

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

MEETING MINUTES

JULY 8, 2020

Members Present: Commissioners Mendes, Pacheco, Santoyo, Yep, Parra

Members Absent: None

Staff Present: David E. Fey, LAFCo Executive Officer
George Uc, Senior LAFCo Analyst
Juan Lara, LAFCo Analyst II
Kenneth Price, LAFCo Counsel

1. Call to Order and Roll Call

Chairman Parra called the meeting to order at 1:30 p.m.

2. Pledge of Allegiance

Chair Parra asked Commissioner Mendes to lead the Pledge of Allegiance.

3. Comments from the Public

There were no comments from the public.

4. Potential Conflicts of Interest

There were no conflicts of interest.

CONSENT AGENDA

5-A. Minutes from the LAFCo Meeting of June 10, 2020.

Commissioner Yep made a motion to approve consent agenda item 5-A, seconded by Commissioner Santoyo. The Commission approved the motion by a vote of 5-0.

REGULAR AGENDA ITEMS

6. Amendment of Fresno LAFCo Policy Manual Section 520 Regarding Public Commission Member.

Executive Officer David Fey presented staff's report: Policy Manual section 520 currently limits

the public member and alternate public member to two four-year terms; at the last meeting the Commission directed staff to draft a text amendment to remove this term limit.

Commissioner Pacheco asked for confirmation that the text amendment was just to remove the term limits. Fey confirmed.

Fey added that the Commission will take action today to amend the policy and take action at the next noticed public hearing to appoint the public member and alternate public member.

Commissioner Yep asked when the original policy was put in place. Fey answered its was added as a reaction in response to a previous public member serving on the Commission for over 20 years. LAFCo Counsel Ken Price noted that under LAFCo law if there is no appointment for the public member, the public member can stay until an appointment has been made.

Commissioner Yep made a motion to approve agenda item six, seconded by Commissioner Mendes. The Commission approved the motion by a vote of 5-0.

7. Municipal Service Review and Sphere of Influence Update for Laguna Irrigation District (LAFCo File No. MSR-20-02, USOI-197).

Senior LAFCo Analyst George Uc presented staff's report: the MSR was prepared in response to Laguna Irrigation District's application for a SOI update; the District was formed in 1920 and manages irrigation water within its service area. The District's service area and SOI are contiguous and encompasses approximately 35,197 acres. There are no cities within the District and majority of the land within the District consists of agricultural land. The proposed SOI application requests the Commission to consider an expansion of 16,666 acres which is currently in a "white area" of the affected Groundwater Sustainability Agency, meaning that the area is represented on the GSA by the County and not by a water management agency. As planned, the affected territory will be represented by the District on SGMA-related items. Approval of the SOI expansion would facilitate the annexation scheduled for later this year. Staff recommends that the Commission adopt the proposed SOI update by taking three separate actions presented in staff's report.

Commissioner Pacheco asked staff why there was a portion of the affected territory in Kings County and not all in Fresno County. Uc confirmed that roughly half of the District is in Kings County and the balance of the District is in Fresno County.

There were no other comments from the Commission. There were no comments from the public.

Commissioner Mendes made a motion to approve agenda item 7/action 1, seconded by Commissioner Santoyo. The Commission approved the motion by a vote of 5-0.

Commissioner Mendes made a motion to approve agenda item 7/action 2, seconded by Commissioner Santoyo. The Commission approved the motion by a vote of 5-0.

Commissioner Mendes made a motion to approve agenda item 7/action 3, seconded by

Commissioner Santoyo. The Commission approved the motion by a vote of 5-0.

8. Addendum to Municipal Service Review and Sphere of Influence Update for the City of Clovis Landfill (LAFCo File No. USOI-198).

Senior LAFCo Analyst George Uc presented staff's report: the Clovis Landfill facility encompasses 329 acres of the 329 acres, 210 are under permitted use for solid waste disposal purposes and the remaining acreage mainly consists of land utilized as a buffer zone around the landfill facility. The proposed SOI update would encompass 447 acres and an additional 117 planned for an annexation at a later date. Staff recommends the Commission to adopt by taking three separate actions summarized in staff report.

Commissioner Mendes asked about the applicant's reason for the landfill SOI expansion. Uc responded that previous Clovis MSRs were focused on urban development, looking back at records the landfill is already in city limits it is just not included in the SOI. The SOI expansion permits the commission to find the requested annexation consistent with the SOI.

Chair Parra opened the floor up for public comment.

City of Clovis Planner George Gonzalez thanked staff for their work on this project and asked the Commission to adopt to Addendum.

Commissioner Pacheco asked what was the landfill's life expectancy. Mr. Gonzales responded that the landfill will be operational until the year 2054.

Commissioner Pacheco asked if the annexation would change the landfill's life expectancy and Mr. Gonzalez replied the annexation will not change the life expectancy of the landfill.

There were no other comments from the public.

There were no other comments from the Commission.

Commissioner Mendes made a motion to approve agenda item 8/action 1, seconded by Commissioner Santoyo. The Commission approved the motion by a vote of 5-0.

Commissioner Mendes made a motion to approve agenda item 8/action 2, seconded by Commissioner Santoyo. The Commission approved the motion by a vote of 5-0.

Commissioner Mendes made a motion to approve agenda item 8/action 3, seconded by Commissioner Santoyo. The Commission approved the motion by a vote of 5-0.

9. Executive Officer Comments.

Executive Officer Fey mentioned the CALAFCO Annual Conference held in October has been cancelled due to COVID-19. A letter describing the cancellation will go out with notes later this week. The financial statements for May are at the Commission's place at the dais.

10. Commission Comments/Reports

Chair Parra welcomed Commissioner Yep to the Commission.

11. Closed Session: Anticipated Litigation, Significant Exposure to Litigation Pursuant to Government Code Section 54956.9 (d) (2).

No action to report.

13. Adjournment

Commissioner Mendes made a motion to adjourn the hearing, seconded by Commissioner Yep. The Commission approved the motion by a vote of 5-0. The hearing was adjourned at 1:44 p.m.

Minutes 7-8-2020.docx