

# AGENDA

## FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

June 8, 2016 - 1:30 p.m.

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

### COMMISSION MEMBERS

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

### ALTERNATE MEMBERS

Michael Lopez  
Buddy Mendes  
Scott Robertson

### LAFCo STAFF

David E. Fey, AICP, Executive Officer  
Candie Fleming, Clerk to the Commission  
George Uc, LAFCo Analyst  
Juan Lara, Intern  
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: Consider Approval of Items

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 Approval of Items A and B**

- A. Minutes from the regular LAFCo Meeting of May 11, 2016
- B. City of Selma “DeWolf-Floral-Fahrney Reorganization” consisting of the annexation of 35.88 acres to the City of Selma and the Selma-Kingsburg-Fowler County Sanitation District and detachment from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidates Irrigation District for territory located north of east of DeWolf Avenue, north of Floral Avenue, and west of SR 99 (**LAFCo File No. RO-16-4**).

**Recommendation:** Approve minutes (5.A); approve the “DeWolf-Floral Fahrney Reorganization (5.B) by taking the following actions:

1. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, determine CEQA documents to be adequate pursuant to CEQA Guidelines Section 15096.
2. Find that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
3. Find pursuant to CKH and information in the record that:
  - A. The territory is uninhabited; and
  - B. All landowners and affected agencies have consented to the reorganization.
4. Approve the proposed reorganization subject to the conditions of approval identified in staff's report.
5. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH and the 30-day reconsideration period.

### **REGULAR AGENDA ITEMS**

6. **Consider Adoption:** Municipal Service Review and Sphere of Influence Revision Prepared for the Pinedale County Water District.

**Recommendation:** Adopt the Municipal Service Review for the Pinedale County Water District and revise the District's sphere of influence by taking the following actions:

- A. Approve Categorical Exemption from the provisions of the CEQA under Section 15306, "Information Collection."
- B. Find that the Municipal Service Review prepared for the Pinedale County Water District is complete, satisfactory, and satisfies State law and adopt the MSR.
- C. Revise the District's Sphere of Influence in order to rectify the District's and City of Fresno's existing water service boundaries.
- D. Make required determinations for the Municipal Service Review and Sphere of Influence update, adopt the Municipal Service Review and update the Sphere of Influence.

7. **Consider Approval: Pinedale County Water District "Pinedale County Water District Reorganization, 2014."** A proposal to annex territory to and detach territory from the District in order to adjust the water service area and sphere of influence to rectify the District's and City of Fresno's existing water service boundaries (**LAFCo File No. RO-14-3**).

**Recommendation:** Approve by taking the following actions:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that the proposed reorganization is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15061(b)(3).

- B. Find that the proposed reorganization is consistent with LAFCo Policies, Standards and Procedures of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH).
  - C. Find pursuant to CKH that:
    - 1. The territory is inhabited; and
    - 2. Not all landowners have consented to the annexation.
  - D. Assign the distinctive short form designation “Pinedale County Water District Reorganization, 2014” and approve the annexations and detachments subject to condition of approval identified in staff’s report.
  - E. Direct staff to conduct a protest hearing at the LAFCo office pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 57000 et seq.).
8. **Consider Adoption:** Municipal Service Review and Sphere of Influence Update for the Mercy Springs Water District

**Recommendation:** Adopt the draft Municipal Service Review prepared for the Mercy Springs Water District and update the District’s sphere of influence by taking the following actions:

- A. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines find that the MSR is Categorically Exempt from the provisions of the CEQA under Section 15306, “Information Collection.”
  - B. Find that the Municipal Service Review and Sphere of Influence Update prepared for the District are complete and satisfactory.
  - C. Find that the written determinations within the Municipal Service Review and Sphere of Influence Update satisfy State Law.
  - D. Make the required determinations for the Municipal Service Review and District Sphere of Influence, adopt the Municipal Service Review prepared for the District, and update the Sphere of Influence for said District by reaffirming the current boundaries.
9. **Executive Officer Comments/Reports**
10. **Commission Member Comments/Reports**

**CLOSED SESSION**

**11. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

**Title: Executive Officer**

**ADJOURNMENT**

**THE NEXT LAFCO MEETING** will be held on July 13, 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](http://www.fresnolafco.org)**.