



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

DATE: April 16, 2020 (Agenda)

TO: Merced LAFCo Commissioners

FROM: Bill Nicholson, Executive Officer

RE: Presentation on the Recently Expanded Clayton Water District  
**(Agenda Item VII. B.)**

Julie Berry, consultant to the Clayton Water District, has offered to make a presentation to the Commission regarding the recent expansion of the District approved by Madera LAFCo. On August 28, 2019, Madera LAFCo approved an expansion of the District's Sphere of Influence (SOI) by 13,542 acres, with most of this territory located within Merced County. At the same meeting, Madera LAFCo approved the annexation of 2,451 acres (consisting of 14 parcels) in Madera County and 7,006 acres (consisting of 33 parcels) in Merced County.

As a result, Merced LAFCo became the "principal county" to process future annexation and similar boundary change applications, and to periodically update the sphere of influence and prepare municipal service reviews.

Julie Berry will present the reasons behind this large district expansion and the plans of the district to obtain surface water and comply with the Sustainable Groundwater Management Act (SGMA), within the Merced and Chowchilla Groundwater subbasins.

Attached is a copy of Madera LAFCo Resolution No. 2019-010 approving the annexation with attached maps of the annexation territory and larger sphere of influence boundary.

Requested Action:

No action is requested of the Commission, this is just an information and discussion item.

Attachment:

1. Madera LAFCo Resolution No. 2019-010 and related annexation and sphere of influence maps.

BEFORE  
THE MADERA LOCAL AGENCY FORMATION COMMISSION  
STATE OF CALIFORNIA

In the Matter of	)	Resolution No.: <u>2019 - 010</u>
	)	
CLAYTON WATER DISTRICT	)	A RESOLUTION MAKING
ANNEXATION	)	DETERMINATIONS AND APPROVING
	)	THE APPLICATION OF THE CLAYTON
	)	WATER DISTRICT – CLAYTON WATER
	)	DISTRICT ANNEXATION (2018-001)
	)	

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**WHEREAS**, Clayton Water District, applicant, has filed a Reorganization (the "Proposal") for annexation of property into the Clayton Water District with the Executive Officer, pursuant to the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000, as amended, Government Code Sections 56000 et seq. (the "Act"); and

**WHEREAS**, the Proposal includes the annexation of 14 parcels on approximately 2,451 acres in Madera County into the Clayton Water District; and

**WHEREAS**, the Proposal also includes the annexation of 33 parcels on approximately 7,006 acres in Merced County into the Clayton Water District; and

**WHEREAS**, proceedings with regard to the Proposal have been conducted in accordance with the CKH Act; and

**WHEREAS**, this Commission called for and held a public hearing on the Proposal as required by law on August 28, 2019; and

**WHEREAS**, at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to this Proposal and the report of the Executive Officer; and

**WHEREAS**, the Commission certifies that the Executive Officer recommended that the annexation is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15307, 15308 (actions for the protection, restoration or enhancement of a natural resource/environment) and 15320 (Geographical area not changed where previous powers existed) .

**NOW, THEREFORE, THE MADERA LOCAL AGENCY FORMATION COMMISSION DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:**

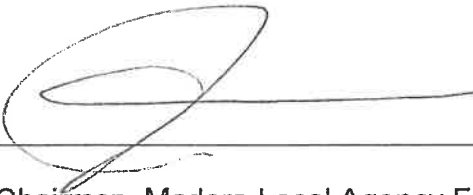
1. The annexation to the Clayton Water District shall consist of 47 parcels covering approximately 9,457 acres as shown on Exhibit A.
2. The applicant shall cause to be prepared, to the satisfaction of the Madera LAFCO Executive Officer, such documents and legal descriptions as are deemed necessary for filing a statement of boundary change with the State Board of Equalization. Any necessary fees or costs for processing and documentation shall be paid by the applicant.
3. Prior to the annexation being recorded, the Clayton Water District shall enter into a Tax Sharing Agreement with both Madera and Merced Counties pursuant to Tax and Revenue Code Section 99.
4. The Clayton Water District Board of Director's shall be expanded from a three member to a five member Board. Within a year of the recordation of this annexation, an election shall occur to appoint all five Board members.
5. If a Proposition 218 Proceeding is not conducted and/or a mechanism to otherwise fund the District is not in place within two years of the recordation of the annexation or LAFCO otherwise extends such deadline, LAFCO will initiate proceedings for dissolution.
6. The short-term designation shall be "Clayton Water District Annexation" – (2018-001).
7. The annexation is uninhabited as defined by Government Code Section 56046.
8. The Commission hereby waives subsequent protest and election proceedings.

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The foregoing Resolution was adopted this 28th day of August 2019, by the following vote:

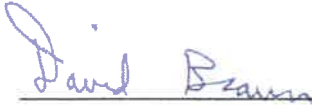
Chairman Graham Voted: YES  
Commissioner Medellin Voted: YES  
Commissioner Wheeler Voted: ABSENT  
Commissioner Ahmed Voted: YES  
Commissioner Rodriguez Voted: YES



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Chairman, Madera Local Agency Formation Commission

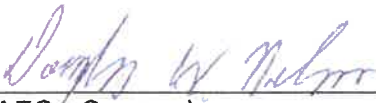
ATTEST:



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Executive Officer, LAFCO

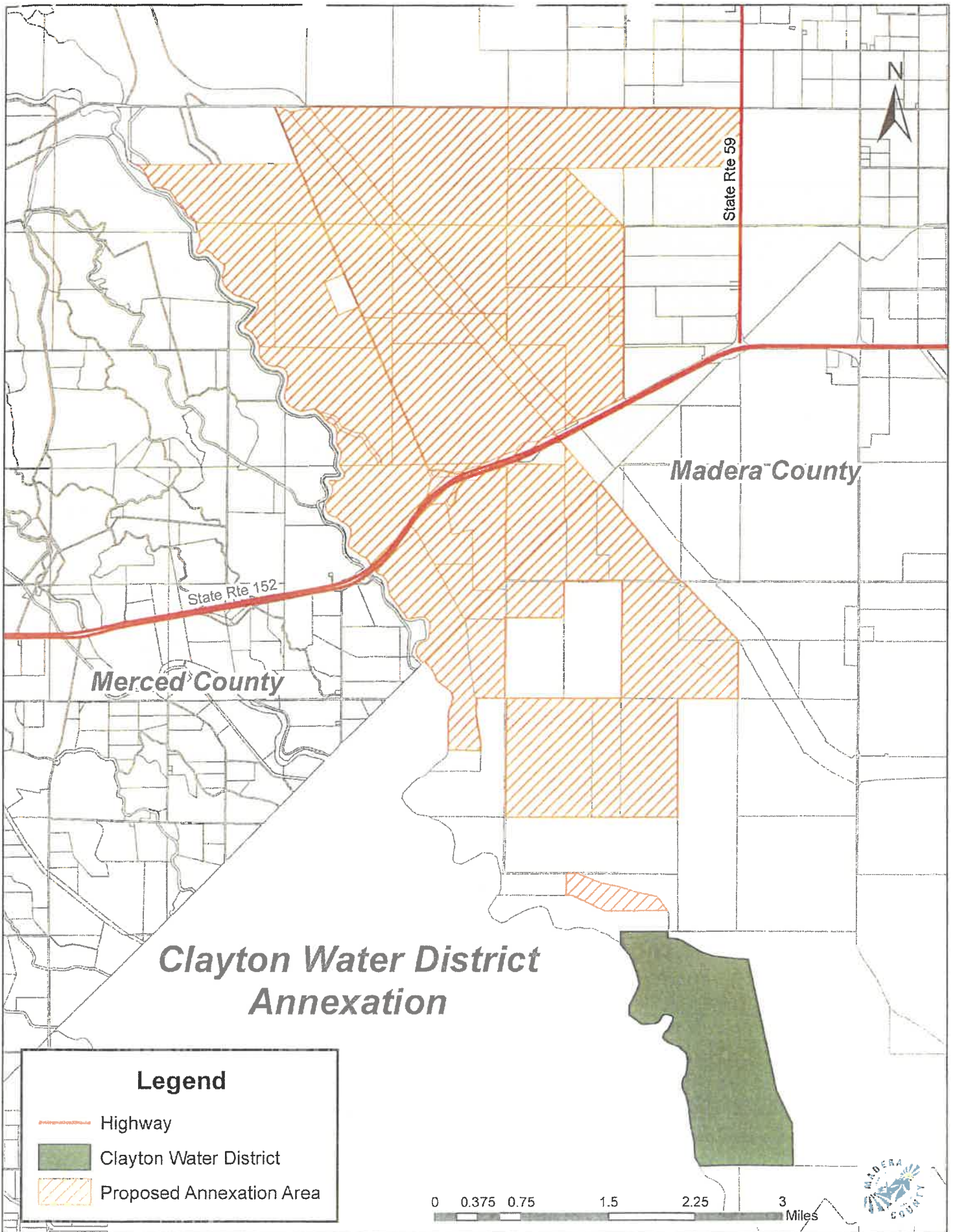
Approved as to Legal Form:



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LAFCo Counsel

EXHIBIT A



*Merced County*

*Madera County*

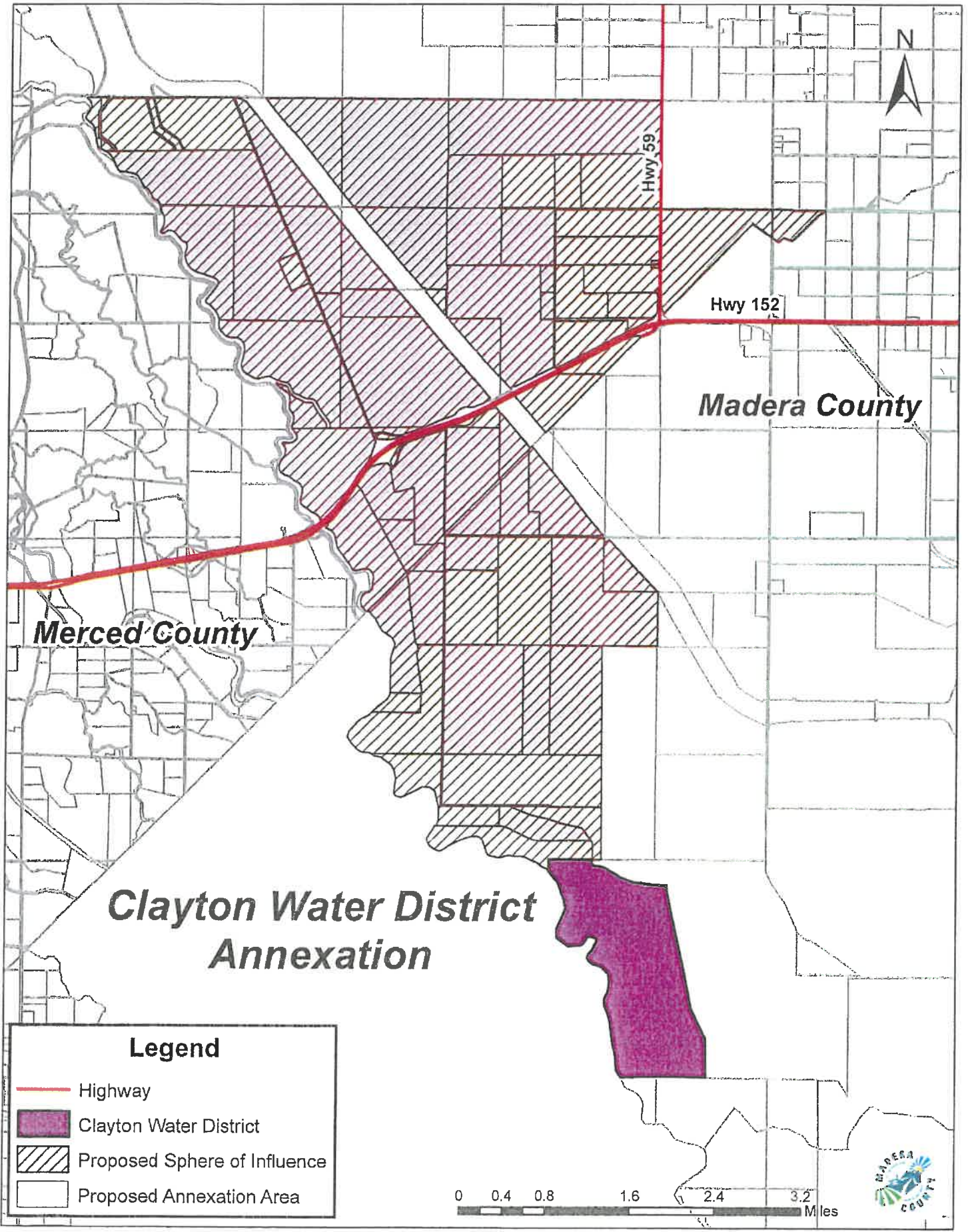
**Clayton Water District  
Annexation**

**Legend**

- Highway
- Clayton Water District
- Proposed Annexation Area

0 0.375 0.75 1.5 2.25 3 Miles





# Clayton Water District Annexation

**Legend**

- Highway
- Clayton Water District
- Proposed Sphere of Influence
- Proposed Annexation Area

