



RECORDING REQUESTED BY AND MAIL TO

NAME LAFCO

STREET 2115 KERN STREET, SUITE 310

CITY & STATE FRESNO, CA 93721

ATTN: CANDIE

3



FRESNO County Recorder  
Robert C. Werner

**DOC- 2006-0046674**

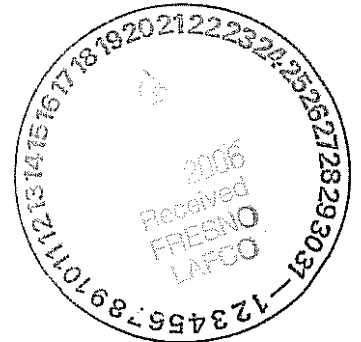
Monday, MAR 06, 2006 15:31:26

Ttl Pd \$0.00

Nbr-0002115552

CRR/R2/1-3

# “BULLARD-GRANTLAND NO. 3 REORGANIZATION”



**CERTIFICATE OF COMPLETION  
FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION**

The Fresno Local Agency Commission was the Conducting Authority.

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

Annexation to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District.

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

The short title of the reorganization proceeding is "Bullard-Grantland No. 3 Reorganization" LAFCo File No. RO-05-29.

The affected territory is Uninhabited.

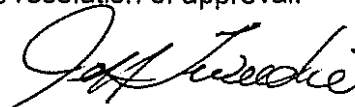
The change of organization was ordered without an election, and Resolution No. RO-05-29 ordering the change of organization was adopted by the Fresno Local Agency Formation Commission on September 28, 2005.

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:

- A. The City of Fresno shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with any final tract map approved by the City for the affected territory.
- B. The territory rezoned in accordance with LAFCo Policies Standards and Procedures Section 210-13 shall remain under the approved Zone Districts for a time pursuant to State law (City of Fresno Ordinance No. 2004-129).
- C. Satisfactory verification that the City has accepted the final map for Tentative Tract Map 5338 shall be submitted to the Executive Officer prior to the completion of the annexation.
- D. The City of Fresno shall submit to the Executive Officer a copy of a fully executed fire services transition agreement between the City and the North Central Fire Protection District prior to completion (recordation) of the proposed annexation.

I, Jeff Tweedie, Interim 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 Tweedie  
Interim Executive Officer

Dated: March 6, 2006

**EXHIBIT "A"**

**BULLARD-GRANTLAND NO. 3 REORGANIZATION  
ANNEXATION TO THE CITY OF FRESNO AND DETACHMENT FROM THE  
NORTH CENTRAL FIRE PROTECTION DISTRICT AND THE  
KINGS RIVER CONSERVATION DISTRICT  
LEGAL DESCRIPTION**

That portion of the Northeast Quarter of Section 8 and the Southeast Quarter of Section 5, all in Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at a point on a line 30.00 feet West of the East line of said Section 8 and 1,918.00 feet North of the South line of said Northeast Quarter, said point being on the existing limit line of the City of Fresno; thence South 0°25'00" West, parallel with and 30.00 feet West of the East line of said Section 8, being also along the existing limit line of the City of Fresno, a distance of 974.00 feet; thence South 89°55'39" West, leaving the existing limit line of the City of Fresno, parallel with and 974.00 feet North of the South line of the Northeast Quarter of said Section 8, a distance of 1,294.29 feet to the Southwest corner of that lot shown on the Map of Survey, recorded in Book 10, page 33 of Record of Surveys, Fresno County Records, last said corner shown as being 1,324.29 feet East of the West line of the Northeast Quarter of said Section 8; thence North 0°24'31" East, along the West line of said lot and its Northerly prolongation and the West line of a lot as shown on said Map of Survey whose Southwest corner is shown as being 1,324.44 feet East of the West line of said Northeast Quarter, and its Northerly prolongation, a distance of 1,693.27 feet; thence North 89°50'00" East, parallel with and 30.00 feet North of the South line of said Section 5, a distance of 959.46 feet to the intersection with the Northerly prolongation of the West line of the East 365.08 feet of said Northeast Quarter; thence South 0°25'00" West, along the West line of the East 365.08 feet of said Northeast Quarter and it's Northerly prolongation, a distance of 720.84 feet to the intersection with a line parallel with and 1,918.00 feet North of said Northeast Quarter; thence North 89°55'39" East, parallel with and 1,918.00 feet North of the South line of said Northeast Quarter, a distance of 335.08 feet to the Point of Beginning.

Contains 45.25 acres more or less.

Dated: March 1, 2005

Revised: April 15, 2005

Revised: October 7, 2005

Revised: February 9, 2006

**APPROVED**

**LAFCO RES. # 80-05-29**  
**September 28, 2005**  
**DATE**

9



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) 322-7185  
FAX (916) 327-4251  
www.boe.ca.gov

BETTY T. YEE  
Acting Member  
First District, San Francisco

BILL LEONARD  
Second District, Ontario

CLAUDE PARRISH  
Third District, Santa Ana

JOHN CHIANG  
Fourth District, Los Angeles

STEVE WESTLY  
Controller, Sacramento

RAMON J. HIRSIG  
Executive Director



Mr. Jeff Tweedie, Interim Executive Officer  
Fresno County LAFCo  
2115 Kern St., Suite 310  
Fresno, CA 93721

This is to acknowledge receipt of the statements(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 assessment roll indicated below.

Assessment Roll: **2007/08**  
County: **10 Fresno**

BOE File No.: **07-007**  
Received at BOE: **03/13/2006**  
Date of acknowledgment: **03/22/2006**  
Distribution: **15**

District: **FRESNO**  
Conducting Authority: **CITY**

Short Title: **BULLARD-GRANTLAND NO. 3 REORG. TO CITY OF FRESNO**  
Type of Action: **02 Annexation to City**

Resolution/Ord. No.: **RO-05-29A**  
LAFCo No.: **RO-05-29**  
Effective Date: **03/06/2006**  
Fee: **\$1200**  
Acreage: **45.25**

William M. Harris  
Supervisor, Tax Area Services Section



# County of Fresno

Robert C. Werner  
Assessor - Recorder

MARCH 9, 2006

Local Agency Formation Commission  
Fresno County Plaza  
Fresno, CA 93711



Re: 2006-2007 Assessment Roll

Dear Mr. Waiczis:

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: MARCH 6, 2006  
City/ District: CITY OF FRESNO

Ord./Resolution #: RO 05-29A

Subject: BULLARD-GRANTLAND NO. 3 REORGANIZATION


Yours Truly,  
Robert C. Werner  
Fresno County Assessor

Virginia Quevedo  
Cadastral Technician III

March 6, 2006

**NOTICE OF COMPLETION OF BOUNDARY CHANGE**

To: Clerk, City of Fresno

From: Jeff Tweedie, Interim Executive Officer 

Subject: "Bullard-Grantland No. 3 Reorganization"  
LAFCo File No. RO-05-29

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.

JT:cf

Attachments

TO: Mike Harris, State Board of Equalization  
Robert Werner, County Assessor  
Vicki Crow, County Auditor

SUBJECT: "Bullard-Grantland No. 3 Reorganization"  
LAFCo File No. RO-05-29

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 Deputy Executive Officer on March 6, 2006.

**The change of organization was effective on March 6, 2006.**

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.



Jeff Tweedie  
Interim Executive Officer

Date: March 6, 2006


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



Fresno Local Agency Formation Commission

DATE: March 6, 2006

TO: City of Fresno  
North Central Fire Protection District  
Kings River Conservation 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  
J. M. Leonardo, Caltrans  
State of California, Alcoholic Beverage Control  
Housing Authority of City and County  
Fresno Irrigation District  
Clovis Unified School District  
State Center Jt. Community College District

FROM: Jeff Tweedie, Interim Executive Officer   
LAFCo File No. RO-05-29

SUBJECT: "Bullard-Grantland No. 3 Reorganization"

Please be advised that all required filings for the "Bullard-Grantland No. 3 Reorganization" have been made. The change of organization was effective on March 6, 2006.

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

JT:cf

Attachment



Fresno Local Agency Formation Commission

DATE: March 6, 2006  
TO: Fresno County Recorder - Stop #4  
FROM: Jeff Tweedie, Interim Executive Officer *Jeff Tweedie*  
SUBJECT: "Bullard-Grantland No. 3 Reorganization"  
LAFCo File No. RO-05-29

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.

Please provide the information above for verification purposes. Thank you for your assistance.

Recorded at 3:31 on 3-6-06

Document Number 03/06/2006, 20060046674

Signed *Colin P. Grant*

cc: Dan Sparks, Assessor's Office

**CERTIFICATE OF COMPLETION  
FRESNO COUNTY LOCAL AGENCY FORMATION COMMISSION**

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

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

The short title of the reorganization proceeding is "Bullard-Grantland No. 3 Reorganization" LAFCo File No. RO-05-29.

The affected territory is Uninhabited.

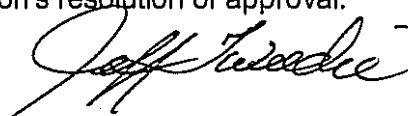
The change of organization was ordered without an election, and Resolution No. RO-05-29 ordering the change of organization was adopted by the Fresno Local Agency Formation Commission on September 28, 2005.

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:

- A. The City of Fresno shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with any final tract map approved by the City for the affected territory.
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I, Jeff Tweedie, Interim 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 Tweedie  
Interim Executive Officer

Dated: March 6, 2006

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

<b>BOE USE ONLY</b>
B.O.E. File No.: _____

County: FRESNO	County # : 10	Acreage: 45.25	Fee: \$ 1.200	Res./Ord. No.:	RO-05-29A
Conducting Authority: FRESNO LOCAL AGENCY FORMATION COMMISSION				LAFCo. Res.:	RO-05-29
Short Form Designation: "BULLARD-GRANTLAND NO. 3 REORGANIZATION"				Effective Date:	3/6/06

1. Type of action: (check one only)	<input type="checkbox"/>	01 Annexation to district	<input type="checkbox"/>	06 Consolidation of TRA's	<input type="checkbox"/>	10 Redevelopment
	<input type="checkbox"/>	02 Annexation to city	<input type="checkbox"/>	07 Detachment from district	<input type="checkbox"/>	11 Name change
	<input type="checkbox"/>	04 City incorporation	<input type="checkbox"/>	08 Dissolution of district	<input checked="" type="checkbox"/>	12 Reorganization
	<input type="checkbox"/>	05 Consolidation of district	<input type="checkbox"/>	09 Formation-District	<input type="checkbox"/>	13 School district change
	<input type="checkbox"/>					

2. Principal City/District(s) affected by action:	DISTRICT NAME	DISTRICT NAME
	ANNEX TO CITY OF FRESNO	
	DETACH FROM N. CENTRAL FIRE. PROT. DIST.	
	DETACH FROM KINGS RIVER CONS. DIST.	

3. Affected territory is legally:	<input type="checkbox"/>	Inhabited	<input type="checkbox"/>	Developed	Number of Areas: 1
	<input checked="" type="checkbox"/>	Uninhabited	<input checked="" type="checkbox"/>	Undeveloped	

4. The affected territory:	<input checked="" type="checkbox"/>	Will be taxed for existing bonded indebtedness or contractual obligations as set forth by the terms and conditions as stated in the resolution.
	<input type="checkbox"/>	Will not be taxed for existing bonded indebtedness or contractual obligations.

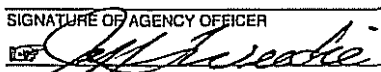
5. Election:	<input type="checkbox"/>	An election authorizing this action was held on _____ date
	<input checked="" type="checkbox"/>	This action is exempt from election.

6. Enclosed are the following items required at the time of filing:	<input checked="" type="checkbox"/>	Fees	<input checked="" type="checkbox"/>	Map(s) and supporting documents
	<input checked="" type="checkbox"/>	Legal description	<input checked="" type="checkbox"/>	Assessor parcel number(s) of affected territory
	<input checked="" type="checkbox"/>	Resolution of conducting authority		County auditor's letter of TRA assignment (consolidated counties only)
	<input checked="" type="checkbox"/>	Certificate of Completion (LAFCO only)		

7. City boundary changes only:	<input checked="" type="checkbox"/>	Map of limiting addresses (2 copies)	<input type="checkbox"/>	Vicinity maps (2 copies)
	<input checked="" type="checkbox"/>	Alphabetical list of all streets within the affected area to include beginning and ending street numbers		
	<input checked="" type="checkbox"/>	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 JEFF TWEEDIE	<b>BOE USE ONLY</b>
TITLE INTERIM EXECUTIVE OFFICER	
AGENCY FRESNO LOCAL AGENCY FORMATION COMMISSION	
STREET 2115 KERN STREET, SUITE 310	
CITY FRESNO	
ZIP CODE 93721	
TELEPHONE NO. ( 559 ) 495-0604	
FAX NO. ( 559 ) 495-0655	
E-MAIL ADDRESS jtweedie@co.fresno.ca.us	
SIGNATURE OF AGENCY OFFICER 	DATE 3/6/06

BULLARD-GRANTLAND NO. 3 REORGANIZATION  
ANNEXATION TO THE CITY OF FRESNO AND DETACHMENT FROM THE  
NORTH CENTRAL FIRE PROTECTION DISTRICT AND THE  
KINGS RIVER CONSERVATION DISTRICT  
LEGAL DESCRIPTION

That portion of the Northeast Quarter of Section 8 and the Southeast Quarter of Section 5, all in Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at a point on a line 30.00 feet West of the East line of said Section 8 and 1,918.00 feet North of the South line of said Northeast Quarter, said point being on the existing limit line of the City of Fresno; thence South 0°25'00" West, parallel with and 30.00 feet West of the East line of said Section 8, being also along the existing limit line of the City of Fresno, a distance of 974.00 feet; thence South 89°55'39" West, leaving the existing limit line of the City of Fresno, parallel with and 974.00 feet North of the South line of the Northeast Quarter of said Section 8, a distance of 1,294.29 feet to the Southwest corner of that lot shown on the Map of Survey, recorded in Book 10, page 33 of Record of Surveys, Fresno County Records, last said corner shown as being 1,324.29 feet East of the West line of the Northeast Quarter of said Section 8; thence North 0°24'31" East, along the West line of said lot and its Northerly prolongation and the West line of a lot as shown on said Map of Survey whose Southwest corner is shown as being 1,324.44 feet East of the West line of said Northeast Quarter, and its Northerly prolongation, a distance of 1,693.27 feet; thence North 89°50'00" East, parallel with and 30.00 feet North of the South line of said Section 5, a distance of 959.46 feet to the intersection with the Northerly prolongation of the West line of the East 365.08 feet of said Northeast Quarter; thence South 0°25'00" West, along the West line of the East 365.08 feet of said Northeast Quarter and it's Northerly prolongation, a distance of 720.84 feet to the intersection with a line parallel with and 1,918.00 feet North of said Northeast Quarter; thence North 89°55'39" East, parallel with and 1,918.00 feet North of the South line of said Northeast Quarter, a distance of 335.08 feet to the Point of Beginning.

Contains 45.25 acres more or less.

Dated: March 1, 2005

Revised: April 15, 2005

Revised: October 7, 2005

Revised: February 9, 2006

APPROVED


LAFCO RES. # RO-05-29  
September 28, 2005  
DATE

BOUNDARY CHANGE RECORDED

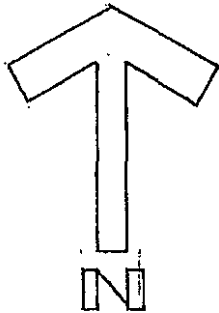
TIME 3:31 p.m. DATE 3/6/06  
DOCUMENT # 20060046674  
EFFECTIVE March 6, 2006

**LEGEND:**

 INDICATES AREA TO BE ANNEXED TO THE CITY OF FRESNO

 INDICATES EXISTING LIMIT LINE OF THE CITY OF FRESNO

THE SOUTH LINE OF SEC. 5, 13-19



SCALE: 1" = 300'

W.  $N 89^{\circ} 50' 00'' E$  959.46' BULLARD AVE.

THE NORTH EAST CORNER OF SEC. 8, 13-19

1693.27'

365.08'

720.84'

$S 0^{\circ} 25' 00'' W$

18'

THE EAST LINE OF SEC. 8, 13-19

335.08'

$N 89^{\circ} 55' 38'' E$

POINT OF BEGINNING

AREA TO BE ANNEXED TO THE CITY OF FRESNO  
AREA = 45.25 ACRES

AVE.

CITY OF FRESNO LIMIT LINE

THE WEST LINE OF THE N.E. 1/4 OF SEC. 8, 13-19

$N 0^{\circ} 24' 31'' E$

**BOUNDARY CHANGE RECORDED**

TIME 3:31 p.m. DATE 3/6/06

DOCUMENT # 20060046674

EFFECTIVE March 6, 2006

N. GRANTLAND AVE.

APPROVED  
LAFCO RES. # 80-05-29  
September 28, 2005  
DATE

1324.29'

$S 89^{\circ} 55' 39'' W$

1294.79'

THE SOUTH LINE OF THE N.E. 1/4 OF SEC. 8, 13-19

974'

1918'

A PORTION OF THE N.E. 1/4 OF SEC. 8 & THE S.E. 1/4 OF SEC. 5,  
ALL IN TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO  
BASE AND MERIDIAN

ANNEXATION NO. 1296

PREPARED BY:  
GARY GIANNETTA  
1119 "S" STREET  
FRESNO, CA 93721  
559-264-3590

BULLARD-GRANTLAND No. 3 REORGANIZATION  
TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED  
FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT  
AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED:  
3-1-05  
REVISED:  
4-15-05  
10-7-05  
2-9-06

ASSESSOR PARCEL NUMBERS

"BULLARD-GRANTLAND NO. 3 REORGANIZATION"

505-040-09

505-040-14

505-040-15S

505-040-16


**BULLARD-GRANTLAND NO. 3 REORGANIZATION**

**Affected Addresses**

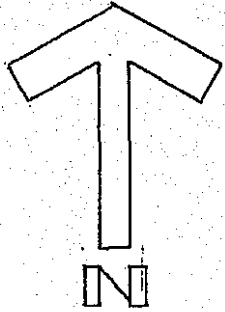
7001-7249 West Bullard Avenue (odd only)  
5651-5999 North Grantland Avenue (odd only)

**LEGEND:**

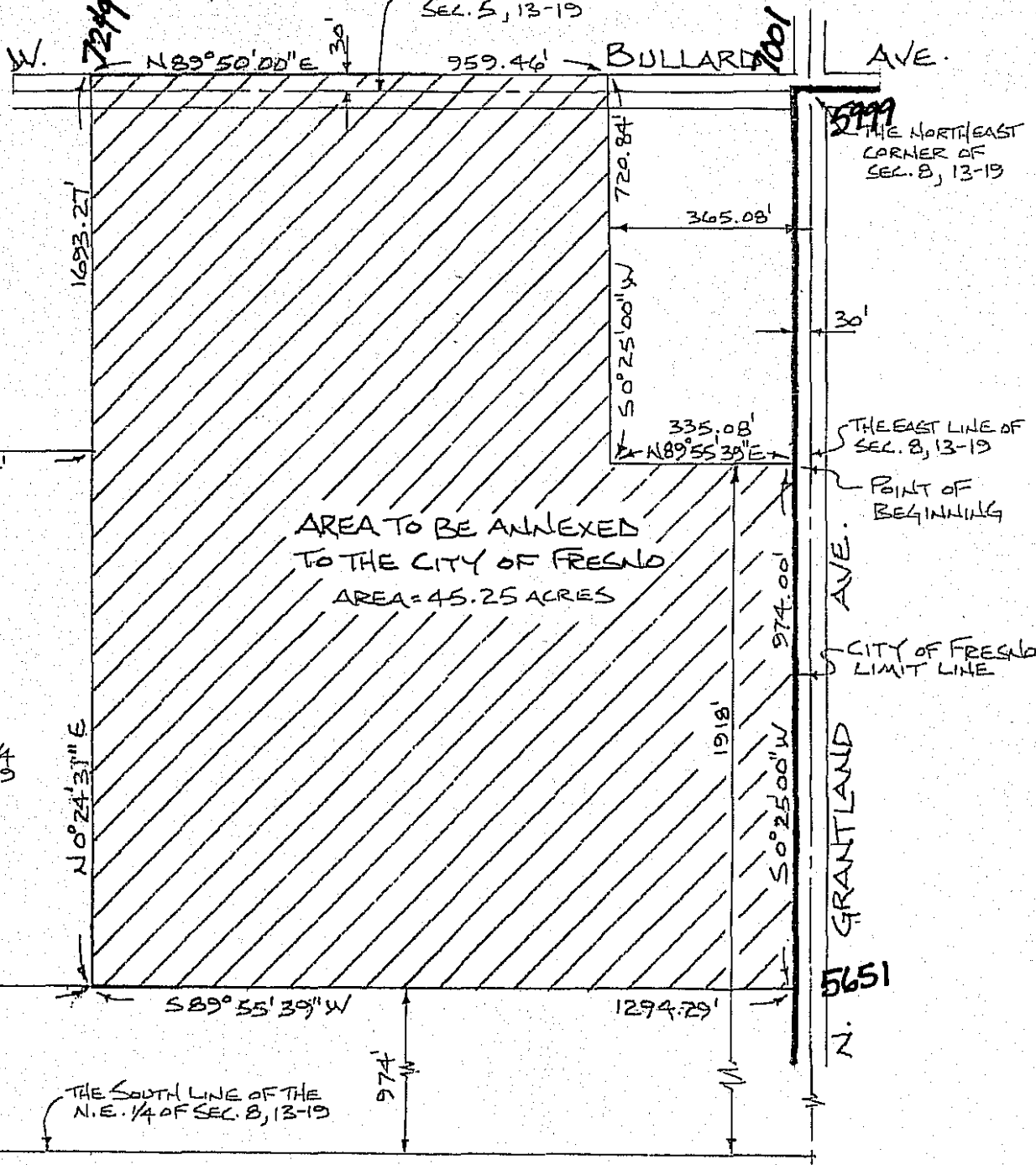
 INDICATES AREA TO BE ANNEXED TO THE CITY OF FRESNO

 INDICATES EXISTING LIMIT LINE OF THE CITY OF FRESNO

THE SOUTH LINE OF SEC. 5, 13-19



SCALE: 1" = 300'



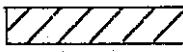
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ALL IN TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO  
BASE AND MERIDIAN


PREPARED BY:  
GARY GIANNETTA  
1119 "S" STREET  
FRESNO, CA. 93721  
559.264.3590

BULLARD-GRANTLAND No. 3 REORGANIZATION  
TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED  
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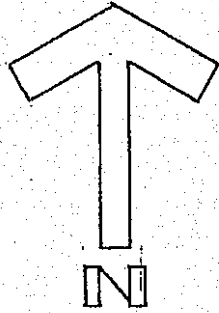
PREPARED:  
3-1-05  
REVISED:  
4-15-05  
10-7-05  
2-9-06

**LEGEND:**

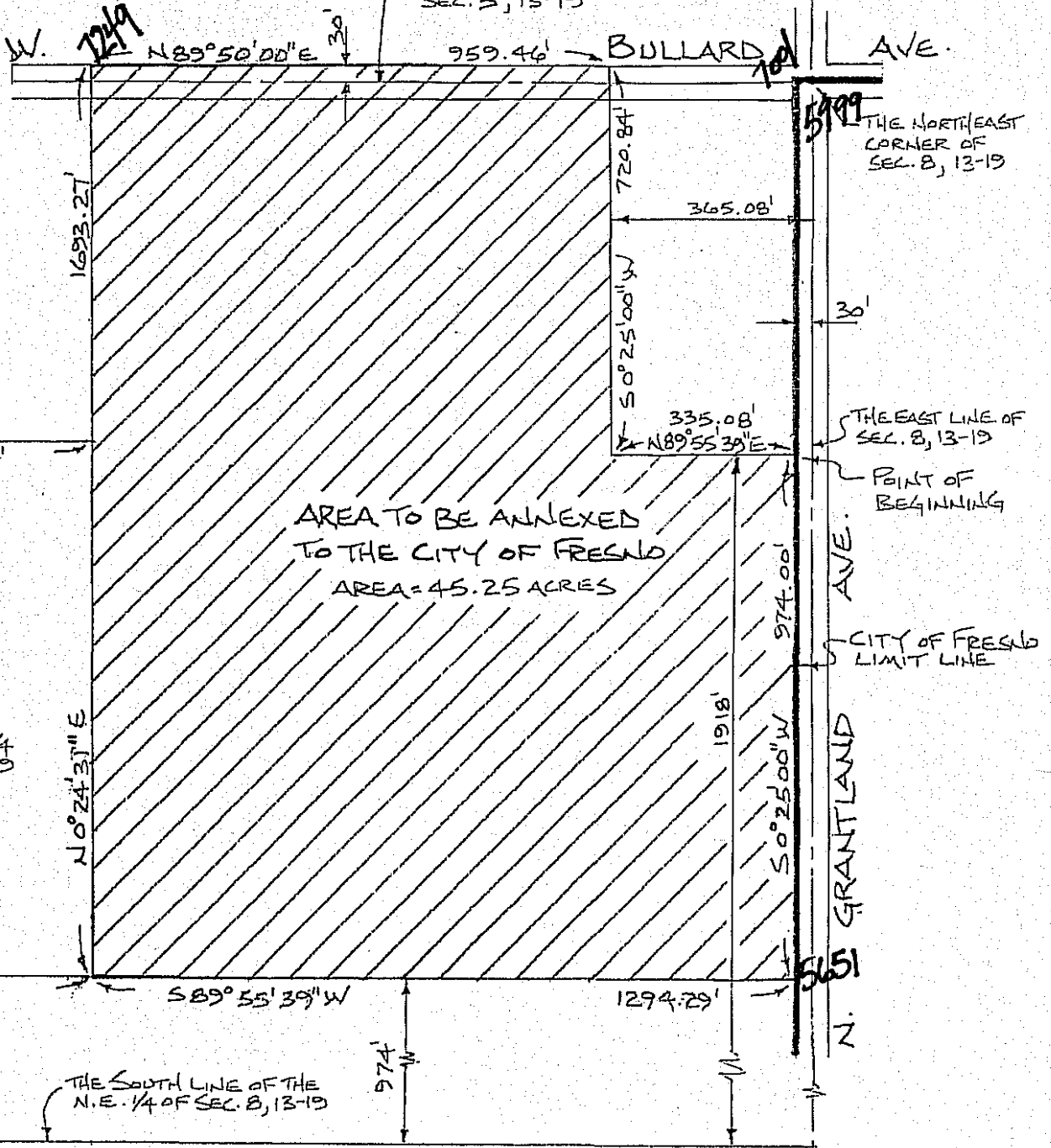
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A PORTION OF THE N.E. 1/4 OF SEC. 8 & THE S.E. 1/4 OF SEC. 5,  
ALL IN TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO  
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ESS-264-3590

BULLARD-GRANTLAND No. 3 REORGANIZATION  
TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED  
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AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED:  
3-1-05  
REVISED:  
4-15-05  
10-7-05  
2-9-06



Planning and Development Department

2600 Fresno Street • Third Floor  
Fresno, California 93721-3604  
(559) 621-8277 FAX (559) 498-1012  
www.ci.fresno.ca.us

Nick P. Yovino  
Director

Please reply to:  
Shelby Chamberlain  
(559) 621-8042

February 28, 2006

Jeff Tweedie  
Interim Executive Officer  
Fresno Local Agency Formation Commission  
2115 Kern Street, Suite 310  
Fresno, CA 93721

Dear Mr. Tweedie:

SUBJECT: BULLARD-GRANTLAND NO. 3 REORGANIZATION

Attached is the necessary information for the recording of the Bullard-Grantland No. 3 Reorganization. Ordinance Bill No. 2005-38 is attached which rezoned the property within the reorganization. A final subdivision map (Tract No. 5338) has also been filed with the City of Fresno on the subject property.

The above information should meet the conditions that the Local Agency Formation Commission (LAFCO) had placed on the reorganization pursuant to LAFCO Resolution No. RO-05-20.

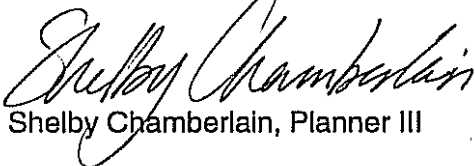
I understand that the applicant has submitted the corrected map and legal description to your office. Attached is the check for \$1200.00 made payable to the State Board of Equalization.

On November 29, 2005, the City of Fresno and North Central entered in to an agreement for fire transition fees.

If you have any questions regarding the above information, please contact me at the above number.

Sincerely,

PLANNING DIVISION

  
Shelby Chamberlain, Planner III



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

RECEIVED

DEC 14 PM 1:20

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

CITY CLERK, FRESNO CA

PROPOSAL: "BULLARD-GRANTLAND NO. 3 REORGANIZATION"

The above proposal has been approved by the Commission. In order for us to complete the proceedings, please forward the following items.

Please forward the following items to our office so that we may complete the (reorganization, annexation, formation).

Note: The Conducting Authority (Protest Proceedings) duties previously performed by affected agencies are now the responsibility of LAFCo, and are initiated by the Commission following a 30-day period during which any person may request the Commission to reconsider its action approving a proposal.

- Corrected Maps and Legal Descriptions. *-Already submitted by engineer.*
- 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: **\$1,200.00**
- 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: 0

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: \_\_\_\_\_


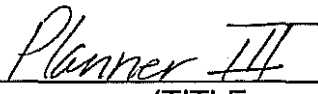
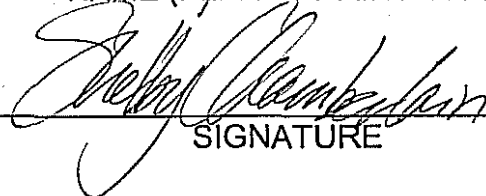
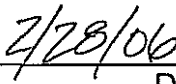
\_\_\_\_\_  
Mike Waiczis, LAFCo Executive Officer

**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: "BULLARD-GRANTLAND NO. 3 REORGANIZATION"**

- A. The City of Fresno shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with any final tract map approved by the City for the affected territory.
- B. The territory rezoned in accordance with LAFCo Policies Standards and Procedures Section 210-13 shall remain under the approved Zone Districts for a time pursuant to State law (City of Fresno Ordinance No. 2004-129).
- C. Satisfactory verification that the City has accepted the final map for Tentative Tract Map 5338 shall be submitted to the Executive Officer prior to the completion of the annexation.
- D. The City of Fresno shall submit to the Executive Officer a copy of a fully executed fire services transition agreement between the City and the North Central Fire Protection District prior to completion (recordation) of the proposed annexation.

I hereby certify that all of the above actions have been taken by the City of Fresno in compliance with the terms and conditions of the Commission's approval of the above proposal.

 _____ NAME (PLEASE PRINT OR TYPE)	 _____ (TITLE)
 _____ SIGNATURE	 _____ DATE

**Recording Requested by:**

City Clerk, Fresno, California  
No Fee-Govt. Code 6103

Return to City Clerk, Fresno

ABOVE SPACE FOR RECORDER'S USE

File No.  
A.P.N. 505-040-06,07,09,14,15,16

Planning and Development Department  
City of Fresno

**STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT  
FOR RIGHT TO FARM FOR THE BULLARD-GRANTLAND NO. 3 REORGANIZATION**

**RECITALS**

- A.** WHEREAS, Bullard/Grantland No. 1, Inc., hereinafter referred to as "the Covenantor," is the owner of that certain real property in the City of Fresno, County of Fresno, State of California, hereinafter referred to as "the Subject Property" and more particularly described as Exhibit "A", and by this reference made part of this Statement of Covenants.
- B.** The Covenantor hereby warrants that any and all parties having record title interest in the Subject Property which may ripen into a fee have subordinated to this instrument.
- C.** All such instruments of Subordination, if any, are attached hereto and made a part of this instrument.
- D.** The Covenantor has applied to the Fresno Local Agency Formation Commission for annexation of the subject property into the City of Fresno.
- E.** The City of Fresno desires to obtain covenants from the Covenantor to insure that the Subject Property is not developed, used, or maintained in such a way as to adversely affect adjoining properties.

**COVENANTS, CONDITIONS, AND RESTRICTIONS**

For favorable action on, and approval of, the Covenantor's application for annexation into the City of Fresno for the Subject Property as referred to hereinabove, the Covenantor hereby covenants that the Subject Property shall be held, conveyed, encumbered, used, occupied, developed, maintained, and improved subject to the following covenants, conditions, and restrictions, which are for the purpose of enhancing attractiveness, usefulness, value, and desirability of the Subject Property, the surrounding property, and the public at large and to minimize possible adverse effects on the public health, safety, peace, and general welfare. Each of the covenants, conditions, and restrictions contained in this Statement will run with the Subject Property and shall be binding on each successive owner of the Subject Property and his heirs, administrators, successors, and assigns.

1. Covenantor hereby covenants as follows:
  - A. That the declared policy of Fresno County is to preserve, protect, and encourage development of its agricultural land and industries for the production of food and other agricultural products and that the subject property is near agricultural districts which are located in the County of Fresno and that the residents of said property should be prepared to accept the inconveniences and discomfort associated with normal farm activities. Consistent with this policy, California Civil Code 3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not be or become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years.
  - B. The subject project shall be developed in substantial conformance with the R-1/UGM zone district.

2. The conditions of this Statement are intended to benefit the public and public properties. Accordingly, the City of Fresno shall have the right to enforce this Statement by any legal or equitable means against the Covenantor and such person or persons in actual possession of Subject Property who directly or who through any agent violate the terms hereof.

All obligations of the Covenantor under this Statement shall inure solely to the benefit of the City of Fresno. There are no third party beneficiaries of such obligations nor shall the right of the City of Fresno be transferable in any manner to any person other than to a successor municipal corporation whose geographic boundaries include the Subject Property.

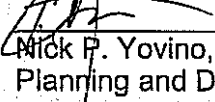
3. The foregoing conditions shall remain in full force and effect until such time as the City of Fresno, pursuant to the district amendment procedure of the Fresno Municipal Code, finds the enforcement of such condition is no longer equitable.

4. The provisions of this Statement shall be deemed independent and severable and the invalidity or partial invalidity or unenforceability of any one provision or portion thereof shall not affect the validity or enforceability of any other provision hereof. Whenever the context so requires, any gender includes the other genders, the singular includes the plural, and the plural includes the singular.

Statement of Covenants Affecting Land Development  
Acknowledging Right-to-Farm Law  
Bullard-Grantland No. 3 Reorganization  
Page 4

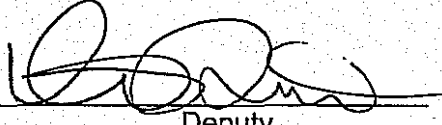
DATED:

**CITY OF FRESNO,**  
a Municipal Corporation

By:   
Nick P. Yovino, Director  
Planning and Development Department


APPROVED AS TO FORM:

HILDA CANTÚ MONTOY  
City Attorney

By:   
Deputy

**COVENANTOR**

**Bullard/Grantland No. 1,**  
a California Corporation

By:   
Robert A. McCaffrey  
President

(Attach Notary Acknowledgment)

CLERK'S CERTIFICATION

State of California)  
County of Fresno)  
City of Fresno)

On February 2, 2006, before me, Elvia Sommerville, Deputy City Clerk, personally appeared, Nick P. Yovino, Planning and Development Director, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to be within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

REBECCA E. KLISCH  
CITY CLERK, CMC

By Elvia Sommerville  
Deputy

**EXHIBIT "A"**  
**Right to Farm Covenant**

That portion of the Northeast Quarter of Section 8 and the Southeast Quarter of Section 5, all in Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

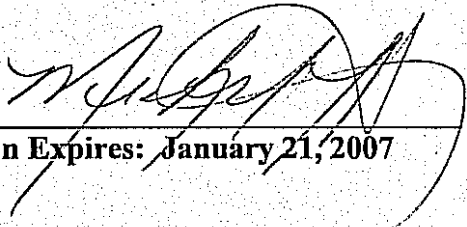
BEGINNING at a point on a line 30.00 feet West of the East line of said Section 8 and 1,918.00 feet North of the South line of said Northeast Quarter, said point being on the existing limit line of the City of Fresno; thence South  $0^{\circ}25'00''$  West, parallel with and 30.00 feet West of the East line of said Section 8 a distance of 974.00 feet; thence South  $89^{\circ}55'39''$  West, leaving the existing limit line of the City of Fresno, parallel with and 974.00 feet North of the South line of the Northeast Quarter of said Section 8, a distance of 1,294.29 feet to the Southwest corner of that lot shown on the Map of Survey, recorded in Book 10, page 33 of Record of Surveys, Fresno County Records, last said corner shown as being 1,324.29 feet East of the West line of the Northeast Quarter of said Section 8; thence North  $0^{\circ}24'31''$  East, along the West line of said lot and its Northerly prolongation and the West line of a lot as shown on said Map of Survey whose Southwest corner is shown as being 1,324.44 feet East of the West line of said Northeast Quarter, and its Northerly prolongation, a distance of 1,693.27 feet; thence North  $89^{\circ}50'00''$  East, parallel with and 30.00 feet North of the South line of said Section 5, a distance of 959.46 feet to the intersection with the Northerly prolongation of the West line of the East 365.08 feet of said Northeast Quarter; thence South  $0^{\circ}25'00''$  West, along the West line of the East 365.08 feet of said Northeast Quarter and its Northerly prolongation, a distance of 720.84 feet to the intersection with a line parallel with and 1,918.00 feet North of said Northeast Quarter; thence North  $89^{\circ}55'39''$  East, parallel with and 1,918.00 feet North of the South line of said Northeast Quarter, a distance of 335.08 feet to the Point of Beginning.

STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF FRESNO )

On January 10, 2006, before me, Michele L. Hogan a Notary Public for the State of California, personally appeared, Robert A. McCaffrey, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity(ies) on behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

L.S.

Notary Public   
My Commission Expires: January 21, 2007



Recording Requested by  
City Clerk, Fresno, California  
No Fee-Govt. Code 6103

Return to City Clerk, Fresno

Space above this line reserved for Fresno County Recorder's Office

ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO  
PROPOSED AND INITIATED BY \_\_\_\_\_  
MOVED BY Calhoun SECONDED BY Duncan

BILL NO. B-36

ORDINANCE NO. 2005-38

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING  
THE OFFICIAL ZONE MAP OF THE CITY OF FRESNO HERETOFORE  
ADOPTED BY ARTICLES 1 TO 4.5 INCLUSIVE, CHAPTER 12, OF THE  
FRESNO MUNICIPAL CODE, BEING THE ZONING ORDINANCE OF THE  
CITY OF FRESNO

WHEREAS, Rezone Application No. R-04-65 has been filed by Gary Giannetta Civil Engineering & Land Surveying, on behalf of Ciao Properties, on behalf of the property owners listed below to rezone property as described hereinbelow; and

Property Owners: Thomas L Sappington and Ofelia F. Sappington, Kelly L. Miller, and Ciao Properties

WHEREAS, the West Area Community Plan Advisory Committee considered this application at its meeting of October 4, 2004, and recommended approval; and,

WHEREAS, pursuant to the provisions of Article 4, Chapter 12, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 16th day of February, 2005, to consider Rezone Application No. R-04-65 and related Environmental Assessment No. R-04-65/T-5338/UGM, during which the Commission recommended to the Council of the City of Fresno approval of the rezone application which proposes to amend the City's Zoning Ordinance on real property described hereinbelow from the R-R (*Rural Residential-Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district; and,

Adopted 4/12/05  
Approved 4/12/05  
Effective SEE SEC. 4

2005-38

WHEREAS, the Council of the City of Fresno, on the 12<sup>th</sup> day of April, 2005, received the recommendation of the Planning Commission.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, the adoption of the proposed rezoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that there is no substantial evidence in the record that the rezoning may have a significant effect on the environment as identified by the Finding of Conformity to the 2025 Fresno General Plan dated January 27, 2005, prepared for Environmental Assessment No. R-04-65/T-5338/UGM. Accordingly, Environmental Assessment No. R-04-65/T-5338/UGM is hereby approved.

SECTION 2. The Council finds the requested R-1/UGM zone district is consistent with the proposed medium density residential planned land use designation of the 2025 Fresno General Plan and the West Area Community Plan as specified in Section 12-403-B of the Fresno Municipal Code.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, is reclassified from the R-R (*Rural Residential-Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.

From R-R to R-1/UGM:

The land referred to herein is situated in the State of California, County of Fresno, and is described as follows.

APN: 505-040-06/07

All that portion of the Northeast Quarter of Section 8, Township 13 South, Range 19 East; Mount Diablo Base and Meridian, in the County of Fresno, State of California described as follows:

Commencing at a point 30 feet South and 30 feet West of the Northeast corner of said Section 8; thence South parallel with the East line of said Section 8, 661.40 feet; thence South 89 Degrees 55 feet West 647.22 feet; thence North parallel with the East line of said Section 8, 660.33 feet; thence North 89 Degrees 50 feet east 647.27 feet to the point of beginning.

Excepting therefrom the East 336.08 feet thereof;

APN: 505-040-09

All that portion of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, according to the map of survey of said Section 8 recorded December 21, 1920 in Book 10 page 33 of record of surveys, records of said county as follows:

Commencing 30 feet South and 677.27 feet West of the Northeast corner of said Section 8; thence West 647.27 feet; thence South 629.27 feet; thence East 647.22 feet; thence North 630.33 feet to the Place of Commencement.

Together with the North 30 feet of that certain 60 foot strip of land on that certain Record of Survey Map recorded in Book 10 page 33 of Record of Surveys Maps, Fresno County Records, lying adjacent to the South boundary of said Parcel 3.

APN: 505-040-14 (East ½)

COMMENCING at a point which is North 89°55' East 1540 feet from a point on the West line of the Northeast quarter of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, according to the map thereof recorded December 21, 1920, in Book 10 page 33 of Record of Surveys, records of said county, distant thereon 974 feet Northerly from the center of said Section 8; thence North 89°55' East 213.72 feet to a point; thence North 0°25' East, 944 feet to a point; thence South 89°55' West 215.74 feet to a point which is 1540.18 feet Easterly from the West line of the said Northeast quarter of said Section; thence 0°25' West 944 feet to the POINT OF COMMENCEMENT.

Together with the South 30 feet of that certain 60 foot strip of land delineated on that certain Record of Survey Map recorded in Book 10 page 33 of Record of Surveys Maps, Fresno County Records, lying adjacent to the North boundary of said Parcel 4.

APN: 505-040-14 (West ½)

COMMENCING at a point which is East 1324.29 feet from a point on the West line of the Northeast quarter of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, according to the map thereof recorded December 21, 1920, in Book 10 page 33 of Record of Surveys, records of said county, distant thereon 974 feet Northerly from the center of said Section 8; thence East 215.715 feet to a point; thence North 0°25' East 944 feet to a point; thence West 215.74 feet to a point, which is 1324.44 feet Easterly from the West line of the said Northeast quarter of said Section; thence South 0°25' West 944 feet to the POINT OF COMMENCEMENT.

Together with the south 30 feet of that certain 60 foot strip of land as delineated on that certain Record of Survey Map recorded in Book 10 page 33 of Record of Surveys Maps, Fresno County Records, lying adjacent to the North boundary of said Parcel 5.



APN: 505-040-15

All that portion of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, according to the map of survey of said Section 8, recorded December 21, 1920 in Book 10 page 33 of record of surveys, records of said county as follows:

Commencing at a point 30 feet West of a point on the East line of said Section 8, which is 721.40 feet South 0°25' West of the Northeast corner of said Section 8, being the POINT OF BEGINNING; thence 862.96 West to a point; thence 472 feet South to a point 892.91 feet West of the East line of Section 8; thence 862.91 feet East to a point 30 feet West of the East line of said Section 8; thence 472 feet North to the POINT OF BEGINNING.

Together with the South 30 feet of that certain 60 foot strip of land as delineated on that certain Record of Survey Map recorded in Book 10 page 33 of Record of Surveys Maps, Fresno County Records, lying adjacent to the North boundary of said Parcel 1;

Excepting therefrom an undivided ½ interest in all oil gas and or minerals in and under said lands, together with the right of the grantor its successor and/or assigns lessees, and legal representatives at all times to enter on the above described lands and take all the usual, necessary or convenient means to bore wells, make executions and to remove all the oil, gas and or minerals herein reserved and found thereon, as reserved in the deed form Bank of American National Trust and Saving Association, a National Banking Association to Paul Newman and Therese Newman, husband and wife as joint tenants dated October 8, 1936 recorded October 9, 1936, in book 1511 page 291 of Official Records, document no. 24338;

Also excepting therefrom an undivided ½ interest in all oil, or minerals in and under said lands, together with the right of the grantor, its successors and/or assigns lessees and legal representative at all times to enter on the above described lands and take all the usual necessary or convenient means to bore wells, make executions and to remove all the oil, gas and or minerals herein reserved and found thereon, as reserved in the deed from Paul Newman and Therese Newman, husband and wife, to Samuel Koostra and Winnie Koostra, husband and wife as joint tenants dated November 16, 1936 recorded November 16, 1936, in book 1533 page 33 of Official Records, document no. 27365.

SECTION 4. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage and annexation into the City of Fresno.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA     )  
COUNTY OF FRESNO     )  
CITY OF FRESNO         )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 12th day of April, 2005, by the following vote:

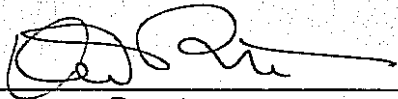
Ayes: Calhoun, Duncan, Perea, Sterling, Westerlund, Dages  
Noes: Boyajian  
Absent: None  
Abstain: None

REBECCA E. KLISCH  
City Clerk

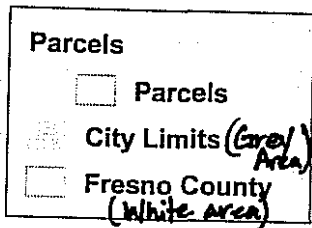
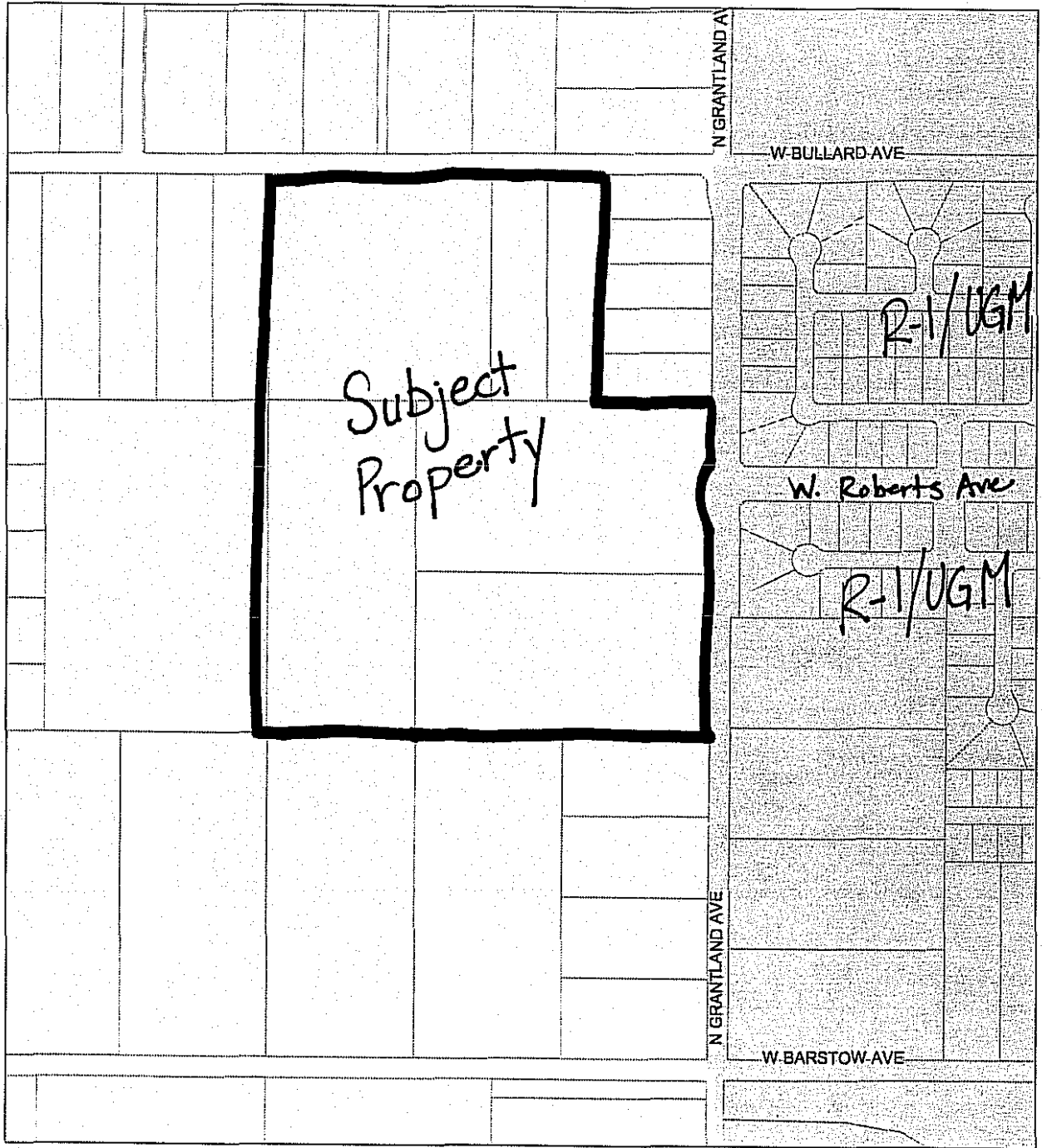
By Rebecca Klisch

APPROVED AS TO FORM:

HILDA CANTÚ MONTÓY  
City Attorney

By   
Deputy

Rezone Application No. R-04-65  
Filed by Gary Giannetta Civil Engineering & Land  
Surveying, on behalf of Ciao Properties  
Assessor's Parcel No. 505-040-06, 07, 09, 14, 15

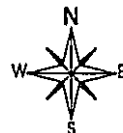


# VICINITY MAP

Bullard-Grantland No. 3  
Reorganization

SWC Bullard and Grantland Avenues

# PLANNING & DEVELOPMENT DEPARTMENT

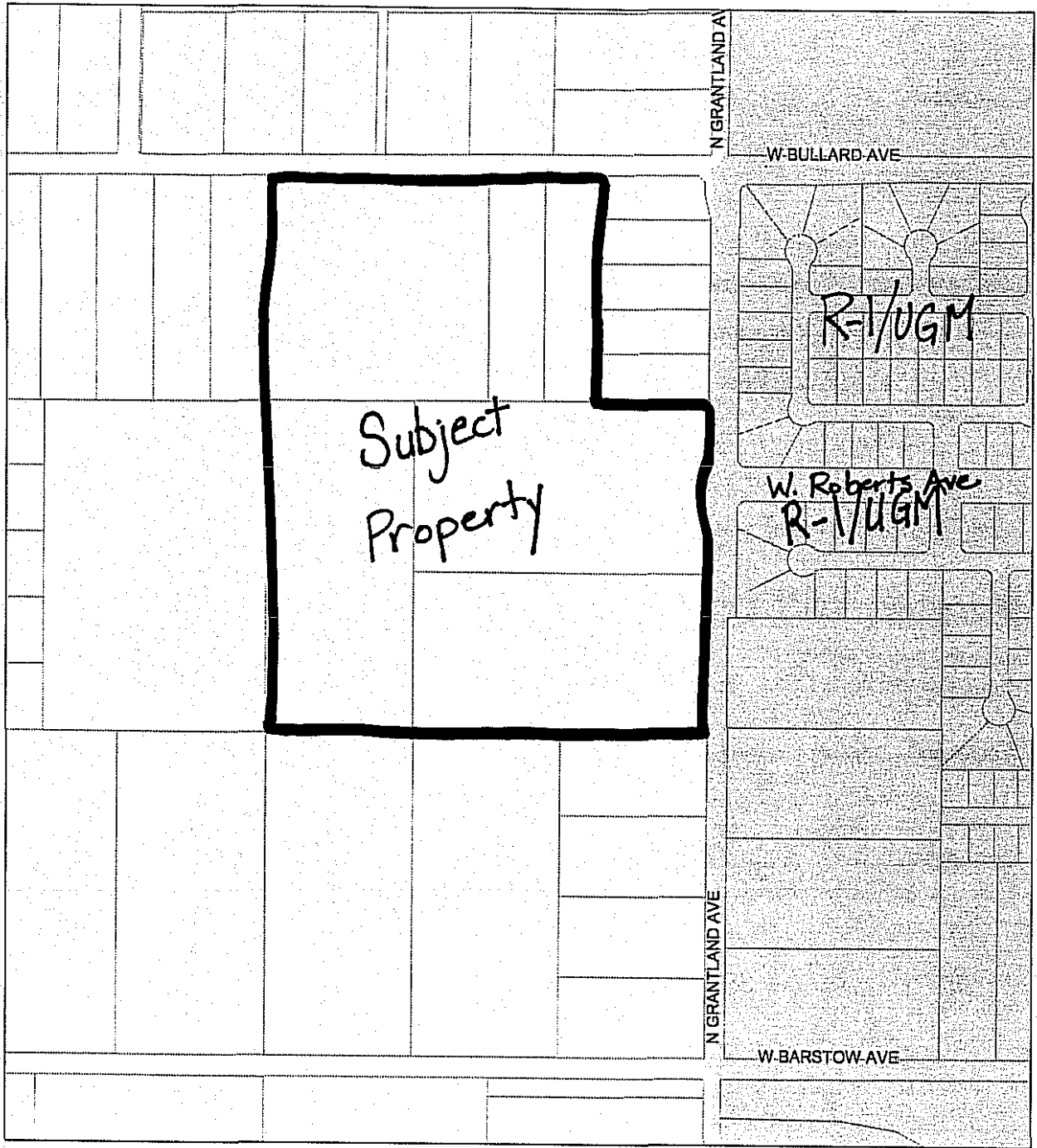


NOT TO SCALE




A.P.N.: \_ 505-040-06,07,09,14,15,16

ZONE MAP: 1843 \_\_\_\_\_

BY/DATE: SAC/2-28-06 \_\_\_\_\_



**Parcels**

-  Parcels
-  City Limits (*Grey Area*)
-  Fresno County (*White Area*)

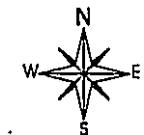


# VICINITY MAP

Bullard-Grantland No. 3  
Reorganization

SWC Bullard and Grantland Avenues

# PLANNING & DEVELOPMENT DEPARTMENT

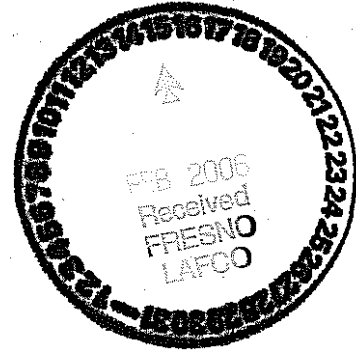


NOT TO SCALE

A.P.N.: 505-040-06,07,09,14,15,16

ZONE MAP: 1843 \_\_\_\_\_

BY/DATE: SAC/2-28-06 \_\_\_\_\_



DATE: February 9, 2006  
TO: Dan Sparks, Assessor's Office  
FROM: Candie Fleming, LAFCo  
SUBJECT: "Bullard-Grantland No. 3 Reorganization"

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

*Map + Legal Approved*  
*GYH 2-14-06*

**RECEIVED**

FEB 13 2006

**ASSESSOR  
FRESNO COUNTY**

BULLARD-GRANTLAND NO. 3 REORGANIZATION  
ANNEXATION TO THE CITY OF FRESNO AND DETACHMENT FROM THE  
NORTH CENTRAL FIRE PROTECTION DISTRICT AND THE  
KINGS RIVER CONSERVATION DISTRICT  
LEGAL DESCRIPTION

That portion of the Northeast Quarter of Section 8 and the Southeast Quarter of Section 5, all in Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at a point on a line 30.00 feet West of the East line of said Section 8 and 1,918.00 feet North of the South line of said Northeast Quarter, said point being on the existing limit line of the City of Fresno; thence South 0°25'00" West, parallel with and 30.00 feet West of the East line of said Section 8, being also along the existing limit line of the City of Fresno, a distance of 974.00 feet; thence South 89°55'39" West, leaving the existing limit line of the City of Fresno, parallel with and 974.00 feet North of the South line of the Northeast Quarter of said Section 8, a distance of 1,294.29 feet to the Southwest corner of that lot shown on the Map of Survey, recorded in Book 10, page 33 of Record of Surveys, Fresno County Records, last said corner shown as being 1,324.29 feet East of the West line of the Northeast Quarter of said Section 8; thence North 0°24'31" East, along the West line of said lot and its Northerly prolongation and the West line of a lot as shown on said Map of Survey whose Southwest corner is shown as being 1,324.44 feet East of the West line of said Northeast Quarter, and its Northerly prolongation, a distance of 1,693.27 feet; thence North 89°50'00" East, parallel with and 30.00 feet North of the South line of said Section 5, a distance of 959.46 feet to the intersection with the Northerly prolongation of the West line of the East 365.08 feet of said Northeast Quarter; thence South 0°25'00" West, along the West line of the East 365.08 feet of said Northeast Quarter and its Northerly prolongation, a distance of 720.84 feet to the intersection with a line parallel with and 1,918.00 feet North of said Northeast Quarter; thence North 89°55'39" East, parallel with and 1,918.00 feet North of the South line of said Northeast Quarter, a distance of 335.08 feet to the Point of Beginning.

Contains 45.25 acres more or less.

Dated: March 1, 2005

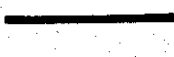
Revised: April 15, 2005

Revised: October 7, 2005

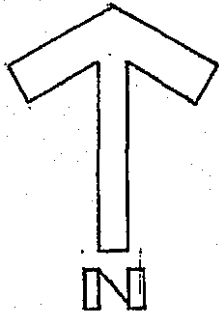
Revised: February 9, 2006

**LEGEND:**

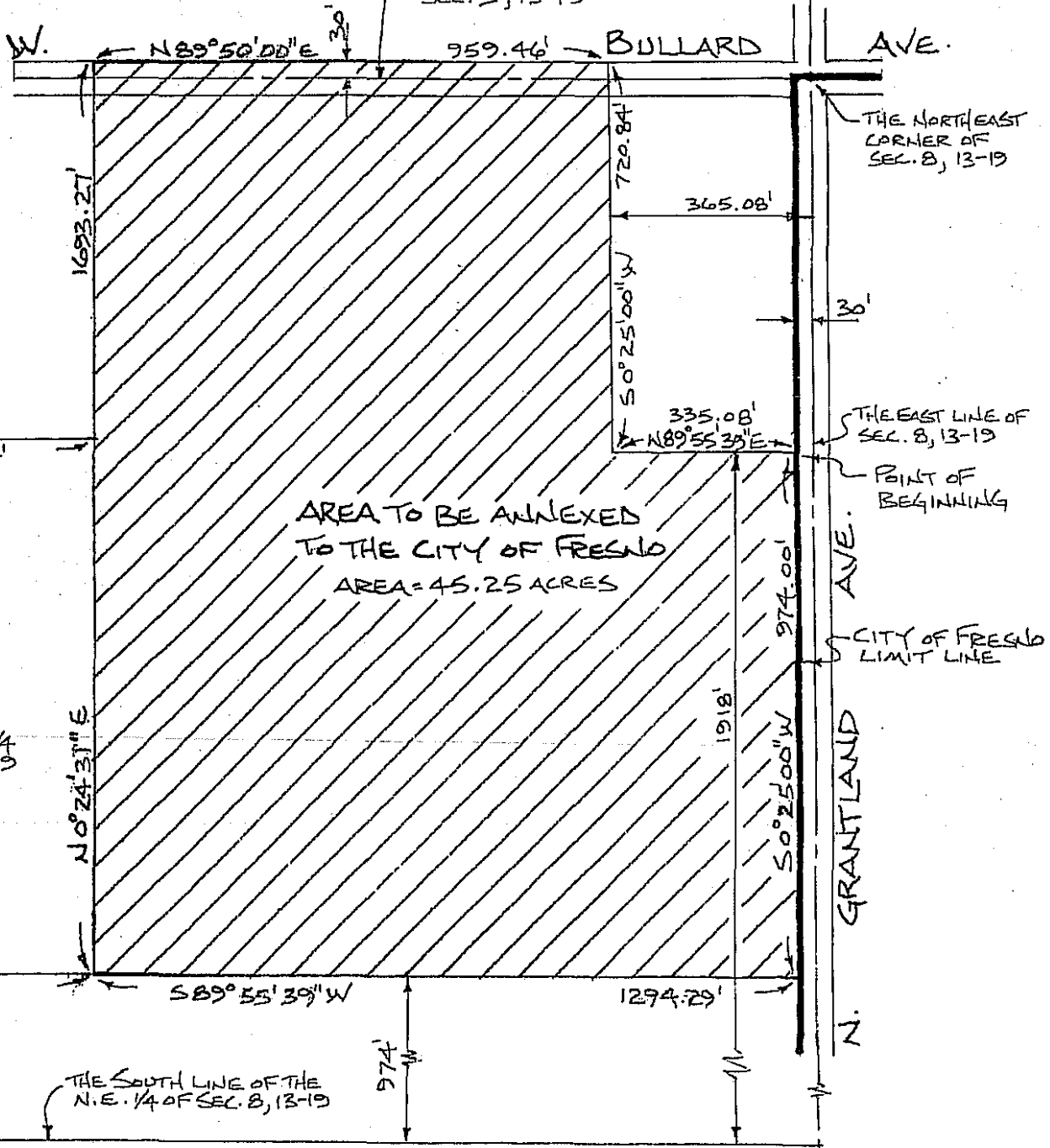
 INDICATES AREA TO BE ANNEXED TO THE CITY OF FRESNO

 INDICATES EXISTING LIMIT LINE OF THE CITY OF FRESNO

THE SOUTH LINE OF SEC. 5, 13-19



SCALE: 1" = 300'



AREA TO BE ANNEXED TO THE CITY OF FRESNO  
AREA = 45.25 ACRES

A PORTION OF THE N.E. 1/4 OF SEC. 8 & THE S.E. 1/4 OF SEC. 5,  
ALL IN TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO  
BASE AND MERIDIAN

PREPARED BY:  
GARY GIANNETTA  
1119 "S" STREET  
FRESNO, CA. 93721  
559.264.3590

BULLARD-GRANTLAND No. 3 REORGANIZATION  
TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED  
FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT  
AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED:  
3-1-05  
REVISED:  
4-15-05  
10-7-05  
2-9-06

**RESOLUTION NO. RO-05-29A**

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

**In the matter of:**

**DETERMINING THE VALUE OF PROTESTS RECEIVED AND NOT WITHDRAWN RELATED TO THE "BULLARD-GRANTLAND NO. 3 REORGANIZATION" AND THE DETERMINATION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION THAT THE VALUE OF ALL VALID PROTESTS FILED AND NOT WITHDRAWN ARE INSUFFICIENT TO CONSTITUTE A MAJORITY PROTEST OR TO CAUSE AN ELECTION ON THE ISSUE OF REORGANIZATION, AND ORDERING THE REORGANIZATION, WITHOUT AN ELECTION, AS CONDITIONALLY APPROVED.**

---

**WHEREAS**, these Conducting Authority proceedings concerning the approved "Bullard-Grantland No. 3 Reorganization" were duly and regularly conducted pursuant to Division 3 of Title 3 of the California Government Code, commencing with Section 56000; and

**WHEREAS**, said Reorganization included the annexation of 40 acres of territory located on the south side of W. Bullard Avenue and west of N. Grantland Avenue, to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District, and further described in Exhibit "A," attached hereto and by this reference incorporated herein; and

**WHEREAS**, at the September 28, 2005, regular LAFCo hearing, this Commission conditionally approved and ordered the "Bullard-Grantland No. 3 Reorganization", adopting Resolution No. RO-05-29; and

**WHEREAS**, at the September 28, 2005 hearing, this Commission found that not all affected agencies have submitted a signed, written waiver of protest proceedings and directed the Executive Officer to set the matter for a protest hearing pursuant to Section 57002 of the Government Code; and

**WHEREAS**, the Executive Officer duly gave notice of the protest hearing in accordance with California Government Code Section 57025, and all other applicable sections of the California Government Code, said noticing being published in the local newspaper and mailed to all property owners in the affected territory; and

**WHEREAS**, all property owners in the affected territory were provided with written individual notification summarizing the approved reorganization, outlining the protest procedures and rules for protesting an uninhabited annexation, and an Official LAFCo Protest Form; and

**WHEREAS**, this Commission on December 7, 2005, held a duly noticed Protest Hearing, as provided for in Section 57000 et seq. of the California Government Code for the purpose of hearing landowner objections and protests to the approved reorganization, to receive written "official" protests, and to allow for the withdrawal of any written protests filed with this Commission prior to or at said hearing, if any; and

**WHEREAS**, at said protest hearing prior to considering protests and objections, the Executive Officer orally summarized Commission Resolution No. RO-05-29 for this Commission and those in attendance at said hearing; and

**WHEREAS**, pursuant to the California Government Code Commission actions for uninhabited annexations include the following:

- (1) Terminate proceedings if a majority protest exists. A majority protest shall be deemed to exist and the proposed change of organization or reorganization shall be abandoned if the Commission finds that written protests filed and not withdrawn prior to the conclusion of the hearing represent the following:
  - (a) In the case of uninhabited territory, landowners owning 50 percent or more of the assessed value of the land within the territory (Gov. Code Section 57078).
- (2) Order the change of organization or reorganization if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

**WHEREAS**, pursuant to the California Government Code said reorganization could only be terminated if written protests filed with the Executive Officer or this Commission (and not withdrawn) equaled 50 percent or more of the assessed value of land within the affected territory; and

**WHEREAS**, following an opportunity for public testimony and an opportunity to file or withdraw written protests, the Deputy Executive Officer reported that at the time the public hearing was closed at said protest hearing that zero (0) written protests were filed on Official Protest Forms by landowners and not withdrawn; and

**WHEREAS**, following an examination of the total assessed value of property in the affected territory the Executive Officer reported that the value of the written protests received and not withdrawn are insufficient to reverse the Commission's September 28, 2005, approval of said reorganization.

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

**Section #1.** This Commission determines that following an opportunity for public testimony and an opportunity to file or withdraw written protests that at the time the public hearing was closed at said protest hearing that zero (0) written protests were filed on Official Protest Form(s) by landowners and not withdrawn.

**Section #2.** This Commission determines that following an examination by LAFCo staff of the total assessed value of property in the affected territory that the value of the written protest is insufficient to reverse this Commission's September 28, 2005, approval of said reorganization.

**Section #3.** This Commission hereby determines that Resolution No. RO-05-29 adopted at the regular LAFCo hearing on the 28<sup>h</sup> day of September 2005, conditionally ordering the "Princeton-Brawley No. 2 Reorganization" stands as ordered.

**Section #4.** All proceedings of this Commission concerning the proposed Reorganization have been duly carried out and completed, in conformity with all applicable laws.

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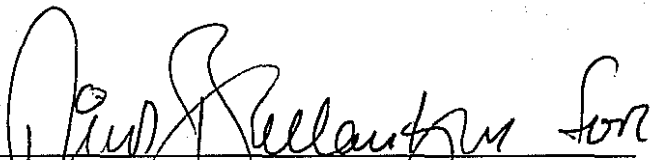
**PASSED AND ADOPTED BY THE FRESNO LOCAL AGENCY FORMATION COMMISSION THIS 7<sup>TH</sup> DAY OF DECEMBER, BY THE FOLLOWING VOTE TO WIT:**

- AYES:** Commissioners Rodriguez, Fortune, Anderson, Waterston, Lopez
- NOES:** None
- ABSENT:** None

STATE OF CALIFORNIA)  
COUNTY OF FRESNO )

**EXECUTIVE OFFICER'S CERTIFICATION**

I, Michael R. Waiczis, Executive Officer of the Fresno Local Agency Formation Commission (LAFCo) Fresno County, State of California, certify that the foregoing resolution was adopted by the Commission at a regular meeting held on the 7<sup>th</sup> day of December, 2005

  
\_\_\_\_\_  
Michael R. Waiczis, AICP  
Executive Officer

RECEIVED

OCT 17 8 2005

ASSESSOR

FRESNO COUNTY



SCALE: 1" = 300'

1324.44'

1623.27'

N 0° 24' 31" E

1324.29'

S 89° 55' 39" W

THE SOUTH LINE OF THE N.E. 1/4 OF SEC. 8, 13-19

974'

THE SOUTH LINE OF SEC. 5, 13-19

N 89° 50' 00" E

959.46'

BULLARD AVE.

AVE.

720.84'

365.08'

S 0° 25' 00" W

335.08'

N 89° 55' 39" E

THE NORTHEAST CORNER OF SEC. 8, 13-19

30'

THE EAST LINE OF SEC. 8, 13-19

POINT OF BEGINNING

AREA TO BE ANNEXED TO THE CITY OF FRESNO  
AREA = 45.25 ACRES

AVE.

CITY OF FRESNO LIMIT LINE

974.00'

S 0° 25' 00" W

N. GRANTLAND AVE.

1918'

1294.29'

A PORTION OF THE N.E. 1/4 OF SEC. 8 & THE S.E. 1/4 OF SEC. 5,  
ALL IN TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO  
BASE AND MERIDIAN

PREPARED BY:  
GARY GIANNETTA  
1119 "S" STREET  
FRESNO, CA 93721  
ESP. 264.3590

BULLARD-GRANTLAND No. 3 REORGANIZATION  
TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED  
FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT  
AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED:  
3-1-05  
REVISED:  
4-15-05  
10-7-05

**ASSESSED VALUE INFORMATION  
 BULLARD-GRANTLAND NO. 3 REORGANIZATION  
 RO-05-29  
 TOTAL ASSESSED VALUE IS \$2,076,927**

APN #	NAME	ACREAGE	ASSESSED VALUE	% OF VALUE
505-040-06	Sappington, Ofelia & Thomas		\$152,478	7.34
505-040-07	Miller, Kelly		\$146,082	7.03
505-040-09	CIAO Properties	9.81	\$450,213	21.68
505-040-14		9.65	\$442,871	21.32
505-040-15		9.94	\$456,180	21.96
505-040-16		9.35	\$429,103	20.66

**PROPONENT OWNS ALL OF THE LAND**

**TOTAL      \$2,076,927**

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

---

AGENDA ITEM NO. 11

**DATE:** December 7, 2005

**TO:** Fresno Local Agency Formation Commission

**FROM:** Michael R. Waiczis, AICP, Executive Officer

**SUBJECT:** **Conducting Authority Proceedings - Protest Hearing for the City of Fresno, "Bullard-Grantland No. 3 Reorganization"**. The reorganization consists of the annexation of 40 acres of territory to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District. The affected territory is located on the south side of W. Bullard Avenue and west of N. Grantland Avenue (LAFCo File No.RO-05-29).

**Background and Summary**

- This protest hearing is being conducted pursuant to California Government Code commencing with Section 57000 which requires LAFCo to carry out Conducting Authority Proceedings.
- At its September 28, 2005 meeting, your Commission conditionally approved the "Bullard-Grantland No. 3 Reorganization" adopting Resolution No. RO-05-29 attached to this Report as Exhibit "A" and incorporated herein by this reference. This protest hearing is required because not all agencies have signed consent forms.
- The approved reorganization consists of the annexation of 40 acres of territory to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District.
- At this hearing, prior to consideration of protests, your Commission's resolution making determinations will be summarized. The Commission will then hear and receive any oral or written protests, objections, or evidence made, presented, or filed.
- At any time prior to the conclusion of this hearing any land owner within the affected territory may file a written protest against the annexation.
- Should insufficient valid protests be received and not withdrawn the Commission's determination to conditionally approve the reorganization stands.
- Every property owner in the affected territory received written notice of this hearing, instructions on how to protest, and an "official" protest form. At this writing, your staff has not received any "official" written protests.

**Recommendation**

Direct the Executive Officer to determine the value of valid protests received and not withdrawn and report these results to the Commission within the time prescribed by State law.<sup>1</sup> If feasible, report these results at this hearing.

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<sup>1</sup> Not longer than 30 days following this hearing in accordance with Gov. Code sections 56100, 57075 and 57078.

## Conducting Authority Proceedings

### **Executive Officer's Summary**

State law requires the Executive Officer to read a summary of Resolution No. RO-05-29 (presented below).

- At the September 28, 2005 meeting, this Commission considered and approved the "Bullard-Grantland No. 3 Reorganization".
- The reorganization consists of the annexation of 40 acres of territory from the County of Fresno to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District. The territory is located south of Bullard Avenue and west of Grantland Avenue.
- This Commission, acting as a Responsible Agency under CEQA Guidelines, considered the information in the Initial Study and the Finding of Conformity to the 2025 General Plan Master Environmental Impact Report (MEIR No. 10130) prepared by the Lead Agency, City of Fresno and found that the information and findings presented in these documents were complete and adequate on which to make a determination regarding this Proposal.
- This Commission found that approval of the reorganization is consistent with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and LAFCo Policies, Standards and Procedures.
- This Commission considered all relevant factors and heard all interested parties wishing to speak regarding the proposed reorganization. Thomas Miller, representing Tom and Ophelia Sappington and Kerry Miller requested that the Commission include two parcels with the reorganization (APN No. 505-040-06S and 07S). The Commission concurred with the request and included these parcels within the reorganization.
- This Commission found the affected territory to be uninhabited and that not all agencies in the territory consented to the annexation in writing and directed staff to set a protest hearing pursuant to the requirements of California Government Code Section 57000.
- This Commission, thereafter, adopted Resolution No. RO-05-29 conditionally approving the proposed reorganization.

### **Public Testimony**

Following this summary the Commission will hear and receive any oral or written protests, objections, or evidence made, presented, or filed. The Chairman may call for any final protests to be filed or withdrawn prior to closing the public hearing<sup>2</sup>.

### **Determination**

This Commission conditionally approved the "Bullard-Grantland No. 3 Reorganization", adopting Resolution No. RO-05-29. The reorganization can only be terminated if written protests filed with

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<sup>2</sup> At this writing, no written protests have been received by your staff.

the Executive Officer (and not withdrawn) are sufficient to overturn the Commission's determination. Protest procedures for uninhabited annexations are outlined below and attached to this Report as Exhibit "B" and incorporated herein by this reference.

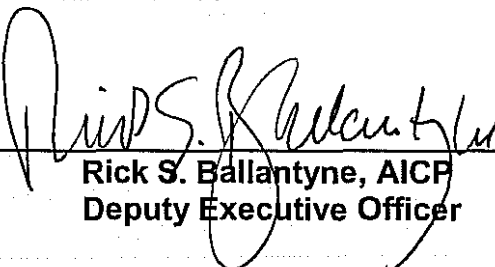
- (1) Terminate proceedings if a majority protest exists. A majority protest is deemed to exist and the proposed reorganization shall be abandoned if the Commission finds that written protests filed and not withdrawn prior to the conclusion of the hearing represent the following:
  - (a) In the case of uninhabited territory, landowners owning 50 percent or more of the assessed value of the land within the territory (Gov. Code Section 57078a).
- (2) Order the change of organization or reorganization if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

Also attached to this report are Exhibit "C", the "Official Protest Form Information" provided to those landowners that chose to file a protest in opposition to a proposal, and Exhibit "D", the "Official Protest Form" for the proposal. Both exhibits are incorporated herein by this reference.

### Approval Stands

The reorganization stands as approved if the number of protests filed with LAFCo (and not withdrawn) falls below the thresholds described above.

Prepared by:

  
\_\_\_\_\_  
Rick S. Ballantyne, AICP  
Deputy Executive Officer

Submitted by:

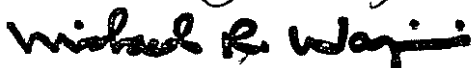
  
\_\_\_\_\_  
Michael R. Waiczis, AICP  
Executive Officer

EXHIBIT "A"

RESOLUTION NO. RO-05-29

FRESNO LOCAL AGENCY FORMATION COMMISSION  
FRESNO COUNTY, CALIFORNIA

In the Matter of:

LAFCo Determination

A REQUEST FROM THE CITY )  
OF FRESNO FOR APPROVAL )  
OF THE "BULLARD-GRANTLAND )  
NO. 3 REORGANIZATION" )  
)

THE FRESNO LOCAL AGENCY )  
FORMATION COMMISSION )  
CONDITIONALLY APPROVES )  
THE "BULLARD-GRANTLAND )  
NO. 3 REORGANIZATION"

---

**WHEREAS**, the following proceedings for a proposed reorganization were initiated by the City of Fresno to annex approximately 40 acres of territory, located south of Bullard Avenue and west of Grantland Avenue, within the City of Fresno Sphere of Influence, to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District; and

**WHEREAS**, an application was submitted to this Commission as required by State Law, and on August 30, 2005, the application for said proposed reorganization was accepted for filing by the Executive Officer; and said application was set for hearing on the 28<sup>th</sup> day of September, 2005, at the hour of 1:30 p.m.; and

**WHEREAS**, notice of the hearing of said application was given as required by law; and

**WHEREAS**, the City of Fresno and the North Central Fire Protection District ("District") do not have a current transition agreement in full force and effect on file with the Commission and said District filed a written objection to this proceeding; and

**WHEREAS**, a master property tax transfer agreement has been executed between the City of Fresno and the County of Fresno, the responsible local agencies for the exchange of property tax revenue for this jurisdictional change; and

**WHEREAS**, the County of Fresno submitted a letter to this Commission, dated May 27, 2005, stating that the County has determined that the proposed annexation of the affected territory to the City of Fresno is consistent with the foregoing master property tax transfer agreement; and

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

**WHEREAS**, this Commission reviewed and considered the information in the Initial Study and the "Finding of Conformity with the Final Master Environmental Impact Report (MEIR) for the Fresno 2025 General Plan" prepared by the Lead Agency, City of Fresno, 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; and

**WHEREAS**, Thomas Miller, representing Tom and Ophelia Sappington and Kerry Miller requested that the Commission include two parcels with the reorganization (APN No. 505-040-06S and 07S); and

**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 a Responsible Agency under CEQA Guidelines, this Commission considered the information in the Initial Study and the Finding of Conformity with the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) prepared for this project by the City of Fresno prior to making its determination, and finds the subsequent project (Proposal) to be within the scope of the (overall) project covered by the MEIR prepared and certified for the 2025 Fresno General Plan, and that the proposed project will have no additional significant effect, as defined by subdivision (b) of Section 21158 of the Public Resources Code, on the environment that was not identified in the MEIR and requires no new or additional mitigation measures or alternatives in order to avoid or mitigate a significant environmental effect (CEQA Section 15177), and that the Lead Agency's Initial Study and "Finding of Conformity with the MEIR" were prepared in accordance with the requirements of CEQA Guidelines and are consistent with State law, and that the City's environmental documents and findings prepared for this Proposal are determined to be legally adequate pursuant to CEQA Guidelines Section 15096.

**Section #2.** This Commission finds pursuant to Section 102-041 of LAFCo Policies, Standards and Procedures that a fire services transition agreement between the North Central Fire Protection District and the City of Fresno is necessary to provide orderly transition of services from the District to the City, and that findings necessary to waive the requirement for a transition agreement pursuant to Section 102-041A can not be made in light of the potential negative fiscal impacts to the District that would result from annexation of the affected territory.

**Section #3.** This Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures Section 210 - Standards for Annexation to Cities and Urban Service Districts (01-13), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the "Act").

**Section #4.** Conditionally approve the "Bullard-Grantland No. 3 Reorganization" RO-05-29, annexation and detachments with the inclusion of APN #505-040-06s and APN #505-040-07s, subject to the following Conditions of Approval:

- A. The City of Fresno shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with any final tract map approved by the City for the affected territory.

- B. The territory rezoned in accordance with LAFCo Policies Standards and Procedures Section 210-13 shall remain under the approved Zone Districts for a time pursuant to State law (City of Fresno Ordinance No. 2004-129).
- C. Satisfactory verification that the City has accepted the final map for Tentative Tract Map 5338 shall be submitted to the Executive Officer prior to the completion of the annexation.
- D. The City of Fresno shall submit to the Executive Officer a copy of a fully executed fire services transition agreement between the City and the North Central Fire Protection District prior to completion (recordation) of the proposed annexation.

**Section #5.** This Commission makes the following findings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("Act"):

- A. The territory is uninhabited and this Commission hereby assigns the distinctive short form designation: "Bullard-Grantland No. 3 Reorganization" for this proposal.
- B. That not all agencies gaining or losing territory have submitted a signed, a written waiver of protest proceedings.

**Section #6.** This Commission directs staff to set a Protest Hearing pursuant to the requirements of the Act (*Government Code Section 57000 et seq.*).

**Section #7.** This Commission's actions approving this proposal shall expire one year from the date of this Resolution unless all proceedings are complete, including compliance with all conditions of approval, Terms and Conditions, and the issuance of a Certificate of Completion by the Executive Officer.

**Section #8.** The Executive Officer is hereby authorized and directed to mail certified copies of this Resolution as provided in Government Code Section 56882 and to file, as appropriate, in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this Proposal, as required by State law.

\*\*\*\*\*

**ADOPTED THIS 28<sup>th</sup> DAY OF SEPTEMBER, 2005, BY THE FOLLOWING VOTE:**

**AYES: Commissioners Rodriguez, Lopez, Anderson, Fortune**

**NOES: None**


**ABSTAIN: Commissioner Waterston**

**ABSENT: None**

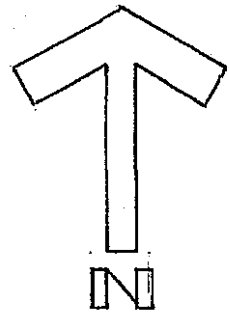
STATE OF CALIFORNIA)  
COUNTY OF FRESNO )

**CERTIFICATION**

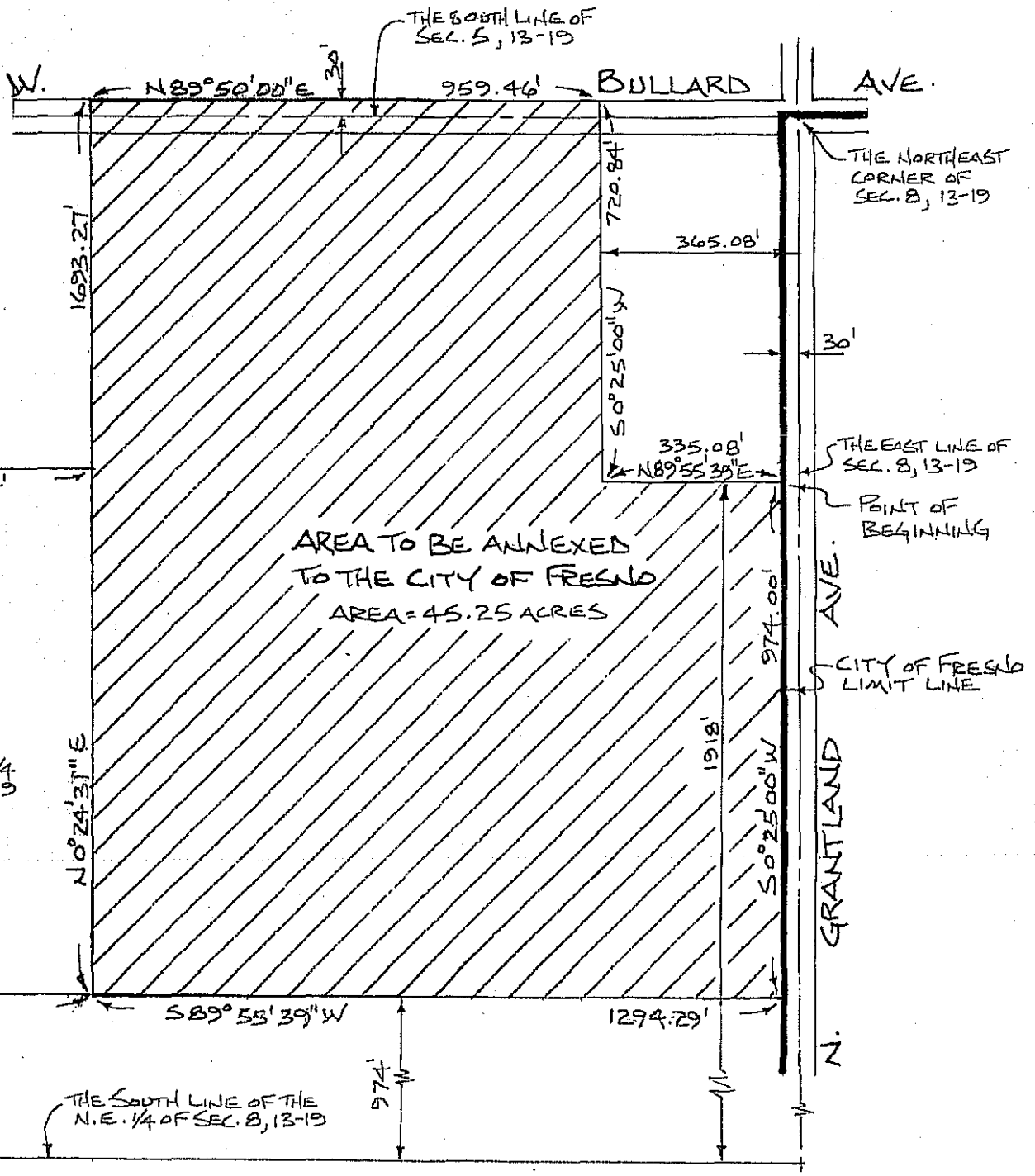
I, Michael R. Waiczis, Executive Officer of the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certifies that the foregoing resolution was adopted by the Commission at a regular meeting held on the 28<sup>th</sup> day of September, 2005.

  
\_\_\_\_\_  
**Michael R. Waiczis, AICP**  
**Executive Officer**  
**Fresno Local Agency Formation Commission**

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SCALE: 1"=300'



A PORTION OF THE N.E. 1/4 OF SEC. 8 & THE S.E. 1/4 OF SEC. 5,  
ALL IN TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO  
BASE AND MERIDIAN

PREPARED BY:  
GARY GIANNETTA  
1119 "S" STREET  
FRESNO, CA 93721  
555-264-3550

BULLARD-GRANTLAND No. 3 REORGANIZATION  
TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED  
FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT  
AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED:  
3-1-05  
REVISED:  
4-15-05  
10-7-05

## EXHIBIT B

### PROTEST PROCEDURES

Below are the protest procedures that are specific to the City of Fresno "Bullard-Grantland No. 3 Reorganization". The Commission's protest procedures for the proposed reorganization involves uninhabited territory where not all landowners have consented to the annexation. Procedures are set down in Government Code Sections 56100, 57075 and 57078. These are outlined below.

In the case of an uninhabited proposal for a city where a change of organization consists of an annexation and detachment, the Commission is required to make a finding regarding the value of written protests filed and not withdrawn not more than 30 days after the conclusion of the hearing, and take one of the following actions:

In the case of uninhabited territory, take either of the following actions (1 or 2):

(1) Terminate proceedings if a majority protest exists. A majority protest shall be deemed to exist and the proposed change of organization or reorganization shall be abandoned if the Commission finds that written protests filed and not withdrawn prior to the conclusion of the hearing represent the following:

(a) In the case of uninhabited territory, landowners owning 50 percent or more of the assessed value of the land within the territory (Gov. Code Section 57078).

(2) Order the change of organization or reorganization if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

***(Gov. Code Sections 57075(b) (1) (2) and 57078 (b)).***

## EXHIBIT C

### FRESNO LOCAL AGENCY FORMATION COMMISSION OFFICIAL PROTEST FORM INFORMATION "Bullard-Grantland No. 3 Reorganization"

**HOW TO FILE A PROTEST:** The following provides specific direction on how to file a protest in opposition to a proposal:

Owners of land within the boundaries of the affected area may file written protests in opposition to the proposed uninhabited city annexation. **Protests may either be mailed or delivered to Fresno LAFCO, 2115 Kern Street, Suite 310, Fresno, CA 93721, or delivered to the LAFCO Executive Officer at the protest hearing.**

Each protest form must state that the person protesting the proposal is a landowner and must include their name, mailing address and a street address or Assessor Parcel Number (APN) identifying the location of the land within the proposal area for which they are protesting. Written protests must be filed no later than the conclusion of the hearing to be considered valid.

Each protest will be counted separately according to the applicable rules (see below). A protest form is attached if you wish to file a protest. This form may be copied.

**To file a protest,** fill out this form, detach it, and either mail or deliver it to the LAFCo office or deliver it to the LAFCo Executive Officer at the protest hearing. The effect of protests received will be determined within 30 days following the hearing in accordance with Government Code Sections 57075 and 57078 as explained below:

In the case of an uninhabited proposal for a city where a change of organization consists of an annexation and detachment, the Commission is required to make a finding regarding the value of written protests filed and not withdrawn not more than 30 days after the conclusion of the hearing, and take one of the following actions:

In the case of uninhabited territory, take either of the following actions (1 or 2):

(1) Terminate proceedings if a majority protest exists. A majority protest shall be deemed to exist and the proposed change of organization or reorganization shall be abandoned if the Commission finds that written protests filed and not withdrawn prior to the conclusion of the hearing represent the following:

(a) In the case of uninhabited territory, landowners owning 50 percent or more of the assessed value of the land within the territory (Gov. Code Section 57078).

(2) Order the change of organization or reorganization if written protests have been filed and not withdrawn by owners of land who own less than 50 percent of the total assessed value of land within the affected territory.

***(Gov. Code sections 57075(b) (1) (2) and 57078 (b)).***

**PLEASE NOTE** - This official protest form must be utilized to submit a valid protest. The use of any other form will invalidate your protest.

**EXHIBIT D**

**OFFICIAL PROTEST FORM**  
**"Bullard-Grantland No. 3 Reorganization"**

**PLEASE NOTE** - This official protest form must be utilized to submit a valid protest. The use of any other form will invalidate your protest.

Each of the undersigned is the landowner of property located within the affected territory described below and hereby protests the proposed "Bullard-Grantland No. 3 Reorganization" as provided for in the California Government Code.

Date \_\_\_\_\_ Name \_\_\_\_\_  
(Please type or print)

Full Legal Signature \_\_\_\_\_

Address \_\_\_\_\_  
Number Street City or town

Description of affected property if not at above address \_\_\_\_\_  
Assessor's Parcel Number if known

Address or other description \_\_\_\_\_

Date \_\_\_\_\_ Name \_\_\_\_\_  
(Please type or print)

Full Legal Signature \_\_\_\_\_

Address \_\_\_\_\_  
Number Street City or town

Description of affected property if not at above address \_\_\_\_\_  
Assessor's Parcel Number if known

Address or other description \_\_\_\_\_

Date \_\_\_\_\_ Name \_\_\_\_\_  
(Please type or print)

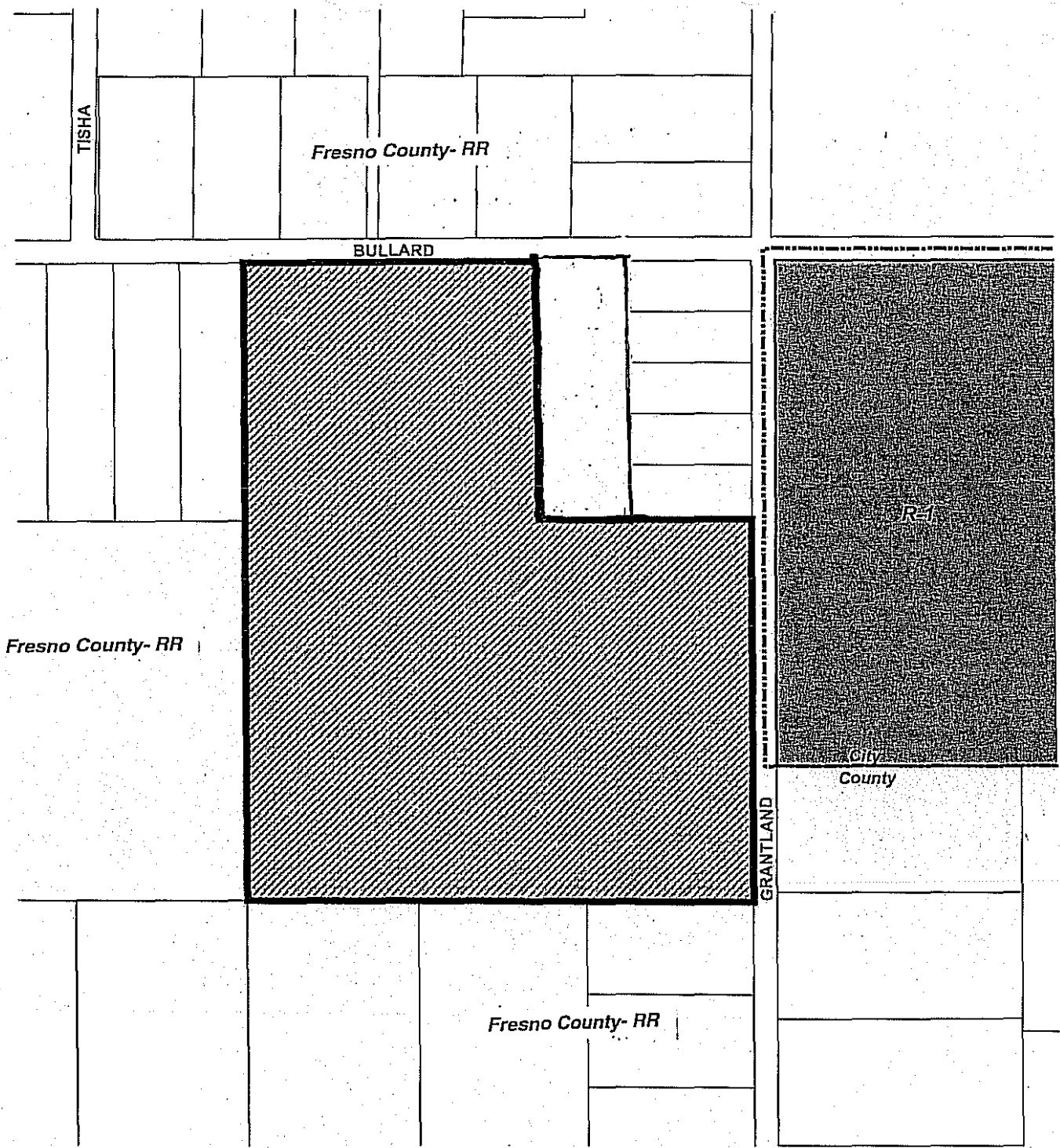
Full Legal Signature \_\_\_\_\_

Address \_\_\_\_\_  
Number Street City or town

Description of affected property if not at above address \_\_\_\_\_  
Assessor's Parcel Number if known

Address or other description \_\_\_\_\_

It is understood that for landowner protests involving a parcel with more than one owner listed on the County's Assessment Roll, only the signer's proportionate share of the value of the property will be credited in the protest.



**LEGEND**



Subject Property



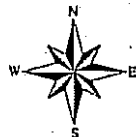
U.G.M. Area

**VICINITY MAP**

BULLARD-GRANTLAND NO. 3  
ANNEXATION

Southwest corner Bullard and Grantland Aves.

**PLANNING & DEVELOPMENT  
DEPARTMENT**



NOT TO SCALE

A.P.N.: 505-040-06S,07S,09,14,15S,16

ZONE MAP: 1843 \_\_\_\_\_

BY/DATE: J.S. / 9-20-04 \_\_\_\_\_



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

RO-05-23

DECLARATION OF PUBLICATION  
(2015.5 C.C.P.)

Misc. Notice

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 of a party to or interested 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 and 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:

Nov 14, 2005

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

November 14, 2005

*Newspaper*

NOTICE OF PROTEST HEARINGS REGARDING

ANNEXATIONS OF PROPERTY TO THE CITIES OF CLOVIS AND FRESNO

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

PLEASE BE ADVISED THAT A PROTEST HEARING will be held on December 7, 2005, by the Fresno Local Agency Formation Commission (LAFCo) concerning the following proposals:

1. "Shaw-DeWolf Southwest Reorganization": Reorganization consisting of approximately 66.28 acres to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located south of E. Shaw Avenue and north of E. Gettysburg Avenue between N. Locan and N. DeWolf Avenues (LAFCo File No. RO-05-23).

2. "McKinley-Polk No. 4C Reorganization": Reorganization consisting of the annexation of approximately 20.0 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District for territory located on the west side of N. Polk Avenue between W. McKinley and W. Clinton Avenues (LAFCo File No. RO-05-24).

3. "Shaw-Bryan No. 3 Reorganization": Reorganization consisting of the annexation of approximately 49 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District for territory located at the southwest corner of W. Shaw and N. Bryan Avenues (LAFCo File No. RO-05-25).

4. "Princeton-Brawley No. 2 Reorganization": Reorganization consisting of the annexation of approximately 14.6 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District for territory located on the east side of N. Brawley Avenue between W. Shields and W. Clinton Avenues (LAFCo File No. RO-05-28).

5. "Bullard-Grantland No. 3 Reorganization": Reorganization consisting of approximately 40 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District for territory located south of W. Bullard Avenue and west of N. Grantland Avenue (LAFCo File No. RO-05-29).

At its September 28, 2005 hearing, the Fresno Local Agency Formation Commission conditionally approved the reorganizations described above.

If you are a property owner in any of the annexation areas you have protest rights and may file a written protest in opposition to the annexation of your property. Official LAFCo Protest Forms may either be mailed or delivered to Fresno LAFCo office (address below) or handed to the LAFCo Executive Officer before the end of the protest hearing. Please contact the LAFCo Office to obtain information about how to protest and to request an Official LAFCo Protest Form. An Official LAFCo Protest Form must be utilized to submit a valid protest.

THE PROTEST HEARINGS WILL BE HELD at 1:30 p.m., or as soon thereafter as possible, on December 7, 2005, in Room 301, Hall of Records, Tulare and "M" Streets, Fresno. For information contact the Commission Office at 2115 Kern Street, Suite 310, Fresno, CA 93721. Please direct questions to Mike Waiczis, AICP, LAFCo Executive Officer at 559-495-0604 or e-mail Mr. Waiczis at mwaiczis@co.fresno.ca.us. (Nov 14)

**RESOLUTION NO. RO-05-29**

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

**In the Matter of:**

**LAFCo Determination**

**A REQUEST FROM THE CITY )  
OF FRESNO FOR APPROVAL )  
OF THE "BULLARD-GRANTLAND )  
NO. 3 REORGANIZATION" )**

**THE FRESNO LOCAL AGENCY )  
FORMATION COMMISSION )  
CONDITIONALLY APPROVES )  
THE "BULLARD-GRANTLAND )  
NO. 3 REORGANIZATION"**

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**WHEREAS**, the following proceedings for a proposed reorganization were initiated by the City of Fresno to annex approximately 40 acres of territory, located south of Bullard Avenue and west of Grantland Avenue, within the City of Fresno Sphere of Influence, to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District; and

**WHEREAS**, an application was submitted to this Commission as required by State Law, and on August 30, 2005, the application for said proposed reorganization was accepted for filing by the Executive Officer; and said application was set for hearing on the 28<sup>th</sup> day of September, 2005, at the hour of 1:30 p.m.; and

**WHEREAS**, notice of the hearing of said application was given as required by law; and

**WHEREAS**, the City of Fresno and the North Central Fire Protection District ("District") do not have a current transition agreement in full force and effect on file with the Commission and said District filed a written objection to this proceeding; and

**WHEREAS**, a master property tax transfer agreement has been executed between the City of Fresno and the County of Fresno, the responsible local agencies for the exchange of property tax revenue for this jurisdictional change; and

**WHEREAS**, the County of Fresno submitted a letter to this Commission, dated May 27, 2005, stating that the County has determined that the proposed annexation of the affected territory to the City of Fresno is consistent with the foregoing master property tax transfer agreement; and

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

**WHEREAS**, this Commission reviewed and considered the information in the Initial Study and the "Finding of Conformity with the Final Master Environmental Impact Report (MEIR) for the Fresno 2025 General Plan" prepared by the Lead Agency, City of Fresno, 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; and

**WHEREAS**, Thomas Miller, representing Tom and Ophelia Sappington and Kerry Miller requested that the Commission include two parcels with the reorganization (APN No. 505-040-06S and 07S); and

**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 a Responsible Agency under CEQA Guidelines, this Commission considered the information in the Initial Study and the Finding of Conformity with the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) prepared for this project by the City of Fresno prior to making its determination, and finds the subsequent project (Proposal) to be within the scope of the (overall) project covered by the MEIR prepared and certified for the 2025 Fresno General Plan, and that the proposed project will have no additional significant effect, as defined by subdivision (b) of Section 21158 of the Public Resources Code, on the environment that was not identified in the MEIR and requires no new or additional mitigation measures or alternatives in order to avoid or mitigate a significant environmental effect (CEQA Section 15177), and that the Lead Agency's Initial Study and "Finding of Conformity with the MEIR" were prepared in accordance with the requirements of CEQA Guidelines and are consistent with State law, and that the City's environmental documents and findings prepared for this Proposal are determined to be legally adequate pursuant to CEQA Guidelines Section 15096.

**Section #2.** This Commission finds pursuant to Section 102-041 of LAFCo Policies, Standards and Procedures that a fire services transition agreement between the North Central Fire Protection District and the City of Fresno is necessary to provide orderly transition of services from the District to the City, and that findings necessary to waive the requirement for a transition agreement pursuant to Section 102-041A can not be made in light of the potential negative fiscal impacts to the District that would result from annexation of the affected territory.

**Section #3.** This Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures Section 210 - Standards for Annexation to Cities and Urban Service Districts (01-13), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the "Act").

**Section #4.** Conditionally approve the "Bullard-Grantland No. 3 Reorganization" RO-05-29, annexation and detachments with the inclusion of APN #505-040-06s and APN #505-040-07s, subject to the following Conditions of Approval:

- A. The City of Fresno shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with any final tract map approved by the City for the affected territory.

- B. The territory rezoned in accordance with LAFCo Policies Standards and Procedures Section 210-13 shall remain under the approved Zone Districts for a time pursuant to State law (City of Fresno Ordinance No. 2004-129).
- C. Satisfactory verification that the City has accepted the final map for Tentative Tract Map 5338 shall be submitted to the Executive Officer prior to the completion of the annexation.
- D. The City of Fresno shall submit to the Executive Officer a copy of a fully executed fire services transition agreement between the City and the North Central Fire Protection District prior to completion (recordation) of the proposed annexation.

**Section #5.** This Commission makes the following findings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("Act"):

- A. The territory is uninhabited and this Commission hereby assigns the distinctive short form designation: "Bullard-Grantland No. 3 Reorganization" for this proposal.
- B. That not all agencies gaining or losing territory have submitted a signed, a written waiver of protest proceedings.

**Section #6.** This Commission directs staff to set a Protest Hearing pursuant to the requirements of the Act (*Government Code Section 57000 et seq.*).

**Section #7.** This Commission's actions approving this proposal shall expire one year from the date of this Resolution unless all proceedings are complete, including compliance with all conditions of approval, Terms and Conditions, and the issuance of a Certificate of Completion by the Executive Officer.

**Section #8.** The Executive Officer is hereby authorized and directed to mail certified copies of this Resolution as provided in Government Code Section 56882 and to file, as appropriate, in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this Proposal, as required by State law.

\*\*\*\*\*


**ADOPTED THIS 28<sup>th</sup> DAY OF SEPTEMBER, 2005, BY THE FOLLOWING VOTE:**

- AYES:** Commissioners Rodriguez, Lopez, Anderson, Fortune
- NOES:** None
- ABSTAIN:** Commissioner Waterston
- ABSENT:** None

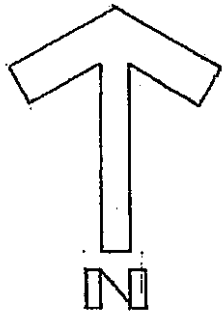
STATE OF CALIFORNIA)  
 COUNTY OF FRESNO )

**CERTIFICATION**

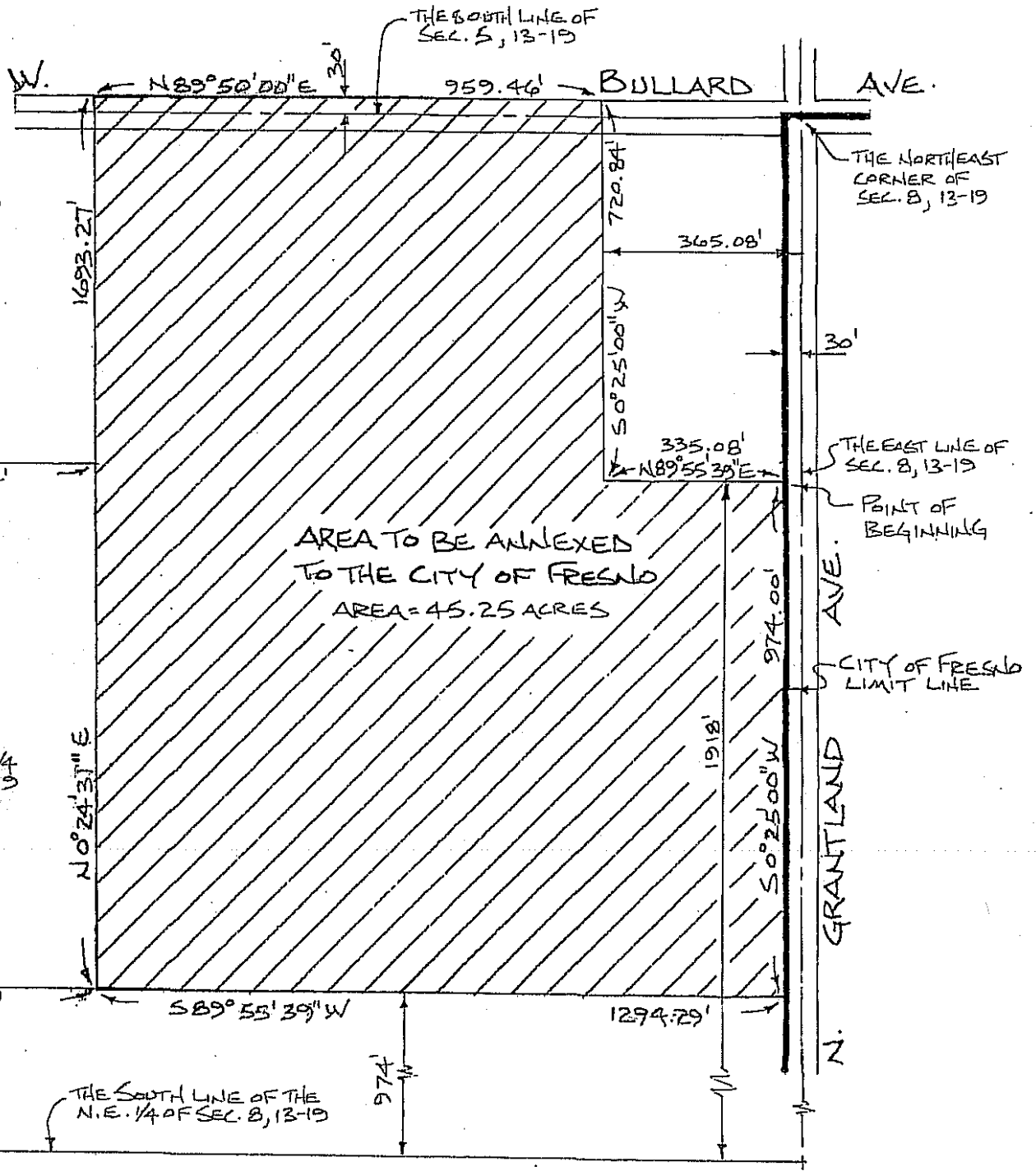
I, Michael R. Waiczis, Executive Officer of the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certifies that the foregoing resolution was adopted by the Commission at a regular meeting held on the 28<sup>th</sup> day of September, 2005.

  
\_\_\_\_\_  
**Michael R. Waiczis, AICP**  
**Executive Officer**  
**Fresno Local Agency Formation Commission**

G:\LAFCO WORKING FILES\September 28, 2005\RESOLUTION NO. RO-05-29.doc



SCALE: 1" = 300'



A PORTION OF THE N.E. 1/4 OF SEC. 8 & THE S.E. 1/4 OF SEC. 5,  
 ALL IN TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO  
 BASE AND MERIDIAN

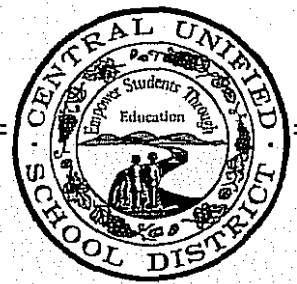
PREPARED BY:  
 GARY GIANNETTA  
 1119 "S" STREET  
 FRESNO, CA 93721  
 553-264-3590

BULLARD-GRANTLAND No. 3 REORGANIZATION  
 TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED  
 FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT  
 AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED:  
 3-1-05  
 REVISED:  
 4-15-05  
 10-7-05

**CENTRAL UNIFIED SCHOOL DISTRICT**

4605 NORTH POLK AVE • FRESNO, CA 93722-5334 • (559) 276-5206 • mryder@centralusd.k12.ca.us



**DISTRICT SUPERINTENDENT**  
*Marilou Ryder, Ed. D.*



TRUSTEES:  
Cindy Berube  
Terry Cox  
Judith Geringer  
Theresa Hagans  
Diana Milla  
Phil Rusconi  
Mike Yada

September 21, 2005

Mike Waiczis  
LAFCO-County of Fresno  
2115 Kern Street, Suite 310  
Fresno, CA 93721

Subject: Bullard-Grantland #3 - RO-05-29

The District has the following comments:

1. The current schools of attendance for the project area:  
**Elementary:** Herndon\_Barstow Elementary School  
**Middle:** Rio Vista Middle School  
**High:** Central High School West or East Campus. The west campus is mandatory attendance for 9<sup>th</sup> grade with optional programs for grades 10<sup>th</sup> -12<sup>th</sup>.
2. Above schools at or near capacity:  
**Rio Vista School is nearing capacity.**
3. Will proposal create over crowding: **No, see #4.**
4. Is there an arrangement by the District to provide facilities that would affect overcrowding:  
**The District plans to open an Elementary, Middle and High School on the north east corner of Grantland and Ashlan Avenues within the next 2, 3 and 4 years, respectively. These new schools would alleviate over crowding at the existing schools.**
5. Any District building plans that would be affected by proposal: **None.**
6. Other comments: **The District supports this annexation proposal.**

Should you have questions or need additional information, please contact me at 559-276-5203 or [ddeel@centralusd.k12.ca.us](mailto:ddeel@centralusd.k12.ca.us).

Sincerely,

David Deel  
Facilities Planning Manager

JIM YOVINO  
Assistant Superintendent, Personnel  
(559) 276-5224  
FAX (559) 276-2983

JOHN MULLIGAN  
Chief Financial Officer  
(559) 276-5200  
FAX (559) 276-0394

SARAH KOLIGIAN  
Assistant Superintendent, Instruction  
(559) 276-3115  
FAX (559) 276-3102

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

---

AGENDA ITEM No. 13

**DATE:** September 28, 2005

**TO:** Fresno Local Agency Formation Commission

**FROM:** Michael R. Waiczis, AICP, Executive Officer

**SUBJECT:** **Consider Conditional Approval - City of Fresno "Bullard-Grantland No. 3 Reorganization"**. Proposed annexation of approximately 40 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District for territory located south of Bullard Avenue and west of Grantland Avenue (LAFCo File No. RO-05-29).

**Background:**

- This item has been placed on the public hearing calendar because the North Central Fire Protection District did not waive their right to a protest hearing. The territory is uninhabited (0 registered voters) and all property owners have consented in writing to the annexation.
- The City of Fresno initiated this Proposal with the adoption of Resolution No. 2005-323 on July 26, 2005 and a Certificate of Filing has been filed.
- The Proposal consists of the annexation of 40.09 +/- acres of territory to the City of Fresno and detachment from the North Central Fire Protection District and Kings River Conservation District.
- The City of Fresno pre-zoned the territory from County R-R (Rural Residential) to City R-1/UGM (Single-Family Residential/Urban Growth Management) pursuant to Ordinance 2005-38 and approved Vesting Tentative Tract Map No. 5338 for development of a 123-lot single-family residential subdivision in the affected territory.

**Proposal / Land Use:**

- The Proposal consists of the annexation of approximately 40 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District.
- The territory is located south of Bullard Avenue and west of Grantland Avenue, inside the Fresno sphere of influence immediately adjacent to the Fresno City limits along the territory's eastern boundary (see Maps and Figures).
- Surrounding land uses consist of rural residential to the north, low density single-family residential and rural residential to the east, existing agricultural uses and rural residential to the west, and a Fresno Metropolitan Flood Control District basin and rural residential to the south.

## **Environmental Determination**

Concerning the Proposal under consideration, the City of Fresno ("Lead Agency") determined pursuant to Section 21151.1 of the California Public Resources Code (California Environmental Quality Act "CEQA") that the proposed reorganization ("the project") is within the scope of the "Master Environmental Impact Report (MEIR) No. 10130" prepared and certified for the 2025 Fresno General Plan (see Attachment "A").

Previously the Commission was provided with copies of the Final MEIR for the 2025 Fresno General Plan. As a Responsible Agency under CEQA Guidelines, prior to approving the present Proposal, the Commission is required to consider the information in the MEIR, the Initial Study, and adopted mitigation measures for the present Proposal on which the Lead Agency based its "Finding of Conformity with the MEIR" pursuant to Section 21151.1 of the California Public Resources Code.

Following such review, the Commission may determine the subsequent project (Proposal) to be within the scope of the (overall) project covered by the MEIR, and that the proposed project will have no additional significant effect, as defined by subdivision (b) of Section 21158 of the Public Resources Code, on the environment that was not identified in the MEIR and that no new or additional mitigation measures or alternatives are required in order to avoid or mitigate a significant environmental effect (CEQA Section 15177). Accordingly, to approve the present Proposal the following findings are recommended:

Find the subsequent project (Proposal) to be within the scope of the (overall) project covered by the MEIR prepared and certified for the 2025 Fresno General Plan, and that the proposed project will have no additional significant effect, as defined by subdivision (b) of Section 21158 of the Public Resources Code, on the environment that was not identified in the MEIR and requires no new or additional mitigation measures or alternatives in order to avoid or mitigate a significant environmental effect (CEQA Section 15177), and that the Lead Agency's Initial Study and "Finding of Conformity with the MEIR" were prepared in accordance with the requirements of CEQA Guidelines and are consistent with State law, and that the City's environmental documents and findings prepared for this Proposal are determined to be legally adequate pursuant to CEQA Guidelines Section 15096.

## **North Central Fire Protection District Protest**

The territory is located in the North Central Fire Protection District's ("NCFPD" or "District") service area. The District is protesting this Proposal and indicates that the City has not yet entered into a fire services transition agreement.

LAFCo Policies, Standards and Procedures Section 102-041 requires a transition agreement when a proposed reorganization includes annexation of territory to a city and detachment from a fire protection district, except as provided in Section 102-041A. Section 102-041A states that on a case by case basis, the Commission may determine not to require a transition agreement if it makes one or more of the following findings:

1. That any claimed potential negative fiscal impacts on the affected district either are considered "De Minimis" or are not sufficient to warrant a transition agreement.

2. That proponents of the reorganization and the affected district have agreed to other arrangements acceptable to both parties and to the Commission.
3. Any other appropriate reason(s) that are in the public interest, as determined by the Commission.

Previously, your Commission indicated that it would consider disapproval of a Proposal with territory located inside the District's service area if the City and District have not agreed to a transition agreement. At this writing, no such agreement has been executed. In light of this, we are recommending three alternative actions:

1. Find that pursuant to Section 102-041 of LAFCo's Policies, Standards and Procedures the District and the City of Fresno do not have a transition agreement in full force and effect and on this basis disapprove this Proposal.
2. Find that pursuant to Section 102-041 of LAFCo's Policies, Standards and Procedures the District and the City of Fresno do not have a transition agreement in full force and effect and conditionally approve the Proposal with the inclusion of the following condition pursuant to Section 102-041.A.2:

*The City of Fresno shall submit to the Executive Officer a copy of a fully executed fire services transition agreement between the City and the North Central Fire Protection District prior to completion (recordation) of the proposed annexation.*

3. Find that pursuant to Section 102-041.A.1 of LAFCo's Policies, Standards and Procedures that in this case it is in the public interest not to require a transition agreement and conditionally approve the Proposal.

We are recommending "Alternative "2", which allows for approval of the Proposal, but still requires a transition agreement prior to recordation.

### **Discussion and Analysis**

The proposed annexation is consistent with the 2025 Fresno General Plan. The territory is located inside the City's Sphere of Influence and is contiguous to the Fresno City limits. The Proposal is compatible with existing and planned residential uses surrounding the territory and would logically extend the planned and existing urban pattern in the City of Fresno. The service plan submitted for this proposal indicates that urban services (water, sewer, police, fire, etc.) are available to serve the affected territory (see Service Plan).

### **Consistency with LAFCo Policies, Standards and Procedures**

- The Proposal is consistent with the City of Fresno's adopted Sphere of Influence, and is consistent with the Fresno 2025 General Plan and West Area Community Plan goals and policies. Substantial development is planned for the affected territory.
- The Proposed annexation has clearly defined boundary lines and substantially follows the boundaries of the proposed development.

- The Proposal is consistent with the Standards for Annexation in the Master Tax Sharing Agreement ("MOU") between the City of Fresno and County of Fresno (See letter from Mr. Bart Bohn, Fresno County CAO, May 27, 2005 - Correspondence and Comments).
- The proposed reorganization 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 Service Plan submitted for this Proposal indicates that all necessary urban services (water, sewer, police, fire, etc.) are available to serve the affected territory (see Service Plan). An adequate water supply pursuant to California Government Code Section 65352.5 is available to serve the affected territory.
- All property required to be rezoned has been rezoned consistent with adopted City of Fresno land use designations. The Proposal would assist the City of Fresno with its housing allocation obligation by contributing additional residential units.
- In the absence of a transition agreement between the City of Fresno and the North Central Fire Protection District, approval of the Proposal may not 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 Executive Officer has determined that the proposed reorganization would not be consistent with LAFCo Policies, Standards and Procedures Section 102-041 unless the Commission makes findings pursuant to Section 102-041A or approves the annexation on condition that the City of Fresno submit to LAFCo a fully executed fire services transition agreement between the City and the North Central Fire Protection District prior to completion (recordation) of the proposed annexation.

### **Conducting Authority**

In light of the fact that not all affected agencies gaining or losing territory as a result of the reorganization consented in writing to waive protest proceedings, your Commission may approve or conditionally approve the Proposal, but must conduct a "protest hearing" in accordance with the requirements of State law. Consequently, should your Commission wish to approve or conditionally approve the Proposal it will be necessary to direct staff to set a Protest Hearing pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 57000 *et seq.*).

### **Recommendation – Conditional Approval**

The Executive Officer recommends the following findings and actions (A - F) for conditional approval:

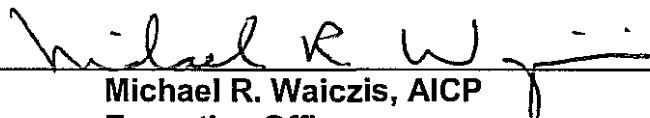
- A. Acting as a Responsible Agency under CEQA Guidelines, this Commission considered the information in the Initial Study and the Finding of Conformity with the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130) prepared for this project by the City of Fresno prior to making its determination, and finds the subsequent project (Proposal) to be within the scope of the (overall) project covered by the MEIR

prepared and certified for the 2025 Fresno General Plan, and that the proposed project will have no additional significant effect, as defined by subdivision (b) of Section 21158 of the Public Resources Code, on the environment that was not identified in the MEIR and requires no new or additional mitigation measures or alternatives in order to avoid or mitigate a significant environmental effect (CEQA Section 15177), and that the Lead Agency's Initial Study and "Finding of Conformity with the MEIR" were prepared in accordance with the requirements of CEQA Guidelines and are consistent with State law, and that the City's environmental documents and findings prepared for this Proposal are determined to be legally adequate pursuant to CEQA Guidelines Section 15096.

- B. Find pursuant to Section 102-041 of LAFCo Policies, Standards and Procedures that a fire services transition agreement between the North Central Fire Protection District and the City of Fresno is necessary to provide orderly transition of services from the District to the City, and that findings necessary to waive the requirement for a transition agreement pursuant to Section 102-041A can not be made in light of the potential negative fiscal impacts to the District that would result from annexation of the affected territory.
- C. Find that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures Section 210 - Standards for Annexation to Cities and Urban Service Districts (01-13), and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the "Act").
- D. Conditionally approve the "Bullard-Grantland No. 3 Reorganization" RO-05-19, annexation and detachments subject to the following Conditions of Approval:
  - 1. The City of Fresno shall submit to the Executive Officer verification that a Right-to-Farm Covenant is required and made a part of the City's development agreement and that this legal covenant will be recorded with any final tract map approved by the City for the affected territory.
  - 2. The territory rezoned in accordance with LAFCo Policies Standards and Procedures Section 210-13 shall remain under the approved Zone Districts for a time pursuant to State law (City of Fresno Ordinance No. 2004-129).
  - 3. Satisfactory verification that the City has accepted the final map for Tentative Tract Map 5338 shall be submitted to the Executive Officer prior to the completion of the annexation.
  - 4. The City of Fresno shall submit to the Executive Officer a copy of a fully executed fire services transition agreement between the City and the North Central Fire Protection District prior to completion (recordation) of the proposed annexation.
- E. Make the following findings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("Act"):
  - 1. The territory is uninhabited and this Commission hereby assigns the distinctive short form designation: "Bullard-Grantland No. 3 Reorganization" for this proposal.
  - 2. That not all agencies gaining or losing territory have submitted a signed, written waiver of protest proceedings.

F. Direct staff to set a Protest Hearing pursuant to the requirements of the Act (*Government Code Section 57000 et seq.*).

Prepared and Submitted by:

  
\_\_\_\_\_  
Michael R. Waiczis, AICP  
Executive Officer

## APPLICATION INFORMATION

**1. Affected Territory**

<b>Acreeage:</b>	40.09
<b>Current Land Use:</b>	Undeveloped
<b>Number of Residences/ Population:</b>	Residences: 0 / Population: 0
<b>Landowners/ Registered Voters:</b>	Landowners: 1 / Voters: 0
<b>Previous County Zoning:</b>	R-R (Rural Residential)
<b>City Zoning Upon Annexation:</b>	R-1/UGM (Single-Family Residential/Urban Growth Management)
<b>Ag. Preserves/Contracts:</b>	None
<b>Assessors Parcel Number:</b>	505-040-09, 14, 15, 16

**2. Proposed Development:** The developer proposes to construct a 123-lot single-family residential subdivision in the affected territory.

**3. Surrounding Territory:** Surrounding land uses consist of rural residential to the north, low density single-family residential and rural residential to the east, existing agricultural uses and rural residential to the west, and a Fresno Metropolitan Flood Control District basin and rural residential to the south.

**4. Consistency with Adopted Sphere of Influence (SOI):** The affected territory is within the City of Fresno adopted Sphere of Influence.

**5. Consistency with City and County General and Specific Plans:** The Proposal is consistent with the adopted goals and policies of the City's long range land use policies. Residential development in this area represents a continuation of the existing development pattern within the City of Fresno's Sphere of Influence. The proposed reorganization furthers the County's General Plan policies of directing growth to existing cities where infrastructure and a full spectrum of municipal services are available to serve urban development.

**6. Existing Service Agencies and Proposed Service Changes**

<b>Service</b>	<b>Existing Service</b>	<b>Change</b>
Water	Private	City of Fresno
Sewer	Private	City of Fresno
Fire Protection	North Central Fire Protect. Dist.	City of Fresno
Distance to Station	3 Miles	3.5 miles

**Please Note:** A service plan for this Proposal is attached to the Executive Officer's report.

**7. Cities and Districts Included Wholly or Partially within the Affected Territory.**

County of Fresno	Fresno County Library District
Fresno Metropolitan Flood Control District	North Central Fire Protection District, Zone 1
State Center Community College District	Central Unified School District
King River Conservation District	West Fresno Red Scale Protective District
Fresno Irrigation District	Fresno Mosquito Abatement District

**8. Costs and Other Changes Affecting Residents or Landowners**

Since the developer is currently the only land owner no changes affecting costs to the landowner is anticipated.

9. **Agencies and Individuals Submitting Comments** (see Correspondence and Comments)

- Bart Bohn, CAO, County of Fresno
- Betty Vaughn, Elections Division, County of Fresno
- Lonnie Downs, Chief, North Central Fire Protection District
- Bruce Champion, Natural Resources Conservation Service
- Doug McCauley, Fresno Metropolitan Flood Control District

10. **Territory Boundaries:** The boundaries of the proposed annexation are definite and certain, and there are no conflicts with lines of assessment ownership. The proposed annexation is contiguous to city limits along its eastern boundary of the affected territory. However, the map and description are not sufficient per Daniel Sparks (Fresno County Assessor, Assessment Services Supervisor) for recordation or filing with the State Board of Equalization. **A revised map and legal description are required per the County Assessor's specifications.**

11. **Registered Voter Data**

The County of Fresno Elections Office reported that on August 30, 2005, there were zero (0) registered voters in the affected territory.

12. **Compliance with the Requirements of CEQA**

**Lead Agency:** City of Fresno - **Level of Analysis:** Initial Study

**Finding:** Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130). Notice of Determination filed with the Fresno County Clerk on April 15, 2005. The Initial Study and Finding of Conformity are attached to the Executive Officer's Report (see Environmental Documents).

13. **Names of Landowners or Parties of Real Interest**

CIAO Properties, LLC

**Proponent:** Andrew T. Souza, City Manager, City of Fresno

14. **Public Notice of Hearing** – Public notice concerning this Proposal was issued by the Executive Officer pursuant to State law.

15. **Individuals and Agencies Receiving this Report**

- LAFCo Commissioners and Alternates
- Susan Coberly, LAFCo Counsel
- Andrew Souza, City Manager, City of Fresno
- Gilbert Haro, Planning Manager, City of Fresno
- Bernard Jimenez, Planning Manager, Development Services Department
- Chief Lonnie Downs, North Central Fire Protection District
- Dave Orth, Kings River Conservation District

## ATTACHMENT A

The City of Fresno utilized a Master Environmental Impact Report (MEIR) for its 2025 General Plan. CEQA Guidelines Section 15176(d) provides that when a MEIR is certified for a general plan, subsequent projects will be considered to be adequately described for later use of the MEIR when the land use designations and permissible densities and intensities of the project site are identified in the MEIR and the general plan.

When a subsequent project is processed the Lead Agency must prepare an Initial Study to analyze whether that proposal may cause any additional significant effect on the environment not examined in the MEIR and whether the Proposal is within the scope of the MEIR. A project will be considered "within the scope" of the MEIR if it is described within that document and will have no additional significant effect on the environment that was not identified in the MEIR and requires no new or additional mitigation measures or alternatives. (Public Resources Code Section 21157.1(c))

When the Lead Agency for the Proposal is able to make a written finding, based on the Initial Study, that the subsequent project is within the scope of the project covered by the MEIR (i.e., the plan or program), no further EIR or Negative Declaration is required. Pursuant to Section 15177 of the CEQA Guidelines, whether a subsequent project is within the scope of the MEIR is a question of fact to be determined by the lead agency. This finding must be supported by substantial evidence in the record.

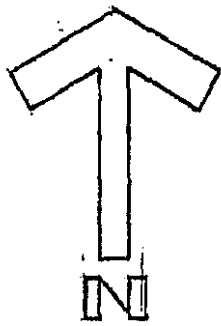
Prior to carrying out the subsequent project on the basis of the MEIR, the Lead Agency must make a finding of consistency with the MEIR and incorporate all feasible mitigation measures or feasible alternatives appropriate to the project, as set forth in the MEIR.

Concerning the Proposal under consideration, the City of Fresno ("Lead Agency") determined pursuant to Section 21151.1 of the California Public Resources Code (California Environmental Quality Act "CEQA") that the proposed reorganization ("the project") is within the scope of the "Master Environmental Impact Report (MEIR) No. 10130" prepared and certified for the 2025 Fresno General Plan.

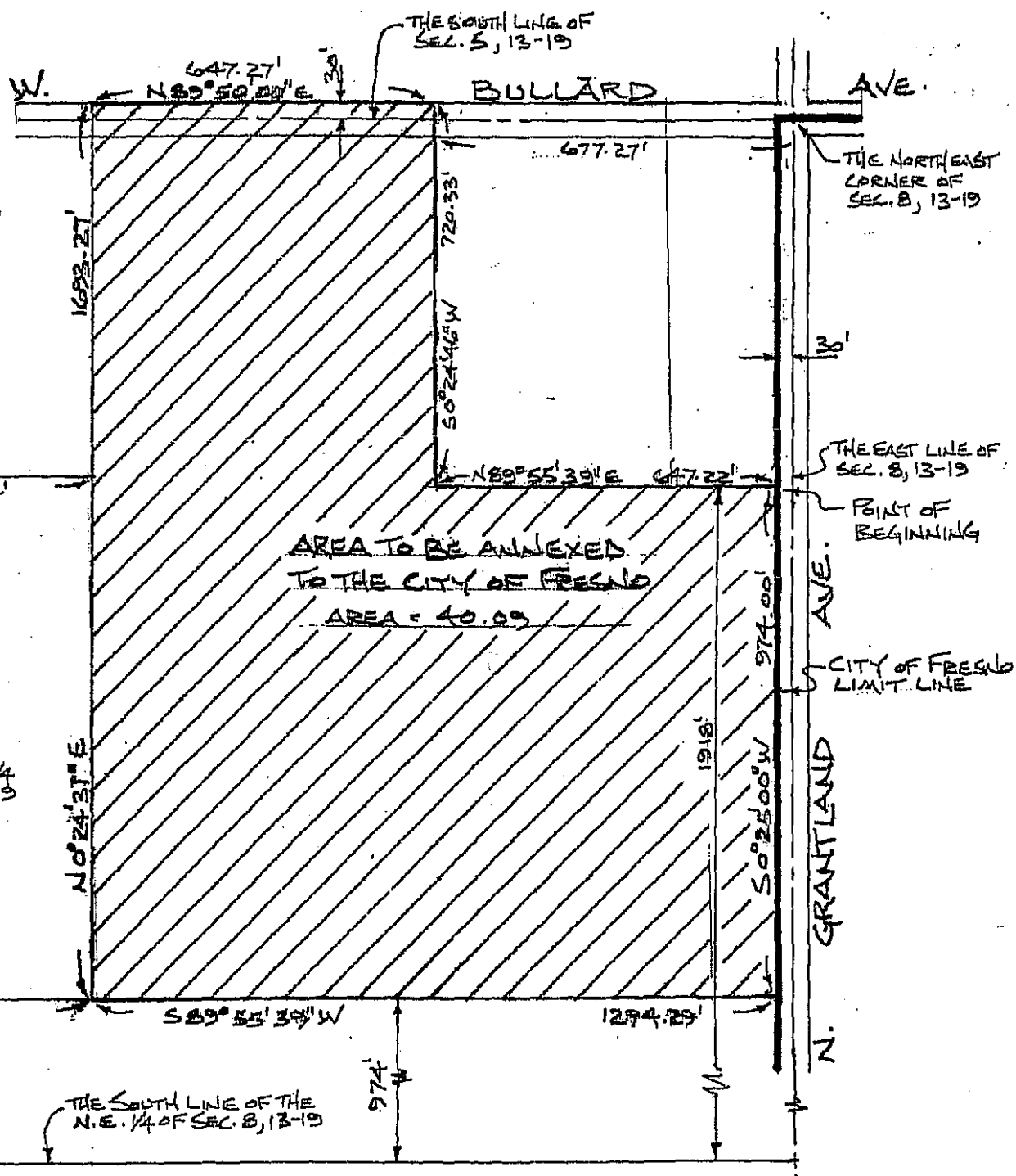
Previously the Commission was provided with copies of the Final MEIR for the 2025 Fresno General Plan. As a Responsible Agency under CEQA Guidelines, prior to approving the present Proposal, the Commission is required to consider the information in the MEIR, the Initial Study, and adopted mitigation measures for the present Proposal on which the Lead Agency based its "Finding of Conformity with the MEIR" pursuant to Section 21151.1 of the California Public Resources Code.

Following such review, the Commission may determine the subsequent project (Proposal) to be within the scope of the (overall) project covered by the MEIR, and that the proposed project will have no additional significant effect, as defined by subdivision (b) of Section 21158 of the Public Resources Code, on the environment that was not identified in the MEIR and that no new or additional mitigation measures or alternatives are required in order to avoid or mitigate a significant environmental effect (CEQA Section 15177). Accordingly, to approve the present Proposal the following findings are recommended:

**Find the subsequent project (Proposal) to be within the scope of the (overall) project covered by the MEIR prepared and certified for the 2025 Fresno General Plan, and that the proposed project will have no additional significant effect, as defined by subdivision (b) of Section 21158 of the Public Resources Code, on the environment that was not identified in the MEIR and requires no new or additional mitigation measures or alternatives in order to avoid or mitigate a significant environmental effect (CEQA Section 15177), and that the Lead Agency's Initial Study and "Finding of Conformity with the MEIR" were prepared in accordance with the requirements of CEQA Guidelines and are consistent with State law, and that the City's environmental documents and findings prepared for this Proposal are determined to be legally adequate pursuant to CEQA Guidelines Section 15096.**



SCALE: 1" = 300'



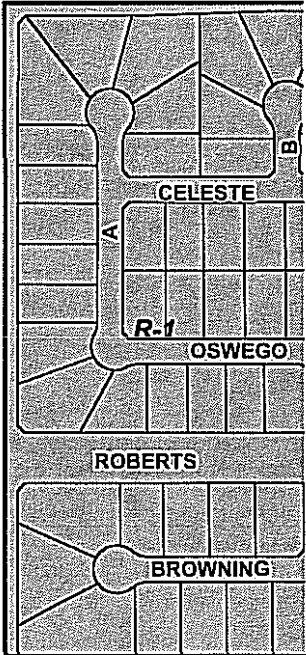
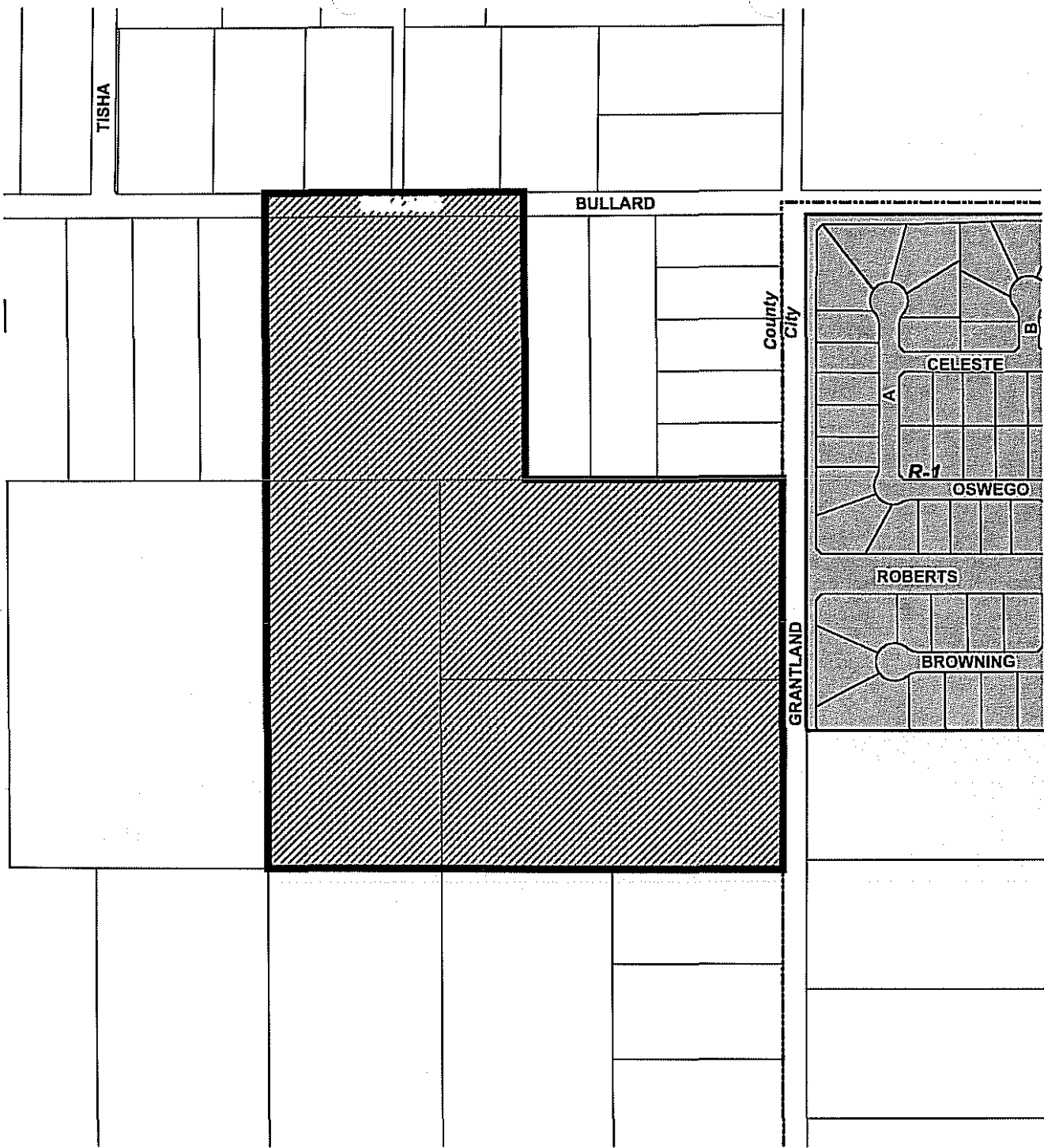
A PORTION OF THE N.E. 1/4 OF SEC. 8 & THE S.E. 1/4 OF SEC. 5,  
 ALL IN TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO  
 BASE AND MERIDIAN

PREPARED BY:  
 GARY GIANNETTA  
 1119 "S" STREET  
 FRESNO, CA 93721  
 553-264-3590

BULLARD-GRANTLAND No. 3 REORGANIZATION  
 TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED  
 FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT  
 AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED:  
 3-1-05  
 REVISED:  
 4-15-05

Certified Copy  
 City Clerk's Office  
 el



**LEGEND**



Subject Property



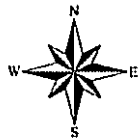
U.G.M. Area

**VICINITY MAP**

BULLARD - GRANTLAND NO. 3  
REORGANIZATION

South of Bullard Ave., West of Grantland Ave.

**PLANNING & DEVELOPMENT  
DEPARTMENT**

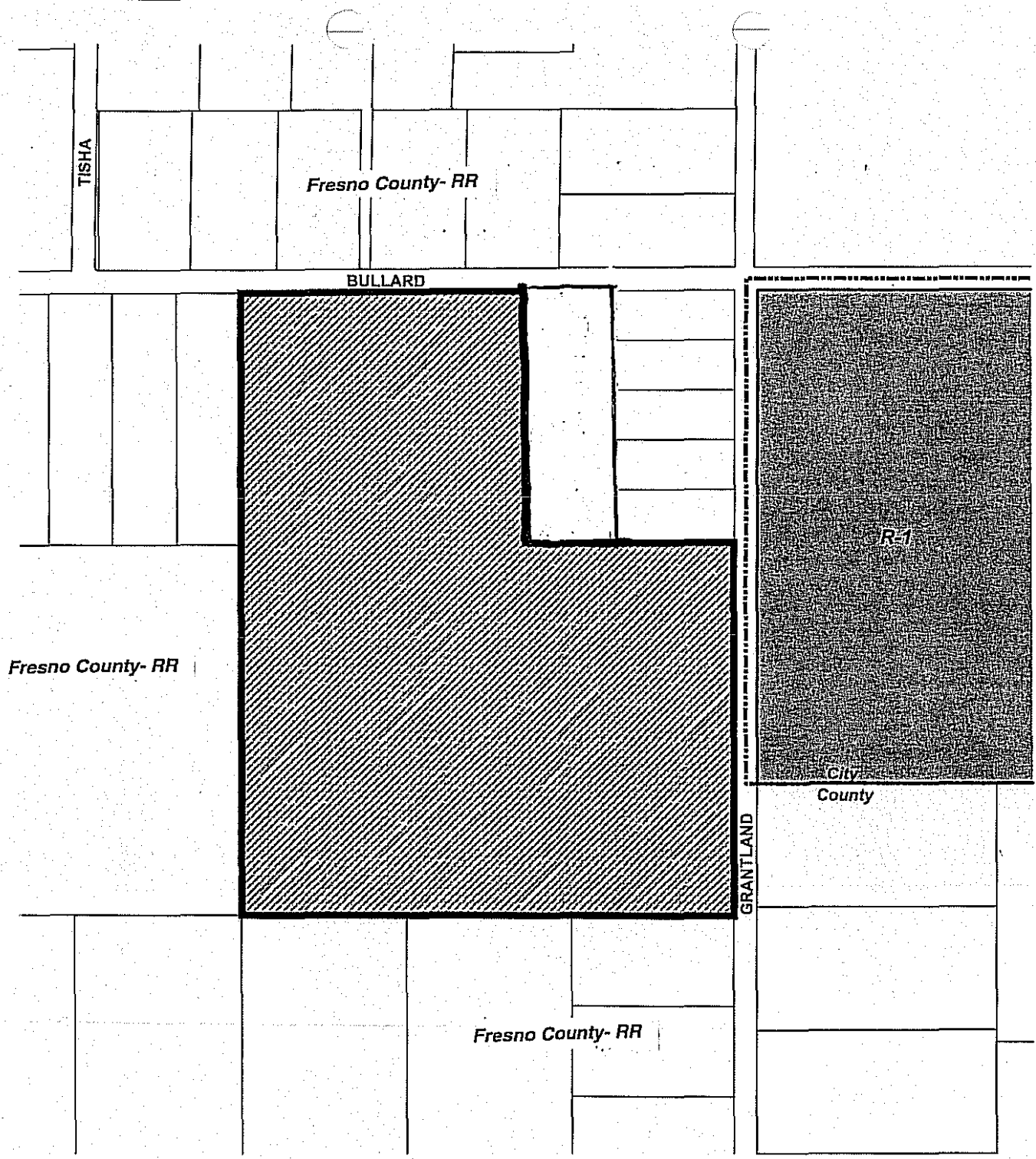


NOT TO SCALE

A.P.N.: 505-040-09.14,15S.16

ZONE MAP: 1843

BY/DATE: J.S. / 7-19-05



**LEGEND**



Subject Property



U.G.M. Area

**VICINITY MAP**

BULLARD-GRANTLAND NO. 3  
ANNEXATION

Southwest corner Bullard and Grantland Aves.

**PLANNING & DEVELOPMENT  
DEPARTMENT**



NOT TO SCALE

A.P.N.: 505-040-06S,07S,09,14,15S,16

ZONE MAP: 1843 \_\_\_\_\_

BY/DATE: J.S. / 9-20-04 \_\_\_\_\_





# County of Fresno

ADMINISTRATIVE OFFICE  
**BART BOHN**  
COUNTY ADMINISTRATIVE OFFICER

May 27, 2005

Mr. Andrew T. Souza, City Manager  
City of Fresno  
2600 Fresno Street  
Fresno, CA 93721-3601



*andy,*  
Dear Mr. Souza:

Subject: Notice of Intent to file Bullard-Grantland No. 3 Reorganization

In accordance with Article II, Section 2.2 of Amended and Restated Memorandum of Understanding between the City of Fresno and the County of Fresno, we have reviewed the annexation proposal described in your letter dated April 25, 2005.

We have determined that the proposed annexation by the City of Fresno is consistent with the Standards for Annexation contained in Exhibit I of the Memorandum of Understanding, provided that a right-to-farm notice is recorded on the subject annexation areas due to the existence of agricultural operations in the area and that future annexations in the Grantland/Bullard area address existing parcels that intervene between the current city limit boundary and the newly created city limit boundary. In addition, it is recommended that the existing right-of-way along Bullard and Grantland Avenues be included in the annexation proposal.

If you have any questions, you may contact me at (559) 488-1710 or Bernard Jimenez at (559) 262-4497.

Sincerely,

*Bart Bohn*  
Bart Bohn  
County Administrative Officer

G:\4360Devs&Pin\PLANNING\ANNEXATIONS\Cities & Districts\Fresno\2005\Bullard-Grantland No. 3\tr.doc

c: ~~Mike Walczis, AICP, LAFCO~~  
Cecil Leonardo, Interim Director, Department of Public Works and Planning  
Bernard Jimenez, Manager, Development Services Division  
Terri A. Harmon, Senior Staff Analyst, Policy Planning Unit

# NORTH CENTRAL FIRE

North Central Fire Protection District

Board of Directors  
Ken Abrahamian - Cheryl Belluomini  
Rusty Nonini - Rusty Souza - Dennis Yates  
Fire Chief - Lee Daugherty



August 30, 2005

Mr. Michael Waiczis  
Fresno Local Agency Formation Commission  
Exchange Place  
2115 Kern Street, Suite 310  
Fresno, CA 93721

Re: Bullard-Grantland No. 3 Reorganization

Dear Mr. Waiczis:

The North Central Fire Protection District board does not waive the protest hearing for annexation, into the City of Fresno, 40 acres of property at Bullard and Grantland.

The board reiterates its concern that we do not have a signed transition agreement with the City of Fresno and the result of annexations will impact the District's revenues. The board will continue to protest all annexations until we have a transition agreement with the city.

Sincerely,

Lonnie F. Downs  
Fire Chief

LFD:tj

C: Nick Yovino, City of Fresno  
North Central Fire District Board Members



Fresno Local Agency Formation Commission



DATE: August 26, 2005
TO: Elections Division, Stop #28
FROM: Michael R. Walczis, AICP, LAFCo Executive Officer
SUBJECT: "Bullard-Grantland No. 3 Reorganization"

AGENCY NO.: RO-05-29

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?
F. Other comments:

In order to proceed with the processing of this application, your comments need to be returned to this office by September 6, 2005. Your assistance is greatly appreciated. Thank you.

MRW:cf

Attachments: Map, Legal description

Betty Vaughan, SPA II
Signature and Title

August 30, 2005
Date



## INTER OFFICE MEMO

County Free Library

DATE: August 26, 2005

TO: Michael R. Waiczis, LAFCO, Executive Officer

FROM: Karen Bosch Cobb, Interim County Librarian

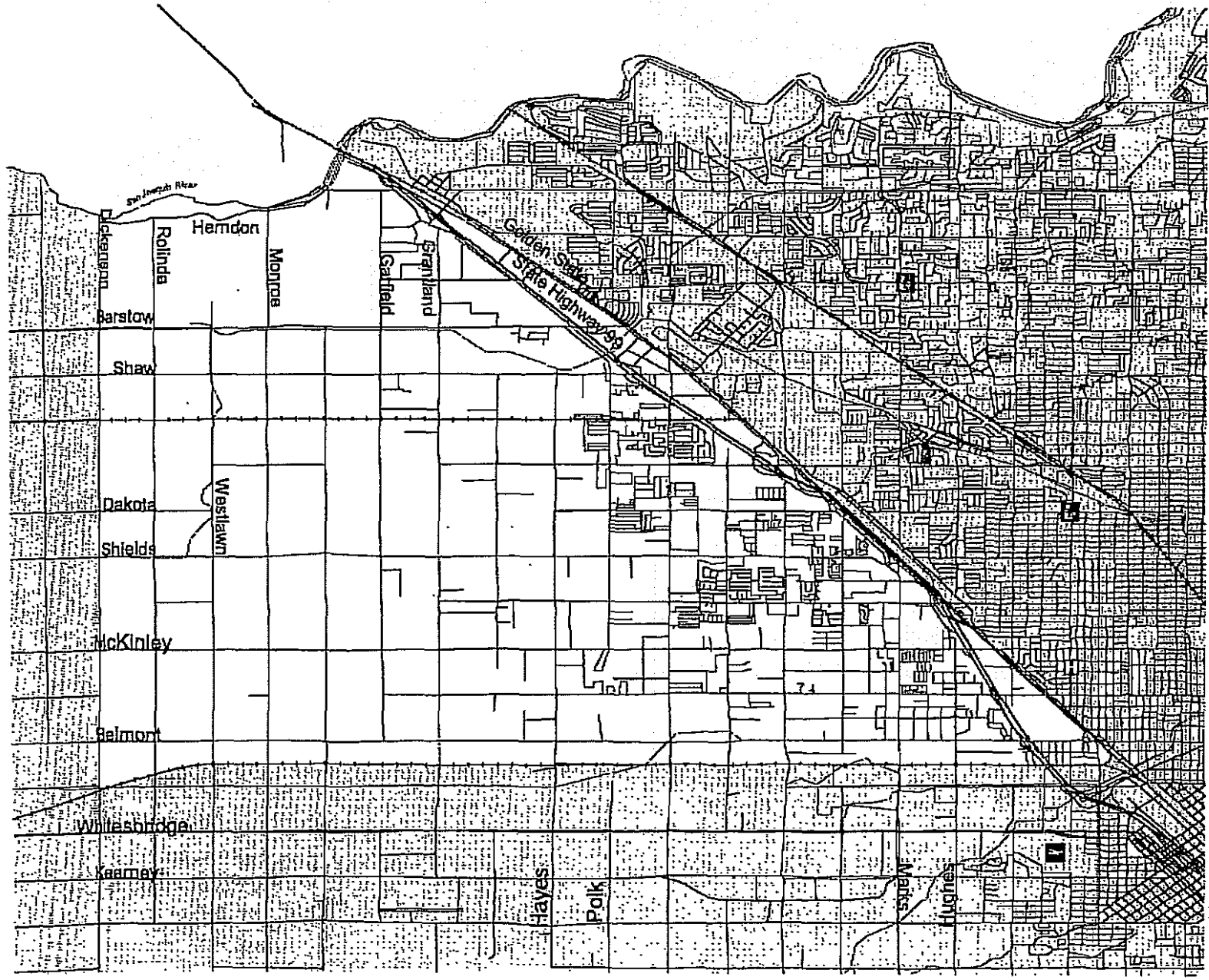
SUBJECT: **Bullard-Grantland No. 3 Reorganization**



This proposal is to provide for the development of 109 single family homes. The library presently provides library service to residents in this area from a 10,000 square foot building located at Marks and Bullard. In February 2003, the Board of Supervisors adopted *"The Heart of a Community Its Public Library: Meeting Library Needs for Fresno County Residents: 2002-2020"*. This study demonstrates that there should be a new library to serve the area west of Highway 99. Please see the attached map. The library proposes to build a new 20,000 + foot building to serve 60,000 to 75,000 residents.

Should this project result in a higher projected population, an even larger facility would be needed. Funds have not been set aside for the development of the new library at this time.

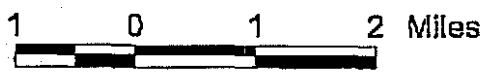
Attachment



- StreetMap USA
- Airport
  - Hospital
  - Highway
  - Primary road
  - Water body
  - Central Library
  - Branch Libraries
  - 06019kh.shp (hydrology)
  - 06019kb.shp (railroad)
  - 06019kz.shp (roads)
  - New branch
  - 06019bk00.shp (tracts and blocks)

# NEW BRANCH

Fresno County Public Library



TOTAL 9 03



# Fresno Local Agency Formation Commission

DATE: August 26, 2005  
 TO: Elections Division, Stop #28  
 FROM: Michael R. Waiczis, AICP, LAFCo Executive Officer  
 SUBJECT: "Bullard-Grantland No. 3 Reorganization"  
 AGENCY NO.: RO-05-29



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- 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.  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.  Will the proposal adversely affect precinct boundaries or the conduct of elections? \_\_\_\_\_
- F. Other comments:

In order to proceed with the processing of this application, your comments need to be returned to this office by September 6, 2005. Your assistance is greatly appreciated. Thank you.

MRW:cf

Attachments: Map, Legal description

Betty Vaughn, SPA II  
 Signature and Title

August 30, 2005  
 Date

Date: August 26, 2005  
To: Natural Resource Conservation Service  
From: Michael R. Waiczis, AICP, LAFCo Executive Officer  
Subject: "Bullard-Grantland No. 3 Reorganization"

Agency No.: RO-05-29



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. Relationship of the proposal to prime agricultural land\* in the area:  
Almost all of the project is land of statewide importance

2. Effect of the proposal on unique agricultural areas:

3. Effect of the proposal on any soil hazard or limitation:  
The entire project has very slow subsoil permeability

4. Other comments:  
Increased runoff. Large increase in traffic and PM-10's

\*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 **September 6, 2005**. Your assistance is greatly appreciated. Thank you.

Bruce Champion Soil Con. Tech.  
Signature and Title

8-31-05  
Date

MRW:cf

Attachments: Application, Map, Legal Description, Resolution

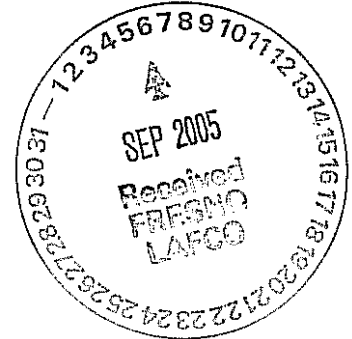


FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

File No. 170.44

September 2, 2005

Mr. Michael Waiczis, Executive Officer  
Local Agency Formation Commission of Fresno County  
2100 Tulare Street, Suite 502  
Fresno, CA 93721



Dear Mr. Waiczis

**Bullard – Grantland No. 3 Reorganization  
Annexation of 40 acres to the City of Fresno  
Drainage Area “EM”**

The proposed annexation boundary encompasses lands within the Fresno Metropolitan Flood Control District and will be served by the District’s Storm Drainage and Flood Control Master Plan. Drainage service by the Master Plan does not exist at this time.

Tract 5338 lies within the boundary of Bullard – Grantland No. 3.

See attached Notice of Requirements for Tract 5338 for additional information.

It is our understanding there will be no change in the District’s share of the property tax base, nor future property tax increments for the impacted Tax Rate areas.

The District further request its historic growth increment tax applied to this area.

If you have any questions or require further information, please do not hesitate to contact us.

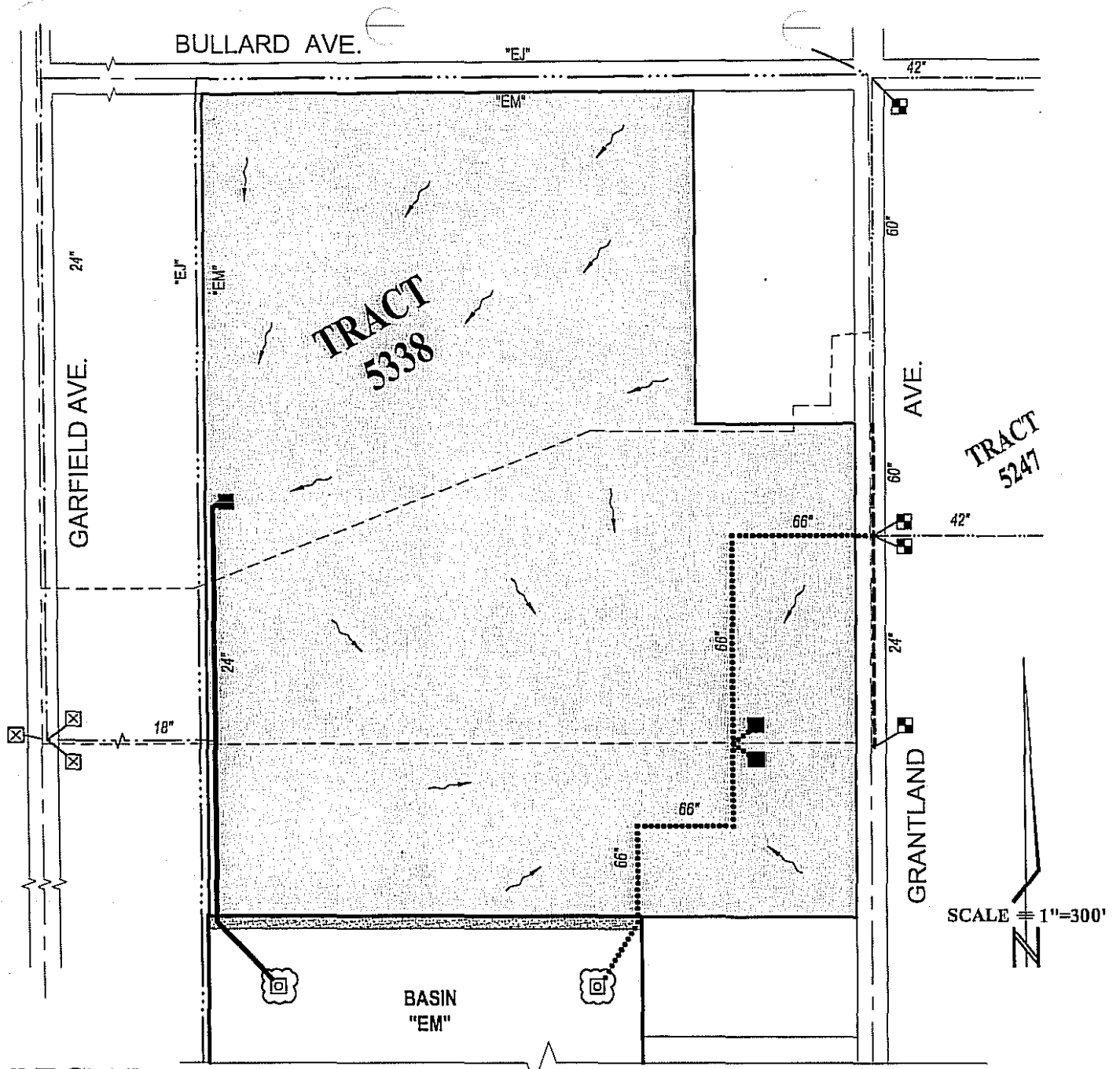
Sincerely,

Doug McCauley  
Project Manager

DM/lrl

Attachment(s)

process\dm\2005\letters\lafco-bullard-grntland #3 reorg(em)-lrl



## LEGEND

- |  |   |  |   |
|--|---|--|---|
|  | Master Plan Facilities To Be Constructed By Developer. - Pipeline (Size Shown), Inlet & Outfall.                          |  | 12,000 c.y. Minimum Required To Be Excavated To Provide Storage |
|  | Master Plan Facilities To Be Constructed By Developer, Or Optionally Tract 5247. -Pipeline (Size Shown), Inlet & Outfall. |  | Future Master Plan Facilities                                   |
|  | Master Plan Facilities To Be Constructed By Developer, Also Required Of Tract 5247.                                       |  | Inlet Boundary  |
|  | To Be Constructed By Tract 5247. -Pipeline (Size Shown) & Inlet.  |  | Drainage Boundary   |
|  | 15" Mowstrip To Be Constructed  |  | Direction Of Drainage   |



EXHIBIT NO. 1

FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

**TRACT 5338**  
DRAINAGE AREA: "EM"

DRAWN BY: MM      DATE: 10/18/04  
REVISED BY: RH      DATE: 10-26-04

**OTHER REQUIREMENTS**  
**EXHIBIT NO. 2**

The drainage system cost and fee schedule update is currently underway. The drainage system cost and fee obligation indicated in this notice is the obligation which is valid at the date of this notice. Contact the District for a final drainage fee obligation prior to issuance of a building permit or recording of the final map.

The cost of construction of Master Plan facilities, excluding dedication of storm drainage easements, is eligible for credit against the drainage fee of the drainage area served by the facilities. A Development Agreement shall be executed with the District to effect such credit. Reimbursement provisions, in accordance with the Drainage Fee Ordinance, will be included to the extent that Developer's Master Plan costs for an individual drainage area exceed the fee of said area. Should the facilities cost for such individual area total less than the fee of said area, the difference shall be paid upon demand to the City or District.

The proposed development of Tract 5338 is located in an area that has historically provided a passage for major storm water flows from the areas east of Grantland Avenue across the proposed site toward Garfield Avenue. The grading of the proposed site shall be designed such that there are not adverse impacts to the passage of said major storm water from Grantland Avenue toward Garfield Avenue. The District recommends Tract 5338 provide a stub street to the west or another safe means to control and convey major storm water for drainage from the east. The Developer shall provide a conveyance method for review and approval such that the major storm flow can be safely conveyed toward Garfield Avenue without damage to proposed and future structures within the adjacent property.

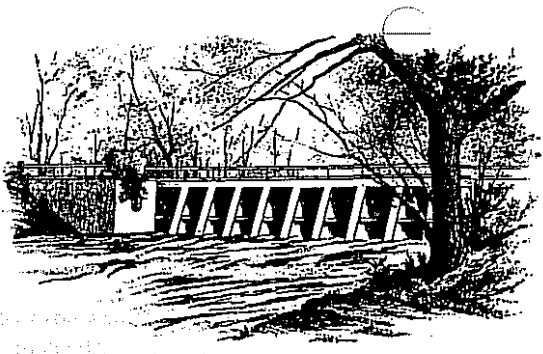
No surface run-off shall be directed towards the District basin.

The Developer is required to provide storage in Basin "EM" by excavating a minimum of 12,000 cubic yards as directed by the District in an excavation permit obtained from the District. The District reserves the right to delete this work prior to the Developer initiating work.

A minimum fifteen-foot (15') storm drain easement will be required whenever storm drain facilities are located on private property. No encroachments into the easement will be permitted including, but not limited to, foundations, roof overhangs, swimming pools, and trees.

The District recommends a single fence between the site and the District's basin. The Developer should contact the District so that alternatives to a dual fence can be reviewed. If a fence other than the existing chain link fence is proposed, District review and approval of the proposed fence is required.

Development No. Tract 5338



Your Most Valuable Resource - Water

OFFICES OF  
**FRESNO**  
**IRRIGATION DISTRICT**

PHONE (559) 233-7161  
FAX (559) 233-8227  
2907 SOUTH MAPLE AVENUE  
FRESNO, CALIFORNIA 93725-2218

September 2, 2005

Mr. Michael Waiczis  
Fresno Local Agency Formation Commission  
2115 Kern Street, Suite 310  
Fresno, CA 93721



RE: "Bullard-Grantland No. 3 Reorganization" Austin No. 529 (Private)

Dear Mr. Waiczis:

FID's comments and requests are as follows:

1. FID does not own, operate or maintain any facilities located on the subject property.
2. FID has no objections to the approval of the subject reorganization.
3. For informational purposes, a private canal/pipeline known as the Austin No. 529 traverses the subject property as shown on the enclosed map.

Thank you for submitting this for our review. Please feel free to contact me with any questions or concerns at 233-7161 extension 317 or [bjohnson@fresnoirrigation.com](mailto:bjohnson@fresnoirrigation.com).

Sincerely,

Bret Johnson  
Engineering Technician I

Agencies\County\Bullard Grantland No. 3 Reorg

TISHA

BULLARD

Austin No. 529

Austin No. 529



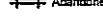


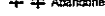

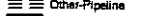



GRANTLAND

EM



FRESNO IRRIGATION DISTRICT

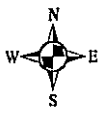
Legend

-  FD Canal
-  Private Canal
-  Abandoned Canal
-  FD Pipeline
-  Private Pipeline
-  Abandoned Pipeline
-  Other-Creek/River
-  Other-Pipeline
-  FMCD Basins
-  Major Streets
-  Parcel



SCALE: 1:3,857

6/15/2005  
\\fresno02\eng\fig\2005\master.mxd





# County of Fresno

Department of Community Health  
Edward L. Moreno, M.D., M.P.H., Interim Director

September 9, 2005

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



999999999  
LU0010895  
PE 2620

Dear Mr. Waiczis:

PROJECT NO: RO-05-29  
SUBJECT: Bullard-Grantland No. 3 Reorganization

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 significant risk of contaminating the city's community water supply. For this reason, when development occurs, it is extremely important to ensure the safe and proper destruction of all abandoned water wells.

Mike Waiczis  
RO-05-29  
September 9, 2005  
Page 2

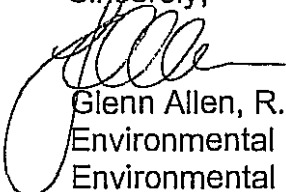
Prior to destruction of any existing agricultural wells, a sample of the upper most fluid in the well column should be sampled for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, 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 Fresno 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.

This Department recommends that any existing rural residential parcel(s) be required to connect to the City of Fresno sewer system in the event of a failure of the existing sewage system(s), and that no building permits be issued for repair of such a system whether or not the mandatory three (3) year connection requirement has expired.

If I can be of more assistance, please contact me at (559) 445-3357.

Sincerely,



Glenn Allen, R.E.H.S.  
Environmental Health Specialist II  
Environmental Health Division

ga

cc: Ed Yamamoto, Environmental Health Division



# County of Fresno

Department of Community Health  
Edward L. Moreno, M.D., M.P.H., Interim Director

September 9, 2005

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



999999999  
LU0010895  
PE 2620

Dear Mr. Waiczis:

PROJECT NO: RO-05-29  
SUBJECT: Bullard-Grantland No. 3 Reorganization

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 significant risk of contaminating the city's community water supply. For this reason, when development occurs, it is extremely important to ensure the safe and proper destruction of all abandoned water wells.

Mike Waiczis  
RO-05-29  
September 9, 2005  
Page 2

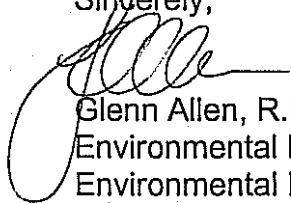
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If I can be of more assistance, please contact me at (559) 445-3357.

Sincerely,



Glenn Allen, R.E.H.S.  
Environmental Health Specialist II  
Environmental Health Division

ga

cc: Ed Yamamoto, Environmental Health Division

CITY OF FRESNO  
SERVICES AND IMPROVEMENT PLAN  
BULLARD-GRANTLAND NO. 3 REORGANIZATION  
AUGUST 2005

A. INTRODUCTION

A plan for providing services and improvements to land being annexed to cities is required by the Local Agency Formation Commission (LAFCO).

1. It provides assurance to LAFCO that newly annexed territory to a city will be properly served as urban territory.
2. It provides a basis for determining the impact of an annexation when a determination is made pursuant to the California Environmental Quality Act (CEQA).
3. It provides information to property owners, districts and interested individuals who may have other plans or proposals underway in the immediate vicinity of a proposed annexation, reorganization or boundary change. A service plan indicates the City of Fresno's intentions for providing service for a particular project.

B. SERVICES EXISTING OR PROPOSED TO BE EXTENDED TO THE BULLARD-GRANTLAND NO. 3 REORGANIZATION:

1. COMMUNITY WATER SERVICE:

The subject territory is being serviced by private wells at the present time. Development of the 40-acre subject property is subject to the following requirements:

- Construct a 14-inch transmission grid water main in West Gettysburg Avenue from North Bryan Avenue west across project frontage.
- Construct a 14-inch transmission grid water main in North Grantland Avenue between West Bullard and West Barstow Avenues.
- Construct a 14-inch transmission grid water main in West Barstow Avenue from North Bryan Avenue west to North Grantland Avenue.

Once the subject property is annexed to the city, any new development in this area will require extension of water mains to service the property with city water.

2. SANITARY SEWERS:

The subject territory is currently being serviced by private septic systems. To provide service to the 40-acre subject property, the developer will extend a 10-inch sewer main in West Bullard Avenue from North Grantland Avenue west across the project frontage.

3. SOLID WASTE COLLECTION:

The City of Fresno will service this project's solid waste disposal and recycling needs.

4. **POLICE AND FIRE PROTECTION:**

The subject property is currently provided service by the Fresno County Sheriff's Department. Upon annexation, services would be provided by the City of Fresno Police Department. The City of Fresno Police Department presently provides service to adjacent development to the east.

The subject property is presently receiving fire protection services from the North Central Fire Protection District. Upon annexation, fire protection services will be provided to the subject property by City of Fresno Fire Station No. 18 (temporary station) located at 5938 North La Ventana Avenue.
5. **STREET LIGHTING:**

The Pacific, Gas and Electric Company provide service to the area. Street lighting shall be provided by the developer in accordance with the City of Fresno Standards. The lighting shall be maintained by the City of Fresno.
6. **PARKS AND RECREATION:**

The City of Fresno's 2025 General Plan constitutes an update of the City's Master Parks Plan. The provision of neighborhood and community parks is guided and ensured by a specific planning and funding process directed toward meeting community needs for parks and related recreational programs. The development of the proposed territory is residential. The demands for recreational service impacts are mitigated through the payment of Urban Growth Management Park Fees for parks and recreation facilities. There is a planned city park located on the south side of West Barstow Avenue, between North Bryan and North Grantland Avenues.
7. **TRANSIT SERVICES:**

The subject property is serviced by Fresno Area Express. Buses run weekdays, between 5:20 a.m. and 10:00 p.m. and on weekends between 6:30 a.m. and 7:00 p.m. Service operates at half-hour intervals on weekdays; weekend service is less frequent. The transit service serves the general public. For commuting outside of the Fresno Area, Greyhound and Amtrak services are available.
8. **AMBULANCE SERVICE:**

The nearest hospital to the area is Fresno Community Medical Center located at Fresno and "R" Streets. American Ambulance has ambulance service for emergency purposes.
9. **STORM DRAINAGE:**

The Fresno Metropolitan Flood Control District provides storm drainage service to the area. The proposed site for annexation will receive drainage service through the District's Drainage Area EM.

The District's system has adequate capacity to service the site. Storm drainage fees paid to the District contribute to the construction of these facilities. The developers will extend storm drain pipelines to the site.
10. **EXTENSION OF CITY SERVICES:**

All City services are planned to be extended to the area as development occurs and makes it feasible.
11. **UPGRADING OF PUBLIC FACILITIES AND IMPROVEMENTS:**

A primary reason for annexation of the property is that the property owners prefer to

develop the property in the City of Fresno. The project will provide for necessary major street dedications and improvements as well as sewer, water and storm drain improvements.

12. **SCHOOLS:**

The subject territory is within the enrollment area of the Central Unified School District. Currently students within this reorganization would attend Herndon-Barstow Elementary School, El Capitan Middle School and Central High School-East Campus. Because of the growth occurring within the district boundaries, the school district has advised that the district has adopted developer fees in accordance with current state law, which will require the developers of the subject property to pay a fee for school facilities per the adopted schedule of fees.

13. **OTHER SERVICES:**

Animal control services will be provided by the City of Fresno.

C. **FINANCING OF SERVICES AND FACILITIES:**

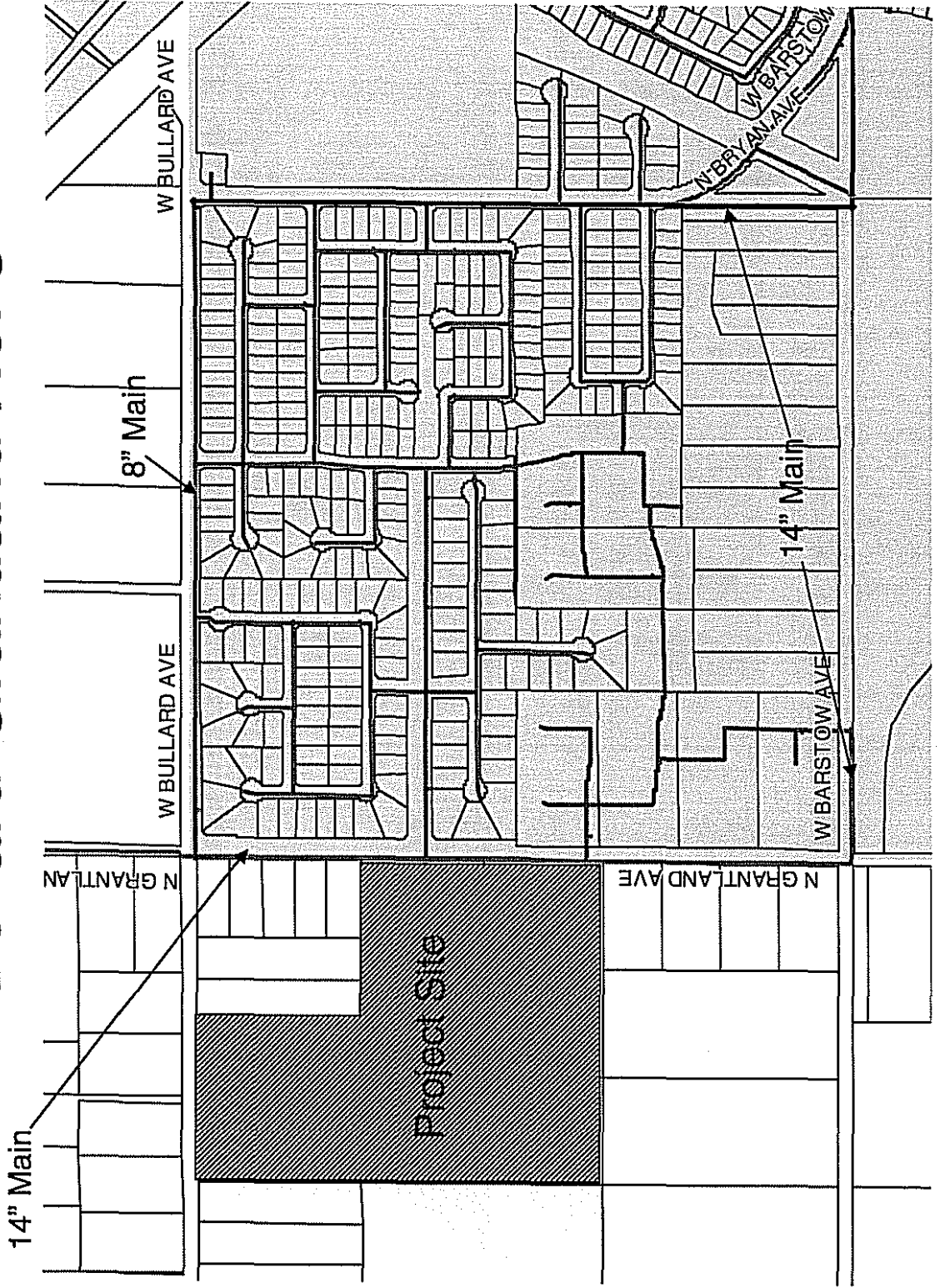
1. Property tax
2. Fees: The following development impact fees are required: parks, fire, police, water, sewer, street improvements, traffic signalization, and storm drainage. City permit and license fees are also collected.
3. Sales tax
4. State funds, i.e., gas tax, motor vehicle in lieu tax, are utilized by the City for street work and supporting the transit system.
5. Federal funds, i.e., Community Development Block Grant Funds.
6. Bonds and/or assessment districts as needed.

D. **COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

A Finding of Conformity to Master Environmental Impact Report No. 10130 has been prepared for this project in compliance with the California Environmental Quality Act. The findings were noticed as required by CEQA and were circulated to affected agencies.

# Water Mains

## Bullard-Grantland No. 3

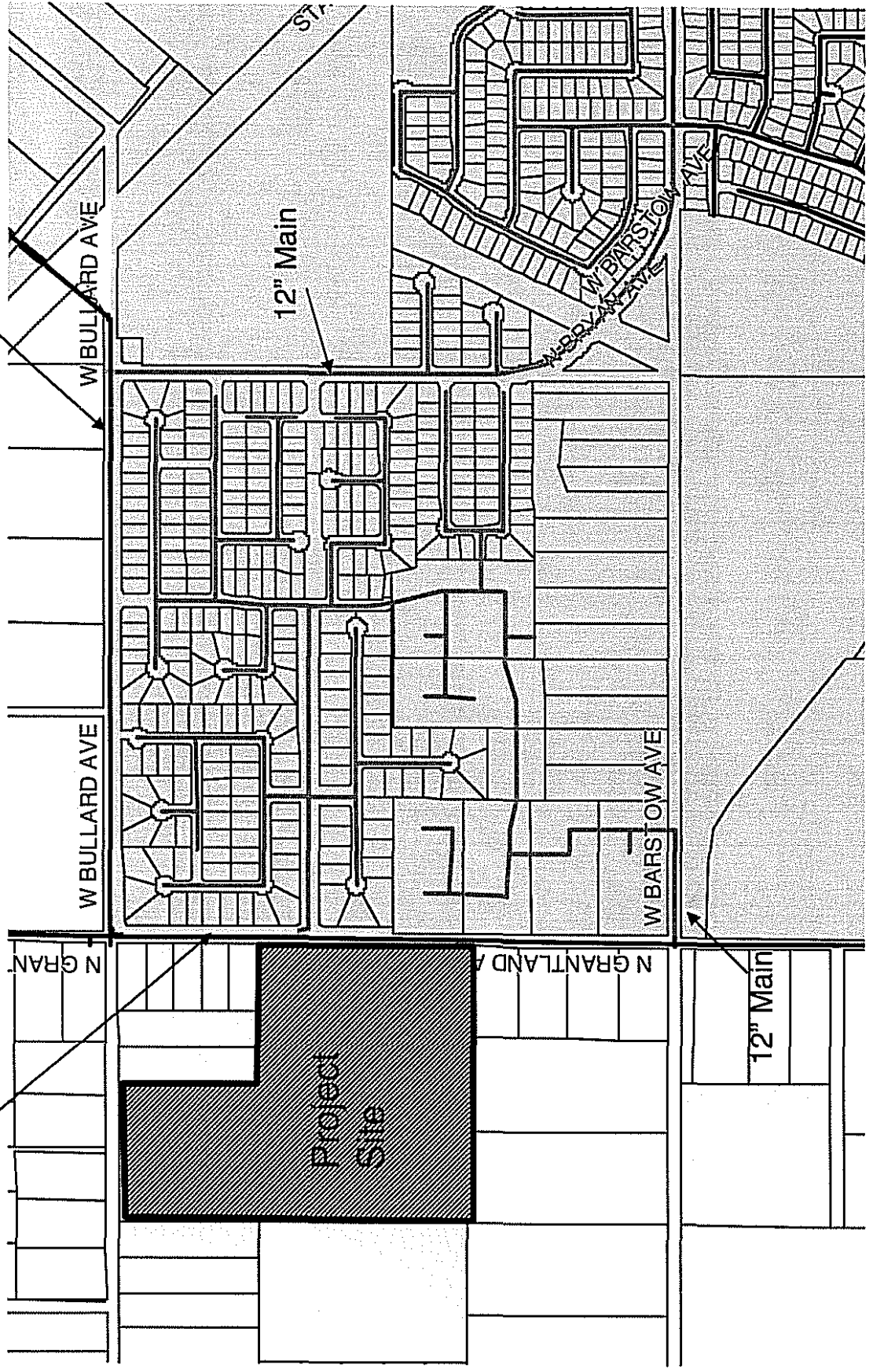


# Sewer Mains

## Bullard-Grantland No. 3

54" Main

60" Main



**NOTICE OF DETERMINATION**

**E00510000150**

DATE RECEIVED FOR FILING:

**FILED**

APR 15 2005

FRESNO COUNTY CLERK  
By *[Signature]*  
DEPUTY

TO: Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

FROM: CITY OF FRESNO  
Planning and Development Dept.  
2600 Fresno St., Rm. 3043  
Fresno, CA 93721-3604

County Clerk  
County of Fresno  
2221 Kern Street  
Fresno, CA 93721

**SUBJECT:** Filing of Notice of Determination in compliance with Section 21152 of the Public Resources Code.

**PROJECT TITLE :** City of Fresno Environmental Assessment No. R-04-65/T-5338/UGM, prepared for Rezone o. R-04-65 and Vesting Tentative Map No. T-5338.

N/A	City of Fresno Planning and Development Department Kevin Fabino, Planner	(559) 621-8046
<b>STATE CLEARINGHOUSE NUMBER (IF SUBJECT TO CLEARINGHOUSE)</b>	<b>LEAD AGENCY CONTACT PERSON</b>	<b>AREA CODE/TELEPHONE</b>

**PROJECT LOCATION:** The subject site is approximately 35-acres located on the south side of West Bullard Avenue, west of the intersection of North Grantland and West Bullard Avenues, in the City of Fresno, Fresno County.

**PROJECT DESCRIPTION:** Rezone Application No. R-04-65 amends the 2025 Fresno General Plan and West Area Community Plan from the R-R (*Rural Residential-Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district. Vesting Tentative Tract Map No. 5338/UGM allows the development of a medium density residential (4.99-10.37 dwelling units/acre) 123-lot single-family residential subdivision at a residential density of 2.74 dwelling per acre over the entire project site. The project also includes the detachment from the Kings River Conservation District and the North Central Fire Protection District and annexation to the City of Fresno for which the Fresno County Local Agency Formation Commission (LAFCO) is the responsible agency.

This is to advise that the Council of the City of Fresno, the Lead Agency, has approved the above-described project on April 11, 2005 and has made the following determinations regarding this project:

1. The project  will  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.  
 A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.  
 A determination of project conformity to the 2025 Fresno General Plan Master Environmental Impact Report (City of Fresno MEIR No. 10130 / SCH No. 2001071097) was made.
3. Mitigation measures  were  were not made a condition of the approval of the project.
4. A statement of Overriding Considerations  was  was not adopted for this project.
5. Findings  were  were not made pursuant to the provisions of CEQA.

This is to certify that the above-described Finding of Conformity with comments and responses and record of project approval is available to the general public at the City of Fresno Planning & Development Department, 2600 Fresno Street, Room 3043, Fresno, California 93721-3604.

*[Signature]*  
Darrell Unruh  
Planning Manager, City of Fresno

*4/13/05*  
Date

Attachments: De Minimis Finding  
Project Vicinity Map  
Environmental Assessment No. R-04-65/T-5338/UGM, Finding of Conformity, date January 27, 2005

**CALIFORNIA DEPARTMENT OF FISH AND GAME  
CERTIFICATE OF FEE EXEMPTION**

**DE MINIMIS IMPACT FINDING for  
CITY OF FRESNO ENVIRONMENTAL ASSESSMENT No. R-04-65/T-5338/UGM**

**LEAD AGENCY:**

City of Fresno, Planning and Development Department, 2600 Fresno Street, Fresno, California 93721

**PROJECT TITLE AND LOCATION:**

Rezone Application No. R-04-65. The subject site is approximately 35-acres located on the south side of West Bullard Avenue, west of the intersection of North Grantland and West Bullard Avenues, in the City of Fresno, Fresno County.


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**FINDING OF EXEMPTION:**

Pursuant to the above-noted environmental assessment, Finding of Conformity to Master Environmental Impact Report No. 10130 for the 2025 Fresno General Plan has been prepared by the lead agency for the proposed project. There is no evidence in the record that the proposed project may have an adverse effect on wildlife resources.

"I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.4 of the Fish and Game Code."

  
\_\_\_\_\_  
Darrell Unruh, Planning Manager  
Advance Planning Division

Date: April 15, 2005

the subject parcel. Based on this initial study, the project does not change the land use indicated for the subject parcel and will not generate additional significant effects not previously identified by the MEIR and no new additional mitigation measures are required. Therefore, the project proposal is within the scope of the MEIR as defined by Section 15177 of the CEQA Guidelines.

Moreover, as lead agency for this project, the Planning and Development Department, per Section 15177 (d) of the CEQA Guidelines, has determined that all feasible mitigation measures from MEIR No. 10130 shall apply to the project proposal as noted in the **attached mitigation monitoring checklist**. Public notice has been provided regarding staff's finding in a manner prescribed by this section of the Guidelines and by Section 21092 of the California Public Resources Code (CEQA provisions).

*Darrell Unruh*

*1/27/05*

Darrell Unruh  
Planning Manager, City of Fresno

Date

K:\Master Files - 2004\REZONE\R-04-065-T-5338-SWC Grantland&Barstow-SAC\R-04-65-T-5338-MEIR Finding of Conformity.wpd

Attachments: Environmental Checklist/Initial Study for Environmental Assessment No. R-04-65/T-5338  
Mitigation Monitoring Checklist (MEIR No. 10130) for Environmental Assessment No. R-04-65/  
T-5338

**CALIFORNIA DEPARTMENT OF FISH AND GAME**  
**CERTIFICATE OF FEE EXEMPTION**

**DE MINIMIS IMPACT FINDING for**  
**CITY OF FRESNO ENVIRONMENTAL ASSESSMENT No. R-04-65/T-5338/UGM**

**LEAD AGENCY:**

City of Fresno, Planning and Development Department, 2600 Fresno Street, Fresno, California 93721

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**PROJECT DESCRIPTION:**

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\_\_\_\_\_  
Darrell Unruh, Planning Manager  
Advance Planning Division

Date: April 15, 2005

Section 711.4, Fish and Game Code

**CITY OF FRESNO - ENVIRONMENTAL ASSESSMENT / INITIAL STUDY  
FINDING OF CONFORMITY / MEIR NO. 10130**

Pursuant to Section 21157.1 of the California Public Resources Code (California Environmental Quality Act) the project described below is determined to be within the scope of the Master Environmental Impact Report (MEIR) No. 10130 prepared for the 2025 Fresno General Plan.	DATE RECEIVED FOR FILING: <b>RECEIVED</b> 2005 JAN 28 AM 8:12 CITY CLERK, FRESNO CA
Initial study is on file in the Planning and Development Department, City Hall, 2600 Fresno Street, Fresno, California 93721 (559)621-8277	
<b>Applicant:</b> Ciao Properties 1175 West Shaw Avenue Fresno, California 93711	<b>Initial Study Prepared By:</b> Shelby Chamberlain, Planner III January 27, 2005
<b>Environmental Assessment Number:</b> Rezone Application No. R-04-65 Vesting Tentative Tract Map No. 5338/UGM	<b>Project Location (including APN):</b> Near the southwest corner of North Grantland and West Bullard Avenues APN: 505-040-06, 07, 09, 14, 15, 16

**Project Description:**  
 Ciao Properties has filed applications pertaining to approximately 45 acres of property located on near the southwest corner of North Grantland and West Bullard Avenues. Rezone Application No. R-04-65 proposes to rezone the subject site from the R-R (*Rural Residential-Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district for the entire project site. Vesting Tentative Tract Map No. T-5338/UGM proposes to subdivide the project site into a 123-lot single family residential subdivision. The project also includes the detachment of a portion of the subject property from the Kings River Conservation District and the North Central Fire Protection District and annexation to the City of Fresno for which the Fresno County Local Agency Formation Commission (LAFCO) is the responsible agency.

**Conformance to Master Environmental Impact Report (MEIR No. 10130):**  
 The recently adopted 2025 Fresno General Plan and West Area Community Plan designate the subject parcel for medium density residential planned land uses. The proposed R-1/UGM, *Single Family Residential/Urban Growth Management*, zone district conforms to this medium density residential land use designation.

The Planning and Development Department staff has prepared an initial study and environmental checklist and evaluated the proposed rezone and tract map applications in accordance with the land use and environmental policies and provisions of the 2025 Fresno General Plan and the related Master Environmental Impact Report (MEIR) No. 10130. The subject property is proposed to be developed with single family residential uses at an intensity and scale that is permitted by the planned land use and proposed zoning designation for the site. Thus, the proposed subdivision will not facilitate an additional intensification of uses beyond that which already exists or would be allowed by the above-noted planned land use designation. Moreover, it is not expected that the existing and future development will adversely impact existing city service systems or the traffic circulation system that serves the subject parcels. These infrastructure findings have been verified by the Public Works and Public Utilities Departments. It has been further determined that all applicable mitigation measures of MEIR No. 10130 have been applied to the project necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by MEIR No. 10130 as provided by CEQA Section 15178(a).

Per Section 21157.1 of the California Public Resources Code (California Environmental Quality Act), it may be determined that a subsequent project falls within the scope of a MEIR, provided that the project does not cause significant impacts on the environment that were not previously examined by the MEIR. Relative to this specific project proposal, the environmental impacts noted in the MEIR, per the 2025 Fresno General Plan land use designations, include impacts associated with the medium density residential land use designation specified for

the subject parcel. Based on this initial study, the project does not change the land use indicated for the subject parcel and will not generate additional significant effects not previously identified by the MEIR and no new additional mitigation measures are required. Therefore, the project proposal is within the scope of the MEIR as defined by Section 15177 of the CEQA Guidelines.

Moreover, as lead agency for this project, the Planning and Development Department, per Section 15177 (d) of the CEQA Guidelines, has determined that all feasible mitigation measures from MEIR No. 10130 shall apply to the project proposal as noted in the **attached mitigation monitoring checklist**. Public notice has been provided regarding staff's finding in a manner prescribed by this section of the Guidelines and by Section 21092 of the California Public Resources Code (CEQA provisions).

*Darrell Unruh*

*1/27/05*

Darrell Unruh  
Planning Manager, City of Fresno

Date

K:\Master Files - 2004\REZONE\R-04-065-T-5338-SWC Grantland&Barstow-SAC\R-04-65-T-5338-MEIR Finding of Conformity.wpd

Attachments: Environmental Checklist/Initial Study for Environmental Assessment No. R-04-65/T-5338  
Mitigation Monitoring Checklist (MEIR No. 10130) for Environmental Assessment No. R-04-65/  
T-5338

**ENVIRONMENTAL ASSESSMENT (EA) CHECKLIST  
POTENTIAL ENVIRONMENTAL EFFECTS**

*EA No. R-04-65/T-5338*

- 1.0 TOPOGRAPHIC, SOIL, GEOLOGIC CONSIDERATIONS**
  - 1 1.1 Geologic hazards, unstable soil conditions
  - 1 1.2 Adverse change in topography or ground surface relief
  - 1 1.3 Destruction of unique geologic or physical features
  - 1 1.4 Increased water erosion
- 2.0 AIR QUALITY**
  - 1 2.1 Substantial indirect source of pollution
  - 1 2.2 Direct on-site pollution generation
  - 1 2.3 Generation of objectionable odors
  - 1 2.4 Generation of dust except during construction
  - 1 2.5 Adverse local climatic changes
- 3.0 WATER**
  - 1 3.1 Insufficient ground water available for long-term project use
  - 1 3.2 Use of large quantities of ground water
  - 1 3.3 Wasteful use of ground water
  - 1 3.4 Pollution of surface or ground water supplies
  - 1 3.5 Reduction in ground water recharge
- 4.0 PLANT LIFE**
  - 1 4.1 Reduction of the numbers of any unique, rare or endangered species
  - 1 4.2 Reduction in acreage of agricultural crop
  - 1 4.3 Premature or unnecessary conversion of prime agricultural land
- 5.0 ANIMAL LIFE**
  - 1 5.1 Reduction in the numbers of any rare, unique or endangered species
  - 1 5.2 Deterioration or displacement of valuable wildlife habitat
- 6.0 HUMAN HEALTH**
- 7.0 NOISE**
  - 1 7.1 Increases in existing noise levels
  - 1 7.2 Exposure to high noise levels
- 8.0 LIGHT AND GLARE**
  - 1 8.1 Production of glare which will adversely affect residential areas
  - 1 8.2 Exposure of residences to high levels of glare
- 9.0 LAND USE**
  - 1 9.1 Incompatibility with adopted plans and policies
  - 1 9.2 Acceleration of growth rate
  - 1 9.3 Induces unplanned growth
  - 1 9.4 Adverse change in existing or planned area characteristics
- 10.0 TRANSPORTATION AND CIRCULATION**
  - 1 10.1 Generation of vehicle traffic sufficient to cause capacity deficiencies on existing street system
  - 1 10.2 Cumulative increase in traffic on a major street for which capacity deficiencies are projected
  - 1 10.3 Specific traffic hazard to motorists, bicyclists, pedestrians
  - 1 10.4 Routing of non-residential traffic through residential area
  - 1 10.5 Insufficient or poorly located parking
  - 1 10.6 Substantial increase in rail and/or air traffic

- 11.0 URBAN SERVICES**
  - 1 11.1 Availability of fire protection
  - 1 11.2 Lack of emergency vehicle access
  - 1 11.3 Adequacy of design for crime prevention
  - 1 11.4 Overcrowding of school facilities
  - 1 11.5 Availability of water mains of adequate size
  - 1 11.6 Availability of sewer lines of adequate capacity
  - 1 11.7 Availability of storm water drainage facilities (on or off site)
  - 1 11.8 Availability of adequate park and recreation areas
  - 1 11.9 Unusually high solid waste generation
- 12.0 HAZARDS**
  - 1 12.1 Risk of explosion or release of hazardous substance
  - 1 12.2 Site subject to flooding
  - 1 12.3 Adverse change in course of flow of flood waters
  - 1 12.4 Potential hazards from aircraft accidents
  - 1 12.5 Potential hazards from landfill and/or toxic waste site
- 13.0 AESTHETICS**
  - 1 13.1 Obstruction to public or scenic vista or view
  - 1 13.2 Creation of aesthetically offensive conditions
  - 1 13.3 Removal of street trees or other valuable vegetation
  - 1 13.4 Architectural incompatibility with surrounding area
- 14.0 HISTORICAL / ARCHAEOLOGICAL**
  - 1 14.1 Removal of historic building, disruption of archaeological site
  - 1 14.2 Construction or activity incompatible with adjacent historic site
- 15.0 ENERGY**
  - 1 15.1 Use of substantial amounts of energy or fuel
  - 1 15.2 Substantial increase in demand upon existing source of energy
  - 1 15.3 Wasteful use of energy

EXPLANATION OF RATINGS	
"0"	<b>Insufficient Information</b> Insufficient information is available to determine the potential environmental effects which may result from the proposed project in this category.
"1"	<b>No Significant Environmental Effect</b> The proposed project will not have an adverse environmental effect in this category, or any such effect is not substantial, unusual or of undesirable magnitude. This rating is also utilized in cases where the category is not applicable to the particular project under consideration.
"2"	<b>Moderate Environmental Effect</b> The proposed project will have an adverse environmental effect in this category, which is of sufficient magnitude to be a specific concern. However, this effect is not substantial enough in itself to require the preparation of an Environmental Impact Report, and is mitigable through project changes and other conditions.
"3"	<b>Significant Adverse Environmental Effect</b> The environmental effect identified in this category substantiates in itself or contributes towards a finding that the proposed project has a potentially significant adverse effect on the environment sufficient to require the preparation of an Environmental Impact Report.

**MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) NO. 10130**  
**2025 FRESNO GENERAL PLAN**  
**Mitigation Monitoring Checklist**

Project/EA No. R-04-65/T-5338

Date: January 27, 2005

A - Incorporated into Project  
 B - Mitigated  
 C - Mitigation in Progress  
 D - Responsible Agency Contacted  
 E - Part of City-wide Program  
 F - Not Applicable

Following is the mitigation monitoring checklist from MEIR No. 10130 as applied to the above-noted Project Environmental Assessment as required by City Council Resolution No. 2002-378 and Exhibit "E", thereof, adopted on November 19, 2002, certifying the MEIR for the 2025 Fresno General Plan Update.

NOTE: Letters B-Q in mitigation measures refer to the respective section of Chapter V of MEIR No. 10130.

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY						
			A	B	C	D	E	
B-1. Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an Average Daily Traffic (ADT) level of service (LOS) D or better in 2025, with planned street improvements, shall not cause conditions on those segments to be worse than LOS E before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/transportation improvements that will contribute to achieving and maintaining LOS D.	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X	X				
B-2. Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an ADT LOS E in 2025, with planned street improvements, shall not cause conditions on those segments to be worse than LOS E before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/ transportation improvements that will contribute to achieving and maintaining LOS E.	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.		X				X
B-3. Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an ADT LOS F shall not cause further substantial degradation of conditions on those segments before 2025 without completing a traffic and transportation evaluation.  This evaluation will be used to determine appropriate project-specific design measures or street/ transportation improvements that will contribute to achieving and maintaining a LOS equivalent to that anticipated by the General Plan. Further substantial degradation is defined as an increase in the peak hour vehicle/capacity (v/c) ratio of 0.15 or greater for roadway segments whose v/c ratio is estimated to be 1.00 or higher in 2025 by the General Plan MEIR traffic analysis.	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.		X				X

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2025 FRESNO GENERAL PLAN  
Mitigation Monitoring Checklist**

Project/EA No. R-04-65/T-5338

Date: January 27, 2005

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>B-4.</b> For development projects that are consistent with plans and policies, a site access evaluation shall be required to the satisfaction of the Public Works Director. This evaluation shall, at a minimum, focus on the following factors:</p> <p>a. Disruption of vehicular traffic flow along adjacent major streets, appropriate design measures for on-site vehicular circulation and access to major streets (number, location and design of driveway approaches), and linkages to bicycle/pedestrian circulation systems and transit services.</p> <p>b. In addition, for development projects that the City determines may generate a projected 100 or more peak hour vehicle trips (either in the morning or evening), the evaluation shall determine the project's contribution to increased peak hour vehicle delay at major street intersections adjacent or proximate to the project site. The evaluation shall identify project responsibilities for intersection improvements to reduce vehicle delay consistent with the LOS anticipated by the 2025 Fresno General Plan. For projects which affect State Highways, the Public Works Director may direct the site access evaluation to reference the criteria presented in Caltrans Guide for the Preparation of Traffic Impact Studies.</p>	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X	X				
<p><b>B-5.</b> Circulation and site design measures shall be considered for development projects so that local trips may be completed as much as possible without use of, or with reduced use of, major streets and major street intersections. Appropriate consideration must also be given to compliance with plan policies and mitigation measures intended to promote compatibility between land uses with different traffic generation characteristics.</p>	Prior to approval of land use entitlement application	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X	X				
<p><b>B-6.</b> New development projects and major street construction projects shall be designed with consideration and implementation of appropriate features (considering safety, convenience and cost-effectiveness) to encourage walking, bicycling, and public transportation as alternative modes to the automobile.</p>	Prior to approval or prior to funding of major street project.	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X	X				
<p><b>B-7.</b> Bicycle and pedestrian travel and use of public transportation shall be facilitated as alternative modes of transportation including, but not limited to, provision of bicycle, pedestrian and public transportation facilities and improvements to connect residential areas with public facilities, shopping and employment. Adequate rights-of-way for bikeways, preferably as bicycle lanes, shall be provided on all new major streets and shall be considered when designing improvements for existing major streets.</p>	Ongoing	Public Works Dept./ Transportation Planning/Planning and Development Dept.	X		X			

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Date: January 27, 2005

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p><b>C-1.</b> In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, the City shall take the following necessary actions to achieve and maintain compliance with state and federal air quality standards and programs.</p> <p>a. Develop and incorporate air quality maintenance considerations into the preparation and review of land use plans and development proposals.</p> <p>b. Maintain internal consistency within the General Plan between policies and programs for air quality resource conservation and the policies and programs of other General Plan elements.</p> <p>c. City departments preparing environmental review documents shall use computer models (software approved by local and state air quality and congestion management agencies) to estimate air pollution impacts of development entitlements, land use plans and amendments to land use regulations.</p> <p>d. Continue to route information regarding land use plans, development projects, and amendments to development regulations to the SJVAPCD for that agency's review and comment on potential air quality impacts.</p>	Ongoing	Planning and Development Department	X		X		X	
<p><b>C-2.</b> The City shall continue efforts to improve technical performance, emissions levels and system operations of the Fresno Area Express transit system, through such measures as:</p> <p>a. Selecting and maintaining bus engines, transmissions, fuels and air conditioning equipment for efficiency and low air pollution emissions.</p> <p>b. Siting new transit centers and other multi-modal transportation transfer facilities to maximize utilization of mass transit.</p> <p>c. Continuing efforts to improve transit on-time performance, increase frequency of service, extend hours of operation, add express bus service and align routes to capture as much new ridership as possible.</p> <p>d. Initiating a program to allow employers and institutions (e.g., educational facilities) to purchase blocks of bus passes at a reduced rate to facilitate their incentive programs for reducing single-passenger vehicle use.</p>	Ongoing	Fresno Area Express			X			
<p><b>C-3.</b> The City shall implement all of the Reasonably Available Control Measures (RACM) identified in Exhibit A of Resolution No. 2002-119, adopted by the Fresno City Council on April 9, 2002. These measures are presented in full detail in Table VC-3 of the MEIR.</p>	Ongoing	Various city departments	X		X		X	

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Date: January 27, 2005

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
D-1. The City shall monitor impacts of land use changes and development project proposals on metropolitan water supply facilities and the groundwater aquifer.	Ongoing	Dept of Public Utilities and Planning and Development Dept			X		X	
D-2. The City shall ensure the funding and construction of facilities to mitigate the direct impacts of land use changes and development within the 2025 General Plan boundaries. Groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. Site specific environmental evaluations shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing	Department of Public Utilities and Planning and Development Department		X			X	
D-3. The City shall implement the Fresno Metropolitan Water Resources Management Plan and update this plan as necessary to ensure the cost-effectiveness use of water resources and continued availability of good-quality groundwater and surface water supplies.	Ongoing	Department of Public Utilities			X		X	
D-4. The City shall work with the Fresno Metropolitan Flood Control District to prevent and reduce the existence of urban stormwater pollutants to the maximum extent practical and ensure that surface and groundwater quality, public health, and the environment shall not be adversely affected by urban runoff, and shall comply with NPDES standards.	Ongoing	Planning and Development Department		X			X	
D-5. The City shall preserve undeveloped areas within the 100-year floodway within the city and its general plan area, particularly the San Joaquin Riverbottom, for uses that will not involve permanent improvements which would be adversely affected by periodic floods.	Ongoing	Planning and Development Department						
D-6. The city shall establish special building standards for private structures, public structures and infrastructure elements in the San Joaquin Riverbottom that will protect:	Ongoing	Planning and Development Department						X
a. Construction in this area from being damaged by the intensity of flooding in the riverbottom; and,								
b. Water quality in the San Joaquin River watershed from flood damage-related nuisances and hazards (e.g., the release of raw sewage); and,								
c. Public health, safety and general welfare from the effects of flood events.								

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Date: January 27, 2005

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
D-7. The City shall advocate that the San Joaquin River not be channelized and that levees shall not be used in the river corridor for flood control, except those alterations in river flow that are approved for surface mining and subsequent reclamation activities for mined sites (e.g., temporary berms and small side-channel diversions to control water flow through ponds).	Ongoing	Planning and Development Department						X
D-8. The City shall maintain a comprehensive, long-range water resource management plan that provides for appropriate management of all sources of water available to the planning area which is periodically updated to ensure that sufficient and sustainable water supplies of good quality will be economically available to accommodate existing and planned urban development.	Ongoing	Department of Public Utilities			X		X	
D-9. If the City is unable to renew its 60,000-acre foot USBR water supply contract due to the city's Charter meter prohibition, replacement water supplies and/or conservation measures of equal benefit shall be secured.	Ongoing	Department of Public Utilities			X	X		
D-10. The City will conform to the requirements of Waste Discharge Requirements Order 5-01-254, including groundwater monitoring and subsequent Best Practical Treatment and Control (BPTC) assessment and findings.	Ongoing	Department of Public Utilities				X	X	
E-1. The City shall continue to implement and pursue strengthening of urban growth management service delivery requirements and annexation policy agreements, including urging that the county continue to implement similar measures within the boundaries of the 2025 Fresno General Plan, to promote contiguous urban development and discourage premature conversion of agricultural land.	Ongoing	Planning and Development Department			X			X
E-2. To minimize the inefficient conversion of agricultural land, the City shall pursue the appropriate measures to ensure that development within the planned urban boundary occurs consistent with the General Plan and that urban development occurs within the city's incorporated boundaries.	Ongoing	Planning and Development Department	X				X	
E-3. The City shall pursue appropriate measures, including recordation of right to farm covenants, to ensure that agricultural uses of land may continue within those areas of transition where planned urban areas interface with planned agricultural areas.	Ongoing	Planning and Development Department	X					

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Date: January 27, 2005

MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>E-4. Development of agricultural land, or fallow land adjacent to land designated for agricultural uses, shall incorporate measures to reduce the potential for conflicts with the agricultural use. Implementation of the following measures shall be considered:</p> <p>a. Including a buffer zone of sufficient width between proposed residences and the agricultural use.</p> <p>b. Restricting the intensity of residential uses adjacent to agricultural lands.</p> <p>c. Informing residents about possible exposure to agricultural chemicals.</p> <p>d. Where feasible and permitted by law, exploring opportunities for agricultural operators to cease aerial spraying of chemicals and use of heavy equipment near proposed residences.</p> <p>e. Recordation of right to farm covenants to ensure that agricultural uses of land can continue.</p>	Ongoing	Planning and Development Department		X				
<p>F-1. The City shall ensure the provision for adequate trunk sewer and collector main capacities to serve existing and planned urban and economic development, including existing developed uses not presently connected to the public sewer system, consistent with the Wastewater Master Plan. Where appropriate, the City will coordinate with the City of Clovis and other agencies to ensure that planning and construction of facilities address regional needs in a comprehensive manner.</p>	Ongoing	Dept. of Public Utilities and Planning and Development Department		X	X		X	
<p>F-2. The City shall continue the development and use of citywide sewer flow monitoring and computerized flow modeling to ensure the availability of sewer collection system capacity to serve planned urban development.</p>	Ongoing	Dept. of Public Utilities					X	
<p>F-2-a. The City shall provide for containment and management of leathers and sludge adequate to prevent groundwater degradation.</p>	Ongoing	Dept. of Public Utilities			X			
<p>F-3. The City shall ensure the provision of adequate sewage treatment and disposal by using the Fresno-Clovis Regional Wastewater Reclamation Facility as the primary facility when economically feasible for all existing and new development within the General Plan area. Smaller, subregional wastewater treatment facilities may also be constructed as part of the regional wastewater treatment system, when appropriate. Site specific environmental evaluation and development of Waste Discharge Requirements by the Regional Water Quality Control Board shall precede the construction of these facilities. Mitigation measures identified in these evaluations shall be incorporated into each project to reduce the identified environmental impacts.</p>	Ongoing	Dept. of Public Utilities		X			X	

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
F-4. The City shall ensure that adequate trunk sewer capacity exists or can be provided to serve proposed development prior to the approval of rezoning, special permits, tract maps and parcel maps, so that the capacities of existing facilities are not exceeded.	Ongoing/prior to approval of land use entitlement application	Dept. of Public Utilities and Planning and Development Department	X	X			X	
F-5. The City shall provide adequate solid waste facilities and services for the collection, transfer, recycling, and disposal of refuse for existing and planned development within the City's jurisdiction. Site specific environmental evaluation shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing/prior to construction	Dept. of Public Utilities	X	X				
G-1. Site specific environmental evaluation shall precede the construction of new police and fire protection facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing/prior to construction	Fire Dept/Police Dept/ Planning and Development Dept.					X	X
H-1. Site specific environmental evaluation shall precede the construction of new public parks. Results of this evaluation shall be incorporated into the park design to reduce the environmental impacts.	Ongoing/prior to construction	Parks and Recreation Dept./Planning and Development Dept.					X	X
I-1. Projects that could adversely affect rare, threatened or endangered wildlife and vegetative species ( or may have impacts on wildlife, fish and vegetation restoration programs) may be approved only with the consent of the California Department of Fish and Game (and the U.S. Fish and Wildlife Service, as appropriate) that adequate mitigation measures are incorporated into the project's approval.	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.						X
I-2. Where feasible, development shall avoid disturbance in wetland areas, including vernal pools and riparian communities along rivers and streams. Avoidance of these areas shall including siting structures at least 100 feet from the outermost edge of the wetland. If complete avoidance is not possible, the disturbance to the wetland shall be minimized to the maximum extent possible, with restoration of the disturbed area provided. New vegetation shall consist of native species similar to those removed.	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.						X

A - Incorporated into Project  
 B - Mitigated

C - Mitigation in Process  
 D - Responsible Agency Contacted

E - Part of City-Wide Program  
 F - Not Applicable

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
I-3. Where wetlands or other sensitive habitats cannot be avoided, replacement habitat at a nearby off-site location shall be provided. The replacement habitat shall be substantially equivalent in nature to the habitat lost and shall be provided at a ratio suitable to assure that, at a minimum, there is no net loss of habitat acreage or value. Typically, the U.S. Fish and Wildlife Service and California Department of Fish and Game require a ratio of three replacement acres for every one acre of high quality riparian or wetland habitat lost.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
I-4. Existing and mature riparian vegetation shall be preserved to the extent feasible, except when trees are diseased or otherwise constitute a hazard to persons or property. During construction, all activities and storage of equipment shall occur outside of the drip lines of any trees to be preserved.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
I-5. Within the identified riparian corridors, environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses consistent with these values shall be allowed (e.g., nature education and research, fishing and habitat enhancement and protection).	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X
I-6. All areas within identified riparian corridors shall be maintained in a natural state or limited to recreation and open space uses. Recreation shall be limited to passive forms of recreation, with any facilities that are constructed required to be non-intrusive to wildlife or sensitive species.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.						X

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
<p>J-1. If the site of a proposed development or public works project is found to contain unique archaeological or paleontological resources, and it can be demonstrated that the project will cause damage to these resources, reasonable efforts shall be made to permit any or all of the resource to be scientifically removed, or it shall be preserved in situ (left in an undisturbed state). In situ preservation may include the following options, or equivalent measures:</p> <p>a. Amending construction plans to avoid the resources.</p> <p>b. Setting aside sites containing these resources by deeding them into permanent conservation easements.</p> <p>c. Capping or covering these resources with a protective layer of soil before building on the sites.</p> <p>d. Incorporating parks, green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them.</p> <p>e. Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft.</p>	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.	X					
<p>J-2. An archaeological assessment shall be conducted for the project if prehistoric human relics are found that were not previously assessed during the environmental assessment for the project. The site shall be formally recorded, and archaeologists' recommendations shall be made to the City on further site investigation or site avoidance/ preservation measures.</p>	Ongoing/prior to submittal of land use entitlement application	Planning and Development Dept.	X					
<p>J-3. If there are suspected human remains, the Fresno County Coroner shall be contacted immediately. If the remains or other archaeological materials are possibly of Native American origin, the Native American Heritage Commission shall be contacted immediately, and the California Archaeological Inventory's Southern San Joaquin Valley Information Center shall be contacted to obtain a referral list of recognized archaeologists.</p>	Ongoing	Planning and Development Dept./ Historic Preservation Commission staff	X					
<p>J-4. Where maintenance, repair stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (Weeks and Grimmer, 1995), the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus not significant.</p>	Ongoing	Planning and Development Dept./ Historic Preservation Staff	X	X				
<p>K-1. The City shall adopt the land use noise compatibility standards presented in Figure VK-2 for general planning purposes.</p>	Ongoing	Planning and Development Dept.	X	X				

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Date: January 27, 2005

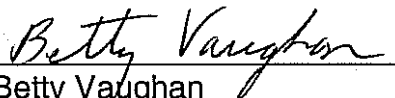
MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY	A	B	C	D	E	F
			X	X				
<p>K-2. Any required acoustical analysis shall be performed as required by Policy H-1-d of the 2025 Fresno General Plan for development projects proposing residential or other noise sensitive uses as defined by Policy H-1-a, to provide compliance with the performance standards identified by Policies H-1-a and H-1-k. (Note: all are policies of the 2025 General Plan.)</p> <p>The following measures can be used to mitigate noise impacts; however, impacts may not be fully mitigated within the 70 dBA noise contour areas depicted on Figure VK-4.</p> <ul style="list-style-type: none"> <li>• <b>Site Planning.</b> See Chapter V for more details.</li> <li>• <b>Barriers.</b> See Chapter V for more details.</li> <li>• <b>Building Designs.</b> See Chapter V for more details.</li> </ul>	Ongoing/upon submittal of land use entitlement application	Planning and Development Dept.	X	X				
<p>K-3. The City shall continue to enforce the California Administrative Code, Title 24, Noise Insulation Standards. Title 24 requires that an acoustical analysis be performed for all new multi-family construction in areas where the exterior sound levels exceed 60 CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 CNEL or below.</p>	Ongoing/prior to building permit issuance	Planning and Development Dept.		X				
<p>L-1. Any construction that occurs as a result of a project shall conform with current Uniform Building Code regulations which address seismic safety of new structures and slope requirements. As appropriate, the City shall require a preliminary soils report prior to subdivision map review to ascertain site specific subsurface information necessary to estimate foundation conditions. This report shall reference and make use of the most recent regional geologic maps available from the California Department of Conservation, Division of Mines and Geology.</p>	Ongoing	Planning and Development Dept.	X	X				
<p>N-1. The City shall cooperate with appropriate energy providers to ensure the provision of adequate energy generated and distribution facilities, including environmental review as required.</p>	Ongoing	Planning and Development Dept.				X	X	
<p>Q-1. The City shall establish and implement design guidelines applicable to all commercial and manufacturing zone districts. These design guidelines will require consideration of the appearance of non-residential buildings that are visible to pedestrians and vehicle drivers using major streets or are visible from proximate properties zoned or planned for residential use.</p>	Ongoing	Planning and Development Dept.						X

## VOTER COUNT CERTIFICATION

Certificate of the Registrar of Voters of the County of Fresno  
regarding the number of registered voters residing within  
parcel numbers 505-040-06s and 505-040-07s

This Certificate will serve to certify that following the examination of the records of the registrations on file with the Registrar of Voters Office of the County of Fresno, that as of September 13, 2005 there are zero (0) registered voters within parcel numbers 505-040-06s and 505-040-07s.

Dated: September 13, 2005

  
Betty Vaughan  
Systems & Procedures Analyst II  
Office of Victor E. Salazar  
County Clerk/Registrar of Voters

Registered Voters	Address
0	7069 W. Bullard
0	7105 W. Bullard



P.O. Box 126  
Fresno, CA 93707  
Telephone (559) 490-3400

(Space Below use of County Clerk only)

## IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

### NOTICE OF PUBLIC HEARING

RO-05-21

Misc. Notice

STATE OF CALIFORNIA

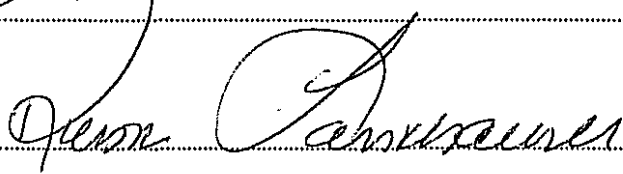
COUNTY OF FRESNO

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 interested 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 and 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:

Sep 5, 2005

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

ON September 5, 2005



### 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 proposed changes of organization (proposals) at a public hearing on September 28, 2005:

- Belmont-Sunnyside No. 1B Reorganization:** Proposed reorganization consisting of the annexation of approximately 1.5-2 acres to the City of Fresno and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory generally located on the north side of E. Belmont Avenue between N. Sunnyside and N. Bowler Avenues (LAFCO file No. RO-05-21)
- Shaw-DeWolf Southwest Reorganization:** Proposed reorganization consisting of the annexation of approximately 66.28 acres to the City of Clovis and detachment from the Fresno County Fire Protection District and Kings River Conservation District for territory generally located on the south side of Shaw Avenue between Lincoln and DeWolf Avenues and north of Getysburg Avenue (LAFCO file No. RO-05-23)
- Mckimley-Polk No. 4C Reorganization:** Proposed reorganization consisting of the annexation of approximately 20 acres to the City of Fresno and detachment from the North Central Fire Protection District and Kings River Conservation District for territory generally located on the west side of N. Polk Avenue between W. Mckimley and W. Clinton Avenues (LAFCO file No. RO-05-24)
- Shaw-Bryan No. 3B Reorganization:** Proposed reorganization consisting of the annexation of approximately 49 acres to the City of Fresno and detachment from the North Central Fire Protection District and Kings River Conservation District for territory generally located at the southwest corner of Shaw and Bryan Avenues (LAFCO file No. RO-05-25)
- Princeton-Brawley No. 2 Reorganization:** Proposed reorganization consisting of the annexation of approximately 14.6 acres to the City of Fresno and detachment from the North Central Fire Protection District and Kings River Conservation District for territory generally located on the east side of N. Brawley Avenue between W. Princeton and W. Harvard Avenues (LAFCO file No. RO-05-28)

**Billard-Grantland No. 3 Reorganization:** Proposed reorganization consisting of the annexation of approximately 240 acres to the City of Fresno and detachment from the North Central Fire Protection District and Kings River Conservation District for territory generally located on the south side of W. Billard Avenue west of the intersection of N. Grantland and W. Billard Avenues (LAFCO file No. RO-05-29)

The public hearing will be held at 1:30 p.m. or soon thereafter on September 28, 2005 in Room 3011 Hall of Records, Billard and M Streets, Fresno. All interested parties are invited to attend the hearing and present testimony on these matters. For additional information contact the Commission Office at 2115 Kern Street, Suite 3101 Fresno, CA 93721. Please direct questions to Mike Waiczis, AICP, LAFCO Executive Officer at 559-495-0604 or e-mail Mr. Waiczis at mwiczis@co.fresno.ca.us

**DATED:** September 5, 2005  
(Step 5)

**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 proposed reorganization (annexation and detachments) described below. Your property may be affected by the proposed annexation.

**"Bullard-Grantland No. 3 Reorganization"**. The Proposed reorganization consists of the annexation of approximately 40 acres of territory to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District. This application was submitted by the City of Fresno. The affected territory is generally located on the south side of W. Bullard Avenue, west of the intersection of N. Grantland and W. Bullard Avenues. (LAFCo File No. RO-05.29).

**THE PUBLIC HEARING** will be held on Wednesday, September 28, 2005 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. For information, please contact Michael Waiczis, Executive Officer at Fresno LAFCo, 2115 Kern Street, Suite 310, Fresno, CA 93721, phone: (559) 495-0604, e-mail address: [mwaiczis@co.fresno.ca.us](mailto:mwaiczis@co.fresno.ca.us).

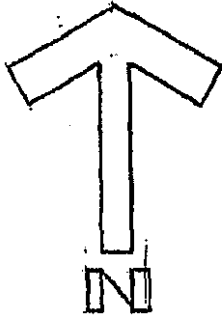


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Michael R. Waiczis, AICP  
Executive Officer

**Dated:** September 6, 2005  
**File:** RO-05-29

**Please Note:** 1) Note: 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 or for any of the Commission members or alternate Commission members within 12 months prior to the Commission hearing, State law disqualifies such members from participating and voting in such a proceeding. State law also prohibits applicants and participants from making such campaign contributions, depending on their timing and circumstances. All of these restrictions also apply to agents of applicants or participants. Please consult with Commission staff at (559) 495-0604 as to the requirements of the Political Reform Act (Government Code Section 84308); 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.

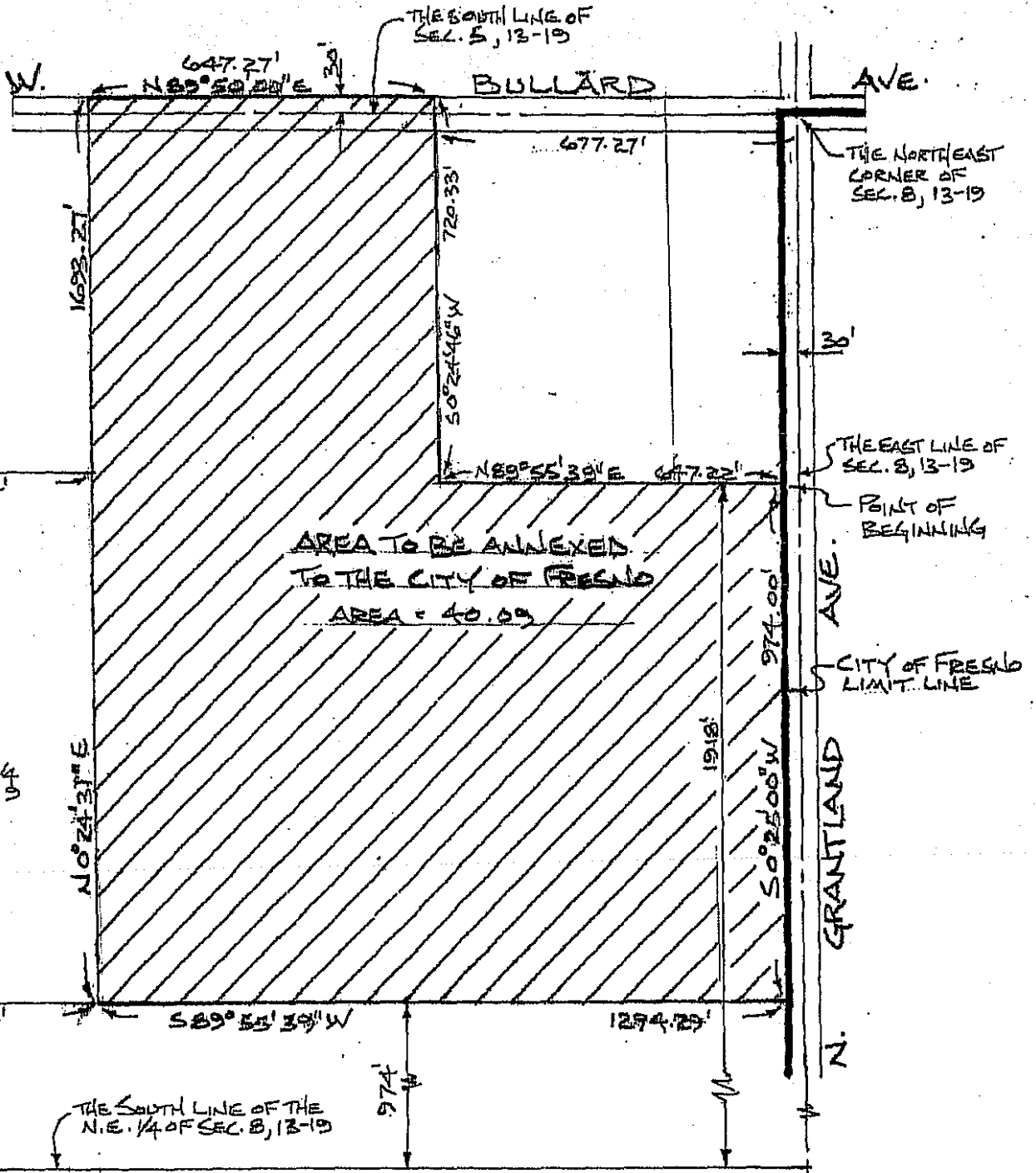


SCALE: 1" = 300'

1324.44'

THE WEST LINE OF THE N.E. 1/4 OF SEC. 8, 13-19

1324.23'



A PORTION OF THE N.E. 1/4 OF SEC. 8 & THE S.E. 1/4 OF SEC. 5, ALL IN TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO BASE AND MERIDIAN

PREPARED BY:  
GARY GIANNETTA  
1119 "S" STREET  
FRESNO, CA 93721  
555-264-3590

BULLARD-GRANTLAND No. 3 REORGANIZATION  
TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED:  
3-1-05  
REVISED:  
4-15-05

Certified Copy  
City Clerk's Office

tl  
R/3/05



# Fresno Local Agency Formation Commission

August 30, 2005

## CERTIFICATE OF FILING

Andrew T. Souza, City Manager  
City of Fresno  
2600 Fresno Street  
Fresno, CA 93721

Dear Mr. Souza:

Subject: "Bullard-Grantland No. 3 Reorganization"

Please be advised that pursuant to California Government Code Section 56658(g) that on August 30, 2005, the proposed "Bullard-Grantland No. 3 Reorganization" application submitted by the City of Fresno was determined to be complete by the Executive Officer and has been accepted for filing with the Fresno Local Agency Formation Commission.

The Commission will consider this proposed reorganization and make determinations at a public hearing to be held on Wednesday, September 28, 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. A representative from your agency should attend this hearing and be prepared to provide information about your Proposal to the Commission.

Sincerely,

Michael R. Waiczis, AICP  
Executive Officer

MRW:cf

Cc: LAFCo Commissioners and Alternate Commissioners

Names of landowners or parties of real interest (Asterisk indicates consent):

Ciao Properties\*

"Bullard-Grantland No.3 Reorganization"  
Report

1. **Proposal:**  
Annexation to the City of Fresno and Detachment from the Fresno County Fire Protection District and the Kings River Conservation District

2. **Acreage:** 40.09 +/-

3. **Location Description:** Southwest of West Bullard Avenue and North Grantland Avenue

4. **Cities and Districts included wholly or partially within proposal area:**

- a. County of Fresno
- b. Fresno County Library District
- c. Fresno County North Central Fire Protection District Zone 1
- d. Fresno Metropolitan Flood Control District
- e. Kings River Conservation District
- f. Fresno Mosquito Abatement District
- g. Central Unified School District
- h. State Center Community College District
- i. West Fresno Red Scale District
- j. Fresno Irrigation District



5. **Agricultural Preserves and Land Conservation Contracts within proposal area:** None

**Agricultural Preserves and Land Conservation Contracts within adjoining territory:** None

6. **Comments of legal description and map received on:** 08/29/2005

Correction Needed?	Comment a,b,c,d
Indefinite & uncertain boundaries?	No
Conflicts with lines of assessment?	No
Divides ownership?	No
Additional territory recommended?	No
Deletion of territory recommended?	No
Proposal will create: Island?	No
Corridor?	No
Non-contiguous boundary?	No
Is map insufficient for filing?	Comment a,b,d

7. **Comments:** page 2

- a. If the legal description or map is revised for any reason, the date revised must be shown on the same.
- b. The proposal boundary lies thirty feet west of the existing city limit which lies on the section line shared by sections 8 and 9 of Township 13 South Range 19 East, please correct.
- c. The legal description must specify exactly where the proposal boundary joins, follows and leaves the existing city limit.
- d. The proposal map must include a legend that defines the line types and area demarcations used.

  
 \_\_\_\_\_  
 Garrick Horvath, Cadastral Technician

"Bullard-Grantland No.3 Reorganization"  
Assessed Ownership & Valuation of Affected Territory

SERL 50504009 FRESNO CNTY SECURED TAX ROLL 2005-06 M01501  
APN: 505-040-09 -1 INT: TRA: 062-028 TAX RATE: .0000000  
ORIG APN:  
ASSESSEE: CIAO PROPERTIES LLC

MAILNAME:

CORTAC:

MAILADDR: % CIAO PROPERTIES I I LLC 7020 N VAN NESS SUP PEND : NO  
FRESNO CA 93711 SUP BILLED: YES

LOCATION: 9.81 AC IN NE1/4 MUSCATEL EST SEC 8

FULL VALUE

LAND: 450213		1ST INSTAL..2ND INSTAL.....TOTAL TAX
IMPS: 0	TAX:	
(TFI: 0)	PEN: .00 .00 .00	
P/P: 0 MH: 0	TOT:	
REG: 0	PD:	
SUB: 450213 **	COL#:	
EX HOX: 0	AMT: .00 .00 .00	
EX BI: 0		
NET: 450213 **		
PEST: 0		
R/C: NO	EXT DEL DATE 1. 2.	
ESCAPES: NO	CONDEMNATION: BOND/WEED: \$ .00	

SERL 50504014 FRESNO CNTY SECURED TAX ROLL 2005-06 M01501  
APN: 505-040-14 -3 INT: TRA: 062-028 TAX RATE: .0000000  
ORIG APN:  
ASSESSEE: CIAO PROPERTIES LLC

MAILNAME:

CORTAC:

MAILADDR: 7020 N VAN NESS BLVD FRESNO CA 93711 SUP PEND : NO  
SUP BILLED: YES

LOCATION: 9.65 AC IN NE1/4 MUSCATEL EST SEC 8

FULL VALUE

LAND: 442871		1ST INSTAL..2ND INSTAL.....TOTAL TAX
IMPS: 0	TAX:	
(TFI: 0)	PEN: .00 .00 .00	
P/P: 0 MH: 0	TOT:	
REG: 0	PD:	
SUB: 442871 **	COL#:	
EX HOX: 0	AMT: .00 .00 .00	
EX BI: 0		
NET: 442871 **		
PEST: 0		
R/C: YES	EXT DEL DATE 1. 2.	
ESCAPES: YES	CONDEMNATION: BOND/WEED: \$ .00	

"Bullard-Grantland No.3 Reorganization"

SERL 50504015S FRESNO CNTY SECURED TAX ROLL 2005-06 M01501  
 APN: 505-040-15S-0 INT: TRA: 062-028 TAX RATE: .0000000  
 ORIG APN:  
 ASSESSEE: CIAO PROPERTIES LLC

MAILNAME:

CORTAC:

MAILADDR: % CIAO PROPERTIES I I LLC 7020 N VAN NESS SUP PEND : NO  
 FRESNO CA 93711 SUP BILLED: YES

LOCATION: SUR RTS 9.94 AC IN NE1/4 MUSCATEL EST SEC 8

FULL VALUE

LAND: 456180		1ST INSTAL..2ND INSTAL.....TOTAL TAX
IMPS: 0		TAX:
(TFI: 0)		PEN: .00 .00 .00
P/P: 0 MH: 0		TOT:
REG: 0		PD:
SUB: 456180 **		COL#:
EX HOX: 0		AMT: .00 .00 .00
EX BI: 0		
NET: 456180 **		
PEST: 0		
R/C: NO		EXT DEL DATE 1. 2.
ESCAPES: NO	CONDEMNATION:	BOND/WEED: \$ .00

SERL 50504016 FRESNO CNTY SECURED TAX ROLL 2005-06 M01501  
 APN: 505-040-16-5 INT: TRA: 062-028 TAX RATE: .0000000  
 ORIG APN:  
 ASSESSEE: CIAO PROPERTIES LLC

MAILNAME:

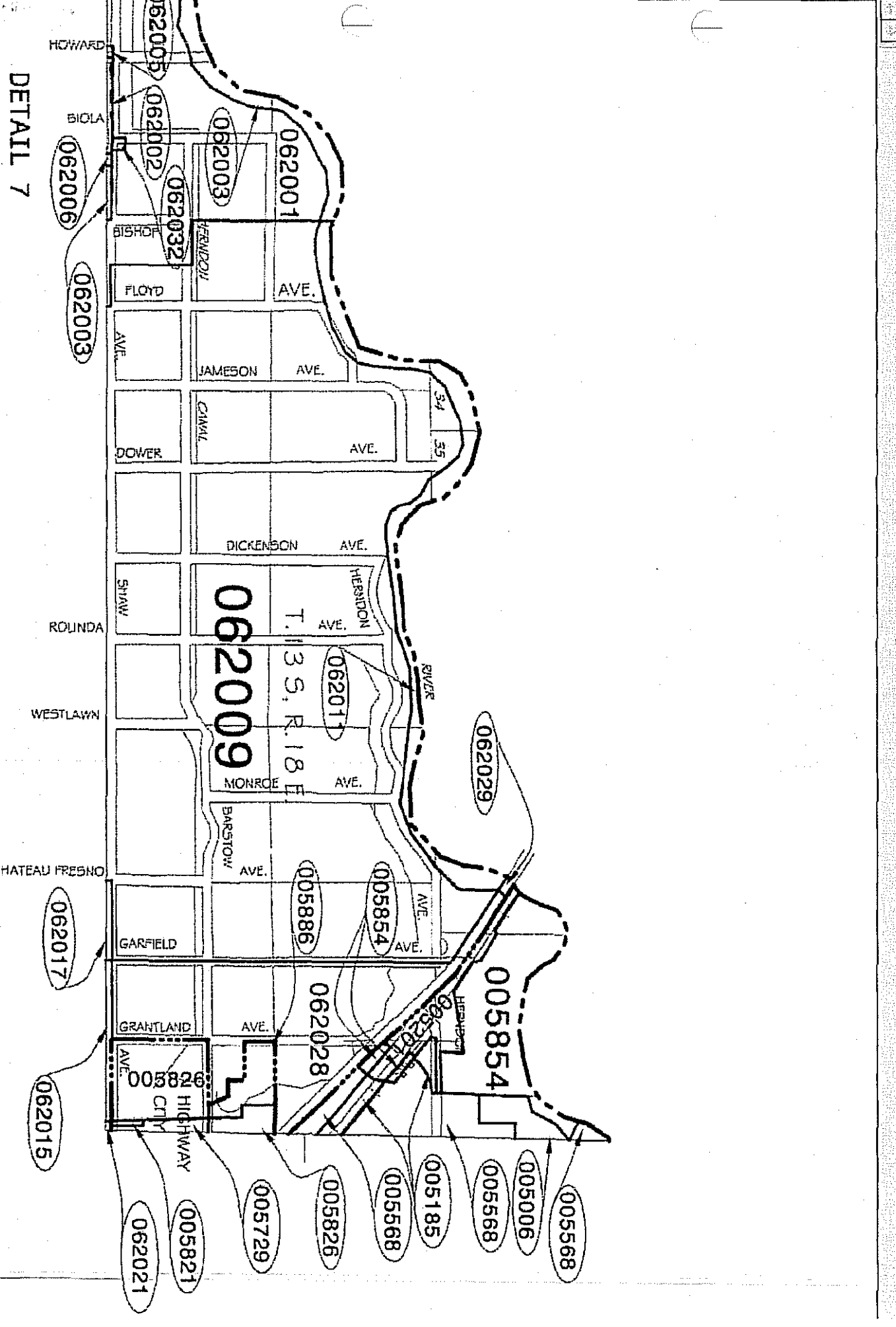
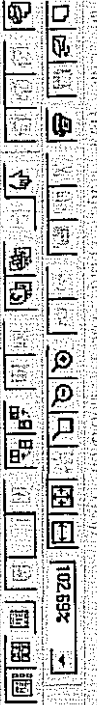
CORTAC:

MAILADDR: % CIAO PROPERTIES I I LLC 7020 N VAN NESS SUP PEND : NO  
 FRESNO CA 93711 SUP BILLED: YES

LOCATION: 9.35 AC IN NE1/4 MUSCATEL EST SEC 8

FULL VALUE

LAND: 429103		1ST INSTAL..2ND INSTAL.....TOTAL TAX
IMPS: 0		TAX:
(TFI: 0)		PEN: .00 .00 .00
P/P: 0 MH: 0		TOT:
REG: 0		PD:
SUB: 429103 **		COL#:
EX HOX: 0		AMT: .00 .00 .00
EX BI: 0		
NET: 429103 **		
PEST: 0		
R/C: NO		EXT DEL DATE 1. 2.
ESCAPES: NO	CONDEMNATION:	BOND/WEED: \$ .00



DETAIL 7

BULLARD-BRYAN NO. 3-A  
Reorganization

Area to be Detached from the North Central Fire Protection District, the Kings River Conservation District, and Annexed to the City of Fresno.

Consisting of Lots 732-737, Inclusive, of J.C. Forkner Fig Gardens Subdivision No. 7, and a portion of the South Half of the Northwest Quarter of Sect. 9, 13/19, lying in Northwest Quarter of Section 9, 13/19, M.D.B. & M.

Beginning at the Southwest corner of lot 43 of Herndon Lands Subdivision No. 1, as said lot is shown on the Map thereof, filed in the Office of the County Recorder February 11, 1914 and recorded in Volume 7 of Plats at page 23, Fresno County Records, being also, a point on the existing City Limits of the City of Fresno; thence Northerly, along the West lines of lots 43 and 42, of said Herndon Lands Subdivision No. 1, being also, along a line which is parallel with and 447.58 feet West of the East lines of said lots 43 and 42, and along the Northerly production of said lots, being also, along the existing City Limits of said City, to the intersection with the North line of the Northwest Quarter of Section 9, Township 13 South, Range 19 East, Mount Diablo Base and Meridian as said Section is shown on the United States Government Township Plats; thence Westerly, along the North line of the Northwest Quarter of said Section 9, to the Northwest corner of said Section 9; thence Southerly, along the West line of said Section 9, to the intersection with the Westerly production of the South line of lot 737 of J.C. Forkner Fig Gardens Subdivision No. 7, as shown on the Map thereof filed in the Office of the County Recorder July 18, 1923 and recorded in Volume 10 of Plats at page 17, Fresno County Records; thence Easterly, along the Westerly production of the South line of said lot 737, and along the South line of lots 737, 735 and 734 of said J.C. Forkner Fig Gardens Subdivision No. 7, to a point which is 1321.00 feet West of the East line of the Northwest Quarter of said Section 9; thence Southerly, along the West line of the East 1321.00 feet of the South Half of the Northwest Quarter of said Section 9, to the intersection with the South line of the North Half of the South Half of the Northwest Quarter of said Section 9; thence Easterly, along the South line of the North Half of the South Half to the Northwest Quarter of said Section 9, to a point which is 81.00 feet West of the East line of the Northwest Quarter of said Section 9; thence Southerly, along a line which is parallel with and 81.00 feet West of the East line of the Northwest Quarter of said Section 9; to the Intersection with the South line of the Northwest Quarter of said Section 9, said point being also, a point on the existing City Limits of said City; thence Easterly, along the South line of the Northwest Quarter of said Section 9, being also, along the existing City Limits of said City, a distance of 81.00 feet, to the center corner of said Section 9; thence Northerly, along the

APPROVED-LAFCD  
*October 15, 1987*  
DATE

MARVIN L. PANTER  
Executive Officer

East line of the Northwest Quarter of said Section 9, being also, along the existing City limits of said City, to the intersection with the Easterly production of the South line of said lot 43, of said Herndon Lands Subdivision No. 1; thence Westerly, along the Easterly production of the South line of said lot 43, and along the South line of said lot 43, being also, along the existing City Limits of said City, to the Point of Beginning.

File No. 2452  
Drawing No. 6-A-1482  
Contains 86.66 Acres  
TWB August 21, 1987

APPROVED-LAFCD

October 15, 1987

DATE

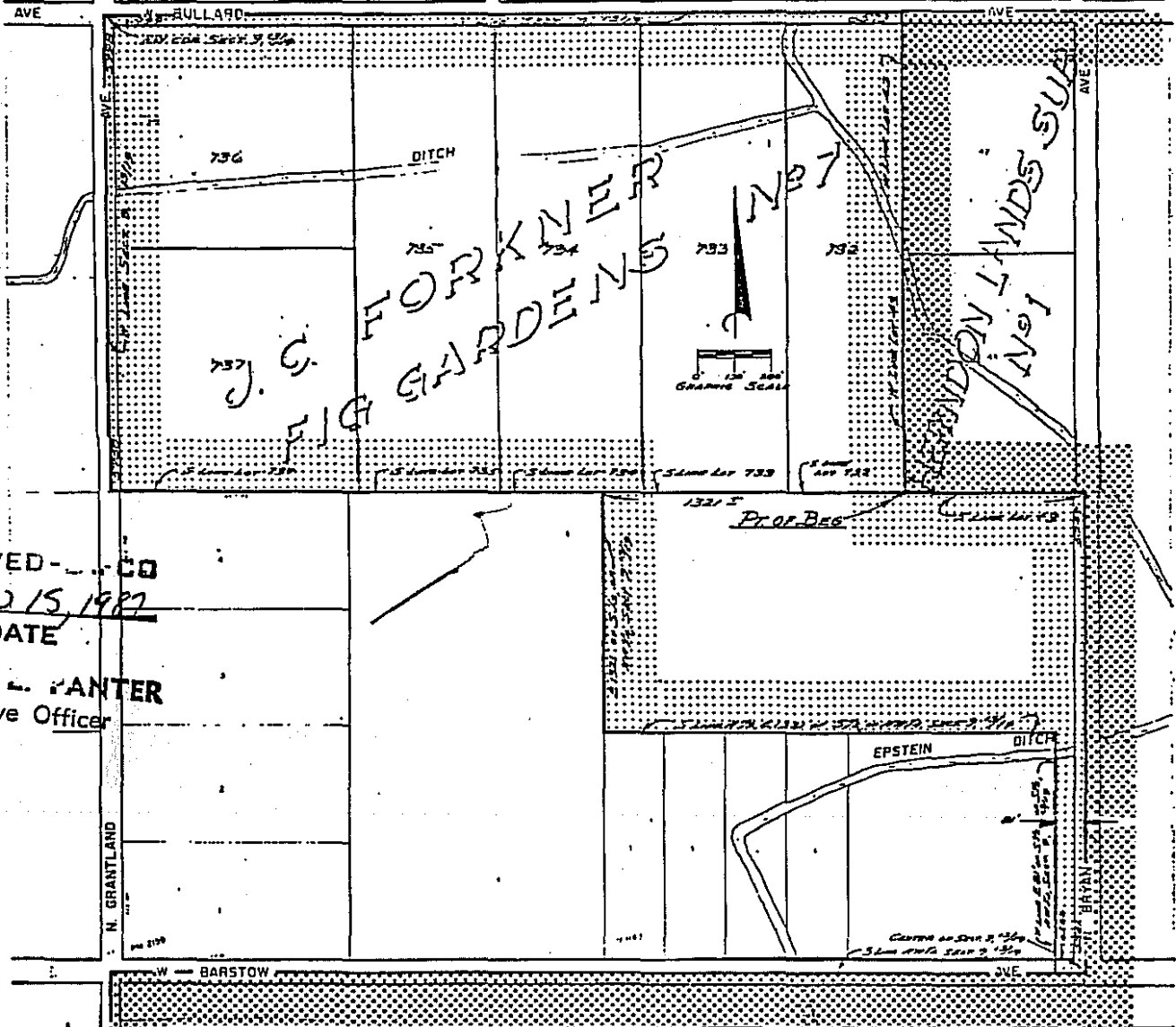
MARVIN L. PANTER  
Executive Officer

to City  
at

Mrs. Post

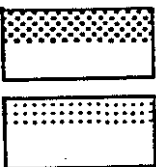
1120-87

JACQUES L. ROLL  
City Clerk



APPROVED - CO  
*October 15, 1987*  
 DATE  
 RYAN L. PANTER  
 Executive Officer

**LEGEND -**  
 EXISTING CITY AREA



AREA TO BE DETACHED FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT, THE KINGS RIVER CONSERVATION DISTRICT, AND ANNEXED TO THE CITY OF FRESNO.

ADDED ADDRESS SYSTEM

**RES. NO. 87-473 ADOPTED: 10-27-87**

*BULLARD-BRYAN No 3-A  
 REORGANIZATION*

*LOTS 732 TO 738, INCL. OF J. C. FORKNER FIG GARDENS No 7 AND A PORT OF S 1/2 OF NW 1/4, OF SECT 9, 13/19, M. D. B & M.*

FILE No. 2452  
 ANNEX No. 1208  
 ACRES = 86.66  
 COUNCIL DISTRICT No. 2

ALLOCATED TO COUNCIL DISTRICT NO. 2 AS PER COUNCIL DISTRICT MAP DATED 1-22-82 EXHIBIT "B"

DR. BY: TWC  
 DATE: Aug 1982  
 SCALE: AS SHOWN

**6-A-1482**

SERL 50504006S FRESNO CNTY SECURED TAX ROLL 2005-06 M01501  
APN: 505-040-06S-4 INT: TRA: 062-028 TAX RATE: 1.0957500  
ORIG APN:  
ASSESSEE: SAPPINGTON OFELIA F & THOMAS L

MAILNAME: SAPPINGTON THOMAS L & OFELIA  
CORTAC: 5802-8659-0  
MAILADDR: 7069 W BULLARD FRESNO CA 93722 SUP PEND : NO  
SUP BILLED: YES  
LOCATION: 007069 W BULLARD FR

FULL VALUE  
LAND: 79486 | 1ST INSTAL..2ND INSTAL.....TOTAL TAX  
IMPS: 72992 | TAX: \$ 871.63 \$ 871.63 \$ 1743.26  
(TFI: 0) | PEN: .00 .00 .00  
P/P: 0 MH: 0 | TOT: 871.63 871.63 1743.26  
REG: 0 | PD:  
SUB: 152478 \*\* | COL#:  
EX HOX: 0 | AMT: .00 .00 .00  
EX BI: 0 |  
NET: 152478 \*\* |  
PEST: 0 |  
R/C: NO EXT DEL DATE 1. 2.  
ESCAPES: NO CONDEMNATION: BOND/WEED: \$ 72.52

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SERL 50504007S FRESNO CNTY SECURED TAX ROLL 2005-06 M01501  
APN: 505-040-07S-5 INT: TRA: 062-028 TAX RATE: 1.0957500  
ORIG APN:  
ASSESSEE: MILLER KELLY L

MAILNAME:  
CORTAC: 5950- -  
MAILADDR: 7105 W BULLARD FRESNO CA 93722 SUP PEND : NO  
SUP BILLED: YES

LOCATION: 007105 W BULLARD FR  
FULL VALUE  
LAND: 52014 | 1ST INSTAL..2ND INSTAL.....TOTAL TAX  
IMPS: 101068 | TAX: \$ 835.43 \$ 835.43 \$ 1670.86  
(TFI: 0) | PEN: .00 .00 .00  
P/P: 0 MH: 0 | TOT: 835.43 835.43 1670.86  
REG: 0 | PD: 11/23/05  
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EX HOX: 7000 | AMT: 835.43 .00 835.43  
EX BI: 0 |  
NET: 146082 \*\* |  
PEST: 0 |  
R/C: NO EXT DEL DATE 1. 2.  
ESCAPES: NO CONDEMNATION: BOND/WEED: \$ 70.22

SERL 50504009 FRESNO CNTY SECURED TAX ROLL 2005-06 M01501  
APN: 505-040-09 -1 INT: TRA: 062-028 TAX RATE: .0000000  
ORIG APN:  
ASSESSEE: CIAO PROPERTIES LLC

MAILNAME:

CORTAC:

MAILADDR: % CIAO PROPERTIES I I LLC 7020 N VAN NESS SUP PEND : NO  
FRESNO CA 93711 SUP BILLED: YES

LOCATION: 9.81 AC IN NE1/4 MUSCATEL EST SEC 8

FULL VALUE

LAND: 450213		1ST INSTAL..	2ND INSTAL.....	TOTAL TAX
IMPS: 0	TAX:			
(TFI: 0)	PEN: .00	.00	.00	.00
P/P: 0 MH: 0	TOT:			
REG: 0	PD:			
SUB: 450213 **	COL#:			
EX HOX: 0	AMT: .00	.00	.00	.00
EX BI: 0				
NET: 450213 **				
PEST: 0				
R/C: NO	EXT DEL DATE 1.	2.		
ESCAPES: NO	CONDEMNATION:	BOND/WEED: \$	.00	

SERL 50504014 FRESNO CNTY SECURED TAX ROLL 2005-06 M01501  
APN: 505-040-14 -3 INT: TRA: 062-028 TAX RATE: .0000000  
ORIG APN:  
ASSESSEE: CIAO PROPERTIES LLC

MAILNAME:

CORTAC:

MAILADDR: 7020 N VAN NESS BLVD FRESNO CA 93711 SUP PEND : NO  
SUP BILLED: YES

LOCATION: 9.65 AC IN NE1/4 MUSCATEL EST SEC 8

FULL VALUE

LAND: 442871		1ST INSTAL..	2ND INSTAL.....	TOTAL TAX
IMPS: 0	TAX:			
(TFI: 0)	PEN: .00	.00	.00	.00
P/P: 0 MH: 0	TOT:			
REG: 0	PD:			
SUB: 442871 **	COL#:			
EX HOX: 0	AMT: .00	.00	.00	.00
EX BI: 0				
NET: 442871 **				
PEST: 0				
R/C: YES	EXT DEL DATE 1.	2.		
ESCAPES: YES	CONDEMNATION:	BOND/WEED: \$	.00	

SERL 50504015S FRESNO CNTY SECURED TAX ROLL 2005-06 M01501  
APN: 505-040-15S-0 INT: TRA: 062-028 TAX RATE: .0000000  
ORIG APN:  
ASSESSEE: CIAO PROPERTIES LLC

MAILNAME:

CORTAC:

MAILADDR: % CIAO PROPERTIES I I LLC 7020 N VAN NESS SUP PEND : NO  
FRESNO CA 93711 SUP BILLED: YES

LOCATION: SUR RTS 9.94 AC IN NE1/4 MUSCATEL EST SEC 8

FULL VALUE

LAND:	456180		1ST INSTAL..	2ND INSTAL.....	TOTAL TAX
IMPS:	0		TAX:		
(TFI:	0)		PEN:	.00 .00	.00
P/P:	0 MH:	0	TOT:		
REG:	0		PD:		
SUB:	456180 **		COL#:		
EX HOX:	0		AMT:	.00 .00	.00
EX BI:	0				
NET:	456180 **				
PEST:	0				
R/C: NO			EXT DEL DATE 1.	2.	
ESCAPES: NO			CONDEMNATION:	BOND/WEED: \$	.00

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APN: 505-040-16-5 INT: TRA: 062-028 TAX RATE: .0000000  
ORIG APN:  
ASSESSEE: CIAO PROPERTIES LLC

MAILNAME:

CORTAC:

MAILADDR: % CIAO PROPERTIES I I LLC 7020 N VAN NESS SUP PEND : NO  
FRESNO CA 93711 SUP BILLED: YES

LOCATION: 9.35 AC IN NE1/4 MUSCATEL EST SEC 8

FULL VALUE

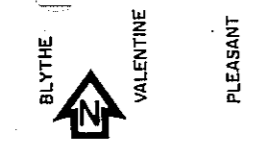
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(TFI:	0)		PEN:	.00 .00	.00
P/P:	0 MH:	0	TOT:		
REG:	0		PD:		
SUB:	429103 **		COL#:		
EX HOX:	0		AMT:	.00 .00	.00
EX BI:	0				
NET:	429103 **				
PEST:	0				
R/C: NO			EXT DEL DATE 1.	2.	
ESCAPES: NO			CONDEMNATION:	BOND/WEED: \$	.00

2787

RO- 05-29

Bullard - Grantland No. 3 Reorganization

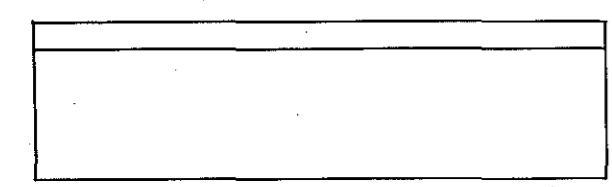
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50403054S	ECHEVERRIA FRANK J & FRAN S TRS	-	4145 W ALAMOS	FRESNO CA 93722	
50403017	EVANS GARY G & ELIZABETH J		7102 W BULLARD	FRESNO CA 93722	
50403016	ECHEVERRIA FRANK JOHN		4145 W ALAMOS	FRESNO CA 93722	
50403038S	THOMASSIAN VAHAN & KNARIG		7206 W BULLARD	FRESNO CA 93722	
50403048S	YARBROUGH THOMAS W & MARY L		7252 W BULLARD	FRESNO CA 93722	
50403066S	POLLOS CHRIS & SAZAT REV LIV TRUST TR	-	7290 W BULLARD	FRESNO CA 93722	
50403018	YADALIAN AGHAVNI G	NALJIAN VAHE ETAL	7343 N HULBERT	FRESNO CA 93711	
50504006S	SAPPINGTON THOMAS L & OFELIA		7069 W BULLARD	FRESNO CA 93722	
50504007S	MILLER KELLY L		7105 W BULLARD	FRESNO CA 93722	
50504006S	SAPPINGTON THOMAS L & OFELIA		7069 W BULLARD	FRESNO CA 93722	
50504046	JOHNSON LINDA HIER		4950 N CORNELIA	FRESNO CA 93722	
50504049	MUNSON RONNIE L & DIANA L		7291 W BULLARD	FRESNO CA 93722	
50504003S	PIZANA MANUEL P & SUSAN		5913 N GRANTLAND	FRESNO CA 93722	
50504002S	VALVERDE JOHN D & LYDIA		5909 N GRANTLAND	FRESNO CA 93722	
50504001S	BODINE MICHAEL WAYNE & KATHY LEE		5873 N GRANTLAND	FRESNO CA 93722	
50504013	JFJ FARMS INC		% R JURA	7900 W HERNDON	FRESNO CA 93722
50504021	LEE KENNETH K & JOANNA S	LEE TONG TOMMY ETAL	5763 E BOOKER	FRESNO CA 93727	
50504020T	FRESNO MET FLD CONT DIST		5469 E. Olive	Fresno Ca. 93727	
50504019ST	FRESNO MET FLD CONT DIST		5469 E. Olive	Fresno Ca. 93727	
50504034	KANG WOON SOP & CHOONG SEK		5633 N GRANTLAND	FRESNO CA 93722	
50504033	LEWIS ERNEST M & DONNA M		5577 N GRANTLAND AVE	FRESNO CA 93722	
50515020	GRANTLAND AVENUE LLC		1396 W HERNDON #101	FRESNO CA 93711	
50515019	GRANTLAND AVENUE LLC		1396 W HERNDON #101	FRESNO CA 93711	
50515018	GRANTLAND AVENUE LLC		1396 W HERNDON #101	FRESNO CA 93711	
50515001	GRANTLAND AVENUE LLC		1396 W HERNDON #101	FRESNO CA 93711	
50515016	GRANTLAND AVENUE LLC		1396 W HERNDON #101	FRESNO CA 93711	
50515017	GRANTLAND AVENUE LLC		1396 W HERNDON #101	FRESNO CA 93711	
50516001	GRANTLAND AVENUE LLC		1396 W HERNDON #101	FRESNO CA 93711	
50516002	GRANTLAND AVENUE LLC		1396 W HERNDON #101	FRESNO CA 93711	
50516003	GRANTLAND AVENUE LLC		1396 W HERNDON #101	FRESNO CA 93711	
50516026	IMAGE HOMES INC		997 E WIMBLEDON	FRESNO CA 93720	
50516027	IMAGE HOMES INC		997 E WIMBLEDON	FRESNO CA 93720	
50516028	IMAGE HOMES INC		997 E WIMBLEDON	FRESNO CA 93720	
50516030	IMAGE HOMES INC		997 E WIMBLEDON	FRESNO CA 93720	
50516029	IMAGE HOMES INC		997 E WIMBLEDON	FRESNO CA 93720	
50517010	GRANTLAND AVENUE LLC		ATTN FARID	1396 W HERNDON #101	FRESNO CA 93711
50517011	GRANTLAND AVENUE LLC		1396 W HERNDON #101	FRESNO CA 93711	
50507028	GRANTLAND AVENUE LLC		ATTN FARID	1396 W HERNDON #101	FRESNO CA 93711



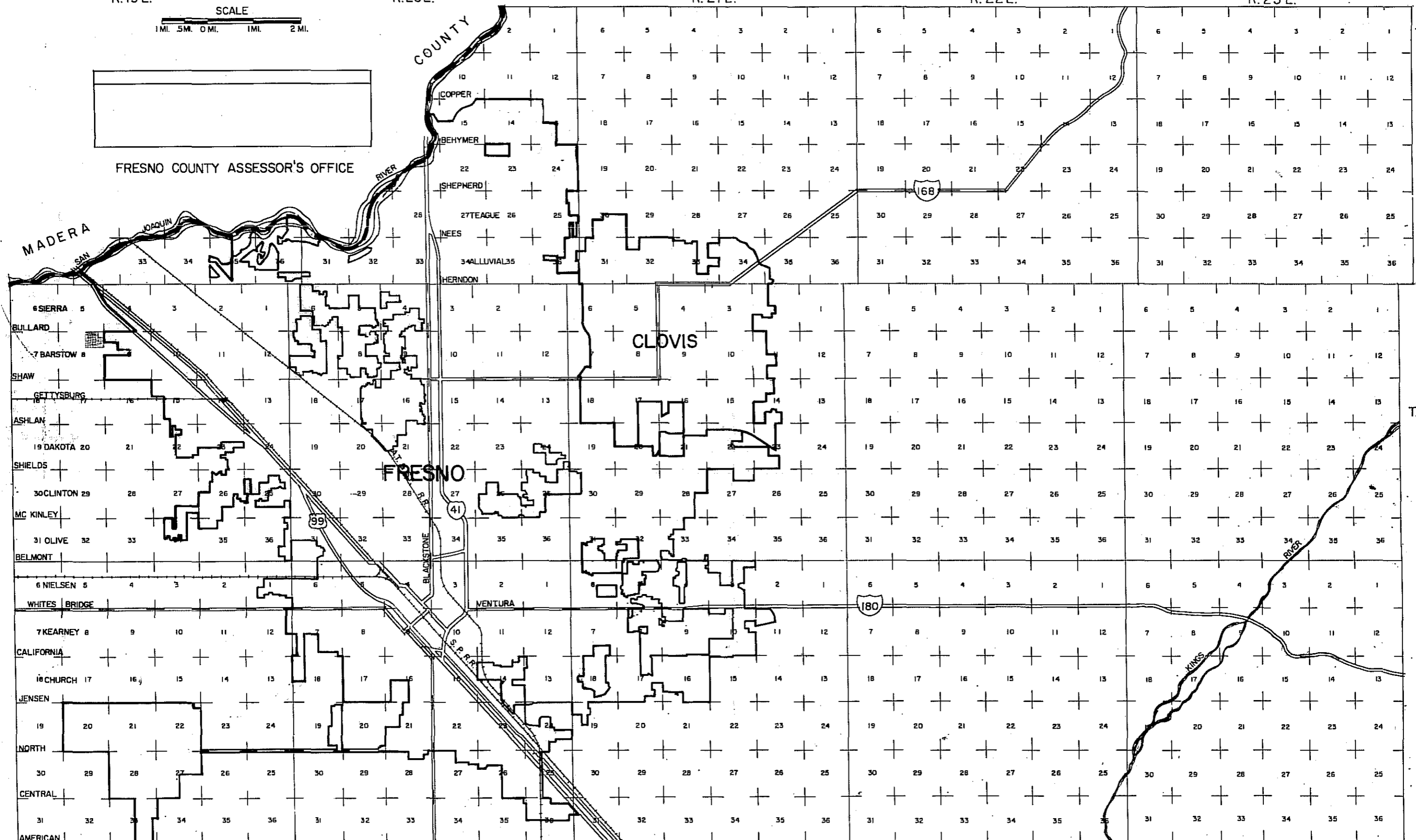
SCALE  
1 MI. 5 MI. 0 MI. 1 MI. 2 MI.

R. 19 E. R. 20 E. R. 21 E. R. 22 E. R. 23 E.

INGRAM FRESNO FIRST MILLBROOK CEDAR MAPLE CHESTNUT WILLOW PEACH MINNEWAWA CLOVIS SUNNYSIDE FOWLER ARMSTRONG TEMPERENCE LOCAN LEONARD THOMPSON



FRESNO COUNTY ASSESSOR'S OFFICE



T. 12 S. T. 13 S. T. 14 S. T. 15 S. T. 16 S. T. 17 S. T. 18 S. T. 19 S. T. 20 S. T. 21 S. T. 22 S. T. 23 S. T. 24 S. T. 25 S. T. 26 S. T. 27 S. T. 28 S. T. 29 S. T. 30 S. T. 31 S. T. 32 S. T. 33 S. T. 34 S. T. 35 S. T. 36 S.

COPPER  
INTERNATIONAL  
T. 12 S.  
BEHYMER  
PERRIN  
SHEPHERD  
TEAGUE  
NEES  
ALLUVIAL  
HERNDON  
SIERRA  
BULLARD  
BARSTOW  
SHAW  
GETTYSBURG  
T. 13 S.  
ASHLAN  
DAKOTA  
SHIELDS  
CLINTON  
MCKINLEY  
OLIVE  
BELMONT  
NIELSEN  
KINGS CANYON  
BUTLER  
CALIFORNIA  
CHURCH  
T. 14 S.  
JENSEN  
NORTH  
CENTRAL  
AMERICAN

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.

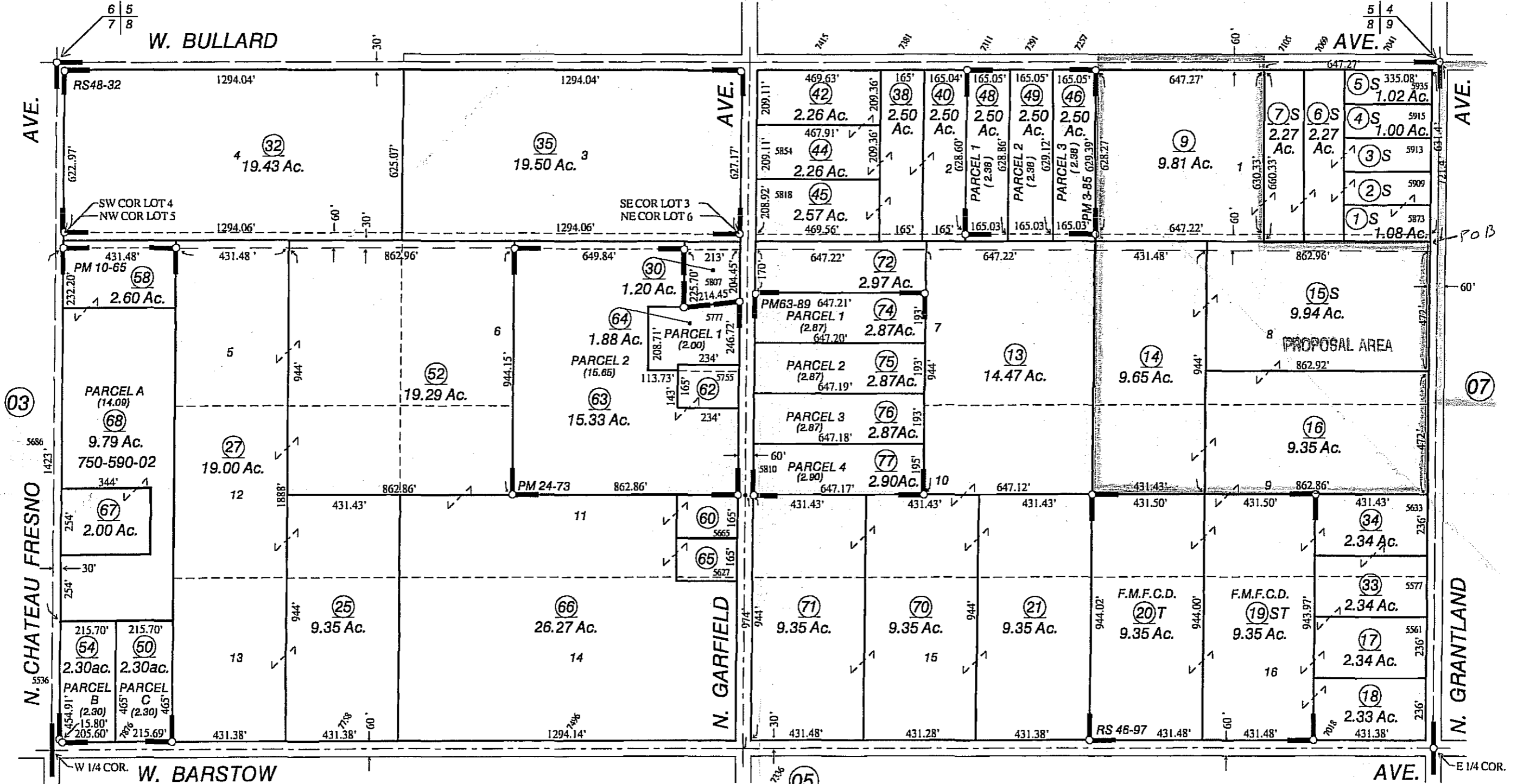
SUBDIVIDED LAND IN POR. SEC. 8, T.13 S., R.19 E., M.D.B.& M.

Tax Rate Area  
62-009  
62-028

505-04



Bk.  
504



Agricultural Preserve  
Muscatel Estate - Plat Bk.4, Pg.67  
Parcel Map No. 963 - Bk.3, Pg.85  
Parcel Map No. 1827 - Bk.10, Pg.65  
Parcel Map No. 3618 - Bk.24, Pg.73

Parcel Map No. 7905 - Bk.63, Pgs. 89-90  
Record of Survey in Section 8 - Bk.10, Pg.33  
Record of Survey - Bk.46, Pg.97  
Record of Survey - Bk.48, Pg.32

Assessor's Map Bk.505 - Pg. 04  
County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.

NOTICE OF INCOMPLETE APPLICATIONS

AUG 29 2005

DATE: August 29, 2005
TO: Andrew Souza, City Manager, City of Fresno
FROM: Michael R. Waiczis, AICP, Executive Officer
SUBJECT: "Bullard-Grantland No. 3 Reorganization"

Planning Division
Development Department
CITY OF FRESNO

Michael R. Waiczis

Please be informed that the Fresno Local Agency Formation Commission (LAFCo) received your application materials for the Proposal listed above on August 26, 2005. 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.

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.

- Application information is insufficient.
Environmental initial study and/or environmental documents not submitted or are incomplete (see comments).
Property tax transfer agreements not received.
Resolution of initiation or petition does not comply with State law.
Map and legal description.
Property owner consent forms are not included.
Verification of notification of affected property owners not received.
Required supplemental maps not submitted or are not sufficient. Please submit a zoning map (was not included in application packet).
Application fee not submitted.
Required Service Plan is not included or insufficient.
Request is inconsistent with sphere of influence of agency.
Other: A fire transition agreement between the City of Fresno and the North Central Fire Protection District is required

Comments: **PLEASE BE ADVISED:**

**"Please be advised that all agencies gaining or losing territory must provide a waiver of protest proceedings in writing. While this office will notify these agencies of this proposal and request each agency sign a statement that it waives 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 North Central Fire Protection District and the Kings River conservation District are affected agencies and must submit signed written waivers of protest proceedings."**

Your incomplete application materials will be returned to you if we do not receive the necessary items listed above to complete your application by **September 12, 2005**. 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 materials to the Department of Conservation and submission of the legal notice to the publisher (21 days). You will be scheduled for the next LAFCo hearing available following the issuance of a Certificate of Filing and required legal noticing.

We may be contacted at 559-495-0604 if you have any questions about this notification. Thank you.

\\pacific\4370\LAFCO WORKING FILES\APP MAILING & COMPLETIONS\RO\_5-29 INSUFFICIENT APPLICATION.doc

**FRESNO LOCAL AGENCY FORMATION COMMISSION  
LANDOWNER CONSENT FORM**

Project Description: Bullard Grantland No 3 Reorganization

General Location: Bullard & Grantland

APN or Address: 505-040-065

Site Area: 7069 W. Bullard

Annex To: FRESNO City

Detach From: FRESNO County

Each of the undersigned represents that they are the owner of the property described opposite their name and located within the territory described in the attached legal description, and hereby consents to the change of the organization or reorganization described above of said property to the above named city and/or district.

<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Property Description or County Assessor's Parcel Numbers</u>
THOMAS SAPPINON	<i>Thomas Sappinon</i>	7069 W. Bullard Ave	505-040-06
OTELIA F. SAPPINON	<i>Otelia Sappinon</i>	7069 W. Bullard Ave	505-040-06

The legal description of the territory proposed for change of organization or reorganization must be attached at the time consent is signed.

Each individual listed on the last equalized assessment roll of the county must sign for the subject parcel(s).

**NOTE:** If you are an applicant for, or a participant in any proceeding on the agenda and have made a campaign of \$250 or more 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).

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



**AGENCY CONSENT FOR WAIVER OF PROTEST HEARING**  
**"Bullard-Grantland No. 3 Reorganization", LAFCo Agency No. RO-05-29**

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 **Kings River Conservation District**, an affected agency, my signature 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).

*Sydney Garver*  
Signature Waiving Protest Proceedings

*August 31, 2005*  
Date

*4886 E. JENSEN AVE, FRESNO, CA 93725*  
Address

**FRESNO LOCAL AGENCY FORMATION COMMISSION  
LANDOWNER CONSENT FORM**

Project Description: Tract 5338, 123 lot single family subdivision

General Location: SWC Bullard / Grantland

APN or Address: 505-040-09, 505-040-14, 505-040-15, 505-040-16


Site Area: \_\_\_\_\_

Annex To: City of Fresno

Detach From: \_\_\_\_\_

Each of the undersigned represents that they are the owner of the property described opposite their name and located within the territory described in the attached legal description, and hereby consents to the change of the organization or reorganization described above of said property to the above named city and/or district.

<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Property Description or County Assessor's Parcel Numbers</u>
-------------	------------------	----------------	---

Robert A. McCaffrey President, Bullard/Grantland No.1, Inc.		7020 N. Van Ness Blvd	505-040-09 505-040-14 505-040-15 505-040-16

The legal description of the territory proposed for change of organization or reorganization must be attached at the time consent is signed.

Each individual listed on the last equalized assessment roll of the county must sign for the subject parcel(s).

**NOTE:** If you are an applicant for, or a participant in any proceeding on the agenda and have made a campaign of \$250 or more 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).

**FRESNO LOCAL AGENCY FORMATION COMMISSION  
LANDOWNER CONSENT FORM**

Project Description: Tract 5338, 123 lot single family subdivision

General Location: SWC Bullard / Grantland

APN or Address: 505-040-09, 505-040-14, 505-040-15, 505-040-16

Site Area: \_\_\_\_\_

Annex To: City of Fresno

Detach From: \_\_\_\_\_

Each of the undersigned represents that they are the owner of the property described opposite their name and located within the territory described in the attached legal description, and hereby consents to the change of the organization or reorganization described above of said property to the above named city and/or district.

<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Property Description or County Assessor's Parcel Numbers</u>
-------------	------------------	----------------	---

Robert A. McCaffrey President, Bullard/Grantland No.1, Inc.	<i>[Handwritten Signature]</i>	7020 N. Van Ness Blvd	505-040-09 505-040-14 505-040-15 505-040-16

The legal description of the territory proposed for change of organization or reorganization must be attached at the time consent is signed.

Each individual listed on the last equalized assessment roll of the county must sign for the subject parcel(s).

**NOTE:** If you are an applicant for, or a participant in any proceeding on the agenda and have made a campaign of \$250 or more 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 DESCRIPTION

The land referred to herein is situated in the State of California, County of Fresno, Unincorporated Area, described as follows:

The West half of the following described property:

All that portion of the Northeast quarter of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

Commencing at a point 30 feet South and 30 feet West of the Northeast corner of said Section 8; thence South parallel with the East line of said Section 8, 661.40 feet; thence South  $89^{\circ} 55'$  West 647.22 feet; thence North parallel with the East line of said Section 8, 660.33 feet; thence North  $89^{\circ} 50'$  East 647.27 feet to the Point of Beginning.

Excepting Therefrom the East 336.08 feet thereof;

Also Excepting therefrom all oil, gas, minerals and other hydrocarbons in and/or under said land as previously reserved of record.

Apn: 505-040-07s

Designated as: a Single Family Residence

Located at: 7105 West Bullard Avenue, Fresno, California

End of Legal Description

Continued on next page

**FRESNO LOCAL AGENCY FORMATION COMMISSION  
LANDOWNER CONSENT FORM**

Project Description: Bullard Grantland No 3 Reorganization

General Location: Bullard Grantland

APN or Address: 505-040-075

Site Area: 7105 W. Bullard, Fresno

Annex To: Fresno City

Detach From: County

Each of the undersigned represents that they are the owner of the property described opposite their name and located within the territory described in the attached legal description, and hereby consents to the change of the organization or reorganization described above of said property to the above named city and/or district.

<u>Name</u>	<u>Signature</u>	<u>Address</u>	<u>Property Description or County Assessor's Parcel Numbers</u>
-------------	------------------	----------------	---

Kelly Miller	Kelly Miller	7105 W. Bullard	505-040-075

The legal description of the territory proposed for change of organization or reorganization must be attached at the time consent is signed.

Each individual listed on the last equalized assessment roll of the county must sign for the subject parcel(s).

**NOTE:** If you are an applicant for, or a participant in any proceeding on the agenda and have made a campaign of \$250 or more 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 DESCRIPTION

The land referred to herein is situated in the State of California, County of Fresno, Unincorporated Area, described as follows:

The East half of the following described property:

All that portion of the Northeast quarter of Section 8, Township 13 South, Range 19 East; Mount Diablo Base and Meridian, according to the Official Plat thereof, described as follows: Commencing at a point 30 feet South and 30 feet West of the Northeast corner of said Section 8; thence South parallel with the East line of said Section 8, 661.40 feet; thence South 89° 55' West 647.22 feet; thence North parallel with the East line of said Section 8, 660.33 feet; thence North 89° 50' East 647.27 feet to the point of beginning.

Excepting Therefrom the East 335.08 feet thereof.

Also excepting therefrom all oil, gas, minerals and other hydrocarbon in and/or under said land.

Apn: 505-040-06s

Designated as: a Single Family Residence

Located at: 7069 West Bullard Avenue, Fresno, California

End of Legal Description

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  
Not In Urban Service Area

FRESNO LOCAL AGENCY FORMATION COMMISSION  
2115 KERN STREET, SUITE 310  
Fresno, CA 93721 PHONE: (559) 495-0604

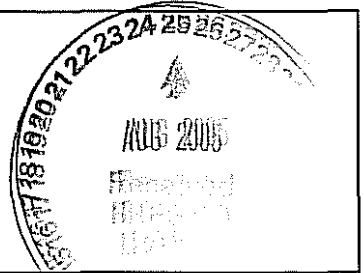
Mike Waiczis, Executive Officer  
Candie Fleming, Secretary/Commission Clerk

OFFICE USE ONLY:

LAFCo File No.

*R0-05-29*

Date Received



Name of Proposal: Bullard-Grantland No. 3

Changes of Organization listed in Resolution or Petition: Annexation of approximately 40 acres to the City of Fresno and detachment of the same territory from the North Central Fire Protection District and Kings River Conservation District.

*[Handwritten Signature]*

Signature of Chief Petitioner or Representative of Initiating Agency

*8/1/05*

Date

Name: Andrew T. Souza

Address: 2600 Fresno Street, Fresno, California 93721

Title: City Manager

Phone: (559) 621-7770

Email Address: Andy.Souza@fresno.gov

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 / Email Address*

Andrew T. Souza, City Manager

2600 Fresno Street, Fresno, California 93721 / Andy.Souza@fresno.gov

Gilbert J. Haro, Planning Manager

Planning and Development Department

2600 Fresno Street, Fresno, California 93721 / Gil.Haro@fresno.gov

1. Reasons for Proposal

A. State the reasons for this change, and why the change is proposed at this time.

This site is adjacent to the City of Fresno along the east boundary. The applicant proposes to develop the site with a 109-lot single-family residential subdivision.

B. Describe in detail any proposed development:

Development location and acreage: Approximately 40 acres located on south and west of the southwest corner of North Grantland and West Bullard Avenues

Types of uses and number of units: Vesting Tentative Tract Map No. T-5338 has been approved for construction of a 109-lot single-family residential subdivision.

Project file numbers and status: Rezone No. R-04-65 and Vesting Tentative Tract Map No. T-5338, filed for the annexation site, have been approved by the City of Fresno.

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.

The site is currently undeveloped.

- C. What is the reason for the proposal boundaries? Describe the city plan to annex any remaining substantially surrounded area created.

The site is contiguous to the existing City of Fresno boundary and the proposed annexation would not create irregular or illogical service delivery boundaries.

- D. Amount of vacant land in acres in the community plan area already in the City that could accommodate the proposed development.

Approximately 100 acres.

Comment on why the proposed annexation is justified given the amount of vacant land in the City already.

There are a limited number of vacant parcels available for development within the community plan area designated for medium density residential land uses. Those sites that are properly designated are generally infill or bypassed properties of a relatively small size which are not appropriately sized to accommodate a development at the scale proposed.

2. Information on Proposal Area and Vicinity

A. Current Acreage: 40 acres Current No. of Registered Voters: 0

Current Population Est.: 0 Current County Zoning: R-R

City Zoning Upon Annexation: R-1/UGM (Single-Family Residential/Urban Growth Management)

- 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.

The 40-acre site is currently undeveloped.

- 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.

As a condition of development, the developer shall execute a "Right-to-Farm" Covenant with the City of Fresno.

- D. Is any of the affected territory in an agricultural preserve or under Land Conservation Contract?

No.

If so, does the resolution of application state the city's intention not to succeed do the contract?

NA

- E. Does the proposed development and change of organization conform to the City General and Specific Plans (explain if not conforming)?

Yes.

What is the City plan designation?

Medium density residential land uses.

3. Information on Services

- A. Comment on the municipal or other public service facilities or improvements, which will serve the affected territory after annexation (i.e. water or sewer lines or facilities, fire stations, school facilities). Are any of these services or facilities below city standards, near or beyond their capacity to adequately serve the area? Yes. Are there any notices or orders to the city from state or federal agencies related to these services or facilities and their standards that would affect city services? No.

If yes, explain how these improvements/facilities will be upgraded, when and how financed, or how any deficiencies are being met.

The cost of any extension of service required due to the proposed development will be borne by the developer.

- B. 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).

	<u>Existing</u>	<u>Proposed Change</u>	<u>Date</u>
Domestic Water	Private	City of Fresno	UA
Sewer Collection	Private	City of Fresno	UA
Solid Waste Collection	Private	City of Fresno	UA
Street Lighting	None	City of Fresno	UA
Parks and Recreation	None	City of Fresno	UA
Fire Protection	North Central No. 45	Fresno City Station No. 16	UA
(Station Distance)	3 miles	3.5 miles	UA
Paramedic	Private	None	NA
Police	Sheriff and CHP	City of Fresno	UA
Storm Drainage	FMFCD	None	NA
Elementary School	Herndon-Barstow	None	NA
High School	Central High School	None	NA

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. However, the City of Fresno has adopted a tax override, which does affect the property taxes city-wide. When annexed, this property would be subject to any existing property tax override.

- B. If so, give information listed below:

<u>Name of Agency</u>	<u>Bond Tax Rate for Affected Territory</u>	<u>Date of Maturity</u>	<u>General Purpose of Bond</u>
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- C. Is the affected territory to be subject to all of the above general bonded indebtedness upon annexation?

NA

- 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.

Solid Waste – City rates within 5 years.

- 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.)

Sewer and water connection is required as a condition of approval of the proposed development.

5. Information on Processing Change of Organization or Reorganization

- A. Property Tax Exchange (Revenue & Tax Code 99 & 99.1) Check either:

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).

- B. Compliance with California Environmental Quality Act. Check either:

Project is Exempt and a Notice of Exemption, prepared in consultation with LAFCo, is included.

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.

- C. 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:

A certified resolution of application is included.

A petition of landowners or registered voters is included.

D. Landowner Consent or Notice. Check either:

1. Signed LAFCo property owner consent forms for all landowners are included as shown on Assessor's roll.

2. 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.

E. Municipal Service Plan. Check either:

A Service Plan for the change is included.

A Master Service Plan is filed with LAFCo and is current (updated in 1993 or later).

F. Waiver of Conducting Authority proceeding.

Check if all landowners have consented in writing and there are less than twelve registered voters, and if all annexing agencies have consented in writing to waive further Conducting Authority proceeding. Include State Board of Equalization filing information and fees.

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.

Ciao Properties

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).

**COUNCIL RESOLUTION NO. 2005-323**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO,  
CALIFORNIA, APPLYING TO THE FRESNO LOCAL AGENCY  
FORMATION COMMISSION (LAFCO) IN THE MATTER OF THE  
PROPOSED BULLARD-GRANTLAND NO. 3 REORGANIZATION**

WHEREAS, this proposed application for annexation is made pursuant to Part 3 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 contained in Division 3 of Title 5 commencing with Section 56000 of the California Government Code; and,

WHEREAS, the specific changes of organization requested are annexation to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District, of certain property consisting of approximately 40 acres and hereinafter called the "subject territory;" and,

WHEREAS, a description of the boundaries of the subject territory is set forth in Exhibit A and the accompanying legal description attached hereto and by this reference are incorporated herein; and,

WHEREAS, this proposal is within the established Sphere of Influence of the City of Fresno; and,

WHEREAS, the proposed reorganization is uninhabited under the definition of Section 56046 of the California Government Code and the City is proposing annexation of the subject territory; and,

WHEREAS, municipal services for the subject territory will be provided in a manner described in the Service Delivery Plan pursuant to the requirements set forth in Government Code Section 56653; and,

WHEREAS, this proposal complies with the terms and standards of the 2003 Memorandum of Understanding between the City of Fresno and the County of Fresno approved January 6, 2003; and,

Adopted \_\_\_\_\_  
Approved 7/26/05  
Effective \_\_\_\_\_

Certified Copy EL  
City Clerk's Office

Date 8/3/05 2005-323



BE IT FURTHER RESOLVED that the Council of the City of Fresno hereby directs staff to complete the application for the herein proposed Bullard-Grantland No. 3 Reorganization, and that the City Manager or his designee is authorized to sign said application, with appropriate attachments, and submit same to the Executive Officer of LAFCO requesting that proceedings for the proposed reorganization take place in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF FRESNO )  
CITY OF FRESNO )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the City Council of the City of Fresno at a regular meeting held on the 26th day of July, 2005, by the following vote:

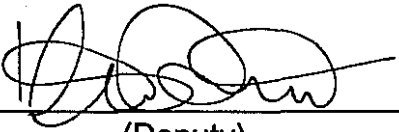
AYES: Boyajian, Calhoun, Duncan, Perea, Sterling, Westerlund, Dages  
NOES: None  
ABSENT: None  
ABSTAIN: None

REBECCA E. KLISCH  
City Clerk

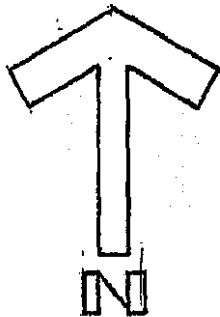
By Erika Guerra, Deputy

APPROVED AS TO FORM:

HILDA CANTÚ MONTOY  
CITY ATTORNEY

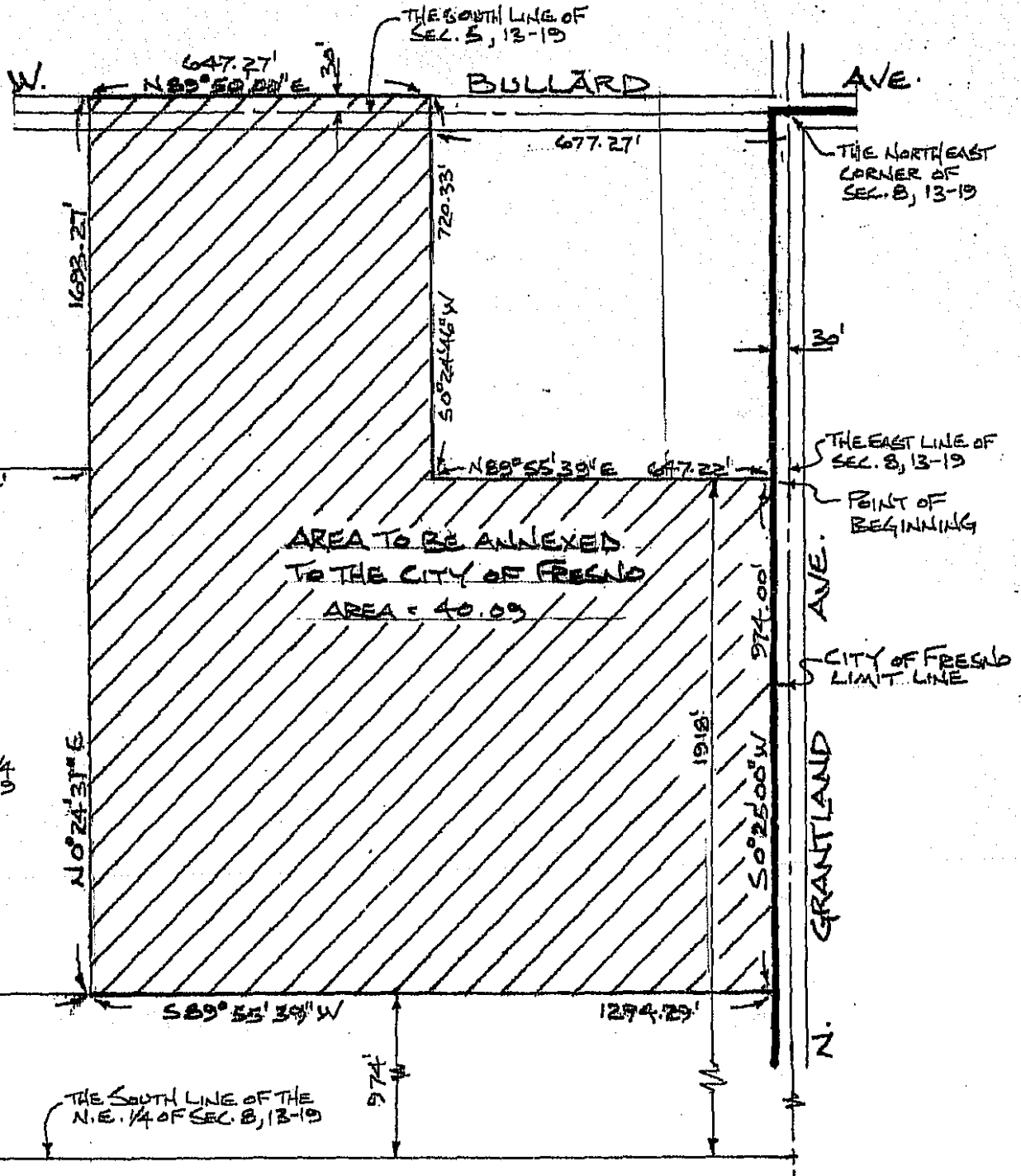
By   
(Deputy)

Bullard-Grantland No. 3 Reorganization



SCALE: 1" = 300'

1324.44'



A PORTION OF THE N.E. 1/4 OF SEC. 8 & THE S.E. 1/4 OF SEC. 5,  
 ALL IN TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO  
 BASE AND MERIDIAN

PREPARED BY:  
 GARY GIANNETTA  
 1119 "S" STREET  
 FRESNO, CA 93721  
 558-264-3590

**BULLARD-GRANTLAND No. 3 REORGANIZATION**

TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHED  
 FROM THE NORTH CENTRAL FIRE PROTECTION DISTRICT  
 AND THE KINGS RIVER CONSERVATION DISTRICT

PREPARED:  
 3-1-05  
 REVISED:  
 4-15-05  
 EL

Certified Copy  
 City Clerk's Office

Date

B/3/05

BULLARD-GRANTLAND NO. 3 REORGANIZATION  
ANNEXATION TO THE CITY OF FRESNO AND DETACHMENT FROM THE  
NORTH CENTRAL FIRE PROTECTION DISTRICT AND THE  
KINGS RIVER CONSERVATION DISTRICT  
LEGAL DESCRIPTION

That portion of the Northeast Quarter of Section 8 and the Southeast Quarter of Section 5, all in Township 13 South, Range 19 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at a point on a line 30.00 feet West of the East line of said Section 8 and 1,918.00 feet North of the South line of said Northeast Quarter, said point being on the existing limit line of the City of Fresno; thence South  $0^{\circ}25'00''$  West, parallel with and 30.00 feet West of the East line of said Section 8, a distance of 974.00 feet; thence South  $89^{\circ}55'39''$  West, leaving the existing limit line of the City of Fresno, parallel with and 974.00 feet North of the South line of the Northeast Quarter of said Section 8, a distance of 1,294.29 feet to the Southwest corner of that lot shown on the Map of Survey, recorded in Book 10, page 33 of Record of Surveys, Fresno County Records, last said corner shown as being 1,324.29 feet East of the West line of the Northeast Quarter of said Section 8; thence North  $0^{\circ}24'31''$  East, along the West line of said lot and its Northerly prolongation and the West line of a lot as shown on said Map of Survey whose Southwest corner is shown as being 1,324.44 feet East of the West line of said Northeast Quarter, and its Northerly prolongation, a distance of 1,693.27 feet; thence North  $89^{\circ}50'00''$  East, parallel with and 30.00 feet North of the South line of said Section 5, a distance of 647.27 feet; to the intersection with the Northerly prolongation of the East line of that Lot as shown on said Map of Survey whose Northeast corner is shown as being 677.27 feet West of the East line of said Section 8; thence South  $0^{\circ}24'46''$  West, along the East line of last said Lot, and its Northerly prolongation, a distance of 720.33 feet to the intersection with a line parallel with and 1,918.00 feet North of said Northeast Quarter; thence North  $89^{\circ}55'39''$  East, parallel with and 1,918.00 feet North of the South line of said Northeast Quarter, a distance of 647.22 feet to the Point of Beginning.

Contains 40.09 acres more or less.

Dated: March 1, 2005

Revised: April 15, 2005

Certified Copy EL  
City Clerk's Office  
Date 8/3/05

Recording Requested by:  
City Clerk, Fresno, California  
No Fee-Govt. Code 6103

Return to City Clerk, Fresno

Space above this line reserved for Fresno County Recorder's Office

ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO  
PROPOSED AND INITIATED BY \_\_\_\_\_  
MOVED BY Calhoun SECONDED BY Duncan

BILL NO. B-36

ORDINANCE NO. 2005-38

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING  
THE OFFICIAL ZONE MAP OF THE CITY OF FRESNO HERETOFORE  
ADOPTED BY ARTICLES 1 TO 4.5 INCLUSIVE, CHAPTER 12, OF THE  
FRESNO MUNICIPAL CODE, BEING THE ZONING ORDINANCE OF THE  
CITY OF FRESNO

WHEREAS, Rezone Application No. R-04-65 has been filed by Gary Giannetta Civil Engineering & Land Surveying, on behalf of Ciao Properties, on behalf of the property owners listed below to rezone property as described hereinbelow; and

Property Owners: Thomas L Sappington and Ofelia F. Sappington, Kelly L. Miller, and Ciao Properties

WHEREAS, the West Area Community Plan Advisory Committee considered this application at its meeting of October 4, 2004, and recommended approval; and,

WHEREAS, pursuant to the provisions of Article 4, Chapter 12, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 16th day of February, 2005, to consider Rezone Application No. R-04-65 and related Environmental Assessment No. R-04-65/T-5338/UGM, during which the Commission recommended to the Council of the City of Fresno approval of the rezone application which proposes to amend the City's Zoning Ordinance on real property described hereinbelow from the R-R (*Rural Residential-Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district; and,

Adopted 4/12/05  
Approved 4/12/05  
Effective SEE SEC. 4

2005-38

WHEREAS, the Council of the City of Fresno, on the 12<sup>th</sup> day of April, 2005, received the recommendation of the Planning Commission.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, the adoption of the proposed rezoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that there is no substantial evidence in the record that the rezoning may have a significant effect on the environment as identified by the Finding of Conformity to the 2025 Fresno General Plan dated January 27, 2005, prepared for Environmental Assessment No. R-04-65/T-5338/UGM. Accordingly, Environmental Assessment No. R-04-65/T-5338/UGM is hereby approved.

SECTION 2. The Council finds the requested R-1/UGM zone district is consistent with the proposed medium density residential planned land use designation of the 2025 Fresno General Plan and the West Area Community Plan as specified in Section 12-403-B of the Fresno Municipal Code.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, is reclassified from the R-R (*Rural Residential-Fresno County*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.

From R-R to R-1/UGM:

The land referred to herein is situated in the State of California, County of Fresno, and is described as follows.

APN: 505-040-06/07

All that portion of the Northeast Quarter of Section 8, Township 13 South, Range 19 East; Mount Diablo Base and Meridian, in the County of Fresno, State of California described as follows:

Commencing at a point 30 feet South and 30 feet West of the Northeast corner of said Section 8; thence South parallel with the East line of said Section 8, 661.40 feet; thence South 89 Degrees 55 feet West 647.22 feet; thence North parallel with the East line of said Section 8, 660.33 feet; thence North 89 Degrees 50 feet east 647.27 feet to the point of beginning.

Excepting therefrom the East 336.08 feet thereof;

APN: 505-040-09

All that portion of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, according to the map of survey of said Section 8 recorded December 21, 1920 in Book 10 page 33 of record of surveys, records of said county as follows:

Commencing 30 feet South and 677.27 feet West of the Northeast corner of said Section 8; thence West 647.27 feet; thence South 629.27 feet; thence East 647.22 feet; thence North 630.33 feet to the Place of Commencement.

Together with the North 30 feet of that certain 60 foot strip of land on that certain Record of Survey Map recorded in Book 10 page 33 of Record of Surveys Maps, Fresno County Records, lying adjacent to the South boundary of said Parcel 3.

APN: 505-040-14 (East ½)

COMMENCING at a point which is North 89°55' East 1540 feet from a point on the West line of the Northeast quarter of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, according to the map thereof recorded December 21, 1920, in Book 10 page 33 of Record of Surveys, records of said county, distant thereon 974 feet Northerly from the center of said Section 8; thence North 89°55' East 213.72 feet to a point; thence North 0°25' East, 944 feet to a point; thence South 89°55' West 215.74 feet to a point which is 1540.18 feet Easterly from the West line of the said Northeast quarter of said Section; thence 0°25' West 944 feet to the POINT OF COMMENCEMENT.

Together with the South 30 feet of that certain 60 foot strip of land delineated on that certain Record of Survey Map recorded in Book 10 page 33 of Record of Surveys Maps, Fresno County Records, lying adjacent to the North boundary of said Parcel 4.

APN: 505-040-14 (West ½)

COMMENCING at a point which is East 1324.29 feet from a point on the West line of the Northeast quarter of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, according to the map thereof recorded December 21, 1920, in Book 10 page 33 of Record of Surveys, records of said county, distant thereon 974 feet Northerly from the center of said Section 8; thence East 215.715 feet to a point; thence North 0°25' East 944 feet to a point; thence West 215.74 feet to a point, which is 1324.44 feet Easterly from the West line of the said Northeast quarter of said Section; thence South 0°25' West 944 feet to the POINT OF COMMENCEMENT.

Together with the south 30 feet of that certain 60 foot strip of land as delineated on that certain Record of Survey Map recorded in Book 10 page 33 of Record of Surveys Maps, Fresno County Records, lying adjacent to the North boundary of said Parcel 5.

APN: 505-040-15

All that portion of Section 8, Township 13 South, Range 19 East, Mount Diablo Base and Meridian, according to the map of survey of said Section 8, recorded December 21, 1920 in Book 10 page 33 of record of surveys, records of said county as follows:

Commencing at a point 30 feet West of a point on the East line of said Section 8, which is 721.40 feet South 0°25' West of the Northeast corner of said Section 8, being the POINT OF BEGINNING; thence 862.96 West to a point; thence 472 feet South to a point 892.91 feet West of the East line of Section 8; thence 862.91 feet East to a point 30 feet West of the East line of said Section 8; thence 472 feet North to the POINT OF BEGINNING.

Together with the South 30 feet of that certain 60 foot strip of land as delineated on that certain Record of Survey Map recorded in Book 10 page 33 of Record of Surveys Maps, Fresno County Records, lying adjacent to the North boundary of said Parcel 1;

Excepting therefrom an undivided ½ interest in all oil gas and or minerals in and under said lands, together with the right of the grantor its successor and/or assigns lessees, and legal representatives at all times to enter on the above described lands and take all the usual, necessary or convenient means to bore wells, make executions and to remove all the oil, gas and or minerals herein reserved and found thereon, as reserved in the deed from Bank of American National Trust and Saving Association, a National Banking Association to Paul Newman and Therese Newman, husband and wife as joint tenants dated October 8, 1936 recorded October 9, 1936, in book 1511 page 291 of Official Records, document no. 24338;

Also excepting therefrom an undivided ½ interest in all oil, or minerals in and under said lands, together with the right of the grantor, its successors and/or assigns lessees and legal representative at all times to enter on the above described lands and take all the usual necessary or convenient means to bore wells, make executions and to remove all the oil, gas and or minerals herein reserved and found thereon, as reserved in the deed from Paul Newman and Therese Newman, husband and wife, to Samuel Koostra and Winnie Koostra, husband and wife as joint tenants dated November 16, 1936 recorded November 16, 1936, in book 1533 page 33 of Official Records, document no. 27365.

SECTION 4. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage and annexation into the City of Fresno.

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CLERK'S CERTIFICATION

STATE OF CALIFORNIA     )  
COUNTY OF FRESNO     )  
CITY OF FRESNO         )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 12th day of April, 2005, by the following vote:

Ayes: Calhoun, Duncan, Perea, Sterling, Westerlund, Dages  
Noes: Boyajian  
Absent: None  
Abstain: None

REBECCA E. KLISCH  
City Clerk

By Rebecca Klisch

APPROVED AS TO FORM:

HILDA CANTÚ MONTÓY  
City Attorney

By   
Deputy

Rezone Application No. R-04-65  
Filed by Gary Giannetta Civil Engineering & Land  
Surveying, on behalf of Ciao Properties  
Assessor's Parcel No. 505-040-06, 07, 09, 14, 15