



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 10th 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