

AGENDA

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

MAY 13, 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
Darrel Schmidt, Deputy Executive Officer
Candie Fleming, Clerk to the Commission
Samantha Hendricks, LAFCo Technician II
Susan Pool, Office Assistant 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 April 15, 2009.**
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

5. **Consider Approval: Request for a One-Year Extension to Complete Proceedings for the City of Reedley “Reed-Floral Reorganization, Annexation No. 2004-7”.** A proposed reorganization consisting of the annexation of 77.26 acres to the City of Reedley and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located north of E. Floral Avenue between S. Reed and S. Franklin Avenues. This reorganization was approved on June 4, 2008 (**LAFCo File No. RO-08-9**).

Recommendation: Approve

CLOSED SESSION

6. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:**
Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9.
Number of Cases: 1

PUBLIC HEARINGS

7. **Consider Approval: Request for a One-Year Extension to Complete Proceedings for the City of Selma “Floral-Stillman Reorganization - Annexation 2003-0023”.** A proposed reorganization consisting of the annexation of 39.47 acres to the City of Selma 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 generally located south of Floral Avenue and west of State Route 99. This reorganization was approved on May 18, 2005 (**LAFCo File No. RO-05-7**).

Recommendation: Approve

8. **Consider Approval: City of Fresno “Church-Fowler No. 2 Reorganization”.** A proposed reorganization consisting of the annexation of 57.3 acres to the City of Fresno and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located on the east side of S. Fowler Avenue between E. Jensen Avenue and the E. California Avenue Alignment (**LAFCo File No. RO-07-4**).

Recommendation: Approve

9. **Request for Reconsideration**

- A. **Consider Request for Reconsideration: “Belmont-Sunnyside No. 3 Reorganization” (Island Annexation)** - The Executive Officer of LAFCo has received a written request from the Easterby Kings Canyon Home Owners Association for reconsideration of Resolution No. RO-08-14, approving the reorganization. The Homeowners Association requests that the resolution be amended to require, as a condition of approval, a vote of approval under California Constitution Article XIII (Prop. 218) (**LAFCo File No. RO-08-14**).

Recommendation: Approve

- B. **Consider Approval: 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**).

Recommendation: Continue to June 10, 2009

OTHER ITEMS:

10. **Consider Approval: Fresno LAFCo’s Final Budget for FY 2009-2010.**

Recommendation: Approve

11. **2009 CALAFCO Workshop Report**

Recommendation: Informational Item

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 June 10, 2009, 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, 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.