

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

MINUTES

REGULAR LAFCo MEETING – DECEMBER 1, 2004

Call to order: Chairman Lopez called the meeting to order at 1:32 p.m.

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

Members Absent: None

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

APPROVAL OF MINUTES

The “Minutes” for the October 20, 2004, regular meeting were unanimously approved.

COMMENTS FROM THE PUBLIC

Steve Barker, a citizen, stated that he did not wish to be annexed to the City of Clovis, referring to the “Gettysburg-DeWolf Northwest Reorganization”.

Commissioner Anderson informed Mr. Baker that the annexation he was referring to is on the Agenda and the appropriate time to comment would be when the item was presented to the Commission.

CONSENT AGENDA

City of Selma “Dinuba-Orange Reorganization”. The proposal consists of the annexation of approximately 56 acres of territory to the City of Selma and the Selma-Kingsburg-Fowler County Sanitation District (SKF) and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District. The affected territory is generally located at the southwest corner of E. Dinuba Avenue and Ditch Road. **(LAFCo File No. RO-04-27)**

City of Reedley “Frankwood-Shoemake Reorganization”. The proposal consists of the annexation of approximately 41.25 acres of territory to the City of Reedley and detachment from the Fresno County Fire Protection District and the Kings River Conservation District. The affected territory is generally located on the east side of Frankwood Avenue at the Shoemake Avenue Alignment. **(LAFCo File No. RO-04-28)**

City of Fowler “Temperance-Clayton No. 1 Reorganization”. The proposal consists of the annexation of approximately 56.7 acres to the City of Fowler and the Selma-Kingsburg-Fowler County Sanitation District (SKF) and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District. The affected territory is generally located south of the Clayton Avenue Alignment between Armstrong and Temperance Avenues. **(LAFCo File No. RO-94-31)**

The Commission unanimously approved the consent agenda.

PUBLIC HEARING

City of Fresno “Shields-Cornelia 2F Reorganization”. The proposal consists of the annexation of approximately 20.3 acres of territory to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District. The affected territory is generally located on the east side of Cornelia Avenue between Shields and Clinton Avenues. **(LAFCo File No. RO-04-30)**

Executive Officer Waiczis presented staff’s report.

Commissioner Fortune asked what would happen to the private transition agreement if the City of Fresno and North Central Fire Protection District come to an agreement.

Les Petersen on behalf of Cambridge Homes, responded to Commissioner Fortune’s question. He explained that money would be deposited into an escrow account. Mr. Peterson explained that Cambridge Homes would pay the taxes that the district would be losing but if the City were to sign a transition agreement with the district, any remaining funds would be refunded by the district.

Dave Braun, representing the City of Fresno, stated that the city does not have a problem with the addition of the two acres that the County recommended but requested that the additional acres be exempt from rezoning requirement because the city has not zoned that property.

Commissioner Fortune asked if the transition agreement would cover the two acres that had been added.

Lonnie Downs, Chief of the North Central Fire Protection District, said that the two acres would be included in their agreement with the developer.

The Commission unanimously approved the reorganization to include the two additional acres.

City of Clovis “Gettysburg-DeWolf Northwest Reorganization”. The proposal consists of the annexation of 52.11 acres of territory to the City of Clovis and detachment from the Fresno County Fire Protection District and the Kings River Conservation District. The affected territory is generally located at the northwest corner of Gettysburg and DeWolf Avenues. **(LAFCo File No. RO-04-29)**

Executive Officer Waiczis presented staff’s report.

Steve Barker, 4539 N Dewolf Avenue, stated that he did not want to be in the City of Clovis and felt that the city has nothing to offer him. He also stated that the buyer only contacted him two times about the annexation.

Jeff Harris spoke on behalf of Wilson Homes and requested that the Commission approve the reorganization.

Mr. Barker asked what would happen to his livestock if he gets annexed to the City of Clovis?

Jeff Witte, Assistant City Manager, City of Clovis said that the animals could stay as long as the property is zoned for animals. The properties with R-A zoning would stay R-A zoning unless the owner requests it to be changed. He said the City would contact the property owner regarding his concerns over hook up to the City’s sewer and water.

Executive Officer Waiczis explained the protest hearing procedures.

Commissioner Fortune explained how protests get counted for an inhabited annexation and what it would take to disapprove the annexation.

Mr. Barker said that Wilson Homes has pulled out all the houses in the territory except for the three parcels that have not consented so there could not possibly be 15 registered voters left.

Commissioner Anderson asked when the Elections Division updates their records.

Executive Officer Waiczis said that LAFCo does not regulate when Elections updates their records and that the law only requires that we get the number of registered voters from Elections at the time the application is accepted for filing.

Susan Coberly said she would look into the matter and answers would be available at the next hearing.

Commissioner Fortune explained about uninhabited annexations. If there are less than 11 registered voters then only landowners can protest.

The Commission unanimously approved the reorganization and ordered staff to set the matter for a protest hearing.

City of Selma “Sphere of Influence Amendment”. A request to add 5.96 acres of territory generally located east of Thompson Avenue immediately south of Selma’s existing Sphere of Influence. **(LAFCo File No. USOI-133) (Continued from the October 20, 2004 meeting)**

Selma-Kingsburg-Fowler County Sanitation District “Sphere of Influence Amendment”. A request to add 5.96 acres of territory generally located east of Thompson Avenue immediately south of SKF’s Sphere of Influence/Service Area. **(LAFCo File No. USOI-134) (Continued from the October 20, 2004 meeting)**

City of Selma “Thompson-C & K Canal Reorganization”. The proposal consists of a request to annex approximately 5.6 acres of territory to the City of Selma and the Selma-Kingsburg-Fowler County Sanitation District (SKF) and detachment from the Fresno County Fire Protection District, Kings River Conservation District, and the Consolidated Irrigation District. The territory is generally located on the east side of Thompson Avenue and north of the Centerville & Kingsburg Canal. **(LAFCo File No. RO-04-32).**

Executive Officer Waiczis presented staff’s report. He said the sphere of influence revisions for the City and District were continued from the October 20th hearing because the City and County did not have a tax sharing agreement that covered the territory being requested. He reported that the Board of Supervisors did approve an amendment to their Agreement at their November 30th Board meeting which covers the territory.

Executive Officer Waiczis said the reorganization of 5.96 acres was part of a previous reorganization that was approved at the October 20th Commission hearing but deleted because of the lack of a tax sharing agreement at the time.

The Commission unanimously approved the sphere of influence revisions and reorganization.

Amendments to LAFCo’s Policies, Standards and Procedures related to Sphere of Influences and Municipal Service Reviews. (Continued from October 20, 2004)

Executive Officer Waiczis recommended that this item be continued to the January 12, 2005 regular hearing to give the Commission more time to review the recommended changes.

The Commission unanimously approved the continuation of this item.

EXECUTIVE OFFICER’S REPORT

Executive Officer Waiczis reported that the lease for the new office space had been signed by the Chairman and is awaiting the real estate broker’s signature. Once all of the improvements are made to the office staff should be able to start moving in by the end of December.

Commissioner Anderson asked if staff was planning an open house.

Executive officer Waiczis said there would be one as soon as the office is settled.

COMMENTS FROM THE PUBLIC

There were no comments from the public and the meeting adjournment was at 2:10 p.m.

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