

AGENDA

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

December 13, 2006 - 1:30 p.m.

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

COMMISSION MEMBERS

Bob Waterston, Chairman
Victor Lopez, Chair Pro Tem
Susan Anderson
Larry Fortune
Trinidad Rodriguez

ALTERNATE MEMBERS

Joe J. Chaidez, CPA
Phil Larson
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
Kenneth Price/Douglas Jensen, 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. **Consider Approval: Minutes from the regular LAFCo meeting of November 15, 2006.**

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.

3. **Consider Approval: City of Clovis “Nees-Sunnyside Southeast Reorganization”.** A proposed reorganization to annex approximately 11.64 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory generally located south of E. Nees Avenue and east of N. Sunnyside Avenue (**LAFCo File No. RO-06-38**).

Recommendation: Approve with Conditions

PUBLIC HEARINGS

Closed Session:

Conference With Special Legal Counsel—Anticipated Litigation Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9 (One Potential Case).

4. **Consider Approval: City of Orange Cove “Jacobs-Benjamin Reorganization”.** A proposed reorganization to annex approximately 17.4 acres to the City of Orange Cove and detach from the Orange Cove Irrigation District for territory located at the northeast corner of Jacobs and Benjamin Avenues (**LAFCo File No. RO-06-39**).

Recommendation: Approve with Conditions

5. **Conducting Authority Proceedings: City of Fresno “Dakota-Polk No. 4 Reorganization”.** A proposed reorganization to annex approximately 36.91 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory generally located both east and west of N. Polk Avenue between W. Ashlan and W. Dakota Avenues (**LAFCo File No. RO-06-30**).

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.

6. **Conducting Authority Proceedings: City of Fresno “McKinley-Hayes No. 2F Reorganization”.** A proposed reorganization to annex approximately 25.60 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located on the east side of N. Hayes Avenue between W. McKinley and W. Olive Avenues (**LAFCo File No. RO-06-31**).

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 “Kings Canyon-Minnewawa No. 3 Reorganization”.** A proposed reorganization to annex approximately 19.07 acres to the City of Fresno and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located at the southwest corner of E. Kings Canyon Road and S. Minnewawa Avenue (**LAFCo File No. RO-06-27**).

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.

8. **Consider Approval: City of Fowler “Temperance Avenue Right-of-Way Annexation”.** A proposed reorganization consisting of the annexation of approximately 1.8 acres to the City of Fowler 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 within the easterly portion of S. Temperance Avenue between E. Clayton and E. Adams Avenues (**LAFCo File No. RO-06-35**).

Recommendation: Continue to January 10, 2007

9. **Consider Approval: City of Sanger “Indianola-Ninth No. 1 Reorganization”.** A Proposed reorganization consisting of the annexation of approximately 39.69 acres to the City of Sanger and detachment from the Fresno County Fire Protection District, the Kings River Conservation District and the Consolidated Irrigation District for territory generally located at the southeast corner of E. Jensen Avenue and the S. Indianola Avenue Extension (**LAFCo File No. RO-06-36**). (**Continued Item from November 15, 2006**)

Recommendation: Direct Staff to Remove Reorganization from Commission Agenda.

10. **Consider Approval: City of Sanger “Reorganization No. 05-05” (Church-Quality Southeast).** A proposed reorganization consisting of the annexation of approximately 23 acres to the City of Sanger and detachment from the Fresno County Fire Protection District, the Kings River Conservation District and the Consolidated Irrigation District for territory generally located at the southeast corner of Church and Quality Avenues (**LAFCo File No. RO-06-37**). (**Continued Item from November 15, 2006**)

Recommendation: Direct Staff to Remove Reorganization from Commission Agenda.

OTHER ITEMS:

11. **LAFCo Counsel’s Report(s)**

12. **Executive Officer’s Report(s)**

- A. **Selection of Consultant for Municipal Service Review Contract(s)**

Recommendation: Approve Municipal Service Review Subcommittee Recommendations and authorize the Executive Officer to enter into contract(s) for services in accordance with the approved proposal(s).

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 January 10, 2007 at 1:30 p.m. in the Board of Supervisors' Chamber - Hall of Records, Room 301, Fresno, California

Please Note: 1) Note: 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.