



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

MINUTES APRIL 23, 2008

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. The Chairperson led in the introduction of the Commissioners.

Commissioners Present: Thomas Mayfield, Chair, County Member
Brad Hawn, City Member
Jim DeMartini, County Member
John Fantazia, Alternate City Member
Dick Monteith, Alternate County Member
Tia Saletta, Alternate Public Member

Commissioners Absent: Ken Lane, Vice-Chair, City Member

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

2. PUBLIC COMMENT

None.

3. APPROVAL OF THE MINUTES

- A. Minutes of February 27, 2008. It was moved by Commissioner Hawn, seconded by Commissioner DeMartini, to approve the Minutes of the February 27, 2008 meeting. The motion carried with a 5-0 vote of the voting members. (Commissioners Fantazia and Monteith were ineligible.)

4. CORRESPONDENCE

A. Specific Correspondence.

None.

B. Informational Correspondence.

1. Publication of the California Special District Association (CSDA), Volume 3, Issue 1, January-February, 2008 – Handout.

C. "In the News":

- Patterson Irrigator, February 23, 2008, "City moves forward on well despite neighbors' objections – Received.
- The Modesto Bee, February 25, 2008, "Tivoli restarts tax-for-city-services talk" - Received.
- The Modesto Bee, February 25, 2008, "Council poised to revisit street choices for Tivoli" - Received.
- The Modesto Bee, February 27, 2008, "Tivoli project moves ahead" - Received.
- The Modesto Bee, February 28, 2008, "Low bids might sink resort sale" - Received.
- The Modesto Bee, February 28, 2008, "Council, planners to meet, discuss general plan update" – Received.
- Hughson Chronicle, March 4, 2008, "Grossi plant gets city OK to move to Tully Road" - Received.
- Patterson Irrigator, March 5, 2008, "Diablo Grande plugs along despite financial woes" – Received.
- Oakdale Leader, March 5, 2008, "Non District Farmers Seek OID Water" – Received.
- The Modesto Bee, March 6, 2008, "Diablo's 2 courses are about to reopen" – Received.
- Hughson Chronicle, March 11, 2008, "City Council to meet with fire board Mar. 17" – Received.
- The Modesto Bee, March 11, 2008, "Diablo Grande files for Chapter 11 bankruptcy" – Received.

- The Ceres Courier, March 12, 2008, "Keyes asked to ante up – Formation of CSA No. 26" – Received.
- The Modesto Bee, March 14, 2008, "Hughson fire undewhelms in city report" – Received.
- The Modesto Bee, March 14, 2008, "Hughson fire underwhelms in city report" – Received.
- Patterson Irrigator, March 15, 2008, "County committee favors putting off West Park vote" – Received.
- The Modesto Bee, March 16, 2008, "Growth measure means Stanislaus County, cities up against it on housing quota" – Received.
- Hughson Chronicle, March 25, 2008, "District, council say fire service money needed" – Received.
- The Modesto Bee, March 27, 2008, "\$216,000 fine for Turlock?" – Received.
- The Modesto Bee, March 28, 2008, "Diablo Grande working on finances" – Received.
- Patterson Irrigator, March 29, 2008, "Health care directors look for more help" – Received.
- Westside Index, April 3, 2008, "Plan urges future use of surface water" – Received.
- The Turlock Journal, April 5, 2008, "Planting a seed of rain TID continues program to increase watershed runoff" – Received.
- Ceres Courier, April 9, 2008, "Annexations studied" - Received.
- The Modesto Bee, April 9, 2008, "TID sets 3.5-foot water cap on farms" – Received.

D. Other News:

- San Luis Obispo.Com, April 8, 2008, "Pismo Beach is hunting for water – In Shandon" – Received.

5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

6. PUBLIC HEARINGS

- A. **SELECTION OF A REGULAR AND/OR ALTERNATE PUBLIC MEMBER.**
Marjorie Blom, Executive Officer, presented the proposal with the recommendation for approval.
Chair Mayfield opened the Public Hearing at 6:03 p.m.
FAVOR: No one spoke.
OPPOSITION: No one spoke.
REBUTTAL: No one spoke.
Chair Mayfield closed the Public Hearing at 6:04 p.m.
Moved by Commissioner Hawn, seconded by Commissioner Fantazia, and carried with a 4-0 vote (Commissioners Monteith and Saletta were ineligible) that the Commission adopt Resolution No. 2008-12, appointing Tia Saletta as the Regular Public Member, and Barbara Rouse as Alternate Public Member, to fill the remaining unexpired terms ending on May 4, 2009.
- B. **CONSIDERTION OF SPHERE OF INFLUENCE UPDATES FOR THE FOLLOWING RURAL FIRE PROTECTION DISTRICTS: BURBANK-PARADISE, CERES RURAL DENAIR, MOUNTAIN VIEW, TURLOCK RURAL, WESTPORT, AND WOODLAND AVENUE.**
Chair Mayfield opened the Public Hearing at 6:07 p.m.
FAVOR: No one spoke.
OPPOSITION: No one spoke.
REBUTTAL: No one spoke.
Fire Chief Mike Passalaqua with the Woodland Fire Protection District, spoke neither in favor nor in opposition of the proposal. He expressed his concerns with regards to the serious issues and/or increased demands facing the rural fire districts. These issues/demands include additional training standards and costs for the volunteer firefighters, higher equipment and fuel costs, fire station upkeep/maintenance, and diminishing revenues. He noted that there were other options to explore, such as a financial agreement when the area annexes; or that detachment can occur in portion(s); or no detachment from the District.
A discussion ensued with regards to financial agreements between cities and fire districts, whereby a city agrees to continue to share in the property tax revenue with a district over a period of time. Examples include Westport and the City of Ceres; and recently the City of Turlock and Turlock Rural.
Legal Counsel Wright stated that these agreements are voluntary in nature and not required by LAFCO.
Chair Mayfield closed the Public Hearing at 6:24 p.m.
Moved by Commissioner Hawn, seconded by Commissioner DeMartini and carried with a 5-0 vote (Commissioners Monteith and Rouse were ineligible) that the Commission adopt Resolution No. 2008-04, 05, 06, 07, 08, 09, & 10, approving the Sphere of Influence Updates for the subject districts.
- C. **ADOPTION OF THE PROPOSED LAFCO BUDGET FOR FISCAL YEAR 2008-2009.**
Marjorie Blom, Executive Officer, presented the proposal with the recommendation for approval.
Chair Mayfield opened the Public Hearing at 6:30 p.m.
FAVOR: No one spoke.

OPPOSITION: No one spoke.

REBUTTAL: No one spoke.

Chair Mayfield closed the Public Hearing at 6:32 p.m.

Moved by Commissioner Hawn, seconded by Commissioner DeMartini and carried with a 5-0 vote (Commissioners Monteith and Rouse were ineligible) that the Commission adopt Resolution No. 2008-11, approving the Proposed Budget for Fiscal Year 2008-2009.

8. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

None.

9. EXECUTIVE OFFICER'S REPORT

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

1. Upcoming matters for the May 29, 2008 Meeting:
 - a. The Adoption of the Final LAFCO Budget for the Fiscal Year 2008-2009.
 - b. Staff will present the Municipal Service Reviews and Sphere of Influence Updates for the East and West Stanislaus Resource Conservation Districts.
 - c. Lark Downs, Senior Planner with StanCOG, would like to make a presentation before the Commission regarding the Blueprint Process.
2. Upcoming matters for the June 25, 2008 Meeting – Two City of Modesto applications:
 - a. Annexation of approximately 1.87 acres, located within a portion of a 77-acre unincorporated county island.
 - b. Annexation of the Tivoli Specific Plan area, and detachment from the Stanislaus Consolidated Fire Protection District. The area is located near Sylvan Avenue and Oakdale Road. Documents, including the Specific Plan, EIR and infrastructure studies relating to this proposal are available for the Commission's review tonight.
3. The Executive Officer also informed the Commission of the following:
 - a. On April 22, 2008, the Conducting Authority Hearing was held and no protests were submitted for the Lake Pointe Change of Organization to the City of Waterford. Lake Pointe Annexation to the City of Waterford was approved by the Commission on February 27, 2008.
 - b. Included in the Commission agenda packet was the

January/February California Special Districts Association (CSDA) publication, which includes an article by Bill Chiat, CALAFCO Executive Director, on Page 24. Staff distributed copies of this article to each of the Independent Special District's in the County.

- c. Dean Wright, LAFCO Counsel, indicated to the Commission that at the CALAFCO Staff Workshop in San Jose, a speaker by the name of Don Weden, a retired Principal Planner from the County of Santa Clara, provided a powerpoint presentation on changing demographics in California and was very informative. He suggested inviting Mr. Weden to provide a presentation before the Commission and interested parties. The Commission agreed and approved to have Staff schedule a workshop to invite Mr. Weden to speak before the Commission.

10. ADJOURNMENT

- A. Set meeting date and time. The next meeting date and time is May 28, 2008 at 6:00 p.m.
- C. The meeting was adjourned at 6:44 p.m.

SIGNED COPY ON FILE

Marjorie Blom
Executive Officer

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