



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

**August 25, 2005**

**I. CALL MEETING TO ORDER**

Chairman Amabile called the meeting to order at 10:01 a.m. in the Board Chambers on the Third Floor of the Merced County Administration Building.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL OF COMMISSIONERS**

**Commissioners Present:** Commissioner Amabile  
Commissioner Ingram  
Commissioner Bertao  
Commissioner Kelsey (came in at 10:07 am)  
Commissioner O'Banion  
Commissioner Hunter  
Commissioner Melville (came in at 10:02 am)  
Commissioner Nelson

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

**Counsel Present:** Ruben Castillo, LAFCO Counsel

**IV. APPROVAL OF MINUTES**

**MOTION: M/S O'BANION/BERTAO, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF MAY 26, 2005.**

**V. CITIZEN COMMUNICATION**

None.

VI. PUBLIC HEARINGS

A. Soares Annexation to the CCID

The public hearing was opened at 10:08 a.m.

The following people spoke: Chris White, General Manager of CCID and Ruben Castillo, County Counsel.

The public hearing was closed at 10:15 a.m.

**MOTION: M/S O'BANION/KELSEY, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION CERTIFIES THAT THEY HAVE REVIEWED AND CONSIDERED THE SOARES NEGATIVE DECLARATION PREPARED BY THE CCID AS LEAD AGENCY, APPROVES THE SOARES ANNEXATION TO THE CCID, LAFCO FILE NO. 0619, BASED UPON DETERMINATIONS 1-7 UNDER SECTION III B. OF THE EXECUTIVE OFFICER'S REPORT, APPROVES THE MODIFIED INDEMNITY AGREEMENT, AND ASSIGNS THE PROJECT THE FOLLOWING SHORT FORM DESIGNATION: "SOARES ANNEXATION TO THE CCID."**

B. Cotton Glen Estates Detachment from the CCID

The public hearing was opened at 10:25 a.m.

No one spoke.

The public hearing was closed at 10:25 a.m.

**MOTION: M/S O'BANION/BERTAO, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION CERTIFIES THAT THEY HAVE REVIEWED AND CONSIDERED THE COTTON GLEN ESTATES NEGATIVE DECLARATION PREPARED BY THE CCID AS LEAD AGENCY, APPROVES THE COTTON GLEN ESTATES DETACHMENT FROM THE CCID, LAFCO FILE NO. 0620, BASED UPON DETERMINATIONS 1-6 UNDER SECTION III B. OF THE EXECUTIVE OFFICER'S REPORT, APPROVES THE MODIFIED INDEMNITY AGREEMENT, AND ASSIGNS THE PROJECT THE FOLLOWING SHORT FORM DESIGNATION: "COTTON GLEN ESTATES DETACHMENT FROM THE CCID."**

VII. GENERAL BUSINESS

A. Reappointment of the Public Member of the Commission – Bob Bertao

**MOTION: M/S O'BANION/INGRAM, AND CARRIED BY A 4-0 VOTE, THE COMMISSION NOMINATES AND APPROVES COMMISSIONER BERTAO FOR THE POSITION OF PUBLIC MEMBER OF THE LAFCO COMMISSION**

B. CCID Indemnification Agreement to be presented for the Commission's approval

**MOTION: M/S O'BANION/INGRAM, AND CARRIED BY A UNANIMOUS VOTE,**

**THE COMMISSION CONTINUES THIS ITEM UNTIL THE OCTOBER 27, 2005 LAFCO MEETING.**

- C. Adjustment to LAFCO Budget for indirect costs

**MOTION: M/S INGRAM/O'BANION, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION TABLES THIS ITEM UNTIL THE NEXT MEETING AND REQUESTS THE AUDITOR TO BE INVITED TO THE NEXT MEETING TO SPEAK ON THIS ITEM.**

- D. Modification of Memorandum of Understanding with Merced County for LAFCO Staff Support

**MOTION: M/S O'BANION/BERTAO, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVES THE AMENDED MEMORANDUM OF UNDERSTANDING (MOU) WHICH INCLUDES THE REVISED END DATE OF THE TERM OF THE AGREEMENT TO DECEMBER 31, 2005.**

**MOTION: M/S O'BANION/KELSEY, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPOINTS A WORK-GROUP COMPOSED OF CHAIRMAN AMABILE AND COMMISSIONER BERTAO TO WORK WITH STAFF AND HAVE DISCUSSIONS WITH THE COUNTY IN REGARDS TO CONSIDERATION OF AN EXTENSION SINCE WE MAY NEED MORE TIME AND ALSO TO WORK WITH LAFCO STAFF ON THE RFP PROCESS AND BRING THAT INFORMATION BACK TO THE COMMISSION.**

- E. Election of CALAFCO Voting Member for Annual Conference

**MOTION: M/S O'BANION/KELSEY, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPOINTED COMMISSIONER INGRAM AS THE VOTING DELEGATE FOR THE CALAFCO ANNUAL BUSINESS MEETING ON SEPTEMBER 8, 2005, AND APPOINTED COMMISSIONER BERTAO AS THE ALTERNATE VOTING DELEGATE.**

**VIII. COMMISSIONERS' COMMENTS**

**IX. ADJOURNMENT**

There being no further business, Chairman Amabile adjourned the meeting at 11:43 a.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.**