

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

(Fresno County, California)

“MINUTES”

REGULAR LAFCo MEETING – January 10, 2007

1. **Call to order:** Chairman Waterston called the meeting to order at 1:33 p.m.
Members Present: Commissioners Susan Anderson, Larry Fortune, Victor Lopez, Trinidad Rodriguez, and Bob Waterston
Members Absent: None
Staff Present: Rick Ballantyne, LAFCo Executive Officer
Darrel Schmidt, LAFCo Deputy Executive Officer
Kenneth J. Price, LAFCo Counsel
Mike Noland, LAFCo Special Counsel
Candie Fleming, Clerk to the Commission
Samantha Hendricks, LAFCo Technician
2. **Pledge of Allegiance**
3. **Minutes from the regular LAFCo meeting of December 13, 2006**

The minutes were unanimously approved as presented.

CONSENT AGENDA

4. **One-Year Extensions to Complete Proceedings**
 - A. **City of Parlier “City of Parlier, Annexation No. 05-01” Reorganization (LAFCo File No. RO-05-35)**
 - B. **City of Parlier “City of Parlier, Annexation No. 05-02” Reorganization (LAFCo File No. RO-05-36)**
5. **City of Parlier “Parlier-Zediker No. 1 Reorganization” (LAFCo File No. RO-06-41)**

Agenda Items 4A and 4B were unanimously approved by the Commission.

Agenda item 5 was pulled for discussion. Due to a potential conflict of interest, LAFCo Counsel (Kenneth Price) requested that Mike Noland serve as Special Counsel for this item. Executive Officer Ballantyne presented staff’s report. Mark Gilkey, General Manager of the Consolidated Irrigation District, requested that Condition No. 5 be amended to require the posting of a bond in favor of CID in the amount of \$177,500 representing a detachment fee, the precise amount to be determined by an

engineering/nexus study. David Engler, representing the developer, agreed with the proposed amendment. The item was approved unanimously by the Commission.

PUBLIC HEARINGS

6. City of Sanger “Annexation 05-06 (Indianola-California Northeast)” Reorganization (LAFCo File No. RO-06-40)

Executive Officer Ballantyne reported that the 3.77- and 18.26-acre parcels located within the southerly portion of the affected territory had not been pre-zoned and recommended that the proposal be continued to allow the City of Sanger to pre-zone the entire affected territory. The public hearing was opened for public testimony. Hearing none, the public hearing was closed and a motion was made and seconded to continue the item to the March 14, 2007 hearing. The motion was approved unanimously.

7. City of Fowler “Temperance Avenue Right-of-Way Annexation” (LAFCo File No. RO-06-35)

Executive Officer Ballantyne informed the Commission that the affected territory (easterly thirty-foot wide strip of Temperance Avenue) was subject to three separate Agricultural Preserve Contracts. He reported that State Law required the City of Fowler to notify and seek comments from the Department of Conservation and the County of Fresno concerning the contracts, but that the City had not yet received formal responses and desired that the item be continued to the February 7th hearing. LAFCo Counsel, Kenneth Price, recommended that the item be continued.

The public hearing was opened for public testimony, but none was offered. The hearing was closed and a motion was made, seconded, and unanimously approved to continue the item to the February 7, 2007 hearing.

OTHER ITEMS:

City of Fresno Pro-Active Annexation Program

Executive Officer Ballantyne made brief introductory comments. Bruce Barnes, City of Fresno Planning representative, provided an update of the City of Fresno’s Pro-Annexation Program. He discussed the City’s approach to island annexations and the City’s creation of an “overlay” zone district that could be applied to rural residential lands in order to allow residents the ability to retain their “rural” life-styles.

City of Clovis Pro-Active Annexation Program

David Fey, City of Clovis Planning Official, reported upon the City’s annexation accomplishments and the Pro-Annexation Program that had been undertaken in order to annex lands on the City’s fringes.

City of Fresno Proposal to Create a Public Waterworks District to Include Existing Public Municipal Services (Sewer, Water, and Solid Waste Services)

Rene Ramirez, Fresno's Public Utilities Manager, introduced Robert Anderson who reviewed the City's proposal for forming a Municipal Water District that would incorporate existing sewer, water, and waste collection services.

Alex Herrera, a Fresno City Employees' Association Union representative, indicated concern related to the potential impacts to City employees that the possible formation of the Municipal Water District could have.

COMMENTS FROM THE PUBLIC

Commissioner Fortune suggested that the Commission be concerned with the impacts growth was having upon special districts. Executive Officer Ballantyne and LAFCo Counsel Kenneth Price stated that staff was also concerned about such impacts, especially as related to the Consolidated Irrigation District. Staff was directed to review this issue and present its findings to the Commission at a future meeting.

Executive Officer Ballantyne stated that LAFCo had received an invitation to attend a Tulare County Irrigation District Workshop on January 30th and 31st. The event was to be sponsored by the Tulare Irrigation District.

ADJOURNMENT

The meeting was adjourned at 2:40 p.m.