

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

MEETING MINUTES
DECEMBER 14, 2016

Members Present: Commissioners Brian Pacheco, Mario Santoyo, Robert Silva, and Henry Perea

Members Absent: Commissioner Daniel Parra

Staff Present: David E. Fey, AICP, LAFCo Executive Officer
Ken Price, LAFCo Counsel
George Uc, Senior LAFCo Analyst
Juan Lara, LAFCo Analyst
Amanda Graham, Office Assistant

1. Call to Order and Roll Call

Chair Pacheco called the meeting to order at 1:30 p.m.

2. Pledge of Allegiance

Chair Pacheco led the Pledge of Allegiance.

3. Comments from the Public

There were no comments from the public.

4. Potential Conflicts of Interest

There were no potential conflicts of interest announced

CONSENT AGENDA

- 5A. Minutes from the regular LAFCo meeting of November 9, 2016**
- 5B. City of Fresno Sphere of Influence**
- 5C. 2017 Commission Calendar with approved 2017 holidays**

Commissioner Perea made a motion to approve consent agenda items 5A through 5C, seconded by Commissioner Santoyo. The Commission approved the consent agenda items by a vote of 4-0-1-0.

REGULAR AGENDA ITEMS

- 6. Municipal Service Review and Sphere of Influence update for the North Central Fire Protection District.**

Ken Price LAFCo Counsel disclosed that his office also represents North Central Fire Protection District.

Senior Analyst George Uc presented staff's report and recommendations for Item 6. Uc recommended that the commission adopts the Municipal Service Review update prepared for North Central Fire Protection District.

There were no comments from the Commission.

There were no comments from the public.

Commissioner Silva made a motion to approve regular agenda item 6A, seconded by Commissioner Perea. The Commission approved the regular agenda item 6A by a vote of 4-0-1-0.

Commissioner Perea made a motion to approve regular agenda item 6B through 6D, seconded by Commissioner Santoyo. The Commission approved the regular agenda item 6B through 6D by a vote of 4-0-1-0.

7. Amendment of Fresno LAFCo Policy 107 to delete definitions of Municipal and Non-Municipal Local Agencies, and Municipal Service Review levels, and Policy 350 related to fees charged to process Municipal Service Reviews.

Senior Analyst George Uc presented staff's report and recommendations for Item 7. Uc recommended that the Commission approve amendments to the LAFCo Policy 107.

Executive Officer David Fey reported that staff was reviewing MSR fees and found them to be obsolete as they reference a payment of a filing fee by local agencies with budgets above or below \$750,000, and the MSRs are not 'filed' by the local agency. Staff recommends that the MSR fee be deleted. In addition, as staff was working through this section, staff also recommends amendment of the language regarding the use of subconsultants fees for sphere of influence updates. Staff recommends that the SOI "update" fees be deleted and the SOI revision fee section be updated for clarification.

Commissioner Silva questioned how long the policy for the MSRs prepared by the consultant under contract by the Commission has been in place?

Fey commented that he believes the policy has been in place since 2007, when the bulk of the MSRs were prepared by consultants.

Commissioner Silva also questioned whether the expenses have to be borne by the requesting agency? Fey stated that if the MSR is being performed using the MSR schedule, then there is no cost to the agency. But if the agency approaches LAFCo with a general update of its SOI, the Commission would then negotiate with the local agency to account for the expense of performing a MSR that is out-of-schedule. It could then be performed by consultants contracted under LAFCo in which case these expenses would be paid by the local agency which would present it to staff as a draft. Staff will then review the draft MSR and make any changes necessary prior to bringing it to the Commission.

Commissioner Silva asked if then the consultant is under contract or if there is a record of people on a list? Fey replied that staff hasn't used a short list in several years but if it got to that point staff would then issue a request for qualifications and make sure we have qualified consultants available to do the work provided.

Commissioner Perea made a motion to approve regular agenda item 7, seconded by Commissioner Silva. The Commission approved the regular agenda item 7 by a vote of 4-0-1-0.

8. Workshop: Mosquito Abatement Districts

Executive Officer David Fey presented staff slideshow that outlined an overview of the different Mosquito Abatement Districts.

Fresno Westside Mosquito Abatement District Manager Conlin Reis, Fresno Mosquito and Vector Control District Manager Tim Phillips, and Consolidated Mosquito Abatement District Manager Steve Mulligan, presented a coordinated outline about what the districts do, their funding, and what is being done to control disease outbreaks due to mosquitos.

The Commission engaged the district managers with questions during the presentation.

9. Water Policy Progress Report

Executive Officer David Fey presented staff's report and recommendation for Item 9.

Commissioner Silva commented that he thought staff did an excellent report. He was very pleased with the outcome and the questions that were being asked by the public during the listening session in November.

Commissioner Santoyo noted that he was a little disappointed in the listening session from the perspective that he expected the City of Fresno to be there to voice any comment. However, the importance of putting a policy together for water is key and if we take the time to do it right and work with the correct agencies to develop it, it could potentially work as a template for other LAFCOs throughout the State.

Chair Pacheco commented that Fresno may not have been there but we got its attention. He represents the County for the North Kings GSA and at the very first meeting right out the gate the Mayor herself brought that up as to what is LAFCo doing and how it's going to affect their future growth. So while they may not have been there, they know the meeting was held and how it could dramatically impact anything and everything they do.

Fey added that he has been asked to present the context of the water policy to that body in late January. The policy committee will have a chance to meet and talk before, even though the Commission won't have a policy in place we can give some direction and hear thoughts on the matter.

Commissioner Silva wondered whether we needed to respond to the letter sent by Malaga Water District or if we just leave as is? Fey answered that would be up to the committee in terms of any clarification or question and answer. Essentially the comments that have been provided should be considered by the committee as it starts to draft its report and its policy. So,

at this time it's not as if the committee or commission needs to respond but is information for both Malaga and from leadership council that the committee should take into consideration.

There were no further comments from the Commission.

There were no comments from the public.

OTHER MATTERS

10. Executive Officer Comments

Executive Officer Fey observed that the Commission has been provided with the November financial statement. Fey then introduced Amanda Graham as the new office assistant to Fresno LAFCo.

11. Commission Comments/ Reports

None.

12. Presentation of service award to Commissioner Henry Perea

Commissioner Perea was presented with a plaque by Chair Pacheco and the Commission and thanked for his service on Fresno LAFCo.

ADJOURNMENT

Chairman Pacheco adjourned the meeting at 2:29 pm.