



STANISLAUS LOCAL AGENCY FORMATION COMMISSION

MINUTES

August 22, 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
Michael Van Winkle, City Member
Jim DeMartini, County 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: Amy Bublak, City Member
Bill Berryhill, Public Member
Vito Chiesa, Alternate County Member

2. PUBLIC COMMENT

None.

3. APPROVAL OF MINUTES

- A. Minutes of the June 27, 2018 Meeting.

Motion by Commissioner DeMartini, seconded by Commissioner Van Winkle and carried with a 5-0 vote to approve the Minutes of the June 27, 2018 meeting by the following vote:

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

4. CORRESPONDENCE

- A. Specific Correspondence.
None.
- B. Informational Correspondence.
None.
- C. "In the News"

5. DECLARATION OF CONFLICTS AND DISQUALIFICATIONS

None.

6. PUBLIC HEARINGS

- A. **LAFCO APP. NO. 2018-03 - ORCHARD VILLAGE MOBILE HOME PARK CHANGE OF ORGANIZATION TO KEYES COMMUNITY SERVICES DISTRICT.**
Request to annex an 8.45 acre mobile home park to the Keyes Community Services District (CSD). The annexation will include the abandonment of two existing wells and connection to the Keyes CSD public water system in order to address high levels of arsenic. The proposed project is located at 4920 Faith Home Road on the east side of Faith Home Road, south of and adjacent to TID Lateral No. 2 ½, within the Keyes CSD Sphere of Influence. The proposal is considered exempt for purposes of the California Environmental Quality Act (CEQA) pursuant to §15303 as determined by the Keyes CSD as lead agency. (Staff Recommendation: Approve the proposal and adopt Resolution No. 2018-13.)

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 6:11 p.m.

Motion by Commissioner Hawn, seconded by Commissioner O'Brien, and carried with a 5-0 vote to approve the proposal and adopt Resolution No. 2018-13, by the following vote:

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

7. OTHER MATTERS

- A. **RESPONSE TO THE 2017-2018 CIVIL GRAND JURY REPORT RELATED TO THE**

RIVERDALE PARK TRACT COMMUNITY SERVICES DISTRICT. (Staff Recommendation: Authorize the Chairperson to sign and submit a response letter.)

Motion by Commissioner O'Brien, seconded by Commissioner Van Winkle, and carried with a 5-0 vote to authorize the Chairperson to sign and submit the response letter, by the following vote:

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

B. **FEE WAIVER REQUEST FOR PROPOSED DETACHMENT FROM THE NEWMAN DRAINAGE DISTRICT.** (Staff Recommendation: Authorize a fee waiver or reduction for the upcoming application for detachment.)

Chair Withrow opened the item for comment at 6:22 p.m.

Georgia Cerutti thanked the Commission for hearing the item.

Chair Withrow closed the item for comment at 6:22 p.m.

Motion by Commissioner Van Winkle, seconded by Commissioner Hawn, and carried with a 5-0 vote to authorize a fee reduction to \$125.00, by the following vote:

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

8. COMMISSIONER COMMENTS

Commissioner O'Brien states he was glad to be back on the LAFCO Commission.

9. ADDITIONAL MATTERS AT THE DISCRETION OF THE CHAIRPERSON

None.

10. EXECUTIVE OFFICER'S REPORT

A. On the Horizon. The Executive Officer informed the Commission of the following:

- Commissioner Dunlop relocated out of state. The City Selection Committee appointed Commission Richard O'Brien as his replacement.
- Staff will be conducting a Protest Hearing on Wednesday, August 29th for the Division 1 North annexation to the Oakdale Rural Fire Protection District.
- Upcoming items for September will include the selection of an Independent Auditor. Staff is also working on the Newman Northwest Plan application

and recently reviewed 3 Environmental Impact Reports for Riverbank, Ceres and Modesto.

11. CLOSED SESSION – EXECUTIVE OFFICER ANNUAL EVALUATION

Pursuant to Government Code Section 54957, a closed session will be held to consider the following item: Public Employee Performance Evaluation – Title: LAFCO Executive Officer

Robert J. Taro, Legal Counsel, announced the closed session and provided an opportunity for the public to comment. There were no comments and the Commission recessed to Closed Session at 6:28 p.m.

The Commission reconvened at 6:38 p.m. Mr. Taro stated there was no reportable action.

12. ADJOURNMENT

A. Chair Withrow adjourned the meeting at 6:39 p.m.

SIGNED COPY ON FILE

Sara Lytle-Pinhey, Executive Officer