

**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)**

**LAFCo MEETING MINUTES  
JANUARY 13, 2016**

**Members Present:** Commissioners Brian Pacheco, Daniel Parra, Henry Perea, Mario Santoyo, and Robert Silva

**Members Absent:** None

**Staff Present:** David E. Fey, AICP, LAFCo Executive Officer  
Ken Price, LAFCo Counsel  
George Uc, LAFCo Analyst  
Candie Fleming, Clerk to the Commission  
Juan Lara, Intern

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

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

**2. Pledge of Allegiance**

Chairman Silva led the recital of 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 reported.

**CONSENT AGENDA**

**5. Consider Approval of Items A and B.**

**A. Minutes from the December 9, 2015 LAFCo Meeting**

**B. Request authorization for the destruction of Fresno LAFCo public records.**

Commissioner Perea made a motion to approve the Consent Agenda and Commissioner Parra seconded the motion. The motion passed by a 5-0 vote.

## **REGULAR AGENDA ITEMS**

### **6. City of Clovis “Leonard-Dakota Southeast Reorganization”**

Executive Officer Fey presented staff’s report and recommended approval by taking separate actions to approve the environmental document and to approve the proposal. Chairman Silva asked if there was any opposition to the proposal and Fey responded that staff did not receive any written or verbal opposition to the proposal.

Commissioner Perea made a motion to approve Item A and Commissioner Santoyo seconded the motion. The motion passed 5-0. Commissioner Parra made a motion to approve Items B through G and Commissioner Santoyo seconded the motion. The motion passed 5-0.

### **7. Mid-Year Budget and Work Program Status for Fiscal Year 2015-2016**

Fey reported that staff anticipated to resolve the issue regarding some past personnel expenses soon and that the MSR program was behind schedule due to complications with some special districts. Fey said staff originally anticipated that the Level 3 MSRs would take less time than the larger districts; however, staff has found the smaller districts seem to have more issues that need to be resolved and require more time than expected. Fey said staff is also trying to resolve boundary issues that have been discovered through the MSR process. In some cases, the Elections Department and the County’s GIS may have different boundaries for a special district than what LAFCO has on record which could cause service delivery problems as well as tax assessment problems. Fey said much time and effort is being spent to rectify the boundaries.

Fey said that by the end of the fiscal year, staff will at least have made contact with the cities and special districts on the current work program and that they will have had time to prepare the data for the MSR analysis. Fey summarized that though the work on MSRs is more intensive than first anticipated, there is significant value in the MSRs.

Chairman Silva asked why it is so time-intensive to prepare the MSRs and Fey responded that staff is finding that each district has different issues that need to be resolved that were either not noticed in the first round of MSRs or weren’t addressed. Commissioner Santoyo suggested ways of early communication with agencies to let them know that LAFCo will be preparing an MSR for their agency. Commissioner Perea asked if there were any districts on the list that staff knows are defunct. Fey said that in some cases, a district may have an inactive board but didn’t want to use the word “defunct” either because the districts may still be providing a service.

Commissioner Perea said that the Commission was going to look at Fresno’s SOI to consider reducing the southeast SOI and wondered if it would be worth also looking at Clovis’ and Sanger’s boundary so the Commission treats everybody fairly. Fey responded that from a metropolitan planning perspective, there may be some value in analyzing how SOIs in the Fresno-Clovis-Sanger metropolitan area may function over time. Fey said that several years ago there was discussion about buffers and separation between the cities which may be of interest to the Commission in terms of its authority. Commissioner Perea asked if there was anything that would prevent LAFCo from revisiting Clovis’ SOI and Fey responded that it would be up to the Commission to decide what factors would warrant revisiting Clovis’ SOI. Commissioner Perea asked what would be the timeline to agendize the issue if the Commission

did decide to revisit Clovis' SOI. Fey responded that given the resources available and current work plan, staff could put the issue on next year's work plan, or if the Commission wanted it sooner, staff could adjust its work plan.

Commissioner Perea said that he is aware of some interest in forming a veteran's memorial district in Fresno and asked what the process would be to reduce some of the Clovis VMD's SOI to include in Fresno's VMD SOI. Fey responded that the Commission could initiate district modification and that LAFCo could be the lead agency under CEQA, which would mean some implications in terms of time and resource. Fey said he was scheduled to meet with the Clovis Veterans' Memorial District to talk about its MSR and SOI and to orient it with the LAFCo process. Commissioner Perea asked Fey to let the Clovis veterans' board know that there is at least one commissioner interested in modifying their sphere. Chairman Silva wondered how it would all work and asked staff to come back with more information.

Commissioner Parra asked if there was any way to put a deferral on a district's assessments if they didn't respond to LAFCo MSR questionnaire. Counsel Price said that even though LAFCo has broad authority, he thought that would be outside of LAFCo's jurisdiction.

#### **8. Presentation by CALAFCO Executive Director Pamela Miller**

Pamela Miller, Executive Director of CALAFCO presented a PowerPoint presentation to the Commission to share what CALAFCO does and what LAFCos' dues pay for. Ms. Miller thanked staff for agreeing to host the 2017 staff workshop in Fresno. Ms. Miller said that CALAFCO's mission is to assist LAFCos with educational, technical, and legislative resources that otherwise would not be available.

#### **9. Executive Officer Comments/Reports**

Fey said the November/December financials were on the dais and that staff has scheduled a Fresno SOI listening session for February 5<sup>th</sup> that will be noticed to various stakeholders, the City of Fresno, and people who provided testimony at the December hearing. Fey reported that he received a call from somebody that lives in Fig Garden who had a question about the Fig Garden Fire Protection District. Fey said that apparently there was a vote on the subject of forming a community facility district (CFD) and there appears to be some confusion as to whether the CFD did or did not replace the fire protection district. Fey said that since LAFCo took no action on the District, it sounded like it was a CFD in addition to the District.

Fey introduced LAFCo's new intern, Juan Lara, who is a geography student at Fresno State who will be graduating next semester.

Commissioner Parra asked about a project in Kingsburg that he heard people were against. Fey responded that there was an annexation approved last year on Mendocino Avenue, south of Kamm Avenue where there is a rural-residential block north of the area that if they do not want to annex, the City would not be able to annex any territory north of the rural-residential area because that would create an island. Fey said he has been working with City staff and developers to facilitate discussion with the residents.

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

Chairman Silva asked how the Commission would feel about sending one of its members to the "One-Voice D.C." conference in Washington D.C. that is sponsored by COG. Chairman Silva said that if the Commission wished, they could have staff bring the issue back as an action item during next month's hearing. Commissioner Silva added that he felt Commissioner Santoyo would be a good choice since he has attended the "One-Voice" conferences in the past and is most familiar with the number one issue, which is water. Commissioner Santoyo said he would certainly be interested in representing LAFCo, particularly in the area of the water aspect since it is an integral part in everything LAFCo does now.

#### **ADJOURNMENT**

Commissioner Parra made a motion to adjourn the meeting and Commissioner Perea seconded the motion. The motion passed 5-0 and the meeting was adjourned at 2:30 p.m.