



## STANISLAUS LOCAL AGENCY FORMATION COMMISSION

### MINUTES MARCH 25, 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. Chair Lane led in the pledge of allegiance to the flag.
- B. Introduction of Commissioners. Chair Lane welcomed Commissioner Goeken and led in the introduction of the Commissioners and Staff.

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

Commissioners Absent: Barbara Rouse, Alternate Public 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. It was moved by Commissioner Saletta, seconded by Commissioner Hawn, (Commissioner Lane abstained) to approve the Minutes of the September 24, 2008 meeting. The motion carried with a 3-0 vote of the voting members.
- B. Minutes of December 3, 2008. It was moved by Commissioner Hawn, seconded by Commissioner Saletta, (Commissioner DeMartini abstained) to approve the Minutes of the December 3, 2008 meeting. The motion carried with a 3-0 vote of the voting members.

- C. Minutes of January 28, 2009. It was moved by Commissioner O'Brien, seconded by Commissioner DeMartini, (Commissioner Hawn abstained and Commissioner Chiesa was ineligible) to approve the Minutes of the January 28, 2009 meeting. The motion carried with a 4-0 vote of the voting members.

#### 4. CORRESPONDENCE

A. Specific Correspondence.

1. None.

B. Informational Correspondence.

1. Publication of the California Special District Association (CSDA), Volume 4, Issue 1, January-February, 2009 – Received.
2. Email from Michael Ott, Executive Officer, San Diego LAFCO, regarding a CALAFCO Fire Consolidation Course – Handout.

C. "In the News":

- Patterson Irrigator, January 21, 2009, "Planners to dig into general plan" – Received.
- Patterson Irrigator, January 21, 2009, "New MJC site moves toward fall opening" – Received.
- The Modesto Bee, January 23, 2009, "Riverbank looks to the year 2025" – Received.
- Patterson Irrigator, January 30, 2009, "New Owners Working To Fix Diablo's Water" – Received.
- Patterson Irrigator, February 4, 2009, "Farmers' lifeblood continues to dry up" – Received.
- Los Angeles Times, February 4, 2009, "Historic tiny Sacramento County town has king-size problems" – Received.
- Patterson Irrigator, February 11, 2009, "Planners give general plan revision another look" – Received.
- The Turlock Journal, February 21, 2009, "Turlock plans for future" – Received.
- Patterson Irrigator, February 25, 2009, "Delta water allocations hit rock bottom" – Received.
- The Oakdale Leader, March 4, 2009, "OID: No Surplus Water This Year" – Received.

- Ceres Courier, March 11, 2009, "TID can't finance plant" – Received.
- The Riverbank News, March 11, 2009, "City Again Postpones General Plan Adoption" – Received.

## 5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

## 6. PUBLIC HEARINGS

### A. LAFCO APPLICATION NO. 2008-07 - CARVER-9<sup>TH</sup> STREET REORGANIZATION TO THE CITY OF MODESTO.

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

Chair Lane opened the Public Hearing at 6:11 p.m.

**FAVOR:** Dennis Wilson, Horizon Consulting, representing the applicant (Centerra Capital).

**OPPOSITION:** None.

Brian Pearson, Resident at 1735 Clayton Avenue, Modesto, CA, spoke neither in favor nor in opposition to the project, but expressed his concerns regarding street maintenance in the area.

Chair Lane closed the Public Hearing at 6:17 p.m.

Moved by Commissioner Hawn, seconded by Commissioner Saletta, and carried with a 5-0 vote (Commissioners Chiesa and Goeken were ineligible) that the Commission adopt Resolution No. 2009-03, approving the Carver-9<sup>th</sup> Street Reorganization to the City of Modesto.

### B. LAFCO APPLICATION NO. 2009-01 - HATCH ROAD REORGANIZATION TO THE CITY OF CERES.

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

Chair Lane opened the Public Hearing at 6:25 p.m.

**FAVOR:** Tom Westbrook, Senior Planner, City of Ceres.

**OPPOSITION:** None.

Chair Lane closed the Public Hearing at 6:28 p.m.

Moved by Commissioner Hawn, seconded by Commissioner O'Brien, and carried with a 5-0 vote (Commissioners Chiesa and Goeken were ineligible) that the Commission adopt Resolution No. 2009-04, approving the Hatch Road Reorganization to the City of Ceres.

## 7. OTHER BUSINESS

- A. Update on the Commission's direction to create an independent classification system for LAFCO Employees.

On March 25, 2009, prior to the Commission's regular meeting, the Personnel Committee met with the LAFCO Executive Officer and Legal Counsel to review a "Draft Addendum to the Operational Services Agreement Between the County and LAFCO", which proposes to include language separating LAFCO Employees from the County's Classification System. Staff was directed to meet with the County

Chief Executive Officer and County Counsel to execute the necessary revisions to the existing Operational Services Agreement between the County and LAFCO.

- B. Consideration of Appointment of Regular Public Member and Recruitment Process for the Alternate Public Member.

Moved by Commissioner O'Brien, seconded by Hawn, and carried with a 5-0 vote (Commissioner Chiesa and Goeken were ineligible) that the Commission adopt Resolution No. 2009-05, appointing Commissioner Tia Saletta for a full four-year term as Public Member. The Commission also directed Staff to begin the recruitment process for the Alternate Public Member position, including having the Ad hoc Personnel Committee screen and/or interview potential candidates. The Committee would then make their recommendation to the full Commission at the next available meeting.

- C. Acceptance of the First Legislative Report for 2009.

Moved by Commissioner DeMartini, seconded by Commissioner Hawn, and carried with a 5-0 vote (Commissioners Chiesa and Goeken were ineligible) to accept the Legislative Report for 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 matters for the April 22<sup>nd</sup> Meeting:

1. Out-of-Boundary Application from the City of Patterson to provide water and sewer service outside their jurisdictional boundaries to the proposed Modesto Junior College Learning Center site.
2. Proposed Fiscal Year 2009-2010 Budget.
3. Alternate Public Member Recruitment/Appointment.

- B. Upcoming Matters for the May 27th Meeting:

1. Final Fiscal Year 2009-2010 Budget.
2. Municipal Service Reviews and Sphere of Influence for the Keyes and Denair Community Services District.

- C. Other Matters:

1. Commissioner Saletta and Staff will be attending a CALAFCO sponsored workshop on SB375 on Friday, March 27, 2009 in San Jose.

2. The LAFCO Office will be closed on April 29-May 1, as Staff will be attending the CALAFCO Annual Staff Workshop in Shell Beach. Staff will check for messages and will post office closure at the 3<sup>rd</sup> Floor reception/front counter and website.

## 10. ADJOURNMENT

- A. Set Meeting Date and Time. The next meeting date and time is April 22, 2009 at 6:00 p.m.
- B. The meeting was adjourned at 6:38 p.m.

**SIGNED COPY ON FILE**

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Marjorie Blom, Executive Officer

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