

**RESOLUTION NO. RO-24-01**

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION  
APPROVING THE “CITY OF FRESNO- ASHLAN-HAYES NO. 2, 3, AND 4  
REORGANIZATION” WITH CONDITIONS  
(LAFCO FILE NO. RO-24-01)**

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**WHEREAS**, a reorganization to annex approximately 140 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for properties generally located west of North Polk Avenue, east of North Bryan Avenue, and on the north and south side of West Ashlan Avenue; and

**WHEREAS**, the application was submitted to the Fresno Local Agency Formation Commission (“LAFCo or Commission”) by the City of Fresno 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 10<sup>th</sup> day of April 2024, at the hour of 1:30 p.m.; and

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

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

**WHEREAS**, acting as “Responsible Agency” under the California Environmental Quality Act (“CEQA”) the Commission considered the CEQA documents filed and adopted by the City of Fresno acting as the “Lead Agency” under CEQA for the Proposal and associated rezoning, which was included in the Executive Officer’s report to the Commission; and

**WHEREAS**, the Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on the Proposal.

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

**Action 1:**

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (“CEQA”) Guidelines, find that prior to approving the proposed reorganization, the environmental effects of the Proposal as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency, were reviewed, and considered, and determine these documents to be adequate pursuant to CEQA Guidelines section 15096.

**ADOPTED THIS 10<sup>th</sup> DAY OF APRIL 2024 BY THE FOLLOWING VOTE:**

**AYES: COMMISSIONERS YEP, MENDES, MAGSIG**

**NOES: NONE**

**ABSENT: COMMISSIONERS PARRA, SANTOYO**

**ABSTAIN: NONE**

**Action 2:**

- A. Find that the proposed annexation is consistent with LAFCo Policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
- B. Find pursuant to CKH and information in the record that:
  - a. The territory is inhabited; and
  - b. Not all landowners or registered voters have consented to the reorganization.
- C. Assign the distinctive short form designation "Ashlan-Hayes No. 2, 3, and 4 Reorganization" and approve the annexation subject to the following conditions of approval:
  - a. Pursuant to Fresno LAFCo Policy 108-07, 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.
  - b. Submittal of corrected legal description and map.
- D. Find that pursuant to CKH the territory is inhabited and not all registered voters have consented to the annexation.
- E. Find that the notice mailed on March 15, 2024, was given to all landowners and registered voters 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 that the Commission intends to waive protest proceedings pursuant to section 56663(a)(b)(c) unless written opposition is received before the conclusion of the Commission proceedings.
- F. Find that written opposition to the proposal was received and as such, approve the proposal subject to the requirements of CKH, the 30-day reconsideration period, and

compliance with all of the above conditions, and direct staff to set a protest hearing pursuant to the requirements of CKH.

**ADOPTED THIS 10<sup>th</sup> DAY OF APRIL 2024 BY THE FOLLOWING VOTE:**

**AYES: COMMISSIONERS YEP, MENDES, MAGSIG**

**NOES: NONE**

**ABSENT: COMMISSIONERS PARRA, SANTOYO**

**ABSTAIN: NONE**

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

**CERTIFICATION**

I, Brian Spaunhurst, Executive Officer, Fresno Local Agency Formation Commission, hereby certify that the foregoing resolution was adopted by the Commission on the 10<sup>th</sup> day of April 2024.



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Brian Spaunhurst, Executive Officer  
Fresno Local Agency Formation Commission