



## REVISED

# STANISLAUS LOCAL AGENCY FORMATION COMMISSION

## MINUTES MARCH 28, 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 March 28, 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  
Amy Bublak, City Member  
Jim DeMartini, County Member  
Tia Saletta, Chair, Public Member  
Matt Beekman, Alternate City Member  
Ron Freitas, Alternate Public Member

Commissioners Absent: William O'Brien, Vice-Chair, County Member  
Vito Chiesa, Alternate County 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 February 22, 2012. It was moved by Commissioner Saletta, seconded by Commissioner Bublak, and carried with a 4-0 vote (Commissioners Beekman and Freitas were ineligible) to approve the Minutes of the February 22, 2012 meeting.

#### 4. CORRESPONDENCE

##### A. Specific Correspondence.

1. Letter from Rodman Hooker regarding Agenda Item 7A – Handout.
2. Letter from Jeani Ferrari regarding Agenda Item 8A – Handout.
3. Letter from Dennis Jackman regarding Agenda Item 8A – Handout.
4. Letter with attachments from Allen Gammon regarding Item 8A – Handout.

##### B. Informational Correspondence.

1. Item too Late For the Agenda - Receipt of the City of Patterson's Amended Application Regarding the "Westside Electrical Service Area Sphere of Influence Modification & Change of Organization to the Turlock Irrigation District, Amendment No. 1 Proposal" – Received.
2. "The Sphere", CALAFCO Newsletter, March 2012 – Received.
3. Publication of the California Special Districts Association (CSDA), Volume 7, Issue 1, Jan – Feb 2012 - Received.
4. C & L Newsletter Update on Public Law, Colantuono & Levin, PC, Winter 2012 – Received.

##### C. In the News

- The Modesto Bee, February 19, 2012, "2 annexations up for OK" – Received.
- The Modesto Bee, February 23, 2012, "Modesto agrees to annex neighborhood; Ceres plan delayed" – Received.
- The Modesto Bee, February 27, 2012, "Preserve plan advances" – Received.
- Ceres Courier, February 29, 2012, "Major annexation must wait" – Received.
- The Modesto Bee, March 3, 2012, "Shackelford residents curious about taxes, hens" – Received.
- The Modesto Bee, March 4, 2012, "Modesto Shackelford neighborhood's long wait for annexation" – Received.
- The Modesto Bee, March 5, 2012, "Questions remain about Stanislaus County veterans idea" – Received.
- The Modesto Bee, March 14, 2012, "Stanislaus County board takes veterans district issue off ballot" – Received.

Other News:

- L.A. StreetsBlog.Org, February 21, 2012, "SANDAG's 2050 Transportation Plan Drawing More and More Heat" – Received.
- Napa Valley Register, February 27, 2012, "Oral histories tell the story of the Ag Preserve" – Received.
- Merced Sun-Star, February 27, 2012, County Farm Bureau takes 'strong stance' against high-speed rail" – Received.
- Contra Costa Times, March 5, 2012, "Concord is likely choice as successor to imperiled Mt. Diablo Health Care District" – Received.
- Big Bear Valley News, March 7, 2012, "Fire Agencies Get Closer to One" – Received.
- Public CEO.com, March 8, 2012, "GOVERNMENT AGENCIES NEVER DIE, THEY JUST REORGANIZE" – Received.
- Santa Cruz Sentinel, March 7, 2012, "In UCSC expansion vote, panel waits on fish protection plan lowers overall water limit" – Received.
- The Bay Citizen, March 14, 2012, "Concord to Take Over Mt. Diablo Health District" – Received.
- The California.com, March 16, 2012, "Contamination conundrum: Spotlight on nitrate in Salinas Valley drinking water" – Received.

**5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

None.

**6. PRESENTATIONS**

- A. Presentation by Edward Thompson, Jr., California Director and Senior Associate with the American Farmland Trust regarding farmland preservation.

**7. CONSENT ITEM\***

The following item was removed from consent at Staff's request.

- \*A. **MUNICIPAL SERVICE REVIEW NO. 11-07, SPHERE OF INFLUENCE MODIFICATION NO. 2011-09 AND LAFCO APPLICATION NO. 2011-08 – EASTERLY CHANGE OF ORGANIZATION TO THE EASTSIDE WATER DISTRICT.**

Sara Lytle-Pinhey, Assistant Executive Officer, presented the proposal with the recommendation for approval, with modification.  
Chair Goeken opened the Public Hearing at 6:37 p.m.  
FAVOR: Joe Marcotte, Water Resource Consultant for the Eastside Water District.  
OPPOSE: No one spoke.

Chair Goeken closed the Public Hearing at 6:39 p.m.

Moved by Commissioner Bublak, seconded by Commissioner Saletta and carried with a 4-0 vote (Commissioners Beekman and Freitas were ineligible) to adopt Resolution Nos. 2012-06 and 2012-07, approving the proposal with modification to remove those lands owned by Rodman Hooker as he requested.

## 8. PUBLIC HEARINGS

### A. CONTINUED MATTER FROM FEBRUARY 22, 2012 – WEST LANDING SPECIFIC PLAN REORGANIZATION TO THE CITY OF CERES.

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

Chair Goeken opened the Public Hearing at 6:49 p.m.

FAVOR: Tom Westbrook, Planning Manager, City of Ceres; George Osner, Planning Consultant for the City of Ceres.

OPPOSITION: Wayne Zipser, Executive Director, Stanislaus Farm Bureau; Denny Jackman, former City Councilmember and Coauthor of Measure E; Allen Gammon, Farmland Working Group; Brad Barker, resident of Modesto; Anita Young, Local Conservation Activist;

Chair Goeken closed the Public Hearing at 7:22 p.m.

Moved by Commissioner Bublak, seconded by Commissioner DeMartini and carried with a 4-0 vote (Commissioners Beekman and Freitas were ineligible) to adopt Resolution No. 2012-04, approving the West Landing Specific Plan Reorganization to the City of Ceres.

### B. CONSIDERATION AND ADOPTION OF THE PROPOSED LAFCO BUDGET FOR FISCAL YEAR 2012-2013.

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

Chair Goeken opened the Public Hearing at 7:45 p.m.

FAVOR: No one spoke.

OPPOSITION: Allen Gammon.

Chair Goeken closed the Public Hearing at 7:47 p.m.

Moved by Commissioner Goeken, seconded by Commissioner Saletta, and carried with a 4-0 vote (Commissioners Beekman and Freitas were ineligible) to adopt Resolution No. 2012-08, approving the Proposed Budget for Fiscal Year 2012-2013.

## 9. OTHER BUSINESS

### A. Direction Regarding the Development of an Agricultural Preservation Policy.

Staff made a presentation regarding various Agricultural Preservation policies and strategies.

Denny Jackman, former City Councilmember and Coauthor of Measure E; Vance Kennedy, 2515 Tully Road, Modesto; Brad Barker, Modesto Resident; Allen Gammon, Farmland Working Group; Bill Martin, Executive Director, Central Valley

Farmland Trust; Ed Thompson, Jr., California Director and Senior Associate with the American Farmland Trust.

Chair Goeken directed Staff to draft an Agricultural Preservation Policy.

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

None.

**11. EXECUTIVE OFFICER'S REPORT**

- A. On the Horizon. The Executive Officer informed the Commission of the following:
1. The Commission may wish to consider cancellation of its April 25, 2012 meeting.
  2. Upcoming matters for the May 23, 2012 Meeting:
    - a. Final Budget for Fiscal Year 2012-2013.
    - b. Draft Agricultural Preservation Policy.

**12. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL**

- A. Potential Litigation – Subdivision (b) of Government Code Section 54956.9

The voting members of the Commission, LAFCO Legal Counsel and LAFCO Executive Officer left the Dais at 8:51 p.m. and convened to the Chambers Basement Conference Room to meet in closed session.

**13. REPORT FROM CLOSED SESSION**

- A. The Commission, LAFCO Legal Counsel and LAFCO Executive Officer returned to the Dais at 9:02 p. m. Chair Goeken announced that there were no actions to report.

**14. ADJOURNMENT**

- A. Moved by Commissioner Bublak, seconded by Commissioner Saletta, and carried with a 4-0 vote to cancel the Regular Meeting of April 25, 2012, and schedule the next meeting date and time for May 23, 2012 at 6:00 p.m.
- B. The meeting was adjourned at 9:03 p.m.

**SIGNED COPY ON FILE**

Marjorie Blom, Executive Officer