



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

MINUTES

SEPTEMBER 23, 2009

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

Commissioners Present: 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
Ron Freitas, Alternate Public Member

Commissioners Absent: Ken Lane, Chair, 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 July 22, 2009. It was moved by Commissioner O'Brien, seconded by Commissioner Hawn, (Commissioner Saletta abstained and Commissioners Chiesa and Goeken were ineligible) to approve the Minutes of the July 22, 2009 meeting. The motion carried with a 4-0 vote of the voting members.

4. CORRESPONDENCE

A. Specific Correspondence.

1. Letter dated September 2, 2009, from CALAFCO regarding 8:A – Received.

B. Informational Correspondence.

1. Publication of the California Special District Association (CSDA) Volume 4, Issue 4, July-August 2009 – Received.
2. Letter dated July 28, 2009, from John Davids, District Engineer with the Oakdale Irrigation District, regarding the District's Annexation Policy and Procedures Review. (OID will make a presentation to the Commission on January 27, 2010) – Received.

C. In the News:

- Ceres Courier, July 29, 2009, "River water plant data to be verified" - Received.
- The Modesto Bee, July 30, 2009, "Ag land tax aid grieved in Stanislaus County" - Received.
- The Modesto Bee, August 2, 2009, "Growth policies called poor" - Received.
- The Modesto Bee, August 4, 2009, "Stanislaus County approves final animal shelter plan" - Received.
- The Modesto Bee, August 6, 2009, "Modesto OKs paying for part of sewer study" - Received.
- The Modesto Bee, August 12, 2009, "Stanislaus County drops pumping contract" - Received.
- Ceres Courier, August 12, 2009, "Ceres game for regional sewer" – Received.
- Ceres Courier, August 12, 2009, "CUSD breaks ground on Cesar Chavez Junior High School" - Received.
- Patterson Irrigator, August 27, 2009, "General plan revision moves forward" - Received.
- The Modesto Bee, September 3, 2009, "State sues Bonzi Landfill" - Received.

Other News

- Journal of Government Financial Management, Summer, 2009, "Three Reasons to REVISIT Special Districts", Larita J. Killian, Ed.D., CGFM, CPA - Received.

- California Farm Bureau Federation, "Counties hold key to Williamson Act's future" - Received.

5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

6. CONSENT ITEMS*

- *A. **CONSIDERATION OF MSR NO. 09-04 AND SOI NO. 2009-05 – MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATES FOR THE CROWS LANDING, GRAYSON AND WESTLEY COMMUNITY SERVICES DISTRICTS.**
Staff Recommended Approval of Resolution Nos. 2009-20, 2009-21, 2009-22.
- *B. **COUNTY PERFORMED LAFCO PURCHASING CARD AUDIT FOR THE FISCAL YEAR OF JULY 1, 2008 THROUGH JUNE 30, 2009.** Report was received and filed by the Commission.
- *C. **ACCEPTANCE OF THE SEPTEMBER 2009 LEGISLATIVE REPORT.**
- *D. **ACCEPTANCE OF THE 2010 LAFCO CALENDAR.**

Moved by Commissioner Hawn, seconded by Commissioner Goeken, (Commissioners Chiesa and Freitas were ineligible to vote) and carried with a 5-0 vote to approve Consent Items A, B, C and D.

7. PUBLIC HEARINGS

- A. **OUT-OF-BOUNDARY SERVICE APPLICATION – CITY OF CERES (CERES UNIFIED SCHOOL DISTRICT – JUNIOR HIGH SCHOOL).**
Marjorie Blom, Executive Officer, presented the proposal with the recommendation for approval.
Vice Chair DeMartini opened the Public Hearing at 6:12 p.m.
FAVOR: Tom Westbrook, Senior Planner, City of Ceres and Jay Simmonds, Director of Educational Options and Communications, for the Ceres Unified School District.
OPPOSITION: No one spoke.
Vice Chair DeMartini closed the Public Hearing at 6:15 p.m.
Moved by Commissioner Hawn, seconded by Commissioner Goeken, (Commissioners Chiesa and Freitas were ineligible to vote) and carried with a 5-0 vote that the Commission adopt Resolution No. 2009-23, approving the Out-of-Boundary Service Application for the City of Ceres (Ceres Unified School District – Junior High School).
- B. **SPHERE OF INFLUENCE (SOI) AMENDMENT NO. 2009-04 AND LAFCO APPLICATION NO. 2009-03 – HUGHSON WASTEWATER TREATMENT PLANT EXPANSION NO. 3 CHANGE OF ORGANIZATION TO THE CITY OF HUGHSON.**
Marjorie Blom, Executive Officer, presented the proposal with the recommendation for approval.
Vice Chair DeMartini opened the Public Hearing at 6:21 p.m.
FAVOR: No one spoke.

OPPOSITION: No one spoke.

Vice Chair DeMartini closed the Public Hearing at 6:22 p.m.

Moved by Commissioner Hawn, seconded by Commissioner Goeken, (Commissioners Chiesa and Freitas were ineligible) and carried with a 5-0 vote that the Commission adopt Resolution No. 2009-24, approving the City of Hughson Sphere of Influence (SOI) Amendment and Hughson Wastewater Treatment Plant Expansion No. 3 Change of Organization to the City of Hughson.

8. OTHER BUSINESS

- A. Designation of Conference Voting Delegates, Nominations for CALAFCO Board of Directors and Nominations for the Annual CALAFCO Achievement Awards.

Moved by Commissioner O'Brien, seconded by Commissioner Hawn (Commissioners Chiesa and Freitas were ineligible) and carried with a 5-0 vote that the Commission appoint Commissioner Saletta as the Voting Delegate and Commissioner DeMartini as the Alternate Voting Delegate to represent Stanislaus LAFCO at the 2009 Annual CALAFCO Conference on October 29, 2009.

- B. Follow-up on the Stanislaus County Fire Chiefs' Association Letter, dated July 14, 2009.

Steve Mayotte, Fire Chief, Stanislaus Consolidated Fire District, and President of the Stanislaus Fire Chiefs' Association provided the Commission with an update on the continuing challenges facing local fire agencies, especially with regards to the loss of revenue among the fire districts upon detachment. Commissioner O'Brien expressed concern that many of the fire agencies may be experiencing "death by a 1,000 paper cuts", and the ability of the agencies to respond is thereby hindered. Commissioner Hawn mentioned that four fire agencies have been meeting together to discuss the issue of annexations without detachment. Further discussion included the Fire Chiefs' request to establish a "Blue Ribbon Committee" with the assistance of LAFCO. The Commission, while taking no action, encouraged the Fire Chiefs' to keep the Commission and LAFCO Staff involved in future meetings regarding this matter.

Commissioner Chiesa left the Dais and the Meeting at 6:45 p.m.

9. ADDITIONAL MATTERS AT THE DISCRETION OF THE VICE CHAIRPERSON

None.

10. EXECUTIVE OFFICER'S REPORT

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

1. The October 28th Meeting was previously cancelled due to the 2009 Annual CALAFCO Conference to be held on October 28-30, 2009, in Yosemite.

- B. Upcoming Matters for the December 2nd Meeting, and/or Future Meetings:
1. The City of Ceres, on behalf of Stanislaus County, will be submitting an out-of-boundary service extension request to provide water and sewer services to the proposed new County Animal Shelter.
 2. Mid-Year Budget Review.
 3. Policies and Procedures – Additions and Revisions to include recent legislative changes.
 4. Municipal Service Reviews and Sphere of Influence Updates for Healthcare & Hospital Districts.
 5. The City of Patterson will be submitting a request to annex territory to accommodate: 1) expansion of the City's Wastewater Treatment Plant by approximately 290 acres*; and 2) additional industrial land of approximately 54.3 acres, which is located adjacent to the City Limits to the southeast. (*On August 4, 2009, the Board of Supervisors found the City's proposed sphere expansion to be logical and orderly.)

10. ADJOURNMENT

- A. Set the next meeting date of the Commission for December 2, 2009 at 6:00 p.m.
- B. The meeting was adjourned at 6:50 p.m.

SIGNED COPY ON FILE

Marjorie Blom, Executive Officer

Note: A tape recording of this meeting is unavailable due to equipment malfunction.