

RESOLUTION NO. RO-16-1

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

In the Matter of:

LAFCo Determination

A REQUEST FROM THE CITY)
OF CLOVIS FOR APPROVAL)
OF THE "BARSTOW-LEONARD)
SOUTHWEST REORGANIZATION")

APPROVED CEQA; APPROVED
"BARSTOW-LEONARD SOUTHWEST
REORGANIZATION" WITH
CONDITION

WHEREAS, reorganization proceedings were initiated by the City of Clovis to annex approximately 38.02 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located at the southwest corner of Leonard and Barstow Avenues as described in Exhibit A; and

WHEREAS, the application was submitted to this Commission by the City of Clovis as required by State Law, and the application for said proposed reorganization was accepted for filing by the Executive Officer and set for hearing on the 9th day of March, 2016, at the hour of 1:30 p.m.; and

WHEREAS, notice of the hearing of said application was given as required by State Law; 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 Mitigated Negative Declaration prepared by the Lead Agency, City of Clovis, which was included in the Executive Officer's report to this Commission; and

WHEREAS, this Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on said application.

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

Section #1. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, this Commission finds that prior to approving the proposed annexation, the environmental effects of the project as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determined these documents to be adequate pursuant to CEQA Guidelines Section 15096.

ADOPTED THIS 9TH DAY OF MARCH, 2016, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PEREA, PARRA, PACHECO, SANTOYO, SILVA

NOES NONE

ABSTAIN: NONE

ABSENT: NONE

Section #2. This Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).

Section #3. This Commission assigns the distinctive short form designation "Barstow-Leonard Southwest Reorganization" and approves the annexation and detachments subject to the following condition of approval:

Pursuant to Fresno LAFCo policy 103-05, the Executive Officer shall record the approved application if all conditions have been satisfied and once he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.

Section #4. This Commission finds pursuant to the "Act" that:

1. The territory is uninhabited.
2. Not all landowners and affected agencies have consented to the annexation in writing.

Section #5. This Commission finds that the notice mailed on February 16, 2016, was given to all landowners within the affected territory, as well as within 300 feet of the affected territory, disclosed that there is potential for the extension or continuation of any previously authorized charge, fee, assessment, or tax by the local agency in the affected territory, and pursuant to section 56663(b) and (c) that the Commission intends to waive protest proceedings unless written opposition is received before the conclusion of the Commission proceedings on this proposal.

Section #6. This Commission finds that no written opposition to the proposal from landowners within the affected territory was received prior to the conclusion of the hearing and approves the proposal subject to the requirements of the CKH, the 30-day reconsideration period, and compliance with the above condition, and waives further Conducting Authority proceedings.

Section #7. The Commission's action approving this proposal shall expire one year from the date of this resolution unless all proceedings are complete, including condition compliance, and a Certificate of Completion issued by the Executive Officer.

Section #8. The Executive Officer is hereby authorized and directed to mail 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 9TH DAY OF MARCH, 2016, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, PEREA, PACHECO, SANTOYO, SILVA

NOES NONE

ABSENT: NONE

ABSTAIN: NONE

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

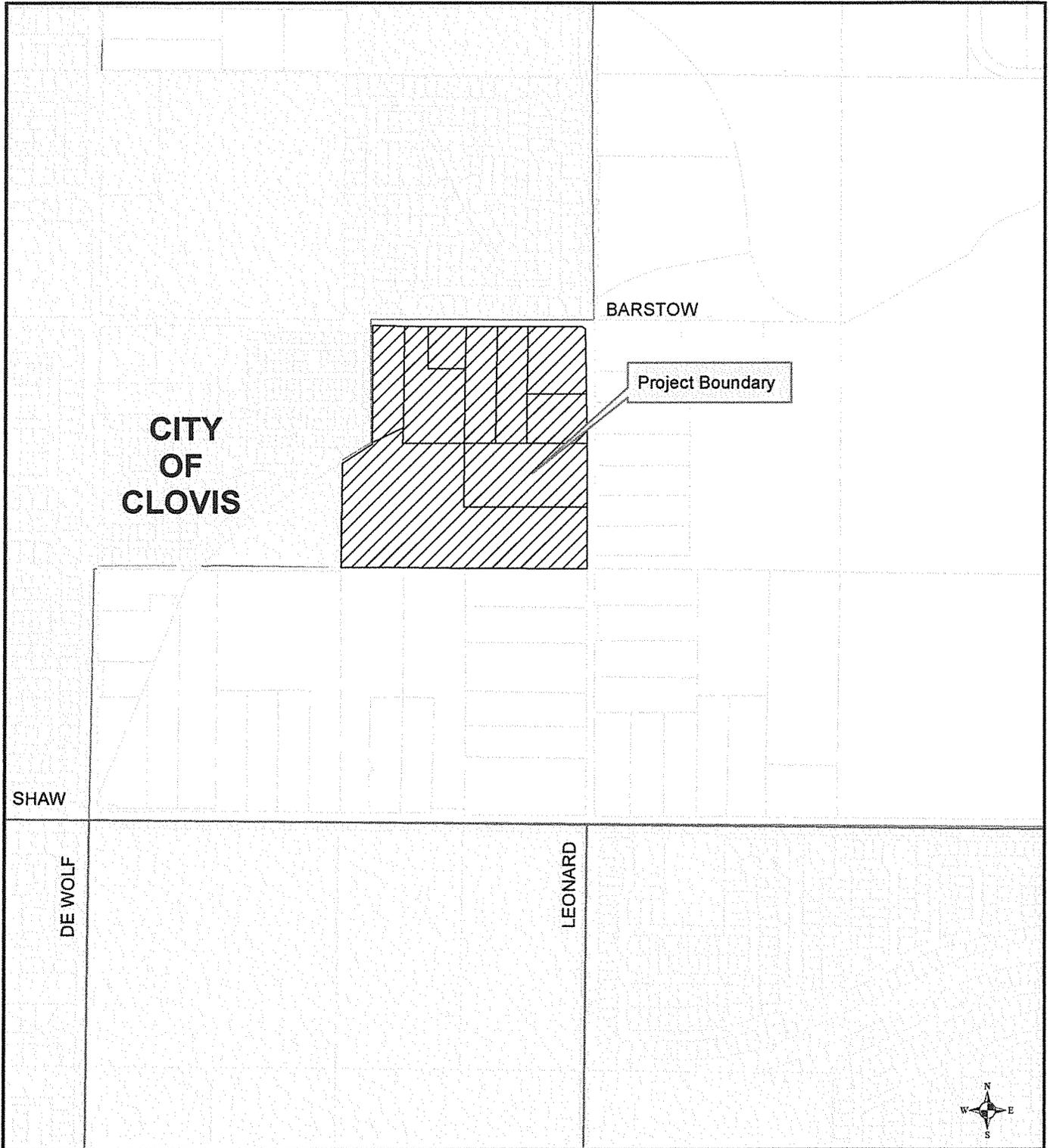
CERTIFICATION

I, David E. Fey, 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 9th day of March, 2016.



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

Exhibit A



-  Barstow-Leonard SW Reorganization
-  Sphere of Influence, Clovis
-  City Limits, Clovis

Barstow-Leonard SW Reorganization City of Clovis