



Local Agency Formation Commission  
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**MINUTES FOR REGULAR MEETING OF  
JUNE 20, 2024**

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

Chairman Silveira called the meeting to order at 10:10 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 Silveira (Chair)  
Commissioner Bertao (Vice Chair)  
Commissioner Llanez (Alternate-Voting)  
Commissioner McDaniel (Alternate-Voting)  
Commissioner Hogue

**Commissioner Absent** Commissioner Raymond  
Commissioner Espinosa

**Staff Present:** Bill Nicholson, Executive Officer  
Danielle Bettencourt, Recording Secretary

**IV. CONSENT CALENDAR**

**A.** Approval of the minutes from the April 18 ,2024 meeting.

**MOTION: M/S BERTAO– HOGUE, AND CARRIED BY A VOTE OF 5 - 0, THE COMMISSION APPROVES THE MINUTES OF THE MEETING OF APRIL 18, 2024.**

**V. CITIZEN COMMUNICATION**

Public comment opened 10:12 a.m.

None

Public comment closed 10:12 a.m.

**Chairman Silveira moved General Business Item A. up on the agenda for the adoption of the Resolution of Appreciation for Matthew Serratto as he was in attendance in the audience to accept the Resolution of Appreciation.**

**ITEM VII**

- A.** Adopt resolution of appreciation for former Commissioner Matthew Serratto for his six years of service on the Commission.

Executive Officer Bill Nicholson gave a brief overview of Commissioner Matthew Serratto's time on the LAFCO Commission.

Chairman Silveira presented Commissioner Matthew Serratto with a resolution of appreciation for his service on the LAFCO Commission.

Public comment opened 10:05 a.m.

Former Commissioner Matthew Serratto came forward for public comment and thanked the Commissioner's for all the years of service together and for the resolution of appreciation for his time served.

Public comment closed 10:07 a.m.

**MOTION: M/S MCDANIEL– BERTAO, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION APPROVES AND ADOPTS THE RESOLUTION FOR FORMER COMMISSIONER MATTHEW SERRATTO FOR HIS SIX YEARS OF SERVICE ON THE COMMISSION.**

**VI. PUBLIC HEARINGS (Testimony limited to 5 minutes or less per person)**

- A.** AMG Reorganization (LAFCO File No. 0694) – The proposal involves the annexation of a 31.8-acre parcel into the City of Los Banos, and the detachment of the same parcel from the Central California Irrigation District (CCID) boundary. The property is located at the southeast corner of Overland Avenue and Johnson Road. **The actions requested are to make an environmental determination that the Commission has reviewed and considered the Initial Study/Mitigated Negative Declaration prepared by the City of Los Banos, and approve, deny, or modify the reorganization and make CEQA determinations.**

Executive Officer Bill Nicholson provided a brief summary and overview of the AMG Reorganization, annexation into the City of Los Banos and detachment from CCID.

Public comment opened 10:32 a.m.

Los Banos Community and Economic Development Director, Stacey Sousa Elms came forward for public comment and thanked Executive Officer Bill Nicholson, Staff, and the Commissioner's for all their work and support over the past 10 years on this project.

The Commission held a brief discussion on the CCID detachment portion of the application and their concern when farmers lose their class 1 water rights. Class 2 water can be withheld during drought conditions so the farmer is at a big disadvantage farming long-term crops. They would like to discuss the CCID policy at a future meeting.

Public comment closed 10:34 a.m.

**MOTION: M/S BERTAO–LLANEZ, AND CARRIED BY A VOTE OF 5 - 0, THE COMMISSION APPROVES THE ENVIRONMENTAL FINDING AND DETERMINATION IN SECTION III. A OF THE EXECUTIVE OFFICER’S REPORT, APPROVES THE EIGHT (8) DETERMINATIONS IN SECTION III. B OF THE EXECUTIVE OFFICER’S REPORT, ASSIGNS THE REORGANIZATION THE SHORT FROM DESIGNATION “AMG REORGANIZATION INVOLVING THE CITY OF LOS BANOS”, AND APPROVES THE REORGANIZATION WITH NO CONDITIONS OF APPROVAL.**

- B.** Braden-Severson Annexation to the Ballico-Cortez Water District (LAFCO File No. 0700) and related Sphere of Influence Amendment (LAFCO File No. 1004A) – The proposal involves the annexation and corresponding sphere of influence amendment for two parcels into the Ballico-Cortez Water District. Area A, containing 146 acres, is located on the southwest side of Santa Fe Avenue approximately one-quarter mile north of Linwood Road, and Area B, containing 10 acres, is located on the north side of Sunny Acres Avenue and west of the extension of Sycamore Avenue in the Ballico Area. **The actions requested are to make an environmental determination that the actions are exempt from environmental review, and approve, deny, or modify the sphere of influence amendment and annexation.**

Executive Officer Nicholson provided a brief summary and overview of the Braden-Severson Annexation to the Ballico-Cortez Water District (LAFCO File NO. 0700) and related Sphere of Influence Amendment (LAFCO File No. 1004A).

Public comment opened 10:52 a.m.

None.

Public comment closed 10:52 a.m.

**MOTION: M/S BERTAO– MCDANIEL, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION APPROVES THE ENVIRONMENTAL DETERMINATION AND ACTION ON PAGE SIX OF THE EXECUTIVE OFFICER’S REPORT AND MAKES THE THREE DETERMINATIONS ON PAGE 6, AND APPROVES THE SPHERE OF INFLUENCE EXPANSION (LAFCO FILE NO 1004A), MAKES THE FIVE DETERMINATIONS ON PAGE SEVEN (7) FOR ACTION ON THE ANNEXATION, AND APPROVE THE ANNEXATION (LAFCO FILE NO. 0700) AND AUTHORIZES LAFCO STAFF TO COMPLETE THE PROCEEDINGS FOR THE ANNEXATION WITHOUT FURTHER NOTICE, HEARING, OR ELECTION**

- C.** Adoption of the Final Budget for the 2024-25 Fiscal Year.

Executive Officer Bill Nicholson provided an overview of the final budget for the 2024-25 Fiscal Year.

Public comment opened 11:01 a.m.

None.

Public comment closed 11:01 a.m.

**MOTION: M/S MCDANIEL– HOGUE, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION APPROVES AND ADOPTS THE FINAL BUDGET FOR THE 2024-2025 FISCAL YEAR.**

## **VII. GENERAL BUSINESS**

(Resolution of Appreciation for Matthew Serratto was moved to first agenda item by Chairman Silveira.)

**B. Election of Commission Chairperson and Vice-Chairperson**

The Commissioner's discussed future projects and elections of the Chairperson and Vice-Chairperson.

Public comment opened 11:06 a.m.

None.

Public comment closed 11:06 a.m.

**MOTION: M/S SILVEIRA– MCDANIEL, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION ELECTS COMMISSIONER BOB BERTAO AS CHAIRPERSON.**

**MOTION: M/S MCDANIEL– SILVEIRA, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION ELECTS COMMISSIONER SCOTT SILVEIRA AS VICE CHAIRPERSON.**

**C. Approval of Memorandum of Understanding with Merced County for Staff Support for the 2024-25 Fiscal Year.**

Executive Officer Bill Nicholson provided an overview of the Memorandum of Understanding (MOU) with Merced County for Staff Support for the 2024-25 Fiscal Year.

Public comment opened 11:03 a.m.

None.

Public comment closed 11:03 a.m.

**MOTION: M/S MCDANIEL– HOGUE, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION APPROVES THE MEMORANDUM OF UNDERSTANDING WITH MERCED COUNTY FOR STAFF SUPPORT FOR THE 2024-25 FISCAL YEAR.**

**D. Approve a Budget Transfer in the current Fiscal Year 2023-24 Budget in the amount of \$20,000 into Account No. 21810 "Professional & Special Services – Contractual Agreements" with the funds transferred from the following accounts: \$9,600 from Account No. 74000 "Contingencies" and \$10,400 from Account No. 21840 "Professional and Special Services – Administrative Services" for an increase in Executive Officer services due to application activity.**

Executive Officer Nicholson provided an overview of the budget transfer in the current Fiscal Year 2023-2024.

Public comment opened 11:03 a.m.

None.

Public comment closed 11:03 a.m.

**MOTION: M/S MCDANIEL– BERTAO, AND CARRIED BY A VOTE OF 5-0, THE COMMISSION APPROVES THE BUDGET TRANSFER IN THE CURRENT FY 2023-**

**24 BUDGET IN THE AMOUNT OF \$20,000 INTO ACCOUNT NO. 21810 “PROFESSIONAL & SPECIAL SERVICES-CONTRACTUAL AGREEMENTS” WITH THE FUNDS TRANSFERRED FROM THE FOLLOWING ACCOUNTS: \$9,600 FROM ACCOUNT NO. 74000 “CONTINGENCIES” AND \$10,400 FROM ACCOUNT NO. 21840 FOR AN INCREASE IN THE EXECUTIVE OFFICER SERVICES DUE TO APPLICATION ACTIVITY.**

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

**A. Executive Officer oral update on upcoming applications, Municipal Service Review Updates, and other business**

Executive Officer Nicholson reported two upcoming applications for the UC of Merced Campus Annexation into the City of Merced and the Virginia Smith Trust Annexation. There is also another upcoming application for the Stevenson Water District to annex land, with a detachment of a portion of the area from the Merquin County Water District and moved into the Stevenson Water District.

**B. Commissioners Comments**

Commissioner Darron McDaniel congratulation and welcomed Commissioner Paul Llanez to the LAFCO Commission.

Commissioner Bob Bertao noted and thanked the Commissioner’s for the opportunity to serve as Chairman on the LAFCO Commission.

The Commission held a brief discussion regarding possible dates for a special meeting in August or September for the upcoming Virginia Smith Trust Annexation to Merced with September 5, 2024 favored over August 29<sup>th</sup>,2024.

**IX. ADJOURNMENT**

There being no further business, Chairman Silveira adjourned the meeting at 11:20 a.m.