



## STANISLAUS LOCAL AGENCY FORMATION COMMISSION

### AGENDA JANUARY 26, 2011

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 December 1, 2010 Meeting.

**4. CORRESPONDENCE**

- A. Specific Correspondence.
- B. Informational Correspondence.
  - 1. Publication of the California Special District Association (CSDA) Volume 5, Issue 6, November - December 2010.
  - 2. CALAFCO University Flyer, "LAFCO as a Catalyst Facilitation Skills for LAFCO Staff", for February 4, 2011.
  - 3. CALAFCO 2011 Events Calendar.
  - 4. Farmland Working Group Newsletter, Winter 2010.
  - 5. Abbott & Kindermann Land Use Law Blog, January 5, 2011
- C. "In the News".

**5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

**6. CONSENT ITEM\***

The following consent item is 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. **CONSIDERATION OF MSR NO. 10-05 AND SOI NO. 2010-06 - MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE MODESTO IRRIGATION DISTRICT.** (Staff Recommendation: Approve Resolution No. 2011-01.)

**7. PUBLIC HEARING**

- A. **LAFCO APPLICATION NO. 2010-06 – KIERNAN BUSINESS PARK EAST CHANGE OF ORGANIZATION TO THE CITY OF MODESTO.** A request to annex approximately 42.61 acres to the City of Modesto. The boundaries of the proposal include three (3) parcels located at 2706, 2742, and 2866 Kiernan Avenue (APNs 078-015-002, -012, and -013), plus the adjacent right-of-way along Kiernan Avenue/CA-219. The area is located east of Dale Road and southwest of the intersection of Kiernan and American Avenues, in an unincorporated area adjacent to the City of Modesto. The proposed annexation area is located within the City's Kiernan Business Park Specific Plan. (Staff Recommendation: Approve Resolution No. 2011-02.)

**8. OTHER BUSINESS**

- A. Election of Officers. (Staff Recommends Resolution No. 2011-03.)
- B. Discussion and Direction Regarding Review of Agricultural Land Preservation Policies.
- C. Mid-Year Budget Report for Fiscal Year 2010-2011. (Staff Recommendation - Accept Report.)
- D. Annual City Annexation Summary.

**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 February 23, 2011 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.