



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

AGENDA

MARCH 25, 2009

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 (*), are considered routine and will be enacted by the Commission under one motion. There will be no separate discussion of these items prior to Commission action, unless members of the Commission, staff, or the public request specific items to be removed from the Consent Agenda.

NON-CONSENT CALENDAR: These items will be individually discussed and 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 September 24, 2008 Meeting.
- B. Minutes of the December 3, 2008 Meeting.
- C. Minutes of the January 28, 2009 Meeting.

4. CORRESPONDENCE

- A. Specific Correspondence.
- B. Informational Correspondence.
 - 1. Publication of the California Special District Association (CSDA) Volume 4, Issue 1, January-February, 2009.
- C. "In the News".

5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

6. PUBLIC HEARING

- A. **LAFCO APPLICATION NO. 2008-07- CARVER-9TH STREET REORGANIZATION TO THE CITY OF MODESTO.** A request to annex approximately 32.08 acres to the City of Modesto and simultaneously detach the territory from the Woodland Avenue Fire Protection District. The boundaries of the reorganization are generally located northwest of the intersection of Carver Road and North 9th Street, within an unincorporated County island in the City of Modesto's Sphere of Influence. (Staff Recommends Resolution No. 2009-03.)
- B. **LAFCO APPLICATION NO. 2009-01 - HATCH ROAD REORGANIZATION TO THE CITY OF CERES.** A request to annex approximately 58.08 acres to the City of Ceres and simultaneously detach territory from the Ceres Fire Protection District. The proposal is located on the north side of Hatch Road, east of the Ceres River Bluff Regional Park, within the City of Ceres Sphere of Influence. (Staff Recommends Resolution No. 2009-04.)

7. OTHER BUSINESS

- A. Update on the Commission's direction to create an independent classification system for LAFCO employees.
- B. Consideration of Appointment of Regular Public Member and Recruitment Process for the Alternate Public Member. (Staff Recommends Resolution No. 2009-05 – Appointment of Regular Public Member.)
- C. Acceptance of the First Legislative Report for 2009.

8. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

9. EXECUTIVE OFFICER'S REPORT

A. On the Horizon.

10. ADJOURNMENT

A. Set the next meeting date of the Commission for April 22, 2009 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.