



**STANISLAUS LAFCO
LOCAL AGENCY FORMATION COMMISSION**

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Chair Brad Hawn, Public Member
Vice Chair Amy Bublak, City Member
Tom Dunlop, City Member
Jim DeMartini, County Member
Terry Withrow, County Member
Michael Van Winkle, Alternate City Member
Annabel Gammon, Alternate Public Member
William O'Brien, Alternate County Member

**AGENDA
Wednesday, September 28, 2016
6:00 P.M.
Joint Chambers—Basement Level
1010 10th 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 10th Street, 3rd 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 listed 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 August 24, 2016 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. CALAFCO Quarterly - September 2016.

- 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. **SELECTION OF AN INDEPENDENT AUDITOR FOR THE BIENNIAL AUDIT.**
(Staff Recommendation: Authorize the Executive Officer to Execute a Professional Services Agreement with Robert A. Hawks, Jr., CPA, for completion of a biennial audit for Fiscal Years 2014-15 and 2015-16.)

B. **PROPOSED LAFCO MEETING CALENDAR FOR 2017.**
(Staff Recommendation: Accept the 2017 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. **OUT-OF-BOUNDARY SERVICE APPLICATION – FINDLAY AUTOMOTIVE (4201 MCHENRY AVENUE – MODESTO).** The Commission will consider the request to extend water service outside the City of Modesto's existing city limits to serve a property at 4201 McHenry Avenue. The proposed water service extension is intended to provide domestic water to a future auto dealership. Stanislaus County, as Lead Agency, has adopted a Negative Declaration for the purposes of the California Environmental Quality Act (CEQA). APNs: 046-005-010 & 014 and 046-008-016 & 024. (Staff Recommendation: Approve Resolution No. 2016-19.)

B. **OUT-OF-BOUNDARY SERVICE APPLICATION – RAM FARMS (716 DAUBENBERGER ROAD – TURLOCK).** The Commission will consider the request to extend water service outside the City of Turlock's existing city limits to serve a property at 716 N. Daubengerger Road. The proposed water service extension is intended to provide potable water to accommodate RAM Farms, a seasonal operation approved by Stanislaus County. The City of Turlock, as Lead Agency, determined that the proposal is exempt from California Environmental Quality Act (CEQA) review pursuant to sections 15301, 15303, and 15304 of the CEQA Guidelines. APN: 051-005-002. (Staff Recommendation: Approve Resolution No. 2016-20.)

8. COMMISSIONER COMMENTS

Commission Members may provide comments regarding LAFCO matters.

9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

The Commission Chair may announce additional matters regarding LAFCO matters.

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 for December 7, 2016.
- 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.
