



Local Agency Formation Commission  
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**MINUTES FOR REGULAR MEETING OF  
June 16, 2022**

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

Vice Chairman Serrato called the meeting to order at 10:05 a.m. in the Board Chambers, 3<sup>rd</sup> Floor of the Merced County Administration Building.

**I. CALL MEETING TO ORDER**

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

**Commissioners Present:** Commissioner Serrato (Chair)  
Commissioner Silveira (Vice Chair)  
Commissioner Bertao  
Commissioner Hogue

**Staff Present:** Bill Nicholson, Executive Officer  
Ana Muñiz-Laguna, Recording Secretary

**IV. CONSENT CALENDAR**

Approval of the minutes from the April 21, 2022 meeting

**MOTION: M/S SILVEIRA – BERTAO, AND CARRIED BY A VOTE OF 4 - 0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF APRIL 21, 2022.**

**V. CITIZEN COMMUNICATION**

None

**VI. GENERAL BUSINESS**

**A. Election of Commission Chairperson and Vice Chairperson**

Bill Nicholson, LAFCO Executive Officer, informed of the need to appoint a new Chairperson and Vice-Chairperson for LAFCO.

Commissioner Bertao nominated Commissioner Serrato for Chairperson and Commissioner Silveira for Vice-Chairperson.

**MOTION: M/S BERTAO - SILVEIRA, AND CARRIED BY A VOTE OF 4 - 0, THE**

**COMMISSION APPOINTS COMMISSIONER SERRATO AS LAFCO CHAIRMAN.**

**MOTION: M/S BERTAO - HOGUE, AND CARRIED BY A VOTE OF 4 - 0, THE COMMISSION APPOINTS COMMISSIONER SILVEIRA AS LAFCO VICE-CHAIRMAN.**

**B. Adopt Resolution of Appreciation for former Commissioner Nagy.**

The Commission presented former Commissioner Nagy with a Resolution of Appreciation signed by Commissioners in recognition for his many years of service to LAFCO.

**C. Abandonment of new Executive Officer Recruitment Efforts, and Consideration and Approval of the Third Amendment to Agreement for Providing Executive Officer Services between Merced County LAFCO and William Nicholson to increase the base hourly rate of pay and increase the annual cap on the potential consumer price increase adjustment.**

Mr. Nicholson provided information and update on item.

Commissioner Silveira stated that keeping Mr. Nicholson as Executive Officer at the proposed pay increase would still be a savings to the LAFCO budget versus having an outside recruitment.

Mr. Bertao commented he appreciates Mr. Nicholson's local knowledge and his decision to stay with the Merced LAFCO.

**MOTION: M/S SILVEIRA - HOGUE, AND CARRIED BY A VOTE OF 4 - 0, THE COMMISSION APPROVES TO ADOPT THE THIRD AMENDMENT TO THE AGREEMENT AND INCREASE THE HOURLY RATE FROM \$110 TO \$180 PER HOUR AND INCREASE THE ANNUAL CAP ON THE POTENTIAL CONSUMER PRICE INDEX FROM NO MORE THAN 3% TO NO MORE THAN 5%.**

**D. Approval of Memorandum of Understanding with Merced County for Staff Support for the 2022-23 Fiscal Year.**

Mr. Nicholson provided update on County staff support for LAFCO.

**MOTION: M/S BERTAO - SILVEIRA, AND CARRIED BY A VOTE OF 4 - 0, THE COMMISSION APPROVES THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COMMISSION AND MERCED COUNTY, AND AUTHORIZE THE COMMISSION CHAIRPERSON OR ACTING CHAIR TO SIGN THE DOCUMENT TO DIRECT STAFF TO FORWARD IT TO THE COUNTY FOR APPROVAL.**

**VII. PUBLIC HEARINGS**

**A. Adoption of the Final LAFCO Budget for the 2022-23 Fiscal Year.**

Mr. Nicholson provided overview and discussion of the budget.

No testimony was received during the public hearing.

**MOTION: M/S SILVEIRA - BERTAO, AND CARRIED BY A VOTE OF 4 - 0, THE COMMISSION ADOPTS THE FINAL FISCAL YEAR 2022-23 BUDGET, WITH THE SIGNIFICANT REDUCTION FROM THE PROPOSED BUDGET REFLECTING A**

CONTINUATION OF PART-TIME STAFFING. THE COMMISSION DIRECTS THE EXECUTIVE OFFICER TO FORWARD THE ADOPTED BUDGET TO THE COUNTY AND THE CITIES AND SPECIAL DISTRICTS WITHIN THE COUNTY IN CONFORMANCE WITH THE CORTESE-KNOX-HERZBERG ACT.

- B. Adoption of the Agricultural Irrigation Service Providers Municipal Service Review (MSR) Update.** The MSR presents determinations and conclusions addressing the delivery of services and organizational issues performed by 14 special districts which provide potable water and/or sewer in unincorporated communities primarily located within Merced County. Determinations regarding various district services and issues are presented in compliance with Government Code section 56430, corresponding determinations and references to the district's Spheres of Influence are included in compliance with Government Code section 56425. The actions requested are to make an environmental determination that the Municipal Service Review is exempt from CEQA review under the Section 15306, "Information Collection" of the CEQA Guidelines, and adopt the Municipal Service Review, and make related Sphere of Influence Determinations.

Mr. Nicholson provided presentation and gave information on the contents and conclusions of the Municipal Service Review.

No testimony was received during the public hearing.

**MOTION: M/S SILVEIRA - BERTAO, AND CARRIED BY A VOTE OF 4 - 0, THE COMMISSION ADOPTS THE FINDING THAT IN ACCORDANCE WITH CEQA SECTION 15306 "INFORMATION COLLECTION", THE COMMISSION FINDS THIS MUNICIPAL SERVICE REVIEW IS CATEGORICALLY EXEMPT FROM CEQA, AND THAT ANY FUTURE LAFCO ACTION INVOLVING THE INDEPENDENT SPECIAL DISTRICTS COVERED IN THIS SERVICE REVIEW WILL INVOLVE A SEPARATE ENVIRONMENTAL DETERMINATION AND ACTION.**

**MOTION: M/S SILVEIRA - BERTAO, AND CARRIED BY A VOTE OF 4 - 0, THE COMMISSION ADOPTS RESOLUTION No. 2022-1 APPROVING THE AGRICULTURAL IRRIGATION SERVICE PROVIDERS MUNICIPAL SERVICE REVIEW AND CORRESPONDING SOI MAPS BASED ON THE FIVE DETERMINATIONS AND ACTIONS IN SECTION IV OF THE EXECUTIVE OFFICER'S REPORT, INCLUDING THE MODIFICATIONS REQUESTED BY THE FOUR INDIVIDUAL DISTRICTS.**

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

- A. Executive Officer oral update on upcoming applications and other business.**

Mr. Nicholson informed the Commission on a new application received for Central California Irrigation District which will be presented at a future meeting.

- B. Commissioners Comments**

Commissioner Hogue thanked the LAFCO Commissioners for welcoming her as a Regular Member, and expressed interest in attending the CALAFCO Conference in October.

**IX. ADJOURNMENT**

**There being no further business, Chairman Serrato adjourned the meeting at 10:56 a.m.**