

AGENDA

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

July 9, 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, LAFCo Counsel

LAFCo Office: 2115 Kern Street, Suite 310, Fresno, CA – 93721 - (559) 495-0604 - FAX (559) 495-0655

1. **Call to Order and Roll Call**
2. **Pledge of Allegiance**
3. **Consider Approval: Minutes from the regular LAFCo Meeting of June 4, 2008.**
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: City of Fresno “Central-Orange No. 4 Reorganization”.** A proposed reorganization to annex 176.5 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. Central Avenue, east of S. East Avenue, and west of S. Orange Avenue (**LAFCo File No. RO-08-8**).

Recommendation: Make Findings and Approve With Conditions

PUBLIC HEARINGS

6. **Consider Approval: Request for a One-Year Extension of Time to Complete Proceedings for the City of Sanger “California-Bethel No. 1 Reorganization”.** A proposed annexation of approximately 176 acres to the City of Sanger and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located at the E. California Avenue Alignment and S. Bethel Avenue (**LAFCo File No. RO-06-18**).

Recommendation: Deny

7. **Conducting Authority Proceedings: 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**).
- Recommendation:** Direct the Executive Officer to Determine the Value of Valid Protests Received and Not Withdrawn and Report these Results to the Commission Within the Time Prescribed by State Law.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. **Conducting Authority Proceedings: City of Kingsburg “Kamm-Academy Northeast No. 1 Reorganization”**. A proposed reorganization consisting of the annexation of approximately 13.58 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 on the north side of E. Kamm Avenue and west of the Fourteenth Street Alignment. It should be noted that the Commission at its May 7, 2008 hearing, deleted six residential properties located just east of N. Academy Avenue from the original proposal (**LAFCo File No. RO-08-4**).
- 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.
9. **Consider Approval: Washington Colony Cemetery District “Sphere of Influence Revision”**. A proposed revision to the Washington Colony Cemetery District’s Sphere of Influence that will result in the District’s Sphere being reduced by approximately 730 square miles (467,464 acres). The area being withdrawn includes the northwest portion of the current Sphere Area located north of Jensen Avenue and west of State Route 145 (**LAFCo File No. RSOI-151**).
- Recommendation:** Approve Sphere of Influence Revision
10. **Consider Approval: City of Fresno “McKinley-Hayes No. 3 Reorganization”**. A proposed reorganization to annex 318 acres to the City of Fresno and detach from the North Central Fire Protection District and the Kings River Conservation District for territory generally bounded by N. Grantland Avenue on the west; N. Polk Avenue on the east; W. Olive Avenue on the south; and W. McKinley Avenue on the north. This proposal also includes territory located at the northwest corner of W. McKinley and N. Polk Avenues (**LAFCo File No. RO-08-10**).
- Recommendation:** Deny
11. **Consider Approval: Adopt LAFCo Policies for the Destruction of LAFCo Public Records**. To amend Section 700 (Commission Administration) of Fresno LAFCo Policies, Standards, and Procedures to include provisions for LAFCo Public Record Maintenance including standards and conditions necessary for the destruction of its public records.
- Recommendation:** Approve

12. **Consider Approval: Adopt LAFCo Policies for Pre-Application Review Policies.** To amend Section 301 (Executive Officer Review) and Section 350 (Fresno LAFCo Fee Schedule) of Fresno LAFCo Policies, Standards, and Procedures to Incorporate Provisions for Pre-Application Reviews and Provide a LAFCo Fee to Cover Staff Review and Processing Costs.

Recommendation: Approve

OTHER ITEMS:

13. **Consider Request: To Waive, Reduce or Defer LAFCo Filing Fees for City of Fresno (Island Annexations) Reorganizations.** A request to waive, reduce, or defer LAFCo filing fees for "Island" annexations/substantially surrounded areas being processed under Government Code Section 56375.3 (Island Annexations Without Protest Proceedings) by the City of Fresno.

Recommendation: Approve

14. **LAFCO Counsel's Reports:**

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

Recommendation: Informational Item/Provide Staff Direction

- B. **Legislative Update:** Report on Proposed Legislation Affecting Local Agency Formation Commissions.

Recommendation: Informational Item/Provide Staff Direction

- C. **Grand Jury Report Regarding Del Rey CSD:** Discussion Regarding Grand Jury Report #9 Concerning the Del Rey Community Services District.

Recommendation: Informational Item/Provide Staff Direction

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 August 13, 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.fresnolafco.org.