

# STANISLAUS LOCAL AGENCY FORMATION COMMISSION

## AGENDA

FEBRUARY 28, 2007

6:00 P.M.

JOINT CHAMBERS – BASEMENT LEVEL  
TENTH STREET PLACE  
1010 10<sup>th</sup> STREET, MODESTO  
[www.stanislauslafco.org](http://www.stanislauslafco.org)

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedure Section 185 which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the Local Agency Formation Commission shall be in English and anyone wishing to address the Commission is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

Any member of the public may speak on any item, which is on the agenda. Comments by members of the public on an item on the agenda will only be allowed during consideration of the item by the Commission. When the item is called, please raise your hand or approach the podium if you desire to address the Commission.

**CONSENT CALENDAR: CONSENT ITEM**, denoted with an asterisk (\*), is a matter requiring Commission action but which following an initial evaluation by staff, has been found to be totally consistent with the spheres of influence, Commission Policies, all applicable general plans, and all landowners have signed the petition for the requested action and is, therefore, **recommended for "routine" approval**. Prior to actual Commission consideration, the Chairperson will ask if anyone present wishes to discuss the consent item. If such a request is made, that item will be reviewed in detail.

**AMERICANS WITH DISABILITIES ACT:** Hearing devices are available for public use. If hearing devices are needed, please contact the LAFCO Clerk at 525-7660. Notification 24 hours prior to the meeting will enable the Clerk to make arrangements.

No correspondence addressed to the Commission, individual Commissioners or staff will be accepted and/or considered unless it has been signed by the author, or sufficiently identifies the person or persons responsible for its creation and submittal.

### I. CALL TO ORDER

- A. Pledge of Allegiance to the Flag.
- B. Introduction of Commissioners and Staff.

### II. APPROVAL OF MINUTES

- A. Minutes of the January 24, 2007 Meeting.

### III. CORRESPONDENCE

- A. Specific Correspondence.
- B. Informational Correspondence.
  - 1. Letter from Peter Brundage, Executive Officer with Sacramento LAFCO, regarding the 2007 CALAFCO Annual Conference to be held August 28-31, 2007, in Sacramento.
- C. "In the News".

**IV. PRESENTATIONS**

- A. Presentation of a Plaque to John Lazar recognizing his years of service as a LAFCO Commissioner from January 2000 through December 2006.
- B. Presentation of a Plaque to Barbara Rouse as outgoing Chairperson for the year of February 2006 through January 2007.

**V. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

**IV. CONSENT ITEM \***

The following consent items are expected to be routine and non-controversial and will be acted upon by the Commission at one time without discussion, unless a request has been received prior to the discussion of the matter.

- \*A. **LAFCO APPLICATION NO. 2007-01 – TECHNOLOGY BUSINESS PARK-PHASE 2 CHANGE OF ORGANIZATION (ANNEXATION) TO COUNTY SERVICE AREA NO. 10.**  
A request to annex approximately 8.36 acres to County Service Area (CSA) No. 10 – Salida. The territory is located at Kiernan Court on the east side of Highway 99, north of the Kiernan Avenue interchange, in the unincorporated area of Salida. (Staff Recommends Resolution No. 2007-04, approving the proposal.)

**V. PUBLIC HEARING**

- A. **PUBLIC HEARING – LAFCO APPLICATION NO. 2006-12 – HATCH & SANTA FE CHANGE OF ORGANIZATION TO THE CITY OF HUGHSON (CONTINUED FROM DECEMBER 6, 2006).** A proposal to annex 70.73 acres to the City of Hughson. The territory is located on the southeast corner of Hatch Road and Santa Fe Avenue, northwest Hughson area. (Staff Recommends Resolution No. 2006-32, approving the proposal.)
- B. **PUBLIC HEARING – LAFCO APPLICATION NO. 2006-14 – FORMATION OF THE WENDT RANCH RECLAMATION DISTRICT (CONTINUED FROM JANUARY 24, 2007).** A request by landowner petition, to form a new reclamation district, to provide for the operation and maintenance of an existing agricultural levee system. The formation of the Wendt Ranch Reclamation District will create a funding mechanism for the maintenance of, and retention of, existing flood control facilities and/or levee system. The project is located within the unincorporated area of Stanislaus County, just east of McHenry Avenue, north of Patterson Road, near the City of Riverbank. The proposed Reclamation District would consist of two whole Assessor parcels totaling approximately 761.46 acres. (Staff Recommends Resolution No. 2007-03, approving the proposal.)
- C. **PUBLIC HEARING – LAFCO APPLICATION NO. 2007-01 – WESTSIDE INDUSTRIAL SPECIFIC PLAN REORGANIZATION TO THE CITY OF TURLOCK.** The City of Turlock has submitted a Resolution of Application requesting that the Commission: 1) redesignate approximately 476 acres from the “Secondary Area” to the “Primary Area” of the Turlock Sphere of Influence; 2) annex approximately 671 acres to the City of Turlock; and 3) simultaneously detach the territory from the Turlock Rural Fire District. The proposed territory to be annexed is part of the City’s adopted Westside Industrial Specific

Plan (WISP) and consists of three separate areas, all of which are contiguous to the City's existing City limits and within the City's Sphere of Influence. Area 1 (Glenwood Area) consists of approximately 14 acres, generally located south of West Glenwood and Highway 99. Area 2 (Linwood Area) consists of approximately 108 acres, generally located north of West Linwood Avenue, between South Tegner and South Kilroy Roads. Area 3 (North Area) consists of approximately 549 acres, generally located north of West Main Street, east of North Washington Road, south of Fulkerth Road, and west of Highway 99. (Staff Recommends Resolution No. 2007-05, approving the proposal.)

**VII. OTHER BUSINESS**

**VIII. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON**

**IX. EXECUTIVE OFFICER'S REPORT**

A. On the Horizon.

**X. PUBLIC COMMENT**

**XI. ADJOURNMENT**

A. Set the next meeting date of the Commission for March 28, 2007 at 6:00 p.m.

B. Adjourn.

**Campaign Contributions**

State law (Government Code Section 84308) requires that a LAFCO Commissioner disqualify herself or himself from voting on an application involving an "entitlement for use" (such as an annexation or sphere amendment) if, within the last twelve months, the Commissioner has received \$250 or more in campaign contributions from an applicant, any financially interested person who actively supports or opposes an application, or an agency (such as an attorney, engineer, or planning consultant) representing an applicant or interested participant. The law also requires any applicant or other participant in a LAFCO proceeding to disclose the amount and name of the recipient Commissioner on the official record of the proceeding. Written or oral disclosure can be made at the beginning of the hearing. The law also prohibits an applicant or other participant from making a contribution of \$250 or more to a LAFCO Commissioner while a proceeding is pending or for three months afterward.

Also pursuant to Government Code Sections 56700.0 and 81000 et seq. any person or combination of persons who directly or indirectly contributes \$1000 or more or expends \$1000 or more in support of or opposition to a change of organization or reorganization that has been submitted to the Commission and will require an election must comply with the reporting and disclosure requirements of the Political Reform Act of 1974.