



STANISLAUS LOCAL AGENCY FORMATION COMMISSION MINUTES April 23, 2025

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, Vice Chair, County Member
Vito Chiesa, County Member
Sue Zwahlen, City Member
Ken Lane, Public Member
Charlie Goeken, Alternate City Member
Bill Berryhill, Alternate Public Member

Commissioners Absent: Amy Bublak, Chair, City Member
Mani Grewal, Alternate County Member

Staff Present: Sara Lytle-Pinhey, Executive Officer
Jennifer Vieira, Commission Clerk
Shaun Wahid, LAFCO Counsel

2. PUBLIC COMMENT

None.

3. CORRESPONDENCE

- A. Specific Correspondence.
 - 1. Letter from Annabel Gammon regarding Agenda Item 6A.
- B. Informational Correspondence.
 - 1. Response Letter to the City of Modesto's Notice of Preparation of an Environmental Impact Report - Scannell Industrial Project dated March 27, 2025.
- C. In the News

4. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

5. CONSENT ITEMS

A. **MINUTES OF THE MARCH 26, 2025, LAFCO MEETING**

(Staff Recommendation: Accept the Minutes.)

B. **OUT OF BOUNDARY SERVICE APPLICATION – TOPEKA-SANTA FE (CITY OF RIVERBANK – SEWER & WATER)**: The Commission will consider a request to extend sewer and water services outside the City of Riverbank’s city limits to serve an unincorporated area along Topeka Street and Santa Fe Street between 8th Street and Claus Road. The area consists of approximately 19.5 acres. The Commission will also consider the Mitigated Negative Declaration prepared by Stanislaus County, as Lead Agency under the California Environmental Quality Act (CEQA). (Staff Recommendation: Approve the request and adopt Resolution No. 2025-08.)

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Motion by Commissioner Lane, seconded by Commissioner Zwahlen, and carried with a 5-0 vote to approve the consent items, by the following vote:

*Ayes: Commissioners: Chiesa, Goeken, Lane, Withrow and Zwahlen
Noes: Commissioners: None
Ineligible: Commissioners: Berryhill
Absent: Commissioners: Bublak and Grewal
Abstention: Commissioners: None*

6:05 p.m. Commissioner Lane left the dais.

6. OTHER BUSINESS

A. **SELECTION OF PUBLIC MEMBER AND ALTERNATE PUBLIC MEMBER TO THE COMMISSION.** The Commission will consider applications to fill upcoming vacancies for the Public and Alternate Public Member. (Staff Recommendation: Appoint a Public Member and Alternate Public Member and adopt Resolutions No. 2025-05 and 2025-06.)

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Sara Lytle-Pinhey, Executive Officer, introduced the item noting that applicants Annabel Gammon and Robert DeMont would not be in attendance but still wished to be considered.

Chair Withrow opened the floor to the 10 applicants in attendance: Brad Johnson, Devon Shelley, James Reape, Jami Aggers, Jeani Ferrari, Ken Buehner, Ken L. Lane, Milton Trieweiler, Stanley Peery Jr., and William M. O’Brien.

Motion by Commissioner Goeken, seconded by Commissioner Chiesa, and approved with a 4-0 vote to appoint William O’Brien as Public Member, by the following vote:

*Ayes: Commissioners: Chiesa, Goeken, Withrow and Zwahlen
Noes: Commissioners: None
Ineligible: Commissioners: Berryhill and Lane*

Absent: Commissioners: Bublak and Grewal
Abstention: Commissioners: None

Motion by Commissioner Chiesa, seconded by Commissioner Goeken, and failed with a 2-2 vote to appoint Ken Lane as Alternate Public Member, by the following vote:

Ayes: Commissioners: Chiesa and Goeken
Noes: Commissioners: Withrow and Zwahlen
Ineligible: Commissioners: Berryhill and Lane
Absent: Commissioners: Bublak and Grewal
Abstention: Commissioners: None

Motion by Commissioner Goeken to appoint Ken Buehner as Alternate Public Member failed due to lack of a second.

Motion by Commissioner Zwahlen, seconded by Commissioner Chiesa, and approved with a 3-1 vote to appoint Jami Aggers as Alternate Public Member, by the following vote:

Ayes: Commissioners: Chiesa, Withrow and Zwahlen
Noes: Commissioners: Goeken
Ineligible: Commissioners: Berryhill and Lane
Absent: Commissioners: Bublak and Grewal
Abstention: Commissioners: None

6:39 p.m. Commissioner Lane returned to the dais.

7. PUBLIC HEARING

- A. **PROPOSED LAFCO BUDGET FOR FISCAL YEAR (FY) 2025-2026.** The Commission will consider the adoption of the proposed LAFCO budget consistent with Government Code Sections 56380 and 56381. (Staff Recommendation: Approve the Proposed Budget and adopt Resolution No. 2025-07.)

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

Chair Withrow opened the item up for Public Comment at 6:49 p.m.

No one spoke.

Chair Withrow closed the Public Hearing at 6:49 p.m.

Motion by Commissioner Goeken, seconded by Commissioner Zwahlen and carried with a 5-0 vote to adopt Resolution No. 2025-07, by the following vote:

Ayes: Commissioners: Chiesa, Goeken, Lane, Withrow and Zwahlen
Noes: Commissioners: None
Ineligible: Commissioners: Berryhill
Absent: Commissioners: Bublak and Grewal
Abstention: Commissioners: None

8. COMMISSIONER COMMENTS

Commissioner Lane and Commissioner Berryhill both thanked the Commission and Staff for their time on LAFCO.

9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

Chair Withrow thanked everyone who applied for the Public Member position.

10. EXECUTIVE OFFICER'S REPORT

The Executive Officer informed the Commission of the following:

- For the May meeting, Staff will bring the Final Budget, an annexation to County Service Area 24 in Denair, and a Closed Session for the evaluation of the Executive Officer.

11. ADJOURNMENT

A. Chair Withrow adjourned the meeting at 6:52 p.m.

DRAFT

Sara Lytle-Pinhey, Executive Officer