



Local Agency Formation Commission
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**ACTION MINUTES OF REGULAR MEETING
OF THE
LOCAL AGENCY FORMATION COMMISSION
MERCED, CALIFORNIA**

January 22, 2004

Chairman Cortez-Keene called the meeting to order at 2:04 p.m. in the Board Chambers on the Third Floor of the Merced County Administration Building.

I. ROLL CALL

Commissioners Present: Commissioner Cortez-Keene
Commissioner Bertao
Commissioner Amabile
Commissioner O'Banion
Commissioner Trevino
Commissioner Ingram

Staff Present: Bill Nicholson, Executive Officer
John LeVan, Staff Planner
Victoria Lane, Recording Secretary

Counsel Present: James Tarhalla, LAFCO Counsel

II. APPROVAL OF MINUTES

MOTION: M/S AMABILE – O'BANION, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF OCTOBER 30, 2003.

III. CITIZEN COMMUNICATION

None.

IV. PUBLIC HEARINGS

A. Riley Annexation to the City of Atwater
LAFCO File No. 0597

The public hearing was opened at 2:10 p.m.

No one spoke.

The public hearing was closed at 2:10 p.m.

MOTION: M/S O'BANION/AMABILE, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION CERTIFIES THAT THEY HAVE REVIEWED AND CONSIDERED THE RILEY INITIAL STUDY PREPARED BY THE CITY OF ATWATER AS LEAD AGENCY, INCLUDING THE MITIGATION MEASURES UNDER SECTION III A. (2a-b).

MOTION: M/S O'BANION/AMABILE, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVES THE RILEY ANNEXATION TO THE CITY OF ATWATER, LAFCO FILE NO. 0597, BASED UPON DETERMINATIONS 1-8 UNDER SECTION III B. OF THE EXECUTIVE OFFICER'S REPORT, INCLUDING THE TWO CONDITIONS OF APPROVAL UNDER SECTION III B. (2) AND ASSIGNS THE PROJECT THE FOLLOWING SHORT FORM DESIGNATION: "RILEY ANNEXATION TO THE CITY OF ATWATER."

- B. Kirby Annexation to the City of Merced
LAFCO File No. 0598

The public hearing was opened at 2:17 p.m.

The following person spoke: Kim Espinosa, City of Merced Planning Manager.

The public hearing was closed at 2:19 p.m.

MOTION: M/S AMABILE/TREVINO, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION CERTIFIES THAT THEY HAVE REVIEWED AND CONSIDERED THE KIRBY INITIAL STUDY PREPARED BY THE CITY OF MERCED AS LEAD AGENCY, AND APPROVES THE KIRBY ANNEXATION TO THE CITY OF MERCED, LAFCO FILE NO. 0598, BASED UPON DETERMINATIONS 1-8 UNDER SECTION III B. OF THE EXECUTIVE OFFICER'S REPORT AND THE COMMISSION ASSIGNS THE PROJECT THE FOLLOWING SHORT FORM DESIGNATION: "KIRBY ANNEXATION TO THE CITY OF MERCED."

- C. Sahota Annexation to the City of Atwater
LAFCO File No. 0599

The public hearing was opened at 2:26 p.m.

The following person spoke: Mo Khatami, City of Atwater Planning Director.

The public hearing was closed at 2:30 p.m.

MOTION: M/S O'BANION/BERTAO, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION CERTIFIES THAT THEY HAVE REVIEWED AND CONSIDERED THE SAHOTA INITIAL STUDY PREPARED BY THE CITY OF ATWATER AS LEAD AGENCY, INCLUDING THE MITIGATION MEASURES UNDER SECTION III A. (2a-b) AND ADOPTS A "STATEMENT OF OVERRIDING CONSIDERATIONS" CONSISTENT WITH THE CITY'S FINDINGS ADOPTED BY CITY COUNCIL RESOLUTION#1570-00 ON AUGUST 9, 2000.

MOTION: M/S O'BANION/AMABILE, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVES THE SAHOTA ANNEXATION TO THE CITY OF ATWATER, LAFCO FILE NO. 0599, BASED UPON DETERMINATIONS 1-8 UNDER SECTION III B. OF THE EXECUTIVE OFFICER'S REPORT AND ASSIGNS THE PROJECT THE FOLLOWING SHORT FORM DESIGNATION: "SAHOTA ANNEXATION TO THE CITY OF ATWATER."

V. GENERAL BUSINESS

- A. Status Report on Municipal Service Reviews – Contract with Economic Planning Systems (EPS)

INFORMATION ITEM ONLY. JAMES EDISON WITH EPS MADE A BRIEF PRESENTATION TO THE COMMISSION.

- B. Contract with Economic Planning Systems for Preparation of Municipal Service Reviews for three cities

MOTION: M/S O'BANION/AMABILE, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVES ADDENDUM NO. 1 TO SPECIAL SERVICES CONTRACT NO. 2003-1, WHICH ALLOWS FOR ADDITIONAL COMPENSATION OF \$35,000 AND EXTENSION OF THE COMPLETION DATE TO JULY 31, 2004 TO COMPLETE THE MUNICIPAL SERVICE REVIEWS FOR ALL SIX OF THE CITIES IN MERCED COUNTY.

- C. Direction on Providing Future LAFCO Staff Support Services

MOTION: M/S O'BANION/TREVINO, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION DIRECTS LAFCO STAFF TO DEVELOP AN RFP FOR THE 2005/2006 YEAR, FOR CONSIDERATION OF PROVIDING STAFFING FOR OPERATIONS OF LAFCO IN MERCED COUNTY AND RETURN TO THE COMMISSION IN FOUR MONTHS FOR REVIEW PRIOR TO SENDING OUT FOR SOLICITATIONS.

- D. Appointment of LAFCO Chair and Vice Chair

MOTION: M/S CORTEZ-KEENE/TREVINO, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVES COMMISSIONER AMABILE AS THE NEW VICE CHAIRMAN.

MOTION: M/S BERTAO/TREVINO, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVES CURRENT CHAIRMAN CORTEZ-KEENE TO CONTINUE AS CHAIRMAN.

VI. ADJOURNMENT

There being no further business, Chairman Cortez-Keene adjourned the meeting at 3:30 p.m.

MERCED LAFCO MINUTES

JANUARY 22, 2004

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NOTE: The LAFCO meeting was recorded and a tape is available to the public at the Merced LAFCO Office. Copies of the tape may also be purchased.