



**STANISLAUS LAFCO  
LOCAL AGENCY FORMATION COMMISSION**

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**Chair William O'Brien**, County Member  
**Vice Chair Amy Bublak**, City Member  
Jim DeMartini, County Member Commissioner  
Charlie Goeken, City Member Commissioner  
Brad Hawn, Public Member Commissioner  
Matthew Beekman, Alternate City Member Commissioner  
Vito Chiesa, Alternate County Member Commissioner  
Annabel Gammon, Alternate Public Member Commissioner

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**AGENDA  
Wednesday, September 25, 2013  
6:00 P.M.  
Joint Chambers—Basement Level  
1010 10<sup>th</sup> Street, Modesto, California 95354**

The Stanislaus Local Agency Formation Commission welcomes you to its meetings. As a courtesy, please silence your cell phones during the meeting. If you want to submit documents at this meeting, please bring 15 copies for distribution. Agendas and staff reports are available on our website at least 72 hours before each meeting. 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.

**1. CALL TO ORDER**

- A. Pledge of Allegiance to the Flag.
- B. Introduction of Commissioners and Staff.

**2. PUBLIC COMMENT PERIOD**

This is the period in which persons may speak on items that are not on the regular agenda. All persons wishing to speak during this public comment portion of the meeting are asked to fill out a "Speaker's Card" and provide it to the Commission Clerk. Each speaker will be limited to a three-minute presentation. No action will be taken by the Commission as a result of any item presented during the public comment period.

**3. APPROVAL OF MINUTES**

- A. Minutes of the July 24, 2013 Meeting.

**4. CORRESPONDENCE**

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.

- A. Specific Correspondence.
- B. Informational Correspondence.
  - 1. StanCOG "On the Move" Newsletter, 2<sup>nd</sup> Quarter 2013.

2. C&L Newsletter, Update on Public Law, Summer 2013.
3. Farmland Working Group Newsletter, Summer/Fall 2013.
4. Letter dated September 6, 2013, to Chairperson O'Brien from the Special District Risk Management Authority (SDRMA) Regarding their President's Special Acknowledgement Award to Stanislaus LAFCO.
5. CALAFCO Items:
  - a. Certificate of Recognition Regarding the 50<sup>th</sup> Anniversary of Stanislaus LAFCO.
  - b. Post Conference Materials: 1) Resolution from the Office of the Governor Congratulating all LAFCO's on their 50<sup>th</sup> anniversary; and 2) White Paper entitled "California Within Limits: Research Notes for a History of California's Local Boundary Laws" by Peter M. Detwiler.
  - c. CALAFCO University Course Flyer "Performance Measures and MSR Strategies" to be held on October 10, 2013 in Sacramento.

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 by the Commission at one time without discussion, unless a request has been received prior to the discussion of the matter.

- \*A. **LAFCO APPLICATION NO. 2013-02 – SUN DRY CHANGE OF ORGANIZATION (DETACHMENT) FROM THE DEL PUERTO WATER DISTRICT.** A request by the landowner to detach approximately 114.97 acres from the Del Puerto Water District. The proposal area is located north of Gaffrey Road, in the Vernalis area. This item is exempt from the California Environmental Quality Act (CEQA) review pursuant to Section 15061(b)(3). (Staff Recommendation: Approve Resolution No. 2013-15.)
- \*B. **COUNTY PERFORMED LAFCO PURCHASING CARD AUDIT FOR THE FISCAL YEAR OF JULY 1, 2011 THROUGH JUNE 30, 2012.** (Staff Recommendation: Receive and File Report.)
- \*C. **ACCEPTANCE OF THE PROPOSED 2014 LAFCO MEETING CALENDAR.** (Staff Recommendation: Accept the 2014 LAFCO Meeting Calendar.)

## 7. PUBLIC HEARINGS

Any member of the public may address the Commission with respect to a scheduled public hearing item. Comments should be limited to no more than three (3) minutes, unless additional time is permitted by the Chair. All persons wishing to speak during this public hearing portion of the meeting are asked to fill out a "Speaker's Card" and provide it to the Commission Clerk prior to speaking.

- A. **LAFCO APPLICATION NO. 2013-03 – WOODGLEN SPECIFIC PLAN CHANGE OF ORGANIZATION (ANNEXATION) TO THE CITY OF MODESTO.** A request to annex approximately 83.85 acres to the City of Modesto. The area is located adjacent to the northern Modesto City Limits, within the City's Sphere of Influence, and is bounded by Pelandale Avenue on the south, Carver Road on the west, Bangs Avenue on the north and Tully Road on the east. Pursuant to the California Environmental Quality Act (CEQA), the Commission, as a Responsible Agency, will also review and consider the Environmental Impact Report (EIR) prepared by the City of Modesto, as Lead Agency. (Staff Recommendation: Continuance.)

- B. **CONSIDERATION AND ADOPTION OF COMPREHENSIVE POLICIES AND PROCEDURES UPDATE.** The Commission will consider a comprehensive update to its Policies and Procedures that includes non-substantive changes, such as corrected reference to Government Code citations, re-formatting, the addition of a glossary and flowcharts for informational purposes, as well as inclusion of the Commission's recently-adopted policies, including Rule 30, Rule 38a, Policy 15, and Policy 22. The update is not considered a "project" for the purposes of CEQA, pursuant to Section 15378(a)(2). (Staff Recommendation: Approve Resolution No. 2013-17.)

## 8. OTHER BUSINESS

- A. Resolution Commemorating Stanislaus LAFCO's 50<sup>th</sup> anniversary. (Staff Recommendation: Approve Resolution No. 2013-18.)

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

## 10. EXECUTIVE OFFICER'S REPORT

The Commission will receive a verbal report from the Executive Officer regarding current staff activities.

- A. On the Horizon.

## 11. ADJOURNMENT

- A. Set the next meeting date of the Commission.  
B. Adjourn.

### LAFCO Disclosure Requirements

**Disclosure of Campaign Contributions:** If you wish to participate in a LAFCO proceeding, 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.

**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.

**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.

**LAFCO Action in Court:** All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCO action in court, you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. All written materials received by staff 24 hours before the hearing will be distributed to the Commission.

**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.

**Alternative Formats:** If requested, the agenda will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC 12132) and the Federal rules and regulations adopted in implementation thereof.

**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.