

# AGENDA

## FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

December 2, 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 November 4, 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. **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.)

### CONSENT AGENDA

6. **Consider Approval: Fresno LAFCo Transitional Audit Proposal.** The Commission directed the Fresno County Auditor/Controller's Office to prepare a Transitional Audit covering the last 18-month period. The Auditor's Office has prepared an Agreed-Upon Engagement Letter for the Commission's consideration.

**Recommendation: Approve Fresno County Auditor/Controller Engagement Letter**

### PUBLIC HEARING

7. **Consider Approval: Request for a One-Year Extension to Complete Proceedings for the 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**).

**Recommendation: Approve One-Year Extension**

8. **Consider Approval: City of Clovis “Nees-Sunnyside Southeast Reorganization”**. The reorganization was approved on December 13, 2006. The reorganization consists of the annexation of approximately 11.64 acres to the City of Clovis and detachment 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 One-Year Extension**

9. **Consider Approval: City of Orange Cove “Jacobs-Benjamin Reorganization”**. The reorganization was approved on December 13, 2006. The reorganization consists of the annexation of approximately 17.4 acres to the City of Orange Cove and detachment 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 One-Year Extension**

### **CLOSED SESSION**

10. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.**  
Subdivision (a) of Section 54956.9: *City of Fresno v. Fresno Local Agency Formation Commission*

### **OTHER ITEMS**

11. **LAFCo Independence: Information Concerning LAFCo Independence.**  
**Recommendation: Information Item/Provide Staff Direction**
12. **Consider Execution of Agreement For LAFCo's Participation in the Fresno County Employee Retirement System (FCERA).**  
**Recommendation: Authorize Chair to Execute Agreement**
13. **Consider Fresno LAFCo Participation In CALPERS Health Insurance Program.**  
**Recommendation: Approve Resolution Supporting LAFCo Participation**
14. **Retirement Ceremony for Rick Ballantyne, Fresno LAFCo Executive Officer.**
15. **Retirement Reception for Rick Ballantyne, Fresno LAFCo Executive Officer at the Downtown Club, 2120 Kern Street, Fresno.**

### **ADJOURNMENT**

**THE NEXT REGULAR LAFCO MEETING** will be held on January 13, 2010, 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](http://www.fresnolaftco.org).