

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

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
FRESNO, CALIFORNIA, CONSIDERING MITIGATED  
NEGATIVE DECLARATION SCH NO. 2018031007 AND  
ADOPTING FINDINGS PURSUANT TO CEQA GUIDELINES  
SECTION 15162

WHEREAS, on October 26, 2018, Clovis Unified School District, as lead agency, adopted a Mitigated Negative Declaration for the Shields-Locan Elementary School Project, SCH No. 2018031007 (Shields-Locan Elementary MND); and

WHEREAS, the project description for the Shields-Locan Elementary MND includes approval of an extraterritorial service agreement between the Clovis Unified School District and the City of Fresno, in order to facilitate the City of Fresno's provision of sewer and water facilities to the school site; and

WHEREAS, California Environmental Quality Act (CEQA) Guidelines Section 15096 allows a Responsible Agency to consider a Mitigated Negative Declaration prepared by a Lead Agency for a project when the approval relates to a portion of the project assessed by the Lead Agency's MND; and

WHEREAS, pursuant to CEQA Guidelines Section 15096(f), prior to reaching a decision on a project, the Responsible Agency must consider the environmental effects of the project as shown in the Lead Agency's Mitigated Negative Declaration (MND), and shall also complete an analysis regarding the necessity of a subsequent MND pursuant to CEQA Guidelines Section 15162; and


WHEREAS, the City of Fresno is a Responsible Agency within the meaning of CEQA Guidelines Section 15381 for the Shields-Locan Elementary School Project.

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No. \_\_\_\_\_

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno, based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, as follows:

1. The Council finds in accordance with its own independent judgment that:
  - a. Approval of the Extraterritorial Water and Sewer Service and Offsite Infrastructure Agreement between Clovis Unified School District and the City of Fresno is a further discretionary approval of the Shields-Locan Elementary School Project, and approval of this agreement was assessed as part of the Shields-Locan Elementary MND;
  - b. None of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR or Mitigated Negative Declaration have occurred;
  - c. The Extraterritorial Water and Sewer Service and Offsite Infrastructure Agreement between Clovis Unified School District and the City of Fresno does not propose changes to the Shields-Locan Elementary School Project, and is instead an approval that implements a portion of that project;
  - d. There is no substantial evidence in the record that the Extraterritorial Water and Sewer Service and Offsite Infrastructure Agreement between Clovis Unified School District and the City of Fresno may have additional significant effects on the environment that were not identified in the Shields-Locan Elementary MND, and that all applicable mitigation measures of the prior MND have been applied to the project;

e. In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), Council finds that no substantial changes have occurred with respect to the circumstances under which the prior MND was adopted; and, that no new information, which was not known and could not have been known at the time that the prior MND, has become available. Accordingly, a subsequent EIR or MND is not required.

\* \* \* \* \*

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

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2024.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

TODD STERMER, CMC  
City Clerk

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

APPROVED AS TO FORM:  
ANDREW JANZ  
City Attorney

By: \_\_\_\_\_  
Jennifer M. Quintanilla Date  
Senior Deputy City Attorney