



Local Agency Formation Commission
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**MINUTES FOR REGULAR MEETING OF
AUGUST 24, 2006
LOCAL AGENCY FORMATION COMMISSION
MERCED COUNTY, CALIFORNIA**

Chairman Ingram called the meeting to order at 10:02 a.m. in Room 310 on the third floor of the Merced County Administration Building.

I. ROLL CALL

Commissioners Present: Commissioner Ingram
Commissioner Bertao
Commissioner Melville
Commissioner O'Banion
Commissioner Nelson
Commissioner Gabriault-Acosta, sitting as an Alternate,
Non-voting Member

Staff Present: Bill Nicholson, Executive Officer
Gene Barrera, LAFCO Staff Planner
Angela M. Resendez, Recording Secretary

Counsel Present: Malathy Subramanian, LAFCO Counsel

II. APPROVAL OF MINUTES

MOTION: M/S MELVILLE / NELSON, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF JULY 24, 2006, WITH ONE MODIFICATION TO INDICATE COMMISSIONER HUNTER WAS IN ATTENDANCE AS A NON-VOTING ALTERNATE MEMBER.

III. CITIZEN COMMUNICATION

None.

IV. GENERAL BUSINESS

MOTION: M/S NELSON / O'BANION, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION APPROVES WAIVER OF CONFLICT OF INTEREST RELATED TO THE CITY OF MERCED AND BEST BEST & KRIEGER LLP

V. CONSENT CALENDAR

MOTION: M/S O'BANION / MELVILLE, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION APPROVES RESOLUTION TO COMPLETE PROCEEDINGS FOR LAFCO FILE NO. 0627 - VILLAS ANNEXATION TO THE CITY OF LOS BANOS.

PRIOR TO COMMENCING THE PUBLIC HEARING ITEM, COMMISSIONER NELSON EXCUSED HIMSELF FROM THE MEETING DUE TO A CONFLICT OF INTEREST.

VI. PUBLIC HEARINGS

MOTION: M/S O'BANION / BERTAO, AND CARRIED BY A UNANIMOUS VOTE OF 4-0, WITH THE FOLLOWING FINDINGS, DETERMINATIONS AND ACTIONS: THE COMMISSION APPROVED LAFCO FILE NO. 0633 THE OLEANDER NO. 2 ANNEXATION TO THE CITY OF MERCED: 1. MAKE ENVIRONMENTAL FINDINGS INCLUDING THE ADOPTION OF TWO MITIGATION MEASURES; 2. MAKE THE NINE DETERMINATIONS FOR THE ANNEXATION; 3. ASSIGN THE PROPOSED ANNEXATION THE SHORT FORM DESIGNATION "OLEANDER NO. 2 ANNEXATION TO THE CITY OF MERCED"; 4. APPROVE THE ANNEXATION AND DESIGNATE STAFF TO COMPLETE THE PROCEEDINGS FOR THE ANNEXATION SUBJECT TO A PROTEST HEARING, SUBJECT TO TWO CONDITIONS OF APPROVAL:

- 1. The annexation area will be removed from County's "Oleander Lighting Zone of Benefit No. 302" prior to recording the Certificate of Completion, in coordination between the City of Merced and the County Department of Public Works.**
- 2. The City of Merced will enter into a Maintenance Agreement with the County of Merced for the maintenance of the portions of Oleander Avenue remaining in the County located between North Bear Creek Drive and Alexander Avenue. This agreement shall be provided to LAFCO staff prior to recording the Certificate of Completion.**

VII. COMMISSIONERS' COMMENTS

The Commission held a brief discussion on the benefits of the public workshop held on the Oleander No. 2 Annexation and the upcoming CALAFCO Conference in San Diego.

VIII. ADJOURNMENT

There being no further business, Chairman Ingram adjourned the meeting at 12:12 p.m.