



of Merced County California

Local Agency Formation Commission

2222 M Street

Merced, CA 95340

Phone (209) 385-7654 Fax (209) 726-1710

**MINUTES OF REGULAR MEETING
OF THE
LOCAL AGENCY FORMATION COMMISSION
MERCED COUNTY, CALIFORNIA**

April 25, 2002

Chairman O'Banion called the meeting to order at 2:05 p.m. in the Board Chambers on the third floor of the Merced County Administration Building.

I. ROLL CALL

Commissioners Present: Commissioner O'Banion
Commissioner Cortez-Keene
Commissioner Maiorino
Commissioner Amabile

Staff Present: Bill Nicholson, Acting Executive Officer
Kim Lewallen, Recording Secretary

Counsel Present: Fernanda Saude, Assistant County Counsel

II. APPROVAL OF MINUTES

MOTION: M/S AMABILE – KEENE, UNANIMOUSLY CARRIED, THE COMMISSION APPROVES THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 28, 2002.

III. CITIZEN COMMUNICATION

NONE

IV. PUBLIC HEARINGS

A. Review and Possible Approval of the Proposed 2002/2003 Fiscal Year Budget for the Local Agency Formation Commission

William Nicholson, presented the Executive Officer's Report dated April 25, 2002.

Commissioner Keene asked Mr. Nicholson if the fee is dedicated for the purpose of running LAFCO. Mr. Nicholson replied yes it's for the cost of processing the paperwork.

Mr. Nicholson went over the budget, where the money is spent and how much time is spent. He indicated that Patricia Lippmeier, Planner II is no longer with the Planning Staff and added that a new Senior Planner, John LeVan will be the new LAFCO Planner starting at the end of May.

Commissioner Cortez-Keene, asked who is reviewing the services and what are we looking at?

Commissioner O'Banion responded that the services Mr. Nicholson is referring to are the services that the special districts or the cities provide. The issue of services has to

Commissioner Bertao asked if the Merced County Fire Department is under review by LAFCO or is it Countywide. Commissioner O'Banion responded that it is not a district.

Chairman O'Banion asked if there were any comments.

Tim Miller, Planning Consultant – City of Los Banos, stated that he encourages providing the flexibility for Local Agencies to undertake these studies in conjunction with LAFCO staff if a community is to have a service plan review in advance of the work plan that LAFCO adopts. He also encourages consideration of the reimbursement to those communities from LAFCO later.

Commissioner O'Banion stated that the issue now is whether they want to go jurisdiction based or service based.

Commissioner O'Banion indicated that we would go ahead with the consultant to help prepare the Municipal Services Reviews and send out information and get feedback from the jurisdictions, special districts and the cities.

Mr. Nicholson stated he will ask for a list of consultants and have requests for proposals sent out to the consultants with the Commission making the selection. But this process will be initiated after we determine the work program.

MOTION: M/S AMABILE - KEENE, AND CARRIED BY A 4 - 0 VOTE, THE COMMISSION DIRECTED STAFF TO CONTACT ALL LOCAL JURISDICTIONS CONCERNING PRIORITIES AND SUPPORTS USE OF CONSULTANTS TO HELP PREPARE SERVICE REVIEWS.

- B. Update from CALAFCO State Conference on Implementing the Cortese-Knox-Hertzberg Act (AB2838)

Mr. Nicholson stated that we are in good shape compared to other LAFCOs in implementing AB2838. The Commission has adopted half of the procedures at February's LAFCO meeting and we are working to get the other half adopted by June. Most of the policies have also been adopted. But all LAFCOs are struggling with how to perform the municipal service reviews.

- C. Modification to Merced Local Agency Formation Commission Bylaws – Changing the date for the election of Chair and Vice Chair to May of each year.

Commissioner O'Banion indicated that this would be Amendment No. 1 to the LAFCO bylaws. There was a discussion over modifying the bylaws to ensure that the Chair and Vice Chair would rotate so that two different categories of representation on LAFCO could serve at one time. That is, if the Chair is a City representative, then the Vice Chair should be a County representative or be the public member.

MOTION: M/S AMABILE – BERTAO, AND CARRIED BY A 4 – 0 VOTE, THE COMMISSION APPROVES MODIFYING THE LAFCO BYLAWS TO MAKE MAY THE ELECTION MONTH FOR CHAIR AND VICE CHAIR AND TO REQUIRE THAT THE CHAIR AND VICE-CHAIR CANNOT BE FILLED WITH THE SAME CATEGORY OF LAFCO REPRESENTATIVE.

Mr. Nicholson indicated to the Commission that he has been serving acting as the “acting” executive officer of LAFCO and would like to be the Executive Officer since LAFCO is staying with the County. Chairman O'Banion agreed and advised Mr. Nicholson to put that issue on the next LAFCO agenda.

VI. ADJOURNMENT

LOCAL AGENCY FORMATION COMMISSION

Regular Hearing Minutes of April 25, 2002

Page 4

There being no further business, Chairman O'Banion adjourned the meeting at 3:11 p.m.