



# STANISLAUS LOCAL AGENCY FORMATION COMMISSION

## MINUTES

March 27, 2019

### 1. CALL TO ORDER

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

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

Commissioners Present: Michael Van Winkle, Chair, City Member  
Jim DeMartini, Vice Chair County Member  
Terry Withrow, County Member  
Amy Bublak, City Member  
Bill Berryhill, 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: Brad Hawn, Alternate Public Member  
Vito Chiesa, Alternate County Member  
Richard O'Brien, Alternate City Member

### 2. PUBLIC COMMENT

None.

### 3. APPROVAL OF MINUTES

- A. Minutes of the December January 23, 2019 Meeting.

Motion by Commissioner Withrow, seconded by Commissioner Bublak and carried with a 5-0 vote to approve the Minutes of the January 23, 2019 meeting by the following vote:

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

#### 4. CORRESPONDENCE

A. Specific Correspondence.

None.

B. Informational Correspondence.

1. Letter from CALAFCO regarding Membership Dues for 2019-2020, dated March 6, 2019.
2. Memo regarding Availability of Support Documentation for Upcoming Application: Whitmore Ranch Reorganization to the City of Ceres.

C. "In the News"

#### 5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

#### 6. CONSENT ITEMS

A. **LAFCO APPLICATION NO. 2019-05 & SOI AMENDMENT 2019-04 - FAIRWAY 7 ESTATES CHANGE OF ORGANIZATION TO COUNTY SERVICE AREA 18 (ATLAS PARK)** - The Commission will consider a request to modify the sphere of influence and annex approximately 8.44 acres to County Service Area 18 (Atlas Park). The annexation will serve a proposed residential subdivision with extended county services, including CSA administration, storm drainage, and maintenance of streetscape, sidewalks, chain-link fencing and a masonry wall. Pursuant to the California Environmental Quality Act (CEQA), the Commission, as a Responsible Agency, will also review and consider the Negative Declaration prepared by Stanislaus County, as Lead Agency APN: 064-016-004. (Staff Recommendation: Approve the proposal and adopt Resolution No. 2019-06.)

Motion by Commissioner Bublak, seconded by Commissioner Berryhill, and carried with a 5-0 vote to approve the proposal and adopt Resolution No. 2019-06, by the following vote:

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

B. **LAFCO APPLICATION NO. 2019-01 - LINDE CHANGE OF ORGANIZATION TO THE KEYES COMMUNITY SERVICES DISTRICT** - The Commission will consider a Request to annex a 5.2-acre parcel to the Keyes Community Services District (CSD) for water service for a liquid carbon dioxide (CO2) purification and liquefaction plant. Pursuant to the California Environmental Quality Act (CEQA), the Commission, as a Responsible Agency, will also review and consider the Mitigated Negative Declaration prepared by Stanislaus County, as Lead Agency. APN: 045-026-043. (Staff Recommendation: Approve the proposal and adopt Resolution No. 2019-04.)

Motion by Commissioner Bublak, seconded by Commissioner Berryhill, and carried with a 5-0 vote to approve the proposal and adopt Resolution No. 2019-04, by the following vote:

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

C. **BIENNIAL AUDIT FOR FISCAL YEARS 2016-2017 AND 2017-2018 -**  
(Staff Recommendation: Accept and File Audit Report.)

Motion by Commissioner Bublak, seconded by Commissioner Berryhill, and carried with a 5-0 vote to accept and file audit report, by the following vote:

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

**7. PUBLIC HEARING**

- A. **PROPOSED AMENDMENT TO COMMISSION POLICY 22- AGRICULTURAL PRESERVATION POLICY** - The Commission will consider an amendment to its existing Agricultural Preservation Policy (Policy 22 of the Commission's Policies and Procedures) regarding the timing of in-lieu fee collection if being used as an agricultural preservation strategy. This item is exempt from the California Environmental Quality Act (CEQA) review pursuant to Regulation §15061(b)(3) of the State Guidelines. (Staff Recommendation: Adopt Resolution No. 2019-05, approving the amendment.)

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

Chair Van Winkle opened the Public Hearing at 6:06 p.m.

Keith Schneider, Keystone Corporation Executive Vice President, spoke in favor of the amendment.

Chair Van Winkle closed the Public Hearing at 6:09 p.m.

Motion by Commissioner Bublak, seconded by Commissioner Berryhill, and carried with a 5-0 vote to adopt Resolution No. 2019-05, by the following vote:

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

**8. OTHER BUSINESS**

- A. **TERMINATION OF DISSOLUTION PROCEEDINGS FOR RECLAMATION DISTRICT NUMBERS 1602, 2031, AND 2101** – (Staff Recommendation: Adopt Resolution No. 2019-07, terminating dissolution proceedings.)

Motion by Commissioner DeMartini, seconded by Commissioner Berryhill, and carried with a 5-0 vote to adopt Resolution No. 2019-07, by the following vote:

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

**9. COMMISSIONER COMMENTS**

Commissioner DeMartini asked if Staff has an update on the Modesto Mobile Home Park Annexation.

**10. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON**

None.

**11. EXECUTIVE OFFICER'S REPORT**

- A. On the Horizon. The Executive Officer informed the Commission of the following:
- Upcoming items for April will include the Proposed Budget and the Whitmore Ranch annexation to the City of Ceres. Documents are available on the LAFCO website.

**12. ADJOURNMENT**

- A. Chair Van Winkle adjourned the meeting at 6:18 p.m.

**SIGNED COPY ON FILE**

Sara Lytle-Pinhey, Executive Officer