

RESOLUTION NO. RO-20-9

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE "CLINTON-ARMSTRONG NO. 3 REORGANIZATION" WITH
CONDITIONS
(LAFCO FILE NO. RO-20-9)**

WHEREAS, reorganization proceedings were initiated by the City of Fresno to annex approximately 79.27 acres to the City of Fresno and detach from the Fresno County Fire Protection District and the Kings River Conservation District for the territory located west of Armstrong Avenue between Clinton and the McKinley Avenue Alignment said territory being described within Attachment "A", attached hereto and by this reference incorporated herein; 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 12th day of August 2020, 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 annexation, 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 12th DAY OF AUGUST 2020 BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS YEP, SANTOYO, MENDES, PACHECO, PARRA

NOES: NONE

ABSENT: NONE

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 uninhabited; and
 - b. Not all landowners or registered voters have consented to the reorganization.
- C. Assign the distinctive short form designation "Clinton-Armstrong No. 3 Reorganization" and approve the annexation subject to the following conditions of approval:
 - a. 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.
 - b. Submittal of corrected legal description and map.
 - c. Satisfactory verification that the City has accepted a final map shall be submitted to the Executive Officer prior to completion (recording) of the annexation.
- D. Find that pursuant to CKH the territory is uninhabited and not all landowners have consented to the annexation.
- E. Find that the notice mailed on July 22 , 2020, 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 no written opposition to the proposal was received prior to the conclusion of the hearing and approve the proposal subject to the requirements of the CKH, the 30-day reconsideration period, and compliance with all of the above conditions, and waive further conduction Authority Proceedings.

ADOPTED THIS 12th DAY OF AUGUST 2020 BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS YEP, SANTOYO, MENDES, PACHECO, PARRA

NOES: NONE

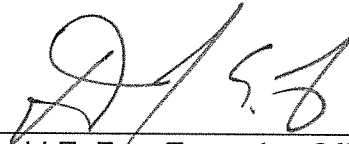
ABSENT: NONE

ABSTAIN: NONE

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

CERTIFICATION

I, David E. Fey, Executive Officer, Fresno Local Agency Formation Commission, hereby certify that the foregoing resolution was adopted by the Commission on the 12th day of August 2020.



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

ATTACHMENT A

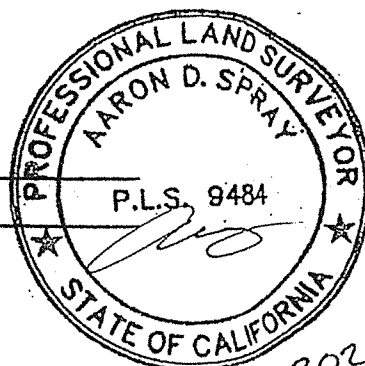
CLINTON-ARMSTRONG No. 3 REORGANIZATION TO BE ANNEXED THE CITY OF FRESNO AND DETACHMENT FROM FRESNO COUNTY FIRE PROTECTION DISTRICT AND KINGS RIVER CONSERVATION DISTRICT

That portion of the Southwest quarter of Section 27, Township 13 South, Range 21 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

BEGINNING at the Southwest corner of Parcel 4 of Parcel Map No. 1329, in the County of Fresno, State of California, according to the map thereof recorded in Book 6 of Parcel Maps at Page 95, Fresno County Records, said point being the Southwest corner of the Northeast quarter of the Southwest quarter of said Section 27; thence (1) North $00^{\circ}03'15''$ East, along the West line of said Parcel Map No. 1329, along the West line of said Northeast quarter, and along the existing boundary of the City of Fresno, a distance of 1292.18 feet to the Northwest corner of Parcel 1 of Parcel Map No. 3429, in the County of Fresno, State of California, according to the map thereof recorded in Book 23 of Parcel Maps at Page 34, Fresno County Records said point being 30.00 feet South of the North line of the Southwest quarter of said Section 27; thence (2) South $89^{\circ}59'49''$ East, along the North line of said Parcel Map No. 3429, parallel with and 30.00 feet South of the North line of the Southwest quarter of said Section 27, and along the existing boundary of the City of Fresno, a distance of 331.32 feet to the Northeast corner of Parcel 2 of said Parcel Map No. 3429; thence (3) North $00^{\circ}02'14''$ East, along the Northerly prolongation of the East line of said Parcel 2, and along the existing boundary of the City of Fresno, a distance of 10.00 feet to a point on the North line of Parcel 2 of said Parcel Map No. 1329, said point being 20.00 feet South of the North line of the Southwest quarter of said Section 27; thence (4) South $89^{\circ}59'49''$ East, along the North line of Parcel 2 of said Parcel Map No. 1329, parallel with and 20.00 feet South of the North line of the Southwest quarter of said Section 27, and along the existing boundary of the City of Fresno, a distance of 994.61 feet to a point on the East line of the Southwest quarter of said Section 27; thence (5) South $00^{\circ}00'03''$ West, along the East line of the Southwest quarter of said Section 27, and along the existing boundary of the City of Fresno, a distance of 1302.25 to the Southeast corner of the Northeast quarter of the Southwest quarter of said Section 27; thence (6) South $89^{\circ}55'57''$ West, along the South line of the Northeast quarter of the Southwest quarter of said Section 27, and along the existing boundary of the City of Fresno, a distance of 20.00 feet to a point being 20.00 feet West of the East line of the Southwest quarter of said Section 27; thence (7) South $00^{\circ}00'03''$ West, parallel with and 20.00 feet West of the East line of the Southwest quarter of said Section 27, and along the existing boundary of the City of Fresno, a distance of 1322.24 feet to a point on the South line of the Southwest quarter of said Section 27; thence, leaving the existing boundary of the City of Fresno, (8) North $89^{\circ}59'02''$ West, along the South line of the Southwest quarter of said Section 27, a distance of 1308.17 feet to the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 27, said point being on the existing boundary of the City of Fresno; thence (9) North $00^{\circ}02'45''$ East, along the West line of the Southeast quarter of the Southwest quarter of said Section 27, and along the existing boundary of the City of Fresno, a distance of 1322.03 feet to the **POINT OF BEGINNING**.

Containing 79.270 acres, more or less.

APPROVED
LAFCO RES. # 20-20-1
AUGUST 12, 2020
DATE



BOUNDARY CHANGE RECORDED

WE 1:38 pm DATE 9/14/2020

DOCUMENT # 2020-0123172

EFFECTIVE 9/14/2020

9-2-2020

THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN.

APN: 574-150-01 CITY OF FRESNO EAST CLINTON AVENUE

APN: 574-150-02

CLINTON-ARMSTRONG No. 3 REORGANIZATION A PORTION OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN

TO BE ANNEXED TO THE CITY OF FRESNO AND DETACHMENT FROM FRESNO COUNTY FIRE PROTECTION DISTRICT AND KINGS RIVER CONSERVATION DISTRICT

APN: 310-210-25

APN: 310-210-32

VICINITY MAP NOT TO SCALE.

EAST CLINTON AVENUE

NORTH FOWLER AVENUE

NORTH ARMSTRONG AVENUE

EAST MCKINLEY AVENUE ALIGNMENT

SITE

THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN.

APN: 574-140-01

APN: 574-140-03

APN: 574-140-04

APN: 574-140-05

APN: 574-140-06

APN: 574-140-07

APN: 574-140-08

APN: 574-140-09

APN: 574-140-10

APN: 574-140-11

APN: 574-140-12

APN: 574-140-13

APN: 574-140-14

APN: 574-140-15

APN: 574-140-16

APN: 574-140-17

APN: 574-140-18

APN: 574-140-19

APN: 574-140-20

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APN: 574-140-22

APN: 574-140-23

APN: 574-140-24

APN: 574-140-25

APN: 574-140-26

APN: 574-140-27

APN: 574-140-28

APN: 574-140-29

APN: 574-140-30

APN: 574-140-31

APN: 574-140-32

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AP

APPROVED
LAFCO RES. # 20-20-7
August 12, 2020
DATE