

AGENDA

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

February 9, 2011 - 1:30 p.m.

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

COMMISSION MEMBERS

Chairman
Susan Anderson, Chair Pro Tem
Larry Fortune
Henry Perea
Armondo Lopez
Robert Silva

ALTERNATE MEMBERS

Joe J. Chaidez, CPA
Debbie Poochigian
Dennis Lujan

LAFCO STAFF

Jeff Witte, 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. **Introduction of New Commission Members**
4. **Select Chairman** (Continued from January 12, 2011)
5. **Consider Approval: Minutes from the regular LAFCo Meeting of January 12, 2011.**
6. **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.**
7. **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

8. **Consider Acceptance: LAFCO Financial Statement for January, 2011**
Recommendation: Accept Financial Statement
9. **Consider Approval: Request for One-Year Extensions to Complete Proceedings for the following:**
 - A. **City of Fresno “McKinley-Blythe No. 1 Reorganization” (third request). A proposed reorganization consisting of the annexation of 40.89 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District for territory located at the northeast corner of W. McKinley and N. Blythe Avenues. The reorganization was approved on March 5, 2008, and this is the third request for a one-year extension (**LAFCo File No. RO-08-2**).**

- B. City of Reedley “Reed-Beechwood Reorganization, Annexation 2005-1” (fourth request).** A reorganization consisting of the annexation of 94.4 acres to the City of Reedley and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located west of Reed Avenue and both north and south of the Beechwood Avenue Alignment. The reorganization was approved on March 14, 2007, and this is the fourth request for a one-year extension (**LAFCo File No. RO-07-6**).

Recommendation: Approve One-Year Extension

CLOSED SESSION

10. CONFERENCE WITH LEGAL COUNSEL:

- (A) ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: Number of Cases – 1.
- (B) EXISTING LITIGATION.** Subdivision (a) of Section 54956.9: *City of Fresno v. Fresno Local Agency Formation Commission*

PUBLIC HEARING

- 11. Consider Approval: Request by the Fresno County Board of Supervisors for the Commission to Reconsider its actions on the City of Fresno “Belmont-Sunnyside No. 3 Reorganization (Island Annexation)”.** (If LAFCo grants reconsideration) A proposed reorganization to annex 94 acres to the City of Fresno and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and County Service Area No. 7 for territory generally located at the southwest corner of E. Belmont and N. Sunnyside Avenues (**LAFCo File No. RO-08-14**). (Continued from January 12, 2011.)

Recommendation: Deny

- 12. Consider Approval: Request by the Executive Officer to Waive a Portion of the Filing Fee and Waive Government Code Section 56884(1) to allow for the Re-submittal of the “City of Parlier 06-02 Reorganization”.** A request to waive filing fees for an annexation to the City of Parlier that was previously denied because of issues with detachment from the Consolidated Irrigation District that has since been resolved.

Recommendation: Waive Requirement to Wait One-Year Before Resubmitting Proposal and Reduce Filing Fee to \$3,000

- 13. Consider Approval: City of Clovis, “Ashlan-Leonard Southeast Reorganization”.** A proposed reorganization consisting of the annexation of 19.45 acres to the City of Clovis and detachment from the Fresno County Fire Protection District and Kings River Conservation District for territory located at the southeast corner of Ashlan and Leonard Avenues (**LAFCo File No. RO-10-5**).

Recommendation: Approve with Conditions

14. **Consider and Adopt: Municipal Service Review and Sphere of Influence Update for Waterworks District No.'s 18, 37, 38, 40, 41 and 42.**

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 Waterworks District No.'s 18, 37, 38, 40, 41 and 42.

EXECUTIVE OFFICER REPORT

15. **Mid-Year Financial Report**

Recommendation: Receive and File the 2010-2011, Mid-Year Budget; Establish Interest Earning Account.

ADJOURNMENT

THE NEXT LAFCO MEETING will be held on March 16, 2011, 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.fresnolafco.org.