

AGENDA

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

February 27, 2013 – 11:00 a.m.

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

COMMISSION MEMBERS

Armando Lopez, Chairman
Robert Silva, Chair Pro Tem
Henry Perea
Deborah A. Poochigian
Mario Santoyo

ALTERNATE MEMBERS

Richard Braun
Phil Larson
Daniel Parra

LAFCo STAFF

Jeff Witte, 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

1. **Call to Order and Roll Call**
2. **Pledge of Allegiance**
3. **Consider Approval:** Minutes from the regular LAFCo Meeting of January 9, 2013.
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. **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 five minutes.)

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.

6. **Consider Action on the Following Items:**
 - A. **Accept LAFCO Financial Statement for January 2013.**
 - B. **One-Year Extension for the City of Fresno “McKinley-Blythe No. 1 Reorganization” (fifth request).** A proposed reorganization consisting of the annexation of 40.89 acres to the City of Fresno and detachment from the North Central Fire Protection District and the Kings River Conservation District for territory located at the northeast corner of W. McKinley and N. Blythe Avenues. **(LAFCo File No. RO-08-2).**

- C. **One-Year Extension for the City of Parlier” Reorganization No. 11-01 (South Foothill)” (first request).** Proposed reorganization to annex 30.58 acres to the City of Parlier and detach from the Fresno County Fire Protection District, the Kings River Conservation District, and the Consolidated Irrigation District for territory located on the south side of South Avenue between Academy and Mendocino Avenues (**LAFCo File No. RO-12-1**).
- D. **One-Year Extension for the City of Reedley “Reed-Beechwood Reorganization, Annexation 2005-1” (fifth request).** A reorganization consisting of the annexation of 94.4 acres to the City of Reedley and detachment from the Fresno County Fire Protection District and the Kings River Conservation District for territory located west of Reed Avenue and both north and south of the Beechwood Avenue Alignment. (**LAFCo File No. RO-07-6**).

Recommendation: Approve items A through D per Staff’s Recommendations

PUBLIC HEARING

7. **Consider Appointment:** Consider appointing a subcommittee consisting of one County Commissioner and one City Commissioner to explore changing LAFCo’s policy for selection of Chairman and Vice Chairman.

RECOMMENDATION: Approve Appointments

OTHER MATTERS

8. **Informational Item.** Clarification by Legal Counsel on LAFCo Commissioner Disclosure and Recusal Requirements.
9. **Informational Item.** Report regarding dismissal of *City of Fresno v. Fresno Local Agency Formation Commission* (Case No. 12CECG01822) – Willow Copper No. 1 Reorganization and Chestnut Copper No. 1 Reorganization (Granville).

CLOSED SESSION

10. **PUBLIC EMPLOYMENT APPOINTMENT**
Title: Executive Officer (Candidate Interviews)

ADJOURNMENT

THE NEXT LAFCO MEETING will be held on March 13, 2013, 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 eq.*) 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**.