

RESOLUTION NO. MSR 21-7

A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND ADOPTING A MUNICIPAL SERVICE REVIEW FOR THE SIERRA RESOURCE CONSERVATION DISTRICT; CONTINUING THE SPHERE OF INFLUENCE AND THE SIERRA RESOURCE CONSERVATION DISTRICT ANNEXATION TO A DATE CERTAIN

WHEREAS, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”), the Fresno Local Agency Formation Commission is required to review and update, as necessary, spheres of influence (“SOI”) of local agencies not less than once every five years; and

WHEREAS, on July 24, 2019, the Sierra Resource Conservation District (“District”) submitted an application (File No. USOI-193) and supporting materials to this Commission pursuant to Government Code section 56428 requesting LAFCo an expansion of the District SOI to add approximately 235,776 acres of unincorporated and urban land into the updated Sierra RCD SOI; and

WHEREAS, CKH directs the Commission to conduct a Municipal Service Review (“MSR”) no later than the time it considers an action to either determine, amend, or update a SOI for a local agency; and

WHEREAS, the Executive Officer prepared an MSR for the Sierra RCD in response to Sierra RCD’s request for a SOI update, published the MSR on the Commission’s website, and provided a mailed 21-day public notice to all affected local agencies within the affected territory; and

WHEREAS, notice of the Commission hearing for the proposed District SOI update was duly given in a publication of general circulation as required by CKH, at the time, in the form, and manner provided by law; and

WHEREAS, the Executive Officer reviewed said application and prepared a staff report to the Commission, including a recommendation for approval, said report having been mailed to each affected local agency within the affected territory and interested individuals pursuant to Government Code section 56428(c); and

WHEREAS, at the duly noticed public meeting, held on June 9, 2021, the Commission heard, discussed, and considered all relevant evidence, including but not limited to the MSR determinations and recommendations, environmental review documents, and all testimony, correspondence, and attachments received during the public hearing process; and

WHEREAS, the Commission received written and public testimony from the Alta Irrigation District, Consolidated Irrigation District, Fresno Irrigation District, and Kings River Conservation District stating their concerns and opposition to the proposed Sierra RCD SOI update; and

WHEREAS, after closing public comments the Commission considered its options and provided the affected special districts and Sierra RCD a 60-day negotiating period to convene, identify, and outline their present and future concerns with the proposed Sierra RCD SOI update; and

WHEREAS, the Commission decided to accept the written determinations provided in the MSR update for the Sierra RCD; and

WHEREAS, the Commission motioned to continue the proposed Sierra RCD SOI update to a date certain of August 11, 2021 with a direction to staff to facilitate the meeting/s with the affected special districts and Sierra RCD prior to LAFCo's August hearing.

NOW, THEREFORE, BE IT RESOLVED that the Fresno Local Agency Formation Commission does hereby DETERMINE AND ORDER, as follows:

ACTION 1: California Environmental Quality Act

- A. Acting as Lead Agency pursuant to California Environmental Quality Act ("CEQA") Guidelines find that the MSR prepared for the Sierra Resource Conservation District ("Sierra RCD" or "District") is Categorical Exempt from the provisions of CEQA under section 15306, "Information Collection."

ADOPTED THIS 9th DAY OF JUNE 2021 BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS MAGSIG, SANTOYO, PARRA, YEP, BRANDAU

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

ACTION 2: MUNICIPAL SERVICE REVIEW WRITTEN DETERMINATIONS

- B. Receive this report and any public testimony regarding the proposed Municipal Service Review prepared for Sierra RCD.
- C. Pursuant to Government Code section 56430, approve the written determinations presented in the draft MSR prepared for Sierra RCD, together with any changes deemed appropriate.

ADOPTED THIS 9th DAY OF JUNE 2021 BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS MAGSIG, PARRA, SANTOYO, YEP, BRANDAU

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

MOTION TO CONTINUE SIERRA RESOURCE CONSERVATION SOI UPDATE (LAFCO FILE NO. USOI-193) AND SIERRA RESOURCE CONSERVATION DISTRICT ANNEXATION (LAFCO FILE NO. AD-19-3) TO AUGUST 11, 2021.

ADOPTED THIS 9th DAY OF JUNE 2021 BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS MAGSIG, BRANDAU, PARRA, SANTOYO, YEP

NOES: NONE

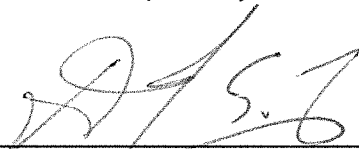
ABSENT: NONE

ABSTAIN: NONE

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

CERTIFICATION

I, David E. Fey, Executive Officer, Fresno Local Agency Formation Commission, hereby certify that the foregoing resolution was adopted by the Commission on the 9th day of June 2021.



David E. Fey, Executive Officer
Fresno Local Agency Formation Commission