



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

MINUTES

September 26, 2018

1. CALL TO ORDER

Chair Withrow called the meeting to order at 6:02 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, City Member
Jim DeMartini, County Member
Bill Berryhill, Public Member
Brad Hawn, Alternate 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: Vito Chiesa, Alternate County Member

2. PUBLIC COMMENT

None.

3. APPROVAL OF MINUTES

- A. Minutes of the August 22, 2018 Meeting.

Motion by Commissioner Berryhill, seconded by Commissioner Van Winkle and carried with a 5-0 vote to approve the Minutes of the August 22, 2018 meeting by the following vote:

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

4. CORRESPONDENCE

A. Specific Correspondence.

None.

B. Informational Correspondence.

1. Results of the Protest Hearing for the Division 1 North Area Change of Organization to the Oakdale Rural Fire Protection District.

C. "In the News"

5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

6. CONSENT ITEMS

A. **MUNICIPAL SERVICE REVIEW NO. 18-03 AND SPHERE OF INFLUENCE UPDATE NO. 18-05 FOR THE EAST SIDE & TURLOCK MOSQUITO ABATEMENT DISTRICTS.** The Commission will consider the adoption of a Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the East Side and Turlock Mosquito Abatement District. This item is exempt from the California Environmental Quality Act (CEQA) review pursuant to Regulation §15061(b)(3). (Staff Recommendation: Approve the update and adopt Resolution No. 2018-14.)

Motion by Commissioner O'Brien, seconded by Commissioner Bublak, and carried with a 5-0 vote to approve the update and adopt Resolution No. 2018-14, by the following vote:

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

B. **PROPOSED LAFCO MEETING CALENDAR FOR 2019.**
(Staff Recommendation: Accept the 2019 Meeting Calendar.)

Motion by Commissioner O'Brien, seconded by Commissioner Bublak, and carried with a 5-0 vote to accept the 2019 Meeting Calendar, by the following vote:

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

C. **SELECTION OF AN INDEPENDENT AUDITOR FOR THE BIENNIAL AUDIT.**
(Staff Recommendation: Authorize the Executive Officer to Execute a Professional Services Agreement with an independent auditor for completion of a biennial audit

for Fiscal Years 2016-17 and 2017-18.)

Motion by Commissioner O'Brien, seconded by Commissioner Bublak, and carried with a 5-0 vote to authorize the Executive Officer to execute a Professional Services Agreement with an independent auditor, by the following vote:

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

7. PUBLIC HEARINGS

- A. **LAFCO APPLICATION NO. 2018-04 – 119 G STREET CHANGE OF ORGANIZATION TO THE STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT.** The Commission will consider a request by the City of Modesto to annex a 0.32-acre parcel located at 119 G Street in Empire to the Stanislaus Consolidated Fire Protection District. The property was previously a well site owned by the City and has since been sold and detached from the City limits. The annexation would return the property back to the jurisdiction of the District for fire services. This item is exempt from the California Environmental Quality Act (CEQA) review pursuant to Regulation §15061(b)(3).

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

Chair Withrow opened the Public Hearing at 6:10 p.m.

No one spoke.

Chair Withrow closed the Public Hearing at 6:10 p.m.

Motion by Commissioner Van Winkle, seconded by Commissioner Berryhill, and carried with a 5-0 vote to approve the proposal and adopt Resolution No. 2018-15, by the following vote:

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

8. OTHER MATTERS

- A. **ELECTION OF VICE CHAIR.** (Staff Recommendation: Approve Resolution No. 2018-16.)

Chair Withrow asked for nominations for Vice Chair. Commissioner Van Winkle nominated himself.

Motion by Commissioner Bublak, seconded by Commissioner Berryhill, and carried with a 5-0 vote to appoint Commissioner Van Winkle as the new Vice Chair and approve Resolution No. 2018-16, by the following vote:

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

9. COMMISSIONER COMMENTS

Commissioner DeMartini stated that he was looking forward to attending the CALAFCO Annual Conference.

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 attending the annual CALAFCO Conference from October 3rd – 5th. The office will be closed; however staff will be available by email.
 - Upcoming items for October will include a year-end review of the budget, an out-of-boundary service application and an annexation to a County Area.

12. ADJOURNMENT

- A. Chair Withrow adjourned the meeting at 6:13 p.m.

SIGNED COPY ON FILE

Sara Lytle-Pinhey, Executive Officer