

**RESOLUTION NO. MSR-16-1**

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

**In the Matter of**

**LAFCo Determination**

<b>RESOLUTION MAKING DETERMINATIONS ) AND ADOPTING MUNICIPAL SERVICE ) REVIEW FOR THE SIERRA RESOURCE ) CONSERVATION DISTRICT )</b>	<b>MADE DETERMINATIONS AND ADOPTED THE MUNICIPAL SERVICE REVIEW FOR THE SIERRA RESOURCE CONSERVATION DISTRICT</b>
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**WHEREAS**, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56425 et. Seq.) the Fresno Local Agency Formation Commission is required to review and update, as necessary, Spheres of Influence of local agencies not less than once every five years; and

**WHEREAS**, Government Code Section 56430 directs the Commission to conduct a review of municipal services not later than the time it considers an action to establish or update a Sphere of Influence; and

**WHEREAS**, the Executive Officer prepared a Municipal Service Review (MSR) and Sphere of Influence Update for the Sierra Resource Conservation District (Exhibit A); and

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

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

**WHEREAS**, pursuant to Government Code Sections 56425 and 56430, the Commission considered the required determinations for the Municipal Service Review and District Sphere of revision as described within Exhibit "B".

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

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

**ADOPTED THIS 10<sup>th</sup> DAY OF FEBRUARY, 2016, BY THE FOLLOWING VOTE:**

**AYES: COMMISSIONERS PEREA, PARRA, PACHECO, SANTOYO, SILVA**

**NOES: NONE**

**ABSENT: NONE**

**Section #2.** This Commission finds that the Municipal Service Review prepared for the Sierra Resource Conservation District was prepared and adopted pursuant to California Government Code Section 56430; and is complete and satisfactory.

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

**Section #4.** Pursuant to Government Code Sections 56425 and 56430 this Commission makes the required determinations as identified in the Municipal Service Review and adopts the Municipal Service Review prepared for the Sierra Resource Conservation District.

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

\* \* \* \* \*

**ADOPTED THIS 10<sup>th</sup> DAY OF FEBRUARY, 2016, BY THE FOLLOWING VOTE:**

**AYES: COMMISSIONERS PEREA, PARRA, PACHECO, SANTOYO, SILVA**

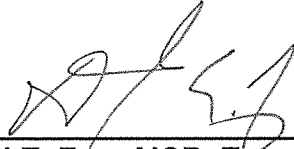
**NOES: NONE**

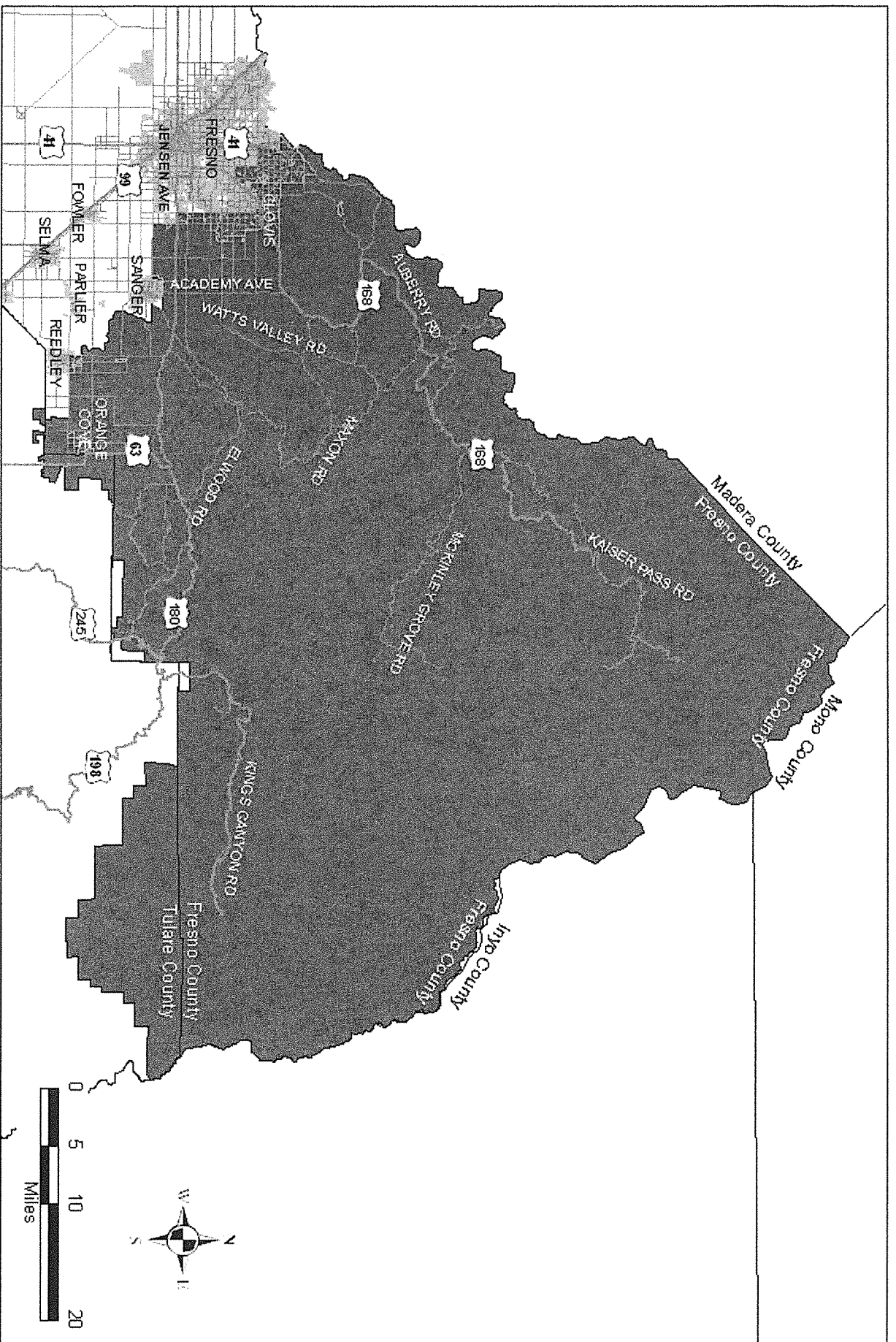
**ABSENT: NONE**

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

**CERTIFICATION**

I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certify that the foregoing resolution was adopted by the Commission on the 10<sup>th</sup> day of February, 2016.

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



## **Exhibit B**

### **WRITTEN DETERMINATIONS**

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

- The District is designated as a non-municipal local agency, which means that the District provides non-municipal services. Services provided by the District do not facilitate, support, or induce population growth.
- The Counties of Fresno and Tulare are the land use authorities for land located within the District's service area. The District spans a large service area with existing land uses consisting of agricultural and open space, resource conservation (national forest), residential, commercial, and public uses/facilities.
- The District does not have land use authority and does not provide direct municipal services that support population or induce population growth.
- Population growth throughout the District service area is likely to occur within the incorporated cities due to a wider range of municipal services offered within the incorporated areas. The District's proposal would not affect population projections within Counties of Fresno or Tulare. No significant changes to population are anticipated.

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

- The District is designated by LAFCo policy as a level three non-municipal local agency, meaning that the District is authorized to provide non-municipal services.
- The District has no public facilities or provides services related to sewer, municipal and industrial water, or structural fire protection that would present opportunity to extend services to a disadvantaged unincorporated community.

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

- The District is organized for the protection and conservation of natural resources in the interest of prosperity and the general welfare of the people within the District, Fresno County, and the State of California.
- The District maintains an annual work plan that identifies planned projects for the upcoming fiscal year. The District's annual work plan focuses on five key areas which are: 1) fundraising/grant opportunities, 2) outreach and public relation activities, 3) education training events, 4) District development events, and 5) areas of improvement-District influence and resource concerns with local interest groups.
- The District does not provide municipal services and does not own any vehicles, equipment, or other infrastructure necessary to carry out the purpose of the District.

- The District is dedicated to serving both the private and public interest. The District has an adopted long range plan for 2015 to 2020 which identifies the District's goals for each upcoming year. It which was last updated on July 27, 2015. The District on an annually basis updates its annual work plan which identifies the District's goals for each upcoming year.

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

- The majority of the District's revenue comes from state and federal grants. Loss of these grants or the possible inability of the District to secure future grants would be detrimental for the ability of the District to continue providing services.
- The District budget is adopted on an annual basis consistent with accounting principles generally accepted in the United States. The District informs Fresno LAFCo that historically the District has not adopted a complete "balanced" budget due to the nature of means of funding.
- Majority of the District's budget line items are specifically allocated for projects with secured grants and/or inter-agency agreements from state and/or federal sources.
- The District demonstrates that it adequately plans projects each year, it manages various projects, and implements the financial distribution of grant funded projects.

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

- The District is the only Resource Conservation District located in the eastern portion of Fresno County. The District does not own infrastructure or public facilities that would present opportunities for shared facilities.
- The District has executed several Memoranda of Understanding for cooperation in the conservation of natural resources with the following agencies:
  - Chowchilla - Red Top RCD and Coarsegold RCD
  - Highway 168 Fire Safe Council
  - Backcountry Horsemen of California, San Joaquin Sierra Unit
  - San Joaquin River Intertribal Heritage Education Corp.
  - Southern Sierra Integrated Regional Water Management Plan (IRWMP)
  - Kings Basin Water Authority (KBWA)
- The District holds its monthly board meetings at the Clovis Memorial District's facilities in Clovis which continues to be a benefit for the District.
- Shared facilities with other RCD's is nonexistent; however, opportunities for shared facilities may arise with other forms of local governments listed earlier in this report.

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

- The District is an independent special district governed by a seven-member board of directors and managed by a District Manager.
- The District is not governed by any another legislative body.

- The District has no taxing authority.
- The District on an annual basis updates its annual work plan which identifies the District's goals for each upcoming year.
- The District has been involved in the development of Integrated Regional Water Management Plans for the Southern Sierra IRWM which covers from the Upper San Joaquin River, Upper Kings River within Fresno County and extends down to the Upper Kern River at the Tulare/Kern County Boundary. The District is an Interested Party and participates in the Kings Basin Water Authority (KBWA) IRWM; as well as participates in the Fresno County SGMA Working Group Sessions.
- The District has been involved with ongoing research with various entities such as the Kings River Experimental Watershed (KREW) performed under the U.S. Forest Service's Pacific Southwest (PSW) Research team; and the California Water Institute (CWI) and Lyles College of Engineering both at California State University, Fresno.

**7. Any Other Matter Related to Effective or Efficient Service Delivery, as Required by Commission Policy**

- The District states that it is taking an active role in the implementation of California's Sustainable Groundwater Management Act ("SGMA").
- The District has conducted numerous studies related to groundwater sustainability and quality in the foothills and mountain regions within the District's service area.