

# AGENDA

## FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

November 5, 2008, - 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  
Sandra Neri

### LAFCO STAFF

Rick Ballantyne, Executive Officer  
Darrel Schmidt, Deputy Executive Officer  
Candie Fleming, Clerk to the Commission  
Samantha Hendricks, LAFCo Technician  
Susan Pool, Office Assistant 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 8, 2008.
4. Potential Conflicts of Interest: Any Commission Member who has a potential conflict of interest may now identify the item and recues themselves from discussing and voting on the matter.

### PUBLIC HEARINGS

5. Consider Approval: Request for a One-Year Extension to Complete Proceedings for the following:
  - A. **City of Reedley “Frankwood-Floral Reorganization, Annexation #2004-6”**. The reorganization was approved on December 7, 2005. The reorganization consists of the annexation of approximately 54.36 acres to the City of Reedley and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located at the northeast corner of Frankwood and Floral Avenues (**LAFCo File No. RO-05-32**).
  - B. **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**).

- C. **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**).
- D. **City of Sanger “Annexation No. 06-03 – Greenwood Estates”**. A proposed reorganization to annex 29.69 acres to the City of Sanger and detach 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. North and S. Greenwood Avenues (**LAFCo File No. RO-07-22**).

**Recommendation: Approve One-Year Extension**

- 6. **Conducting Authority Proceedings: City of Fresno “McKinley-Hayes No. 3 Reorganization”**. A proposed reorganization to annex 318 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory generally bounded by N. Grantland Avenue on the west; N. Polk Avenue on the east; W. Olive Avenue on the south; and W. McKinley Avenue on the north. This proposal also includes territory located at the northwest corner of W. McKinley and N. Polk Avenues (**LAFCo File No. RO-08-10**).

**Recommendation: Direct the Executive Officer to Determine the Value of Valid Protests Received and Not Withdrawn and Report these Results to the Commission Within the Time Prescribed by State Law.**

- 7. **Conducting Authority Proceedings: City of Fresno “McKinley-Brawley No. 5 Reorganization”**. A proposed reorganization submitted by Landowner Petition to annex 41.89 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located near the northwest corner of McKinley and Brawley Avenues (**LAFCo File No. RO-08-11**).

**Recommendation: Direct the Executive Officer to Determine the Value of Valid Protests Received and Not Withdrawn and Report these Results to the Commission Within the Time Prescribed by State Law.**

**OTHER ITEMS:**

- 8. **Consider Adoption – Calendar Year 2009 LAFCo Hearing Schedule.**

**Recommendation: Adopt 2009 Hearing Schedule.**

- 9. **Local Housing Element Challenges:** Identified Conflicts Existing Between LAFCO Adopted Policies and LAFCO Law and Mandated State Department of Housing and Community Development Housing Element Requirements for Cities and Counties.

**Recommendation: Authorize Chair to Sign Letter Expressing Concern and Identifying Statute and Policy Conflicts to Department of Housing and Community Development.**

## **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 3, 2008, 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, please consult with Commission staff at (559) 495-0604, which are contained in the **California Political Reform Act** (Government Code Section 84308 *et seq.*).

**(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 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).