

A G E N D A

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

JULY 13, 2016

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

COMMISSION MEMBERS

Brian Pacheco, Chairman
Robert Silva, Vice Chairman
Daniel Parra
Henry Perea
Mario Santoyo

ALTERNATE MEMBERS

Michael Lopez
Scott Robertson
Buddy Mendes

LAFCO STAFF

David E. Fey, AICP, Executive Officer
Candie Fleming, Clerk to the Commission
George Uc, LAFCo Analyst
Juan Lara, LAFCo Analyst
Kenneth Price, LAFCo Counsel

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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.

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.

5. **Consider Items A Through C**
 - A. **Consider Approval:** Minutes from the regular LAFCo Meeting of June 8, 2016
 - B. **Consider Approval:** Request Authorization for the Destruction of LAFCo Public Records

REGULAR AGENDA ITEMS

6. **Consider Adoption: Municipal Service Review and Sphere of Influence Update Prepared for the City of Fresno; Commission Action to Conclude Activities of Ad Hoc Committee**

Recommendation: Adopt the Municipal Service Review prepared for the City of Fresno and update the Fresno sphere of influence by taking the following actions:

- A. Approve a finding of Categorical Exemption from the provisions of the CEQA under Section 15306, "Information Collection," for the Fresno Municipal Service Review.
- B. Approve a finding of Categorical Exemption from the provisions of the CEQA under Section 15061(b)(3), "General Rule," for the Fresno sphere of influence update.
- C. Find that the Municipal Service Review prepared for the City of Fresno is complete, satisfactory, and satisfies State law and adopt the MSR.
- D. Find that the written determinations within the Municipal Service Review and Sphere of Influence update satisfy State Law.
- E. Pursuant to Government Code Sections 56425 and 56430 make the required determinations for the Municipal Service Review and Fresno Sphere of Influence Update, adopt the Municipal Service Review prepared for the City of Fresno and amend the Fresno sphere of influence by the following actions which are described in more detail in the MSR and this report:
 - 1. Conditionally reaffirm the southeast sphere of influence;
 - 2. Revise the sphere of influence by adding the Friant-Copper territory and the Regional Wastewater Reclamation Facility;
 - 3. Approve, but suspend further action on, the addition of territory to the Fresno sphere of influence for the High Speed Rail heavy maintenance facility until such time as the HSR commission determines a location for the facility.
- F. Conclude the activities of the LAFCo Ad Hoc Committee.

7. Consider Adoption: Municipal Service Review and Sphere of Influence Update for County Service Area No. 2 (Tenaya Park) and County Service Area No. 5 (Wildwood Estates)

Recommendation: Adopt the Municipal Service Review updates prepared for County Service Area No. 2 and County Service Area No. 5 and update the Districts' spheres of influence by taking the following actions:

- A. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines find that the MSRs prepared for County Service Area No. 2 and County Service Area No. 5 are Categorically Exempt from the provisions of CEQA under Section 15306, "Information Collection."
- B. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and that approval of the suggested sphere of influence revision for County Service Area No. 5 is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15061(b)(3).

- C. Find that the Municipal Service Reviews prepared for County Service Area No. 2 and County Service Area No. 5 are complete and satisfactory.
- D. Find that the written determinations within the Municipal Service Reviews, Sphere of Influence Update for County Service Area No. 2 and Sphere of Influence Revision for County Service Area No. 5 satisfy State Law.
- E. County Service Area No. 2. Pursuant to Government Code Sections 56425 and 56430 make the required determinations for the Municipal Service Review and District Sphere of Influence update, adopt the Municipal Service Review prepared for the District, and Update the Sphere of Influence for said District by reaffirming its boundaries.
- F. County Service Area No. 5. Pursuant to Government Code Sections 56425 and 56430 make the required determinations for the Municipal Service Review and Sphere of Influence Revision, adopt the Municipal Service Review prepared for the District, and Revise the Sphere of Influence for said District.

8. Consider Amendment of the Fresno LAFCo policies standards and procedures to align with the Sustainable Groundwater Management Act

Recommendation: Consider the draft water policy and provide direction;

9. Consider Approval: Amendment to Employment Agreement between LAFCo and Executive Officer

Recommendation: Approve

OTHER MATTERS

10. Executive Officer Comments/Reports

11. Commission Member Comments/Reports

ADJOURNMENT

THE NEXT LAFCO MEETING will be held on August 10, 2016, 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.