

CONSENT AGENDA ITEM No. 5-A

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

**MEETING MINUTES
JANUARY 9, 2019**

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

Members Absent: None

Staff Present: David Fey, LAFCo Executive Officer
Ken Price, LAFCo Counsel
George Uc, Senior LAFCo Analyst
Juan Lara, LAFCo Analyst II
Amanda Graham, LAFCo Office Assistant II

1. Call to Order and Roll Call

Chair Santoyo called the meeting to order at 1:30 p.m.

2. Pledge of Allegiance

Chair Santoyo 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 December 12, 2018.

5-B. Destruction of LAFCo Records Pursuant to Government Code (GC) Sec. 56382.

5-C. City of Fresno “Shepherd-Willow No. 3 Reorganization.”

Commissioner Parra made a motion to approve consent agenda items 5 A-C, seconded by Commissioner Silva. The Commission approved consent agenda items 5 A-C by a vote of 4-0.

REGULAR AGENDA ITEMS

6. Amendment of the Fresno LAFCo Policy Manual per Section 525 to Reflect the Conflict of Interest Code Approved by the Fresno County Board of Supervisors Pursuant to GC Sec. 87300 and 87306.

LAFCo Office Assistant Amanda Graham presented staff report: on December 4, 2018, The Fresno County Board of Supervisors took action approving the changes to the Conflict of Interest Code for Fresno LAFCo. An amendment of Fresno LAFCo's Policy Manual Section 525 *Conflict of Interest Code* is necessary to reflect those approved changes pursuant to GC Sec. 87300 and 87306.

There were no comments from the Commission.

There were no comments from the public.

Commissioner Mendes made a motion to approve agenda item 6, seconded by Commissioner Parra. The Commission approved agenda item 6 by a vote of 4-0.

7. Adoption of Resolution Initiating Dissolution Proceedings for County Service Area 18, Silver Creek Drainage District, Poso Resource Conservation District, and Firebaugh Resource Conservation District in Accordance with SB 448.

LAFCo Analyst Juan Lara presented staff report: on November 14, 2018, staff presented the State Controller's Office (SCO) inaugural list of inactive special districts pursuant with SB 448. Staff verified each district's inactivity and based on this report, the Commission shall initiate dissolution of these inactive special districts by resolution unless the Commission determines that the District does not meet the criteria set forth in GC Sec. 56042. The Commission shall hold one public hearing on the matter of the dissolution no more than 90 days following the adoption of the resolution initiating this dissolution. Staff will continue to talk to Mr. Miniasian and with any other interested party, with the goal of clarifying the responsibilities of these special districts and to assist in restoring their activity and productivity.

Commissioner Pacheco asked for confirmation that the resolution does not dissolve the districts; there will still be 90 days to respond before dissolution. Lara confirmed.

LAFCo Counsel Ken Price added if a district is dormant, it is not active.

Commissioner Silva expressed that he thought that the Silver Creek Drainage District and Firebaugh Resource Conservation District seemed to be active recalling recent actions to address storm water flooding. Price added that Mr. Miniasian is the counsel to the exchange contractors joint powers agreement (JPA) and counsel to Firebaugh Canal Water District, there could be activity that Commissioner Silva has witnessed; however, it may be JPA activity to one of the exchange contractors not actually from the

Districts. Commissioner Mendes added if that were the case, the Districts should be dissolved and the powers should be transferred to the exchange contractor. Price agreed.

Executive Officer David Fey added that the Municipal Service Review (MSR) for Firebaugh Resource Conservation District showed it had no board, no budget, no projects, and appeared to be inactive in 2007.

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, seconded by Commissioner Parra. The Commission approved agenda item 7 by a vote of 4-0.

8. Informational Item: Mid-Year Budget and Work Program Status for Fiscal Year 18-19.

Executive Officer David Fey presented the report: revenue and expenses are generally on track with the adopted budget. Work program projects are on track.

There were no other comments from the Commission.

There were no comments from the public.

As an informational item, no action was taken.

9. Executive Officer Comments

Fey stated financial statements for November are at the Commission's place at the dais also with a copy of the CALAFCO Quarterly. Commissioners not located in the Hall of Records has been provided with a new parking pass. Information for Commissioner Parra is provided for him to sign. Staff has prepared a certificate of appreciation for Supervisor Quintero's service on the Commission.

Fey stated he would be talking with the City of Fresno about both east and west side of Gallo hoping to come up with a City/LAFCo/County plan.

With the departure of Supervisor Quintero, member Santoyo, Chair Pro Tem is acting as Chair. With about three months remaining before the Commission takes action to appoint its new leadership, does the Commission grant Chair Pro Tem Santoyo to act as Chair or would one of the County members wish to take the remainder of the term. The Commission agreed to have Chair Pro Tem Santoyo act as Chair.

11. Commission Comments/Reports

Commissioner Mendes stated he got the Zalda Reclamation District board to meet and its legal counsel is in the process of getting the District an updated financial analysis and is looking to surrender its latent powers to Kings River Conservation District.

Commissioner Parra stated the information from CALAFCO has been received by Pamela Miller.

Commission Silva asked staff to look into what other LAFCOs' stipends are and return with the findings.

There were no other comments from the Commission.

12. Adjournment

Commissioner Mendes motioned to adjourn the meeting, seconded by Commissioner Pacheco. The motion passed on a vote of 4-0. The meeting was adjourned at 1:53 p.m.