



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

AGENDA

JUNE 25, 2008

6:00 P.M.

JOINT CHAMBERS – BASEMENT LEVEL
TENTH STREET PLACE
1010 10th STREET, MODESTO
www.stanislauslafco.org

PUBLIC COMMENT: 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.

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.

Materials related to an item on this Agenda submitted to the Commission or prepared after distribution of the agenda packet will be available for public inspection in the LAFCO Office at 1010 10th Street, 3rd Floor, Modesto, during normal business hours.

CONSENT CALENDAR: Consent item(s) are denoted with an asterisk (*), which require 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.

REASONABLE ACCOMMODATIONS: In compliance with the 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.

NOTICE REGARDING NON-ENGLISH SPEAKERS: 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.

1. CALL TO ORDER

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

2. PUBLIC COMMENT

3. APPROVAL OF MINUTES

- A. Minutes of the May 28, 2008 Meeting.

4. CORRESPONDENCE

A. Specific Correspondence.

1. A Letter from Mr. Richard A. Kendrick, dated June 10, 2008 regarding Agenda Item No. 6:A (Via Email).
2. A Letter from Arlen and Susan Peters, dated June 11, 2008 regarding Agenda Item No. 6:A (Via Email).

B. Informational Correspondence.

1. "The Sphere", CALAFCO Newsletter, June 2008.
2. California Special Districts Association (CSDA) Pamphlet.

C. "In the News".

5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

6. PUBLIC HEARINGS

A. **LAFCO APPLICATION NO. 2008-02 – TEMPERATE REORGANIZATION TO THE CITY OF MODESTO**. A proposal to annex approximately 1.87 acres to the City of Modesto and simultaneously detach the territory from the Woodland Avenue Fire Protection District. The territory is located at 2519 Temperate Avenue at the northeast corner of Temperate and Mercy Avenues, within a 77-acre unincorporated county island. (Staff Recommends Resolution No. 2008-18.)

B. **LAFCO APPLICATION NO. 2008-01 – TIVOLI SPECIFIC PLAN REORGANIZATION TO THE CITY OF MODESTO**. A proposal to annex approximately 454 acres to the City of Modesto and simultaneously detach the territory from the Stanislaus Consolidated Fire Protection District and generally located at the southwestern portion of Roselle and Claribel Roads within the City of Modesto's Sphere of Influence. (Staff Recommends Resolution No. 2008-19.)

7. OTHER MATTERS AT THE DISCRETION OF THE CHAIRPERSON

8. EXECUTIVE OFFICER'S REPORT

A. CALAFCO Annual Conference Update (Verbal Report).

1. Commission/Staff Attendees.
2. Selection of Voting Delegate.

9. ADJOURNMENT

A. Set the next meeting date of the Commission for July 23, 2008 at 6:00 p.m.

B. Adjourn.

Disclosure Requirements

1. Disclosure of Campaign Contributions

If you wish to participate in the following proceedings, you are prohibited from making a campaign contribution of more than \$250 to any commissioner or alternate. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until three months after a final decision is rendered by LAFCO. No commissioner or alternate may solicit or accept a campaign contribution of more than \$250 from you or your agent during this period if the commissioner or alternate knows, or has reason to know, that you will participate in the proceedings.

If you or your agent have made a contribution of more than \$250 to any commissioner or alternate during the twelve (12) months preceding the decision, that commissioner or alternate must disqualify himself or herself from the decision. However, disqualification is not required if the commissioner or alternate returns the campaign contribution within thirty (30) days of learning both about the contribution and the fact that you are a participant in the proceedings.

2. Lobbying Disclosure

Any person or group lobbying the Commission or the Executive Officer in regard to an application before LAFCO must file a declaration prior to the hearing on the LAFCO application or at the time of the hearing if that is the initial contact. Any lobbyist speaking at the LAFCO hearing must so identify themselves as lobbyists and identify on the record the name of the person or entity making payment to them.

3. Disclosure of Political Expenditures and Contributions Regarding LAFCO Proceedings

If the proponents or opponents of a LAFCO proposal spend \$1,000 with respect to that proposal, they must report their contributions of \$100 or more and all of their expenditures under the rules of the Political Reform Act for local initiative measures to the LAFCO Office