

# AGENDA

## FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

March 12, 2014 - 10:00 a.m.

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

### COMMISSION MEMBERS

Robert Silva, Chairman  
Armando Lopez, Chair Pro Tem  
Phil Larson  
Henry Perea  
Mario Santoyo

### ALTERNATE MEMBERS

Michael Lopez  
Daniel Parra  
Deborah A. Poochigian

### LAFCO STAFF

David E. Fey, AICP, Executive Officer  
Candie Fleming, Clerk to the Commission  
Samantha Hendricks, LAFCo Technician II  
Kenneth Price, LAFCo Counsel

LAFCo Office: 2607 Fresno Street, Suite B, Fresno, CA – 93721 - (559) 600-0604 - FAX (559) 495-0655

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1. **Call to Order and Roll Call**
  2. **Pledge of Allegiance**
  3. **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.)
  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. **CONSENT AGENDA: Consider Approval of Items 5A through 5B.**

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 10:00 A.M.

- A. **Consider Approval:** Minutes from the regular LAFCo Meeting of February 12, 2014.
- B. **Consider Approval:** Malaga County Water District "Graham Annexation." A request to annex 1.58 acres to the Malaga County Water District for the territory located east of Maple Avenue, west of Golden State Boulevard, and north of Muscat Avenue (**LAFCo File No. AD-14-1**).

**Recommendation:** Approve per Staff's Recommendations

### **PUBLIC HEARING**

6. **Consider Approval:** Landowner Request to Change the April 9, 2014 Hearing Date to April 16, 2014.

**Recommendation:** Deny Request

7. **Consider Approval:** Amendment of Executive Officer's Employment Agreement and Clarification of Health Insurance Contribution Policy.

**Recommendations:**

1. **Amend Executive Officer's Employment Agreement to include a retirement plan through ICMA-RC to which Commission matches 7.5% of the Executive Officer's salary; and**
  2. **Authorize a Commission contribution, retroactive as of January 1, 2014, toward Health Insurance Coverage for its employees similar to that provided by Fresno County.**
8. **Provide Direction:** Consider the Local Agency Formation Commission's Preliminary Fiscal Year 2014-2015 Budget.

**Recommendation:** Provide Direction

**OTHER MATTERS**

9. **Executive Officer Comments/Reports**
10. **Commission Member Comments/Reports**

**CLOSED SESSION**

11. **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).**

**ADJOURNMENT**

**THE NEXT LAFCO MEETING** is scheduled for April 9, 2014, at 10:00 a.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](http://www.fresnolafco.org)**.