

AGENDA

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

September 16, 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
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 August 12, 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. **City of Mendota “North East Bass Avenue Annexation”.** A proposed reorganization to annex 90.65 acres to the City of Mendota and detach from the Fresno County Fire Protection District and the Silver Creek Drainage District for territory generally located on the north and south sides of Bass Avenue and east of Blanco Street (**LAFCo File No. RO-07-17**).

Recommendation: Approve One-Year Extension

OTHER ITEMS

6. **Consider Retirement Options for LAFCo Employees.**

Recommendation: Select and Approve Resolutions Initiating LAFCo's Membership in the Fresno County Employee Retirement Association

7. **Discussion Regarding CID/Five Cities Negotiations, Related Potential Conflicts of Interest, and Consider Appointment of Special Counsel for Affected Proposals (Including Parlier Annexation).**

Recommendation: Approve Staff Recommendation

8. **Special District Directory**

Recommendation: Informational Item/Provide Staff Direction

9. LAFCo Audit Process

Recommendation: Authorize County Auditor-Controller to Prepare LAFCo Audit

CLOSED SESSION:

10. A. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION.**
Subdivision (a) of Section 54956.9: *City of Fresno v. Fresno Local Agency Formation Commission*
- B. **PUBLIC EMPLOYMENT**
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 7, 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 (which are contained in the **California Political Reform Act** Government Code Section 84308 *et seq.*) please feel free to contact LAFCo staff at (559) 495-0604.

(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 provided a minimum of 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.fresnolafo.org.