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AB-3312 Local agency formation: annexation: City of Merced. (2019-2020)

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Assembly Bill No. 3312

CHAPTER 56

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

[Approved by Governor September 09, 2020. Filed with Secretary of State September 09, 2020.]

LEGISLATIVE COUNSEL'S DIGEST

AB 3312, 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 also 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 the 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 a subsequent annexation to the road strip pursuant to these provisions unless the territory proposed to be annexed is contiguous to the property comprising the main campus of the University of California, Merced or the boundaries of the City of Merced as it existed on January 1, 2021.

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 Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 56748 is added to the Government Code, to read:

56748. (a) As used in this section:

(1) "Affected territory" means the main campus of the University of California, Merced and a road strip proposed for annexation to the City of Merced.

(2) "Main campus of the University of California, Merced" means the area within the boundaries of the campus of the University of California, Merced, as described in the University of California, Merced 2020 Long-Range Development Plan dated March

2020, and comprising of no more than 1,026 acres.

(3) "Road strip" means the street, highway, or road that connects the territory of the property to be annexed to the annexing city.

(b) Notwithstanding Section 56741, unincorporated territory consisting of property comprising the main campus of the University of California, Merced, together with the road strip, may be annexed to a city pursuant to this division, upon approval of the commission, if the following conditions are met:

(1) The affected territory is within the sphere of influence of the annexing city, as adopted by the commission.

(2) The affected territory lies within an unincorporated area within the County of Merced.

(c) The commission shall not approve any subsequent annexation to the road strip unless the territory proposed to be annexed is contiguous to the property comprising the main campus of the University of California, Merced or the boundaries of the City of Merced as it existed on January 1, 2021.

(d) This section applies only to the City of Merced.

SEC. 2. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique circumstances relating to the property comprising the University of California, Merced, campus located in unincorporated territory within the County of Merced.