



Local Agency Formation Commission
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**MINUTES FOR REGULAR MEETING OF
JUNE 26, 2008
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
Commissioner Kelsey
Commissioner Mays
Commissioner Oliveira

Staff Present: Bill Nicholson, Executive Officer
James Holland, LAFCO Staff Planner
David Gilbert, LAFCO Staff Planner
Celeste Aguirre, Recording Secretary

Counsel Present: Malathy Subramanian, LAFCO Legal Counsel

IV. APPROVAL OF MINUTES

MOTION: M/S OLIVEIRA / KELSEY, AND CARRIED BY A VOTE OF 4-0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF MAY 15, 2008.

V. CITIZEN COMMUNICATION

Maureen McCorry, San Joaquin et al spoke about difficulty getting staff reports and reviewing LAFCo files which she felt were not the true files. She requested policies on Public Records Act Requests for LAFCo and was told that staff reports are now available on-line.

Bryant Owens, Planada Association, state he reviewed LAFCo documents and made copies but also wanted LAFCo policies for accessing and copying documents.

VI. PUBLIC HEARINGS

- C. O'BANION RANCHES REORGANIZATION INVOLVING THE CENTRAL CALIFORNIA IRRIGATION DISTRICT – LAFCO FILE NO. 0646**

MOTION: M/S KELSEY / MAYS, AND CARRIED BY A UNANIMOUS VOTE OF 4-0, THE COMMISSION APPROVED LAFCO FILE NO. 0646 ENTITLED O'BANION RANCHES REORGANIZATION INVOLVING THE CENTRAL CALIFORNIA IRRIGATION DISTRICT. 1. ASSIGN THE REORGANIZATION THE FOLLOWING SHORT FORM DESIGNATION: "O'BANION RANCHES REORGANIZATION INVOLVING THE CENTRAL CALIFORNIA IRRIGATION DISTRICT" 2. IN ACCORDANCE WITH THE CORTESE/KNOX/HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000, THE COMMISSION APPROVES THE PROPOSED REORGANIZATION AS DESCRIBED IN DOCUMENTS A, B, C AND D, AND AUTHORIZES LAFCO STAFF TO COMPLETE THE PROCEEDINGS FOR THE REORGANIZATION WITHOUT FURTHER NOTICE, HEARING OR ELECTION AND SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL: 1) THAT IF THE PROPERTY IS SOLD WITHIN TEN YEARS AFTER THE ANNEXATION, THE BUYER WILL BE BOUND BY THE TERMS OF THE OTHER CONDITIONS; 2) INITIALLY THE PROPERTY SHALL RECEIVE THE RIGHT TO USE CCID WATER ON LAND ONLY WITHIN THE DISTRICT, HOWEVER, THE LANDOWNER MAY TRANSFER THE WATER OUT OF THE DISTRICT TEN YEARS AFTER THE ANNEXATION ON QUALIFYING PROPERTY; AND 3) THAT THE ABOVE CONDITIONS SHALL BE RECORDED AGAINST THE PROPERTY SO THAT THEY WILL BE A MATTER OF PUBLIC RECORD.

- A. PLANADA COMMUNITY SERVICE DISTRICT SPHERE OF INFLUENCE AMENDMENT – LAFCO SOI FILE NO. 1055C**
- B. PLANADA COMMUNITY SERVICE DISTRICT ANNEXATION NO. 2008-1 – LAFCO FILE NO. 0645**

MOTION: M/S KELSEY / OLIVEIRA, AND CARRIED BY A UNANIMOUS VOTE OF 4-0, THE COMMISSION CONTINUED LAFCO SOI FILE NO. 1055C ENTITLED PLANADA COMMUNITY SERVICE DISTRICT SPHERE OF INFLUENCE AMENDMENT AND LAFCO FILE NO. 0645 ENTITLED PLANADA COMMUNITY SERVICE DISTRICT ANNEXATION NO. 2008-1 TO THE AUGUST 28, 2008 MEETING.

VII. GENERAL BUSINESS

- A. RENEW CONTRACT WITH BEST BEST AND KRIEGER FOR LAFCO LEGAL SERVICES**

MOTION: M/S OLIVEIRA / MAYS, AND CARRIED BY A UNANIMOUS VOTE OF 4-0, THE COMMISSION APPROVED THE CONTRACT WITH BEST BEST AND KRIEGER FOR LAFCO LEGAL SERVICES.

- B. CALAFCO CONFERENCE IN LOS ANGELES – SEPTEMBER 3-5, 2008**

BILL NICHOLSON GAVE A BRIEF UPDATE ON THE UPCOMING CALAFCO CONFERENCE IN LOS ANGELES – SEPTEMBER 3-5, 2008.

C. APPOINTMENT OF THE VOTING DELEGATE AND ALTERNATE AND RELATED BUSINESS FOR THE CALAFCO CONFERENCE IN LOS ANGELES

MOTION: M/S KELSEY / MAYS, AND CARRIED BY A UNANIMOUS VOTE OF 4-0, THE COMMISSION APPOINTED CHAIRMAN BERTAO AS VOTING DELEGATE AND COMMISSIONER OLIVEIRA AS ALTERNATE VOTING DELEGATE FOR THE CALAFCO CONFERENCE IN LOS ANGELES.

VIII. COMMISSIONERS' COMMENTS

COMMISSIONER KELSEY REQUESTED THAT THERE BE A LAFCO POLICY FOR PUBLIC RECORDS ACT REQUESTS.

MALATHY SUBRAMANIAN STATED THAT SHE WILL PREPARE THE LAFCO POLICY FOR PUBLIC REQUEST AND BRING IT BACK TO THE AUGUST 28, 2008 MEETING FOR APPROVAL BY THE COMMISSION.

IX. ADJOURNMENT

There being no further business, Chairman Bertao adjourned the meeting at 12:10 p.m.