



## STANISLAUS LOCAL AGENCY FORMATION COMMISSION

### MINUTES

JUNE 25, 2008

The Stanislaus Local Agency Formation Commission met in the Joint Chambers at Tenth Street Place, Basement Level, 1010 10<sup>th</sup> 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 and Staff.

Commissioners Present: Thomas Mayfield, Chair, County Member  
Ken Lane, Vice-Chair, City Member  
Jim DeMartini, County Member  
Brad Hawn, City Member  
Tia Saletta, Public Member  
Dick Monteith, Alternate County Member  
Barbara Rouse, Alternate Public Member

Commissioners Absent: John Fantazia, Alternate 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 May 28, 2008. It was moved by Commissioner Hawn, seconded by Commissioner Saletta, to approve the Minutes of the May 28, 2008 meeting. The motion carried with a 4-0 vote of the voting members. (Commissioner Lane abstained.)

#### 4. CORRESPONDENCE

##### A. Specific Correspondence.

1. Letter from Mr. Richard A. Kendrick, dated June 10, 2008 regarding Agenda Item No. 6:A (Via Email) – Received.
2. Letter from Arlen and Susan Peters, dated June 11, 2008 regarding Agenda Item No. 6:A (Via Email) – Received.
3. Letter from John Ferguson, dated June 21, 2008 regarding Agenda Item No. 6:A (Via Email) – Handout.
4. Letter from Harry E. Anderson, dated June 20, 2008 regarding Agenda Item No. 6:A – Handout.
5. Letter from Russell A. Harrison, dated June 24, 2008 regarding Agenda Item No. 6:B (Via Email) and Staff Memo - Handout.
6. Letter from Brett S. Jolley, Attorney-at-Law for Herum Crabtree Brown dated June 25, 2008 regarding Agenda Item No. 6:B – Handout.
7. Letter from Russell A. Harrison, Consulting Civil Engineer, Inc., dated June 25, 2008 regarding Agenda item No. 6:B – Handout.

##### B. Informational Correspondence.

1. “The Sphere”, CALAFCO Newsletter, June 2008 – Handout.
2. California Special Districts Association (CSDA), Pamphlet - Handout.

##### C. “In the News”:

- The Wall Street Journal (Online), May 15, 2008, “Sewer to Spigot: Recycled Water” – Received.
- Ceres Courier, May 21, 2008, “City pressing for new wells to meet summer demand” - Received.
- Patterson Irrigator, June 4, 2008, “Irrigation districts brace for cutbacks” – Received.
- The Turlock Journal, June 7, 2008, “California faces serious water crisis” – Received.

##### D. Other News

- Manteca Bulletin, June 9, 2008, “Recycled water may irrigate city parks in future” - Received.

**5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

None.

**6. PUBLIC HEARINGS**

**A. LAFCO APPLICATION NO. 2008-02 – TEMPERATE REORGANIZATION TO THE CITY OF MODESTO.**

Marjorie Blom, Executive Officer, presented the proposal with the recommendation for approval.

Chair Mayfield opened the Public Hearing at 6:12 p.m.

**FAVOR:** Dave Romano, Civil Engineer, representing the project applicant; Patrick Kelly, Planning Manager, City of Modesto; Jeff Barnes, Public Works Traffic Engineer, City of Modesto.

**OPPOSITION:** Richard Kendrick, 2506 Torrid Avenue; Traci Miller, 2509 Torrid Avenue; John Ferguson, 2508 Temperate Avenue and read a letter on behalf of Mr. Harry E. Anderson, 2308 Temperate Avenue; Michael O'Connor, 2311 Torrid Avenue; Susan Uhrick, 2430 Torrid Avenue; Edward Wagner, 2437 Temperate Avenue; Brendan Kinzie, 2420 Temperate Avenue.

Mike Passalacqua, Fire Chief, Woodland Fire Protection District spoke neither for or against the project.

Commissioner Saletta left Dais at 6:56 p.m.

Commissioner Saletta returned to Dais at 6:57 p.m.

**REBUTTAL:** Dave Romano, Civil Engineer, representing the project applicant.

Chair Mayfield closed the Public Hearing at 7:03 p.m.

Commissioner DeMartini made a motion to deny the proposal, and the motion was seconded by Commissioner Mayfield. Upon roll call, the vote was 2-3, and the motion failed as three votes are necessary to approve the proposal. Subsequently, a motion was made by Commissioner Hawn, seconded by Commissioner Lane, and carried with a 3-2 vote to approve the proposal. (Commissioners Hawn, Lane and Saletta voted yes, and Commissioners DeMartini and Mayfield voted no; Commissioners Monteith and Rouse were ineligible). Therefore, the Commission adopted Resolution No. 2008-18, approving the Temperate Reorganization to the City of Modesto.

**B. LAFCO APPLICATION NO. 2008-01 – TIVOLI SPECIFIC PLAN REORGANIZATION TO THE CITY OF MODESTO.**

Marjorie Blom, Executive Officer, presented the proposal with the recommendation for approval.

Chair Mayfield opened the Public Hearing at 7:32 p.m.

**FAVOR:** Patrick Kelly, Planning Manager, City of Modesto; Jim Miguel, Fire Chief, City of Modesto.

**OPPOSITION:** Steve Mayotte, Fire Chief, Stanislaus Consolidated Fire Protection District.

**REBUTTAL:** Jim Miguel, Fire Chief, City of Modesto and Dave Romano, Civil Engineer, representing the applicant.

Chair Mayfield closed the Public Hearing at 7:52 p.m.

Moved by Commissioner Hawn, seconded by Commissioner Lane and carried with a 5-0 vote (Commissioners Monteith and Rouse were ineligible) that the Commission adopt Resolution No. 2008-19, approving the Tivoli Specific Plan Reorganization to the City of Modesto.

**7. OTHER MATTERS AT THE DISCRETION OF THE CHAIRPERSON**

None.

**8. EXECUTIVE OFFICER'S REPORT**

A. CALAFCO Annual Conference Update (Verbal Report).

1. Commission/Staff Attendees: Commissioners DeMartini and Saletta. Staff: Marjorie Blom, Sara Lytle-Pinhey; and LAFCO Legal Counsel Dean Wright.
2. Selection of Voting Delegates – Commissioner Saletta was chosen as the CALAFCO Voting Delegate representing Stanislaus LAFCO, and Commissioner DeMartini was chosen as the Alternate Voting Delegate.

B. The July 23<sup>rd</sup> meeting will include a presentation by Mr. Don Weden, encouraging local communities to prepare for future changes and challenges, including demographic and environmental changes.

C. Staff noted that the office will be closed on July 11<sup>th</sup>, as the Executive Officer, Assistant Executive Officer and Legal Counsel, will be attending a CALAFCO workshop in Sacramento; and the LAFCO Clerk will be on vacation. Notice of the office closure will be posted on the website and at the 3<sup>rd</sup> Floor Reception area (front counter).

**9. ADJOURNMENT**

A. Set meeting date and time. The next meeting date and time is July 23, 2008 at 6:00 p.m.

C. The meeting was adjourned at 7:56 p.m.

**SIGNED COPY ON FILE**

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Marjorie Blom  
Executive Officer