



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

MINUTES

May 25, 2016

1. CALL TO ORDER

Chair Hawn called the meeting to order at 6:00 p.m.

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

Commissioners Present: Brad Hawn, Chair, Public Member
Amy Bublak, Vice-Chair, City Member
Jim DeMartini, County Member
Terry Withrow, County Member
Michael Van Winkle, Alternate City Member
William O'Brien, Alternate County Member
Annabel Gammon, Alternate Public Member

Commissioners Absent: Tom Dunlop, City Member

Staff Present: Sara Lytle-Pinhey, Executive Officer
Javier Camarena, Assistant Executive Officer
Jennifer Goss, Commission Clerk
Thomas E. Boze, Alternate LAFCO Counsel

2. PUBLIC COMMENT

Gary Darpinian, County Resident, spoke regarding the Del Rio Water Project.

3. APPROVAL OF MINUTES

- A. Minutes of the April 27, 2016 Meeting.

Motion by Commissioner Bublak, seconded by Commissioner Gammon and carried with a 4-0 vote to approve the Minutes of the April 27, 2016 meeting by the following vote:

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

4. CORRESPONDENCE

A. Specific Correspondence.

1. Petition received from Crawford Road Residents, dated May 23, 2016, regarding item 7A.
2. Letter from Ted Brandvold, Mayor of City of Modesto, dated May 24, 2016, regarding item 7A.
3. Letter from Jill Anderson, Riverbank City Manager, dated May 24, 2016, regarding item 7A.
4. Letter from Michael Wapnowski, Fire Chief, Stanislaus Consolidated Fire Protection District, dated May 17, 2016, regarding item 7A.

B. Informational Correspondence.

None.

C. "In the News"

5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

6. CONSENT ITEMS

- A. **OUT-OF-BOUNDARY SERVICE APPLICATION – 4761 MCHENRY AVENUE – VALLEY BMW/KIA.** The Commission will consider approval of a request by the City of Modesto to provide water service outside its boundaries to accommodate a new automobile dealership at 4761 McHenry Avenue. Stanislaus County, as Lead Agency, adopted a mitigated negative declaration, pursuant to the California Environmental Quality Act (CEQA). LAFCO, as a Responsible Agency, will consider this environmental documentation as part of its action. (Staff Recommendation: Approve Resolution No. 2016-12.)

Motion by Commissioner Withrow, seconded by Commissioner Bublak and carried with a 5-0 vote to adopt Resolution No. 2016-12 approving the Out-of-Boundary as recommended by Staff by the following vote:

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

- B. **LAFCO PURCHASING CARD AUDIT FOR FISCAL YEAR 2014-2015.**

(Staff Recommendation: Accept and file the purchasing card audit.)

Motion by Commissioner Withrow, seconded by Commissioner Bublak and carried

with a 5-0 vote to accept and file the purchasing card audit by the following vote:

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

7. PUBLIC HEARINGS

- A. **MUNICIPAL SERVICE REVIEW NO. 2016-01 AND SPHERE OF INFLUENCE MODIFICATION NO. 2016-01 - CITY OF RIVERBANK.** The Commission will consider the City of Riverbank's request to expand its Sphere of Influence (SOI) by approximately 1,479 acres. The proposal includes designation of a Primary Area, a near term (0-10 year) planning area within the Proposed SOI. The City has identified a larger "Area of Concern" outside the proposed SOI. The City's application also includes a Municipal Service Review (MSR), an informational document required to be updated prior to or in conjunction with a SOI modification. The Commission, as a Responsible Agency, will also consider the Environmental Impact Report and determinations, as prepared by the City of Riverbank, as Lead Agency pursuant to the California Environmental Quality Act (CEQA). (Staff Recommendation: Approve Resolution No. 2016-10.)

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

Chair Hawn opened the Public Hearing at 6:31 p.m.

FAVOR: Richard O'Brien, Mayor of Riverbank; John B. Anderson, Planning Consultant, City of Riverbank; and Gary Darpinian, County Resident;

OPPOSITION: Cynthia Birdsill, Director of Community and Economic Development, City of Modesto; Steve Mitchell, Principal Planner, City of Modesto; Denny Jackman, Modesto Resident; J. Allen Gammon, County Resident; and Sam Rice, County Resident.

NEITHER FOR NOR AGAINST: Todd Whiteside, County Resident.

Chair Hawn closed the Public Hearing at 7:38 p.m.

Commissioner Bublak made a motion to continue the matter for more information regarding the City's EIR. The motion failed due to lack of a second.

Motion by Commissioner Withrow, seconded by Commissioner DeMartini and carried with a 5-0 Roll Call vote to Continue Item 7A until July 27, 2016 to allow the City of Riverbank to meet with the City of Modesto and Stanislaus Consolidated Fire Protection District regarding their concerns and to address the size of the proposal, by the following vote:

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

Abstention: Commissioners: None

8:16 p.m. - Chair Hawn requested a 5 minute break.

8:21 p.m. – Chair Hawn Called the meeting to order.

B. ADOPTION OF THE FINAL LAFCO BUDGET FOR FISCAL YEAR (FY) 2016-2017.

The Commission will consider the adoption of the Final Budget consistent with Government Code Sections 56380 and 56381. The Final Budget includes an action to authorize the Executive Officer to enter into a lease agreement with the City of Modesto for 168 square feet of office space. (Staff Recommendation: Approve Resolution No. 2016-11.)

Sara Lytle-Pinhey, Executive Officer, presented the item with a recommendation of to approve the Final Budget for FY 2015-16.

Chair Hawn opened the Public Hearing at 8:24 p.m.

Allen Gammon spoke and asked that Staff look into having meetings video recorded.

Chair Hawn closed the Public Hearing at 8:25 p.m.

Motion by Commissioner Withrow, seconded by Commissioner DeMartini and carried with a 5-0 vote to adopt Resolution No. 2016-11 by the following vote:

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

8. COMMISSIONER COMMENTS

Chair Hawn thanked Commissioners and Staff for how the Riverbank item was handled.

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:

- Staff has been meeting with each Fire Protection District regarding the draft MSR. In order to give the Districts time to review the draft, Staff recommends canceling the June 22, 2016 meeting. The final draft will be brought to the Commission at its July or August meeting.

11. ADJOURNMENT

A. Chair Hawn asked for a motion to cancel the June 22, 2106 meeting.

Motion by Commissioner Bublak, seconded by Commissioner Withrow and carried with a 5-0 vote to cancel the June 22, 2016 meeting, by the following vote:

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

Chair Hawn announced that the next meeting date and time will be July 27, 2016 at 6:00 p.m.

- B. The meeting was adjourned 8:31 p.m.

SIGNED COPY ON FILE

Sara Lytle-Pinhey, Executive Officer