



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

MINUTES

April 27, 2016

1. CALL TO ORDER

Vice-Chair Bublak called the meeting to order at 6:00 p.m.

- A. Pledge of Allegiance to Flag. Vice-Chair Bublak led in the pledge of allegiance to the flag.
- B. Introduction of Commissioners and Staff. Vice-Chair Bublak led in the introduction of the Commissioners and Staff.

Commissioners Present: Amy Bublak, Vice-Chair, City Member
Jim DeMartini, County Member
Terry Withrow, County Member
Tom Dunlop, City Member
William O'Brien, Alternate County Member
Annabel Gammon, Alternate Public Member

Commissioners Absent: Brad Hawn, Chair, Public Member
Michael Van Winkle, Alternate City Member

Staff Present: Sara Lytle-Pinhey, Executive Officer
Javier Camarena, Assistant Executive Officer
Jennifer Goss, Commission Clerk
Robert J. Taro, LAFCO Counsel

2. PUBLIC COMMENT

None.

3. APPROVAL OF MINUTES

- A. Minutes of the February 24, 2016 Meeting.

Motion by Commissioner Withrow, seconded by Commissioner DeMartini and carried with a 5-0 vote to approve the Minutes of the February 24, 2016 meeting by the following vote:

Ayes: Commissioners: Bublak, DeMartini, Dunlop, Gammon and Withrow
Noes: Commissioners: None
Ineligible: Commissioners: O'Brien
Absent: Commissioners: Hawn and Van Winkle
Abstention: Commissioners: None

4. CORRESPONDENCE

- A. Specific Correspondence.
None.
- B. Informational Correspondence.
None.
- C. "In the News"

5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

6. PUBLIC HEARINGS

- A. **LAFCO APPLICATION No. 2016-01 – ELLEN AVENUE REORGANIZATION TO THE CITY OF MODESTO.** The Commission considered a petition to annex approximately 0.97 acres on Ellen Avenue and Paradise Road to the City of Modesto and simultaneously detach the area from the Burbank-Paradise Fire Protection District. The project site includes the entire right-of-way of Ellen Avenue along the project site frontage and the northwest half of the Paradise Road right-of-way. The City, through its planning process, assumed the role of Lead Agency, pursuant to the California Environmental Quality Act (CEQA), for the project. The City prepared an initial study and adopted a finding of conformance with its Modesto Urban General Plan Master Environmental Impact Report, pursuant to Section 21157.1 of the CEQA Guidelines. LAFCO, as a Responsible Agency, will consider the environmental documentation prepared by the City as part of its action. (Staff Recommendation: Approve Resolution No. 2016-09.)

Javier Camarena, Assistant Executive Officer, presented the item with a recommendation of approval of the reorganization.

Vice-Chair Bublak opened the Public Hearing at 6:11 p.m.

Chief Mike Hillar of Burbank-Paradise Fire Protection District spoke regarding the impact of City annexations to the District. Dave Romano of Newman-Romano, LLC spoke in favor of the project on behalf of the applicant. Patrick Kelly, Planning Manager of the City of Modesto also spoke in favor of the item.

Vice-Chair Bublak closed the Public Hearing at 6:18 p.m.

Motion by Commissioner Withrow, seconded by Commissioner Dunlop and carried with a 5-0 vote to adopt Resolution No. 2016-09 approving the proposal as recommended by Staff by the following vote:

Ayes:	Commissioners: Bublak, DeMartini, Dunlop, Gammon and Withrow
Noes:	Commissioners: None
Ineligible:	Commissioners: O'Brien
Absent:	Commissioners: Hawn and Van Winkle

Abstention: Commissioners: None

B. DISSOLUTION OF COUNTY SERVICE AREA (CSA) NO. 2 (AIRPORT DISTRICT) AND COUNTY SERVICE AREA (CSA) NO. 3 (RIVERDALE PARK TRACT).

Consistent with the recommendation of the recently adopted Municipal Service Review, the Commission considered dissolution of CSAs No. 2 and 3. The CSAs are currently inactive, not receiving revenue and not providing services. The dissolutions will not impact services or create any new taxes or fees for residents within the CSA boundaries. CSA No. 2 (Airport District) is located south of Yosemite Boulevard, west of Tioga Drive, north of Hillside Drive and east of South Santa Rosa Avenue. CSA No. 3 (Riverdale Park Tract) is located at the South Carpenter Road and West Hatch Road intersection, south of the Tuolumne River, and north of West Hatch Road with parcels mostly west of the intersection. This item is exempt from the California Environmental Quality Act (CEQA) review pursuant to regulations Section 15306 and 15061(b)(3). (Staff Recommendation: Approve Resolution No. 2016-06 and 2016-07.)

Javier Camarena, Assistant Executive Officer, presented the item with a recommendation of approval of the Resolution 2016-06 and 2016-07 to dissolve County service Area No. 2 and No. 3.

Vice-Chair Bublak opened the Public Hearing at 6:23 p.m.

No Public Comment.

Vice-Chair Bublak closed the Public Hearing at 6:23 p.m.

Motion by Commissioner Withrow, seconded by Commissioner Gammon and carried with a 5-0 vote to adopt Resolution No. 2016-06 and 2016-07 approving the proposal as recommended by Staff by the following vote:

Ayes: Commissioners: Bublak, DeMartini, Dunlop, Gammon and Withrow
Noes: Commissioners: None
Ineligible: Commissioners: O'Brien
Absent: Commissioners: Hawn and Van Winkle
Abstention: Commissioners: None

C. ADOPTION OF THE PROPOSED LAFCO BUDGET FOR FISCAL YEAR (FY) 2016-2017. The Commission considered the adoption of the proposed LAFCO budget consistent with Government Code Sections 56380 and 56381. (Staff Recommendation: Approve Resolution No. 2016-08.)

Sara Lytle-Pinhey, Executive Officer, presented the item with a recommendation of approval.

Vice-Chair Bublak opened the Public Hearing at 6:39 p.m.

Katherine Borges, Salida resident, stated she was in support of LAFCO staff finding more office space and filling the Clerk position to full time.

Vice-Chair Bublak closed the Public Hearing at 6:40 p.m.

Motion by Commissioner Withrow, seconded by Commissioner Dunlop and carried with a 5-0 vote to adopt Resolution No. 2016-08 approving Proposed Budget as recommended by Staff by the following vote:

Ayes: Commissioners: Bublak, DeMartini, Dunlop, Gammon and Withrow
Noes: Commissioners: None
Ineligible: Commissioners: O'Brien
Absent: Commissioners: Hawn and Van Winkle
Abstention: Commissioners: None

7. OTHER BUSINESS

A. LEGISLATIVE UPDATE

(Staff Recommendation: Authorize the Executive Officer to submit a letter in opposition to SB 1318 (Wolk).

Sara Lytle-Pinhey, Executive Officer, presented the item with Staff's recommendation.

Vice-Chair Bublak opened the Public Hearing at 6:49 p.m.

No Public Comment.

Vice-Chair Bublak closed the Public Hearing at 6:49 p.m.

Motion by Commissioner Withrow, seconded by Commissioner Gammon and carried with a 5-0 vote to authorize the Executive Officer to submit a letter in opposition to SB 1318 (Wolk) and provide a copy to Commissioners for review, was approved by the following vote:

Ayes: Commissioners: Bublak, DeMartini, Dunlop, Gammon and Withrow
Noes: Commissioners: None
Ineligible: Commissioners: O'Brien
Absent: Commissioners: Hawn and Van Winkle
Abstention: Commissioners: None

8. COMMISSIONER COMMENTS

None.

9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

None.

10. EXECUTIVE OFFICER'S REPORT

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

- At the May meeting the Commission will review the Final Budget, an Out-of-Boundary Application on McHenry Avenue, as well as a Sphere of Influence Update for the City of Riverbank. The City's application and supporting

materials, including the environmental documentation, are available on the LAFCO website for review prior to the meeting.

11. ADJOURNMENT

- A. Vice-Chair Bublak announced that the next meeting date and time will be May 25, 2016 at 6:00 p.m.
- B. The meeting was adjourned 6:51 p.m.

SIGNED COPY ON FILE

Sara Lytle-Pinhey, Executive Officer