

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AUTHORIZING THE DEVELOPMENT AND RESOURCE MANAGEMENT DIRECTOR TO INITIATE ANNEXATION OF THE "NORTH-CHERRY NO. 2 REORGANIZATION" WITH THE FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO)

WHEREAS, the City seeks to request a change of organization;

WHEREAS, the specific changes of organization ("North-Cherry No. 2 Reorganization") is an annexation to the City of Fresno and detachment from the Fresno County Fire Protection District and the Kings River Conservation District, of certain property consisting of an approximately 19.54 acre site and hereinafter called the "subject territory;"

WHEREAS, LAFCO requires that the subject territory be pre-zoned consistent with the City of Fresno General Plan ("General Plan") prior to the initiation of annexation proceeding;

WHEREAS, it has been determined that rezoning the subject territory from the County of Fresno AL-20 (*Limited 20 Acre Agricultural*) zone district to City of Fresno M-3/UGM (*Heavy Industrial/Urban Growth Management*) zone district is consistent with the Fresno General Plan;

WHEREAS, the annexation will be made pursuant to Part 3 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 contained in Division 3 of Title 5 commencing with Section 56000 of the California Government Code;

WHEREAS, a description of the boundaries of the subject territory is set forth in Exhibit A;

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

WHEREAS, this proposal is within the established sphere of influence of the City of Fresno;

WHEREAS, the proposed reorganization is uninhabited under the definition of Section 56046 of the California Government Code;

WHEREAS, municipal services for the subject territory will be provided in a manner described in the Service Delivery Plan pursuant to the requirements set forth in Government Code Section 56653;

WHEREAS, the proposed annexation complies with the terms and standards of the 2003 Memorandum of Understanding ("2003 MOU") between the City of Fresno and the County of Fresno approved January 6, 2003;

WHEREAS, pursuant to the 2003 MOU, notification of the intention to file the proposed annexation was made to the County of Fresno and the City requested that the County of Fresno determine that the proposed reorganization is consistent with the standards of annexation of the 2003 Memorandum; and,

WHEREAS, this proposed reorganization will result in logical growth, the provision of municipal services, and the application of appropriate development standards and controls within the City of Fresno, and implements the Council's policy to unify the metropolitan area.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Council finds the proposed North-Cherry No. 2 Reorganization to be consistent with the standards of annexation in the 2003 MOU.

2. Council authorizes the City Manager or his/her designee to sign and submit a complete application to LAFCO for the proposed North-Cherry No. 2 Reorganization requesting the annexation take place in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. Council directs staff to take all necessary steps to submit a complete application for the proposed annexation, including preparation and submittal of all LAFCO required forms, documents, and studies and payment of all required fees, including a Fire Transition fee (which is collected by the City from the developer and paid by the City to the District), determined in accordance with the applicable Transition Agreement, if any, between the City of Fresno and the Fresno County Fire Protection District Regarding the Transfer of Certain General Ad Valorem Real Property Tax Revenue Generated by Annexations.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the City Council of the City of Fresno at a regular meeting held on the 27th day of August, 2015, by the following vote:

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2015
Mayor Approval/No Return: _____, 2015
Mayor Veto: _____, 2015
Council Override Vote: _____, 2015

YVONNE SPENCE, CMC
City Clerk

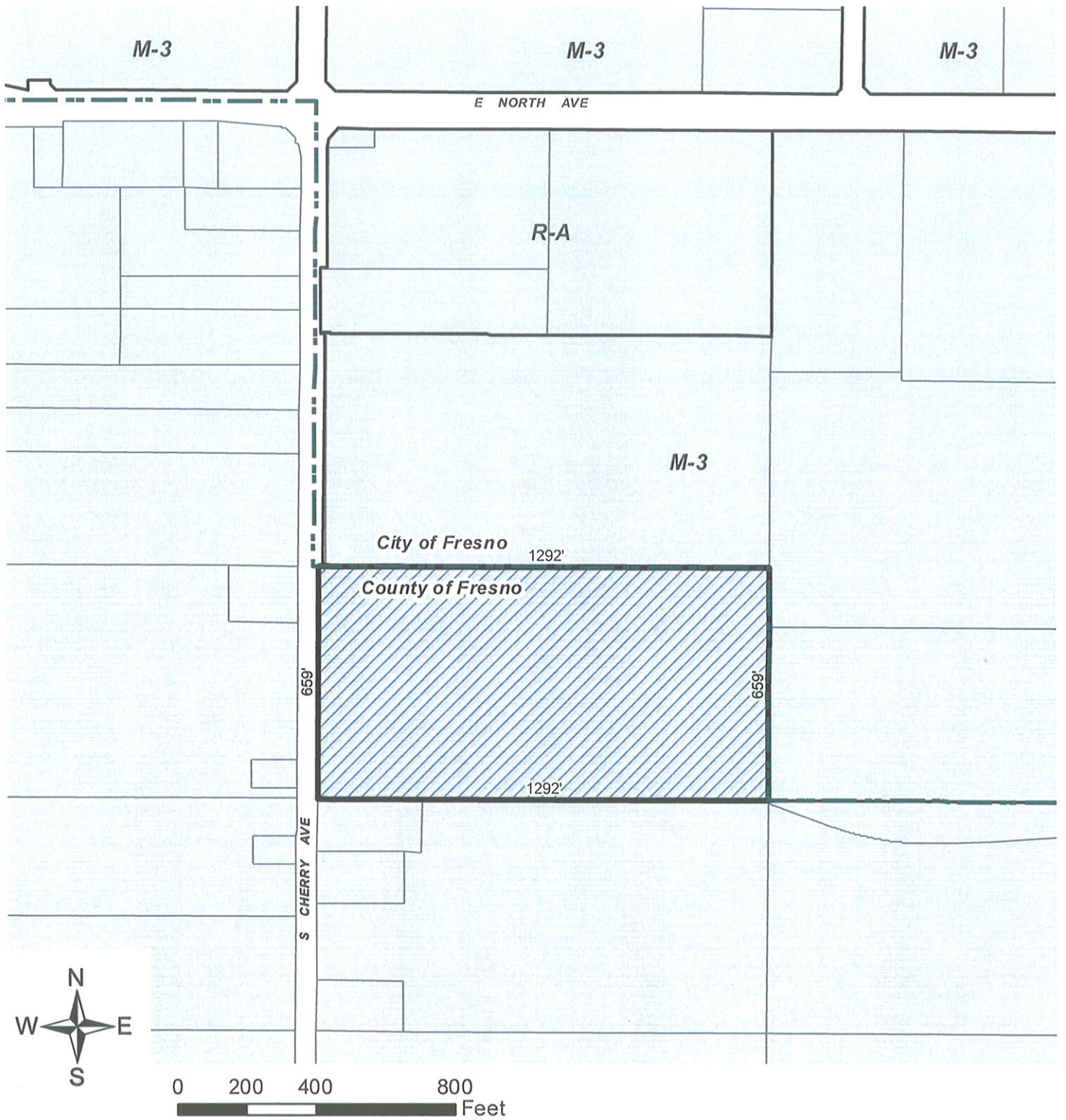
By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Mary Raterman-Doidge Date
Deputy

Attachment: Exhibit A - North-Cherry No. 2 Reorganization

EXHIBIT A



R-15-008
Site Plan Review S-15-068
Annexation ANX-15-001
APN: 329-011-07
3264 South Cherry Avenue

--- City Limits

 AL-20 (County) to M-3/UGM, 19.54 Acres