



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 MAY 28, 2009

LOCAL AGENCY FORMATION COMMISSION MERCED COUNTY, CALIFORNIA

Chairman Bertao 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 (Chairman)
Commissioner Kelsey (Vice Chairman)
Commissioner O'Banion
Commissioner Oliveira
Commissioner Mays (Alternate)

Staff Present: Bill Nicholson, Executive Officer
Jeffrey Fugelsang, LAFCO Staff Planner
David Gilbert, LAFCO Staff Planner
Kim Anderson, Recording Secretary

Counsel Present: Melanie Donnelly, Acting LAFCO Legal Counsel

IV. APPROVAL OF MINUTES

MOTION: M/S KELSEY/OLIVEIRA, AND CARRIED BY A VOTE OF 5 - 0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF APRIL 23, 2009.

V. CITIZEN COMMUNICATION

NONE

VI. CONSENT ITEM

A. Resolution to Complete Proceedings - Mather Road/Regional Park Annexation to the City of Merced - LAFCo File No. 0647

MOTION: M/S OLIVEIRA/KELSEY, AND CARRIED BY A UNANIMOUS VOTE OF 5 - 0, THE COMMISSION ADOPTS THE RESOLUTION TO COMPLETE THE PROCEEDINGS FOR MATHER ROAD/REGIONAL PARK ANNEXATION TO THE CITY OF MERCED – LAFCO FILE NO. 0647.

VI. PUBLIC HEARINGS

- A. Pires Reorganization to the Central California Irrigation District – Lafco File No. 0651**

MOTION: M/S O'BANION/MAYS, AND CARRIED BY A UNANIMOUS VOTE OF 5 - 0, THE COMMISSION MAKES THE 7 DETERMINATIONS AND 3 CONDITIONS OF APPROVAL AND ASSIGNS THE PROPOSED SHORT FORM DESIGNATION: PIRES REORGANIZATION TO THE CENTRAL CALIFORNIA IRRIGATION DISTRICT.

- B. Adoption of the Final Budget for the 2009/2010 Fiscal Year**

MOTION: M/S KELSEY/O'BANION, AND CARRIED BY A UNANIMOUS VOTE OF 5 - 0, THE COMMISSION ADOPTS THE FINAL BUDGET FOR THE 2009/2010 FISCAL YEAR.

VII. GENERAL BUSINESS

- A. Approval of Memorandum of Understanding with Merced County for LAFCo Staff Support Services – 2009-2010 Fiscal Year**

MOTION: M/S KELSEY/MAYS, AND CARRIED BY A UNANIMOUS VOTE OF 5 - 0, THE COMMISSION APPROVES THE MEMORANDUM OF UNDERSTANDING WITH MERCED COUNTY FOR LAFCO STAFF SUPPORT SERVICES – 2009-2010 FISCAL YEAR.

- B. Budget Amendment – Increase in Legal Counsel costs relating to Bryant Owens vs LAFCo (costs reimbursed by project sponsor)**

MOTION: M/S KELSEY/O'BANION, AND CARRIED BY A UNANIMOUS VOTE OF 5 - 0, THE COMMISSION APPROVES THE BUDGET AMENDMENT – INCREASE IN LEGAL COUNSEL COSTS RELATING TO BRYANT OWENS VS LAFCO (COSTS REIMBURSED BY PROJECT SPONSOR).

- C. Selection of Regular Public Member of the Commission**

MOTION: M/S KELSEY/O'BANION, AND CARRIED BY A UNANIMOUS VOTE OF 5 - 0, THE COMMISSION SELECTS ROBERT BERTAO TO REMAIN THE REGULAR PUBLIC MEMBER OF THE COMMISSION.

- D. Election of Commission Chair person and Vice Chair person**

MOTION: M/S OLIVEIRA/BERTAO, AND CARRIED BY A VOTE OF 4 - 0, THE COMMISSION ELECTS COMMISSIONER KELSEY TO BE CHAIRPERSON.

MOTION: M/S KELSEY/O'BANION, AND CARRIED BY A UNANIMOUS VOTE OF 5 - 0, THE COMMISSION ELECTS COMMISSIONER OLIVEIRA TO BE VICE CHAIRPERSON.

VIII. COMMISSIONERS' COMMENTS

Commissioner Mays states that they are trying to get the Municipal Service Review done for Dos Palos.

Commissioner Kelsey indicated that she has respect for Chairman Bertao and he has done an excellent job.

IX. ADJOURNMENT

There being no further business, Chairman Bertao adjourned the meeting at 10:40 a.m.