



# STANISLAUS LOCAL AGENCY FORMATION COMMISSION

## MINUTES

April 25, 2018

### 1. CALL TO ORDER

Chair Withrow called the meeting to order at 6:07 p.m.

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

Commissioners Present: Terry Withrow, Chair, County Member  
Amy Bublak, City Member  
Michael Van Winkle, Alternate City Member  
Bill Berryhill, Public Member  
Brad Hawn, Alternate Public Member

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

Commissioners Absent: Vito Chiesa, Alternate County Member  
Jim DeMartini, County Member  
Tom Dunlop, Vice-Chair, City Member

### 2. PUBLIC COMMENT

None.

### 3. APPROVAL OF MINUTES

- A. Minutes of the March 28, 2018 Meeting.

Motion by Commissioner Van Winkle, seconded by Commissioner Berryhill and carried with a 4-0 vote to approve the Minutes of the March 28, 2018 meeting by the following vote:

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

#### 4. CORRESPONDENCE

- A. Specific Correspondence.
  - 1. Item 7A – Email from Kurt & Sharon Hertlein, dated April 19, 2018.
  - 2. Item 7A – Email from Wendy McClendon, dated April 23, 2018.
  - 3. Item 7A – Letter from Evelyn Halbert, dated April 25, 2018.
- B. Informational Correspondence.
- C. “In the News”

#### 5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

#### 6. CONSENT ITEMS

- A. **OUT-OF-BOUNDARY SERVICE APPLICATION – 310 RIVER ROAD & 240 BUNKER AVENUE (MODESTO).** The Commission will consider a request to extend sewer service outside the City of Modesto’s existing city limits to serve properties located at 310 River Road and 240 Bunker Avenue, within the Sphere of Influence of Ceres. The extension is considered exempt from the California Environmental Quality Act (CEQA) pursuant to sections 15301, 15303, and 15304 of the CEQA Guidelines. APN: 038-004-004, 025 and 026. (Staff Recommendation: Approve the proposal and adopt Resolution No. 2018-07.)

Motion by Commissioner Bublak, seconded by Commissioner Van Winkle, and carried with a 4-0 vote approving Resolution No. 2018-07, by the following vote:

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

- B. **LEGISLATIVE UPDATE AND PROPOSED LETTERS OF SUPPORT**  
(Staff Recommendation: Authorize the Executive Officer to submit letters in support of Assembly Bills 2258 and 3254.)

Motion by Commissioner Bublak, seconded by Commissioner Van Winkle, and carried with a 4-0 vote authorizing the Executive Officer to submit letters of support, by the following vote:

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

## 7. PUBLIC HEARINGS

- A. **LAFCO APP. NO. 2017-03 & SOI MODIFICATION NO. 2017-07 – DIVISION 1 NORTH AREA CHANGE OF ORGANIZATION TO OAKDALE RURAL FIRE PROTECTION DISTRICT.** The Commission will consider a request to modify the Sphere of Influence and annex approximately 57,595 acres to Oakdale Rural Fire Protection District. The project area is located in the northernmost area of Stanislaus County, adjacent to San Joaquin and Calaveras Counties. LAFCO Staff has determined that the proposal is exempt for the purposes of the California Environmental Quality Act (CEQA) pursuant to Sections 15320 and 15061(b)(3) as the District currently provides services to the area and there is no possibility that the proposed change of organization may have a significant effect on the environment. (Staff Recommendation: Approve the proposal and adopt Resolution No. 2018-05.)

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

Chair Withrow opened the Public Hearing at 6:21 p.m.

In Favor: Vincent Victorine, Oakdale Rural Fire Protection District Board Member.

Opposed: Don Harper, Landowner and Tom Orvis, Oakdale resident.

Chair Withrow closed the Public Hearing at 6:34 p.m.

Motion by Commissioner Bublak, seconded by Commissioner Berryhill, and carried with a 4-0 vote to continue the item to a future meeting, to allow the District to conduct further outreach to the property owners and residents of the area, by the following vote:

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

- B. **PROPOSED LAFCO BUDGET FOR FISCAL YEAR (FY) 2018-2019.** The Commission will consider the adoption of the proposed LAFCO budget consistent with Government Code Sections 56380 and 56381. (Staff Recommendation: Approve the proposal and Resolution No. 2018-06.)

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

Chair Withrow opened the Public Hearing at 6:48 p.m.

No one spoke on the item.

Chair Withrow closed the Public Hearing at 6:48 p.m.

Motion by Commissioner Bublak, seconded by Commissioner Van Winkle, and carried with a 4-0 vote to approve the Proposed Budget and adopt Resolution No. 2018-06, by the following vote:

Ayes: Commissioners: Berryhill, Bublak, Van Winkle & Withrow  
Noes: Commissioners: None  
Ineligible: Commissioners: Hawn  
Absent: Commissioners: Chiesa, DeMartini and Dunlop  
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 May meeting will include the Final LAFCO Budget, an Out-of-Boundary service application for Tioga Ave in Oakdale and the Municipal Service Review for the Salida Sanitary District.
- LAFCO will work with the Oakdale Rural Fire Protection District on their outreach efforts and hope to bring it back to commission in June.

**11. ADJOURNMENT**

A. The meeting was adjourned at 6:50 p.m.

**SIGNED COPY ON FILE**

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Sara Lytle-Pinhey, Executive Officer