

RESOLUTION NO. RO-17-10

**A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION
APPROVING THE "SHAW-LEONARD NORTHWEST REORGANIZATION" WITH CONDITIONS**

WHEREAS, reorganization proceedings were initiated by the City of Clovis to annex 81.1 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for the territory located on north of Shaw Avenue between DeWolf and Leonard Avenues; 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 13th day of December, 2017, at the hour of 1:30 p.m.; and

WHEREAS, notice of the hearing of said application was given as required by State Law; and

WHEREAS, the notice of public hearing also gave notice that the Commission intended to waive the conducting authority proceedings in accordance with Government Code Section 56663(b)(c), if no registered voters or landowners submitted written opposition to the reorganization before the conclusion of the public hearing; and

WHEREAS, the executive officer reviewed said application 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, the commission acting as "Responsible Agency" reviewed and considered the information in the Mitigated Negative Declaration filed and adopted by the City of Clovis acting as the "Lead Agency" under the California Environmental Quality Act ("CEQA") for the Shaw-Leonard Northwest Reorganization" and associated with rezoning under the requirements of the CEQA, 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 said application.

WHEREAS, no registered voters or landowners submitted written opposition to the reorganization prior to the conclusion of the public hearing.

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

Section No. 1. Acting as Responsible Agency under CEQA Guidelines, find that prior to approving the proposed reorganization, the environmental effects of the Proposal as shown in the CEQA document prepared, adopted, and submitted by the Lead Agency, were reviewed and considered, and determine these documents to be adequate pursuant to CEQA Guidelines Section 15050.

ADOPTED THIS 13th DAY OF DECEMBER 2017, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, LOPEZ, SILVA

NOES: NONE

ABSENT: NONE

ABSTAIN: COMMISSIONERS MAGSIG AND QUINTERO

Section No. 2. The Commission finds that the proposed reorganization is consistent with LAFCo Policies, Standards, and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).

Section No. 3. The Commission finds pursuant to the CKH and information in the record that:

- A. The territory is inhabited; and
- B. Not all landowners, registered voters and affected agencies have consented to the reorganization.

Section No. 4. The commission assigns the distinctive short form designation "Shaw-Leonard N.W. Reorganization" and approves the annexation as generally depicted in Exhibit "A" subject to the following condition 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 in not limited to, whether or not the proposed project is materially similar to the project described in any application before the commission.
- B. Ownership of land permitting, the annexation shall include the full-width right-of-way along DeWolf, Shaw and Leonard Avenue.
- C. Submittal of corrected legal description and map.

Section No. 5. The commission waives further Conducting Authority proceedings and orders the reorganization subject to the requirements of the CKH.

Section No. 6. The commission action approving the Proposal shall expire one year from the date of this resolution unless all proceedings are complete, including condition compliance, and Certificate of Completion issued by the Executive Officer.

Section No. 7. The executive officer is hereby authorized and directed to mail copies of this Resolution as provided in Government Code Section 56882 and to file, as appropriate, in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of the Proposal, as required by State law.

ADOPTED THIS 13th DAY OF DECEMBER 2017, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, SILVA, LOPEZ

NOES: NONE

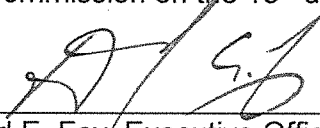
ABSENT: NONE

ABSTAIN: COMMISSIONERS MAGSIG AND QUINTERO

**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 13th day of December 2017.



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

EXHIBIT A

SHAW-LEONARD NORTHWEST REORGANIZATION TO BE ANNEXED TO THE CITY OF CLOVIS AND DETACHMENT FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION PROJECT

ALL THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 21 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS;

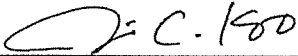
BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 12;

1. THENCE ALONG THE SOUTH LINE OF SAID SECTION 12, NORTH 89°24'05" WEST 2640.67 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 12;
2. THENCE ALONG THE WEST LINE OF SAID SECTION 12, NORTH 00°26'52" EAST 1322.85 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 12;
3. THENCE ALONG THE NORTH LINE OF SAID SOUTH HALF OF SAID SOUTHWEST QUARTER, SOUTH 89°21'46" EAST 2640.16 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER;
4. THENCE ALONG SAID EAST LINE, SOUTH 00°25'32" WEST 1321.07 FEET TO THE POINT OF BEGINNING.

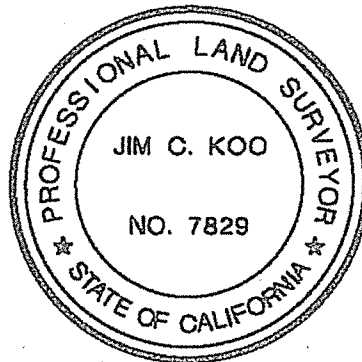
CONTAINING 80.131 ACRES, MORE OR LESS.

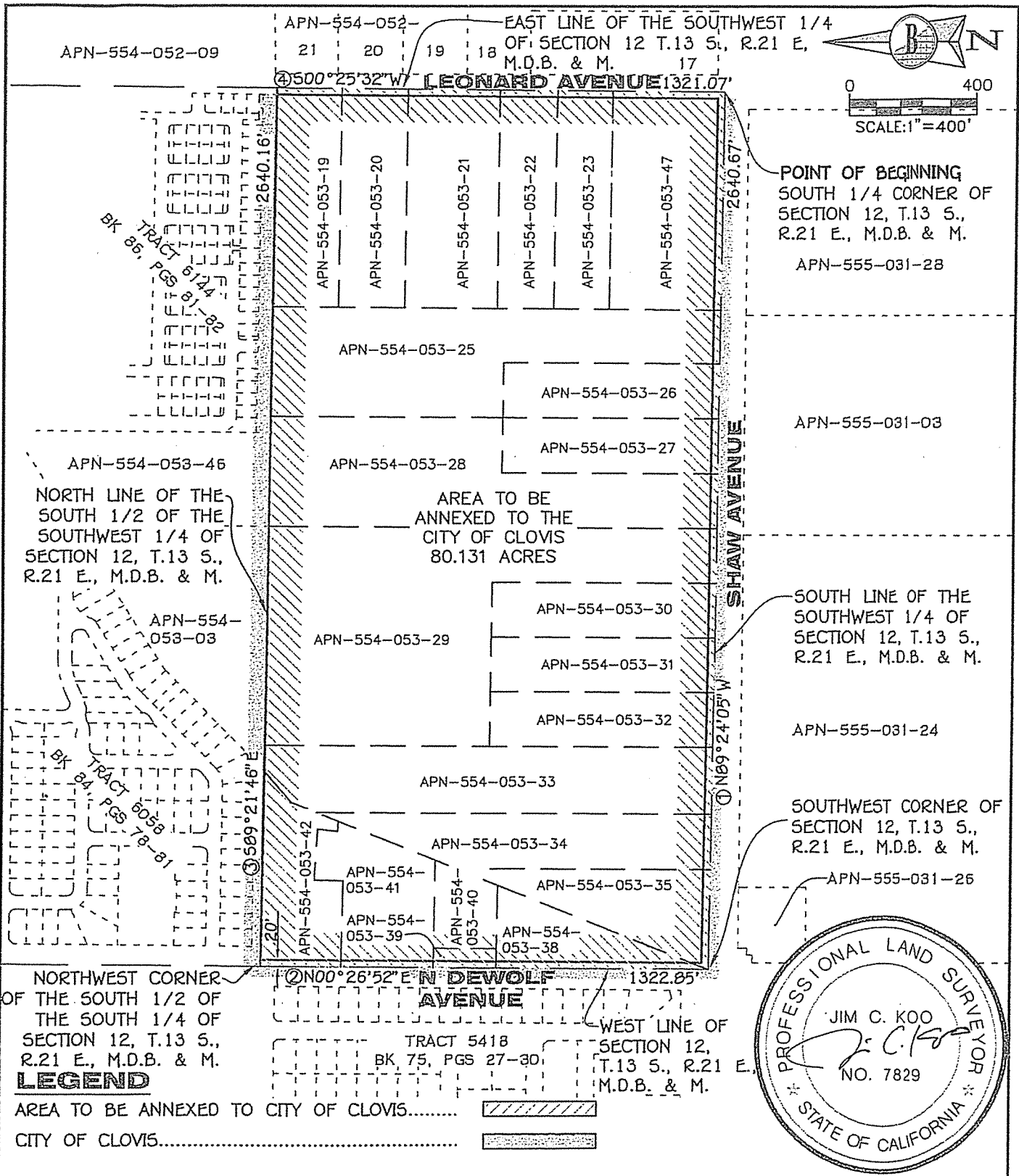
END OF DESCRIPTION

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION PURSUANT TO THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYOR'S ACT.



PREPARED BY: JIM C. KOO, P.L.S 7829
DATE: OCTOBER 24, 2017

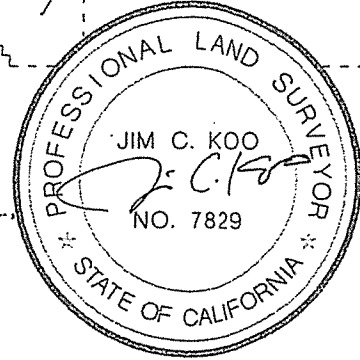




NORTHWEST CORNER OF THE SOUTH 1/2 OF THE SOUTH 1/4 OF SECTION 12, T.13 S., R.21 E., M.D.B. & M.

LEGEND

- AREA TO BE ANNEXED TO CITY OF CLOVIS.....
- CITY OF CLOVIS.....



**SHAW/LEONARD
NORTHWEST REORGANIZATION**

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 13 SOUTH, RANGE 21 EAST, M.D.B. & M. TO BE ANNEXED TO THE CITY OF CLOVIS AND DETACHED FROM THE FRESNO COUNTY FIRE PROTECTION DISTRICT AND THE KINGS RIVER CONSERVATION DISTRICT.

COUNTY OF FRESNO CALIFORNIA

**BURRELL
CONSULTING
GROUP, INC.**

1001 Enterprise Way, Suite 100
Reno, CA 95678 (916) 783-8898

DRAWN BY: DKL	CHECKED BY: JCK
DATE: 10/24/2017	
REVISED:	
SCALE: 1"=400'	
JOB NO. 2051-00-1094	