

ASSEMBLY BILL

No. 3312

Introduced by Assembly Member Gray

February 21, 2020

An act to add Section 56748 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 3312, as introduced, Gray. Local agency formation: annexation: City of Merced.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. The act grants a local agency formation commission the power to review and approve a change of organization of a local agency, which includes an annexation into a city. The act generally requires that a territory to be annexed be contiguous to the city at the time the proposal is initiated. The act requires each commission to develop and determine the sphere of influence of each city and special district within the county. The act defines sphere of influence, for purposes of these provisions, as a plan for the probable physical boundaries and service area of the local agency, as determined by the commission.

This bill would authorize the annexation of territory comprising the main campus of the University of California, Merced, as specified, and any road strip, as defined, to the City of Merced, notwithstanding the requirement that the territory be contiguous with the city, if other conditions are met, including that the territory is within the city's sphere of influence. The bill would prohibit the commission from approving

subsequent annexations to the territory specified in the bill unless the annexation is contiguous with that territory.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Merced.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 56748 is added to the Government Code,
2 to read:
3 56748. (a) As used in this section:
4 (1) “Main campus of the University of California, Merced”
5 means the area within the boundaries of the campus of the
6 University of California, Merced, as described in the Second
7 Amendment to the Amended and Restated Contract for Water,
8 Sewer, and Other Services between the City of Merced and the
9 Regents of the University of California, recorded with the Merced
10 County Recorder’s Office on August 14, 2019.
11 (2) “Road strip” means the street, highway, or road that connects
12 the territory of the property to be annexed to the annexing city.
13 (b) Notwithstanding Section 56741, unincorporated territory
14 consisting of property comprising the main campus of the
15 University of California, Merced, together with the road strip, may
16 be annexed to a city pursuant to this division if the following
17 conditions are met:
18 (1) The affected territory is within the sphere of influence of
19 the annexing city, as adopted by the commission.
20 (2) The affected territory lies within an unincorporated area
21 within the County of Merced.
22 (c) The commission shall not approve any subsequent annexation
23 to the road strip or the affected territory described in this section
24 unless the territory proposed to be annexed is contiguous to the
25 property comprising the main campus of the University of
26 California, Merced.
27 (d) This section applies only to the City of Merced.
28 SEC. 2. The Legislature finds and declares that a special statute
29 is necessary and that a general statute cannot be made applicable
30 within the meaning of Section 16 of Article IV of the California
31 Constitution because of the unique circumstances relating to the

- 1 property comprising the University of California, Merced, campus
- 2 located in unincorporated territory within the County of Merced.

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