

REVISED **AGENDA**

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

December 5, 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, Executive Officer
Darrel Schmidt, Deputy Executive Officer
Candie Fleming, Clerk to the Commission
Samantha Hendricks, LAFCo Technician
Susan Pool, Office Assistant II
Kenneth Price/Douglas Jensen, BMJ, LAFCo Counsel

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1. **Call to Order, Roll Call, and Pledge of Allegiance**
2. **Fresno LAFCo Service Award to Commissioner Bob Waterston**
3. **Consider Approval: Minutes from the regular LAFCo Meeting of November 7, 2007.**
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.**

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. **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. **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**).

- C. **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 Extensions

6. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for the Farmers Water District. (Continued from November 7, 2007 Hearing)

Recommendations: Find the Municipal Service Review and Sphere of Influence Update to be Categorically 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.

7. **Consider and Adopt:** Municipal Service Reviews and Sphere of Influence Updates for County Service Area No’s. 5, 23, and 38 (Water Service).

Recommendations: Find the Municipal Service Reviews and Sphere of Influence Updates to be Categorically 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. 5, 23, and 38.

8. **Consider and Adopt:** Municipal Service Reviews and Sphere of Influence Updates for County Service Area No’s. 1, 30, 32, 34, 43, and 44 (Multiple Services); Municipal Service Review for County Service Area No. 49 (Multiple Services).

Recommendations: Find the Municipal Service Reviews and Sphere of Influence Updates to be Categorically 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. 1, 30, 32, 34, 43, and 44; Find the Municipal Service Review to be Categorically Exempt from CEQA and Complete and Satisfactory; Make Determinations and Adopt Municipal Service Review; and Direct Staff to Set a Public Hearing to Adopt a Sphere of Influence for County Service Area No. 49 as Required by State Law.

9. **Consider and Adopt:** Municipal Service Review for County Service Area No 50 (Specialty Services).

Recommendations: Find the Municipal Service Review to be Categorically Exempt from CEQA and Complete and Satisfactory; Make Determinations and Adopt the Municipal Service Review; and Direct Staff to Set a Public Hearing to Adopt a Sphere of Influence for County Service Area No. 50 as Required by State Law.

10. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for the Calwa Recreation and Park District.

Recommendations: Find the Municipal Service Review and Sphere of Influence Update to be Categorically Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Review; Make Determinations and Update

Sphere of Influence for the Calwa Recreation and Park District.

11. **Consider and Adopt:** Municipal Service Reviews and Sphere of Influence Updates for the Panoche and Silver Creek Drainage Districts.

Recommendations: Find the Municipal Service Reviews and Sphere of Influence Updates to be Categorically Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Reviews; Make Determinations and Update Spheres of Influence for the Panoche and Silver Creek Drainage Districts.

12. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for the Zalda Reclamation District No. 801.

Recommendations: Find the Municipal Service Review and Sphere of Influence Update to be Categorically Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Review; Make Determinations and Update Sphere of Influence for the Zalda Reclamation District No. 801.

13. **Consider and Adopt:** Municipal Service Reviews and Sphere of Influence Updates for Firebaugh Canal, Mercy Springs, Ora Loma, and Pleasant Valley Water Districts.

Recommendations: Find the Municipal Service Reviews and Sphere of Influence Updates to be Categorically Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Reviews; Make Determinations and Update Spheres of Influence for Firebaugh Canal, Mercy Springs, Ora Loma, and Pleasant Valley Water Districts.

14. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for Freewater County Water District.

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

15. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for Lanare Community Service District.

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

16. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for Orange Cove Police Protection District.

Recommendations: Find the Municipal Service Review and Sphere of Influence Update to be Categorically Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Review; Make Determinations and Update Sphere of Influence for Orange Cove Police Protection District.

PUBLIC HEARINGS

17. **Conducting Authority Proceedings: City of Clovis “Bullard-DeWolf Southwest Reorganization”**. A reorganization to annex 41.82 acres to the City of Clovis and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located at the southwest corner of E. Bullard and N. DeWolf Avenues (**LAFCo File No. RO-07-11**).

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:

18. **LAFCo Counsel’s Reports:**

- A. **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, Reorganizations, and Protest Hearings.**

Recommendation: Adopt Policy.

- B. **Presentation & Consider and Adopt:**

- (1) **Update Regarding LAFCo Efforts to Facilitate a Resolution of Dispute Between Consolidated Irrigation District and Cities of Fowler, Kingsburg, Parlier, Sanger, and Selma. Consider Letter to Participants Regarding Establishing a Process to Address Interim Annexation Applications and Other Matters.**

Recommendation: Approve Letter.

- (2) **Amendment to LAFCo Policies, Standards, and Procedures to Require that each Local Agency Service Plan Submitted to LAFCo Pursuant to Government Code Section 56653 Contain Mitigation of Urban Impacts on Rural Infrastructure.**

Recommendation: Adopt Amendment to Policy.

- 19 **Presentation: “San Joaquin Valley Regional Blueprint Update” – Barbara Steck, Council of Fresno County Governments.**

- 20 **Consider and Adopt: Consider Requesting Merced County to Serve as Implementing Agency for a Boundary Exchange between Fresno and Merced Counties.**

Recommendation: Approve Request.

21. **Annual Review: Staff Will Provide a Review of Agency Accomplishments During this Last Year.**

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 9, 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 a **campaign contribution** of more than \$250 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.