

April 16, 2020

Merced County LAFCo  
c/o William Nicholson, Executive Director  
2222 North M Street  
Merced, CA 95341

Re: April 16<sup>th</sup> Commission Meeting on AB3312; Response to Comment Letters

Mr. Nicholson and LAFCo Commissioners:

We have reviewed the several comment letters that have been provided to the commission on the AB3312 matter on today's agenda and would like offer some comment. In its comment letter, the City of Merced has noted the historical background on annexation studies in North Merced, and concludes that *"AB 3312 is in alignment with the City of Merced's 2020 Legislative Platform in that it provides greater local control to the City Council in determining the best approach for annexation related to support the UC Merced Campus. Because of this fact, staff recommends that LAFCo of Merced County to support the AB 3312 and also asks that a request be made of the California Association of Local Agency Formation Commission refrain from taking a position of opposition."* We think that is a wise course of action since AB3312 provides for an additional local option to facilitate growth that is in compliance with the City and County General Plan.

Messrs. Telligan and Kolligian have brought up other issues that are important to consider, but possibly misinterpret this action as actually annexing UC and UCP properties. We offer the following responses to several of the comments provided in their letter:

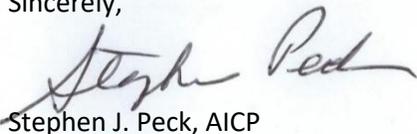
- **Priority Growth Areas.** Section 2.3 of the City of Merced's Urban Expansion chapter of the General Plan describes the phasing and development priority for the University Community Plan and UC Campus. That section states that it is the City's intent "...that development/annexation will occur in both the short and long term and the SUDP/SOI areas fall into these two categories: Short Term: Area 2 (UC Campus), and Area 3 (University Community)...."
- **Orderly and Efficient Growth Patterns.** Provision of the "planned, well-ordered, efficient development patterns", and efficient and effective government services requires that UC and the University Community Plan areas be included in the City, for all of the reasons identified in Policy 1.4 of the City's General Plan. Requiring that development that supports the UC be located miles from the actual campus does not lead to efficient land use patterns.
- **Adequacy of Public Services.** The comments on the provision of public service by Mr. Telligan are noteworthy. The adopted University Community Plan requires that adequate public services and utilities be provided, and the land plan includes areas for schools, public safety facilities, and recreation facilities. City General Plan Figure 5.1 shows a fire station located on in the University Community Plan area. The project would also have an impact fee structure and a Community

Facilities District that would provide for capital improvements and ongoing financial support for public services. The City and County both support the provision of services by the City of Merced, rather than establishment of duplicate services systems.

- **Sewer Collection Capacity**. AB3312 does not actually annex either the UC or UCP properties. That will not happen until and after the required Specific Plan, technical studies, and environmental documents are completed. Those studies will include a review of water and sewer availability. In conformance with LAFCo and City policies, utility commitments will not be made at the expense of projects and properties (such as approved tentative maps and properties in the North Merced Sewer Assessment District) that have existing commitments. There has not been a final determination of sewer capacity, future sewer flows from new development areas. Any project will need to demonstrate that there is adequate collection and treatment capacity, and growth phased accordingly. UC and UCP properties will purchase necessary sewer capacity, and not at the expense of existing or future users who have commitments for service.
- **UC/University Community Plan**. As noted in our comment letter, the UC has never been planned in isolation and the UCP is an integral part of that facility.

Thank you for your consideration of these comments.

Sincerely,



Stephen J. Peck, AICP

VST Project Manger

Cc: Dr. Steve M. Tietjen, VST Executive Director