



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

5955 S. Mooney Blvd. Visalia, CA 93277 Phone: (559) 624-7261 FAX: (559) 733-6720

LAFCO MEETING AGENDA
November 2, 2011 @ 2:00 P.M.
BOARD OF SUPERVISORS CHAMBERS
COUNTY ADMINISTRATION BUILDING
2800 West Burrel Avenue
Visalia, CA. 93291

COMMISSIONERS:
Allen Ishida, Chair
Juliet Allen, Vice-Chair
Steve Worthley
Cameron Hamilton
Rudy Mendoza

ALTERNATES:
Gerald Magoon
Amy Shuklian
Mike Ennis

EXECUTIVE OFFICER:
Ben Giuliani

I. Call to Order

II. Approval of Minutes from October 5th, 2011 (Pages 1-4)

III. Public Comment Period

At this time, members of the public may comment on any item not appearing on the agenda and that is within the scope of matters considered by the Commission. Under state law, matters presented under this item cannot be discussed or acted upon by the LAFCO Commission at this time. So that all interested parties have an opportunity to speak, any person addressing the Commission may be limited at the discretion of the chair. At all times, please use the microphone and state your name and address for the record.

IV. Consent Calendar

There are no items.

V. Continued Action Items

There are no items.

VI. New Action Items

1. LAFCO Case 1463, Ivanhoe PUD Sphere of Influence Amendment (Pages 5-12)
[Public Hearing]..... Recommended Action: Approval

At the October 2011 LAFCO meeting, the commission initiated the Sphere of Influence amendment for the Ivanhoe Public Utility District. The SOI amendment area is coterminous to a 0.34 annexation proposal by the Ivanhoe PUD at the northwest corner of Road 158 and Avenue 332 in Ivanhoe.

2. LAFCO Case 1464, Ivanhoe PUD Reorganization 2010-1 (Pages 13-24)

NOTE: Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking.

[Public Hearing].....Recommended Action: Approval

The annexation site consists of 0.34 acres to the Ivanhoe Public Utility District and the detachment site (inclusive of the annexation site) consists of 0.82 acres from the Ivanhoe Irrigation District. The site consists of one residence and associated residential uses on the northwest corner of Road 158 and Avenue 332 in Ivanhoe.

3. **Extraterritorial Service Agreement 09-03, Richgrove CSD (Pages 25-32)**
[Public Hearing].....Recommended Action: Approval

The agreement consists of the provision of domestic water to Rodriquez Labor Camp, and five parcels owned by Agri-Cel Inc./Pandol Bros. (APNs 338-040-010,11,12, and 13 and 338-250-005) and the offices of Monarch Nut Co., located at 786 Road 188. Approval of the agreement is required due to the parcels being outside the service area and Sphere of Influence of the provider agency (Richgrove Community Services District).

4. **LAFCO Case 1465, Sultana CSD Sphere of Influence Update (Pages 33-42)**
[Public Hearing].....Recommended Action: Adoption

The Sultana Community Services District is located approximately 5 miles east of the City of Dinuba and approximately 4 miles west of the unincorporated community of Orosi. The Municipal Service Review for this district was adopted as part of the Group 4 Special Districts. The SOI is proposed to be updated ahead of the other Group 4 Special Districts to allow for a potential extraterritorial service agreement involving the District. The District boundaries encompass a 317-acre area. A SOI is proposed to be conterminous with the existing Sultana CSD boundaries.

5. **2012 Proposal Deadline and Meeting Schedule (Pages 43-44)**
[No Public Hearing].....Recommended Action: Adoption

VII. Executive Officer's Report

1. **SOI updates for Group 4 Special Districts (Pages 45-62)**

Enclosed are initial recommendations for the Sphere of Influence updates of the 19 special districts (excluding Sultana CSD) that were included in the Group 4 Municipal Service Reviews.

2. **Legislative Update (No Page)**

The Executive Officer will provide a status update of proposed legislation that will, or potentially could, impact LAFCO's legislative authority and/or administrative responsibility.

3. **Upcoming Projects (No Page)**

The Executive Officer will provide a summary and tentative schedule of upcoming LAFCO cases and projects.

NOTE: Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking.

VIII. Correspondence

None

IX. Other Business

1. Commissioner Report

At this time, any Commissioner may inform the Commission, Staff, or the public of pertinent LAFCO issues not appearing on the agenda.

2. Request from LAFCO for items to be set for future agendas

X. Closed Sessions

There are no items.

XI. Setting Time and Place of Next Meeting

December 7, 2011 @ 2:00 P.M. in the Board of Supervisors Chambers in the County Administration Building

XII. Adjournment

Item No.

Agenda Summary

- VI.1. *Please see enclosed Staff Report for LAFCO Case 1463, Ivanhoe Public Utility District Sphere of Influence Amendment.*
- VI.2. *Please see enclosed Staff Report for LAFCO Case 1464, Ivanhoe Reorganization 2010-1 that includes annexation to the Ivanhoe Public Utility District and detachment from Ivanhoe Irrigation District.*
- VI.3. *Please see enclosed memo regarding the proposed Richgrove Community Service District Extraterritorial Service Agreement.*
- VI.4. *Please see enclosed Staff Report for LAFCO Case 1465, Sultana Community Service District Sphere of Influence.*
- VI.5. *Please see enclosed proposed 2012 Proposal Deadline and Meeting Schedule.*
- VII.1. *Please see enclosed the initial recommendations for the SOI updates of the Group 4 Special Districts.*
- VII.2. *There are no enclosures for this item.*
- VII.3. *There are no enclosures for this item.*
- IX.1. *There are no enclosures for this item.*

NOTE: Persons wishing to speak on any of the agenda items who have made a political contribution of more than \$250 to any commissioner in the last twelve months must indicate this when speaking.

This page intentionally left blank.

TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION
Minutes of the Meeting

October 5, 2011

Members Present: Allen Ishida, Juliet Allen, Steve Worthley, Cameron Hamilton

Members Absent: Rudy Mendoza

Alternates Present:

Alternates Absent: Gerald Magoon, Amy Shuklian, Mike Ennis

Staff Present: Ben Giuliani, Cynthia Echavarria, Colleen Potts

Counsel Present: Nina Dong

I. Call to Order

Chair Ishida called the Tulare County Local Agency Formation Commission meeting to order at 2:00 p.m. on October 5, 2011.

II. Approval of the September 7, 2011 Minutes:

Upon motion by Commissioner Worthley and seconded by Commissioner Allen, the Commission approved the September 7, 2011 minutes. Commissioner Hamilton abstained.

III. Public Comment Period

Chair Ishida opened the Public Comment Period

No comments were received; Chair Ishida closed the Public Comment Period

IV. Consent Calendar Items

There were no Consent Calendar items.

V. Continued Action Items

There were no Continued Action items.

VI. New Action Item

1. Adoption of Woodlake and Strathmore Fire Protection Districts Municipal Service Reviews

Executive Officer Giuliani provided a review of the draft Municipal Service Review (MSR) reports for the Woodlake and Strathmore Fire Protection Districts (FPDs). The draft MSRs were mailed and electronically forwarded to the subject agencies and interested parties for review and comment. No additional changes were made since last month and no comments were received.

Chair Ishida opened the Public Hearing

No Comments were received; Chair Ishida closed the Public Hearing

Upon motion by Commissioner Worthley and seconded by Commissioner Hamilton, the Commission unanimously approved adoption of Woodlake and Strathmore Fire Protection Districts Municipal Service Reviews.

2. Initiate Sphere of Influence (SOI) Updates for Group 4 MSR Special Districts

Executive Officer Giuliani stated that all Group 4 Special Districts now have adopted MSRs. Staff recommends initiating SOI updates for all of the Group 4 Special Districts. As specific circumstances allow, parts of the SOI updates will be brought back to the Commission for review and approval.

Executive Officer Giuliani stated that the California Rural Legal Assistance (CRLA) requested a meeting with LAFCO staff regarding a possible extraterritorial service agreement with Sultana. A SOI update might be necessary before that could be done. More details will be provided at the next meeting.

Commissioner Worthley stated that there might be an issue of time and Britt Fussel, Assistant Agency Director, Tulare County Resource Management Agency (RMA) is involved.

Upon motion by Commissioner Hamilton and seconded by Commissioner Worthley, the Commission unanimously approved initiating the Sphere of Influence updates for the Group 4 Special Districts.

3. Initiate Sphere of Influence Amendment for Ivanhoe Public Utility District

Analyst Echavarria provided information on an application submitted for the annexation of a 0.34 acre sliver of land to the Ivanhoe PUD to be able to accommodate a lot line adjustment that has been in process with the County. A 0.34 acre SOI amendment is also needed to allow for the annexation. The SOI amendment and the annexation (change of organization) will be brought back to the Commission for action at the November meeting.

Upon motion by Commissioner Allen and seconded by Commissioner Worthley, the Commission unanimously approved initiating a Sphere of Influence amendment for Ivanhoe Public Utility Districts.

4. Amendment to Policy A-4 (Commission Composition)

Executive Officer Giuliani stated that the original draft policy amendment was reviewed by the Commission at the August meeting. The Commission directed staff to further amend the policy regarding the selection process of the Public and Alternate Public Members. The revised draft policy amendment was reviewed by the Commission at the September meeting.

Counsel Dong defined the policy as it relates to circumstances the Commission could request the removal of members to their respective appointing bodies. Counsel Dong stated that Government Code Section 1770 requires certain findings to declare vacancy instead of removing from office. The Commission would need to declare a vacancy if a Commissioner is absent for three consecutive months.

Commissioner Worthley clarified that this Commission has the authority to declare a vacancy; however, the appointment it is up to the City Selection Committee or County Board of Supervisors.

Counsel Dong agreed.

Upon motion by Commissioner Hamilton and seconded by Commissioner Allen, the Commission unanimously approved the amendment to Policy A-4.

VII. Executive Officer's Report

1. Legislative Update

Executive Officer Giuliani reported on the several bills, that could impact LAFCO, that are waiting action by the Governor.

2. Upcoming Projects

Executive Officer Giuliani provide a summary of upcoming LAFCO cases and projects. The Ivanhoe PUD SOI and reorganization will be brought back to the Commission next month for consideration. The Richgrove CSD request for an extraterritorial service agreement will be brought back next month as they secured a grant for a new well that will benefit Richgrove and a labor camp outside its boundaries. Executive Officer Giuliani stated that the 2012 meeting schedule will also be provided to the Commission next month.

VIII. Correspondence

There were no correspondence items

IX. Other Business

1. Commissioner Report

Commissioner Allen provided a CALAFCO update. Commissioner Allen stated that Carl from CRLA is teaching a class and he is using the Matheny tract as case study. Commissioner Allen stated that she received a call from a student and that she provided an unbiased interview.

Commissioner Allen stated that she volunteered to be on the Citizens' Advisory Committee for the Tulare Lake Basin water study. She asked the Commission if they felt it would be a conflict. The Commissioners agreed that it would not be a conflict. Commissioner Allen stated that she has several ideas regarding this topic.

Commissioner Allen stated that she would like to be a part of the CALAFCO Legislative committee and the Commission concurred.

2. There were no requests for future agendas items.

X. Closed Sessions

There were no closed session items

XI. Setting Time and Place of Next Meeting

November 2, 2011 @ 2:00 P.M. in the Board of Supervisors Chambers in the County Administration Building

XII. Adjourned

Chair Ishida adjourned the meeting at 2:43 p.m.

This page intentionally left blank.

**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT**

November 2, 2011

**LAFCO Case 1463
Ivanhoe Public Utility District Sphere of Influence Amendment**

- PROPOSAL:** To amend the Sphere of Influence (SOI) of the Ivanhoe Public Utility District (IPUD) in order to allow the same area to be annexed to the (IPUD) service boundaries.
- PROPONENT:** Tulare County LAFCO, by resolution.
- SIZE:** Approximately 0.34 acres
- LOCATION:** The SOI amendment area is coterminous to a 0.34 annexation proposal by the Ivanhoe PUD at the northwest corner of Road 158 and Avenue 332 in Ivanhoe. **(Figure 1)**
- APNs:** **108-050-021**
108-050-039
- NOTICE:** Notice for this public hearing was provided in accordance with Government Code Section 56427.

ANALYSIS

Conformity with Plans:

A. Site Information (Figure 2)

	County	City
Zoning Designation	AE-20	n/a
General Plan Designation	Rural Valley	n/a
Uses	Residential	n/a

Impact on Prime Agricultural Land, Agriculture and Open Space:

The site is fully developed with residential uses and is not under Williamson Act contract.

Environmental Impacts:

The potential environmental effects of the proposed detachment have been reviewed and considered in the IPUD Initial Study Environmental Checklist and no significant adverse environmental impacts have been identified. A Negative Declaration was prepared and approved by the IPUD for use with the proposed annexation of the area that is coterminous with the proposed SOI amendment area. This negative declaration is being used with for this proposal.

LAFCO Sphere of Influence Review Requirements:

GC § 56425 (g) requires that on or before January 1, 2008, and every five years thereafter, the Commission shall, as necessary, review and update each Sphere of Influence.

The most recent scheduled Ivanhoe Public Utility District SOI update took place in 2007 after the adoption of the Municipal Service Review for the District. At the time, the Commission determined that the existing SOI boundaries were adequate and adopted the SOI without any changes to the boundary. The next comprehensive IPUD SOI update is scheduled to take place in 2012.

Municipal Services Review (MSR):

Prior to January 1, 2000, the Sphere of Influence for a city or special district could be established or updated without a MSR. With the passage of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the Commission is now required to conduct a MSR before, or in conjunction with, but no later than the time it is considering an action to establish a SOI in accordance with Government Code Sections 56425 or 56426.5 or to update a SOI pursuant to Section 56425. The MSR for the Ivanhoe PUD was adopted on March 1, 2006. While the MSR has not been updated in over five years, pursuant to Commission Policy C-5.11, this proposal is considered a minor SOI amendment and is exempt from the MSR requirement pursuant to Commission Policy C-5.11.

Sphere of Influence Determinations:

GC §56425(e) requires that in determining the Sphere of Influence of each local agency the Commission shall consider and prepare a written statement of its determinations with respect to certain factors prior to making a decision.

- (1) *The present and planned land uses in the area, including agricultural and open-space lands.*

The site currently is a segment of developed yard area of a parcel of land, which is within the boundaries of the Ivanhoe PUD. No changes of land use will occur.

- (2) *The present and probable need for public facilities and services in the area.*

The site is already fully developed with residential uses. The sliver of land will require no additional services than what are already being provided.

(3) The present capacity of public facilities and adequacy of public services.

Ivanhoe PUD is currently servicing the site. No change of land use will occur.

(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 site is outside the existing County UDB for Ivanhoe but should be included in the SOI as a community of interest.

DISCUSSION ISSUES:

Annexation/Detachment:

The proposed SOI amendment is accompanied by a reorganization proposal consisting of annexation of the same territory to the IPUD and detachment from the Ivanhoe Irrigation District (Case 1464, IPUD Reorganization). Approval of the reorganization cannot take place without approval of this SOI amendment.

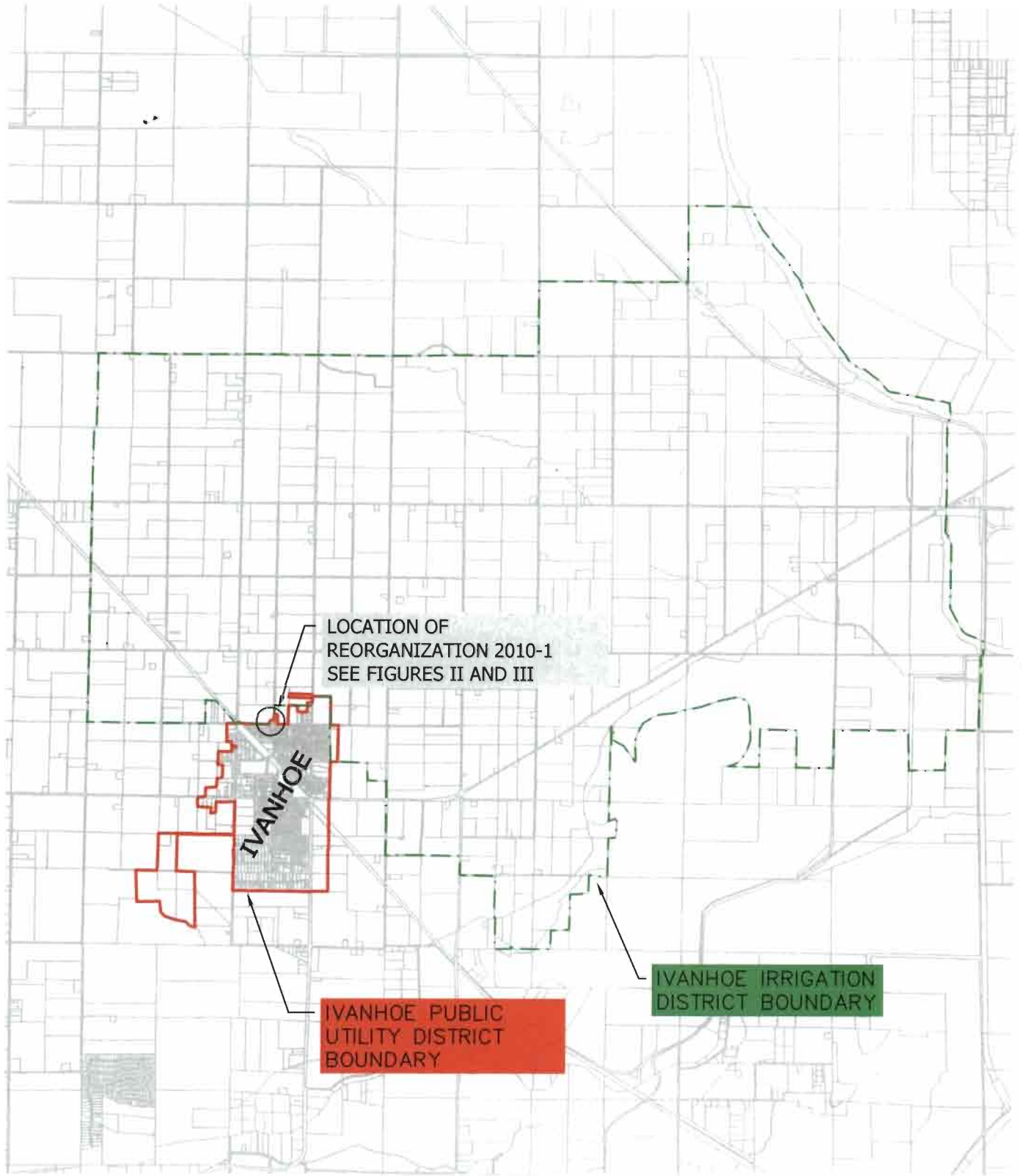
RECOMMENDED ACTIONS

It is recommended that this proposal be approved and that the Commission take the following actions:

1. Certify that the Commission has reviewed and considered the Negative Declaration approved by the Ivanhoe Public Utility District and find that the project will not have a significant effect on the environment.
2. Adopt the written statements of determinations and find that the proposed amendment to the IPUD Sphere of Influence is in compliance with the GC Section 56425.
3. Find that pursuant to Tulare LAFCO Policy C-5.11, that this proposal is a minor SOI amendment and is exempt from the Municipal Service Review requirement.
4. Find that pursuant to GC §56426.5(b)(2), the proposed SOI amendment will not adversely effect the continuation of any Williamson Act contracts beyond their current expiration dates.
5. Approve the Sphere of Influence Amendment as requested to be know as LAFCO Case 1463, IPUD SOI Amendment.

Figures & Exhibits

- Figure 1 Site Location Map
Figure 2 Land Use Map



LOCATION OF
REORGANIZATION 2010-1
SEE FIGURES II AND III

IVANHOE

IVANHOE PUBLIC
UTILITY DISTRICT
BOUNDARY

IVANHOE IRRIGATION
DISTRICT BOUNDARY

ANNEXATION to IVANHOE P.U.D.
and
DETACHMENT from IVANHOE I.D.
REORGANIZATION 2010-1
IVANHOE PUBLIC UTILITY DISTRICT

L:\PUD.dwg\Reorganization 2010-1\FIGURE II.dwg


NORTH
SCALE: 1" = 5,000'



GOOGLE EARTH IMAGE



**ANNEXATION to IVANHOE P.U.D.
REORGANIZATION 2010-1
IVANHOE PUBLIC UTILITY DISTRICT**

9

L:\PUD\dwg\Reorganization_2010-1\FIGURE II.dwg

BEFORE THE LOCAL AGENCY FORMATION COMMISSION
OF THE
COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Proposed Amendment)

To the Ivanhoe PUD Sphere of Influence)

RESOLUTION NO. **11-019**

LAFCO Case No. 1463)

WHEREAS, pursuant to GC § 56425, Local Agency Formation Commissions are required to establish, periodically review and revise or amend Sphere of Influence boundaries; and

WHEREAS, this Commission has adopted a Sphere of Influence Policy which requires that wherever possible, the Spheres of Influence for each of the incorporated cities and various special districts which provide urban services to unincorporated communities in the County reflect a twenty year growth area; and

WHEREAS, on October 5th, 2011, the Commission initiated the Sphere of Influence amendment for the Ivanhoe Public Utilities District by resolution (No. **11-017**); and

WHEREAS, the Commission has read and considered the reports and recommendations of the Executive Officer; and

WHEREAS, on November 5, 2011, this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

1. The boundaries of the Sphere of Influence amendment are definite and certain as shown in Exhibit A.

2. The information, materials, and facts set forth in the application and the reports of the Executive Officer, including any corrections, have been received and considered in accordance with GC §56427.

3. The Commission has reviewed and considered the information, materials and facts presented by the following persons who appeared at the public hearing and commented on the proposal:

Cynthia Echavarria, Staff Analyst

4. All required notices have been given and all proceedings taken in this matter have been and now are in all respects taken in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended.

5. Pursuant to Tulare County LAFCO Policy C-5.11, this proposal qualifies as a minor Sphere of Influence amendment and is exempt from the Municipal Service Review process.

6. Pursuant to GC §56426.5(b)(2), the Commission finds that the proposed SOI amendment will not adversely effect the continuation of any Williamson Act contracts beyond their current expiration dates.

7. The Commission hereby adopts the attached written determinations required under GC §56425 in support of the proposed Sphere of Influence amendment.

8. The Commission hereby finds that the proposed Sphere of Influence amendment will not have a significant impact on the environment, and certifies that the Commission has independently reviewed and considered the information contained in

the Negative Declaration approved by the Ivanhoe Public Utility District in compliance with the California Environmental Quality Act of 1970, as amended, prior to taking action on said amendment, and that said Negative Declaration and all information relied thereon is incorporated by reference herein.

10. The Commission hereby finds that the proposed amendment to the Ivanhoe Sphere of Influence is in compliance with the Cortese-Knox-Hertzberg Act, GC §§56425:56430 and 56377, and Tulare County LAFCO Policy and Procedure section C-5, Spheres of Influence.

11. The Sphere of Influence for the Ivanhoe PUD is hereby amended as shown in Exhibit A.

12. The Executive Officer is hereby authorized and directed to sign and file the Notice of Determination with the County Clerk.

The foregoing resolution was adopted upon the motion by Commissioner XXX and seconded by Commissioner XXX, at a regular meeting held this 5th day of November, 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

ce

**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT**

November 2, 2011

**LAFCO CASE 1464
Ivanhoe Reorganization 2010-1**

- PROPOSAL:** The annexation of 0.34 acres to the Ivanhoe Public Utility District (PUD) and the detachment of (inclusive of the annexation site) 0.82 acres from the Ivanhoe Irrigation District.
- PROPONENT:** Ivanhoe Public Utility District, by resolution.
- SIZE:** Approximately 0.34 acres into Ivanhoe PUD and detachment of 0.82 acres out of Ivanhoe Irrigation District.
- LOCATION:** The reorganization site is located on the northwest corner of Road 158 and Avenue 332, Ivanhoe CA. **(Figure 1)**
- APNs:** **108-050-021**
108-050-039
- NOTICE:** Notice for this public hearing was provided in accordance with Government Code Section 56427.

ANALYSIS

1. Land Use:

A. Site Information (Figure 2)

	Existing	Proposed
Zoning Designation	AE-20	no change
General Plan Designation	Rural Valley	no change
Uses	Residential	no change

B. Surrounding Land Uses and Zoning and General Plan Designations

	Zoning Designation	General Plan Designation	Existing Use
North	AE-20	Rural Valley	Agricultural
South	R-1	Urban	Agricultural
East	AE-20	Rural Valley	Agricultural
West	AE-20	Rural Valley Lands	Agricultural

C. Topography, Natural Features and Drainage:

Both the annexation and detachment sites are topographically flat and contain no natural features.

D. Conformity with General Plans and Spheres of Influence (Figure 2):

Approval of LAFCO Case 1463 IPUD SOI Amendment is necessary for the site to be consistent with IPUD's Sphere of Influence.

2. Impact on Prime Agricultural Land, Agriculture and Open Space:

The site is fully developed with residential uses. There will be no impact on prime agricultural land, agriculture and open space.

Williamson Act and Agricultural Preserves:

The entire site is not under a Williamson Act contract.

3. Population:

The site contains one residence that was temporarily unoccupied at the time the proposal was submitted. Since the site has fewer than 12 registered voters, the reorganization area is considered uninhabited.

4. Services and Controls – Need, Cost, Adequacy and Availability:

The site is already served by the Ivanhoe PUD. Since the site is fully developed with residential uses, there has been no need for services from the Ivanhoe Irrigation District.

5. Boundaries and Lines of Assessment:

The proposal does not currently match lines of assessment. The reorganization is needed to accommodate a lot line adjustment that will move .34 acres of land from APN 108-050-039 to 108-050-021. Following the completion of the lot line adjustment, both district boundaries will match the lines of assessment.

6. Assessed Value, Tax Rates and Indebtedness:

The total assessed valuation of APN 108-050-021 is shown below. The valuation will be reassessed following the completion of the lot line adjustment.

Land: \$31,082

Improvements: \$132,124

Exemptions: \$7,000

Total: \$152,206

7. Environmental Impacts:

The potential environmental effects of the proposed detachment have been reviewed and considered in the IPUD Initial Study Environmental Checklist and no significant adverse environmental impacts have been identified. As such, a Negative Declaration was prepared and approved by the IPUD for use in this proposal.

8. Landowner and Annexing Agency Consent:

Consent to this annexation was received from the affected landowner. Therefore, the protest proceedings may be waived in accordance with Government Code Section 56663(c).

9. Regional Housing Needs:

The proposed reorganization contains fully residentially developed land. There is no impact on regional housing needs.

10. Discussion Issues:

Sphere of Influence Amendment:

Approval of the reorganization cannot take place without approval of the SOI amendment (Case 1463).

Lot Line Adjustment:

The approval of the reorganization is needed as a condition for the approval of the lot line adjustment that would move the .34 acre of land from APN 108-050-039 to 108-050-021.

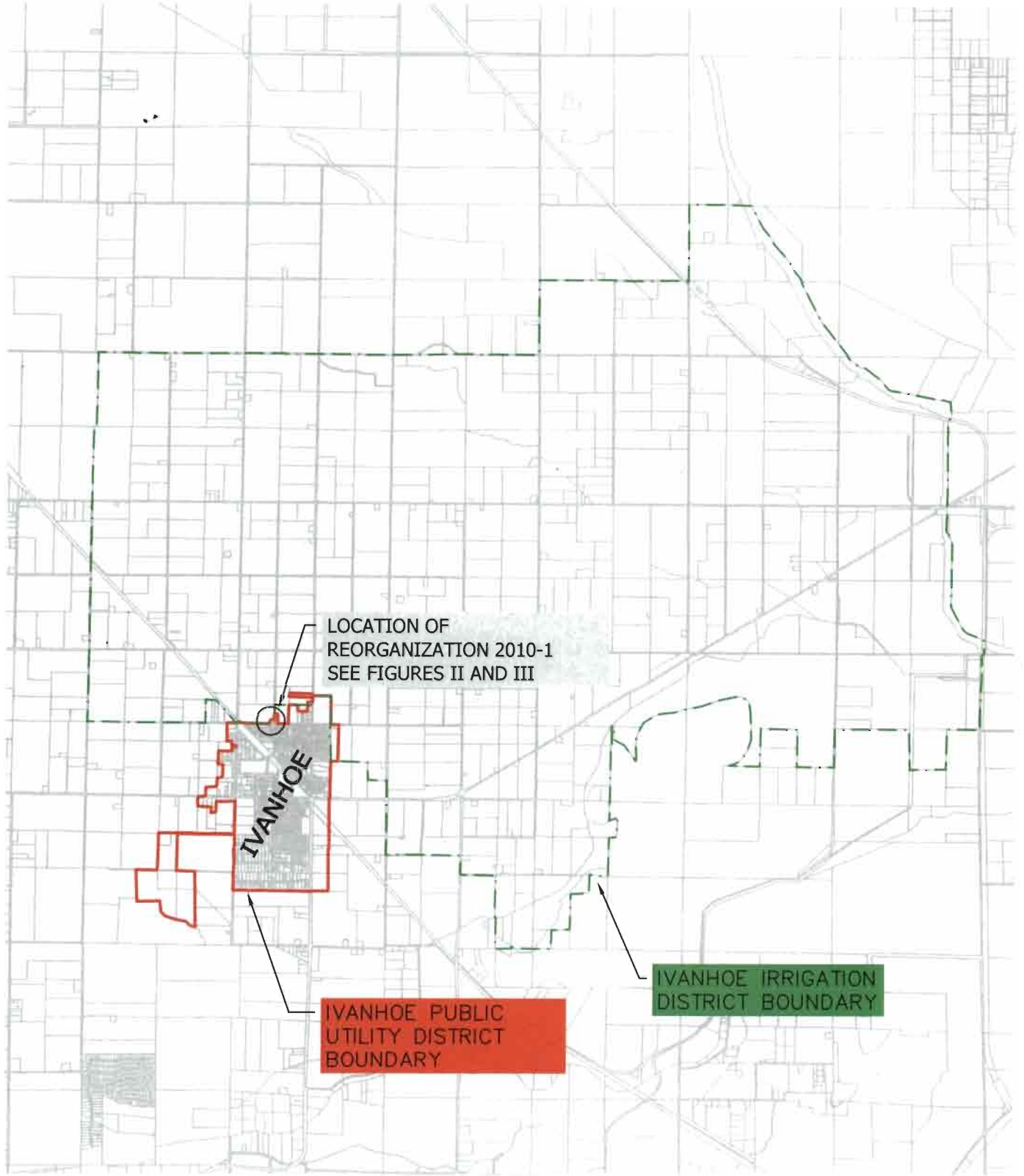
Recommended Actions:

It is recommended that this proposal be approved and that the Commission take the following actions:

1. Certify that the Commission has reviewed and considered the Negative Declaration approved by the Ivanhoe Public Utility District for this project, and find that the project will not have a significant impact on the environment.
2. Find that the proposed annexation to the Ivanhoe PUD and detachment (inclusive of the annexation site) from the Ivanhoe Irrigation District is consistent with the policies and priorities of the Cortese-Knox-Hertzberg Act.
3. Pursuant to LAFCO Policy and Procedure Section C-1.2, find that:
 - a. The boundaries of the proposed reorganization are definite and certain and will conform to lines of assessment following the completion of the lot adjustment between APNs 108-050-039 and 108-050-021.
 - b. The Ivanhoe PUD already serves the reorganization area and there is no need of service from the Ivanhoe Irrigation District.
 - c. There is a mutual social and economic interest between the residents of Ivanhoe PUD and the proposed reorganization territory.
 - d. The proposed reorganization is compatible with the County's General Plan.
 - e. The proposed reorganization represents a logical and reasonable adjustment to the Ivanhoe PUD and Ivanhoe Irrigation District boundaries.
4. Approve the annexation, to be known as LAFCO Case 1464, Ivanhoe Reorganization without condition.
5. Waive the protest hearing for this proposal in accordance with subsection (d) of Government Code section 56375.3 and order the change of organization without an election.

Figures & Exhibits

- Figure 1 Site Location Map
Figure 2 Land Use Map



LOCATION OF
REORGANIZATION 2010-1
SEE FIGURES II AND III

IVANHOE

IVANHOE PUBLIC
UTILITY DISTRICT
BOUNDARY

IVANHOE IRRIGATION
DISTRICT BOUNDARY

ANNEXATION to IVANHOE P.U.D.
and
DETACHMENT from IVANHOE I.D.
REORGANIZATION 2010-1
IVANHOE PUBLIC UTILITY DISTRICT

L:\PUD.dwg\Reorganization 2010-1\FIGURE II.dwg


NORTH
SCALE: 1" = 5,000'



GOOGLE EARTH IMAGE



**ANNEXATION to IVANHOE P.U.D.
REORGANIZATION 2010-1
IVANHOE PUBLIC UTILITY DISTRICT**

18

L:\P\UD\dwg\Reorganization_2010-1\FIGURE II.dwg



GOOGLE EARTH IMAGE

NORTH
 SCALE: 1" = 40'

**DETACHMENT from IVANHOE I.D.
 REORGANIZATION 2010-1
 IVANHOE PUBLIC UTILITY DISTRICT**
 19

L:\PUD\dwg\Reorganization 2010-1\FIGURE II.dwg

BEFORE THE LOCAL AGENCY FORMATION COMMISSION
OF THE
COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Proposed Reorganization)
Consisting of Annexation to the Ivanhoe PUD)
and Detachment from the Ivanhoe Irrigation)
District, LAFCO Case No. 1464, Ivanhoe PUD)
Reorganization 2010-1)

RESOLUTION NO.11-020

WHEREAS, application has been made to this Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) for approval of a proposal to reorganize certain territories described in attached Exhibit "A" made a part hereof; and

WHEREAS, this Commission has read and considered the Resolution of Application and application materials, the report of the County Surveyor, and the report and recommendations of the Executive Officer, all of which documents and materials are incorporated by reference herein; and

WHEREAS, on November 2nd, 2011 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

1. The information, material and facts set forth in the application, the

report of the County Surveyor, and the report of the Executive Officer (including any corrections), have been received and considered in accordance with GC §56668. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

2. The Commission hereby finds that the proposed Reorganization will not have a significant impact on the environment, and certifies that the Commission has independently reviewed and considered the information contained in the Negative Declaration approved by the Ivanhoe Public Utility District for the proposed reorganization in compliance with the California Environmental Quality Act of 1970, as amended, prior to taking action on said reorganization, and that said Negative Declaration and all information relied thereon is incorporated by reference herein

3. The Commission has reviewed and considered, in accordance with GC §56668, the information, materials and facts presented by the following persons who appeared at the public hearing and commented on the proposal:

Cynthia Echavarriai, Staff Analyst

4. All notices required by law have been given and all proceedings heretofore and now taken in this matter have been and now are in all respects as required by law.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings of fact:

- a. This proposal is for the annexation of approximately 0.34 acres into Ivanhoe PUD and detachment of 0.82 acres (inclusive of the annexation area) out of Ivanhoe Irrigation District.
- b. All of the affected property owner has consented to the annexation.

- c. The reorganization area is developed with residential uses.
- d. The reorganization is needed to complete a lot line adjustment between APNs 108-050-039 and 108-050-021.

6. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission makes the following determinations:

- a. The boundaries of the proposed reorganization territory are definite and certain and will conform to lines of assessment following the completion of a lot line adjustment.
- b. The Ivanhoe PUD already serves the reorganization area and there is no need of service from the Ivanhoe Irrigation District.
- c. There is a mutual social and economic interest between the residents of the Ivanhoe and the proposed reorganization territory.
- d. The proposed reorganization is compatible with the County's General Plan.
- e. The proposed reorganization represents a logical and reasonable adjustment to the Ivanhoe PUD and Ivanhoe Irrigation District boundaries.
- f. This is an uninhabited reorganization and written consent has been given by all affected owners of land within the territory to be reorganized.
- g. This proposal is in compliance with the policies and priorities of the Cortese-Knox-Hertzberg Act, GC §56377.

7. The Commission hereby waives the protest hearing and orders the annexation without an election in accordance with Section 56663 (c) of the Government Code.

8. The proposed reorganization of the territory described in Exhibit "A" attached hereto, is hereby approved subject to the following conditions:

- a. Approval of the reorganization cannot take place without approval of the associated SOI amendment (Case 1463).

9. The following short form designation shall be used throughout these proceedings:

LAFCO Case No. 1464, Ivanhoe PUD Reorganization 2010-1.

10. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as required by law.

11. The Executive Officer is hereby authorized and directed to sign the Notice of Determination on behalf of the Commission and file said notice with the Tulare County Clerk pursuant to Section 21152 (a) of the Public Resources Code.

The foregoing resolution was adopted upon motion of Commissioner x, seconded by Commissioner x, at a regular meeting held on this 2nd day of November 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

ce

This page intentionally left blank.



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

5955 S. Mooney Blvd. Visalia, CA 93277 (559) 624-7274 FAX (559) 733-6720

November 2, 2011

COMMISSIONERS:
*Allen Ishida, Chair
Juliet Allen, Vice Chair
Rudy Mendoza
Steve Worthley
Cameron Hamilton*

TO: LAFCO Members, Alternates and Executive Officer

ALTERNATES:
*Mike Ennis
Gerald Magoon
Amy Shuklian*

FROM: Cynthia Echavarria, Staff Analyst

SUBJECT: Extraterritorial Service Request 09-003, Richgrove CSD

EXECUTIVE OFFICER:
Ben Giuliani

Proposal:

A request for approval of an Extraterritorial Service Agreement (ESA) setting the terms and conditions for extension of domestic water service from the Richgrove Community Services District (RCSD) to the Rodriguez Labor Camp (a.k.a. California Camp) has been made by the RCSD Board of Directors and the camp's owner. The Rodriguez camp is located approximately two (2) miles west of the RCSD boundaries, north of Avenue 8 along Road 92 and is a privately owned residential facility that provides rental housing for farm workers. If approved, domestic water service from the RCSD will be extended to the labor camp within Tulare County APN 338-230-018 and also five parcels owned by Agri-Cel Inc./Pandol Bros. (APNs 338-040-010, 11, 12, and 13 and 338-250-005) and the offices of Monarch Nut Co., located at 786 Road 188. (Figure 1)

Service Considerations:

The labor camp contains 35 domestic water connections and approximately 110 residents. The well used by the privately owned water system currently serving the site has a long history of high nitrate levels. Well nitrate levels are in the range of 130 parts per million while the limit set by the California Department of Public Health (the system's regulatory agency) is 45 parts per million. The other wells serving Agri-Cel Inc./Pandol Bros. and Monarch Nut Co. also exceed maximum nitrate levels.

The RCSD's operable wells also contain high levels of nitrates as well as high levels of arsenic and the pesticide DBCP. A third well owned by the district is not in use due to high levels of hydrogen sulfide and sanding issues.

Due to the contamination issues faced by both systems the Rodriguez Labor camp and the RCSD each applied for Prop 84 funds issued by the California Department of Public Health for drilling of a new well and other water system infrastructure improvements. Because of the proximity of the two systems and the similar contamination issues they each face both parties decided to consolidate their Prop 84 funding application. This type

of “two-for-one” application is viewed favorably by the California Department of Public Health and bonus points are awarded to applications that will eliminate small water system problems by merging with larger systems. This proposal aims to do just that and makes acquisition of Prop 84 funding more probable. Preconstruction work in anticipation of this merger is currently taking place. Aside from initiating LAFCO proceedings the RCSD, in partnership with Self-Help Enterprises, has begun to install test wells, commenced the planning and design phase of the project, and preparation of the appropriate environmental documents associated with the proposed extension of service. This preconstruction work is funded via a Community Development Block Grant from the County of Tulare.

Agreement

Domestic water provision will be limited to the area within the site (APN 338-230-018), and five parcels owned by Agri-Cel Inc./Pandol Bros. (APNs 338-040-010,11,12, and 13 and 338-250-005) and the offices of Monarch Nut Co., located at 786 Road 188. The existing well used by the Camp’s water system shall be disconnected from the water lines serving camp dwellings. If the well is unused for a period of a year or more the well shall be destroyed in accordance with Tulare County Health Department requirements. A service connection and master meter will be constructed by the RCSD while the camp will complete any work required to connect to the system. Maintenance of the system within the camp site will be the responsibility of the camp while maintenance outside the camp will be the responsibility of the RCSD. The RCSD agrees to obtain all permits necessary for construction in public roads and rights-of-way while the camp is responsible for obtaining permits necessary for construction within its property. Upon final execution of the water service connection the camp shall cease operation of the private water system and shall voluntarily surrender its existing water permit for operation of the system to the California Department of Public Health. This agreement will supercede any previous agreement between these two entities relating to domestic water service. The agreement will take effect only if Prop 84 funds are granted for the proposed project. Funding is anticipated in 2010.

Type of Review Required:

The territory proposed to receive services is outside the RCSD’s Sphere of Influence. As such, this project is subject to review and approval or disapproval by the LAFCO Commission during a regularly scheduled LAFCO meeting. Cortese-Knox-Hertzberg Section 56133(c) allows the Commission to authorize a local agency to provide new or extended services outside its sphere of influence to respond to an existing or pending threat to the public health or safety of the residents.

A Consistent Nitrate MCL Violation issued by the Tulare County Health Services Department was provided as documentation that the camp water system’s high nitrate levels constitute an existing threat to the health of the camp’s residents.

Prior to the public hearing to consider this matter LAFCO staff provided notice and application materials to the County of Tulare’s engineering department, who through the establishment of a County Service Area No. 1 Zone of Benefit could alternatively provide domestic water service to the site. LAFCO Staff has not received a response to this notice.

Why Territory is Not Under Consideration For Annexation to Provider Agency:

Current state law does not permit the annexation of territory outside a district's Sphere of influence. The site is too far removed for inclusion of the site with the RCSD's SOI through a SOI Amendment. Such an action would result in the inclusion of territory in agricultural use creating the potential for premature conversion to urban uses in conflict of CKH and LAFCO policy.

CEQA Review Status:

A Negative Declaration has been prepared by the Richgrove Community Service District for use in this project. The Richgrove CSD Board has found the environmental document to be adequate for the extension of service agreement.

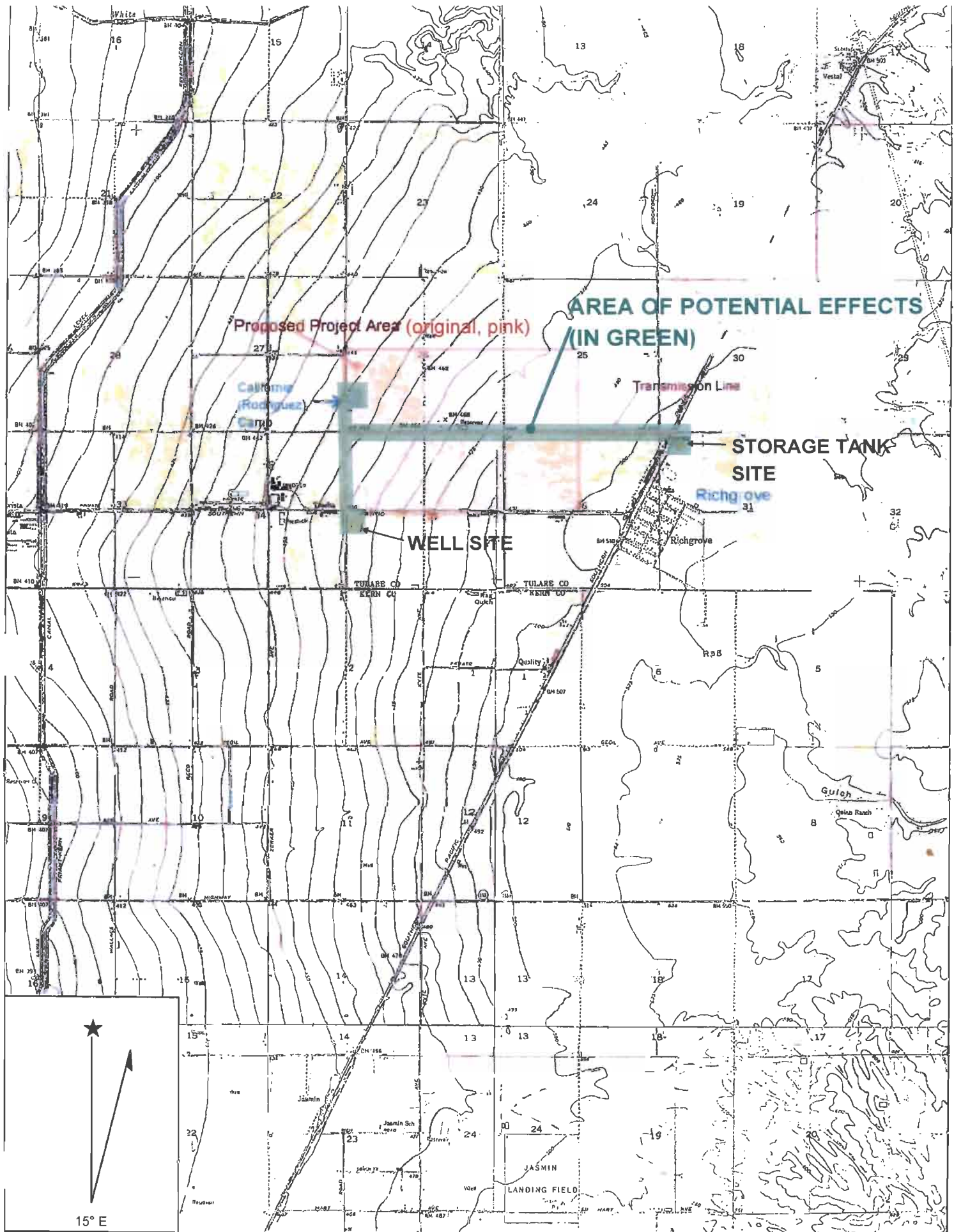
STAFF RECOMMENDATION:

Staff recommends that the proposal be approved as follows:

- 1) Find that the Mitigated Negative Declaration prepared for the Extraterritorial Service Agreement 2009-003 is adequate and there is no new information requiring revision or recirculation of said Mitigated Negative Declaration for an extraterritorial agreement to provide domestic water to Rodriguez Labor Camp, and five parcels owned by Agri-Cel Inc./Pandol Bros. (APNs 338-040-010,11,12, and 13 and 338-250-005) and the offices of Monarch Nut Co., located at 786 Road 188.
- 2) That the proposed extraterritorial service agreement be approved with the following condition:
 - a. For APNs 338-040-010, 11, 12, 13 and 338-250-005, this ESA shall only apply to existing development.

Attachments:

Site Map (Figure 1)



BEFORE THE LOCAL AGENCY FORMATION COMMISSION

OF THE

COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Proposed Extraterritorial)

Service Agreement between Richgrove CSD,)

Rodriguez Labor Camp, Monarch Nut Co.,)

RESOLUTION NO. 11-022

And Agri-Cel Inc. /Pandol Bros., ESA 2009-03)

WHEREAS, application has been made to this Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Sections 56000 et seq.) for approval of a proposal to extend domestic water service in accordance with an extraterritorial service agreement to certain territories described in Exhibit "A" made a part hereof; and

WHEREAS, this Commission has read and considered the Resolution of Application and application materials, and the report and recommendations of the Executive Officer, all of which documents and materials are incorporated by reference herein; and

WHEREAS, on November 2nd, 2011 this Commission heard, received, and considered testimony, comments, recommendations and reports from all persons present and desiring to be heard concerning this matter.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as follows:

The information, material and facts set forth in the application and the report of the Executive Officer (including any corrections), have been received and considered in

accordance with Government Code Section 56133. All of said information, materials, facts, reports and other evidence are incorporated by reference herein.

2. The Commission hereby finds that there is no substantial evidence that said extension of service will have a significant effect on the environment, and certifies that the Commission has independently reviewed and considered the information contained in the Mitigated Negative Declaration adopted by the Richgrove Community Services District for the proposed extension of domestic water service in compliance with the California Environmental Quality Act of 1970, as amended, prior to taking action on said extraterritorial service agreement. Accordingly, said Mitigated Negative Declaration is hereby incorporated by reference herein.

3. The Commission has reviewed and considered, in accordance with Government Code Section 56133, the information, materials and facts presented by the following persons who appeared at the public hearing and commented on the proposal:

Cynthia Echavarria, Staff Analyst

4. All notices required by law have been given and all proceedings heretofore and now taken in this matter have been and now are in all respects as required by law.

5. Based upon the evidence and information on the record before it, the Commission makes the following findings of fact:

- a. Self Help Enterprise has provided the commission with documentation of a threat to the health or safety of the public or affected residents.
- b. An alternative service provider does not exist in the area.
- c. The extraterritorial service agreement will allow the extension of domestic water service to the Rodriquez Labor Camp, and five

parcels owned by Agri-Cel Inc./Pandol Bros. (APNs 338-040-010,11,12, and 13 and 338-250-005) and the offices of Monarch Nut Co., located at 786 Road 188, outside the SOI for the Richgrove CSD.

6. Based upon the evidence and information on the record before it and the findings of fact made above, the Commission hereby determines extension of domestic water service from the Richgrove CSD to an area outside of its Sphere of Influence is necessary in order to respond to an existing or impending threat to the public health or safety of the residents of the affected area.

7. The proposed extraterritorial service agreement described in Exhibit "A" attached hereto, is hereby approved with the following condition:

- a. For APNs 338-040-010, 11, 12, 13 and 338-250-005, this ESA shall only apply to existing development.

The foregoing resolution was adopted upon motion of Commissioner XXX, seconded by Commissioner XXX, at a regular meeting held on this 2nd day of November, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Ben Giuliani, Executive Officer

ce

This page intentionally left blank.

**TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT**

November 2, 2011

**LAFCO Case 1465
Sphere of Influence Update – Sultana Community Services District**

- PROPOSAL:** To adopt the Sphere of Influence (SOI) of the Sultana Community Services District (SCSD)
- PROPONENT:** Tulare County LAFCO, by resolution.
- SIZE:** Approximately 317 acres
- LOCATION:** The proposed SOI area is coterminous with the District's boundary (Figure 1)
- NOTICE:** Notice for this public hearing was provided in accordance with GC §56427.

ANALYSIS

Background

The SCSD is located approximately 5 miles east of the City of Dinuba and approximately 4 miles west of the unincorporated community of Orosi. The District is bisected by Avenue 416, and is located east of Road 100, west of Road 112, south of Avenue 424 and is bounded by Avenue 412 to the south. The District boundaries encompass a 317-acre area. A Sphere of Influence (SOI) has not yet been established for the SCSD. The District currently provides domestic water and sewer service is provided under contract with the Cutler Public Utilities District (PUD). The Cutler PUD also provides service to Orosi PUD and East Orosi CSD customers and the CSA No. 1 Yettum and Seville Zones of Benefit. The District's system is regulated by the Tulare County Environmental Health Services Division, which has been granted primacy by the California Department of Health Services. The division is responsible for the administration and enforcement of the Safe Drinking Water Act involving systems in Tulare County with fewer than 200 connections.

The District was formed in 1977 (LAFCO Resolution 77-06, LAFCO Case 579). According to BOS Resolution 76-3480, at the time of its formation, the SCSD was authorized to provide the following services:

- Water for several uses included domestic use, irrigation, sanitation, industrial use, fire protection and recreation
- Sewage collection, treatment and disposal
- Collection of storm water
- Solid Waste
- Equipping and maintenance of police a department

The District was providing water and sewer service only prior to January 1, 2006; thus, the solid waste, collection of storm water and equipping and maintenance of a police ³³

department are SCSD's latent power whose activation is subject to LAFCO Commission approval or disapproval.

Discussion

While the District was formed in 1977, a SOI for the District was never created. To allow for a potential future extraterritorial service agreement involving the District, Staff is currently recommending that a SOI should be created for the District, which would be conterminous with the current boundary. A new planning boundary for the community of Sultana is included in the Tulare County General Plan Update. The SOI should be reviewed again following County adoption of the General Plan Update.

Environmental Impacts:

Tulare County LAFCO acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines finds that adopting the Sultana SOI is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15320, "Changes in Organization of Local Agencies".

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

State Law Requirements

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCo to establish Spheres of Influence for cities and special districts. Prior to, or in conjunction with establishing an agency's SOI, LAFCo is required to conduct a Municipal Service Review (MSR) for each agency. A MSR prepared for the District was adopted by the Commission on June 1, 2011. No changes have occurred since this date which would necessitate an amendment to the MSR or require a new MSR prior to determining the District's Sphere of Influence.

Required Determinations

As part of establishing a district's SOI, the Commission is required to consider and make appropriate determinations in relationship to each of the following:

- 1. The present and planned land uses in the area, including agricultural and open space lands.**

The District area is mostly comprised of residential and agricultural land uses with AE-20, A-1 and R-3 zoning. Over half of the District is composed of 15 acre or larger parcels that are designated for agricultural uses.

- 2. The present and probable need for public facilities and services in the area.**

Based on the absence of building permits issued for construction of new dwelling units

or expansion of existing residential developments within District boundaries, the fact that the District has not proposed an annexation since its formation, and the limited capacity of the District's community water system, it can be logically determined that the District's population will remain at substantially the same level for the next 5 years (next MSR update is scheduled to be conducted in 2016). There is a potential for grant funding that could allow for water system improvements that would enable the District to connect to the community of Monson through an extraterritorial service agreement.

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

1 The SCSD community water system consists of (2) wells: Well No. 3 (Main Primary) and Well No. 2 (South Back-up) and Well No. 3 (North Emergency).

2 Wells No. 3 (Main) is drilled to a depth of 430', is equipped with a 60 hp turbine pipe that funnels water through a single check valve and into a 5500 gallon steel pressure storage tank. Well No. 3 (Main) is also equipped with a back-up propane engine in case of power failure. Well No. 2 (South Back-up) is drilled to a depth of 358' and contains a 75 Hp turbine pump that also funnels water through a single check valve and into a 5500 gallon storage tank and then on to distribution.

3 Well No. 3 (Main) is equipped with a Chlor-tec chlorine generator system that injects chlorine into the system as water is funneled through the check valve into the storage tank.

4 Well No. 2 (South) has not been used for approximately 8 years, but can be put into service at any time if Well No. 3 (Main) ever becomes contaminated or compromised.

5 Over the last 7 years, at least 2 other wells have been abandoned due to contamination (contaminants unknown).

6 Nitrates can be associated with septic systems, agricultural use of fertilizers and concentrated animal facilities. At least two dairies are located within the District's boundaries and the District is surrounded by agricultural uses, making the system vulnerable to high Nitrate levels. The District's 2009 Consumer Confidence Report (CCR) reiterates that leaks in the distribution plumbing, the presence of underground petroleum tanks, known contamination plumes, agricultural activity and sewer and drainage lines are the primary threats to Well No. 3 (Main) and Well No. 2. The 2009 CCR further indicates that the Sultana area has a history of DBCP contamination, a pesticide banned in the 1970s, but that the most recent sample test results for DBCP were non-detect.

7 In order to protect the system from vulnerabilities, the latest CCR indicates that the well system should be kept clean and free of weeds and debris to prevent contamination. The report further directs that cement surface seals need to be checked for cracks and immediately repaired or sealed if needed.

Sample test results for Nitrates are to be submitted each year. If a well sample is found to have at least 50% of the maximum contaminate level (MCL) allowed, which is 45 parts per million (ppm), the District must submit quarterly test results until the issue is resolved. The District must also provide notice of the violation to customer on a quarterly basis and proof of this notice must be submitted to Environmental Health, also on a quarterly basis. The District was notified that Well No. 2 samples exceeded the 50% threshold in 2006 and 2007. Proof of customer notification for these violations was

not found in the District's Environmental Health file. The record shows that annual Nitrate testing results were not submitted for the year 2005. The 2009 CCR indicates that test samples showed Nitrate levels well below the 50% threshold.

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.

There are no social or economic communities of interest proposed to be included in the SOI.

Impact on Prime Agricultural Land, Agriculture and Open Space:

No urban development or loss of open space and prime agricultural land would result with establishment of this SOI because the proposed SOI will only include land that is already within the District. Some of the lands that will be included within the new SOI are under Williamson Act contract. However, the Commission may approve this sphere of influence if it finds the following pursuant to GC §56426.5(b) (2):

That the change is not likely to adversely affect the continuation of the contract beyond its current expiration date.

Municipal Service Reviews:

The Sultana CSD (SCSD) Municipal Service Review report was prepared pursuant to Section 56430. The report begins by providing district background information and then summarizes data collected and analyzed for the purpose of supporting written statements of determination with respect to each of the following: 1) Growth and population projections for the affected area; 2) Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies; 3) Financial ability of agencies to provide services; 4) Status of, and opportunities for, shared facilities; 5) Accountability for community service needs, including governmental structure and operational efficiencies; 6) Any other matter related to effective or efficient service delivery, as required by commission policy. Data was provided by the Tulare County Environmental Health Division (Environmental Health), Community Water Center (CWC), Self-Help Enterprises and Tulare County Community Development Department. Visalia Times Delta and Fresno Bee articles as well as Tulare County Grand Jury (Grand Jury) reports were also reviewed for pertinent information. A thorough review of stated responsibilities to be effected, procedures followed and legislative intent specified in the CSD Law was also conducted. An informational survey was mailed to the SCSD on three separate occasions, no response has been received. The MSR report format used in the Group 1, 2 and 3 MSR reports has been changed to reflect the amendments to CKH Section 56430 as a result of AB 1744 (Ch. 244, Stats 2007). The MSR was adopted June 1st, 2011

Recommendations:

It is recommended that this SOI be approved and that the Commission take the following actions:

- A. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to adopting the written determinations, the Sphere of Influence determinations under consideration are exempt from the provisions of the California Environmental Quality Act (CEQA) under the categorical exemption 15320.
- B. Adopt the written statement of determinations and find that the proposed Sultana CSD Sphere of Influence update is in compliance with the GC Section 56425.
- C. Find that pursuant to GC §56426.5(b)(2), the proposed SOI amendment will not adversely affect the continuation of any Williamson Act contracts beyond their current expiration dates.
- D. Approve the Sphere of Influence as requested to be know as LAFCO Case 1465, Sultana CSD SOI Update, as identified within Figure 1.

Figures & Exhibits

Figure 1 Site Location Map

Sultana

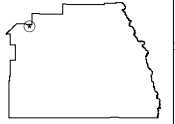
Community Services District

(as of 3/1/2007)

 District

No Sphere

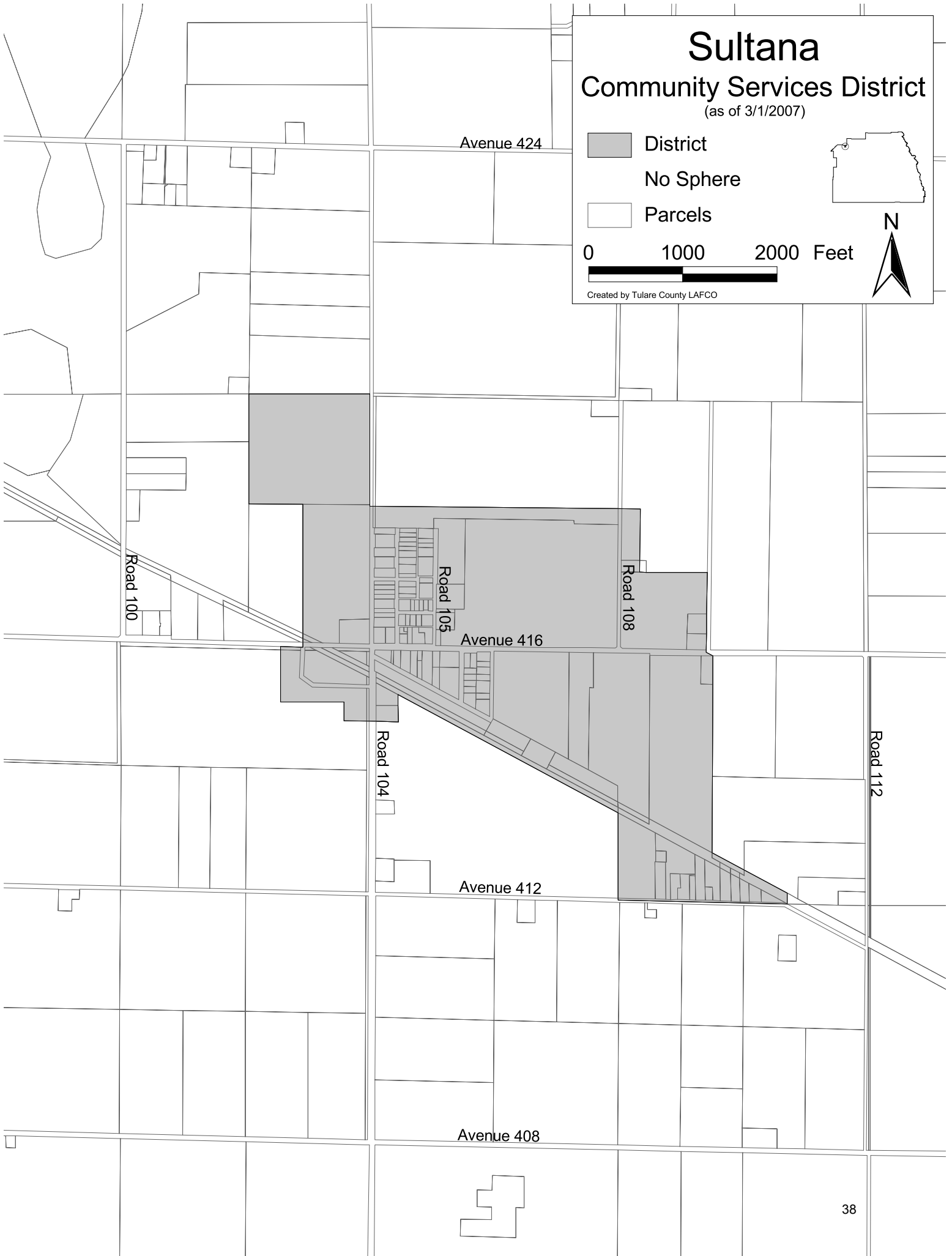
 Parcels



0 1000 2000 Feet



Created by Tulare County LAFCO



BEFORE THE LOCAL AGENCY FORMATION COMMISSION
OF THE
COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Proposed Sultana)
Community Services District Sphere of)
Influence LAFCO Case No. 1465)

RESOLUTION NO. 11-022

WHEREAS, pursuant to Government Code Section 56425, Local Agency Formation Commissions are required to establish, periodically review and revise or amend Sphere of Influence boundaries; and

WHEREAS, this Commission has adopted a Sphere of Influence Policy which requires that wherever possible, the Spheres of Influence for each of the incorporated cities and various special districts which provide urban services to unincorporated communities in the County reflect a twenty year growth area; and

WHEREAS, on October 5th, 2011, the Commission initiated the Sphere of Influence amendment for the Ivanhoe Public Utilities District by resolution (No. 11-016); and

WHEREAS, the District was formed in 1977 (LAFCO Resolution 77-06, LAFCO Case 579).

WHEREAS, the Commission conducted a municipal service review adopted on June 1st, 2011 (LAFCO Resolution 11-008).

WHEREAS, the Commission has read and considered the reports and recommendations of the Executive Officer; and

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED as

follows:

1. The boundaries of the Sphere of Influence amendment are definite and certain as shown in Figure 1.

2. The information, materials, and facts set forth in the application and the reports of the Executive Officer, including any corrections, have been received and considered in accordance with GC §56427.

3. The Commission has reviewed and considered the information, materials and facts presented by the following persons who appeared at the public hearing and commented on the proposal:

Cynthia Echavarria, Staff Analyst

4. All required notices have been given and all proceedings taken in this matter have been and now are in all respects taken in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended.

5. Pursuant to GC §56430, the Municipal Service Review for the Sultana Community Service District was approved on June 1st, 2011, by Resolution No. 11-008.

6. The Commission hereby adopts the attached written determinations required under GC §56425 in support of the proposed Sphere of Influence adoption.

7. The Commission finds that pursuant to GC §56426.5(b)(2), the proposed SOI amendment will not adversely effect the continuation of any Williamson Act contracts beyond their current expiration dates

8. The Commission hereby finds that the proposed Sphere of Influence amendment will not have a significant impact on the environment, and certifies that the Sphere of Influence determinations under consideration are exempt from the provisions of the California Environmental Quality Act (CEQA) under the categorical exemption 15320.

9. The Commission hereby finds that the proposed Sultana CSD Sphere of Influence is in compliance with the Cortese-Knox-Hertzberg Act, GC §§56425, 56430 and 56377, and Tulare County LAFCO Policy and Procedure section C-5, Spheres of Influence.

10. The Sphere of Influence for the Sultana CSD is hereby adopted as shown in Exhibit A.

11. The Executive Officer is hereby authorized and directed to sign and file the Notice of Determination with the County Clerk.

The foregoing resolution was adopted upon the motion by Commissioner x, and seconded by Commissioner x, at a regular meeting held this 1st day of November 2nd, 2011 by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

ce

This page intentionally left blank.



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

5955 S. Mooney Blvd. Visalia, CA 93277 (559) 624-7261 FAX (559) 733-6720

COMMISSIONERS:
Allen Ishida, Chair
Juliet Allen, Vice Chair
Steve Worthley
Cameron Hamilton
Rudy Mendoza

November 2, 2011

ALTERNATES:
Gerald Magoon
Amy Shuklian
Mike Ennis

To: LAFCO Members, Alternates and Executive Officer

From: Cynthia Echavarria, Staff Analyst

EXECUTIVE OFFICER:
Ben Giuliani

Subject: Proposed 2012 LAFCO meeting and application deadline schedule

The following meeting dates and application deadlines are proposed for 2011. Complicated proposals or those which have not been "pre-noticed" by the initiating agency may require additional time to process. Staff will make every effort to place the proposal on the corresponding agenda, however, unforeseen circumstances (i.e. missed publication dates, need for further information, incomplete applications etc.) may require placement of the proposal on another agenda.

APPLICATION DEADLINE

TENTATIVE MEETING DATE

December 21, 2011
January 25, 2012
February 21, 2012
March 21, 2012
April 25, 2012
May 30, 2012
June 20, 2012
August 1, 2012
August 29, 2012
September 26, 2012
October 24, 2012
November 28, 2012

FEBRUARY 1, 2012
MARCH 7, 2012
APRIL 4, 2012
MAY 2, 2012
JUNE 6, 2012
JULY 11, 2012*
AUGUST 8, 2012**
SEPTEMBER 12, 2012***
OCTOBER 10, 2012****
NOVEMBER 7, 2012
DECEMBER 5, 2012
JANUARY 9, 2013*****

*2nd Wednesday in July to avoid July 4th Holiday (Independence Day).

**2nd Wednesday in August to maintain 4 week gap between July and August meetings.

***2nd Wednesday in September to avoid California League of California Cities Annual Conference

****2nd Wednesday in October to avoid CALAFCO Annual Conference

*****2nd Wednesday in January to avoid week of New Year's Holiday.

This page intentionally left blank.



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

5955 S. Mooney Blvd. Visalia, CA 93277 (559) 624-7274 FAX (559) 733-6720

COMMISSIONERS:
*Allen Ishida, Chair
Juliet Allen, Vice Chair
Rudy Mendoza
Steve Worthley
Cameron Hamilton*

ALTERNATES:
*Gerald Magoon
Amy Shuklian
Mike Ennis*

EXECUTIVE OFFICER:
Ben Giuliani

November 2, 2011

TO: LAFCO Commissioners, Alternates, Counsel

FROM: Benjamin Giuliani, Executive Officer

SUBJECT: Sphere of Influence (SOI) Amendment Proposals for Group 4 Districts

Background

Pursuant to Government Code §56425(g): "On or before January 1, 2008, and every five years thereafter, the commission shall, as necessary, review and update each sphere of influence." A SOI is defined as the following by Government Code section 56076: "A plan for the probable physical boundaries and service area of a local agency, as determined by the commission."

Pursuant to GC §56450(c): "The commission shall conduct a service review before, or in conjunction with, but no later than the time it is considering an action to establish a sphere of influence in accordance with section 56425 or section 56426.5 or to update a sphere of influence pursuant to section 56425."

The Commission has recently adopted Municipal Service Reviews (MSRs) for all of the 20 Group 4 districts and initiated the comprehensive SOI reviews for the districts at the October 5th meeting.

Discussion

Listed below are initial staff recommendations for the SOI updates of the Group 4 districts. These initial recommendations are not yet subject to Commission action but staff is requesting Commission feedback.

Allensworth Community Services District

An SOI has never been established for this district. The County currently does not have a planning boundary for the community. However, a hamlet boundary is included in the Tulare County General Plan Update. Staff is recommending that the completion of the SOI update wait until after the County General Plan Update is adopted.

Alpine Village-Sequoia Crest Community Services District

An SOI has never been established for this district. The County currently does not have a planning boundary for the community and there is no proposed boundary included in the General Plan Update. This district is landlocked by U.S. National Forest land. Staff is recommending that the SOI be set coterminous to the District boundary. Staff will notify the District of the proposed SOI and bring it back to the Commission for adoption at the February meeting.

Ducor Community Services District

An SOI has never been established for this district. The County does have a UDB for the community. Staff is proposing to include the UDB area in the SOI for the District. Staff will notify the District of the proposed SOI and bring it back to the Commission for adoption at the February meeting.

East Orosi Community Services District

There is an established SOI for this district that matches the County's UDB for East Orosi. Staff is proposing that the Commission should reaffirm the SOI for the District. Staff will notify the District of the proposal and bring it back to the Commission for adoption at the February meeting.

Patterson Tract Community Services District

There is an established SOI for this district that is coterminous with District boundaries. The County UDB includes a much larger area. The subdivisions to the south of Patterson Tract CSD are serviced by Cal Water as part of their Visalia water system. Staff is proposing that the Commission should reaffirm the SOI for the District. Staff will notify the District of the proposal and bring it back to the Commission for adoption at the February meeting.

Ponderosa Community Services District

An SOI has never been established for this district. The County currently does not have a planning boundary for the community and there is no proposed boundary included in the General Plan Update. This district is landlocked by U.S. National Forest land. Staff is recommending that the SOI be set coterminous to the District boundary. Staff will notify the District of the proposed SOI and bring it back to the Commission for adoption at the February meeting.

Three Rivers Community Services District

An SOI has never been established for this district. The County UDB for Three Rivers includes large amounts of land outside of the District's boundaries. Due to the limited services currently provided by the District, staff is recommending that the SOI should be set coterminous to the District boundary. Staff will notify the District of the proposed SOI and bring it back to the Commission for adoption at the February meeting.

Tract 92 Community Services District

There is an established SOI for this district that is coterminous with District boundaries. The County currently does not have a planning boundary for the community and there is no proposed boundary included in the General Plan Update. Staff is proposing that the Commission should reaffirm the SOI for the District. Staff will notify the District of the proposal and bring it back to the Commission for adoption at the February meeting.

County Service Area #1

An SOI has never been established for this district. Staff is recommending that a SOI for the CSA be established that is coterminous with the County boundary. Staff will notify the CSA of the proposed SOI and bring it back to the Commission for adoption at the February meeting.

County Service Area #2

An SOI has never been established for this district. This CSA serves the Wells Tract which is a disadvantaged unincorporated community adjacent to the City of Woodlake. The community is fully within the City's SOI. Due to its location in relation to the City, staff is recommending that no SOI be adopted for CSA #2. Staff will notify the CSA of the proposal.

Porter Vista Public Utility District

There is an established SOI for this district which does not match the County's UDB for the community. The SOI, in some places, also extends beyond the District boundaries into the City of Porterville. Staff is recommending that the SOI for the District be amended to be coterminous with the outside boundary of the District. Staff will notify the District of the proposal and bring it back to the Commission for adoption at the February meeting.

Delta Vector Control District and Tulare Mosquito Abatement District

There are established SOIs for these districts. The SOIs currently conflict with District boundaries. Areas A and B in the attached map were removed from the Tulare MAD's SOI and placed in the Delta VCD's SOI even though these two areas are still within the Tulare MAD boundary. Both districts claim to service the areas. Staff is requesting feedback from the Commission regarding the two options that can be taken. 1) Reaffirm the existing SOIs or 2) Realign the SOIs to match the District boundaries.

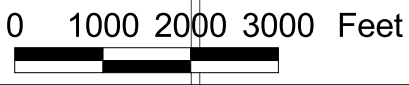
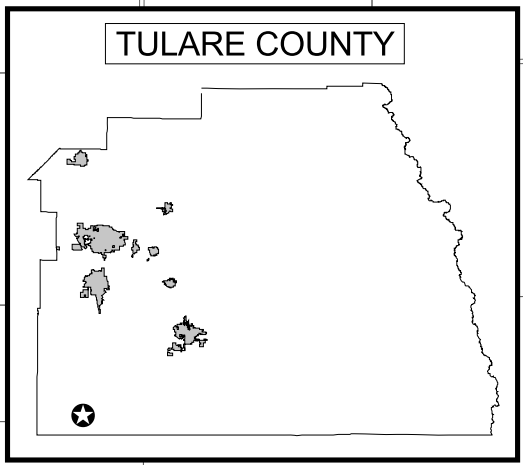
Hospital Districts (Alta, Exeter Ambulance, Kaweah Delta, Lindsay, Sierra View, Tulare)





SOIs have been established to be coterminous with all of the hospital district boundaries with the exception of Exeter Ambulance. An SOI has never been established for Exeter Ambulance. The Yokohl Valley project currently includes a proposed annexation into the Exeter Ambulance District that has not yet been specifically defined or submitted to LAFCO. Also, the Kaweah Delta Health Care District has requested large additions to their SOI that may conflict with the potential Exeter Ambulance proposal. Staff is recommending delaying the update of the hospital district SOIs until the Yokohl Valley project further progresses.

Attachments

Maps showing district SOI proposals

Proposal:
 Adopt an SOI after the Hamlet Boundary is adopted as a part of the Tulare County General Plan Update.

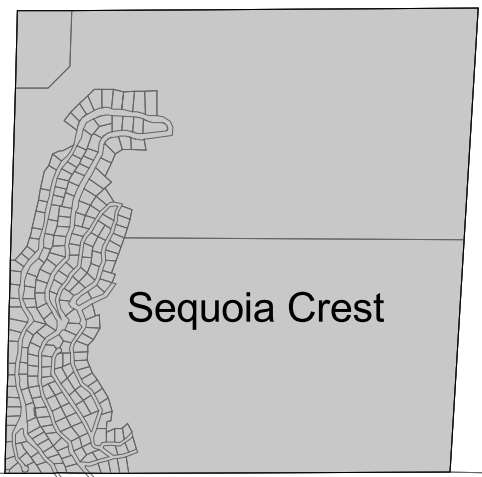
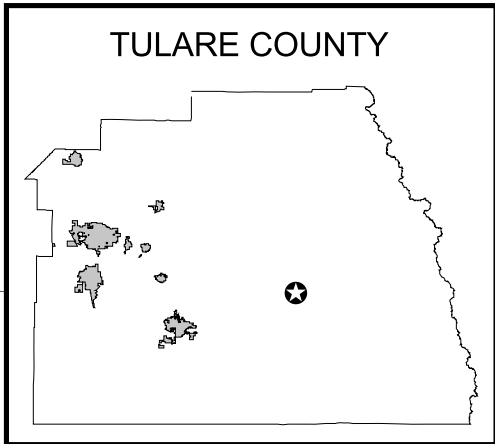


-  SOI*
-  HAMLET **
-  CSD
-  PARCELS

LAFCO CASE 1466
 ALLENSWORTH CSD
 SPHERE OF INFLUENCE
 UPDATE

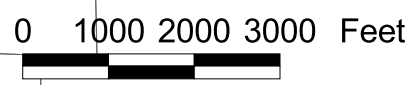
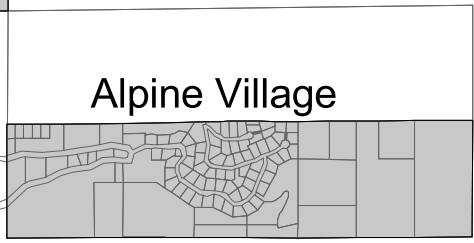
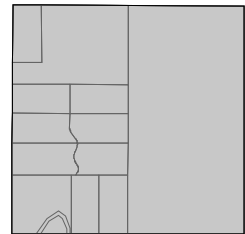


*There is currently no SOI
 **Hamlet boundary has not yet been adopted







Redwood

Proposal:
Adopt an SOI that is
coterminous with
District boundaries



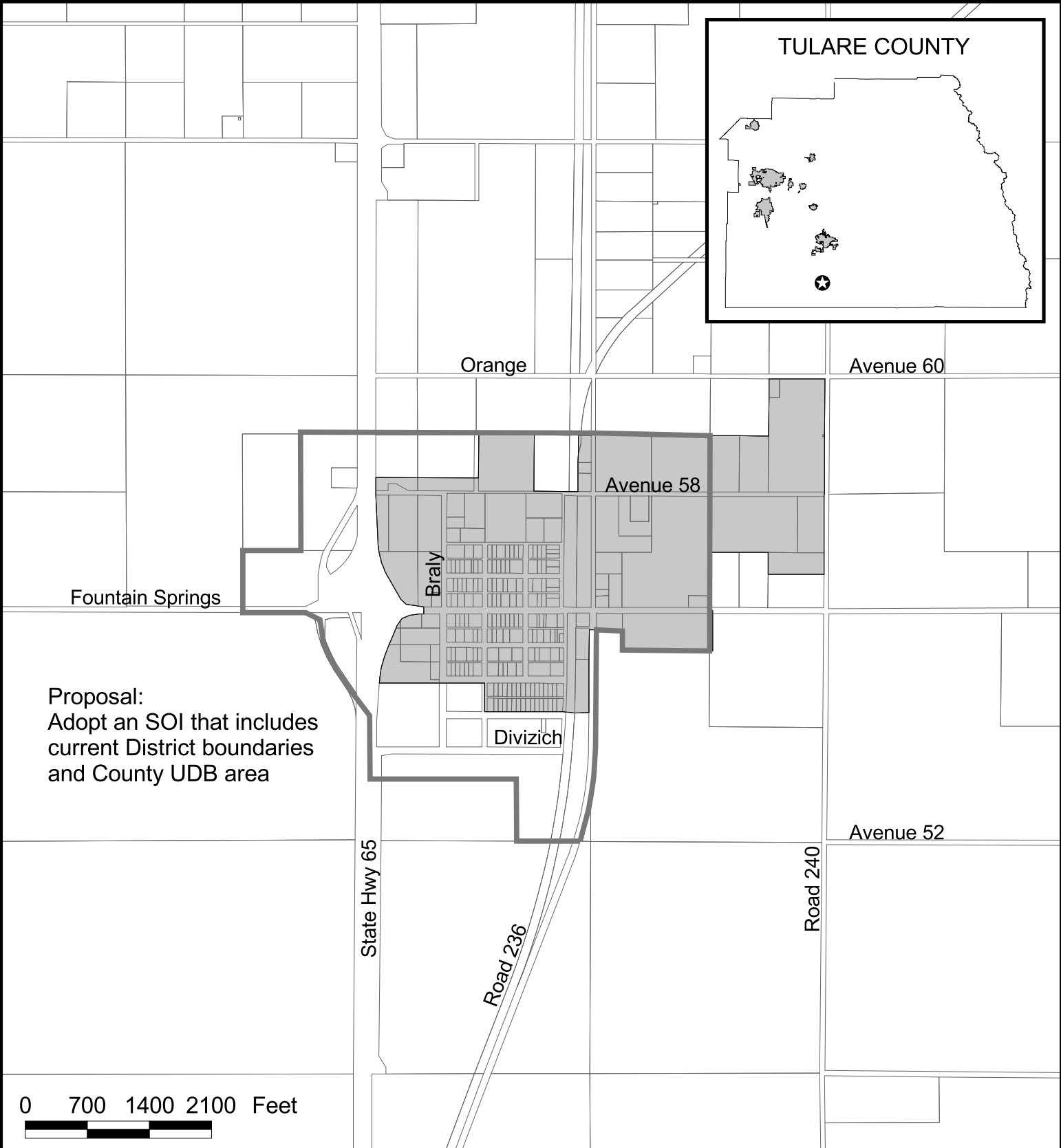
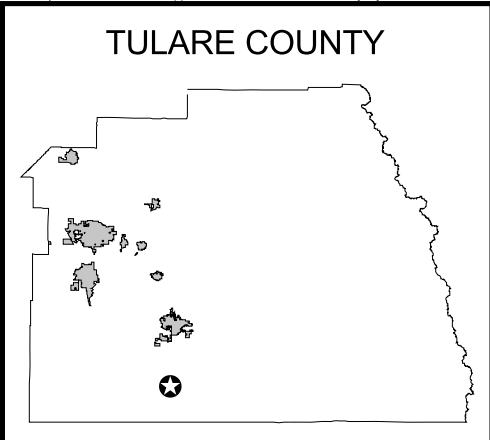
State Hwy 190

-  SOI*
-  COUNTY**
-  CSD
-  PARCELS

LAFCO CASE 1467
ALPINE VILLAGE -
SEQUOIA CREST CSD
SPHERE OF INFLUENCE
UPDATE







* There is currently no SOI
**There is currently no County UDB,
Hamlet or Mountain Community boundary



Proposal:
 Adopt an SOI that includes
 current District boundaries
 and County UDB area

0 700 1400 2100 Feet

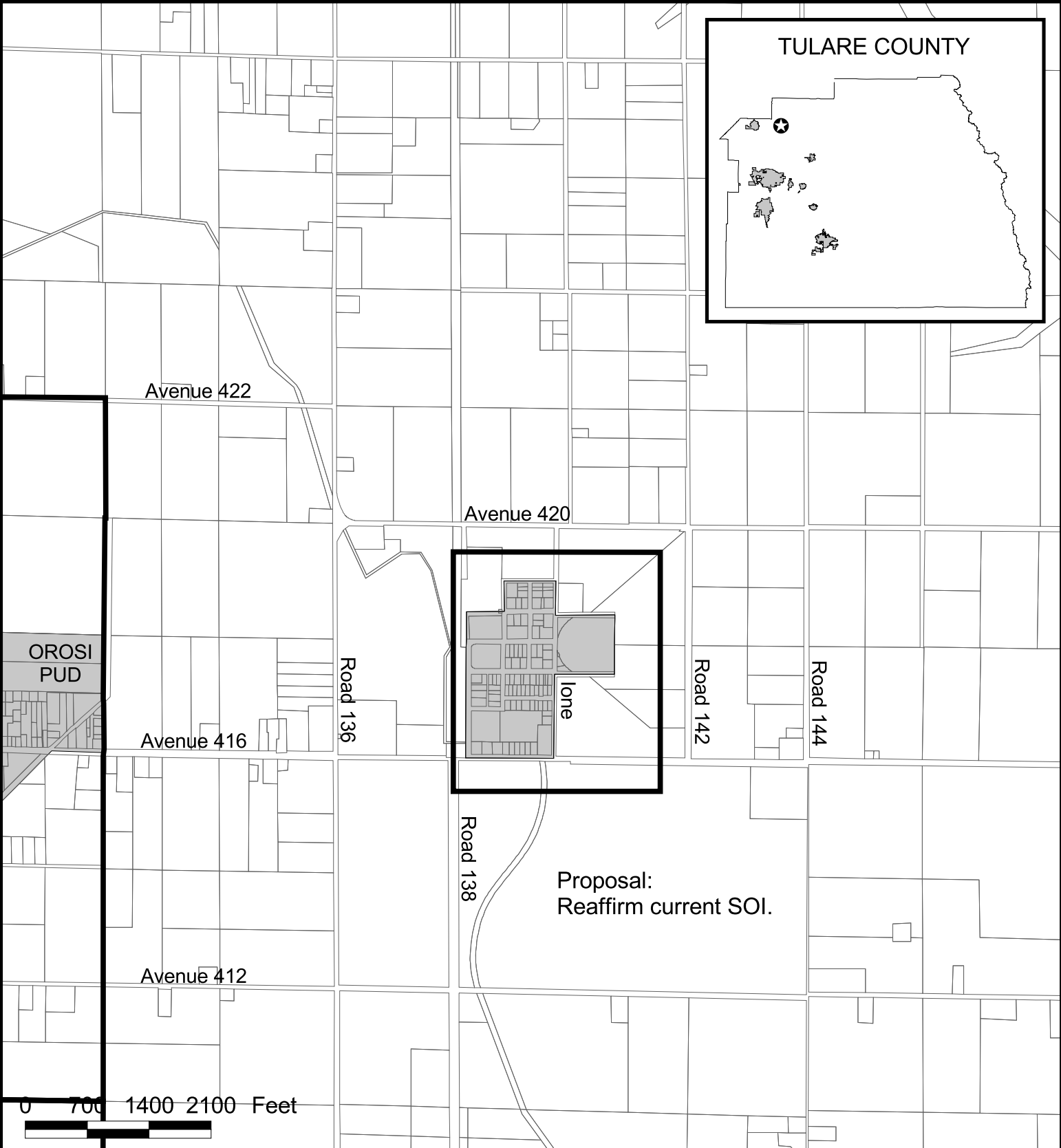
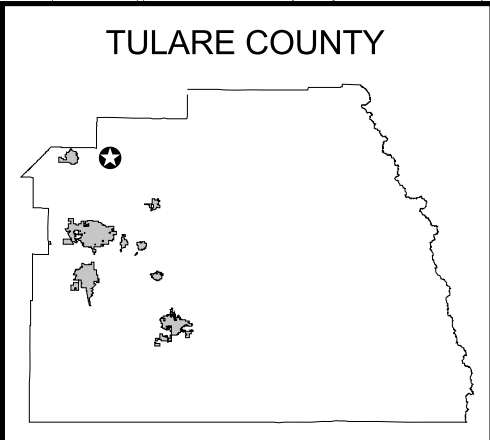


-  SOI*
-  COUNTY UDB
-  CSD
-  PARCELS

LAFCO CASE 1468
 DUCOR CSD
 SPHERE OF INFLUENCE
 UPDATE







*There is currently no SOI



Proposal:
Reaffirm current SOI.

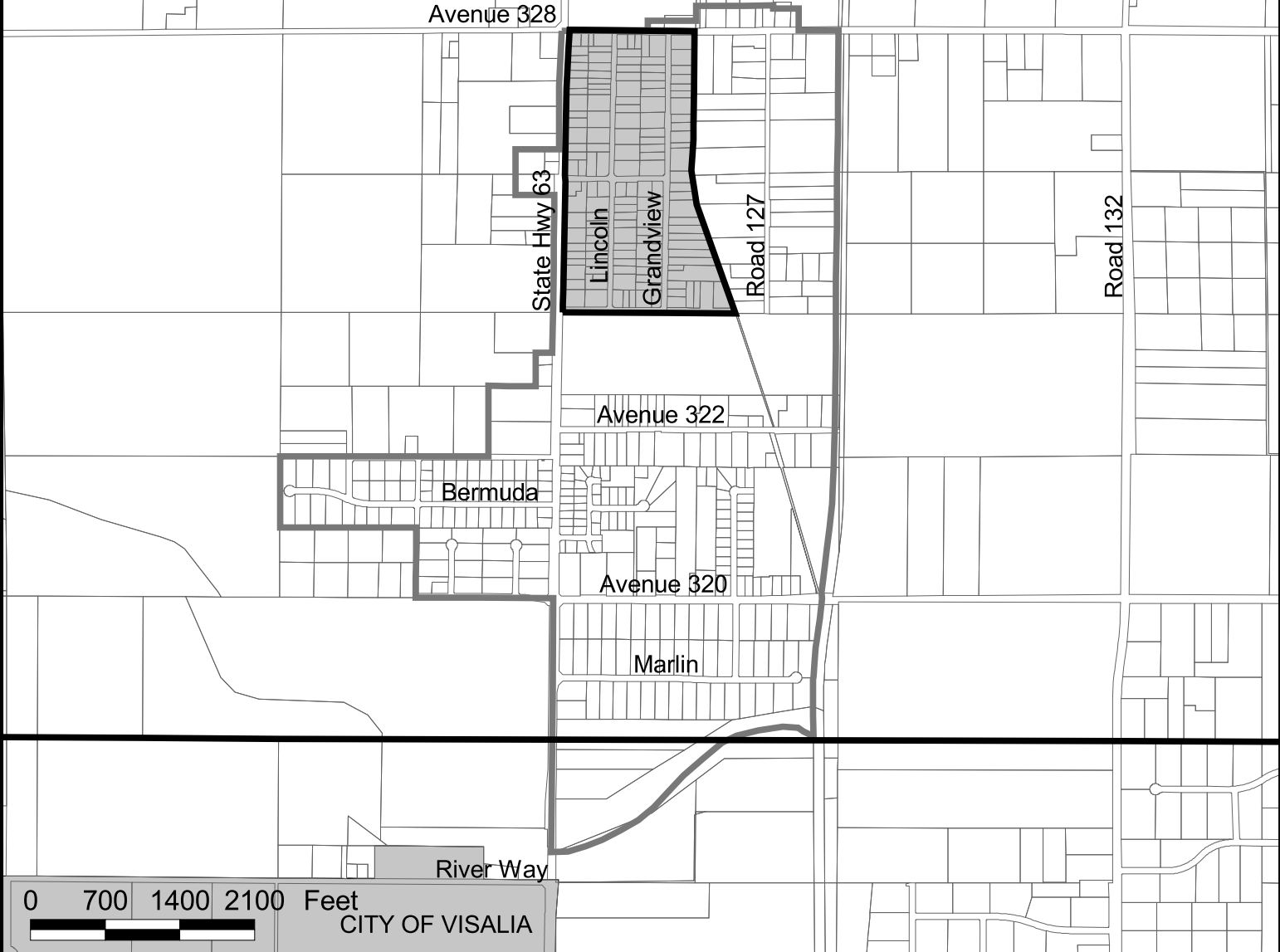
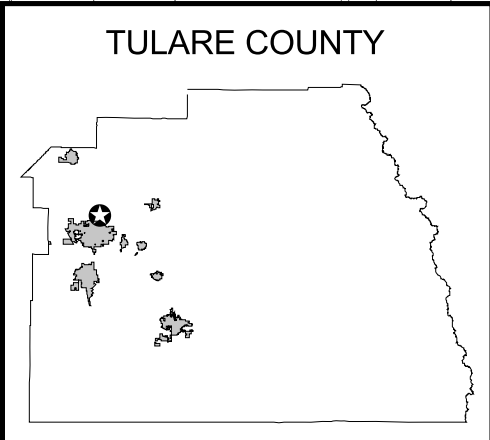
LAFCO CASE 1469
EAST OROSI CSD
SPHERE OF INFLUENCE
UPDATE

-  SOI
-  COUNTY UDB*
-  CSD
-  PARCELS



*UDB is coterminous with SOI

Proposal:
Reaffirm existing
SOI boundary.

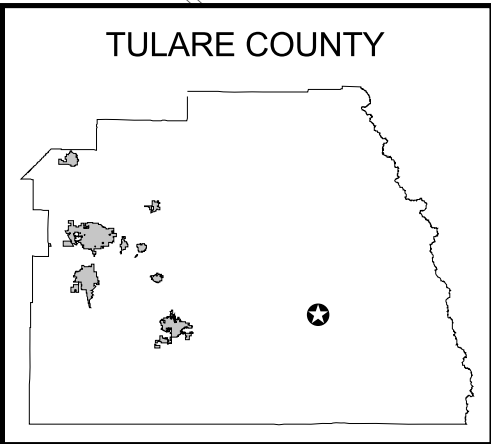
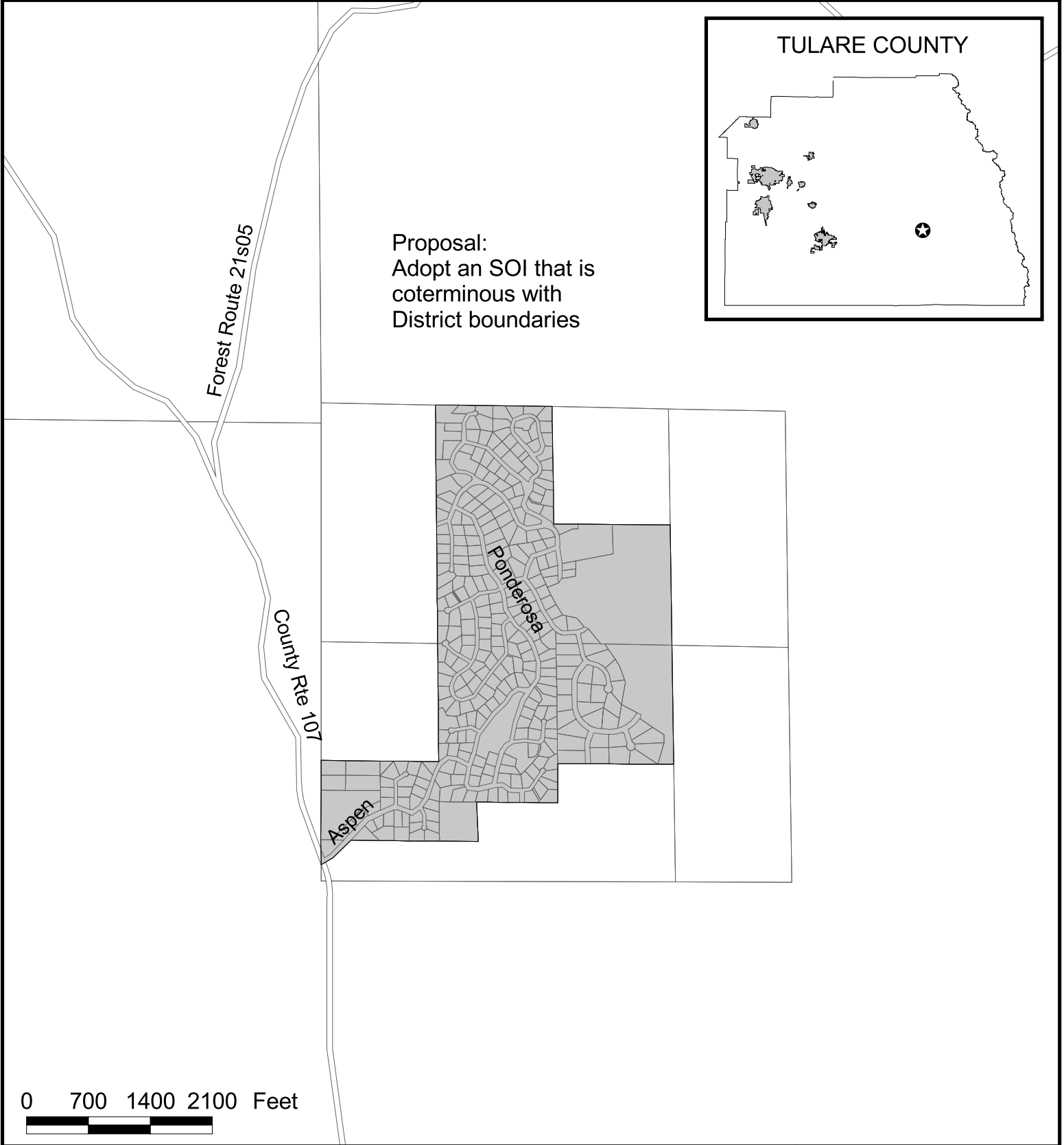


- SOI
- COUNTY UDB*
- CSD
- PARCELS

LAFCO CASE 1470 PATTERSON TRACT CSD SPHERE OF INFLUENCE UPDATE



*Southern portion of UDB area is served by California Water - Visalia District



Proposal:
 Adopt an SOI that is
 coterminous with
 District boundaries



	SOI*
	COUNTY**
	CSD
	PARCELS

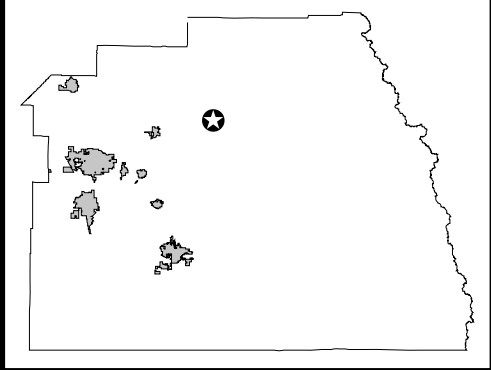
* There is currently no SOI
 **There is currently no County UDB,
 Hamlet or Mountain Community boundary

LAFCO CASE 1471
 PONDEROSA CSD
 SPHERE OF INFLUENCE
 UPDATE

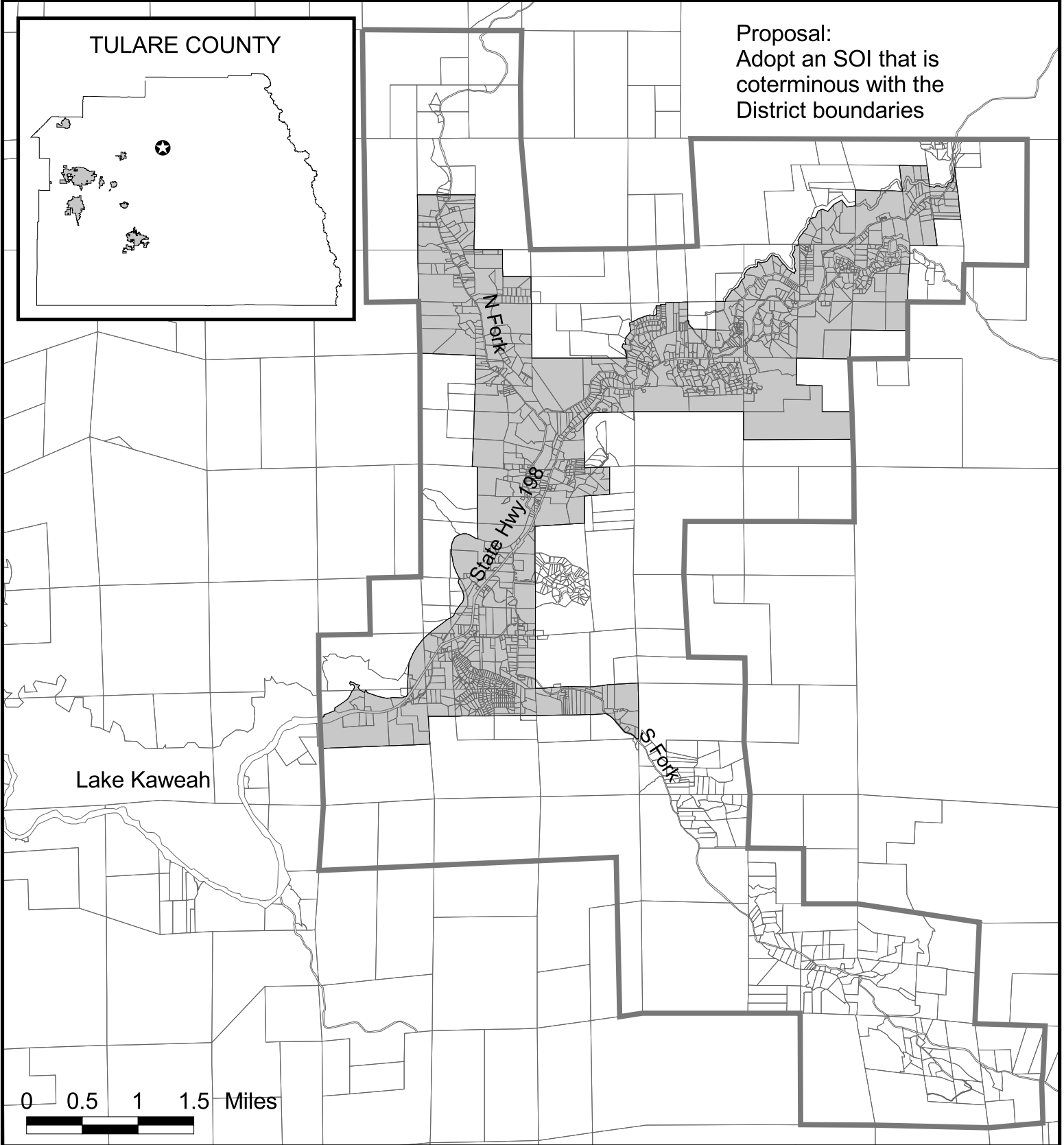
N





53
 FIGURE 6

TULARE COUNTY



Proposal:
Adopt an SOI that is
coterminous with the
District boundaries

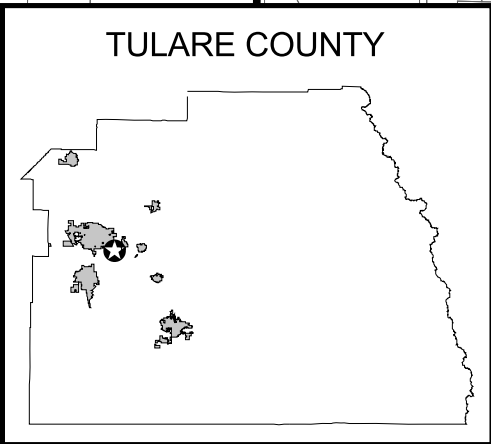
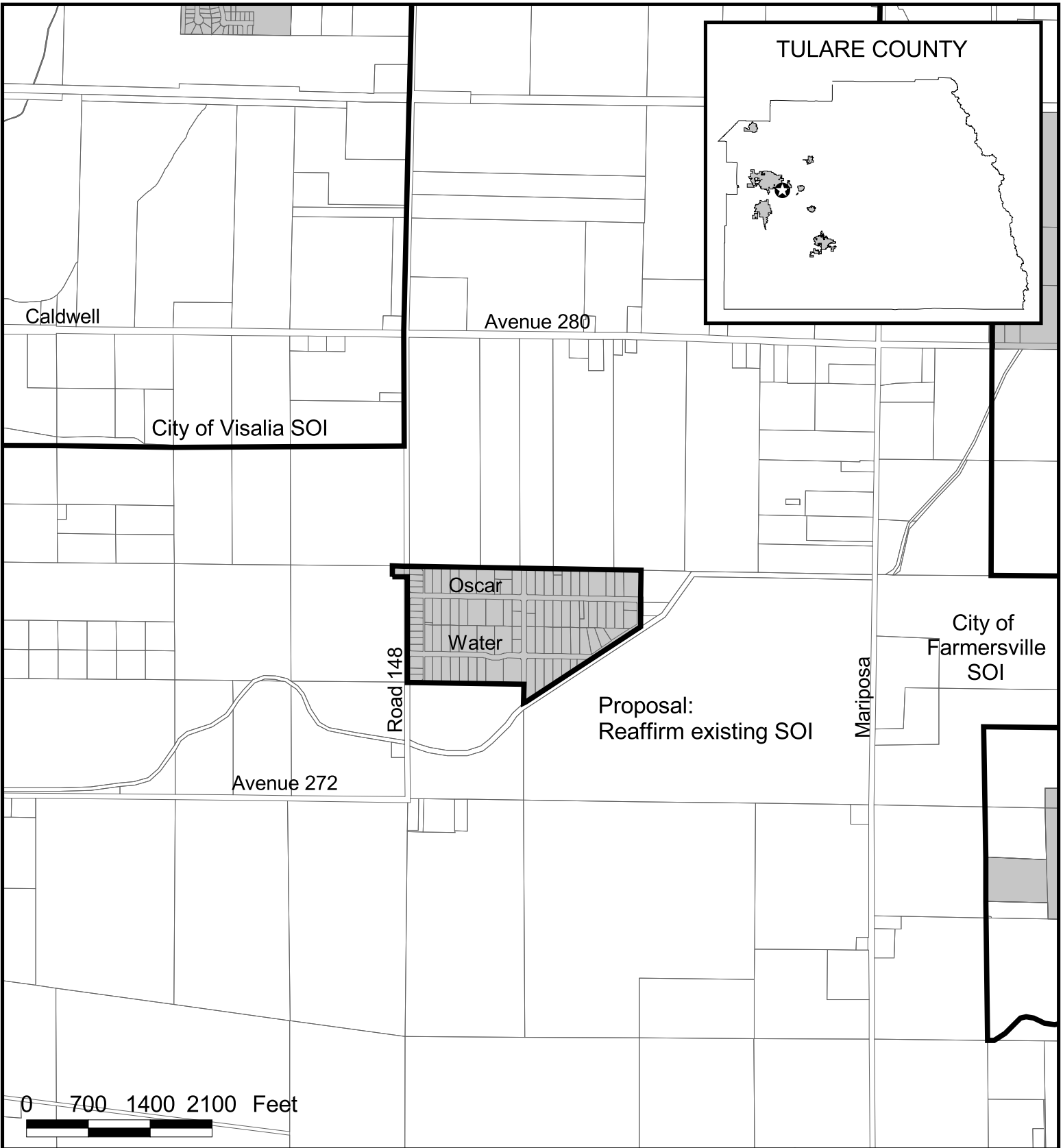






-  SOI*
-  COUNTY UDB
-  CSD
-  PARCELS

LAFCO CASE 1472
THREE RIVERS CSD
SPHERE OF INFLUENCE
UPDATE



*There is currently no SOI

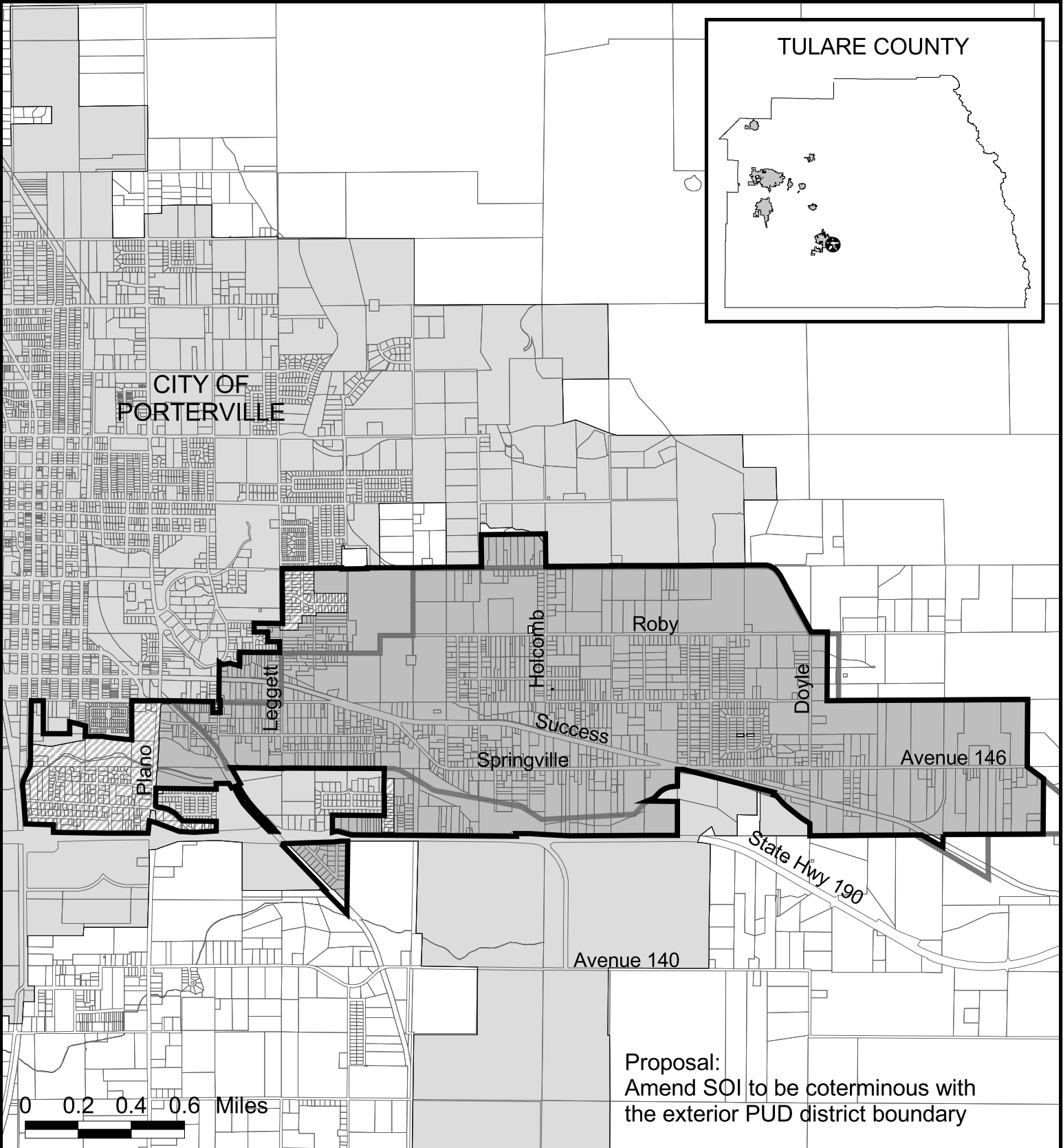
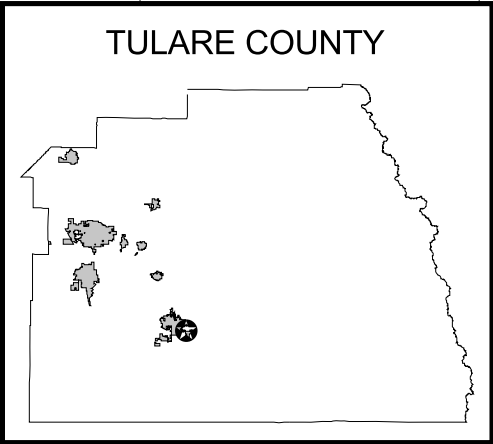








-  SOI
-  COUNTY*
-  CSD
-  PARCELS

LAFCO CASE 1473
TRACT 92 CSD
SPHERE OF INFLUENCE
UPDATE



*There is currently no County UDB or proposed Hamlet boundary.



-  SOI
-  COUNTY UDB
-  PUD
-  CITY
-  PUD & CITY
-  PARCELS

LAFCO CASE 1474
PORTER VISTA PUD
SPHERE OF INFLUENCE
UPDATE



FRESNO COUNTY

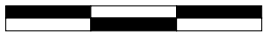
INYO COUNTY



TULARE COUNTY

KERN COUNTY

Proposal:
Adopt an SOI coterminous
with the County boundary

0 5 10 15 Miles

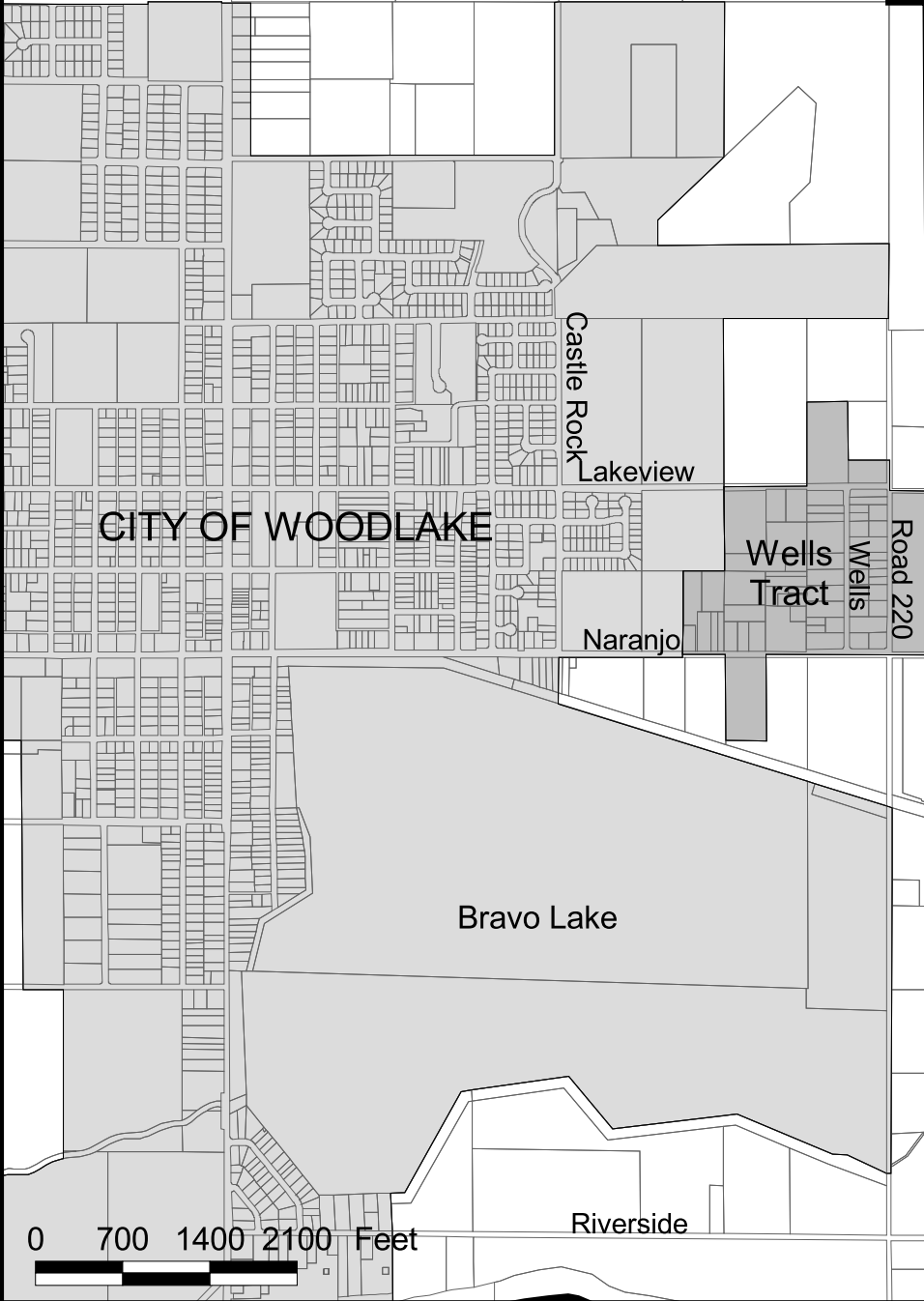
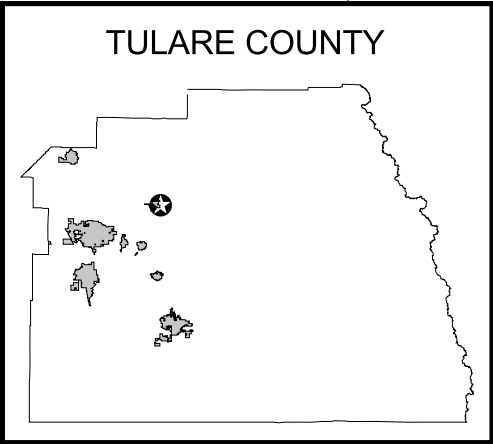


-  SOI*
-  CSA

LAFCO CASE 1475
COUNTY SERVICE AREA #1
SPHERE OF INFLUENCE
UPDATE







*There is currently no SOI



Proposal:
Don't adopt an SOI for CSA #2
(The Wells Tract is within the
City's SOI and eventually should
be annexed.)

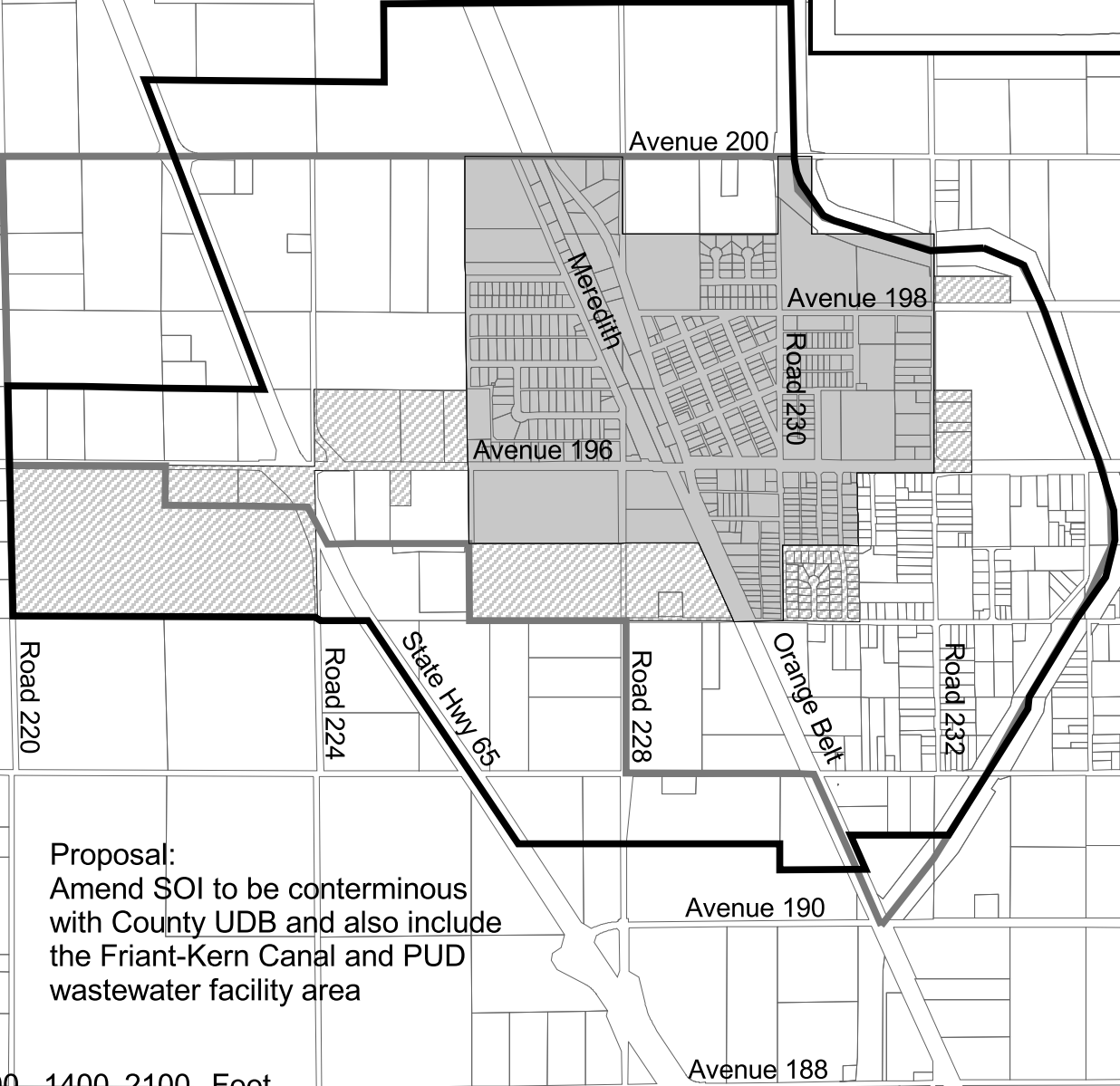
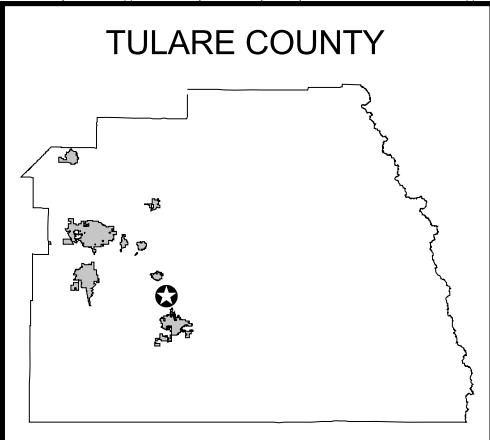
0 700 1400 2100 Feet

-  CITY SOI*
-  CITY
-  CSA
-  PARCELS

LAFCO CASE 1476
COUNTY SERVICE AREA #2
SPHERE OF INFLUENCE
UPDATE

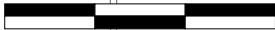


*There is currently no SOI for CSA #2



Proposal:
Amend SOI to be conterminous
with County UDB and also include
the Friant-Kern Canal and PUD
wastewater facility area

0 700 1400 2100 Feet

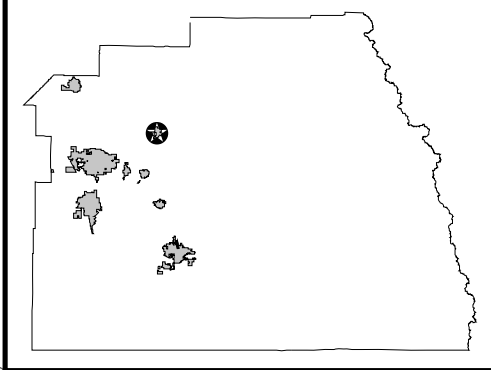


- SOI
- COUNTY UDB
- FPD (& PUD)
- PUD
- PARCELS

LAFCO CASE 1477
STRATHMORE FPD
SPHERE OF INFLUENCE
UPDATE



TULARE COUNTY



Proposal:
Amend SOI to be coterminous
with City of Woodlake SOI

Avenue 352

Valencia

SR-216

Naranja






Bravo Lake

Road 196

Friant-Kern Canal

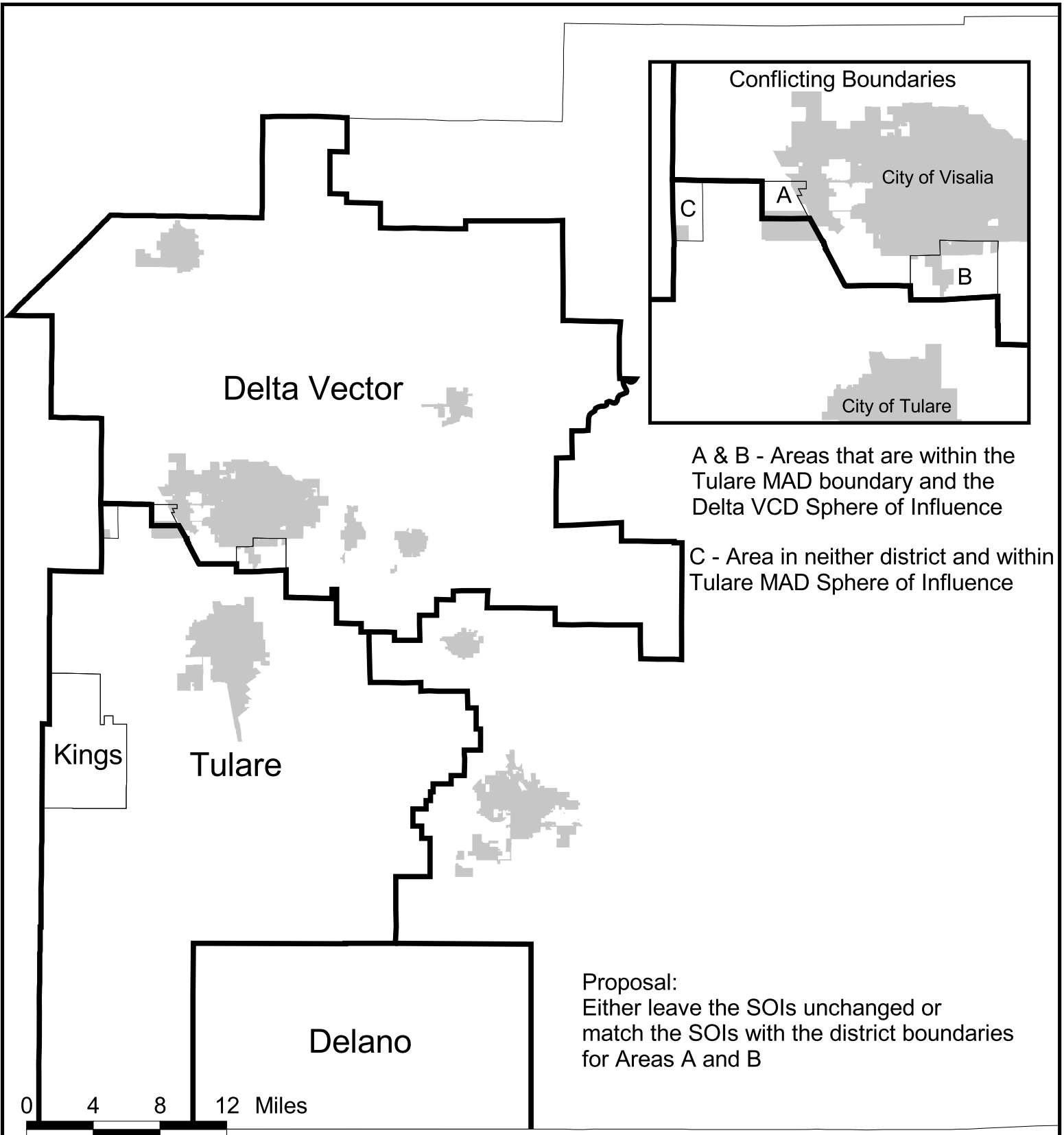
SR-245




0 1000 2000 3000 Feet

-  SOI
-  CITY SOI
-  FPD
-  CITY
-  PARCELS

LAFCO CASE 1478
WOODLAKE FPD
SPHERE OF INFLUENCE
UPDATE





-  SOIs*
-  DISTRICTS
-  CITIES

**LAFCO CASES 1479 & 1480
DELTA VECTOR CONTROL
TULARE MOSQUITO ABATEMENT
SPHERE OF INFLUENCE
UPDATE**



*Tulare MAD SOI includes portion of Kings MAD that is in Tulare County

Kingsburg

Alta

Kaweah Delta

Exeter

Lindsay

Tulare

Sierra View

North Kern-
South Tulare

Proposal:
Adopt SOIs after resolution of
the Yokohl Valley project

0 4 8 12 Miles



SOIs*



DISTRICTS



CITIES

LAFCO CASES 1481-1486 HOSPITAL DISTRICTS SPHERE OF INFLUENCE UPDATE



*There is currently no SOI
for Exeter Ambulance