

A G E N D A

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

November 4, 2009 - 1:30 p.m.

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

COMMISSION MEMBERS

Victor Lopez, Chairman
Susan Anderson, Chair Pro Tem
Larry Fortune
Henry Perea
Trinidad Rodriguez

ALTERNATE MEMBERS

Joe J. Chaidez, CPA
Phil Larson
Dennis Lujan

LAFCO STAFF

Rick Ballantyne, 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 October 7, 2009.**
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. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:
(Number of Potential Cases: 1)

PUBLIC HEARING

6. **Consider Approval: Request for a One-Year Extension to Complete Proceedings for the City of Kingsburg “Kamm-Academy Southwest Reorganization”.** A reorganization consisting of the annexation of approximately 30.97 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 at the southwest corner of E. Kamm and S. Academy Avenues (LAFCo File No. RO-06-33).

Recommendation: Approve One-Year Extension

7. **Consider Approval: Request for a One-Year Extension to Complete Proceedings for the Caruthers Community Services District “North of Clemenceau-East of Marks Annexation”.** An annexation of approximately 25 acres to the Caruthers Community Services District for territory located north of Clemenceau Avenue, east of Marks Avenue, south of Caruthers Avenue, and west of Kincaid Avenue (LAFCo File No. AD-06-2).

Recommendation: Approve One-Year Extension

8. **Consider Approval: City of Orange Cove “Jacobs-South Reorganization (Del Rey Villas, LLC.)”**. A proposed reorganization consisting of the annexation of 79.8 acres to the City of Orange Cove and detachment from the Orange Cove Irrigation District for territory located at the southwest corner of S. Jacobs and E. South Avenues (**LAFCo File No. RO-09-3**).

Recommendation: Make Findings and Approve With Conditions

9. **Consider Approval: City of Parlier “City of Parlier Reorganization No. 06-02”**. A proposed reorganization to annex 28.36 acres to the City of Parlier and detach from the Fresno County Fire Protection District, the Kings River Conservation District and the Consolidated Irrigation District for territory located on the north side of E. Parlier Avenue and west of the Avila Avenue alignment (**LAFCo File No. RO-08-5**).

Recommendation: Continue this Item to the Commission’s January Meeting to Allow the City and CID to Resolve Outstanding Issues Related to Impacts to Groundwater

OTHER ITEMS:

10. **Consider Authorization to Enter into Amended and Restated Professional Services Agreement with the County of Fresno.**

Recommendation: Authorize Chair and Executive Officer to Execute Amended and Restated Professional Services Agreement.

11. **Retirement Options for Future LAFCo Employees (Continued from October 7, 2009).**

Recommendation: Select Retirement Plan Option for New Employees.

12. **Consider Adoption of Calendar Year 2010 LAFCo Hearing Schedule.**

Recommendation: Adopt 2010 Hearing Schedule.

13. **Executive Officer Report on CALAFCO State Conference at Yosemite**

Recommendation: Informational Item/Provide Staff Direction.

CLOSED SESSION

14. A. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.**

Subdivision (a) of Section 54956.9: *City of Fresno v. Fresno Local Agency Formation Commission*

- B. **PUBLIC EMPLOYMENT**

Title: Executive Officer

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 5 minutes.)

ADJOURNMENT

THE NEXT LAFCO MEETING will be held on December 2, 2009, 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) 495-0604.

(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 559-495-0604. 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.