

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

MEETING MINUTES

March 10, 2021

**Members Present:** Commissioners Brandau, Magsig, Santoyo, Yep, Parra

**Members Absent:** None

**Staff Present:** David E. Fey, LAFCo Executive Officer  
Amanda Olivas, Clerk to the Commission  
George Uc, Senior LAFCo Analyst  
Juan Lara, LAFCo Analyst  
Kenneth Price, LAFCo Counsel

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

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

**2. Pledge of Allegiance**

Chair Parra asked Commissioner Brandau 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 February 10, 2021.**

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

**REGULAR AGENDA ITEMS**

**6. Preliminary Budget and Work Plan for Fiscal Year 2021-2022.**

LAFCo Executive Officer David Fey presented staff's report: LAFCo's budget process is set up

to be presented at three different meetings. Staff will be bringing the proposed budget in April and the final in May. This preliminary budget is based on assumptions of projected revenue and expenditures and will be updated as new information becomes available. This report was sent to only the Commission; however, the proposed and final budgets will be sent to the County, cities, and special districts in accordance with state law. The budget reflects the work plan. Attachment B in the report shows the MSR program, including MSRs projected to be completed, the biennial financial audit for 20-21, a policy manual review and update and since the current LAFCo office lease is up in early 2022 staff has included expenses related to new office space.

Commissioner Santoyo reminded staff that the Commission would benefit from a refresher on the MSR program to explain what is being worked on and the frequency of the work later down the road.

Commissioner Magsig suggested looking for new office space in the Del Webb building and Commissioner Brandau could assist.

Commissioner Brandau asked staff about the process to annex land without first being rezoned. Fey answered that such a situation is not consistent with statute, policy, or practice. He is preparing a letter to the individual inquiring the information and will copy the Commission.

Commissioner Santoyo suggested a sub-committee be formed to establish guidance to staff on updating the LAFCo policy manual. Chair Parra asked for two volunteers; Commissioner Santoyo volunteered, Commissioner Brandau nominated Commissioner Magsig as the second volunteer. Commissioner Magsig accepted.

There were no other comments from the Commission.

There were no comments from the public.

This is a receive and file report and no action was needed.

## **7. Cities' Response to Alternative Allocation Process.**

Fey presented staff's report: at the Commission's request Fey met with the Policy Advisory Committee, composed of city managers, at COG and raised the notion of any alternate allocation process that the cities might be interested in. The response was "if it ain't broke, don't fix it." Staff recommends the practice to stay the same.

There were no comments from the Commission.

There were no comments from the public.

This is a receive and file report and no action was needed.

## **8. Support for San Diego LAFCo's Amendment of Government Code Section 56133(e).**

Fey presented staff's report: San Diego LAFCo is working on an amendment of 56133(e) via

their work program and other LAFCOs have already shown their support of this amendment. 56133 is a section of CKH that requires when services are proposed to be extended outside of a city limits or the service area of a special district that LAFCo be consulted with first and authorizes the extension of services. This is to prevent cities and special districts from extending services without any kind of overview. What is being proposed is to clarify not make any changes. Staff recommends the Commissions support on this item.

Commissioner Magsig asked staff if this is an issue in Fresno County and if changes that are being proposed are needed. Fey answered not at this time. Commissioner Magsig recommends the Commission stay neutral on this issue at this time.

Commissioner Yep left Zoom call at 2:00 p.m. Came back at 2:03 p.m.

There were no other comments from the Commission.

There were no comments from the public.

Commissioner Magsig made a motion to stay neutral on item 8, seconded by Commissioner Santoyo. The Commission approved the motion by a vote of 5-0.

#### **9. Executive Officer Comments**

Fey asked the Commission if it would like to return to in-person meetings or stay with Zoom. Commissioners are interested in going back to in person meetings.

The RCD MSR's are going to be presented to the Commission in May. The CALAFCO Annual Conference will be in person October 6-8 and would like to know which Commissioners are interested in going for the budget.

Legal Counsel Ken Price addressed the SLO LAFCO vs. Pismo Beach legal situation that Fey sent out to the Commissioners. Commissioner Santoyo asked for confirmation that there may be a need to increase the reserve account. Fey confirmed.

#### **10. Commission Comments/Reports**

There were no comments from the Commission.

#### **11. Adjournment**

Commissioner Magsig made a motion to adjourn the hearing, seconded by Commissioner Santoyo. The Commission approved the motion by a vote of 5-0. The hearing was adjourned at 2:29 p.m.