



Fresno Local Agency Formation Commission

Agenda Item # 12A

April 25, 2008

D-B Heusser
City Manager
City of Selma
1710 Tucker Street
Selma, CA 93662

Dear Mr. Heusser:

As you know, the Fresno Local Agency Formation Commission (LAFCo) is attempting to facilitate a resolution to an on-going dispute between Consolidated Irrigation District (CID) and the five cities of Fowler, Kingsburg, Parlier, Sanger, and Selma (the Five Cities). LAFCo has engaged Sacramento attorney Nancy Miller to facilitate what the parties hope will be a lasting and equitable resolution.

To date, the facilitation participants have contributed their time and financial support toward finding ways in which to address the various issues of concern between CID and the Five Cities. I understand that Kingsburg City Manager Don Pauley, who is serving as the lead representative for the Five Cities during the facilitation, has reported to you that substantial progress has been achieved in addressing several important issues of concern to both CID and the Five Cities. There is still more work to do in order to complete the process.

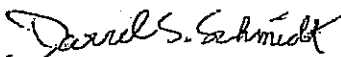
On March 7, 2008, at the specific request of the LAFCo Commissioners, I wrote the city managers of the Five Cities and the CID general manager requesting an additional \$2,000.00 contribution to pay for Ms. Miller's time to finalize a resolution. As a result of my request, LAFCo has received commitments to contribute the funds and continue the facilitation from all of the participating cities, except the City of Selma.

The members of the facilitation group, the LAFCo Commissioners, Ms. Miller, and I are deeply concerned about Selma's apparent lack of support for the facilitation process. LAFCo has worked hard to bring the parties together in a serious effort to resolve the on-going issues between the parties. The remaining participants, through their various representatives, have spent countless hours attempting to construct a final resolution to these issues.

One of LAFCo's goals is to ensure that each project considered by the Commission satisfies State law, including the California Environmental Quality Act (CEQA) and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the LAFCo Law). As part of its review of City proposed reorganizations, LAFCo must make certain findings related to the impacts of development. Without agreements in place that protect various local governmental agencies, including cities and special districts, it may be difficult for LAFCo to make such required findings as set forth in State law. I certainly hope that Selma will recommit to this process in order to ensure that the impacts of its development projects are properly mitigated and comply with LAFCo Law.

I look forward to Selma choosing to support the facilitation process by contributing its requested fair share of \$2,000.00, and working in good faith with CID and the other cities on this effort. I would appreciate your affirmative indication of support and financial contribution within ten (10) days of receipt of this letter. Your cooperation is appreciated.

Sincerely,



For RICK BALLANTYNE, Executive Officer
Fresno LAFCo

CC: LAFCo Commissioners
Nancy Miller, Fresno LAFCo Special Counsel
Kenneth Price, Fresno LAFCo Counsel
Don Pauley, Kingsburg City Manger
Mike Noland, Kingsburg Counsel
Phil Desatoff, CID Manager
Mike Gaston, Selma Community Development Director