

## Exhibit V

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AMENDING THE CITY MANAGER OR HIS/HER DESIGNEE TO INITIATE THE ANNEXATION OF THE "MCKINLEY-TEMPERANCE NO. 1B REORGANIZATION" WITH THE FRESNO LOCAL AGENCY FORMATION COMMISSION ("LAFCO")

WHEREAS, Annexation Application No. P24-04526 has been filed with the City of Fresno by Ernie Escobedo of QK, Inc., on behalf of Brandon De Young of De Young Properties, pertaining to approximately 39.51 acres of property located on the north side of East McKinley Avenue between North Temperance and North De Wolf Avenues within the unincorporated portion of the City's Sphere of Influence boundary; and

WHEREAS, Annexation Application No. P24-04526 proposes to initiate annexation proceedings to request a change of organization ("McKinley-Temperance No. 1b Reorganization") resulting in an annexation to the City of Fresno and detachment from the Kings River Conservation District and the Fresno County Fire Protection District, of certain property consisting of approximately 39.51 acres and hereinafter called "subject territory"; and

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 proceedings; and

WHEREAS, it has been determined that pre-zoning the subject territory with the City of Fresno RS-4 (*Single-Family Residential, Medium Low Density*) and OS (*Open Space*) zone districts are consistent with the General Plan; and

1 of 5

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

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; and,

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

WHEREAS, the proposed reorganization is uninhabited under the definition of Section 56079.5 of the California Government Code; and

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; and

WEHEREAS, the proposed annexation complies with the terms and standards of the 2024 Memorandum of Understanding (“2024 MOU”) between the City of Fresno and the County of Fresno approved December 13, 2024; and

WHEREAS, pursuant to the 2024 MOU, notification of the intention to file the proposed annexation will be made to the County of Fresno and the City requests that the County of Fresno determine that the proposed reorganization is consistent with the standards of annexation of the 2024 MOU; 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 McKinley-Temperance No. 1b Reorganization to be consistent with the standards of annexation in the 2024 MOU.

2. The Council initiates a pre-zone ±23.56 acres of the subject territory from the Fresno County AE20 (*Exclusive Agricultural*) zone district to the City of Fresno RS-4 (*Single-Family Residential, Medium Low Density*) zone district; and, pre-zone ±15.5 acres of the subject territory from the Fresno County AE20 (*Exclusive Agricultural*) zone district to the City of Fresno OS (*Open Space*) zone district, as depicted in Exhibit "A", and including the necessary environmental review pursuant to the California Environmental Quality Act.

3. Council authorizes the City Manager or his/her designee to sign and submit a complete application to LAFCO for the proposed 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, determined in accordance with the Transition Agreement 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.

4. This resolution shall be effective upon final approval.

\* \* \* \* \*

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

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2025.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

TODD STERMER, MMC  
City Clerk

By: \_\_\_\_\_  
Deputy Date

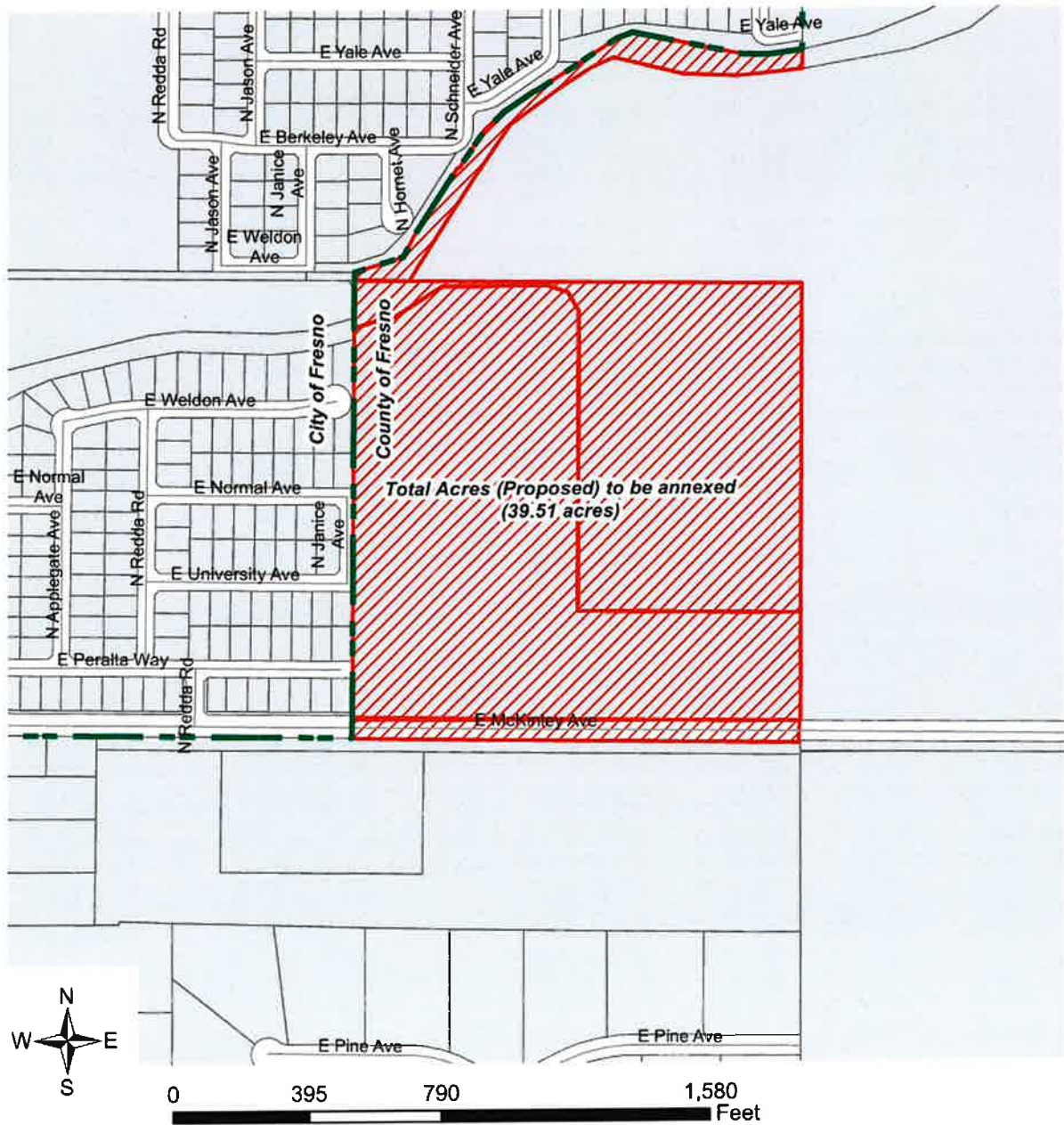
APPROVED AS TO FORM:  
ANDREW JANZ  
City Attorney

By: \_\_\_\_\_  
Kristi Costa Date  
Supervising Deputy City Attorney

Attachment: Exhibit "A"

Exhibit "A"

EXHIBIT A- Annexation



APN(s): 31005227, 31005226T, and 31005222



City Limits

Proposed Area to be annexed into the City of Fresno (39.51 acres)