

AGENDA

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

March 5, 2008, - 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
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 and Roll Call
2. Pledge of Allegiance
3. Consider Approval: Minutes from the regular LAFCo Meeting of February 6, 2008.
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.

PUBLIC HEARINGS

5. Consider and Adopt: Municipal Service Review and Sphere of Influence Update for County Service Area No. 35—Road Maintenance (Continued from February 6, 2008).
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. 35.
6. Consider Approval: Request for a One-Year Extension to Complete Proceedings
 - A. City of Orange Cove “Jacobs-South Reorganization” (Valle del Rey). A reorganization consisting of the annexation of 79.8 acres to the City of Orange Cove and detachment from the Orange Cove Irrigation District for territory located on the west side of S. Jacobs Avenue between E. South and E. Parlier Avenues. The reorganization was approved on March 14, 2007, and this is the first request for a one-year extension (LAFCo File No. RO-07-3).

B. City of Reedley “Reed-Beechwood Reorganization, Annexation 2005-1”. 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 first request for a one-year extension (**LAFCo File No. RO-07-6**).

Recommendation: Approve One-Year Extensions

7. Conducting Authority Proceedings: City of Fresno “Barstow-Garfield No. 1 Reorganization”. A reorganization submitted by landowner petition to annex 69.5 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 north side of W. Barstow Avenue between N. Garfield and N. Grantland Avenues (**LAFCo File No. RO-07-23**).

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 Fresno “McKinley-Blythe No. 1 Reorganization”. 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 (**LAFCo File No. RO-08-2**).

Recommendation: Make Findings and Approve With Conditions

9. Request for Reconsideration: City of Fresno “McKinley-Brawley No. 4” Reorganization (Filed by Dirk Poeschel, Land Development Services, Inc.). A reorganization to annex 41.89 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory located near the northwest corner of McKinley and Brawley Avenues (**LAFCo File No. RO-07-24**).

Recommendation: Deny Request

10. Consider Approval:

A. City of Mendota “Sphere of Influence Revision”. A proposed revision to the City of Mendota’s Sphere of Influence to add approximately 360 acres of territory located northeast of the City of Mendota between the San Luis Drain and the Fresno Slough (**LAFCo File No. RSOI-150**).

B. City of Mendota “Wastewater Treatment Plant Expansion”. A proposed reorganization to annex 463.19 acres located in four non-contiguous areas to the City of Mendota and detach from the Fresno County Fire Protection District and the Silver Creek Drainage District. This territory is located northeast of the City of Mendota between the San Luis Drain and the Fresno Slough (**LAFCo File No. RO-08-3**).

Recommendation: Make Determinations and Revise the City of Mendota Sphere of Influence and Make Findings and Approve the Reorganization with Conditions

OTHER ITEMS:

11. **Consider Approval:** Amend Sections 330-02 and 330-11 (Sphere of Influence Updates and Revisions) of Fresno LAFCo's Adopted Policies, Standards, and Procedures to reflect changes to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 that were effective January 1, 2008.

Recommendation: Amend Fresno LAFCo Policies, Standards and Procedures Per Commission's Direction

12. **2008 LAFCo Work Program:** Consider listing and priority of work items to be undertaken by staff during 2008.

Recommendation: Approve 2008 LAFCo Work Program

13. **Consider Approval:** Fresno LAFCo's Preliminary Budget for the 2008-2009 Fiscal Year.

Recommendation: Approve Preliminary 2008-2009 Fiscal Year Budget

14. LAFCO Counsel's Reports:

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

Recommendation: Informational Item

- B. **Presentation:** Update Regarding LAFCo Independence From County of Fresno and Proposed Service Agreement Between LAFCo and County of Fresno.

Recommendation: Approve Authorization of Actuarial Study.

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 April 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.