

# AGENDA

## FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

June 5, 2013 - 1:30 p.m.

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

### COMMISSION MEMBERS

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

### ALTERNATE MEMBERS

Richard Braun  
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. **Selection for the Chair and Vice Chair**
4. **Consider Approval:** Minutes from the regular LAFCo Meetings of May 1, 2013.
5. **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.
6. **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.

7. **Consider Items**
  - A. **Accept** LAFCO Financial Statement for May, 2013
  - B. **Approve** One-Year Extension for the City of Reedley “Manning-Zumwalt Reorganization - Annexation No. 2008-1” (**LAFCo File No. RO-10-1**) (**Third Request**).

- C. **Approve** the 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**).

**Recommendation: Approve and Take Actions per Staff’s Recommendation**

**PUBLIC HEARING**

8. **Consider Acceptance:** Audit Report Covering the 2011-2012 Fiscal Year

**Recommendation: Accept**

9. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update prepared for the Fresno County Fire Protection District.

**Recommendations: Continue to August 7, 2013 Hearing**

10. **Consider Amendment:** Consider amending the Commission’s Policies, Standards, and Procedures Section 102-04 (Fire Transition Policy) concerning “transition agreements” between fire protection districts and cities.

**Recommendation: Continue to August 7, 2013 Hearing**

11. **Consider Adopting:** Consider new policy requiring LAFCo to hold an annual workshop with Fresno County cities and the special districts to consider probable municipal growth for the coming year.

**Recommendation: Continue to a Date Uncertain**

**OTHER MATTERS**

12. Update on the City of Kingsburg’s “Guardian-Sun Maid Reorganization” (**LAFCo File No. RO-12-7**).

13. Update on Issues Related to the Calwa Park and Recreation District.

14. **Authorize Appointment:** Appoint voting delegate and alternate to vote for Board of Directors at the 2013 Annual CALAFCO Conference to be held August 28<sup>th</sup> through August 30<sup>th</sup> at the Squaw Creek Resort in Lake Tahoe.

**Recommendation: Appoint Delegate**

15. **CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Paragraph (1) of subdivision (d) of Gov. Code Section 54956.9

***Name of Case: City of Fresno v. Fresno County Local Agency Formation Commission (CASE NO. 13CECG00392).***

## 16. ADJOURNMENT

**THE NEXT LAFCO MEETING** will be held on July 17, 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.fresnolafco.org](http://www.fresnolafco.org)**.