



# STANISLAUS LOCAL AGENCY FORMATION COMMISSION

## MINUTES

JANUARY 26, 2011

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.

### 1. CALL TO ORDER

- A. Chair DeMartini called the January 26, 2011 meeting to order at 6:00 p.m.
- B. Pledge of Allegiance to Flag. Chair DeMartini led in the pledge of allegiance to the flag.
- C. Introduction of Commissioners. Chair DeMartini led in the introduction of the Commissioners and Staff.

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

Commissioners Absent: Ken Lane, Alternate City Member  
Ron Freitas, 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 December 1, 2010. It was moved by Commissioner Saletta, seconded by Commissioner O'Brien, and carried with a 5-0 vote (Commissioner Chiesa was ineligible) to approve the Minutes of the December 1, 2010 meeting.

#### 4. CORRESPONDENCE

A. Specific Correspondence.

1. Individual City Growth Observations (1960-2010) regarding Item No. 8: D - Handout.

B. Informational Correspondence.

1. Publication of the California Special District Association (CSDA) Volume 5, Issue 6, November - December 2010 - Received.
2. CALAFCO University Flyer, "LAFCO as a Catalyst Facilitation Skills for LAFCO Staff, for February 4, 2011 - Received.
3. CALAFCO 2011 Events Calendar - Received.
4. Farmland Working Group Newsletter, Winter 2010 - Received.
5. Abbott & Kindermann Land Use Law Blog, January 5, 2011 - Received.

C. In the News:

- Patterson Irrigator, December 2, 2010, "General plan adopted on 4-1 vote" - Received.
- Patterson Irrigator, December 2, 2010, "Diablo Grande wastewater rates gain approval" - Received.
- The Modesto Bee, December 21, 2010, "Oakdale, Stanislaus fire units weigh merger, state deal" - Received.
- Patterson Irrigator, December 30, 2010, "Major changes hit Patterson in 2010" - Received.
- The Modesto Bee, January 5, 2011, "Builders take ag land case to state Supreme Court" - Received.
- Patterson Irrigator, January 6, 2011, "Fire station reopens full time" - Received.
- The Modesto Bee, January 11, 2011, "Stanislaus agencies ready to decide on fire merger" - Received.
- The Modesto Bee, January 12, 2011, "New fire authority gets off ground" - Received.
- Ceres Courier, January 12, 2011, "Ceres Fire turning 100" - Received.
- The Modesto Bee, January 14, 2011 - Editorial Opinion, "Fire agencies merge: Bravissimo! Encore!" - Received.

- The Modesto Bee, January 16, 2011 - "West Park details promised soon" - Received.

Other News

- Los Angeles Times, December 2, 2010, "An acre for an acre: Farmland preservation measure upheld" - Received.
- Central Valley Business Times, December 4, 2010, "Local governments warned of strict open meeting law enforcement" - Received.
- California Farm Bureau Federation, December 8, 2010, "Decision upholds local rules that protect farmland" - Received.
- Ukiah Daily Journal, December 13, 2010, "County fire chiefs want special tax for services" - Received.
- Abbott & Kindermann Land Use Law Blog, December 14, 2010, "Appellate Court Upholds Facial Challenge to 1 to 1 Agricultural Lands Mitigation" - Received.
- Central Valley Business Times, December 20, 2010, "Yolo Land Trust adds 140 acres of historical farmland" - Received.

**5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

None.

**6. CONSENT ITEM\***

A. **CONSIDERATION OF MSR NO. 10-05 AND SOI NO. 2010-06 - MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE FOR THE MODESTO IRRIGATION DISTRICT.**

Moved by Commissioner O'Brien, seconded by Commissioner Bublak, (Commissioner Chiesa was ineligible) and carried with a 5-0 vote to adopt Resolution No. 2011-01 approving the Municipal Service Review and Sphere of Influence Update for the Modesto Irrigation District.

**7. PUBLIC HEARING**

A. **LAFCO APPLICATION NO. 2010-06 - KIERNAN BUSINESS PARK EAST CHANGE OF ORGANIZATION TO THE CITY OF MODESTO.**

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

Chair DeMartini opened the Public Hearing at 6:09 p.m.

**FAVOR:** Rick Mummert, Benchmark Engineering, representing the landowners in the area; Patrick Kelly, Planning Manager, City of Modesto;

**OPPOSITION:** No one spoke.

Brad Barker, resident of Modesto, spoke neither in favor nor against the project, rather he commented on sewer trunk lines along Kiernan.

Chair DeMartini closed the Public Hearing at 6:15 p.m.

Moved by Commissioner Goeken, seconded by Commissioner Saletta, (Commissioner Chiesa was ineligible), and carried with a 5-0 vote to adopt Resolution No. 2011-02, approving the Kiernan Business Park East Change of Organization to the City of Modesto.

## **8. OTHER BUSINESS**

### **A. Election of Officers.**

Moved by Commissioner O'Brien, seconded by Commissioner Bublak, (Commissioner Chiesa was ineligible) and carried with a 5-0 vote to adopt Resolution No. 2011-03, approving Tia Saletta, Public Member, as Chairperson and Charlie Goeken, City Member, as Vice-Chairperson for the annual term of February 1, 2011 to January 31, 2012.

### **B. Discussion and Direction Regarding Review of Agricultural Land Preservation Policies.**

Moved by Commissioner Bublak, seconded by Commissioner Saletta, and carried with a 3-2 vote, (Commissioners Bublak, and DeMartini and Saletta voted yes, Commissioners Goeken and O'Brien voted no, and Commissioner Chiesa was ineligible) to direct Staff to send a letter to the Mayors Group inviting the Mayors to attend a LAFCO Workshop during the regular-scheduled LAFCO Meeting of March 23, 2011.

### **C. Mid-Year Budget Report for Fiscal Year 2011 - Report Accepted.**

Moved by Commissioner O'Brien, seconded by Commissioner Bublak (Commissioner Chiesa was ineligible to vote) and carried with a 5-0 vote to accept the Mid-Year Budget Report for the Fiscal Year 2010-2011.

### **D. Annual City Annexation Summary.**

Sara Lytle-Pinhey, Assistant Executive Officer, provided a PowerPoint presentation highlighting a 50-year perspective of City Annexations from 1960 to 2010.

## **9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON**

None.

## **10. PRESENTATION**

Commissioner Saletta presented a plaque to Commissioner DeMartini as outgoing Chairperson for the year of February 2010 through January 2011.

## **11. EXECUTIVE OFFICER'S REPORT**

### **A. On the Horizon. The Executive Officer informed the Commission of the following:**

#### **1. Upcoming matters for the February 23, 2011 Meeting:**

- a. There are no scheduled items for the February 23, 2011 meeting.

2. Upcoming matters for the March 23, 2011 Meeting:
    - a. There is time available in March's meeting. Staff can place the review of the Agricultural Land Preservation Polices on the agenda.
  3. Upcoming matters for the April 27, 2010 Meeting:
    - a. Two applications from Oakdale Irrigation District.
    - b. Municipal Service Review and Sphere of Influence Updates for the Turlock Irrigation District.
- B. Other Matters:
1. LAFCO Executive Officer has been invited to speak to the City Managers regarding LAFCO's budget process.
  2. Save the Date for the Annual Planning Commissioners Workshop to be held on March 5, 2011.

## 11. ADJOURNMENT

- A. The Commission cancelled the Regular Meeting of February 23, 2011, and scheduled the next meeting date and time for March 23, 2011 at 6:00 p.m.
- B. The meeting was adjourned at 7:40 p.m.

**SIGNED COPY ON FILE**

Marjorie Blom, Executive Officer

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