



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 20, 2015
LOCAL AGENCY FORMATION COMMISSION
MERCED COUNTY, CALIFORNIA**

Chairman O'Banion called the meeting to order at 10:30 a.m. in the Board Chambers, 3rd Floor of the Merced County Administration Building.

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Commissioners Present: Commissioner O'Banion (Chairman)
Commissioner Silveira (Vice Chairman)
Commissioner Kelsey
Commissioner Bertao
Commissioner Price (arrived at 10:35 am)

Staff Present: Bill Nicholson, Executive Officer
Kim Anderson, Recording Secretary

Counsel Present: Malathay Subramanian, LAFCO Legal Counsel

IV. APPROVAL OF MINUTES

MOTION: M/S SILVEIRA - KELSEY, AND CARRIED BY A VOTE OF 4 - 0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF APRIL 15, 2015.

V. CITIZEN COMMUNICATION

None

VI. PUBLIC HEARINGS

A. Planada Community Services District Sphere of Influence Revision No. 4 – LAFCO File No. 1055D – To modify the sphere of influence of the Planada Community Services District by adding approximately 287 acres of land containing the wastewater treatment plant and expansion area (274 acres), a 0.23 acre water well site, and 13.2 acres of land already in the district which was not previously within the sphere boundary.

The wastewater treatment plant property is located on the east side of Whealan Road, south of Towes Road extended, south of the Community of Planada; the existing district territory previously excluded from the sphere is located along the westside Plainsburg Road and north of Towes Road; and the well site is located on the west side of Plainsburg Road, one and one-quarter mile north of State Highway 140. The actions requested are to make an environmental determination regarding the District's sewer plant expansion Environmental Impact Report, and determine the well site and lands already within the district are exempt from CEQA review under Section 15319, Annexations of Existing Facilities, and approve, deny or modify the sphere of influence revision. **(To be continued to the June 17, 2015 LAFCO Meeting).**

- B. Planada Community Services District Sewer Plant Phase I Annexation – LAFCO File No. 0672** – To annex approximately 143 acres into the Planada Community Services District involving the wastewater treatment plant expansion and effluent disposal area. The wastewater treatment plant property is located on the east side of Whealan Road, south of Towes Road extended approximately one-half mile south of the Community of Planada, The actions requested are to make an environmental determination regarding the District's sewer plant expansion Environmental Impact Report, and approve the annexation, and authorize LAFCO staff to complete the proceedings without further notice, hearing or election. **(To be continued to the June 17, 2015 LAFCO Meeting).**

MOTION: M/S BERTAO/KELSEY, AND CARRIED BY A VOTE OF 5 – 0, THE COMMISSION CONTINUES THE PUBLIC HEARING FOR ITEMS VI.A. AND VI.B. TO THE JUNE 17, 2015 COMMISSION MEETING AT 10:30 AM.

- C.** Adoption of the Final Budget for Fiscal Year 2015-2016

MOTION: M/S KELSEY - SILVEIRA, AND CARRIED BY A VOTE OF 5 - 0, THE COMMISSION ADOPTS THE FINAL BUDGET FOR FISCAL YEAR 2015-2016.

VII. GENERAL BUSINESS

- A.** Approval of Memorandum of Understanding with Merced County for Staff Support

MOTION: M/S SILVEIRA – BERTAO, AND CARRIED BY A VOTE OF 5 - 0, THE COMMISSION APPROVED THE MEMORANDUM OF UNDERSTANDING WITH MERCED COUNTY FOR STAFF SUPPORT.

- B.** Election of Commission Chairperson and Vice-Chairperson

MOTION: M/S PRICE – KELSEY, AND CARRIED BY A VOTE OF 5 – 0, THE COMMISSION ELECTS COMMISSIONER SILVEIRA TO BE CHAIRPERSON OF THE LAFCO COMMISSION.

MOTION: M/S SILVEIRA - PRICE, AND CARRIED BY A VOTE OF 4 – 1, NAY BY COMMISSIONER KELSEY, THE COMMISSION ELECTS COMMISSIONER BERTAO TO BE VICE-CHAIRPERSON OF THE LAFCO COMMISSION.

- C. Budget Transfer and Clarification of Executive Officer Scope of Work – Authorize the Transfer of Funds in the Amount of \$9,600 from Account No. 22500 “Travel” to 21810 “Professional & Special Services – Contractual Agreements” and increase the number of hours for Executive Officer Services in Fiscal Year 2014/15 by 40 hours; and clarify the Scope of Work regarding attendance at California Association of Local Agency Formation Commission Conferences.

MOTION: M/S SILVEIRA - BERTAO, AND CARRIED BY A VOTE OF 5 - 0, THE COMMISSION APPROVES THE BUDGET TRANSFER IN THE AMOUNT OF \$9,600 FROM ACCOUNT NO. 22500 “TRAVEL” TO 21810 “PROFESSIONAL & SPECIAL SERVICES – CONTRACTUAL AGREEMENTS” TO DIRECT COUNSEL PROCESS A MODIFICATION TO THE AGREEMENT FOR PROVIDING EXECUTIVE OFFICER SERVICES BETWEEN LAFCO AND WILLIAM NICHOLSON TO CLARIFY ATTENDANCE AT CALAFCO CONFERENCES ON BEHALF OF AND REPRESENTING SOLELY LAFCO OF MERCED COUNTY IS BILLABLE TIME FOR THE EXECUTIVE OFFICER.

- D. Review of Meadowbrook Water Company Service Area Revision – The California Public Utilities Commission is considering a settlement with the City of Atwater and the Ferrari Ranch Development landowners to remove from the Service Area, the Ferrari Ranch Development area and adjacent land located south of Cardella Road extended, north of State Highway 99, east of Buhach Road and west of Gurr Road, and add into the Service Area territory located south of Bellevue Road, north of Cardella Road, east of Fox Road, and west of State Highway 59 in the Merced Area. The action requested is to forward a letter to the California Public Utilities Commission and Meadowbrook Water Company commenting on this proposal.

MOTION: M/S KELSEY – SILVEIRA, AND CARRIED BY A VOTE OF 5 – 0, THE COMMISSION DIRECTS THE CHAIRPERSON TO FORWARD A LETTER TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION AND MEADOWBROOK WATER COMPANY.

VIII. EXECUTIVE OFFICER AND COMMISSIONERS’ COMMENTS

- A. Executive Officer Summary of the April 2015 CALAFCO Staff Workshop in Grass Valley, CA
- B. The Executive Officer provided a summary of upcoming applications.

Commissioner Silveira requested the Executive Officer write to CALAFCO referencing the problems with private water companies and asking the Association to take a legislative stand or have it as an item at the next Conference.

IX. COMMISSIONERS’ COMMENTS

None

X. ADJOURNMENT

There being no further business, Chairman O’Banion adjourned the meeting at 11:47 a.m.

