



Fresno Local Agency Formation Commission
Change of Organization/Reorganization Application

Not for use with update/revision to sphere of influence, city incorporation, or district formation.
Contact LAFCo staff for details.

Type of local agency: (check one)

- City / Special District / Other

Requested Commission action: (check all that apply)

- Annexation of territory to a local agency
- Detachment of territory from local agency
- Other _____ (describe in detail in application)
- Request to extend services outside city limit (or special district service area) or sphere of influence
(complete first page of this application only; refer to extension of services worksheet at G:\LAFCo Projects\Districts\56133 generic\Fresno LAFCo Extension of Service Worksheet 072415.docx)

Application by (check one): City/District Resolution Landowner/Registered Voter Petition

Name of Proposal: (Name to match the title of map and legal description)

List the name and address of officers or persons, not to exceed three in number, who are to receive the notice of hearing and the Executive Officer's Report:

Name	Mailing Address	Phone Number	Email
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

This application and attached documents are complete and are in all respects true and correct to the best of my knowledge.

Signature of Chief Petitioner, Proponent, or Local Agency Representative _____ Date _____

Print name: _____ Title: _____

Address: _____

Phone: _____ Fax: _____ Email: _____

Note: Per the City/County Memoranda of Understanding, if this is an application for annexation to a city. A city shall, at least thirty days prior to filing any annexation proposal with the Fresno Local Agency Formation Commission, notify the County of its intention to file such proposal and the date upon which city expects

such proposal to be filed. *The County's affirmative response to the Notice of Intent is an essential part of a complete application to LAFCo.*

1. PROPOSAL INFORMATION

Record owner(s) of the affected territory (attach additional sheets as necessary):

Name	Mailing Address
_____	_____
_____	_____
_____	_____

Number of registered voters in affected territory: _____
Is a confirmation letter from County Elections Department attached?
 Yes / No

Number of residents in affected territory: _____

Number of landowners in affected territory: _____

Current population estimate in affected territory: _____

Estimate of future population in affected territory: _____

Total current assessed value of affected territory: \$ _____

Existing land use(s) of affected territory: _____

Describe the land uses surrounding the proposal territory (e.g., residential, commercial, agricultural, industrial, open space, etc.).

North: _____ East: _____
South: _____ West: _____

City General plan designation(s) of affected territory: _____

Proposed zoning designation(s) of affected territory: _____

Acreage of proposal, including full unincorporated public rights-of-way: _____

Assessor's Parcel Numbers (use full number including "S," "T," "U," etc.; note if parcel(s) includes a "LCC" (Williamson Act) designation): _____

Has mailed notice been sent to each affected agency, the county committee on school district organization, and each school superintendent whose school district overlies the affected territory in accordance with Gov. Code Sec. 56658(b)(1)? Note: If notice has been sent, application processing may be expedited by approximately 20 days.

Yes (attach notice, affidavit of service and mailing list) / No

Is any of the affected territory subject to an agricultural preserve or under Land Conservation Contract?

Yes / No

If yes, has a notice of non-renewal been filed for the affected territory?

Yes (attach proof) / No

Did the affected city adopt a resolution protesting the Land Conservation Contract when it was approved?

Yes (attach copy of resolution) / No

If submitting an application by resolution: does the City/District's resolution of initiation include a statement that the city intends to either succeed or not to succeed to the contract?

Yes (attach proof) / No

If application by resolution: attach certified copy of rezoning ordinance approved by City Council, aged no more than 12 months from date of this application. N/A

Attach evidence that a Right-to-Farm covenant has or will be made a requirement by the lead agency prior to consideration by the commission. N/A

Attach Service Plan Work Sheet required by GC sec. 56653) N/A : not needed if your city has submitted a Master Service Plan that has been adopted in the last 12 months.

Attach statement from the retail water purveyor that affirms that water supplies will be adequate and available for the proposal's domestic and fire flow needs.

Attach the following maps necessary to this application:

Legal description and map (FYI: will be verified by County Assessor staff)

Location map

Vicinity map

Water and sewer maps (N/A if included in service plan)

(Pre)Zoning Map

2. CITY PLANNING APPLICATION/ENTITLEMENT MATRIX:

Type of approval or permit	File no.	Approval date	Ordinance bill/ Resolution attached?
Tentative Subdivision Map			<input type="checkbox"/> Yes / <input type="checkbox"/> No / <input type="checkbox"/> N/A
Tentative Parcel Map			<input type="checkbox"/> Yes / <input type="checkbox"/> No / <input type="checkbox"/> N/A
Major Use Permit			<input type="checkbox"/> Yes / <input type="checkbox"/> No / <input type="checkbox"/> N/A
City/County General Plan Amendment			<input type="checkbox"/> Yes / <input type="checkbox"/> No / <input type="checkbox"/> N/A
City Rezoning			<input type="checkbox"/> Yes / <input type="checkbox"/> No / <input type="checkbox"/> N/A
County Rezone			<input type="checkbox"/> Yes / <input type="checkbox"/> No / <input type="checkbox"/> N/A
(Other)			<input type="checkbox"/> Yes / <input type="checkbox"/> No / <input type="checkbox"/> N/A

3. ENVIRONMENTAL ASSESSMENT OF THE PROPOSAL

What local agency is the “lead agency” under CEQA for this proposal? _____

If local agency is lead agency the following documents must be attached for a complete application:

- A stamped/certified copy of the Notice of Exemption or Determination filed with the County Clerk’s office.
- Copy of Initial Study
- A certified copy of the lead agency’s resolution making the required environmental determination.
- Copy of receipt for Fish and Game fees.

What type of environmental document has been prepared?

- Categorically Exemption – Class _____
- Negative Declaration / Mitigated Negative Declaration
- Finding of Conformity with EIR SCH # _____
- EIR SCH # _____
- Use of Previous EIR SCH # _____

If relying on an EIR, include one copy of draft and final EIR on USB flash drive and one copy of the lead agency's resolution listing significant impacts, mitigation measures, and statement of overriding considerations.

4. APPLICATION QUESTIONNAIRE

Where there is insufficient space for the requested information, please attach a separate sheet with responses corresponding to the numbered questions.

1. Describe to the best of your knowledge what actions are requested by the resolution or petition (i.e. annexation, detachment, SOI revision).

2. State the reasons for this change, and why the change is proposed at this time.

3. Describe in detail any added service and greater frequency or range of services to be provided to residents living in the proposal area. (N/A if included in service plan)

4. Describe proposed development: its location and acreage, the types of uses and number of residential units and/or commercial square footage.

5. How will the proposal assist city or county to achieve its fair share of regional housing needs as determined by its current General Plan Housing Element?

6. Describe whether affected agencies (those agencies whose boundaries are being changed) have existing bonded debt?

7. Will the proposal area be liable for payment of its share of this existing debt? If yes, how will this indebtedness be repaid (property taxes, assessments, water sales, etc.?)

8. Please describe consistency with City and County General, Specific and Community Plans within the affected territory.

9. Will there be any costs or other changes affecting residents or landowners within the affected territory?

10. Describe the use of developed property within the proposal territory, including details about existing structures. Describe anticipated development of vacant property, including types of buildings, number of units, supporting facilities, etc., and when development is scheduled to occur.

11. Please provide any additional information that may be relevant to this proposal.

5. DISADVANTAGED UNINCORPORATED COMMUNITIES (Fresno LAFCo Policy 106)

Applicant is responsible for assessing whether the proposal triggers the Fresno LAFCo Disadvantaged Unincorporated Communities policy. (see www.fresnolafco.org / Disadvantaged Unincorporated Communities)

Fresno LAFCO policies include consideration of disadvantaged unincorporated communities (DUCs). A DUC is defined as an inhabited territory with an annual median household income that is less than 80 percent of the statewide annual median household income and has at least 15 dwelling units at a density not less than one unit per acre.

1. Based on the above definition are there any disadvantaged unincorporated communities within 300 feet of the proposed annexation? Yes / No

If there is a DUC, where is it located in relationship to the proposed reorganization?

Has an application for the DUC been submitted to LAFCo in the last five (5) years? Yes / No

Has a survey been conducted in both English and Spanish to determine support of annexing the DUC into the city? (attach notice, affidavit of service and mailing list) Yes/ No

6. MUNICIPAL SERVICE INFORMATION

Existing:	Proposed Change:
Domestic Water _____	_____
Sewer Collection _____	_____
Solid Waste Collection _____	_____
Street Lighting _____	_____
Parks and Recreation _____	_____
Fire Protection _____	_____
Police _____	_____
Storm Drainage _____	_____

7. PROPERTY-OWNER CONSENT FORM FOR INCLUSION OF PROPERTY

Note: The legal description of the territory proposed for change of organization or reorganization must be attached at the time consent is signed. Each individual listed as a landowner must sign for the subject parcel(s). A current Assessor Parcel Number (APN) that may be obtained from your tax statement is sufficient to describe the property location.

Attach additional sheets if necessary (Land Owner Consent Form)

8. APPLICANT FINANCIAL DISCLOSURE FORM INFORMATION SHEET

Pursuant to Government Code Section 84308 (the Levine Act), the Applicant Financial Disclosure Form must be completed by applicants for, or persons who are the subject of, any proceeding pending before the Fresno Local Agency Formation Commission ("Fresno LAFCo"). A public agency applicant is not required to complete this form; however, any agent and/or person having a financial interest in the outcome must submit the form. The completed Applicant Financial Disclosure Form, with original signatures, must be filed with your application.

1. If you are an applicant for, or the subject of, any application or proceeding pending before Fresno LAFCO, you are prohibited from making a campaign contribution of more than \$250.00 to any commissioner or alternate commissioner during the time the application or proceeding is before Fresno LAFCO and for twelve (12) months after a final decision is rendered by Fresno LAFCO. In addition, no commissioner or alternate commissioner may solicit, accept, or direct a contribution of more than \$250.00 from you during this period. These prohibitions also apply to your agents and/or lobbyists/active participants. If you are a closely held corporation, this prohibition applies to your majority shareholder as well.
2. You must file the attached form, disclosing whether you or your agent(s) have contributed more than \$250.00, in the aggregate, to any commissioner or alternate commissioner during the twelve (12) months preceding the filing of the application.
3. If you or your agent have made a contribution to any commissioner or alternate commissioner during the twelve (12) months preceding the decision on the application or proceeding, that commissioner must disqualify himself or herself from the decision. However, disqualification is not required if the commissioner or alternate commissioner returns the campaign contribution within thirty (30) days of learning about both the contribution and the proceedings.

Definition of Terms

1. A proceeding involving a “license, permit or other entitlement for use” includes all business, professional, trade and land use licenses and permits, and all other entitlements for use, including all entitlements of land use, all contracts (other than competitively bid, labor or personal employment contracts) and all franchises.
2. Your “agent” is someone who represents you in connection with a proceeding involving a license, permit, or other entitlement for use. If an individual acting as an agent is also acting in his or her capacity as an employee or member of a law, architectural, engineering, consulting firm, or similar business entity, both the business entity and the individual are “agents.”
3. A “participant” means any person who is not a party but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision. A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.
4. To determine whether a campaign contribution of greater than \$250.00 has been made, campaign contributions made by you within the preceding twelve (12) months must be aggregated with those made by your agents within the preceding twelve (12) months. Campaign contributions made to different commissioners or their alternates are not aggregated.

This notice summarizes the major requirements of Government Code Section 84308 of the Political Reform Act (the Levine Act) and California Code of Regulations, title 2, Sections 18438.1 – 18438.8. For more information, contact Fresno LAFCO staff at (559) 600-0404 or the Fair Political Practices Commission, 428 J Street, Suite 800, Sacramento, CA 95814, (916) 322-5901.

9. APPLICANT FINANCIAL DISCLOSURE FORM

Designated Title of Proposal: _____

Party's Name: _____

Party's Full Address: _____

No	Yes
I certify that contributions totaling more than \$250.00 <u>HAVE NOT BEEN MADE</u> to any commissioners, alternate commissioners, or candidates within the 12 months preceding the filing of this application.	I certify that contributions totaling more than \$250.00 <u>HAVE BEEN MADE</u> , within the 12 months preceding the filing of this application, to a commissioner, alternate commissioner, or candidate, as indicated below.
_____ Name	_____ Name
_____ Date	_____ Date

If you completed the "Yes" box above, please provide information as indicated below. Names of current Fresno LAFCo commissioners and alternate commissioners are provided for reference. Use additional sheets if necessary.

To whom was Contribution made?	Contributor Name (if other than applicant)	Contribution Date	Contribution Amount

Commissioners

- Gary Yep, Chair, City Representative, City of Kerman
- Buddy Mendes, Chair Pro-Tem, County Representative, District 4
- Daniel Parra, City Representative, City of Fowler
- Nathan Magsig, County Representative, District 5
- Mario Santoyo, Public Member
- Michael Lopez, Alternate Public Member
- Scott Robertson, Alternate City Member, City of Selma

10. LEGAL INDEMNIFICATION

Should the Fresno Local Agency Formation Commission (“Fresno LAFCo”) be named as a party in any litigation (including a “validation” action under CCP sec. 860 *et seq.*) or administrative proceeding in connection with the Applicant's proposal, Applicant agrees to indemnify, hold harmless, and promptly reimburse Fresno LAFCo for:

- 1) All reasonable expenses and attorney's fees in connection with the defense of Fresno LAFCo; and
- 2) Any damages, penalties, fines or other costs imposed upon or incurred by Fresno LAFCo, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application *or* adoption of the environmental document, which accompanies it. The Fresno LAFCo Executive Officer may require a deposit of funds sufficient to cover estimated expenses of the litigation. Applicant agrees that Fresno LAFCo shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit Applicant's obligations to indemnify and reimburse defense costs.

Applicant may be required by Fresno LAFCo to execute an additional indemnity agreement as a condition of approval for this application. Such an agreement in no way limits the effect of obligations provided for herein.

City/District Application

-or-

Land Owner Petition Application

City/District Representative
Signature

Land Owner Signature

Print Name

Print Name

Date

Date

Cover Page

Please attach Resolution of Application (Per GC Section 56654(a)) or Notice of Intent to circulate petition (per GC Section 56700.4(a))

Cover Page

Please attach maps

- Map and legal description
- Location map
- Vicinity map
- Water and Sewer map
- Zoning map
- Tract map or site plan
- Tract map resolution (if applicable)
- Copy of tentative map satisfaction of County Code 17.04.100- Right-to Farm notice

Cover Page

Please attach CEQA documents (1 paper and 1 Electronic)

- Initial Study and either ND/MND or Draft and Final EIR
- If EIR, resolution(s) certifying EIR and adopting “Statement of Overriding Considerations”
- Copy of stamped Notice of Determination or Notice of Exemption
- Copy of paid Fish and Game fee receipt
- Other

Cover Page

Please attach Landowner Consent Forms

Cover Page

Please attach Master Service Plan or Site Specific Service Plan

Cover Page

Please attach Williamson Act Contract information (if applicable)

- Copy of contract
- City resolution protesting contract
- Board of Supervisor's resolution upholding contract
- City resolution succeeding to contract

Cover Page

Please attach signed legal indemnification form