



# STANISLAUS LOCAL AGENCY FORMATION COMMISSION

## MINUTES

December 5, 2018

### 1. CALL TO ORDER

Chair Withrow called the meeting to order at 6:00 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  
Jim DeMartini, County Member  
Amy Bublak, City Member  
Bill Berryhill, Public Member  
Richard O'Brien, Alternate City Member

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

Commissioners Absent: Michael Van Winkle, Vice Chair, City Member  
Brad Hawn, Alternate Public Member  
Vito Chiesa, Alternate County Member

### 2. PUBLIC COMMENT

None.

### 3. APPROVAL OF MINUTES

- A. Minutes of the October 24, 2018 Meeting.

Motion by Commissioner Berryhill, seconded by Commissioner O'Brien and carried with a 5-0 vote to approve the Minutes of the October 24, 2018 meeting by the following vote:

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

**4. CORRESPONDENCE**

A. Specific Correspondence.

1. Memo from Staff regarding Agenda Item 7A – Out-of-Boundary Service Application – Modesto Mobile Home Park (City of Modesto)

B. Informational Correspondence.

1. Letter from Keith Schneider of the Keystone Corporation dated November 14, 2018.
2. 2019 CALAFCO Events Calendar.

C. “In the News”

**5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

None.

**6. CONSENT ITEMS**

A. **ADOPTION OF AN UPDATED CONFLICT OF INTEREST CODE FOR STANISLAUS LAFCO** (Staff Recommendation: Adopt Resolution No. 2018-11.)

Motion by Commissioner Bublak, seconded by Commissioner Berryhill, and carried with a 5-0 vote to approve Resolution No. 2018-11, by the following vote:

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

B. **MUNICIPAL SERVICE REVIEW 2018-04 AND SPHERE OF INFLUENCE 2018-07 UPDATE FOR THE OAKDALE IRRIGATION DISTRICT.** The Commission will consider the adoption of a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Oakdale Irrigation District. This item is exempt from the California Environmental Quality Act (CEQA) review pursuant to sections 15306 and 15601(b)(3). (Staff Recommendation: Approve the update and adopt Resolution No. 2018-21.)

Motion by Commissioner Bublak, seconded by Commissioner Berryhill, and carried with a 5-0 vote to approve Resolution No. 2018-21, by the following vote:

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

C. **2019 WORK PROGRAM – MUNICIPAL SERVICE REVIEW & SPHERE OF INFLUENCE UPDATES.** (Staff Recommendation: Adopt the 2019 Work Program.)

Motion by Commissioner Bublak, seconded by Commissioner Berryhill, and carried with a 5-0 vote to adopt the 2019 Work Program, by the following vote:

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

7. **PUBLIC HEARING**

A. **OUT-OF-BOUNDARY SERVICE APPLICATION – MODESTO MOBILE HOME PARK – (CITY OF MODESTO).** The Commission will consider a request from the City of Modesto to extend sewer service to the Modesto Mobile Home Park located at 4024 McHenry Avenue. The extension is considered exempt from the California Environmental Quality Act (CEQA) pursuant to section 15301(b)(3) of the CEQA Guidelines. (Staff Recommendation: Adopt Resolution No. 2018-20 Option 2, denying the proposal.)

Sara Lytle-Pinhey, Executive Officer, presented the item with a recommendation of Continuance to the January 23, 2019 meeting.

Chair Withrow opened the Public Hearing at 6:03 p.m.

Margot Roen, representative for the property owner, CTC Investors, spoke in support of the project.

LAFCO Staff requested a 5-minute break to review a proposed condition for the resolution.

6:30 p.m. Chair Withrow initiated a break.

6:52 p.m. Chair Withrow reconvened the meeting.

Chair Withrow closed the Public Hearing at 7:02 p.m.

Motion by Commissioner O'Brien, seconded by Commissioner Berryhill, and carried with a 5-0 vote to approve Resolution No. 2018-20 (Option 1) including an additional condition stating that prior to connection, the property owner must submit the appropriate annexation application and fees in a form acceptable to the City of Modesto, by the following vote:

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

**8. COMMISSIONER COMMENTS**

Commissioner DeMartini commented on the letter from Keith Schneider of the Keystone Corporation, regarding in-lieu fees. He would like to see Staff bring the item back to the Commission for review.

**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:

- Upcoming items for January will include three dissolutions for inactive districts, the Mid-Year Budget and an annexation to the Keyes Community Services District and County Service Area.
- Staff will be working on scheduling a proposed policy amendment for February's meeting.

**11. ADJOURNMENT**

A. Chair Withrow adjourned the meeting at 7:08 p.m.

**SIGNED COPY ON FILE**

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Sara Lytle-Pinhey, Executive Officer