



Local Agency Formation Commission  
2222 M Street  
Merced, CA 95340  
Phone (209) 385-7671 / Fax (209) 726-1710  
[www.lafcomerced.org](http://www.lafcomerced.org)

**NOTICE OF REGULAR MEETING AND AGENDA FOR  
LOCAL AGENCY FORMATION COMMISSION  
Thursday, April 16, 2020 - 10:00 A.M.**

**Important Notice Regarding April 16, 2020 Local Agency Formation Commission Meeting**

In accordance with Executive Orders N-25-20, N-29-20, and guidance from the California Department of Public Health, in order to minimize the spread of the COVID 19 virus, the Board Chambers will be closed to the public during this Local Agency Formation Commission Meeting. The following alternatives are available to members of the public to watch these meetings and provide comments to the Commission before and during the meeting:

**Audio/Video Broadcast:** Merced Local Agency Formation Commission (LAFCO) meetings are broadcast live by visiting <https://www.co.merced.ca.us/2230/LAFCo-Meetings>

**Public Comment:** If you wish to make either a general public comment for items not on the day's agenda or to comment on a specific agenda item, please submit your comment, limited to 250 words or less, via email, preferably in advance of the meeting, by 5:00 p.m. on the Wednesday prior to the LAFCO meeting. Please reference the agenda item you are commenting about and submit your comment to LAFCO at: [bill.nicholson@countyofmerced.com](mailto:bill.nicholson@countyofmerced.com)

Your comment will be placed into the record for the meeting. To be read into the record, e-mail must contain in the subject line "Public Comment – Not on the Agenda" or "Public Comment – Agenda item #."

**Public Hearings:** Public comment during public hearings will be taken in real time via email. Once the public hearing is opened, the Commission will pause the meeting for five minutes in order to receive emails directed at the public hearing (up to 250 words) and will read comments into the record after resuming the meeting, as time permits. Please indicate that comments are for a particular public hearing by putting "Public Comment—Agenda item #" in the subject line of the email and the title of the public hearing. Emails during the meeting must be sent to the LAFCO Clerk at: [Kim.Zinke@countyofmerced.com](mailto:Kim.Zinke@countyofmerced.com)

**AGENDA ITEMS**

**I. CALL MEETING TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL OF COMMISSIONERS**

Commissioner Samra (Chairman)	Commissioner Silveira (Vice Chair)
Commissioner McDaniel	Commissioner Bertao
Commissioner Nagy	Commissioner Hunter (Alternate)
City Alternate Serratto (Alternate)	Commissioner Espinoza (Alternate)

**IV. CONSENT CALENDAR**

Approval of minutes from the December 12, 2020 meeting.

**V. CITIZEN COMMUNICATION** (Testimony limited to 3 minutes or less per person via email)

Public opportunity to address the Local Agency Formation Commission on items of interest over which the Local Agency Formation Commission has jurisdiction

**VI. PUBLIC HEARINGS** (Testimony limited to 3 minutes or less per person via email)

A. Adoption of the Proposed Budget for the 2020-21 Fiscal Year

**VII. GENERAL BUSINESS**

A. Review and possible direction on AB 3312 (Gray) involving special legislation to allow for the annexation of the UC Merced campus along with a connecting “road strip” into the City of Merced. If the UC Merced campus is annexed, the legislation would also permit Merced LAFCO to process future annexations into the City of Merced for property contiguous to the campus. Action requested: Provide comments and any recommendations to the bill’s Author, Assembly Member Adam Gray, and consider making a recommended position on the bill to the California Association of Local Agency Formation Commissions (CALAFCO)

B. Clayton Water District presentation regarding the recent 9,457 acre annexation involving 7,006 acres within Merced County. The presentation will be provided by Julia Berry, consultant to the district. The Clayton Water District now contains a majority of assessed value within Merced County and therefore, Merced LAFCO has become the “principal county” for future annexations and periodic sphere of influence and municipal service review updates. No action is requested by the Commission.

C. Request from the Delhi County Water District to request Merced LAFCO waive the application processing fees for an annexation of two existing residential neighborhoods which are obtaining a Department of Water Resources grant in order to replace existing on-site wells with a connection to the District’s water system. Alternatively, the District is requesting the two annexation areas be processed as one application to reduce processing fees by one-half. The District is receiving assistance through Technical Assistance Grants for application preparation and associated map and legal description costs. Action requested: Consider whether to waive LAFCO application processing fees and/or to process annexation of the two residential areas under one application.

D. Contract with Economic and Planning Systems, Inc. (EPS) for preparation of an update to the “Agricultural Irrigation Service Providers Municipal Service Review” in the amount of \$35,000.00

E. Amendment No. 1 to Contract with Economic and Planning Systems, Inc. (EPS) for preparation of an update to the “Water and Sewer Service Providers Municipal Service Review” extending the contract expiration date from October 31, 2019 to October 31, 2020

**VIII. EXECUTIVE OFFICER AND COMMISSIONERS’ COMMENTS**

A. Upcoming Applications

B. Legislative Update of legislation tracked by the California Association of Local Agency Formation Commissions

C. Commissioner Comments

## **IX. ADJOURNMENT**

Any writings or documents pertaining to an open session item provided to a majority of the members of the legislative body less than 72 hours prior to the meeting, shall be made available by posting on the LAFCO website under "Meetings" for the meeting date of this agenda.

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### **NOTICE TO THE PUBLIC**

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Persons who require accommodation for any audio, visual or other disability in order to review an agenda, or to participate in a meeting per the Americans with Disabilities Act of 1990, may obtain assistance by requesting such accommodation in writing addressed to the LAFCO Recording Secretary, 2222 M Street, Merced, CA 95340 or telephonically by calling (209) 385-7671. Any such request for accommodation should be made at least 48 hours prior to the scheduled meeting for which assistance is requested, if possible.

Pursuant to Government Code §84308, no LAFCO Commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party, or his/her agent; or any participant or his/her agent, while a LAFCO proceeding is pending, and for three months following the date a final decision is rendered by LAFCO. Prior to rendering a decision on a LAFCO proceeding, any LAFCO Commissioner who received a contribution of more than \$250 within the preceding 12 months from a party or participant shall disclose that fact on the record of the proceeding. If a Commissioner receives a contribution which would otherwise require disqualification returns the contribution within 30 days of knowing about the contribution and the proceeding, the Commissioner shall be permitted to practice in the proceeding. A part of a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 within the preceding 12 months by the party, or his or her agent, to a LAFCO Commissioner. For forms, visit the LAFCO website at [www.lafcomerced.org](http://www.lafcomerced.org). No party, or his or her agent and no participant or his or her agent, shall make a contribution of more than \$250 to any LAFCO Commissioner during the proceeding or for 3 months following the date a final decision is rendered by LAFCO.

Pursuant to Government Code Sections 56100.1, 56300, 56700.1, 57009 and 81000 et seq., any person or combination of persons who directly or indirectly contribute(s) a total of \$1,000 or more or expend(s) a total of \$1,000 or more in support of or in opposition to specified LAFCO proposals or proceedings, which generally include proposed reorganizations or changes of organization, may be required to comply with the disclosure requirements of the Political Reform Act (See also, Section 84250 et seq.). These requirements contain provisions for making disclosures of contributions and expenditures at specified intervals. More information on the scope of the required disclosures is available at the web site of the FPPC: [www.fppc.ca.gov](http://www.fppc.ca.gov). Questions regarding FPPC material, including FPPC forms, should be directed to the FPPC's advice line at 1-866-ASK-FPPC (1-866-275-3772).