

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

MEETING MINUTES

May 11, 2022

**Members Present:** Commissioners Brandau, Magsig, Santoyo

**Members Absent:** Commissioners Parra, Yep

**Staff Present:** David E. Fey, LAFCo Executive Officer  
Amanda Olivas, Clerk to the Commission  
Amanda Castro, LAFCo Analyst  
Kaylie Griffin, LAFCo Intern  
Jessica Gibson, LAFCo Intern  
Kenneth Price, LAFCo Counsel

**1. Call to Order and Roll Call**

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

**2. Pledge of Allegiance**

Chair Brandau lead the Pledge of Allegiance.

**3. Transition of Chair Pro Tempore to Chair Pursuant to LAFCo Policy 502.**

At this time, Chair Pro Tem Santoyo took over the meeting as Chair.

**4. Consider Appointment of new Chair Pro Tempore from City or County Commission Members to serve until May 2023, in accordance with the LAFCo Policies 502 and 503.**

Chair Santoyo introduced this item and noted that there was not a full commission present.

There were no comments from the Commission.

There were no comments from the public.

Commissioner Brandau made a motion to continue hearing on June 8, 2022, seconded by Commissioner Magsig. The Commission approved the motion by a vote of 3-0-2-0.

**5. Comments from the Public**

There were no comments from the public.

**12. CLOSED SESSION**

**Public Employee Employment Agreement  
Title: Executive Officer**

Chair Santoyo reported that there was no action to report out of closed session.

**13. Consideration of Executive Officer Employment Agreement.**

LAFCo Legal Counsel Ken Price presented that upon hearing of Executive Officer Fey's plans to retire, staff embarked on a search for a new executive officer which later included an agreement with Sierra HR to assist with that process. During that process the Commission interviewed several candidates, one being Mr. Spaunhurst. Negotiations between a commission subcommittee and Mr. Spaunhurst have taken place and the parties have agreed on compensation and benefits including an evaluation after the first six months of service at which time compensation may be adjusted at the Commission's discretion. The subcommittee recommended that the Commission move forward with Mr. Spaunhurst's employment agreement and finalize it with a vote.

Mr. Spaunhurst introduced himself to the Commission and stated he is currently working with the County in Public Works and Planning. He expressed enthusiasm for continued public service at LAFCo.

Commissioner Brandau noted upcoming projects, budget updates, and policy workshop that Mr. Spaunhurst will lead.

There were no comments from the public.

Commissioner Brandau made a motion to approve item 13, seconded by Commissioner Magsig. The Commission approved the motion by a vote of 3-0-2-0.

**6. Potential Conflicts of Interest**

There were no conflicts of interest.

**CONSENT AGENDA**

**7-A. Consider Approval: Minutes from the LAFCo meeting of April 13, 2022.**

Commissioner Brandau made motion to approve the consent agenda, seconded by Commissioner Magsig. The Commission approved the motion by a vote of 3-0-2-0.

**REGULAR AGENDA ITEMS**

**8. Workshop: Proposed Budget and Work Plan for Fiscal Year 2022-23**

Commissioner Magsig suggested budgeting for accrued liabilities, specifically PTO, for the ability to fully compensate employees upon leaving. The amount remaining in reserve was questioned.

Executive Officer Fey clarified that LAFCo has expended \$20,000 in personnel expenses and has approximately \$120,000 in reserve. Also noted, leave accrued but not expended is tracked as a liability. Upon recommendation from the Commission, LAFCo would manage time accrued, reserving the forecasted amount in a separate account.

Commissioner Magsig restated the importance for financial assets to have the ability to cover liabilities. Executive Officer Fey was open to methods utilized by the County Auditor's Office regarding an analog.

Commissioner Magsig recommended Oscar Garcia from the Auditor's Office and inquired about accounting services for a review of financials. Executive Officer Fey stated a financial audit is scheduled biennially. Recent turnover in accounting services led to the return of the former bookkeeper on a consulting basis, however, Fey was open to the Commission for suggestions.

Commissioner Magsig suggested an email follow up addressing whether the County Auditor's Office can perform a cursory review and provide feedback with recommendations. Executive Officer Fey concluded with the change in executive leadership, a systematic audit would be beneficial for the Commission and for the new Executive Officer, Mr. Spaunhurst.

There were no other comments from the Commission.

There were no comments from the public.

This is a receive and file item, no action is needed.

**9. Workshop: Policy Manual Update**

This item will be addressed in the June 8, 2022, hearing.

**10. Executive Officer Comments**

Executive Officer Fey declared it has been a privilege to serve the Commission.

**11. Commission Comments/Reports**

No comments to report.

**14. Adjournment**

Commissioner Magsig made motion to adjourn, seconded by Commissioner Brandau. The Commission approved the motion by a vote of 3-0-2-0.