



Local Agency Formation Commission
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**MINUTES FOR REGULAR MEETING OF
April 16, 2020**

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

Chairman Samra called the meeting to order at 10:00 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 Samra (Chairman)
Commissioner Silveira (Vice Chair)
Commissioner Nagy
Commissioner Espinoza
Commissioner Bertao
Commissioner McDaniel (Alternate)
Commissioner Serratto (Alternate)

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

Counsel Present: None

IV. APPROVAL OF MINUTES

MOTION: M/S BERTAO - SILVEIRA, AND CARRIED BY A VOTE OF 5 - 0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF DECEMBER 12, 2019.

V. CITIZEN COMMUNICATION

None

VI. PUBLIC HEARINGS

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

MOTION: M/S BERTAO - SILVEIRA, AND CARRIED BY A VOTE OF 5 - 0, THE COMMISSION ADOPTS THE PROPOSED BUDGET FOR THE 2020-2021 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)

In addition to the correspondence posted on the LAFCO Website and distributed to the Commission in advance of the meeting, Steve Tietjen, County Superintendent of Schools (and Virginia Smith Trust administrator) emailed a letter in support of the legislation.

MOTION: ESPINOZA – SAMRA, AND FAILED ON A VOTE OF 2 – 3, NAY BY COMMISSIONERS BERTAO, SILVEIRA AND NAGY, THE COMMISSION SUPPORTS THE PROPOSED LEGISLATION AND REQUESTS AB 3312 BE MODIFIED TO CLARIFY THAT MERCED LAFCO WOULD BE RESPONSIBLE TO PROCESS AN APPLICATION TO ANNEX THE UC MERCED CAMPUS TO THE CITY OF MERCED.

MOTION: SILVEIRA – ESPINOZA, AND CARRIED BY A VOTE OF 4 – 1, NAY BY COMMISSIONER BERTAO, THE COMMISSION SUPPORTS THE PROCESS OF THE LEGISLATION, BUT WILL NOT TAKE A POSITION ON THE LEGISLATION UNTIL LEARNING THE POSITION OF CITY OF MERCED AND UC MERCED.

- 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.

Julia Berry, with Clayton Water District, provided the PowerPoint presentation that was presented by Executive Officer Nicholson, and emailed a letter and is in support of this application.

NO ACTION WAS REQUESTED OF 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.

Michael Clairborne, Leadership Counsel for Justice & Accountability, emailed a letter in support.

MOTION: M/S NAGY – SILVEIRA, AND CARRIED BY A VOTE OF 5 – 0, THE COMMISSION DOES NOT WAIVE THE LAFCO APPLICATION PROCESSING FEE BUT WILL ALLOW PROCESSING THE 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

MOTION: M/S SILVEIRA - BERTAO, AND CARRIED BY A VOTE OF 5 – 0, THE COMMISSION APPROVES THE CONTRACT WITH ECONOMIC AND PLANNING SYSTEMS, INC. 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

MOTION: M/S SILVEIRA – NAGY, AND CARRIED BY A VOTE OF 5 – 0, THE COMMISSION APPROVES AMENDMENT NO. 1 TO THE CONTRACT WITH ECONOMIC AND PLANNING SYSTEMS, INC 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. Executive Officer Summary of Upcoming Applications

Owens Creek Water District Formation and related establishment of a Sphere of Influence, and the removal of the 7,800 acre territory from the Merced Irrigation District Sphere of Influence.

B. Comments from Commissioners

None

IX. ADJOURNMENT

There being no further business, Chairman Samra adjourned the meeting at 12:08 p.m.