



of Merced County California

Local Agency Formation Commission

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**MINUTES FOR REGULAR MEETING OF  
JANUARY 26, 2006  
LOCAL AGENCY FORMATION COMMISSION  
MERCED COUNTY, CALIFORNIA**

Chairman Amabile called the meeting to order at 10:06 a.m. in the Board Chambers on the third floor of the Merced County Administration Building.

**I. ROLL CALL**

**Commissioners Present:** Commissioner Amabile  
Commissioner Nelson  
Commissioner Bertao  
Commissioner Kelsey  
Commissioner Ingram  
Commissioner O'Banion

**Staff Present:** Bill Nicholson, Executive Officer  
John LeVan, LAFCO Staff Planner  
Celeste Aguirre, Recording Secretary

**Counsel Present:** Ruben Castillo, County Counsel

**II. APPROVAL OF MINUTES**

**MOTION: M/S O'BANION / KELSEY, AND CARRIED BY A VOTE OF 6-0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF OCTOBER 27, 2005**

**MOTION: M/S O'BANION / KELSEY, AND CARRIED BY A VOTE OF 6-0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF DECEMBER 1, 2005**

**MOTION: M/S O'BANION / KELSEY, AND CARRIED BY A VOTE OF 6-0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF DECEMBER 12, 2005**

**III. CITIZEN COMMUNICATION**

NONE

**IV. PUBLIC HEARINGS**

**A. MOTION: M/S O'BANION / INGRAM, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVED LAFCO FILE 0622 THE RANCHWOOD ANNEXATION TO THE CITY OF MERCED. 1. MAKE ENVIRONMENTAL DETERMINATIONS INCLUDING THE ADOPTION OF MITIGATION MEASURES**

AND STATEMENT OF OVERWRITING CONSIDERATIONS. 2. MAKE THE EIGHT DETERMINATIONS FOR THE ANNEXATION. 3. ASSIGN THE ANNEXATION THE DESIGNATION RANCHWOOD ANNEXATION TO THE CITY OF MERCED. 4. APPROVE THE ANNEXATION AND DESIGNATE STAFF TO COMPLETE THE PROCEEDINGS WITHOUT FURTHER NOTICE, HEARING, OR ELECTION.

- B. MOTION: M/S BERTAO / NELSON, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION CONTINUED LAFCO FILE 0623 THE BARNELL ANNEXATION TO THE CITY OF MERCED TO THE FEBRUARY 23, 2006 MEETING SO THAT THE ROAD MAINTENANCE AGREEMENT ISSUE CAN BE RESOLVED AND WHETHER THE REINERO PARCELS CAN BE INCLUDED IN THE ANNEXATION PROPOSAL.

BREAK - 35 MIN BREAK AND MEETING WILL RESUME AT 1:00 P.M.

- C. MOTION: M/S O'BANION / INGRAM, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION APPROVED LAFCO FILE 0624 MISSION AVENUE ANNEXATION TO THE CITY OF MECED. 1. MAKE ENVIRONMENTAL DETERMINATIONS INCLUDING THE ADOPTION OF MITIGATION MEASURES AND STATEMENT OF OVERWRITING CONSIDERATIONS. 2. MAKE THE EIGHT DETERMINATIONS FOR THE ANNEXATION. 3. ASSIGN THE ANNEXATION THE SHORT FORM DESIGNATION MISSION AVENUE ANNEXATION TO THE CITY OF MERCED. 4. APPROVE THE ANNEXATION AND DESIGNATE STAFF TO COMPLETE THE PROCEEDINGS WITHOUT FURTHER NOTICE, HEARING, OR ELECTION WITH TWO CONDITIONS: FIRST CONDITION IS THE ANNEXATION BOUNDARY BE ADJUSTED TO INCLUDE THE FULL WIDTH OF GERARD AVENUE ALONG APN 259-130-009 AND THE FULL WIDTH OF STATE ROUTE 59 ALONG THE WESTERN EDGE OF THE ANNEXATION. SECOND CONDITION IS THE ROAD SYSTEM BE DEVELOPED IN THE ANNEXATION AREA TO INCLUDE THE EXTENSION OF MATHER ROAD.

V. PUBLIC EMPLOYMENT

INTERVIEWS FOR LAFCO COUNSEL.

VI. GENERAL BUSINESS

- A MOTION: M/S O'BANION / BERTAO, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION TO APPROVE CONTRACT WITH ECONOMIC AND PLANNING SYSTEMS FOR PREPARATION OF MUNICIPAL SERVICE REVIEWS ORIGINALLY LAFCO STAFF WROTE UP A CONTRACT WITH THEM IN JANUARY 2003 AND THAT CONTRACT WAS AMENDED AND EXTENDED TO INCLUDED NOT ONLY THE CITIES BUT NOW URBAN WATER AND SEWER DISTRICTS AND THE TERMINATION DATE FOR THE CONTRACTS HAD EXPIRED BACK IN ON JULY 31, 2005 AND LAFCO STAFF WOULD LIKE TO EXTEND THAT TERMINATION DATE TO JULY 31, 2006.
- B. JERRY O'BANION IS GOING TO CONTACT THE URBAN SPECIAL DISTRICTS THAT ARE NOT RESPONDING TO REQUESTS FOR INFORMATION FROM LAFCO STAFF AND WORK WITH THEM ON RESPONDING TO LAFCO. DEIDRE KELSEY IS GOING TO WORK WITH BILL NICHOLSON ON WRITING LETTERS TO HER DISTRICTS TO TRY AND GET A RESPONSE FOR LAFCO. DIRECTION WAS GIVIN TO LAFCO STAFF AND COMMISSION. NO ACTION NEEDED TO BE TAKEN.
- C. JOHN LEVAN EXPLAINED THE SB135 REQUIREMENTS TO THE COMMISSION FOR INFORMATION ONLY. NO ACTION NEEDED TO BE TAKEN.

- D. PROPOSAL: M/S O'BANION / KELSEY, AND CARRIED BY A UNANIMOUS VOTE, THE COMMISSION WILL NOT TAKE ACTION ON ITEM 7, D, UPDATE - DECEMBER 12, 2005 INTERVIEWS FOR LAFCO EXECUTIVE OFFICER AND SUPPORT STAFF, AND CONTINUE IT TO THE FEBRUARY 23, 2006 MEETING TO CONSIDER EITHER TO REJECT ALL PROPOSALS AND STAY WITH THE COUNTY OR ACCEPT THE PROPOSAL AND AMENDMENT THAT WAS GIVEN AND SELECT MCAG.
- E. CALENDAR OF MEETINGS FOR 2006 WAS GIVIN TO LAFCO STAFF AND COMMISSION FOR INFORMATION ONLY. NO ACTION NEEDED TO BE TAKEN.

VII. COMMISSIONERS' COMMENTS

NONE

VIII. ADJOURNMENT

There being no further business, Chairman Amabile adjourned the meeting at 3:48 p.m.