

RESOLUTION NO. DOD-13-1

**FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA**

In the Matter of:

LAFCo Determination

**MAKING DETERMINATION AND)
APPROVING PROPOSED "COUNTY)
SERVICE AREA NO. 47)
DISSOLUTION")**

**THE FRESNO LOCAL AGENCY)
FORMATION COMMISSION)
APPROVES THE PROPOSED)
"COUNTY SERVICE AREA NO. 47)
DISSOLUTION"**

WHEREAS, preliminary proceedings were initiated by the Fresno County Board of Supervisors to dissolve County Service Area No. 47; and

WHEREAS, having determined said application to be complete the Executive Officer issued a Certificate of Filing per State law and set this matter for hearing on the 13th day of March, 2013, at the hour of 1:30 p.m.; and

WHEREAS, written notice of the hearing of said dissolution was duly given by mail, posting, and newspaper publication as required by law; and

WHEREAS, the proposed annexation is consistent with LAFCo Policies, Standards, and Procedures and the "Act"; and

WHEREAS, the Executive Officer reviewed said application and prepared a report, including his recommendation thereon, said application and report having been presented to and considered by this Commission; and

WHEREAS, this Commission considered all relevant factors and heard all interested parties wishing to speak to said proposal; and

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

Section #1. This Commission finds that the Lead Agency's Categorical Exemption was prepared in accordance with the requirements of CEQA Guidelines and is consistent with State law and that the County's environmental review prepared for this Proposal is determined to be legally adequate pursuant to CEQA Guidelines Section 15319.

Section #2. This Commission finds that acting as a "Responsible Agency" under CEQA Guidelines, this Commission considered the information in the Categorical Exemption prepared for this project by the County of Fresno prior to making its determination and find the subsequent project (Proposal) to be within the scope of the overall project covered by the Exemption. (CEQA 15061(b)(3) - transfer of existing facilities").

Section #3. This Commission determined to transfer all of CSA No. 47's assets, infrastructure, facilities, and service responsibilities to the California Water Services Company (Cal Water) pursuant to LAFCo's conditioning authority found in Government Code Section 56886.

Section #4. This Commission assigns the distinctive short form designation "Dissolution of County Service Area No. 47" and approves the dissolution subject to the following condition of approval:

Prior to the dissolution of CSA No. 47, the Executive Officer must first review and approve an agreement between the County of Fresno and Cal Water. The agreement must include a plan specifying the terms, conditions, and necessary actions to be taken in order for the transfer of CSA No. 47's assets, liabilities, infrastructure, facilities, and service responsibilities to be complete.

Section #5. This Commission makes the following determinations pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000:

1. Find the territory to be inhabited.
2. Find that not all property owners in the affected territory have consented in writing to the proposed reorganization.

Section #6. Direct staff to set a protest hearing pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 57000 et seq.).

Section #7. This Commission's actions approving this proposal shall expire one year from the date of this Resolution unless all proceedings are complete, including compliance with all conditions of approval, Terms and Conditions, and the issuance of a Certificate of Completion by the Executive Officer.

Section #8. The Executive Officer is hereby authorized and directed to mail certified 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 this Proposal, as required by State law.

* * * * *

ADOPTED THIS 13TH DAY OF MARCH, 2013, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS POOCHIGIAN, SANTOYO, PEREA, SILVA, LOPEZ

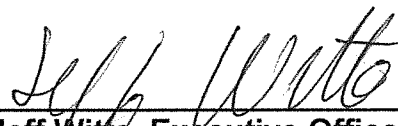
NOES:

ABSENT:

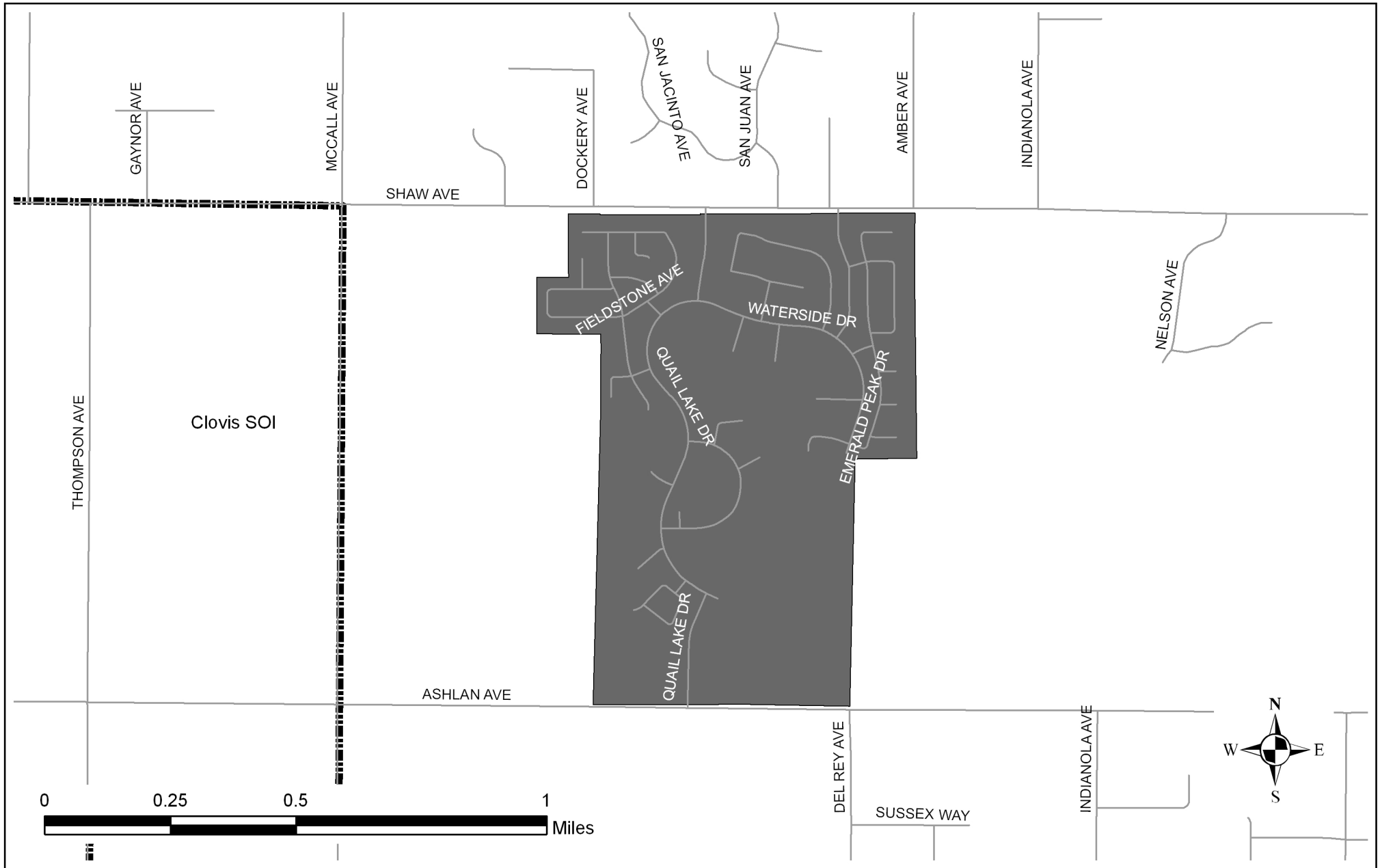
**STATE OF CALIFORNIA)
COUNTY OF FRESNO)**

EXECUTIVE OFFICER'S CERTIFICATION

I, Jeff Witte, Executive Officer of the Fresno Local Agency Formation Commission certify that the foregoing resolution was adopted by the Local Agency Formation Commission of Fresno County, State of California, at a special meeting held on the 13th day of March, 2013.





**Jeff Witte, Executive Officer
Local Agency Formation Commission**



Fresno Local Agency Formation Commission County Service Area No. 47 (Quail Lakes)

Provides Recreation, Sewer, and Water Services

Legend

-  District Area and SOI
-  City SOI

District Formed: 1996
 SOI Adopted: 2/26/1997
 SOI Updated: 11/7/2007

Map Date: November 2007
 District Area: 370 Acres
 Sphere Area: 370 Acres