



# STANISLAUS LOCAL AGENCY FORMATION COMMISSION

## MINUTES MAY 23, 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 May 23, 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, Public Member  
Matt Beekman, Alternate City Member  
Vito Chiesa, Alternate County Member  
Ron Freitas, Alternate Public Member

Staff Present: Marjorie Blom, Executive Officer  
Thomas E. Boze, LAFCO Counsel (Attended for Dean Wright)  
Sara Lytle-Pinhey, Assistant Executive Officer  
Debbie Hamilton, Clerk to the Commission

### 2. PUBLIC COMMENT

Brad Barker asked a question regarding a land use decision made at the May 22, 2012 Board of Supervisors Meeting.

### 3. APPROVAL OF THE MINUTES

- A. Minutes of March 28, 2012. Motion by Commissioner Saletta, seconded by Commissioner Bublak, and carried with a 4-0 vote, (Commissioner O'Brien abstained and Commissioners Beekman, Chiesa, and Freitas were ineligible) to approve the Minutes of the March 28, 2012 meeting as revised.

#### 4. CORRESPONDENCE

##### A. Specific Correspondence:

1. Letter dated May 10, 2012, from Ray Franco, President of the Building Industry Association of Central California (BIACC), regarding Agenda Item 6.A – Handout.
2. Letter dated May 16, 2012, from Thomas Clark, Community Development Director, City of Hughson, regarding Agenda Item 6.A – Handout.
3. Letter received on May 21, 2012, from Agricultural Commissioner’s Office and Sealer of Weights & Measures, regarding Agenda Item 6.A – Handout.
4. Letter dated May 21, 2012, from George Osner, Planning Consultant, City of Oakdale, regarding Agenda Item 6.A – Handout.
5. Letter dated May 22, 2012, from Jeani Ferrari, Secretary, Farmland Working Group, regarding Agenda Item 6.A – Handout.
6. Letter dated May 15, 2012, from Michael Holland, City Manager, City of Newman, regarding Agenda Item 6.A – Handout.

##### B. Informational Correspondence:

1. Publication on the California Special Districts Association (CSDA), Volume 7, Issue 2, March – April, 2012 – Received.
2. Flyer from StanCOG Regional News, “On the Move” – Received.
3. Legislative Report, May 2012 – Received.

##### C. In the News:

- The Modesto Bee, March 27, 2012, “County officials discuss easing squeeze on farmland” – Received.
- Patterson Irrigator, March 29, 2012, “Business park slated for further expansion” – Received.
- Patterson Irrigator, March 29, 2012, “Builders look at new home sales in Patterson” – Received.
- Ceres Courier, April 4, 2012, “West Landing annexation approved” – Received.
- The Modesto Bee, April 5, 2012, “Keyes facing utility hikes” – Received.
- The Turlock Journal, April 6, 2012, OPINION - “Growth plans need to be fair for all Turlock” – Received.

- Ceres Courier, April 11, 2012, “City of Ceres in good shape to realize mixed housing goals” – Received.
- The Modesto Bee, April 14, 2012, “Vote on cities’ growth plan seen as unlikely” – Received.
- The Modesto Bee, April 16, 2012, “Stanislaus County looks at revival strategy for pocket areas” – Received.
- The Modesto Bee, April 18, 2012, “Parklawn, airport area sewers possible if state restores funds” – Received.
- The Modesto Bee, April 20, 2012, “Build up downtown to boost tax revenue, expert says” – Received.
- Patterson Irrigator, May 2, 2012, “Council agrees to look again at mayors group’s plan” – Received.
- The Modesto Bee, May 5, 2012, “Water’s Rising Value: MID weighs lucrative deals against ag concerns” – Received.
- The Modesto Bee, May 9, 2012, “Modesto City Council seeks change in LAFCO’s sewer policy” - Received.
- Turlock Journal, May 22, 2012, “Patterson fights for representation on TID Board” – Handout.

Other News:

- Sierra Sun, March 23, 2012, “Nevada Co. LAFCo orders 75 percent increase in contributions from cities, county” – Received.
- California Planning & Development Report, March 29, 2012, “Parsing California’s Density Bombshell in 2010 Census Data” – Received.
- Chico News & Review, April 5, 2012, “City’s sewer stink” – Received.
- Daily Breeze.com, April 7, 2012, “El Segundo to decide fate of fire service” – Received.
- The Sacramento Bee, April 8, 2012, “The Public Eye: Rio Linda-Elverta water district on verge of losing insurance” – Received.
- Temecula Valley News, April 10, 2012, “Supervisors approve financial assistance for Canyon Lake fire station” – Received.
- The New York Times, April 10, 2012, “Uncertain Fate for Urban Projects in California” – Received.
- The Press Democrat, April 10, 2012, “County approves \$1.1 million deal to buy open space in Petaluma” – Received.

- The Bay Citizen, April 11, 2012, "Lawmakers Question Health Districts' Spending" – Received.
- The Wall Street Journal, April 12, 2012, "California Declares War on Suburbia" – Received.
- The Sacramento Bee, April 12, 2012, "Dickinson questions whether California hospital districts are past their prime" – Received.
- DC.STREETSBLOG.ORG, April 14, 2012, "The Greenwashing of Sprawl" – Received.
- Los Angeles Times, April 17, 2012, OPINION - "Southern California hailed as model of sustainability" – Received.
- The Fresno Bee, April 19, 2012, "Fresno general plan vote focuses on housing infill" – Received.
- Santa Cruz Sentinel, April 20, 2012, "Farmland to shopping center: Economic desperation drives Watsonville to consider retail" – Received.
- Science Daily.com, April 24, 2012, "New California Population Projection Shows Massive Slowdown" – Received.
- The Salinas Californian, May 1, 2012, OPINION - "Monterey County agriculture more than just big numbers" – Received.

## 5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

## 6. PUBLIC HEARINGS

### A. CONSIDERATION OF DRAFT AGRICULTURAL PRESERVATION POLICIES.

Sara Lytle-Pinhey, Assistant Executive Officer, presented an overview of the Draft Agricultural Preservation Policies and requested direction from the Commission.

Chair Goeken opened the Public Hearing at 6:17 p.m.

FAVOR: Brad Barker, Modesto Resident; Denny Jackman, representing the Central Valley Farmland Trust.

OPPOSITION: Michael Holland, City Manager, City of Newman; Ron West, Patterson Resident; Craig Moon, Patterson Frozen Foods; Larry Buehner, Councilmember, City of Patterson; Kenny Buehner, Patterson Resident; Tom Westbrook, Planning/Building/Housing Division, City of Ceres; Patrick Kelly, Planning Manager, City of Modesto; Luis Molina, Mayor, City of Patterson; Keith Schneider, 505 Baldwin Road, Patterson; Fritz Schali, Patterson Resident; Charlie Jahn, Member of the Good Shepherd Life Church, Turlock.

Chair Goeken closed the Public Hearing at 7:16 p.m.

Motion by Commissioner Goeken, seconded by Commissioner Bublak and carried with a 5-0 vote (Commissioners Beekman, Chiesa and Freitas were ineligible) to direct staff to prepare revised policies by incorporating comments and various options

for preservation requirements, including an option for voter-approved growth boundaries, for further consideration at the July 25, 2012 LAFCO meeting.

**B. CONSIDERATION AND ADOPTION OF THE FINAL LAFCO BUDGET FOR FISCAL YEAR 2012-2013.**

Commissioner O'Brien left the Dias at 7:57 p.m.

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

Chair Goeken opened the Public Hearing at 7:59 p.m.

FAVOR: No one spoke.

OPPOSITION: No one spoke.

Chair Goeken closed the Public Hearing at 8:00 p.m.

Motion by Commissioner Bublak, seconded by Commissioner Saletta, and carried with a 5-0 vote (Commissioners Beekman and Freitas were ineligible) to adopt Resolution No. 2012-09, approving the Final Budget for Fiscal Year 2012-2013.

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

None.

**8. EXECUTIVE OFFICER'S REPORT**

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

1. Upcoming matters for the June 27, 2012 meeting:

a. The Commission may wish to consider cancelling the June 27, 2012 meeting.

2. Upcoming matters for the July 25, 2012 Meeting:

a. Revised Agricultural Preservation Policies.

b. LAFCO Policies and Procedures update including changes pursuant to SB 244, "Disadvantaged Unincorporated Communities".

3. Of Note to the Commission:

a. Staff will begin contacting the County Fire Protection Districts regarding the Countywide Fire Services MSR Update.

b. The CALAFCO Annual Conference will be held on October 3 – 5, 2012 in Monterey.

c. LAFCO Office has two DVD copies of the Turlock Irrigation District's documentary "The Irrigationist".

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

A. Potential Litigation – Subdivision (b) of Government Code Section 54956.9: *Protect*

*Agricultural Land vs. Stanislaus Local Agency Formation Commission, Stanislaus Superior Court Case No. 673680.*

The voting members of the Commission, LAFCO Legal Counsel and LAFCO Executive Officer left the Dais at 8:03 p.m. and convened to the Chambers Basement Conference Room to meet in closed session.

**10. REPORT FROM CLOSED SESSION**

- A. The Commission, LAFCO Legal Counsel and LAFCO Executive Officer returned to the Dais at 8:11 p.m. Chair Goeken announced that there were no reportable actions.

**11. ADJOURNMENT**

- A. Motion by Commissioner Chiesa and seconded by Commissioner Saletta, and carried with a 5-0 vote (Beekman and Freitas were ineligible) to cancel the Regular Meeting of June 27, 2012, and schedule the next meeting date and time for July 25, 2012 at 6:00 p.m.
- B. The meeting was adjourned at 8:12 p.m.

**SIGNED COPY ON FILE**

Marjorie Blom, Executive Officer