

# **COUNTY SERVICE AREA NO. 19 HAMPTON WAY**

## **MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE**

Report to the  
Fresno Local Agency Formation Commission

David E. Fey, AICP  
Candie Fleming  
George W. Uc  
Juan Lara  
2607 Fresno Street, Suite B  
Fresno, CA 93721

July 18, 2016

# COUNTY SERVICE AREA No. 19 (Hampton Way)

Street Lighting Service

## Contact Information

**Manager:** Amina Flores-Becker, Principal Staff Analyst  
**Address:** County of Fresno Public Works and Planning, Resources Division  
2220 Tulare Street  
6th Floor, Room 600  
Fresno, CA 93721  
**Phone:** (559) 600-4078

## Management Information

**District Formation:** 1967  
**Principal Act:** County Service Area Law, Government Code Section 25210-25217.4  
**Special District Powers:** Prescribed in Government Code Section 25212-25212.4  
**LAFCo**  
**Authorized Services:<sup>1</sup>** Street lighting, levy and collect tax assessments, perform agreements, enter into contracts, and provide governmental services necessary to maintain its public facilities

**Governing Body:** Fresno County Board of Supervisors  
**Citizen Advisory Committee:** None

**Board Members:**

Buddy Mendes, Chairman	Elected 2015-Expires 2018
Brian Pacheco, Vice Chairman	Elected 2015-Expires 2018
Henry Perea	Elected 2013-Expires 2016
Andreas Borgeas	Elected 2013-Expires 2016
Debbie Poochigian	Elected 2013-Expires 2016

**Board Meetings:** On scheduled Tuesdays, the dates which have been approved at a regularly scheduled board meeting in the Board of Supervisors Chambers

**Staffing:** Fresno County Public Works and Planning, Resources Division, composed of a district administrator, four staff analysts, one program technician, one office assistant, and administrative and technical support staff

## Service Information

**Population Served:** 25 residential parcels  
**Acres Served:** 10 acres  
**Infrastructure:** Six street lights

## Fiscal Information

**Budget:** \$2,966  
**Sources of Funding:** Property taxes and special assessment  
**Rate Structure:** \$70.70 per year, per developed parcel

## Administrative Policies

<b>Master Plan:</b> No	<b>Policies/Procedures:</b> Yes	<b>By-laws:</b> No
<b>Boundary Updated:</b> 1967	<b>SOI Updated:</b> 2016	<b>Other:</b> No

---

<sup>1</sup> Pursuant to sec.sec. 56425(i)

# Table of Contents

<b>1. MUNICIPAL SERVICE REVIEW .....</b>	<b>5</b>
Principal Act .....	5
District Service Area .....	5
Authorized District Services .....	5
Fresno LAFCo MSR Policy Designation .....	6
District Growth and Population Projections .....	6
Disadvantaged Unincorporated Communities .....	7
District Infrastructure .....	8
District Finances .....	8
Public Facilities, Opportunities for shared Facilities .....	9
Relationship between the District and the City of Fresno and the Feasibility of Annexation to the City .....	10
Government Accountability .....	11
<b>2. MSR DETERMINATIONS .....</b>	<b>12</b>
1. Growth and Population Projections for the Affected Area .....	12
2. The Location and Characteristics of any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence .....	12
3. Present and Planned Capacity of Public Facilities and Infrastructure Needs or Deficiencies .....	13
4. Financial Ability of Agency to Provide Services .....	13
5. Status of, and Opportunities for, Shared Facilities .....	13
6. Accountability for Community Service Needs, Including Government Structure and Operational Efficiencies .....	13
7. Any other matter .....	14
<b>3. SPHERE OF INFLUENCE REVIEW AND UPDATE.....</b>	<b>15</b>
1. Present and planned land uses, including agricultural and open-space lands. ....	15
2. Present and probable need for public facilities and services in the area. ....	16
3. Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide. ....	16
4. Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency. ....	16
5. The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence. ....	16
<b>4. Recommendations .....</b>	<b>17</b>
<b>5. Acknowledgments .....</b>	<b>17</b>

Figure 1 – District Map

**Fresno Local Agency Formation Commission**  
**County Service Area No. 19 (Hampton Way)**  
Services: Lighting services



-  District Area and SOI
-  Fresno City Limits

District formed: 1967  
SOI adopted: 3/14/1975  
SOI updated: 11/7/2007

Map date: July 2016  
District area: 10 acres  
Sphere area: 10 acres

# 1. MUNICIPAL SERVICE REVIEW

## PRINCIPAL ACT

County Service Area No. 19 Hampton Way (“District”) was formed in 1967 pursuant to County Service Area Law (Government Code (GC) sec. 25210-25217) to provide street lighting service to rural residential parcels along Hampton Way, east of Hayes Avenue to an unincorporated area in Fresno County. The District service area is approximately 1,200 linear feet west of Polk Avenue and approximately 700 feet south of Ashlan Avenue. The District is located within the Fresno sphere of influence. The District’s infrastructure consists of six street lights located on Hampton Way. The District’s lights are maintained through a contact with PG&E.

The District is a dependent special district governed by the Fresno County Board of Supervisors (BOS). The Fresno County Public Works and Planning Department, Resource Division (County Resources staff) provides staff support for the administration of the District. The District’s service area and sphere of influence are coterminous and encompass 10 acres. The District service area consists of 25 rural parcels that primarily host single-family residential units.

## DISTRICT SERVICE AREA

The District is located west of the City of Fresno south of West Ashlan Avenue on the east side of North Hayes Avenue. The District service area is approximately 10 acres in size and consists of 25 rural residential parcels. The District’s SOI is coterminous with the District’s service area and measures 10 acres.

## AUTHORIZED DISTRICT SERVICES

LAFCo notes that under GC sec. 56425(i) states, “when adopting, amending, or updating a sphere of influence for a special district, the commission shall establish the nature, location, and extent of any functions or classes of services provided by existing districts.” Under the District’s principal act, a County Service Area could provide up to 26 different types of governmental services within its boundaries.<sup>2</sup>

The District is currently authorized to provide street lighting service, and to levy and collect tax assessments, perform agreements, enter into contracts, and provide governmental services necessary to maintain these public facilities.

All other services, facilities, functions or powers enumerated in the District’s principal act but are not being exercised are considered to be “latent” under GC sec. 56050.5. Activation of these latent powers and services not currently provided by the District will require LAFCo authorization as indicated in GC sec. 25213.5.<sup>3,4</sup>

---

<sup>2</sup> California sec.sec. 25213-25213.6.

<sup>3</sup> GC sec. 56050.5, “Latent service or power.”

<sup>4</sup> sec.sec. 25213.5 (a) “Services and Facilities”

## FRESNO LAFCO MSR POLICY DESIGNATION

Fresno LAFCo MSR policy designates the District as a “level three” special district that provides “non-municipal” services to its constituency. Non-municipal special districts typically do not request or experience modifications to their district service area or request an update or revision to the Commission’s adopted SOI. A level three non-municipal local agency designation means, in Fresno LAFCo’s judgment, that services provided by the agency do not facilitate, host, or induce population growth.

In accordance with GC sec. 56066, Fresno County is the principal county. Fresno LAFCo is responsible for processing the agency’s request to reduce the Commission’s determined SOI for the District. Fresno LAFCo has prepared this service review consistent with GC sec.s 56425(g) and 56430.

## DISTRICT GROWTH AND POPULATION PROJECTIONS

The District is within the unincorporated portion of Fresno County, and less than an eighth of a mile (or  $\pm 1,200$  linear feet) west of the City of Fresno. The County of Fresno is the land use authority for territory within the District’s service area and the Fresno County General Plan Land Use Element designates land within the District for residential use. The District lies within the County’s Fresno High-Roeding Community Plan (FHRCP) area. The FHRCP is a part of the General Plan and refines that plan’s goals and policies. Land uses designated by the FHRCP for the District service area include medium density residential. Based on planning documents provided by County staff the County’s FHRCP was last amended in 1993. Parcels within the District are conditionally compatible with the County’s RR-Rural Residential/Neighborhood Beautification Overlay District (RR/NBOD). The County’s overlay district is intended to assist with the preservation and protection of the integrity of many of Fresno County’s unincorporated urban neighborhoods located within the Fresno/Clovis Metropolitan areas.<sup>5</sup>

The District is located in the City of Fresno’s SOI, and also identified in the City of Fresno’s General Plan and the Fresno High-Roeding Community Plan. Both City and County policy documents anticipate that the City of Fresno will experience growth west of the State Route 99 (SR 99), within the vicinity of the District.

Using the Commission’s 20-25 year planning horizon for SOIs, District management does not expect any boundary growth to occur as it relates to including additional territory, population, or expansion of District services. The District service area is located in an unincorporated portion within the City of Fresno’s metropolitan area. Future population growth will be directed to the City of Fresno consistent with Fresno County’s general plan goal LU-G and general plan policies: LU-G.1, LU-G.2, and LU.G.14.

For this reason, the District does not expect to experience any modifications to its boundary or services. As a matter of Fresno LAFCo policy and the terms of the City/County memorandum of understanding, the City should be the provider of municipal services within the City SOI. If the District is annexed to the City of Fresno, the City would assume responsibility for the operation

---

<sup>5</sup> Neighborhood Beautification Overlay District, information  
<http://www.co.fresno.ca.us/ViewDocument.aspx?id=68630>

of the six street lights. The 2007 District MSR notes that a district dissolution could occur if the City were to annex the District's territory, however neither the County or City of Fresno have expressed interest since 2007.

## DISADVANTAGED UNINCORPORATED COMMUNITIES

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) requires LAFCo to make determinations regarding "disadvantaged unincorporated communities" ("DUCs") when considering a change of organization, reorganization, SOI expansion, and when conducting municipal service reviews.

For any updates to a SOI of a local agency (city or special district) that provides public facilities or services related to sewer, municipal and industrial water, or structural fire protection, the Commission shall consider and prepare written determinations regarding the present and planned capacity of public facilities and adequacy of public services, and infrastructure needs or deficiencies for any disadvantaged unincorporated community within or contiguous to the SOI of a city or special district.

GC sec. 56033.5 defines a DUC as: i) all or a portion of a "disadvantaged community" as defined by sec. 79505.5 of the Water Code (territory with an annual median household income (MHI) that is less than 80 percent of the statewide annual median household income and as defined in GC sec. 56046 and Water Code sec. 79505.5); and a status of ii) "inhabited territory" (12 or more registered voters), as defined by GC sec. 56046, or as determined by Commission policy. Fresno LAFCo policy further refines a DUC as having at least 15 dwelling units at a density not less than one unit per acre.

Geographic Information System (GIS) files were derived from the US Census Bureau's American Community Survey (ACS) compiled for the five-year period 2010-2014 to identify the demographic composition for the various census geographies. Although the ACS provides annual and three-year estimates, the five-year reports between years 2010-2014 provide more precise data and mapping information for analyzing small populations. The five-year reports are the most reliable form of information generated by the US Census.<sup>6</sup> The statewide MHI reported for years 2010 through 2014 was \$61,489 and hence the calculated threshold for a DUC is any geographic unit with a reported MHI that is less than \$49,191.<sup>7</sup> The census block group data was utilized to provide the economic and population backgrounds for this section of the MSR.

The District is located within a US census geographic unit that exceeds the DUC MHI threshold between 2010 through 2014. For the purpose of this section, services provided by the District do not support growth or induce population growth. CSA No. 19 provides street lighting service within 10 acres of rural residential properties. No further analysis is warranted for this section of the MSR.

---

<sup>6</sup> US Census Bureau, [http://www.census.gov/acs/www/guidance\\_for\\_data\\_users/estimates/](http://www.census.gov/acs/www/guidance_for_data_users/estimates/)

<sup>7</sup> Department of Water Resources- Disadvantaged Communities

## DISTRICT INFRASTRUCTURE

The District's infrastructure consists of five street lights (as described in the next paragraph) in the District's boundary along the south side of Hampton Way and east of Hayes Avenue and one additional District street light is located outside the District's western boundary on the west side of Hayes Avenue at the Hampton Way intersection.

Street light fixtures within the District are fixed on pressure-treated wood posts, approximately 20 feet above ground level, and powered by overhead utility lines along Hampton Way. On June 21, 2016, LAFCo staff surveyed the District boundaries and counted nine visible utility poles within the District boundaries of which six poles are equipped with street lighting fixtures. Pacific Gas and Electric (PG&E) maintain these facilities through a contract with the District.

## DISTRICT FINANCES

This section of the MSR assesses financial information provided by the District to support a determination whether the District has sufficient revenue and financial systems to continue providing services to its customers. The analysis is based on annual budgets and supportive documents provided by District management.

The District's primary source of financing is annual property tax assessments charged on 21 of the 25 parcels within the District. There are currently four vacant parcels in the District that do not pay the assessment. The County Board of Supervisors adopts an annual budget for the District which projects operational and maintenance costs on an annual basis for services.

For fiscal year 2016-2017, the District's proposed budget is \$2,966. Expenditures for equipment maintenance, utilities, and professional and specialized services are balanced by anticipated revenues, and its reserves account.

The District's management staff reports that there were no outstanding loans or debts. The District shows \$7,255 in its reserves account with the Fresno County Treasury.<sup>8</sup> The District's management has the ability to use funds in the District's reserve account to cover unexpected District expenditures.

In 2002, the District successfully conducted a Proposition 218 proceeding which enabled the District to charge an annual special assessment fee on 21 parcels of the 25 parcels within the District. The special assessment fee is \$70.70 per year, and generates approximately \$1,484.70 annually for the District. Additionally, the District participates in Fresno County's Property Tax Exchange program and receives approximately \$629 annually from property taxes paid by property owners in the District.

In addition, the District earns \$81 of interest on reserves; and \$7 in State in homeowners' property taxes. The District revenues for FY 2016-17 amount to \$2,202 plus \$764 attained from its reserves, for a total of \$2,966.

---

<sup>8</sup> CSA No 19- Hampton Way method of financing 2016-17 FY

The District's adopted FY 2016-17 budget shows the following expenditure line items which amounts equal anticipated revenues of \$2,966:

- \$30 for Maintenance/equipment
- \$685 People Soft Financial Charges
- \$1,145 Professional and Specialized Services
- \$1,100 Utilities
- \$6 County Wide Cost Allocation

The District's proposed FY 2016-17 budget show the following revenue line items:

- \$0 Increase to reserves during FY 2016-17
- \$1,484.70 special assessment, Prop. 218
- \$629 annual property tax revenue
- \$7 Homeowners property tax
- \$81 Interest
- \$764 (Release of prior year reserves/designation)

As previously noted, the District currently shows \$7,255 in its reserves account. The District has allocated \$764 to be used in the FY 2016-17 budget. The District's ending reserves account is anticipated to amount to \$6,491 by June 30, 2017.

The District appears to generate adequate revenue to finance its operational costs.

## **PUBLIC FACILITIES, OPPORTUNITIES FOR SHARED FACILITIES**

This section of the MSR considers the use of shared facilities, and their potential to offset costs or promote greater efficiency in provision of services within the region.

Opportunities for shared facilities are limited to the District's administration and/or six street lights and equipment necessary to provide lighting within the District's boundaries. LAFCo observes that lighting services over time could eventually be transferred to the City of Fresno.

As mentioned earlier, PG&E provides ongoing maintenance of the street lights within the District boundaries. No additional opportunities for shared facilities have been identified by LAFCo. There are no other similar types of Districts near CSA No. 19 that could present an opportunity for shared facilities.

The District overlaps with the following special districts:

- Kings River Conservation District
- North Central Fire Protection District
- Fresno Metropolitan Flood Control District
- Fresno Irrigation District
- Fresno Mosquito and Vector District

The Fresno County zone ordinance designates land in the District within the RR/NBOD. As previously noted, the RR/NBOD is intended to assist with the preservation and protection of the integrity of many unincorporated neighborhoods within the Fresno/Clovis Metropolitan. Within the RR/NBOD, code enforcement is provided by several agencies such as: California Highway

Patrol, Fresno County Sheriff's Department, Fresno County Environmental Health, Fresno County Code Enforcement, and Fresno County Road Maintenance & Operations.

## **RELATIONSHIP BETWEEN THE DISTRICT AND THE CITY OF FRESNO AND THE FEASIBILITY OF ANNEXATION TO THE CITY**

LAFCO policy 102-03, states that cities should be the provider of services due to their higher visibility, their substantially broader sources of revenue, and their historical and legal right to provide services and controls. Consequently, landowners and residents within a city's sphere of influence should look to the city for the provision of urban services and controls through annexation or formal agreements.

As previously indicated, the District's service area is not anticipated to experience land use changes as it is already substantially developed. The City of Fresno's incorporated boundaries are within 1,200 feet of the District boundaries. LAFCo observes that annexation of the District's service area will need to be driven by property owners in the District, or by annexation of adjacent territory.

This was anticipated in the 2007 MSR, which includes the following determinations encouraging the possible reorganization of District services:

- "...street lighting would be better provided through a homeowner's association, an independent special district or annexation to the City of Fresno. At such time the territory is annexed to the City, the District will be dissolved and its assets and liabilities transferred to the City."
- "There are no discussions between the County and City staffs regarding the possibility of the City operating County Service Area No. 19."
- "The County would pursue discussions if requested by the District residents, but such a request is needed before discussions would take place as dissolving the District or making other arrangements with the City to operate CSA No. 19's lighting services..."

Effectuating the 2007 MSR determinations required political support from Fresno County, the District's residents, and the City. To date, neither agency has demonstrated sufficient interest to address annexation of the District territory to the City. A significant influence on this subject is presented by a combination of factors. The first is that the extensive rural residential parcelization in the Fresno SOI west of SR 99 challenges the assemblage land for development and annexation. The second factor is the development standards section of the City/County Memorandum of Understanding that requires land to either be substantially developed or subject to imminent development as a precondition to an annexation application to LAFCo. These two factors support each other as parcelization discourages development, and development is a precondition to annexation; together, they discourage orderly development in the area and strongly influence the lack of local government interest to annex the District and the territory around it.

## GOVERNMENT ACCOUNTABILITY

This section of the MSR considers various topics, such as compliance with state disclosure laws, the Brown Act, public participation, i.e. open meetings, accessible staff, election processes, and the agency's governing structure. Additionally, this considers the agency's level of participation with the Commission MSR program.

CSA No. 19 operates under GC sec. 25210-25217 which enables the formation of a County Service Area to provide street lighting for residents within the District's service area. California Government Code limits government restructuring options for dependent Districts such as Hampton Way.

Fresno County Public Works and Planning, Resource Division staff administers all functions of CSAs within Fresno County. CSA No. 19 is a dependent special district, which means that its legislative body consists, in whole or part, of ex officio members who are officers of the County. The Fresno County Board of Supervisors sits as the District's governing body.

Under GC sec. 25212.4, the Board of Supervisors may appoint one or more advisory committees to provide advice to the Board regarding the District's services. At the time this MSR was prepared the District does not have an appointed citizens advisory committee.

The Board of Supervisors creates policies by adopting resolutions through duly noticed public hearings. The Board of Supervisors meets on every scheduled Tuesday, or dates which have been approved at regular scheduled board meetings with the exception of holidays and or planned recesses. Meetings are held at the Fresno County Hall of Records located at 2281 Tulare Street, Room 301 Fresno, CA 93721. The Board hosts morning sessions beginning at 9:00 a.m. and/or the afternoon sessions at 2:00 p.m. on Tuesdays. The Board meeting agendas are posted on the east entrance doors on the first floor in the Hall of Records building and on the Fresno County website at least 72 hours prior to the Board of Supervisors' meeting.

Board meetings are open to the public and the residents are invited to attend. Opportunity to address the board of supervisors on items not on the agenda is provided on each meeting agenda. If a public member desires to present to the Board, the person is encourage to contact the Clerk to the Board in advance. The California Constitution provides that the constituents of public agencies have the right of access to information concerning those entities' conduct, and therefore the entities' meetings and writings must be open to public scrutiny. To ensure that the County BOS meets this goal, the Ralph M. Brown Act (Brown Act) requires them to hold open and public meetings unless a specific closed-session exception applies. Meetings are noticed consistent with Brown Act requirements, which include postings in public places.

The District's government structure is appropriate to ensure adequate services are provided and managed appropriately. At the time preparing this MSR, the District's government structure appears to be adequately structured, operates, and fulfills its role as a services provider within the Fresno area.

## 2. MSR DETERMINATIONS

This portion of the report addresses the factors specified in the governing statute for Municipal Service Reviews and provides analysis in conformance with GC §56425 and Fresno LAFCo policy. Pursuant to GC §56430, the Commission prepares the following written determinations.

### 1. Growth and Population Projections for the Affected Area

- The District's boundaries and sphere of influence are coterminous and encompass 10 acres.
- The District is located in the City of Fresno's SOI, and also identified in the City of Fresno's General Plan and the Fresno High-Roeding Community Plan.
- The District is within the unincorporated portion of Fresno County, and less than an eighth of a mile (or  $\pm 1,200$  linear feet) west of the City of Fresno.
- The County of Fresno is the land use authority for territory within the District's service area and the Fresno County General Plan Land Use Element designates land within the District for residential use.
- The Fresno County General Plan was last updated in 2000. Based on planning documents provided by County staff the County's Fresno High-Roeding Community Plan was last amended in 1993.
- Parcels within the District are compatible with the County's RR-Rural Residential/Neighborhood Beautification Overlay District (RR/NBOD).
- The District service area includes 10 acres and is comprised of 25 residential parcels. District facilities include a series of six street light located along Hampton Way east of Hayes Avenue.
- The County Resources Division does not anticipate any additional growth for CSA No. 19. Future population growth will be directed to the City of Fresno consistent with Fresno County's general plan goal LU-G and general plan policies: LU-G.1, LU-G.2, and LU.G.14.

### 2. The Location and Characteristics of any Disadvantaged Unincorporated Communities Within or Contiguous to the Sphere of Influence

- The District is located within a US census geographic unit that exceeds the DUC MHI threshold between 2010 through 2014.
- Fresno LAFCo MSR policy designates the District as a "level three" special district that provides "non-municipal" services to its constituency. A level three non-municipal local agency designation means, in Fresno LAFCo's judgment, that services provided by the agency do not facilitate, host, or induce population growth.
- Services provided by the District do not support growth or induce population growth. CSA No. 19 provides street lighting service within 10 acres of rural residential properties.

- The District has no public facilities and does not provide services related to sewer, municipal and industrial water, or structural fire protection that would present opportunity to extend services to a disadvantaged unincorporated community.

### **3. Present and Planned Capacity of Public Facilities and Infrastructure Needs or Deficiencies**

- The District's infrastructure consists of six street lights along the south side of Hampton Way and east of Hayes Avenue. Pacific Gas and Electric (PG&E) provides street lighting maintenance through a contract with the District.
- Existing infrastructure is of sufficient type and quality to meet the existing and foreseeable demands of District customers.

### **4. Financial Ability of Agency to Provide Services**

- The District's primary source of financing is annual property tax assessments charged on 21 of the 25 parcels within the District. There are four vacant parcels in the District that currently do not pay the assessment.
- The County Board of Supervisors adopts an annual budget for the District which projects operational and maintenance costs on an annual basis for services.
- The District indicated that it had no outstanding loans or debts. The District currently shows \$7,255 in its reserves account with the Fresno County Treasury. The Resource Division has the ability to use money in the District's reserve account to cover unexpected District expenditures or help with the budget.
- The District appears to generate adequate revenue to finance its operational costs.

### **5. Status of, and Opportunities for, Shared Facilities**

- Opportunities for shared facilities are limited to the District's administration and/or six street lights and equipment necessary to provide lighting within the District's boundaries.
- County of Fresno, Public Works and Planning, Resources Division staff administers the District finances and prepares annual budgets that include costs for preparing independent auditor's reports, evaluates administration fees, and allocates funds for County legal counsel services.

### **6. Accountability for Community Service Needs, Including Government Structure and Operational Efficiencies**

- Fresno County Public Works and Planning, Resource Division staff administers all functions of CSAs within Fresno County. The District is a dependent special district, which means that its legislative body consists, in whole or part, of ex officio members who are officers of the County. The Fresno County Board of Supervisors sits as the District's governing body. At the time this MSR was prepared the District did not have an appointed citizens advisory committee.

- The Fresno County Board of Supervisors meets on every scheduled Tuesday, or dates which have been approved at regular scheduled board meetings with the exception of holidays and or planned recesses.
- Opportunity to address the board of supervisors on items not on the agenda is provided on each meeting agenda. Meetings are noticed consistent with Brown Act requirements, which include postings in public places.
- At the time preparing this MSR, the District’s government structure appears to be adequately structured, operates, and fulfills its role as a services provider within the Fresno area.

**7. Any other matter related to effective or efficient service delivery, as required by Commission policy**

- LAFCO policy 102-03, states that cities should be the provider of services due to their higher visibility, their substantially broader sources of revenue, and their historical and legal right to provide services and controls.

The District is authorized to provide street lighting service, and to levy and collect tax assessments, perform agreements, enter into contracts, and provide governmental services necessary to maintain these public facilities. Pursuant to GC sec. 56050.5, all other services, facilities, functions or powers enumerated in the District’s principal act are determined to be “latent. Activation of these latent powers and services will require LAFCo authorization as indicated in GC sec. 25213.5.

### 3. SPHERE OF INFLUENCE REVIEW AND UPDATE

In order to carry out the Commission's purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies subject to its jurisdiction, the Commission shall develop and determine the sphere of influence of each city and each special district within the County and enact policies designed to promote the logical and orderly development of areas within the sphere. A sphere of Influence is defined as "a plan for the probable physical boundaries and service area of a local agency, as determined by the commission."

In determining a sphere of influence, the Commission may assess the feasibility of governmental reorganization of particular agencies and recommend reorganization of those agencies when reorganization is found to be feasible and if reorganization will further the goals of orderly development and efficient and affordable service delivery. The Commission shall make all reasonable efforts to ensure wide public dissemination of the recommendations.

When adopting, amending, or updating a sphere of influence for a special district, the Commission shall establish the nature, location, and extent of any functions or classes of services provided by existing districts. The Commission may require existing districts to file written statements with the Commission specifying the functions or classes of services provided by those districts.

Chapter One of this MSR provides the foundation for the SOI determinations. As previously indicated, the District's boundaries and sphere of influence are coterminous; the District service area and SOI encompasses 10 acres. The District management reports its sphere and boundary are correct at this time and no changes are requested. The County of Fresno is the land use authority for land located within the District's service area; however, the District's service area lies within the City of Fresno's SOI.

LAFCO policy states that cities should be the provider of services due to their higher visibility, their substantially broader sources of revenue, and their historical and legal right to provide services and controls. Consequently, landowners and residents within a city's sphere of influence should look to the city for the provision of urban services and controls through annexation or developing formal agreement. The District's service area is not anticipated to experience land use change as it is already substantially developed with residential uses.

In determining the sphere of influence of each local agency, the Fresno LAFCo shall consider and prepare a written statement of its determinations with respect to each of the following:

- 1. Present and planned land uses, including agricultural and open-space lands.**
  - The District includes 10 acres and it is considered as fully built-out and does not anticipate any additional growth to occur as it relates to expansion of its service area. Parcels within the District are conditionally compatible with the County's RR-Rural Residential/Neighborhood Beautification Overlay District (RR/NBOD).

- Land within the District’s boundaries and SOI are within the City of Fresno’s SOI and identified for urban uses by the City of Fresno General Plan and its Fresno High-Roeding Community Plan.
2. **Present and probable need for public facilities and services in the area.**
    - The District’s infrastructure consists of six street lights along the south side of Hampton Way and east of Hayes Avenue. Pacific Gas and Electric (PG&E) provides street lighting maintenance through a contract with the District. Existing infrastructure is of sufficient type and quality to meet the existing and foreseeable demands.
  3. **Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.**
    - Present capacity of District facilities and services appear adequate. District provides street lighting services within its boundaries consistent with its principal act and as authorized by the Fresno LAFCo.
  4. **Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.**
    - There are no relevant social or economic communities of interest relevant to the District’s service provisions.
  5. **The present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.**
    - The District has no public facilities and provides no services related to sewer, municipal and industrial water, or structural fire protection that would present opportunity to extend services to a disadvantaged unincorporated community.

## 4. 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. Approve the recommended Sphere of Influence determinations and affirm the current Sphere of Influence.
4. That the County Resources division, as the administrator of the District, initiate the process to form a citizens advisory committee to begin discussions with the District's citizenry regarding the District's long term existence and the City's encroachment to the District boundaries.

## 5. ACKNOWLEDGMENTS

This Municipal Service Review update was prepared by Fresno LAFCO. County of Fresno Public Works and Planning, Resources Division provided substantial information included in this service review. Supporting documentation was made available through the effective partnership between the Resources Division and Fresno LAFCo. Fresno LAFCo staff extends its appreciation to the Fresno County Resources Division staff, for their assistance in the development of this Municipal Service Review. Responsibility for any errors or omissions rests with those who provided information to support the report.

Available Documentation – documents used for the preparation of this report are available in the LAFCO office. A significant amount of effort has been invested in bringing the District's Municipal Service Review and Sphere of Influence Update to this point. Documents are available at the Fresno Local Agency Formation Commission Office located at:

Fresno Local Agency Formation Commission  
2607 Fresno Street, Suite B  
Fresno, California 93721

The Draft Municipal Service Review is available on Fresno LAFCo's website, <http://www.fresnolaftco.org/default.asp>

G:\LAFCo Projects\Districts\CSA\CSA No 19 (Hampton Way)\MSR Update\CSA No 19 (Hampton Way) MSR 071416.doc