

**LOCAL AGENCY FORMATION COMMISSION
OF FRESNO COUNTY (LAFCo)**

MINUTES

APRIL 30, 2003 REGULAR MEETING

Call to order: Chairman Larry Fortune called the meeting to order at 1:30 p.m.

Members Present: Commissioners Susan Anderson, Larry Fortune, Trinidad Rodriguez, Phil Larson and Sandra Neri.

Members Absent: Bob Waterson,

Staff Present: Mike Waiczis, Executive Officer
Brian Melikian, LAFCo Counsel
Jacqueline Vaielua, Office Assistant

Approval of Minutes

The minutes for March 26, 2003 regular meeting were not heard due to Candice Fleming out on medical leave.

CONSENT AGENDA

“Tri-Valley Water District Detachment 2002-1”
City of Orange Cove reorganization 02-01 (South/Monson)
City of Fresno “Copper-Maple No. 2 Reorganization”

The consent agenda was unanimously approved.

PUBLIC HEARING AGENDA

“Tri-Valley Water District “ Tri Valley Water District Detachment 2002-1

Executive Officer Mike Waiczic wanted to report there is a correction to be added to the recommendations that would read for direction approval of detachment of consuming to the act of inhabited way protest procedures.

The Commission unanimously approved the proposal as recommended by staff.

City of Orange Cove “Reorganization 02-01 (South/Monson)

Executive Officer Mike Waiczic reported this is a consent calendar item but not part of staff recommendation that is for recommendation to consider authorization of administration agreement with the city of Orange Cove to hold any claim holding cost and damages that may arise out of or connection with action related to this matter.

The Commission unanimously approved the proposal as recommended by staff.

City of Fresno "Copper-Maple No. 2 Reorganization"

Executive Officer Mike Waiczic reported that this is an originally consent calendar item with 100 % consent from the property owners we did originally receive a letter to protest from Chief Sunderland from Fresno County Fire District so we went and scheduled for a public hearing approximately 68 acres that will be annexed to the city of Fresno and detached from Fresno County Fire department and Kings River Conservation District early annexation was approved early late last year that consist of this area in there area that take the area up to Copper avenue which is consisted with the SOI line of the city of Fresno and logical boundaries lines of the city limits There is a purposed to build 106 single family resident lots on about 41 acres of these property of 68 acres 15 acres will be utilized for commercial use Chief Sunderland has resent in his protest we did write the staff report with the condition that a transgression agreement be required of the application.

The Commission unanimously approved the proposal as recommended by staff.

Proposed formation of County Service Area # 50

Proposed formation of County Service Area # 50 the Chairman Fortune turned the meeting over to Executive Officer Mike Waiczic he stated that the Fresno County Board Of Supervisors adopted a proceeding of the new County Service Area which would be CSA # 50 of the new CSA and it will provide fire structural residential fire protection. Services will be funded through special assessments under the mandated proposition 218 services will be provided for Auberry Community.

Barbara Furgerson from the Citizen Group that has been working on this for many years and she recommend that this matter be approved.

The Commission unanimously approved the proposal as recommended by staff.

Revenue Neutrally Negotiation for the proposed Malaga City

Chairman Larry Fortune reported that today is the day we are scheduled to vote for the incorporation of the city of Malaga, the Chairman turned the meeting over to Executive Officer Mike Waiczic to explain about the city of Malaga this item is under the government code 54954-2B2 and we have not agendatized this item that mean we need to take action after the December 18, 2002 meeting the Commission scheduled. The Agenda was posted to this Agenda for April 30, 2003 and the Commission recommends that it is Agendatized as 10-A which will follow after the executive office report and I recommend that this matter be continued until next meeting.

The Commission unanimously approved the proposal recommended by staff.

Fiscal Year 2003-2004 Budget

Executive Officer Mike Waiczic reported this is the second hearing of the Fiscal Budget process for LAFCO the Commission must recall that the Commission adopt the proposed budget following the Notice of Public Hearing by May 1, 2003 and its final budget by June 15, 2003 at the hearing on March 26, 2003 the Commission approved the budget and set this hearing for May 21, 2003 for adopted of the proposed and final budget

The Commission unanimously approved the proposed recommended by staff.

Amendments to LAFCO Policies, Standards, and Procedures

Executive Officer Mike Waiczic reported that this item that staff brought to the Commission was related to transgression agreement between the Fire Protection Districts cites this item was continued from three hearings Chief Dootree of North Central Fire Protection District the two districts needs more time to look at the amendments that the staff is recommending. Commission Trinidad Rodriguez made a motion and Commission Waterson had second this has taken please at the time did chief asked for the continuance at that time the chiefs asked also for continuance of the item.

The Commission unanimously approved the proposed recommended by staff.

Copper Maple No. 2 Reorganization

Jeff Roberts of Grandville Homes reported managing general partner of a project called Copper River Ranch today he speaks in favor of the flexibility the Copper River Ranch project was forced into limbo for a couple of years because the city and county could not agree on a tax rate agreement. We are now going forward and going to a hearing next month to the planning commission then to the council in June 2003. Commission Susan Anderson stated there is plenty of flexibility to determine by both sides at any given points and time. Chairman Larry Fortune closed the public part of meeting and proposed until the next meeting

The Commission unanimously approved the proposed recommended by staff.

Information Related to LAFCO Policies, Standards and Procedures to Revise Section 210-13

Executive Officer Mike Waiczis reported the Commission last year considered revising the Policies and Procedures to reflect the changes in the law that occurred in the courts after the act 2000 with this another assembly bill has passed and amended the act passed provided the prezone requirement on the bill of the first policy that the Commission approved in the manual. Section 210-13 requires pre zoning from all property that includes annexation to a city sent to the law of some submit only with proved of that only if the application is completed and the property will be included. Chairman Larry Fortune opened the hearing to public interest. Jeff Harris reported he strongly supports the language the staff has put together and feels it is more workable. Jeff Woody from the City of Clovis reported we are ending up with annexation of 1 to 5 acres pieces where it is to LAFCO interest to square out the boundaries of the county to get away from the city because sometimes they are not too happy about being included in the annexation. Tom Mc Lofflin reported we have been watching this legislation since Executive Officer Mike Waiczis came to the BIA a year ago explaining the new process in growing process we seem to be in the same situation as Mr. Mc Crafree with the annexation with every piece of property.

The Commission unanimously approved the proposed recommended by staff.

Executive Officer 's Report

Executive Officer Mike Waiczic reported we did hold a meeting on April 21,2003 it is the first meeting of it's own kind we did it successfully act all players in the same room including representative from the county board member and actual protitioner from the board itself and county staff and attorney the EIR we are in the process we allowed that parties that has the most concerned about the corporation the administrative draft EIR which is part to the public review draft and provide comments to us as long as every thing is moving forward we shall close this until next hearing on June 18,2003 continuance.

The Commission unanimously approved the proposed recommended by staff.

New Business

Chairman Larry Fortune reported Pinedale Public Utility District there is a small public utility district in the county of Fresno who purposed has gone way beyond it's purpose I discussed this with Executive Mike Waiczic. Susan Anderson reported that LAFCO could help them if Brian Melikian will do some research and investigate on the facts what authority do LAFCO have in how to address this issue than come back with a written report.

The Commission unanimously approved the proposed recommended by staff.

Comments from the Public

There where no comments from the public.

The meeting was adjourned at 3:15 p.m.

A tape recording of the hearing is available at the Commission office, at 2100 Tulare Street, Suite 502 Fresno, California.

REVIEWED AND SUBMITTED BY:

Michael R. Waiczis, AICP
Executive Officer