



# STANISLAUS LOCAL AGENCY FORMATION COMMISSION

## AGENDA SEPTEMBER 23, 2009

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)

**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 10<sup>th</sup> Street, 3<sup>rd</sup> 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 July 22, 2009 Meeting.

**4. CORRESPONDENCE**

A. Specific Correspondence.

1. Letter dated September 2, 2009, from CALAFCO regarding 8:B.

B. Informational Correspondence.

1. Publication of the California Special District Association (CSDA) Volume 4, Issue 3, June - August, 2009.
2. Letter dated July 28, 2009, from John Davids, District Engineer with the Oakdale Irrigation District, regarding the District's Annexation Policy and Procedures Review. (OID will make a presentation to the Commission on January 27, 2010.)

C. "In the News".

**5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

**6. CONSENT ITEMS\***

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

- \*A. **CONSIDERATION OF MSR NO. 09-04 AND SOI NO. 2009-05 – MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATES FOR THE CROWS LANDING, GRAYSON AND WESTLEY COMMUNITY SERVICES DISTRICTS.** (Staff Recommendation: Approve Resolution Nos. 2009-20, 2009-21 and 2009-22.)
- \*B. **COUNTY PERFORMED LAFCO PURCHASING CARD AUDIT FOR THE FISCAL YEAR OF JULY 1, 2008 THROUGH JUNE 30, 2009.** (Staff Recommendation: Receive and File Audit.)
- \*C. **ACCEPTANCE OF THE SEPTEMBER 2009 LEGISLATIVE REPORT.** (Staff Recommendation: Receive and File Legislative Report.)
- \*D. **ACCEPTANCE OF THE 2010 LAFCO CALENDAR.** (Staff Recommendation: Accept the 2010 Commission Meeting Calendar.)

**7. PUBLIC HEARING**

- A. **OUT-OF-BOUNDARY SERVICE APPLICATION – CITY OF CERES (CERES UNIFIED SCHOOL DISTRICT – JUNIOR HIGH SCHOOL).** The City of Ceres is requesting to provide sanitary sewer and domestic water service outside its jurisdictional boundaries, but within its sphere of influence, to serve a new Junior High School proposed by the Ceres Unified School District. The project is south of Whitmore Avenue, and just west of Eastgate Boulevard and La Rosa Elementary School, on a 19.70 acre parcel. (Staff Recommendation: Approve Resolution No. 2009-23.)

**B. SPHERE OF INFLUENCE (SOI) AMENDMENT NO. 2009-04 AND LAFCO APPLICATION NO. 2009-03 – HUGHSON WASTEWATER TREATMENT PLANT EXPANSION NO. 3 CHANGE OF ORGANIZATION TO THE CITY OF HUGHSON.**

A request to: 1) expand the Hughson Sphere of Influence by approximately 33+/- acres to accommodate the expansion of the City's Wastewater Treatment Plant; and 2) annex the subject territory to the City of Hughson. The boundaries of the proposal include the area generally located on the south side of Leedom Road, and west of Charles Street, in an unincorporated area of the Stanislaus County. (Staff Recommendation: Approve Resolution No. 2009-24.)

**8. OTHER BUSINESS**

- A. Designation of Conference Voting Delegates, Nominations for CALAFCO Board of Directors and Nominations for the Annual CALAFCO Achievement Awards. (Staff Recommendation: Designate a Voting Delegate to Represent Stanislaus LAFCO at the 2009 CALAFCO Conference on October 29, 2009.)
- B. Follow-up on the Stanislaus County Fire Chiefs' Association Letter, dated July 14, 2009. (Staff will provide a verbal report to the Commission.)

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

**10. EXECUTIVE OFFICER'S REPORT**

- A. On the Horizon.

**11. ADJOURNMENT**

- A. Set the next meeting date of the Commission for December 2, 2009 at 6:00 p.m. (Reminder: The October 28<sup>th</sup> Meeting was previously cancelled at the September 24, 2008 meeting.)
- 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.