

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 "SHIELDS-POLK NO. 1 REORGANIZATION" WITH THE FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCO)

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

WHEREAS, the specific changes of organization (Shields-Polk No. 1 Reorganization) is an annexation to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District, of certain property consisting of an approximately 38.80 acres site (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 proceeding; and

WHEREAS, it has been determined that pre-rezoning the Subject Territory with the CC/UGM (*Commercial – Community/Urban Growth Management*) and OS/UGM (*Open Space/Urban Growth Management*) zone districts are consistent with the Fresno General Plan; and

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, a description of the boundaries of the Subject Territory is set forth in Exhibit A; 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 56046 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

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; and

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 Shields-Polk No. 1 Reorganization to be consistent with the standards of annexation in the 2003 MOU.

2. Council authorizes the City Manager or designee to sign and submit a complete application to LAFCO for the proposed Shields-Polk No. 1 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.

* * * * *

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 31st day of August, 2017, by the following vote:

AYES
NOES
ABSENT
ABSTAIN

Mayor Approval: _____, 2017
Mayor Approval/No Return: _____, 2017
Mayor Veto: _____, 2017
Council Override Vote: _____, 2017

YVONNE SPENCE, CMC
City Clerk

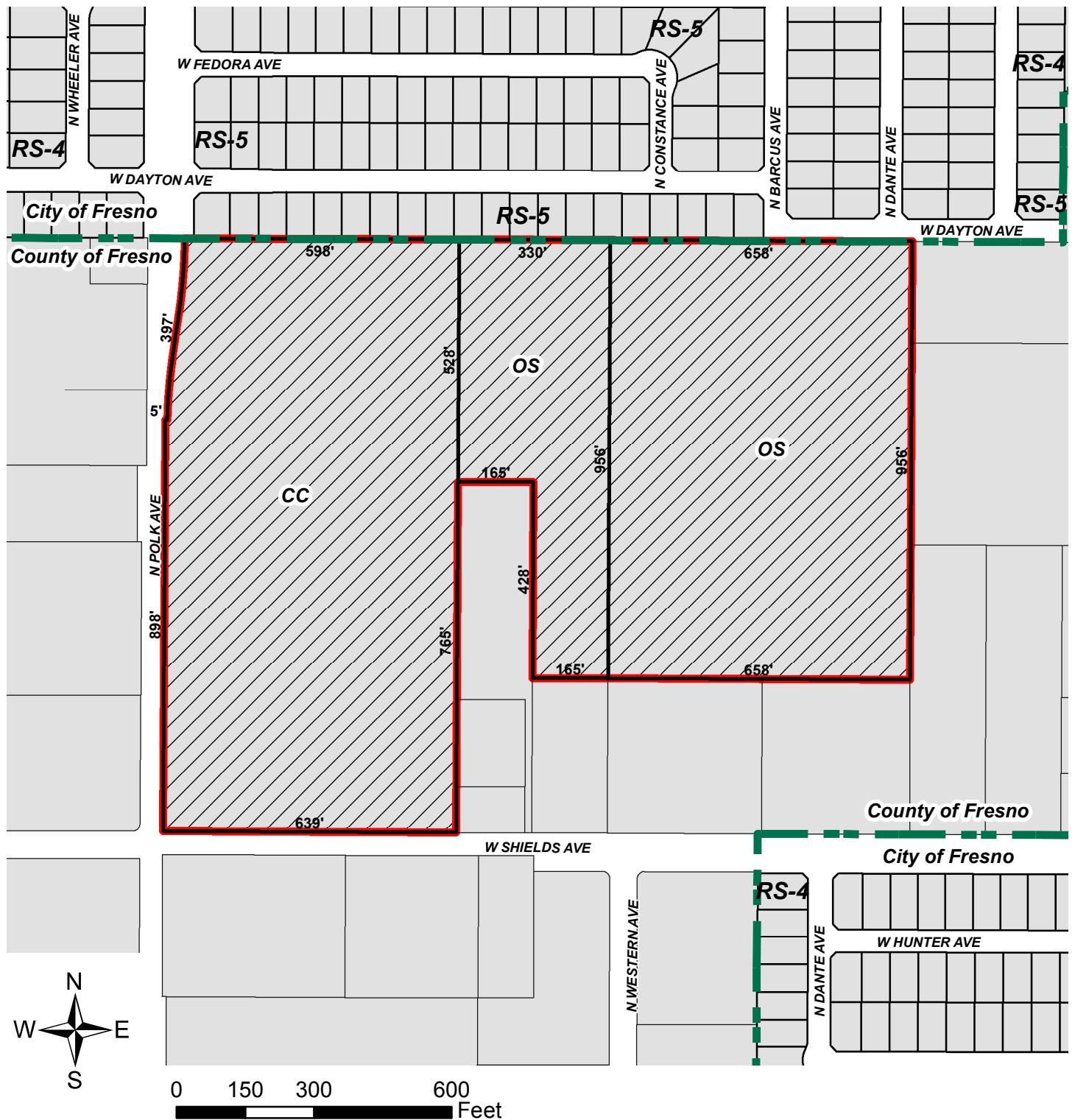
By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By _____
Mary Raterman-Dodge Date
Deputy City Attorney

Attachment: Exhibit A

EXHIBIT A



ANX-17-001, R-17-002

APN: 511-022-01,05ST, 09ST

3120 N Polk Ave., 5340, 5342, 5346, 5348 W Shields Ave.,

City Limits

Zoning: From RR (County) to CC/UGM, OS/UGM

Area to be Annexed to the City of Fresno 38.80 Acres