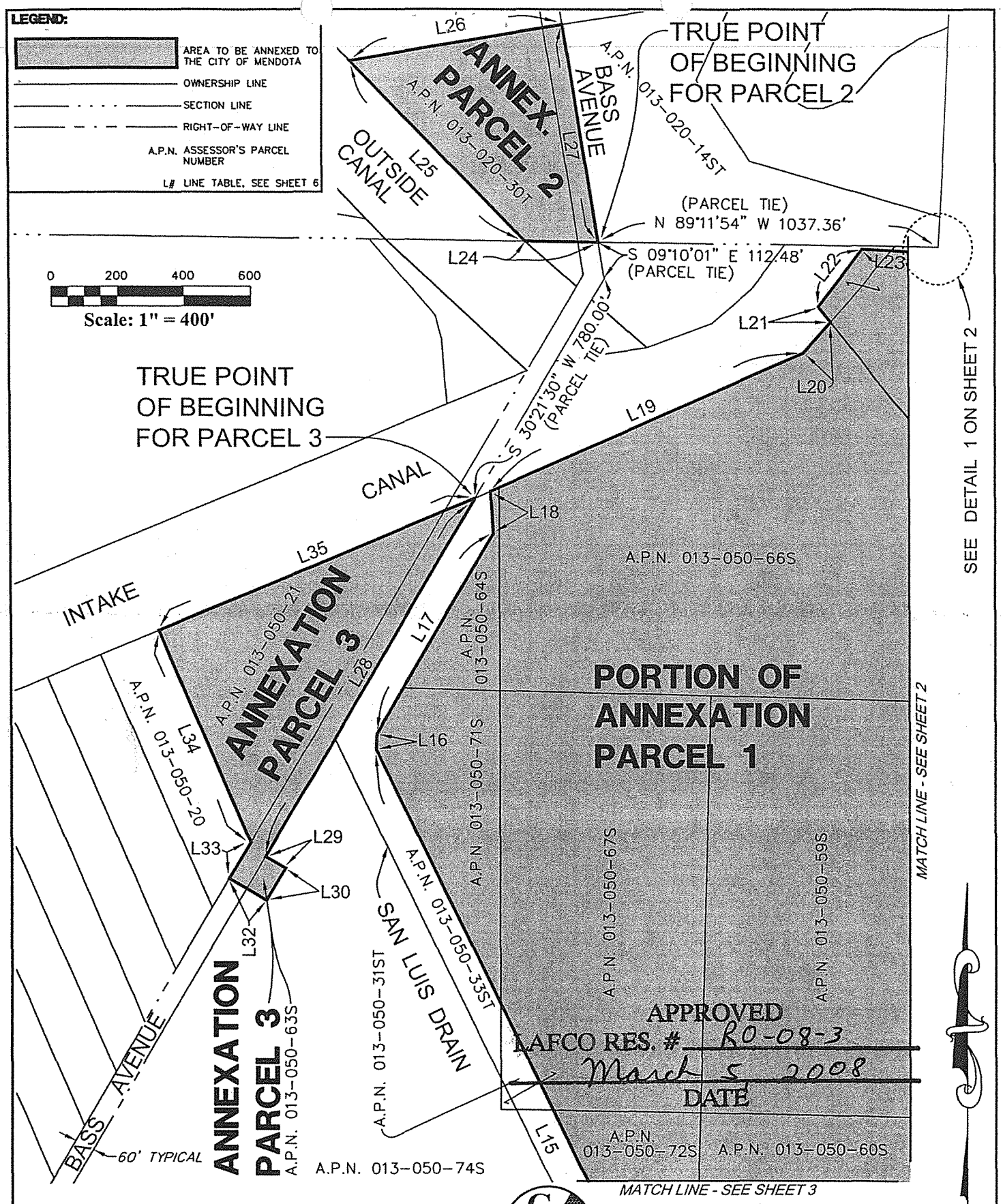
10



WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

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840G0122M4.DWG

LINE TABLE		
LINE	BEARING	LENGTH
L1	N85°15'16"E	597.20'
L2	N74°10'16"E	372.00'
L3	N88°34'16"E	333.30'
L4	S04°13'36"W	1116.97'
L5	S88°32'46"E	144.19'
L6	S01°32'28"W	441.49'
L7	S01°30'57"W	2485.58'
L8	S43°37'34"E	2521.59'
L9	S01°30'52"W	1992.00'
L10	N89°00'35"W	2944.70'
L11	N01°30'46"E	998.87'
L12	N88°29'08"W	80.00'
L13	N01°30'46"E	1347.67'
L14	N01°35'25"E	259.46'
L15	N25°59'50"W	3923.00'
L16	N02°51'28"E	46.62'
L17	N30°13'06"E	707.82'
L18	N03°08'41"W	129.74'
L19	N65°58'48"E	1041.55'
L20	N41°01'55"E	126.20'
L21	N38°38'59"W	59.94'
L22	N37°17'13"E	220.61'
L23	S86°59'44"E	235.55'
L24	N89°11'54"W	222.53'
L25	N43°58'54"W	766.18'
L26	N80°12'37"E	656.64'
L27	S09°10'01"E	674.69'
L28	S30°21'30"W	1267.56'
L29	S59°38'30"E	70.00'
L30	S30°21'30"W	114.00'
L32	N59°38'30"W	130.00'
L33	N30°21'30"E	128.96'
L34	N22°58'06"W	703.40'
L35	N67°13'07"E	1040.50'

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

PROFESSIONAL LAND SURVEYOR
07 APR 08
RICHARD C. SHEPARD
Richard C. Shepard
NO. 6218
EXP. 31MAR10
STATE OF CALIFORNIA

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

840G0122M4.DWG

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12

STATE OF CALIFORNIA

STATE BOARD OF EQUALIZATION
PROPERTY AND SPECIAL TAXES DEPARTMENT
450 N STREET, MIC: 59, SACRAMENTO, CALIFORNIA
PO BOX 942879, SACRAMENTO CALIFORNIA, 94279-0059
TELEPHONE (916) 322-7189
FAX (916) 327-4251
http://www.boe.ca.gov/

BETTY T. YEE
First District, San Francisco

BILL LEONARD
Second District, Ontario

MICHELLE STEEL
Third District, Santa Ana

JUDY CHU
Fourth District, Los Angeles

JOHN CHAING
Controller. Sacramento

RAMON J. HIRSIG
Executive Director

AUG 2008
Received
FRESNO
LAFCO

Mr. Richard Ballantyne, Executive Officer
Fresno LAFCo
2115 Kern St., Suite 310
Fresno, CA 93721

This is to acknowledge receipt of the statement(s) required by Section 54900, et seq., of the Government Code for the action described below. Copies of your documents will be forwarded by us to other agencies. You are required by Section 54902 of the Government Code to file a complete set of documents, except for the processing fee, with the County Assessor and Auditor affected by this action.

Tax rate area boundaries and property tax allocations will become effective for the assesment roll indicated below.

BOE File No.: **2009-013**
Received at BOE: **07/31/2008**
Date of Acknowledgement: **08/05/2008**
Distribution: **14**

Assessment Roll: **2009/10**
County: **10 Fresno**

District: **01 CITY - MENDOTA [0010]**
Conducting Authority: **WAIVED BY COMMISSION**

Short Title: **CITY OF MENDOTA WASTEWATER TREATMENT PLANT EXPANSION NO. 1**
Type of Action: **02 City - Annexation**

Resolution/Ord. No.:
LAFCo No.: **RO-08-3**
Effective Date: **07/25/2008**
Fee: **$2,500.00**
Acreage: **465.97**

Ralph L. Davis

Ralph Davis
Research Manager (GIS)
Tax Area Services Section

cc: County Assessor, County Auditor

acknowledge1.fr3

County of Fresno

Robert C. Werner
Assessor - Recorder

8/5/2008

AUG 2008
Received
FRESNO
LAFCO

Local Agency Formation Commission
Fresno County Plaza
Fresno, CA 93711

Re: 2009-10 Assessment Roll

Dear Mr. Ballantyne:

This will acknowledge that the below change has been filed with this office pursuant to Section 54,900 et. seq. of the Government Code.

Date Filed: JULY 25, 2008
City/ District: CITY OF MENDOTA

Ord./Resolution #: RO 08-3

Subject: WASTEWATER TREATMENT PLANT EXPANSION NO. 1

Yours Truly,
Robert C. Werner
Fresno County Assessor

Virginia Quevedo

Virginia Quevedo
Cadastral Technician III

Hall of Records, 2281 Tulare Street / Fresno, California 93721 / Phone (559) 488-3585 / Fax (559) 488-6774
P.O. Box 1146 / Fresno, California 93715-1146
Equal Employment Opportunity • Affirmative Action • Disabled Employer

Fresno Local Agency Formation Commission

TO: Ralph Davis, State Board of Equalization
Robert Werner, County Assessor
Vicki Crow, County Auditor

SUBJECT: "Wastewater Treatment Plant Expansion No. 1 Reorganization", LAFCo File No. RO-08-3

In accordance with the requirements of the California State Government Code (Section 54900 et seq.), and in accordance with Section 99(b) of the State Revenue and Taxation Code, the attached Statement of Boundary Change has been forwarded to you for filing.

A Certificate of Completion for this change of organization was executed and certified by the Executive Officer on July 25, 2008.

The change of organization was effective on July 25, 2008.

Property tax negotiations have been completed. The property tax revenue exchange shall be in accordance with the provisions of the master property tax exchange agreement on file with the Commission.

RICK BALLANTYNE
EXECUTIVE OFFICER

Date: July 25, 2008

(Please acknowledge the filing of this statement by sending a receipt to our office. Thank you.)

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

Fresno Local Agency Formation Commission

July 25, 2008

NOTICE OF COMPLETION OF BOUNDARY CHANGE

To: Clerk, City of Mendota

From: Rick Ballantyne, Executive Officer

Subject: "Wastewater Treatment Plant Expansion No.1 Reorganization"
LAFCo File No. RO-08-12

Please be advised that all filings for the above approved annexation have been made, as required by California Government Code Section 57200 et seq. The change of organization is now complete and effective.

A certified copy of the Certificate of Completion is enclosed along with the map and legal description indicating the recording numbers affixed by the County Recorder. A Statement of Boundary Change was sent to the County Assessor, County Auditor, and State Board of Equalization.

A map showing the change of boundaries was also sent to the agencies listed on the attached letter of transmittal.

RB:cf

Attachments

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

Fresno Local Agency Formation Commission

DATE: July 25, 2008

TO: City of Mendota
Fresno County Fire Protection District (Ray Franklin)
Silver Creek Drainage District
County Elections, Precinct Activities - STOP #28
Stephanie Kahl, Environmental Health - STOP #147
Bernard Jimenez, Development Services Div. - STOP #214
Development Engineering - STOP #214
Robin Quinn, Road Maintenance - STOP #214
Lynn Gorman, Planning & Resource Management - STOP #214
Parks and Recreation - STOP #214
Pat Guerrero, EMIS - STOP #214
Sheila Kirkorian, 911 Coordinator - STOP #224
Flora Kotchkina, Public Works - STOP #214 (legal attached)
Lt. Dave Price, California Highway Patrol
U. S. Department of Commerce
Malcolm Dougherty, Caltrans
State of California, Alcoholic Beverage Control
Housing Authority of City and County
Mendota Unified School District
West Hills Jr. College

FROM: Rick Ballantyne, Executive Officer

SUBJECT: "Wastewater Treatment Plant Expansion No. 1 Reorganization"
LAFCo File No. RO-08-3

Please be advised that all required filings for the "Wastewater Treatment Plan Expansion" Reorganization have been made. The change of organization was effective on July 25, 2008.

A map of the approved annexation/reorganization is attached for your reference.

RB:cf

Attachment

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

Fresno Local Agency Formation Commission

DATE: July 25, 2008

TO: Fresno County Recorder - Stop #4

FROM: Rick Ballantyne, Executive Officer

SUBJECT: "Wastewater Treatment Plant Expansion No. 1 Reorganization", LAFCo File No. RO-08-3

In order to complete the filing for this approved change of organization, we are sending you a counterpart original of the Certificate of Completion for recordation.

Please assist the completion of this filing by making the required filing of the boundary description with the County Assessor's Office and by providing the information above for verification purposes. Thank you for your assistance.

Recorded at 3:40 P.M on 7/25/08

Document Number 07/25/2008,20080106638

Signed Donita G Kennedy

cc: Dave King, Assessor's Office

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

CERTIFICATE OF COMPLETION
FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION

The Fresno Local Agency Formation Commission waived the Conducting Authority proceedings.

The names of the agencies whose territory is changed and the type of change for each are:

Annexation to the City of Mendota and detachment from the Fresno County Fire Protection District and the Silver Creek Drainage District.

The County in which the entire boundary change occurred is Fresno County.

The short title of the reorganization proceeding is "Wastewater Treatment Plant Expansion No. 1 Reorganization", LAFCo File No. RO-08-3.

The affected territory is uninhabited.

The change of organization was ordered without an election, and Resolution No. RO-08-3 ordering the change of organization was adopted by the Fresno Local Agency Formation Commission on March 5, 2008.

A legal description of the territory affected by the reorganization is set forth in the attached Exhibit "A".

The conditions of approval of the reorganization have been complied with as follows:

1. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.
2. All parcels included within the affected territory shall be designated for Public Facility use in the City of Mendota's General Plan prior to completion (recordation) of the annexation.
3. The entire affected territory shall be pre-zoned to the appropriate District prior to completion (recordation) of the annexation.
4. The New Planned Growth Area identified in the Amended and Restated Memorandum of Understanding (Master Tax Sharing Agreement) between the City of Mendota and the County of Fresno shall be amended to include the entire area proposed for annexation in this proposal prior to completion (recordation) of the annexation.
5. City Resolution 08-09 shall be revised so that reference to Consolidated Irrigation District and Kings River Conservation District are not included in the Resolution.

   Note: The City shall provide the Executive Officer with a corrected Resolution No. 07-48, and Ordinance No. 07-07 identifying current Assessor Parcel Numbers as per the County Assessor's Office.

6. The City of Mendota shall execute an indemnification agreement with the Commission, agreeing to defend, indemnify, and hold harmless the Commission from and against any claims, actions (including those filed by any state or local governmental agency), costs, or damages arising out of or in connection with the Commission's actions related to this matter. The form of such agreement shall be satisfactory to LAFCo Counsel.

I, Rick Ballantyne, Executive Officer of the Fresno County Local Agency Formation Commission, hereby certify that the attached legal description, map, and terms and conditions of the change of organization do comply with the Commission's resolution of approval.

RICK BALLANTYNE, EXECUTIVE OFFICER
FRESNO LOCAL AGENCY FORMATION COMMISSION

Dated: July 25, 2008

BOE-400-TA REV. 1 (2-00)

STATEMENT OF BOUNDARY CHANGE

STATE OF CALIFORNIA
BOARD OF EQUALIZATION

Please mail to the Board of Equalization, Tax Area Services Section, 450 N Street, MIC:59, P.O. Box 942879, Sacramento, California 94279-0059.

BOE USE ONLY
B.O.E. File No.:

County: FRESNO	County # : 10	Acreage: 465.97	Fee: $ 2.500	Res./Ord. No.:	N/A
Conducting Authority: WAIVED BY THE COMMISSION				LAFCo. Res.:	RO-08-3
Short Form Designation: "WASTEWATER TREATMENT PLANT EXPANSION NO. 1"				Effective Date:	JULY 25, 2008

1. *Type of action:* *(check one only)*

	01 Annexation to district		06 Consolidation of TRA's		10 Redevelopment
	02 Annexation to city		07 Detachment from district		11 Name change
	04 City incorporation		08 Dissolution of district	✓	12 Reorganization
	05 Consolidation of district		09 Formation-District		13 School district change

2. *Principal City/District(s) affected by action:*

DISTRICT NAME	DISTRICT NAME
ANNEX TO THE CITY OF MENDOTA	
DETACH FROM FRESNO COUNTY FIRE DIST.	
DETACH FROM SILVER CREEK DRAINAGE DIS.	

3. *Affected territory is legally:*

	Inhabited		Developed	
✓	Uninhabited	✓	Undeveloped	

Number of Areas: 2

4. *The affected territory:*

	Will be taxed for existing bonded indebtedness or contractual obligations as set forth by the terms and conditions as stated in the resolution.
✓	**Will not** be taxed for existing bonded indebtedness or contractual obligations.

5. *Election:*

	An election authorizing this action was held on _____ *date*
✓	This action is exempt from election.

6. *Enclosed are the following items required at the time of filing:*

✓	Fees	✓	Map(s) and supporting documents
✓	Legal description	✓	Assessor parcel number(s) of affected territory
✓	Resolution of conducting authority		County auditor's letter of TRA assignment (consolidated counties only)
✓	Certificate of Completion (LAFCO only)		

7. *City boundary changes only:*

✓	Map of limiting addresses (2 copies)	✓	Vicinity maps (2 copies)
✓	Alphabetical list of all streets within the affected area to include beginning and ending street numbers		
✓	***Estimated population is:*** 0		

8. *Required:* **According to section 54902 of the Government Code, copies of these documents must be filed with the county auditor and county assessor.**

Board of Equalization will acknowledge receipt of filing to:

NAME RICK BALLANTYNE		**BOE USE ONLY**
TITLE EXECUTIVE OFFICER		chk #:
AGENCY FRESNO LOCAL AGENCY FORMATION COMMISSION		
STREET 2115 KERN STREET, SUITE #310		amt:
CITY FRESNO	ZIP CODE 93721	
TELEPHONE NO. (559) 495-0604	FAX NO. (559) 495-0655	
E-MAIL ADDRESS RBALLANTYNE@CO.FRESNO.CA,US		ltr #:
SIGNATURE OF AGENCY OFFICER	DATE 7/25/08	

BOUNDARY CHANGE RECORDED
TIME 3:40 pm DATE 7/25/06
DOCUMENT # 2006 0106638
EFFECTIVE July 25, 2006

LEGAL DESCRIPTION
For
WASTEWATER TREATMENT PLANT EXPANSION,
AN ANNEXATION TO THE CITY OF MENDOTA
AND
DETACHMENT FROM THE SILVER CREEK DRAINAGE DISTRICT,
AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT
County of Fresno
(Total Annexation Area = 465.97 acres, more or less)

Those portions of Sections 19, 20, 29, 30 and 32, Township 13 South, Range 15 East, Mount Diablo Baseline & Meridian, County of Fresno, State of California of the United States of America, more particularly described as the following three parcels:

ANNEXATION PARCEL 1:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the east line of said Section 30, South 01°30′57″ West, a distance of 19.33 feet to a point on the northerly line of a parcel of land as described in a Decree of Condemnation, recorded April 9, 1948, in Book 2630, at Page 326, as Document No. 18018, Official Records of Fresno County, said point being the **TRUE POINT OF BEGINNING of PARCEL 1**;

From said Point of Beginning of Parcel 1:

Course L1. Along the northerly line of said parcel of land, North 85°15′16″ East, a distance of 597.20 feet, thence,

Course L2. Along the northerly line of said parcel of land, North 74°10′16″ East, a distance of 372.00 feet, thence,

Course L3. Along the northerly line of said parcel of land, North 88°34′16″ East, a distance of 333.30 feet, thence,

Course L4. South 04°13′36″ West, a distance of 1116.97 feet to the southeast corner of the aforementioned parcel of land, thence,

Course L5. South 88°32′46″ East, a distance of 144.19 feet, thence,

Course L6. South 01°32′28″ West, a distance of 441.49 feet to a point on the north line of a parcel of land as described in a Grant Deed, recorded December 31, 1984, as Document No. 84126193, Official Records of Fresno County, thence,

Course L7. Along the boundary line of said parcel of land, and its southerly prolongation, South 01°30′57″ West, a distance of 2485.58 feet, thence,

Course L8. South 43°37′34″ East, a distance of 2521.59 feet, thence,

Course L9. South 01°30′52″ West, a distance of 1992.00 feet, thence,

Course L10. North 89°00′35″ West, a distance of 2944.70 feet to a point 80.00 feet easterly from, measured at right angle to, the easterly boundary line of the San Luis Drain, as per U.S. Bureau of Reclamation Right-of-Way Map No. 805-238-880 dated September 15, 1967, thence,

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

Course L11. Parallel with said easterly boundary line, North 01°30′46″ East, a distance of 998.87 feet, thence,

Course L12. North 88°29′08″ West, a distance of 80.00 feet to said easterly boundary line, thence,

Course L13. North 01°30′46″ East, a distance of 1347.67 feet along said easterly boundary line to the North Line of the aforementioned Section 32, thence,

Course L14. Along said easterly boundary line, North 01°35′25″ East, a distance of 259.46 feet, thence,

Course L15. Along said easterly boundary line, North 25°59′50″ West, a distance of 3923.00 feet, thence,

Course L16. Along said easterly boundary line, North 02°51′28 East, a distance of 46.62 feet, thence,

Course L17. Along said easterly boundary line, North 30°13′06″ East, a distance of 707.82 feet, thence,

Course L18. Along said easterly boundary line, North 03°08′41″ West, a distance of 129.74 feet to a point on the southeasterly right-of-way line of the Intake Canal, thence,

Course L19. Along said southeasterly right-of-way line, North 65°58′48″ East, a distance of 1041.55 feet, thence,

Course L20. North 41°01′55″ East, a distance of 126.20 feet to a point on the southwesterly line of the aforementioned parcel of land as described in a Decree of Condemnation, recorded April 9, 1948, thence,

Course L21. Along said boundary line of said Decree of Condemnation parcel, North 38°38′59″ West, a distance of 59.94 feet, thence,

Course L22. Along said boundary line of said Decree of Condemnation parcel, North 37°17′13″ East, a distance of 220.61 feet, thence,

Course L23. Along said boundary line of said Decree of Condemnation parcel, South 86°59′44″ East, a distance of 235.55 feet to the **TRUE POINT OF BEGINNING of PARCEL 1.**

The above described property encompasses 449.88 acres, more or less.

ANNEXATION PARCEL 2:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the north line of said Section 30, North 89°11′54″ West, a distance of 1037.36 feet to a point on the easterly right-of-way line of Bass Avenue (60.00 feet in width), said point being the **TRUE POINT OF BEGINNING of PARCEL 2**, thence,

Course L24. Along said north line of Section 30, North 89°11′54″ West, a distance of 222.53 feet to the northeasterly line of the "Outside Canal", thence,

Course L25. Along said northeasterly line, North 43°58′54″ West, a distance of 766.18 feet to the southerly line of the "Delta Mendota Canal", thence,

Course L26. Along said southerly line, North 80°12′37″ East, a distance of 656.64 feet to the aforementioned easterly right-of-way line of Bass Avenue, thence,

Course L35. Along said easterly line, South 09°10′01″ East, a distance of 674.69 feet to the **TRUE POINT OF BEGINNING of PARCEL 2.**

The above described property encompasses 6.47 acres, more or less.

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

BOUNDARY CHANGE RECORDED
TIME 3:40 p.m. DATE 7/25/08
DOCUMENT # 20080106638
EFFECTIVE July 25, 2008

ANNEXATION PARCEL 3:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the north line of said Section 30, North 89°11′54″ West, a distance of 1037.36 feet to a point on the easterly right-of-way line of Bass Avenue (60.00 feet in width), thence,

Parcel Tie Course. South 09°10′01″ East, along said easterly right-of-way line, a distance of 112.48 feet, thence,

Parcel Tie Course. South 30°21′30″ West, along the southeasterly right-of-way line of said Bass Avenue, a distance of 780.00 feet to a point on the southeasterly line of the "Intake Canal", and the **TRUE POINT OF BEGINNING of PARCEL 3**, thence,

Course L28. Along said southeasterly right-of-way line, South 30°21′30″ West, a distance of 1267.56 feet, thence,

Course L29. South 59°38′30″ East, a distance of 70.00 feet, thence,

Course L30. South 30°21′30″ West, a distance of 114.00 feet, thence,

Course L32. North 59°38′30″ West, a distance of 130.00 feet to a point on the northwesterly right-of-way line of Bass Avenue, thence,

Course L33. Along said northwesterly right-of-way line, North 30°21′30″ East, a distance of 128.96 feet to the boundary line between Assessor's parcels 013-050-20 and 013-050-21 (circa 2007), thence,

Course L34. Along the common boundary line between the aforementioned Assessor's parcels, North 22°58′06″ West, a distance of 703.40 feet to said southeasterly line of the "Intake Canal", thence,

Course L35. Along said southeasterly line, North 67°13′07″ East, a distance of 1040.50 feet to the **TRUE POINT OF BEGINNING of PARCEL 3**.

The above described property encompasses 9.62 acres, more or less.

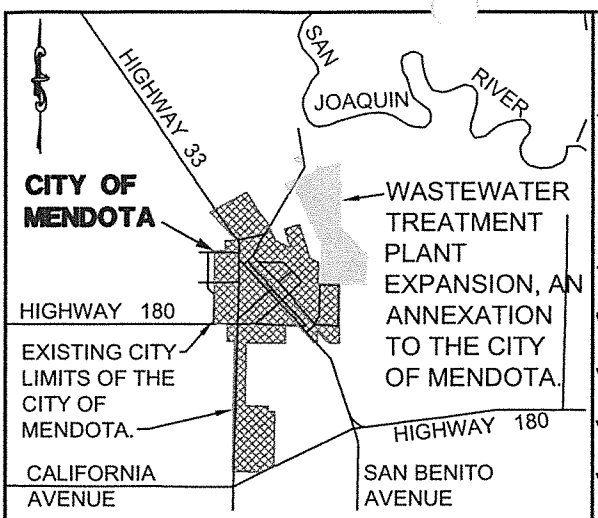
The property described herein encompasses a total of 465.97 acres, more or less.

End of Legal Description.

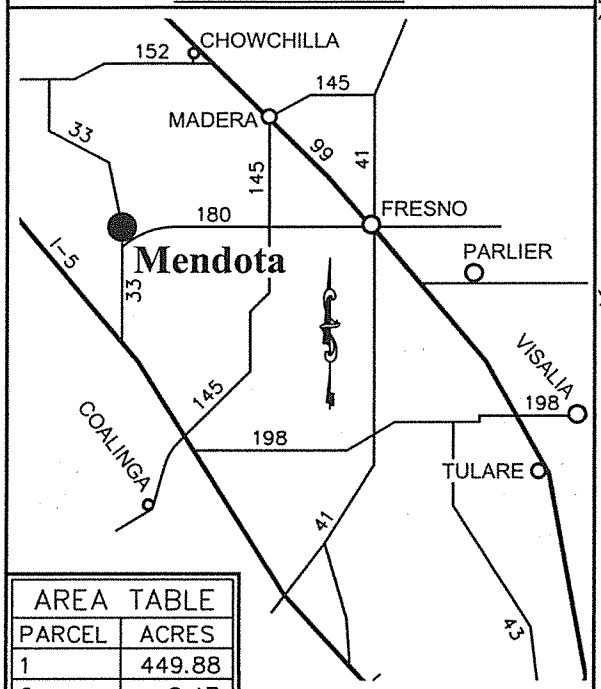
PROFESSIONAL LAND SURVEYOR
07 APR 08
RICHARD C. SHEPARD
Richard C. Shepard
NO. 6218
EXP. 31MAR10
STATE OF CALIFORNIA

BOUNDARY CHANGE RECORDED
TIME 3:40 p.m. DATE 7/25/08
DOCUMENT # 2008010638
EFFECTIVE July 25, 2008

APPROVED
LAFCO RES. # RO-08-3
March 5, 2008
DATE

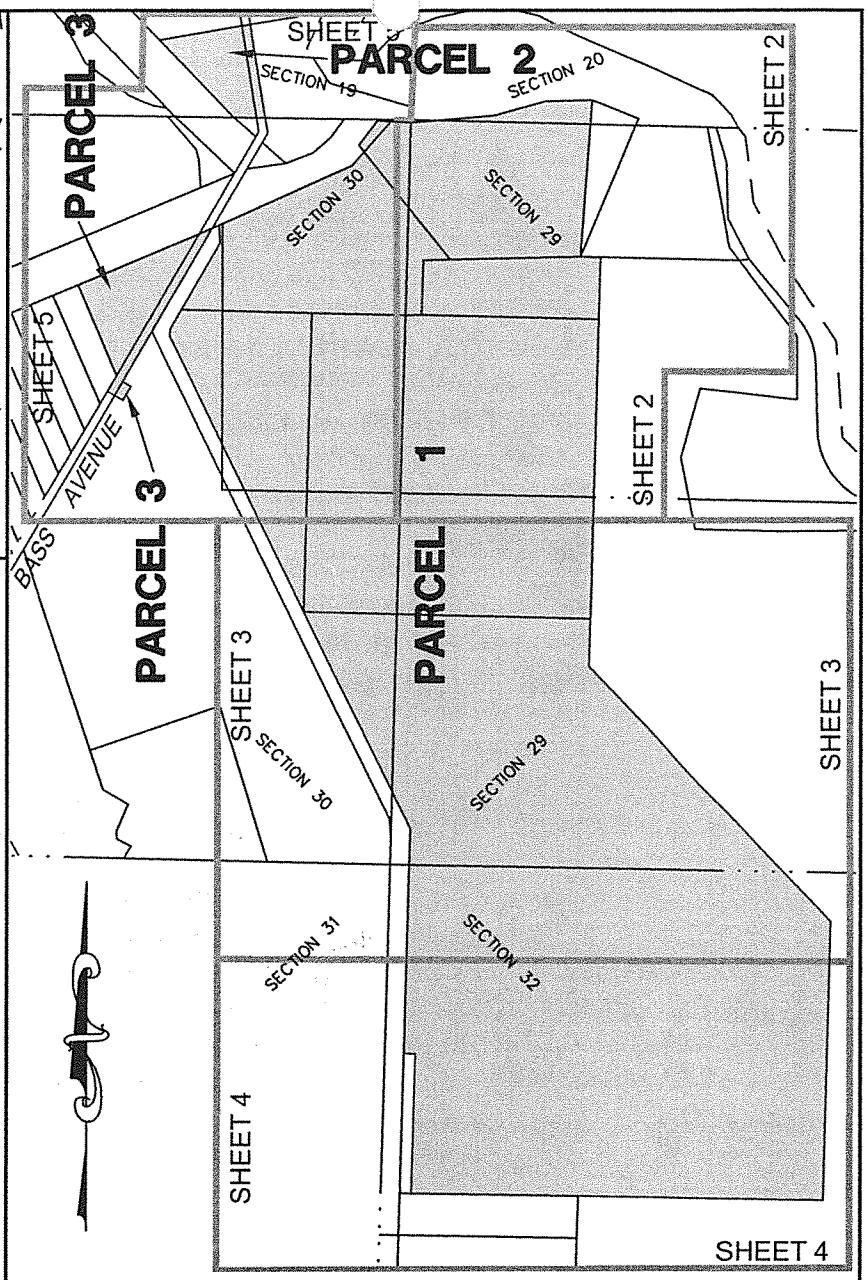


VICINITY MAP



AREA TABLE	
PARCEL	ACRES
1	449.88
2	6.47
3	9.62
TOTAL	465.97

LOCATION MAP



INDEX MAP

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA, AND DETACHMENT FROM THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

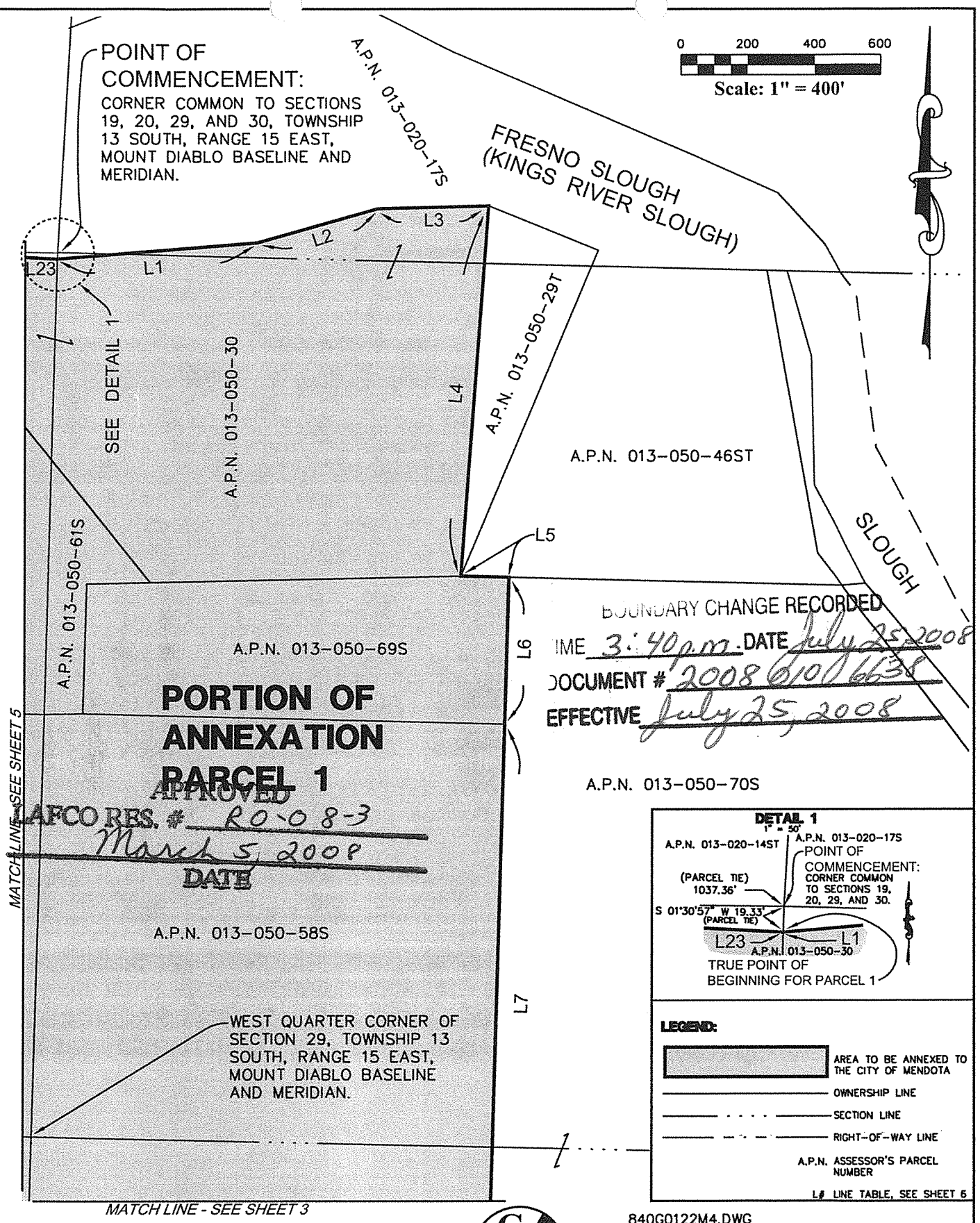
BOUNDARY CHANGE RECORDED
TIME 3:40 p.m. DATE 7/25/08
DOCUMENT # 20080106638
EFFECTIVE July 25, 2008

APPROVED
LAFCO RES. # RO-08-3
DATE March 5, 2008

BOUNDARY CHANGE RECORDED
TIME _____ DATE _____
DOCUMENT NO. _____
EFFECTIVE _____

840G0122M4.DWG REVISED 07APR2008

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
421 No. "I" Street
Madera, California 93637
(559) 673-5981 FAX 675-3544
E-mail: office@gai-online.com
www.gai-online.com



BOUNDARY CHANGE RECORDED
TIME 3:40 p.m. DATE July 25 2008
DOCUMENT # 2008 0101638
EFFECTIVE July 25, 2008

APPROVED
LAFCO RES. # R08-3
March 5, 2008
DATE

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

840G0122M4.DWG

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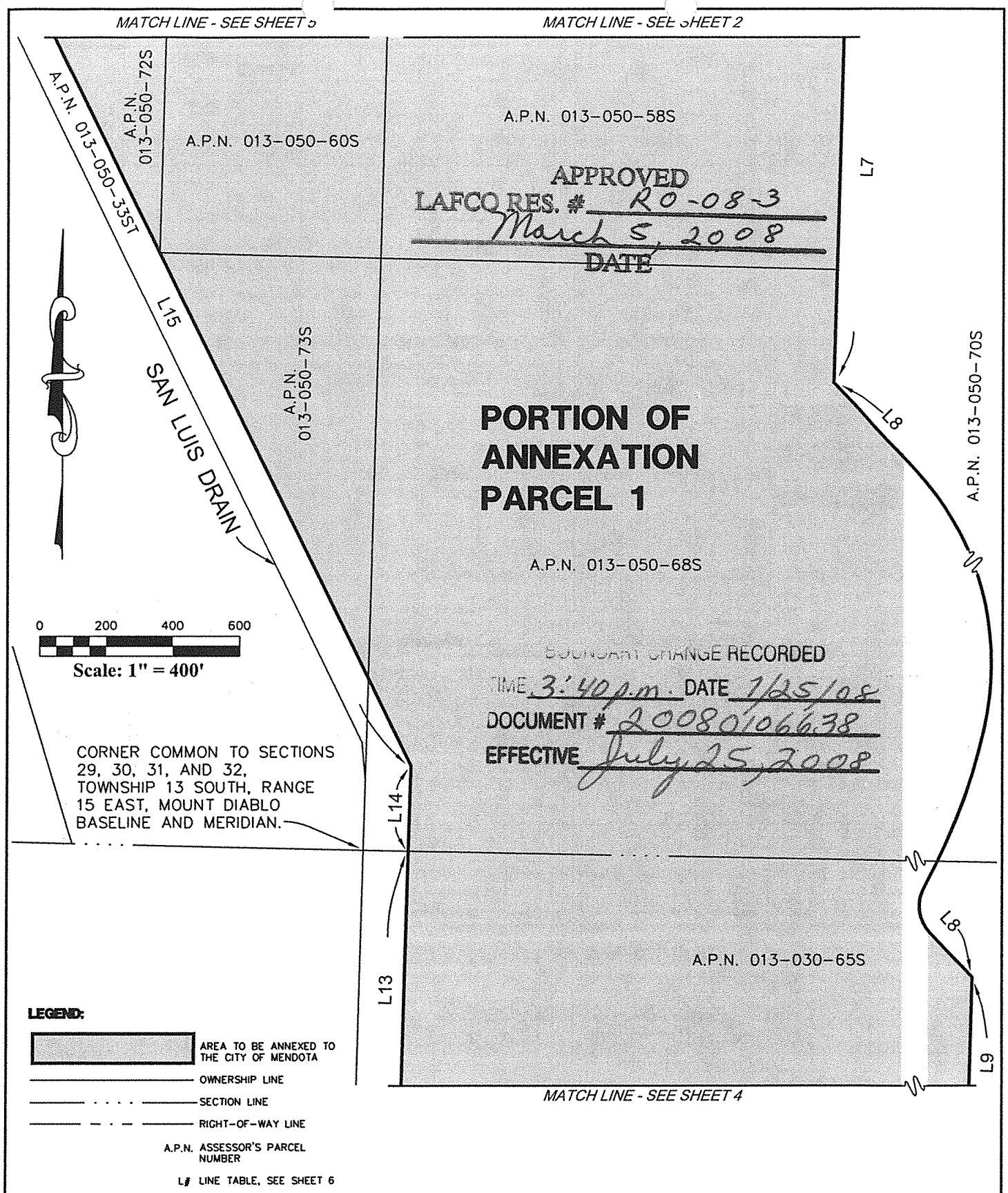

LEGEND:

- AREA TO BE ANNEXED TO THE CITY OF MENDOTA
- OWNERSHIP LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- A.P.N. ASSESSOR'S PARCEL NUMBER
- L# LINE TABLE, SEE SHEET 6

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

840G0122M4.DWG

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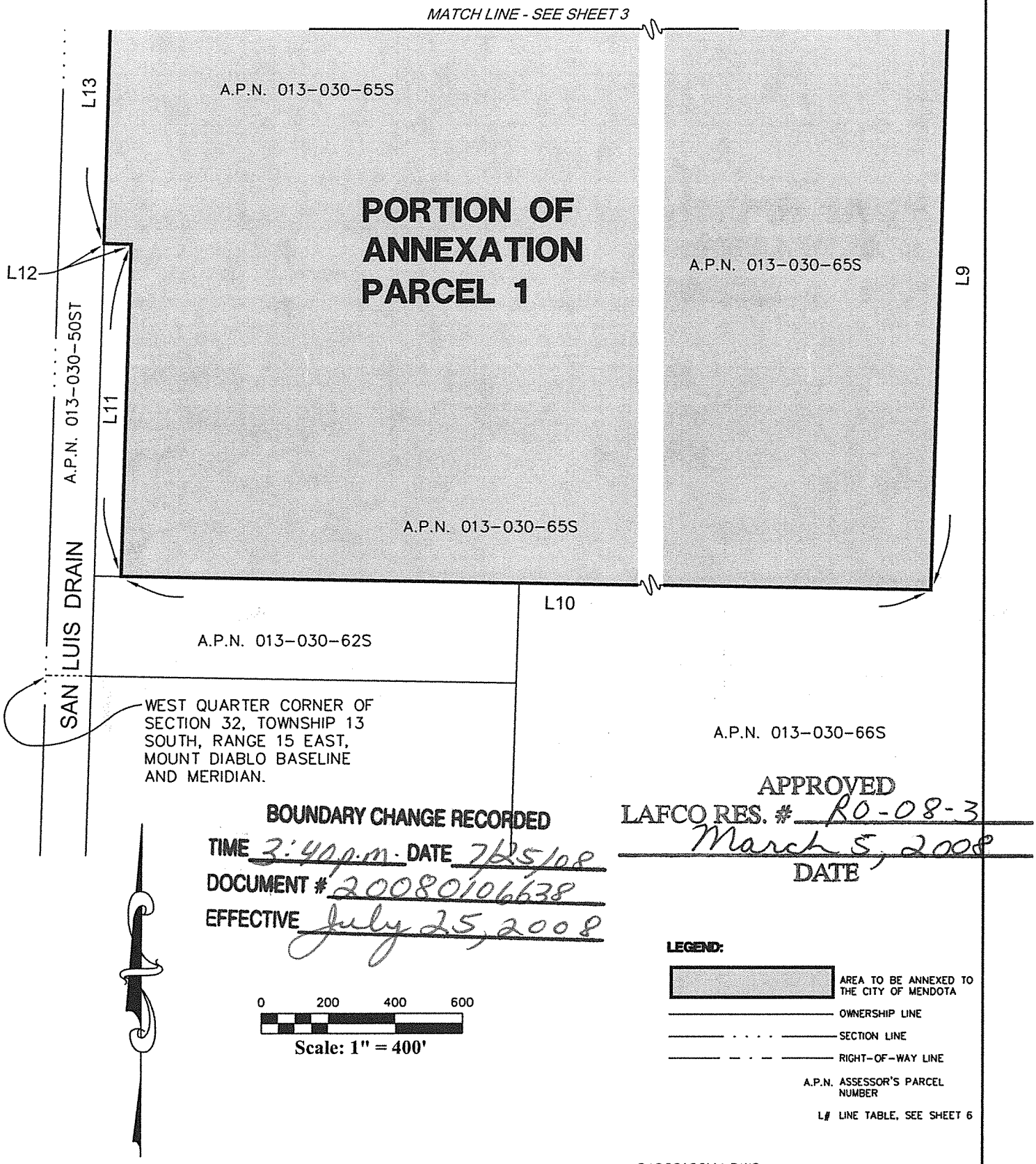

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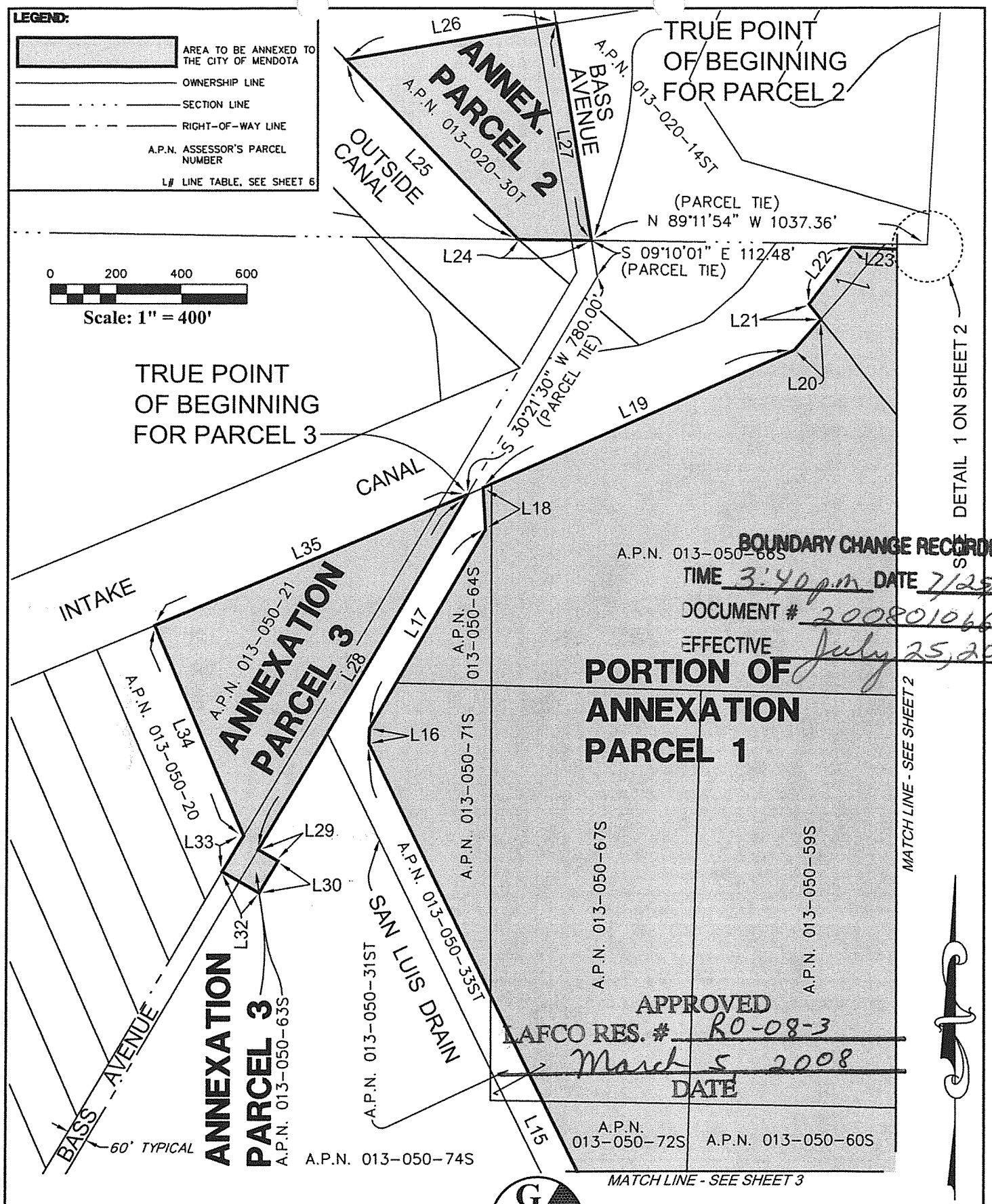

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WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

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LAFCO RES. # RO-08-3
March 5, 2008
DATE

PROFESSIONAL LAND SURVEYOR
07 APR 08
RICHARD C. SHEPARD
Richard C. Shepard
NO. 6218
EXP. 31MAR10
STATE OF CALIFORNIA

LINE TABLE		
LINE	BEARING	LENGTH
L1	N85°15'16"E	597.20'
L2	N74°10'16"E	372.00'
L3	N88°34'16"E	333.30'
L4	S04°13'36"W	1116.97'
L5	S88°32'46"E	144.19'
L6	S01°32'28"W	441.49'
L7	S01°30'57"W	2485.58'
L8	S43°37'34"E	2521.59'
L9	S01°30'52"W	1992.00'
L10	N89°00'35"W	2944.70'
L11	N01°30'46"E	998.87'
L12	N88°29'08"W	80.00'
L13	N01°30'46"E	1347.67'
L14	N01°35'25"E	259.46'
L15	N25°59'50"W	3923.00'
L16	N02°51'28"E	46.62'
L17	N30°13'06"E	707.82'
L18	N03°08'41"W	129.74'
L19	N65°58'48"E	1041.55'
L20	N41°01'55"E	126.20'
L21	N38°38'59"W	59.94'
L22	N37°17'13"E	220.61'
L23	S86°59'44"E	235.55'
L24	N89°11'54"W	222.53'
L25	N43°58'54"W	766.18'
L26	N80°12'37"E	656.64'
L27	S09°10'01"E	674.69'
L28	S30°21'30"W	1267.56'
L29	S59°38'30"E	70.00'
L30	S30°21'30"W	114.00'
L32	N59°38'30"W	130.00'
L33	N30°21'30"E	128.96'
L34	N22°58'06"W	703.40'
L35	N67°13'07"E	1040.50'

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

840G0122M4.DWG

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E-mail: office@gai-online.com
www.gai-online.com

"WASTEWATER TREATMENT PLANT EXPANION NO. 1" REORGANIZATION

ASSESSOR'S PARCEL NUMBERS

013-050-30

013-050-58S

013-050-59S

013-050-60S

013-050-61S

012-050-64S

013-050-66S

013-050-21

013-050-63S

013-020-30T

NOTIFICATION OF COMMISSION ACTION, AND CHECKLIST FOR COMPLETION OF LAFCO PROCEEDINGS

Fresno Local Agency Formation Commission (LAFCo)
2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 FAX: (559)495-0655

PROPOSAL: "WASTEWATER TREATMENT PLANT EXPANSION"

The above proposal has been approved by the Commission and the Conducting Authority (Protest Hearing) Proceedings have been waived. Once the mandatory 30-day waiting period during which time any person may request the Commission to reconsider its action approving a proposal has passed, the proceedings may be completed.

In order for us to complete the proceedings, please forward the following items.

- [x] Corrected Maps and Legal Descriptions.
- [ ] Evidence of compliance with all conditions of approval, if applicable. (See attached EVIDENCE OF COMPLIANCE WITH LAFCO CONDITIONS form.)
- [ ] Check made payable to State Board of Equalization for fees. A fee is required if property tax revenue is to be exchanged, or if a separate tax rate delineator is needed to collect a special assessment. The fee for your proposal is: $2,000.00
- [ ] The following information required by the State Board of Equalization for all city annexations:

    1. An alphabetical listing of all existing streets within the affected area to include beginning and ending street numbers. If a street is on the border of the affected area, indicate if the odd or even numbers are in the affected area.

    2. Two copies of Maps of the city boundary change showing existing streets and limiting street address ranges.

    3. Two copies of Vicinity or Location maps showing the City boundary in relation to annexation area.

    4. Estimated current population of city boundary change area: _____

    The city has the option of also filing a Department of Finance Housing Unit change form to inform them immediately of annexation completions involving a population change and thus obtain faster changes for population gain. Contact the State Department of Finance to obtain the appropriate form.

☐ A copy of the City's Certificate of Land Conservation Contract Termination adopted pursuant to Section 51243.5 of the Gov. Code, including a legal description of the land for which the City terminates the Contract, all to be recorded with the County Recorder at the same time as LAFCo files and records the Certificate of Completion.

■ A Master Street Address Guide Change Request form if street names or addresses will change. If you have any questions regarding this form, please contact Sheila LaPonte at 488-1614.

(Please attach a copy of this form when submitting the documents above for completion.)

SUBMITTED BY:_____

AGENCY:_____

PHONE NUMBER:_____

_____
Rick Ballantyne, LAFCo Executive Officer

EVIDENCE OF COMPLIANCE WITH LAFCO CONDITIONS
Fresno Local Agency Formation Commission
2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 FAX: (559) 495-0655

PROPOSAL: "WASTEWATER TREATMENT PLANT EXPANSION"

A. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.

B. All parcels included within the affected territory shall be designated for Public Facility use in the City of Mendota's General Plan prior to completion (recordation) of the annexation.

C. The entire affected territory shall be pre-zoned to the appropriate District prior to completion (recordation) of the annexation.

D. The New Planned Growth Area identified in the Amended and Restated Memorandum of Understanding (Master Tax Sharing Agreement) between the City of Mendota and the County of Fresno shall be amended to include the entire area proposed for annexation in this proposal prior to completion (recordation) of the annexation.

5. City Resolution 08-09 shall be revised so that reference to Consolidated Irrigation District and Kings River Conservation District are not included in the Resolution.

   Note: The City shall provide the Executive Officer with a corrected Resolution No. 07-48, and Ordinance No. 07-07 identifying current Assessor Parcel Numbers as per the County Assessor's Office.

6. The City of Mendota shall execute an indemnification agreement with the Commission, agreeing to defend, indemnify, and hold harmless the Commission from and against any claims, actions (including those filed by any state or local governmental agency), costs, or damages arising out of or in connection with the Commission's actions related to this matter. The form of such agreement shall be satisfactory to LAFCo Counsel.

CITY VERIFICATION

I hereby certify that all of the above actions have been taken by the City of Mendota in compliance with the terms and conditions of the Commission's approval of the above proposal (to be completed by authorized City representative).

JEFFREY O'NEAL	CONTRACT CITY PLANNER
NAME (PLEASE PRINT OR TYPE)	(TITLE)
	7/28/08
SIGNATURE	DATE

28556

Vendor	Vendor Name	Date 07/28/08	Ck # 02855c
STA05	STATE BOARD		

CITY OF MENDOTA
643 QUINCE STREET
MENDOTA, CALIFORNIA 93640

Invoice ID	Inv Date	Invoice Description	Gross	Discount	Total
A80728-	Jul 28 2008	WWTP - PROPERTY TAX REVENUE EXCHANGE	500.00		500.00
		Totals	500.00	.00	500.00

S322347-08

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND • PADLOCK ICON DISAPPEARS WITH HEAT • FLUORESCENT FIBERS AND OTHER SECURITY FEATURES

28556

WARRANT ON THE TREASURY OF THE
CITY OF MENDOTA
643 QUINCE STREET
MENDOTA, CALIFORNIA 93640

County Bank
567 Oller Street
Mendota, CA 93640

90-3700
1211

CHECK DATE 07/28/08

PAY EXACTLY *******500.00*

PAY **********500*DOLLARS*AND*00*CENTS**
*Five Hundred**********

TO THE ORDER OF
STATE BOARD
OF EQUILIZATION
P.O. BOX 942879
SACRAMENTO CA 94279

CITY OF MENDOTA

MAYOR

MAYOR PROTEM

CITY MANAGER

⑈028556⑈ ⑆121137001⑆ 3650505626⑈

28413

Vendor	Vendor Name	Date 06/26/08	Ck # 028413
STA05	STATE BOARD		

CITY OF MENDOTA
643 QUINCE STREET
MENDOTA, CALIFORNIA 93640

Invoice ID	Inv Date	Invoice Description	Gross	Discount	Total
A80626-	Jun 26 2008	WWTP - PROPERTY TAX REVENUE EXCHANGE	2,000.00		2,000.00
		Totals	2,000.00	.00	2,000.00

S322347-08

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND • PADLOCK ICON DISAPPEARS WITH HEAT • FLUORESCENT FIBERS AND OTHER SECURITY FEATURES

28413

WARRANT ON THE TREASURY OF THE
CITY OF MENDOTA
643 QUINCE STREET
MENDOTA, CALIFORNIA 93640

County Bank
567 Oller Street
Mendota, CA 93640

90-3700
1211

CHECK DATE 06/26/08

PAY EXACTLY ******2,000.00*

PAY *********2,000*DOLLARS*AND*00*CENTS**
*Two Thousand**********

TO THE ORDER OF
STATE BOARD
OF EQUILIZATION
P.O. BOX 942879
SACRAMENTO CA 94279

CITY OF MENDOTA

MAYOR

MAYOR PROTEM

CITY MANAGER

⑈028413⑈ ⑆121137001⑆ 3650505628⑈

NEVADA BELL
Pacific Telesis Companies

Master Street Address Guide (MSAG) Change Request

County _____

Sheet No. _____

Type Request: Insert [✓] Change [ ] Delete [ ]

Existing Street: N (Directional) BASS (Street Name) AVE (Suffix)

New Street: _____ (Directional) _____ (Street Name) _____ (Suffix)

Existing Community: MENDOTA (MSAG Abbreviation)

New Community: _____

TB Map/Grid _____

		Low Number	High Number	Odd/Even	ESN	PacBell Use
Existing Range	(1)					
	(2)					
	(3)					
	(4)					
	(5)					
New Range	(1)	200	200	E		
	(2)					
	(3)					
	(4)					
	(5)					

Customer Remarks _____

1. Signed [signature] Agency CITY OF MENDOTA Tel # 559.655.3291 Date 7/25/08

Copy to:
Pacific Bell Premise, 633 Folsom, Rm. 778, San Francisco, Ca. 94107 Attn: Eve Martin [ ] [ ]

PacBell Use Only

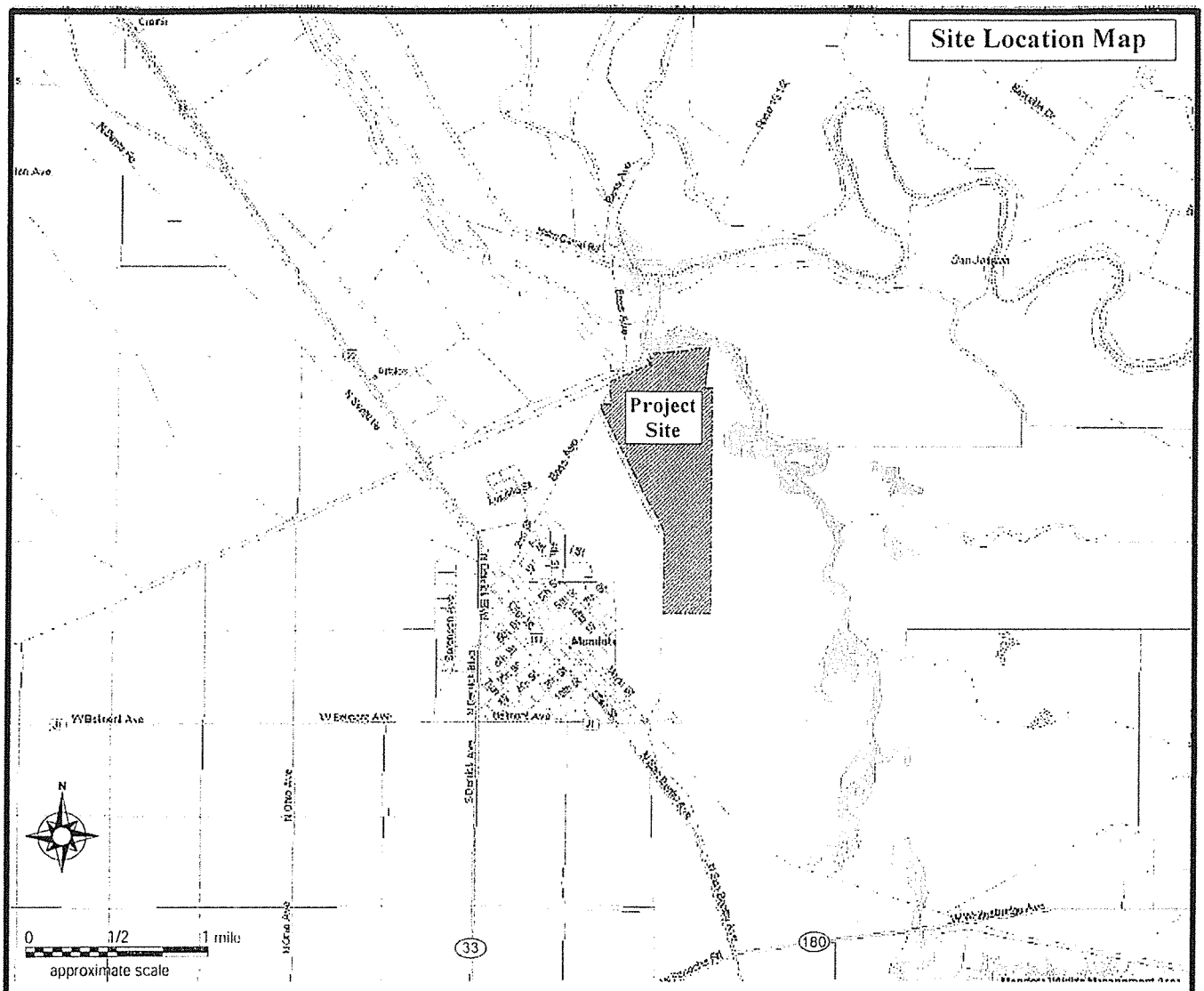
Date Rec'd _____ Reviewer _____ Typed _____ Audit _____

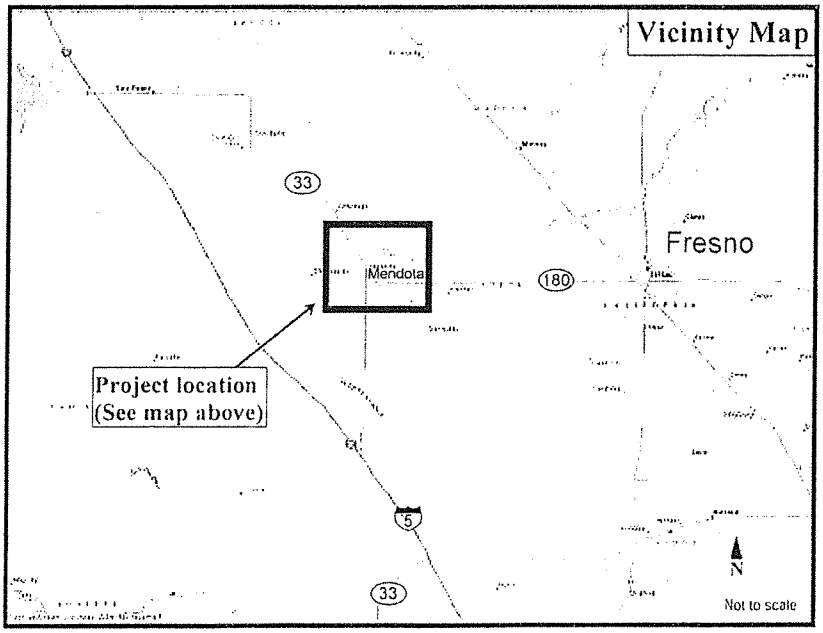
ESN Priority _____ ALI ID _____

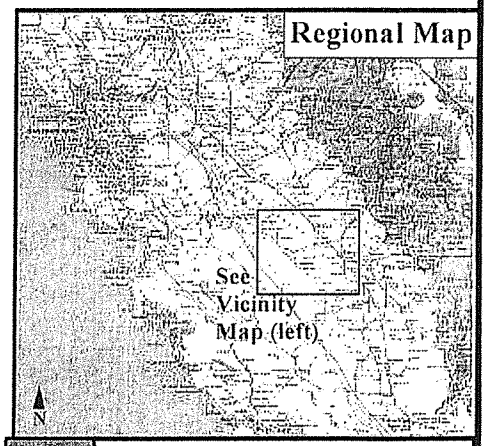
Return to: Fresno County Sheriff Dept.
2200 Fresno Street
Fresno, Ca. 93721
Attn: Shiela LaPonte

Remarks _____

PAC BELL



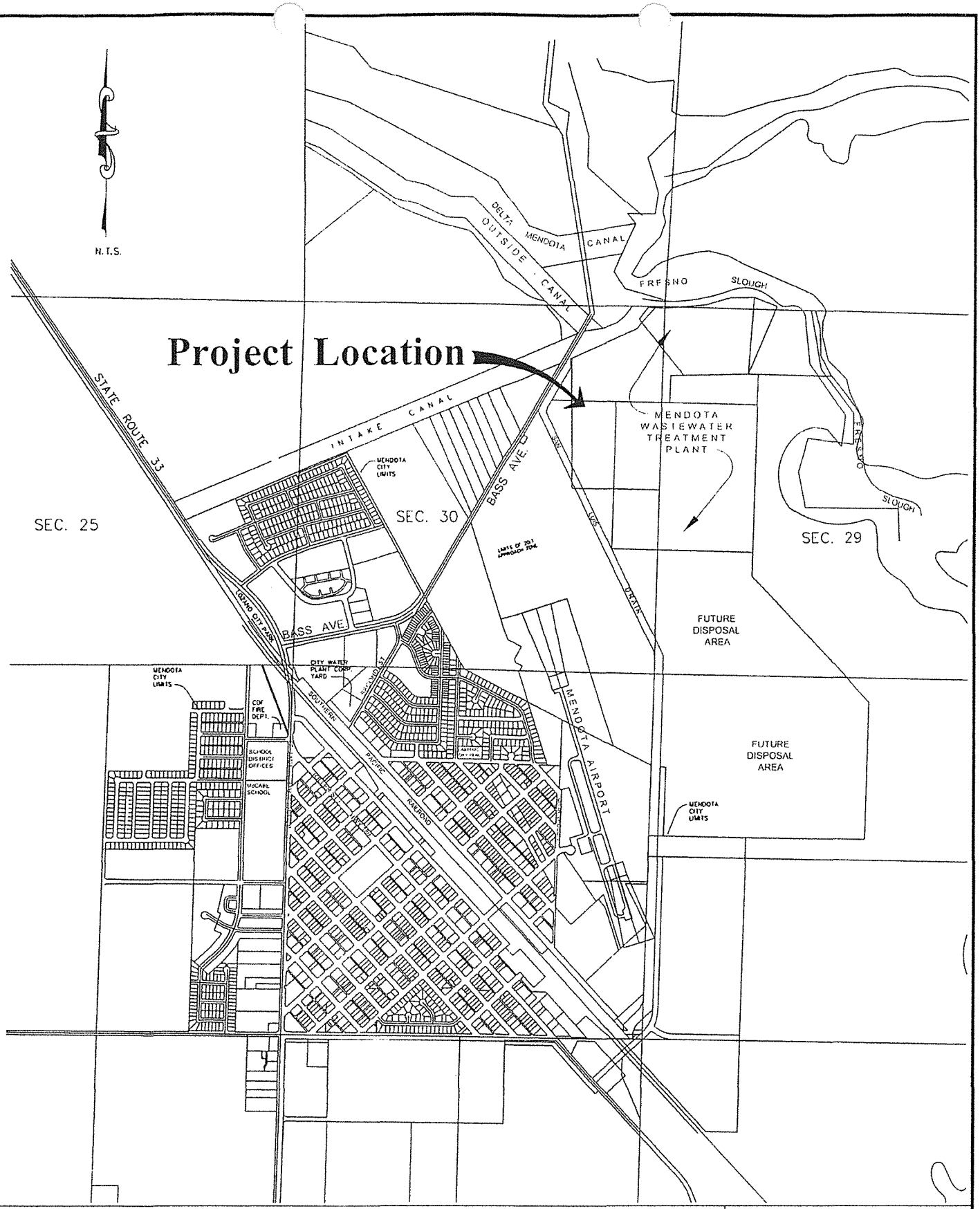




Live Oak Associates, Inc.

Mendota Wastewater Plant
Expansion Biological Study
Site / Vicinity Map

Date	Project #	Figure #
6/24/05	447-02	1



MENDOTA VICINITY MAP

840S0202J6.DWG

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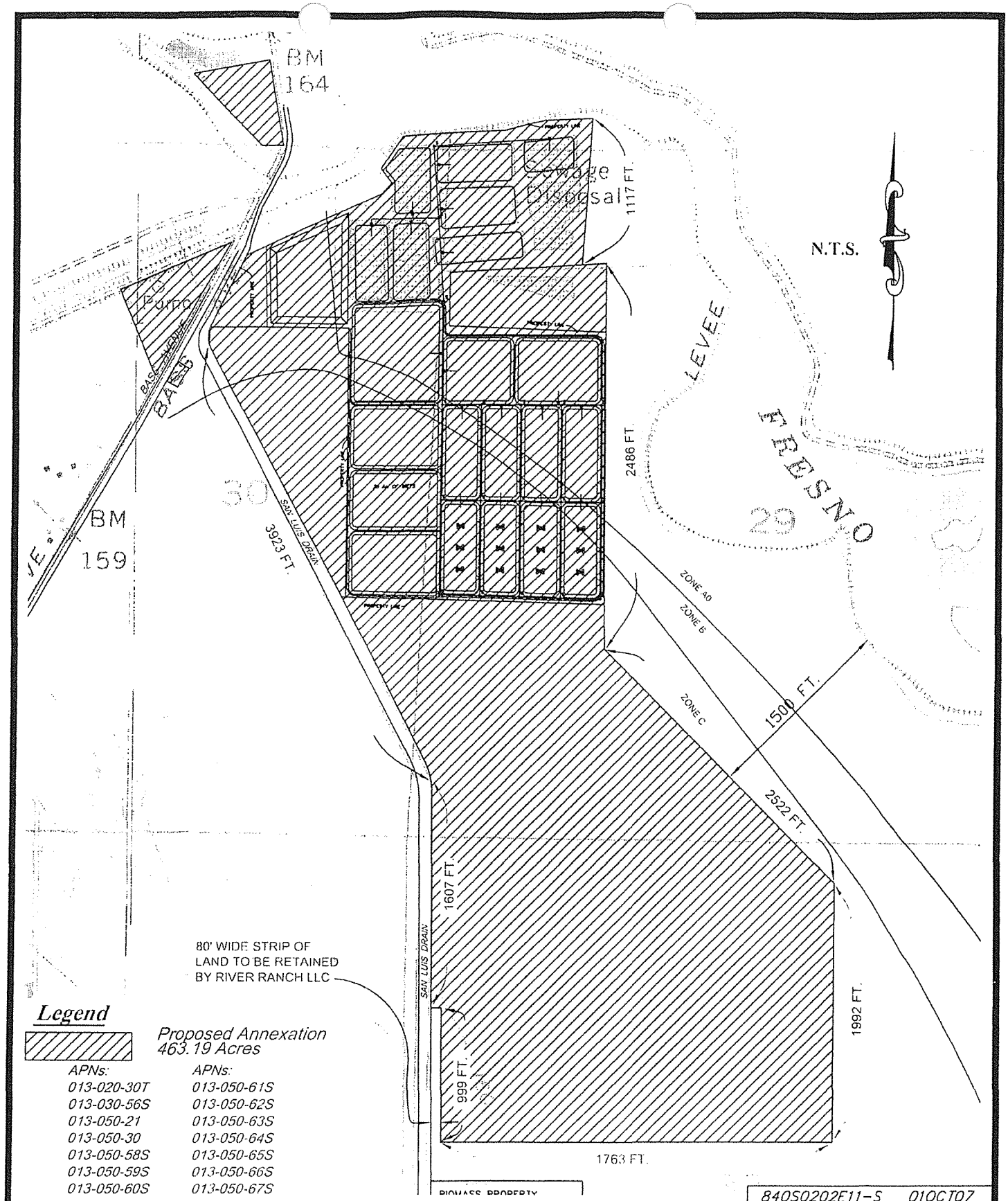
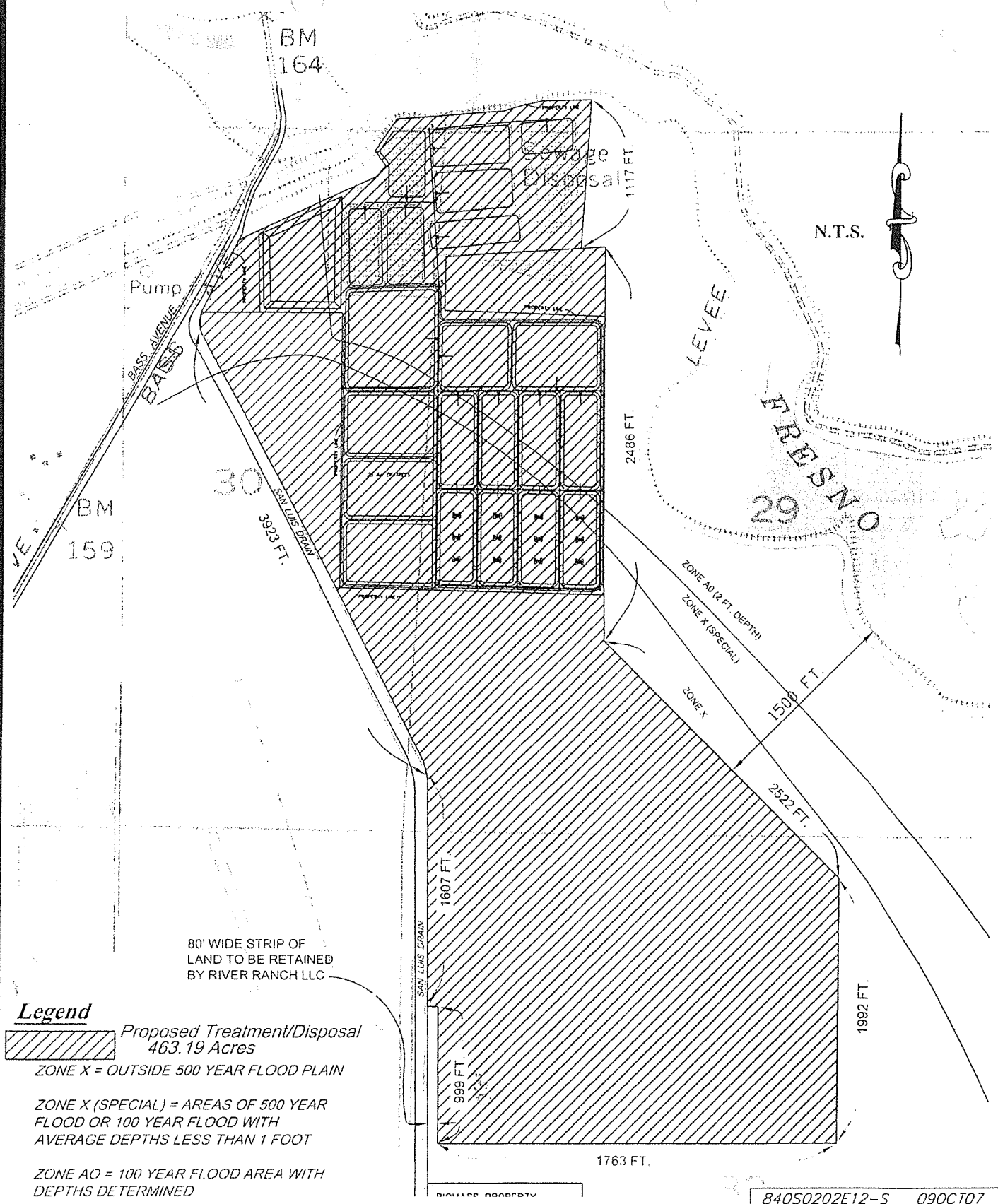


840S0202E11-S 01OCT07

CITY OF MENDOTA-ANNEXATION AREA

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
421 No. "I" Street
Madera, California 93637
(559) 673-5981 FAX 675-3544
E-mail: office@gal-online.com

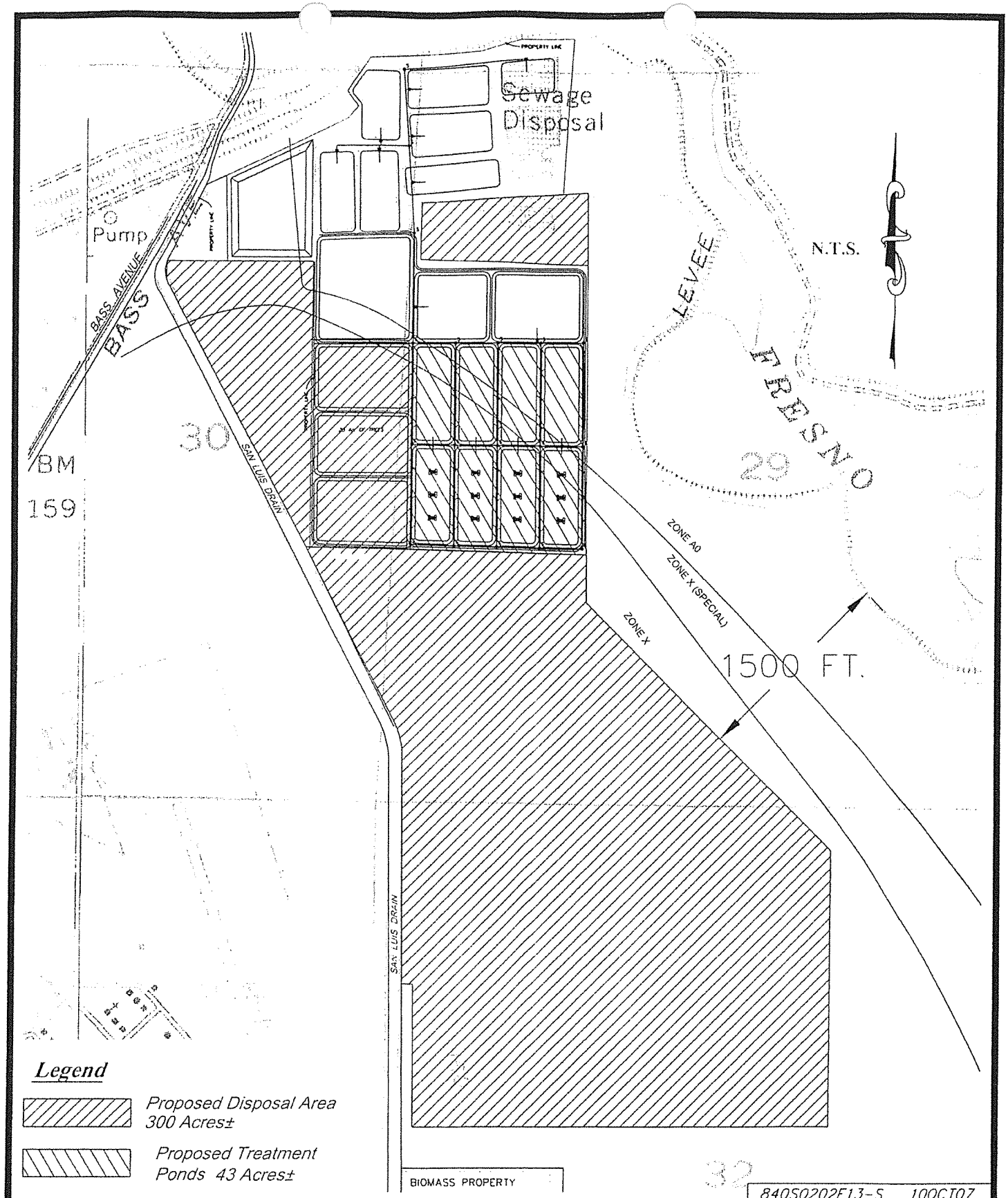


840S0202E12-S 09OCT07

CITY OF MENDOTA-FUTURE TREATMENT/DISPOSAL AREA

FLOOD ZONE

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
421 No. "I" Street
Modero, California 93637
(559) 673-5981 FAX 675-3544
E-mail: office@gai-online.com

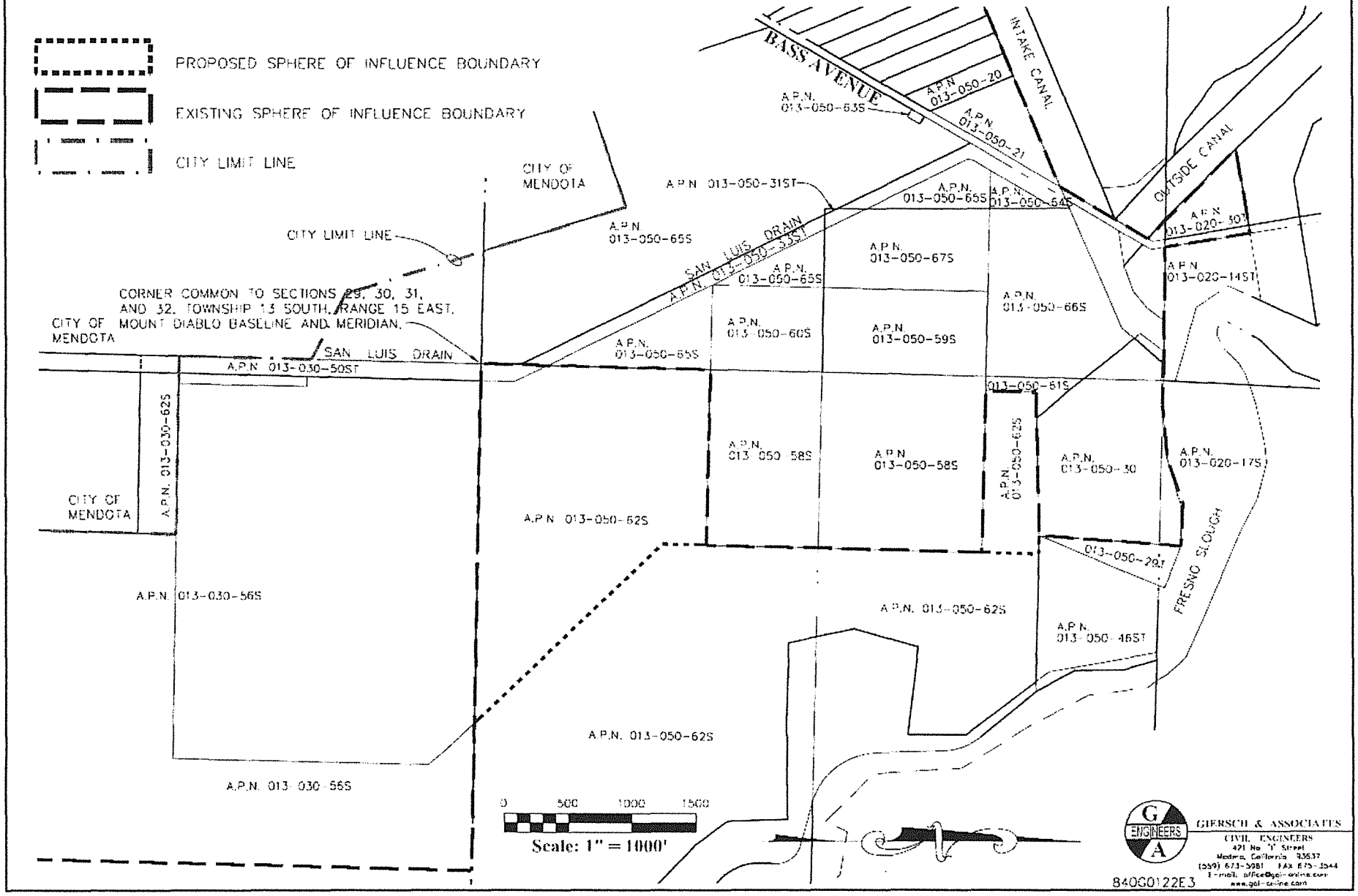


840S0202E13-S 100CT07

CITY OF MENDOTA-FUTURE WWTP & DISPOSAL AREAS

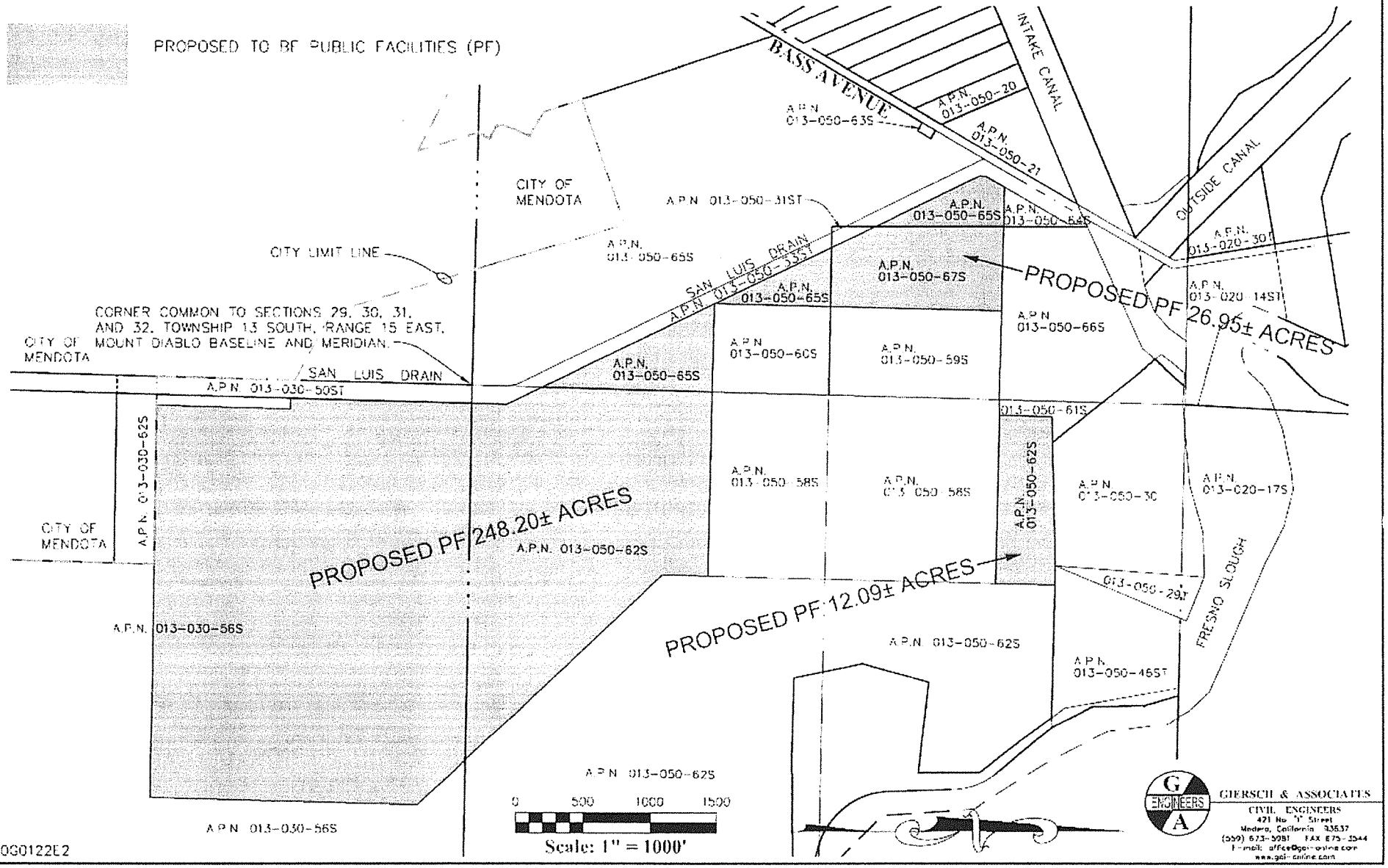
GIERSCH & ASSOCIATES
CIVIL ENGINEERS
421 No. "I" Street
Madera, California 93637
(559) 673-5981 FAX 675-3544
E-mail: office@gai-online.com

SPHERE OF INFLUENCE EXPANSION
"WASTE WATER TREATMENT FACILITIES ANNEXATION"



PRE-ZONE
"WASTE WATER TREATMENT FACILITIES ANNEXATION"

PROPOSED PRE-ZONE FROM AGRICULTURAL (AG) AND HEAVY INDUSTRIAL (HI) TO CITY OF MENDOTA PUBLIC FACILITIES (PF)



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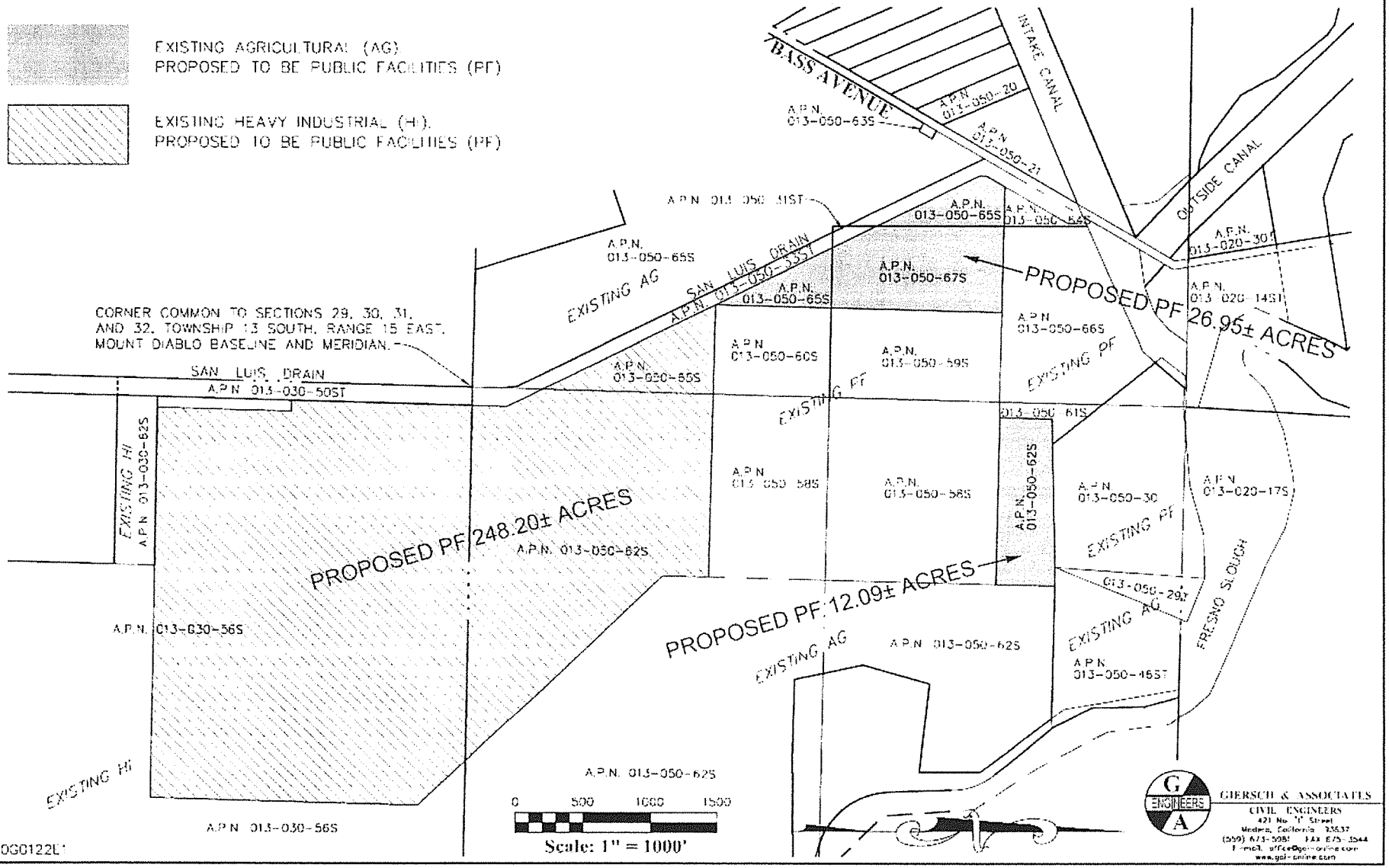
www.gai-online.com

840G0122E2

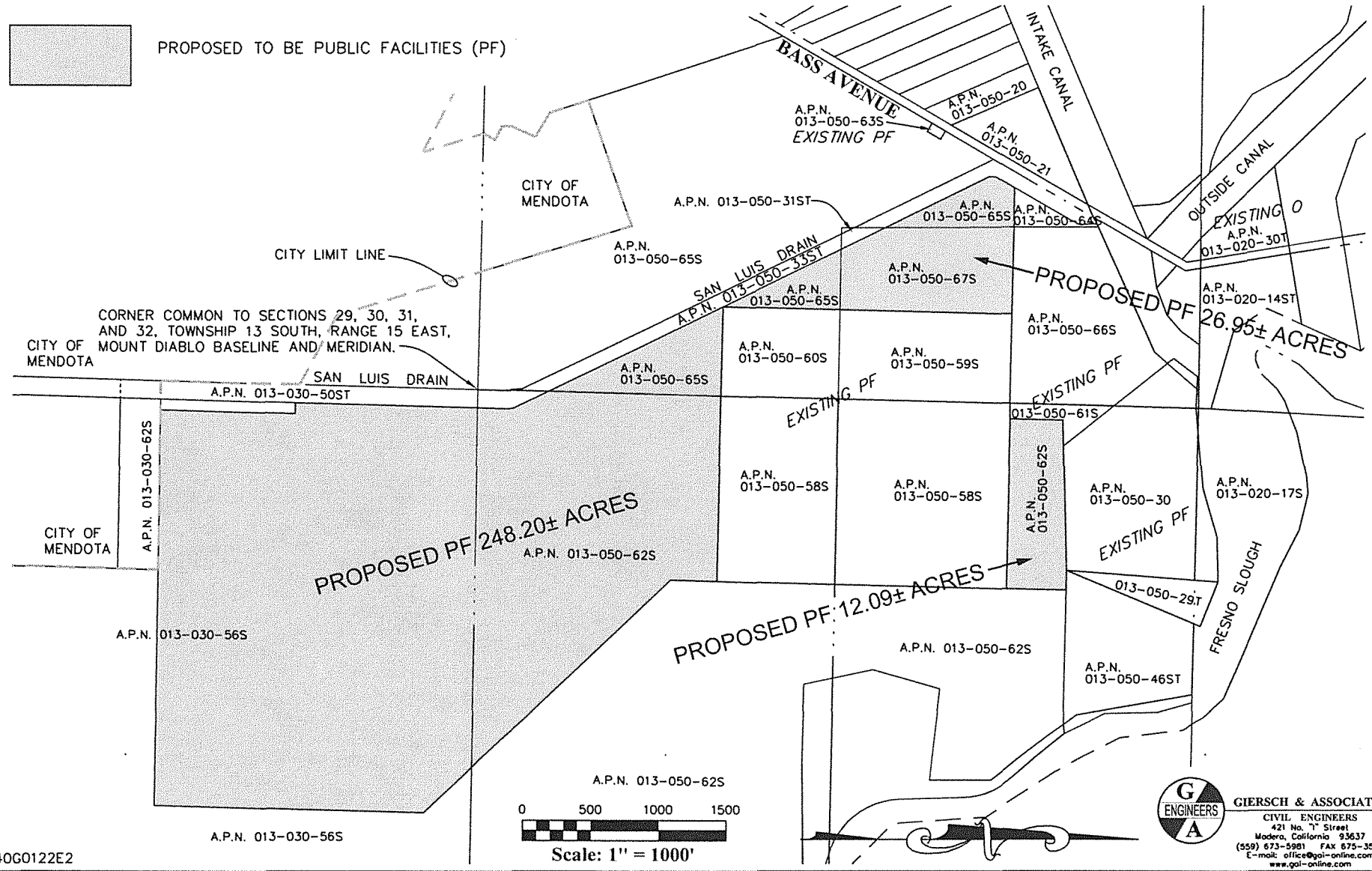
CITY OF MENDOTA-GENERAL PLAN AMENDMENT
"WASTE WATER TREATMENT FACILITIES ANNEXATION"

PROPOSED GENERAL PLAN AMENDMENT FROM AGRICULTURAL (AG) AND HEAVY INDUSTRIAL (HI) TO PUBLIC FACILITIES (PF)



PRE-ZONE EXHIBIT "A"
"WASTE WATER TREATMENT FACILITIES ANNEXATION"

PROPOSED PRE-ZONE FROM AGRICULTURAL (AG) AND HEAVY INDUSTRIAL (HI) TO CITY OF MENDOTA PUBLIC FACILITIES (PF)



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www.gai-online.com

840G0122E2

BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENDOTA APPROVING THE ADOPTION OF A RESOLUTION OF APPLICATION FOR ANNEXATION AND SPHERE OF INFLUENCE EXPANSION NO. 07-02 AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

RESOLUTION NO.08-20

WHEREAS, at a regularly held meeting on December 11, 2007, the Mendota City Council did consider Annexation No. 07-02 for the City of Mendota Wastewater Treatment Plant Expansion and Improvement Project pursuant to the Local Government Reorganization Act of 2000 for the purpose of sphere of influence expansion and annexation to the City of Mendota and detachment from the Silver Creek Drainage District, and the Fresno County Fire Protection District; and

WHEREAS, the City Council determined that the proposal is consistent with the Mendota General Plan, as amended. The General Plan designates the area of reorganization for urban uses as Public Facilities and the territory has been Pre-Zoned Public Facilities, consistent with the land use designation; and

WHEREAS, the boundaries of the territory proposed for reorganization are set forth in Exhibit "A" and "B" attached hereto and by this reference incorporated herein Fresno County Assessor's Parcel Numbers, 013-050-21, 013-050-30, 013-020-30T, 013-050-58S, 013-050-59S, 013-050-60S, 013-050-61S, 013-050-63S, 013-050-64S, 013-030-65S, 013-050-66S, 013-050-67S, 013-050-68S, 013-050-69S, 013-050-71S, 013-050-72S, 013-050-73S; and

WHEREAS, this proposal also requires the expansion of the adopted Sphere of Influence of the City of Mendota and is adjacent to the City Limits of the City of Mendota; and

WHEREAS, the City has completed an Initial Study/Mitigated Negative Declaration and has determined that the proposal will not have an adverse effect on the environment and, therefore, a no EIR has been prepared for the project; and

WHEREAS, the Initial Study and Mitigated Negative Declaration contains no evidence that the proposal will individually or cumulatively have an adverse effect on wildlife resources as defined by Section 711.2 of the Fish and Game Code; and

WHEREAS, said proposal is made to facilitate urban development as planned by the Mendota General Plan and to achieve stated community goals and objectives for providing municipal wastewater collection, treatment and disposal that will enable

the City to foster and promote needed housing while assuring that growth occurs in an orderly manner.

NOW, THEREFORE, BE IT RESOLVED that the Mendota City Council hereby adopts the Resolution of Application, to be forwarded to the Fresno Local Agency Formation Commission, requesting that proceedings be conducted pursuant to the Local Government Reorganization Act of 2000 for Sphere of Influence and Annexation No 07-02.

Robert Silva, Mayor

ATTEST:

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 27th day of May, 2008, by the following vote:

AYES:	5 - Mayor Silva, Mayor Pro Tem Amador, Council Members Riofrio, Covarrubia and Capuchino
NOES:	0
ABSENT:	0
ABSTAIN:	0

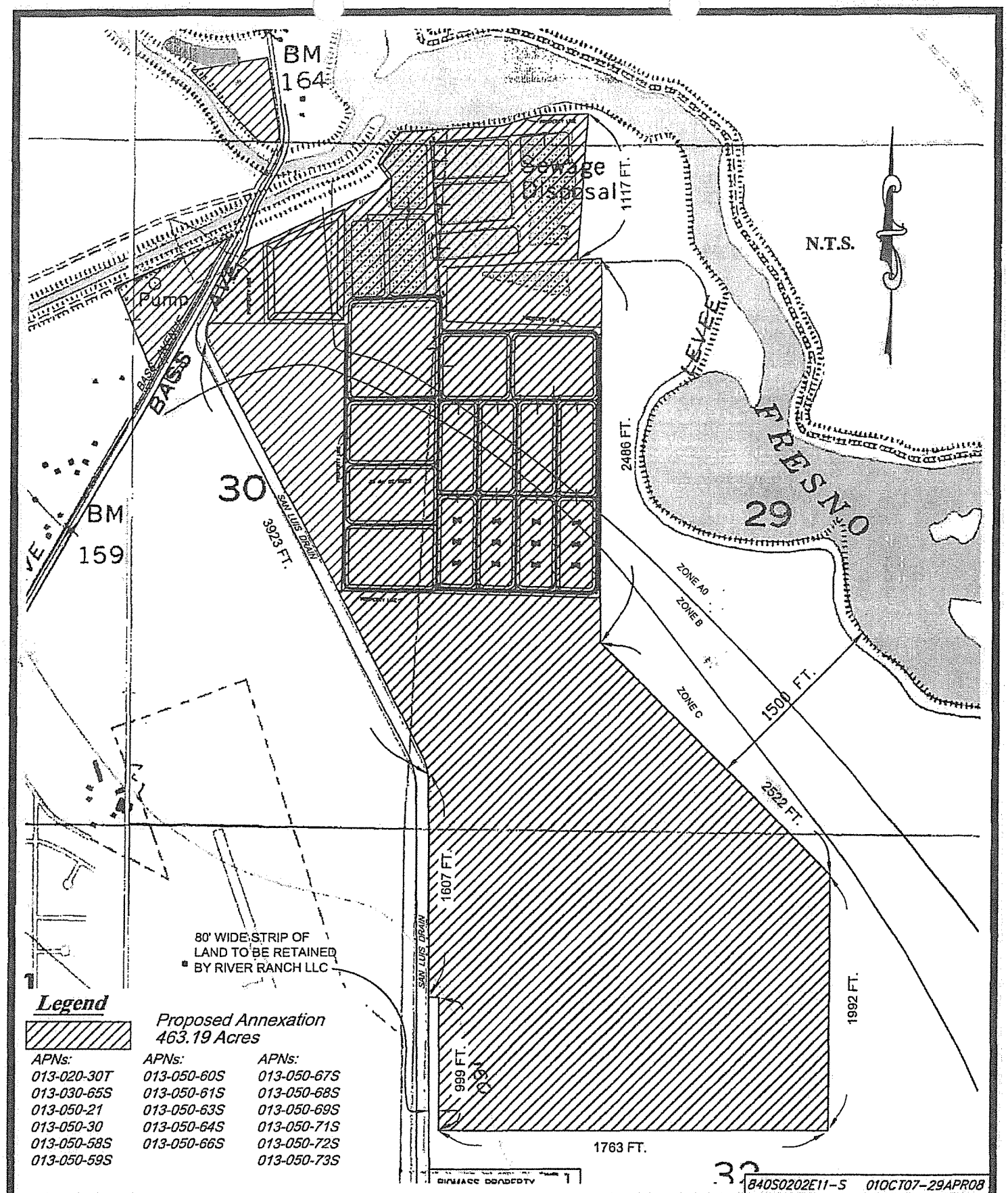
Krystal M. Chojnacki, City Clerk

ATTACHMENT:
Exhibit 'A' – Territory Location Map
Exhibit 'B' – Sphere of Influence Expansion

CITY OF MENDOTA
INCORPORATED
1942
CALIFORNIA

Exhibit 'A' – Territory Location Map

ANNEXATION NO. 07-02



840S0202E11-S 01OCT07-29APR08

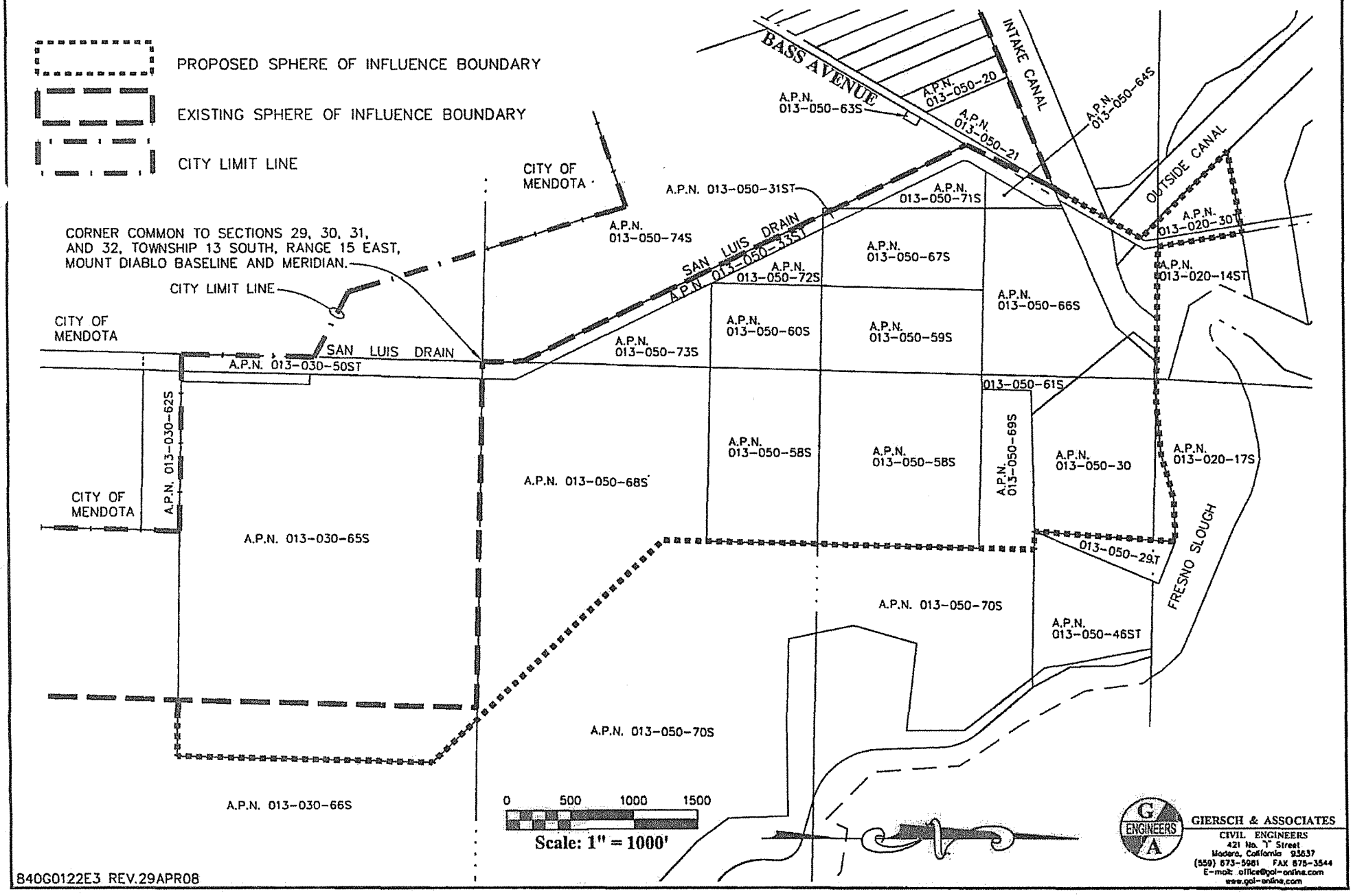
CITY OF MENDOTA - ANNEXATION #07-02

EXHIBIT 'A' - TERRITORY LOCATION MAP

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
421 No. "I" Street
Madera, California 93637
(559) 673-5981 FAX 675-3544
E-mail: office@gai-online.com

Exhibit 'B' – Sphere of Influence Expansion

SPHERE OF INFLUENCE EXPANSION
"WASTE WATER TREATMENT FACILITIES ANNEXATION"



840G0122E3 REV.29APR08

CITY OF MENDOTA

"Cantaloupe Center Of The World"

CLERK'S CERTIFICATE

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, State of California, do hereby certify that the foregoing is a full, true and correct copy of Resolution 08-20 duly approved and adopted by the City Council of the City of Mendota on the dates therein stated and as appears on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Mendota on June 3, 2008.

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Krystal M. Chojnacki, City Clerk

643 Quince Street Mendota, California 93640
Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)
www.ci.mendota.ca.us

BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO

A RESOLUTION OF THE CITY OF MENDOTA RESCINDING RESOLUTION NO. 08-09 APPROVING THE ADOPTION OF A RESOLUTION OF APPLICATION FOR ANNEXATION AND SPHERE OF INFLUENCE EXPANSION NO. 07-02 AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE KINGS RIVER CONSERVATION DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, THE CONSOLIDATED IRRIGATION DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

RESOLUTION NO. 08-18

WHEREAS, at a regularly held meeting on February 12, 2008, the Mendota City Council did consider Annexation No. 07-02 for the City of Mendota Wastewater Treatment Plant Expansion and Improvement Project pursuant to the Local Government Reorganization Act of 2000 for the purpose of sphere of influence expansion and annexation to the City of Mendota and detachment from the Kings River Conservation District, the Silver Creek Drainage District, the Consolidated Irrigation District, and the Fresno County Fire Protection District; and

WHEREAS, the City Council did approve Resolution 08-09 approving an application for annexation and increase in sphere of influence for that purpose; and

WHEREAS, the City inadvertently detached from the Kings River Conservation District ("KRCD") and the Consolidated Irrigation District; and

WHEREAS, several APN's for that resolution were inadvertently left off the resolution, were repeated in the resolution or were incorrectly identified in the resolution; and

WHEREAS, the City wishes the Local Formation Committee ("LAFCO") to have the complete and correct APN's to properly review the City's request for annexation and increase in the sphere of influence; and

WHEREAS, the Council has determined that the easiest way to do so is to rescind Resolution 08-09 and adopt another Resolution which includes the correct and complete information required by LAFCO.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mendota hereby finds and orders as follows:

1. The above recitals are true and correct.

2. Resolution No. 08-09 is hereby rescinded.

3. The Resolution is effective immediately.

Robert Silva, Mayor

ATTEST:

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 27th day of May, 2008, by the following vote:

AYES:	5 - Mayor Silva, Mayor Pro Tem Amador, Council Members Riofrio, Covarrubia and Capuchino
NOES:	0
ABSENT:	0
ABSTAIN:	0

Krystal M. Chojnacki, City Clerk

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

CITY OF MENDOTA

"Cantaloupe Center Of The World"

CLERK'S CERTIFICATE

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, State of California, do hereby certify that the foregoing is a full, true and correct copy of Resolution 08-18 duly approved and adopted by the City Council of the City of Mendota on the dates therein stated and as appears on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Mendota on June 3, 2008.

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Krystal M. Chojnacki, City Clerk

643 Quince Street Mendota, California 93640
Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)
www.ci.mendota.ca.us

BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENDOTA, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT FOR THE WASTEWATER TREATMENT PLANT EXPANSION AND IMPROVEMENT PROJECT – Assessor's Parcel Numbers PARCELS 013-050-21, 013-050-30, 013-020-30T, 013-050-58S, 013-050-59S, 013-050-60S, 013-050-61S, 013-050-63S, 013-050-64S, 013-030-65S, 013-050-66S, 013-050-67S, 013-050-68S, 013-050-69S, 013-050-71S, 013-050-72S, AND 013-050-73S, FROM AGRICULTURE AND HEAVY INDUSTRIAL TO PUBLIC FACILITIES

RESOLUTION NO. 08-19

WHEREAS, the City of Mendota has processed the City project of the Wastewater Treatment Plant Expansion and Improvement Project for a General Plan Amendment and Pre-Zoning, and,

WHEREAS, the City of Mendota has processed the General Plan Amendment application for the property,

WHEREAS, the City Community Development Department has processed the project in accordance with the Mendota Municipal Code, and,

WHEREAS, The City of Mendota General Plan Land Use Map for the property is inconsistent with the adjacent land uses and amendment to the General Plan Land Use Map has been proposed by the City to allow the expansion and improvement of the existing Wastewater Treatment Plant; and,

WHEREAS, the City of Mendota determined that the amendment of the General Plan did constitute a project under the California Environmental Quality Act and an Initial Study/Mitigated Negative Declaration was prepared, and,

WHEREAS, a Public Hearing was noticed in accordance with State Law for the May 27th, 2008 City Council meeting, and,

NOW, THEREFORE, the City Council of the City of Mendota hereby finds and resolves as follows:

Findings:

1. The proposed amendment to the Mendota General Plan provides for the orderly development of the City;

2. The proposed amendment will reduce potential land use conflicts of the existing agricultural and heavy industrial designation of the property and the surrounding residential dwelling units and ;
3. The proposed amendment will provide for the expansion of pubic infrastructure;
4. The proposed amendment addresses the need to balance growth in various locations in the City;
5. The proposed amendment is consistent with the General Plan Housing Element and provides for the necessary infrastructure for the City to achieve a jobs housing balance for residents of the City;
6. The proposed land use can be served by reasonable extensions of City infrastructure and services;
7. The proposed amendment addresses the need to provide additional land in the City to accommodate the increase demand on the Wastewater Treatment Plant to meet the population growth projections of the City.

Evidence

Evidence for the above findings are contained in the staff reports presented to the City Council and public testimony presented at the public hearing.

General Plan Amendment

The Mendota Land Use Element of the General Plan for Assessors Parcel 013-050-21, 013-050-30, 013-020-30T, 013-050-58S, 013-050-59S, 013-050-60S, 013-050-61S, 013-050-63S, 013-050-64S, 013-030-65S, 013-050-66S, 013-050-67S, 013-050-68S, 013-050-69S, 013-050-71S, 013-050-72S, and 013-050-73S is hereby changed from Agricultural and Industrial designations to Public Facilities as depicted on attached Exhibit "A".

APPROVED, PASSED, AND ADOPTED THIS 27th DAY OF MAY, 2008 BY THE FOLLOWING VOTE:

AYES: 5 - Mayor Silva, Mayor Pro Tem Amador, Council Members Riofrio, Covarrubia and Capuchino
NOES: 0
ABSENT: 0
ABSTAIN: 0

Robert Silva, Mayor

ATTEST:

Krystal M. Chojnacki, City Clerk

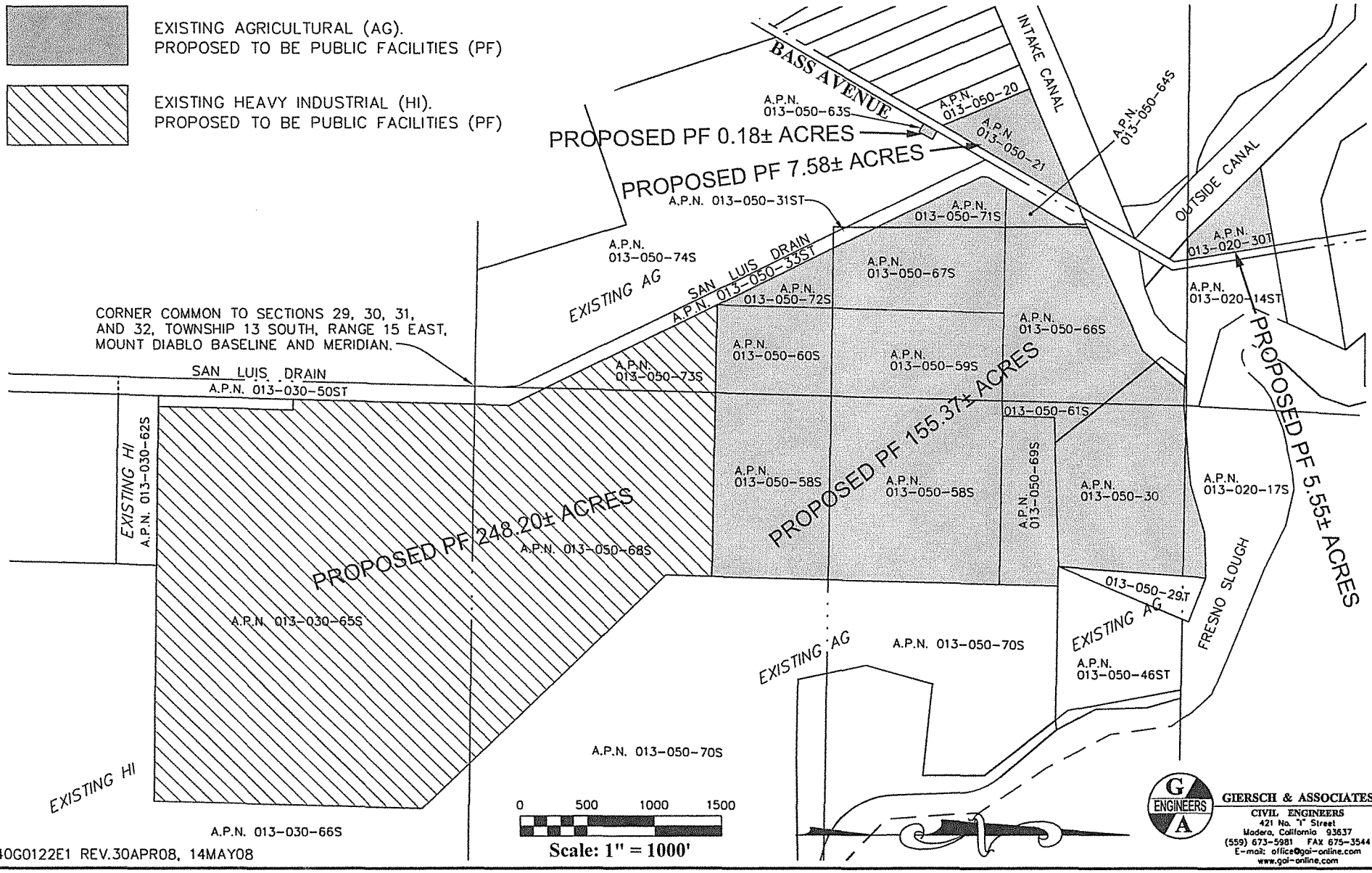
CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

EXHIBIT A

GENERAL PLAN AMENDMENT

CITY OF MENDOTA-GENERAL PLAN AMENDMENT
"WASTE WATER TREATMENT FACILITIES ANNEXATION"

PROPOSED GENERAL PLAN AMENDMENT FROM AGRICULTURAL (AG) AND HEAVY INDUSTRIAL (HI) TO PUBLIC FACILITIES (PF)



CITY OF MENDOTA

"Cantaloupe Center Of The World"

CLERK'S CERTIFICATE

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, State of California, do hereby certify that the foregoing is a full, true and correct copy of Resolution 08-19 duly approved and adopted by the City Council of the City of Mendota on the dates therein stated and as appears on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Mendota on June 3, 2008.

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Krystal M. Chojnacki, City Clerk

643 Quince Street Mendota, California 93640
Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)
www.ci.mendota.ca.us

BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO

A RESOLUTION OF THE CITY OF MENDOTA RESCINDING RESOLUTION NO. 07-48 APPROVING THE ADOPTION OF A GENERAL PLAN AMENDMENT FOR THE WASTEWATER TREATMENT PLANT EXPANSION AND IMPROVEMENT PROJECT – Assessor's Parcel Numbers PARCELS 013-020-30T, 013-050-21, 013-050-63s, 013-050-58s,013-050-65s, 013-050-67s, 013-050-59s, 013-50-60s, 013-050-62s, 013-030-56s,013-030-56s FROM AGRICULTURE AND INDUSTRIAL TO PUBLIC FACILITIES

RESOLUTION NO. 08-17

WHEREAS, at a regularly held meeting on December 11, 2007, the Mendota City Council did consider a General Plan amendment for the City of Mendota Wastewater Treatment Plant Expansion and Improvement Project pursuant to the Local Government Reorganization Act of 2000 for the purpose of updating the City of Mendota General Plan Land use Map by amending the General Plan and changing the zoning designations of the aforementioned parcels from Agricultural and Industrial to Public Facilities to allow the expansion and improvement of the existing Wastewater Treatment Plant ; and

WHEREAS, the City Council did approve Resolution 07-48 approving an amendment to the Mendota Land Use Element of the General Plan for Assessors Parcel Numbers 013-020-30T, 013-050-21, 013-050-63s, 013-050-58s,013-050-65s, 013-050-67s, 013-050-59s, 013-50-60s, 013-050-62s, 013-030-56s,013-030-56s and changed from Agricultural and Industrial designations to Public Facilities; and

WHEREAS, several APN's were inadvertently left off or repeated on Resolution 07-48; and

WHEREAS, the City wishes the Mendota Land Use Element of the General Plan accurately depict the City's intended expansion and improvement of the existing Wastewater Treatment Plant; and

WHEREAS, the City wishes the Local Formation Committee ("LAFCO") to have the complete and correct APN's to properly review the City's request for annexation and increase in the sphere of influence; and

WHEREAS, the Council has determined that the easiest way to do so is to rescind Resolution 07-48 and adopt another Resolution which includes the correct and complete information required by LAFCO.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mendota hereby finds and orders as follows:

1. The above recitals are true and correct.

2. Resolution No. 07-48 is hereby rescinded.

3. The Resolution is effective immediately.

Robert Silva, Mayor

ATTEST:

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 27th day of May, 2008, by the following vote:

AYES:	5 - Mayor Silva, Mayor Pro Tem Amador, Council Members Riofrio, Covarrubia and Capuchino
NOES:	0
ABSENT:	0
ABSTAIN:	0

Krystal M. Chojnacki, City Clerk

CITY OF MENDOTA CALIFORNIA INCORPORATED 1942

CITY OF MENDOTA

"Cantaloupe Center Of The World"

CLERK'S CERTIFICATE

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, State of California, do hereby certify that the foregoing is a full, true and correct copy of Resolution 08-17 duly approved and adopted by the City Council of the City of Mendota on the dates therein stated and as appears on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Mendota on June 3, 2008.

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Krystal M. Chojnacki, City Clerk

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www.ci.mendota.ca.us

CITY OF MENDOTA

ORDINANCE NO. 08-04

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENDOTA RESCINDING ORDINANCE NUMBER 07-07 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MENDOTA BY PRE-ZONING PARCELS 013-050-21, 013-050-30, 013-020-30T, 013-050-58S, 013-050-59S, 013-050-60S, 013-050-61S, 013-050-63S, 013-050-64S, 013-030-65S, 013-050-66S, 013-050-67S, 013-050-68S, 013-050-69S, 013-050-71S, 013-050-72S, AND 013-050-73S FROM AG (AGRICULTURAL) AND HI (HEAVY INDUSTRIAL) DISTRICTS TO PF (PUBLIC FACILITIES) DISTRICTS.

WHEREAS, at a regularly scheduled meeting on December 11, 2007, the Mendota City Council did consider an ordinance to amend the official zoning map of the City of Mendota by pre-zoning named parcels in order to facilitate those APN's to be annexed by the Fresno Local Area Formation Commission ("LAFCO"); and

WHEREAS, the Council did approve such ordinance at a properly noticed public hearing on January 22, 2008; and

WHEREAS, several APN's for that ordinance were inadvertently omitted in the ordinance, were repeated in the ordinance or were incorrectly identified in the ordinance; and

WHEREAS, the City wishes the Official City Zoning Map to accurately reflect those APN's involved in the pre-zoning application to LAFCO by rescinding previous ordinance no. 07-07, and replacing it with this particular ordinance; and

WHEREAS, the City Council of the City of Mendota has determined that it is in the Public's interest to amend the Official Zone Map of the City of Mendota related to Parcel No(s). 013-050-21, 013-050-30, 013-020-30T, 013-050-58S, 013-050-59S, 013-050-60S, 013-050-61S, 013-050-63S, 013-050-64S, 013-030-65S, 013-050-66S, 013-050-67S, 013-050-68S, 013-050-69S, 013-050-71S, 013-050-72S, and 013-050-73S at the recommendation of the City Manager, and;

WHEREAS, a Public Hearing has been advertised and conducted pursuant to the Mendota Municipal Code, and public comment has been solicited.

WHEREAS, all property owners within a 300 feet radius of the property were notified of the public hearing by U.S. Postal Service regular mail, as determined by the current Fresno County Assessor's Tax Roll.

WHEREAS, Notice of the Public Hearing was published in the Wednesday, May 14, 2008 edition of the Firebaugh/Mendota Journal, and also posted on the City Hall Bulletin

Window on Wednesday, May 14, 2008.

WHEREAS, the City Council has determined that the Pre-Zoning is consistent with the provisions of the City of Mendota General Plan, Land Use Elements and Government Code Section 65860, and;

WHEREAS, a Public Hearing has been advertised and conducted pursuant to the Mendota Municipal Code, and public comment has been solicited by the City Council, and;

WHEREAS, the City Council conducted a noticed and scheduled public hearing to consider Pre-Zoning the property at their regularly scheduled May 27, 2008 meeting, and;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MENDOTA ORDAINS AS FOLLOWS:

1. Ordinance number 07-07 is hereby rescinded.

2. The official Zoning Map of the City of Mendota is hereby amended as show on Exhibit A, which is herein incorporated by reference and made a part of Ordinance No. 08-04.

3. At least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted, a summary prepared by the City Attorney, shall be published and circulated in the City of Mendota, and a certified copy of the Ordinance shall be posed in the Office of the City Clerk.

4. Within fifteen (15) days after its adoption, a Summary of the Ordinance, prepared by the City Attorney, together with the names of those City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation published and circulated in the City of Mendota, and a certified copy posted in the Office of the City Clerk.

5. This Ordinance shall take effect thirty (30) days after its passage.

* * * * * * * * * *

The foregoing Ordinance was introduced on May 13, 2008, and duly and regularly passed by the Council of the City of Mendota at a regular meeting thereof held on the 27th day of May, 2008, by the following vote:

AYES: 5 - Mayor Silva, Mayor Pro Tem Amador, Council Members Riofrio, Covarrubia and Capuchino
NOES: 0
ABSENT: 0

Robert Silva, Mayor

ATTEST:

By: _____
Krystal M. Chojnacki, City Clerk

APPROVED AS TO FORM:

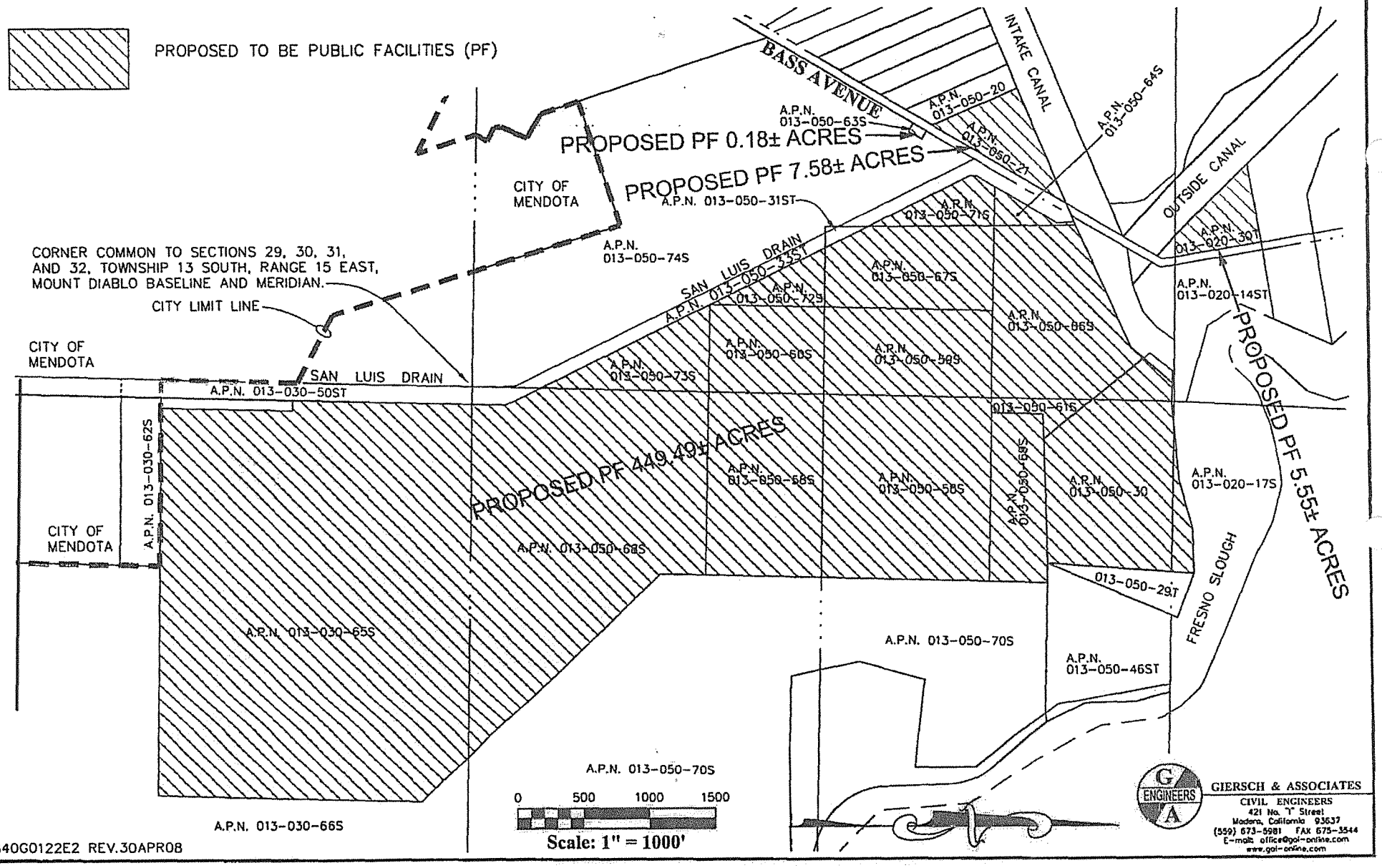
_____
Michael D. Flores,
City Attorney

CITY OF MENDOTA
INCORPORATED
1942
CALIFORNIA

Exhibit A

PRE-ZONE
"WASTE WATER TREATMENT FACILITIES ANNEXATION"

PROPOSED PRE-ZONE FROM AGRICULTURAL (AG) AND HEAVY INDUSTRIAL (HI) TO CITY OF MENDOTA PUBLIC FACILITIES (PF)



CITY OF MENDOTA

"Cantaloupe Center Of The World"

CLERK'S CERTIFICATE

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, State of California, do hereby certify that the foregoing is a full, true and correct copy of Ordinance 08-04 duly approved and adopted by the City Council of the City of Mendota on the dates therein stated and as appears on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Mendota on June 3, 2008.

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Krystal M. Chojnacki, City Clerk

643 Quince Street Mendota, California 93640
Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)
www.ci.mendota.ca.us

AGT. # 08 - 345

FIRST AMENDMENT TO RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF FRESNO, THE CITY OF MENDOTA AND THE MENDOTA REDEVELOPMENT AGENCY

THIS FIRST AMENDMENT TO RESTATED MEMORANDUM OF UNDERSTANDING is made this 8th day of ~~May~~ July, 2008 by the County of Fresno (hereinafter "COUNTY"), the City of Mendota (hereinafter "CITY"), and the Mendota Redevelopment Agency (hereinafter "RDA").

RECITALS

A. On February 7, 2006, COUNTY, CITY and RDA entered into a Restated Memorandum of Understanding relating to, among other things, the sharing and apportionment of certain tax revenues.

B. The CITY is proposing to expand its Planned Growth Area for the Waste Water Treatment Plant, including the annexation of Pool Park and needs to add territory to this site.

C. The CITY has applied for grant funding with the U. S. Department of Agriculture to expand and improve its Waste Water Treatment Plant

D. The U. S. Department of Agriculture requires that the Waste Water Treatment Plant site be annexed to the CITY.

E. The CITY submitted an application to the Fresno County Local Agency Formation Commission (LAFCO) to annex said territory. On March 5, 2008 LAFCO approved the annexation of this site, subject to the including of all required territory under the Restated MOU between the COUNTY, CITY and RDA.

NOW, THEREFORE, the parties hereto agree as follows:

AGREEMENT

1. A revised map included herewith as Exhibit 3-C will amend Exhibit 3-B previously included in the Restated MOU
2. Section 9.2 of the Restated MOU is revised to read as follows"

"9.2 Geographic Application of RESTATE MOU

This RESTATED MOU shall apply only to the areas identified as the City of Mendota's Sphere of Influence as depicted in Exhibit 3-A and the New Planned Growth Area as shown on 3-C. This RESTATED MOU shall not apply to areas beyond those included in Exhibits 3-A and 3-C unless and until the parties mutually agree to amend this RESTATED MOU as amended.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment in the County of Fresno, State of California, on the dates set forth above.

COUNTY OF FRESNO, a Political Subdivision of the State of California ("COUNTY")

By: _____
Henry Perea, Chairman
Board of Supervisors

ATTEST:
Bernice E. Seidel,
Clerk to the Board of Supervisors

By: _____ -Deputy

REVIEWED AND RECOMMENDED FOR APPROVAL
Bart Bohn, County Administrative Officer

By: _____

APPROVED AS TO LEGAL FORM:
Dennis Marshall, County Counsel

By: _____

APPROVED AS TO ACCOUNTING FORM:
Auditor-Controller/Treasure-Tax Collector

By: _____

CITY OF MENDOTA, a Municipal Corporation of the State of California ("CITY")

By: _____
Robert Silva, Mayor
City of Mendota

REDEVELOPMENT AGENCY OF THE CITY OF MENDOTA ("Agency")

By: _____
Gabriel Gonzalez, Executive Director

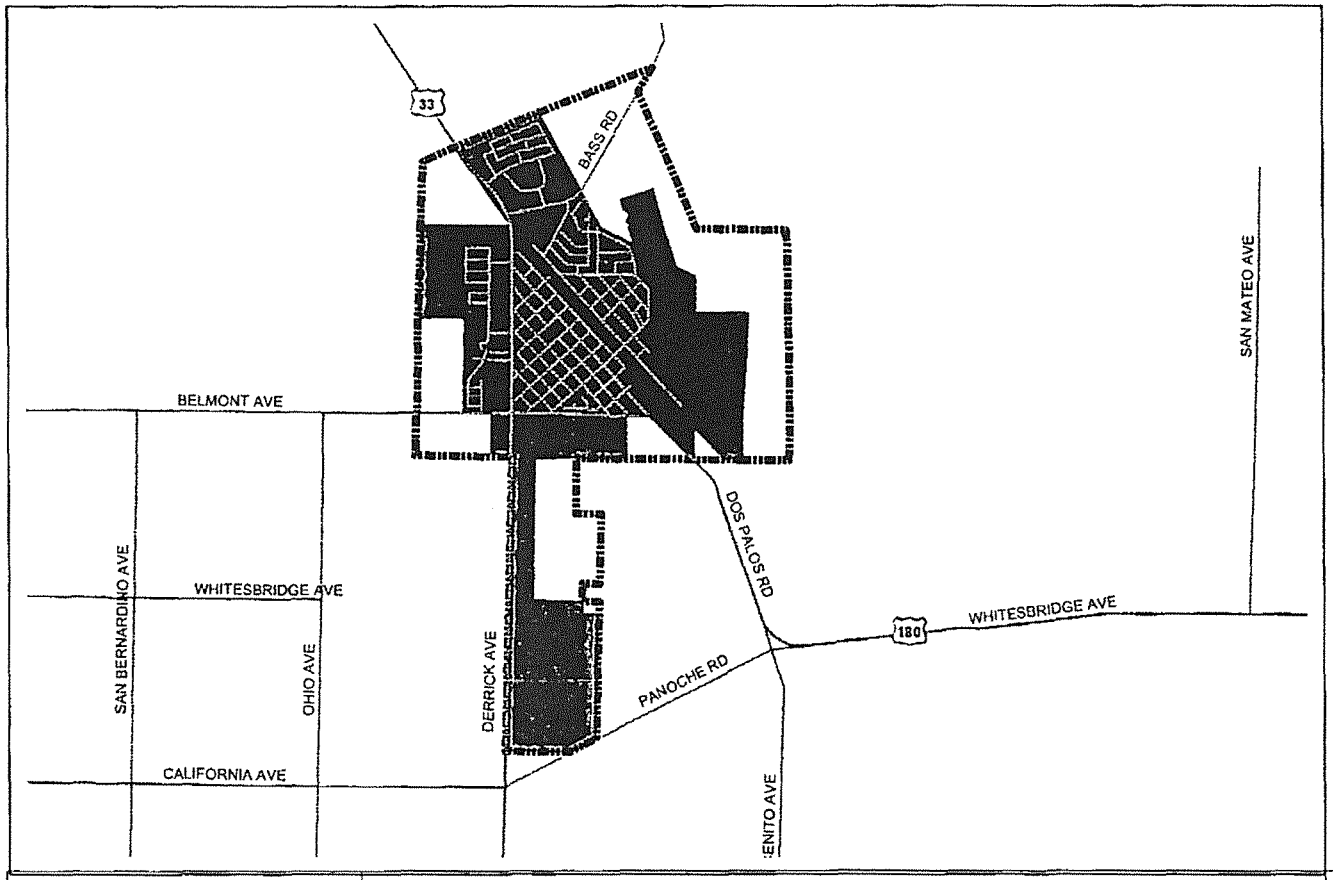
APPROVED AS TO LEGAL FORM:
David Weiland, City Attorney
City of Mendota

By: _____

ATTEST:
Krystal Chojnacki,
Clerk to the City of Mendota

By: _____

Exhibit 3-A



CITY OF MENDOTA

Incorporated: 1942
SOI Adopted: 10/23/1974
SOI Updated: 8/22/2007
Map Date: October 2007

N
W E
S

0 0.25 0.5 1 Miles

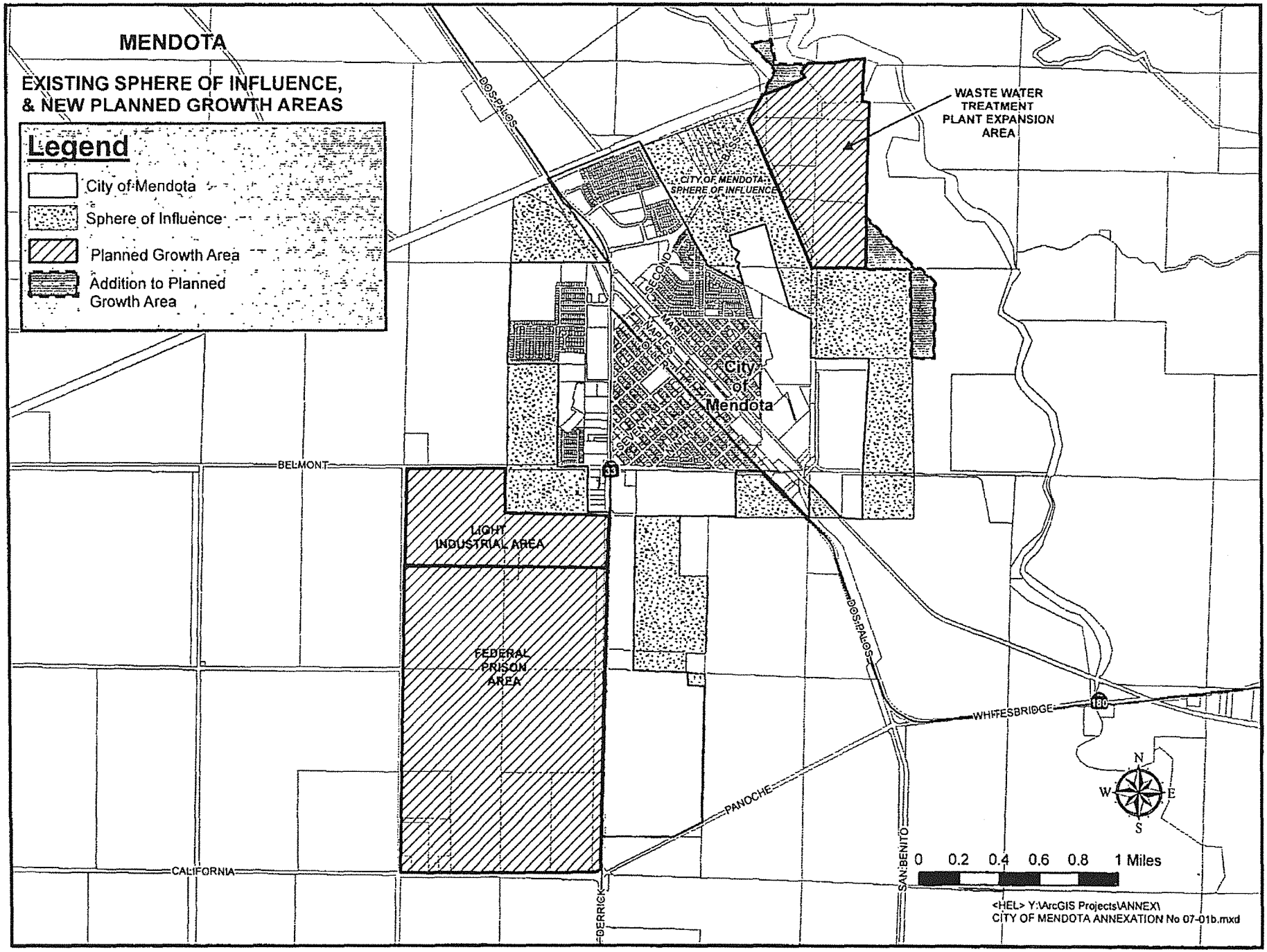
Legend

Sphere of Influence
City Limits

FRESNO LOCAL AGENCY FORMATION COMMISSION
CITY OF MENDOTA SPHERE OF INFLUENCE

Sphere Area 2,539 Acres
City Area 1,627 Acres

Exhibit 3-C


MENDOTA
EXISTING SPHERE OF INFLUENCE,
& NEW PLANNED GROWTH AREAS
Legend
City of Mendota
Sphere of Influence
Planned Growth Area
Addition to Planned Growth Area
WASTE WATER TREATMENT PLANT EXPANSION AREA
CITY OF MENDOTA SPHERE OF INFLUENCE
City of Mendota
LIGHT INDUSTRIAL AREA
FEDERAL PRISON AREA
BELMONT
CALIFORNIA
DOS PALOS
WHITESBRIDGE
PANOCHE
BERRICK
SAN BENITO
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<HEL> Y:\ArcGIS Projects\ANNEX\
CITY OF MENDOTA ANNEXATION No 07-01b.mxd

INDEMNIFICATION AGREEMENT
(FRESNO LOCAL AREA FORMATION COMMISSION – CITY OF MENDOTA)

THIS AGREEMENT is made and entered into this 11th day of June 2008 (the "Effective Date"), by and between the LOCAL AGENCY FORMATION COMMISSION OF FRESNO COUNTY (hereinafter "LAFCo") and the CITY OF MENDOTA (hereinafter "APPLICANT").

RECITALS:

A. Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code, secs. 56000 *et seq.*), APPLICANT has applied to LAFCo for approval of a governmental reorganization, identified by the LAFCo as "City of Mendota Wastewater Treatment Plant Expansion No. 1 Reorganization," LAFCo file number RO-08-3 (hereinafter, the "Reorganization"); and

B. The Reorganization annexes 17 parcels of land totaling 463.19 acres located in four non-contiguous areas into APPLICANT's jurisdiction and detaches the territory from the Fresno County Fire Protection District and the Silver Creek Drainage District. The territory is generally located northeast of APPLICANT's existing boundaries between the San Luis Drain and the Fresno Slough. The annexed land is more fully described in the accompanying map, attached hereto as Exhibit "A," and incorporated herein by this reference; and

C. Concurrently with the Reorganization, the APPLICANT requested, and the Commission approved, an amendment to APPLICANT's Sphere of Influence to include the subject territory, file number RSOI-150;

D. The Reorganization and the amendment of APPLICANT's Sphere of Influence allow APPLICANT's current and future sewer treatment plant, wastewater ponding areas, and other public facilities to be incorporated into APPLICANT's boundaries; and

E. The Reorganization and the amendment to APPLICANT's Sphere of Influence also are necessary to accommodate expansion of APPLICANT's wastewater treatment plant, which is in part caused by population growth to the area and for APPLICANT to meet certain requirements imposed by the Regional Water Quality Control Board; and

G. On March 5, 2008, following public hearings and after consideration all evidence, LAFCo made certain findings, determinations, and approvals reflected in LAFCo resolution number RO-08-3 (hereinafter the "LAFCo Resolution"), attached hereto as Exhibit "B," and incorporated herein by this reference, in connection with the Reorganization, and determined that APPLICANT met, by substantial evidence,

all legal requirements contained in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Gov. Code §56000 *et seq.*); and

H. LAFCo's approval of the Reorganization was conditioned on APPLICANT entering this Agreement; and

I. APPLICANT acknowledges that there are frequent challenges to governmental approvals, which may expose LAFCo to liability for damages, costs, and attorney's fees; and

J. LAFCo is an objective decision-making body and, therefore, has no special interest, other than the public's interest, in the approval or denial of applications for reorganization, or the outcome of litigation arising from the granting or denial of applications for reorganization; and

K. LAFCo incurs great expense in the active defense of such litigation and, if unsuccessful, may also be required to pay the prevailing party's attorney's fees and costs; and

L. The public's interest and sound fiscal policy require that the person or entity receiving the benefits of such governmental approvals bear the burden of the liability for potential injuries and the expense of such litigation; and

M. APPLICANT and LAFCo mutually desire to enter into this Agreement, by which APPLICANT shall indemnify, defend, save and hold LAFCo harmless, as provided herein, to ensure that LAFCo shall bear no fiscal or financial burden whatsoever resulting from any challenge, which includes, but is not limited to, LAFCo's approval of the Reorganization.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the Parties hereby agree as follows:

1. DEFINITIONS. As used in this Agreement the following terms shall have the following definitions:

a. "APPLICANT" is the City of Mendota, California and it heirs, assigns or successors in interest;

b. "LAFCo Approval" shall include any act or omission or benefit arising from or in connection with any or all of LAFCo's consideration and approval of the Reorganization or the amendment of APPLICANT's Sphere of Influence related thereto.

2. INDEMNIFY, DEFEND, AND HOLD HARMLESS

a. APPLICANT hereby agrees to save, indemnify, hold harmless and, at LAFCo's request, defend LAFCo, and LAFCo's officers, agents, employees,

contractors, legal counsel, commissioners and alternate commissioners, from and against any and all expenses, demands, liabilities, judgments, claims, and costs (including but not limited to court costs and attorney's fees), or damages of any nature whatsoever made against LAFCo, including, but not limited to, an award of attorney's fees and costs to the person, organization or entity bringing the cause of action, or their officers, agents, employees, and legal counsel arising from, resulting from, or in connection with the LAFCo Approval.

b. APPLICANT shall pay all attorneys' fees and costs related to the representation of LAFCo in any action brought against LAFCo, and APPLICANT, if the action also includes APPLICANT, arising from, resulting from, or in connection with the LAFCo Approval.

3. NOTIFICATIONS AND COOPERATION. Within thirty (30) business days of its receipt of any demand, claim, action, proceeding, or litigation related to the Reorganization, LAFCo shall notify and request the APPLICANT that it demands to be indemnified, defended, and held harmless by APPLICANT pursuant to this Agreement. Such notice shall include a copy of any complaint, filing, or other documentation received by LAFCo directly relating to such demand, claim, action, proceeding or litigation. For the purposes of this Section, such documentation shall not include LAFCo's file or materials related to the Reorganization. Within ten (10) days of receipt of such a request, APPLICANT shall notify LAFCo of its intent to indemnify, defend and hold LAFCo harmless, and shall, if necessary, immediately reply, on behalf of LAFCo, to any pleadings or correspondence related to such demand, claim, action, proceeding, or litigation. LAFCo hereby agrees to reasonably cooperate with APPLICANT to the extent such cooperation may be reasonably necessary for APPLICANT to carry out its responsibilities under this Agreement; provided, such cooperation shall not result in any fiscal or financial burden whatsoever to LAFCo. Conversely, APPLICANT agrees to cooperate with LAFCo and to engage competent and qualified legal counsel to carry out its responsibilities under this Agreement.

4. LAFCo'S RIGHT TO PARTICIPATE IN DEFENSE. Nothing contained herein shall prohibit LAFCo, in its sole discretion, from participating in the defense of any demand, claim, action, proceeding, or litigation over and above representation by outside counsel provided by APPLICANT or from participating in the defense of any demand, claim, action, proceeding, or litigation. If LAFCo elects to participate in the defense, it shall do so in good faith and shall bear its own cost for such participation in the defense; provided, that APPLICANT shall timely reimburse LAFCo of all fees and costs paid by LAFCo to LAFCo's legal counsel for any time and costs on matters relating to APPLICANT's defense of LAFCo (including, but not limited to communications with APPLICANT and APPLICANT's legal counsel), in addition to those obligations imposed upon APPLICANT in Section 2 of this Agreement. In no event shall LAFCo's participation in the defense of any demand, claim, action, proceeding, or litigation affect the obligations imposed upon APPLICANT in Section 2 of this Agreement.

5. REIMBURSEMENT OF LAFCO'S COSTS FOR ADMINISTRATIVE RECORD. Without limiting LAFCo's right to recover its costs from APPLICANT under Section 2 of this Agreement, APPLICANT agrees to reimburse LAFCo for its actual cost incurred, including, but not limited to, LAFCo staff and legal counsel time expended, for certifying and/or preparing the administrative record in connection with any proceedings related to the subject matter of this Agreement. APPLICANT shall pay such cost to LAFCo before receiving such administrative record.

6. TERMINATION OF AGREEMENT. This Agreement may be terminated only upon the following conditions:

a. The Parties, by their express, mutual, written consent, agree to terminate this Agreement; or

b. APPLICANT petitions LAFCo to terminate this Agreement by providing to LAFCo a written opinion of APPLICANT's legal counsel, in form and substance acceptable to LAFCo and its legal counsel, and LAFCo, in its sole reasonable discretion, determines that termination of this Agreement is in the best interest of the public and LAFCo. It is understood and agreed that LAFCo, in making the determination of whether or not to terminate this Agreement, may reasonably rely upon said opinion of APPLICANT's legal counsel.

7. APPLICANT'S AUTHORITY TO EXECUTE AGREEMENT. APPLICANT represents and warrants to LAFCo that the execution, delivery and performance by APPLICANT of this Agreement have been duly authorized by all necessary actions on its part, and that each person executing or attesting to this Agreement on behalf of APPLICANT is duly authorized by APPLICANT's City Council to take such action, and that such person's authority has not been revoked at the time of such execution or attestation.

8. SEVERABILITY. If any provision of this Agreement is determined to be invalid in a final judgment by a court of competent jurisdiction, each and every other provision hereof shall remain in full force and effect.

9. EFFECT OF HEADINGS. The titles of the articles, paragraphs, subparagraphs, and other parts of this Agreement are for the convenience of the reader only, and no presumption or implication of the intent of the Parties as to the construction of this Agreement shall be drawn therefrom.

10. COUNTERPARTS. This Agreement may be executed in any number of counterparts and each such counterpart shall be deemed to be an original instrument, all of which together shall constitute one and the same instrument.

11. ASSIGNMENT. No Party to this Agreement may assign all or any part of this Agreement, or any interest therein, or delegate all or any part of its obligations under this Agreement without the prior written consent of the other Party to this Agreement.

12. BINDING EFFECT. Subject to the provisions of Paragraph 11 of this Agreement, the provisions of this Agreement, and the covenants and conditions contained in this Agreement, shall be continuous and shall be binding upon and inure to the benefit of the heirs, successors, and assigns of the Parties to this Agreement.

13. NOTICES. Except as otherwise expressly provided in this Agreement, all notices, requests, demands, and other communications required under this Agreement shall be in writing and shall be deemed to have been given (i) on the date of service, if served personally on the person to whom notice is to be given, (ii) on the date of receipt, if sent by telecopier to the person to whom notice is to be given at the telecopier number set forth below, or (iii) on the third day after mailing, if mailed to the person to whom notice is to be given, by first class mail, postage prepaid, and properly addressed as follows:

To LAFCo at:	Fresno LAFCo 2115 Kern Street, Suite 310 Fresno, California 93721 Facsimile Number: (559) 495-0655 Attn: Executive Officer
With a copy to:	Kenneth J. Price, Esq. BAKER, MANOCK & JENSEN 5260 N. Palm Avenue, Suite 421 Fresno, California 93704-2209 Facsimile Number: (559) 432-5620
To APPLICANT at:	City of Mendota City Manager's Office 643 Quince Street Mendota, California 93640 Attn: City Manager Facsimile Number: (559) 655-4046
With a copy to:	Mendota City Attorney David J. Weiland Dowling Aaron & Keeler Inc. 8080 N. Palm Ave. Third Floor Fresno CA 93711

Any Party or designated recipient may change his address for purposes of this Paragraph 13 by giving written notice of such change to the other Party and/or designated recipients in the manner provided for in this Paragraph 13.

14. GOVERNING LAW AND VENUE. This Agreement shall be governed by, and construed in accordance with, the laws of the State of California. The Parties to this

Agreement agree that venue for any litigation arising under this Agreement shall be in the County of Fresno, State of California.

15. CONSTRUCTION. All words used in this Agreement shall be construed to include the plural as well as the singular number and vice versa, all words used in this Agreement in the present tense shall include the future as well as the present, and all words used in this Agreement in masculine gender shall include the feminine and neuter genders, whenever the context so indicates.

16. ENTIRE AGREEMENT. This Agreement, together with all exhibits attached hereto, constitutes the entire agreement between the Parties relating to the Reorganization and supersedes all prior and contemporaneous agreements, representations, and understandings of the Parties with regard thereto. No supplement, modification or amendment of this Agreement shall be binding unless executed in writing by all of the Parties to this Agreement.

17. FURTHER ACTION. The Parties to this Agreement shall execute such other documents, and shall take such other actions, as may be necessary or appropriate to carry out the foregoing.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

APPLICANT: CITY OF MENDOTA

By: _____

Title: City of Mendota

DATED: June 3, 2008

ATTEST: MENDOTA CITY CLERK

By: _____

LAFCo: LOCAL AGENCY FORMATION COMMISSION OF FRESNO COUNTY

By: _____

Title: Executive Officer

DATED: June 11, 2008

ATTEST: LAFCo CLERK

By: Candie Fleming

APPROVED AS TO LEGAL FORM:

By: _____
Mendota City Attorney

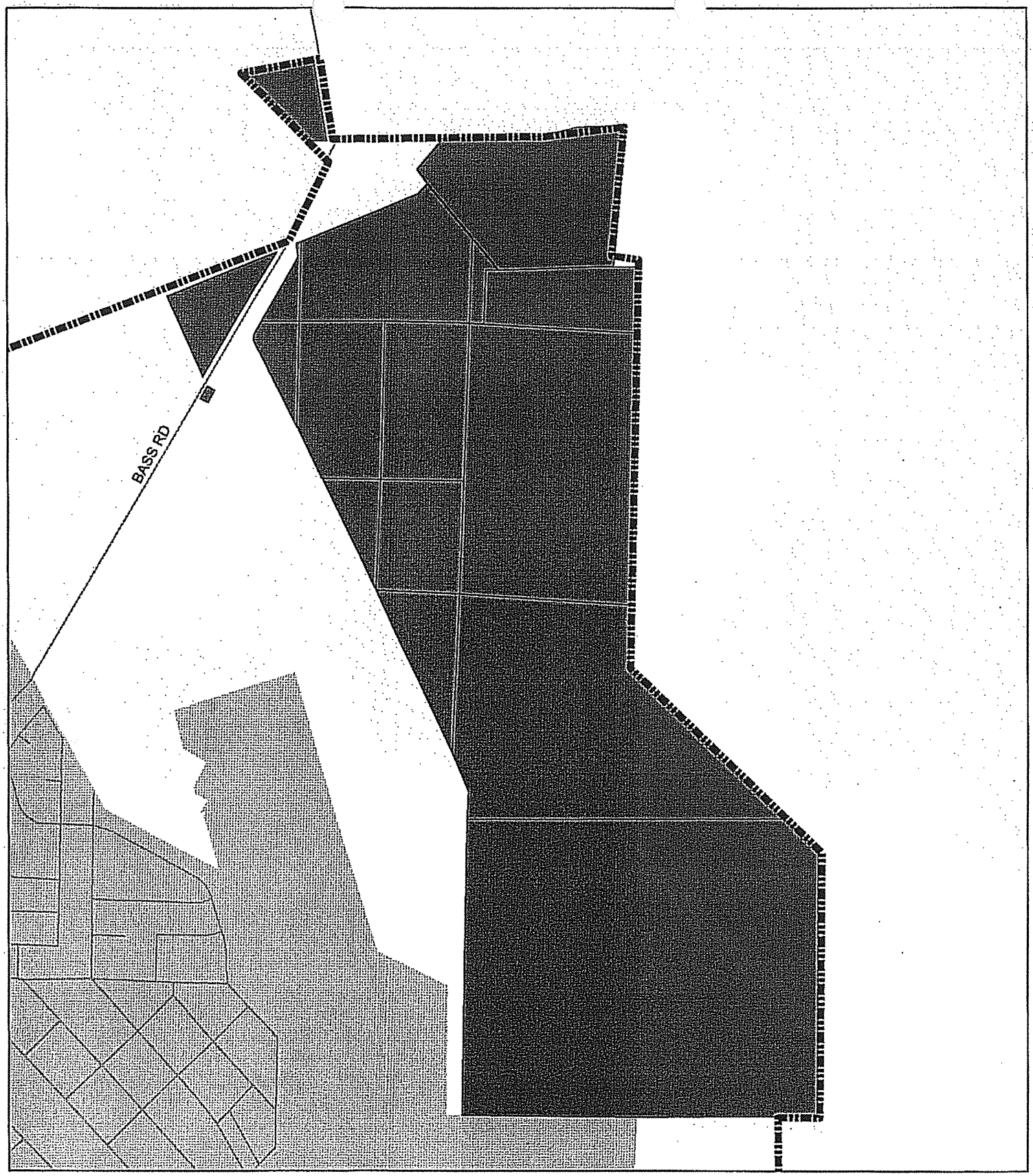
Title: _____

APPROVED AS TO LEGAL FORM:
KENNETH J. PRICE, BAKER, MANOCK & JENSEN
LEGAL COUNSEL FOR LAFCo

By _____

G:\LAFCO WORKING FILES\Darrel\Agreements\Mendota Sewage Indemnity Agreement - Revised.DOC

EXHIBIT "A"



City of Mendota "Wastewater Treatment Plant Reorganization" LAFCo File No. RO-08-3

Legend

- Sphere of Influence
- City Limits
- Affected Territory

0 0.125 0.25 0.5 Miles

N W E S

EXHIBIT "B"

RESOLUTION NO. RO-08-3

FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA

A REQUEST BY THE CITY OF MENDOTA FOR APPROVAL OF THE "WASTEWATER TREATMENT PLANT EXPANSION No. 1" REORGANIZATION	))))	**APPROVED WITH CONDITIONS**

WHEREAS, reorganization proceedings were initiated by the City of Mendota to annex 17 parcels located in four non-contiguous areas and totaling 463.19 acres to the City of Mendota and detach from the Fresno County Fire Protection District and the Silver Creek Drainage District, for territory located northeast of the City of Mendota between the San Luis Drain and the Fresno Slough, said territory being described within Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, an application was submitted to this Commission by the City of Mendota 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 5th day of March, 2008, at the hour of 1:30 p.m.; and

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

WHEREAS, the Fresno County Fire Protection District and the City of Mendota have a transition agreement in full force and effect that applies to fire protection services within the affected territory on file with the Commission; and

WHEREAS, a Master Property Tax Sharing Agreement has been entered into between the City of Mendota and the County of Fresno, the responsible local agencies for the exchange of property tax revenues covering this reorganization; and

WHEREAS, the County of Fresno submitted a letter to this Commission stating that the County has determined that the proposed annexation of the affected territory to the City of Mendota is consistent with the Master Property Tax Sharing Agreement; and

WHEREAS, the Executive Officer reviewed the application and prepared a report to this Commission, 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, this Commission reviewed and considered the information in the Initial Study and Negative Declaration, prepared by the City of Mendota, which was included in the Executive Officer's report to this Commission; 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 determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.

Section #2. This Commission finds that the proposed Reorganization is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Fresno LAFCo adopted Policies, Standards and Procedures, and that this action carries out LAFCo's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

Section #3. This Commission assigns the distinctive short form designation "City of Mendota Wastewater Treatment Plant Expansion Reorganization No. 1" and approves the Reorganization (annexation and detachments) subject to the following conditions of approval:

1. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.
2. All parcels included within the affected territory shall be designated for Public Facility use in the City of Mendota's General Plan prior to completion (recordation) of the annexation.
3. The entire affected territory shall be pre-zoned to the appropriate District prior to completion (recordation) of the annexation.
4. The New Planned Growth Area identified in the Amended and Restated Memorandum of Understanding (Master Tax Sharing Agreement) between the City of Mendota and the County of Fresno shall be amended to include the entire area proposed for annexation in this proposal prior to completion (recordation) of the annexation.

5. City Resolution 08-09 shall be revised so that reference to Consolidated Irrigation District and Kings River Conservation District are not included in the Resolution.

   Note: The City shall provide the Executive Officer with a corrected Resolution No. 07-48, and Ordinance No. 07-07 identifying current Assessor Parcel Numbers as per the County Assessor's Office.

6. The City of Mendota shall execute an indemnification agreement with the Commission, agreeing to defend, indemnify, and hold harmless the Commission from and against any claims, actions (including those filed by any state or local governmental agency), costs, or damages arising out of or in connection with the Commission's actions related to this matter. The form of such agreement shall be satisfactory to LAFCo Counsel.

Section #4. This Commission finds and determines pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that:

1. The territory is uninhabited.

2. All landowners and affected agencies have consented to the annexation.

Section #5. This Commission waives further Conducting Authority Proceedings and orders the reorganization (annexation and detachments) subject to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the 30-day reconsideration period, and compliance with all of the above conditions.

Section #6. 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.

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

* *

<u>ADOPTED THIS 5th DAY OF MARCH, 2008, BY THE FOLLOWING VOTE:</u>

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

NOES None

ABSENT: Commissioner Lopez

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

<u>CERTIFICATION</u>

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 5th day of March, 2008.

Victor Lopez, Chairman
Fresno Local Agency Formation Commission

GIERSCH & ASSOCIATES, INC. CIVIL ENGINEERS
P.O. BOX 1248 • MADERA, CALIFORNIA 93639-1248
421 NO. I STREET • MADERA, CALIFORNIA 93637-3099
(559) 673-5981 • (559) 233-4091
FAX (559) 675-3544
E-mail: giersch@pacbell.net

840G0122

September 26, 2002

SEP 2002
Received
FRESNO
LAFCO

Local Agency Formation Commission of Fresno County
2100 Tulare Street, Suite 502
Fresno, California 93721

Attention: Mr. Michael R. Waiczis, AICP, Executive Officer
Subject: City of Mendota – Annexation of City Owned Property.

Dear Mr. Waiczis:

Garold D. Giersch, P.E. is the City Engineer for the City of Mendota. Giersch & Associates, Inc. has been instructed by Shahid A. Hami, Mendota City Manager, and the City Council to follow-up on a LAFCO application for the Annexation of City Owned Property, submitted by the previous City of Mendota Manager, Keith Woodcock, or by the previous Interim Community & Economic Development Director, Joel Moses.

The enclosed City of Mendota Ordinance No. 02-03 defines the previous action approved by the City Council for the Annexation of the City owned property. Also, please find copies of the Legal Description and Annexation Map entitled, "Waste Water Treatment Facilities Annexation to the City of Mendota, and detachment from Fresno County Fire Protection District" that was to accompany the application.

Please let me know the current status of the City of Mendota application, and the remaining LAFCO requirements that still need to be completed. If you need additional information, do not hesitate to give me a call.

Sincerely,

Giersch & Associates, Inc.

William D. Jacobsen

William D. Jacobsen, P.L.S.

Encls.

c: Shahid A. Hami, Mendota City Manager
Garold D. Giersch, P.E., Mendota City Engineer

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CITY OF MENDOTA

ORDINANCE NO. 02-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENDOTA AMENDING BY PREZONING APPROXIMATELY 175 ACRES OF CITY AND COUNTY OWNED PROPERTY LOCATED AT 2689 BASS AVENUE (CITY WASTE WATER TREATMENT PLANT AND OLD COUNTY LAND FILL) AS PUBLIC FACILITY ON THE CITY'S GENERAL PLAN LAND USE MAP AND TO PREZONE SAID PROPERTY AS PUBLIC FACILITY (P-F) AND THE ANNEXATION OF THE CITY OWNED PROPERTY (Assessors Parcels: Parcel 1: 013-050-30, 013-050-58S, 013-050-59S, 013-050-60S, and 013-050-66S. Parcel 2: 013-050-63S. Parcel 3: 013-050-21. Parcel 4: 013-020-30T)

WHEREAS, the City Council of the City of Mendota has determined that it is in the Public's interest to amend the Official Zone Map of the City of Mendota related to property known as 2689 Bass Avenue (City Waste Water Treatment Plant and Old County Land Fill) in order to be consistent with the City's General Plan and provide for the annexation of the property to the City of Mendota; and,

WHEREAS, the Zoning Ordinance of the City of Mendota allows the Planning Commission to initiate amendments and revisions to the Zoning Ordinance (Section 17.040.070) along with specifically providing for the prezoning of property (Section 17.04.060); and,

WHEREAS, the City of Mendota's Waste Water Treatment Plant at 2689 Bass Avenue is currently not within the city limits of the City of Mendota; and

WHEREAS, the City of Mendota's General Plan Land Use Element does not show or provide a designation for the City's Waste Water Treatment Plant; and,

WHEREAS, the property adjoining the City's Waste Water Treatment Plant is a closed landfill owned by the County of Fresno; and

WHEREAS, the Mendota Planning Commission held a duly noticed public hearing on May 20, 2002, after receiving no comments voted to adopt a resolution recommending to the City Council that site be prezoned as PF (Public Facility), and

WHEREAS, the City based on the actions proposed by the City to annex the property has completed an Initial Study, and a Mitigated Negative Declaration. The Initial Study identified that the environmental effects related to the annexation of the property to the City of Mendota would either be less than significant or would be mitigated to a level of less than significant. No comments were received during the comment period; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MENDOTA ordains as follows:

1. The official Zoning Map of the City of Mendota is hereby amended as show on Exhibit A, which is herein incorporated by reference and made a part of Ordinance No. 02-03.

2. At least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted, a summary prepared by the City Attorney, shall be published and circulated in the City of Mendota, and a certified copy of the Ordinance shall be posed in the Office of the City Clerk.

3. Within fifteen (15) days after its adoption, a Summary of the Ordinance, prepared by the City Attorney, together with the names of those City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation published and circulated in the City of Mendota, and a certified copy posted in the Office of the City Clerk.

4. This ordinance shall take effect thirty (30) days after its passage.

ATTEST:

I, Brenda L. Carter, City Clerk of the City of Mendota do hereby certify that the forgoing ordinance was introduced at a regular meeting of the City Council of the City of Mendota, held on the 23th day of July, 2002, be the following vote:

AYES: **4** **Riofrio, De La Cruz, Sierras and Martinez**

NOES: **0**

ABSTAIN: **0**

ABSENT: **1** **Amador**

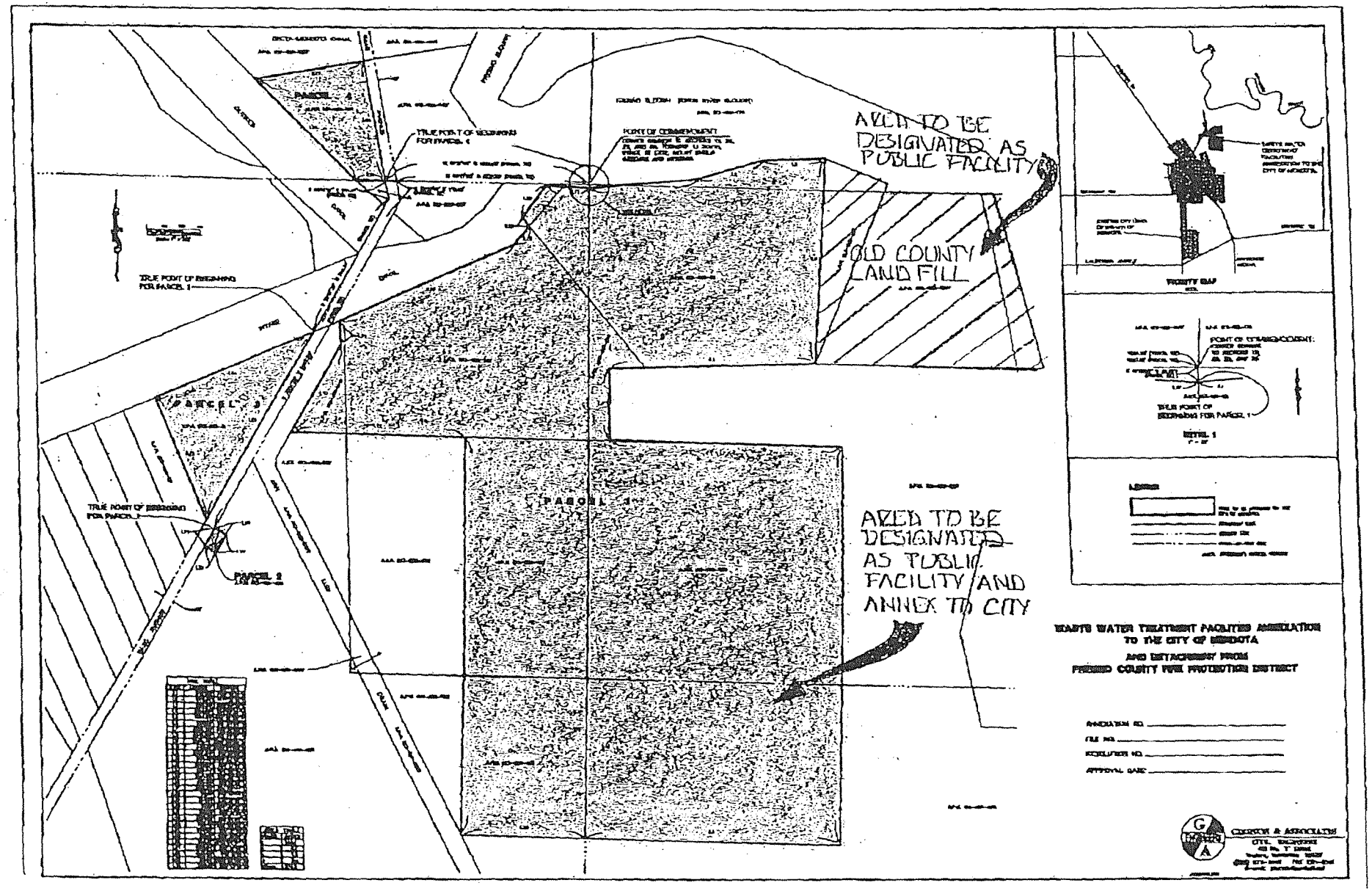
Date: JULY 24, 2002

Brenda L. Carter

Brenda L. Carter
City Clerk, City of Mendota

Joseph R. Riofrio

Joseph Riofrio, Mayor
City of Mendota


AREA TO BE DESIGNATED AS PUBLIC FACILITY
OLD COUNTY LAND FILL
AREA TO BE DESIGNATED AS PUBLIC FACILITY AND ANNEX TO CITY
PARCEL 1
PARCEL 2
PARCEL 3
PARCEL 4
TRUE POINT OF BEGINNING FOR PARCEL 1
VICINITY MAP
DETAIL 1
LEGEND
WARTS WATER TREATMENT FACILITIES ANNEXATION
TO THE CITY OF MINDOTA
AND DETACHMENT FROM
FRESNO COUNTY FIRE PROTECTION DISTRICT
ANNEXATION NO.
FILE NO.
RESOLUTION NO.
APPROVAL DATE
CLOVER & ASSOCIATES
CIVIL ENGINEERS

RO-08-3
RSOI150

CITY OF MENDOTA

"Cantaloupe Center Of The World"

DEC 2007
Received
FRESNO
LAFCO

December 13, 2007

Mr. Bart Bohn, County Administrative Officer
County of Fresno Administrative Office
2281 Tulare Street, Room 304
Fresno, CA 93721

SUBJECT: *Notice of Intent to File Annexation and Sphere of Influence Expansion in the City of Mendota* (Annexation No. 07-01)

Dear Mr. Bohn:

Pursuant to the MOU between Fresno County and the City of Mendota, I am requesting review of the proposed annexation and sphere of influence applications filed by City of Mendota in compliance with the Standards of Annexation contained in the MOU for the City's Wastewater Treatment Plant Improvement and Expansion Project. On December 11, 2007, the Mendota City Council approved a general plan amendment, pre-zoning and Certification of the Initial Study/Mitigated Negative Declaration by Resolution 07-47 and 07-48 on the project site located adjacent to the City limits and the existing wastewater treatment plant. The 469-acre property is contiguous with the existing city limits along its eastern boundary.

The site is partially within the City's Sphere of Influence and thus for the annexation of the entire City owned acreage to be annexed and utilized for the Wastewater Treatment Plant Expansion area a Sphere of Influence Expansion request is being submitted to LAFCo. Access to the site is provided by Bass Avenue.

Thank you for your assistance. If you have questions, please do not hesitate to contact Bill Skinner, City Planner directly at Valley Planning Consultants (675-8724).

Sincerely,

Gabriel A. Gonzalez,
City Manager

cc: Community Development Director
City Engineer
Executive Director, Fresno LAFCo

643 Quince Street Mendota, California 93640
Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)
www.ci.mendota.ca.us

APPROVED

Print Form

N. LaVerne 4/17/08

LAFCo Fresno Local Agency Formation Commission

Rec'd 4/15/08
N. LaVerne

Date: April 10, 2008

To: Nick LaVerne, Assessor's Office

From: Susan Pool, LAFCo

Subject: "City of Mendota "Wastewater Treatment Plant Expansion" LAFCo File RO-08-3"

Please review the attached revised map and legal description and approve or notify us as to how it is insufficient.
We would appreciate your comments as soon as possible.

Thank you,

Sh

Attachment: Map and Legal Description

APR 2008
Received
FRESNO
LAFCO

April 17, 2008

This is approved.

Nick LaVerne
Cadastral Technician

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone (559) 495-0604 ☎ Fax (559) 495-0655 ✉ cfleming@co.fresno.ca.us

APPROVED

LEGAL DESCRIPTION
For
WASTEWATER TREATMENT PLANT EXPANSION,
AN ANNEXATION TO THE CITY OF MENDOTA
AND
DETACHMENT FROM THE SILVER CREEK DRAINAGE DISTRICT,
AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT
County of Fresno
(Total Annexation Area = 465.97 acres, more or less)

Those portions of Sections 19, 20, 29, 30 and 32, Township 13 South, Range 15 East, Mount Diablo Baseline & Meridian, County of Fresno, State of California of the United States of America, more particularly described as the following three parcels:

ANNEXATION PARCEL 1:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the east line of said Section 30, South 01°30′57″ West, a distance of 19.33 feet to a point on the northerly line of a parcel of land as described in a Decree of Condemnation, recorded April 9, 1948, in Book 2630, at Page 326, as Document No. 18018, Official Records of Fresno County, said point being the **TRUE POINT OF BEGINNING of PARCEL 1**;

From said Point of Beginning of Parcel 1:

Course L1. Along the northerly line of said parcel of land, North 85°15′16″ East, a distance of 597.20 feet, thence,

Course L2. Along the northerly line of said parcel of land, North 74°10′16″ East, a distance of 372.00 feet, thence,

Course L3. Along the northerly line of said parcel of land, North 88°34′16″ East, a distance of 333.30 feet, thence,

Course L4. South 04°13′36″ West, a distance of 1116.97 feet to the southeast corner of the aforementioned parcel of land, thence,

Course L5. South 88°32′46″ East, a distance of 144.19 feet, thence,

Course L6. South 01°32′28″ West, a distance of 441.49 feet to a point on the north line of a parcel of land as described in a Grant Deed, recorded December 31, 1984, as Document No. 84126193, Official Records of Fresno County, thence,

Course L7. Along the boundary line of said parcel of land, and its southerly prolongation, South 01°30′57″ West, a distance of 2485.58 feet, thence,

Course L8. South 43°37′34″ East, a distance of 2521.59 feet, thence,

Course L9. South 01°30′52″ West, a distance of 1992.00 feet, thence,

Course L10. North 89°00′35″ West, a distance of 2944.70 feet to a point 80.00 feet easterly from, measured at right angle to, the easterly boundary line of the San Luis Drain, as per U.S. Bureau of Reclamation Right-of-Way Map No. 805-238-880 dated September 15, 1967, thence,

APPROVED

Course L11. Parallel with said easterly boundary line, North 01°30′46″ East, a distance of 998.87 feet, thence,

Course L12. North 88°29′08″ West, a distance of 80.00 feet to said easterly boundary line, thence,

Course L13. North 01°30′46″ East, a distance of 1347.67 feet along said easterly boundary line to the North Line of the aforementioned Section 32, thence,

Course L14. Along said easterly boundary line, North 01°35′25″ East, a distance of 259.46 feet, thence,

Course L15. Along said easterly boundary line, North 25°59′50″ West, a distance of 3923.00 feet, thence,

Course L16. Along said easterly boundary line, North 02°51′28 East, a distance of 46.62 feet, thence,

Course L17. Along said easterly boundary line, North 30°13′06″ East, a distance of 707.82 feet, thence,

Course L18. Along said easterly boundary line, North 03°08′41″ West, a distance of 129.74 feet to a point on the southeasterly right-of-way line of the Intake Canal, thence,

Course L19. Along said southeasterly right-of-way line, North 65°58′48″ East, a distance of 1041.55 feet, thence,

Course L20. North 41°01′55″ East, a distance of 126.20 feet to a point on the southwesterly line of the aforementioned parcel of land as described in a Decree of Condemnation, recorded April 9, 1948, thence,

Course L21. Along said boundary line of said Decree of Condemnation parcel, North 38°38′59″ West, a distance of 59.94 feet, thence,

Course L22. Along said boundary line of said Decree of Condemnation parcel, North 37°17′13″ East, a distance of 220.61 feet, thence,

Course L23. Along said boundary line of said Decree of Condemnation parcel, South 86°59′44″ East, a distance of 235.55 feet to the **TRUE POINT OF BEGINNING of PARCEL 1**.

The above described property encompasses 449.88 acres, more or less.

ANNEXATION PARCEL 2:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the north line of said Section 30, North 89°11′54″ West, a distance of 1037.36 feet to a point on the easterly right-of-way line of Bass Avenue (60.00 feet in width), said point being the **TRUE POINT OF BEGINNING of PARCEL 2**, thence,

Course L24. Along said north line of Section 30, North 89°11′54″ West, a distance of 222.53 feet to the northeasterly line of the "Outside Canal", thence,

Course L25. Along said northeasterly line, North 43°58′54″ West, a distance of 766.18 feet to the southerly line of the "Delta Mendota Canal", thence,

Course L26. Along said southerly line, North 80°12′37″ East, a distance of 656.64 feet to the aforementioned easterly right-of-way line of Bass Avenue, thence,

Course L35. Along said easterly line, South 09°10′01″ East, a distance of 674.69 feet to the **TRUE POINT OF BEGINNING of PARCEL 2**.

The above described property encompasses 6.47 acres, more or less.

ANNEXATION PARCEL 3:

COMMENCING at the corner common to Sections 19, 20, 29 & 30 of said Township and Range, thence,

Parcel Tie Course. Along the north line of said Section 30, North 89°11′54″ West, a distance of 1037.36 feet to a point on the easterly right-of-way line of Bass Avenue (60.00 feet in width), thence,

Parcel Tie Course. South 09°10′01″ East, along said easterly right-of-way line, a distance of 112.48 feet, thence,

Parcel Tie Course. South 30°21′30″ West, along the southeasterly right-of-way line of said Bass Avenue, a distance of 780.00 feet to a point on the southeasterly line of the "Intake Canal", and the **TRUE POINT OF BEGINNING of PARCEL 3**, thence,

Course L28. Along said southeasterly right-of-way line, South 30°21′30″ West, a distance of 1267.56 feet, thence,

Course L29. South 59°38′30″ East, a distance of 70.00 feet, thence,

Course L30. South 30°21′30″ West, a distance of 114.00 feet, thence,

Course L32. North 59°38′30″ West, a distance of 130.00 feet to a point on the northwesterly right-of-way line of Bass Avenue, thence,

Course L33. Along said northwesterly right-of-way line, North 30°21′30″ East, a distance of 128.96 feet to the boundary line between Assessor's parcels 013-050-20 and 013-050-21 (circa 2007), thence,

Course L34. Along the common boundary line between the aforementioned Assessor's parcels, North 22°58′06″ West, a distance of 703.40 feet to said southeasterly line of the "Intake Canal", thence,

Course L35. Along said southeasterly line, North 67°13′07″ East, a distance of 1040.50 feet to the **TRUE POINT OF BEGINNING of PARCEL 3**.

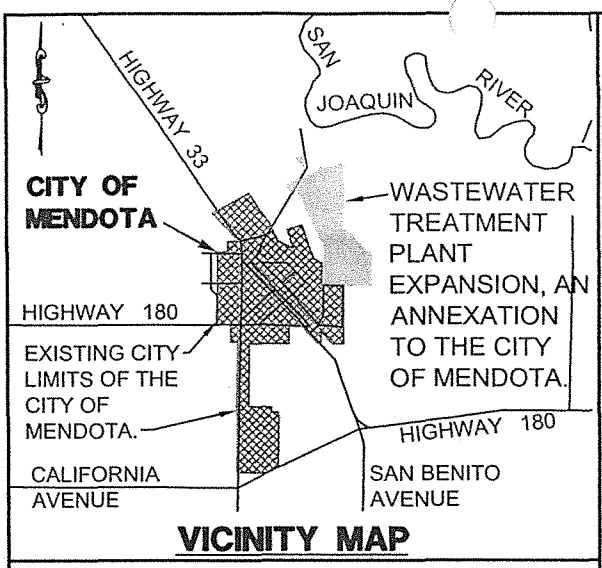
The above described property encompasses 9.62 acres, more or less.

The property described herein encompasses a total of 465.97 acres, more or less.

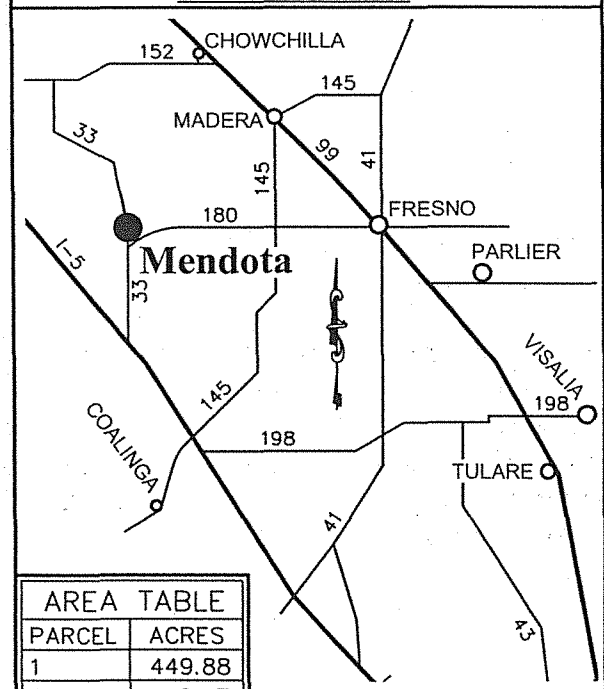
End of Legal Description.

PROFESSIONAL LAND SURVEYOR
07 APR 08
RICHARD C. SHEPARD
Richard C. Shepard
NO. 6218
EXP.31MAR10
STATE OF CALIFORNIA

APPROVED

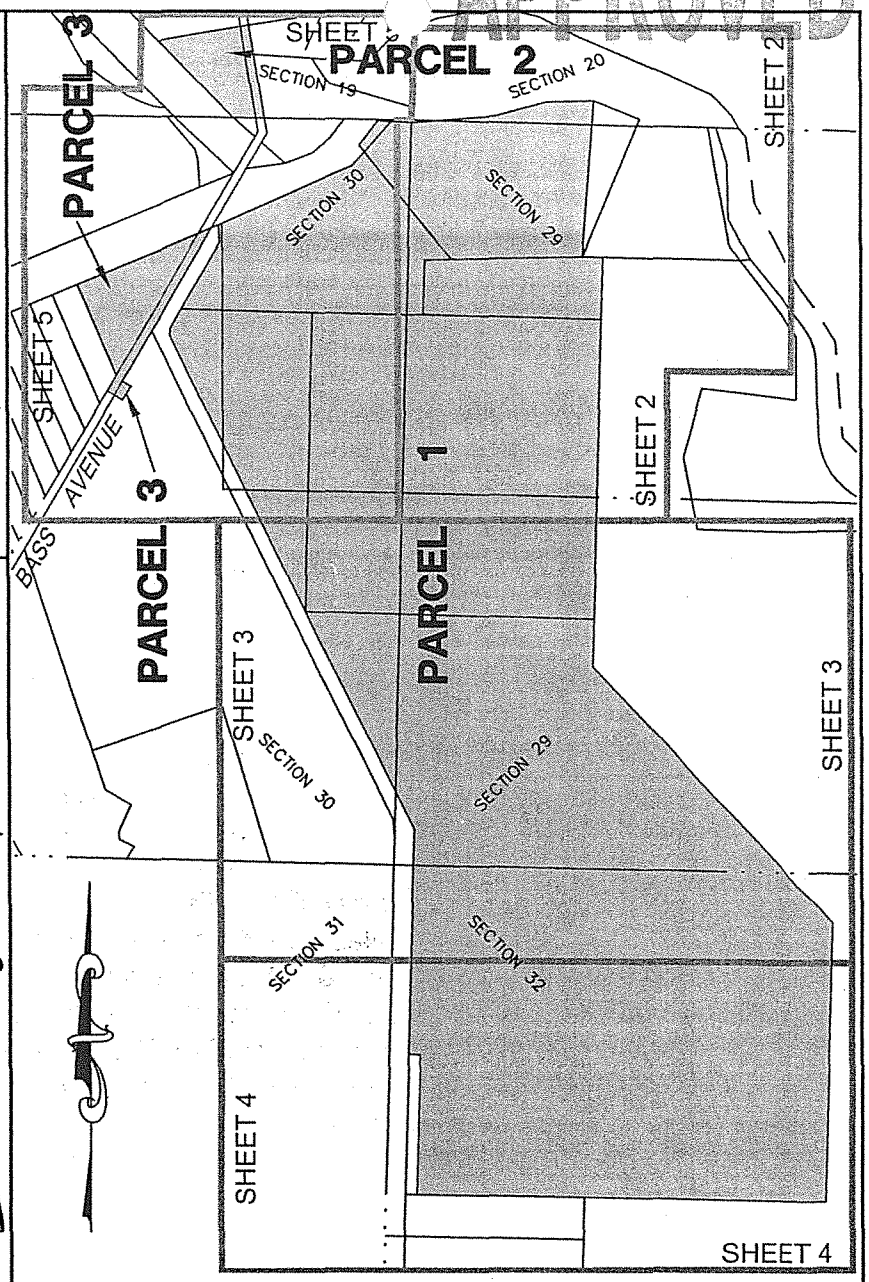


VICINITY MAP



LOCATION MAP

AREA TABLE	
PARCEL	ACRES
1	449.88
2	6.47
3	9.62
TOTAL	465.97



INDEX MAP

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA, AND DETACHMENT FROM THE SILVER CREEK DRAINAGE DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

APPROVED
LAFCO RES. # _____
DATE _____

BOUNDARY CHANGE RECORDED
TIME _____ DATE _____
DOCUMENT NO. _____
EFFECTIVE _____

840G0122M4.DWG REVISED 07APR2008

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
421 No. "I" Street
Madera, California 93637
(559) 673-5981 FAX 675-3544
E-mail: office@gai-online.com
www.gai-online.com

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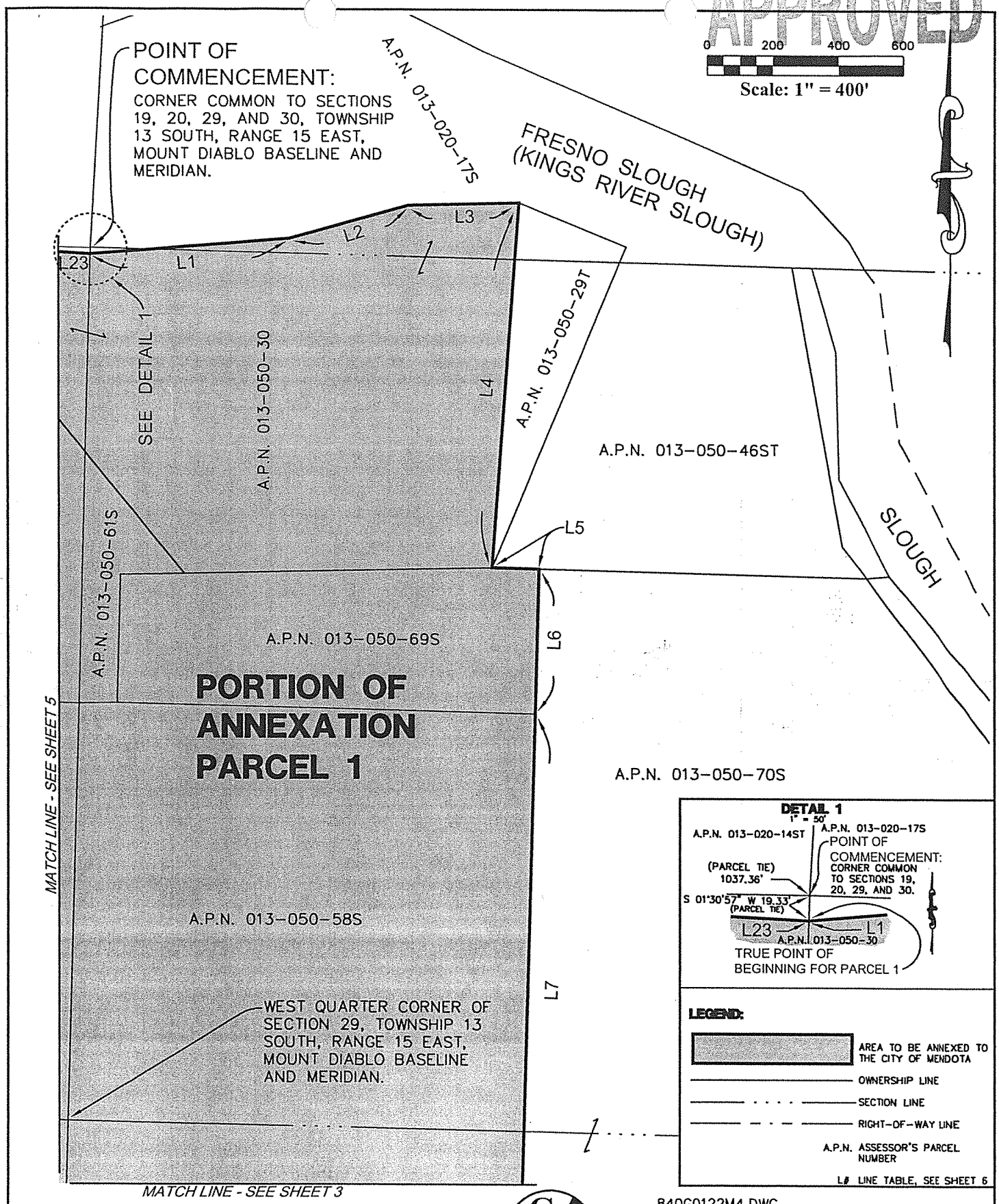

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

840G0122M4.DWG

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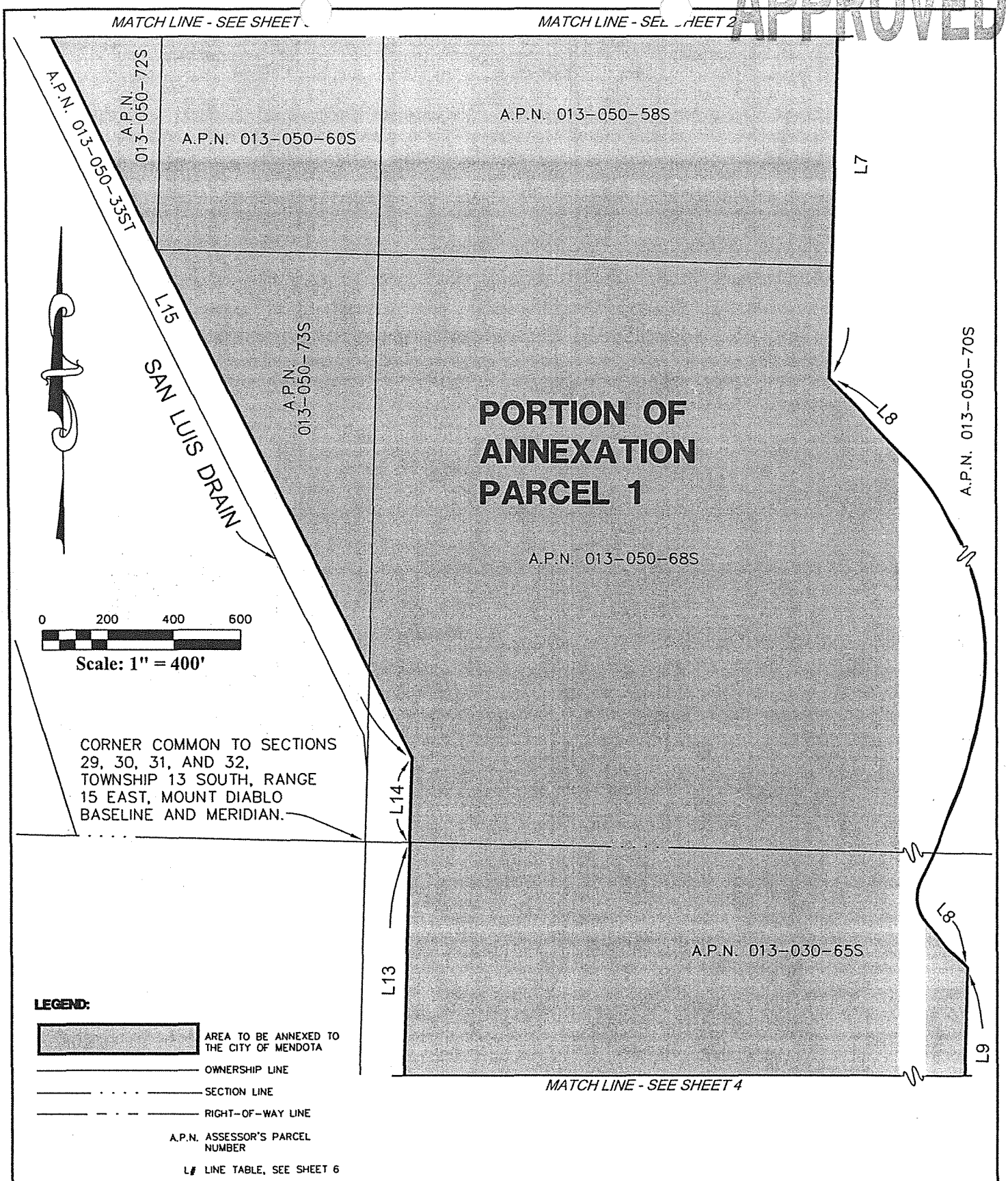

LEGEND:

- AREA TO BE ANNEXED TO THE CITY OF MENDOTA
- OWNERSHIP LINE
- SECTION LINE
- RIGHT-OF-WAY LINE
- A.P.N. ASSESSOR'S PARCEL NUMBER
- L# LINE TABLE, SEE SHEET 6

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

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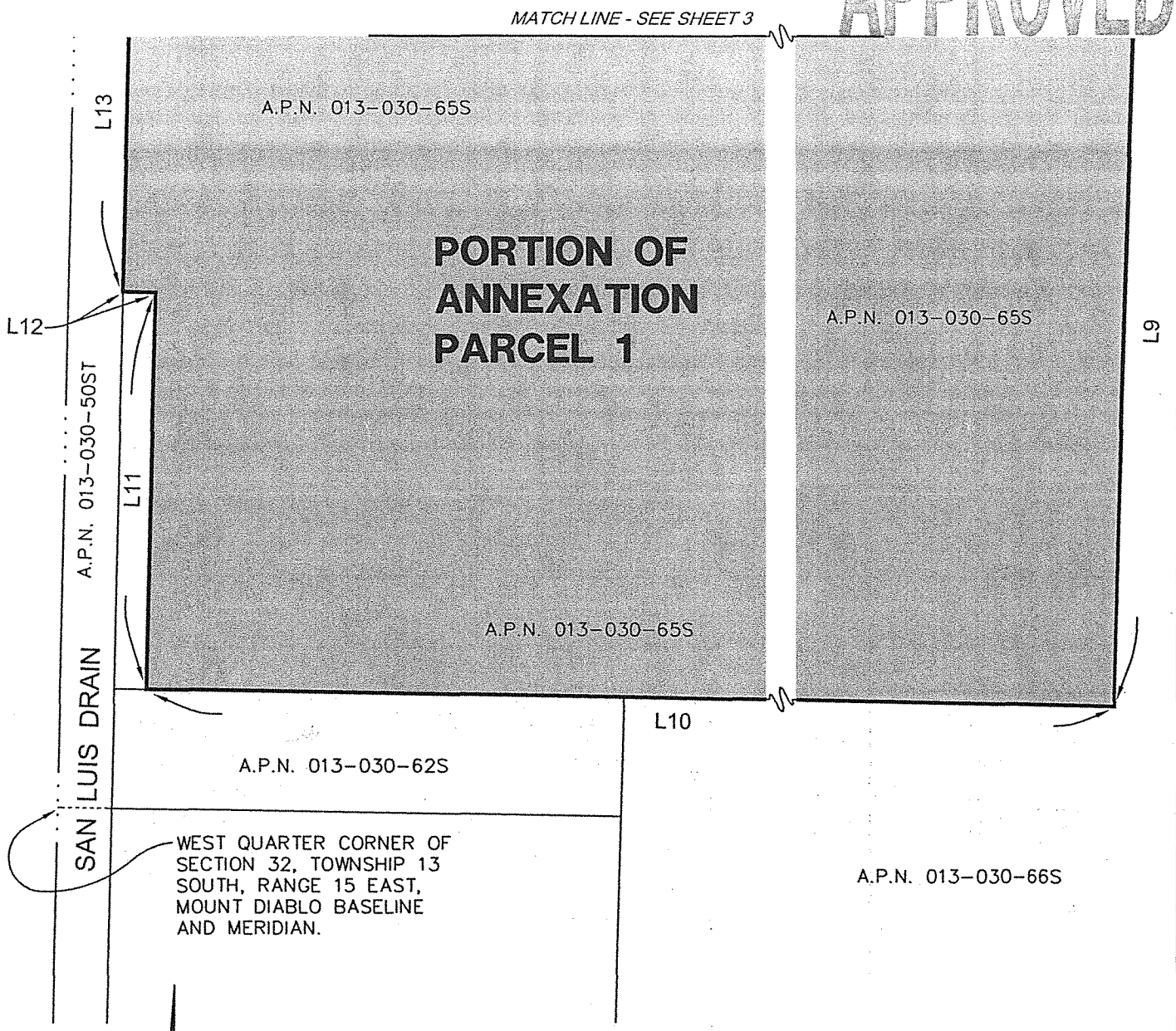

0 200 400 600

Scale: 1" = 400'

LEGEND:

- AREA TO BE ANNEXED TO THE CITY OF MENDOTA
- OWNERSHIP LINE
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WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

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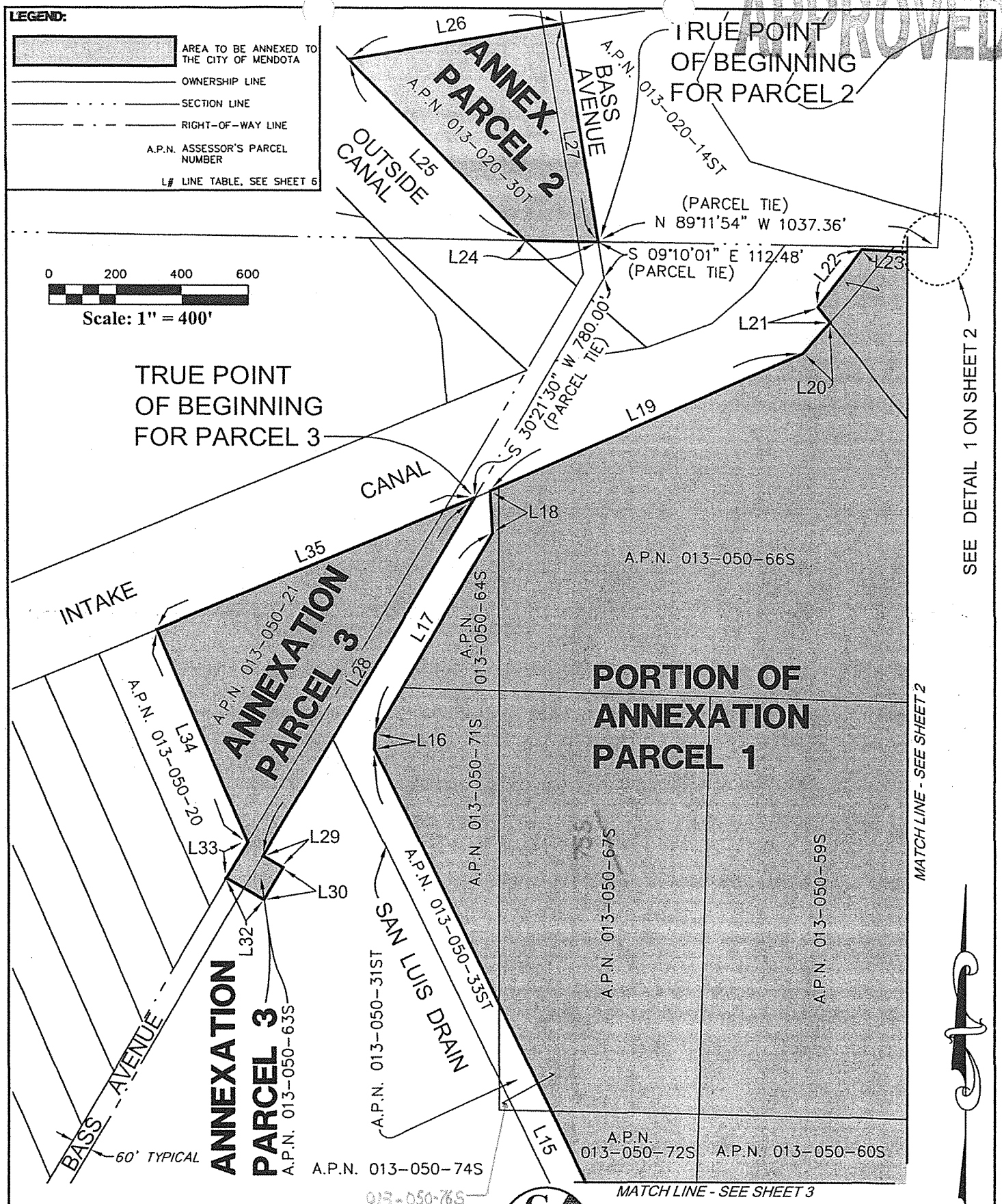

APPROVED

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

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APPROVED

LINE TABLE		
LINE	BEARING	LENGTH
L1	N85°15'16"E	597.20'
L2	N74°10'16"E	372.00'
L3	N88°34'16"E	333.30'
L4	S04°13'36"W	1116.97'
L5	S88°32'46"E	144.19'
L6	S01°32'28"W	441.49'
L7	S01°30'57"W	2485.58'
L8	S43°37'34"E	2521.59'
L9	S01°30'52"W	1992.00'
L10	N89°00'35"W	2944.70'
L11	N01°30'46"E	998.87'
L12	N88°29'08"W	80.00'
L13	N01°30'46"E	1347.67'
L14	N01°35'25"E	259.46'
L15	N25°59'50"W	3923.00'
L16	N02°51'28"E	46.62'
L17	N30°13'06"E	707.82'
L18	N03°08'41"W	129.74'
L19	N65°58'48"E	1041.55'
L20	N41°01'55"E	126.20'
L21	N38°38'59"W	59.94'
L22	N37°17'13"E	220.61'
L23	S86°59'44"E	235.55'
L24	N89°11'54"W	222.53'
L25	N43°58'54"W	766.18'
L26	N80°12'37"E	656.64'
L27	S09°10'01"E	674.69'
L28	S30°21'30"W	1267.56'
L29	S59°38'30"E	70.00'
L30	S30°21'30"W	114.00'
L32	N59°38'30"W	130.00'
L33	N30°21'30"E	128.96'
L34	N22°58'06"W	703.40'
L35	N67°13'07"E	1040.50'

PROFESSIONAL LAND SURVEYOR
07 APR 08
RICHARD C. SHEPARD
Richard C. Shepard
NO. 6218
EXP. 31MAR10
STATE OF CALIFORNIA

WASTEWATER TREATMENT PLANT EXPANSION, AN ANNEXATION TO THE CITY OF MENDOTA

840G0122M4.DWG

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RESOLUTION NO. RO-08-3

FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA

A REQUEST BY THE CITY OF MENDOTA FOR APPROVAL OF THE "WASTEWATER TREATMENT PLANT EXPANSION No. 1" REORGANIZATION	))))	**APPROVED WITH CONDITIONS**

WHEREAS, reorganization proceedings were initiated by the City of Mendota to annex 17 parcels located in four non-contiguous areas and totaling 463.19 acres to the City of Mendota and detach from the Fresno County Fire Protection District and the Silver Creek Drainage District, for territory located northeast of the City of Mendota between the San Luis Drain and the Fresno Slough, said territory being described within Exhibit "A", attached hereto and by this reference incorporated herein; and

WHEREAS, an application was submitted to this Commission by the City of Mendota 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 5th day of March, 2008, at the hour of 1:30 p.m.; and

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

WHEREAS, the Fresno County Fire Protection District and the City of Mendota have a transition agreement in full force and effect that applies to fire protection services within the affected territory on file with the Commission; and

WHEREAS, a Master Property Tax Sharing Agreement has been entered into between the City of Mendota and the County of Fresno, the responsible local agencies for the exchange of property tax revenues covering this reorganization; and

WHEREAS, the County of Fresno submitted a letter to this Commission stating that the County has determined that the proposed annexation of the affected territory to the City of Mendota is consistent with the Master Property Tax Sharing Agreement; and

WHEREAS, the Executive Officer reviewed the application and prepared a report to this Commission, 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, this Commission reviewed and considered the information in the Initial Study and Negative Declaration, prepared by the City of Mendota, which was included in the Executive Officer's report to this Commission; 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 determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.

Section #2. This Commission finds that the proposed Reorganization is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Fresno LAFCo adopted Policies, Standards and Procedures, and that this action carries out LAFCo's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

Section #3. This Commission assigns the distinctive short form designation "City of Mendota Wastewater Treatment Plant Expansion Reorganization No. 1" and approves the Reorganization (annexation and detachments) subject to the following conditions of approval:

1. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.
2. All parcels included within the affected territory shall be designated for Public Facility use in the City of Mendota's General Plan prior to completion (recordation) of the annexation.
3. The entire affected territory shall be pre-zoned to the appropriate District prior to completion (recordation) of the annexation.
4. The New Planned Growth Area identified in the Amended and Restated Memorandum of Understanding (Master Tax Sharing Agreement) between the City of Mendota and the County of Fresno shall be amended to include the entire area proposed for annexation in this proposal prior to completion (recordation) of the annexation.

5. City Resolution 08-09 shall be revised so that reference to Consolidated Irrigation District and Kings River Conservation District are not included in the Resolution.

   Note: The City shall provide the Executive Officer with a corrected Resolution No. 07-48, and Ordinance No. 07-07 identifying current Assessor Parcel Numbers as per the County Assessor's Office.

6. The City of Mendota shall execute an indemnification agreement with the Commission, agreeing to defend, indemnify, and hold harmless the Commission from and against any claims, actions (including those filed by any state or local governmental agency), costs, or damages arising out of or in connection with the Commission's actions related to this matter. The form of such agreement shall be satisfactory to LAFCo Counsel.

Section #4. This Commission finds and determines pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that:

1. The territory is uninhabited.

2. All landowners and affected agencies have consented to the annexation.

Section #5. This Commission waives further Conducting Authority Proceedings and orders the reorganization (annexation and detachments) subject to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the 30-day reconsideration period, and compliance with all of the above conditions.

Section #6. 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.

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

* *

ADOPTED THIS 5th DAY OF MARCH, 2008, BY THE FOLLOWING VOTE:

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

NOES None

ABSENT: Commissioner Lopez

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 5th day of March, 2008.

Victor Lopez, Chairman
Fresno Local Agency Formation Commission

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EXHIBIT "A"

City of Mendota "Wastewater Treatment Plant Reorganization" LAFCo File No. RO-08-3

Legend

- Sphere of Influence
- City Limits
- Affected Territory

0 0.125 0.25 0.5 Miles

N W E S

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO)
EXECUTIVE OFFICER'S REPORT

AGENDA ITEM NO. 10

DATE: **March 5, 2008**

TO: **Fresno Local Agency Formation Commission**

FROM: **Rick Ballantyne, Executive Officer**
Darrel Schmidt, Deputy Executive Officer

SUBJECT: **Consider Approval: City of Mendota "Sphere of Influence Revision."** A proposed revision to the City of Mendota's Sphere of Influence to add approximately 360 acres located northeast of the City of Mendota between the San Luis Drain and the Fresno Slough, **(LAFCo File No. RSOI-150).**

Consider Approval: City of Mendota "Wastewater Treatment Plant Expansion Reorganization No. 1". A proposed reorganization to annex 463.19 acres of territory located in four non-contiguous areas to the City of Mendota and detach from the Fresno County Fire Protection District and the Silver Creek Drainage District. This territory is located northeast of the city of Mendota between the San Luis Drain and the Fresno Slough **(LAFCo File No. RO-08-3)**.

Applicant: City of Mendota, Gabriel Gonzales, City Manager

Land Owners/Parties of Real Interest: City of Mendota

Background:

- The City of Mendota (the "City") has requested a Sphere of Influence Revision and Reorganization to allow current and future City public facilities to be incorporated within the City. These facilities include the City's sewer treatment plant and wastewater ponding areas, City lift station, City storage yard, City park, and future wastewater ponding area (see location maps). The City of Mendota owns all of the affected territory.

- On December 11, 2007, the City amended its General Plan to re-designate from Agriculture and Industrial to Public Facility use, lands planned for an upgrade to the City's current wastewater treatment facility, as well as lands developed with a sewer lift station, City storage area, and a public park.

- Staff notes that four parcels (61.06 acres) included in the Sphere of Influence Revision and Reorganization proposals, and which are part of the existing wastewater treatment facility, were not indentified for designation as Public Facility use in the City's General Plan amendment. Exclusion of these parcels from the City's General Plan amendment has been identified as an oversight, and is discussed in more detail in the "Consistency with LAFCo Policies, Standards, and Procedures" Section, below.

- The City of Mendota, on December 11, 2007, also pre-zoned major portions of the affected territory from County AE-20 (Exclusive Agriculture, 20-Acres Minimum) and AL-20 (Limited Agriculture, 20-Acres Minimum) Districts to City PF (Public Facilities) District (see Zone Map). Staff notes that four parcels (61.06 acres) included in the Sphere of Influence Revision and Reorganization proposals, and which are a part of the existing wastewater

treatment facility, have not been pre-zoned to City PF District. Exclusion of these parcels from the City's Zoning Ordinance has been identified as an oversight by the City, and is discussed in more detail in the "Consistency with LAFCo Policies, Standards, and Procedures" Section, below.

- The City's wastewater treatment facility has a treatment capacity of 1.24 million gallons per day (mgd). The facility is operating near capacity during peak flow times. In order to accommodate growth within the City as well as provide planned sewage for a future federal prison, additional treatment capacity is necessary. The City proposes to expand the existing facility to the south of the current location. The proposed expansion will increase the treatment and disposal capacity of the facility to 2.5 mgd.

- It should be noted that on October 31, 2000, the California Regional Water Quality Control Board (RWQCB) issued a "Notice of Violation" of the City's Waste Discharge Permit, and issued a "Tentative Cease and Desist Order" on April 1, 2002. Staff has verified that since that time the City has been working with the RWQCB to correct the violation. The proposed expansion and improvements to the wastewater treatment facility are necessary for the City to continue its progress toward compliance with RWQCB requirements.

Proposal / Land Use:

- The City of Mendota is requesting a Sphere of Influence (SOI) Revision to expand its present SOI by approximately 360 acres (see location map). The City has also filed a concurrent Reorganization that will annex 463.19 acres of territory to the City of Mendota (including the majority in the new SOI area) and detachment from the Fresno County Fire Protection District and the Silver Creek Drainage District.

- It should also be noted that the City's Resolution No. 08-09, initiating the SOI Revision and Reorganization, incorrectly identified Kings River Conservation District and Consolidated Irrigation District as districts that would be detached from the affected territories. These two districts are not located within the affected territories. Staff recommends that, as a condition subsequent to the Commission's approval, the City submit a revised Resolution which does not include mention of these two districts prior to completion of the reorganization.

- The affected territory includes four non-contiguous areas with a majority of the affected territory (449.88 acres) located adjacent to and east of the San Luis Drain, south of Bass Avenue, and west of the Fresno Slough.

- The northerly portion of this area is occupied by the City's wastewater treatment facility. The City intends to expand its wastewater treatment facility south of the existing facilities to include 202 acres encompassing treatment ponds, disposal ponds, and appurtenant facilities (see Figure 4).

- The remaining three non-contiguous territories comprise 13.31 acres. As identified on Figure 2, attached, these areas are currently developed with a sewer lift station (0.18 acres), a City storage area (7.58 acres), and a City owned park (5.55 acres).

- These three territories are not located adjacent to the existing City boundary. Annexation of territories not adjacent to the City and less than 300 acres in size (for territories not engaged in reclamation, treatment, or disposal of wastewater) is allowed pursuant to Government Code Section 56742(a), provided the following criteria are met: (1) The affected territories

are located in the same County as the City; (2) The affected territories are owned by the City; and (3) The affected territories are used for municipal purposes at the time Commission proceedings are initiated. The affected territories meet these criteria.

- Surrounding land uses include an airport west of the wastewater treatment facility and a prior County landfill (closed) adjacent to the east. The Fresno Slough is located east of the affected territories. Other adjacent properties are undeveloped. Lands in the vicinity are developed with agriculture.

Environmental Determination:

The City of Mendota prepared an Initial Study to evaluate the potential environmental effects of the proposed reorganization and wastewater treatment plant expansion proposal. The City made a finding that although the proposed project could have a significant effect(s) on the environment, that such effects are not significant since the proponent has revised the project to include mitigation measures to reduce project impacts to a level of insignificance. The City of Mendota filed a Negative Declaration with the Fresno County Clerk on December 17, 2007 (see Environmental Documents).

As a Responsible Agency, the Commission is required to review and consider the City's Initial Study and Negative Declaration prior to taking its action. If the Commission determines that these documents are adequate, pursuant to CEQA, a finding needs to be made that the Commission independently reviewed and considered the information in the Initial Study and the Negative Declaration and that these environmental documents are sufficient on which to make a determination on the proposed reorganization.

It should be noted that staff did route this proposal and a copy of the Initial Study and Negative Declaration to the Regional Water Quality Control Board and Bureau of Reclamation and did not receive any formal comments.

Consistency with LAFCo Policies, Standards, and Procedures

- The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Act) (Govt. Code Sec. 56375(a)) states, *"A commission shall require as a condition to annexation, that a city prezone the territory to be annexed or present evidence satisfactory to the commission that the existing development entitlements on the territory are vested or are already at buildout, and are consistent with the city's general plan."* The Fresno LAFCo's adopted Policy Section 210-13-02 mirrors this requirement.

- Additionally, the Fresno LAFCo's adopted Policy Section 210-02 (Standards for Annexation to Cities and Urban Service Districts) mirrors Section 56375(a) in the Act and states, *"Proposal is consistent with the City or County general and specific plans, including adopted goals and policies."* Consistency with the City's General Plan, therefore, is a requirement for annexation.

- As indicated in the "Background" Section, above, the City has amended its General Plan (Resolution 07-48) to designate the use of the majority of the lands included within these proposals as Public Facility. Four parcels totaling 61.06 acres (APN 013-050-30, 61s, 64s, & 66s) included within the SOI Revision and Reorganization proposals, and which are part of the existing wastewater treatment facility, were not included as part of the General Plan amendment, however. The City indicates that exclusion of these parcels from the General

Plan amendment was unintentional and an oversight. Further, the City states that while these parcels are not identified as Public Facilities on its 1991 General Plan's land use map, they are identified as Public Facilities in the text of the Plan and that they will be identified as Public Facilities in land use maps contained in its 2008 General Plan Update, anticipated to be completed later this year.

- Further, the City states that these four parcels "are developed as the City's existing wastewater treatment plant, have been used as a Public Facility since the 1970's and are considered to be at full build-out" (see letter from Gabriel Gonzales, City Manager, Correspondence and Comments).

- Given this information, staff believes the City has presented sufficient "*evidence satisfactory to the commission that the existing development entitlements on the territory are vested or are already at buildout, and are consistent with the city's general plan"* as required by the Act, and that the proposal can be considered consistent with the City's General Plan, as required by the Commission's Policies, identified above. Staff recommends, however, as a condition of approval, that the City amend its General Plan such that the land use for all parcels included among the affected territories is explicitly identified as Public Facility.

- The Fresno LAFCo's adopted Policy Section 210-13 (Standards for Annexation to Cities and Urban Service District—Pre-Zoning Requirements) sets forth pre-zoning requirements for affected territories. Sections 210-13-01, 02, and 03 state:

> *As a condition to annexation a City is required to pre-zone the territory to be annexed. Prior to submitting an application to the Commission for a proposed annexation the City or petitioners must have pre-zoned the affected territory consistent with that City's General Plan, unless the City meets one of the exceptions, presented in this sub-section below (210-13-01).*
>
> *If any territory included in a proposed annexation to a City is not pre-zoned, to qualify for an exemption from required pre-zoning, the City proponent or petitioners are required to present evidence satisfactory to the Commission that the existing development entitlements on such territory included in the annexation are vested or already at build-out, and are consistent with the City's General Plan (210-13-02).*
>
> *On a case by case basis the Executive Officer shall examine the evidence presented to the Commission by the City proponent or petitioners that territory included in an annexation is exempt from required pre-zoning to determine if such evidence is acceptable. The results of this analysis shall be included in the Executive Officer's report to the Commission (210-13-03)*

As indicated in the "Background" Section, above, the City has pre-zoned the majority of the territory included within the SOI Revision and Reorganization proposals to the City PF (Public Facility) District (Ordinance O7-07). Four parcels totaling 61.06 acres (APN 013-050-30, 61s, 64s, & 66s) included within these proposals, and which are part of the existing wastewater treatment facility, have not been pre-zoned to the City PF District, however. The City indicates exclusion of these parcels from the ordinance which pre-zoned the remainder of the affected territories was an oversight. The City of Mendota has petitioned the <u>Commission to waive the pre-zoning requirement prior to its action</u> for these four parcels, located at the northern portion

of the affected territories (see Figure 3). The City has submitted a letter in support of this request (see letter from Gabriel Gonzales, City Manager, Correspondence and Comments). The City states that these parcels are already developed with its existing treatment facility consistent with its proposal to pre-zone the parcels to City PF.

Staff concurs with the City's request. Staff recommends, as a condition of approval, that prior to recordation of the Certificate of Completion, these four parcels be pre-zoned consistent with the existing and proposed uses on affected territories, consistent with its Ordinance 07-07, and the designation and pre-zoning of the other territories included within the SOI Revision and Reorganization proposals. Such requirement is in accordance with state law requirements. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 sets forth such standard. The state law does not provide for exceptions to such standards.

- In accordance with LAFCo Policy 102-041-A (2), the City and the Fresno County Fire Protection District have entered an agreement whereby the District provides fire protection services within the City.

- The County of Fresno states that the Proposal is consistent with the Standards for Annexation contained within the Amended and Restated Memorandum of Understanding (Master Tax Sharing Agreement) between the City of Mendota and the County. The County has determined, however, that the area proposed for annexation includes two areas, totaling approximately 25 acres, that are outside the New Planned Growth Area identified in the MOU. The County states it supports the proposal, but the MOU will need to be amended to reflect the addition of these two areas. (See letter from Mr. Bart Bohn, Fresno County CAO, Correspondence and Comments). Staff has recommended as a condition of approval that prior to recordation, the MOU be amended to include the addition of these areas.

- The affected territories are located adjacent to the Mendota Municipal Airport and within the Airport Land Use Compatibility Plan area. As such, the City's proposal is subject to review for consistency by the Fresno County Airport Land Use Commission (ALUC). On February 4, 2008, the ALUC determined that the designation of the affected territories for Public Facility use and the pre-zoning of the property to the City PF (Public Facility) District was conditionally consistent with the ALUC's Mendota Municipal Airport Land Use Policy Plan. Conditions included such things as limiting trees and structures to a 150-foot height limit, excluding uses which would tend to concentrate population, limiting density of development, and not creating nuisances which might impact aircraft operations. It was determined that the wastewater treatment facility expansion would not conflict with any of these conditions.

- The Proposal, with the recommended conditions, does not conflict with the goals and policies of LAFCo. The proposal is timely, it represents an appropriate action, and would result in orderly land use planning, efficient development patterns and service areas, and does not encourage urban sprawl.

- The Proposal, with the recommended conditions, would carry out LAFCo's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

Accordingly, the proposed reorganization, with the recommended conditions, is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code 56000 et seq.), and LAFCo Policies, Standards, and Procedures, including, but not limited to, Sections 100 and 200.

Conducting Authority

In light of the fact that the affected territory is uninhabited and that all of the property owners consented in writing to the annexation, the Commission may approve or conditionally approve the Proposal, and waive further Conducting Authority Proceedings.

Recommendation – Sphere of Influence Revision – Approve by Taking the Following Actions:

A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to approving the proposed Sphere of Influence Revision 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 determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.

B. Prior to taking its action the Commission finds that a Municipal Service Review has been prepared for the City of Mendota and was approved and adopted on August 22, 2007, pursuant to California Government Code Section 56430.

C. Adopt the required written determinations for the Sphere of Influence Revision and determine that these determinations have been prepared pursuant to California's Government Code, Section 56425(e) (see Exhibit "A").

D. Find that the proposed City of Mendota "Sphere of Influence Revision" is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Fresno LAFCo adopted Policies, Standards and Procedures, and that this action carries out LAFCo's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

E. Find that approval of the requested amendment to the City of Mendota's Sphere of Influence is based on sufficient information as provided to the Commission in the Negative Declaration for the current project, the Municipal Service Review, the Executive Officer's report to the Commission, and all other testimony, evidence and information provided by persons and interested agencies, and is in compliance with State law, including, but not limited to, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

F. Approve the proposed Sphere of Influence Revision (RSOI-150), adding approximately 360 acres to the City of Mendota's Sphere of Influence (Exhibit "B").

Recommendation – Reorganization (annexation and detachments) (RO-08-3) – Approve by Taking the Following Actions:

A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find 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 determine these documents to be adequate pursuant to CEQA Guidelines Section 15096.

B. Find that the proposed Reorganization is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and Fresno LAFCo adopted Policies,

Standards and Procedures, and that this action carries out LAFCo's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

C. Assign the distinctive short form designation "City of Mendota Wastewater Treatment Plant Expansion" Reorganization and approve the Reorganization (annexation and detachments) subject to the following conditions of approval:

1. Ownership of land permitting, the reorganization shall include the full existing right-of-way width of adjacent streets.

2. The reorganization shall include the full existing width of that portion of the San Luis Drain, federally owned property, that is adjacent to the affected territories upon a determination by LAFCo Counsel that such property could be included in the annexation. If it is not legally permissible to annex this property, this condition shall be removed.

3. All parcels included within the affected territory shall be designated for Public Facility use in the City of Mendota's General Plan prior to completion (recordation) of the annexation.

4. The entire affected territory shall be pre-zoned to the appropriate District prior to completion (recordation) of the annexation.

5. The New Planned Growth Area identified in the Amended and Restated Memorandum of Understanding (Master Tax Sharing Agreement) between the City of Mendota and the County of Fresno shall be amended to include the entire area proposed for annexation in this proposal prior to completion (recordation) of the annexation.

6. City Resolution 08-09 shall be revised so that reference to Consolidated Irrigation District and Kings River Conservation District are not included in the Resolution.

Note: The City shall provide the Executive Officer with a corrected Resolution No. 07-48, and Ordinance No. 07-07 identifying current Assessor Parcel Numbers as per the County Assessor's Office.

D. Find and determine pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that:

1. The territory is uninhabited.

2. All landowners and affected agencies have consented to the annexation.

E. Waive further Conducting Authority Proceedings and order the reorganization (annexation and detachments) subject to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the 30-day reconsideration period, and compliance with all of the above conditions.

F. The City of Mendota shall execute an indemnification agreement with the Commission, agreeing to defend, indemnify, and hold harmless the Commission from and against any claims, actions (including those filed by any state or local governmental agency), costs, or damages arising out of or in connection with the Commission's actions related to this matter. The form of such agreement shall be satisfactory to LAFCo Counsel.

APPLICATION INFORMATION

1. **Affected Territory**

Acreage:	463.19 acres
Current Land Use:	Wastewater treatment facility, Park, City storage yard, Wastewater lift station, Undeveloped
Number of Residences/ Population:	Residences: 0 / Population: 0
Landowners/ Registered Voters:	Landowners: 1 / Voters: 0
Previous County Zoning:	AE-20 and AL-20
City Zoning Upon Annexation:	P-F (Public Facility)
Ag. Preserves/Contracts:	None
Assessors Parcel Number:	013-020-30T; 013-030-65S; 013-050-21, 30, 58S, 59S, 60S, 61S, 63S, 64S, 66S, 67S, 68S, 69S, 71S, 72S, 73S

2. **Proposed Development:** Wastewater treatment facility expansion. Existing development includes a wastewater treatment facility, sewer lift station, storage area, and park.

3. **Surrounding Territory**: Surrounding land uses consist of an airport to the west and a closed County landfill and the Fresno Slough to the east. Agricultural uses are located in the vicinity.

4. **Consistency with Adopted Sphere of Influence (SOI)**: A SOI revision is necessary to annex the 463.19 acres of the territory.

5. **Consistency with City and County General and Specific Plans**: The proposals are consistent with the City of Mendota and Fresno County adopted land use policy documents, including the County of Fresno General Plan and the Mendota amended General Plan.

6. **Existing Service Agencies and Proposed Service Changes: Wastewater Treatment Facility, Lift Station, and Storage Yard**

Service	Existing Service	Change
Water	No Existing Service	None
Sewer	No Existing Service	None
Fire Protection	Fresno Co. Fire Protect. Dist.	None
Distance to Station	2 miles	None

7. **Existing Service Agencies and Proposed Service Changes: Pool Park**

Service	Existing Service	Change
Water	City of Mendota	None
Sewer	City of Mendota	None
Fire Protection	Fresno Co. Fire Protect. Dist.	None
Distance to Station	2 miles	None

Please Note: A service plan for this Proposal is attached to the Executive Officer's Report.

8. **Cities and Districts Included Wholly or Partially within the Affected Territory**.

County of Fresno	Tranquility Resource Conservation District
Fresno County Fire Protection District	Mendota Unified School District
Silver Creek Drainage District	State Center Community College District
Fresno County Library District	West Fresno County Red Scale Protective Dist.

9. **Costs and Other Changes Affecting Residents or Landowners**

No costs are anticipated that will affect residents or landowners.

10. **Agencies and Individuals Submitting Comments** (see Correspondence and Comments)

- Bart Bohn, CAO, County of Fresno
- Gabe Gonzalez, City of Mendota
- Karen Bosch-Cobb, County Librarian
- Betty Vaughn, Elections Division, County of Fresno
- Bernard Jimenez, Department of Public Works and Planning
- Bruce Thompson, Natural Resource Conservation Service
- Tricia Wathen, California Department of Public Health – Drinking Water
- Karen Bosch Cobb, County Librarian
- Glenn Allen, County of Fresno Department of Community Health
- Mendota Unified School District

11. **Territory Boundaries:** The boundaries of the proposed annexation are definite and certain, and there are no conflicts with lines of assessment ownership. The map and description are not sufficient per Dave King (Fresno County Assessor, Assessment Services Supervisor) for recordation or filing with the State Board of Equalization. **A revised map and legal description title are required per the County Assessor's specifications.**

12. **Registered Voter Data**

The County of Fresno Elections Office reported that on February 25, 2008 there were zero (0) registered voters in the affected territory.

13. **Compliance with the Requirements of CEQA**

Lead Agency: City of Mendota - **Level of Analysis**: Initial Study
Finding: Negative Declaration (see Environmental Documents).

14. **Proponent**: Gabriel Gonzales, City Manager, City of Mendota

15. **Public Notice of Hearing** – Public notice concerning this Proposal was issued by the Executive Officer pursuant to State law.

16. **Individuals and Agencies Receiving this Report**

- LAFCo Commissioners and Alternates
- Ken Price, LAFCo Counsel
- Gabriel Gonzales, City Manager, City of Mendota
- Bernard Jimenez, Development Services Division Mgr., Dept. of Public Works and Planning
- Chris Motta, Public Works and Planning
- Chief Keith Larkin, Fresno County Fire Protection District
- Jeff Bryant, Manager, Silver Creek Drainage District

EXHIBIT A

DETERMINATIONS PURSUANT TO GOVERNMENT CODE SECTION 56425
For the City of Mendota Sphere of Influence Revision (File No. RSOI-150)

The following Determinations have been prepared pursuant to Government Code Section 56425 *et seq.* with respect to four specific issues required to approve a change to a Sphere of Influence:

1. Present and Planned Land Uses in the Area Including Agricultural and Open-Space Lands.

The City of Mendota has amended its General Plan to designate a significant portion of the revised Sphere of Influence area as Public Facility. Further, it has been found that parcels not specifically identified as Public Facilities on the City's General Plan land use map, can be considered designated as Public Facilities due to their identification as such in the text of the Plan and their established use as a wastewater treatment facility. The requested Sphere of Influence ("SOI") Revision is consistent with the Mendota General Plan. The City of Mendota's existing wastewater treatment facility (105 acres) is located within the expanded SOI. The City plans to expand the existing treatment facility by an additional 97 acres. The remainder of this area is undeveloped. The remaining three non-contiguous territories, totaling 13.31 acres, are developed with a sewer lift station (0.18 acres), a City storage yard (7.58 acres), and a park (5.55 acres). The majority of the affected territories have been pre-zoned from County AE-20 (Exclusive Agriculture, 20-Acre Minimum) District and AL-20 (Limited Agriculture, 20-Acre Minimum) District to City P-F (Public Facility). The remaining affected territories will be pre-zoned to City P-F (Public Facility) prior to completion of the annexation.

Surrounding unincorporated lands are zoned County AE-20 and AL-20. Adjacent City territories are zoned AD (Airport Development) and M-2 (Heavy Manufacturing). Surrounding land uses include, an airport, a closed County landfill, and the Fresno Slough. Land in the vicinity is in agriculture.

2. The Present and Probable Need for Public Facilities and Services in the Area.

The SOI revision (and associated reorganization) will enable the City of Mendota to expand its wastewater treatment facility, which is currently operating near capacity during peak flows. Expansion of this facility is necessary to accommodate anticipated growth within the City and to comply with California Regional Water Quality Control Board Requirements. The SOI revision furthers the County General Plan policies that direct growth to existing cities where infrastructure and a full spectrum of municipal services are available to serve urban development. The majority of the affected territories have been pre-zoned consistent with the City of Mendota's land use designations. The remaining affected territories are required to be pre-zoned to the appropriate district prior to completion of the reorganization.

The Service Plan submitted for this proposal indicates that the wastewater treatment facility, sewer lift station, and City storage yard will not require an increased level of municipal services, and that no personnel are housed at these sites. Fire protection and police protection will be provided through contracts with the Fresno County Fire Protection District and the Fresno County Sheriff, respectively. Services including water, sewer, solid waste, police, and fire are currently provided to the park that is included in this proposal. There will be no changes to service of the park as a result of this proposal.

The SOI revision is timely; it represents an appropriate action by LAFCo, and results in orderly land use planning. The SOI revision encourages and provides planned, well-ordered, and efficient urban development patterns.

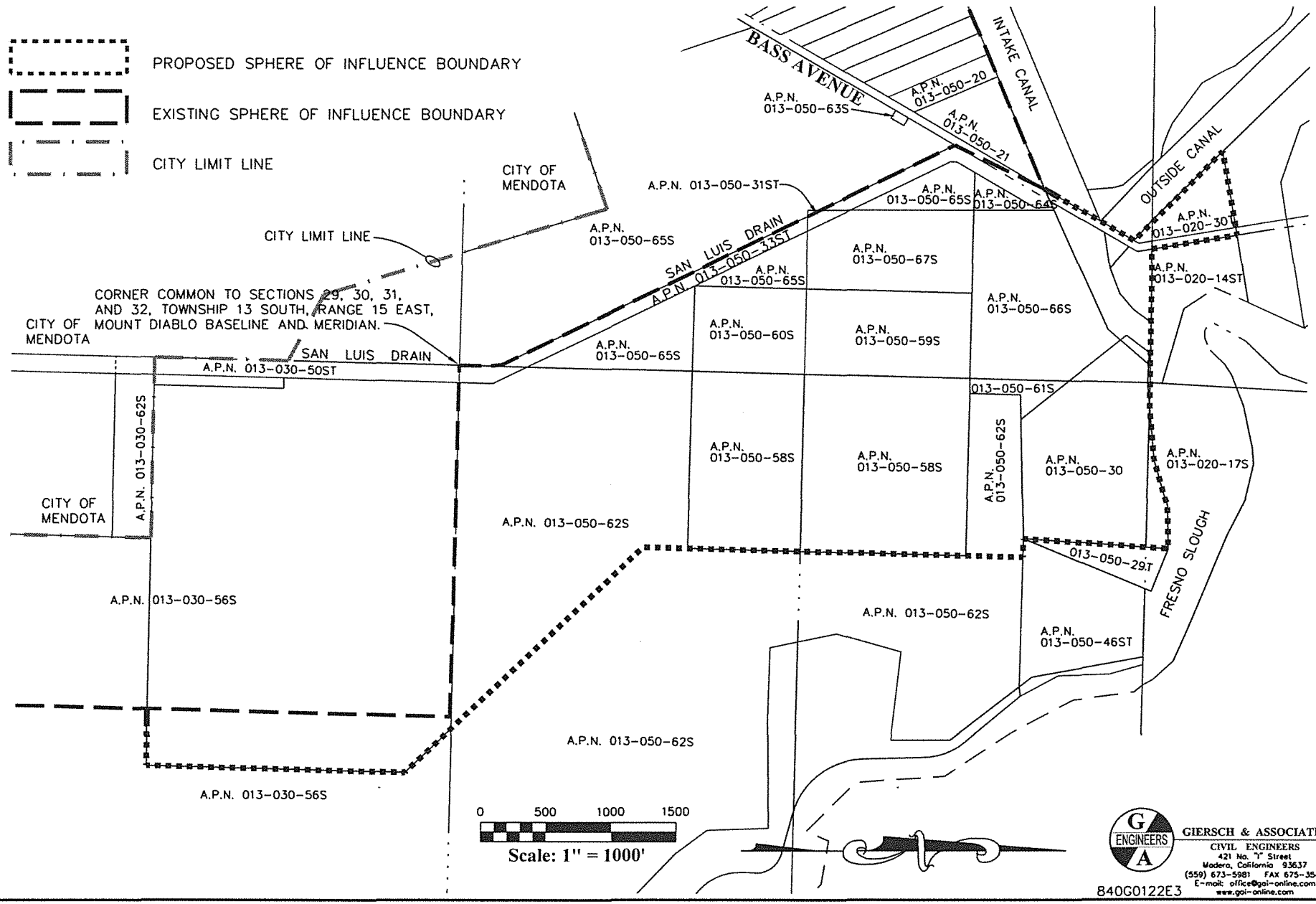
3. **The Present Capacity of Public Facilities and Adequacy of Public Services that the Agency is authorized to Provide.**

The SOI revision is in line with LAFCo's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities. The Service Plan submitted for the SOI revision indicates that all necessary urban services are available to serve the affected territories. The SOI revision (and associated annexation) will enable expansion of the City's wastewater treatment facility, furthering the County General Plan policies that direct growth to existing cities where infrastructure and a full spectrum of municipal services are available to serve urban development.

4. **The Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines that they are Relevant to the Agency.**

No social or economic communities of interest appear to inhabit the area affected by this proposal.

SPHERE OF INFLUENCE EXPANSION EXHIBIT "B"
"WASTE WATER TREATMENT FACILITIES ANNEXATION"



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840G0122E3

EXHIBIT "C"

CITY OF MENDOTA-GENERAL PLAN AMENDMENT
"WASTE WATER TREATMENT FACILITIES ANNEXATION"

PROPOSED GENERAL PLAN AMENDMENT FROM AGRICULTURAL (AG) AND HEAVY INDUSTRIAL (HI) TO PUBLIC FACILITIES (PF)

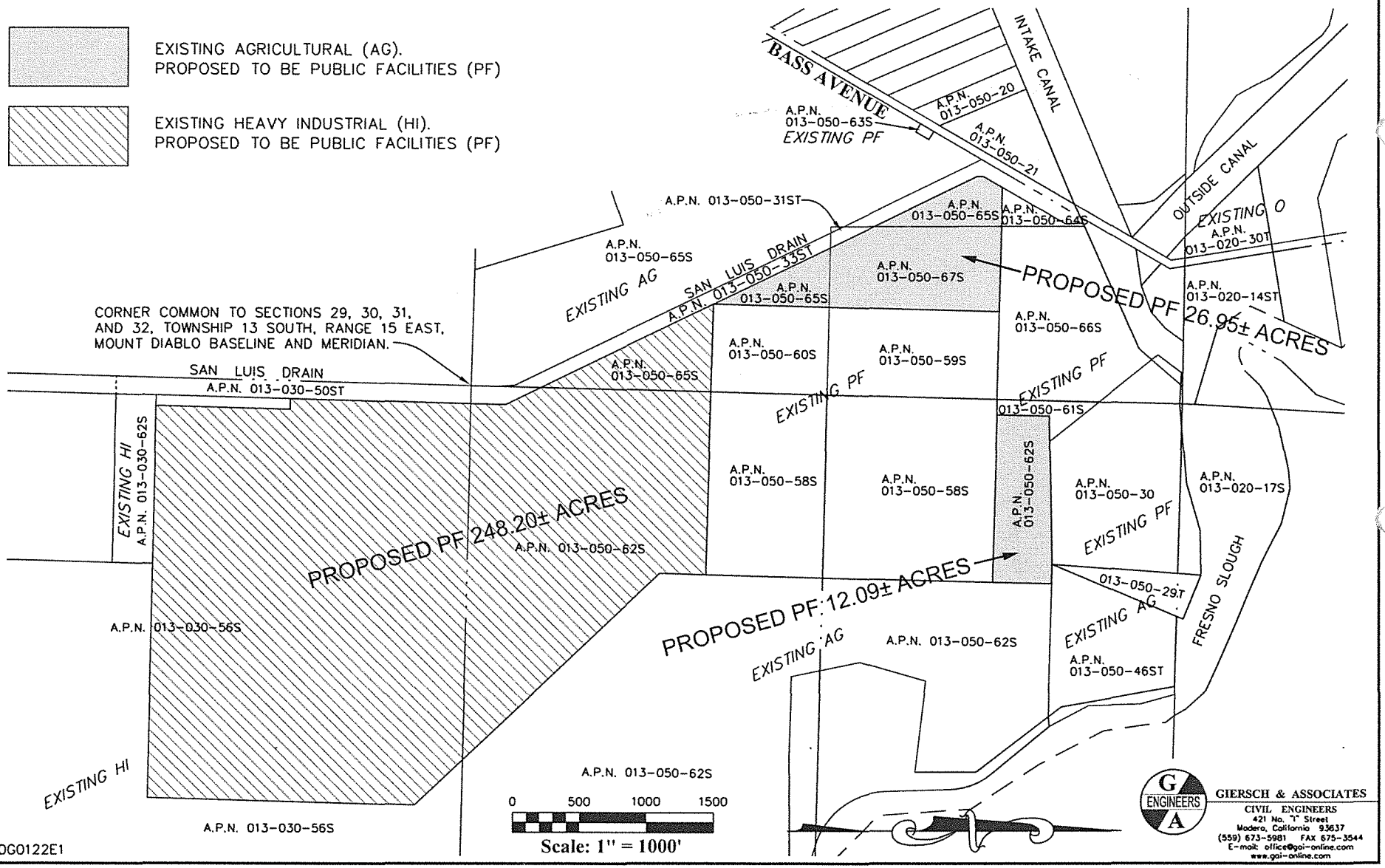
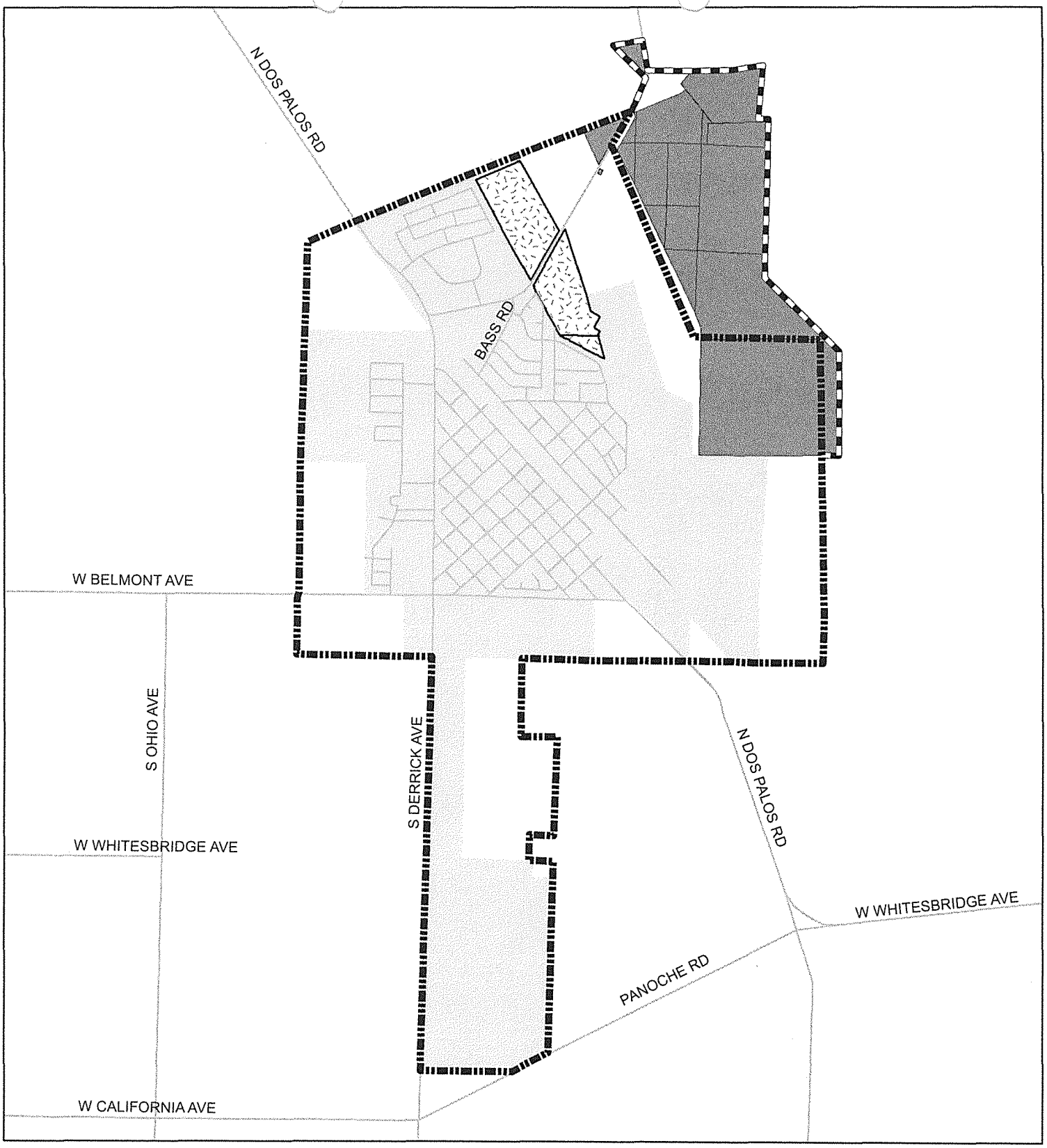


FIGURE 1 - GENERAL SITE LOCATION



Legend

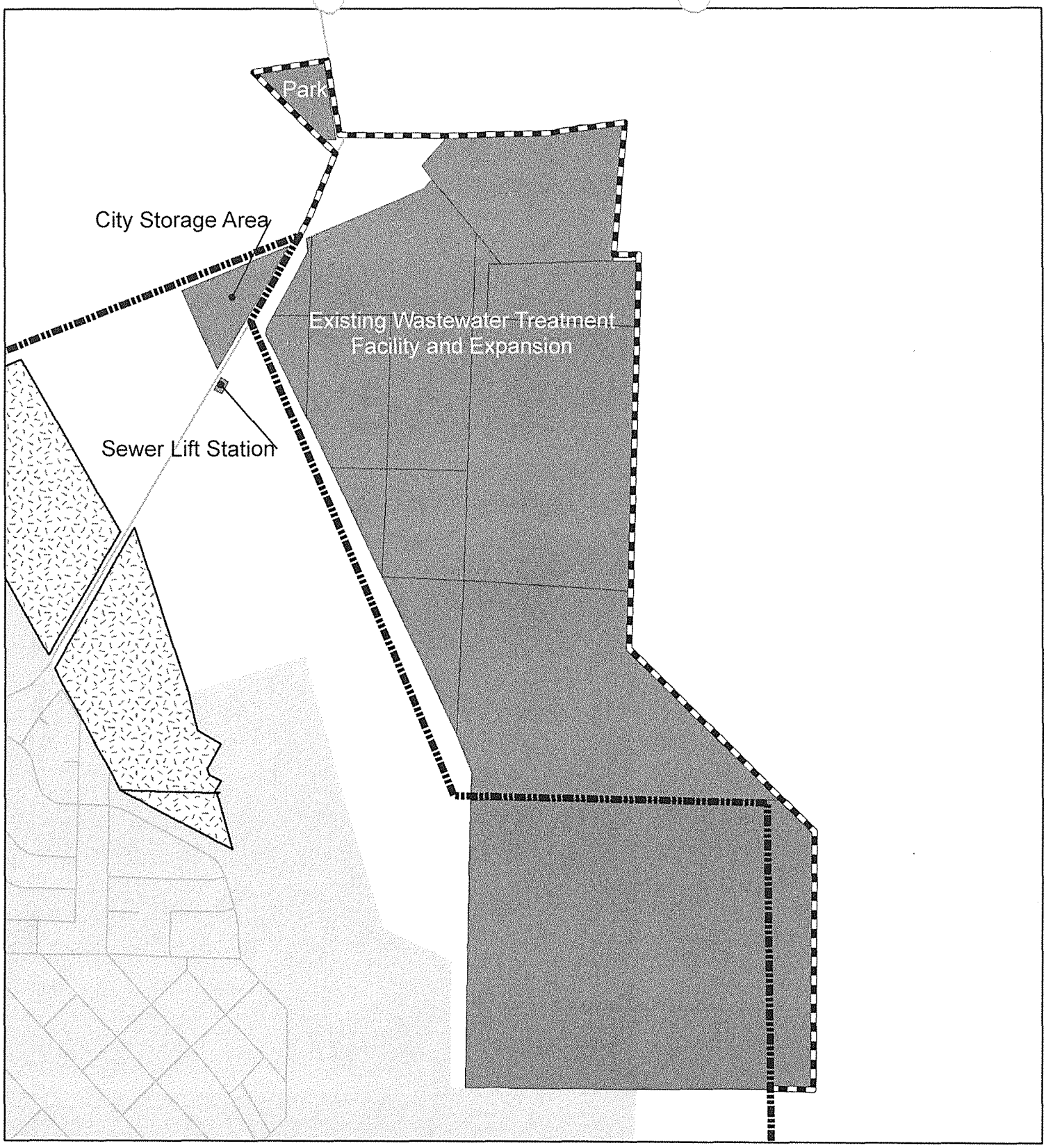
- Existing SOI
- City Limits
- Proposed SOI Revision
- Affected Territory
- RO-07-17

City of Mendota "Wastewater Treatment Plant Reorganization" LAFCo File No. RO-08-3 and Sphere of Influence Revision LAFCo File No. RSOI-150

0 0.25 0.5 1 1.5 Miles

N W E S

FIGURE 2 - ANNEXATION MAP



Legend

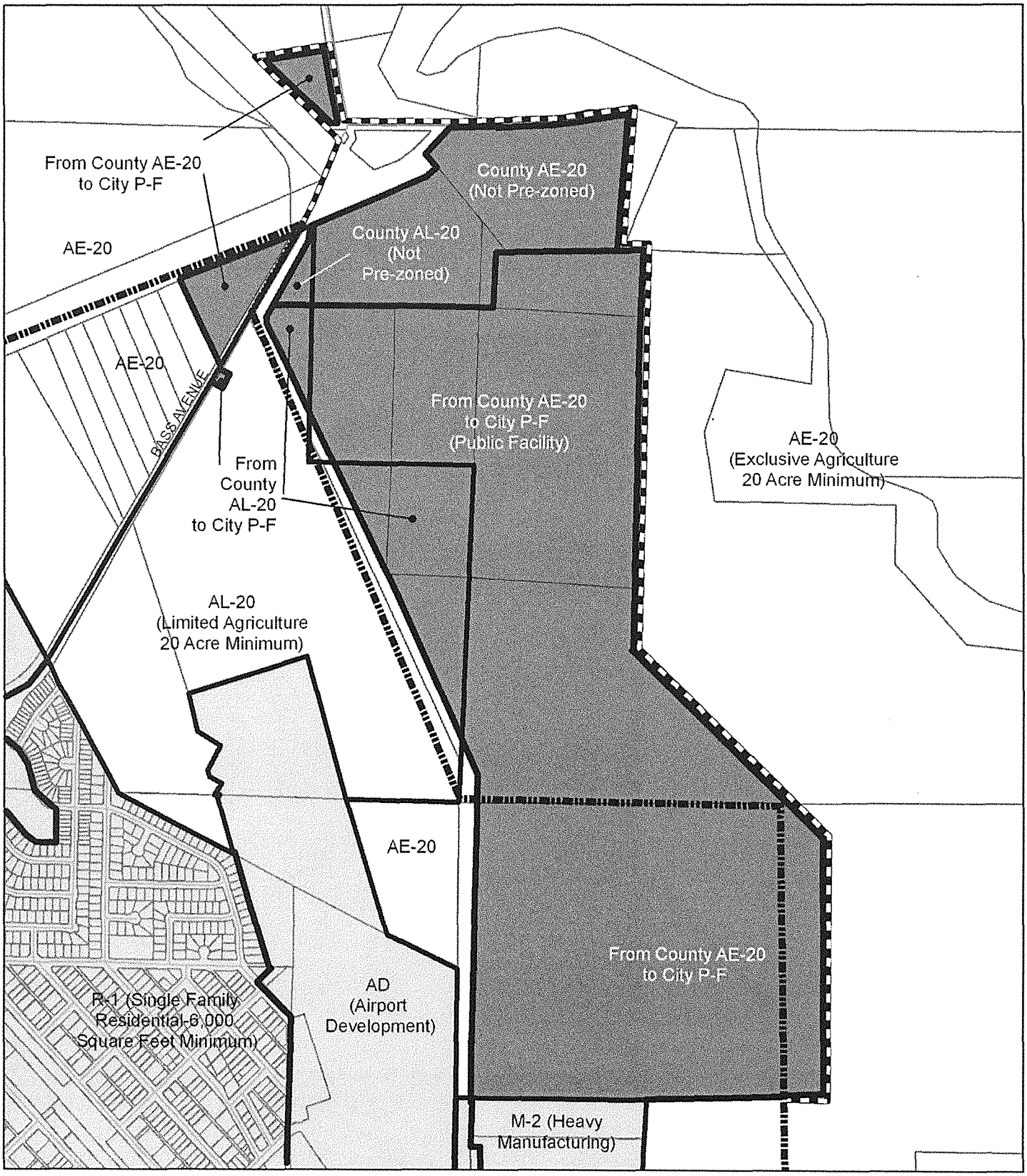
- Existing SOI
- City Limits
- Proposed SOI Revision
- Affected Territory
- RO-07-17

City of Mendota "Wastewater Treatment Plant Reorganization" LAFCo File No. RO-08-3 and Sphere of Influence Revision LAFCo File No. RSOI-150

0 0.1 0.2 0.4 0.6 Miles

N W E S

FIGURE 3 - EXISTING ZONING AND PRE-ZONING



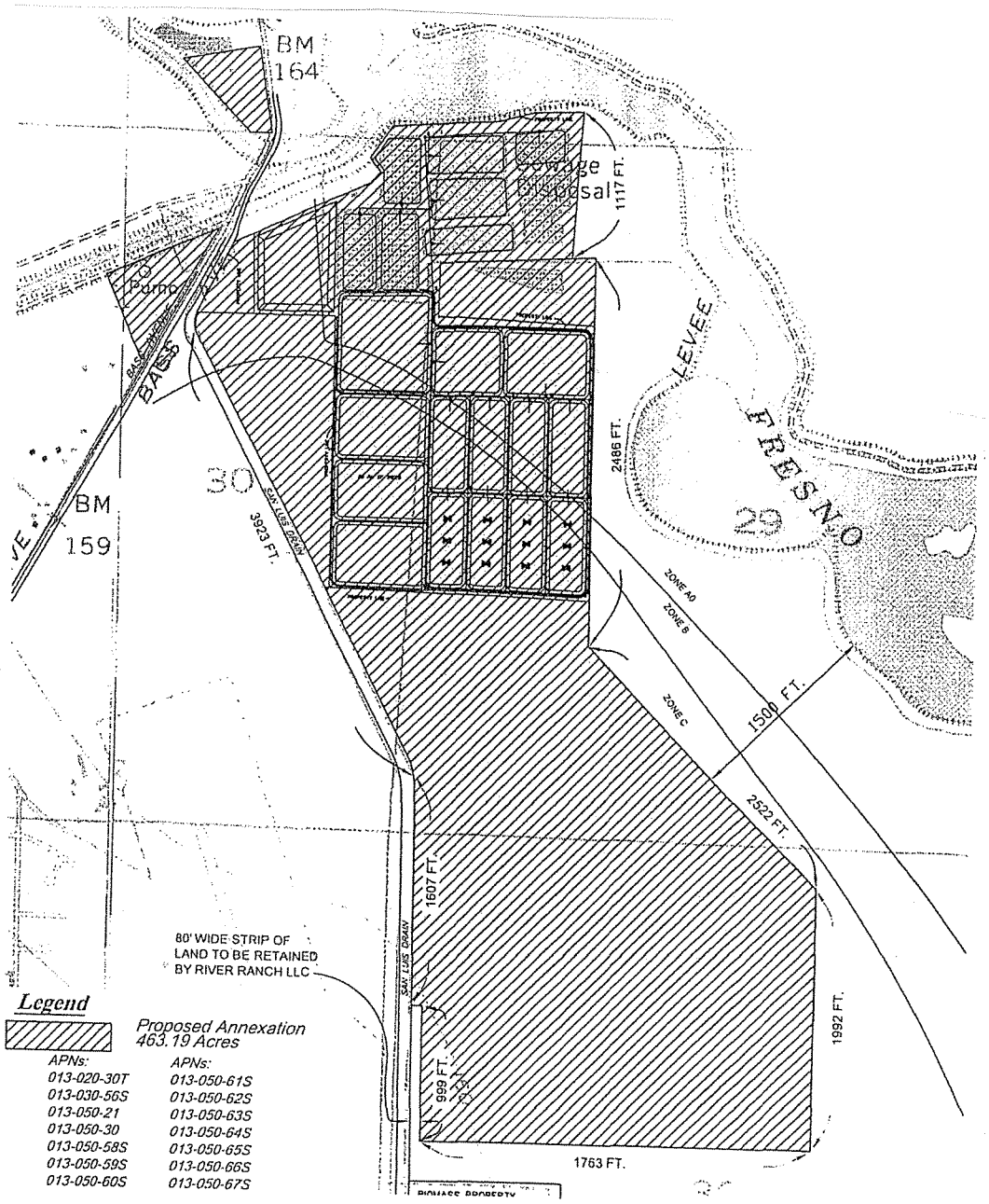
Existing SOI
City Limits
Proposed SOI Revision
Affected Territory

City of Mendota "Wastewater Treatment Plant Expansion" and SOI Revision
LAFCo File Nos. RO-08-3 and RSOI-150

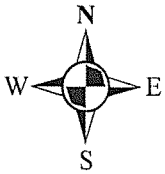
0 0.125 0.25 0.5 Miles

N W E S

FIGURE 4 - SITE PLAN



City of Mendota "Wastewater Treatment Plant Reorganization" LAFCo File No. RO-08-3 and Sphere of Influence Revision LAFCo File No. RSOI-150



County of Fresno

ADMINISTRATIVE OFFICE
BART BOHN
COUNTY ADMINISTRATIVE OFFICER

February 25, 2008

FEB 2008
Received
FRESNO
LAFCO

Gabriel Gonzalez, City Manager
City of Mendota
643 Quince Street
Mendota, CA 93640

Dear ~~Mr. Gonzalez~~ Gabe:

Subject: Notice of Intent to File City of Mendota No. 07-01 (Wastewater Treatment Plant and Sphere of Influence Expansion) Annexation/Reorganization

In accordance with Article II, Section 2.2 of the Amended and Restated Memorandum of Understanding (MOU) between the City of Mendota, Mendota Redevelopment Agency and the County of Fresno, we have reviewed the annexation proposal described in the Notice of Intent letter from you received December 19, 2007. (Because the annexation area is located within the boundaries of the Mendota Municipal Airport, this Notice of Intent letter was held in abeyance pending a determination of consistency required by the Fresno County Airport Land Use Commission [ALUC]). On February 4, 2008, the ALUC determined the land use amendment application and the prezoning for the annexation were conditionally consistent with the Mendota Municipal Airport Land Use Policy Plan.

We have determined that the proposed sphere of influence expansion and annexation proposal within the New Planned Growth Area of the Amended and Restated MOU is consistent with the Standards for Annexation contained in Article IX, Section 9.2 of the MOU. However, there are two areas totaling approximately 25 acres proposed for annexation that are outside of the New Planned Growth Area of the MOU. The County understands that these areas are owned by the City and are proposed to be annexed in order to incorporate an existing City-maintained park and accommodate the City's waste water treatment plant expansion. The County supports this proposal; however, an amendment to the City/County MOU will be needed in order to reflect the addition of these areas. The County supports the City's annexation application on file with LAFCo and the conditional approval pending completion of the amended MOU.

It is recommended that the project area adjoin the existing city limits and the full width street right-of-way of Bass Avenue and full width of the San Luis Drain that has not yet been annexed be included in this annexation.

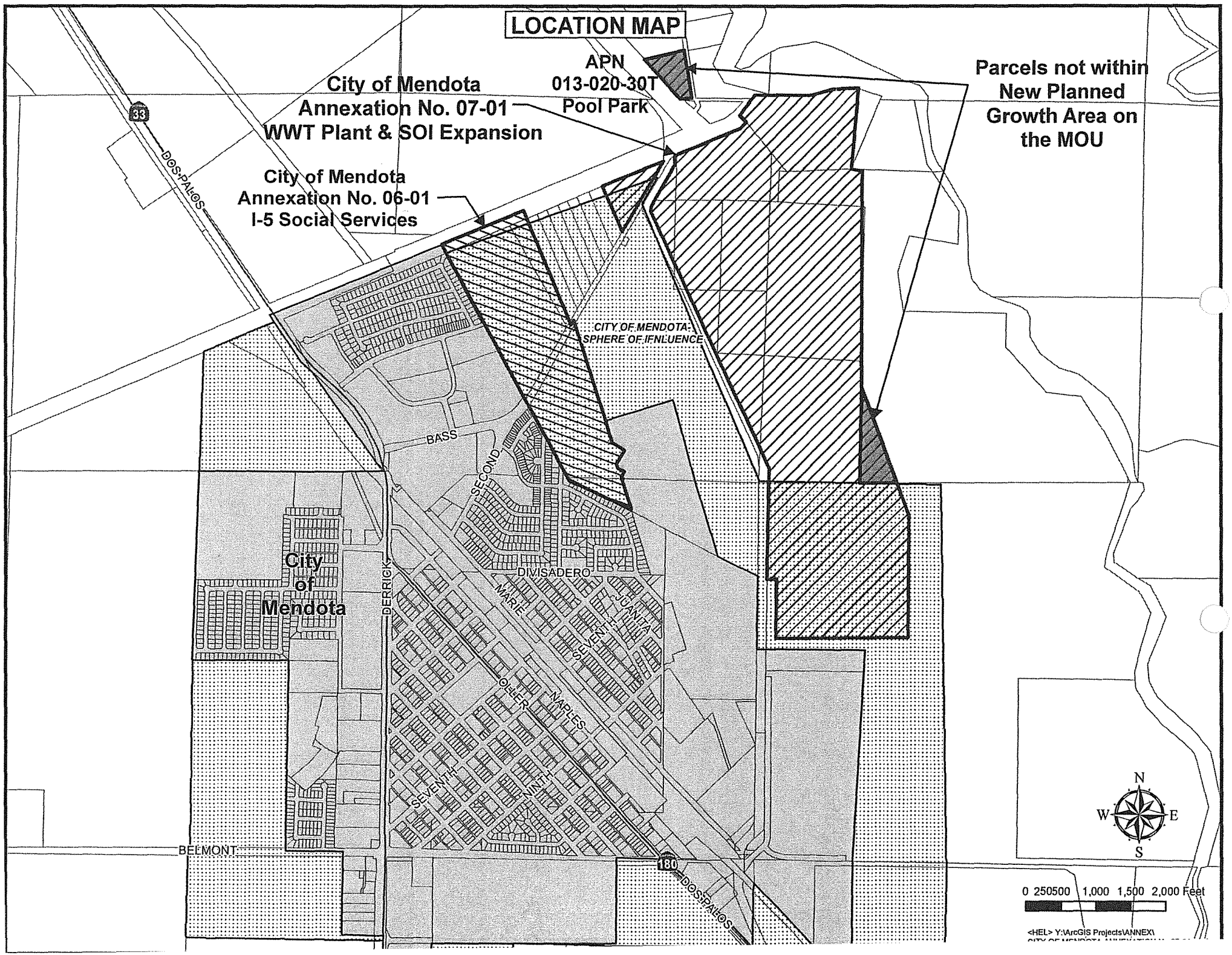
If you have any questions, you may contact me at (559) 488-1710 or Bernard Jimenez at (559) 262-4497.

Very truly yours,

Bart Bohn
County Administrative Officer

G:\4360Devs&Pln\PLANNING\ANNEXATIONS\Cities & Districts\Mendota\WWT Plant-SOI Expansion 07-01\PartialConsistLtrMOU.doc

c: Alan Weaver, Director, Department of Public Works and Planning
Lynn Gorman, Deputy Director of Planning
Bernard Jimenez, Manager
Chris Motta, Senior Planner
Charlotte Tilkes, Principal Administrative Analyst
Rick Ballantyne, LAFCo, Executive Officer
Bill Skinner, City of Mendota, Community Development Director


LOCATION MAP
APN
013-020-30T
Pool Park
City of Mendota
Annexation No. 07-01
WWT Plant & SOI Expansion
City of Mendota
Annexation No. 06-01
I-5 Social Services
Parcels not within
New Planned
Growth Area on
the MOU
CITY OF MENDOTA
SPHERE OF INFLUENCE
City
of
Mendota
33
DOS PALOS
BASS
SECOND
DIVISADERO
MARIE
JUANITA
JUNIPERO
OLIVER
NAPLES
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BELMONT
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Fresno Local Agency Formation Commission

DATE: February 12, 2008

TO: Elections Division, Stop #28

FROM: Rick Ballantyne, Executive Officer

PROPOSAL: City of Mendota "Wastewater Treatment Plant Expansion" and "Sphere of Influence Revision", LAFCo File No. RO-08-3 and RSOI-150

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested. At this time we are requesting the following information indicated by an "X":

A. _____ Please furnish a list of all registered voters along with their address as shown upon the most recent assessment roll being prepared by the County within 300 feet of the exterior boundary of the property.

B. ___X___ Number of registered voters in the area. ___0___

C. _____ Number of valid registered voter signatures _____

D. _____ What percent of the registered voters in the proposal area does the attached petition represent? _____

E. ___X___ Will the proposal adversely affect precinct boundaries or the conduct of elections? ___No___

F. _____ Other comments:

In order to proceed with the processing of this application, your comments need to be returned to this office by February 25, 2008. Your assistance is greatly appreciated. Thank you.

RB:cf

Attachments: Map and legal description

Betty Vaughn, SOA III
Signature and Title

2/25/2008
Date

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

Fresno Local Agency Formation Commission

FEB 2008
Received
FRESNO
LAFCO

DATE: February 25, 2008

TO: Bernard Jimenez, Development Services Division, Stop #214
Department of Public Works and Planning

FROM: Rick Ballantyne, Executive Officer

PROPOSAL: City of Mendota "Wastewater Treatment Plant Expansion" and "Sphere of Influence Revision", LAFCo File No. RO-08-3 and RSOI-150

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) Office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested. At this time we are requesting information on the following particular factors:

1. County Plan designation for the area:

   The subject annexation area is designated Agriculture and Reserve (Limited Industrial) in the County adopted Mendota Community Plan.

2. Consistency of the proposal with adopted County General and Community Plans and Policies (Section 205-02:3.06 – Fresno County General Plan):

   The County's General Plan encourages the orderly outward expansion of development for expansion proposals where the city has demonstrated need for additional territory. The annexation of those areas identified in the City's Sphere of Influence (SOI) or New Planned Growth Area represents a logical continuation of the existing development pattern within the City's Sphere of Influence and is in conformance with the MOU between the City of Mendota and the County of Fresno.

3. Any pending County plans, projects (i.e. Community Development, roads, etc.) or development permits:

   None.

4. Other related comments:

   On February 25, 2008, the County conditionally-supported the City's annexation application on file with LAFCo; however, an amendment to the City/County MOU will be needed in order to reflect the addition of those areas not covered in the existing or New Planned Growth Area of the MOU.

5. Recommendations:

   In the February 25, 2008, County response letter, it was recommended that project area adjoin the existing city limits, and the full width of right-of-way for Bass Avenue and the full width of the San Luis Drain, not already annexed, be included in the proposed annexation.

In order to proceed with the processing of this application, your comments need to be returned to this office by February 25, 2008. Your assistance is greatly appreciated. Thank you.

Bernard Jimenez, Development Services Manager
Department of Public Works and Planning

2/26/08
Date

G:\4360Devs&PlnPLANNING\ANNEXATIONS\Cities & Districts\Mendota\WWT Plant-SOI Expansion 07-01\LAFCoResponse.doc

LAFCO Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone (559) 495-0604 • Fax (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

Fresno Local Agency Formation Commission

FEB 2008 Received FRESNO

Date: February 12, 2008

To: Natural Resource Conservation Service

From: Rick Ballantyne, Executive Officer

Proposal: City of Mendota "Wastewater Treatment Plant Expansion" and "Sphere of Influence Revision", LAFCo File No. RO-08-3 and RSOI-150

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) Office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested. Please respond to each of the following:

1. Relationship of the proposal to prime agricultural land* in the area:

2. Effect of the proposal on unique agricultural areas:
The project area is land of statewide importance

3. Effect of the proposal on any soil hazard or limitation:

4. Other comments:
This project site should not be detached from the Fresno County Fire Protection District. The district provides fire protection services for the city of Mendota.

*See Government Code Section 51201 for definition.

In order to proceed with the processing of this application, your comments need to be returned to this office by February 25, 2008. Your assistance is greatly appreciated. Thank you.

Bruce Thompson Soil Con. Tech.
Signature and Title

2-14-08
Date

RB:cf

Attachments: Application, Map, Legal Description, Resolution

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

Fresno Local Agency Formation Commission

FEB 2008 Received FRESNO LAFCO

FEB 2008 RECEIVED DEPT. OF HEALTH SERVICES SO. CA BRANCH-DWFO

Date: February 12, 2008

To: State Department of Health Services

From: Rick Ballantyne, Executive Officer

Proposal: City of Mendota "Wastewater Treatment Plant Expansion" and "Sphere of Influence Revision", LAFCo File No. RO-08-3 and RSOI-150

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested. Please respond to each of the following:

1. Adequacy and availability of existing and proposed community water systems:
   no impact - no comment

2. Need for services other than those proposed:

3. Effect of project on water quality:
   No impact - unless Water Reclaimation is proposed. If so, the City will need to submit a Title 22 Engineering report to both RWQCB and our Department.

4. Related State or County plans or projects:

5. Other comments:

In order to proceed with the processing of this application, your comments need to be returned to this office by ***February 25, 2008.*** Your assistance is greatly appreciated. Thank you.

Irina A. Watkins, CA. Dept. of Public Health - Drinking Water Senior Sanitary Engineer
Signature and Title

12/14/08
Date

RB:cf
Attachment: Application, Map, Legal Description, Service Plan, Resolution

County of Fresno
Department of Community Health
Edward L. Moreno, M.D., M.P.H., Director-Health Officer

FEB 2008
Received
FRESNO
LAFCO

February 19, 2008

999999999
LU0014642
PE 2620

Mr. Rick Ballantyne
Local Agency Formation Commission
2115 Kern St., Suite 310
Fresno, CA 93721

Dear Mr. Ballantyne:

PROJECT NO: RO-08-3 & RSOI-150
SUBJECT: City of Mendota "Wastewater Treatment Plant Expansion" & "Sphere of Influence Revision"

1. Adequacy and availability of existing and proposed community water and sewer systems:

2. Need for services other than those proposed:

3. Effect of project on air or water quality:

4. Related County plans or projects:

5. Other comments:

- Drinking water which meets state quality standards for public water systems is a precious commodity which must be protected. Existing standards for water well construction and destruction are designed to protect groundwater quality, thereby protecting the public health. The expense associated with proper destruction of a well is infinitesimally small in comparison to the expense of cleaning up contaminated groundwater.

  The Fresno County Department of Community Health is concerned that abandoned water wells are not being properly destroyed, particularly with respect to new development projects. As city boundaries expand, community services are provided to areas originally served only by individual domestic and agricultural wells. Improper abandonment of such wells presents a reason, when development occurs, it is extremely important to ensure the safe and proper destruction of <u>all</u> abandoned water wells.

Prior to destruction of any existing agricultural wells, a sample of the upper most fluid in the well column should be sampled for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil should be removed from the well prior to placement of fill material for destruction. The "oily water" removed from the well must be handled in accordance with federal, state and local government requirements. Transportation of these materials on public roadways may require special permits and licensure.

The Department of Community Health is available to provide consultation in cooperation with the City of Mendota in order to encourage the proper destruction of wells and safeguard our water quality. City staff may contact Ed Yamamoto, Water Surveillance Program, at (559) 445-3357 for more information.

If I can be of more assistance, please contact me at (559) 445-3357.

Sincerely,

Glenn Allen, R.E.H.S.
Environmental Health Specialist III
Environmental Health Division

ga

cc Ed Yamamoto, Environmental Health Division

Fresno Local Agency Formation Commission

FEB 2008
Received
FRESNO

DATE: February 12, 2008

TO: County Committee on School District Reorganization
Mendota Unified School District
State Center Joint Community College District

FROM: Rick Ballantyne, Executive Officer

PROPOSAL: City of Mendota "Wastewater Treatment Plant Expansion" and "Sphere of Influence Revision", LAFCo File No. RO-08-3 and RSOI-150

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) Office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested. At this time we are requesting information on the following particular factors:

1. Under present attendance boundaries, which schools will students from this area attend?
WASHINGTON SCHOOL, McCABE ELEMENTARY, McCABE JR HIGH, MENDOTA HIGH SCHOOL, MENDOTA ALTERNATIVE ED.

2. Are any of the above schools of the District already at or near capacity? Please describe:
YES. WASHINGTON SCHOOL, McCABE ELEMENTARY AND McCABE JR. HIGH ARE AT CAPACITY. PORTABLE CLASSROOMS ARE BEING UTILIZED FOR STUDENTS.

3. Will this proposal and other pending proposals create any overcrowded conditions at any of the above schools? Please describe:
ONLY IF MORE HOUSING IS CREATED.

4. Is there any agreement, ordinance, or other arrangement of the District and/or City to provide for school facilities that would affect any resulting overcrowding from this proposal? Please describe:
NO

5. Describe any building plans of the District that would affect this proposal:
THE DISTRICT HAS APPROVED STATE PLANS FOR A NEW JUNIOR HIGH SCHOOL.

6. Other Comments:

In order to proceed with the processing of this application, your comments need to be returned to this office by February 25, 2008. Your assistance is greatly appreciated. Thank you.

RB:cf
Attachments: Application, Map, Legal Description, Resolution

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

INTER OFFICE MEMO

County Free Library

FEB 2008
Received
FRESNO
LAFCO

DATE: February 14, 2008

TO: Rick Ballantyne, LAFCO, Executive Officer

FROM: Karen Bosch Cobb, County Librarian

SUBJECT: **City of Mendota Wastewater Treatment Plant Expansion and Sphere of Influence Revision**

This project has no impact on library services in Mendota.

2420 Mariposa Street / Fresno, California 93721 / (559) 488-3185/ Fax (559) 488-1971

INTER OFFICE MEMO

County Free Library

FEB 2008
Received
FRESNO
LAFCO

(559) 495-0655 FAX

DATE: February 26, 2008

TO: Rick Ballantyne, LAFCO, Executive Officer

FROM: Karen Bosch Cobb, Secretary, Historic Landmarks & Records Advisory Commission

SUBJECT: **City of Mendota Wastewater Treatment Plant Expansion and Sphere of Influence Revision**

The subject property has no known association with any individuals or events of importance. However, it is situated in an area where Native American and Hispanic occupation and burials are known to have occurred during the nineteenth century, and perhaps before. Should any cultural resources be found as a result of construction/excavation, a full archaeological survey should be commissioned and undertaken.

2420 Mariposa Street / Fresno, California 93721 / (559) 488-3185/ Fax (559) 488-1971

City of Mendota
Wastewater Treatment Plant Expansion and Improvement Project

Service Plan

Project Description

The existing wastewater treatment plant has a wastewater discharge permit for 1.24 million gallons per day (MGD). Flows into the plant approach this maximum limit. The project proposes to continue expansion of the plant by completing the second of two phases. The first phase increased the disposal capacity and was constructed in the spring of 2003. The second phase will increase the treatment and disposal capacity to 2.5 MGD and is planned for completion by December 2008.

Phase I of the proposed project has been completed and consisted of construction of two percolation/holding ponds totaling 16.2 acres and 55 acres of spreading basins.

Phase II of the proposed project will consist of:

- Construction of 4 treatment ponds of 4.5 acres each, with mechanical aerators, and 4 facultative/percolation ponds of 4.5 acres each.
- Construction of new headwork's structure, pump station, and standby power.
- Construction of 30 inch sewer interceptor pipeline along west boundary of future disposal area.
- Construction of 150 acres of disposal ponds.
- The existing 26.5 acres of effluent disposal ponds will be rebuilt and cleaned.
- The existing 8.1 acres of oxidation treatment lagoons will be cleaned and converted to effluent disposal ponds.

Service Requirements

Domestic Water

There will not be a need for the extension of domestic water service to implement the proposed improvement and expansion of the existing Wastewater Treatment Plant Facility.

Sanitary Sewer

There will not be a need for the extension of sanitary sewer service to implement the proposed improvement and expansion of the existing Wastewater Treatment Plant Facility.

Fire Protection

The Fire Department is sufficiently manned to serve the area proposed for the Wastewater Treatment Plant expansion.

Emergency Medical Services

The City's emergency medical response contract will not have to be expanded to accommodate the proposed implementation of the Wastewater Treatment Plant Expansion and Improvement Project.

Police Protection

The City of Mendota currently has a contract with the Fresno County Sheriff's Department to provide for all law enforcement services within the City.

Schools

The implementation of the proposed Wastewater Treatment Plant Expansion project will not adversely affect the operations of the Mendota Unified School District.

Parks

The implementation of the proposed Wastewater Treatment Plant Expansion project will not adversely affect the use of any recreational/open space amenity within the City.

Solid Waste Collection

There will not be a need for the expansion of solid waste collect service to implement the proposed improvement and expansion of the existing Wastewater Treatment Plant Facility.

Street Lighting

There will not be a need for the extension of street lighting to implement the proposed improvement and expansion of the existing Wastewater Treatment Plant Facility.

Transit

There will not be a need for the extension of transit service to implement the proposed improvement and expansion of the existing Wastewater Treatment Plant Facility.

Storm Water Drainage

All storm water drainage generated by the project or within the project area will be retained on site in storage basins.

Other Public Facilities

The implementation of the proposed Wastewater Treatment Plant Expansion project will not adversely affect or result in the need for the expansion of other public facilities within the City.

Other governmental and/or public facilities will not be adversely affected by the approval and construction of the proposed project.

Pool Park

The proposed annexation application indicated the incorporation of the "Pool Park" area.

This is an existing park that has been in operation for some time. The proposed annexation would incorporate the area into the City. No expansion or increase in the operations are anticipated for "Pool Park".

The City will continue to provide the services currently in place, including but not limited to:

- Domestic Water
- Sanitary Sewer
- Law Enforcement
- Fire Protection
- Emergency Medical Response
- Storm Water Drainage
- School Impacts
- Solid Waste Collection
- Parks and Recreation
- Transit
- Extension of City Services and Facilities.

Therefore, no changes in the operation and/or level of services currently provided at Pool Park will require expansion and/or increase with the annexation of the facility.

Notice of Determination

To: x Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency) City of Mendota
643 Quince Avenue
Mendota, CA 93640

x County Clerk
County of Fresno
2221 Kern Street
Fresno, CA 93721

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

City of Mendota Wastewater Treatment Plant Expansion Project
Project Title

2006061049	Gabe Gonzalez, City Manager	(559) 655-3291
State Clearing House Number (If submitted to Clearinghouse)	Lead Agency Contact Person	Area Code/Telephone/Extension

City of Mendota, Fresno County (please see attached Mitigated Negative Declaration)
Project Location (include county)

Project Description:
Expansion of the existing Wastewater Treatment Plant from 1.24 MGD to 2.5 MGD capacity.

This is to advise that the City of Mendota has approved the above described project on
[X] Lead Agency [ ] Responsible Agency
11-Dec-07 and has made the following determinations regarding the above described project:
(date)

1 The project [ ] will [X] will not] have a significant effect on the environment
2 [ ] An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
[X] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3 Mitigation measures [[X] were [ ] were not] made a condition of approval of the project.
4 A statement of Overriding Considerations [ ] was [X] was not] adopted for this project.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:

Signature (Public Agency)	12-Dec-07 *Date*	City Manager *Title*

Date received for filing and posting at OPR:

Revised March 1986

FILED
DEC 17 2007
FRESNO COUNTY CLERK
By DEPUTY

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME

ENVIRONMENTAL FILING FEE CASH RECEIPT

Receipt # E200710000702

Lead Agency: CITY OF MENDOTA Date: 12/17/2007

County Agency of Filing: FRESNO COUNTY CLERK Document No: E200710000702

Project Title: CITY OF MENDOTA WASTEWATER TREATMENT PLANT EXPANSION PROJECT

Project Applicant Name: CITY OF MENDOTA Phone Number:

Project Applicant Address: 643 QUINCE AVENUE, MENDOTA, CA 93640

Project Applicant: LOCAL PUBLIC AGENCY

NOTICE OF DETERMINATION	$	1800.00
NEGATIVE DECLARATION	$	0.00
ADMINISTRATION FEE	$	50.00
Total Received	**$**	**1850.00**

Signature and title of person receiving payment:

FRESNO COUNTY
CLERK'S OFFICE
VICTOR E. SALAZAR

2221 KERN STREET
FRESNO, CA 93721

Finalization 2007034529
12/17/2007 09:31am
50 Melissa

Item Title	Count
1 EIRND EIR - Negative Declaration	1

Document ID	Amount
DOC# E200710000385	1800.00

Time Recorded 09:31 am

2 EIRND EIR - Negative Declaration	1
2 EIRA EIR Administrative Fee	1

Document ID	Amount
DOC# E200710000386	0.00

Time Recorded 09:31 am

3 EIRA EIR Administrative Fee	1

Document ID	Amount
DOC# E200710000387	50.00

Time Recorded 09:31 am

Total	3700.00

Payment Type	Amount
Check tendered # 26849	1800.00
Check tendered # 26850	50.00
No Fee	1850.00
Amount Due	0.00

Thank You
Please Retain This Receipt
For Your Records

BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO

A RESOLUTION OF THE CITY OF MENDOTA CITY COUNCIL CERTIFYING THE INITIAL STUDY AND ADOPTING A MITIGATED NEGATIVE DELCARATION FOR THE MENDOTA WASTEWATER TREATMENT PLANT EXPANSION AND IMPROVEMENT PROJECT

RESOLUTION NO. 07-47

WHEREAS, the City of Mendota Community Development and Engineering Departments have completed environmental review of the proposed new Wastewater Treatment Plant by preparing in accordance to the CEQA Guidelines an Initial Study and Proposed Mitigated Negative Declaration, and;

WHEREAS, a Public Hearing has been advertised and conducted pursuant to Public Resources Code Section 21092 and 21092.3, and public comment has been solicited, and;

WHEREAS, a Notice of Public Hearing was placed in the November 28, 2007 edition of the Firebaugh/Mendota Journal, and a Notice of Public Hearing was posted on the City Hall bulletin window (November 28, 2007), and;

WHEREAS, the Initial Study/Proposed Mitigated Negative Declaration was prepared and distributed by the City of Mendota for a thirty (30) day review period on October 30, 2007, and;

WHEREAS, the comment period of the Initial Study/Proposed Mitigated Negative Declaration terminated on November 30, 2007, and;

WHEREAS, the City Council held the noticed Public Hearing on December 11, 2007 to take testimony with regard to the proposed Initial Study/Mitigated Negative Declaration, and;

WHEREAS, the City Council completed its review of the proposed Wastewater Treatment Plant Expansion and Improvement Project, the associated Initial Study/Mitigated Negative Declaration, and the information contained in the Staff Report and has considered the testimony received during the public hearing process, and;

WHEREAS, the City Council has made the following findings based on the Initial Study/Mitigated Negative Declaration:

1. The City Council has reviewed and considered the City of Mendota Wastewater Treatment Plant Expansion and Improvement Project Initial Study/Proposed Mitigated Negative Declaration.

2. The Initial Study/Mitigated Negative Declaration for the City of Mendota Wastewater Treatment Plant Improvement and Expansion Project has been completed in compliance with the California Environmental Quality Act.

3. The Initial Study/Mitigated Negative Declaration, and all related public comments and responses have been presented to the City Council, and the City Council has reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration, testimony presented at the public hearings prior to certifying the Initial Study for the Wastewater Treatment Plant Expansion and Improvement Project.

4. The Wastewater Treatment Plant Expansion and Improvement Project Initial Study/Mitigated Negative Declaration reflects the independent judgment of the City Council, acting as lead agency for the project.

NOW THEREFORE BE IT RESOLVED, that the City Council hereby approves and adopts the CEQA Findings and the Mitigated Negative Declaration set forth in Exhibit A and certifies the Initial Study for the Mendota Wastewater Treatment Plant Expansion and Improvement Project.

Robert Silva, Mayor

ATTEST:

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 11th day of December, 2007, by the following vote:

AYES:	4 - Mayor Silva, Mayor Pro Tem Amador, Council Members Covarrubia and Capuchino.
NOES:	0
ABSENT:	1 - Council Member Riofrio
ABSTAIN:	0

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Krystal M. Chojnacki, City Clerk

EXHIBIT "A"

MITIGATED NEGATIVE DECLARATION

1. **Project Title:**

City of Mendota Wastewater Treatment Plant Expansion Project, Annexation and Pre-Zoning Initial Study/Proposed Mitigated Negative Declaration

2. **Lead Agency Name and Address:**

City of Mendota
Community Development Department
643 Quince Street
Mendota, CA 93640

3. **Contact Person and Phone Number:**

Mr. Michael Giersch, Consulting Engineer
C/O Giersch and Associates
(559) 673-5981

4. **Project Location:**

Fresno County Assessor's Parcel Numbers:

013-020-30T – Pool Park
013-050-21 – City Storage Area (old water well)
013-050-63s – Existing City Sewer Lift Station
013-050-58s – Proposed WWTP Treatment Ponds
013-050-65s, 013-050-67s, 013-050-59s, 013-50-60s, 013-050-62s, 013-030-56s – Proposed Disposal Ponds
013-030-56s – Future Expansion Area – Reserved by City

5. **Project Sponsor's Name and Address:**

City of Mendota
Community Development Department
643 Quince Street
Mendota, CA 93640

6. **General Plan Designation:**

According to the City of Mendota General Plan Land Use Designation Map the project site is classified as Agriculture. As part of the project undertaken, the City will be applying for annexation of the project area from the County of Fresno. The General Plan will be amended to designate the project area a Public Facilities (PF)

7. **Zoning:**

According to the City of Mendota Zoning Map (1986), the project site is designated an Agriculture. As part of the project Pre-Zoning of the property will be undertaken to designate the Wastewater Treatment Plant Expansion area as a Public Facilities (PF) District designation.

8. Description of Project:

The existing wastewater treatment plant has a wastewater discharge permit for 1.24 million gallons per day (MGD). Flows into the plant approach this maximum limit. The project proposes to continue expansion of the plant by completing the second of two phases. The first phase increased the disposal capacity and was constructed in the spring of 2003. The second phase will increase the treatment and disposal capacity to 2.5 MGD and is planned for completion by December 2008.

Phase I of the proposed project has been completed and consisted of construction of two percolation/holding ponds totaling 16.2 acres and 55 acres of spreading basins.

Phase II of the proposed project will consist of:

- Construction of 4 treatment ponds of 4.5 acres each, with mechanical aerators, and 4 facultative/percolation ponds of 4.5 acres each.
- Construction of new headwork's structure, pump station, and standby power.
- Construction of 30 inch sewer interceptor pipeline along west boundary of future disposal area.
- Construction of 150 acres of disposal ponds.
- The existing 26.5 acres of effluent disposal ponds will be rebuilt and cleaned.
- The existing 8.1 acres of oxidation treatment lagoons will be cleaned and converted to effluent disposal ponds.

The spreading basins will be removed under Phase II. The finish elevation of the lagoon dikes and treatment plant will be elevated above the FEMA flood elevation established by the County of Fresno and the City of Mendota.

In order to facilitate future expansion areas for the Wastewater Treatment Plant the City of Mendota has purchased a total of 449.88 acres. However, the City's domestic water well field, wastewater treatment plant lift station and pool park are included in the annexation application for a total project area of 463.19 acres.

Furthermore, the purpose of securing the additional adjacent acreage was to ensure that encroachment and/or development of the acreage would not impede the existing and/or future operations of the Wastewater Treatment Plant.

The entire 463.19 acres will be land use designated as Public Facilities and pre-zoned as public facilities.

Background

The City of Mendota owns and operates wastewater treatment and disposal facilities with a permitted capacity of 1.24 MGD. The plant consists of two aerated lagoons for primary treatment and 4 holding ponds for effluent polishing. The plant has 5 disposal ponds and 55 acres of spreading basins for additional disposal. The inflow is measured by a new magnetic flow meter. The existing headwork's is inadequate with respect to flow capacity and solids screening/removal. The plant has experienced capacity and treatment problems for 20 years.

On October 31, 2000 the Regional Water Quality Control Board issued the City of Mendota a Notice of Violation regarding the waste discharge requirements of Order 91-192.

On April 1, 2002, the Regional Water Quality Control Board issued a Tentative Cease and Desist Order to the City of Mendota, Wastewater Treatment Facility.

Based on the provisions included in the Notice of Violation and Cease and Desist Order, the City has prepared plans in accordance with the Regional Water Quality Control Board directives for the expansion and improvement of the wastewater treatment facility. The City is required to meet milestones for phased improvement of the treatment and disposal capacity. The City must continue progress towards compliance with the Cease and Desist Order.

Need and Purpose of the Proposed Project

The present influent flows to the wastewater treatment plant vary seasonally from 700,000 gallons per day in the winter to 1.0 MGD in the summer. The proposed construction of infill lots and land within the city limits will exceed the plant capacity. Future construction of the federal prison and needed housing will also require increased plant and disposal capacity. Even without the proposed construction, the facilities must be expanded and modified to comply with the requirements of the Cease and Desist Order issued by the Regional Water Quality Control Board.

9. **Surrounding Land Uses and Setting:** Briefly describe the project's surroundings.

North:	Existing Wastewater Treatment Plant
South:	Unincorporated land zoned for agriculture
East:	Unincorporated land zoned for agriculture and the Fresno Slough
West:	City Municipal Airport

10. **Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)**

Agency	Approval Required
Regional Water Quality Control Board	Permit to operate
Regional Water Quality Control Board	Issuance of a NPDES Permit for grading activities in exceedance of one (1) acre.

Determination:

On the basis of the Initial Study evaluation and comments received:

____ I find that the proposed project COULD NOT have significant effect on the environment, and a NEGATIVE DECLARATION has been prepared.

_X_ I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A NEGATIVE DECLARATION HAS BEEN PREPARED.

____ I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Gabriel A. Gonzalez, City Manager
December 12, 2007

MITIGATION MEASURES

Biological Impacts:

Mitigation Measure IV-A

Giant Garter Snake: To reduce the likelihood of giant garter snake mortality the following measures will be implemented prior to project construction on those portions of the project site within 800 feet of the Fresno Slough Arm of the Mendota Pool:

- Confine construction activities to the late spring, summer and early fall when giant garter snakes are active.
- Remove potential giant garter snake foraging habitat (i.e. bulrush, cattails, dense emergent vegetation) within the construction footprint during the over wintering period when the snakes are not out foraging. Removal of this will occur under the direction of a qualified biologist to ensure that giant garter snakes are not harmed during the process of such activity.
- If trenches are to be dug, into which a snake could potentially fall, construction crews will either fill the trench or provide a slope at one end of the trench of no more than 45 degrees at the end of each workday. Doing so will preclude giant garter snakes from being trapped in the trench after working hours.
- Any pipes in a trench that is to be left open over night must be capped in order to prevent entry by snakes.
- A biological monitor will be present for all subsequent construction activity in areas considered possible habitat for the giant garter snake.

Mitigation Measure IV-B:

Western Burrowing Owl: Site development would potentially result in mortality of burrowing owls, should any be nesting or resident on the site at the time of project construction. Mitigation measures that protect burrowing owls from possible direct mortality or nest failure would be warranted. Therefore, the project applicant will implement the following measures to ensure that burrowing owl mortality from project construction is avoided.

- *Pre-construction Survey:* A pre-construction survey will be conducted by a qualified biologist for Burrowing Owls within 30 days of the on-set of construction. This survey will be conducted according to methods described in the *Staff Report on Burrowing Owl Mitigation* (CDFG 1995). All suitable habitats of the study area will be covered during this survey.
- *Avoidance of Active Nest Burrows:* If pre-construction surveys undertaken during the breeding season (February through August) locate active nest burrows within or near construction zones, these nests, and an appropriate buffer around them (as determined by a qualified biologist) will remain off-limits to construction until the breeding season is over. Setbacks from occupied nest burrows of 100 meters where construction will result in the loss of foraging habitat are required.
- *Relocation:* During the non-breeding season (August through January), resident owls may be relocated to alternative habitat. The relocation of resident owls must be according to a relocation plan prepared by a qualified biologist. Passive relocation will be the preferred method of relocation. This plan must provide for the owl's relocation to nearby lands possessing available nesting and foraging habitat.

Mitigation Measure IV-C

California horned larks: To reduce the likelihood of mortality to nesting California horned larks, the following measures will be implemented prior to the onset of project construction:

- Maintain the site in a condition unsuitable for horned lark nesting. This can be accomplished by planting a crop that creates a dense tall cover (i.e. corn, sorghum, alfalfa, grass hay, etc.) during the breeding season such that horned larks could not breed on the site (this species prefers sparse vegetative cover with a considerable amount of barren ground available).
- Between March 1st and July 31st (the nesting season) have a qualified biologist conduct pre-construction surveys for nesting horned larks within 15 days of the on-set of construction. If no horned larks are nesting on the site, the project may proceed. If horned larks are present, defer construction in areas of nesting activity until the conclusion of the nesting season.
- Confine construction to those months of the year when California horned larks would not nest on the site (August through February).

Mitigation Measure IV-D

Loggerhead Shrike: To reduce the likelihood of mortality to nesting loggerhead shrikes, the following measures will be implemented prior to the onset of project construction:

- Maintain the site in a condition unsuitable for nesting loggerhead shrikes. This can be accomplished by removing all willow trees providing possible nesting habitat for loggerhead shrikes during the non-nesting season;
- Alternatively, have a qualified biologist conduct pre-construction surveys between March 1st and July 31st (the nesting season) for nesting loggerhead shrikes within 15 days of the on-set of construction. If no loggerhead shrikes are nesting on the site, the project may proceed.
- Confine construction to those months of the year when loggerhead shrikes would not nest on the site (August through February).

Implementation and Monitoring:

Implementation: The City shall include implement the above specified mitigation measure through the regulator agencies prior to the initiation of any and/all construction activities pertaining to the project.

Monitoring: The City Engineering Department shall verify issuance of any and all necessary permits required to initiate constructed related activities for the project.

CITY OF MENDOTA

"Cantaloupe Center Of The World"

CLERK'S CERTIFICATE

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, State of California, do hereby certify that the foregoing is a full, true and correct copy of Resolution 07-47 duly approved and adopted by the City Council of the City of Mendota on the dates therein stated and as appears on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Mendota on December 13, 2007.

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Krystal M. Chojnacki, City Clerk

643 Quince Street Mendota, California 93640
Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)
www.ci.mendota.ca.us

THIS IS A LEGAL NOTICE

NOTICE OF PUBLIC HEARING

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
FRESNO COUNTY, CALIFORNIA

PLEASE BE ADVISED THAT the Local Agency Formation Commission (LAFCo) will hold a public hearing to consider the following:

A. **City of Mendota "Sphere of Influence Revision".** A proposed revision to the City of Mendota's Sphere of Influence to add approximately 360 acres of territory located northeast of the City of Mendota (see location map) and predominately between the San Luis Drain and the Fresno Slough **(LAFCo File No. RSOI-150).**

B. **City of Mendota "Wastewater Treatment Plant Expansion Reorganization".** A proposed reorganization to annex 14 parcels located in four non-contiguous areas and totaling 463.19 acres to the City of Mendota and detach from the Fresno County Fire Protection District and the Silver Creek Drainage District. This territory is located northeast of the city of Mendota (see location map) and predominately between the San Luis Drain and the Fresno Slough **(LAFCo File No. RO-08-3).**

These proposals have been submitted by resolution of the Mendota City Council. The City proposes to expand its Sphere of Influence in order to annex City owned territories that include a pool park, city storage area, a sewer lift station, and wastewater treatment facility. A portion of the territory is proposed for expansion of the City's wastewater treatment facility.

THE PUBLIC HEARING will be held on Wednesday, March 5, 2008 at 1:30 p.m., or as soon thereafter, in the Fresno County Board of Supervisors' Chamber, Room 301, Hall of Records, Tulare and "M" Streets, in downtown Fresno. Interested agencies and individuals are invited to attend this meeting and give public testimony on this item. The staff report for this item will be available five days before the hearing on our Website at www.fresnolafco.org, or for additional information, contact the Commission Office at 2115 Kern Street, Suite 310, Fresno, CA 93721. Please direct any questions or comments to Darrel Schmidt, Fresno LAFCo Deputy Executive Officer at **(559) 495-0604** or e-mail Mr. Schmidt at dschmidt@co.fresno.ca.us.

Rick Ballantyne
LAFCo Executive Officer

Dated: February 11, 2008
LAFCo File No.: RSOI-150 & RO-08-3

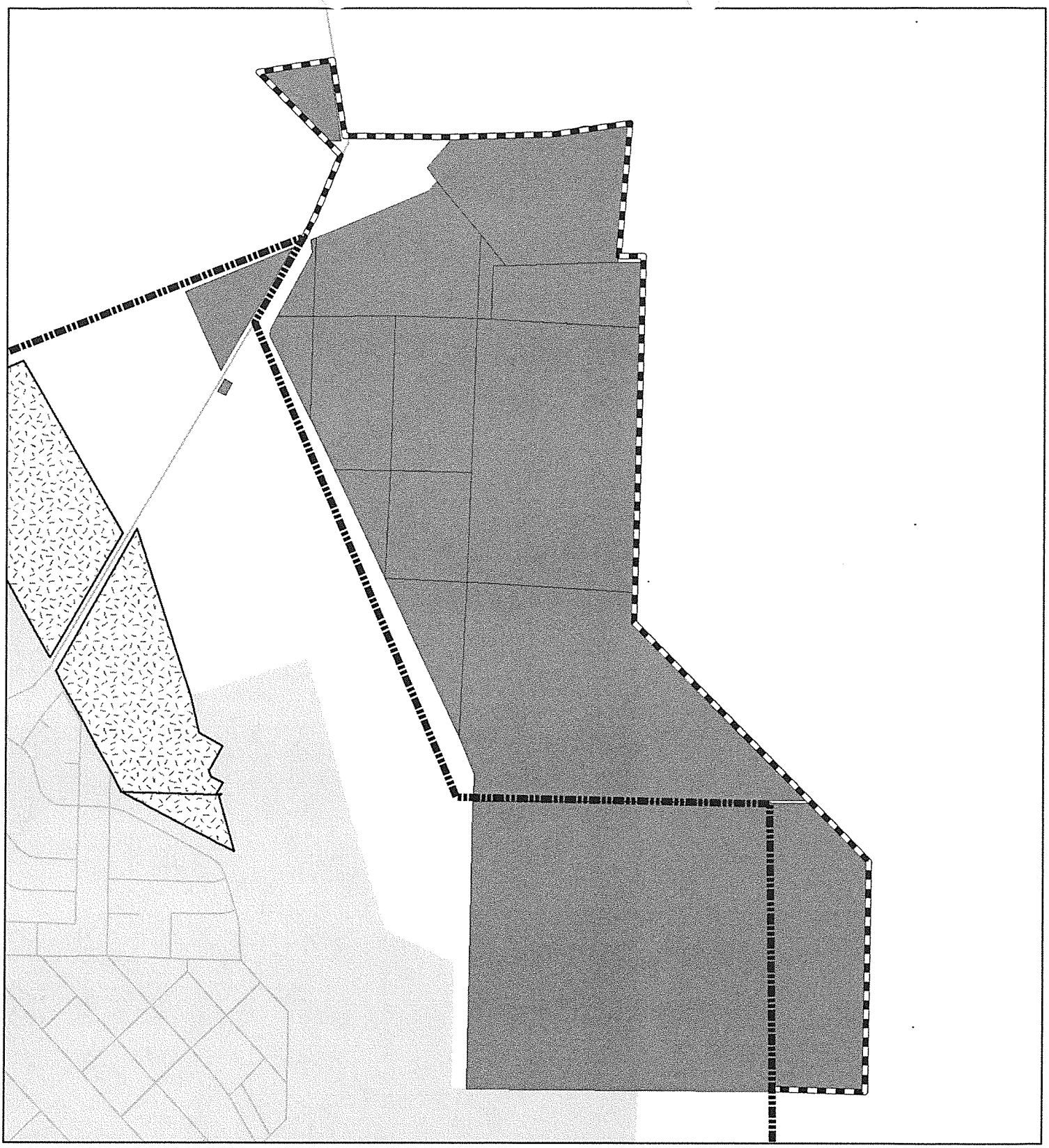
(1) If you are an applicant for, or a participant in, any proceeding on the agenda for a **land use entitlement** and have made a **campaign contribution** of more than $250 to any member or alternative member of the Commission **within twelve (12) months prior to the Commission considering your application**, please immediately inform the Commission of your contribution. State law **disqualifies** each Commissioner and Alternative Commissioner from participating in and voting on land use entitlement decisions (which include changes of organization and reorganizations) if the Commissioner or Alternative Commissioner has received campaign contributions from (i) an applicant for a land use entitlement, (ii) someone who lobbies the Commission or LAFCo staff regarding an application for land use entitlement, (iii) someone who testifies in person before the Commission regarding an application for land use entitlement, or (iv) someone who otherwise acts to influence the outcome of an application for land use entitlement.

State law also prohibits applicants and participants from making campaign contributions to a Commissioner or Alternate Commissioner within three (3) months **after** the Commission's action. If you have any questions regarding these requirements which are contained within the **California Political Reform Act** (Government Code Section 84308 *et seq.*), please consult with Commission staff at 559/495-0604.

(2) In compliance with the Americans with Disabilities Act (**ADA**), if you need special assistance to participate at this meeting, please contact Ms. Candie Fleming, Clerk to the Commission at 559-495-0604. Notification 48 hours prior to the meeting will enable the Clerk to make reasonable arrangements to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically disabled.

(3) A Staff report prepared for this item will be posted on the Fresno LAFCo Website: **www.fresnolafco.org,** five days prior to the public hearing.

EXHIBIT "A"



Legend

- Existing SOI
- City Limits
- Proposed SOI Revision
- Affected Territory
- RO-07-17

City of Mendota "Wastewater Treatment Plant Reorganization" LAFCo File No. RO-08-3 and Sphere of Influence Revision LAFCo File No. RSOI-150

0 0.1 0.2 0.4 0.6 Miles

N W E S

THE BUSINESS JOURNAL
FRESNO | KINGS | MADERA | TULARE
P.O. Box 126
Fresno, CA 93707
Telephone (559) 490-3400

(Space Below for use of County Clerk only)

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

NOTICE OF PUBLIC HEARING

FRESNO LOCAL AGENCY FORMATION COMMISSION

(LAFCo File No. RSOI-150)

(LAFCo File No. RO-08-3)

MISC. NOTICE

DATE AND TIME OF HEARING:

MARCH 5, 2008, 1:30 P.M.

STATE OF CALIFORNIA

COUNTY OF FRESNO

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or intrested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, Monday, Wednesday, Friday, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of March 4, 1911, in Action No.14315; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

FEBRUARY 13, 2008

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

ON FEBRUARY 13, 2008

DECLARATION OF PUBLICATION
(2015.5 C.C.P.)

NOTICE OF PUBLIC HEARING
FRESNO LOCAL AGENCY FORMATION COMMISSION

NOTICE IS HEREBY GIVEN that the Fresno Local Agency Formation Commission (LAFCo) will consider the following "Proposals" at a public hearing on March 5, 2008.

1. City of Mendota "Sphere of Influence Revision". A proposed revision to the City of Mendota's Sphere of Influence to add approximately 360 acres of territory located northeast of the City of Mendota between the San Luis Drain and the Fresno Slough (LAFCo File No. RSOI-150).

2. City of Mendota "Wastewater Treatment Plant Expansion Reorganization". A proposed reorganization to annex 463.19 acres of territory consisting of 14 parcels located in four non-contiguous areas to the City of Mendota and detach from the Fresno County Fire Protection District and the Silver Creek Drainage District. This territory is located northeast of the city of Mendota between the San Luis Drain and the Fresno Slough (LAFCo File No. RO-08-3).

PLEASE BE INFORMED THAT the public hearing to consider these Proposals will be held at 1:30 p.m., or soon thereafter, on Wednesday, March 5, 2008, in Room 301, Hall of Records, Tulare and "M" Streets, Fresno. All interested parties are invited to attend this hearing and present testimony on these matters. For additional information contact Darrel Schmidt, Fresno LAFCo Deputy Executive Officer, Fresno LAFCo, at 2115 Kern Street, Suite 310, Fresno, CA 93721 (Telephone: (559) 495-0604, e-mail: dschmidt@co.fresno.ca.us). The staff reports for the above proposals will be available to view on our website at: www.fresnolafco.org after February 28, 2008.

DATED: February 13, 2008
2/13/2008

CITY OF MENDOTA

"Cantaloupe Center Of The World"

MAR 2008
Received
FRESNO
LAFCO

February 26, 2008

Rick Ballantyne, Executive Officer
Fresno County Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, CA 93721

SUBJECT: REQUEST FOR EXEMPTION TO THE PREZONING REQUIREMENT AS RELATED TO THE CITY OF MENDOTA ANNEXATION NO. 07-02

Dear Mr. Ballantyne:

This is a request for an exemption to the pre-zoning requirements of the Cortese-Knox-Herzberg Local Government Reorganization Act of 2000. The request is made pursuant to Section 210, Subsection 210-13 "Pre-zoning Requirement" of the LAFCO Policies, Standards and Procedures, which permits exemptions to the pre-zoning requirements if the subject property is determined to be at build-out and its development is consistent with the City's General Plan.

The request relates to four properties within the proposed City of Mendota Annexation No. 07-02. The parcels are 013-050-030, 013-050-61s, 013-050-64s, and 013-050-66s. The parcels are identified as Public Facility in the text of the 1991 City of Mendota General Plan, but not identified as such on the land use map. It is however designated as Public Facility in the 2008 City of Mendota General Plan Update, estimated adoption - Spring 2008. In addition, the parcels are developed as the City's existing wastewater treatment plant, have been used as Public Facility since the 1970's and are considered to be at full build-out.

Based on the above information, the City of Mendota requests that LAFCO grant an exemption to the pre-zone requirement for the above noted parcels. If the exemption is granted for the parcels, upon annexation, they would be zoned Public Facility

If you have any further question, please contact me at (559) 655-3291.

Sincerely,

Gabriel A. Gonzalez
City Manager

643 Quince Street Mendota, California 93640
Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)
www.ci.mendota.ca.us

Fresno Local Agency Formation Commission

February 28, 2008

CERTIFICATE OF FILING

Mr. Gabe Gonzalez, City Manager
City of Mendota
643 Quince Street
Mendota, CA 93640

Dear Mr. Gonzalez:

Subject: "City of Mendota Wastewater Treatment Plant" Reorganization and "Sphere of Influence Revision"

This notice certifies that on February 28, 2008, pursuant to Section 56658(g) of the Government Code, the proposed reorganization and sphere of influence revision for the City of Mendota was accepted for filing with the Local Agency Formation Commission.

The date and place for the Local Agency Formation Commission's consideration of the subject proposal is Wednesday, March 5, 2008, in Room 301, Hall of Records, Tulare and "M" Streets, Fresno.

Sincerely,

Rick Ballantyne, Executive Officer

Fresno LAFCo

RB:cf

cc: Commissioners

NAMES OF LANDOWNERS OR PARTIES OF REAL INTEREST (Asterisk indicates consent):

City of Mendota*

Note: If you are an applicant for, or a participant in (actively supporting or opposing) any proceeding on the agenda and have made a campaign contribution of more than $250 to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (Government Code Section 84308).

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

ASSESSOR'S BOUNDARY REPORT

Date 02/13/08
Proposal No. RO-08-3

"City of Mendota Wastewater Treatment Plant Expansion"

Report

1. **Proposal:**
City of Mendota "Wastewater Treatment Plant Expansion" and "Sphere of Influence Revision".

2. **Acreage:** 463.19 acres +/-

3. **Location Description:** n/o Belmont Ave. and s/o the Delta Mendota Canal between the San Luis Drain and the Fresno Slough

4. **Cities and Districts included wholly or partially within proposal area:**

a) Fresno County
b) Fresno County Library
c) Fresno County Fire Protection District
d) Silver Creek Drainage
e) Fresno Westside Mosquito District
f) Mendota Unified
g) West Hills Jr. College
h) W Fresno Red Scale

5. **Agricultural Preserves and Land Conservation Contracts within proposal area:** No

Agricultural Preserves and Land Conservation Contracts within adjoining territory: No

6. **Comments of legal description and map received on:** 02/13/08

Correction Needed?		Comments a,b,c,d,e,f,g,h
Indefinite & uncertain boundaries?		No
Conflicts with lines of assessment?		Yes (h)
Divides ownership?		No
Additional territory recommended?		No
Deletion of territory recommended?		No
Proposal will create:	Island?	Yes (g,h)
	Corridor?	No
	Non-contiguous boundary?	Yes (g)
Is map insufficient for filing?		Comments a,b,c,d,e,f,g,h

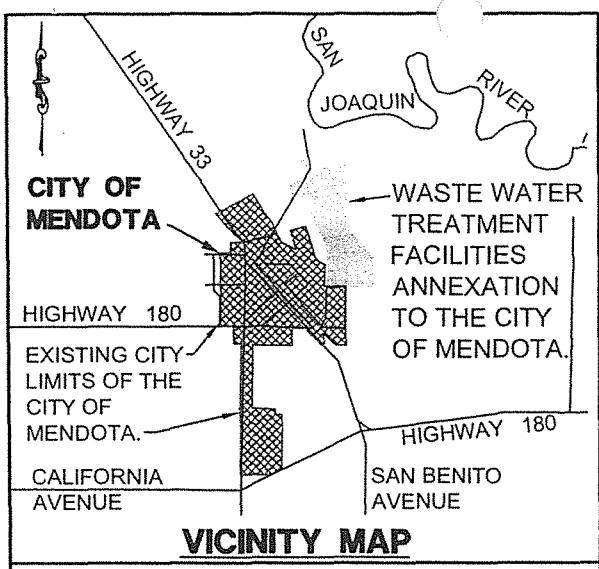
Sent to City 2/26/08

"City of Mendota Wastewater Treatment Plant Expansion"

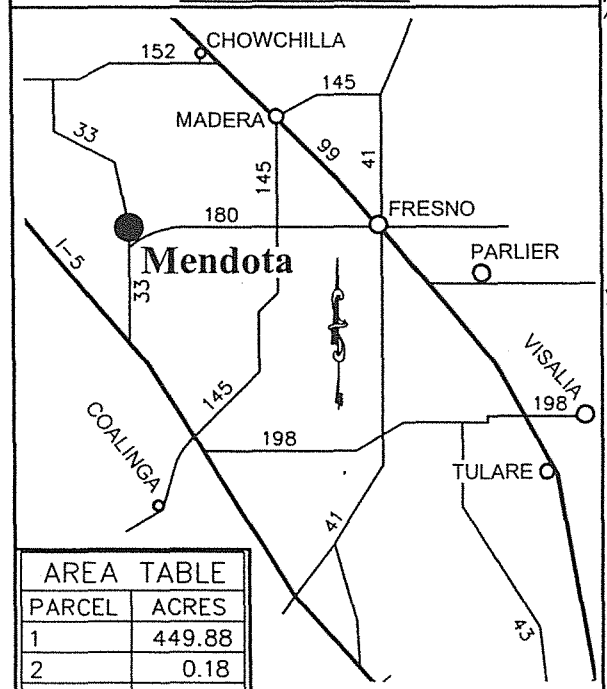
7. Comments:

a) If the legal description or map is revised for any reason, the date revised must be shown on the same.
b) Requirements for map and legal can be viewed at the following website; http://www.boe.ca.gov/proptaxes/sprdcont.htm.
c) Map and Legal must be formatted in accordance with SBE requirements. Courses must be numbered (not paragraph style) and maps must correspond in a clockwise fashion.
d) Proposal Name must be consistent on all documentation. Both the map and legal must bear the same name as the City Annexation Application.
e) The map and legal are not consistent with the City Annexation Application since they do not state the same Agencies for Detachment and Attachment. (See annotation on copies).
f) The map (Sheets 1 thru 6) appears to have been modeled on outdated APN information. (Please see copies of our attached Assessor pages for correct APN numbers and shape files within the Proposal Area).
g) The proposal areas – Parcels 2, 3, & 4 create islands of city owned property. Bass Ave. will remain in the county with parcels on both sides being within the city. Recommend either deleting parcels 2, 3 & 4, or adding areas to make it contiguous to the existing City Limit boundaries.
h) APN 013-050-67S will have to be split if existing boundary is approved. Recommend expanding proposal area to include all of APN 013-050-67S.

Dave King, Supervising Cadastral Technician

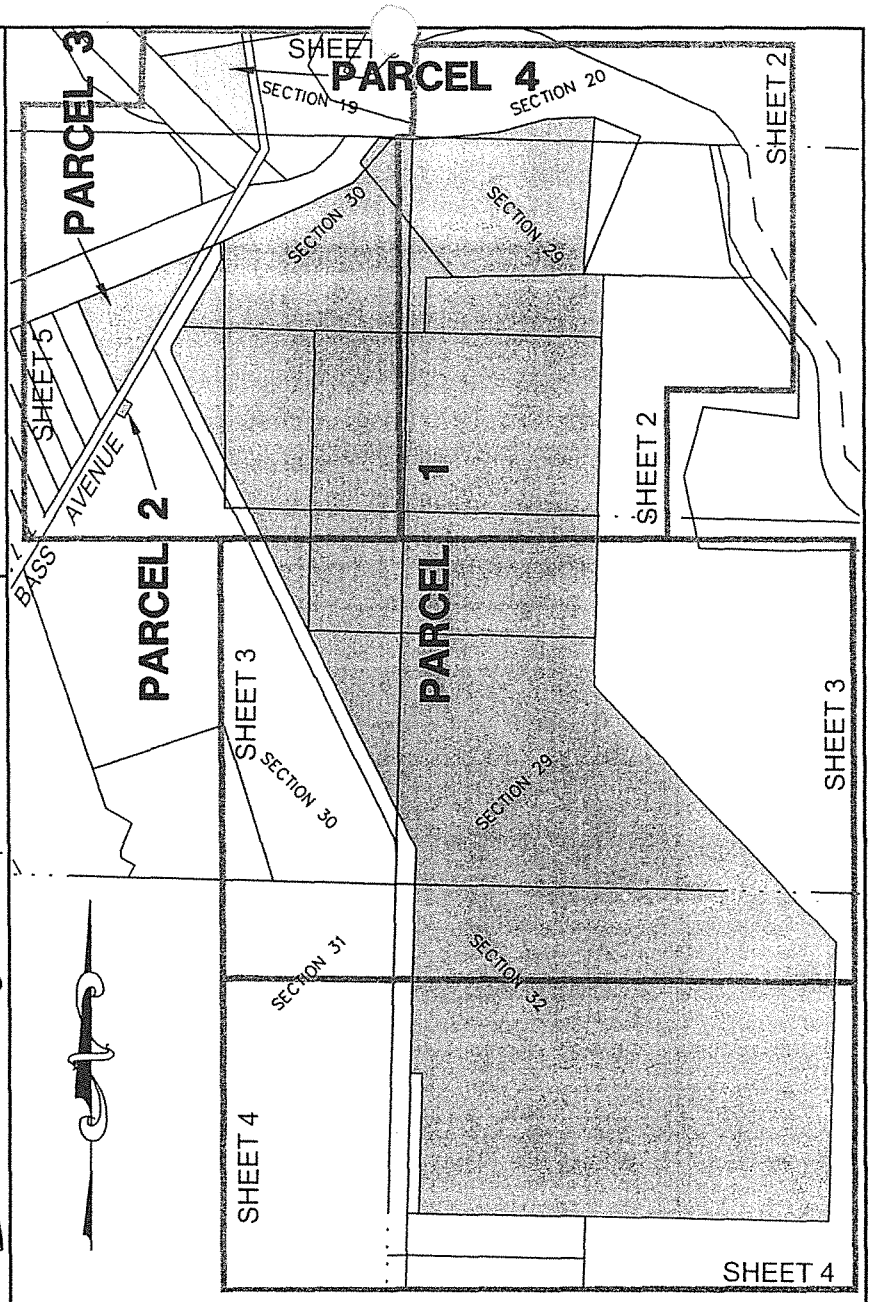


VICINITY MAP



LOCATION MAP

AREA TABLE	
PARCEL	ACRES
1	449.88
2	0.18
3	7.58
4	5.55
TOTAL	463.19



INDEX MAP

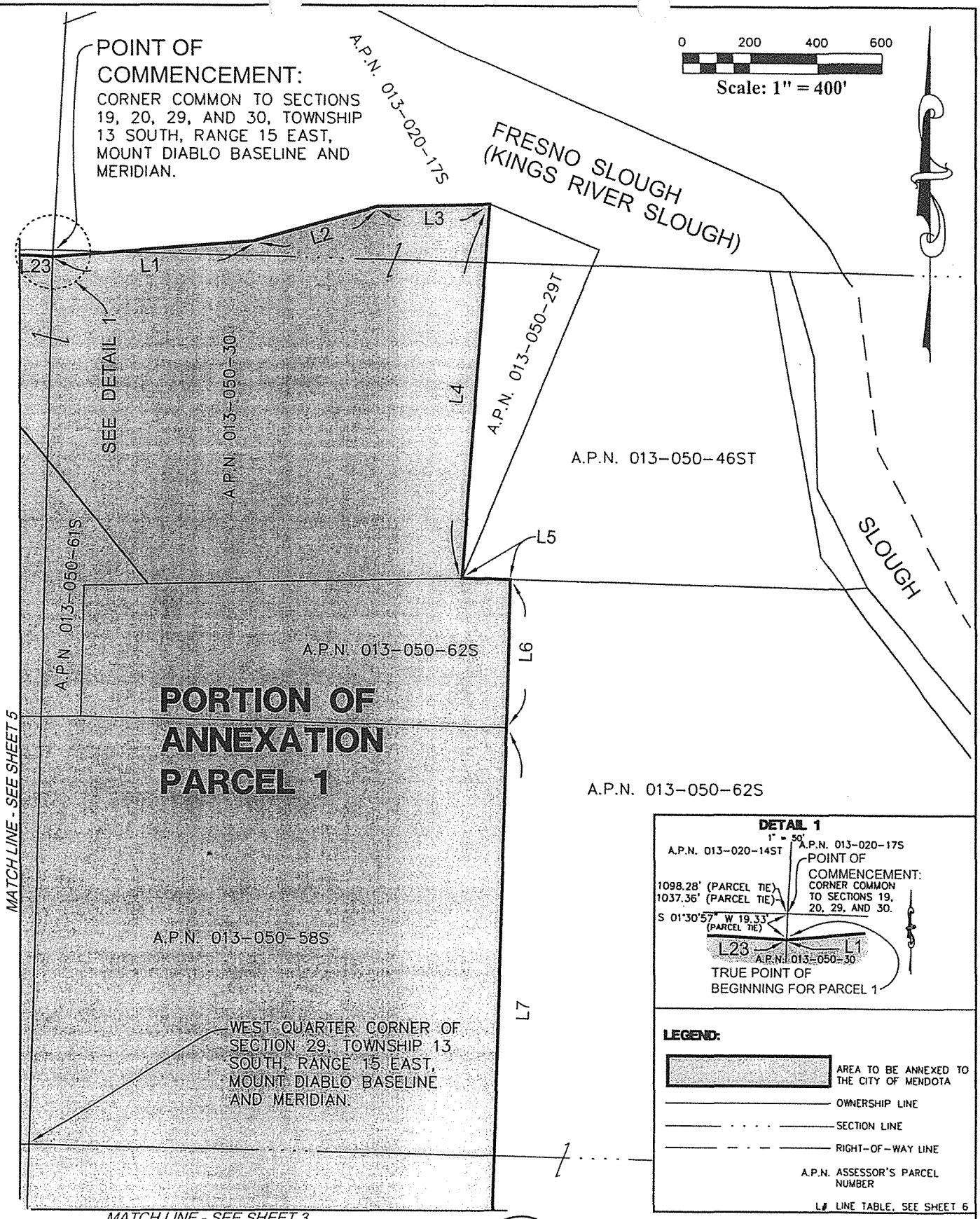
WASTE WATER TREATMENT FACILITIES ANNEXATION TO THE CITY OF MENDOTA, SILVER CREEK DRAINAGE DISTRICT **AND DETACHMENT FROM THE ~~KINGS RIVER CONSERVATION DISTRICT, THE CONSOLIDATED IRRIGATION DISTRICT,~~ AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT**

APPROVED
LAFCO RES. # _____
DATE _____

BOUNDARY CHANGE RECORDED
TIME _____ DATE _____
DOCUMENT NO. _____
EFFECTIVE _____

840G0122M3.DWG

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
421 No. "I" Street
Madera, California 93637
(559) 673-5981 FAX 675-3544
E-mail: office@gai-online.com
www.gai-online.com



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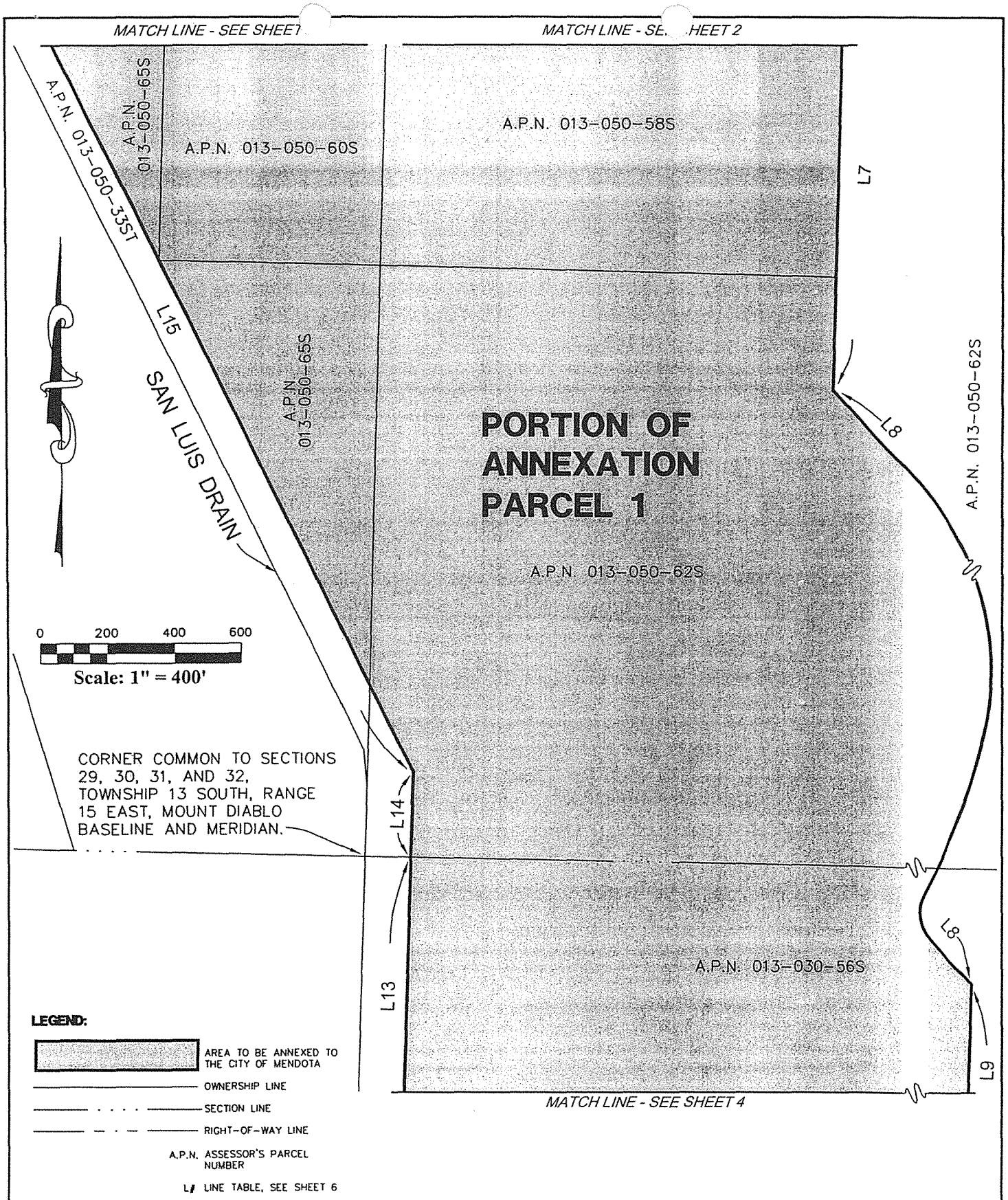
www.gai-online.com

WASTE WATER TREATMENT FACILITIES ANNEXATION TO THE CITY OF MENDOTA



WASTE WATER TREATMENT FACILITIES ANNEXATION TO THE CITY OF MENDOTA

840G0122M3.DWG

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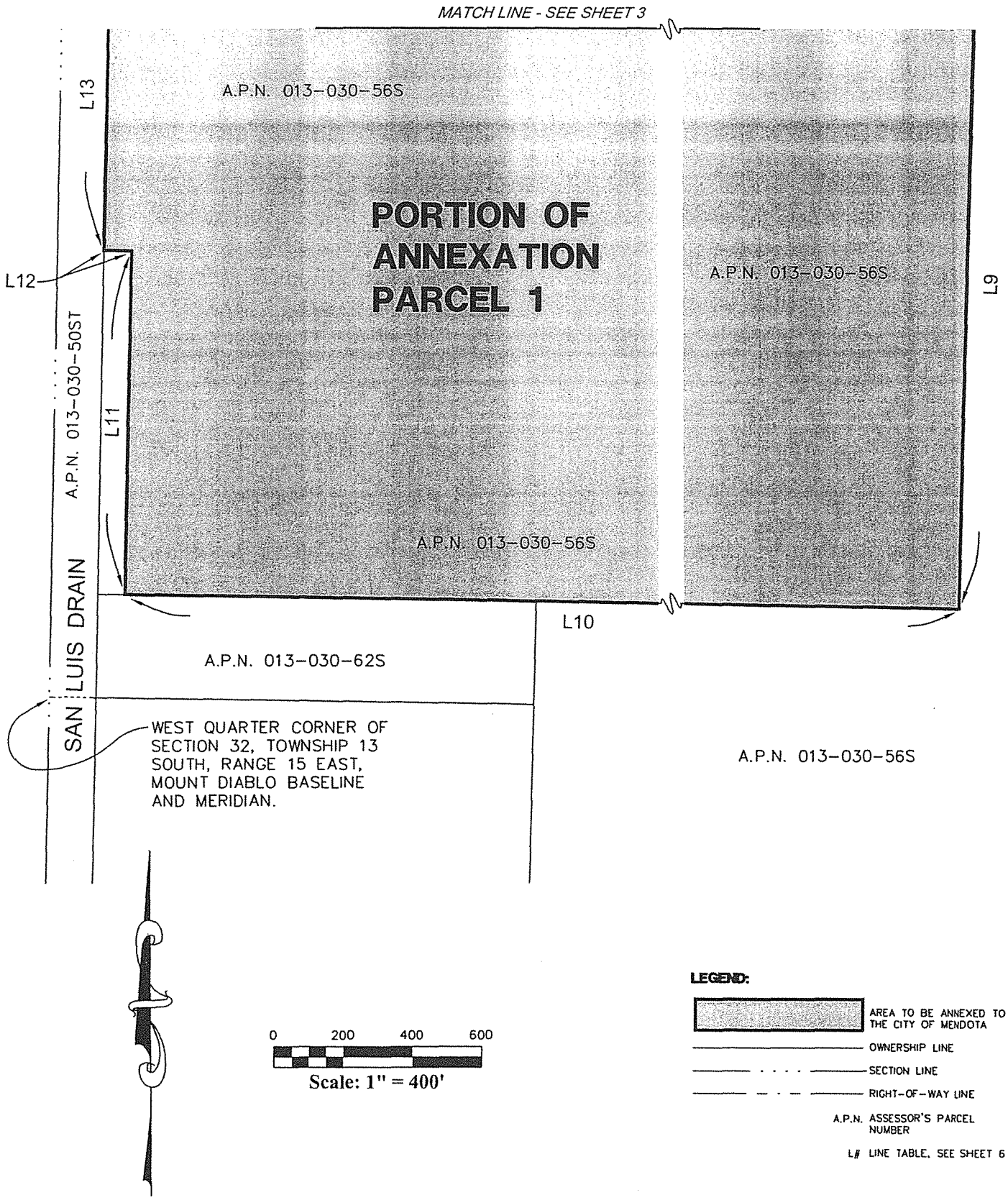

840G0122M3.DWG

WASTE WATER TREATMENT FACILITIES ANNEXATION TO THE CITY OF MENDOTA

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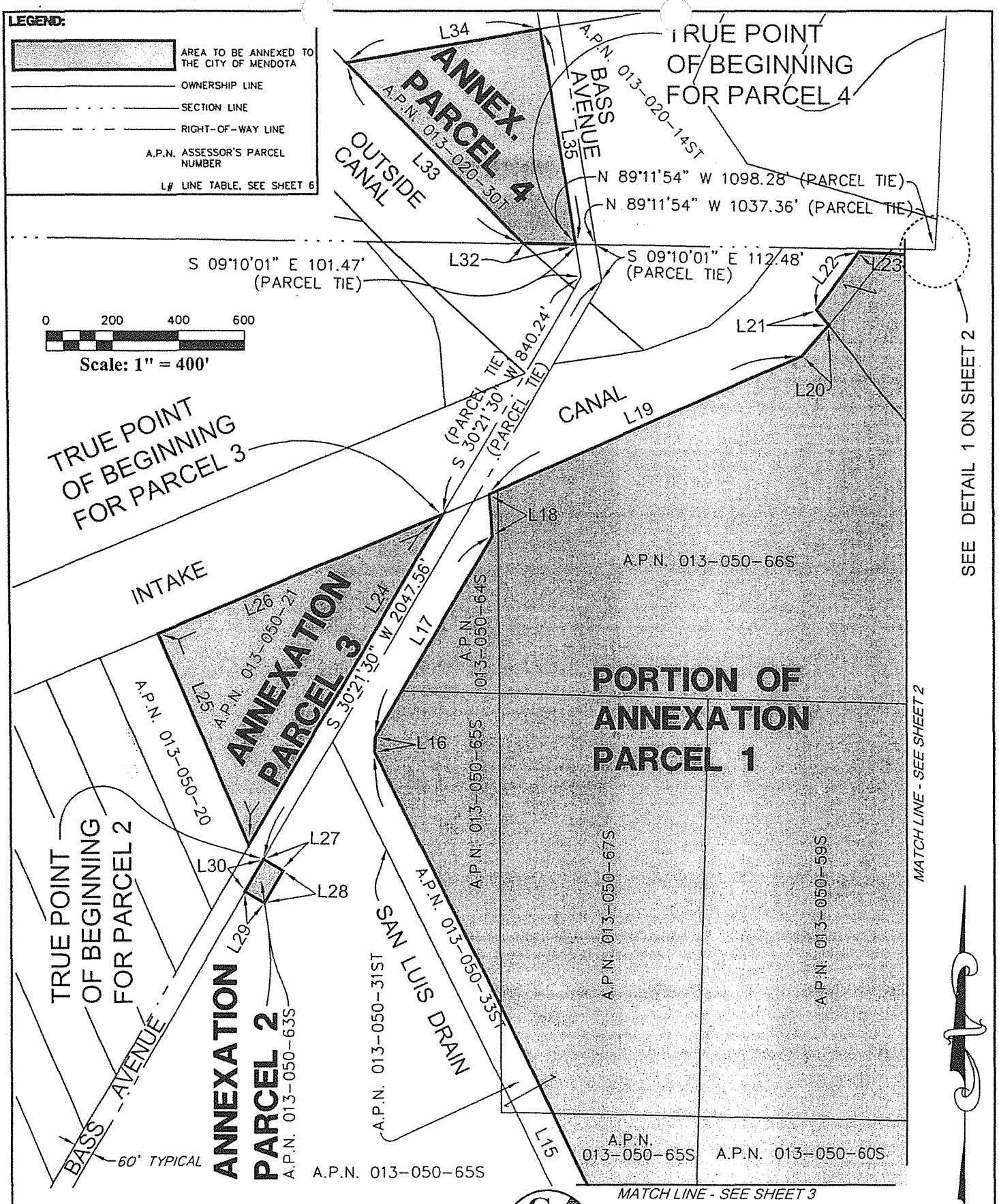
E-mail: office@gai-online.com
www.gai-online.com



WASTE WATER TREATMENT FACILITIES ANNEXATION TO THE CITY OF MENDOTA

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
421 No. "I" Street
Madera, California 93637
(559) 673-5981 FAX 675-3544
E-mail: office@gai-online.com
www.gai-online.com

840G0122M3.DWG

LINE TABLE		
LINE	BEARING	LENGTH
L1	N85°15'16"E	597.20'
L2	N74°10'16"E	372.00'
L3	N88°34'16"E	333.30'
L4	S04°13'36"W	1116.97'
L5	S88°32'46"E	144.19'
L6	S01°32'28"W	441.49'
L7	S01°30'57"W	2485.58'
L8	S43°37'34"E	2521.59'
L9	S01°30'52"W	1992.00'
L10	N89°00'35"W	2944.70'
L11	N01°30'46"E	998.87'
L12	N88°29'08"W	80.00'
L13	N01°30'46"E	1347.67'
L14	N01°35'25"E	259.46'
L15	N25°59'50"W	3923.00'
L16	N02°51'28"E	46.62'
L17	N30°13'06"E	707.82'
L18	N03°08'41"W	129.74'
L19	N65°58'48"E	1041.55'
L20	N41°01'55"E	126.20'
L21	N38°38'59"W	59.94'
L22	N37°17'13"E	220.61'
L23	S86°59'44"E	235.55'
L24	S30°21'30"W	1170.81'
L25	N22°58'06"W	703.40'
L26	N67°17'00"E	939.06'
L27	S59°38'30"E	70.00'
L28	S30°21'30"W	114.00'
L29	N59°38'30"W	70.00'
L30	N30°21'30"E	114.00'
L32	N89°11'54"W	161.61'
L33	N43°58'54"W	766.18'
L34	N80°10'32"E	596.64'
L35	S09°10'01"E	663.86'

WASTE WATER TREATMENT
FACILITIES ANNEXATION TO THE
CITY OF MENDOTA

840G0122M3.DWG

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421 No. "I" Street
Madera, California 93637
(559) 673-5981 FAX 675-3544
E-mail: office@gai-online.com
www.gai-online.com

RO-08-3

PROPOSAL AREA # 2875

APN	TX_NM_OWNR	TX_ADDR_M_	TX_ADDR_M_	TX_ADDR_M_	CD_TRA	AMT_LAND	AMT_IMPR	AMT_TFI	AMT_PERS	AMT_MBHM	AMT_HMOWNR	TOTAL
						0	0	0	0	0	0	0
01302030T	CITY OF MENDOTA	643 QUINCE	MENDOTA CA 93640									
01303065S	CITY OF MENDOTA	643 QUINCE	MENDOTA CA 93640									
01305030	CITY OF MENDOTA	1683 6TH ST	MENDOTA CA 93640		140011	15070	0	0	0	0	0	15070
01305066S	CITY OF MENDOTA	643 QUINCE	MENDOTA CA 93640		140008	9129	0	0	0	0	0	9129
01305060S	CITY OF MENDOTA	CITY HALL	643 QUINCE	MENDOTA CA 93640	140000	19599	0	0	0	0	0	19599
01305061S	CITY OF MENDOTA	643 QUINCE	MENDOTA CA 93640		140008	615	0	0	0	0	0	615
01305064S	CITY OF MENDOTA	643 QUINCE	MENDOTA CA 93640		140000	652	0	0	0	0	0	652
01305021	CITY OF MENDOTA	1683 6TH ST	MENDOTA CA 93640		140014	7175	0	0	0	0	0	7175
01305067S	RIVER RANCH LLC	5494 W MT WHITNEY	RIVERDALE CA 93656		140008	7193	0	0	0	0	0	7193
01305059S	CITY OF MENDOTA	CITY HALL	643 QUINCE	MENDOTA CA 93640	140008	24221	0	0	0	0	0	24221
01305058S	CITY OF MENDOTA	CITY HALL	643 QUINCE	MENDOTA CA 93640	140008	82714	0	0	0	0	0	82714
01305063S	CITY OF MENDOTA	643 QUINCE	MENDOTA CA 93640		140000	61	0	0	0	0	0	61
01305068S	CITY OF MENDOTA	643 QUINCE	MENDOTA CA 93640									
01305069S	CITY OF MENDOTA	643 QUINCE	MENDOTA CA 93640									
01305071S	CITY OF MENDOTA	643 QUINCE	MENDOTA CA 93640									
01305072S	CITY OF MENDOTA	643 QUINCE	MENDOTA CA 93640									
01305073S	CITY OF MENDOTA	643 QUINCE	MENDOTA CA 93640									

GRAND TOTAL 122631

--- NOTE ---

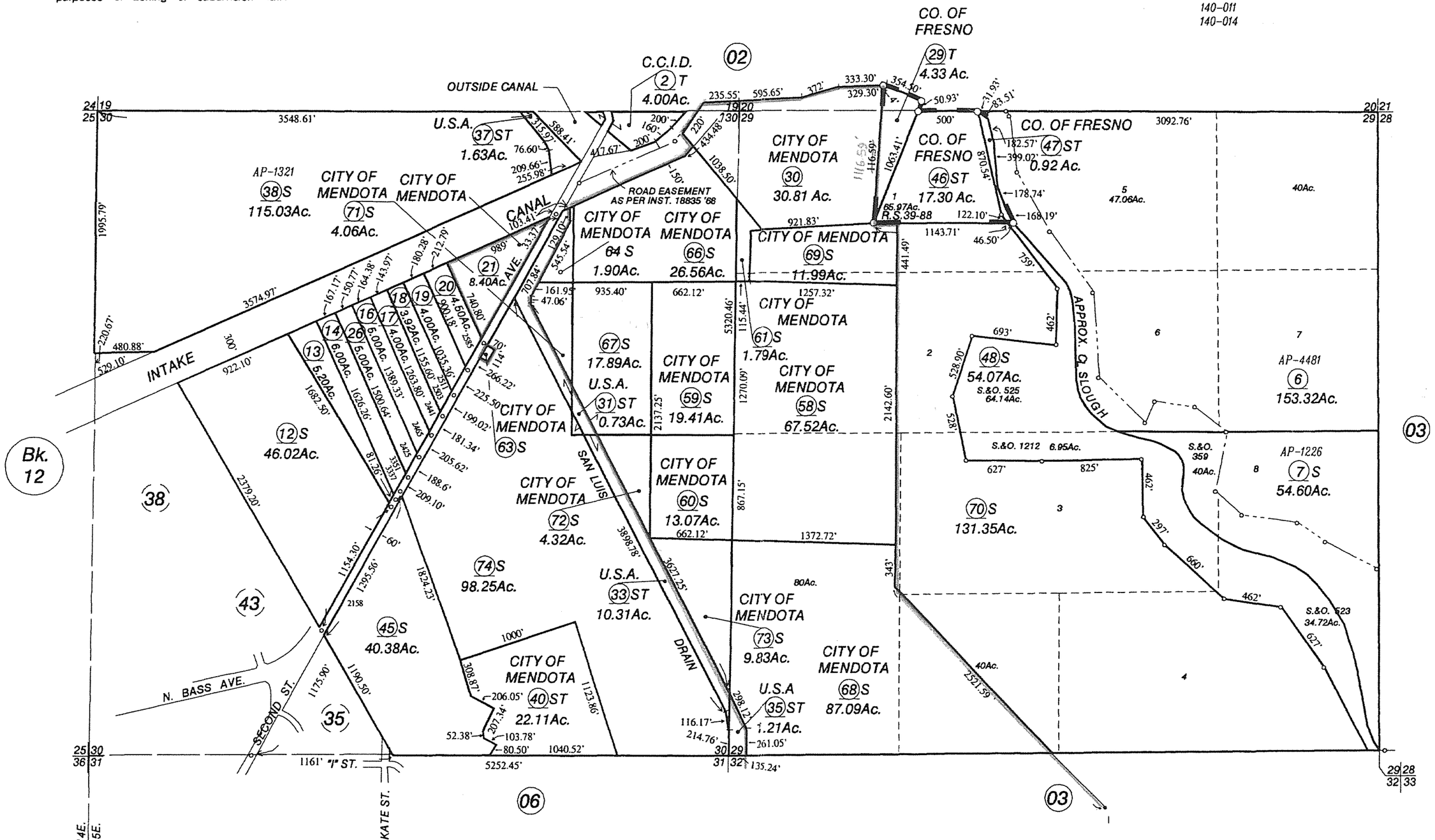
This map is for Assessment purposes only. It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.

POR. SEC'S. 19 & 20, SEC'S. 29 & 30, T.13S.,R.15E., M.D.B.&M.

Tax Rate Area	
140-000	12-012
140-001	
140-005	
140-008	
140-011	
140-014	

013-05

1"= 800'



Agricultural Preserve
Record of Survey - Bk. 39, Pg. 88

Assessor's Map Bk. 13 - Pg. 05
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

01-23-2008

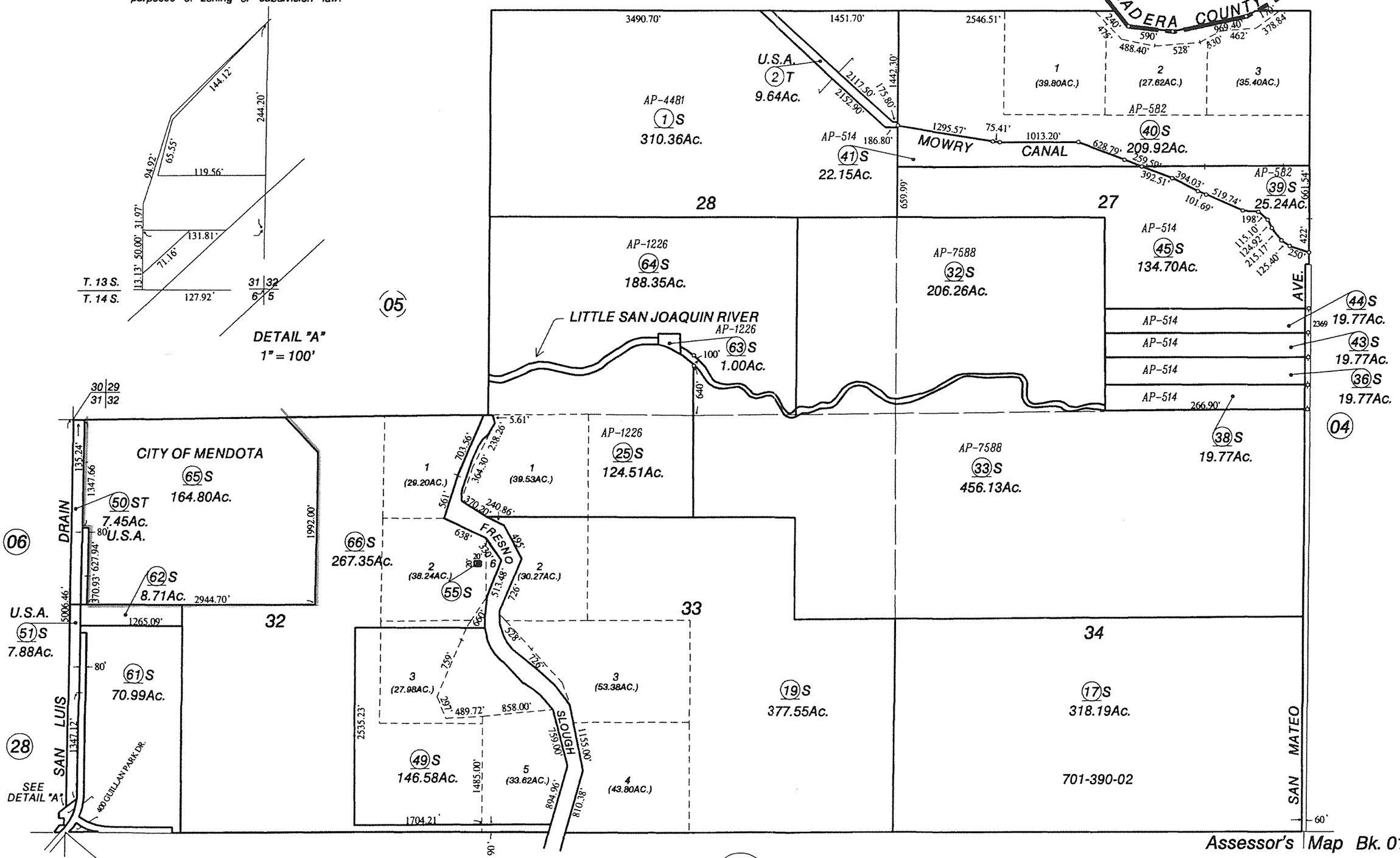
--- NOTE ---
This map is for Assessment purposes only. It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.

SUBDIVIDED POR. TWP. 13 S., R15 E. M.D.B. & M.

Tax Rate Area
12-008
140-005
140-008

013-03

1"= 1200'



AGRICULTURAL PRESERVE

03-08-2007

Bk. 19

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

Assessor's Map Bk. 013 - Pg. 03
County of Fresno, Calif.

POR. TWR. 13S., R.15E., M.D.B. & M.

Tax Rate Area
91-005
91-006
91-011

013-02

1"= 1200'

--- NOTE ---
This map is for Assessment purposes only. It is not to be construed as portraying legal ownership or divisions of land for purposes of zoning or subdivision law.

AA - 69.78'
AB - 141.49'
AC - 302.28'

A - 99.11'
B - 94.43'
C - 126.02'
D - 175.96'
E - 101.40'
F - 134.35'
G - 137.38'
H - 96.86'
I - 210.18'
J - 222.06'
K - 269.82'
L - 77.56'

M - 50.66'
N - 138.17'
O - 292.57'
P - 348.27'
Q - 60.34'
R - 62.09'
S - 55.29'
T - 60.30'
U - 52.53'
V - 149.95'
W - 55.27'
X - 204.18'
Y - 48.86'
Z - 112.55'

MADERA COUNTY

COUNTY OF FRESNO

Bk. 12

HELM RANCH DRAIN
HELM MAIN CANAL
DELTA MENDOTA CANAL
OUTSIDE CANAL
BASS ROAD
I DITCH
SAN JOAQUIN RIVER
MOWRY CANAL
FRESNO SLOUGH
(KINGS RIVER SLOUGH)
APPROX. ℄ FRESNO SLOUGH
C.C.I.D.
CITY OF MENDOTA
3125 N. BASS RD.

AP-1145 (46) 23.88Ac.
AP-1145 (47) 103.82 Ac.
AP-1145 (44) 88.14 Ac.
AP-750 (40) 85.28Ac.
AP-750 (41) 253.53 Ac.
(37) 32.35Ac.
(6) T 28.32Ac.
AP-7572 (38) S 86.14Ac.
(12) ST 49.13Ac.
(32) P
(14) ST 70.41 Ac.
(33) P
AP-4481 (28) 291.28Ac.
AP-4481 (26) 453.16Ac.
U.S.A. (20) T 32.69Ac.
AP-582 (24) S 157.61 Ac.
7 (46.16 AC.)
8 (42.90 AC.)
AP-1321 (43) S 13.87 Ac.
U.S.A. (34) ST 9.31Ac.
AP-1321 (42) S 79.57 Ac.
(30) T 5.73Ac.
(15) ST 5.61 Ac.
U.S.A.
(17) S 24.03Ac.

Agricultural Preserve

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

01-26-2000

Assessor's Map Bk. 013 - Pg. 02
County of Fresno, Calif.

Fresno Local Agency Formation Commission

FRCD

FEB 2008
Received
FRESNO
LAFCO

DATE: February 12, 2008

TO: Kenneth Price, Baker, Manock & Jensen
Historical Landmarks and Records Commission (HLRC)
Fresno County Library
Marc Birnbaum, Chief, Office of Transportation Planning
West Fresno County Red Scale Protective District
Firebaugh Resource Conservation District
Firebaugh Canal Water District
Fresno Westside Mosquito Abatement District
Lower San Joaquin Levee District
Tranquility Resource Conservation District

FROM: Rick Ballantyne, Executive Officer

PROPOSAL: City of Mendota "Wastewater Treatment Plant Expansion" and "Sphere of Influence Revision", LAFCo File No. RO-08-3 and RSOI-150

The attached application has been filed for processing with the Local Agency Formation Commission (LAFCo) Office. In accordance with Government Code Section 56386, your agency's assistance in reviewing and commenting on this application is requested.

Please return any comments you have regarding this proposed reorganization by February 25, 2008. Thank you.

Jeff Bryant, MANAGER — 2/14/08
Signature and Title — Date

RB:cf

Attachments: Application, Map, Legal Description, Service Plan, and Resolution

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA 93721
Phone: (559) 495-0604 • Fax: (559) 495-0655 • E-mail: cfleming@co.fresno.ca.us

AGENCY CONSENT FOR WAIVER OF PROTEST HEARING "WASTEWATER TREATMENT PLANT EXPANSION", LAFCo AGENCY NO. RO-08-3 AND "SPHERE OF INFLUENCE REVISION", LAFCo AGENCY NO. RSOI-150

PLEASE BE ADVISED that all affected local agencies that will gain or lose territory as a result of this proposed annexation or reorganization must consent in writing to a waiver of protest proceedings or this proposal will automatically be scheduled for a protest hearing (Gov Code Sec 56663(d)).

The written signature of an authorized official of your agency is necessary to preclude the scheduling and holding of a protest hearing. If you sign this waiver now and circumstances change, you may rescind this waiver and request protest proceedings at any time prior to and/or at the public hearing for this item.

If you are unable to sign this waiver we would appreciate an explanation outlining your reasons and/or a written statement summarizing the reasons your agency wishes LAFCo to hold a protest hearing for this proposal. In either case, if you do not sign this waiver your presence at its scheduled LAFCo hearing and following protest hearing is requested.

As representative of the **Fresno County Fire Protection District,** an affected agency, the signature below serves as consent for the Fresno Local Agency Formation Commission to waive Protest Proceedings for this reorganization pursuant to Section 56663 (If 100% of the landowners have consented to the proposed annexation).

Please return this form and any comments by February 19, 2008. Thank you.

Signature Waiving Protest Proceedings — Date: 2/25/08

210 S. ACADEMY SANGER
Address

Local Agency Formation Commission
2115 Kern Street, Suite 310
Fresno, CA 93721

FEB 2008
Received
FRESNO
LAFCO

AGENCY CONSENT FOR WAIVER OF PROTEST HEARING "WASTEWATER TREATMENT PLANT EXPANSION", LAFCo AGENCY NO. RO-08-3 AND "SPHERE OF INFLUENCE REVISION", LAFCo AGENCY NO. RSOI-150

PLEASE BE ADVISED that all affected local agencies that will gain or lose territory as a result of this proposed annexation or reorganization must consent in writing to a waiver of protest proceedings or this proposal will automatically be scheduled for a protest hearing (Gov Code Sec 56663(d)).

The written signature of an authorized official of your agency is necessary to preclude the scheduling and holding of a protest hearing. If you sign this waiver now and circumstances change, you may rescind this waiver and request protest proceedings at any time prior to and/or at the public hearing for this item.

If you are unable to sign this waiver we would appreciate an explanation outlining your reasons and/or a written statement summarizing the reasons your agency wishes LAFCo to hold a protest hearing for this proposal. In either case, if you do not sign this waiver your presence at its scheduled LAFCo hearing and following protest hearing is requested.

As representative of the **Silver Creek Drainage District,** an affected agency, the signature below serves as consent for the Fresno Local Agency Formation Commission to waive Protest Proceedings for this reorganization pursuant to Section 56663 (If 100% of the landowners have consented to the proposed annexation).

Please return this form and any comments by February 25, 2008. Thank you.

Signature Waiving Protest Proceedings — Date: 2/14/2008

P.O. Box 97, Mendota, CA 93640
Address

NOTICE OF INCOMPLETE APPLICATIONS

DATE: **January 31, 2008**

TO: **Gabriel Gonzalez, City Manager, City of Mendota**

FROM: **Rick Ballantyne, Executive Officer**

SUBJECT: **"City of Mendota Wastewater Treatment Plant Expansion Program" and "Sphere of Influence Revision"**

Please be informed that the Fresno Local Agency Formation Commission (LAFCo) received your application materials for the wastewater plant expansion listed above on January 30, 2008. Following a review of your application materials we find this application to be incomplete. We have provided a list of the items that are needed to complete your applications (see marked items below).

After receiving an application the Executive Officer is allowed 30 days to determine whether the application is complete and acceptable for filing or whether the application is incomplete. A "complete" application is one that has been submitted in the form prescribed by the Commission and containing all of the information and data required pursuant to State law.

When an application is accepted for filing, the Executive Officer issues a Certificate of Filing to the applicant. From the date of issuance of a Certificate of Filing an application shall be deemed filed. If an application is determined not to be complete, the Executive Officer is required to transmit that determination to the applicant specifying those parts of the application which are incomplete and the manner in which they can be made complete.

Following the issuance of the Certificate of Filing, the Executive Officer will proceed to set the Proposal for hearing and give published notice. The hearing must take place within 90 days after issuance of the Certificate of Filing. Gov. Code sections 56652, 56653, 56654, 56700 *et seq.*

- **The Application and Resolution needs to be revised to indicate detachment from the Fresno County Fire Protection District and Silver Creek Drainage District.** (The Kings River Conservation District and Consolidated Irrigation District do not serve this area. Please refer to maps locations on our website at www.fresnolafco.org.).

- **Please submit a separate application for the Sphere of Influence Revision.**

- **Letter from Bart Bohn stating the proposal is consistent with the City/County MOU.**

- **Please provide a copy of the Service Plan and Environmental documents on a disc.**

- **All agencies gaining or losing territory must provide a waiver of protest proceedings in writing. While this office will notify these agencies and request each agency to sign a waiver of protest proceedings with regard to this proposal, if such signed statement is not received by this office prior to the scheduled hearing a Protest Hearing will be required (if approved). Proponents may wish to request such a statement from each affected agency and submit an original copy to this office. Please remember that the Fresno County Fire Protection District and Silver Creek Drainage District are affected agencies and must submit signed written waivers of protest proceedings.**

  You have indicated that the affected territory is uninhabited (under 12 registered voters). How this proposal is legally noticed and the statutes regulating Conducting Authority Proceedings (protests) may change should the Elections Division determine the territory to be inhabited.

Your application materials will be returned if we do not receive the necessary items listed above to complete your application in 30 days **(February 29, 2008)**. The items needed to complete your application may change depending on comments from affected agencies and responses to requests for information from County departments, responsible and interested agencies. Regardless of the date of submission, this proposal will not be scheduled for public hearing until the Executive Officer issues a Certificate of Filing. In order to have your request considered by the Commission, your application must be determined to be complete before the date necessary for submission of the legal notice to the publisher. You will be scheduled for the next LAFCo hearing available following the issuance of a Certificate of Filing and required legal noticing.

Thank you.

RB:cf

Stop #3
Assessor's Office
Attn: Nick LaVerne

Stop #214
Planning Division
Bernard Jimenez

Stop #28
Elections
Betty Vaughn

Stop #178
Environmental Health
Sheri Clark

Stop #187
County Committee on School District
Organizations

Mendota Unified School District
115 McCabe Avenue
Mendota, Ca 93640

State Center Community
College District
1525 E. Weldon Avenue
Fresno, CA 93704

Baker Manock & Jensen
ATTN: Ken Price
5260 N. Palm- 4th Floor
Fresno, CA 93704

Stop #185
Historical Landmarks and Records
Commission

Stop #185
Fresno County Library
Karen Bosch-Cobb

Marc Birnbaum, Chief
Office of Transportation Planning
1352 W. Olive Avenue
Fresno, CA 93728

West Fresno County Red Scale
Protective District
21136 Trimmer Springs Road
Sanger, CA 93657

Firebaugh Resource
Conservation District
P.O. Box 97
Mendota, CA 93640

Firebaugh Canal Water District
P.O. Box 97
Mendota, CA 93640

Fresno Westside Mosquito
Abatement District
P.O. Box 125
Firebaugh, CA 93622

Lower San Joaquin Levee District
11704 W. Henry Miller Avenue
Dos Palos, CA 93620

Tranquillity Resource
Conservation District
P.O. Box 487
Tranquillity, CA 93668

Natural Resource Conservation Service
4625 W. Jennifer, Suite 125
Fresno, CA 93722

Regional Water Quality Control Board
Central Valley Region
1685 E Street
Fresno, CA 93706-2020

State Department of Health Services
Office of Drinking Water
1040 E. Herndon Ave., Suite 205
Fresno, 93720-3158

Bureau of Reclamation
Attn: Ms. Barbara Hidleburg
1243 "N" Street
Fresno, CA 93721

Bureau of Reclamation
Attn: Siran Erysian
1243 "N" Street
Fresno, CA 93721

Fresno County Fire Protection District
210 S. Academy Ave.
Sanger, CA 93657

Silver Creek Drainage District
P.O. Box 97
Mendota, CA 93640

Application Mailing
Sent out on
2-12-08

CHANGE OF ORGANIZATION OR REORGANIZATION
CORTESE-KNOX LOCAL GOVERNMENT REORGANIZATION
(Government Code Sec. 56000, et seq.)

CITY ANNEXATION APPLICATION
Proposals Initiated by Resolution or Petition

FRESNO LOCAL AGENCY FORMATION COMMISSION
2100 TULARE STREET, SUITE 502
Fresno, CA 93721 PHONE: (559) 495-0604

Mike Waiczis, Executive Officer
Candie Fleming, Secretary

OFFICE USE ONLY:

LAFCo File No.
RO-08-3

Date Received

JAN 2008
Received
FRESNO

Name of Proposal City of Mendota WWTP Expansion Project

Changes of Organization listed in Resolution or Petition Annexation to Mendota and Silver Creek Drainage District and Detachment from ~~Kings River Conservation District, Consolidated Irrigation District and~~ Fresno Co. Fire Protection District.

Signature of Chief Petitioner or Representative of Initiating Agency

January 30, 2008
Date

Name Gabe Gonzalez Address 643 Quince St. Mendota, CA 93640

Title City Manager Phone 655-3291

This application and attached documents are complete and are in all respects true and correct to the best of my knowledge.

List the name and address of officers or persons, not to exceed three in number, who are to receive the notice of hearing and the Executive officer's Report.

Name	Address and Zip Code
City of Mendota	643 Quince Street, Mendota, CA 93640

1. Reasons for Proposal

A. State the reasons for this change, and why the change is proposed at this time.

Expansion of the Required Disposal Area for the WWTP as Mandated by the RWQCB

B. Describe in detail any proposed development:

Development location and acreage 463.19 See attached maps

Types of uses and number of units Public facilites

Project file numbers and status See attached City Council Resolutions

Other details:

If already developed, describe in detail any added service and greater frequency or range of services to be provided to residents of this area.

Public facilities-Expansion of Existing WWTP

11/14/00

C. What is the reason for the proposal boundaries? Describe the city plan to annex any remaining substantially surrounded area created.

Comprehensive annexation of Land needed for the Expansion of the City WWTP.

D. Amount of vacant land in acres in the community plan area already in the City that could accommodate the proposed development.

N/A

Comment on why the proposed annexation is justified given the amount of vacant land in the City already.

N/A

2. Information on Proposal Area and Vicinity

A. Acreage 463.19 No. of Registered Voters 0

No. of Residences 0 No. of Landowners 1

Population Est. 0 County Zoning AG

City Zoning Upon Annexation Public facilities

B. List the uses of land in the affected area and give acreage for each. If in agricultural use, list crops produced over the past three years.

N/A City owned property

C. If annexation/development is adjacent to agricultural parcels, how has the city buffered the developing area or mitigated the impact of development on agricultural parcels.

Right to Farm Ordinance

D. Is any of the affected territory in an agricultural preserve or under Land Conservation Contract? No
If so give date of Contract Execution _____

Does the resolution of application state the City's intention to succeed or not to succeed to the contract? N/A If not to succeed, include copy of City Protest to Board of Supervisors or LAFCo.

E. Does the proposed development and change of organization conform to the City General and Specific Plans (explain if not conforming)?

Yes-See attached Resolutions

What is the City plan designation?

Public facilities

What is the County plan designation?

AG

3. Information on Services

A. List below the names of agencies or companies now providing services and which agency will provide service after annexation completion. Include estimated date new service will begin (use "UA", if upon annexation, "UD" if upon development).

	Existing	Proposed Change	Date
Domestic Water	N/A		
Sewer Collection	N/A		
Solid Waste Collection	N/A		
Street Lighting	N/A		
Parks and Recreation	N/A		
Fire Protection	Fresno County Fire Protection Dist.		
(station distance)			
Paramedic	Fresno County Fire Protection Dist.		
(station distance)			
Police	County Sheriff		
Storm Drainage	N/A		
Elementary School	N/A		
High School	N/A		

B. Comment on the municipal or other public service facilities or improvements which will serve the affected territory after annexation listed above (including water or sewer lines or facilities, fire stations, school facilities). Are any of these services or facilities near or beyond their capacity to adequately serve the area? _____ Are there any notices or orders to the city from any agency including state or federal agencies, related to these services or facilities and their capacities that would affect services to the proposal?

Expansion of Existing City WWTP

If yes, explain which public service agency is affected, i.e. city or district, how these improvements/facilities will be upgraded, when and how financed, or how any deficiencies are being met. USDA Loan for Expansion Project

4. Information on Costs and Revenue

A. Is there any outstanding general bonded indebtedness for any of the agencies whose boundaries are changed by this proposal?

No

B. If so, give information listed below:

Name of Agency	Bond Tax Rate for Affected Territory	Date of Maturity	General Purpose of Bond

C. Is the affected territory to be subject to all of the above general bonded indebtedness upon annexation? N/A

D. If any costs of services to be or already being received by residents within the affected territory will change as a result of this proposal, give breakdown of change for a typical residential landowner or resident in the affected territory for comparison purposes.

N/A

E. If any resident or landowner in the affected area will be required to connect to sewer or water lines as a result of annexation or construct any other improvements (other than as a requirement for a proposed development), list requirements, when required, and any other special circumstances related. (A letter from City to residents and landowners should also indicate these requirements.)
N/A

5. Information on Processing Change of Organization or Reorganization

A. [X] Letter from the County confirming consistency with the MOU.

B. Property Tax Exchange (Revenue & Tax Code 99 & 99.1) Check either:

[X] Master Tax Agreement should apply to the change. If so, provide letter indicating consistency with the master agreement.

[ ] Other agreement for change is to be negotiated (Explain other agreement).

C. Compliance with California Environmental Quality Act. Check either:

[ ] Project is Exempt and a Notice of Exemption, prepared in consultation with LAFCo, is included.

[X] An initial study is complete and a Negative Declaration prepared for the annexation in consultation with LAFCo and other affected agencies and is included.

[ ] An EIR has been prepared for the annexation project and 10 copies are included.

D. Initiation of Application. **A clear and reproducible legal description and map meeting Commission standards must be included,** and a copy also attached to the resolution or petition. Check either:

[X] A certified resolution of application is included.

[ ] A petition of landowners or registered voters is included.

E. Landowner Consent or Notice. Check either:

[X] Signed LAFCo property owner consent forms for all landowners are included as shown on Assessor's roll.

or

[ ] Letter of Notification to Landowner and Residents (if no consent of all landowners).

a. All property owners and residents must be notified of the change and how to receive notice of LAFCo hearing.

b. For inhabited proposals, a City response to a neighborhood meeting, held for the annexation listing the issues and the City response.

F. Municipal Service Plan. Check either:

[ ] A Service Plan for the change is included.

[X] A Master Service Plan is filed with LAFCo and is current (updated in 1993 or later).

G. Waiver of Conducting Authority proceeding.

[ ] Check if all landowners have consented in writing and there are less than twelve registered voters, all annexing agencies have consented in writing to waive further Conducting Authority proceeding, and City is requesting waiver of Conducting Authority proceedings.

6. Supplementary Maps

A map(s) showing land use, water and sewer service lines, and City and County zoning for the affected area and vicinity.

7. Application Fees

A fee must accompany the application in accordance with the LAFCo fee schedule.

8. Political Reform Act Compliance

List of Affected Landowners and Financial Interests.

For all uninhabited proposals, or proposals where land use entitlements have been or may be filed with the city, the names of all landowners, lessees, options to purchase or lease the property, or any other having any ownership or financial interest in the property, must be furnished with the applications. If the interest is a corporation or partnership, list all persons owning more than 10% of the corporation shares or interest in partnership. If a trust or non-profit organization, list any directors or trustees, trustors, or beneficiaries.

City of Mendota

If an applicant for or participant of any proceeding has made a campaign contribution of more than $250 to or for any of the Commission members, state law provides for disqualification of Commissioner voting, or even prohibition of such gifts. These restrictions also apply to agents of applicants or participants. Please consult with Commission staff as to the requirements of the Political Reform Act (government Code Section 84308).

LEGAL INDEMNITY

Should the Fresno Local Agency Formation Commission ("Fresno LAFCo") be named as a party in any litigation (including a "validation" action under CCP 860 *et seq.*) or administrative proceeding in connection with the Applicant's proposal, Applicant agrees to indemnify, hold harmless, and promptly reimburse Fresno LAFCo for:

1) All reasonable expenses and attorney's fees in connection with the defense of Fresno LAFCo; and

2) Any damages, penalties, fines or other costs imposed upon or incurred by Fresno LAFCo, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application *or* adoption of the environmental document, which accompanies it. The Fresno LAFCo Executive Officer may require a deposit of funds sufficient to cover estimated expenses of the litigation. Applicant agrees that Fresno LAFCo shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit Applicant's obligations to indemnify and reimburse defense costs.

Applicant may be required by Fresno LAFCo to execute an additional indemnity agreement as a condition of approval for this application. Such an agreement in no way limits the effect of obligations provided for herein.

City or District Application	-or-	**Land Owner Petition Application**
City/District Representative Signature		Land Owner Signature
Gabriel A. Gonzalez Print Name		Print Name
1/30/08 Date		Date.

BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENDOTA APPROVING THE ADOPTION OF A RESOLUTION OF APPLICATION FOR ANNEXATION AND SPHERE OF INFLUENCE EXPANSION NO. 07-02 AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE KINGS RIVER CONSERVATION DISTRICT, THE SILVER CREEK DRAINAGE DISTRICT, THE CONSOLIDATED IRRIGATION DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

RESOLUTION NO.08-09

WHEREAS, at a regularly held meeting on December 11, 2007, the Mendota City Council did consider Annexation No. 07-02 for the City of Mendota Wastewater Treatment Plant Expansion and Improvement Project pursuant to the Local Government Reorganization Act of 2000 for the purpose of sphere of influence expansion and annexation to the City of Mendota and detachment from the Kings River Conservation District, the Consolidated Irrigation District, and the Fresno County Fire Protection District; and

WHEREAS, the City Council determined that the proposal is consistent with the Mendota General Plan, as amended. The General Plan designates the area of reorganization for urban uses as Public Facilities and the territory has been Pre-Zoned Public Facilities, consistent with the land use designation; and

WHEREAS, the boundaries of the territory proposed for reorganization are set forth in Exhibit "A" and "B" attached hereto and by this reference incorporated herein Fresno County Assessor's Parcel Numbers,013-020-30T, 013-030-56S, 013-050-21, 013-050-30, 013-050-58S, 013-050-59S, 013-050-60S, 013-050-61S, 013-050-62S, 013-050-63S, 013-050-64S, 013-050-65S, 013-050-66S, 013-050-67S ;and

WHEREAS, this proposal also requires the expansion of the adopted Sphere of Influence of the City of Mendota and is adjacent to the City Limits of the City of Mendota; and

WHEREAS, the City has completed an Initial Study/Mitigated Negative Declaration and has determined that the proposal will not have an adverse effect on the environment and, therefore, a no EIR has been prepared for the project; and

WHEREAS, the Initial Study and Mitigated Negative Declaration contains no evidence that the proposal will individually or cumulatively have an adverse effect on wildlife resources as defined by Section 711.2 of the Fish and Game Code; and

WHEREAS, said proposal is made to facilitate urban development as planned

by the Mendota General Plan and to achieve stated community goals and objectives for providing municipal wastewater collection, treatment and disposal that will enable the City to foster and promote needed housing while assuring that growth occurs in an orderly manner.

NOW, THEREFORE, BE IT RESOLVED that the Mendota City Council hereby adopts the Resolution of Application, to be forwarded to the Fresno Local Agency Formation Commission, requesting that proceedings be conducted pursuant to the Local Government Reorganization Act of 2000 for Sphere of Influence and Annexation No 07-02.

Robert Silva, Mayor

ATTEST:

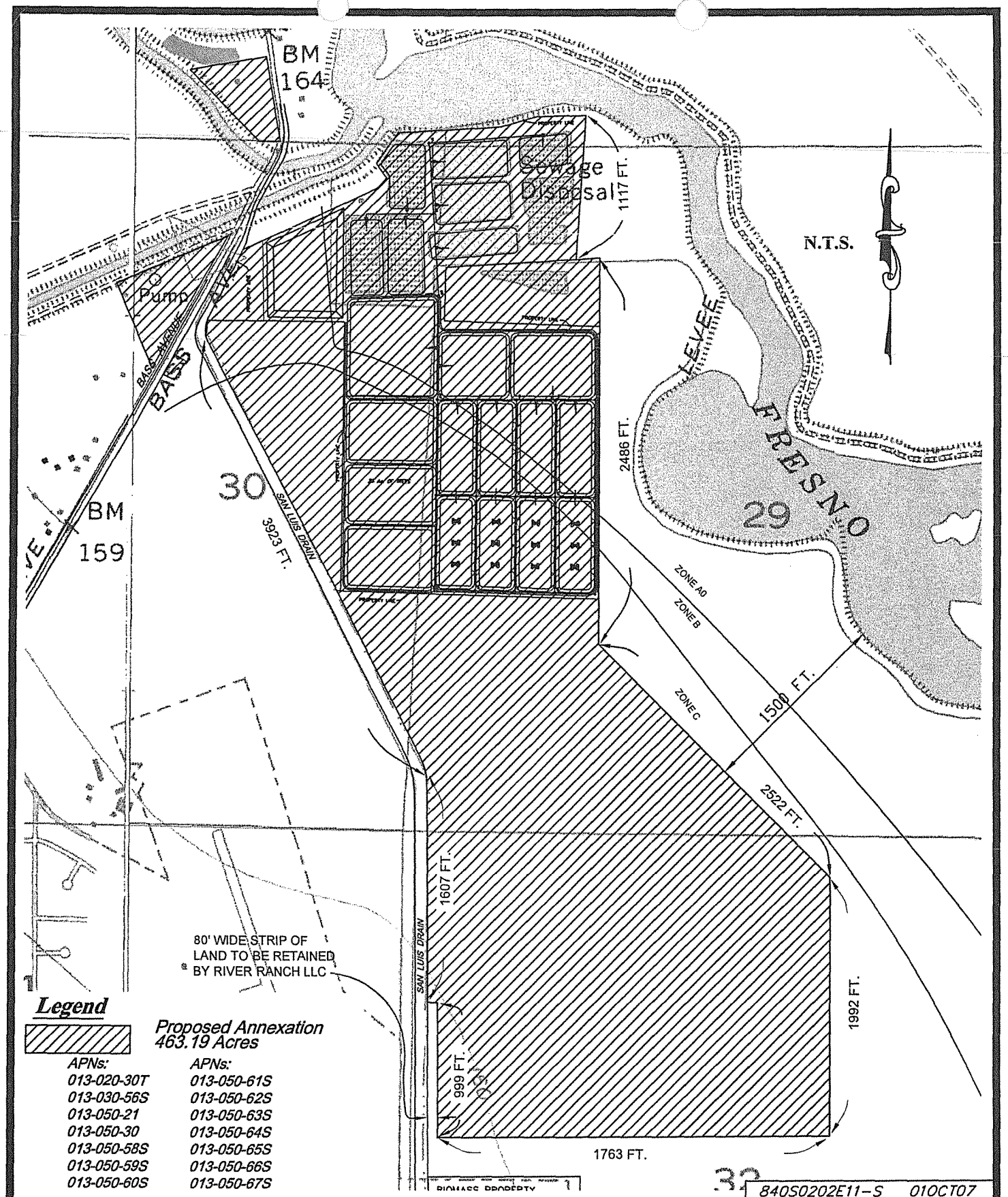
I, Krystal M. Chojnacki, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 12th day of February, 2008, by the following vote:

AYES:	4 – Mayor Silva, Mayor Pro Tem Amador, Council Members Capuchino and Covarrubia.
NOES:	0
ABSENT:	1 – Council Member Riofrio
ABSTAIN:	0

Krystal M. Chojnacki, City Clerk

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

ATTACHMENT:
Exhibit 'A' – Territory Location Map



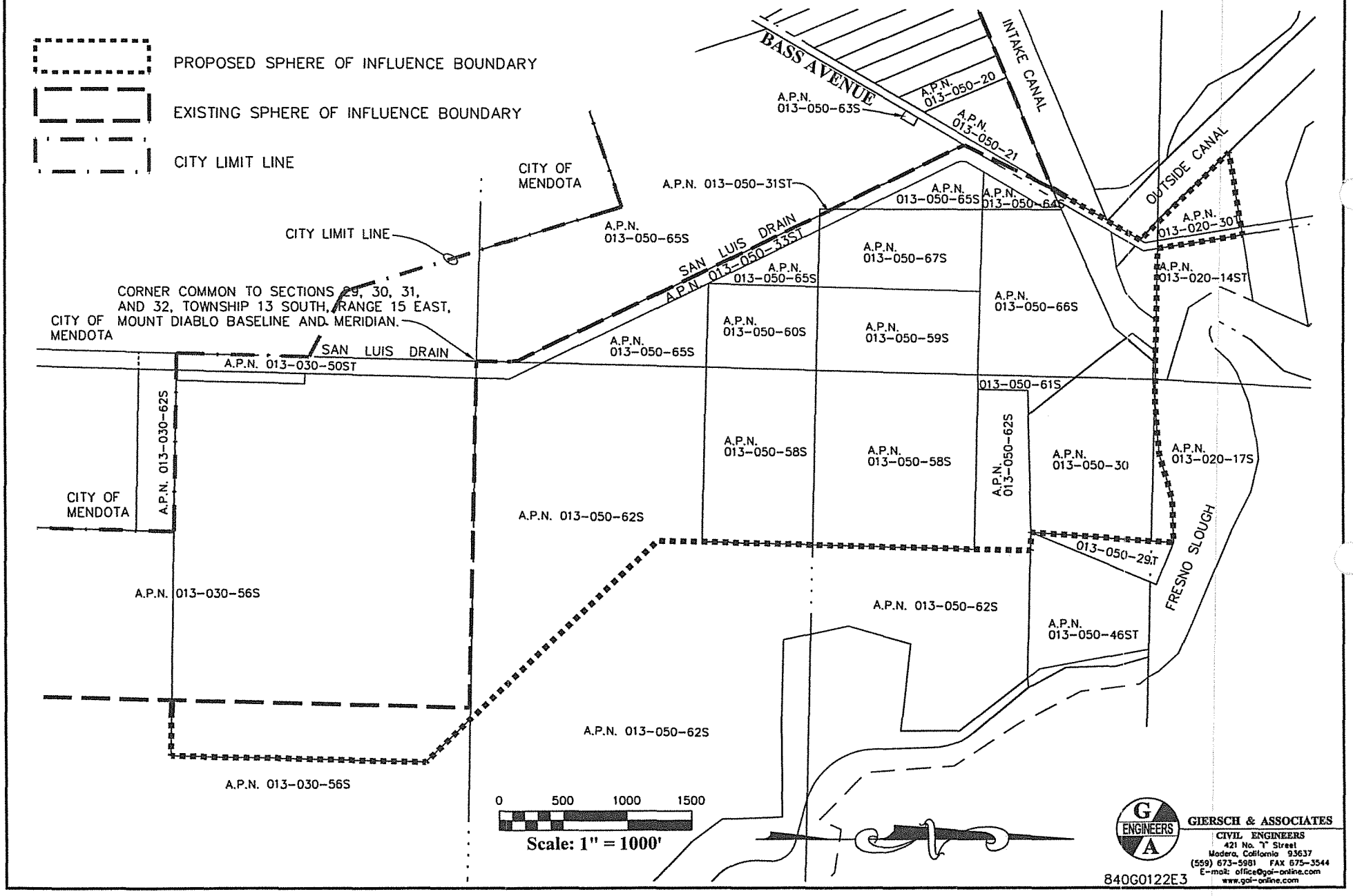
840S0202E11-S 010CT07

CITY OF MENDOTA - ANNEXATION #07-02

EXHIBIT 'A' - TERRITORY LOCATION MAP

GIERSCH & ASSOCIATES
CIVIL ENGINEERS
421 No. "I" Street
Madera, California 93637
(559) 673-5981 FAX 673-3544
E-mail: office@gai-online.com

SPHERE OF INFLUENCE EXPANSION EXHIBIT "B"
"WASTE WATER TREATMENT FACILITIES ANNEXATION"



CITY OF MENDOTA

"Cantaloupe Center Of The World"

CLERK'S CERTIFICATE

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, State of California, do hereby certify that the foregoing is a full, true and correct copy of Resolution 08-09 duly approved and adopted by the City Council of the City of Mendota on the dates therein stated and as appears on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Mendota on February 13, 2008.

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Krystal M. Chojnacki, City Clerk

643 Quince Street Mendota, California 93640
Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)
www.ci.mendota.ca.us

BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENDOTA APPROVING THE ADOPTION OF A RESOLUTION OF APPLICATION FOR ANNEXATION AND SPHERE OF INFLUENCE EXPANSION NO. 07-02 AN ANNEXATION TO THE CITY OF MENDOTA AND DETACHMENT FROM THE KINGS RIVER CONSERVATION DISTRICT, THE CONSOLIDATED IRRIGATION DISTRICT, AND THE FRESNO COUNTY FIRE PROTECTION DISTRICT

RESOLUTION NO. 07-49

Superseded by Resolution 08-09

WHEREAS, at a regularly held meeting on December 11, 2007, the Mendota City Council did consider Annexation No. 07-02 for the City of Mendota Wastewater Treatment Plant Expansion and Improvement Project pursuant to the Local Government Reorganization Act of 2000 for the purpose of sphere of influence expansion and annexation to the City of Mendota and detachment from the Kings River Conservation District, the Consolidated Irrigation District, and the Fresno County Fire Protection District; and

WHEREAS, the City Council determined that the proposal is consistent with the Mendota General Plan, as amended. The General Plan designates the area of reorganization for urban uses as Public Facilities and the territory has been Pre-Zoned Public Facilities, consistent with the land use designation; and

WHEREAS, the boundaries of the territory proposed for reorganization are set forth in Exhibit "A" and "B" attached hereto and by this reference incorporated herein Fresno County Assessor's Parcel Numbers, 013-020-30T, 013-050-21, 013-050-63s, 013-050-58s,013-050-65s, 013-050-67s, 013-050-59s, 013-50-60s, 013-050-62s, 013-030-56s,013-030-56s; and

WHEREAS, this proposal also requires the expansion of the adopted Sphere of Influence of the City of Mendota and is adjacent to the City Limits of the City of Mendota; and

WHEREAS, the City has completed an Initial Study/Mitigated Negative Declaration and has determined that the proposal will not have an adverse effect on the environment and, therefore, a no EIR has been prepared for the project; and

WHEREAS, the Initial Study and Mitigated Negative Declaration contains no evidence that the proposal will individually or cumulatively have an adverse effect on wildlife resources as defined by Section 711.2 of the Fish and Game Code; and

WHEREAS, said proposal is made to facilitate urban development as planned by the Mendota General Plan and to achieve stated community goals and objectives

for providing municipal wastewater collection, treatment and disposal that will enable the City to foster and promote needed housing while assuring that growth occurs in an orderly manner.

NOW, THEREFORE, BE IT RESOLVED that the Mendota City Council hereby adopts the Resolution of Application, to be forwarded to the Fresno Local Agency Formation Commission, requesting that proceedings be conducted pursuant to the Local Government Reorganization Act of 2000 for Sphere of Influence and Annexation No 07-02.

Robert Silva, Mayor

ATTEST:

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, do hereby certify that the foregoing resolution was duly adopted and passed by the City Council at a regular meeting of said Council, held at the Mendota City Hall on the 11th day of December, 2007, by the following vote:

AYES:	4 - Mayor Silva, Mayor Pro Tem Amador, Council Members Covarrubia and Capuchino.
NOES:	0
ABSENT:	1 - Council Member Riofrio
ABSTAIN:	0

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Krystal M. Chojnacki, City Clerk

ATTACHMENT:
Exhibit 'A' – Territory Location Map

Exhibit 'A' – Territory Location Map

ANNEXATION NO. 07-02

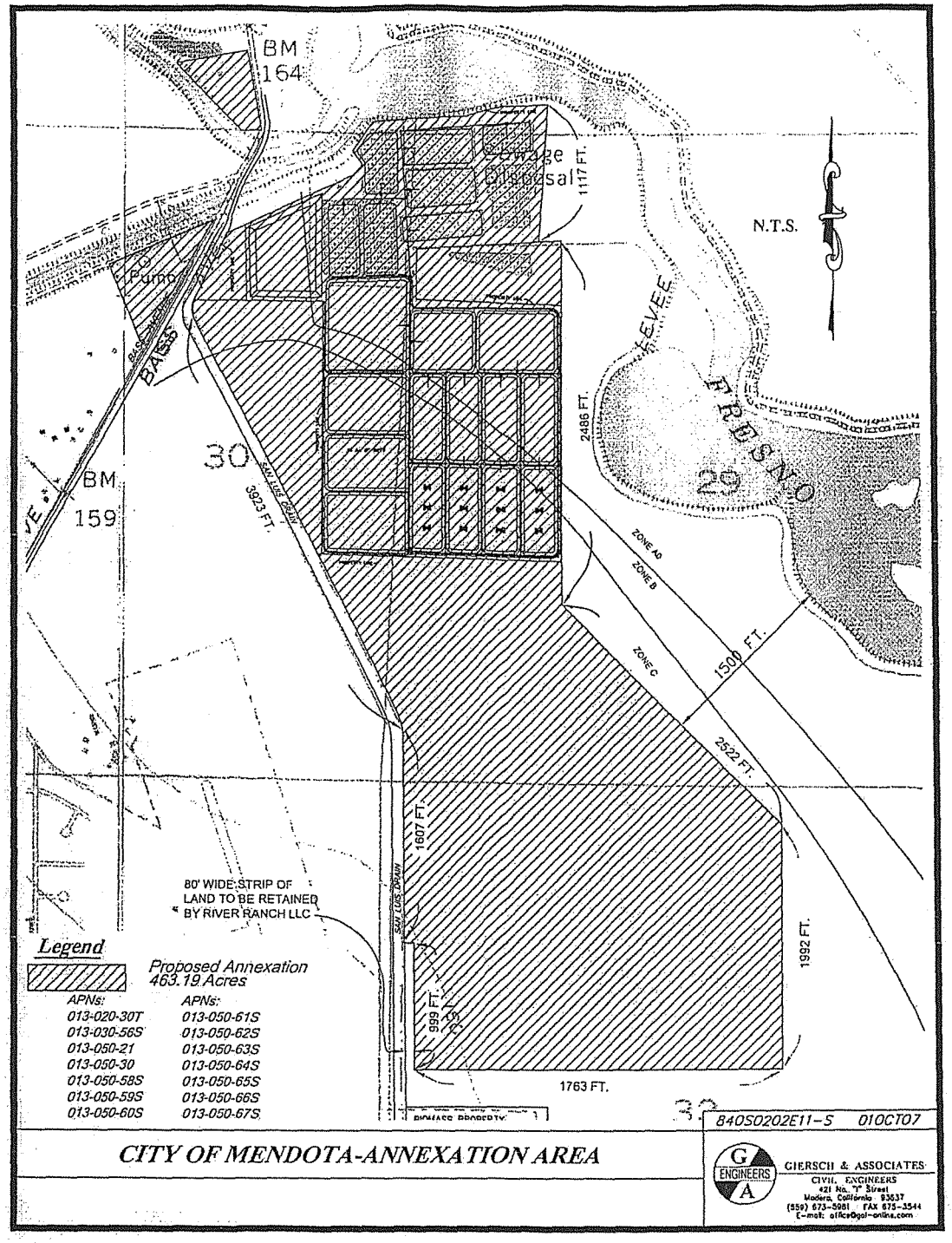
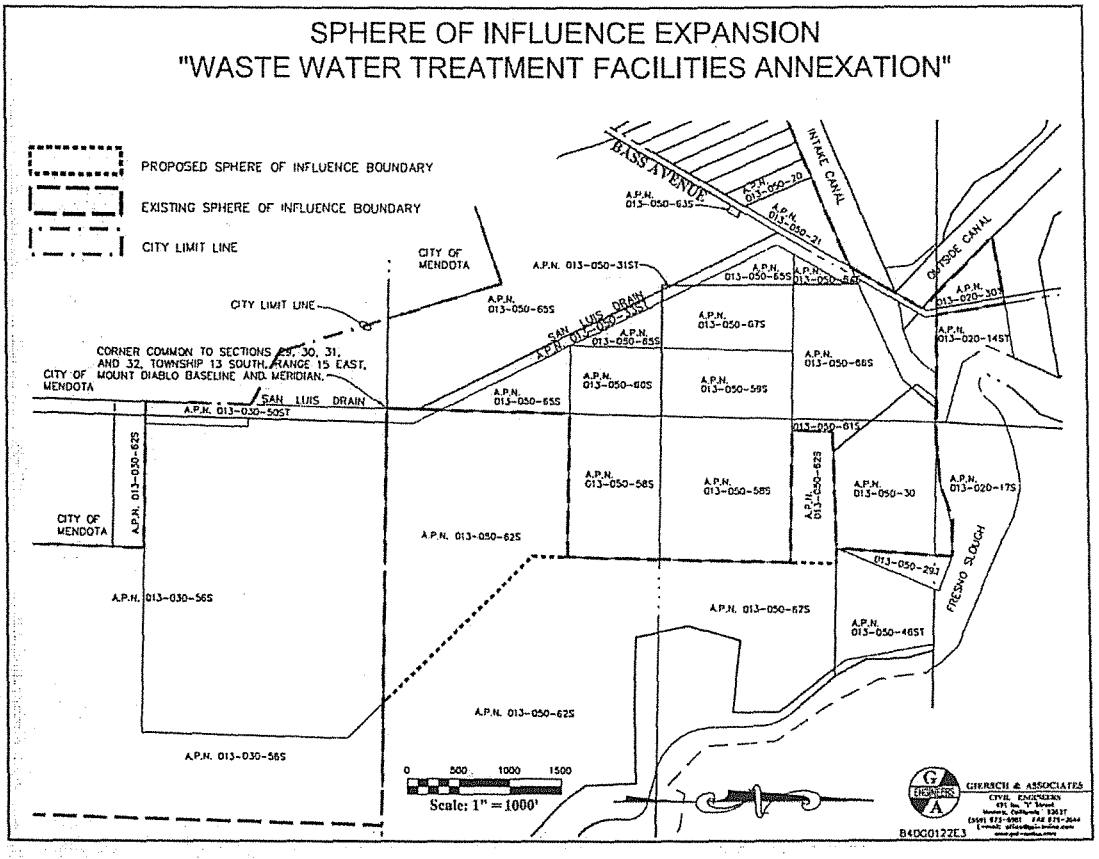


Exhibit 'B' – Territory Location Map

Sphere of Influence Expansion



CITY OF MENDOTA

"Cantaloupe Center Of The World"

CLERK'S CERTIFICATE

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, State of California, do hereby certify that the foregoing is a full, true and correct copy of Resolution 07-49 duly approved and adopted by the City Council of the City of Mendota on the dates therein stated and as appears on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Mendota on December 13, 2007.

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Krystal M. Chojnacki, City Clerk

643 Quince Street Mendota, California 93640
Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)
www.ci.mendota.ca.us

BEFORE THE CITY COUNCIL
OF THE
CITY OF MENDOTA, COUNTY OF FRESNO

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENDOTA, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT FOR THE WASTEWATER TREATMENT PLANT EXPANSION AND IMPROVEMENT PROJECT – Assessor's Parcel Numbers PARCELS 013-020-30T, 013-050-21, 013-050-63s, 013-050-58s,013-050-65s, 013-050-67s, 013-050-59s, 013-50-60s, 013-050-62s, 013-030-56s,013-030-56s FROM AGRICULTURE AND INDUSTRIAL TO PUBLIC FACILITIES

RESOLUTION NO. 07-48

WHEREAS, the City of Mendota has processed the City project of the Wastewater Treatment Plant Expansion and Improvement Project for a General Plan Amendment and Pre-Zoning, and,

WHEREAS, the City of Mendota has processed the General Plan Amendment application for the property,

WHEREAS, the City Community Development Department has processed the project in accordance with the Mendota Municipal Code, and,

WHEREAS, The City of Mendota General Plan Land Use Map for the property is inconsistent with the adjacent land uses and amendment to the General Plan Land Use Map has been proposed by the City to allow the expansion and improvement of the existing Wastewater Treatment Plant; and,

WHEREAS, the City of Mendota determined that the amendment of the General Plan did constitute a project under the California Environmental Quality Act and an Initial Study/Mitigated Negative Declaration was prepared, and,

WHEREAS, a Public Hearing was noticed in accordance with State Law for the December 11, 2007 City Council meeting, and,

NOW, THEREFORE, the City Council of the City of Mendota hereby finds and resolves as follows:

Findings:

1. The proposed amendment to the Mendota General Plan provides for the orderly development of the City;

2. The proposed amendment will reduce potential land use conflicts of the existing agricultural designation of the property and the surrounding residential dwelling units and ;
3. The proposed amendment will provide for the expansion of pubic infrastructure;
4. The proposed amendment addresses the need to balance growth in various locations in the City;
5. The proposed amendment is consistent with the General Plan Housing Element and provides for the necessary infrastructure for the City to achieve a jobs housing balance for residents of the City;
6. The proposed land use can be served by reasonable extensions of City infrastructure and services;
7. The proposed amendment addresses the need to provide additional land in the City to accommodate the increase demand on the Wastewater Treatment Plant to meet the population growth projections of the City.

Evidence

Evidence for the above findings are contained in the staff reports presented to the City Council and public testimony presented at the public hearing.

General Plan Amendment

The Mendota Land Use Element of the General Plan for Assessors Parcel Numbers013-020-30T, 013-050-21, 013-050-63s, 013-050-58s,013-050-65s, 013-050-67s, 013-050-59s, 013-50-60s, 013-050-62s, 013-030-56s,013-030-56s is hereby changed from Agricultural and Industrial designations to Public Facilities as depicted on attached Exhibit "A".

APPROVED, PASSED, AND ADOPTED THIS 11th OF DECEMBER 2007, BY THE FOLLOWING VOTE:

AYES: 4 - Mayor Silva, Mayor Pro Tem Amador, Council Members Covarrubia and Capuchino.

NOES: 0

ABSENT: 1 - Council Member Riofrio

ABSTAIN: 0

Robert Silva, Mayor

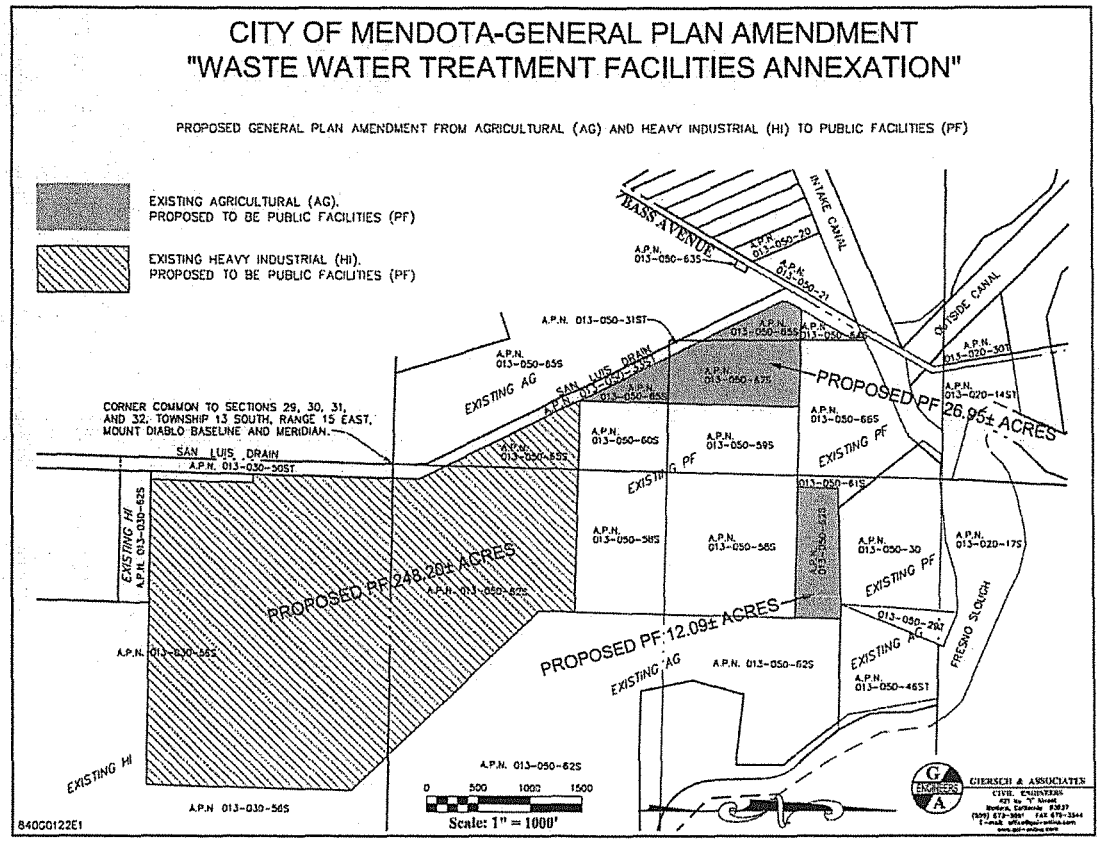
ATTEST:

Krystal M. Chojnacki, City Clerk

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

EXHIBIT A

GENERAL PLAN AMENDMENT



CITY OF MENDOTA

ORDINANCE NO. 07-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENDOTA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MENDOTA BY PREZONING PARCELS 013-020-30T, 013-050-21, 013-050-63s, 013-050-58s, 013-050-65s, 013-050-67s, 013-050-59s, 013-50-60s, 013-050-62s, 013-030-56s FROM AG (AGRICULTURAL) AND HEAVY INDUSTRIAL (HI) DISTRICTS TO PF (PUBLIC FACILITIES (DISTRICT)

WHEREAS, the City Council of the City of Mendota has determined that it is in the Public's interest to amend the Official Zone Map of the City of Mendota related to Parcel No(s). 013-020-30T, 013-050-21, 013-050-63s, 013-050-58s,013-050-65s, 013-050-67s, 013-050-59s, 013-50-60s, 013-050-62s, 013-030-56s,013-030-56s at the recommendation of the City Manager, and;

WHEREAS, a Public Hearing has been advertised and conducted pursuant to the Mendota Municipal Code, and public comment has been solicited.

WHEREAS, all property owners within a 300 feet radius of the property were notified of the public hearing by U.S. Postal Service regular mail, as determined by the current Fresno County Assessor's Tax Roll.

WHEREAS, Notice of the Public Hearing was published in the November 28, 2007 edition of the Firebaugh/Mendota Journal, and also posted on the City Hall Bulletin Window on November 28, 2007.

WHEREAS, the City Council has determined that the Pre-Zoning is consistent with the provisions of the City of Mendota General Plan, Land Use Elements and Government Code Section 65860, and;

WHEREAS, a Public Hearing has been advertised and conducted pursuant to the Mendota Municipal Code, and public comment has been solicited by the City Council, and;

WHEREAS, the City Council conducted a noticed and scheduled public hearing to consider Pre-Zoning the property at their regularly scheduled December 11, 2007 meeting, and;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MENDOTA ORDAINS AS FOLLOWS:

1. The official Zoning Map of the City of Mendota is hereby amended as show on Exhibit A, which is herein incorporated by reference and made a part of Ordinance No. 07-07.

2. At least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted, a summary prepared by the City Attorney, shall be published and circulated in the City of Mendota, and a certified copy of the Ordinance shall be posed in the Office of the City Clerk.

3. Within fifteen (15) days after its adoption, a Summary of the Ordinance, prepared by the City Attorney, together with the names of those City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation published and circulated in the City of Mendota, and a certified copy posted in the Office of the City Clerk.

4. This ordinance shall take effect thirty (30) days after its passage.

****

The foregoing Ordinance was introduced on December 11, 2007, and duly and regularly passed by the Council of the City of Mendota at a regular meeting thereof held on the 22nd day of January 2008, by the following vote:

AYES: 3 – Mayor Silva, Mayor Pro Tem Amador and Council Member Covarrubia.
NOES: 0
ABSENT: 2 – Council Members Capuchino and Riofrio.

Robert Silva, Mayor

ATTEST:

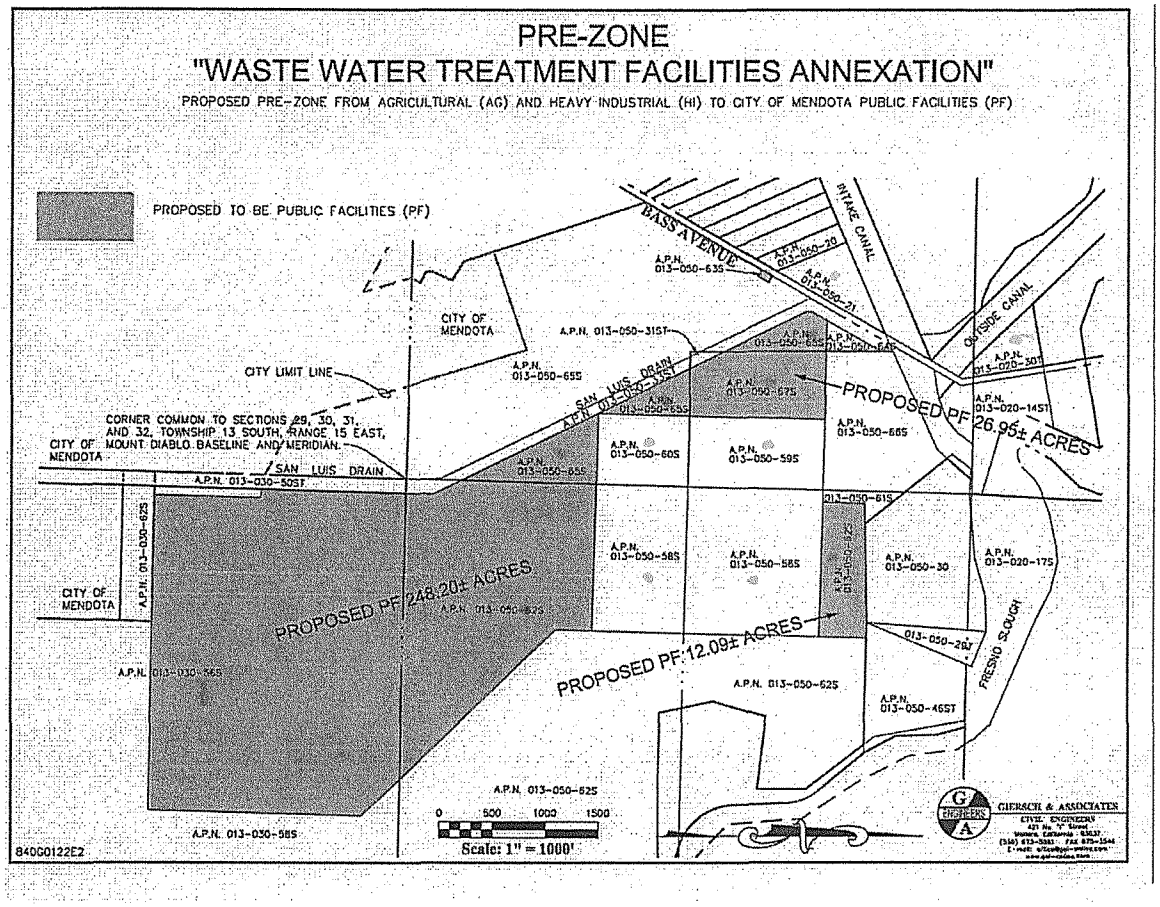
By: Krystal M. Chojnacki, City Clerk

APPROVED AS TO FORM:

Michael D. Flores,
City Attorney

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Exhibit A


PRE-ZONE
"WASTE WATER TREATMENT FACILITIES ANNEXATION"
PROPOSED PRE-ZONE FROM AGRICULTURAL (AG) AND HEAVY INDUSTRIAL (HI) TO CITY OF MENDOTA PUBLIC FACILITIES (PF)
PROPOSED TO BE PUBLIC FACILITIES (PF)
BASS AVENUE
INTAKE CANAL
OUTSIDE CANAL
CITY OF MENDOTA
CITY LIMIT LINE
CORNER COMMON TO SECTIONS 29, 30, 31, AND 32, TOWNSHIP 13 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASELINE AND MERIDIAN.
SAN LUIS DRAIN
PROPOSED PF 26.95± ACRES
PROPOSED PF 248.20± ACRES
PROPOSED PF 12.09± ACRES
FRESNO SLOUGH
A.P.N. 013-050-20
A.P.N. 013-050-21
A.P.N. 013-050-63S
A.P.N. 013-050-31ST
A.P.N. 013-050-65S
A.P.N. 013-050-67S
A.P.N. 013-050-66S
A.P.N. 013-050-60S
A.P.N. 013-050-59S
A.P.N. 013-050-58S
A.P.N. 013-050-30
A.P.N. 013-020-17S
A.P.N. 013-020-14ST
A.P.N. 013-020-30T
A.P.N. 013-050-50ST
A.P.N. 013-050-62S
A.P.N. 013-050-56S
A.P.N. 013-050-46ST
A.P.N. 013-050-28T
A.P.N. 013-050-61S
A.P.N. 013-050-58S
0 500 1000 1500
Scale: 1" = 1000'
GIERSCH & ASSOCIATES
CIVIL ENGINEERS
840G0122E2

CITY OF MENDOTA

"Cantaloupe Center Of The World"

CLERK'S CERTIFICATE

I, Krystal M. Chojnacki, City Clerk of the City of Mendota, State of California, do hereby certify that the foregoing is a full, true and correct copy of Ordinance 07-07 duly approved and adopted by the City Council of the City of Mendota on the dates therein stated and as appears on file in my office.

IN WITNESS WHEREOF, I hereunto set my hand and affix the seal of the City of Mendota on January 30, 2008.

CITY OF MENDOTA INCORPORATED 1942 CALIFORNIA

Krystal M. Chojnacki, City Clerk

643 Quince Street Mendota, California 93640
Telephone: (559) 655-3291 Fresno Line: (559) 266-6456 Fax: (559) 655-4064
TDD/TTY 866-735-2929 (English) TDD/TTY 866-833-4703 (Spanish)
www.ci.mendota.ca.us

MEMORANDUM

DATE: December 11, 2007

TO: His Honor the Mayor and City Council

FROM: Bill Skinner, Community Development Director

RE: Pre-Zoning Ordinance – Wastewater Treatment Plant Annexation

RECOMMENDATION

The City Council at their regularly scheduled meeting of December 11, 2007 adopted Resolution No. 07-47 approving the Wastewater Treatment Plant Annexation, Sphere of Influence Expansion, General Plan Amendment, Certified the Initial Study and Adopted the Mitigated Negative Declaration which authorized staff to prepare and initiate the Pre-Zoning Ordinance.

BACKGROUND

As part of the process for annexation into the City of Mendota, the City Council must adopt an Ordinance Pre-Zoning the entire area from Agriculture (AG) and Heavy Industrial (HI) to PF (Public Facilities District) as shown on Exhibit A of the Pre-Zoning Ordinance, attached hereto.

During the December 11, 2007 meeting by the adoption of Resolution No. 07-47 approving Wastewater Treatment Plant Expansion Project, the City Council has previously determined that the application for Pre-Zoning is consistent with the provisions of the City of Mendota General Plan, Land Use Elements and Government Code Section 65860.

ACTION

Introduction, First Reading and Scheduling of Public Hearing for January 8, 2008 on Ordinance No. 07-07 An Ordinance of The City Council of The City of Mendota Amending the Official Zoning Map of the City of Mendota by Pre-Zoning Parcels:

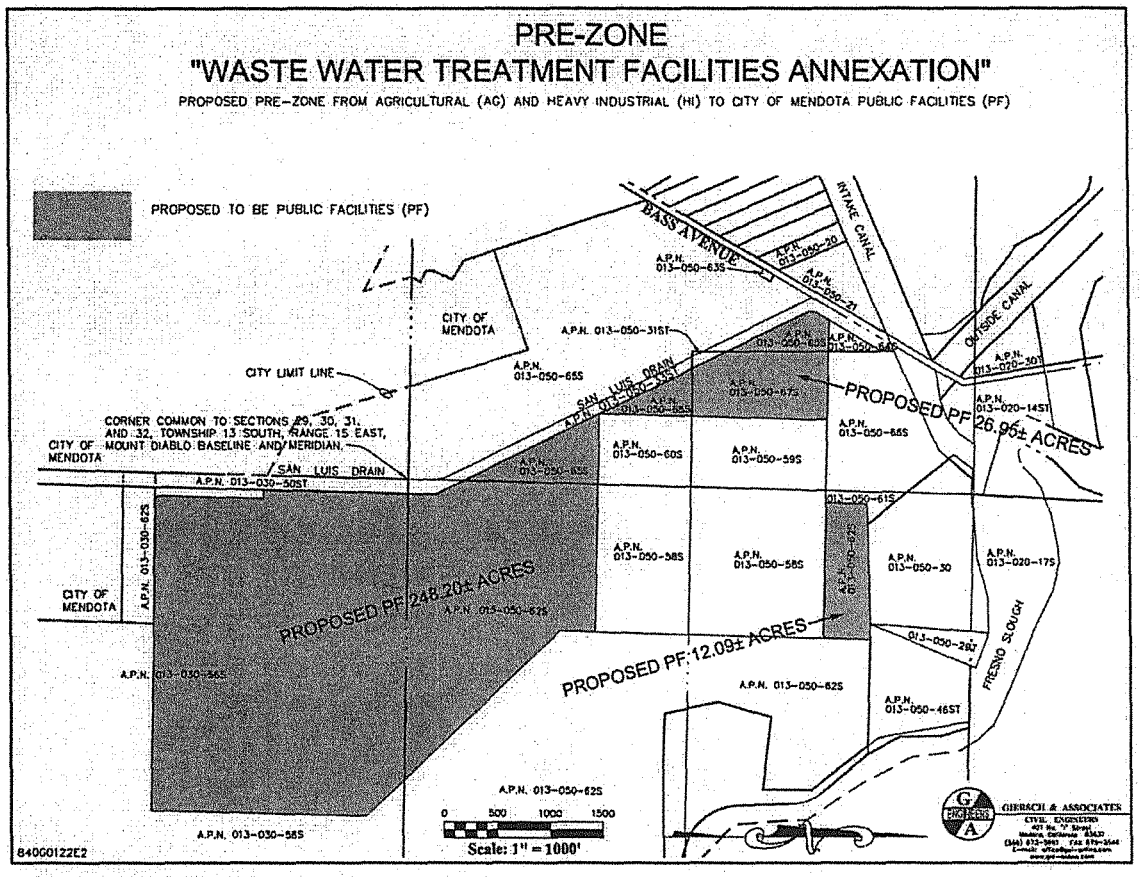
013-020-30T – Pool Park
013-050-21 – City Storage Area (old water well)
013-050-63s – Existing City Sewer Lift Station
013-050-58s – Proposed WWTP Treatment Ponds
013-050-65s, 013-050-67s, 013-050-59s, 013-50-60s, 013-050-62s, 013-030-56s – Proposed Disposal Ponds
013-030-56s – Future Expansion Area – Reserved by City

from Agricultural (AG) and Heavy Industrial (HI) District to PF (Public Facilities) District.

FISCAL IMPACT:

None.

Exhibit A


PRE-ZONE
"WASTE WATER TREATMENT FACILITIES ANNEXATION"
PROPOSED PRE-ZONE FROM AGRICULTURAL (AG) AND HEAVY INDUSTRIAL (HI) TO CITY OF MENDOTA PUBLIC FACILITIES (PF)
PROPOSED TO BE PUBLIC FACILITIES (PF)
BASS AVENUE
INTAKE CANAL
OUTSIDE CANAL
CITY OF MENDOTA
CITY LIMIT LINE
CORNER COMMON TO SECTIONS 29, 30, 31, AND 32, TOWNSHIP 13 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASELINE AND MERIDIAN.
SAN LUIS DRAIN
PROPOSED PF 26.95± ACRES
PROPOSED PF 248.20± ACRES
PROPOSED PF 12.09± ACRES
FRESNO SLOUGH
A.P.N. 013-050-63S
A.P.N. 013-050-20
A.P.N. 013-050-21
A.P.N. 013-050-31ST
A.P.N. 013-050-65S
A.P.N. 013-050-67S
A.P.N. 013-050-64S
A.P.N. 013-020-30T
A.P.N. 013-020-14ST
A.P.N. 013-050-66S
A.P.N. 013-050-60S
A.P.N. 013-050-59S
A.P.N. 013-050-50ST
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A.P.N. 013-050-58S
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A.P.N. 013-020-17S
A.P.N. 013-050-62S
A.P.N. 013-050-26S
A.P.N. 013-050-46ST
A.P.N. 013-030-36S
A.P.N. 013-030-58S
0 500 1000 1500
Scale: 1" = 1000'
GIERSCH & ASSOCIATES
CIVIL ENGINEERS
840001222

CITY OF MENDOTA

ORDINANCE NO. 07-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENDOTA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MENDOTA BY PREZONING PARCELS 013-020-30T, 013-050-21, 013-050-63s, 013-050-58s, 013-050-65s, 013-050-67s, 013-050-59s, 013-50-60s, 013-050-62s, 013-030-56s, 013-030-56s FROM AG (AGRICULTURAL) AND HEAVY INDUSTRIAL (HI) DISTRICTS TO PF (PUBLIC FACILITIES) DISTRICT

WHEREAS, the City Council of the City of Mendota has determined that it is in the Public's interest to amend the Official Zone Map of the City of Mendota related to Parcel No(s). 013-020-30T, 013-050-21, 013-050-63s, 013-050-58s,013-050-65s, 013-050-67s, 013-050-59s, 013-50-60s, 013-050-62s, 013-030-56s,013-030-56s at the recommendation of the City Manager, and;

WHEREAS, a Public Hearing has been advertised and conducted pursuant to the Mendota Municipal Code, and public comment has been solicited.

WHEREAS, all property owners within a 300 feet radius of the property were notified of the public hearing by U.S. Postal Service regular mail, as determined by the current Fresno County Assessor's Tax Roll.

WHEREAS, Notice of the Public Hearing was published in the November 28, 2007 edition of the Firebaugh/Mendota Journal, and also posted on the City Hall Bulletin Window on November 28, 2007.

WHEREAS, the City Council has determined that the Pre-Zoning is consistent with the provisions of the City of Mendota General Plan, Land Use Elements and Government Code Section 65860, and;

WHEREAS, a Public Hearing has been advertised and conducted pursuant to the Mendota Municipal Code, and public comment has been solicited by the City Council, and;

WHEREAS, the City Council conducted a noticed and scheduled public hearing to consider Pre-Zoning the property at their regularly scheduled December 11, 2007 meeting, and;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MENDOTA ORDAINS AS FOLLOWS:

1. The official Zoning Map of the City of Mendota is hereby amended as show on Exhibit A, which is herein incorporated by reference and made a part of Ordinance No. 07-07.

2. At least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted, a summary prepared by the City Attorney, shall be published and circulated in the City of Mendota, and a certified copy of the Ordinance shall be posed in the Office of the City Clerk.

3. Within fifteen (15) days after its adoption, a Summary of the Ordinance, prepared by the City Attorney, together with the names of those City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation published and circulated in the City of Mendota, and a certified copy posted in the Office of the City Clerk.

4. This ordinance shall take effect thirty (30) days after its passage.

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The foregoing Ordinance was introduced on December 11, 2007, and duly and regularly passed by the Council of the City of Mendota at a regular meeting thereof held on the 8th day of January 2008, by the following vote:

AYES:
NOES:
ABSENT:

_____
Robert Silva, Mayor

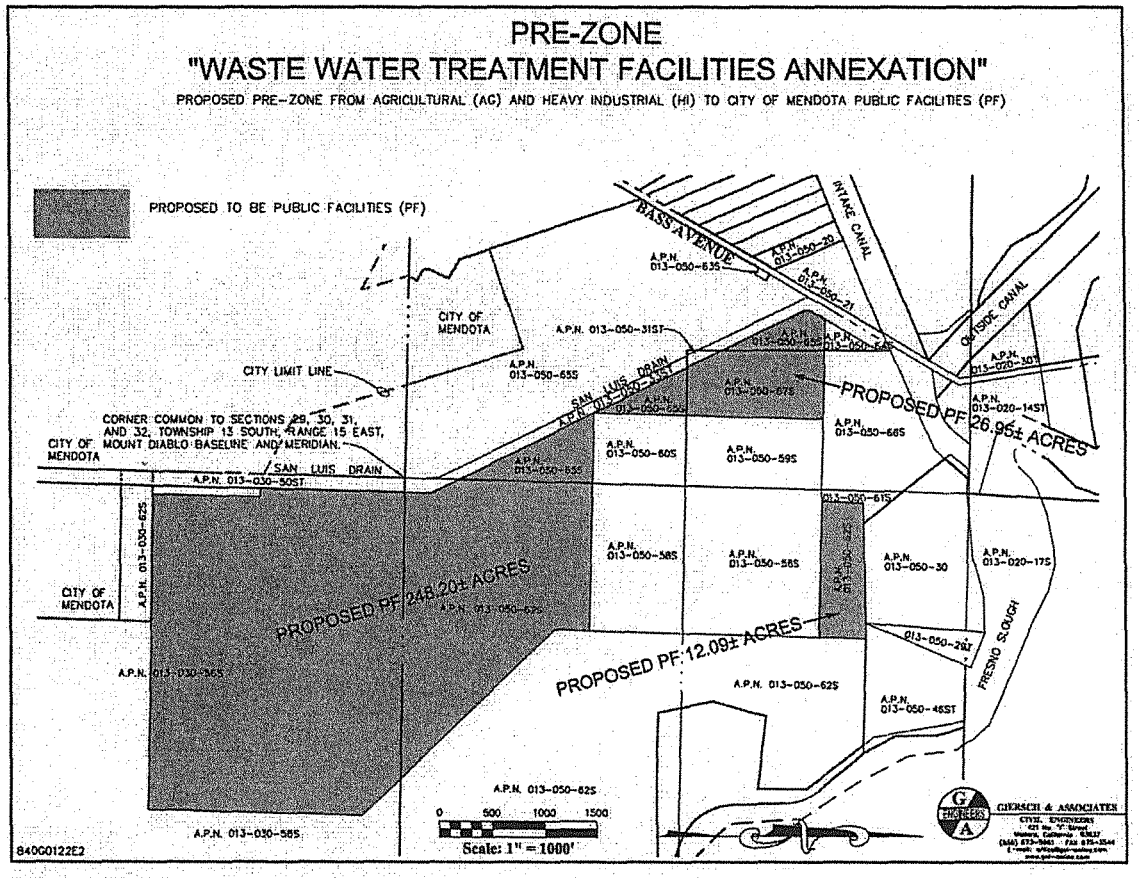
ATTEST:

By: _____
City Clerk

APPROVED AS TO FORM:

_____
Michael D. Flores,
City Attorney

Exhibit A


PRE-ZONE
"WASTE WATER TREATMENT FACILITIES ANNEXATION"
PROPOSED PRE-ZONE FROM AGRICULTURAL (AG) AND HEAVY INDUSTRIAL (HI) TO CITY OF MENDOTA PUBLIC FACILITIES (PF)
PROPOSED TO BE PUBLIC FACILITIES (PF)
BASS AVENUE
INTAKE CANAL
OUTSIDE CANAL
CITY OF MENDOTA
CITY LIMIT LINE
CORNER COMMON TO SECTIONS 29, 30, 31, AND 32, TOWNSHIP 13 SOUTH, RANGE 15 EAST, MOUNT DIABLO BASELINE AND MERIDIAN.
SAN LUIS DRAIN
A.P.N. 013-050-31ST
A.P.N. 013-050-63S
A.P.N. 013-050-67S
A.P.N. 013-050-68S
A.P.N. 013-050-60S
A.P.N. 013-050-59S
A.P.N. 013-050-58S
A.P.N. 013-050-56S
A.P.N. 013-050-30
A.P.N. 013-020-17S
A.P.N. 013-020-14ST
A.P.N. 013-050-46ST
A.P.N. 013-050-62S
A.P.N. 013-050-61S
A.P.N. 013-050-29ST
A.P.N. 013-050-20
A.P.N. 013-050-21
A.P.N. 013-050-63S
A.P.N. 013-020-30T
A.P.N. 013-030-50ST
A.P.N. 013-030-62S
A.P.N. 013-030-36S
A.P.N. 013-030-58S
PROPOSED PF 26.95± ACRES
PROPOSED PF 248.20± ACRES
PROPOSED PF 12.09± ACRES
FRESNO SLOUGH
0 500 1000 1500
Scale: 1" = 1000'
GIERSCH & ASSOCIATES
CIVIL ENGINEERS
84060122E2