



Local Agency Formation Commission
2222 M Street
Merced, CA 95340
Phone (209) 385-7671 / Fax (209) 726-1710
www.lafcomerced.org

**MINUTES FOR REGULAR MEETING OF
JUNE 22, 2006
LOCAL AGENCY FORMATION COMMISSION
MERCED COUNTY, CALIFORNIA**

Chairman Ingram called the meeting to order at 10:05 a.m. in the Board Chambers on the third floor of the Merced County Administration Building.

I. ROLL CALL

Commissioners Present: Commissioner Nelson
Commissioner Bertao
Commissioner Ingram
Commissioner O'Banion
Commissioner Melville

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

Counsel Present: Malathy Subramanian, County Counsel

II. GENERAL BUSINESS

A. MOTION: M/S O'BANION / MEVILLE, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION SELECTS WILLIAM INGRAM TO SERVE AS CHAIRMAN AND ROBERT BERTAO TO SERVE AS VICE CHAIRMAN FOR THE LAFCO COMMISSION.

B. BILL SUMMARIZED THE REPORT BY THE GRAND JURY AND INFORMED THE COMMISSION THAT HE WILL RESPOND TO THE GRAND JURY THAT WE RECEIVED THE REPORT AND THANK THEM FOR DILIGENCE.

C. MOTION: M/S O'BANION / BERTAO, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION SELECTS CHAIRMAN INGRAM TO BE THE VOTING DELEGATE AND VICE CHAIRMAN BERTAO TO BE THE ALTERNATE FOR THE CALAFCO CONFERENCE. IF THE CHAIRMAN OR VICE CHAIRMAN CANNOT ATTEND THEN ANY OF THE COMMISSIONERS CAN BE AN ALTERNATE.

III. APPROVAL OF MINUTES

MOTION: M/S O'BANION / BERTAO, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF MAY 25, 2006.

IV. CITIZEN COMMUNICATION

KEN TESTA, CHIEF FACILITY OFFICER FOR MERCED CITY SCHOOL DISTRICT, SPOKE IN OPPOSITION TO LAFCO FILE NO. 0631 ENTITLED ABSOLUTE-LEECO ANNEXATION TO THE CITY OF MERCED. THE EXECUTIVE OFFICER DIRECTED HIM TO COMMENT ON THIS APPLICATION DURING THE SCHEDULED PUBLIC HEARING.

V. PUBLIC HEARINGS

BASED ON THE UNDERSTANDING MR. TESTA COULD NOT STAY FOR THE ENTIRE MEETING, CHAIRMAN INGRAM MOVED ITEM V.C. TO BE THE FIRST HEARING.

A. MOTION: M/S BERTAO / MELVILLE, AND CARRIED BY A UNANIMOUS VOTE OF 5-0, THE COMMISSION APPROVED LAFCO FILE NO. 0629 ENTITLED RELVAS REORGANIZATION INVOLVING THE CENTRAL CALIFORNIA IRRIGATION DISTRICT. 1. MADE THE ENVIRONMENTAL DETERMINATION AS LISTED ON PAGE 3 FOR THE REORGANIZATION. 2. MADE THE SEVEN DETERMINATIONS AS LISTED ON PAGES 3 AND 4 FOR THE REORGANIZATION. 3. ASSIGNED THE PROPOSED ANNEXATION THE FOLLOWING SHORT FORM DESIGNATION "RELVAS REORGANIZATION INVOLVING THE CENTRAL CALIFORNIA IRRIGATION DISTRICT". 4. IN ACCORDANCE WITH THE CORTESE/KNOX/HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000, THE COMMISSION APPROVED THE PROPOSED ANNEXATION AS DESCRIBED IN DOCUMENTS A AND B AND AUTHORIZES LAFCO STAFF TO COMPLETE THE PROCEEDINGS FOR THE ANNEXATION WITHOUT FURTHER NOTICE, HEARING OR ELECTION, SUBJECT TO THE FOLLOWING CONDITIONS: FIRST: THAT THE PROPERTY REMAINS IN AGRICULTURAL USE FOR AT LEAST 10 YEARS FOLLOWING ANNEXATION. SECOND: THAT THE PROPERTY SHALL RECEIVE THE RIGHT TO USE CCID WATER ON LAND ONLY WITHIN THE DISTRICT. THIRD: THAT THE LANDOWNER MAY NOT TRANSFER THE WATER OUT OF THE DISTRICT FOR TEN YEARS AFTER THE ANNEXATION. FOURTH: THAT IF THE PROPERTY IS SOLD AFTER THE ANNEXATION, THE BUYER WILL BE BOUND BY THE TERMS OF THE OTHER CONDITIONS. FIFTH: THAT THE ABOVE CONDITIONS SHALL BE RECORDED AGAINST THE PROPERTY SO THAT THEY WILL BE A MATTER OF PUBLIC RECORD.

B. MOTION: M/S MELVILLE / O'BANION, AND CARRIED BY A UNANIMOUS VOTE OF 5-0, THE COMMISSION APPROVED LAFCO FILE NO. 0630 ENTITLED SADDLEBROOK ANNEXATION TO THE WINTON WATER AND SANITARY DISTRICT. 1. MADE THE ENVIRONMENTAL DETERMINATION AS LISTED ON PAGE 3 FOR THE ANNEXATION. 2. MADE THE EIGHT DETERMINATIONS AS LISTED ON PAGE 3 FOR THE ANNEXATION. 3. ASSIGNED THE PROPOSED ANNEXATION THE FOLLOWING SHORT FORM DESIGNATION "SADDLEBROOK ANNEXATION TO THE WINTON WATER AND SANITARY DISTRICT". 4. IN ACCORDANCE WITH THE CORTESE/KNOX/HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000, THE COMMISSION

APPROVED THE PROPOSED ANNEXATION AS DESCRIBED IN DOCUMENTS A AND B AND AUTHORIZES LAFCO STAFF TO COMPLETE THE PROCEEDINGS FOR THE ANNEXATION WITHOUT FURTHER NOTICE, HEARING OR ELECTION.

- C. MOTION: M/S O'BANION / MELVILLE, AND CARRIED BY A UNANIMOUS VOTE OF 5-0, THE COMMISSION APPROVED LAFCO FILE NO. 0631 ENTITLED ABSOLUTE-LEECO ANNEXATION TO THE CITY OF MERCED. 1. MADE THE ENVIRONMENTAL DETERMINATIONS AS LISTED ON PAGES 5 AND 6 FOR THE ANNEXATION. 2. MADE THE EIGHT DETERMINATIONS AS LISTED ON PAGE 6 FOR THE ANNEXATION. 3. ASSIGNED THE PROPOSED ANNEXATION THE FOLLOWING SHORT FORM DESIGNATION "ABSOLUTE-LEECO ANNEXATION TO THE CITY OF MERCED". 4. IN ACCORDANCE WITH THE CORTESE/KNOX/HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000, THE COMMISSION APPROVED THE PROPOSED ANNEXATION AS DESCRIBED IN DOCUMENT A AND DESIGNATES AND AUTHORIZES LAFCO STAFF TO COMPLETE THE PROCEEDINGS FOR THE ANNEXATION WITHOUT FURTHER NOTICE, HEARING OR ELECTION.

VI. COMMISSIONERS' COMMENTS

INGRAM WAS CONGRATULATED FOR BEING SELECTED AS THE NEW LAFCO CHAIRMAN AND BERTAO WAS CONGRATULATED FOR BEING SELECTED AS THE NEW LAFCO VICE CHAIRMAN.

VII. ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, CHAIRMAN INGRAM ADJOURNED THE MEETING AT 11:03 A.M.