



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

May 27, 2004

Chairman Cortez-Keene called the meeting to order at 2:00 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 Amabile
Commissioner Bertao
Commissioner Ingram (came in at 2:12 pm)
Commissioner O'Banion
Commissioner Hunter

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

Counsel Present: Ruben Castillo, LAFCO Counsel

II. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL–EXISTING LITIGATION

III. APPROVAL OF MINUTES

MOTION: M/S AMABILE/O'BANION, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF APRIL 22, 2004.

IV. CITIZEN COMMUNICATION

None.

V. PUBLIC HEARINGS

A. Adoption of Final Budget for Fiscal Year 2004/2005

The public hearing was opened at 2:27 p.m.

No one spoke.

The public hearing was closed at 2:27 p.m.

MOTION: M/S INGRAM/O'BANION, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION ADOPTS THE MODIFIED VERSION OF THE FINAL LAFCO BUDGET FY 04/05 AS PRESENTED TO THE COMMISSION.

VI. GENERAL BUSINESS

- A. Approval of Memorandum of Understanding with Merced County for LAFCO Staff Support

MOTION: M/S O'BANION/BERTAIO, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVES THE MEMORANDUM OF UNDERSTANDING (MOU), AUTHORIZES THE COMMISSION CHAIRMAN TO SIGN THE DOCUMENT, AND AUTHORIZES THE EXECUTIVE OFFICER TO FORWARD THE MOU TO THE COUNTY FOR APPROVAL.

- B. Out of Boundary Service Extension by the City of Merced (LAFCO File No. 03-02)
Adopt Mitigation Measure C.8.2.(a) pursuant to Court Order

MOTION: M/S O'BANION/AMABILE, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION, IN ORDER TO COMPLY WITH THE COURT ORDER, MAKES THE 3 DETERMINATIONS UNDER SECTION III A. OF THE EXECUTIVE OFFICER'S REPORT AND ADOPTS THE MITIGATION MEASURE C.8.2.(a) UNDER SECTION III B. OF THE EXECUTIVE OFFICER'S REPORT.

- C. Review and Approval to Submit Request for Proposal (RFP) for LAFCO Staff Support Services

MOTION: M/S AMABILE/O'BANION, AND CARRIED BY A VOTE OF 4-1, NAY BY CHAIRMAN CORTEZ-KEENE, THE COMMISSION TABLES THIS ITEM.

VII. ADJOURNMENT

There being no further business, Chairman Cortez-Keene adjourned the meeting at 2:45 p.m.

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.