



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

MINUTES

August 23, 2017

1. CALL TO ORDER

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

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

Commissioners Present: Amy Bublak, Chair, City Member
Terry Withrow, Vice Chair, County Member
Bill Berryhill, Public Member
Michael Van Winkle, Alternate City Member
Kristin Olsen, Alternate County Member

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

Commissioners Absent: Jim DeMartini, County Member
Tom Dunlop, City Member
Brad Hawn, Alternate Public Member

2. PUBLIC COMMENT

None.

3. APPROVAL OF MINUTES

- A. Minutes of the June 28, 2017 Meeting.

Motion by Commissioner Withrow, seconded by Commissioner Berryhill and carried with a 3-0 vote to approve the Minutes of the June 28, 2017 meeting by the following vote:

Ayes: Commissioners: Berryhill, Bublak, and Withrow
Noes: Commissioners: None
Ineligible: Commissioners: None
Absent: Commissioners: DeMartini, Dunlop and Hawn
Abstention: Commissioners: Olsen and Van Winkle

4. CORRESPONDENCE

- A. Specific Correspondence.
- B. Informational Correspondence.
 - 1. CALAFCO Quarterly – July 2017.
 - 2. 2017/2018 CALAFCO Board Recruitment and Nomination Packet.
- C. “In the News”

5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

6. CONSENT ITEM

MUNICIPAL SERVICE REVIEW NO. 17-06 AND SPHERE OF INFLUENCE UPDATE NO. 17-06 FOR THE EMPIRE SANITARY DISTRICT. The Commission will consider the adoption of a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for Empire Sanitary District. This item is exempt from the California Environmental Quality Act (CEQA) review pursuant to Regulation §15061(b)(3). (Staff Recommendation: Approve Resolution No. 2017-13.)

Motion by Commissioner Olsen, seconded by Commissioner Van Winkle, and carried with a 5-0 vote to approve Resolution No. 2017-13, by the following vote:

Ayes:	Commissioners: Berryhill, Bublak, Olsen, Van Winkle and Withrow
Noes:	Commissioners: None
Ineligible:	Commissioners: None
Absent:	Commissioners: DeMartini, Dunlop and Hawn
Abstention:	Commissioners: None

7. PUBLIC HEARINGS

- A. **BIENNIAL AUDIT FOR FISCAL YEARS 2014-2015 & 2015-2016.** The Commission will consider accepting the completed audit report, prepared by Robert A. Hawks, Jr., CPA. (Staff Recommendation: Accept and File Audit Report.)

Sara Lytle-Pinhey, Executive Officer, introduced Robert A. Hawks Jr., Auditor.

Mr. Hawks presented the audit and took questions from the Commission.

Commissioner Bublak opened the Public Hearing at 6:08 p.m.

No Public comment.

Commissioner Withrow closed the Public Hearing at 6:08 p.m.

Motion by Commissioner Withrow, seconded by Commissioner Berryhill, and carried with a 5-0 vote accepting the audit report, by the following vote:

Ayes: Commissioners: Berryhill, Bublak, Olsen, Van Winkle and Withrow
Noes: Commissioners: None
Ineligible: Commissioners: None
Absent: Commissioners: Dunlop, DeMartini and Hawn
Abstention: Commissioners: None

- B. **OUT-OF-BOUNDARY SERVICE APPLICATION – LITT ROAD CORPORATION YARD (MODESTO)**. The Commission will consider a request to extend water and sewer service outside the City of Modesto’s existing city limits to provide water and sewer service to a new corporation yard on Litt Road, north of Sylvan Avenue (APN: 084-003-005). The City of Modesto, as Lead Agency under the California Environmental Quality Act (CEQA) prepared an Initial Study/Finding of Conformance determining that the proposal is within the scope of its Master EIR, certified in 2008 (SCH No. 2007072023). (Staff Recommendation: Approve Resolution No. 2017-12.)

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

Commissioner Bublak opened the Public Hearing at 6:13 p.m.

Robert Davalos, Assistant Civil Engineer, City of Modesto answered questions of the Commission.

Commissioner Bublak closed the Public Hearing at 6:13 p.m.

Motion by Commissioner Withrow, seconded by Commissioner Van Winkle, and carried with a 5-0 vote adopting Resolution No. 2017-12, by the following vote:

Ayes: Commissioners: Berryhill, Bublak, Olsen, Van Winkle and Withrow
Noes: Commissioners: None
Ineligible: Commissioners: None
Absent: Commissioners: DeMartini, Dunlop and Hawn
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:

- The Eastside Water District has modified their annexation request and it has been referred out for additional review.

11. CLOSED SESSION – EXECUTIVE OFFICER ANNUAL EVALUATION

Pursuant to Government Code Section 54957, a closed session will be held to consider the following item: Public Employee Performance Evaluation – Title: LAFCO Executive Officer

Robert J. Taro, Legal Counsel, announced the closed session and provided an opportunity for the public to comment. There were no comments and the Commission recessed to Closed Session at 6:15 p.m.

The Commission reconvened at 6:28 p.m. Mr. Taro stated there was no reportable action.

12. ADJOURNMENT

A. The meeting was adjourned at 6:31 p.m.

NOT APPROVED

Sara Lytle-Pinhey, Executive Officer