



# STANISLAUS LOCAL AGENCY FORMATION COMMISSION

## MINUTES

April 22, 2020

### 1. CALL TO ORDER

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

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

Commissioners Present: Jim DeMartini, Chair, County Member  
 Bill Berryhill, Vice-Chair, Public Member  
 Terry Withrow, County Member  
 Michael Van Winkle, City Member  
 Amy Bublak, City Member

By Teleconference: Richard O'Brien, Alternate City Member

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

Commissioners Absent: Brad Hawn, Alternate Public Member  
 Vito Chiesa, Alternate County Member

### 2. PUBLIC COMMENT

Chari DeMartini asked if there were any Public Comments received by email. LAFCO Clerk stated there were none.

### 3. APPROVAL OF MINUTES

- A. Minutes of the January 22, 2020 Meeting.

Motion by Commissioner Bublak, seconded by Commissioner Berryhill and carried with a 5-0 vote to approve the Minutes of the January 22, 2020 meeting by the following vote:

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

Abstention: Commissioners: Van Winkle

#### 4. CORRESPONDENCE

A. Specific Correspondence.

None.

B. Informational Correspondence.

None.

#### 5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

#### 6. CONSENT ITEMS

A. **POLICIES AND PROCEDURES UPDATE.** The Commission will consider approval of non-substantive updates to Section 2 and 4 of its policies and procedures, consistent with Government Code. (Staff Recommendation: Adopt Resolution No. 2020-02, approving the Policies and Procedures update.)

Motion by Commissioner Van Winkle, seconded by Commissioner Withrow and carried with a 5-0 vote to adopt Resolution No. 2020-02 approving the Policies and Procedures Update, by the following vote:

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

#### 7. PUBLIC HEARINGS

A. **OUT-OF-BOUNDARY SERVICE APPLICATION: SPENCER-MARSHALL (CITY OF MODESTO):** The City of Modesto has requested approval of an area-wide out-of-boundary sewer service extension to the unincorporated Spencer-Marshall area. The area consists of 114 parcels totaling approximately 53 acres. As the territory is outside the City's limits, LAFCO review is required prior to the extension of City services. (Staff Recommendation: Adopt Resolution No. 2020-03, approving the application.)

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

Chair DeMartini asked if there were any Public Comments received by email for the Public Hearing at 6:09 p.m.

LAFCO Clerk stated there were none.

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

Motion by Commissioner Withrow, seconded by Commissioner Van Winkle and carried with a 5-0 vote to adopt Resolution No. 2020-03, approving the application, by the following vote:

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

- B. **LAFCO BUDGET FOR FISCAL YEAR (FY) 2020-2021.** The Commission will consider the adoption of the proposed LAFCO budget and conditional approval of the final budget consistent with Government Code Sections 56380 and 56381. (Staff Recommendation: Approve the proposed budget and conditional final budget and adopt Resolution No. 2020-05 and 2020-06.)

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

Chair DeMartini asked if there were any Public Comments received by email for the Public Hearing at 6:21 p.m.

Clerk stated there were none.

Chair DeMartini closed the Public Hearing at 6:21 p.m.

Motion by Commissioner Withrow, seconded by Commissioner Berryhill and carried with a 5-0 vote to adopt Resolution No. 2020-05 and 2020-06, approving the proposed budget and conditional final budget with an amendment to offset agency contributions using fund balance in order to maintain them at the Fiscal year 2019-2020 level, by the following vote:

Ayes: Commissioners: Berryhill, Bublak, DeMartini, Van Winkle and Withrow  
Noes: Commissioners: None  
Ineligible: Commissioners: O'Brien  
Absent: Commissioners: Chiesa and Hawn  
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 is recommending canceling the May meeting as there are no public hearings scheduled.
  - Staff is currently working on a few Municipal Service Reviews and has been working with County Public works on upcoming CSA applications.

**12. ADJOURNMENT**

- A. Chair DeMartini adjourned the meeting at 6:33 p.m.

Not Yet Approved  

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Sara Lytle-Pinhey, Executive Officer