



Local Agency Formation Commission
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**MINUTES FOR REGULAR MEETING OF
JANUARY 28, 2010**

**LOCAL AGENCY FORMATION COMMISSION
MERCED COUNTY, CALIFORNIA**

Chairman Kelsey called the meeting to order at 10:00 a.m. in Room 310, Third Floor of the Merced County Administration Building.

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Commissioners Present: Commissioner Kelsey (Chairman)
Commissioner Oliveira (Vice Chairman)
Commissioner O'Banion
Commissioner Bertao
Commissioner Gabriault-Acosta
Commissioner Mays (Alternate)

Staff Present: Bill Nicholson, Executive Officer
Brian Guerrero, LAFCO Staff Planner
David Gilbert, LAFCO Staff Planner
Kim Anderson, Recording Secretary

Counsel Present: Malathy Subramanian, LAFCO Legal Counsel

IV. APPROVAL OF MINUTES

MOTION: M/S OLIVEIRA – GABRIULT-ACOSTA, AND CARRIED BY A VOTE OF 5 - 0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF OCTOBER 22, 2009 AND DECEMBER 3, 2009.

V. CITIZEN COMMUNICATION

None

VI. PUBLIC HEARINGS

- A. Simon Annexation to the City of Atwater – LAFCo File No. 0653 – To annex 16.8 acres of land located on the north side of Sunset Drive and 660 feet west of Applegate Road to the City of Atwater. Continued from the December 3, 2009 hearing. DG**

MOTION: M/S O'BANION/GABRIALT-ACOSTA, AND CARRIED BY A VOTE OF 5 - 0, THE COMMISSION MAKES THE 2 ENVIRONMENTAL FINDINGS AND 10 DETERMINATIONS AND ASSIGNS THE SHORT FORM DESIGNATION "SIMON ANNEXATION TO THE CITY OF ATWATER" WITH THE PREVIOUSLY RECOMMENDED ROAD MAINTENANCE AGREEMENT CONDITION BEING DELETED AND APPROVES THE SIMON ANNEXATION TO THE CITY OF ATWATER – LAFCO FILE No. 0653.

- B. Delhi County Water District Sphere of Influence – LAFCo File No. 1057G – To expand the districts sphere of influence by 802 acres located generally along Bradbury Road to the north, Merced Avenue to the west, August Avenue to the South and along Vincent Road and Sycamore Street to the east. BG**

MOTION: M/S GABRIALT-ACOSTA/OLIVEIRA, AND CARRIED BY A VOTE OF 5 - 0, THE COMMISSION MAKES THE 2 PROJECT ENVIRONMENTAL FINDINGS, 5 PROJECT DETERMINATIONS AND APPROVES THE SPHERE OF INFLUENCE REVISION FOR THE DELHI COUNTY WATER DISTRICT – LAFCO FILE No. 1057G.

VII. GENERAL BUSINESS

Mr. Nicholson said there will not be a LAFCo meeting in the month of February 2010.

VIII. COMMISSIONERS' COMMENTS

Bob Bertao requested that the LAFCo packets not be mailed certified to the Commissioners due to cost and nuisance. He feels regular mail would be sufficient enough.

IX. ADJOURNMENT

There being no further business, Chairman Kelsey adjourned the meeting at 10:48 a.m.