

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

MEETING MINUTES

MAY 11, 2016

Members Present: Commissioners Brian Pacheco, Daniel Parra, Henry Perea, Mario Santoyo, and Robert Silva

Members Absent: None

Staff Present: David E. Fey, AICP, LAFCo Executive Officer
Ken Price, LAFCo Counsel
George Uc, LAFCo Analyst
Candie Fleming, Clerk to the Commission

1. **Call to Order and Roll Call**

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

2. **Pledge of Allegiance**

Chairman Silva led the recital of the Pledge of Allegiance.

3. **Rotation of chair pro tem to chair pursuant to LAFCo Policy 502**

Commissioner Pacheco took over the meeting as Chairman

4. **Consider appointment of new chair pro tem from city commission members**

Commissioner Perea moved to reappoint Mario Santoyo as the Public Member and Michael Lopez as Alternate Public Member. Commissioner Parra seconded the motion that was approved by a 5-0 vote.

5. **Consider appointment of new chair pro tem from city commission members**

Commissioner Parra said he would like the opportunity to become chair pro tem. Commissioner Silva also expressed that he would like to be considered for the chair pro tem position. Commissioner Parra nominated himself and Commissioner Perea seconded the motion. The motion failed on a 3-2 vote. Commissioner Pacheco nominated Commissioner Silva and Commissioner Perea seconded the motion. The motion passed with a 5-0 vote.

6. **Comments from the Public**

There were no comments from the public

7. **Potential Conflicts of Interest**

There were no conflicts reported.

CONSENT AGENDA

- 8A. Minutes from the April 13, 2016, Meeting
- 8B. Request Authorization for the Destruction of Fresno LAFCo Public Records
- 8C. Informational Item: Staff practice to implement LAFCo Policy 514-02, roll-call vote, confirmation of motion

Commissioner Perea made a motion to approve the items on the consent calendar and Commissioner Santoyo seconded the motion. The motion passed with a 5-0 vote.

REGULAR AGENDA ITEMS

9. Consider Various Actions Related to the Fresno Municipal Service Review and Sphere of Influence Update; Commission Action to Conclude Activities of Ad Hoc Committee

Executive Officer Fey reported that at the April 13th hearing, the Commission directed staff to send a letter to the City of Fresno requesting clarification of the timing and the intent of the City related to the Southeast Sphere of Influence. Fey said Council President Caprioglio responded in a letter by asking for additional time for review before the City provides a plan of action to LAFCo. Mr. Caprioglio also invited staff to present a workshop on the matter at a future Council meeting to resolve preliminary questions that were outstanding. Based on Mr. Caprioglio's letter and the Council's offer to hold a workshop, Fey said staff and the Ad Hoc committee were recommending continuance to the July 13th hearing because the City Council would not be able to meet prior to the Commission's June hearing. Fey said staff had also received a letter from Councilman Quintero in opposition to any changes to the SEDA. Fey said he would be working with the City regarding the workshop. Commissioner Silva asked if the workshop was going to be a special meeting or was it going to be held during the City's regular council meeting. Fey responded that he didn't know yet. Commissioner Perea asked if there was anyone present from the City that the Commission could direct their questions to, specifically what the City hoped to accomplish in 30 days.

Jennifer Clark, Director of Development and Resources Management with the City of Fresno said they anticipate the workshop to occur sometime in June and the Council President wanted an additional two months' time to complete a thorough analysis and carefully consider the City's applicable policies. Commissioner Perea asked what exactly the City planned to discuss at the workshop and what they expected to accomplish. Ms. Clark responded that several years were dedicated to the SEGA specific plan which was later rolled into the City's general Plan. Ms. Clark said she didn't think the current council members were present during that time and didn't know if they were fully aware of what was conducted previously, what work had actually been done, or what work was left to do now that the general plan had been adopted.

Commissioner Perea said the Commission didn't mind continuing the item but wanted the City to understand that the Commission wanted some action by the City. Commissioner Perea said he understood that the City had adopted a general plan that talked about infill and development to the west of 99 and that the City Council is now making very strong statements that they have no intention of developing SEDA for the next 20 to 30 years, which could be considered land banking. Commissioner Perea said that is why the Commission is reconsidering if the SEGA should be removed from the City's SOI. Commissioner Perea said he was trying to understand

what the point was for holding the workshop unless the City Council was ready to pivot from their current plan or have decided to continue with those plans in addition to prepare a specific plan for SEGA.

Ms. Clark responded that President Caprioglio requested more time to be brought up to speed because he was not on the council at that time. Ms. Clark said the City spent lots of time and money to conduct a specific plan but decided to roll the policies of the specific plan into the general plan. Ms. Clark said that now that the general plan is complete it calls for a balance of investment in both new growth and growth within the City limits. Ms. Clark said this is now the time to start working on plans for specific plans outside the city limits. Ms. Clark said the southwest specific plan should be complete within the next 12 months and the southeast specific plan is getting underway. Ms. Clark said the west area specific plan has been funded for a market city for this year and then specific plans for additional new growth will happen later. Ms. Clark said the current city council members have not had the history that the Commission has and would like to be brought up to speed so that they can make those directions and policy decisions.

Commissioner Perea asked how the city council could not be up to speed if they just went through a several year process to adopt their general plan. Ms. Clark responded that several council members were not serving at the time the City was working on the southeast specific plan. Commissioner Perea said that once the city council was brought up to speed, they had to make a decision if they were going to pivot to SEGA and spend the money to make it happen. Commissioner Perea said that SEGA was prime ag land and farmers had to make a decision on whether to plant permanent or non-permanent crops and that the school districts also needed to know whether they should continue their plans for the area.

Commissioner Parra asked that the workshop be held in early June so that they would not have to continue the item further. Ms. Clark said she would pass that on to the City.

Commissioner Santoyo asked if the City came up with a policy decision for SEGA, how they would take into account faulty information or were they going to bring in new information for that decision. Ms. Clark said the City has been asked to make a policy determination of whether they were going to go forward and complete the plans for SEGA that would include an evaluation of all the infrastructure needs and availability within the area, including water. Commissioner Santoyo said it was his understanding that the City was asked to redo their municipal water management plan and asked if that was true. Ms. Clark said she was unable to answer that.

Commissioner Perea made a motion to continue the item to the July meeting where they will take final action. Commissioner Parra seconded the motion and the motion passed on a vote of 5-0.

10. Consider Adoption: Final Budget and Work Plan for Fiscal Year 2016-2017

Fey gave staff's report and said the actual City/County allocation was down by about \$5,000 due to the more accurate information that staff gets the closer it is to when the books close and recommended adoption of the budget and work plan. Fey noted that LAFCo was scheduled to host the 2017 CALAFCO staff workshop and would like to have the Commission acknowledge that the workshop is part of the work program.

Commissioner Silva wanted it to go on record that some of the cities were concerned about the increase in the amount of the City/County allocation. Commissioner Perea made a motion to adopt the budget and work plan and was seconded by Commissioner Silva. The motion passed on a 5-0 vote.

11. Executive Officer Comments/Reports

Fey reported that staff authorized the extension of services from the City of Kerman to the La Fe neighborhood on West Date Avenue that had already been served by the City of Kerman through a CDBG funded extension of services that was authorized by the County several years ago. Fey said part of this proposal was a clean-up so to make sure that it is on the books as an authorized extension.

Fey also reported that there was a letter on the dais in opposition to SB 1318 that was issued in April shortly after the Commission modified its policy to allow for a more timely response to a request for positions on pending legislation. Fey also reported that the Fresno Metropolitan Flood Control District's Flood Line Newsletter was also on the dais. Fey said that staff met this morning with the board of the Central Valley local chapter of the California Special Districts Association to discuss tailoring staff's upcoming annual LAFCo 101 workshop to address some of the issues that that were found during the MSR process that afflict special districts. Fey said the Central Valley chapter represents four counties including Fresno County.

12. Commission Member Comments/Reports

Commissioner Santoyo thanked the Commission for allowing him to attend and participate in the Washington D.C. "One Voice" trip that just occurred in April. Commissioner Santoyo said they did would they could to try and advance the issues of importance to Fresno County and felt they made some ground but haven't scored the touchdown yet.

Commissioner Pacheco thanked Commissioner Silva for his many years of guiding the Commission and looked forward to twelve months from now when Commissioner Silva could have the Chair back.

ADJOURNMENT

Commissioner Perea made a motion to adjourn the meeting and Commissioner Parra seconded the motion. The motion passed 5-0 and the meeting was adjourned at 1:58 p.m.