



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

AGENDA MARCH 24, 2010

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 January 27, 2010 Meeting.

4. CORRESPONDENCE

- A. Specific Correspondence.
- B. Informational Correspondence.
 - 1. LAFCO Budget Schedule for Fiscal Year 2010-2011.
 - 2. Staff Response Letter Regarding a Notice of Preparation - 2010 Patterson General Plan.
 - 3. "The Sphere", CALAFCO Newsletter, February, 2010.
 - 4. Publication of the California Special District Association (CSDA) Volume 5, Issue 1, January – February 2010.
- C. "In the News".

5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

6. PUBLIC HEARINGS

- A. **SPHERE OF INFLUENCE MODIFICATION NO. 2009-07 AND LAFCO APPLICATION NO. 2009-04 – CITY FACILITIES REORGANIZATION TO THE CITY OF PATTERSON.** The City of Patterson is requesting to annex various parcels owned by the City and used for public facilities (including wells, tanks, and WWTP ponds) totaling approximately 236.15 acres. The project also includes detachment of certain parcels from the Del Puerto Water District, Patterson Irrigation District, and West Stanislaus Fire Protection District. The majority of parcels involved are located outside the City's Sphere of Influence, thus necessitating a SOI modification, to be processed concurrently with this application. (Staff Recommendation: Approve Resolution No. 2010-02.)
- B. **LAFCO APPLICATION NO. 2009-05 – SOUTHEAST INDUSTRIAL REORGANIZATION TO THE CITY OF PATTERSON.** The City of Patterson has submitted a request to: 1) annex approximately 52.46 acres to the City; and 2) simultaneously detach the subject territory from the Patterson Irrigation District and West Stanislaus Fire Protection District. The 52.46-acre area is proposed as a mixed light- and heavy -industrial planned development with a range of parcel sizes, including a parcel owned by the City on which a water blending facility will be constructed. The boundary of the proposal area is generally located south of Orange Avenue, east of South First Street and State Route 33, west of Locust Avenue, and north of the Patterson Irrigation District Main Canal. (Staff Recommendation: Approve Resolution No. 2010-03.)
- C. **LAFCO APPLICATION NO. 2009-06 – FORMATION OF CSA NO. 27 – EMPIRE (PHASE 1).** Stanislaus County is requesting the Formation of a new County Service Area (CSA) No. 27 – Empire (Phase 1) in order to create funding mechanism to provide the following extended county services: operation and maintenance of a storm drain system and street sweeping services benefiting approximately 80 parcels, within the unincorporated community of Empire. The County proposes to implement the construction of the Empire Storm Drain System in

three (3) phases. Phase 1 will encompass a total area of 44.52+/- acres, and is generally located North of State Route 132; east of the Santa Fe Railroad; south of Second Street and Center Avenue. (Staff Recommendation: Approve Resolution No. 2010-04.)

7. OTHER BUSINESS

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 28, 2010 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.