

**MINUTES
LOCAL AGENCY FORMATION COMMISSION
AUGUST 23, 2006**

The Stanislaus Local Agency Formation Commission met in the Joint Chambers at Tenth Street Place, Basement Level, 1010 10th Street, Modesto, California. The meeting was called to order at 6:00 p.m.

I. CALL TO ORDER

- A. Pledge of Allegiance to Flag. The Vice Chairperson led in the pledge of allegiance to the flag.
- B. Introduction of Commissioners and Staff. The Vice Chairperson led in the introduction of the Commissioners.

Commissioners Present: John Lazar, Vice Chair, City Member
 Thomas Mayfield, County Member
 Pat Kuhn, City Member
 William O'Brien, County Member
 Brad Hawn, Alternate City Member
 Tia Saletta, Alternate Public Member

Commissioners Absent: Barbara Rouse, Chair, Public Member
 Ray Simon, Alternate County Member

Staff Present: Marjorie Blom, Interim Executive Officer
 Dean Wright, LAFCO Counsel
 Debbie Hamilton, LAFCO Clerk

II. APPROVAL OF THE MINUTES

- A. Minutes of June 28, 2006. It was moved by Commissioner Mayfield, seconded by Commissioner O'Brien to approve the Minutes of the June 28, 2006 meeting. The motion carried with a 5-0 vote of the voting members.

III. CORRESPONDENCE

- A. Specific Correspondence.
 - 1. Letter from James M. Hudelson and Ben K. Hudelson dated August 14, 2006, regarding Item VI:A., SOI Application No. 2006-03 – Sphere of Influence Modification to the City of Hughson - Received.
 - 2. Letter from John M. Wassum and John Michael Wassum, dated August 14, 2006 regarding Item VI:A., SOI Application No. 2006-03 – Sphere of Influence Modification to the City of Hughson - Received.
 - 3. Letter from Arthur F. Coon, MILLER, STARR & REGALLA, Professional Law Corporation, dated August 14, 2006, regarding Item VI:B., LAFCO Application No. 2006-06 – East “F” Street Corridor Specific Plan Reorganization to the City of Oakdale - Received.

4. Via Facsimile from Law Office of William D. Ross, Professional Corporation, dated August 23, 2006, regarding Item No. VI:B., LAFCO Application No. 2006-06 – East “F” Street Corridor Specific Plan Reorganization to the City of Oakdale and Item No. VI:C., SOI Modification No. 2006-02 and LAFCO application No. 2006-07 – South Oakdale Industrial Specific Plan Reorganization to the City of Oakdale.

B. Informational Correspondence.

1. In the News – The Modesto Bee, August 22, 2006, “Sewers replacing septic in Shackelford” – Handout.
2. In the News – the Modesto Bee, August 23, 2006, “Fire district sues to delay annexation” – Handout.

C. “In the News:

- The Modesto Bee, June 27, 2006, “Anti-sprawl petition delivered” - Received.
- The Modesto Bee, June 28, 2006, “Stanislaus board approves fire plan” Received.
- The Modesto Bee, June 29, 2006, “Stanislaus grappling with growth” – Received.
- The Modesto Bee, June 29, 2006, “State OKs most land for Salida’s Gregori High” - Received.
- The Modesto Bee, June 30, 2006, “Bridge Plan spurs talk in Waterford” - Received.
- The Modesto Bee, July 3, 2006, “Cities confront global menace” - Received.
- The Riverbank News, July 5, 2006, “Stanislaus Consolidated Loses Fire Prevention, Investigation Duties” - Received.
- The Riverbank News, July 12, 2006, “Pumphouses Evolving To Meet City’s Growing Water Needs” - Received.
- The Modesto Bee, July 19, 2006, “Salida stores facing highway 99 get free advertising” - Received.
- The Modesto Bee, July 20, 2006, “Growth limits to miss fall ballot” - Received.
- The Modesto Bee, July 23, 2006, “Push made for more industrial parks that attract jobs” - Received.

- Patterson Irrigator, July 26, 2006, "City short on fire funds, says services won't suffer" - Received.
- The Modesto Bee, July 31, 2006, "City eyes pooling fire unit with county" - Received.
- The Oakdale Leader, August 2, 2006, "Kuhn Opts Out Of Mayoral Race" - Received.
- The Modesto Bee, August 7, 2006, "Fix for unpaid water tax in offering" - Received.
- The Modesto Bee, August 10, 2006, "Land buy for MJC to close in March" Received.
- The Modesto Bee, August 10, 2006, "Officials seeking help with growth" - Received.

IV. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

Commissioner Mayfield declared a conflict with Item VI:A., LAFCO Application No. 2006-03 – Sphere of Influence Modification to the City of Hughson as he owns property within the proposed SOI expansion area.

V. CONSENT ITEM

- A. **LAFCO APPLICATION NO. 2006-08 – FORMATION OF A COUNTY SERVICE AREA (CSA) NO. 24 – HIDEAWAY TERRACE (DENAIR).**
Moved by Commissioner Mayfield, seconded by Commissioner Kuhn and carried with a 5-0 vote (Commissioner Hawn was ineligible) that the Commission adopt Resolution No. 2006-18.

VI. PUBLIC HEARING ITEMS

Commissioner Mayfield left the Dais at 6:06 p.m.

- A. **SOI APPLICATION NO. 2006-03 – SPHERE OF INFLUENCE MODIFICATION TO THE CITY OF HUGHSON.**
Staff presented the proposal with the recommendation for approval.
Public hearing opened.
FAVOR: Joe Donabed, City Manager, City of Hughson; David Chase, Engineer and Public Works Director, City of Hughson.
James Hudelson spoke neither for nor against the proposal. He requested that his property be included within the proposed SOI expansion area.
OPPOSITION: Melanie Miguel resident of Euclid Avenue, Hughson.
Public hearing closed.
Moved by Commissioner Kuhn, seconded by Commissioner Saletta and carried with a 4-0 vote (Commissioner Mayfield was disqualified and Commissioner Hawn was ineligible) that the Commission adopt Resolution No. 2006-14, approving the SOI

expansion as proposed by the City of Hughson.
Commissioner Mayfield returned to the Dais at 6:37 p.m.

B. LAFCO APPLICATION NO. 2006-06 – EAST “F” STREET CORRIDOR SPECIFIC PLAN REORGANIZATION TO THE CITY OF OAKDALE.

Staff presented the proposal with the recommendation for approval.
Steve Hallam, Community Development Director, City of Oakdale presented a power point presentation on the East “F” Street Corridor Specific Plan.
Public hearing opened.

Commissioner Lazar left the Dais at 7:08 p.m.

FAVOR: Mike Wilkinson, Oakdale City Fire Protection District.

Commission Lazar returned to the Dais at 7:10 p.m.

Arthur Coon, Attorney with Miller Starr & Regalia, representing property owners within the East “F” Street Corridor Specific Plan area.

OPPOSITION: William D. Ross, Attorney representing the Oakdale Rural Fire Protection District.

Walter Luhn, Board Member, Oakdale Rural Fire Protection District.

Public hearing closed.

Moved by Commissioner Kuhn, seconded by Commissioner O’Brien and carried with a 5-0 vote (Commissioner Hawn was ineligible) that the Commission adopt Resolution No. 2006-15, approving the East “F” Street Corridor Specific Plan Reorganization as proposed.

C. SOI MODIFICATION NO. 2006-02 AND LAFCO APPLICATION NO. 2006-07 – SOUTH OAKDALE INDUSTRIAL SPECIFIC PLAN REORGANIZATION TO THE CITY OF OAKDALE.

Staff presented the proposal with the recommendation for approval.

Steve Hallam, Community Development Director, City of Oakdale presented a power point presentation on the South Oakdale Industrial Specific Plan.

Public hearing opened.

FAVOR: Tom Hallinan, Attorney, City of Oakdale.

OPPOSITION: William D. Ross, Attorney representing the Oakdale Rural Fire District. Marcus Haney, resident of the proposed territory. Robert Hoyer, Deputy Chief, Oakdale Rural Fire Protection District.

John Brichetto, resident of the proposed territory stated he had concerns regarding the Williamson Act Contract and the City’s mitigation fee for agricultural land.

Public hearing closed.

Moved by Commissioner O’Brien, seconded by Commissioner Saletta and carried with a 5-0 vote (Commissioner Hawn was ineligible) that the Commission adopt Resolution 2006-16, approving the Municipal Service Review for the City of Oakdale and Oakdale SOI expansion.

Moved by Commissioner O’Brien, seconded by Commissioner Saletta and carried with a 5-0 vote (Commissioner Hawn was ineligible) that the Commission adopt Resolution 2006-17, approving the South Oakdale Industrial Specific Plan Reorganization as proposed.

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VII. OTHER BUSINESS

None.

VIII. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

None.

IX. EXECUTIVE OFFICER'S REPORT

A. On the Horizon. The Interim Executive Officer informed the Commission of the following upcoming items:

1. CALAFCO Annual Conference for September 4-7, 2006 in San Diego. Commissioners Hawn and Saletta and the Executive Officer will be attending the conference.
2. LAFCO received several good applications for the recruitment of the Assistant Executive Officer.

Upcoming matters for the September 27th Meeting:

1. Ron Coleman, Consultant with ECSi, will provide a presentation on the Draft Countywide Fire Services Municipal Service Review.
2. Out of Boundary Service Applications: two from the City of Modesto (Shackelford Neighborhood) and one from the Salida Sanitary District.
3. Formation of County Service Area No. 23, Hillsborough-Schutz in the East Oakdale area.

X. PUBLIC COMMENT

None.

XI. CLOSED SESSION: Consideration of Public Employee Appointment; Title: Executive Officer (California Government Code Section 56834).

The Commission recessed to the Chambers Conference Room at 9:07 p.m.

A. Appointment of LAFCO Executive Officer.

Moved by Commissioner Kuhn, seconded by Commissioner Mayfield to adopt Resolution No. 2006-19, appointing Marjorie Blom as LAFCO Executive Officer.

- B. Memorandum of Agreement. On a motion by Commissioner Kuhn, seconded by Commissioner Mayfield and carried with a 5-0 vote, the Commission adopted Resolution No. 2006-20, approve the Memorandum of Agreement between the Commission and Marjorie Blom, LAFCO Executive Officer.

At 9:24 p.m. the Commission returned to the Joint Chambers. Dean Wright, LAFCO Counsel indicated the Commission has offered the permanent Executive Officer position to Marjorie Blom. Dean Wright will calculate the compensation figure and deliver the calculation to Marjorie. Marjorie Blom announced to the Commission that she has accepted the position as LAFCO Executive Officer.

XII. ADJOURNMENT

- A. Set meeting date and time. The next meeting date and time is September 27, 2006 at 6:00 p.m.
- B. The meeting was adjourned at 9:26 p.m.

Marjorie Blom,
Executive Officer

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