



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

**August 26, 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 O'Banion  
Commissioner Ingram  
Commissioner Melville

**Staff Present:** William Nicholson, Executive Officer  
John LeVan, Staff Planner  
Kim Lewallen, Acting Recording Secretary

**Counsel Present:** Fernanda Saude, LAFCO Counsel

**II. APPROVAL OF MINUTES**

**MOTION: M/S AMABILE/INGRAM, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF JULY 22, 2004.**

**III. CITIZEN COMMUNICATION**

None.

**IV. PUBLIC HEARINGS**

A. Wharton Annexation to the City of Atwater  
LAFCO File No. 0610

The public hearing was opened at 2:11 p.m.

The following person spoke: John McCullough, B-C-A, on behalf of the applicant.

The public hearing was closed at 2:12 p.m.

**MOTION: M/S AMABILE/INGRAM, AND CARRIED BY A UNANIMOUS VOTE , THE COMMISSION CERTIFIES THAT THEY HAVE REVIEWED AND CONSIDERED THE WHARTON INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION PREPARED BY THE CITY OF ATWATER AS LEAD AGENCY, INCLUDING THE MITIGATION MEASURE UNDER SECTION III A.(1), APPROVES THE WHARTON ANNEXATION TO THE CITY OF ATWATER, LAFCO FILE NO. 0610, BASED UPON DETERMINATIONS 1-8 UNDER SECTION III B. OF THE EXECUTIVE OFFICER'S REPORT, AND ASSIGNS THE PROJECT THE FOLLOWING SHORT FORM DESIGNATION: "WHARTON ANNEXATION TO THE CITY OF ATWATER."**

**V. GENERAL BUSINESS**

- A. Municipal Service Reviews  
Prioritizing Special District Service Reviews

**MOTION: M/S BERTAO/INGRAM, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION INSTRUCTS STAFF TO SEND A LETTER TO THE MAYORS OF THE CITIES THAT ARE NOT PROVIDING INFORMATION TO THE CONSULTANT, TO PLEASE GET THE INFORMATION TO THEM BY DECEMBER 1<sup>ST</sup>, 2004, OR THEY WILL LOSE THEIR PRIORITY AND THE CONSULTANT WILL BEGIN THE SPECIAL DISTRICT MSR'S.**

**VI. ADJOURNMENT**

**There being no further business, Chairman Cortez-Keene adjourned the meeting at 2:25 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.**