
**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
EXECUTIVE OFFICER'S REPORT**

CONSENT AGENDA ITEM NO. 8

DATE: June 13, 2007

TO: Fresno Local Agency Formation Commission

FROM: Rick Ballantyne, Executive Officer
Darrel Schmidt, Deputy Executive Officer

SUBJECT: **Consider Adoption** – Municipal Service Review prepared for the Camp 13 Drainage District

Summary / Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCo to develop and determine the Sphere of Influence (SOI) of each local governmental agency within the County. In accordance with Government Code Section 56425, LAFCo is required to conduct a *Municipal Service Review* (MSR) for an agency prior to or in accordance with consideration of an action to establish an agency's SOI.

On December 13, 2006, the Commission directed staff to enter into a contract with Braitman & Associates to prepare MSRs and Sphere of Influence (SOI) Updates for numerous cities and special districts. The attached MSR has been prepared for the Camp 13 Drainage District.

Municipal Service Reviews provide a comprehensive review of the services provided by, or to be provided by, a city or district and present recommendations with regard to the condition and adequacy of these services.

State law requires that the Commission in its consideration of the MSRs adopt written determinations for each of the following nine criteria:

1. Infrastructure needs or deficiencies
2. Growth and population projections for the affected area
3. Financing constraints and opportunities
4. Cost avoidance opportunities
5. Opportunities for rate restructuring
6. Opportunities for shared facilities
7. Government structure options, including advantages and disadvantages of the consolidation or reorganization of service providers
8. Evaluation of management efficiencies
9. Local accountability and governance

Environmental Determination

Staff has determined that consideration of and adoption of the Camp 13 Drainage District MSR determinations are actions considered to be "Categorically Exempt" as per Section 15306 (Information Collection) of the California Environmental Quality Act Guidelines (CEQA).

Discussion & Summary of Determinations

The Camp 13 Drainage District was formed in 2003 in order to drain excess waters into the San Luis Drain in conjunction with the San Luis-Delta Mendota Joint-Powers Authority. At that time, consideration was given to expanding the adjacent Panoche, Silver Creek, and Dos Palos Drainage Districts to include the Camp 13 Area. For a number of reasons these options were determined to be unsuitable, and it was determined that the area could best be served by formation of a new drainage district.

In conducting research for the MSR prepared for the Camp 13 Drainage District, staff learned that following formation of the District in 2003, follow-up action was never taken to establish and adopt a Sphere of Influence for the Camp 13 District as required by State law. It appears that following formation of the District, a recommendation was never brought back to the Commission to adopt the requisite SOI. Staff has recommended that it be directed to prepare an appropriate SOI for the Commission's future consideration and adoption. Staff has been advised that the District has been operational since 2003.

The District is located west of the City of Firebaugh and encompassing 4,932 acres (7.71 square miles). A small portion of the District is located within the City of Firebaugh's Sphere of Influence (SOI).

The District is governed by an eight-member Board of Directors elected from within the District. The District does not maintain any employees. District services include helping landowners respond to regional drainage and water quality concerns in order to protect, maintain, and enhance the quality of their agricultural lands. The District also enables lands within the District to participate in the Regional Grassland Bypass Project and is partnered with other districts who are participants in an agreement to help meet water quality regulations established by the Central Valley Regional Water Quality Control Board.

The District's FY 2006-07 Budget is \$75,601. Revenues are derived from benefit assessments.

The District has no assets or infrastructure. No opportunities for cost-avoidance, shared facilities, or rate restructuring were identified in this review.

Based on information received from the District, it appears that the District is adequately serving the territories within its existing boundaries. The District indicates that its current boundaries are appropriate and that a Sphere of Influence should be established coterminous with its boundaries.

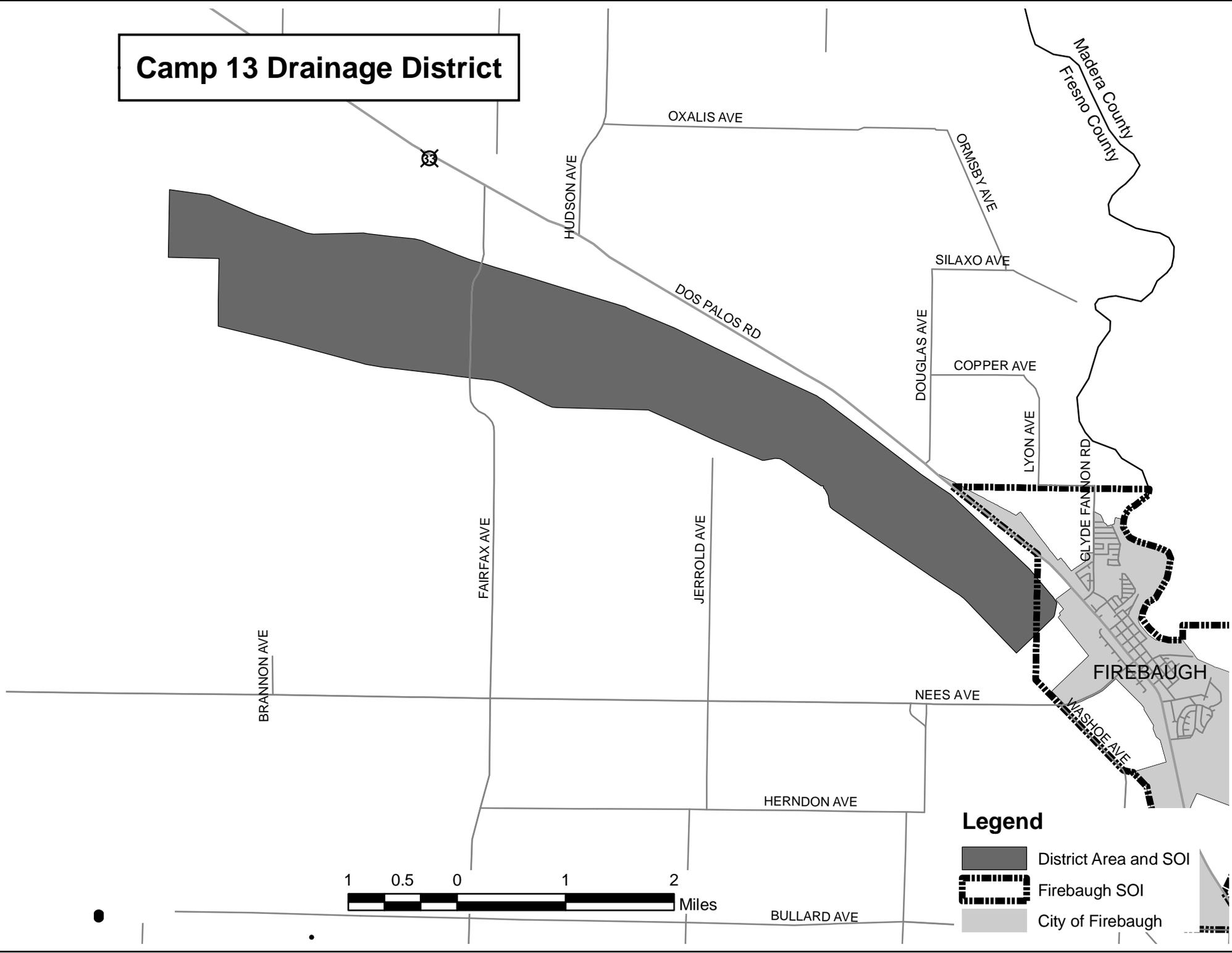
Should the Commission find the MSR to be satisfactory as per State Law and adopt recommended determinations pursuant to Government Code 56430, staff can then set for public hearing an item to consider and establish a Sphere of Influence for the District as required by State law.

Recommendations:

- A. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to adopting the written determinations, the Municipal Service Review under consideration is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15306, "Information Collection".
- B. Find the Municipal Service Review prepared for the Camp 13 Drainage District is complete and satisfactory.

- C. Find that the written determinations within the Municipal Service Review satisfy State Law.
- D. Pursuant to Government Code Sections 56430 adopt the determinations as presented in the Municipal Service Review document.
- E. Direct staff to set for public hearing an item to consider and establish a Sphere of Influence for the District as required by State law.

Camp 13 Drainage District



Legend

-  District Area and SOI
-  Firebaugh SOI
-  City of Firebaugh

RESOLUTION NO. MSR-07-7

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

In the Matter of

LAFCo Determination

**RESOLUTION ADOPTING MUNICIPAL)
SERVICE REVIEW FOR THE CAMP 13)
DRAINAGE DISTRICT)**

**ADOPT MUNICIPAL SERVICE REVIEW
PREPARED FOR THE CAMP 13
DRAINAGE DISTRICT**

WHEREAS, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56425 et. Seq.) the Fresno Local Agency Formation Commission is required to review and update, as necessary, Spheres of Influence of local agencies not less than once every five years; and

WHEREAS, Government Code Section 56430 directs the Commission that in order to update a Sphere of Influence that a review of municipal services shall be conducted not later than the time it considers an action to establish or update a Sphere of Influence; and

WHEREAS, notice of this Commission's hearing of said request was duly given in a publication of general circulation as required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and State law, and at the time and in the form and manner provided by law; and

WHEREAS, the Commission has heard, discussed and considered all relevant evidence, including but not limited to the Executive Officer's *Municipal Service Review Report*, environmental documentation, applicable land use plans and all testimony, correspondence and exhibits received during the public hearing process, all of which are included herein by reference.

NOW, THEREFORE, BE IT RESOLVED that the Local Agency Formation Commission of the County of Fresno does HEREBY STATE, FIND, RESOLVE, DETERMINE, AND ORDER as follows:

Section #1. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, this Commission finds that prior to adopting the written determinations, the Municipal Service Review determinations under consideration are Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15306, "Information Collection".

Section #2. This Commission finds the Municipal Service Review prepared for the Camp 13 Drainage District is complete and satisfactory.

Section #3. This Commission finds that the written determinations within the Municipal Service Review satisfy State Law.

Section #4. Pursuant to Government Code Sections 56430, this Commission hereby adopts the determinations as presented in the Municipal Service Review.

Section #5. - The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code Section 56882 and to file, as appropriate, in the office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this Proposal, as required by State law.

* * * * *

ADOPTED THIS 13th DAY OF JUNE, 2007, BY THE FOLLOWING VOTE:

AYES: Commissioners Rodriguez, Fortune, Anderson, Larson, Lopez

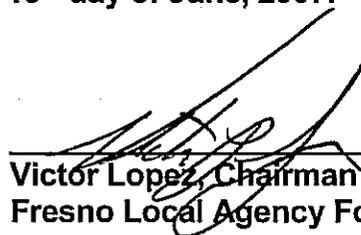
NOES: None

ABSENT: None

**STATE OF CALIFORNIA)
COUNTY OF FRESNO)**

CERTIFICATION

I, Victor Lopez, Chairman of the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certify that the foregoing resolution was adopted by the Commission on the 13th day of June, 2007.



**Victor Lopez, Chairman
Fresno Local Agency Formation Commission**

CAMP 13 DRAINAGE DISTRICT

MUNICIPAL SERVICE REVIEW

Report to the
Fresno Local Agency Formation Commission

June 2007

1. MUNICIPAL SERVICE REVIEW

Description of District

The Camp 13 Drainage District was created in 2003. It operates pursuant to the County Drainage District Act of 1903 (Water Code, Section 56000 et seq.).

The District encompasses 4,932 acres (7.71 square miles).

The District is governed by an eight-member board of directors elected district-wide. A consultant is responsible for administrative functions. The District has no employees.

District Services

This small district helps landowners respond to regional drainage and water quality concerns to protect, maintain and enhance the quality of their agricultural lands.

The District enables lands in the District to participate in the regional Grassland Bypass Project that is administered by the San Luis Delta Mendota Water Authority. Camp 13 is partnered along with other districts who are participants in an agreement help to meet water quality regulations established by the Central Valley Regional Water Quality Control Board.

2. MSR DETERMINATIONS

This portion of the report addresses the factors specified in the governing statute for Municipal Service Reviews.

Infrastructure Needs and Deficiencies

The District has no assets or need for infrastructure.

Growth and Population Projections

District services do not affect rates or location of development or population growth, nor does that affect the manner in which the District is governed.

Financing Constraints and Opportunities

The District operating budget for FY 2006-07 is \$75,601. Projected revenues are also \$75,601, which is derived from benefit assessments. There is no District debt.

Cost-Avoidance Opportunities

There are no obvious opportunities for cost avoidance in District operations.

Opportunities for Rate Restructuring

There are no obvious opportunities for rate restructuring in the operations of the District.

Opportunities for Shared Facilities

There are no opportunities for shared facilities in the operations of the District.

Government Structure Options

There are no obvious opportunities for a different government structure.

Management Efficiencies

The District exhibits characteristics of an agency that is operating efficiently.

Local Accountability and Governance

The governing board is elected. Regular meetings are held quarterly. Meeting notices and agendas are mailed to landowners within the District and are posted. The District does not maintain a website.

3. SPHERE OF INFLUENCE DISCUSSION

Government Code Section 56076 defines Sphere of Influence as “A plan for the probable physical boundaries and service area of a local agency, as determined by the commission.

Description of Current Sphere of Influence

The District does not have an established Sphere of Influence. Following formation of the District in 2003, an item recommending that a Sphere of Influence be established was not brought to the Commission for its review.

It appears that the District is able to adequately serve territories within its existing boundaries. The District states that its current boundaries are appropriate and that a Sphere of Influence should be established coterminous with its boundaries.

Per Government Code Section 56425, a Municipal Service Review must be completed prior to establishment of a Sphere of Influence for a city or district. A recommendation for establishing a Sphere of Influence for the District will be brought to the Commission following adoption of a Municipal Service Review.

4. ACKNOWLEDGEMENTS & REFERENCES

This draft Municipal Service Review was prepared by Braitman & Associates working at the direction of the Fresno LAFCO staff. Responsibility for any errors or omissions rests with those who prepared the report.

The Camp 13 Drainage District provided information upon which the evaluation is based. The District Consultant, David Cory, was instrumental in providing data.

Available Documentation

The “Request for Information for Municipal Service Reviews” submitted by the District and supporting documents referred to therein are available in the LAFCO office.

5. RECOMMENDATIONS

In consideration of information gathered and evaluated during the Municipal Service Review it is recommended the Commission:

1. Accept public testimony regarding the proposed Municipal Service Review.
2. Approve the recommended Municipal Service Review determinations, together with any changes deemed appropriate.
3. Direct Staff to return to the Commission at a subsequent hearing with a recommendation for establishing of a Sphere of Influence.