

AGENDA

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

November 7, 2007, - 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
Phil Larson
Trinidad Rodriguez

ALTERNATE MEMBERS

Judy Case
Joe J. Chaidez, CPA
Sandra Neri

LAFCO STAFF

Rick Ballantyne, AICP, Executive Officer
Darrel Schmidt, Deputy Executive Officer
Candie Fleming, Clerk to the Commission
Samantha Hendricks, LAFCo Technician
Susan Pool, Office Assistant II
Kenneth Price, BMJ, LAFCo Counsel

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA – 93721 - (559) 495-0604 - FAX (559) 495-0655

1. **Call to Order and Roll Call.**
2. **Pledge of Allegiance.**
3. **Consider Approval: Minutes from the regular LAFCo Meeting of October 10, 2007.**
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.**

CONSENT AGENDA

ALL CONSENT AGENDA ITEMS ARE CONSIDERED TO BE ROUTINE 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 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.

5. **Consider Approval: Request for a One-Year Extension to Complete Proceedings.**
 - A. **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**).
 - B. **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 Extensions.

6. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for County Service Area No. 39 (Water Service).

Recommendations: Find the Municipal Service Review and Sphere of Influence Update to be Categorical Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Review; Make Determinations and Update Sphere of Influence for County Service Area No. 39.

7. **Consider and Adopt:** Municipal Service Reviews and Sphere of Influence Updates for County Service Area No's. 18 and 19 (Street Lighting Service).

Recommendations: Find the Municipal Service Reviews and Sphere of Influence Updates to be Categorical Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Reviews; Make Determinations and Update Spheres of Influence for County Service Area No's. 18 and 19.

8. **Consider and Adopt:** Municipal Service Reviews and Sphere of Influence Updates for County Service Area No's. 7, 10, 14, 33, and 47 (Multiple Services Provided).

Recommendations: Find the Municipal Service Reviews and Sphere of Influence Updates to be Categorical Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Reviews; Make Determinations and Update Spheres of Influence for County Service Area No's. 7, 10, 14, 33, and 47.

9. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for County Service Area No. 2 (Park Maintenance Service).

Recommendations: Find the Municipal Service Review and Sphere of Influence Update to be Categorical Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Review; Make Determinations and Update Sphere of Influence for County Service Area No. 2.

10. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for the Farmers Water District.

Recommendations: Find the Municipal Service Review and Sphere of Influence Update to be Categorical Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Review; Make Determinations and Update Sphere of Influence for the Farmers Water District.

PUBLIC HEARINGS

11. **Consider Approval:** City of Sanger "Annexation 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: Continue to January 9, 2008 (or other approved calendar date).

12. **Consider Approval:** City of Sanger “California-Academy Northwest Reorganization.” A. proposed reorganization to annex 100.53 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 northeast corner of S. Fairbanks and E. California Avenues (**LAFCo File No. RO-07-21**).

Recommendation: Continue to January 9, 2008 (or other approved calendar date).

13. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for County Service Area No. 31 (Multiple Services Provided).

Recommendations: Find the Municipal Service Review and Sphere of Influence Update to be Categorical Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Review; Make Determinations and Update Sphere of Influence for County Service Area No. 31.

14. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for the Sierra Cedars Community Service District.

Recommendations: Find the Municipal Service Review and Sphere of Influence Update to be Categorical Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Review; Make Determinations and Update Sphere of Influence for the Sierra Cedars Community Service District.

15. **Consider and Adopt:** Municipal Service Reviews and Sphere of Influence Updates for County Waterworks District No’s. 41S and 41W.

Recommendations: Find the Municipal Service Reviews and Sphere of Influence Updates to be Categorical Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Reviews; Make Determinations and Update Spheres of Influence for County Waterworks District No’s. 41S and 41W.

16. **Consider Adoption** – Calendar Year 2008 LAFCo Hearing Schedule.

Recommendation: Adopt 2008 Hearing Schedule.

OTHER ITEMS:

17. **Public Presentation:**

“Fresno Island Annexation Program” Progress Report – Bruce Barnes, Fresno City Planning & Development Department.

18. **LAFCo Counsel’s Reports:**

A. **Presentation:** LAFCo’s Legal Authority to Adopt Agricultural and Open Space Mitigation Policies.

B. **Presentation:** Update Regarding LAFCo Efforts to Facilitate a Resolution of Dispute Between Consolidated Irrigation District and Cities of Fowler, Kingsburg, Parlier, Sanger, and Selma.

- C. **Consider Adoption – A.B. 745 Policy Requiring the Disclosure of Contributions and Expenditures Made for the Purposes of Affecting or Influencing Petitions for Changes of Organization and Protest Hearings.**

Recommendation: Adopt Policy.

19. **Deputy Executive Officer's Report: Municipal Service Review (MSR) and Sphere of Influence (SOI) Update Program Report.**

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 5, 2007, 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 a **campaign contribution** of more than \$250 to or for any of the Commission members or alternate Commission members within 12 months prior to the Commission hearing, State law disqualifies such members from participating and voting in such a proceeding. State law also prohibits applicants and participants from making such campaign contributions, depending on their timing and circumstances. All of these restrictions also apply to agents of applicants or participants. Please consult with Commission staff at (559) 495-0604 as to the requirements of the **Political Reform Act** (Government Code Section 84308); **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.fresnolaftco.org