

RESOLUTION NO. RO-20-4

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE "CLOVIS LANDFILL BUFFER NO. 4 REORGANIZATION" WITH
CONDITIONS
(LAFCO FILE NO. RO-20-4)**

WHEREAS, reorganization proceedings were initiated by the City of Clovis to annex approximately 117.7 acres to the City of Clovis and detach from the Fresno County Fire Protection District for properties located approximately five miles north of Clovis City limits west of the Auberry Road and Friant Kern Canal intersection, said territory being described by 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 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 September 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 Clovis 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 9th DAY OF SEPTEMBER 2020 BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS MENDES, SANTOYO, PACHECO, YEP, 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 "Clovis Landfill Buffer No. 4 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.
- 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 August 19, 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 9th DAY OF SEPTEMBER 2020 BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS MENDES, SANTOYO, PACHECO, YEP, 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 9th day of September 2020.



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

ATTACHMENT A

CLOVIS LANDFILL BUFFER NO. 4 REORGANIZATION. ANNEX TO THE CITY OF CLOVIS DETACHED FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT.

That portion of the Section 29, Township 11 South, Range 21 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the East Quarter Corner of said Section 29;

Thence, (1) South $1^{\circ}36'59''$ West along the East Line of the Southeast Quarter of said Section 29, a distance of 758.4 feet to a point on the Southerly Line of the Friant-Kern Canal as said canal is described in that certain deed recorded September 22, 1942, in Book 2045 at page 182, Official Records Fresno County and shown on Record of Survey map recorded in Book 34 of Record of Surveys at page 76, Fresno County Records;

Thence along the Southerly Line of said Friant-Kern Canal the following courses:

- (2) South $56^{\circ}52'32''$ West, a distance of 161.6 feet;
- (3) South $76^{\circ}12'32''$ West, a distance of 398.0 feet;
- (4) South $86^{\circ}08'32''$ West, a distance of 545.5 feet;
- (5) North $67^{\circ}47'21''$ West, a distance of 277.99 feet to the Southeast Corner of Parcel 2 as said parcel is described in the Grant Deed to the United States of American recorded April 23, 1940, in Book 1833 at pages 227, Official Records Fresno County and shown on Record of Survey map recorded in Book 48 of Record of Surveys at page 6, Fresno County Records;

Thence, along the Southerly and Westerly Lines of said Parcel 2 the following courses:

- (6) North $66^{\circ}15'35''$ West, a distance of 554.9 feet;
- (7) North $2^{\circ}29'28''$ East, a distance of 680.0 feet to a point on the South Line of the Northeast Quarter of said Section 29;

Thence, (8) North $89^{\circ}03'31''$ West along said South Line, a distance of 823.52 feet to the Center Quarter Corner of said Section 29;

Thence, (9) North $1^{\circ}08'38''$ East along the West Line of the Northeast Quarter of said Section 29, a distance of 1320.92 feet to the North Line of the South Half of the Northeast Quarter of said Section 29;

Thence, (10) South $88^{\circ}59'25''$ East along said North Line, a distance of 2658.17 feet to a point on the East Line of the Northeast Quarter of said Section 29;

Thence, (11) South $1^{\circ}37'41''$ West along said East Line, a distance of 1317.84 feet to the Point of Beginning

Containing 117.70 acres more or less.

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.



September 24, 2020
Katrina M. Olsen, LS 7058
McPheeters & Associates
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Clovis, CA 93611
(559) 299-9098
www.mcpheeters.com

BOUNDARY CHANGE RECORDED
BOUNDARY CHANGE RECORDED
TIME 2:14 PM
DATE 9/24/2020
DOCUMENT # 2020-0142497
EFFECTIVE 10/12/2020

APPROVED

ATTACHMENT A

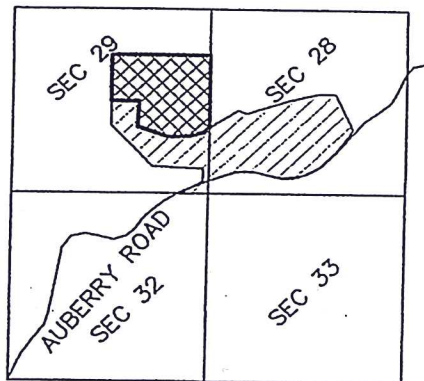
BOUNDARY CHANGE RECORDED

LAFCO RES. # PO-20-4
September 9, 2020
 DATE

TIME 2:14pm DATE 10/12/2020
 DOCUMENT # 2020-014297
 EFFECTIVE 10/12/2020

CLOVIS LANDFILL BUFFER NO. 4 REORGANIZATION.
 ANNEX TO THE CITY OF CLOVIS
 DETACH FROM THE FRESNO COUNTY FIRE PROTECTIN DISTRICT.

NUM	BEARING	DIST
L1	S 1°36'59"W	758.4'
L2	S56°52'32"W	161.6'
L3	S76°12'32"W	398.0'
L4	S86°08'32"W	545.5'
L5	N67°47'21"W	277.99'
L6	N66°15'35"W	554.9'
L7	N 2°29'28"E	680.0'
L8	N89°03'31"W	823.52'
L9	N 1°08'38"E	1320.92'
L10	S88°59'25"E	2658.17'
L11	S 1°37'41"W	1317.84'



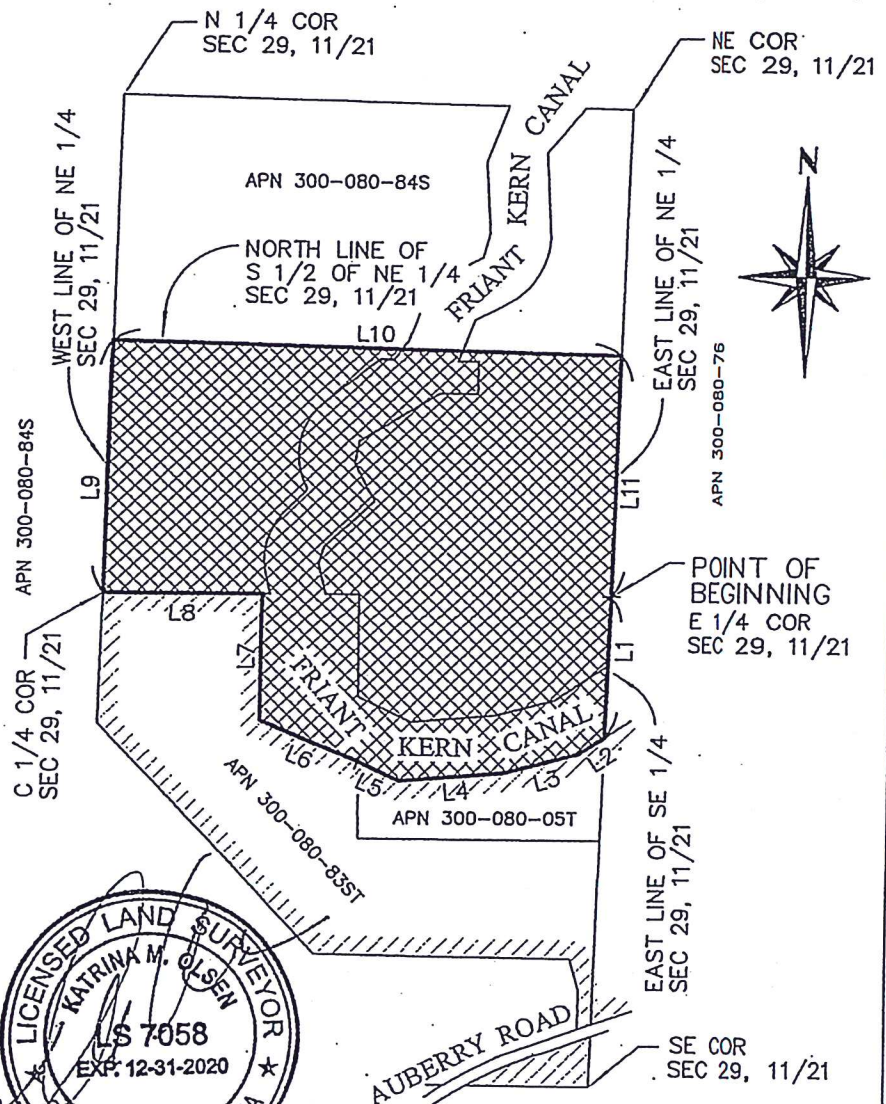
VICINITY MAP

TOWNSHIP 11 SOUTH, RANGE 21 EAST
 MOUNT DIABLO BASE AND MERIDIAN.
 NOT TO SCALE

LEGEND

- EXISTING CITY OF CLOVIS LIMITS
 AREA TO BE ANNEXED TO THE CITY OF CLOVIS

PREPARED FROM RECORD DATA
 PER RS 34/76 AND RS 48/06,
 FRESNO COUNTY RECORDS.



SCALE 1" = 1000'
 0 500 1000 2000

ASSESSOR'S PARCEL NUMBER:
 300-080-04T & 71T (POR)

LAFCO RESOLUTION NO.

ACREAGE:
 117.70±

DATE:
 9/24/2020

SCALE:
 1" = 1000'



CITY of CLOVIS
 PLANNING & DEVELOPMENT

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