

AGENDA

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

JULY 17, 2013 - 1:30 p.m.

Board of Supervisors' Chamber - Hall of Records, Room 301, Fresno

COMMISSION MEMBERS

Robert Silva, Chairman
Armando Lopez, Chair Pro Tem
Henry Perea
Deborah A. Poochigian
Mario Santoyo

ALTERNATE MEMBERS

Public Member - Vacant
Phil Larson
Daniel Parra

LAFCo STAFF

David E. Fey, AICP, Executive Officer
Candie Fleming, Clerk to the Commission
Samantha Hendricks, LAFCo Technician II
Kenneth Price, LAFCo Counsel

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1. **Call to Order and Roll Call**
2. **Pledge of Allegiance**
3. **Consider Approval:** Minutes from the regular LAFCo Meeting of June 5, 2013.
4. **Potential Conflicts of Interest:** Any Commission Member who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter.
5. **Comments from the Public:** Any person wishing to address the Commission on a subject not listed on the agenda may do so at this time. (State your name and address and please keep your comments to three (3) minutes.)

CONSENT AGENDA

ALL CONSENT AGENDA ITEMS ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO INDIVIDUAL DISCUSSION OF THESE ITEMS UNLESS REQUESTED (PULLED) BY A MEMBER OF THE COMMISSION OR THE PUBLIC. ANY ITEM PULLED FROM THE CONSENT AGENDA FOR DISCUSSION WILL BE SET ASIDE UNTIL AFTER APPROVAL OF THE CONSENT AGENDA. PRIOR TO TAKING ANY ACTION THE PUBLIC WILL BE GIVEN THE OPPORTUNITY TO COMMENT ON ANY CONSENT ITEM. THE CONSENT AGENDA WILL BE CONSIDERED ON OR ABOUT 1:30 P.M.

6. **Consider Items**

- A. **Accept:** LAFCo Financial Statement for June, 2013
- B. **Approve:** Consider permitting the Executive Officer to chair the Fresno Council of Governments Regional Transportation Plan Roundtable's monthly meetings.
- C. **Approve:** Destruction of Fresno LAFCo Public Records.

- D. **Approve:** Request for a One-Year Extension to Complete Proceedings for the City of Fresno s “**Whitesbridge-Valentine Southwest Reorganization**” (**Seventh Request**). A reorganization submitted by Landowner Petition to annex approximately 115.32 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory generally located east of S. Brawley Avenue between W. Whitesbridge Road and W. Madison Avenue (**LAFCo File No. RO-06-20**).

Recommendation: Accept Financial Statement and Approve Items B, C, and D

CLOSED SESSION

7. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54957.9. Number of Cases: 1 (*In re City of Kingsburg "Guardian-SunMaid Reorganization"*)

PUBLIC HEARING

8. **Consider Approval:** City of Kingsburg “**Guardian-Sun Maid Reorganization**”. Proposed annexation of approximately 430 acres to the City of Kingsburg and the Selma-Kingsburg-Fowler County Sanitation District and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located south of east Mountain View Avenue, west of south Bethel Avenue, and east of State Route 99 (**LAFCo File No. RO-12-7**). (**Continued from April 10, 2013 and June 5, 2013 Meetings**)

Recommendation: Approve with Conditions

9. **Consider Approval:** City of Kerman, “**Kerman Annexation No. 12-01, Mid Valley Disposal**.” Proposed annexation of 28.36 acres to the City of Kerman and detachment from the Kings River Conservation District for territory located south of Church Avenue, north of Jensen Avenue, east of Del Norte Avenue, and west of Madera Avenue (**LAFCo File No. RO-13-3**) (**Continued from June 5, 2013**).

Recommendation: Approve with Conditions

10. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update prepared for the City of Huron.

Recommendations: Find the Municipal Service Review and Sphere of Influence Update to be Categorically Exempt from CEQA and is Complete and Satisfactory; Make Determinations and Adopt Municipal Service Review; Make Determinations and Update Sphere of Influence for the City of Huron.

11. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update prepared for the Biola Community Service District.

Recommendations: Continue to the August 7, 2013 Regular LAFCo Hearing.

OTHER MATTERS:

12. **Provide Direction:** Status Report on Calwa Recreation and Park District; Consider Organizational Options for Calwa Recreation and Park District.
13. Consider taking the following actions to facilitate the selection of an Alternate Public Member:
 - A. **Consider Revision:** Consider revising Section 520 (Selection of Public Member) of the Commission's Policies, Standards and Procedures.
 - B. **Provide Direction:** Direct staff to begin recruitment for Alternate Public Member and appoint subcommittee to make recommendations to the Commission.

Recommendations: Revise Policy and Direct Staff to Begin Recruitment for Alternate Public Member

14. **Consider Approval:** Authorize Chair to Sign Response to Grand Jury Report related to the Del Rey Community Services District.

15. **ADJOURNMENT**

THE NEXT LAFCO MEETING will be held on August 7, 2013, at 1:30 p.m. in the Board of Supervisors' Chamber - Hall of Records, Room 301, Fresno, California.

PLEASE NOTE:

(1) If you are an applicant for, or a participant in, any proceeding on the agenda for a **land use entitlement** and have made **campaign contributions** totaling more than \$250.00 to any member or alternative member of the Commission **within twelve (12) months prior to the Commission considering your application**, please immediately inform the Commission of your contribution. State law **disqualifies** each Commissioner and Alternative Commissioner from participating in and voting on land use entitlement decisions (which include changes of organization and reorganizations) if the Commissioner or Alternative Commissioner has received campaign contributions from (i) an applicant for a land use entitlement, (ii) someone who lobbies the Commission or LAFCo staff regarding an application for land use entitlement, (iii) someone who testifies in person before the Commission regarding an application for land use entitlement, or (iv) someone who otherwise acts to influence the outcome of an application for land use entitlement. State law also prohibits applicants and participants from making campaign contributions to a Commissioner or Alternate Commissioner within three (3) months **after** the Commission's action. If you have any questions regarding these requirements (which are contained in the **California Political Reform Act** Government Code Section 84308 *et seq.*) please feel free to contact LAFCo staff at (559) 600-0604.

(2) In compliance with the Americans with Disabilities Act (**ADA**), if you need special assistance to participate at this meeting, please contact Ms. Candie Fleming, Clerk to the Commission at 559-600-0604. Notification provided a minimum of 48 hours prior to the meeting will enable the Clerk to make reasonable arrangements to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically disabled.

(3) Staff reports prepared for each item listed in this agenda may be viewed at the Fresno LAFCo Website: www.fresnolaftco.org.