

**MINUTES
LOCAL AGENCY FORMATION COMMISSION
AUGUST 22, 2007**

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.

1. CALL TO ORDER

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

Commissioners Present: Brad Hawn, Chair, City Member
William O'Brien, Vice-Chair, County Member
Ken Lane, City Member
Thomas Mayfield, County Member
Barbara Rouse, Public member
Arrived at 6:02 p.m. Tia Saletta, Alternate Public Member

Commissioners Absent: John Fantazia, Alternate City Member
Jim DeMartini, Alternate County Member

The Staff introduced themselves:

Staff Present: Marjorie Blom, Executive Officer
Dean Wright, LAFCO Counsel
Sara Lytle-Pinhey, Assistant Executive Officer
Debbie Hamilton, LAFCO Clerk

2. PUBLIC COMMENT

None.

3. APPROVAL OF THE MINUTES

Commissioner Saletta arrived at 6:02 p.m.

- A. Minutes of July 25, 2007. It was moved by Commissioner Rouse, seconded by Commissioner O'Brien, to approve the Minutes of the July 25, 2007 meeting. The motion carried with a 3-0 vote of the voting members. (Commissioners Lane and Mayfield abstained and Commissioner Saletta was ineligible.)

4. CORRESPONDENCE

- A. Specific Correspondence.

1. Letter from John W. Stovall, Neumiller & Beardslee, A Professional Corporation, regarding Agenda Item No. 6-A – Received.

2. Letter from Joe Donabed, City Manager, City of Hughson, regarding Agenda Item No. 6-A – Received.

B. Informational Correspondence.

None.

C. "In the News:

- Patterson Irrigator, July 28, 2007, "Planners gear up for 150,000 people" – Received.
- The Oakdale Leader, August 1, 2007, "Oakdale Rural Seeks Funds" - Received.
- The Modesto Bee, August 7, 2007, "Agencies turn up heat on fire talks' Received.
- Patterson Irrigator, August 4, 207, "Developer acquires 475 acres for housing, commercial" – Received.
- The Modesto Bee, August 11, 2007, "Suing over ethanol" - Received.
- The Modesto Bee, August 13, 2007, "Space for Waste" - Received.

5. **DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

6. **PUBLIC HEARINGS.**

A. **LAFCO APPLICATION NO. 2007-04 – HENDLEY CHANGE OF ORGANIZATION TO THE CITY OF HUGHSON.**

Marjorie Blom, Executive Officer, informed the Commission of a letter received from the City of Hughson requesting a continuance of this agenda item.

David Chase, Public Works Director, City of Hughson addressed the Commission requesting that this item be continued to the Commission's October 24, 2007 meeting. Dean Wright, LAFCO Counsel, stated he was unavailable for the October meeting, and thus, suggested that the Commission continue the matter to the next available meeting date (December 5, 2007).

Moved by Commissioner Mayfield, seconded by Commissioner Lane and carried with a 5-0 vote to continue the public hearing request for the Hendley Change of Organization to the City of Hughson to the December 5th LAFCO Meeting. (Commissioner Saletta was ineligible.)

B. **MUNICIPAL SERVICE REVIEW (MSR) NO. 07-02 FOR THE CITY OF WATERFORD AND SPHERE OF INFLUENCE (SOI) NO. 2007-02 MODIFICATION TO THE CITY OF WATERFORD.**

Marjorie Blom, Executive Officer, noted that the action before the Commission on this matter would include two separate public hearings.

Staff then presented the proposal for Part 1 - Review and Adoption of the Municipal Service Review for the City of Waterford, recommending approval.

Chair Hawn opened the Public hearing at 6:10 p.m.

FAVOR: Bob Borchard, Planning Director, City of Waterford; Charles Deschenes, City Administrator, City of Waterford; Charles Turner, Resident of Waterford.

OPPOSITION: Gus Obetheir, 11605 Yosemite Blvd., Waterford.

REBUTTAL: None.

Public hearing closed at 6:18 p.m.

Moved by Commissioner O'Brien, seconded by Commissioner Hawn and carried with a 5-0 vote (Commissioner Saletta was ineligible) that the Commission adopt Resolution No. 2007-14 approving the Municipal Service Review (MSR) for the City of Waterford.

Part 2: Marjorie Blom, Executive Officer, presented the proposal for the Sphere of Influence Modification for the City of Waterford.

Chair Hawn opened the Public Hearing at 6:47 p.m.

FAVOR: Bob Borchard, City Planner, City of Waterford; Charles Deschenes, City Administrator, City of Waterford, presented two letters and read them into the record; Chris Esther, Planning Commissioner, City of Waterford; Dan Padrnos, Planning Commissioner, City of Waterford.

OPPOSITION: Gus Obertheir, 11605 Yosemite Blvd., Waterford; Homer Ewin, Timmie Lane, Waterford; Wilma Silva, 950 Pleasant Avenue, Waterford; and Rodman Hooker, Hickman area resident.

RUBUTTAL: None.

The Public Hearing was closed at 7:42 p.m.

Moved by Commissioner O'Brien, seconded by Commissioner Lane and carried with a 3-2 vote, that the Commission adopt Resolution 2007-15 (Option 1), approving the City of Waterford's Sphere Modification request to add 1,638 acres to the City's Sphere of Influence. (Commissioners Hawn, Lane and O'Brien voted for the proposal and Commissioners Mayfield and Rouse voted against the proposal; Commissioner Saletta was ineligible.)

7. OTHER BUSINESS

None.

8. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

Chair Hawn requested that Staff schedule a workshop to discuss the establishment of evaluation standards with quantitative measures for urban services, such as fire and police protection, and water and sewer services. LAFCO Counsel Wright and Executive Officer Blom stated they would work together to address this request and report back to the Commission.

9. EXECUTIVE OFFICER'S REPORT

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

1. September 26, 2007 Agenda:

a. Landowner Request to detach approximately 126 acres from the Del Puerto Water District.

- b. Berger Reorganization to the City of Turlock – The City is requesting annexation of approximately 1.66 acres, and detachment from the Turlock Rural Fire Protection District. The territory is within a county island area.
 - c. Westside Industrial Specific Plan, Phase II – The City of Turlock is requesting a Sphere of Influence Amendment to include 627 acres, and subsequent annexation and detachment of the territory from the Turlock Rural Fire Protection District. (The Commission approved the City's Westside Industrial Specific Plan – Phase 1 annexation on February 28, 2007.)
2. October 24, 2007 Agenda:
- a. Annexation request from the City of Ceres of approximately 23.48 acres, located near the southeast corner of Mitchell and Service Roads.
3. December 5, 2007 Agenda:
- a. Continuance of public hearing Item 6A: Hendley Change of Organization to the City of Hughson.
4. Other Matters:
- a. Commissioners Rouse and Saletta will be attending the annual CALAFCO Conference along with the Executive Officer and the Assistant Executive Officer in Sacramento on August 28 – 31st.
 - b. Staff will be attending a meeting with the Fire Chief's Association on August 23rd to discuss Staff's preparation of Sphere of Influence Updates for the 14 rural fire protection districts, pursuant to State law. Commissioner Rouse will be attending the meeting.

10. ADJOURNMENT

- A. Set meeting date and time. The next meeting date and time is September 26, 2007 at 6:00 p.m.
- B. The meeting was adjourned at 8:14 p.m.

Marjorie Blom
Executive Officer