

# AGENDA

## FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

May 7, 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 April 9, 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 Approval: Request for a One-Year Extension to Complete Proceedings**
  - A. **City of Selma “Floral-Stillman Reorganization - Annexation 2003-0023”.** The reorganization was approved on May 18, 2005. The reorganization consists 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 (**LAFCo File No. RO-05-7**).
  - B. **City of Fresno “Clinton-Armstrong Southeast Reorganization”.** The proposal was approved on May 10, 2006. The reorganization consisted of annexation of 65.88 acres to the City of Fresno and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory generally located east of N. Armstrong Avenue, west of N. Temperance Avenue, and both sides of E. Clinton Avenue (**LAFCo File No. RO-06-9**).

**Recommendation: Approve One-Year Extensions**

6. **Conducting Authority Proceedings: 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: 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.**

7. **Conducting Authority Proceedings: Sierra Resource Conservation District “Sierra and Navelencia Resource Conservation District Consolidation”**. A proposal filed by resolutions of the Sierra and Navelencia Resource Conservation Districts to consolidate the two Districts which are located in the Greater Eastern portion of Fresno County (LAFCo File No. CD-08-1).

**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 “Chestnut-Copper No. 1 Reorganization”**. A reorganization submitted by Landowner Petition to annex 180 acres to the City of Fresno and detach from the Fresno County Fire Protection District and the Kings River Conservation District for territory located north of E. Copper Avenue and west of N. Chestnut Avenue (**LAFCo File No. RO-08-1**). (**Continued from April 9, 2008**)

**Recommendation: Make Findings and Approve With Conditions**

9. **Consider Approval: City of Kingsburg “Kamm-Academy Northeast No. 1 Reorganization”**. A proposed reorganization consisting of the annexation of 19.37 acres to the City of Kingsburg 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 located at the northeast corner of E. Kamm Avenue and S. Academy Avenue (**LAFCo File No. RO-08-4**).

**Recommendation: Make Findings and Approve With Conditions**

10. **Consider Approval: City of Parlier “City of Parlier Reorganization No. 06-02”**. A proposed reorganization to annex 81.97 acres to the City of Parlier and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located between the Madsen Avenue Alignment and Avila Street Alignment, south of E. South Avenue and north of E. Parlier Avenue (**LAFCo File No. RO-08-5**). (**Continued from April 9, 2008**)

**Recommendation: Continue to Future Date and Provide Public Re-Notification**

**OTHER ITEMS:**

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

**Recommendation:** Approve Final Budget

12. **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:** Discussion Regarding Commission's Consideration of "Environmental Justice" Under Government Code Section 56668(o) as a Factor for Review of Each Proposal.

**Recommendation:** Informational Item

13. **Conference With Legal Counsel -- Anticipated Litigation**

**Significant exposure to litigation pursuant to subdivision (b) of Gov. Code Section 54956.9: (Number of Potential Cases: 1)**

**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 4, 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 **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.fresnolaftco.org](http://www.fresnolaftco.org).