

**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)  
(Fresno County, California)**

**MINUTES**

**REGULAR LAFCo MEETING – OCTOBER 20, 2004**

Call to order: Chairman Lopez called the meeting to order at 1:34 p.m.

Members Present: Commissioners Susan Anderson, Larry Fortune, Victor Lopez, and Bob Waterston. Alternate Commissioner Joe Chaidez was also present.

Members Absent: Commissioner Trinidad Rodriguez

Staff Present: Mike Waiczis, Executive Officer  
Kevin Briggs, LAFCo Counsel  
Candie Fleming, Clerk to the Commission  
Samantha Hendricks, Secretary

**APPROVAL OF MINUTES**

The “Minutes” for the September 15, 2004, regular meeting were unanimously approved.

**COMMENTS FROM THE PUBLIC**

There were no comments from the public.

**CONSENT AGENDA**

**City of Clovis “Locan-Ashlan Southeast Reorganization”**

Commissioner Fortune abstained from voting in light of the fact that a broker in his office (Fortune Associates) was involved in the sale of part of the territory.

The Commission unanimously approved the reorganization.

**PUBLIC HEARING**

**Protest Hearing for the City of Fresno “Maroa-Swift Southeast Reorganization”**

Executive Officer Waiczis explained the reason for the protest hearing, summarized the Commission’s resolution approving the reorganization, and reported that the Commission did not receive any protest against the reorganization. No protests were received during the hearing.

The Commission unanimously confirmed Resolution No. RO-04-18.

## **Protest Hearing for the City of Clovis “Bullard-Locan Northwest Reorganization”**

Executive Officer Waiczis explained the reason for the protest hearing, summarized the Commission’s resolution approving the reorganization, and reported that the Commission did not receive any protest against the reorganization. No protests were received during the hearing.

Dirk Poeschel spoke on behalf of Wilson Homes. He said that Tentative Tract No. 5154 has been approved and that the final map has been filed with the City. Mr. Poeschel said that the project was consistent with the Clovis General Plan and requested the Commission’s support.

The Commission unanimously confirmed Resolution No. RO-04-19.

## **City of Fresno “Barstow-Grantland No. 1 Reorganization” Submitted by Landowner Petition**

Executive Officer Waiczis presented staff’s report.

Jeff Roberts, Chief Petitioner, spoke on behalf of Granville Homes and concurred with staff’s recommendation. He informed the Commission that they met with the North Central Fire Protection District and had come to an agreement that would allow a direct transition fee to be paid for this area. Mr. Roberts said the fee is in trust with the District pending approval by LAFCo.

Commissioner Fortune asked about the territory to the south that would become substantially surrounded and about what happens to the private fire transition agreement if the City signs one with the District. Mr. Roberts explained that the area to the south was the “Barstow-Grantland No. 2 Reorganization” that was the next item on the agenda and would hopefully be approved. He said that if the City of Fresno signed a transition agreement with North Central Fire Protection District, it would supercede the private agreement made with Granville Homes.

The Commission unanimously approved the reorganization as amended.

## **City of Fresno “Barstow-Grantland No. 2 Reorganization” Submitted by Landowner Petition**

Executive Officer Waiczis presented staff’s report.

Jeff Roberts, Chief Petitioner, spoke on behalf of Granville Homes and concurred with staff’s recommendation. Mr. Roberts said that the private fire transition agreement entered into between Granville Homes and North Central Fire Protection District also covered the territory in this reorganization and that the money was in trust with the District pending LAFCo approval.

The Commission unanimously approved the reorganization.

### **Panoche Drainage District “Sphere of Influence Amendment” and “SJRIP Annexation”**

Executive Officer Waiczis presented Staff’s report.

Chase Hurley, Panoche Drainage District staff, concurred with staff’s recommendation. Mr. Hurley said that a portion of Mercey Springs Water District’s boundary is in the Panoche Drainage District’s boundary but the services would remain split between the water district and the drainage district. He said that Mercey Springs Water District was also in favor of the proposals and they would continue to operate as they currently do. Mr. Hurley said that the District already owns the proposed territory and is reusing the subsurface drain water to help alleviate the loading out in the San Joaquin River.

The Commission unanimously approved both the Sphere of Influence Amendment and District Annexation.

### **City of Selma and Selma-Kingsburg-Fowler County Sanitation District “Sphere of Influence Amendment”**

Executive Officer Waiczis requested these items be continued to the December 1, 2004, regular hearing because the City of Selma and the County of Fresno are still in the process of amending their tax sharing agreement.

The Commission continued the SOI Amendments to the December 1, 2004 hearing.

### **City of Selma “Thompson-Valley View Reorganization”**

Executive Officer Waiczis presented staff’s report. Executive Officer Waiczis said the City of Selma wished to modify the request and move forward with the reorganization of only the 55 acres of territory currently within the City’s sphere of influence. He said the City of Selma would have to file a new application for the remaining five acres.

Executive Officer Waiczis reported that the territory was also under Land Conservation Contract No. 6635, that the City of Selma had protested the contract to the Local Agency Formation Commission and that the protest was upheld. Mr. Waiczis reported that LAFCo Counsel recommended the Commission require the City of Selma to sign an indemnification agreement indemnifying the Commission in case the Department of Conservation challenges the Commission’s action, as a condition the approval.

Linda Ferrero, Interim Community Development Director for the City of Selma spoke on behalf of the City and applicant and expressed appreciation for staff’s help. Mrs. Ferrero said they would like to see the whole annexation and sphere amendments approved but would support staff’s recommendation of approval only of the territory within the City’s sphere of influence.

Benjam Lingo, speaking on behalf of the project applicant, spoke in favor of the proposal.

The Commission unanimously approved the reorganization as recommended by staff.

### **Authorization for the Recruitment of a Senior Staff Analyst**

Executive Officer Waiczis reported to the Commission staff's difficulty in hiring a qualified staff analyst and the present salary and requested the Commission's approval to recruit at the Senior Staff Analyst level.

The Commission unanimously gave their approval for the Executive Officer to recruit for a Senior Staff Analyst.

### **Amendments to LAFCo's Policies, Standards and Procedures related to Landowner Petition, Protest Hearings, and Municipal Service Reviews.**

Executive Officer Waiczis recommended that this item be continued to the December 1, 2004 regular hearing.

The Commission unanimously continued this item to the December 1, 2004 regular hearing.

### **Comments from the Public**

There were no comments from the public and the meeting was adjourned at 2:28 p.m.