

AGENDA

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

March 8, 2022 – 1:30 P.M.

Hall of Records, Room 301, 2281 Tulare Street, Fresno, California

COMMISSION MEMBERS

Mario Santoyo, Chair
Gary Yep, Chair Pro Tem
Nathan Magsig
Buddy Mendes
Daniel Parra

ALTERNATE MEMBERS

Michael Lopez
Scott Robertson
Vacant

LAFCO STAFF

Brian Spaunhurst, Executive Officer
Amanda Olivas, Clerk to the Commission
Jessica Gibson, LAFCo Analyst
Juan Lara, LAFCo Analyst
Jessica Johnson, LAFCo Counsel

LAFCo Office: 1401 Fulton Street, Suite 900, Fresno, CA - 93721 - (559) 600-0604
Staff reports prepared for each item listed in this agenda may be viewed at www.fresnolafco.org.

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1. **Call to Order and Roll Call**
 2. **Pledge of Allegiance**
 3. **Comments from the Public:** Any person wishing to address the Commission on a subject not listed on the agenda may do so at this time. (State your name and address and please keep your comments to three (3) minutes.
 4. **Potential Conflict of Interest:** Any Commission member who has a potential conflict of interest shall now identify the item and recuse themselves from discussing and voting on the matter pursuant to Govt. Code sec 84308.

CONSENT AGENDA

All consent agenda items are considered routine in nature and will be enacted by one motion; there will be no individual discussion of these items unless requested by a member of the Commission or the public. Any item pulled from the consent agenda for discussion will be set aside until after approval of the consent agenda. Prior to taking any action the public will be given the opportunity to comment on any consent item. The consent agenda will be considered on or about 1:30 p.m.

5. **Recommendation:** Approve 5A-5B by taking the following actions:
 - A. **Consider Approval:** Minutes from the LAFCo meeting of January 11, 2023.
 - B. **Consider Approval:** City of Clovis "Gettysburg-Leonard Southeast Reorganization." A proposed reorganization consisting of the detachment of approximately 303.81 acres from the Fresno County Fire Protection District and the Kings River Conservation District and annexation of this territory to the City of Clovis said territory being located on the southeast corner of East Gettysburg and North Leonard Avenues. (LAFCo File No. RO-23-01)

REGULAR AGENDA ITEMS

6. **Workshop:** Preliminary Budget and Work Plan for Fiscal Year 2023-2024.

Recommendation: Receive and File. Provide Direction.

7. **Consider Approval:** Municipal Service Review and Sphere of Influence Update for the Consolidated Mosquito Abatement District. (LAFCo File No. MSR 22-03/USOI-208)

Recommendation: Adopt.

8. **Consider Approval:** Municipal Service Review for Zalda Reclamation District No. 801 to Initiate a Proposal for Dissolution of the District Pursuant to SB 938. (LAFCo File No. MSR-23-01/USOI-209)

Recommendation: Adopt.

9. **Consider Approval:** Report by the Executive Officer Compensation Committee Recommending an Amendment of the Executive Officer's Employment Agreement (Compensation).

Recommendation: Approve.

10. **Executive Officer Comments**

11. **Commission Comments/Reports**

12. **Adjournment**

THE NEXT LAFCO MEETING will be held on April 12, 2023, at 1:30 p.m. in the Board of Supervisors' Chamber – Hall of Records, Room 301, Fresno, California.

PLEASE NOTE:

(1) If you are an applicant for, or a participant in, any proceeding on the agenda for a **land use entitlement** and have made **campaign contributions** totaling more than \$250.00 to any member or alternative member of the Commission **within twelve (12) months prior to the Commission considering your application**, please immediately inform the Commission of your contribution. State law **disqualifies** each Commissioner and alternative Commissioner from participating in and voting on land use entitlement decisions (which include changes of organization and reorganizations) if the Commissioner or alternative Commissioner has received campaign contributions from (i) an applicant for a land use entitlement, (ii) someone who lobbies the Commission or LAFCo staff regarding an application for land use entitlement, (iii) someone who testifies in person before the Commission regarding an application for land use entitlement, or (iv) someone who otherwise acts to influence the outcome of an application for land use entitlement. State law also prohibits applicants and participants from making campaign contributions to a Commissioner or alternate Commissioner within three (3) months **after** the Commission's action. If you have any questions regarding these requirements (which are contained in the **California Political Reform Act** Government Code Section 84308 *et seq.*), please feel free to contact LAFCo staff at (559) 600-0604.

(2) In compliance with the Americans with Disabilities Act (**ADA**), if you need special assistance to participate at this meeting, please contact Ms. Amanda Olivas, Clerk to the Commission at 559-600-0604. Notification provided a minimum of 48 hours prior to the meeting will enable the Clerk to make reasonable arrangements to ensure accessibility to this meeting. Pursuant to the ADA, the meeting room is accessible to the physically disabled.



Fresno Local Agency Formation Commission
1401 Fulton Street, Suite 900, Fresno, CA 93721, (559) 600-0604

CONSENT AGENDA ITEM NO. 5A

FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)

**MEETING MINUTES
JANUARY 11, 2023**

Members Present: Commissioners Magsig, Mendes, Parra, Yep

Members Absent: Chair Santoyo

Staff Present: Brian Spaunhurst, LAFCo Executive Officer
Amanda Olivas, Clerk to the Commission
Jessica Gibson, LAFCo Analyst
Jessica Johnson, LAFCo Counsel

1. Call to Order and Roll Call

Chair Pro Tem Yep called the meeting to order at 1:30 p.m.

2. Pledge of Allegiance

Chair Pro Tem Yep led the Pledge of Allegiance.

3. Comments from the Public

There were no comments from the public.

4. Potential Conflicts of Interest

There were no conflicts of interest.

CONSENT AGENDA

5. A. Minutes from the LAFCo Meeting of November 9, 2022.

Motion: Approve Item 5A

Moved: Commissioner Parra

Second: Commissioner Magsig

Ayes: Magsig, Mendes, Parra, Yep

Noes: 0

Absent: 1

Passed: 4-0-1-0

B. A One-Year Extension of time to Complete Proceedings for the Sierra Resource Conservation District.

Item 5B was pulled and will be brought to the Commission at a later date.

REGULAR AGENDA ITEMS

6. Workshop: Mid-Year Budget Review and Work Plan

EO Spaunhurst presented workshop. The Mid-year revenue and expenses are on track with the adopted budget. Estimated revenue \$515,423 or 88% of the \$585,801 approved; estimated office expenditures \$46,919 or 47% of \$100,073 approved; estimated personnel expenditures \$179,432 or 42% of \$423,778 approved; and consulting services \$17,669 or 29% of \$61,950 approved. The Work Plan projects are behind due to applications-generated work.

This item was a workshop; no action is needed.

7. 2023 Salary Resolution Update.

EO Spaunhurst presented staff report. In June 2019 the first Salary Resolution was adopted which determined staff job descriptions, salary ranges, and policies on merit increases. On November 9, 2022, Chair Santoyo appointed Commissioner Magsig and Parra to a subcommittee to work with the EO to determine what adjustments are necessary in order to maintain a complete offering for staff salaries. The subcommittee met two times to address the matters and prepared a proposed salary resolution for the Commissions consideration and approval.

Action 1

Motion: Adopt the Salary Resolution as Supported by the Subcommittee.

Moved: Commissioner Magsig

Second: Commissioner Parra

Ayes: Magsig, Parra, Mendes, Yep

Noes: 0

Absent: Chair Santoyo

Passed: 4-0-1-0

Action 2

Motion: Amend Current FY budget to Reflect Proposed Salary Increases.

Moved: Commissioner Magsig

Second: Commissioner Parra

Ayes: Magsig, Parra, Mendes, Yep

Noes: 0

Absent: Chair Santoyo

Passed: 4-0-1-0

8. Executive Officer Comments.

No comments.

9. Commission Comments/Reports.

No comments.

10. Closed Session
Public Employee Performance Evaluation
Title: Executive Officer

At 2:06 p.m. the Commission came out of Closed Session with nothing to report.

11. Adjournment

Moved: Commissioner Mendes
Second: Commissioner Parra
The meeting adjourned at 2:07 p.m.


Amanda Olivas
Clerk to the Commission

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

CONSENT AGENDA ITEM No. _____

DATE: March 8, 2023

TO: Fresno Local Agency Formation Commission

FROM: Brian Spaunhurst, Executive Officer 

BY: Juan Lara, LAFCo Analyst III

SUBJECT: **Consider Approval - City of Clovis "Gettysburg-Leonard Southeast Reorganization."** A proposed reorganization consisting of the detachment of approximately 303.81 acres from the Fresno County Fire Protection District and the Kings River Conservation District and annexation of this territory to the City of Clovis said territory being located on the southeast corner of East Gettysburg and North Leonard Avenues. (LAFCo File No. RO-23-01)

Applicant: City of Clovis

Landowners/Parties of Real Interest (100% Consent): City of Clovis, Home Place Holdings LLC, Dog Creek Land & Farming LLC, Sayre M Miller TRS, Sayre M. Miller, James F. Farlane, Evan Miller Ladd, Shannon Gamble Yager, Whitney Sayre Miller, Alison Darcy Biagioni, Elizabeth Jane Gamble, Brice Cameron Gamble, Ashley Elizabeth Gamble.

(This proposed reorganization has been placed on the consent agenda without notice pursuant to Govt. Code sec. 56662(a) because the territory is uninhabited, no affected local agency has submitted a written demand for notice and hearing, and all property owners have consented in writing to the annexation.)

RECOMMENDATION: Approve by Taking the Following Actions:

Action 1:

- A. Acting as Responsible Agency pursuant to California Environmental Quality Act ("CEQA") Guidelines, find that prior to approving the proposed reorganization, the environmental effects of the Proposal as shown in the CEQA documents prepared, adopted, and submitted by the Lead Agency, were reviewed, and considered, and determine these documents to be adequate pursuant to CEQA Guidelines section 15096.

Action 2:

- B. Find that the proposed reorganization is consistent with LAFCo Policies and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”).
- C. Find pursuant to CKH and information in the record that:
 - a. The territory is uninhabited; and
 - b. All landowners and affected agencies have consented to the reorganization.
- D. Assign the distinctive short form designation “Gettysburg-Leonard Southeast Reorganization” and approve the reorganization subject to the following conditions of approval:
 - a. Pursuant to Fresno LAFCo Policy 103-05, the Executive Officer shall record the approved application if all conditions have been satisfied and once he or she has determined that the facts pertaining to the application during the time of recording are materially similar to those facts considered by the Commission when the application was approved. Facts, as used in the proceeding sentence, is defined to include, but is not limited to, whether or not the proposed project is materially similar to the project described in any application before the Commission.
 - b. Ownership of land permitting, the annexation shall include the full-width right-of-way along Thompson Avenue as depicted in the legal description and map.
 - c. Submittal of corrected legal and map.
- E. Waive further Conducting Authority Proceedings and order the reorganization subject to the requirements of CKH.

Executive Summary

On September 19, 2022, the City of Clovis adopted Resolution No. 22-109 requesting the Commission to begin proceedings for the “Gettysburg-Leonard Southeast Reorganization” to detach approximately 303.81 from the Fresno County Fire Protection District and the Kings River Conservation District and annex it to the City of Clovis.

Proposal/Land Use

- The proposal consists of the detachment of approximately 303.81 from the Fresno County Fire Protection District and the Kings River Conservation District and annexation to the City of Clovis.
- Information related to the proposals affected territory, land use, proposed development, special districts, surrounding areas, and existing/proposed services can be found on **Attachment A**.
- The affected territory is within the City of Clovis’ sphere of influence (**Attachment B**) and is contiguous to the Clovis’ city limits (**Attachment C**).

- The proposal is currently zoned AE-20 (Exclusive Agricultural) and has been rezoned to the Clovis R-1-PRD (Single-Family Residential-Planned Residential Development), R3 (Medium Density Multiple Family Residential), C-1 (Neighborhood Commercial), and CR (Commercial Recreation) zone districts by Pre-zone City Ordinance No. 22-08.
- The territory is uninhabited.
- The proposal is consistent with the Clovis General Plan Land Use Diagram and Loma Vista Specific Plan.

Consistency with LAFCo Policies, Standards and Procedures

- The County has determined that the proposal is consistent with the Memorandum of Understanding (Master Tax Sharing Agreement) and the Standards for Annexation between the City of Clovis and County of Fresno.
- The proposal is subject to the 10-year property tax allocation agreement between the City of Clovis and the Fresno County Fire Protection District set to expire in 2029.
- The proposal is consistent with the CKH and LAFCo Policies, Standards, and Procedures, including, but not limited to, sections 100 and 200.
- All properties within the proposal have been rezoned to the Clovis R-1-PRD (Single-Family Residential-Planned Residential Development), R3 (Medium Density Multiple Family Residential), C-1 (Neighborhood Commercial), and CR (Commercial Recreation) zone districts by Pre-zone City Ordinance No. 22-08.
- The City of Clovis is within the North Kings GSA and has a Groundwater Recharge Plan in place.

Revenue & Tax Code

Fresno County has determined that proposed Gettysburg-Leonard Southeast Reorganization involving the annexation of 303.81 acres is consistent with the standards of annexation contained in exhibit I of the Amended and Restated Memorandum of Understanding between the City of Clovis and County of Fresno therefore no further tax negotiations are necessary pursuant to Revenue and Tax Code section 99b.

Relationship to Regional Housing Goals and Policies

The proposal will assist in the implementation of Policy 1.2 of the City of Clovis General Plan Housing Element, which states “Facilitate development of new housing for all economic segments of the community, including extremely low-, very low-, low-, moderate- and above moderate-income households.

Sustainable Groundwater Management Act

California’s Sustainable Groundwater Management Act (“SGMA”) was signed into law by former Governor Edmund G. Brown Jr. on September 16, 2014. This three-part legislation requires local agencies to develop groundwater sustainability plans that are compatible with their regional economic and environmental needs. SGMA creates a framework for sustainable local groundwater management for the first time in California’s history.

SGMA requires local agencies to form Groundwater Sustainability Agencies (“GSAs”) in local groundwater basins by June 2017 and requires the adoption of Groundwater Sustainability Plans (“GSPs”) for groundwater basins deemed high priority by year 2020. The North Kings GSA will represent the City of Clovis.

The affected territory is within the Fresno Irrigation District service area. After annexation, the water entitlement within the area will be managed by the City of Clovis. The City Engineer has provided a “will-serve” letter.

Environmental Determination

Previously Certified Environmental Impact Reports

In 2003, the City of Clovis certified an environmental impact report (EIR) for the Southeast Urban Center Specific Plan, which was later rebranded to become the Loma Vista Specific Plan. The Loma Vista Specific Plan EIR evaluated the development of the 3300-acre specific plan area, which encompasses the 310-acre subject property. In 2014, the City of Clovis certified an EIR in conjunction with a comprehensive update to its General Plan. A mitigation monitoring program, findings of fact, and a statement of overriding considerations were adopted in conjunction with both EIRs.

Project and Program Level Approvals

The Home Place Master Plan required approval of two separate tiers of entitlements: program level approvals which are necessary to implement the Loma Vista Specific Plan and 2014 General Plan, and project level approvals, which allow the development of a specific residential project on a specific site. The City made separate determinations for tier-as to CEQA compliance, as described below.

Program-Level Applications

Program level applications are those which are required to implement the Loma Vista Specific Plan and the 2014 General Plan but do not request approval to develop a specific use on a specific site. Program level applications include the master plan community overlay, rezoning to base zone districts, and annexation. Program-level approvals of the project were found to be consistent with the Loma Vista Specific Plan and the 2014 General Plan. No impacts peculiar to these approvals were identified that were not addressed by the Loma Vista Specific Plan EIR (Loma Vista EIR) and/or the 2014 Clovis General Plan EIR (General Plan EIR). Pursuant to Article 12 of the California Environmental Quality (CEQA) Guidelines, the program-level components and approvals of the project were determined to be exempt from additional environmental review under Section 15183.

Project Level Applications

Project level applications are those which allow the development of a specific land use on a specific site. Project level applications include the tract map and planned development permit. The project level applications were found to be consistent with the Loma Vista Specific Plan, the 2014 General Plan, the proposed Home Place Master Plan, and the individual zone districts proposed through prezone application. The City determined that none of the events or circumstances outlined in Section 15162 of the CEQA Guidelines were found to occur with respect to the proposed tract map or planned development permit. Pursuant to Article 12 of the California Environmental Quality (CEQA) Guidelines, the project was determined to be exempt from additional environmental review under to Section 15182.

The City of Clovis, acting as “Lead Agency” under CEQA, adopted an exemption for the Home Place Reorganization pursuant to sections 15183 and 15182 of CEQA Guidelines, filed with the Fresno County Clerk’s office on November 23, 2022, Document No. E201210000172 consistent with the requirements of CEQA. The Exemption determined the project would not have a significant impact on the environment including impact on matters such as air quality, water consumption, loss of agricultural and city service/infrastructure therefore the preparation of an Environmental Impact Report is not required.

As “Responsible Agency”, the Commission is required to review and consider the City’s environmental documents prior to taking its action. If the Commission determines that these documents are adequate, pursuant to CEQA, it may make the required findings provided under “Recommendations” above.

Pursuant to CEQA Guidelines section 15096(i), if the Commission determines that these documents are adequate, a Notice of Determination will be prepared and filed with the County of Fresno Clerk’s office in compliance with section 21152 of the Public Resources Code.

Costs and Other Changes Affecting Residents or Landowners

None reported by the City of Clovis staff.

Agencies and Individuals Submitting Comments

- Paul Nerland, County Administrative Officer
- IT Analyst, Fresno County Elections Department
- Bobby Sanders, IT Manager, Fresno County Assessor-Recorder Office
- Andrew Nabors, Administrative Services Clovis Unified School District

Territory Boundaries

The boundaries of the proposed annexation **are not** definite and certain, and the County Assessor has determined that the map and legal description **are not adequate** to file with the State Board of Equalization.

Registered Voter Data

The County of Fresno Elections Office reported that there was **one** registered voter in the affected territory.

Compliance with the Requirements of CEQA

Lead Agency: City of Clovis

Level of Analysis: Exemption

Finding: Exemption (See Environmental Documents at www.fresnolafco.org under the Hearing and Workshops tab in the March 8, 2023, file).

Individuals and Agencies Receiving this Report

- LAFCo Counsel
- Bernard Jimenez, Deputy Director of Fresno Co. Public Works and Planning
- Kings River Conservation District
- Fresno County Fire Protection District
- Liz Salazar Assistant Planner, City of Clovis

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Attachment A

PROPOSAL INFORMATION

1. Affected Territory

Acreage:	303.81
Current Land Use:	AE-20 (Exclusive Agricultural)
Number of Residences/ Population:	Residents: 1/ Population: 1 estimated
Registered Voters:	Voters: 1
Assessor Parcel Number(s):	555-050-51, 555-050-54,555-050-53,571-011-39S

2. Proposed Development - The affected territory will be developed with a Master Planned Community

3. Surrounding Territory – Residential and Agricultural to the North. Residential to the South. Public Facilities to the west. Agricultural to the east.

4. Existing Service Agencies and Proposed Service Changes

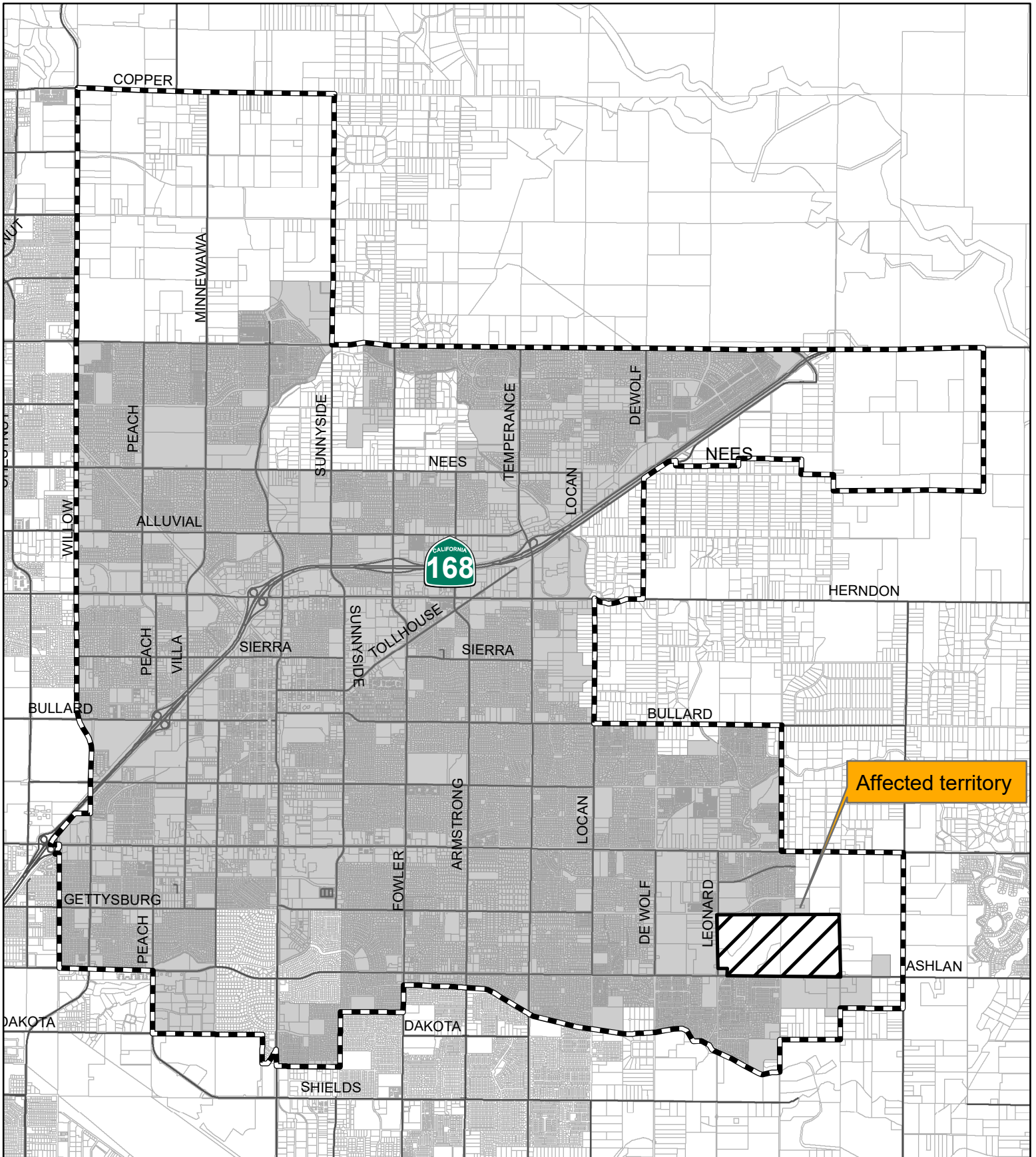
Service	Existing Service	Change
Water	Wells/ Groundwater	City of Clovis
Sewer	Private Septic	City of Clovis
Fire Protection	Fresno County Fire Protection District	Clovis Fire Department

(See Service Plan on our website at www.fresnolaftco.org)



5. Cities and Districts Included Wholly or Partially Within the Affected Territory

Fresno County	Fresno County Library
Clovis Cemetery District	Fresno County Fire Protection District
County Service Area No. 35	Fresno Metropolitan Flood Control District
Kings River Conservation District	Consolidated Mosquito Abatement District
Clovis Memorial District	County School Service
Clovis Unified School District	Fresno Irrigation District
State Center Community College District	West Fresno Red Scale Pest Control District

ATTACHMENT B

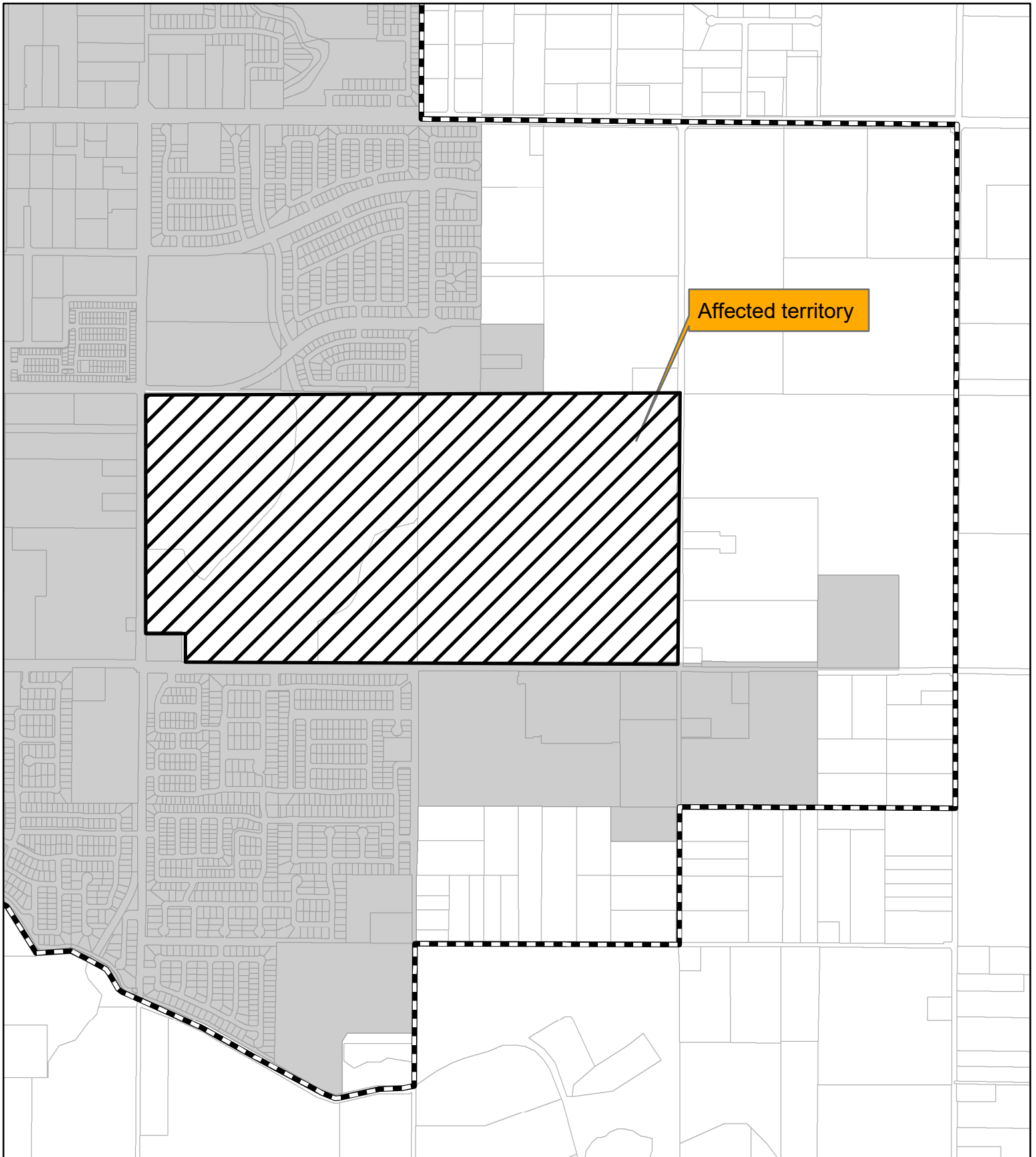


Fresno Local Agency Formation Commission



-  Clovis city limits
-  Clovis SOI



ATTACHMENT C




Fresno Local Agency Formation Commission

-  Clovis city limits
-  Clovis SOI



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

AGENDA ITEM NO. 6

DATE: March 8, 2023
TO: Fresno Local Agency Formation Commission
FROM: Brian Spaunhurst, Executive Officer 
SUBJECT: Preliminary Budget and Work Plan for Fiscal Year 2023-24.

RECOMMENDATION: Receive Report and Provide Direction.

Executive Summary

The fiscal year (“FY”) 2023-24 LAFCo preliminary budget estimate is summarized in Attachment “A” and the preliminary 2023-24 work plan is presented in Attachment “B” for the Commission’s consideration and direction to staff.

The FY 2022-23 budget is \$585,801. Staff anticipates that fee revenue will close approximately \$2,850 below projections and expenses as a whole are projected to close approximately \$20,000 under budget at approximately \$568,651.

The preliminary budget updates the Commission’s practice of maintaining an operational reserve from \$100,000 up to \$150,000. Staff estimates a preliminary FY 2023-24 budget of approximately \$653,205, an increase of approximately \$67,404 from FY 2022-23.

This preliminary estimate will be further refined based on continuing staff analysis and Commission direction leading up to the presentation of the final budget in May.

Based on Commission comments and direction, a proposed budget and work plan will be presented to the Commission on April 12, 2023, and a final budget and work plan will be presented to the Commission at its May 10, 2023 hearing. The distribution of the preliminary budget is limited. However, in accordance with Government Code (GC) sec. 56381, the proposed and final budgets will be distributed to all local agencies and the County Administrative Officer.

Overview of Budget Process

GC section 56381(a) states, “The commission shall adopt annually, following noticed public hearings, a proposed budget by May 1 and final budget by June 15. At a minimum, the proposed and final budget shall be equal to the budget adopted for the previous fiscal year

unless the commission finds that reduced staffing or program costs will nevertheless allow the commission to fulfill the purposes and programs of this chapter.”

The Commission’s *Financial and Accounting Procedures* stipulate that “In order to get an early start on the budget and allow for careful consideration of the budget options, the Executive Officer will present a preliminary budget to the Commission in March of each year in order to obtain advance direction from the Commission.” The Commission’s budget is based on a July 1st to June 30th fiscal year.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”) authorizes the operational costs of LAFCo to be shared one-half by the County and one-half by cities where only the County and cities are represented on the Commission. In the event that special districts choose to be represented on the Commission, LAFCo funding would then be shared one-third by the County, cities, and the special districts or by an alternative method approved pursuant to GC sec. 56381(b)(4).

LAFCo’s operational expenses are augmented by fees established by the Commission in accordance with section 56383 of the GC for services rendered to process applications for annexations, reorganizations, and detachments, as well as other LAFCo actions.

Preliminary Summary of FY 22-23 Budget to Close

Revenue

FY 22-23 anticipated \$585,801 in revenue, comprised of a net allocation of \$502,276 (\$251,138 from both the County and the 15 cities), \$60,000 anticipated in application fees, and a fund balance contribution of \$23,525. Staff anticipates that FY 22-23 fee revenue will close \$2,850 lower than projected due to a lack of project applications.

Expense - Office Operations

FY 22-23 budgeted office operations for \$100,073 and are estimated at this point to close at approximately \$88,000. Contributing factors include the new office lease savings as well as reducing Commission Hearing Expenses by only meeting when Agendas are full or as needed.

Expense - Personnel

FY 22-23 personnel expenses were budgeted at \$423,778 and are estimated to close at \$425,000. Contributing factors include reduced expenditures for part time intern and bookkeeper and increased expenditures on hiring our new analyst.

Expense - Consulting Services

Consulting services expenses were budgeted for \$61,950 and are estimated to close at \$54,000. Contributing factors include reduced expenditures for software and hardware

changes. Several licenses were no longer needed, and staff volunteered to test a few pilot programs that replaced phone hardware with digital services.

Preliminary FY 23-24 Budget and Work Plan

Preliminary FY 23-24 budget estimate is \$653,205, comprised of the following:

Revenue

The preliminary FY 2023-24 revenue forecast is approximately \$653,205, with an estimate of County and cities' contribution of approximately \$316,603, respectively, \$20,000 in application fees and no fund balance contribution.

Expenses – Personnel

The preliminary personnel expense forecast is \$454,595. This figure reflects the recently updated Salary Resolution, filling our Analyst position, merit-based step increases for permanent staff and funding part time student intern and bookkeeper.

Expense - Office Operations

The preliminary office operations expense forecast is \$122,900. This figure reflects the savings associated with LAFCo's new office lease, planned increases in: CALAFCO dues, liability insurance, full staff and Commission participation in the Annual CALAFCO Conference, and full staff participation in American Planning Association California Chapter's Annual Conference (hosted in Fresno this FY). Two of our staff need upgraded laptops for efficient mapping and an existing filing cabinet is due for replacement.

Expense - Consultant Services

The preliminary consulting services expenses forecast is \$75,710. This figure includes the biennial financial audit (\$12,000) and increased cost of payroll services.

Preliminary FY 2023-24 Work Plan

The preliminary budget supports the Commission's role as an independent planning and regulatory agency whose purposes are to encourage the orderly formation of local governmental agencies, preserve agricultural land resources, and discourage urban sprawl. The Commission's work plan represents projects and activities that fulfill its goals and objectives. The budget represents the funding to accomplish projects important to the Commission.

A preliminary FY 2023-24 work plan is attached as Attachment "B," consistent with the analysis presented in this report. It contains ongoing assignments such as the MSR program, application processing and consultation and facilitation to local agencies and the public.

ATTACHMENT A

PRELIMINARY FY23-24 BUDGET				
Updated 2-15-2023				
#	REVENUE SUMMARY	Adopted FY 22-23 Budget	Estimate to Close FY 22-23	Proposed FY 23-24 Budget
10100	ALLOCATION COUNTY	251,138	251,138	317,603
10200	ALLOCATION CITIES	251,138	251,138	317,603
10300	APPLICATION FEES	60,000	57,150	20,000
	AUTH. FUND BALANCE CONTRIBUTION	23,525	23,525	0
	Total	585,801	582,951	655,206
#	EXPENDITURE SUMMARY			
51000	EXPENDITURE - OFFICE OPERATIONS	100,073	88,000	124,900
52000	EXPENDITURE - PERSONNEL	423,778	425,000	454,595
53000	EXPENDITURE - CONSULTING SERVICES	61,950	54,000	75,711
	Total	585,801	567,000	655,206

PRELIMINARY FY 2023-24 WORK PLAN
March 8, 2023

1. CONDUCT BIENNIAL FINANCIAL AUDIT OF FY 2021-22.

Preliminary budget implication: \$12,000 to be funded by operational funds.

Fresno LAFCo's *Financial and Accounting Procedures* ("FAP") guide the Commission's fiscal procedures. These procedures provide appropriate internal accounting, maintain proper administrative controls, and establish a uniform and systematic approach to LAFCo's financial and accounting process. The FAP establishes policy to conduct financial audits and reviews every two years, when there is a change in Executive Officer, or upon the Commission's direction.

The last financial audit was completed in 2022 for FY 2019-20.

2. PROCESS APPLICATIONS, REORGANIZATIONS AND CITIES' SOI AMENDMENTS

Preliminary budget implication: application fees will fund this activity.

Proposals under discussion but not submitted include two separate City of Clovis SOI Amendment and Annexations, City of Selma SOI Amendment and Annexation, City of Reedley SOI Amendment and Annexation, City of Kingsburg SOI Amendment and Annexation, City of Clovis Ashlan-Thompson SE (Manny Penn), City of Clovis RHNA Annexation, City of Fresno Floradora-Armstrong Annexation.

3. FRESNO LAFCO'S MUNICIPAL SERVICE REVIEW PROGRAM

Preliminary budget implication: this activity can be funded from LAFCo's operating account.

On November 5, 2014, the Commission adopted its MSR program. The goal of the Fresno LAFCo MSR program is to provide cities and special districts with an assessment of their provision of services, make recommendations regarding areas of improvement, and determine whether an agency is equipped to effectively provide services within its existing or expanded SOI.

A MSR is necessary for any update of a SOI pursuant to GC sec. 56430.

Fresno LAFCo's 131 MSRs are informally categorized in three "generations:"

- **"1.0" MSRs** are the first generation of MSRs adopted in 2007. These are the first MSRs performed; they are generally brief, frequently conclusory, and may not have been developed with the cooperation of the affected local agency.
- **"1.5" MSRs** are second generation MSRs that were updated between 2008 and 2014. These MSRs may present more analysis of the affected local agency as staff's experience preparing MSRs grew (locally and statewide through the CALAFCO community).
- **"2.0" MSRs** are MSRs that have been updated pursuant to the Commission's 2014 MSR Policy. The 2.0 MSRs present more complete and comprehensive data and analysis in compliance with the 2014 MSR Policy.

Since adoption of the Commission's 2014 MSR Program, this Commission has adopted a total of 49 2.0 MSRs in conjunction with the update of affected local agencies' SOIs. A list of the agencies with 2.0 MSRs is presented in **Attachment C**. Table 1-1 shows the Commission's MSR Inventory by generations.

Table 1-1, Fresno LAFCo MSR inventory by Generation

Municipal Service Review Program	MSRs by Generation			Total MSRs
	1.0	1.5	2.0	
Special District MSRs by Generation	17	50	49	116
City MSRs by Generation	7	1	7	15
Total MSRs by Generation	24	51	56	131

Summary of Remaining 1.0 MSRs

Of the remaining 17 special district 1.0 MSRs, the following types of special districts hold the largest number of 1.0 MSRs:

- 6 Irrigation Districts,
- 1 Mosquito Abatement Districts,
- 3 Community Service Districts,
- 2 Pest Control Districts (one currently in progress),
- 2 California Water District
- 1 Hospital District
- 1 Levee District
- 1 County Water District

The balance of 1.0 MSRs consist of the following agencies: Consolidated Irrigation District, Fresno Irrigation District, Hills Valley Irrigation District, James Irrigation District, Riverdale Irrigation District, Tranquillity Irrigation District, Fresno Westside Mosquito Abatement District, Big Creek Community Services District, Del Rey Community Services District, Lanare Community Services District, Central Valley Pest Control District, West Fresno County Red Scale Protective District, Tri-County Hospital District, Lower San Joaquin Levee District, Liberty Water District, Westlands Water District, Malaga County Water District and the Cities of Fowler, Kingsburg, Orange Cove, Sanger, Coalinga, Mendota, and San Joaquin.

In 2018, the Commission directed staff to defer updates of Irrigation District and California Water Districts' MSRs until after these agencies' GSAs have adopted their GSPs.

Staff recommends that the Commission's work plan continue to prioritize the update of the remaining 2007 special district MSRs (AKA the "1.0 MSRs"). Work on these MSRs would, however, take second place to application driven MSRs.

The remaining MSRs would either require additional staffing or will need to be placed on hold until all of the 1.0 MSRs are completed:

- Central Valley Pest Control District
- West Fresno County Red Scale Protective District
- Coalinga-Huron Mosquito Abatement
- Fresno Mosquito and Vector Control
- Fresno Westside Mosquito Abatement
- Lower San Joaquin Levee District
- 12 County Service Areas
- Six County Waterworks Districts

4. Review and update of Fresno LAFCo Policy Manual

Preliminary budget implication: Can be funded by operational funds.

Fresno LAFCo's Policy Manual has undergone a complete and thorough examination to update policies consistent with CKH, and to reflect contemporary priorities and characteristics of the Commission's local agencies. Unless major changes to CKH occur, only minor annual amendments will be made as needed.

BACKGROUND ON FRESNO LAFCO'S WORK PLAN

Fresno LAFCo's Financial and Accounting Procedures specify that before July 1, the LAFCo Executive Officer shall prepare for the Commission's review and approval of an annual work plan. The work plan is prepared in conjunction with the annual budget. The work plan identifies the purposes and plans of state law and local policy, including requirements for service reviews, sphere of influence updates, and other mandated functions. The budget supports the work program.

This work plan reflects the Fresno LAFCo's Policies and Procedures and the current and the dynamic needs of the local agencies in Fresno County. The work plan is composed of projects to be undertaken directly by LAFCo staff during the year.

The work plan is developed to advance the goals and mission of Fresno LAFCo, consistent with state law.

I. SCOPE OF WORK PLAN

The scope of the work plan is consistent with the legislature's findings and declarations:

- It is the policy of the state to encourage orderly growth and development, which are essential to the social, fiscal, and economic well-being of the state.
- The logical formation and determination of local agency boundaries is an important factor in promoting orderly development and in balancing that development with sometimes competing

state interests of discouraging urban sprawl, preserving open-space and prime agricultural lands, and efficiently extending government services.

- Providing housing for persons and families of all incomes is an important factor in promoting orderly development.
- This policy should be affected by the logical formation and modification of the boundaries of local agencies, with a preference granted to accommodating additional growth within, or through the expansion of, the boundaries of those local agencies which can best accommodate and provide necessary governmental services and housing for persons and families of all incomes in the most efficient manner feasible.
- The Legislature also finds that, whether governmental services are proposed to be provided by a single-purpose agency, several agencies, or a multipurpose agency, responsibility should be given to the agency or agencies that can best provide government services.

II. PROJECTS OF THE WORK PLAN

The projects are identified to address important issues identified by the Commission in its initial Policies, Standards, and Procedures Document, adopted in 1986 or as revised. Fresno LAFCo identified the following list of problems and needs locally, which pertain to the Commission's responsibilities, and developed policies, standards and procedures in this document in order to help resolve the problems and meet needs within the Commission's jurisdiction:

1. Proliferation of overlapping and competing local agencies.
2. Need for more cooperation/coordination among local agencies.
3. Inadequate level or range of services in county/community.
4. Inadequate revenue base or adverse fiscal impacts for local agencies.
5. Illogical, gerrymandered agency boundaries, islands, surrounded areas.
6. Illogical agency service areas.
7. Conflicts between urban and rural/agricultural land uses.
8. Premature proposals and lack of development proposals.
9. Phasing of agency expansion/growth.
10. Determining environmental effects of proposals.
11. Determining consistency with city or county general plans.
12. Urban sprawl and leapfrog urban development.
13. Guiding urban growth away from prime agricultural lands.
14. Defining agricultural lands and open space lands.
15. Opposition of proposals by residents and popularity of proposals by landowners/developers.
16. Provision of adequate noticing of LAFCO hearing and conducting authority hearing.

On February 18, 2015, the following Special District issues were presented to the Commission:

1. No adopted annual budget, by-laws, or procedures.
2. No services.

3. District board nonfeasance.
4. Special district is the subject of a Grand Jury reports.
5. Lack of staff or staff lacks technological/managerial/financial (T/M/F) expertise.
6. Board members fulfill both policy and operational functions.
7. Lack of coordination of similar services between and among different special districts.
8. Lack of transparency and/or Brown Act compliance.
9. Changing demographics, antiquated mission.
10. The special district does not cooperate with LAFCo on the MSR.

Other special district issues have since emerged:

11. The district board frequently lacks a quorum.
12. Board members lack technical, managerial, and/or financial expertise.
13. Board members continue to serve after terms expire (though frequently permitted by the district's principal act).
14. District does not file annual financial statements with County Auditor Controller Treasurer Tax Collector.

III. WORK PLAN CONFORMITY WITH FRESNO LAFCo GOALS

The work plan is refined annually to conform to Commission's adopted goals:


1. Encouraging orderly formation and development of agencies;
2. Encouraging consistency with spheres of influence and recommended reorganization of agencies;
3. Encouraging orderly urban development and preservation of open space patterns;
4. Encouraging conservation of prime agricultural lands and open space areas;
5. Providing public access to the Commission via the internet; and
6. LAFCo disadvantaged communities' policy.

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

AGENDA ITEM No. 7

DATE: **March 8, 2023**

TO: **Fresno Local Agency Formation Commission**

FROM: **Brian Spaunhurst, Executive Officer** 

BY: **Jessica Gibson, LAFCo Analyst**

SUBJECT: **Consider Approval:** Municipal Service Review and Sphere of Influence Update Prepared for the Consolidated Mosquito Abatement District (LAFCo File No. MSR-22-03/USOI-208)

Attachment A – Consolidated Mosquito Abatement District service area and Sphere of Influence map

Attachment B – Draft Consolidated Mosquito Abatement District Municipal Service Review

Recommendations:

1. Adopt the Municipal Service Review prepared for the Consolidated Mosquito Abatement District; and
2. Update the Consolidated Mosquito Abatement District Sphere of Influence by taking the following actions:

Action 1:

- A. Acting as Lead Agency pursuant to California Environmental Quality Act (“CEQA”) Guidelines, find that the MSR prepared for the Consolidated Mosquito Abatement District is Categorical Exempt from the provisions of the California Environmental Quality Act (“CEQA”) under “Information Collection” in section 15306, and under the common sense exemption in section 15061(b)(3), or the “General Rule Exemption.”

Action 2:

- B. Find that the Municipal Service Review and Sphere of Influence Update prepared for the District are complete and satisfactory.
- C. Find that the written determinations and recommendations within the Municipal Service Review and Sphere of Influence Update satisfy State Law.
- D. Pursuant to Government Code Sections 56425 and 56430 make the required determinations and recommendations for the Municipal Service Review and District Sphere of Influence update, adopt the Municipal Service Review prepared for the District, and update the Sphere of Influence for said District by reaffirming the current boundaries.

Executive Summary

Fresno LAFCo prepared a programmatic, comprehensive review of municipal services provided by Consolidated Mosquito Abatement District (“CMAD” or “District”). The previous Municipal Service Review (“MSR”) was conducted in April 2007 upon the District’s request to expand its boundaries to include areas within eastern Fresno County. Presently, the District has not proposed any Sphere of Influence (“SOI”) revisions.

The attached Municipal Service Review prepared for the District recommends the affirmation of the existing District Sphere of Influence. Further background, analysis, determinations, and recommendations are presented in the draft MSR (Attachment B).

Mosquito Abatement and Vector Control District Law

The first legislation passed to address mosquito control issues was enacted in 1915. The State Department of Public Health created a Bureau of Vector Control in 1946 which assisted in the formation of additional mosquito abatement districts, including Consolidated Mosquito Abatement District. Mosquito Abatement and Vector Control District Law was created with the intent to conduct effective programs for the surveillance, prevention, abatement, and control of mosquitos and other vectors. The District operates under the authority granted by Health and Safety Code (“HSC”), Division 3, Chapter 1 sections 2000-2093.

Municipal Service Review and Public Review Availability

In order to update the SOI for a local agency pursuant to Government Code (“GC”) section 56425(g), LAFCo has prepared this service review consistent with GC section 56430. An MSR is a comprehensive study prepared by LAFCo to inform local agencies and the community about municipal services provided by local agencies.

Fresno LAFCo Policy 112.5 requires that a draft MSR be posted on the Commission's website with a minimum 21-day public review period. The draft MSR update was circulated and made available for review from February 15, 2023, through March 7, 2023. No official written comments were received as of the publishing date of this staff report.

Description

Consolidated Mosquito Abatement District was formed on June 11, 1946 to provide relief from the nuisance of biting mosquitoes and to protect the public from the threat of mosquito-borne diseases. Since its formation, a series of annexations have expanded the District to encompass the current service area of 658,078 acres in central Fresno County and a small portion in Kings County. The District is an independent district funded primarily from annual property taxes charged to all parcels within the district service area.

The District is a multi-county independent special district with territory in both Fresno County and Kings County that is regulated by Mosquito Abatement and Vector Control Law (Health and Safety Code section 2000 *et seq.*). The District is authorized to conduct effective programs for the surveillance, prevention, abatement, and control of mosquitoes and other vectors. A body of eleven appointed officials serve as the governing board of trustees for the District. The District’s infrastructure consists of five facilities, including its headquarters in Parlier, and the facilities in Clovis, Selma, Sanger, and Caruthers.

LAFCo records indicate the District's service boundary amounts to approximately 658,078 acres. The Commission adopted Sphere of Influence (SOI) extends to the entire eastern portion of Fresno County. Total territories in the District's service boundary and SOI amount to approximately 2,286,238 acres.

Fresno LAFCo Policy 112.3 designates the District as a special district that provides "non-municipal" services to its constituency. Non-municipal special districts means that services that are provided do not in themselves facilitate or induce population growth. Non-municipal special districts typically do not request or experience modifications to their district service area or request updates to the Commission adopted SOI for the agency.

MSR Discussion

On August 23, 2022, LAFCo sent notice to the District informing the agency of the scheduled MSR Update. The District was asked to review and provide LAFCo the necessary information to begin the evaluation of the agency's service provisions. LAFCo requested the District's adopted rules, policies, ordinances, organizational chart, service and abatement plans, budget information, current financial audits, joint powers agreements, and relevant information. On August 24 2022, LAFCo received a copy of the District's Financial Statements and Independent Auditor's Report for fiscal year ending on June 30, 2021.

The draft MSR was made available for a 21-day public review period to gather and incorporate new information into the report prior to scheduling the item for a Commission hearing date. The draft MSR was available for public review between February 15, 2023 and March 7, 2023.

MSRs provide a comprehensive review of the services provided by a city or district and present recommendations with regard to the condition and adequacy of these services and whether or not modifications to a city or district's SOI are necessary. MSRs can be used as informational tools by LAFCo and local agencies in evaluating the efficiencies of current district operations and may suggest changes in order to better serve the public.

SOI updates may involve an affirmation of the existing SOI boundaries or recommend modifications to the SOI boundaries. LAFCo is not required to initiate changes to an SOI based on determinations and recommendations of the service review, although it does have the power to do so.

Summary / Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCo to review and update, as necessary, each agency's sphere of influence ("SOI") every five years, pursuant to GC section 56425.

Prior to, or in conjunction with an agency's SOI update, LAFCo is required to conduct an MSR for each agency. State law requires that the Commission adopt written MSR determinations for each of the following seven criteria:

1. Growth and population projections for the affected area.
2. Location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

3. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

As part of the SOI update, the Commission is required to consider the following four criteria and make appropriate determinations in relationship to each:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.

The attached MSR present these determinations with District information and the analysis used in support of the determinations and recommendations.

Environmental Determination

MSRs are categorically exempt from the preparation of environmental documentation under a classification related to information gathering (Class 6 – Regulation Section 15306), which states: "Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded." Indeed, MSRs collect data for the purpose of evaluating municipal services provided by the agencies. There are no land use changes or environmental impacts created by such studies.

Furthermore, this MSR qualifies for a general rule exemption from environmental review based upon California Environmental Quality Act, Regulation Section 15061(b)(3), which states: "The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." Additionally, the SOI update qualifies for the same general exemption from environmental review based upon CEQA Regulation section 15061(b)(3).

There is no possibility that this MSR and SOI update may have a significant effect on the environment because there are no land use changes associated with the documents. If the Commission approves and adopts the MSR and SOI update and determines that the project is exempt from CEQA, staff will prepare a notice of exemption as required by CEQA, Regulation section 15062.

Individuals and Agencies Receiving this Report

Jessica S. Johnson, LAFCo Counsel

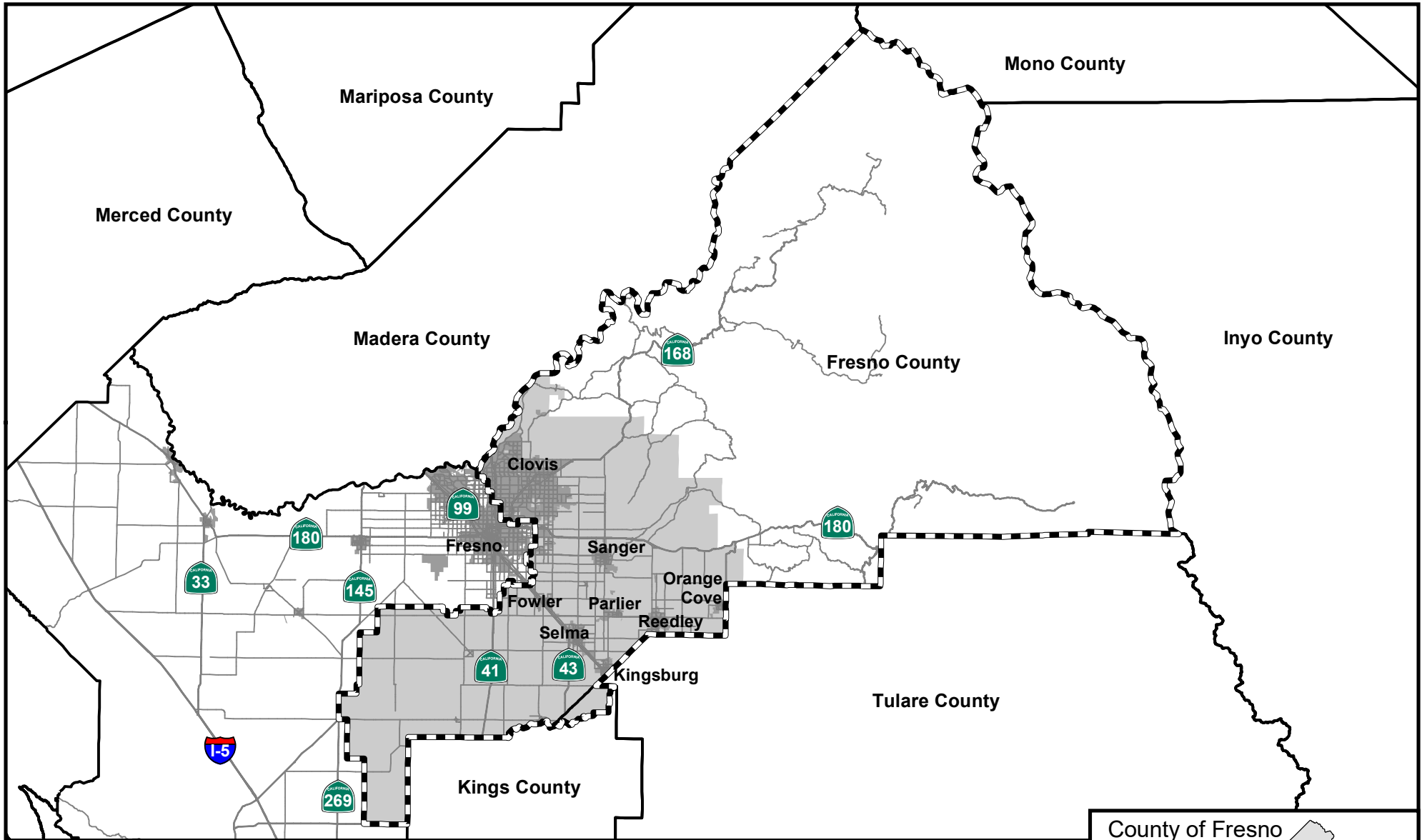
Jodi Holeman, CMAD District Manager

Bernard Jimenez, Planning & Resource Management Officer, Fresno County

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Consolidated Mosquito Abatement District

Authorized services: Mosquito suppression, control, source reduction, and prevention services
(Note: District boundaries are conterminous with 18 square miles in Kings County)



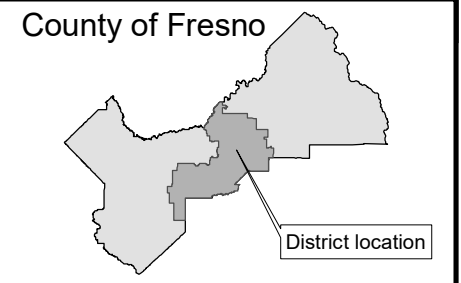
Fresno Local Agency Formation Commission

- Sphere of influence
- District service area



Formation: 1946
Sphere updated: 4/18/2007
District area: 658,078 acres
Sphere area: 2,286,238 acres

Map prepared: 12/05/2022



CONSOLIDATED MOSQUITO AND ABATEMENT DISTRICT

MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE

Report to the Fresno Local Agency Formation Commission

MSR 22-03/USOI-208

Prepared with the assistance of
Consolidated Mosquito Abatement District

Brian Spaunhurst, Executive Officer
Juan Lara, Analyst III
Jessica Gibson, Analyst I
Amanda Olivas, Commission Clerk
1401 Fulton Street, Suite 900
Fresno, CA 93721

Public Review Period:
February 15, 2023 - March 7, 2023

Consolidated Mosquito Abatement District

Mosquito suppression, control, source reduction, and prevention services

District Contact

Manager: Jodi Holeman, District Manager (effective 1/1/2023)
 Steve Mulligan, District Manager (retired 12/31/2022)

Address: 13151 E Industrial Dr.
 Parlier, CA 93648

Phone: (559) 896-1085

Website: <https://www.mosquitobuzz.net/>

Management Information

District formation: June 11, 1946

Principal act: Mosquito Abatement and Vector Control District Law (Health and Safety Code section 2000 *et seq.*)

District powers: Surveillance of mosquitoes and mosquito-borne diseases, controls mosquitoes with suitable insecticides, natural predators and the elimination of mosquito producing sources, and promotes public awareness

Governing Body: Appointed eleven-member board of trustees

Board of Trustees:

Trustee Name	Appointing Agency	Term Expires
Bruce Taylor, President	Fresno County	2026
Mary Anne Hill, Vice President/ Secretary	Fresno County	2024
Jennifer Willems	City of Clovis	2024
Leonard Hammer	City of Fowler	2024
Peggy Brisendine	City of Fresno	2023
Tokuo Fukuda	City of Kingsburg	2023
Charles Lockhart	City of Orange Cove	2025
Vacant	City of Parlier	-----
Abe Isaak	City of Reedley	2026
Karen Steinhauer	City of Sanger	2023
Pete Esraelian	City of Selma	2023

Board Meetings: Held on the third Monday of each month at 1:00 pm at the District office in Parlier

Staffing: 1 District Manager, 1 Science Education Coordinator, 1 Office Administrator, 1 Data Management Associate, 1 GIS Coordinator, 1 Vector Biologist, 1 Associate Biologist, 1 Mechanic, 1 Urban Programs Specialist, 4 Area Supervisors, and various seasonal employees

Service Information

Population served: 524,651 (based on 2020 census data in ESRI's Living Atlas)

Sphere of Influence: 2,286,238 acres

Acres served: 658,078 acres

Infrastructure: The district office buildings, vehicles, and equipment necessary to provide District services

Fiscal Information

Budget and Reserves: \$10,148,000 (2021-2022 Fiscal Year)

Sources of Funding: Property taxes

Administrative Policies

Master Plan: No

Policies/Procedures: Yes

By-laws: No

Previous SOI update: 2007

Boundary Update: 1987

Memberships: Mosquito and Vector Control Association of California (MVCAC), American Mosquito Control Association (AMCA), Society for Vector Ecology (SOVE)

Joint Powers Agencies: Vector Control JPA (VCJPA), Central California Vector Control JPA (CCVCJPA)

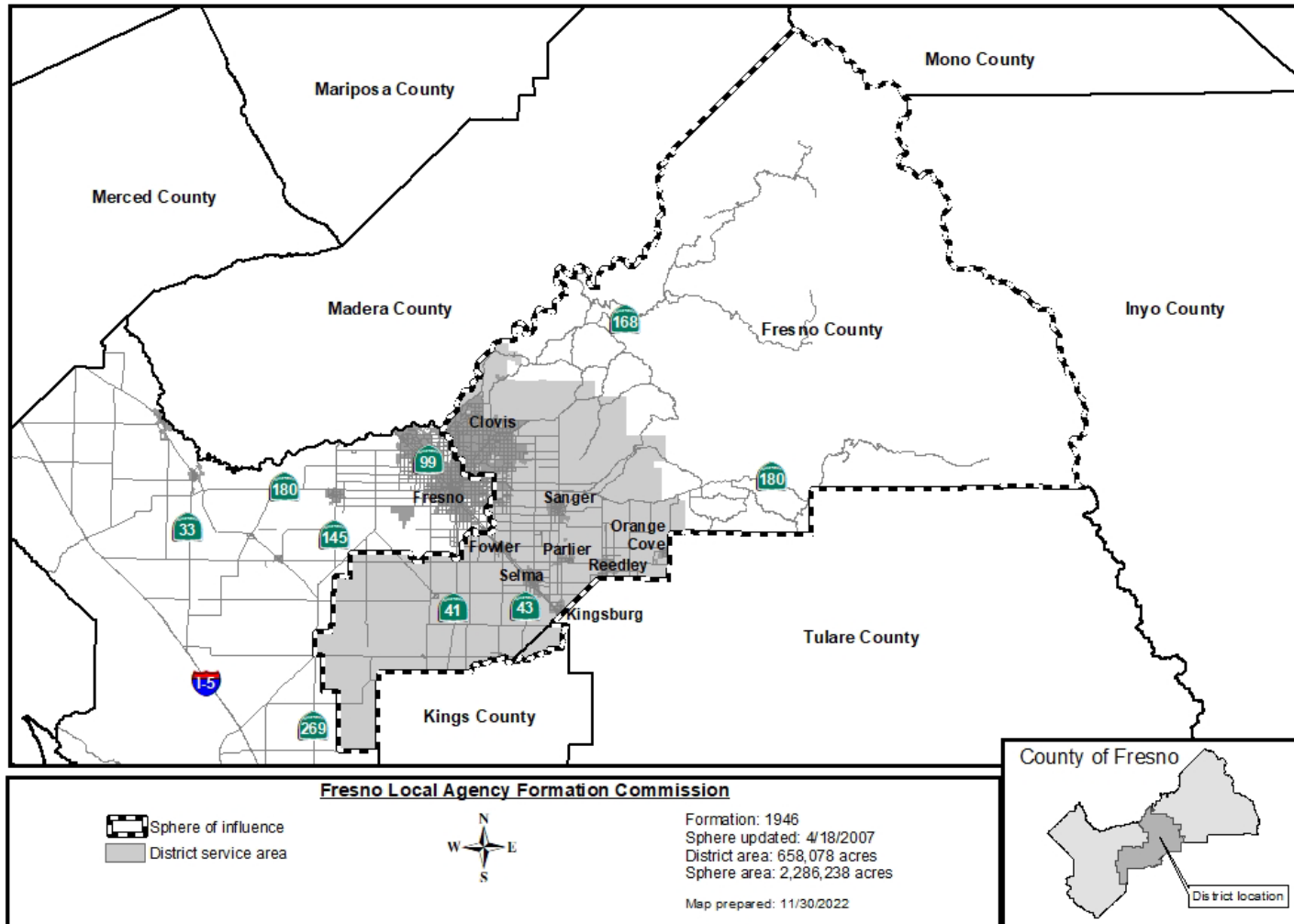
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Figure 1 – District map

Consolidated Mosquito Abatement District

Authorized services: Mosquito suppression, control, source reduction, and prevention services
(Note: District boundaries are coterminous with 18 square miles in Kings County)



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MUNICIPAL SERVICE REVIEW

PRINCIPAL ACT

The Consolidated Mosquito Abatement District (“District” or “CMAD”) was formed in 1946. It operates pursuant to the Mosquito Abatement and Vector Control District Law (Health and Safety Code section 2000 *et seq.*).¹

In 2002, the Legislature comprehensively updated the Mosquito Abatement Act of California from 1939 through the adoption of Senate Bill 1588 (Committee on Local Government).² Currently, the District operates under the authority granted by California's Mosquito Abatement and Vector Control District Law (Health and Safety Code section 2000 *et seq.*).

The District is an independent district, a local government entity, formed to provide relief from the nuisance of biting mosquitoes and to protect the public from the threat of mosquito-borne diseases, such as West Nile and Saint Louis encephalitis viruses.

The District functions independently from the County of Fresno and is not governed by another legislative body (either a city council or a county board of supervisors). The District board members are responsible for exercising powers granted by statute and their independent judgment on behalf of the interests of residents, property owners, and the community.

DISTRICT SERVICE AREA

The District’s service area encompasses approximately 658,078 acres located primarily in central Fresno County, see **Figure 1**. LAFCo estimates that approximately 11,520 acres of the District is in Kings County. The District’s service area and sphere of influence (“SOI”) are not coterminous. The District SOI encompasses approximately 2,286,238 acres.

The District is bounded by the Fresno-Madera County line to the north, the Sierra Nevada Foothills to the east, the Fresno-Tulare County line, and Fresno-Kings County line to the south. The District’s western bounds abut the Fresno Mosquito and Vector Control District, Fresno Westside Mosquito Abatement District, and Coalinga-Huron Mosquito Abatement District. The Kings Mosquito Abatement District (Kings County) and the Delta Vector Control District (Tulare County) abut the District’s southern boundary. Currently, land east of the District is not identified in a similar Mosquito Abatement District. The District’s website contains an interactive regional map that identifies mosquito control services by location and contact information with district boundaries.³

The District is a multiple-county independent special district with a service area that includes territory in both Fresno County and Kings County. The County of Fresno is the Principal County for the District.

¹ Health and Safety Code: Mosquito Abatement and Vector Control District
https://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?tocCode=HSC&division=3.&title=&part=&chapter=1.&article=

² Senate Bill No. 1588 https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200120020SB1588

³ <https://www.mosquitobuzz.net/district-service-area>

The District includes the cities of Clovis, Fowler, Kingsburg, Parlier, Reedley, Orange Cove, Sanger, Selma, portions of north and east Fresno, and the surrounding unincorporated areas within the District. Additionally, the District contracts with California State University–Fresno to provide mosquito abatement services campus-wide as needed.

Major roadways within the District include State Route 180 / E. Kings Canyon Road, State Route 99, and State Route 41.

AUTHORIZED DISTRICT SERVICES

LAFCo observes under Government Code section 56425(i), “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 District’s principal act authorizes the District to do all things necessary expressed or implied under its principal act to protect against the threat of vector borne diseases. Mosquito Abatement and Vector Control District Law defines vectors as any animal capable of transmitting the causative agent of human disease or capable of producing human discomfort or injury, including, but not limited to, mosquitoes, flies, mites, ticks, other arthropods, and other vertebrates.⁴

In order to promote community health, comfort and prosperity by the effective and continuous control of disease-carrying and pest mosquitoes, the District conducts surveillance of mosquitoes and mosquito-borne diseases, controls mosquitoes with suitable insecticides, natural predators and the elimination of mosquito producing sources, and promotes public awareness. Legal authority for the formation and powers of the District and its function are found in the California Health and Safety Code section 2000 *et seq.*

Furthermore, whenever a public nuisance exists on any property within the District or on any property that is located outside the District from which vectors may enter the District, it is the responsibility of the District to either abate the nuisance or require the property owner to abate the nuisance. If a property owner neglects their duty, HSC section 2061 authorizes the District’s board of trustees, after notification and public hearing process, to initiate legal abatement proceedings to eliminate the nuisance.⁵

FRESNO LAFCo MUNICIPAL SERVICE REVIEW POLICY

An MSR is required to prepare or update a local agency’s sphere of influence.⁶ While the Commission is not required by law to make any changes to an SOI, the Commission may, at its discretion, opt to reaffirm, expand, or shrink an SOI, or approve, deny, or approve with conditions any changes of organization or reorganization impacting the governmental agency as a result of the information gathered during the MSR update process.⁷

⁴ HSC section 2002, “Vectors”

⁵ Health and Safety Code Sec. 2060 to 2067

⁶ California Government Code Section 56430

⁷ Fresno Local Agency Formation Commission – Policy 112 – Municipal Service Review Policy

In accordance with GC section 56066, Fresno County is the principal county for the Consolidated Mosquito Abatement District. Therefore, Fresno LAFCo is responsible for updating the SOI for the District consistent with GC section 56425.

GROWTH AND POPULATION PROJECTIONS

The District does not have land use authority nor provides services that would directly affect the rate of population growth or induce population growth. Rather, the District’s services consist of meeting existing and future demand for adequate treatment and abatement of mosquitoes, vectors, and reduce the spread of vector borne diseases within the District and surrounding locations.

Geographic Information System (“GIS”) files were derived from the U.S. Census Bureau to estimate a current population for territory inside the District. According to the Census block group units located within the District, there is an estimated total population of 524,651 people inside the District’s boundaries.⁸ These population estimates do not exactly match the boundaries of the District, but they do provide an estimate for the population that benefits from the District’s services.

Land uses in the District are regulated by the following land use authorities: County of Fresno, City of Clovis, City of Fowler, City of Kingsburg, City of Parlier, City of Reedley, City of Orange Cove, City of Sanger, City of Selma, and the City of Fresno for the portions of the City that are within the District. The County of Fresno is the land use authority for the unincorporated land within the District and the Fresno County General Plan Land Use Element designates a majority of the District’s territory for agricultural use. Population concentrations in the unincorporated areas of the District occur in Mayfair, Caruthers, and Riverdale.

Unincorporated Communities in the District

According to the Fresno County Multi-Jurisdictional 2015-2023 Housing Element, the population of the unincorporated areas of Fresno County in 2014 was 169,500 people. From 2000 to 2014, the population grew by 0.2 percent. Based on projections through 2040, the County is expected to experience an annual growth rate of 1.8 percent.⁹

Bowles

The community of Bowles is a Census Designated Place (“CDP”) located east of South Cedar Avenue between East South Avenue and East Springfield Avenue. Bowles has an estimated population of 287 people and a housing stock of 60 units.¹⁰ The County applies the Rural Settlement Area designation for Bowles where a small concentration of housing and commercial or industrial use serves the surrounding agricultural area.

Caruthers

⁸ U.S. Census Bureau, 2020, ESRI’s Living Atlas provided by the District.

⁹ Fresno County Multi-Jurisdictional Fifth-Cycle Housing Element Update <https://www.co.fresno.ca.us/home/showdocument?id=8428>

¹⁰ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Bowles CDP, California. Accessed, December 15, 2022.

The community of Caruthers is a CDP located southeast of West Mountain View Avenue and South Marks Avenue. Caruthers has an estimated population of 2,245 people and a housing stock of 692 units.¹¹ The County has an adopted community plan for Caruthers that identifies existing and planned land uses for the community.

According to the Fresno County 2015-2023 Housing Element update, approximately 305 additional units can be accommodated on vacant sites within the Caruthers area, of which 36 units allow for multi-family residential units in commercial and multi-family districts.¹² Municipal services such as potable water, sewer treatment, storm drainage, and solid waste services are provided by Caruthers Community Service District.

Del Rey

The community of Del Rey is a CDP located near the intersection of South Del Rey Avenue and East Jefferson Avenue. Del Rey has an estimated population of 1,246 people and a housing stock of 396 units.¹³ The County has an adopted community plan for Del Rey that identifies existing and planned land uses for the community.

According to the Fresno County 2015-2023 Housing Element update, approximately 18 additional units can be accommodated on vacant sites within the Del Rey area, of which 16 units allow for multi-family residential use in commercial districts.¹⁴ Municipal services such as potable water, sewer treatment, storm drainage, and solid waste services are provided by Del Rey Community Service District.

Friant

The community of Friant is a CDP located along the San Joaquin River near the intersection of North Friant Road and North Fork Road. Friant has an estimated population of 426 people and a housing stock of 238 units.¹⁵ The County has an adopted community plan for Friant and a Friant Ranch specific plan that identifies existing and planned land uses for the communities.

According to the Fresno County 2015-2023 Housing Element update, approximately 2,601 additional units can be accommodated on vacant sites within the Friant Ranch area, of which 346 units allow for multi-family residential use in residential districts and up to 50 units in the Village Center either as stand-alone multi-family development or as a vertical mixed use development with commercial uses on the ground floor.¹⁶ Municipal services such as potable water and water treatment are provided by Waterworks District 18 and sewer treatment through private septic systems.

Lanare

¹¹ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Caruthers CDP, California. Accessed, December 15, 2022.

¹² Fresno Multi-Jurisdictional 2015-2023 Housing Element, 2A-134.

¹³ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Del Rey CDP, California. Accessed, December 15, 2022.

¹⁴ Fresno Multi-Jurisdictional 2015-2023 Housing Element, 2A-138.

¹⁵ U.S. Census Bureau, 2017-2021 American Community Survey 5-Year Estimates, Friant CDP, California. Accessed, January 13, 2023.

¹⁶ Fresno Multi-Jurisdictional 2015-2023 Housing Element, 2A-134.

The community of Lanare is a CDP located near the intersection of South Grantland Avenue and Mount Whitney Avenue. Lanare has an estimated population of 241 people and a housing stock of 87 units.¹⁷ The County has an adopted community plan for Lanare that identifies existing and planned land uses for the community.

According to the Fresno County 2015-2023 Housing Element update, Lanare would need more scalable housing projects to create an equitable distribution of infrastructure improvements costs that are needed. Municipal services such as potable water are provided by Lanare Community Service District and wastewater through private septic tanks.

Laton

The community of Laton is a CDP located near the intersection of South Fowler Avenue and Murphy Avenue. Laton has an estimated population of 1,967 people and a housing stock of 629 units.¹⁸ The County has an adopted community plan for Laton that identifies existing and planned land uses for the community.

According to the Fresno County 2015-2023 Housing Element update, approximately 104 additional units can be accommodated on vacant sites within the Laton area, of which 70 units allow for multi-family residential units in commercial and multi-family districts.¹⁹ Municipal services such as potable water, sewer treatment, storm drainage, solid waste services, fire protection, and street lighting are provided by Laton Community Service District.

Monmouth

The community of Monmouth is a CDP located at the northwest corner of South Chestnut and East Nebraska Avenue. Monmouth has an estimated population of 113 people and a housing stock of 48 units.²⁰ The County applies the Rural Settlement Area designation for Monmouth where a small concentration of housing and commercial or industrial uses serves the surrounding agricultural area. Municipal services include water through private wells and sewer treatment through private septic tanks.

Raisin City

The community of Raisin City is a CDP located south of West Manning Avenue and along South Henderson Road. Raisin City has an estimated population of 377 people and a housing stock of 116 units.²¹ Municipal services such as potable water and street lighting services are provided by County Service Area 43.

Riverdale

¹⁷ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Lanare CDP, California. Accessed, December 15, 2022.

¹⁸ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Laton CDP, California. Accessed, December 15, 2022.

¹⁹ Fresno Multi-Jurisdictional 2015-2023 Housing Element, 2A-138.

²⁰ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Monmouth CDP, California. Accessed, December 15, 2022.

²¹ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Raisin City CDP, California. Accessed, December 15, 2022.

The community of Riverdale is a CDP located near the intersection of South Marks Avenue and Mount Whitney Avenue. Riverdale has an estimated population of 2,727 people and a housing stock of 895 units.²² The County has an adopted community plan for Riverdale that identifies existing and planned land uses for the community.

According to the Fresno County 2015-2023 Housing Element update, approximately 221 additional units can be accommodated on vacant sites within the Riverdale area, of which 154 units allow for multi-family residential units in commercial and multi-family districts.²³ Municipal services such as potable water and sewer treatment are provided by Riverdale Public Utility District.

Incorporated Areas in the District

Clovis

Clovis is located in the northeast quadrant of the Fresno-Clovis Metropolitan Area along the CA-168 corridor. The City of Clovis' incorporated boundaries include 16,548 acres, encompassing an SOI of 22,592 acres. There are 6,044 acres of the SOI suitable for future urban development. According to the U.S. Census information, the City of Clovis has an estimated population of 112,613 people and a housing stock of 39,375 units.²⁴

The City adopted an update of the Clovis General Plan Housing Element for the 20-year planning period from 2014 to 2035. Based on the Fresno Multi-Jurisdictional Housing Element, between 2000 to 2014, Clovis experienced an average annual growth rate of 2.9 percent versus 1.3 percent for Fresno County and 0.9 percent for the State of California.²⁵

For the City of Clovis, Regional Housing Needs Assessment ("RHNA") projections indicate that the total number of units needed to accommodate for projected households' growth of all income levels is 6,328, with 3,324 of these units being categorized as low- to moderate-income ("LMI") households.²⁶

The 2014 General Plan forecasts population growth using the 2035 scenario and the full buildout scenario. Under the 2035 scenario, Clovis estimates that population would increase by 24.4 percent within the existing City limits, 501.7 percent in the Clovis SOI, and 162.2 percent in the non-SOI Plan Area. Clovis' population growth is estimated to reach 124,400 residents by 2035, an additional 36,100 within the SOI, and 23,600 residents in the non-SOI Plan Area. Under the 2035 scenario, development of Clovis' entire Plan Area would generate a total population of 184,100 residents. The majority of Clovis' forecasted population growth (65 percent) would occur outside of the City's existing city limits.²⁷

²² U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Riverdale CDP, California. Accessed, December 15, 2022.

²³ Fresno Multi-Jurisdictional 2015-2023 Housing Element, 2A-139.

²⁴ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Clovis, California. Accessed, November 28, 2022.

²⁵ Fresno Multi-Jurisdictional 2015-2023 Housing Element, <https://cityofclovis.com/wp-content/uploads/2019/02/Clovis-Housing-Element-1.pdf>

²⁶ City of Clovis 2021-2025 Consolidated Plan and 2021-2022 Annual Action Plan, <https://cityofclovis.com/wp-content/uploads/2021/07/City-of-Clovis-2021-25-CONPLAN-Final-for-web-publication.pdf>

²⁷ General Plan and Development Code Update Draft PEIR, City of Clovis, <https://cityofclovis.com/wp-content/uploads/2018/10/Chapter-05-13-Population-and-Housing.pdf>

Fowler

Fowler is situated along CA-99 approximately ten miles southeast of the City of Fresno. The City of Fowler's incorporated boundaries include 1,694 acres, encompassing an SOI of 4,474 acres. There are 2,780 acres of the SOI suitable for future urban development. According to the U.S. Census information, the City of Fowler has an estimated population of 11,491 people and a housing stock of 2,102 units.²⁸

Based on the Fresno Multi-Jurisdictional Housing Element, between 2000 to 2014, Fowler experienced an average annual growth rate of 2.8 percent versus 1.3 percent for Fresno County and 0.9 percent for the State of California.²⁹

For the City of Fowler, RHNA projections indicated that the total number of units needed to accommodate for projected households' growth of all income levels is 524, with 220 of these units being categorized as LMI households.³⁰

The planning period for the City's General Plan is a 20-year horizon, extending to the year 2025. At a 2.0 percent growth rate, the population of the City would increase from 4,100 in 2004 to approximately 6,100 in 2025. At a 3.0 percent growth rate, the population would increase to 7,200 in 2025.³¹ As noted, the population currently exceeds the 2004 projections. The City of Fowler is in the process of updating its General Plan to reflect future development and population projections in the City limits, the SOI, and non-SOI planning area through 2040.

Kingsburg

Kingsburg is situated along CA-99 approximately twenty miles southeast of the City of Fresno. The City of Kingsburg's incorporated boundaries include 2,362 acres. The City's SOI encompasses 4,019 acres with 1,657 acres of the SOI suitable for future urban development. According to the U.S. Census information, the City of Kingsburg has an estimated population of 13,698 people and a housing stock of 3,897 units.³²

Based on the Fresno Multi-Jurisdictional Housing Element, between 2000 to 2014, Kingsburg experienced an average annual growth rate of 1.7 percent versus 1.3 percent for Fresno County and 0.9 percent for the State of California.³³

For the City of Kingsburg, RHNA projections indicated that the total number of units needed to accommodate for projected households' growth of all income levels is 374, with 187 of these units being categorized as LMI households.³⁴

²⁸ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Fowler, California. Accessed, November 28, 2022.

²⁹ Fresno Multi-Jurisdictional 2015-2023 Housing Element, <https://www.co.fresno.ca.us/home/showdocument?id=8428>

³⁰ Fresno Multi-Jurisdictional 2015-2023 Housing Element, http://www.fowlercity.org/public_hearings/2016/FinalDraftFowlerHousingElement.pdf

³¹ General Plan 2025, City of Fowler, https://fowlercity.org/city_departments/general_plan/Fowler_General_Plan.pdf

³² U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Kingsburg, California. Accessed, November 28, 2022.

³³ Fresno Multi-Jurisdictional 2015-2023 Housing Element, <https://www.co.fresno.ca.us/home/showdocument?id=8428>

³⁴ Ibid.

The City of Kingsburg’s most recent General Plan was adopted in 1992, although the Housing Element was certified as part of the Fresno County Multi-Jurisdictional Housing Element (5th cycle) and currently part of the 6th cycle Housing Element update. The City is actively accepting proposals from qualified planning firms to prepare a comprehensive update of the City’s General Plan and the corresponding Environmental Impact Report (“EIR”). Population projections show the effects of 3.0 and 4.0 percent rates of population growth over a 20-year period, respectively 13,795 and 16,735 ending in 2012.³⁵

Parlier

Parlier is situated north of Manning Avenue and west of the Kings River approximately twenty miles southeast of City of Fresno. The City of Parlier’s incorporated boundaries include 1,547 acres, encompassing an SOI of 5,516 acres. There are 3,969 acres within the Parlier SOI suitable for future urban development. According to the U.S. Census information, the City of Parlier has an estimated population of 15,645 people and a housing stock of 4,151 units.³⁶

Based on the Fresno Multi-Jurisdictional Housing Element, between 2000 to 2014, Parlier experienced an average annual growth rate of 2.2 percent versus 1.3 percent for Fresno County and 0.9 percent for the State of California.³⁷

For the City of Parlier, RHNA projections indicated that the total number of units needed to accommodate for projected households’ growth of all income levels is 588, with 214 of these units being categorized as LMI households.³⁸

The planning period for the City’s General Plan as amended is 20 years, ending in the year 2030. At an annual growth rate of 3.0 percent, the total population of the City is estimated to be about 25,000 by 2030. At 4.0 percent, the City would reach a population of 30,000 by 2030.³⁹

Reedley

Reedley is situated along Manning Avenue east of the Kings River approximately twenty-five miles southeast of the City of Fresno. The City of Reedley’s incorporated boundaries include 3,575 acres, encompassing an SOI of 4,938 acres. There are 2,212 acres within the Reedley SOI suitable for future urban development. According to the U.S. Census information, the City of Reedley has an estimated population of 30,411 people and housing stock of 7,401 units.⁴⁰

³⁵ City of Kingsburg General Plan, <https://www.cityofkingsburg-ca.gov/DocumentCenter/View/1815/City-of-Kingsburg-General-Plan>

³⁶ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Parlier, California. Accessed, November 28, 2022.

³⁷ Fresno Multi-Jurisdictional 2015-2023 Housing Element, <https://www.co.fresno.ca.us/home/showdocument?id=8428>.

³⁸ Fresno Multi-Jurisdictional 2015-2023 Housing Element, <https://www.co.fresno.ca.us/home/showdocument?id=8428>

³⁹ Municipal Service Review, City of Parlier, revised in April 2010, <https://www.fresnolafco.org/documents/staff-reports/Approved%20MSR's/City%20of%20Parlier.pdf>

⁴⁰ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Reedley, California. Accessed, November 28, 2022.

Based on the Fresno Multi-Jurisdictional Housing Element, between 2000 to 2014, Reedley experienced an average annual growth rate of 1.4 percent versus 1.3 percent for Fresno County and 0.9 percent for the State of California.⁴¹

For the City of Reedley, RHNA projections indicated that the total number of units needed to accommodate for projected households' growth of all income levels is 1,311, with 562 of these units being categorized as LMI households.⁴²

In 2014, the City of Reedley adopted the General Plan 2030 Update to establish a long range vision and plan for the community. Growth trends were analyzed to forecast growth projections at an annual growth rate of 3.0 percent. By the year 2030, the City anticipates a population of 47,369.⁴³

Orange Cove

Orange Cove is situated south of CA-180 along CA-63 approximately 30 miles southeast of the City of Fresno. The City of Orange Cove's incorporated boundaries include 1,150 acres, encompassing an SOI of 1,641 acres. There are 491 acres within the Orange Cove SOI suitable for future urban development. According to the U.S. Census information, the City of Orange Cove has an estimated population of 10,274 people and a housing stock of 2,823 units.⁴⁴

Based on the Fresno Multi-Jurisdictional Housing Element, between 2000 to 2014, Orange Cove experienced an average annual growth rate of 1.4 percent versus 1.3 percent for Fresno County and 0.9 percent for the State of California.⁴⁵

For the City of Orange Cove, RHNA projections indicated that the total number of units needed to accommodate for projected households' growth of all income levels is 669, with 247 of these units being categorized as LMI households.⁴⁶

Orange Cove's General Plan 2025 population projections were developed representing low and high estimates, 2.5 percent and 4.5 percent respectively. For the low projection, the General Plan forecasted a population of 14,316 and a high population of 23,208 persons by the year 2025. Comparing Orange Cove's 2010 population with its General Plan population estimates, it is apparent that Orange Cove's growth rate will be on the low side of the General Plan's population projections.⁴⁷

⁴¹ Fresno Multi-Jurisdictional 2015-2023 Housing Element, <https://www.co.fresno.ca.us/home/showdocument?id=8428>

⁴² Ibid.

⁴³ City of Reedley General Plan, <https://reedleyweb.s3.us-west-1.amazonaws.com/2019/12/Reedley-General-Plan-2030-Adopted-February-18-2014.pdf>

⁴⁴ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Orange Cove, California. Accessed, November 28, 2022.

⁴⁵ Fresno Multi-Jurisdictional 2015-2023 Housing Element, <https://www.co.fresno.ca.us/home/showdocument?id=8428>

⁴⁶ Ibid.

⁴⁷ Orange Cove Housing Element, 2019-2023, <https://www.hcd.ca.gov/housing-elements/docs/orange-cove-5th-adopted061520.pdf>

Sanger

Sanger is situated south of CA-180 and west of the Kings River approximately six miles east of the City of Fresno. The City of Sanger's incorporated boundaries include 3,680 acres, encompassing an SOI of 3,193 acres. There are 6,873 acres within the Sanger SOI suitable for future urban development. According to the U.S. Census information, the City of Sanger has an estimated population of 37,592 people and a housing stock of 7,795 units.⁴⁸

Based on the Fresno Multi-Jurisdictional Housing Element, between 2000 to 2014, Sanger experienced an average annual growth rate of 2.0 percent versus 1.3 percent for Fresno County and 0.9 percent for the State of California.⁴⁹

For the City of Sanger, RHNA projections indicated that the total number of units needed to accommodate for projected households' growth of all income levels is 1,218, with 494 of these units being categorized as LMI households.⁵⁰

The City's General Plan 2025 projects the population to increase to 30,000 residents over the course of the 20-year planning period with an annual growth rate of 2.3 percent by 2025. The City's population currently exceeds the General Plan projections. The Housing Element was prepared separately and is included in the Fresno Multi-Jurisdictional 2015-2023 update.⁵¹

Selma

Selma is situated along CA-99 approximately sixteen miles southeast of the City of Fresno. The City of Selma's incorporated boundaries include 3,687 acres, encompassing an SOI of 8,261 acres. There are 4,574 acres within the Selma SOI suitable for future urban development. According to the U.S. Census information, the City of Selma has an estimated population of 30,641 people and a housing stock of 7,673 units.⁵²

Based on the Fresno Multi-Jurisdictional Housing Element, between 2000 to 2014, Selma experienced an average annual growth rate of 1.5 percent versus 1.3 percent for Fresno County and 0.9 percent for the State of California.⁵³

For the City of Selma, RHNA projections indicated that the total number of units needed to accommodate for projected households' growth of all income levels is 605, with 254 of these units being categorized as LMI households.⁵⁴

⁴⁸ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Sanger, California. Accessed, November 28, 2022.

⁴⁹ Fresno Multi-Jurisdictional 2015-2023 Housing Element, <https://www.co.fresno.ca.us/home/showdocument?id=8428>

⁵⁰ Ibid.

⁵¹ City of Sanger, 2025 General Plan, <https://www.ci.sanger.ca.us/DocumentCenter/View/83/2025-General-Plan-PDF>

⁵² U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Selma, California. Accessed, November 28, 2022.

⁵³ Fresno Multi-Jurisdictional 2015-2023 Housing Element, <https://www.co.fresno.ca.us/home/showdocument?id=8428>

⁵⁴ Ibid.

The City's General Plan Update 2035 provides guidelines for future development that meet the objectives and meet the needs of the increasing population. Based on an average of 4.0 percent growth per year, Selma's population could reach 64,000 persons by 2035. When factoring a growth rate of 3.0 percent per year, Selma's population could reach 50,250 persons by 2035.⁵⁵

Fresno

The City of Fresno is situated along State Route 99 in the north-central portion of Fresno County. The City of Fresno has an estimate population of 717,419 people and a housing stock of 180,020.⁵⁶ Fresno city limits include 73,645 acres, while the Fresno SOI encompasses 103,016 acres. There are 29,371 acres within the Fresno SOI suitable for future urban development.

Based on the Fresno Multi-Jurisdictional Housing Element, between 2000 to 2014, Fresno experienced an average annual growth rate of 1.3 percent, the same as Fresno County and 0.9 percent for the State of California.⁵⁷

For the City of Fresno, RHNA projections indicated that the total number of units needed to accommodate for projected households' growth of all income levels is 23,565, with 9,693 of these units being categorized as LMI households.⁵⁸

The City of Fresno's General Plan Horizon project that areas within the Fresno SOI will accommodate an additional population of approximately 226,000 new residents by 2035, resulting in an estimated total population of 771,000 people. The Fresno General Plan estimates an average annual growth rate of 1.24 percent through year 2035.⁵⁹

⁵⁵ City of Selma, General Plan Update 2035, https://cms9files.revize.com/selma/Document_Center/Department/Community%20development/Planning/General%20Plan%20And%20Planning%20Documents/General%20Plan/land%20use%202035%20complete%20manuel.pdf

⁵⁶ U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, Fresno, California. Accessed, November 28, 2022.

⁵⁷ Fresno Multi-Jurisdictional 2015-2023 Housing Element, <https://www.co.fresno.ca.us/home/showdocument?id=8428>

⁵⁸ Ibid.

⁵⁹ City of Fresno General Plan, https://www.fresno.gov/darm/wp-content/uploads/sites/10/2022/12/upload_temp_Consolidated-GP-10-13-2022.pdf

DISADVANTAGED UNINCORPORATED COMMUNITIES

The 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 City of Fresno 2035 General Plan.

GC section 56033.5 defines a DUC as: i) all or a portion of a “disadvantaged community” as defined by section 79505.5 of the Water Code (a community with an annual median household income (“MHI”) that is less than 80 percent of the statewide annual MHI); and ii) “inhabited territory” (12 or more registered voters), as defined by GC section 56046, or as determined by Commission policy.

Fresno LAFCo policy further refines the definition of a DUC as having at least 15 dwelling units at a density not less than one unit per acre. GIS files were derived from the U.S. Census Bureau's American Community Survey (“ACS”) compiled for the five-year period 2017–2021 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 2017 and 2021 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 bureau. The statewide annual MHI reported for years 2017 through 2021 was \$84,097. Therefore, the calculated threshold for a DUC is any geographic unit with a reported annual MHI that is less than \$67,277. Census block group data was used to provide the economic and population backgrounds for this section of the MSR.

The following information characterizes the 19 DUC locations with respect to the District’s service area. Each identified area is shown on **Figure 5** and a corresponding description is provided below:

- **Area 1** is known as East McKinley and North First Avenue or “Cincotta.” This DUC encompasses the westside of the “Mayfair” community. The DUC area encompasses 490 acres and consists of approximately 1,235 unincorporated parcels. Portions of the DUC are located within Census Tract 32.02-Block Group 1, Census Tract 33.01-Block Group 1, and Census Tract 33.02-Block Groups 1, 2, 3 and 4. The ACS five-year estimate reports indicate that Census Tract 32.02-Block Group 1 had an MHI of \$24,155, Census Tract 33.01-Block Group 1 had an MHI of \$29,531, Tract 33.02-Block Group 1 had an MHI of \$21,034, Tract 33.02-Block Group 2 had an MHI of \$45,231, Tract 33.02-Block Group 3 had an MHI of \$32,969, and Tract 33.02-Block Group 4 had an MHI of \$48,161 between years 2012 and 2016. LAFCo estimates there are approximately 1,200 dwelling units within an area that encompasses 490 acres, and the density is approximately three dwelling units per acre within this DUC. The DUC is enclosed by the Fresno city limits. The DUC is bounded by Princeton Avenue to the north, Cedar Avenue to the east, McKinley Avenue to the south, and First Avenue to the west. There are 2,130 registered voters in the area. Services provided include water and sewer through the City of Fresno, fire protection through Fresno County Fire Protection District, and storm drainage through Fresno Metropolitan Flood Control District.

- **Area 2** is known as Shields Avenue and Cedar Avenue. This DUC encompasses the eastside of the “Mayfair” community. The DUC consists of approximately 1,030 parcels located within a DUC area that encompasses 533 acres. Portions of the DUC are located within Census Tract 32.01-Block Group 1, Tract 32.01-Block 2, Tract 32.02-Block Group 2, and Tract 52.02-Block Group 1. The ACS five-year estimate reports indicate that Census Tract 32.01-Block Group 1 had an MHI of \$41,618, Tract 32.01-Block 2 had an MHI of \$33,713, Tract 32.02-Block Group 1 had an MHI of \$24,155, and Tract 52.02-Block Group 1 had an MHI of \$29,545 between years 2012 and 2016. LAFCo estimates that there are approximate 965 dwelling units in an area that encompasses approximately 498 acres, and that the density is approximately two dwelling units per acre within this DUC. The DUC is enclosed by Shields Avenue to the north, Winery Avenue to the east, Clinton Avenue to the south, and extends across SR 168 over to Cedar Avenue in the west. The DUC also includes an area south of Cambridge Avenue, west of Maple Avenue, north of University Avenue, and east of SR 168. There are 1,881 registered voters in the area. Services provided include water and sewer through the City of Fresno, storm drainage through Fresno Metropolitan Flood Control District, and fire protection through Fresno County Fire Protection District.

- **Area 3** is known as Newmark and East Annadale Avenue. The DUC consists of approximately 44 unincorporated residential parcels within an area the encompasses 30 acres. This DUC is situated within Census Tract 62.02-Block Group 1. Census Tract 62.02-Block Group 1 reported an MHI of \$48,125 between years 2012 and 2016. LAFCo estimates that the density is one unit per acre within this DUC. The DUC is situated within the Sanger’s SOI, east of the Sanger city limits and is located east of Newmark Avenue and north of East Annadale Avenue. Roads within the DUC area includes East Buck Avenue, South Lewis Lane, and South Madsen Avenue. There are 75 registered voters in the area. Services provided include private wells and septic tanks for water and sewer and fire protection through Fresno County Fire Protection District.

- **Area 4** is known as Del Rey. The community of Del Rey is a Census Designated Place located within Census Tract 69.00-Block Group 1. Del Rey has a population of 1,457 people and a housing stock of 379 units. The ACS five-year estimate reports indicate that Census Tract 69.00-Block Group 1 reported an average MHI of \$25,809 between years 2012 and 2016. Del Rey is situated near the intersection of South Del Rey Avenue and East Jefferson Avenue. There are 384 registered voters in the area. Services provided include the Del Rey Community Service District for potable water, sewer, storm drainage, and solid waste services and fire protection through Fresno County Fire Protection District

- **Area 5** is known as Southwest Jefferson and Chestnut Avenues (Washington Irrigated Colony). The DUC is also known as “Shady Lakes Mobile Home Park” and is located on one parcel. The DUC consists of 62 mobile homes and five detached single-family homes located within Census Tract 17.00-Block Group 1. The ACS five-year estimate reports indicate that Census Tract 17.00-Block Group 1 had an MHI of \$37,257 between years 2012 and 2016. The DUC boundary encompasses approximately 12 acres of a 27 acre sized county parcel. According to California Rural Legal Assistance (“CRLA”), the mobile home park consists of multiple parcels that are served by a private wastewater system. The wastewater system in Shady Lakes Mobile Home Park is a privately-owned active sludge treatment system that discharges effluent into two disposal ponds and pastureland south of the Park. Within the Park, stormwater management consists of a drainage gutter system that diverts stormwater into a basin west of the park that is managed by Fresno Irrigation District. Based on dwelling unit estimates, there are at least four dwelling units per acre within the DUC, which is located outside, but within a mile of the Fresno SOI. The DUC is situated along Chestnut Avenue, between Jefferson Avenue and Lincoln Avenue. There are 43 registered voters in the area. Services provided include water through Shady Lakes Mobile Home Park

Water System, sewer through a private wastewater system, fire protection through Fresno County Fire Protection District, and storm drainage through a private drainage gutter system.

- **Area 6** is known as East Manning and McCall Avenues (Tract No. 1199). The DUC consists of approximately 16 parcels located within Census Tract 70.03-Block Group 1. The ACS five-year estimate reports indicate that Census Tract 70.03-Block Group 1 had an MHI of \$43,583 between years 2012 and 2016. LAFCo estimates that there are 17 dwelling units located within an area that encompasses approximately eight acres and that the density is approximately two dwelling units per acre within this DUC. The DUC is situated within the Selma SOI, south of East Manning Avenue and west of McCall Avenue. There are 23 registered voters in the area. Services provided include water through private wells, sewer through private septic tanks, and fire protection through Fresno County Fire Protection District.

- **Area 7** is known as South Academy and East Manning. The DUC consists of 16 unincorporated rural parcels consisting of approximately 21 to 24 dwelling units within an area that encompasses approximately 20 acres. The DUC area is located within Census Tract 85.01-Block Group 1. Between 2012 and 2016, this area of concern reported an MHI of \$22,431. The census block group is geographically larger than the specific DUC area; however, available data shows that Census Tract 85.01-Block Group 1 reports an approximate population of 1,258 people which is much greater than the DUC area. The DUC is situated west of South Academy Avenue and south East Manning Avenue, immediately south of Parlier's city limits and east of Parlier's Wastewater Treatment Plant. There are 13 register voters in the area. Services provided include water through private wells, sewer through private septic tanks, and fire protection through Fresno County Fire Protection District.

- **Area 8** is known as East Dinuba and South Shaft. The DUC consists of approximately 65 dwelling units located within an area that encompasses approximately 49 acres. The DUC is identified within US Census Tract 70.03-Block Group 1. The ACS five-year estimate reports indicate that Census Tract 70.03-Block Group 1 had an MHI of \$43,583 between years 2012 and 2016. LAFCo estimates that the density is approximately one dwelling unit per acre within this DUC. The DUC is situated within the Selma SOI north of East Dinuba Avenue at the intersection of South Shaft Avenue. There are 82 registered voters in the area. Services provided include water through private wells, sewer through Selma-Kingsburg-Fowler County Sanitation District (via "out-of-District boundary customers"), and fire protection through Fresno County Fire Protection District.

- **Area 9** is known as East Dinuba and Leonard Avenues (Khan Tract). The DUC consists of approximately 120 parcels located within an area that encompasses approximately 56 acres. The DUC is identified within US Census Tract 70.03-Block Group 1. The ACS five-year estimate reports indicate that Census Tract 70.03-Block Group 1 had an MHI of \$43,583 between 2012 and 2016. LAFCo estimates that there are approximately 131 dwelling units, and that the density is approximately two dwelling units per acre within this DUC. The DUC is situated within Selma's SOI south of East Dinuba Avenue and east of Leonard Avenue. There are 178 registered voters in the area. Services provided include water through private wells, sewer through Selma-Kingsburg-Fowler County Sanitation District (via "out-of-District boundary customers"), and fire protection through Fresno County Fire Protection District.

- **Area 10** is known as Carrillo Tract. The DUC consists of approximately 26 properties located within an area that encompasses approximately 28 acres. This DUC is located within Census Tract 76.00-Block Group 4. The ACS five-year reports indicate that Census Tract-76.00-Block Group 4 had a MHI of \$31,324 between years 2012 and 2016. The DUC is situated east of State Route 41 and south of Manning Avenue

at the southeast corner of East Springfield Avenue and South Cherry Avenue. There are 30 registered voters in the area. Services provided include water through private wells, sewer through private septic tanks, and fire protection through Fresno County Fire Protection District.

- **Area 11** is known as Monmouth. The community of Monmouth contains agricultural land uses, agriculture warehousing, and approximately 36 rural residential parcels. Monmouth is located within Census Tract 73.00-Block Group 1. According to the ACS five-year estimates, Census Tract 73.00-Block Group 1 had an MHI of \$34,313 between years 2012 and 2016. The DUC boundary encompasses approximately 21 acres. Based on dwelling unit estimates, this DUC presents at least two dwelling units per acre. Monmouth is situated at the northwest corner of South Chestnut and East Nebraska Avenue. There are 38 registered voters in the area. Services provided include water and sewer through private wells, sewer through private septic tanks, and fire protection through Fresno County Fire Protection District.

- **Area 12** is known as McCall and Blaine Avenues (Dukes Villa Addition). The DUC consists of approximately 20 parcels located within the Census Tract 71.00-Block Group 3. The ACS five-year estimate reports indicate that Census Tract 71.00-Block Group 3 had an MHI of \$43,583 between years 2012 and 2016. LAFCo estimates that there are 24 dwelling units located within an area that encompasses approximately 15 acres and that the density is approximately two dwelling units per acre within this DUC. The DUC is situated within the Selma SOI near the city limits, at the intersection of McCall Avenue and Blaine Avenue. There are 23 registered voters in the area. Services provided include water through private wells, sewer through Selma-Kingsburg-Fowler County Sanitation District (via “out-of-District boundary customers”), and fire protection through Fresno County Fire Protection District.

- **Area 13** is known as Perrin Colony. This DUC consists of approximately 50 parcels each containing either a mobile home or single-family unit, or a combination single-family unit and a mobile home. Perrin Colony is located within Census Tract 76.00-Block Group 1. The ACS five-year estimates indicate that Census Tract 76.00-Block Group 1 had an MHI of \$42,278 between years 2012 and 2016. Perrin Colony is located outside the jurisdictional boundary of County Service Area 43. Perrin Colony is situated north of Raisin City near the intersection of South Hayes Avenue and West Parlier Avenue. There are 32 registered voters in the area. Services provided include water and sewer through private wells and septic tanks and fire protection through Fresno County Fire Protection District.

- **Area 14** is known as Raisin City. The community of Raisin City is a CDP located within Census Tract 76.00-Block Group 3. The ACS five-year estimates indicate that Census Tract 76.00-Block Group 3 had an MHI of \$32,556 between years 2012 and 2016. Raisin City has an estimated population of 234 people and a housing stock of 80 units. Raisin City is situated south of West Manning Avenue and along South Henderson Road. There are 76 registered voters in the area. Services provided include potable water and street lighting through County Service Area 43 and fire protection through Fresno County Fire Protection District.

- **Area 15** is known as Caruthers. The community of Caruthers is a CDP located within Census Tract 75.00-Block Group 5. The ACS five-year estimates indicate that Census Tract 75.00-Block Group 5 had an MHI of \$51,023 between years 2012 and 2016. Caruthers has an estimated population of 3,128 people and a housing stock of 812 units. Caruthers is situated southeast of West Mountain View Avenue and South Marks Avenue. There are 502 registered voters in the area. Services provided include water, sewer, streetlights, and storm drainage through Caruthers Community Service District and fire protection through Fresno County Fire Protection District.

- **Area 16** is known as Laton. The community of Laton is a CDP located within Census Tract 74.00-Block Group 3. The ACS five-year estimate reports indicate that Census Tract 74.00-Block Group 3 had an MHI of \$25,809 between years 2012 and 2016. Laton consists of approximately 520 unincorporated parcels located within an area that encompasses 196 acres. LAFCo estimates that there are approximately 522 dwelling units, and that the density is approximately two dwelling units per acre within this DUC. Laton is situated near the intersection of South Fowler Avenue and Murphy Avenue. There are 435 registered voters in the area. Services provided include water, sewer, storm drainage, solid waste, fire protection, and street lighting through Laton Community Service District.

- **Area 17** is known as Camden. The community of Camden consist of one parcel that houses a 28-lot mobile home park. The DUC encompasses approximately 25 acres. This DUC is located within Census Tract 77.00-Block Group 1. The ACS five-year estimate reports indicate that Census Tract 77.00- block group 1 had an MHI of \$47,405 between years 2012 through 2016. Within Camden, there is a mobile home park (28 units), a convenience store, and a gas station. LAFCo estimates that there is a minimum of one dwelling unit per acre within Camden. Situated near the intersection of East Mount Whitney Avenue and State Route 41, Camden has 18 registered voters. Water and Sewer are privately provided. Fire protection is provided through Fresno County Fire Protection District.

- **Area 18** is known as Riverdale. The community of Riverdale is a CDP located within Census Tract 77.00-Block Group 1 and 3. However, the ACS five-year estimate reports indicate that only Census Tract 77.00-Block Group 1 (western side of Riverdale) reported an average MHI level that meets the DUC threshold. The ACS five-year estimate reports indicate that Tract 77.00-Block Group 1 had an MHI of \$47,405 between years 2012 through 2016. LAFCo estimates that the density is approximately two dwelling units per acre within this DUC. Riverdale is situated near the intersection of South Marks Avenue and Mount Whitney Avenue. There are 562 registered voters. Riverdale Public Utility District provides all water, sewer, storm drainage, solid waste, fire protection, and street lighting.

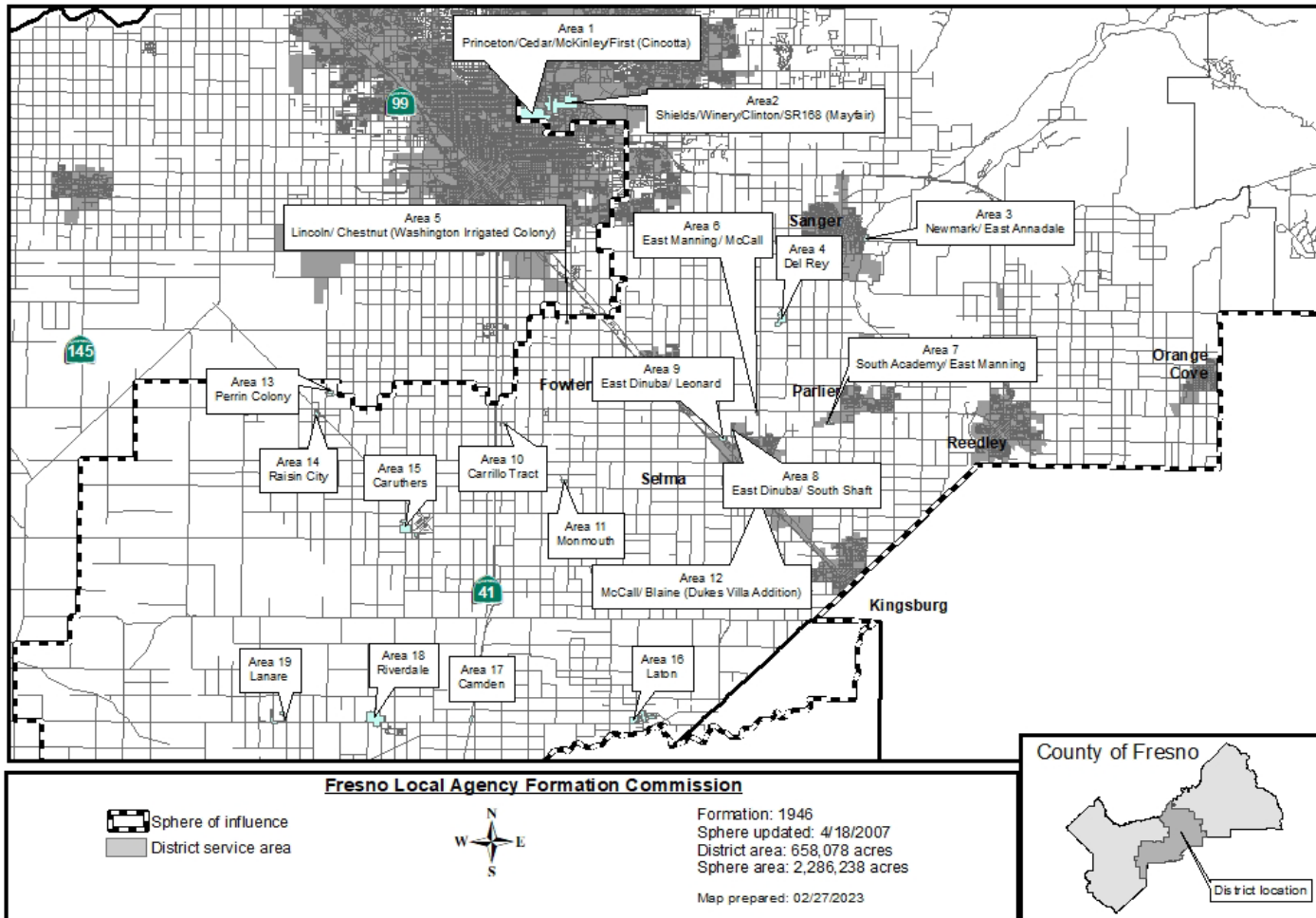
- **Area 19** is known as Lanare. The community of Lanare is located in Census Tract 77.00-Block Group 4. According to the ACS five-year estimates, Lanare has a population of 297 people and a housing stock of 72 units. During the ACS five-year estimates 2012 through 2016, the community of Lanare reported an MHI of \$54,404. In 2018, Leadership Counsel for Justice and Accountability (LCJA), a Fresno based local organization that works with DUCs, finalized an income-level survey conducted within Lanare. The survey consisted of mail-in and door-to-door surveys conducted in accordance with the California State Water Resources Control Board's 2014 Multiagency Guidelines for MHI Surveys. According to LCJA, there are 154 dwelling units in Lanare and between December 2017 through March 2018 the survey information showed that Lanare had an MHI of \$30,000 during 2017. LAFCo estimates that there are 113 parcels which encompass approximately 123 acres. The density is approximately one dwelling unit per acre within this DUC. Lanare is situated near the intersection of South Grantland Avenue and Mount Whitney Avenue. There are 124 registered voters in the area. Service providers include water through Lanare Community Service District, wastewater through private septic tanks, and fire protection through Fresno County Fire Protection District.

The District provides mosquito abatement and treatment of properties within its limited boundaries. LAFCo observes that DUCs identified within Consolidated MAD service area also receive the same level of service as all other parcels within the District.

Figure 2 – DUC Map

Disadvantaged Unincorporated Communities - CMAD Service Area

Authorized services: Mosquito suppression, control, source reduction, and prevention services.
 (Note: District boundaries are coterminous with 18 square miles in Kings County)



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DISTRICT INFRASTRUCTURE AND VECTOR CONTROL

Services provided by the District include mosquito and mosquito-borne disease surveillance and control, mosquito source reduction and public education for abatement of mosquitoes and vector-borne diseases.

The District owns the land and structures at:

- Headquarters Facility
13151 E Industrial Dr
Parlier, California 93648
- Clovis Facility
3555 Lind Ave
Clovis, California 93612
- Selma Facility
2425 Floral Ave
Selma, California 93662
- Sanger Facility
1717 Academy Ave
Sanger, California 93957
- Westside Facility
16800 S Marks Ave
Caruthers, California 93609

The District formerly owned a Kingsburg facility that was transferred to the City of Kingsburg on January 19, 2021, and a Reedley facility that was sold on September 8, 2021. The District no longer owns or operates out of these facilities.

The District currently employs twelve full time and approximately twenty-six seasonal employees including a District Manager, Science Education Coordinator, Office Administrator, Data Management Associate, GIS Coordinator, Vector Biologist, Associate Biologist, Mechanic, Urban Programs Specialist, and four Area Supervisors.⁶⁰ The Superintendent of Operations position is currently vacant.

The District has a large fleet of vehicles that include forty-three trucks, six Jeeps, three sport utility vehicles, eighteen all-terrain vehicles, two Bobcats, five amphibious vehicles, one forklift, one mist sprayer, and two boats used by staff in service calls and applying treatments throughout the District.

The District uses sophisticated data management systems, including Microsoft Access® database, FieldSeeker® and an ESRI™ Geographic Information System, to effectively manage actively monitored, potential mosquito breeding sources and the records associated with monitoring those sites. These records include inspections and biological and chemical control treatments. In addition to managing

⁶⁰ The position of Urban Programs Specialist will be retitled to Urban Program Coordinator pending Board approval. The District Manager is also seeking approval for an additional position of Rural Program Coordinator.

known mosquito breeding sources, the District's data management system is designed to capture requests for service that are made by telephone and through the website, as well as telephone callbacks from notices to schedule appointments for an inspection. The data management system enables the District to monitor all operational activities to determine effectiveness and efficiency.⁶¹

The California Health and Safety Code Section 2000 *et seq.* provide the legal authority for the District and its rights and powers to conduct surveillance or appropriate studies of vectors and vector-borne diseases and take all necessary or proper actions to abate or control vectors and vector-borne diseases.

The District operates under a Cooperative Agreement with the California Department of Public Health to ensure compliance with State laws and regulations relating to pesticide use for control of vectors. The agreement also ensures that proper records, calibrations, and certifications are maintained, and pesticide use reports are submitted to County Ag Commissioner.

The District's application of pesticides to or adjacent to Waters of the U.S. are regulated by the National Pollutant Discharge Elimination System ("NPDES") General Permit (CAG990004) and the Water Quality Order 2016-0039-DWQ.

VECTORS

According to the District records, there are 30 mosquito species collected in Fresno County, eight of which are found above 3,500 ft in the Sierra Nevada. Within District boundaries, 19 mosquito species are collected by Consolidated Mosquito Abatement District, all of which are known to prey on humans or animals. The following bullet points summarize the mosquito species that have been found within the District:⁶²

- ***Aedes aegypti***, also known as the "Yellow fever mosquito," exhibits biting behavior toward humans and small mammals at dawn, dusk, and throughout the daytime in shaded areas. It is an invasive species not native to California. Breeding sources and larval habitats include standing water in man-made containers, tires, and yard drains. This mosquito has the potential to transmit several viruses including Zika, dengue, chikungunya, and yellow fever.
- ***Aedes melanimon*** exhibits biting behavior toward mammals and humans throughout the daytime and at dusk. Breeding sources and larval habitats include duck club ponds and irrigated pastures and fields. This aggressive mosquito is a primary vector of California Encephalitis and a secondary vector of Western Equine Encephalitis.
- ***Aedes nigromaculis***, also known as the "Irrigated pasture mosquito," exhibits biting behavior toward large mammals and humans throughout the daytime and at dusk. The primary breeding source and larval habitat is flooded irrigation pastures.
- ***Aedes sierrensis***, also known as the "Western treehole mosquito," exhibits biting behavior toward small mammals and humans in the spring and fall and is active throughout the daytime

⁶¹ Correspondence with District Manager.

⁶² Correspondence with District Manager,
<https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/GuidetoImportantMosquitoesinCA.pdf>

and at dusk. Breeding sources and larval habitats include treeholes, tires, and man-made containers which collect standing water. This mosquito is an avid biter and transmits canine filariasis, a heartworm parasite known to infect in dogs.

- ***Aedes vexans***, also known as the “Inland floodwater mosquito,” exhibits biting behavior toward humans and large animals throughout the daytime and at dusk. Breeding sources and larval habitats include flooded irrigation pastures and riparian woodland ponds. This mosquito is a secondary vector of canine filariasis and is multivoltine, or capable of producing two or more broods of offspring per year.
- ***Aedes washinoi*** exhibits biting behavior toward humans and large mammals at dawn and dusk. Breeding sources and larval habitats include coastal ground pools and inland shaded pools. At lower elevations, this mosquito may be multivoltine.
- ***Anopheles franciscanus*** exhibits biting behavior toward large mammals at dawn and dusk. The primary breeding source and larval habitat includes shallow, sunlit pools which contain algae.
- ***Anopheles freeborni***, also known as the “Western malaria mosquito,” exhibits biting behavior toward large mammals and humans throughout the daytime and at dusk. Breeding sources and larval habitats include rice fields and clear, sunlit seepages which contain algae. This mosquito is a primary vector of malaria in the western United States.
- ***Anopheles punctipennis***, also known as the “Woodland malaria mosquito,” exhibits biting behavior toward large mammals and humans throughout the daytime and at dusk. Breeding sources and larval habitats include cool, shaded, grassy pools in streams and creeks. This mosquito is a primary vector of malaria in the foothills and Central Valley of California.
- ***Culex erythrothorax***, also known as the “Tule mosquito,” exhibits biting behavior toward birds and humans throughout the daytime in shaded areas and at dusk. Breeding sources and larval habitats include ponds, lakes, and marshes which contain tules and cattails.
- ***Culex quinquefasciatus***, also known as the “Southern house mosquito,” exhibits biting behavior toward birds and humans. Breeding behavior and larval habitats include polluted water from both residential and commercial sources. This mosquito is a primary vector of West Nile virus and St. Louis encephalitis.
- ***Culex restuans*** exhibits biting behavior toward small birds, mammals and occasionally humans throughout the daytime in shaded areas. Breeding sources and larval habitats include foothill and riparian areas associated with relatively foul water in small depressions.
- ***Culex stigmatosoma***, also known as the “Banded foul water mosquito,” exhibits biting behavior toward birds. Breeding sources and larval habitats include polluted water, dairy ponds, sewer ponds, and log ponds. This mosquito is a secondary vector for West Nile virus and Western equine encephalitis.
- ***Culex tarsalis***, also known as the “Western encephalitis mosquito,” exhibits biting behavior toward birds, mammals, and humans in low light settings and at night. Breeding sources and larval

habitats include agricultural, commercial, man-made, or natural sources. This mosquito is a primary vector for West Nile virus in the Western United States and is known to carry St. Louis encephalitis and Western equine encephalitis.

- ***Culex thriambus*** exhibits biting behavior toward birds at night. Breeding sources and larval habitats include riparian or urban pools, ponds, hoof prints, and rock holes along creeks and streams.
- ***Culiseta incidens***, also known as the “Cool weather mosquito,” exhibits biting behavior toward large mammals and humans at night. Breeding sources and larval habitats include shaded, clear, natural or man-made sources.
- ***Culiseta inornata***, also known as the “Large winter mosquito,” exhibits biting behavior toward large mammals and humans at night. Breeding sources and larval habitats include sunlit ground pools or man-made sources.
- ***Culiseta particeps*** exhibits biting behavior toward large mammals and humans throughout the daytime in shaded areas. Breeding sources and larval habitats include riparian shaded clear pools which contain algae, leaves, and other debris.
- ***Orthopodomyia signifera*** exhibits biting behavior toward small birds. Breeding sources and larval habitats include treeholes that will hold water all year long.

ABATEMENT TECHNIQUES

The District's abatement techniques consist of various strategies including but not limited to routine community education, outreach, and sharing of public information on proactive ways to reduce the mosquito population. The District's website, mosquitobuzz.net, offers a variety of educational resources including news releases, mosquito prevention, flyers and brochures, mosquito data, and maps that depict the locales of mosquitoes testing positive for disease within the District.

Upon request to the District Manager or through *Request a Presentation* on the District's website, the District Science Education Coordinator may provide workshops to local schools and organizations to raise awareness for mosquito safety and prevention. The District website showcases Mosquito Busters, an interactive learning tool designed as a means of outreach and education for youth on mosquitos and mosquito prevention.

According to the District, mosquito prevention starts with learning to identify mosquitoes and understanding the mosquito life cycle for elimination in and around the home. Abatement starts with individuals proactively discarding standing water from places where mosquitoes may deposit their eggs. Containers, tires, trash receptacles, ponds, broken sprinklers, irrigation drains, unmaintained swimming pools, and yard fountains are known to be primary breeding grounds for various types of mosquitoes in the District.

The District emphasizes an integrated mosquito management (“IMM”) approach in the District's control program operations to ensure that the most appropriate and environmentally sound methods are utilized. This includes incorporating source reduction principles with biological and chemical control

methods in evaluation and treatment of mosquito sources. Depending upon the level of nuisance being reported to the District, staff members strategize around the most feasible abatement method to eliminate the nuisance.

Biological control is the use of natural enemies to manage mosquito populations. There are several types of biological controls including the direct introduction of parasites, pathogens, and predators to target mosquitoes.

The District's biological control program consists of its use of the *Gambusia affinis* (mosquitofish), widely known as a natural mosquito predator. The District owns small holding tanks at two of their facilities which house mosquitofish that are then used to combat mosquito breeding grounds in swimming pools and spas, ornamental ponds, water troughs, and flood control basins. The District estimates that on average one mosquitofish can eat 49-65 larvae in a half hour period. The lifespan of a mosquitofish is approximately two years, dependent on environmental conditions and food availability, and are known to be aggressive feeders. Residents that live within the District may request mosquitofish through a link on the District's website.

The District's chemical control program utilizes a variety of registered insecticides that are used to control both immature and adult mosquitoes:

- Adulticides – pyrethins, various pyrethroid compounds, malathion
- Larvicides – insect developmental inhibitors (“IDI”), Methoprene, pyriproxyfen
- Bacterial insecticides – *Bacillus thuringiensis israelensis* (“BTI”), *B. sphaericus* (“BS”), Spinosad
- Mosquito larvicidal oils – BVA-2, CocoBear®

Methoprene and pyriproxyfen interfere with the development of mosquitoes and normal metamorphosis, and BTI and BS are stomach toxins that specifically target mosquitoes. When used at recommended application rates, these three biorational insecticides can be used in environmentally sensitive habitats. The active ingredients of Spinosad, which are produced by the bacterium *Saccharopolyspora spinosa*, interfere with immature mosquito development by disrupting the nervous system.

The District's chemical use is regulated by the California Department of Pesticide Regulations, the California Department of Public Health, and the Fresno County Agricultural Commission. The District uses insecticides that are registered with the United States Environmental Protection Agency and the California Department of Pesticide Regulation.

The District employs a variety of equipment to safely and effectively deliver the insecticides to targeted areas. Equipment can include hand applicators, backpack sprayers, mounted spray rigs, and ultra-low volume foggers.

DISTRICT FINANCES

This section of the MSR includes financial information provided by the District's management to assist LAFCo staff in determining if the District has sufficient revenues and financial systems in place to continue

its provision of services to customers. The following information and analysis are based on annual budgets, independent auditor reports, most recent financial statements, and supplementary and supportive documents made available to LAFCo.

Consistent with the requirements of its principal act, the District Manager prepares an annual budget for the District's operation, and the District board of trustees adopts a final annual budget on or before July 1st of each fiscal year. The District's budget identifies anticipated revenues and expenditures using detailed line items for the upcoming fiscal year.

The independent auditor's report indicates that the District's annual budgets conform with generally accepted accounting principles ("GAAP") which requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. The District establishes an annual budget for its governmental fund consistent with GAAP and derived from estimated tax revenue amounts provided by Fresno County directly to the District each year.

According to the State Board of Equalization data, the District's tax revenues are derived from tax rate area ("TRA") maps. The District informed LAFCo that annual property taxes make up the majority of the District's annual budget. Additionally, the District also pursues state funding and industry research-based grants when opportunities arise.⁶³

The District's primary source of revenue is the annual property tax charged to all parcels within the District's service area boundaries in Fresno and Kings County, amounting to \$3,982,412 for the fiscal year ("FY") 2020-21. Additionally, other revenues for the District are generated from annual accumulated interest from its funds account with the Fresno County Treasury, amounting to \$121,077 for the FY 2020-21. The District's budget information reported through annual audits also show an annual balance amount that is carried forward at the beginning of each fiscal year. For budgetary purposes, revenues are underestimated, and expenses are overestimated, allowing for the use of end of year cash carryover and funding reserves.⁶⁴

The District prepares and adopts an annual budget that projects its anticipated revenues and expenditures for the upcoming year. At the time this service review was prepared, the District showed its total operating revenues greater than its anticipated total operating expenditures.

The District accounts for various expenditure line items in its annual budget. Major District operational expenditures include salaried and hourly wages, insurance and retirement benefits, and pesticides and insecticides. For FY 2021-22, the District shows its total operating expenditures at approximately \$3,697,000 and capital outlay expenditures at approximately \$710,000, totaling expenditures at \$4,407,000.

Based on the independent auditor's report analysis of long term debt, the District entered into a capital lease agreement in April of 2017 to finance the construction of its central operating facility. Annual payments of \$287,591 with an interest rate of 3.74% are due on April 1st. The final payment for the debt is scheduled for 2037.

⁶³ Correspondence with District Manager.

⁶⁴ Consolidated Mosquito Abatement District, Financial Statements and Independent Auditor's Report for the Year ended June 30, 2021, Sampson, Sampson & Patterson LLP, CPAs, December 20, 2021.

An analysis of the District's net position serves as a useful indicator of financial health, and as of June 30, 2021, the District's assets exceed liabilities by \$11,556,530.⁶⁵

California State University-Fresno is contracted with the District to provide mosquito abatement services during the active breeding season from March to October. For FY 2021-22, the total cost amounted to approximately \$11,217 with monthly invoices contingent on labor hours and product applied. Invoices are billed and paid monthly.

The District has undertaken a number of means to avoid and regulate expenses including a joint powers agency with similar districts. The District participates in Vector Control Joint Powers Agency ("VCJPA") for the purpose of pooling workers compensation, general liability, auto-physical damage, and property insurance. In addition, a Central California Vector Control Joint Powers Agency ("CCVCJPA") provides dental and vision insurance coverage for its members.⁶⁶

The Fresno County Treasury is the primary investment instrument for District funds, including the District's contingency fund maintained by the Vector Control Joint Powers Agency ("VCJPA"). A business checking account at Bank of the West is maintained by the District for payment of District payroll and bills. The District does not possess or maintain a savings account. The foregoing accounts, cash, and investment of the Consolidated Mosquito Abatement District are in conformity with the District's Investment Policy. The District does not have an investment policy independent of what is allowed under the California Government Code.

LAFCo observes that that District annually receives a steady stream of revenue that allows for its service levels to continue operating efficiently. Based on available financial information, the District's total revenues exceed its liabilities at the time this MSR was prepared. The District states that its revenues are at adequate levels to continue providing services to residents. It appears that the District can meet its financial obligations and is available to meet the District's ongoing commitments to residents and creditors.

OPPORTUNITIES FOR SHARED FACILITIES

The District benefits from its participation in two joint powers agreement with the Vector Control Joint Powers Agency ("VCJPA") and the Central California Vector Control Joint Powers Agency ("CCVCJPA"). The relationship between the District and the JPA is such that the JPA is not a component unit of the District. The VCJPA arranges for liability and property insurance for its member agencies, all of which are mosquito abatement districts in California. VCJPA is governed by a separate board of directors consisting of representatives from participating member districts. The VCJPA board manages its operations including selection of management and approval of operating budgets, independent of any influence by the member districts beyond their representation on the board. Each participating district pays a premium commensurate with the level of coverage required and shares surpluses and deficits proportionately to their participants.

The District is self-insured and a member of the VCJPA for its auto, liability, property, workers compensation and all other related insurances. For dental and vision insurance, the District is a member

⁶⁵ Consolidated Mosquito Abatement District, Financial Statements and Independent Auditor's Report for the Year ended June 30, 2021, Sampson, Sampson & Patterson LLP, CPAs, December 20, 2021.

⁶⁶ Ibid.

of the CCVCJPA. Reviews of insurance, equipment, affiliations, memberships, permits, and all other related items are conducted on an annual basis by the District Manager and support staff.

Additionally, the District has an agreement with the California Department of Public Health. In relation to pesticides, it is agreed that the District:⁶⁷

- *Calibrate all application equipment using acceptable techniques before using, and to maintain calibration records for review by the County Agricultural Commissioner.*
- *Seek the assistance of the County Agricultural Commission in the interpretation of pesticide labeling.*
- *Maintain for at least two years for review by the County Agricultural Commissioner a record of each pesticide application showing the target vector, the specific location treated, the size of the source, the formulations and amount of pesticide used, the method and equipment used, the type of habitat treated, the date of the application, and the name of the applicators.*
- *Submit to the County Agricultural Commission each month a Pesticide Use Report, on Department of Pesticide Regulation form PR-ENF-060. The report shall include the manufacturer and product name, the EPA registration number from the label, the amount of each pesticide used, the number of applications of each pesticide, and the total number of applications, per county, per month.*
- *Report to the County Agricultural Commissioner and the California Department of Public Health, in a manner specified, any conspicuous or suspected adverse effects upon humans, domestic animals, and other non-target organisms, or property from pesticide applications.*
- *Require appropriate certification of its employees by the California Department of Public Health in order to verify their competence in using pesticides to control pest and vector organisms, and to maintain continuing education unit information for those employees participating in continuing education.*
- *Be inspected by the County Agricultural Commissioner on a regular basis to ensure that local agency activities are in compliance with state laws and regulations relating to pesticide use.*

Similar Districts near Consolidated Mosquito Abatement boundaries that provide mosquito abatement are:

- Delta Vector Control District (Tulare County)
- Fresno Mosquito and Vector Control District
- Madera County Mosquito and Vector Control District (Madera County)
- Fresno Westside Mosquito Abatement District
- Coalinga-Huron Mosquito Abatement District
- Kings Mosquito Abatement District (Kings County)

GOVERNMENT ACCOUNTABILITY

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

⁶⁷ Cooperative Agreement Health and Safety Code section 116180.

Accountability for community service needs, including governmental structure and operational efficiencies is evaluated as part of the MSR program to encourage the orderly formation of local government agencies, create logical boundaries, and promote the efficient delivery of services. This MSR is an informational document that will be used by LAFCo, other local agencies, and the public at large to examine the government structure of the District.

The District operates under the authority granted by California's Mosquito Abatement and Vector Control District Law (Health and Safety Code section 2000 *et seq.*). The District has adopted policies that govern the District's activities from a procedural, personnel, and operational standpoint.

The District is an independent special district with a separate board of trustees, not governed by other legislative bodies (neither a city council nor a county board of supervisors). A body of eleven appointed officials serve as the governing body of the District. The eleven members of the board are appointed from each of the nine incorporated cities— City of Clovis, City of Fowler, City of Kingsburg, City of Fresno, City of Orange Cove, City of Parlier, City of Reedley, City of Sanger, City of Selma—and two members by the Fresno County Board of Supervisors from the District at-large. Trustees are appointed to serve terms of two or four years, or until their successor qualifies and takes office, serving without compensation, except for an allowance in lieu of travel expenses to attend monthly Board meetings.⁶⁸ Active District board members receive a \$100 per month allowance in lieu of actual expenses to attend meetings.⁶⁹

The District board of trustees creates policy by adopting resolutions and ordinances through duly noticed public meetings. The District board meets on the third Monday of each month at 1:00 p.m. at the District headquarters, 13151 East Industrial Drive, Parlier, California. Meetings are noticed consistent with Brown Act requirements, which include posting at the District headquarters, as well as on the District's website. Public notices are displayed outside of the District office a minimum of 72 hours before each meeting. The District posts meeting agendas, hearing information, and general information on its website at mosquitobuzz.net.

District board meetings are open to the public, landowners, and residents, and all may attend the monthly board meetings. Opportunities to address the District board of trustees on non-agenda items is provided for during Public Comments on the meeting agenda. If a public member desires to present to the board, the person is encouraged to contact the District Manager in advance of the meeting.

District board meetings are conducted by the Board President in a manner consistent with the policies of the District. The District board annually elects one of its members to serve as the Board President, another member to serve as the Board Vice-President/Secretary.

The Board President presides at all meetings of the board, and announces its decision on all subjects, and decides all questions of orders, subjects, and signs all board ordinances and resolutions and contracts approved by the District board.

The Board President also performs any other duties imposed by the board, after first receiving approval by at least three members of the board. In the absence of the President, the Vice-President/Secretary assumes all duties of the President. The Board Vice-President/Secretary is the custodian of all records of

⁶⁸ <https://www.mosquitobuzz.net/board-of-trustees>.

⁶⁹ CMAD MSR Request for Information questionnaire.

the proceedings taken by the District board but delegates this responsibility to the District Manager and Office Administrator.

Each District Board member and District Manager attend ethics training biennially through an online course provided by the VCJPA. The District retains legal counsel which notifies the District when periodic updates and changes to the Brown Act occur. The District is currently participating in a trial membership with the California Special Districts Association ("CSDA"), which provides training materials and course work to ensure public officials comply with training requirements, i.e. ethics, public records, sexual harassment preventions, and dealing with difficult people.

The District is a member of the Mosquito and Vector Control Association of California ("MVCAC")–South San Joaquin Valley Region Cooperation Agreement with other mosquito abatement districts for assistance and aid in the event of a mosquito-borne disease emergency.⁷⁰ The District is also a member of the American Mosquito Control Association ("AMCA") and the Society for Vector Ecology ("SOVE").

As previously noted, the District has one appointed full-time District Manager responsible for the daily operations of the District, with the support of twelve full-time employees and approximately twenty-six seasonal employees. The District's legal counsel services are provided through a contract with a local attorney with experience in local government. The District Manager reports directly to the District board, and he/she oversees office staff and service contracts, monitors the surveillance and abatement programs, schedules maintenance programs, and oversees the District's annual budget.

The District's governance structure is appropriate to ensure adequate services are provided and managed. At the time of MSR preparation, the District's government structure appears to be adequately structured to operate and fulfill its role as a services provider in the community

ANY OTHER MATTERS RELATED TO EFFECTIVE OR EFFICIENT SERVICE DELIVERY

None.

⁷⁰ CMAD MSR Request for Information questionnaire.

MSR DETERMINATIONS

This portion of the report addresses the factors specified in the governing statute for MSRs and provides analysis in conformance with GC section 56425 and Fresno LAFCo policy. Pursuant to GC section 56430, the Commission has prepared the following written determinations.

1. Growth and population projections for the affected area

- The District's service area and sphere of influence are not coterminous. Based on LAFCo records, the District's service area encompasses approximately 658,078 acres located primarily in central Fresno County and approximately 11,520 acres in Kings County. The District SOI encompasses approximately 2,286,238 acres. The District's service area includes the incorporated cities of Clovis, Fowler, Kingsburg, Parlier, Reedley, Orange Cove, Sanger, Selma, and portions of north and east Fresno. A majority of the land in the District is unincorporated.
- The County of Fresno is the land use authority for the unincorporated land within the District and the Fresno County General Plan Land Use Element designates a majority of the District's territory for agricultural use, with the exception of the unincorporated Community Plans for Caruthers, Del Rey, Friant, Lanare, Laton, and Riverdale.
- The Cities of Clovis, Fowler, Kingsburg, Parlier, Reedley, Orange Cove, Sanger, Selma, and Fresno are the land use authorities for the incorporated territory in the District's service area. Territory in the cities is urbanized with various land uses including, but not limited to, commercial, industrial, open space/recreational, multi-family, and single family residential uses. Cities' population projections are forecasted based on previous growth rates and included in each city's General Plan.
- The District informed LAFCo that it serves an estimated population of 524,651 based on census data used in conjunction with ESRI's ArcGIS Living Atlas mapping and data layers. As population growth occurs within the District service area and land use becomes increasingly urbanized, mosquito production and service levels will also be further impacted.
- The District does not have land use authority.
- The District's SOI boundaries are appropriate and reflect growth plans of its cities. The District does not plan on expanding the service area nor does it intend to annex the unserved area within the SOI.

2. The location and characteristics of any Disadvantaged Unincorporated Communities within or contiguous to the sphere of influence

- Government Code sec. 56033.5 defines a "disadvantaged unincorporated community" as an inhabited territory, as defined by Government Code sec. 56046, or as determined by commission policy, that constitutes all or a portion of a "disadvantaged community" as defined by section 79505.5 of the California Water Code.

- The District's service area encompasses census block groups that meet the Water Code definition of Disadvantaged Communities based on MHI levels reported in the American Community Survey five-year reports for year 2012 through 2016. This MSR update characterized 19 locations within the District's service area that met LAFCo's DUC definition, shown on Figure 2.
- The District provides mosquito abatement and treatment of properties within its limited boundaries. LAFCo observes that DUCs identified within CMAD's service area also receive the same level of service as all other parcels within the District.

3. Present and planned capacity of public facilities and infrastructure needs or deficiencies

- The District owns and operates various public facilities and equipment necessary to conduct business and provide mosquito abatement services. The District offers a number of services to its community residents that are used to control both immature and adult mosquitoes including, but not limited to, mosquito trapping and identification, application of larvicides, adulticides, bacterial insecticides, and mosquitofish distribution to pools and ponds to eliminate mosquito breeding grounds overall.
- The District owns the land and buildings at its headquarters which is located at 13151 East Industrial Drive in Parlier, CA. Additionally, the District owns the land and buildings at four other facilities located in Clovis, Selma, Sanger, and Caruthers.
- The District has a fleet of vehicles that include forty-three trucks, six Jeeps, three sport utility vehicles, eighteen all-terrain vehicles, two Bobcats, five amphibious vehicles, one forklift, one mist sprayer, and two boats used by technicians and staff in service calls and applying treatments throughout the District. The District owns small holding tanks which house mosquitofish that are then used to combat mosquito breeding grounds.

4. Financial ability of agency to provide services

- The District Manager prepares an annual budget for the District's operation, and the District board adopts an annual budget on or before July 1st of each year. The District's budget identifies anticipated revenues and expenditures using detailed line items for the upcoming fiscal year.
- The District's primary source of revenue is the annual property tax charged to all parcels within the District. The District informs that annual property taxes make up the majority of the District's annual budget. For Fiscal Year 2020-21, the District's annual property tax revenues amounted to approximately \$4,018,788. Additionally, the District also pursues state funding and industry grants when opportunities arise.
- For Fiscal Year 2021-22, the District's adopted budget showed \$10,148,000 as total budget and reserves, while operating expenditures were estimated at \$3,697,000. At the time this service review was prepared, the District showed its total operating revenues greater than its anticipated total operating expenditures.

- LAFCo staff also was provided a copy of the District’s most current independent auditor’s report, financial report, and supplementary information for fiscal years ending June 30, 2021. The Auditor’s report indicates that the District’s annual budgets conform with generally accepted accounting principles (“GAAP”) which requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes.
- LAFCo observes that the District annually receives a steady stream of revenue that allows for its service levels to continue operating efficiently. The District states that its revenues are at adequate levels to continue providing services to residents.

5. Status of, and opportunities for, shared facilities

- The District benefits from its participation in one joint powers agreement with the Vector Control Joint Powers Agency (“VCJPA”). The VCJPA arranges for auto, liability, property, workers compensation and all other related insurances for its member agencies, all of which are mosquito abatement districts in California.
- The District is a member of the Central California Vector Control Joint Powers Agency (“CCVCJPA”) for dental and vision insurance coverage.
- LAFCo recognizes that mosquito abatement is one type of service that lends itself to be efficiently and effectively provided using various partnerships among local agencies. At the time this report was prepared, the District’s operations were adequately managed and there are no other similar agencies that present an obvious opportunity to recommend additional shared facilities.

6. Accountability for community service needs, including government structure and operational efficiencies

- The District operates under the authority granted by California's Mosquito Abatement and Vector Control District Law (Health and Safety Code section 2000 et seq.). The District has adopted policies that govern the District’s activities from a procedural, personnel, and operational standpoint.
- A body of eleven appointed officials serve as the governing body of the District. The eleven members of the board are appointed by representatives of the City of Clovis, City of Fowler, City of Kingsburg, City of Fresno, City of Orange Cove, City of Parlier, City of Reedley, City of Sanger, City of Selma, and the Fresno County Board of Supervisors to two or four-year terms or until their successor qualifies and takes office. Active District board members receive a \$100 per month allowance in lieu of actual expenses to attend meetings.
- The District board of trustees creates policy by adopting resolutions and ordinances through duly noticed public meetings. The District board meets on the third Monday of each month at 1:00 p.m. All District board meetings take place at 13151 East Industrial Drive, Parlier, CA.
- The District board has one appointed full-time District Manager responsible for the daily operations of the District, with the support of twelve full-time employees and approximately

twenty-six seasonal employees. The District's legal counsel services are provided through a contract with a local attorney with experience in local government.

- The District Manager reports directly to the District board, and he/she oversees office staff and service contracts, monitors the surveillance and abatement programs, schedules maintenance programs, and oversees the District's annual budget.
- The District's pesticide management and application methods are regulated by the National Pollutant Discharge Elimination System ("NPDES") General Permit (CAG990004) and the Water Quality Order 2016-0039-DWQ.
- The District also operates under a Cooperative Agreement with the California Department of Public Health to ensure compliance with State laws and regulations relating to pesticide use for control of vectors. The agreement also ensures that proper records, calibrations, and certifications are maintained, and pesticide use reports are submitted to County Ag Commissioner.
- The District is self-insured and is a part of the Vector Control Joint Powers Authority ("VCJPA") for its auto, liability, property and the Central California Vector Control Joint Powers Agency ("CCVCJPA") for dental and vision insurance. Reviews of insurance, equipment, affiliations, memberships, permits, and all other related items are conducted on an annual basis by the District Manager and support staff.
- Each District Board member and the District Manager receive ethics training biennially through an online course provided by the VCJPA. The District's legal counsel also provides input and guidance on any updates of the Brown Act.
- The District is an independent special district with its separate board of trustees, not governed by other legislative bodies (either a city council or a county board of supervisors).
- The District's governance structure is appropriate to ensure adequate services are provided and managed. At the time of MSR preparation, the District's government structure appears to be adequately structured to operate and fulfill its role as a services provider in the community.

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

- None.

SPHERE OF INFLUENCE DETERMINATIONS

LAFCo has prepared this MSR consistent with GC section 56430 in order to affirm the Consolidated MAD SOI in accordance with GC section 56425. The purpose of the service review is to get a “big picture” of the public services provided by a local agency, determine service needs, and make recommendations in order to promote the orderly development of local agencies.

When Fresno LAFCo updates, amends, revises, or affirms a sphere of influence for a local governmental agency within its purview, it must adopt specific determinations with respect to the following factors:

1. Present and planned land uses, including agricultural and open-space lands

- The County of Fresno is the land use authority for unincorporated land located within the District. The Fresno County General Plan designates the majority of unincorporated land within the District’s service area for agricultural uses.
- The Cities of Clovis, Fowler, Kingsburg, Parlier, Reedley, Orange Cove, Sanger, Selma, and Fresno are the land use authorities within the incorporated areas of the District’s service area. Their respective land use plans show a mix of urban land uses including, but not limited to, residential, commercial, industrial, public, agricultural, and open space uses. The Cities’ general plans designate urban land uses for areas identified within their SOIs, respectfully.

2. Present and probable need for public facilities and services in the area

- Existing District facilities have sufficient capacity to meet the District’s current service needs.
- The need for District public health services will increase with growth in population.

3. Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide

- The District provides services over a large geographic area. The capacity of the existing District facilities is adequate for provision of services into the future.

4. Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency

- The entire region benefits from protection of public health and comfort through an active, effective program to control mosquitoes and mosquito-borne diseases.

5. Present and probable need for public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence

- The MSR update identifies 19 locations that meet Fresno LAFCo’s definition for a DUC. The MSR notes that DUCs within the CMAD receive the same level of service as all other parcels within the District. Descriptions for each DUC and **Figure 2** depict their locations relative to the District’s boundaries.

RECOMMENDATIONS

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

1. Receive this report and any public testimony regarding the proposed Municipal Service Review and proposed Sphere of Influence update.
2. Find that the Municipal Service Review is exempt from the California Environmental Quality Act pursuant to section 15306 (Information Collection).
3. Approve the recommended Municipal Service Review determinations, together with any changes deemed appropriate.
4. Approve the recommended Sphere of Influence determinations, together with any changes deemed appropriate.
5. Affirm the existing Consolidated Mosquito Abatement District SOI.
6. Find that LAFCo, as a Responsible Agency pursuant to the California Environmental Quality Act ("CEQA") considered the Notice of Exemption ("NOE") prepared by Consolidated Mosquito Abatement District ("Consolidated MAD"), Lead Agency, for its review and update of the Consolidated MAD SOI.
7. Find that as a Responsible Agency, Fresno LAFCo, independently reviewed and considered the environmental effects of the SOI update as presented in the NOE prepared by the Consolidated MAD, as Lead Agency, prior to reaching a decision on the proposal. Since it can be seen with certainty that the SOI update does not have the potential to result in a significant effect on the environment, it is not subject to CEQA pursuant to CEQA guidelines section 15061 (b)(3).

ACKNOWLEDGMENTS

This Municipal Service Review update was prepared by Fresno LAFCo. Consolidated Mosquito Abatement District's former District Manager Steve Mulligan and present District Manager Jodi Holeman provided substantial information included in this service review. Fresno LAFCo staff extends its appreciation to the staff of the District for their assistance in the development of this Municipal Service Review.

Available Documentation – documents used for the preparation of this report consist of public records and are available at the Fresno Local Agency Formation Commission Office located at:

Fresno Local Agency Formation Commission
1401 Fulton Street, Suite 900
Fresno, California 93721

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


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

AGENDA ITEM NO. 8

DATE: March 8, 2023

TO: Fresno Local Agency Formation Commission

FROM: Brian Spaunhurst, Executive Officer 

BY: Jessica Gibson, LAFCo Analyst

SUBJECT: **Consider Adoption** – Municipal Service Review and Sphere of Influence Update Prepared for the Zalda Reclamation District No. 801 (MSR-23-01/USOI-209).

Attachment A – Zalda Reclamation District No. 801 service area and Sphere of Influence map
Attachment B – Draft Zalda Reclamation District No. 801 Municipal Service Review

Recommendations:

1. Adopt the Municipal Service Review update prepared for the Zalda Reclamation District No. 801;
2. Update the Zalda Reclamation District No. 801 Sphere of Influence; and
3. Initiate the SB 938 process by taking the following actions:

Action 1:

- 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 and Sphere of Influence determinations under consideration are Categorical Exempt from the provisions of the California Environmental Quality Act (“CEQA”) under “Information Collection” in section 15306, and under the common sense exemption in section 15061(b)(3), or the “General Rule Exemption.”

Action 2:

- B. Find that the Municipal Service Review and Sphere of Influence Update prepared for the District are complete and satisfactory.
- C. Find that the written determinations within the Municipal Service Review and Sphere of Influence Update satisfy State Law.
- D. Pursuant to Government Code Sections 56425 and 56430 make the required determinations for the Municipal Service Review and District Sphere of Influence, adopt the Municipal Service Review prepared for the District, and update the Sphere of Influence for said District by reaffirming the current boundaries.

Action 3:

- E. Adopt resolution of intent to initiate dissolution pursuant to GC Section 56375.1(a)(2)A) under SB 938.

Executive Summary

Fresno LAFCo has made several attempts to collect information in order to assess municipal services for Zalda Reclamation District No. 801 ("Zalda RD" or "District") without success. Per the recently adopted Senate Bill 938, the District appears to meet certain conditions of a deficient district under GC Section 56375.1. In consideration of the deficiencies of the District, it is recommended that the Commission consider the initiation of dissolution with a 12-month remediation period pursuant to SB 938.

The attached Municipal Service Review ("MSR") prepared for the District recommends the affirmation of the existing District Sphere of Influence ("SOI"). Further background, analysis, determinations, and recommendations are presented in the draft MSR (**Attachment B**).

Senate Bill 938

On July 1, 2022, Senate Bill ("SB") 938 was signed into law which authorizes a commission to initiate a proposal for the dissolution of a district, based on a preponderance of the evidence that one or more deficiencies has been met, effective January 1, 2023.

SB 938 requires the commission to adopt a resolution of intent to initiate a dissolution based on these provisions and to provide a remediation period of at least 12 months, during which the district may take steps to remedy the stated deficiencies.

In order for the subject district to meet the condition of deficiency, the commission must approve, accept, or adopt a study prepared pursuant to GC Section 56430 that includes a finding, based on the preponderance of evidence, that one or more conditions is met. The conditions under GC Section 56375.1(a)(1) include:

(A) The district has one or more documented chronic service provision deficiencies that substantially deviate from industry or trade association standards or other government regulations and its board or management is not actively engaged in efforts to remediate the documented service deficiencies.

(B) The district spent public funds in an unlawful or reckless manner inconsistent with the principal act or other statute governing the district and has not taken any action to prevent similar future spending.

(C) The district has shown willful neglect by failing to consistently adhere to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) and other public disclosure laws to which the agency is subject.

(D) The district has failed to meet the minimum number of times required in its principal act in the prior calendar year and has taken no action to remediate the failures to ensure future meetings are conducted on a timely basis.

(E) The district has consistently failed to perform timely audits in the prior three years, or failed to meet minimum financial requirements under Section 26909 over the prior five years as an alternative to performing an audit.

(F) The district's recent annual audits show chronic issues with the district's fiscal controls and the district has taken no action to remediate the issues.

Municipal Service Review and Public Review Availability

In order to update the SOI for a local agency pursuant to Government Code (“GC”) Section 56425(g), LAFCo has prepared this service review consistent with GC Section 56430. An MSR is a comprehensive study prepared by LAFCo to inform local agencies and the community about municipal services provided by local agencies.

Fresno LAFCo Policy 112.5 requires that a draft MSR be posted on the Commission's website with a minimum 21-day public review period. The draft MSR update was circulated and made available for review from February 15, 2023, through March 7, 2023. No official written comments were received as of the publishing date of this staff report.

Description

Zalda Reclamation District No. 801 was originally formed in 1909 to provide levee maintenance and drainage services. The District's principal act is California Water Code section 50000 *et seq.* which enables reclamation districts to do all things necessary or convenient for accomplishing the purposes for which it was formed.

LAFCo records indicate the District's Sphere of Influence is coterminous with the District's service boundary, amounting to approximately 12,810 acres. A portion of the District extends into Kings County. The District's Sphere of Influence was previously updated in December 2007 in conjunction with a Municipal Service Review.

Fresno LAFCo Policy 112.3 designates the District as a special district that provides “non-municipal” services to its constituency. Non-municipal special districts means that services that are provided do not in themselves facilitate or induce population growth.

Summary / Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCo to review and update, as necessary, each agency's Spheres of Influence (SOIs) every five years, pursuant to GC section 56425.

Prior to, or in conjunction with an agency's SOI update, LAFCo is required to conduct a Municipal Service Review for each agency. State law requires that the Commission adopt written MSR determinations for each of the following seven criteria:

1. Growth and population projections for the affected area.
2. Location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence.
3. Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies.
4. Financial ability of agencies to provide services.
5. Status of, and opportunities for, shared facilities.
6. Accountability for community service needs, including governmental structure and operational efficiencies.
7. Any other matter related to effective or efficient service delivery, as required by commission policy.

As part of the SOI update, the Commission is required to consider the following four criteria and make appropriate determinations in relationship to each:

1. The present and planned land uses in the area, including agricultural and open-space lands.
2. The present and probable need for public facilities and services in the area.

3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.

The attached MSR present these determinations with District information and the analysis used in support of the determinations and recommendations.

MSR Discussion

Zalda Reclamation District No. 801 has been noted as a deficient district dating back to the 2007 Municipal Service Review. The District has failed to provide consistent services and meet the determinations made in the 2007 municipal service review. Information related to facilities, infrastructure needs, financials, and board meetings was not provided and remains unknown. For services rendered, Kings River Conservation District ("KRCD") operates under a contractual agreement with Zalda RD to maintain approximately 4.5 miles of tile lines and interceptor pumps along the North Fork channel. KRCD sends utility invoices to the District's point of contact and the landowner is billed directly to reimburse KRCD.

On January 6, 2023, LAFCo sent notice to the District informing the agency of the scheduled MSR Update and ensuing "request for information" questionnaire in compliance with Commission policy. The MSR questionnaire requested the District to provide LAFCo with the necessary information to begin evaluation of the agency's service provisions. Lacking a response from the District, LAFCo staff continued to prepare an MSR with limited resources and information.

For the purpose of this report, Zalda RD appears to have failed to meet the minimum number of times required in its principal act in the prior calendar year and has taken no apparent action to remediate the failures to ensure future meetings are conducted pursuant to GC Section 56375.1(a)(1)(D). The District also appears to have failed to perform timely audits in the previous three years and appears to have failed to meet the minimum financial requirements over the previous five years pursuant to GC Section 56375.1(a)(1)(E).

Environmental Determination

MSRs are categorically exempt from the preparation of environmental documentation under a classification related to information gathering (Class 6 – Regulation section 15306), which states: "Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded." Indeed, MSRs collect data for the purpose of evaluating municipal services provided by the agencies. There are no land use changes or environmental impacts created by such studies.

Furthermore, this MSR qualifies for a general rule exemption from environmental review based upon CEQA Regulation Section 15061(b)(3), which states: "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." Additionally, the SOI update qualifies for the same general exemption from environmental review based upon CEQA Regulation section 15061(b)(3).

There is no possibility that this MSR and SOI update may have a significant effect on the environment because there are no land use changes associated with the documents. If the Commission approves and adopts the MSR and SOI update and determines that the project is exempt from CEQA, staff will prepare a notice of exemption as required by CEQA Regulation section 15062.

Individuals and Agencies Receiving this Report

Jessica S. Johnson, LAFCo Counsel

Bernard Jimenez, Planning & Resource Management Officer, Fresno County

David Merritt, Kings River Conservation District General Manager

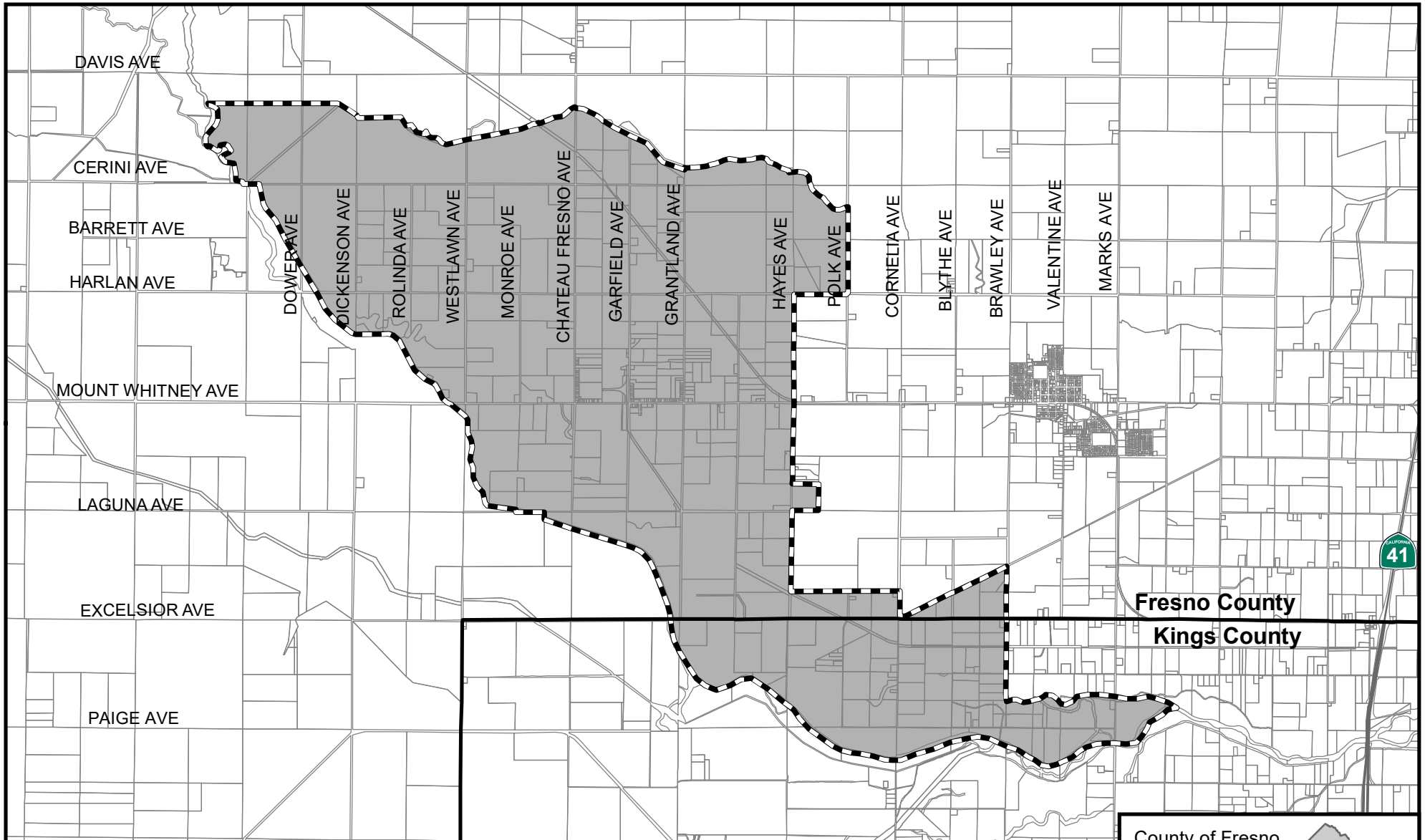
Alex Dominguez, Kings River Conservation District Counsel

Marilyn Dutra, Zalda Reclamation District No. 801 – point of contact

Chuck Kinney, Executive Officer, Kings LAFCo



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Zalda Reclamation District No. 801



Fresno County
Kings County

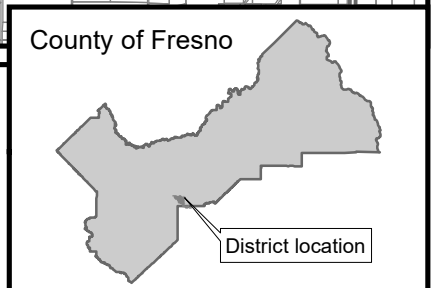
Fresno Local Agency Formation Commission

-  Sphere of influence
-  District service area



Incorporated: 1909
 Sphere updated: 12/5/2007
 District area: 12,810 acres
 Sphere area: 12,810 acres

Map prepared: 03/02/2020



ZALDA RECLAMATION DISTRICT NO. 801

MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE

Report to the Fresno Local Agency Formation Commission

MSR-23-01/USOI-209

Brian Spaunhurst, Executive Officer

Juan Lara, Analyst III

Jessica Gibson, Analyst I

Amanda Olivas, Clerk to the Commission

1401 Fulton Street, Suite 900

Fresno, CA 93721

Public Review Period:

February 15, 2023 – March 7, 2023

MUNICIPAL SERVICE REVIEW

This Municipal Service Review (“MSR”) has been prepared for Zalda Reclamation District No. 801 (“Zalda RD” or “District”). In order to complete the MSR, the District is forwarded a “request for information” questionnaire for the purpose of data collection and municipal service assessment. Several attempts were made to contact the District by mail, email, and phone without success. Therefore, little information has been made available to complete the MSR.

SENATE BILL (SB) 938

Zalda RD appears to meet certain conditions of a deficient district under GC section 56375.1. The MSR update corresponds with the Commission initiating a proposal for the dissolution of a district pursuant to SB 938, effective January 1, 2023. The bill authorizes a commission to:

“...initiate a proposal for the dissolution of a district, as described, if the commission approves, adopts, or accepts a specified study that includes a finding, based on a preponderance of the evidence, that, among other things, the district has one or more documented chronic service provision deficiencies, the district spent public funds in an unlawful or reckless manner, or the district has shown willful neglect by failing to consistently adhere to the California Public Records Act.

The bill would require the commission to adopt a resolution of intent to initiate a dissolution based on these provisions and to provide a remediation period of at least 12 months, during which the district may take steps to remedy the stated deficiencies. The bill would authorize the commission, at the conclusion of the remediation period, to find that the district has failed to remedy the deficiencies and adopt a resolution to dissolve the district.”

Pursuant to Cortese-Knox-Hertzberg Local Government Reorganization Act (“CKH”) section 56375.1 (a)(1), in order for the subject district to meet the condition of deficiency, the Commission must approve, accept, or adopt a study prepared pursuant to GC section 56430 that includes a finding, based on a preponderance of evidence, that one or more of the conditions is met:

“(A) The district has one or more documented chronic service provision deficiencies that substantially deviate from industry or trade association standards or other government regulations and its board or management is not actively engaged in efforts to remediate the documented service deficiencies.

(B) The district spent public funds in an unlawful or reckless manner inconsistent with the principal act or other statute governing the district and has not taken any action to prevent similar future spending.

(C) The district has shown willful neglect by failing to consistently adhere to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1) and other public disclosure laws to which the agency is subject.

(D) The district has failed to meet the minimum number of times required in its principal act in the prior calendar year and has taken no action to remediate the failures to ensure future meetings are conducted on a timely basis.

(E) The district has consistently failed to perform timely audits in the prior three years, or failed to meet minimum financial requirements under Section 26909 over the prior five years as an alternative to performing an audit.

(F) The district's recent annual audits show chronic issues with the district's fiscal controls and the district has taken no action to remediate the issues."

BACKGROUND

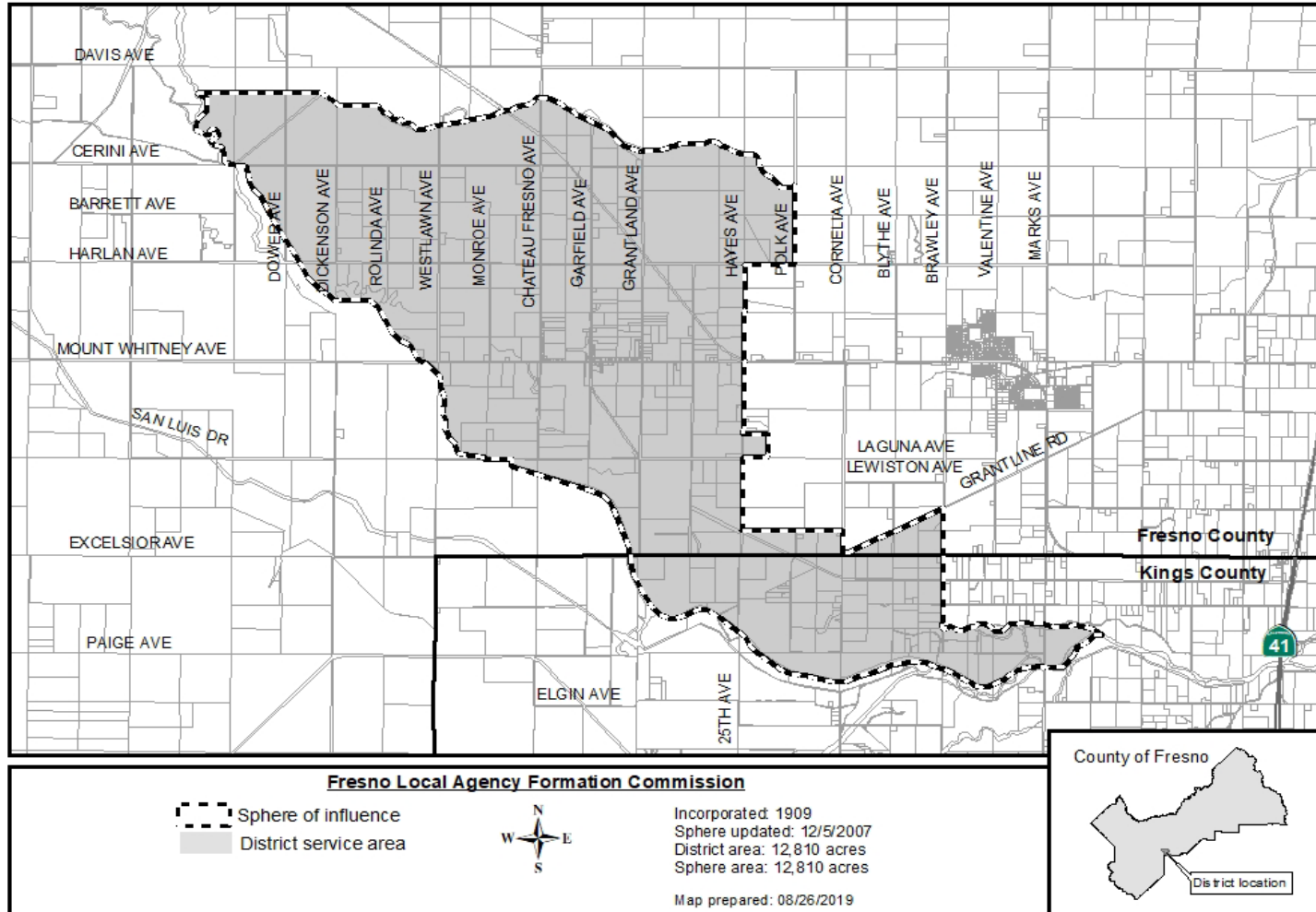
The Zalda Reclamation District No. 801 was formed in 1909 to provide levee maintenance and drainage services. It operates under the provisions of Water Code section 50000 *et seq.*

DISTRICT SERVICE AREA

The District includes approximately 12,810 acres. It is located in south-central Fresno County, approximately 20 miles southwest of the City of Fresno. A portion of the District extends into Kings County. Its sphere of influence ("SOI") and district service area are coterminous (**Figure 1**).

FIGURE 1 – DISTRICT MAP

Zalda Reclamation District No. 801



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AUTHORIZED DISTRICT SERVICES

The District operates under the provisions of Water Code section 50000 *et seq.*, pursuant to which the District may do all things necessary or convenient for accomplishing the purposes for which it was formed. District services are not provided by Zalda Reclamation District No. 801 at this time. Kings River Conservation District operates under an agreement with Zalda RD to maintain approximately 4.5 miles of tile lines and interceptor pumps along the North Fork channel.

GROWTH AND POPULATION PROJECTIONS

District services do not affect rates or location of development or population growth.

DISADVANTAGED UNINCORPORATED COMMUNITIES

The CKH requires LAFCo to make determinations regarding “disadvantaged unincorporated communities” (“DUC(s)”) when considering a change of organization, reorganization, SOI expansion, and when conducting municipal service reviews.

GC section 56033.5 defines a DUC as: i) all or a portion of a “disadvantaged community” as defined by section 79505.5 of the Water Code (a community with an annual median household income (“MHI”) that is less than 80 percent of the statewide annual MHI); and ii) within “inhabited territory” (12 or more registered voters), as defined by GC section 56046, or as determined by Commission policy.

Fresno LAFCo policy further refines the definition of a DUC as having at least 15 dwelling units at a density not less than one unit per acre. GIS files were derived from the U.S. Census Bureau's American Community Survey (“ACS”) compiled for the five-year period 2017-2021 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 2017 and 2021 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 U.S. Census Bureau. The statewide annual MHI reported for years 2017 through 2021 was \$84,097. Therefore, the calculated threshold for a DUC is any geographic unit with a reported annual MHI that is less than \$67,277. Census block group data was used to provide the economic and population backgrounds for this section of the MSR.

The following information characterizes one DUC with respect to the District’s service area:

The community of **Lanare** is located in Census Tract 77.00-Block Group 4. According to the ACS five-year estimates, Lanare has a population of 297 people and a housing stock of 72 units. During the ACS five-year estimates 2017 through 2021, the community of Lanare reported an MHI of \$41,724. In 2018, Leadership Counsel for Justice and Accountability (“LCJA”), a Fresno based local organization that works with DUCs, finalized an income-level survey conducted within Lanare. The survey consisted of mail-in and door-to-door surveys conducted in accordance with the California State Water Resources Control Board’s 2014 Multiagency Guidelines for MHI Surveys. According to LCJA, there are 154 dwelling units in Lanare. Between December 2017 and March 2018, the survey information showed that Lanare had an MHI of \$30,000 during 2017. LAFCo estimates that there are 113 parcels which encompass approximately 123 acres. The density is approximately one dwelling unit per acre within this DUC. Lanare is situated near the intersection of South

Grantland Avenue and Mount Whitney Avenue. There are 124 registered voters in the area. Services include water through Lanare Community Service District, wastewater through private septic tanks, and fire protection through Fresno County Fire Protection District.

DISTRICT INFRASTRUCTURE

The District did not provide any information related to its facilities, employees, or infrastructure.

DISTRICT FINANCES

The District did not provide a budget or any financial information.

OPPORTUNITIES FOR SHARED FACILITIES

The District did not provide any information related to opportunities for shared facilities.

GOVERNMENT ACCOUNTABILITY

Reclamation districts are landowner elected special districts that operate independently from the County of Fresno. The District does not currently have a governing board of trustees.

ANY OTHER MATTERS RELATED TO EFFECTIVE OR EFFICIENT SERVICE DELIVERY

In 2007, Fresno Local Agency Formation Commission (LAFCo) conducted a municipal service review (MSR) for Zalda Reclamation District No. 801, during which staff and the consulting group hired to prepare the MSR attempted to contact the district multiple times by mail, email, and phone without success. In January of 2023, the District was mailed a questionnaire and failed to complete and return the questionnaire provided by LAFCo. As a result, very little information has been made available. In the process of the preparation of the 2007 and the current MSR, LAFCo observed that the District presented the following characteristics that are of concern to Fresno LAFCo:

- District ceased providing a service;
- District has no adopted annual budget;
- District was unable to fund capital improvements, operations, or staffing critical to its mission; and
- No recent financial audit has been performed.

Such deficiencies are of concern to LAFCo because it renders the special district both inefficient and disorderly, resulting in a burden to the public:

- Inefficient – a special district exists solely to provide one or more services to residents or property owners within its boundaries. When the special district fails to provide the service, or when the service is no longer needed or necessary, the district should then be dissolved. A dormant or inactive district frequently burdens the public treasury because state laws require regular monitoring, reporting, and compliance by the special district to other state, county, and local agencies. Mandated activities include but are not limited to annual reports to the California State Controller’s Office, conflict of interest filings, preparation for special district elections, and Form 700 filings by District officers. As these other agencies seek to fulfill their own related administrative mandates an unresponsive or inactive special district causes them to incur unnecessary expenses.
- Disorderly – a special district provides service(s) as authorized by its principal act. The principal act, or other supporting regulation, establishes minimal operational standards for board, budget, services, and management. When one or more of the principal act's standards fail to be met, it is the responsibility of special district management to remedy this condition by either attempting to restore the service, resolving the issue that prevented the service from being provided, or by taking responsibility to begin dissolution of the special district. When special district management fails to take such actions, it is not acting in accordance with its principal act.

LAFCo notes that the District shows several deficiencies:

The District appears to have failed to meet the minimum number of times required in its principal act in the prior calendar year and has taken no apparent action to remediate the failures to ensure future meetings are conducted. The District appears to have failed to perform timely audits in the previous three years and appears to have failed to meet the minimum financial requirements over the previous five years.

LAFCo staff considered various factors pertaining to local governance, compliance with its principal act, activities of the board, agency finances, government accountability and transparency in order to present accurate information. Based on the District’s apparent lack of board meetings, financial audits, and lack of activity and responsiveness, LAFCo staff recommends the Commission to support the initiation of the District’s dissolution.

MSR DETERMINATIONS

This portion of the report addresses the factors specified in the governing statute for MSRs and provides analysis in conformance with GC section 56425 and Fresno LAFCo policy. Pursuant to GC section 56430, the Commission has prepared the following written determinations:

The District did not provide the necessary information required in order for LAFCo to entirely evaluate its municipal services.

The SB 938 process requires the Commission to adopt a resolution of intent to initiate a dissolution based on these provisions and to provide a remediation period of at least 12 months, during which the district may take steps to remedy the deficiencies or adopt a resolution to dissolve the district.

The District meets the conditions, based on a preponderance of the evidence, of (1) failed to meet the minimum number of times required in its principal act in the prior calendar year and has taken no action to remediate the failures to ensure future meetings are conducted on a timely basis, and (2) consistently failed to perform timely audits in the prior three years, or failed to meet minimum financial requirements under Section 26909 over the prior five years as an alternative to performing an audit.

SPHERE OF INFLUENCE DETERMINATIONS

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.” The Commission is required to review and update Spheres of Influence every five years, therefore, even though the District did not provide requested information the Commission is obligated to update its sphere.

The District’s sphere of influence is coterminous with its boundaries. No proposed sphere or boundary change information was received from the District.

RECOMMENDATIONS

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

Approve, adopt, or accept this MSR and the findings herein and initiate the SB 938 process in order to correct the District deficiencies or to dissolve the District.

Approve the recommended Sphere of Influence determinations and affirm the current Sphere of Influence.


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

AGENDA ITEM No. 9

DATE: March 8, 2023

TO: Fresno Local Agency Formation Commission

FROM: Brian Spauhurst, Executive Officer 

SUBJECT: Report by the Executive Officer Compensation Committee recommending an amendment of the Executive Officer's Employment Agreement (Compensation).

RECOMMENDATION: Approve.

On January 11, 2023, the Commission completed its performance evaluation of the Executive Officer and directed that a subcommittee composed of Chair Santoyo and Commissioner Parra meet with the Executive Officer to discuss amendments to his compensation.

The committee met with the Executive Officer twice, reviewed his positive evaluation, examined comparable executive officer salaries and benefits, and developed a mutually acceptable recommendation to be brought to the full Commission at the March LAFCo meeting.

On this basis, the committee recommends a 13.0% increase of the Executive Officer's annual compensation effective January 1, 2023. A minor language correction to allow for all reasonable automotive expenses outside of Fresno County is also recommended.