



Local Agency Formation Commission  
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**MINUTES FOR REGULAR MEETING OF  
MAY 24, 2007  
LOCAL AGENCY FORMATION COMMISSION  
MERCED COUNTY, CALIFORNIA**

Chairman Ingram called the meeting to order at 10:00 a.m. in the Board Chambers on the third floor of the Merced County Administration Building.

**I. CALL MEETING TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**Commissioners Present:** Commissioner Bertao  
Commissioner Kelsey  
Commissioner Ingram  
Commissioner O'Banion  
Commissioner Oliveira

**Staff Present:** Bill Nicholson, Executive Officer  
Gene Barrera, LAFCo Staff Planner  
Celeste Aguirre, Recording Secretary

**Counsel Present:** Malathy Subramanian, LAFCo Counsel

**IV. APPROVAL OF MINUTES**

**MOTION: M/S O'BANION / OLIVEIRA, AND CARRIED BY A VOTE OF 4-0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF APRIL 26, 2007.**

**V. CITIZEN COMMUNICATION**

**NONE**

**VI. PUBLIC HEARINGS**

**A. MOTION: M/S KELSEY / O'BANION, AND CARRIED BY A UNANIMOUS VOTE OF 5-0, THE COMMISSION APPROVED LAFCO FILE NO. 0637 ENTITLED GERTRUDE ESTATES ANNEXATION TO THE WINTON WATER AND SANITARY DISTRICT. 1. MAKE THE ENVIRONMENTAL FINDING AS LISTED ON PAGE 3 FOR THE ANNEXATION; 2. MAKE THE SEVEN DETERMINATIONS AS LISTED**

ON PAGES 3 AND 4 FOR THE ANNEXATION; 3. ASSIGN THE PROPOSED ANNEXATION THE FOLLOWING SHORT FORM DESIGNATION: "GERTRUDE ESTATES ANNEXATION TO THE WINTON WATER AND SANITARY DISTRICT". 4. IN ACCORDANCE WITH THE CORTESE/KNOX/HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000, THE COMMISSION APPROVES 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.

- D. MOTION: M/S O'BANION / OLIVEIRA, AND CARRIED BY A UNANIMOUS VOTE OF 5-0, THE COMMISSION ADOPTED THE APPLICATION FEE INCREASE.
- B. MOTION: M/S BERTAO / O'BANION, AND CARRIED BY A UNANIMOUS VOTE OF 5-0, THE COMMISSION ADOPTED THE FINAL BUDGET FOR THE 2007/2008 FISCAL YEAR INCLUDING THE AMENDED CALAFCO DUES INCREASE FROM \$1,500 TO \$2,000.
- C. MOTION: M/S O'BANION / BERTAO, AND CARRIED BY A UNANIMOUS VOTE OF 5-0, THE COMMISSION APPROVED THE "WATER AND SEWER PROVIDERS MUNICIPAL SERVICE REVIEW". REQUEST TO RECEIVE PROGRESS REPORT IN FOUR MONTHS FROM STAFF.

VII. GENERAL BUSINESS

- A. MOTION: M/S BERTAO / O'BANION, AND CARRIED BY A UNANIMOUS VOTE OF 5-0, THE COMMISSION APPROVED THE RESOLUTION OF APPRECIATION FOR FORMER COMMISSIONER MICHAEL AMABILE.

VIII. CLOSED SESSION – CHANGED TO OPEN SESSION

CLOSED SESSION CHANGED TO OPEN SESSION – MERCED LAFCO REQUESTED WE BE DROPPED FROM THE DEPARTMENT OF JUSTICE LAWSUIT AND IT WAS APPROVED BY THE COURT.

IX. COMMISSIONERS' COMMENTS

COMMISSIONER KELSEY WOULD LIKE TO SEE FARM LAND POLICIES AND LOOK AT STRENGTHENING THEM ESPECIALLY FOR ENTITIES THAT DON'T HAVE THEIR OWN POLICY. COMMISSIONER INGRAM AND COMMISSIONER BERTAO AGREED. COMMISSIONER KELSEY AND COMMISSIONER INGRAM WOULD LIKE TO MEET WITH MR. NICHOLSON TO DISCUSS AG POLICIES.

X. ADJOURNMENT

There being no further business, Chairman Ingram adjourned the meeting at 11:40 a.m.