



## STANISLAUS LOCAL AGENCY FORMATION COMMISSION

### MINUTES JANUARY 28, 2009

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. Vice-Chair Lane led in the pledge of allegiance to the flag.
- B. Introduction of Commissioners. Vice-Chair Lane led in the introduction of the Commissioners and Staff.

Commissioners Present: Ken Lane, Vice-Chair, City Member  
Jim DeMartini, County Member  
William O'Brien, County Member  
Tia Saletta, Public Member  
Vito Chiesa, Alternate County Member  
Barbara Rouse, Alternate Public Member

Commissioners Absent: Brad Hawn, City Member  
Charlie Goeken, Alternate City Member

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

#### 2. PUBLIC COMMENT

None.

#### 3. APPROVAL OF THE MINUTES

- A. Minutes of September 24, 2008. Only two Commissioners (DeMartini and Saletta) were present to vote for the September 24, 2008 Minutes. Therefore, due to the lack of quorum for this item, approval of the Minutes of September 24, 2008, was continued to the next regular scheduled meeting.
- B. Minutes of December 3, 2008. Only two Commissioners (Lane and Saletta) were present to vote for the December 3, 2008 Minutes. Therefore, due to the lack of quorum for this item, approval of the Minutes of December 3, 2008, was continued to the next regular scheduled meeting.

#### 4. CORRESPONDENCE

##### A. Specific Correspondence.

1. "LAFCO Confidential Assistant position study", dated January 22, 2009, received via email from Tera Chumley, Associate Management Consultant, County Chief Executive Office (CEO) Human Resources Division, regarding Item No. 7:C., Update on the LAFCO Clerk Reclassification - Received.

##### B. Informational Correspondence.

1. Annual City Annexation Summary for Stanislaus County, 1990-2008 – Received.
2. Publication of the California Special District Association (CSDA), Volume 3, Issue 6, November-December, 2008 – Received.
3. Flyer from CALAFCO University regarding SB 375, "So How Will it Work for LAFCO" Workshop – Received.

##### C. "In the News":

- The Modesto Bee, December 4, 2008, "Ammo plant firms seeking to expand" – Received.
- Patterson Irrigator, December 20, 2008, "Council approves \$202M water plan" – Received.
- The Modesto Bee, "December 21, 2008, "Modesto firm bets on the future" – Received.
- Patterson Irrigator, December 24, 2008, "Restrictions increase uncertainty over Delta Water" – Received.
- The Modesto Bee, January 2, 2009, "City of Ceres readies for next growth spurt" – Received.
- The Modesto Bee, January 3, 2009, "Diablo Grande shows split personality" – Received.
- The Turlock Journal, January 7, 2009, "Chiesa sworn in as Supervisor" – Received.
- The Modesto Bee, January 9, 2009, "Diablo Grande owners turn a page" – Received.
- Westside Index, January 9, 2009, "Farmers face water concerns in '09" – Received.
- Patterson Irrigator, January 21, 2009, "New MJC site moves toward fall opening" – Handout.

Other News.

- The Union Democrat, December 15, 2008, "Fire district taxes on Supes' docket Tuesday" – Received.
- Farmland Working Group Newsletter, Winter, 2008 – Received.

**5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

None.

**6. PUBLIC HEARING**

**A. MUNICIPAL SERVICE REVIEW (MSR) NO. 08-06 AND SPHERE OF INFLUENCE MODIFICATION NO. 2008-08 – CITY OF NEWMAN.**

Sara Lytle-Pinhey, Assistant Executive Officer, presented the proposal with the recommendation for approval.

Vice-Chair Lane opened the Public Hearing at 6:13 p.m.

**FAVOR:** Michael Holland, City Manager, City of Newman.

**OPPOSITION:** No one spoke.

Vice-Chair Lane closed the Public Hearing at 6:21 p.m.

Moved by Commissioner DeMartini, seconded by Commissioner Saletta, and carried with a 4-0 vote (Commissioners Chiesa and Rouse were ineligible to vote) that the Commission adopt Resolution No. 2009-01, approving the City of Newman Municipal Service Review (MSR) and Sphere of Influence Modification.

**7. OTHER BUSINESS.**

**A. Election of Officers**

Moved by Commissioner O'Brien, seconded by Commissioner Saletta, and carried with a 4-0 vote (Commissioners Chiesa and Rouse were ineligible to vote) that the Commission adopt Resolution No. 2009-02, approving Ken Lane, City Member, as Chairperson and Jim DeMartini, County Member, as Vice-Chairperson for the annual term of February 1, 2009 to January 31, 2010.

**B. Mid-Year Budget Report – Fiscal Year 2008-2009**

Moved by Commissioner Saletta, seconded by Commissioner DeMartini, and carried with a 4-0 vote (Commissioners Chiesa and Rouse were ineligible to vote) to accept the Mid-Year Budget Report for Fiscal Year 2008-2009.

**C. Update on the LAFCO Clerk Reclassification**

Moved by Commissioner O'Brien, seconded by Commissioner DeMartini, and carried with a 4-0 vote (Commissioners Chiesa and Rouse were ineligible to vote) to: 1) receive the LAFCO Confidential Assistant position study, prepared by County staff; and 2) direct staff to work with the Commission's Personnel Committee (Chairperson Lane and Vice-Chair DeMartini) and the County in order to create an independent classification system for LAFCO employees.

**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 matters for March Meeting:
  - 1. Annexation proposal from City of Modesto requesting to annex approximately 32 acres.
  - 2. Hatch Road Reorganization to the City of Ceres to annex approximately 58 acres.
- B. Commissioners and Staff are invited to attend a CALAFCO Workshop on SB375 to be held in San Jose on March 27, 2009.
- C. There are no agenda items scheduled for the February 25, 2009 meeting.

**10. ADJOURNMENT**

- A. Set Meeting Date and Time  
Moved by Commissioner Saletta, seconded by Commissioner O'Brien, carried with a 4-0 vote (Commissioners Chiesa and Rouse were ineligible to vote) to cancel the Regular Meeting of February 25, 2009 and schedule the next meeting date and time for March 25, 2009 at 6:00 p.m..
- B. The meeting was adjourned at 6:39 p.m.

**SIGNED COPY ON FILE**

Marjorie Blom, Executive Officer

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