

A G E N D A

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

April 10, 2013 - 1:30 p.m.

Board of Supervisors' Chamber - Hall of Records, Room 301, Fresno

COMMISSION MEMBERS

Armando Lopez, Chairman
Robert Silva, Chair Pro Tem
Henry Perea
Deborah A. Poochigian
Mario Santoyo

ALTERNATE MEMBERS

Richard Braun
Phil Larson
Daniel Parra

LAFCO STAFF

Jeff Witte, Executive Officer
Candie Fleming, Clerk to the Commission
Samantha Hendricks, LAFCo Technician II
Kenneth Price, LAFCo Counsel

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1. **Call to Order and Roll Call**
 2. **Pledge of Allegiance**
 3. **Consider Approval:** Minutes from the regular LAFCo Meetings of:
 - A. February 27, 2013
 - B. March 13, 2013.
 4. **Potential Conflicts of Interest:** Any Commission Member who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter.
 5. **Comments from the Public:** Any person wishing to address the Commission on a subject not listed on the agenda may do so at this time. (State your name and address and please keep your comments to three (3) minutes.)

CONSENT AGENDA

ALL CONSENT AGENDA ITEMS ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO INDIVIDUAL DISCUSSION OF THESE ITEMS UNLESS REQUESTED (PULLED) BY A MEMBER OF THE COMMISSION OR THE PUBLIC. ANY ITEM PULLED FROM THE CONSENT AGENDA FOR DISCUSSION WILL BE SET ASIDE UNTIL AFTER APPROVAL OF THE CONSENT AGENDA. PRIOR TO TAKING ANY ACTION THE PUBLIC WILL BE GIVEN THE OPPORTUNITY TO COMMENT ON ANY CONSENT ITEM. THE CONSENT AGENDA WILL BE CONSIDERED ON OR ABOUT 1:30 P.M.

6. **Consider Items**

- A. **Accept:** LAFCO Financial Statement for March 2013
- B. **Approve:** Reschedule LAFCo May 8, 2013 Meeting to May 1, 2013

Recommendation: Take Actions per Staff's Recommendation

PUBLIC HEARING

7. **Consider Approval:** City of Kingsburg "Guardian-Sun Maid Reorganization". Proposed annexation of approximately 430 acres to the City of Kingsburg and the Selma-Kingsburg-Fowler County Sanitation District and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located south of east Mountain View Avenue, west of south Bethel Avenue, and east of State Route 99 (**LAFCo File No. RO-12-7**).

Recommendation: Continue to the June 5, 2013 Hearing

8. **Provide Direction:** Request from the Building Industry Association to Revise LAFCo's Peninsula Policy (Continued from March 13, 2013).

Recommendation: Provide Direction

9. **Consider Approval:** LAFCo Preliminary Budget for the Fiscal year 2013-14.

Recommendation: Provide Direction and Approve

OTHER MATTERS

10. Subcommittee Report on the Selection of LAFCo Chairman and Vice Chairman.

11. **CLOSED SESSION**

- A. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Pursuant to Paragraph (1) of subdivision (d) of Gov. Code Section 54956.9
Name of Case: City of Fresno v. Fresno County Local Agency Formation Commission (CASE NO. 13CECG00392).
- B. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54957.9. Number of Cases: 1
- C. **PUBLIC EMPLOYMENT APPOINTMENT**
Title: Executive Officer.

12. **ADJOURNMENT**

THE NEXT LAFCO MEETING will be held on May 1, 2013, at 1:30 p.m. in the Board of Supervisors' Chamber - Hall of Records, Room 301, Fresno, California.

PLEASE NOTE:

(1) If you are an applicant for, or a participant in, any proceeding on the agenda for a **land use entitlement** and have made **campaign contributions** totaling more than \$250.00 to any member or alternative member of the Commission **within twelve (12) months prior to the Commission considering your application**, please immediately inform the Commission of your contribution. State law **disqualifies** each Commissioner and Alternative Commissioner from participating in and voting on land use entitlement decisions (which include changes of organization and reorganizations) if the Commissioner or Alternative Commissioner has received campaign contributions from (i) an applicant for a land use entitlement, (ii) someone who lobbies the Commission or LAFCo staff regarding an application for land use entitlement, (iii) someone who testifies in person before the Commission regarding an application for land use entitlement, or (iv) someone who otherwise acts to influence the outcome of an application for land use entitlement. State law also prohibits applicants and participants from making campaign contributions to a Commissioner or Alternate Commissioner within three (3) months **after** the Commission's action. If you have any questions regarding these requirements (which are contained in the **California Political Reform Act** Government Code Section 84308 *et seq.*) please feel free to contact LAFCo staff at (559) 600-0604.

(2) In compliance with the Americans with Disabilities Act (**ADA**), if you need special assistance to participate at this meeting, please contact Ms. Candie Fleming, Clerk to the Commission at 559-600-0604. Notification provided a minimum of 48 hours prior to the meeting will enable the Clerk to make reasonable arrangements to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically disabled.

(3) Staff reports prepared for each item listed in this agenda may be viewed at the Fresno LAFCo Website:
www.fresnolafco.org.