

A G E N D A

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

September 12, 2007 - 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
Phil Larson
Trinidad Rodriguez

ALTERNATE MEMBERS

Judy Case
Joe J. Chaidez, CPA
Sandra Neri

LAFCo STAFF

Rick Ballantyne, AICP, Executive Officer
Darrel Schmidt, Deputy Executive Officer
Candie Fleming, Clerk to the Commission
Samantha Hendricks, LAFCo Technician
Susan Pool, Office Assistant
Kenneth Price/Douglas Jensen, BMJ, 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 Special LAFCo Meeting of August 22, 2007.**
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.**

CONSENT AGENDA

ALL CONSENT AGENDA ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO INDIVIDUAL DISCUSSION OF THESE ITEMS UNLESS REQUESTED (PULLED) BY A MEMBER OF THE COMMISSION OR THE PUBLIC. ANY ITEM PULLED FROM THE CONSENT AGENDA FOR DISCUSSION WILL BE SET ASIDE UNTIL AFTER APPROVAL OF THE AGENDA. PRIOR TO TAKING ANY ACTION THE PUBLIC WILL BE GIVEN THE OPPORTUNITY TO COMMENT ON ANY CONSENT ITEM. THE CONSENT AGENDA WILL BE CONSIDERED ON OR ABOUT 1:30 P.M.

5. **Consider Approval: Request for a One-Year Extension to Complete Proceedings for the City of Fresno “Kings Canyon-Minnewawa No. 3B Reorganization”.** A reorganization consisting of the annexation of approximately 36.7 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 south of E. Kings Canyon Road, north of E. Butler Avenue, east of S. Villa Avenue and west of S. Minnewawa Avenue (**LAFCo File No. RO-06-24**).

Recommendation: - Approve

6. **Consider and Adopt: Municipal Service Review and Sphere of Influence Update for the Coalinga-Huron Unified School District – Library District; and Municipal Service Review and Recommended Sphere of Influence for the Fresno County Library District.**

Recommendations: Find the Municipal Service Reviews, Sphere of Influence Update, and Sphere of Influence Adoption to be Categorically Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Reviews; Make Determinations and Update Sphere of Influence for the Coalinga-Huron Unified School District - Library District; and Make Determinations and Adopt a Sphere of

Influence for the Fresno County Library District that is Coterminous with the District's Current Boundary.

7. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for the Coalinga-Huron Recreation and Park District.

Recommendations: Find the Municipal Service Review and Sphere of Influence Update to be Categorically Exempt from CEQA and are Complete and Satisfactory; Make Determinations and Adopt Municipal Service Review; and Make Determinations and Update Sphere of Influence for the Coalinga-Huron Recreation and Park District.

8. **Consider and Adopt:** Municipal Service Reviews and Sphere of Influence Updates for the Firebaugh, James, Panoche, Poso, Tranquillity, and Westside Resource Conservation Districts.

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 by Adopting a Single Sphere of Influence for All Districts; Direct Staff to Work with the Resource Conservation Districts toward Consolidation; and Waive all LAFCo Fees Associated With Such Action.

9. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for the City of Clovis (Continued from May 16, 2007).

Recommendation: Continue to October 10, 2007

10. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Update for the Consolidated Irrigation District (Continued from July 11, 2007).

Recommendation: Continue to October 10, 2007

11. **Consider Approval:** Amend Consultant Contracts for Preparation of Municipal Service Reviews and Sphere of Influence Updates

Recommendation: Authorize Contract Revisions with Braitman & Associates and Pacific Municipal Consultants for Preparation of Municipal Service Reviews and Sphere of Influence Updates, to Increase Payments in an Amount Not to Exceed an Additional \$2,500 for Each Contract (\$5,000 total).

PUBLIC HEARINGS

12. **Consider and Adopt:** Municipal Service Review and Sphere of Influence Updates for the Cities of Coalinga and Huron.

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; and Make Determinations and Update Spheres of Influence for the Cities of Coalinga and Huron.

13. **Request for Reconsideration: City of Selma “Highland-Rose-Bratton 1 Reorganization”**. The Executive Officer of LAFCo has received a written request from the Consolidated Irrigation District for reconsideration of Resolution No. RO-07-15, approving the reorganization. The written request generally states that the mitigated negative declaration utilized by LAFCo in its initial approval did not address the cumulative impacts of the Bratton Selma Crossings Project and the Highland-Rose-Bratton 1 Reorganization (**LAFCo File No. RO-07-15**).

Recommendations: Disapprove Request for Reconsideration of the Commission’s Approval of the “Highland-Rose-Bratton 1 Reorganization”.

14. **Consider Approval:**

- A. **City of Reedley “Sphere of Influence Revision”**. A proposed revision to the City of Reedley’s Sphere of Influence by adding 68.68 acres located on the south side of E. Dinuba Avenue and east of S. Buttonwillow Avenue (**LAFCo File No. RSOI-147**).

Recommendation: Make Findings and Approve

- B. **City of Reedley “East Dinuba Avenue Reorganization, Annexation No. 2004-5 (Reedley Sports Park)”**. A proposed annexation of 91.62 acres to the City of Reedley and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located on the south side of E. Dinuba Avenue and east of S. Buttonwillow Avenue (**LAFCo File No. RO-07-18**).

Recommendation: Make Findings and Approve With Conditions

15. **Consider Request: City of Fresno “Shields-Armstrong No. 3”**. A request for clarification regarding a condition contained in the resolution for an approved reorganization consisting of the annexation of 20.1 acres to the City of Fresno and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located at the southwest corner of E. Shields and N. Armstrong Avenues (**LAFCo File No. RO-07-2**).

Recommendation: Provide Direction to Staff Regarding Interpretation of Condition

16. **Consider Approval: Determine and Adopt Sphere of Influence for County Service Area No. 51 (CSA #51)**.

Recommendation: Continue to October 10, 2007

OTHER ITEMS:

17. **2007 CALAFCO Conference - General Discussion by Participants of Conference.**

18. **LAFCo Counsel’s Report: *Professional Services Agreement***

Recommendation: Direct the Chairman to enter into Second Amendment to Professional Services Agreement with the County of Fresno.

19. **Deputy Executive Officer’s Report: *Municipal Service Review (MSR) and Sphere of Influence (SOI) Update Program Report.***

20. Closed Session:

The Commission will hold a Closed Session pursuant to Section 54957 of the California Government Code (the Ralph M. Brown Act) to consider the following:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: Executive Officer

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 October 10, 2007, 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 or for any of the Commission members or alternate Commission members within 12 months prior to the Commission hearing, State law disqualifies such members from participating and voting in such a proceeding. State law also prohibits applicants and participants from making such campaign contributions, depending on their timing and circumstances. All of these restrictions also apply to agents of applicants or participants. Please consult with Commission staff at (559) 495-0604 as to the requirements of the **Political Reform Act** (Government Code Section 84308); 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