



# STANISLAUS LOCAL AGENCY FORMATION COMMISSION

## MINUTES

December 4, 2019

### 1. CALL TO ORDER

Chair Van Winkle 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  
Bill Berryhill, Public Member  
Amy Bublak, City Member  
Richard O'Brien, Alternate City Member  
Brad Hawn, Alternate Public Member

Staff Present: Sara Lytle-Pinhey, Executive Officer  
Javier Camarena, Assistant Executive Officer  
Jennifer Vieira, Commission Clerk  
Alice Mimms, LAFCO Counsel

Commissioners Absent: Jim DeMartini, Vice Chair, County Member  
Terry Withrow, County Member  
Vito Chiesa, Alternate County Member

### 2. PUBLIC COMMENT

Margaret Countryman, a resident of the City of Modesto, spoke in regard to a zoning code issue in her neighborhood.

### 3. APPROVAL OF MINUTES

- A. Minutes of the October 23, 2019 Meeting.

Motion by Commissioner Bublak, seconded by Commissioner Berryhill and carried with a 3-0 vote to approve the Minutes of the October 23, 2019 meeting by the following vote:

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

**4. CORRESPONDENCE**

A. Specific Correspondence.

None.

B. Informational Correspondence.

1. 2019 CALAFCO Annual Conference Report.

2. 2020 CALAFCO Events Calendar.

C. "In the News"

**5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS**

None.

**6. CONSENT ITEMS**

A. **2020 WORK PROGRAM – MUNICIPAL SERVICE REVIEW & SPHERE OF INFLUENCE UPDATES.** (Staff Recommendation: Adopt the 2020 Work Program.)

Motion by Commissioner Bublak, seconded by Commissioner Berryhill and carried with a 3-0 vote to adopt the 2020 Work Program, by the following vote:

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

B. **MUNICIPAL SERVICE REVIEW NO. 2019-04 AND SPHERE OF INFLUENCE UPDATE NO. 2019-05 – CROWS LANDING, GRAYSON AND WESTLEY COMMUNITY SERVICE DISTRICTS.** The Commission will consider the adoption of a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Crows Landing, Grayson, and Westley Community Services Districts. This item is exempt from the California Environmental Quality Act (CEQA) review pursuant to sections 15306 and 15061(b)(3). (Staff Recommendation: Approve the update and adopt Resolution No. 2019-21.)

Motion by Commissioner Bublak, seconded by Commissioner Berryhill and carried with a 3-0 vote to approve the update and Resolution No. 2019-21, by the following vote:

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

## 7. PUBLIC HEARINGS

- A. **LAFCO APPLICATION NO. 2019-02, MUNICIPAL SERVICE REVIEW NO. 2019-01 & SPHERE OF INFLUENCE UPDATE NO. 2019-01 – 2019 CHANGE OF ORGANIZATION TO THE EASTSIDE WATER DISTRICT.** Request to modify the Sphere of Influence (SOI) and annex approximately 2,213 acres to the Eastside Water District. The majority of properties involved are located near the northside of the District, in the Turlock Lake area in Stanislaus County, with one 20-acre parcel being located in Merced County. An updated Municipal Service Review will also be considered. The District assumed the role of Lead Agency pursuant to the California Environmental Quality Act (CEQA) and adopted a negative declaration. LAFCO, as a Responsible Agency, will consider the environmental documentation prepared by the District in review of the proposal. The adoption of an updated Municipal Service Review is considered exempt from CEQA as an informational document, pursuant to Section 15306, Class 6, of the CEQA Guidelines. (Staff Recommendation: Adopt Resolution No. 2019-17 approving the proposal.)

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

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

Jim Robinson, a property owner within the proposed annexation, asked for clarification. Kevin Kaufman, Water Consultant for Eastside Water District, answered his and the Commission's questions.

Chair Van Winkle closed the Public Hearing at 6:25 p.m.

Motion by Commissioner Bublak, seconded by Commissioner Berryhill, and carried with a 3-0 vote to adopt Resolution No. 2019-17 approving the proposal, by the following vote:

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

- B. **LAFCO APPLICATION NO. 2019-10 CITY OF MODESTO FIRE SERVICE CONTRACT WITH THE CITY OF OAKDALE AND OAKDALE RURAL FIRE PROTECTION DISTRICT.** A request to approve a fire services contract, pursuant to Government Code Section 56134, for the provision of fire services outside the City of Modesto's jurisdictional boundaries to the City of Oakdale and Oakdale Rural Fire Protection District. The contract is considered exempt from the California Environmental Quality Act pursuant to the General Rule, Section 15061(b)(3) as it can be seen with certainty that there will not be a significant impact to the environment. (Staff Recommendation: Adopt Resolution No. 2019-20 approving the application.)

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

Chair Van Winkle opened the Public Hearing at 6:30 p.m.

Bryan Whitemyer, Oakdale City Manager, answered questions of the Commission.

Chair Van Winkle closed the Public Hearing at 6:38 p.m.

Motion by Commissioner Berryhill, seconded by Commissioner Bublak, and carried with a 3-0 vote to adopt Resolution No. 2019-20 approving the proposal, by the following vote:

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

**8. OTHER BUSINESS**

None.

**9. COMMISSIONER COMMENTS**

None.

**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:

- Staff will be holding a Protest Hearing for the Northwest Newman Phase I application on December 19<sup>th</sup>. Staff will report back to the Commission on the outcome at the January meeting.
- The January meeting will mostly be a business meeting with election of officers, mid-year budget report and an annexation summary.

**12. ADJOURNMENT**

A. Chair Van Winkle adjourned the meeting at 6:47 p.m.

**SIGNED COPY ON FILE**

Sara Lytle-Pinhey, Executive Officer