

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

**MEETING MINUTES
JUNE 14, 2017**

Members Present: Commissioners Robert Silva, Sal Quintero, Daniel Parra, Mario Santoyo

Members Absent: Commissioner Nathan Magsig

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

1. Call to Order and Roll Call

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

2. Pledge of Allegiance

Chair Silva led 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 regular LAFCo meeting of May 10, 2017

5-B. Experiential Education Agreement between California State University, Fresno and Fresno LAFCo

5-C. City of Clovis "Ashlan-Leonard Southeast No. 2 Reorganization"

5-D. City of Clovis "Gettysburg- Highland Northeast Reorganization"

Commissioner Parra made a motion to approve consent agenda items 5-A through D, seconded by Commissioner Quintero.

The Commission approved the consent agenda by a vote of 5-0-1-0.

REGULAR AGENDA ITEMS

6. Municipal Service Review and Sphere of Influence Update for Clovis Cemetery District

LAFCo Senior Analyst George Uc presented the Clovis Cemetery; formed in 1925; it is governed by five-member board of trustees; daily operations of the District are carried out by 10 full time employees and under the supervision of a general manager. There is an estimated total population of 304,740 people inside the District's boundaries, most populated within the City of Clovis and a portion of the City of Fresno. The staff report indicates that the District owns six cemetery facilities located within the District's boundaries combined they have an inventory of 57 acres. During the MSR process, the District informed LAFCo that they do not monitor its groundwater pumping but they do have private wells on their sites. The District averages an annual estimate of 600 interments throughout their facilities. The District's primary source of funding is annual property taxes and plot fees. During fiscal year 2015-2016, the District budget amounted to 1.8 million. The District lies within the North Kings Groundwater Sustainability Agency, and as stated before the District does not monitor its ground water pumping however we were able to work with the District and give them the heads up in the MSR that within the next 5 years we anticipate the GSA's will be contacting the local agencies and working with the Cemetery Districts as it relates to developing water recharge programs. The District's service area and sphere of influence are coterminous and encompass 879,000 acres. During the MSR process, the District informed LAFCo that they do not anticipate any SOI revisions, so for that reason the MSR recommends that the Commission reaffirm the District's sphere of influence by entertaining two separate actions.

Commissioner Santoyo asked how has the District accounted for its water use previously, given the emergence of the Groundwater Sustainability Act.

Uc answered that most of the District's cemetery facilities are not irrigated so their water use is just for office use. Within the valley floor, CCD has its own well site, Redbank is part of the Fresno Irrigation District (FID) sphere and so it has some surface water entitlements with FID.

Executive Officer Fey added that the District's overall water use is relative; though it is a geographically large District, there are only five facilities that total less than 100 acres.

There were no other comments from the Commission.

There were no comments from the public.

Commissioner Parra made a motion to approve agenda item 6-A, seconded by Commissioner Quintero.

The motion passed by a vote of 5-0-1-0.

Commissioner Parra made a motion to approve agenda item 6-B through 6-D, seconded by Commissioner Quintero.

The motion passed by a vote of 5-0-1-0.

7. Municipal Service Review and Sphere of Influence Update for Fowler Cemetery District

George Uc presented that the Fowler Cemetery District was formed in 1933 and governed by a three-member board of trustees. Similar to the Clovis Cemetery District the trustees are appointed by the Board of Supervisors. Daily operations of the District are fulfilled by three full time employees and under the supervision of one general manager. The District boundaries host an estimated population 32,000 residence. The District owns a 32-acre cemetery facility, 18-acres of that are already developed and the remainder of that land is reserved for future interments. The District averages 100 to 120 interments annually and estimates that its 20-acre land reserve provides sufficient internment capacity for the next 20 to 30 years. The districts primary source of revenue is annual property tax and plot sales, during fiscal year 2015-16 the budget totaled \$951,118. The District does irrigate its facilities and it draws its water resources from a private well, 2500-gallon capacity located within the premise of the district. This District is located south of the Central Kings Groundwater Sustainability Agency, the district informed LAFCo that like Clovis Cemetery, it also doesn't monitor its groundwater pumping but we were able to contact CID and similar language to before was given about the GSA's contacting and working with the districts to establish a recharge program. The service area and SOI are coterminous, encompass 23,691 acres, and are currently not looking at expanding their sphere or any projects that would require an SOI update so the MSR recommends that the sphere be reaffirmed. During the MSR process staff observed the District currently does not have any agency policies, bylaws, or ordinances in place. Therefore, in working with the District staff was able to recommend them to adopt some policies reflecting their current statute, which was amended in 2004 that requires cemetery districts to have some kind of policy in place. Staff recommends the Commission to reaffirm the Sphere of Influence with two actions.

Commissioner Silva asked that with the policies and procedures that we are recommending to the District are you giving them a certain time to adopt the District by-laws?

Uc replied if the Commission would like to add a time line, we can amend our recommendation that will give the District the time to budget for these policies. Commission consensus was to direct the District to adopt by-laws in a timely manner, but no specific time frame was given.

There were no other comments from the Commission.

There were no comments from the public.

Commissioner Santoyo made a motion to approve agenda item 7-A, seconded by Commissioner Quintero.

The motion passed by a vote of 5-0-1-0.

Commissioner Santoyo made a motion to approve agenda item 7-B through 7-D, seconded by Commissioner Quintero.

The motion passed by a vote of 5-0-1-0.

8. Agreements between Fresno LAFCo and the International City Management Association- Retirement Corporation; and an Amendment of Fresno LAFCo Employees Handbook Section 414

Executive Officer Fey presented staff report as an independent LAFCo the Commission sets aside a retirement contributions for the employees in the order of 10% of the employee's gross earnings. These funds have been kept in our bank account and staff is recommending they be moved over to the International City Management Association-Retirement Corporation (ICMA-RC) as a 401(a) plan. If the Commission approves this agreement a series of signatures are required as well as an amendment to the Fresno LAFCo Employee Handbook.

Commissioner Santoyo asked in this new process, is there going to be the opportunity for the employees to determine their investment choices and it will be added to the policy?

Fey replied yes.

There were no other comments from the Commission.

There were no comments from the public.

Commissioner Santoyo made a motion to approve agenda item 8-1A through C, seconded by Commissioner Parra.

The motion passed by a vote of 5-0-1-0.

Commissioner Parra made a motion to approve agenda item 8-2, seconded by Commissioner Quintero.

The motion passed by a vote of 5-0-1-0.

9. Amendment of the Fresno LAFCo Financial and Accounting Procedures

Executive Officer Fey presented the amendment of the Fresno LAFCo Financial and Accounting Procedures which started as a clarification of the purchasing authority the Commission grants of the Executive Officer however in review of the rest of the document, staff is recommending other changes be made for clarity and grammatical purposes. It is staff's recommendation that for the day to day operations the Commission authorizes staff to perform those services and approve contracts and make purchases necessary to keep the operation going. If the Commission approves the recommendations on this item, there is no need to act on item 10.

Commissioner Santoyo asked about use of the Financial and Accounting Procedures and amendments over time.

Fey replied like any document that is adopted will be updated and clarified from time to time.

There were no other comments from the Commission.

There were no comments from the public.

Commissioner Santoyo made a motion to approve agenda item 9, seconded by Commissioner Parra.

The motion passed by a vote of 5-0-1-0.

10. Consulting Services Contract with CoreHR Team for HR and related legal consulting services

No action taken.

OTHER MATTERS

11. Executive Officer Comments

Fey addressed the Commission and reported the Financial Statement for April 2017 is at their place at the dais. Fey will be on vacation in August, and if there is nothing to bring to the Commission, recommended that the meeting not be held. There was general support for this approach by the Commission. A water policy working meeting was held on Monday, June 12 at the Fresno Irrigation District, Commissioner Santoyo and Commissioner Silva attended. Staff will be reaching out to the cities and to the superintendent of public schools for a similar briefing.

Commissioner Silva agreed it was an excellent meeting, the agencies attending understand where the Commission is coming from and what the water responsibilities are. The input we received was excellent and we will be working with the parties that want to be involved.

Commissioner Santoyo added that they were able to get them to understand that we weren't coming in to be their boss or try to take over, we got them to understand that we actually by addressing the issue that it will help us with decisions of sphere of influence growths but more importantly it actually helps them.

Fey continued that the Commission sees that the Brown Act training that is offered by the California Special Districts Association (CSDA) that's available up and down the valley for several months to come and if the Commissioner and interested in participating to let staff know. Also note that the CALAFCO conference notice at your dais.

12. Commission Comments/ Reports

Commissioner Parra disclosed that he would not be at the July hearing.

There were no other comments from the Commission.

13. Closed Session- Executive Officer Performance Evaluation

LAFCo Counsel Ken Price responded there is nothing to report from closed session.

ADJOURNMENT

Commissioner Parra motioned to adjourn the meeting, seconded by Commissioner Quintero. The motion passed on a vote of 5-0-1-0. The meeting was adjourned at 2:10 p.m.

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