



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

AGENDA DECEMBER 7, 2011

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. PRESENTATION

- A. Presentation of Plaque to Past Commissioner Ken Lane.

3. PUBLIC COMMENT

4. APPROVAL OF MINUTES

- A. Minutes of the September 28, 2011 Meeting.

5. CORRESPONDENCE

- A. Specific Correspondence.

- B. Informational Correspondence.

1. Letter from SDRMA, dated October 10, 2011, addressed to Chair Saletta regarding "No Paid Property/Liability Claims in 2010-11.
2. Memo to Jim Ridenour, Chair to the City Selection Committee, dated October 17, 2011, regarding Resignation of LAFCO Alternate City Member – Replacement of Vacated Position Requested.
3. Letter from Clerk of the City Selection Committee, dated November 8, 2011, regarding the appointment of Matt Beekman, Councilman for the City of Hughson to serve the unexpired term for Ken Lane, Alternate City Member.
4. Publication of the California Special District Association (CSDA) Volume 6, Issue 5, September – October 2011.
5. C&L Bulletin Update on Public Law, Colantuono & Levin, PC, September 2011.
6. San Joaquin Valley Regional Policy Council "Blueprint Roadmap" Package, October 2011.

- C. "In the News".

6. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

7. 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. 11-04 AND SOI NO. 2011-07 – MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE RIVERDALE PARK TRACT COMMUNITY SERVICES DISTRICT.** (Staff Recommendation: Approve Resolution No. 2011-14.)

8. PUBLIC HEARING

- A. **SOI MODIFICATION NO. 2011-06 & LAFCO APPLICATION NO. 2011-05 – PARK VIEW ESTATES CHANGE OF ORGANIZATION TO COUNTY SERVICE AREA (CSA) NO. 10 (SALIDA).** Request to annex approximately one acre, located at 5554 N. Finney Road (APN 136-028-091) to County Service Area (CSA) No. 10 (Salida) for the purpose of receiving extended county services including storm

drainage maintenance, Sheriff protection, and park/landscape maintenance. (Staff Recommendation: Approve Resolution No. 2011-13.)

9. OTHER BUSINESS

- A. Update on the County Mayors' "Stanislaus Growth Management Plan".

10. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

11. EXECUTIVE OFFICER'S REPORT

- A. On the Horizon.

12. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL

The Commission will convene to Conference Room adjacent to the Basement Chambers.

- A. Potential Litigation - Subdivision (b) of Government Code Section 54956.9, Name of Case: *City of Patterson v. Turlock Irrigation District, Stanislaus County Local Agency Formation Commission*
Superior Court Case No. 670181, filed October 14, 2011

13. REPORT FROM CLOSED SESSION

- A. The Commission will reconvene in the Basement Chambers in open session and announce any reportable actions taken in closed session.

14. ADJOURNMENT

- A. Set the next meeting date of the Commission for January 25, 2012 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.