
**SAN JOAQUIN
LOCAL AGENCY FORMATION COMMISSION**

AGENDA ITEM #1

LAFCo

509 W. WEBER AVENUE SUITE 420 □ STOCKTON, CA 95203

CHAIR

KRISTY SAYLES
LATHROP CITY COUNCIL

SUMMARY MINUTES

May 21, 2010

MEMBERS

JOHN W. HARRIS
MANTECA CITY COUNCIL

STEVEN NILSSEN
PUBLIC MEMBER

LARRY RUHSTALLER
COUNTY BOARD OF
SUPERVISORS

BOARD OF SUPERVISORS CHAMBERS
44 N. SAN JOAQUIN STREET, 6th FLOOR
STOCKTON, CALIFORNIA

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VICE CHAIR

KEN VOGEL
COUNTY BOARD
OF SUPERVISORS

Chairperson Sayles called the meeting to order at 10:00 A.M.

MEMBERS PRESENT: Commissioners John W. Harris, Steve Nilssen,
Larry Ruhstaller, and Kristy Sayles

ALTERNATE MEMBERS

STEVE BESTOLARIDES
COUNTY BOARD
OF SUPERVISORS

MEMBERS ABSENT: Commissioner Ken Vogel

PATRICK STOCKAR
PUBLIC MEMBER

**ALTERNATE MEMBERS
PRESENT:** Commissioners Chuck Winn and Pat Stockar

CHUCK WINN
RIPON CITY COUNCIL

**ALTERNATE MEMBERS
ABSENT:** Commissioner Steve Bestolarides

EXECUTIVE OFFICER

JAMES E. GLASER

OTHERS PRESENT: James Glaser, Executive Officer; Michael McGrew, Legal Counsel; Elizabeth Contreras, LAFCo Analyst and Linda Lund, Commission Clerk

COUNSEL

MICHAEL F. MCGREW

ANALYST

**ELIZABETH
CONTRERAS**

CONSENT ITEMS

A motion was made by Commissioner Harris with a second by Commissioner Nilssen to approve the minutes of the April 9, 2010 regular meeting and Resolution No. 1240 approving the five requests from City of Stockton to provide Out-of-Agency sanitary sewer service. The motion and resolution passed by the unanimous vote of all Commissioners present with Commissioners Nilssen and Stockar abstaining on approval of minutes.

COMMISSION CLERK

LINDA LUND

PUBLIC HEARING

3. FINAL FISCAL YEAR 2010-2011 BUDGET AND PROPOSED SCHEDULE OF FEES
Request to adopt the final budget for Fiscal Year 2010-2011 with an annual operating budget of \$460,088 and proposed fee schedule.

Mr. Glaser reviewed the preliminary presentation given at the April 4, 2010 meeting. He recommended the approval of both the Final Budget and Schedule of Fees for the Fiscal Year 2010-2011.

Chairperson Sayles opened the public hearing. No one came forward; Chairperson Sayles then closed the public hearing.

Commissioner Nilssen made a motion to approve the final Budget and Schedule of Fees, Commissioner Ruhstaller seconded the motion. The motion passed by the following vote:

AYES: Commissioners Harris, Nilssen, Ruhstaller, Winn and Sayles

NOS: None

ABSENT: Commissioners Bestolarides and Vogel

SPECIAL MATTERS

4. ALTERNATE PUBLIC MEMBER SELECTION
Commission interviews and selection of Alternate Public Member.

Mr. Glaser gave a brief overview of the procedures for the interviewing of candidates and selection of a new Alternate Public Member.

There were two candidates present; Robert Benz and Pat Stockar. Mr. Stockar exited the meeting chambers while Mr. Benz addressed the Commission. Mr. Stockar then returned to address the Commission.

Commissioners Harris, Ruhstaller, Winn and Sayles all expressed how well qualified both the candidates are. They commended Mr. Benz for all his work within the community and his impressive qualifications. Upon further discussion the Commissioners felt that the experience Mr. Stockar has as the incumbent was most valuable. Commissioners Winn, Harris, Ruhstaller and Sayles all voted for Mr. Stockar as Alternate Public Member.

5. CALAFCo PROPOSED REGIONS
Consideration of a proposal from CALAFCo to approve the establishment of regions within CALAFCo and the Board election process.

Mr. Glaser reported on the background and purpose for the establishment of regions. He said the regional establishment would allow for the creation of 4 regions each having 4 representatives. He advised that each Commission is being asked to vote for or against the proposed By Law amendments. He said that staff recommends approval of the proposal to amend the By Laws.

Commissioner Winn asked if the vote for electing the representatives from each region would take place at the next annual conference. Mr. Glaser said that it would.

Commissioner Nilssen expressed that this appeared to be a reasonable compromise and he sees no reason to oppose it but he did recommend that someone from this Commission consider running for a representative position.

Commissioner Ruhstaller asked that one of the City or Public Member Commissioners be involved in representing the region and assured the candidate they would receive the full support of this Commission.

Chairperson Sayles said that it is very important that San Joaquin County gets representation on the Board and also to assure that the Board will have representatives with the same views.

Commissioner Stockar also said he wants to assure that the central counties get fair representation.

A motion was made by Commissioner Ruhstaller with a second by Commissioner Nilssen to approve the CALAFCO proposed By Laws amendments. The motion passed by the unanimous vote of all Commissioners present.

6. REQUEST FOR FEE REDUCTION FOR AN OUT-OF-AGENCY SERVICE CDCR PROPERTY-NORTHERN CALIFORNIA YOUTH CORRECTIONAL CENTER (NCYCC) AND THE FORMER NORTHERN CALIFORNIA WOMAN'S FACILITY (NCWF)
Request for reduction of fee for an Out-of-Agency service request

Mr. Glaser said that a request for reduction of fees for Out-of-Agency Service from the City of Stockton has been received from the California State Department of Corrections and Rehabilitation. He said that the current fee schedule requires a fee of \$300 per single family equivalent for Out-of-Agency Service and this project would be equal to 500 single family equivalents. Therefore per the current fee schedule the cost would be \$150,000. The State has requested this amount be reduced to \$13,500. It is the recommendation of staff that the Commission reduce the Out-of-Agency fee to the CDCR property to \$13,500.

Mike Niblock, Director of Community for the City of Stockton came forward to ask the Commission's support for the reduction of fees.

Bob Slepp, Deputy Director, Environmental Service Branch, the Department of Corrections gave a presentation on how the land would be developed. He discussed the planned facilities and the fact that the facilities cannot be served by well water because the water is contaminated; therefore, the request for Out-of-Agency Service from the City of Stockton is necessary. He also explained the plan for water usage in answer to a question from Commissioner Winn.

A motion was made by Commissioner Ruhstaller with a second by Commissioner Harris to grant the request for reduction in fees for this Out-of-Agency Service. The motion passed by the unanimous vote of all Commissioners present.

7. PUBLIC COMMENTS

No one came forward.

8. EXECUTIVE OFFICER COMMENTS

Mr. Glaser distributed to the Commissioners and everyone present a copy of the Market Expert Report submitted by PA Consulting Group. This report appraises the market value of Pacific Gas & Electric's (PG&E) distribution assets in an area which the South San Joaquin Irrigation District (SSJID) proposes to acquire from PG&E. The report also comments on each of the appraisal reports from SSJID and PG&E, reviews and assesses the viability of SSJID's business plan and ability to achieve a 15% reduction in rates.

Mr. Glaser provided highlights from the report and advised that the entire report can be found on the LAFCo website. The Environmental Impact Report and a Municipal Service Review has not been completed. He said that any questions the Commissioners may have on the report will be submitted to the consultants for answers.

9. COMMISSIONER COMMENTS

Commissioner Stockar thanked the Commission for their support and said that he looks forward to serving a second term.

There being no further business the meeting adjourned at 11:30 a.m. to the next regular meeting.