



# STANISLAUS LOCAL AGENCY FORMATION COMMISSION

## MINUTES

FEBRUARY 22, 2012

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 Goeken called the February 22, 2012 meeting to order at 6:00 p.m.
- B. Pledge of Allegiance to Flag. Chair Goeken led in the pledge of allegiance to the flag.
- C. Introduction of Commissioners. Chair Goeken led in the introduction of the Commissioners and Staff.

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

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

### 2. PUBLIC COMMENT

None.

### 3. APPROVAL OF THE MINUTES

- A. Minutes of January 25, 2012. It was moved by Commissioner Bublak, seconded by Vice-Chair O'Brien, and carried with a 4-0 vote (Commissioner Saletta abstained and Commissioners Beekman and Chiesa were ineligible) to approve the Minutes of the January 25, 2012 meeting.

#### 4. CORRESPONDENCE

##### A. Specific Correspondence.

1. Letter from Tom Westbrook, Planning/Building/Housing Division Manager, City of Ceres regarding Item No. 7:A – Handout.
2. Letter from Jeani Ferrari, Farmland Working Group regarding Item No. 7:A – Handout.
3. Excerpts of the City of Modesto’s General Plan Master EIR from Miguel Donoso regarding Item No. 7:B – Handout.

##### B. Informational Correspondence.

1. CALAFCO Quarterly Newsletter, February 2012 – Received.
2. Governor’s Office of Planning and Research (OPR) Publication – “LAFCO’s, General Plans, and City Annexations”- dated February 7, 2012 – Received.
3. Letter dated February 6, 2012, from the California Special District Risk Management Authority (SDRMA) regarding a longevity awarded to Stanislaus LAFCO – Received.

##### C. In the News

- The Modesto Bee, January 22, 2012, “New Modesto City Council district maps rile some residents” – Received.
- The Modesto Bee, February 4, 2012, “Tension flares again between Modesto fire agencies” – Received.
- The Oakdale Leader, February 8, 2012, “OID Sets Fringe Parcel Terms” – Received.
- The Oakdale Leader, February 8, 2012, “Council Formalizes Fire Services Merger” – Received.
- The Turlock Journal, February 8, 2012, “TID celebrates 125 year anniversary with documentary” – Received.
- The Modesto Bee, February 12, 2012, “Growth initiative is lauded” – Received.

##### Other News:

- Forbes, January 23, 2012, “California Sues San Diego Over Emissions” – Received.
- The Press Enterprise (Riverside), February 5, 2012, “FIREFIGHTING: Backlash to rural protection fee expected” – Received.

- The Stockton Record, February 12, 2012, "Mountain House offers residents sense of place" – Received.

## 5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

## 6. PRESENTATIONS

- A. Chair Goeken presented a plaque to Commissioner Saletta as Outgoing Chairperson.
- B. Roy Wasden, Turlock's City Manager, cancelled his presentation, to be rescheduled at a later date.

## 7. PUBLIC HEARINGS

### A. MSR NO. 11-05, SOI MODIFICATION NO. 2011-03 & LAFCO APPLICATION NO. 2011-04 – WEST LANDING SPECIFIC PLAN REORGANIZATION TO THE CITY OF CERES.

Sara Lytle-Pinhey, Assistant Executive Officer, noted that the action before the Commission on this matter would include two separate public hearings. She then presented Part 1 – Review and adoption of the Municipal Service Review (MSR) and the Sphere of Influence (SOI) Modification to the City of Ceres. Following Staff's presentation, the Commission asked Tom Westbrook, Planning Manager, City of Ceres, to provide information regarding population projections and current land inventory.

Chair Goeken opened the Public Hearing at 6:23 p.m.

FAVOR: No one spoke.

OPPOSITION: Jeani Ferrari, Farmland Working Group; Brad Barker, resident of Modesto; Niki Milligan, Westport 4-H Member; J. Allen Gammon, Farmland Working Group.

Chair Goeken closed the Public Hearing at 6:40 p.m.

Moved by Chair Goeken, seconded by Commissioner Vice-Chair O'Brien and carried with a 5-0 vote (Commissioners Beekman, Chiesa and Freitas were ineligible to vote) that the Commission adopt Resolution No. 2012-03, approving the City of Ceres Municipal Service Review (MSR) and Sphere of Influence (SOI) Modification to the City of Ceres.

Marjorie Blom, Executive Officer, presented the proposal for Part 2 - West Landing Specific Plan Reorganization to the City of Ceres.

Chair Goeken opened the Public Hearing at 7:34 p.m.

FAVOR: Tom Westbrook, Planning Manager, City of Ceres.

OPPOSITION: Rebecca Milligan, Westport Resident; Dave Sundy, Board Chair, Westport Fire Protection District.

Chair Goeken closed the Public Hearing at 7:37 p.m.

Moved by Commissioner Bublak, seconded by Commissioner DeMartini, and carried with a 5-0 vote (Commissioners Beekman, Chiesa and Freitas were ineligible to vote) to continue the item to the March 28<sup>th</sup> meeting in order to allow more time for the City of Ceres and the Westport Fire Protection District to enter into a finalized fire services agreement in connection with the subject proposal.

**B. LAFCO APPLICATION NO. 2011-07 – SHACKELFORD CHANGE OF ORGANIZATION TO THE CITY OF MODESTO.**

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

Chair Goeken opened the Public Hearing at 7:46 p.m.

FAVOR: Patrick Kelly, Planning Manager, City of Modesto, thanked the Commission and Staff and spoke in favor of the project; J. Allen Gammon, Farmland Working Group; Alicia Luna, resident of the Shackelford area; Miguel Donoso, Modesto Resident; Raymond Castro, resident of the Shackelford area.

Patty Kingston, property owner, spoke neither in favor nor in opposition of the proposal. She stated concerns regarding safety lighting in the Shackelford area.

OPPOSITION: No one spoke.

Chair Goeken closed the Public Hearing at 8:09 p.m.

Moved by Commissioner DeMartini, seconded by Commissioner Bublak and carried with a 5-0 vote (Commissioners Beekman, Chiesa and Freitas were ineligible to vote) that the Commission adopt Resolution No. 2012-05, approving the Shackelford Change of Organization to the City of Modesto.

**8. OTHER BUSINESS**

None.

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

Chair Goeken directed Staff to place the agricultural land preservation policy on the March agenda for further discussion.

**10. EXECUTIVE OFFICER'S REPORT**

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

1. Upcoming matters for the March 28, 2012 meeting:
  - a. Municipal Service Review, Sphere of Influence Modification, and annexation request for the Eastside Water District.
  - b. Proposed Budget for the Fiscal Year 2012-2013.
  - c. Continuance of the West Landing Specific Plan Reorganization to the City of Ceres.
  - d. Agricultural Land Preservation Policy.

2. No items scheduled for the April 25, 2012 Meeting.
3. Upcoming matters for the May 23, 2012 Meeting:
  - a. Final Budget for Fiscal Year 2012-2013.
4. Of Note to the Commission:
  - a. The County is undergoing a manager classification study.
  - b. Bill Chiat, Executive Officer of CALAFCO, will be retiring in October, 2012.

**11. ADJOURNMENT**

- A. Set the next meeting date and time of the Commission for March 28, 2012 at 6:00 p.m.
- B. The meeting was adjourned at 8:20 p.m.

**SIGNED COPY ON FILE**

Marjorie Blom, Executive Officer