

RESOLUTION NOS. MSR-16-10 AND RSOI-164

FRESNO LOCAL AGENCY FORMATION COMMISSION  
FRESNO COUNTY, CALIFORNIA

In the Matter of

LAFCo Determination

RESOLUTION MAKING DETERMINATIONS )	MADE DETERMINATIONS AND ADOPTED
AND ADOPTING MUNICIPAL SERVICE )	MUNICIPAL SERVICE REVIEW; MADE
REVIEW; MAKING DETERMINATIONS AND )	DETERMINATIONS AND REVISED
REVISING SPHERE OF INFLUENCE; AND )	SPHERE OF INFLUENCE; MADE
MAKING DETERMINATIONS AND UPDATING )	DETERMINATIONS AND UPDATED
SPHERE OF INFLUENCE FOR THE CITY OF )	SPHERE OF INFLUENCE FOR THE
FRESNO )	CITY OF FRESNO

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**WHEREAS**, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56425 et. Seq.) not less than once every five years, the Fresno Local Agency Formation Commission is required to review and update, as necessary, Spheres of Influence of local agencies; and

**WHEREAS**, Government Code Section 56430 directs the Commission to conduct a review of municipal services not later than the time it considers an action to establish or update a Sphere of Influence (SOI); and

**WHEREAS**, the Executive Officer prepared a Municipal Service Review and Sphere of Influence Update Report (MSR) for the City of Fresno; and

**WHEREAS**, in 2006, the Local Agency Formation Commission adopted Resolution No. USOI-144 (the "2006 Resolution") conditionally approving an update to the City of Fresno's Sphere of Influence to include the Southeast Growth Area; and

**WHEREAS**, the 2006 Resolution, among other things, required that the City of Fresno prepare and adopt a community or specific plan for the Southeast Growth Area; and

**WHEREAS**, an application was submitted by landowner petition pursuant to Government Code Section 56428 requesting a revision to the City of Fresno's sphere of influence that would add 37 acres to the City's Sphere of Influence for territory located north of Copper Avenue and east of Friant Road; and

**WHEREAS**, the application for said proposal was accepted for filing by the Executive Officer of this Local Agency Formation Commission and was set for hearing by the Executive Officer on the 13<sup>th</sup> day of July, 2016, at the hour of 1:30 p.m. of said day; and

**WHEREAS**, notice of this Commission's public hearing to consider adoption of the MSR and sphere of influence revision were duly given in a publication of general circulation as required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and State Law, and for the time and in the form and manner provided by State Law; and

**WHEREAS**, on July 13, 2016, the Commission held a public hearing and received, considered and discussed all testimony and evidence given at the public hearing, including but not limited to the Executive Officer's *Municipal Service Review and Sphere of Influence Update Report for the City of Fresno*, environmental documentation, applicable land use plans and all correspondence and exhibits received during the public hearing, all of which are incorporated herein by this reference; and

**WHEREAS**, based upon all of the above, this Commission makes the following findings and determinations and adopts the following resolution:

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

**Section No. 1.** Approve a finding of Categorical Exemption from the provisions of the CEQA under Section 15306, "Information Collection," for the Fresno Municipal Service Review.

**ADOPTED THIS 13<sup>th</sup> DAY OF JULY, 2016, BY THE FOLLOWING VOTE:**

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

**NOES: NONE**

**ABSENT: NONE**

**Section No. 2.** Approve a finding of Categorical Exemption from the provisions of the CEQA under Section 15061(b)(3), "General Rule," for the Fresno sphere of influence update.

**ADOPTED THIS 13<sup>th</sup> DAY OF JULY, 2016, BY THE FOLLOWING VOTE:**

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

**NOES: NONE**

**ABSENT: NONE**

**Section No. 3.** This Commission finds that the Municipal Service Review prepared for the City of Fresno is complete, satisfactory, and satisfies State law and adopt the MSR.

**Section No. 4.** This Commission finds that the written determinations within the Municipal Service Review and Sphere of Influence update satisfy State Law.

**Section No. 5.** Pursuant to Government Code Sections 56425 and 56430, this Commission makes the required determinations for the Municipal Service Review and Sphere of Influence Update, adopts the Municipal Service Review prepared for the City of Fresno and amends the Fresno sphere of influence by the following actions which are described in more detail in the MSR and this report:

- A. Reaffirms the southeast sphere of influence (Exhibit 1) with the following conditions:

1. That the City take action by the last day of August 2016, to identify and allocate funding and approve a schedule to commence the specific or community planning anticipated by the 2006 Resolution for the portion of the specific or community planning anticipated by the 2006 Resolution for a certain portion of the Southeast Growth Area SOI north of McKinley Avenue.

If the City has not taken action by the last day of August, staff is to confer with the Fresno SOI Ad Hoc Committee to prepare a report and recommendation for the Commission to consider action to remove part or all of the SE SOI at the September LAFCo hearing.

2. That the City perform specific or community planning for the balance of the SE SOI by 2018-19, consistent with Fresno City Council Resolution No. 2016-05.
- B. Revises the sphere of influence by adding the Friant-Copper territory (Exhibit 2) and the Regional Wastewater Reclamation Facility (Exhibit 3); and
  - C. Approves, but suspend further action on, the addition of territory to the Fresno sphere of influence for the High Speed Rail heavy maintenance facility until such time as the HSR Commission determines a location for the facility.

\* \* \* \* \*

**ADOPTED THIS 13<sup>th</sup> DAY OF JULY, 2016, BY THE FOLLOWING VOTE:**

AYES: COMMISSIONERS PEREA, SANTOYO, PARRA, SILVA, PACHECO  
NOES: NONE  
ABSENT: 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 certify that the foregoing resolution was adopted by the Commission on the 13<sup>th</sup> day of July, 2016.

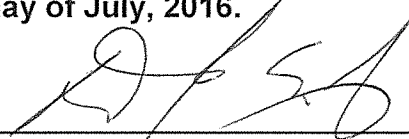
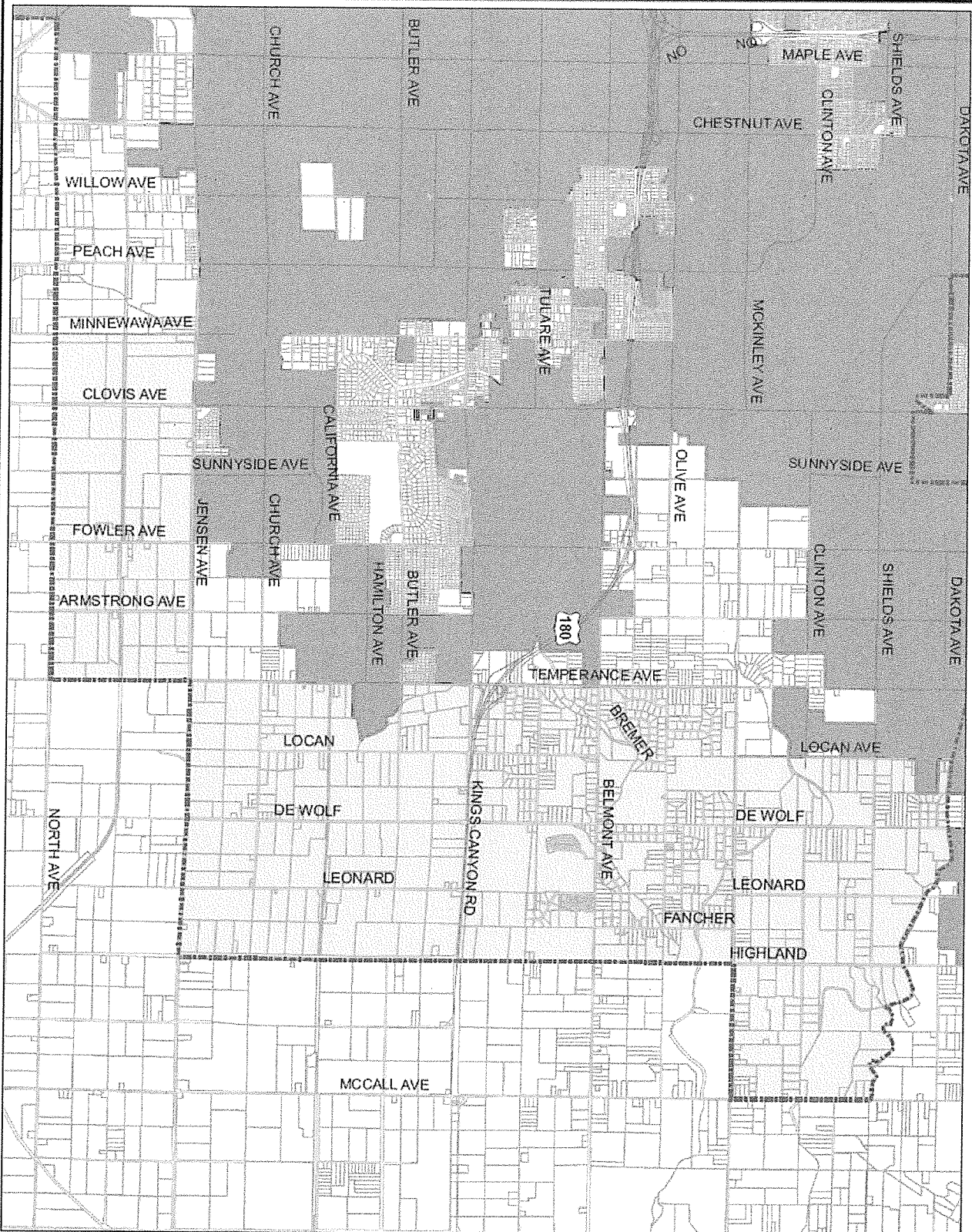
  
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David E. Fey, AICP, Executive Officer  
Fresno Local Agency Formation Commission

Exhibit 1 Fresno LAFCo Municipal Service Review for the City of Fresno

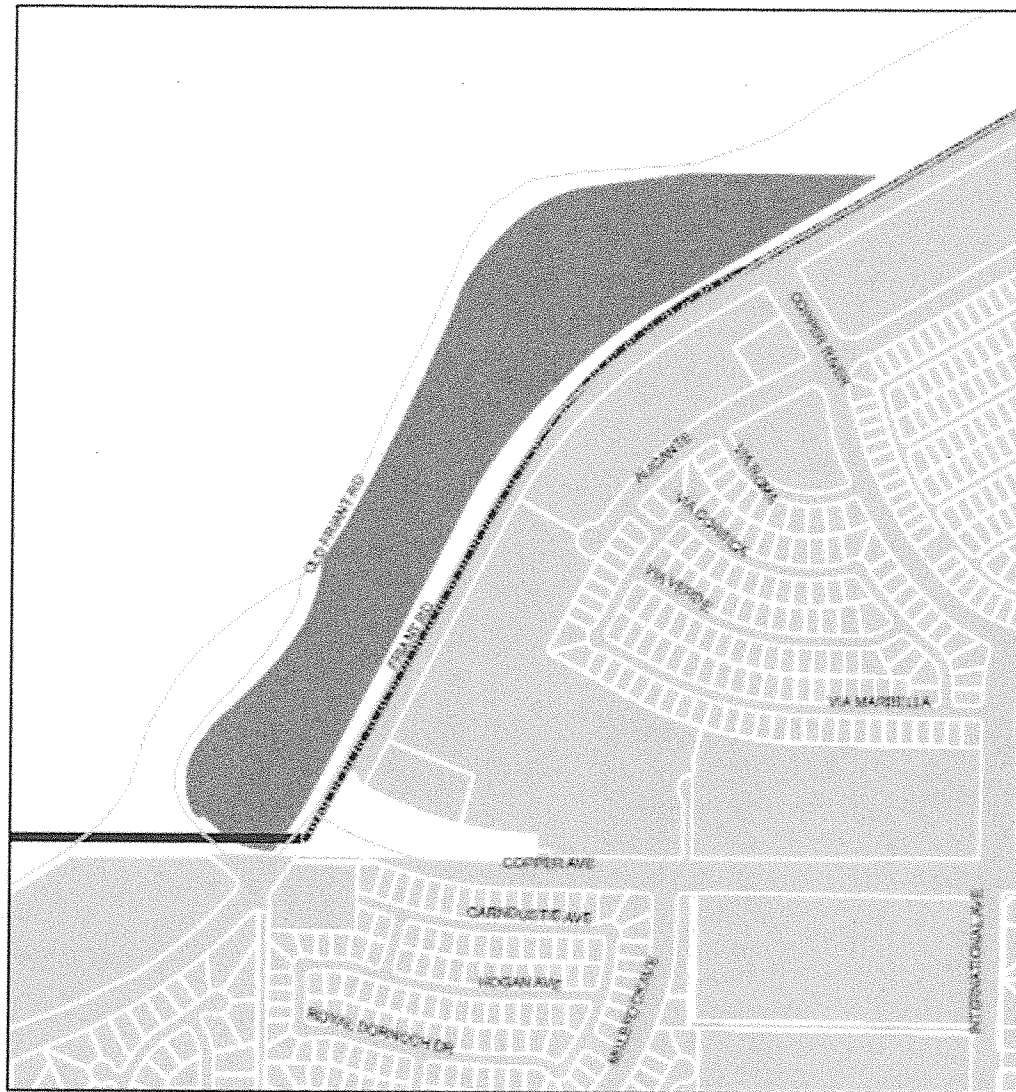


**Legend**

Sphere of Influence

SEGA Boundary

MSR Figure 21-2: Potential Friant-Copper SOI Expansion Territory



**Legend**

- Sphere of Influence
- City Limits
- Affected Territory

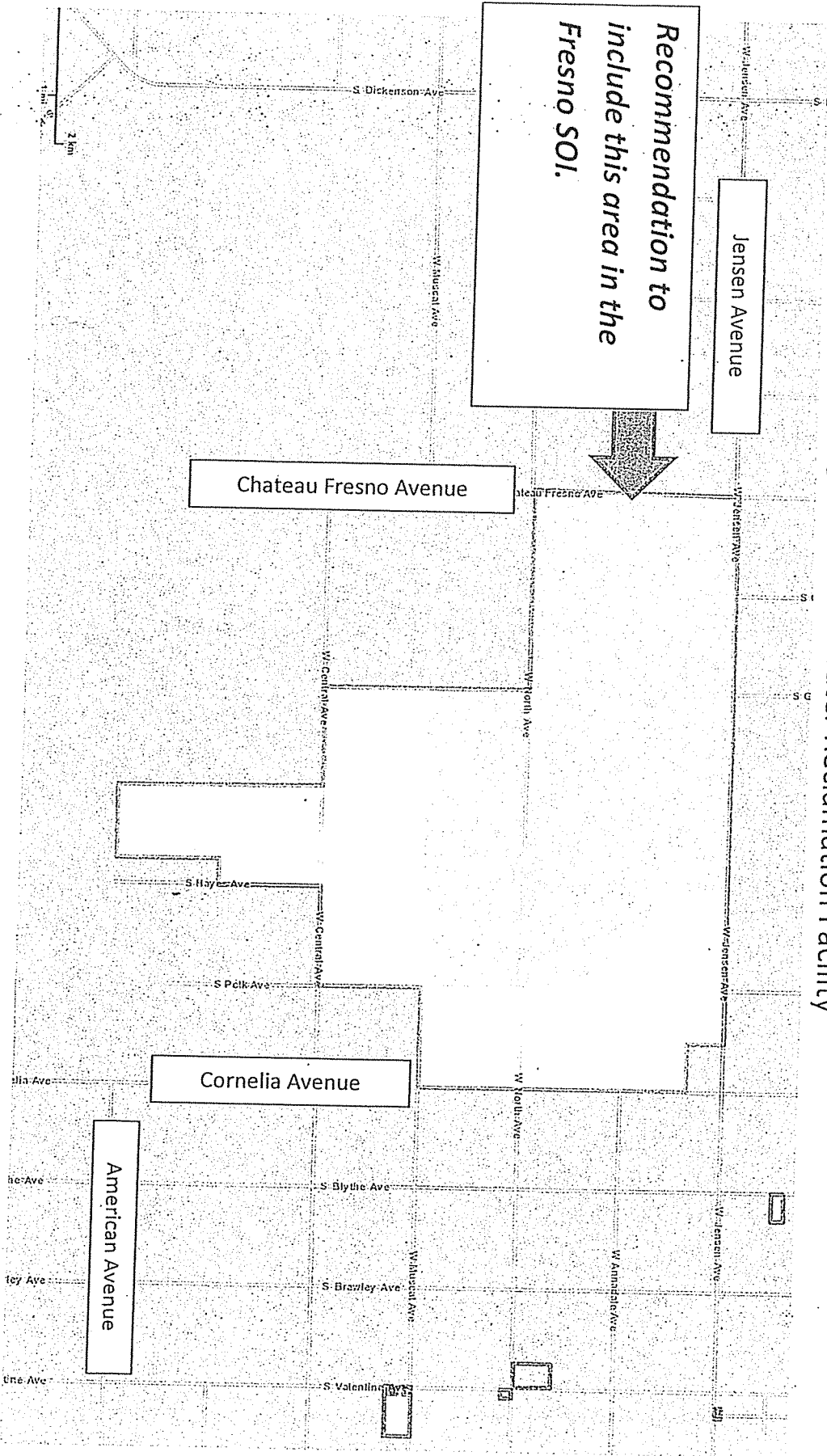
City of Fresno "Friant-Copper"  
LAFCo File No. PA-09-3

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Miles



Recommended Amendment of the Fresno Sphere of Influence:

Regional Wastewater Reclamation Facility





MSR Figure 21-1: High Speed Rail Maintenance Facility Study Area

