



TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

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LAFCO MEETING AGENDA
October 5, 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 September 7, 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. Adoption of Woodlake and Strathmore Fire Protection Districts Municipal Service Reviews

[Public Hearing]..... Recommended Action: Approval (Pages 5- 26)

At the August 2011 LAFCO meeting, Staff provided for review 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 comments have been received. Attached are MSR final drafts for these districts.

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.

2. Initiate Sphere of Influence Updates for Group 4 MSR Special Districts
[No Public Hearing].....Recommended Action: Initiate (Pages 27 - 30)

With the adoption of the MSRs for the Fire Protection Districts, all Group 4 Special Districts now have adopted MSRs. Attached for review and comment are initial recommendations for the SOI updates of these districts. The draft recommendations will be sent to the districts for their review and comment and will be brought back to the Commission for action in December.

3. Initiate Sphere of Influence Amendment for Ivanhoe Public Utility Districts
[No Public Hearing].....Recommended Action: Initiate (Pages 31 - 34)

An application was recently 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.

4. Amendment to Policy A-4 (Commission Composition)
[No Public Hearing].....Recommended Action: Adoption (Pages 35 - 39)

This proposed amendment defines in what circumstances the Commission could request the removal of members to their respective appointing bodies. The original draft of this 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. No further comments have been received.

VII. Executive Officer's Report

1. 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.

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

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

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.

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.

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

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

XII. Adjournment

<i>Item No.</i>	<i>Agenda Summary</i>
<i>VI.1.</i>	<i>Please see enclosed Woodlake and Strathmore FPD final draft MSRs.</i>
<i>VI.2.</i>	<i>Please see enclosed memo and initial recommendations for the SOI updates of the Group 4 Special Districts.</i>
<i>VI.3.</i>	<i>Please see enclosed memo regarding the proposed SOI amendment to the Ivanhoe PUD.</i>
<i>VI.4.</i>	<i>Please see enclosed final draft amendment to Policy A-4.</i>
<i>VII.1.</i>	<i>There are no enclosures for this item.</i>
<i>VII.2.</i>	<i>There are no enclosures for this item.</i>
<i>IX.1.</i>	<i>There are no enclosures for this item.</i>

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.

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TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION

Minutes of the Meeting

September 7, 2011

Members Present: Allen Ishida, Juliet Allen, Steve Worthley, Rudy Mendoza

Members Absent: Cameron Hamilton

Alternates Present:

Alternates Absent: Gerald Magoon, Amy Shuklian, Mike Ennis

Staff Present: Ben Giuliani, Cynthia Echavarria

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 September 7, 2011.

II. Approval of the August 3, 2011 Minutes:

Upon motion by Commissioner Worthley and seconded by Commissioner Mendoza, the Commission unanimously approved the August 3, 2011 minutes.

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 Porter Vista PUD and CSAs #1 & #2 Municipal Service Reviews

Executive Officer Giuliani provided information on the draft MSR reports for Porter Vista Public Utility District and County Service Areas #1 and #2. Suggestions were incorporated and information updated where applicable.

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 Mendoza, the Commission unanimously approved adoption of Porter Vista PUD and CSAs #1 & #2 Municipal Service Reviews.

2. Amendment to Policy C-12 (Reconsideration Procedures)

Executive Officer Giuliani provided information on the amendment to align policy C-12 with current State law. No additional changes were made since it went to the Commission in August for review.

Upon motion by Commissioner Mendoza and seconded by Commissioner Worthley, the Commission unanimously approved amending Policy C-12.

VII. Executive Officer's Report

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

Executive Officer Giuliani provided information on proposed amendments to Policy A-4 with additional modifications as directed by the Commission at the August meeting. To allow adequate time for review it will be returned to the Commission in October for consideration.

Chair Ishida asked that Counsel Dong clarify if after 30 days a Public Member is not selected does the Commission have additional time. Also, does the Commission have the flexibility to appoint a temporary Public Member?

2. Grand Jury Memorial Districts Report

Executive Officer Giuliani provided information on a meeting he had with the Grand Jury regarding Memorial Districts. There are concerns over Boards that are not functioning, facilities not being maintained and funding.

Chair Ishida stated that a meeting may need to take place with the districts to discuss issues.

Commissioner Worthley suggested having a meeting with the districts to discuss the advantages of combining districts.

Chair Ishida stated that some governing bodies are having difficulty maintaining the necessary number of members. He has heard comments from people who are getting tired of serving.

Commissioner Worthley stated that the number of World War II Veterans is decreasing.

Chair Ishida stated that determinations need to be made regarding which districts are viable and which are not.

Commissioner Worthley stated that many of the districts do not have the funding to maintain facilities.

Vice Chair Allen stated that perhaps Ben could meet with districts to obtain the full story.

Executive Officer Giuliani asked if the Commission is interested in being a part of those meeting.

Chair Ishida stated that he would like to attend the meetings if it does not compromise his role at LAFCO.

Commissioners Worthley, Allen and Mendoza echoed that response.

Counsel Dong responded that it would not be an issue as long as there is not a quorum and the discussion at the proceedings is disclosed.

Commissioner Worthley stated that initiating discussion may help districts examine their purpose and how to resolve issues.

Chair Ishida asked that staff work out a calendar and move forward with meeting with the districts.

3. Legislative Update

Executive Officer Giuliani provided a status of proposed legislation that could potentially impact LAFCO.

4. CALAFCO Conference

Commissioner Mendoza stated that it was a great conference. He learned a lot and had the opportunity to meet several people who have the same issues.

Vice Chair Allen announced that she was re-elected to CALAFCO and made many new contacts in our region. The Commission and staff congratulated her. She stated that there was good participation and communication is building.

Vice Chair Allen provided some highlights of the conference including: CSA's being involved in dormitory housing for farm workers and the combining of ag and solar power. One winery is floating solar panels on pontoons in a pond.

5. Upcoming Projects

Executive Officer Giuliani provided a summary of up-coming LAFCO projects.

VIII. Correspondence

There were no correspondence items

IX. Other Business

1. Vice Chair Allen provided an update during the CALAFCO conference item.
2. There were no requests for future agendas items.
3. Chair Ishida welcomed Cynthia Echavarria, Staff Analyst, to LAFCO.

X. Closed Sessions

There were no closed session items

XI. Setting Time and Place of Next Meeting

October 5, 2011 @ 2:00 P.M. in the Board of Supervisors Chambers in the County Administration Building

XII. Adjourned

Chair Ishida adjourned the meeting at 3:23 p.m.

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California Fire Protection Districts

Fire Protection Districts (FPD) can be established under one of three State statutes:

Local Fire District Law, Chapter 1, Section 14000 et seq., Part 3, Division 12 of the Health and Safety Code.

Act 1174 of the General Laws of the State of California.

Fire Protection District Law of 1961, Section 13801 et seq. of the Health and Safety Code.

Fire districts are governed by a 3-member board of directors elected by registered voters residing within the district on an at-large basis. Fire Protection Districts have the following powers provided by statute: (Numerical references are sections of the Health and Safety Code)

- Establish, equip and maintain a fire department (§13852[d]).
- Provide any special service function necessary for fire prevention and protection (§13852[h]).
- Acquire and construct facilities for development, storage, and distribution of water for the purpose of providing fire protection. (§13852[i])
- Acquire and maintain ambulances and operate ambulance service (§13853). Establish, maintain and operate first aid services (§13854). Clear or order the clearing of inflammable growths or materials from lands within the district which cause fire hazards (§13867; 13868).
- Adopt and enforce ordinances for the prevention and suppression of fires and for protection of life and property against fire hazards. (§13869)
- Levy and collect a portion of the \$1.00 per \$100.00 assessed value ad valorem tax on property within the district. (§13907)

Three separate fire protection districts provide service within Tulare County. The Woodlake and Strathmore FPDs are located entirely within Tulare County, while the Orange Cove FPD is almost entirely with Fresno County and only provides service to small area located in the northeast section of Tulare County.

Fire Safety Structure in California

Fire protection in California is divided between local agencies and the State. Service responsibility areas are established according to the type of fire response required. While the legal responsibilities are distinct, the California Department of Forestry and Fire Protection (CalFire) and local agencies work cooperatively to assist one another with fire response. Roughly 50 percent of California's land area is federally owned. There, fire crews from the U.S. Forest Service and other agencies have responsibility.

Local fire protection responsibilities are focused on structural protection and emergency medical response. Within incorporated areas or areas of sufficient housing density, local governments are responsible for providing wild land fire protection.

Under statute, the state is responsible for wild land fire protection in state responsibility areas (SRAs). The state has no statutory obligation to provide structural fire protection or emergency medical response, although CalFire may do so within existing resources. Under statute, SRAs exclude areas within incorporated cities, federal lands, and irrigated agricultural lands. The Board of Forestry (BOF) has the authority to designate the boundaries of SRAs, and has determined administratively that SRAs exclude areas where housing density exceeds three units per acre. There are about 31 million acres of SRAs in the state of which about 500,000 acres belong to local governments and about 1.4 million acres belong to the state. The federal government is responsible for the remaining 29 acres.

Realignment of State Fire Protection Structure

Increasing development in SRAs carries with it increased fire risks and consequent increased costs to the state associated with fighting wild land fires. Local governments have the authority to make land use decisions, but the state pays for the fire protection that benefits new development in SRAs. Accordingly, the state is considering changing SRA criteria in a way that serves to encourage local planning agencies to give more consideration to the dangers of wild land fire hazards when making decisions regarding new development. In other words, local governments could be made more accountable for the fiscal consequences of their planning decisions as SRAs are reverted to local responsibility. Additionally, it is estimated that CalFire spends about 25 percent of its time responding to other emergencies that are primarily a local responsibility, particularly emergency medical response. Development with SRAs also limits CalFire's traditional firefighting tactics such as controlled burns and aircraft use, which in turn requires the agency to rely on more costly methods.

Increasing workload due to changing wild land fuel conditions, which make wild fire more intense and difficult to control, is an added financial burden on CalFire. These factors and the associated costs have prompted a realignment of the fire protection service structure within the State's 2011/2012 budget. The realignment plan calls for reducing the number of firefighters on CalFire engine crews from four to three, putting them back to staffing levels that existed before massive wildfires affected the state in 2003. It would also shift a significant amount of fire fighting responsibility that CalFire now oversees to cities and counties, mostly through a SRA reclassification effort. The plan calls for \$250 million to be shifted from the state fire budget to

local agencies, and CalFire's service area reduced. If that money were shifted, it would represent nearly one-third of CalFire's fire fighting budget.

Potential issues

The level of funding that would ultimately be transferred to local governments under the budget plan is highly uncertain as it depends on the uncertain outcome of the proposed SRA reclassification effort. In any event, since development in SRAs is clustered, it appears unlikely that realignment based solely on the level of development will result in enough land taken out of the SRA designation to result in a realignment of \$250 million in CalFire program costs. This according to the state's Legislative Analyst's Office.

Development often occurs in watershed areas, areas for which CalFire's Natural Resource Program is designed to protect and be responsible for. Depending on what land is reclassified, new SRA boundaries could result in diminished state protection over watershed resources, unless otherwise addressed.

CalFire, local agencies, and the federal forest service operate mutual aid agreements with reimbursements for incident response outside of their respective areas of jurisdiction, and local and state agencies contract with each other for services. While it is unlikely that these agreements will disappear in the event of realignment, new SRA boundaries may trigger a need to revise some interagency agreements and may change the incentives for these agreements.

Realignment would likely place some CalFire infrastructure in local responsibility areas rather than in SRAs. The state; however would remain responsible for the repayment of lease-revenue bonds used to finance this infrastructure. As such, CalFire will need to enter into agreements with local agencies regarding the rental, use, maintenance, and ultimate replacement of such infrastructure.

Assessing Fire Protection Service

When responding to an emergency situation, the goal of any fire protection agency is to minimize the threat to life and property. As such, all fire protection agencies must strive to arrive on the scene of an emergency as quickly as possible, with adequate equipment and well trained safety personnel.

The National Fire Protection Association (NFPA) develops, publishes, and disseminates more than 300 consensus codes and standards intended to help local governments provide quality fire protection service. NFPA standards are adopted by virtually all local governments, including Tulare County and Tulare County fire protection districts.

NFPA sets a six-minute standard for all "career" fire departments, departments whose firefighting force consists of full-time paid employees. For such departments, NFPA recommends that a six-minute emergency response time be achieved 90 percent of the time.

Volunteer departments, on the other hand, are allotted a much longer response time, as most volunteer firefighters are sometimes not readily available. If a volunteer fire department is in an

urban area (1,000 or more people per square mile) the department should dispatch 15 people within nine minutes 90 percent of the time. Suburban areas, consisting of 500-1000 people per square mile, should respond to a fire in 10 minutes with 10 fire fighters 80 percent of the time. Rural areas of less than 500 people per square mile should respond with six people in 14 minutes 80 percent of the time.

Time Points & Time Intervals

All emergency events follow a specific series of events. Emergency systems primarily intercede after the “point of awareness” of the emergency event. An emergency response time continuum is composed of the following time points and intervals for all emergencies.

Emergency Event

The emergency event begins at the point when the need for an emergency response system is identified. Identifiers may include an individual that recognizes or witnesses a need for an emergency response or an electrical or mechanical system such as a smoke or heat detector.

Notification

Notification begins when the fire dispatcher receives the call or alarm.

Alarm Processing

Alarm processing is defined as the interval of time between the notification of alarm to the dispatcher and the receipt of the alarm by the emergency responders. This is the first point at which the actual recording of time begins in the response time continuum.

Turnout Time

Turnout or “prep time” is from when the alert tones in the station until units indicate they are responding to the call. The NFPA sets the standard at 90 seconds (30 seconds for answering the call and 60 seconds for dispatch).

Travel Time

This is the point at which the units indicate they are responding to the call until they indicate arrival at the scene of the emergency. Travel time is affected by the location of the emergency equipment within the district. Factors that effect travel time include weather, traffic and time of day.

On-Scene Time

On-scene time is the point at which the responding unit arrives at the emergency and ends recording of the total response time.

Initiation of Action

This is the point at which operations to mitigate the incident begins. Actions may include size-up (lead responders identification and verbalization of various aspects of the emergency), resource deployment or when patient contact is initiated.

Termination of Incident

Termination is the time at which the emergency units have completed the assignment and are available to respond to another request for service or the “available” time.

Total Response Time

Total response time is calculated from the notification point until the first units arrive on-scene.

Woodlake Fire Protection District Municipal Service Review

The Woodlake Fire Protection District (WFPD) Municipal Service Review (MSR) report was prepared pursuant to GC 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.

The information used in the MSR analysis is largely derived from a questionnaire submitted by the WFPD in 2007. Information was also extracted from other County and State department publications, newspaper articles, the State Controller's Annual Special District financial report and the Fire Districts Association of California web page (www.fda.org). The MSR format used in the Group 1 and 2 MSR's has been revised to reflect the new requirements of GC 56430 as amended (AB 1744, Ch. 244, Stats 2007).

Background

The WFPD was established in 1928 and provides fire protection to the City of Woodlake and areas just outside of the City's jurisdictional boundaries. The District's jurisdictional boundaries are largely coterminous to Woodlake's city limits, with the exception of a few small and largely un-urbanized areas located just outside of the City's boundaries. The WFPD boundaries encompass a 2,400-acre area, while its current Sphere of Influence has an area of 4,464 acres. The District's boundaries extend west to the Friant-Kern Canal, south to Avenue 332, east to Avenue 222, and north to Avenue 356 (3.7 square miles). In addition to fire service, the WFPD also responds to a variety of emergency situations including floods, wild fires, mudslides, and earthquakes. WFPD headquarters are located at 216 E. Naranjo Boulevard. The WFPD's firefighting force is predominately comprised of volunteers. Full-time district personnel are also trained to administer basic first aid; however, the district does not provide ambulance service nor basic or advanced life support services. Consequently, the District is not subject to Central California Emergency Medical Agency policy and procedures as required by the California Code of Regulations Title 22 (Pre-hospital Emergency Medical Services Chapter 7, Trauma Care Systems section)

Written Determinations

1) Growth and Population Projections

1. As mentioned above, the District's jurisdictional boundaries are largely coterminous to Woodlake's city limits, with the exception of a few small and largely un-urbanized areas located just outside of the City's boundaries. One of these areas is known as the Wells Housing Tract, which receives sewer and water service from County Service Area (CSA) No. 2. Although population estimates are not available for this Tract, using the number of connections reported by CSA No. 2 (67) and the 2010 U.S.

Census estimated average household size for the unincorporated portion of Tulare County (3.36 persons), the Tract has an estimated population of 225 persons. Adding this population to Woodlake's 2010 Census estimated population of 7,279 persons, the total WFPD population is approximately 7,504 persons. This is a slight increase from the District's estimated population in 2000 (6,994).

2. The Claritas 2008 demographic report used in the 2009 Comprehensive Economic Development Strategy plan, developed by the Tulare County Economic Development Corporation for Tulare County, projects that the City of Woodlake will have a population of 8,121 in 2013.

Based on the population estimates and projections available, it is determined that the population within the WFPD's boundaries increases at a low and steady rate. This allows the District adequate time to acquire the infrastructure, equipment and supplies they project will be needed to meet service demand levels associated with population increases.

2) Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies

1. The WFPD currently owns and operates 3 fire engines.
2. The WFPD does not provide basic or advance pre-hospital life support services; thus, the District does not own or lease the equipment needed to provide these services. All district staff and volunteers; however, are trained and certified to provide first aid assistance. Accordingly, the District owns and operates basic first aid equipment.
3. In 2008, the District constructed a new garage at its headquarters. The garage is used house two district fire engines and a single support vehicle. Garage construction was funded by a grant awarded to the District by the City of Woodlake.
4. In 2007 the WFPD proposed Tulare County Ballot Measure W. An impartial measure analysis conducted by the Tulare County Elections Office described Measure W as a special tax that, if approved, would increase the already existing special annual tax levied on real property within District boundaries. Measure funding was intended to help preserve existing district equipment and staff levels in order to maintain emergency response, fire protection, fire fighting and hazardous materials services. The measure passed with 72.51% of the vote and took effect during the 2008/2009 fiscal year.
5. The United States Department of Agriculture, in its capacity to help implement provisions of the American Recovery and Reinvestment Act (ARRA) of 2009, awarded the WFPD a \$120,000 loan and \$50,000 grant through its Community Facilities Program. The funds awarded will help the district purchase a new fire truck equipped with medical and extrication equipment. As of this date the district has not purchased any equipment with the funds.

6. The WFPD responds to an average of 400 medical calls, 100 fire calls, and 10 false alarms on an annual basis. Some of these calls are to areas outside the District's boundaries in accordance with a mutual aid agreement between the District and Tulare County.

It is determined that because the WFPD serves a small area, the current equipment and support vehicles that it possesses are sufficient to service its designated area efficiently. This is evidenced by the District's 3-4 minute emergency response time to 90% of emergency calls dispatched (9 minutes is the standard set by the NFPA for urban volunteer fire agencies). In addition, due to the ARRA funds awarded to the District and its ability to raise revenues via revenue-generating mechanisms, such as Measure W, the WFPD has the capacity to upgrade its infrastructure and equipment in order to meet unexpected increase in emergency service demand.

3) Financial Ability of the Agency to Provide Services

1. 31% of the WFPD's funding is derived from its fire tax (special tax levied each year on the annual tax roll) and 61% is derived from an assessment levied on real property within district boundaries. Grants and fees charged for services provided by the WFPD to other jurisdictions account for the remainder of the District's funding.
2. As mentioned above, district voters approved Measure W in 2007, which increased the annual special tax levied on real property within district boundaries to \$22.60 per single-family dwelling unit.
3. The Fire Districts Association of California wrote a letter of support to its members for SB 78 and AB 196, also known as The Emergency Response Initiative. This initiative proposes a 4.8% emergency response surcharge on all new or renewed commercial and residential fire insurance policies or multi-peril insurance in California. The revenue that is generated would be allocated to state fire and emergency service agencies as well as local governments for the purpose of funding critical emergency mutual aid response, equipment, and other needed resources. This was a 2-year bill that died pursuant to State legislative rules.
4. According to the State Controller's Annual Special District Report, the WFPD reported \$476,349 in total revenues and \$333,758 in expenditures.

It is determined the District currently has a reliable and adequate source of funding; however, it is unclear how the 2011/2012 state budget and the fire protection service realignment will impact the District. If the District is forced to provide service to a larger area and funds redirected to local agencies by the state fall short of projections, the District could face a budget shortfall of its own. It is determined that the impacts of the fire protection service realignment plan will not be known until the state determines new SRAs.

4) Status of, and Opportunities for, Shared Facilities

1. Tulare County Agreement No. 13944 (effective December 17, 1985), between the District and the County, allows the Tulare County Fire Department to provides

emergency dispatch and communication services to the District. The agreement was amended on January 17, 1995 (agreement amendment 13944-A) in order to modify the payment structure to a flat rate of \$600 per month. On July 26, 2007 the Tulare County Board of Supervisors further amended the agreement. Pursuant to the amended agreement, the County continues to provide emergency dispatch services; however, rather than charging the WFPD \$600 fee, the service is provided in exchange for the District allowing the Tulare County Fire Department to utilize its westerly 2 bays of the most northerly building in the WFPD compound located in Woodlake. The space is used by the County for office space and space for associated equipment.

2. The aforementioned mutual aid agreement also allows one agency to provide additional staff and equipment to the other during calls where supplies and staff are unavailable or insufficient.
3. As part of its 2009-2010 budget package, the California Legislature suspended the local agency protections established in Proposition 1A and proceeded to withhold more than \$2 billion of property tax revenue from cities, counties and special districts in order to close its budget gap. These funds were withheld with the intent to repay local government agencies, commencing in 2013. As an alternative, the budget package also permitted the establishment of a third-party securitization program that local governments could use to relieve the burden of “loaning” their property tax revenues to the state. California Communities was appointed by the California Legislature a type of Joint Powers Authority (JPA) that would administer the securitization program. Under the program, local agencies are able to purchase receivables from the state, which allows them to maintain their planned revenue streams and critical services. The WFPD forms part of this JPA along with 803 other local agencies.
4. As previously mentioned, all district staff, both paid and volunteer, are trained to provide first aid care, but not life support services typically provided by EMTs or paramedics. The WFPD has indicated that they nonetheless respond to calls that require more advanced pre-hospital treatment when calls are dispatched to their emergency personnel. The Exeter District Ambulance (EDA) is the nearest local government ambulance service provider, but its jurisdictional boundaries do not encompass the areas served by the WFPD. According to District Staff, EDA provides service to the Woodlake area in accordance with a mutual aid agreement between The EDA and Tulare County. American Ambulance, a privately owned and operated ambulance service provider, also provides ambulance service to the Woodlake area. The County of Tulare provides dispatch service for the area and determines which ambulance service is contacted.

It is determined that the current agreement between the District and the County allows both agencies to provide faster response times: the County is now closer to northeast county emergencies, while the District receives more efficient dispatch services. The agreement also ensures that emergency personal will always be available at adequate levels should the staffing

levels of either agency ever prove insufficient. The mutual aid agreement between the two agencies additionally reduces the cost to each.

It is further determined that by becoming part of the statewide JPA, the WFPD has put itself in a stronger position to reclaim the withheld property tax revenues in full. Lack of these services creates the potential for loss of life that could have otherwise been prevented. It is determined that ambulance service to the City of Woodlake and surrounding areas needs to be examined. The goal of this analysis should be on determining which approach will result in the fastest response time possible. This approach could be to expand the EDA's boundaries to include the Woodlake area or perhaps the current structure produces the most efficient ambulance service possible; information from American ambulance and Woodlake specific information from the EDA is needed to make this determination.

5) Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

1. The WFPD is governed by a 3-member board of directors. Each board member is elected and serves a 4-year term.
2. Public hearings are held on the 4th Tuesday of each month at 6:30 PM at the district headquarters. Agendas are posted outside of the district headquarters.
3. The WFPD has 3 paid staff members. That includes 1 fire captain and 2 firefighters with California State Board of Fire Services certification. The District also has 14 volunteer firefighters. Volunteers need not have state certification, but they are required to undergo a local training program administered by the WFPD.
4. Each year the WFPD must submit a wide range of data to the Homeland Security Federal Emergency Management Agency via the National Fire Incident Reporting System. Some of the data provided includes number of structure fires, firefighter casualties, civilian casualties, hazardous material incidents, wild land fires and apparatus and personnel inventory.
5. The WFPD is listed on the City of Woodlake's website as a city department. However, the link on the site only provides a brief description of the District's history and geography as well as telephone contact information. The WFPD does not maintain a web page.

Based on the fast emergency call response times analyzed in previous sections, it is determined that, from a service provision standpoint, the District is operating at an efficient level.

Based on the fact that the District has adopted national response standards, which it exceeds, and that fact that it must report to a Federal agency, adhere to various state codes and regulations as well as local ordinances, it is further determined that their sufficient regulatory controls in place to ensure service provision accountability.

Staff recommends that the WFPD and City of Woodlake consider including additional information such as meeting minutes, agendas, fire safety guidelines, and other public information on the City website. Without such information it is difficult for district residents to become engaged and provide input regarding district services and operations.

6) Other Matters Related to Effective or Efficient Service Delivery, As Required by Commission Policy

Recommendation:

The state fire protection service realignment plan has the potential to adversely impact smaller fire protection agencies who possess only limited resources and hinder their ability to provide service at adequate levels. As mentioned in the report; however, it is impossible to determine what the exact impact will be before the state reconfigures SRA boundaries. Until then, its is recommended that Tulare LAFCO monitor the situation and seek to provide input, either through the California Association of LAFCOs (CALAFCO) or of its own accord, in order to protect the interest of the County's fire protection districts and their residents.

It is also recommend that LAFCO further examine ambulance service provision to the Woodlake area in order to determine if there is an opportunity to improve service efficiency. In order to conduct the analysis, ambulance service response time to the Woodlake area specifically, must be procured from both the EDA and the American Ambulance service.

As with other Group 4 special districts, it recommended that the WFPD establish a webpage where basic information can be archived. The District can alternatively pool its resources with other small special districts and have another public agency upload and maintain WFPD information on its own webpage. The County of Tulare, City of Woodlake and LAFCO are all good and feasible alternatives.

Woodlake

Fire Protection District

(as of 3/1/2007)

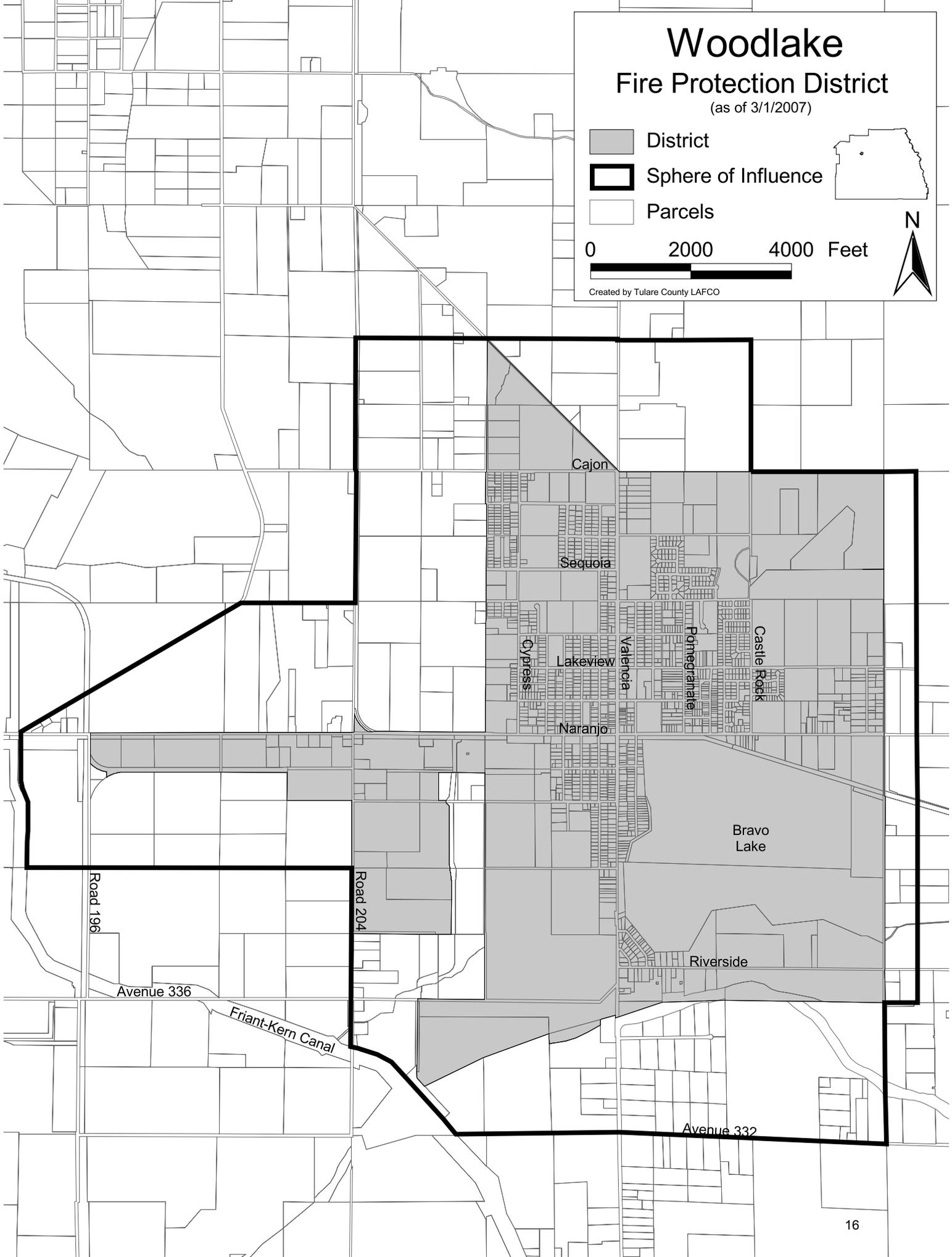
-  District
-  Sphere of Influence
-  Parcels



0 2000 4000 Feet



Created by Tulare County LAFCO



Strathmore Fire Protection District Municipal Service Review

The Strathmore Fire Protection District (SFPD) Municipal Service Review (MSR) 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.

The information used in the MSR analysis is largely derived from answers provide by the SFPD's Battalion Chief to a LAFCO inquiry conducted in 2011. Information was also extracted from other County and state department publications, newspaper articles, the State Controller's Annual Special District Financial Report for the Fiscal Year 2008/2009 and the Fire Districts Association of California web page (www.fda.org) and Tulare County Board of Supervisors agenda items. The MSR format used in the Group 1 and 2 MSRs has been revised to reflect the new requirements of CKH 56430 as amended (AB 1744, Ch. 244, Stats 2007).

Background

The SFPD was established in 1961 by the Tulare County Board of Supervisors. The District's jurisdictional boundaries encompass a 268-acre area that includes only a portion of what is considered the community of Strathmore. The County established Urban Development Boundary (UDB), which serves as the community's official boundary, additionally includes approximately 210 parcels containing structures, mostly located southeast of the SFPD's boundaries. The District's Sphere of Influence (SOI) includes a larger area, 1,064 total acres, that does encompass the entire community of Strathmore, but still excludes approximately 43 parcels containing structures (also southeast of the SOI). The District's current boundaries extend out to Road 232 to the east, Avenue 200 to the north, Avenue 194 at its southernmost end and its western border is approximately 400 meters east of Road 224.

Through a contract with Tulare County and using County personal, the SFPD responds to a variety of emergency situations including structural fires, floods, wild fires, mudslides, and earthquakes. Full-time personnel serving the District and surrounding areas are also trained to administer basic first aid and pre-hospital medical care; thus, the District's contractual service provider is subject to Central California Emergency Medical Agency policy and procedures as required by the California Code of Regulations Title 22 (Pre-hospital Emergency Medical Services Chapter 7, Trauma Care Systems section). SFPD's fire station serves as County Fire Station No. 16 and is located at 22908 Avenue 196, in Strathmore.

Written Determinations

1) Growth and Population Projections

1. Using 2010 U.S. Census tract information, the County's Geographic Information Systems (GIS) department estimates the population within the SFPD's boundaries to be 1,892 persons.
2. As mentioned in the introduction section of this report, through a contractual agreement, the Tulare County Fire Department provides fire and medical emergency services to the area within the SFPD boundaries, which only encompasses a portion of the community of Strathmore. The County Fire Department; however, additionally provides the same range and level of service to the remainder of the community and surrounding areas. According to 2010 U.S. Census estimates, Strathmore has a population of 2,819 persons. The SFPD is reimbursed for services provided by the County using District staff and/or equipment to areas outside of SFPD boundaries.

Based on available population estimates and projections and the fact that the area within the District's existing bounds is virtually fully developed, it is determined that the population within the SFPD's boundaries will remain largely unchanged in the foreseeable future. This allows the County, who provides fire and medical emergency services to the District and surrounding areas, to continue providing service in an efficient manner using existing infrastructure, equipment and supplies.

2) Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs or Deficiencies

1. The SFPD has 2 fire apparatus assigned to it: one incident command system fire (ICS) fire engine, purchased in 2008, and one ICS patrol vehicle that was purchased in 2010 using a \$50,000 grant awarded by the United States Department of Agriculture (USDA) in its capacity to help implement provisions of the American Recovery and Reinvestment Act (ARRA) of 2009, through its Community Facilities Program.
2. According to Tulare County's Operations Division Chief, who over sees the SFPD/Tulare County service contract, the District has no immediate plans to purchase new equipment or vehicles.
3. The County, via a contractual agreement with the District, provides the full range of medical emergency services. Accordingly, the County owns and maintains an automatic external defibrillator, "Jaws of Life" apparatus and other pre-hospital equipment, as well as basic first aid equipment for use within District boundaries.
4. From January 2009 through December 2010, the County responded to 227 calls within the SFPD's boundaries. The vast majority of incidents were medical in nature. The County responded to only 16 structural fires during the almost 2-year period. The

SFPD Secretary has indicated that no fire emergency calls have been received in the last 6 months.

5. District staff indicated that a response time of 4.9 minutes is achieved 90% of time within SFPD boundaries.

It is determined that because the SFPD serves a very limited area and receives a very low number of fire emergency calls, the current equipment and support vehicles owned and operated by the County for use within District boundaries is sufficient to service the designated area efficiently.

3) Financial Ability of the Agency to Provide Services

1. The SFPD's 2010-2011 final budget indicates the District received approximately \$19,352 in revenues from assessments charged on real property within district boundaries, a \$50,000 USDA Grant mentioned in the previous section and \$5,000 from the sale of an old fire truck that was replaced by the most recently purchased patrol vehicle. Along with other revenue sources and \$18,224 from the District's cash-on-hand account, the SFPD reported a total of \$93,792 in available resources for fiscal year 2010-2011.
2. For fiscal year 2010-2011, the District reported \$19,100 in expenditures. Expenditures include District salaries and benefits (\$9,720), insurance (\$4,000) and maintenance and equipment (\$6,000). The District also reported \$6,000 in legal fees. The Special Districts Annual Report, prepared by the California State Controller's Office, indicates that the District received \$20,697 in taxes levied on real property for fiscal year 2009-2010.
3. Rather than charging the District a monetary fee for the services it has contractually agreed to provide to the District, the District-County agreement stipulates that the ICS patrol vehicle purchased in 2010 using USDA grant funds will be given to the County and will serve as full payment for services rendered during the entire life of the contract (15 years if all renewal options are exercised).
4. The District lists its fire station building (County Fire Station No. 16 per the County/District agreement) as its only asset with an estimated value of \$54,972.

It is determined the District currently has a reliable and adequate source of funding to finance services being provided by the County's fire department within SFPD boundaries. It is further determined that the District's total resources available (e.g. property tax revenues, interest earned, cash-on-hand etc.) are sufficient to pay for County emergency services provided using equipment not assigned to the SFPD or staff levels beyond that allotted to the District; as per the County-District agreement, the District must reimburse the County in full in such instances.

The SFPD is too small for the 2011/2012 state budget and the fire protection service realignment plan to have much of an impact on the District. The realignment proposal could have a

significant impact on the County; however, which could result in diminished resources available to the SFPD should an emergency arise within District boundaries which requires equipment and/or staff levels beyond those allotted to the District. It is determined that the impacts of the fire protection service realignment plan will not be known until the state determines new SRAs.

4) Status of, and Opportunities for, Shared Facilities

1. As alluded to above, the SFPD and the Tulare County Fire Department entered into a Fire Service Protection Agreement in November 2010, an agreement that is allowed under Government Code 55603 et. al. Under the terms of the agreement, the County is responsible for providing the full range of fire and medical emergency services within the SFPD's boundaries. The County is also responsible for maintaining and operating all necessary equipment, as well as providing and training emergency response personnel. In exchange, the SFPD has transferred ownership to the County of the ICS patrol vehicle purchased in 2010 using USDA grant funds. The District also allows the County use of its fire house, County Fire Station No. 16, to house emergency response equipment and personal that not only serves the area within the SFPD, but also areas outside the District that are completely within the County's jurisdiction. The contract is for the duration of one year, but automatically renews each year, unless SFPD board action is taken, and the contract can be renewed for a maximum of 15 years.
2. As part of its 2009-2010 budget package, the California Legislature suspended the local agency protections established in Proposition 1A and proceeded to withhold more than \$2 billion of property tax revenue from cities, counties and special districts in order to close its budget gap. These funds were withheld with the intent to repay local government agencies, commencing in 2013. As an alternative, the budget package also permitted the establishment of a third-party securitization program that local governments could use to relieve the burden of "loaning" their property tax revenues to the state. California Communities was appointed by the California Legislature a type of Joint Powers Authority (JPA) that would administer the securitization program. Under the program, local agencies are able to purchase receivables from the state, which allows them to maintain their planned revenue streams and critical services. The SFPD forms part of this JPA along with 803 other local agencies.

The current agreement between the District and the County allows both agencies to provide faster response times: the County now can now house personnel and equipment closer to southeast county emergencies, while the District receives more fire and medical emergency response services; thus, it is determined that the District is exercising the most logical and desirable opportunity for shared facilities and operations.

It is further determined that by becoming part of the statewide JPA, the SFPD has put itself in a stronger position to reclaim the withheld property tax revenues in full. Lack of these services creates the potential for loss of life that could have otherwise been prevented.

5) Accountability for Community Service Needs, Including Governmental Structure and Operational Efficiencies

1. The SFPD is governed by a 3-member board of directors. Each board member is elected and serves a 4-year term.
2. Public hearings are held on the 2nd Monday of each month at 4:15 PM at the district fire house. Agendas are posted outside of the fire house.
3. As mentioned in the previous section, the County provides all emergency response personnel that serves the area within the SFPD. Emergency services are made available 24 hours per day, seven days per week and emergency personnel are assigned to one of three shifts. The County has assigned 1 station captain and 2 lieutenants to the SFPD fire house, County Fire Station No. 16. The size of the firefighting force, both volunteer and paid, was not available as of the time this report was completed.
4. The SFPD still operates as an independent local government: As mentioned above the District is governed by an elected board of directors that holds regular meetings to discuss budgetary issues, intra-agency contracts and adopt District policies and procedures or adopt policies and procedures of partner agencies. The District additionally employees its own District Secretary and contracts legal services for its own use and benefit.
5. The County has adopted the emergency response procedures and standards set by the National Fire Protection Association (NFPA) and all safety response personnel are trained and certified in accordance with the NFPA.

Based on the fact that the District is served in accordance with national response standards by an agency that is subject to oversight by several regulatory and governmental agencies, it is determined that there is sufficient oversight in place to ensure efficient fire and medical response service to residents living within the District's bounds. The fact that the District is still governed as an independent agency completely dedicated to overseeing service provision within the District, further ensure quality, reliable service provision.

6) Other Matters Related to Effective or Efficient Service Delivery, As Required by Commission Policy

Recommendation:

As stated above, the District's boundaries are far too limited to be affected by the State's proposed fire protection service realignment plan. The County of Tulare; however, will almost certainly have to rearrange its current fire protection structure in order to serve areas previously served by the State of California. This could potentially strain County staff and equipment resources, creating the potential for staff and equipment shortages available to areas currently under the County's responsibility, such as the SFPD. As mentioned in the report; however, it is impossible to determine what the exact impact will be before the state

reconfigures SRA boundaries. Until then, it is recommended that Tulare LAFCO monitor the situation and seek to provide input, either through the California Association of LAFCOs (CALAFCO) or of its own accord, in order to protect the interest of the County's fire protection districts and their residents.

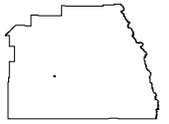
As with other Group 4 special districts, it is recommended that the SFPD establish a webpage where basic information can be archived. The District can alternatively pool its resources with other small special districts and have another public agency upload and maintain SFPD information on its own webpage. The County of Tulare and LAFCO are all good and feasible alternatives.

There are minor inconsistencies between the District boundary and the SOI along the Friant-Kern Canal. The SOI boundary should be made consistent with the District boundary in this area.

Strathmore Fire Protection District

(as of 3/1/2007)

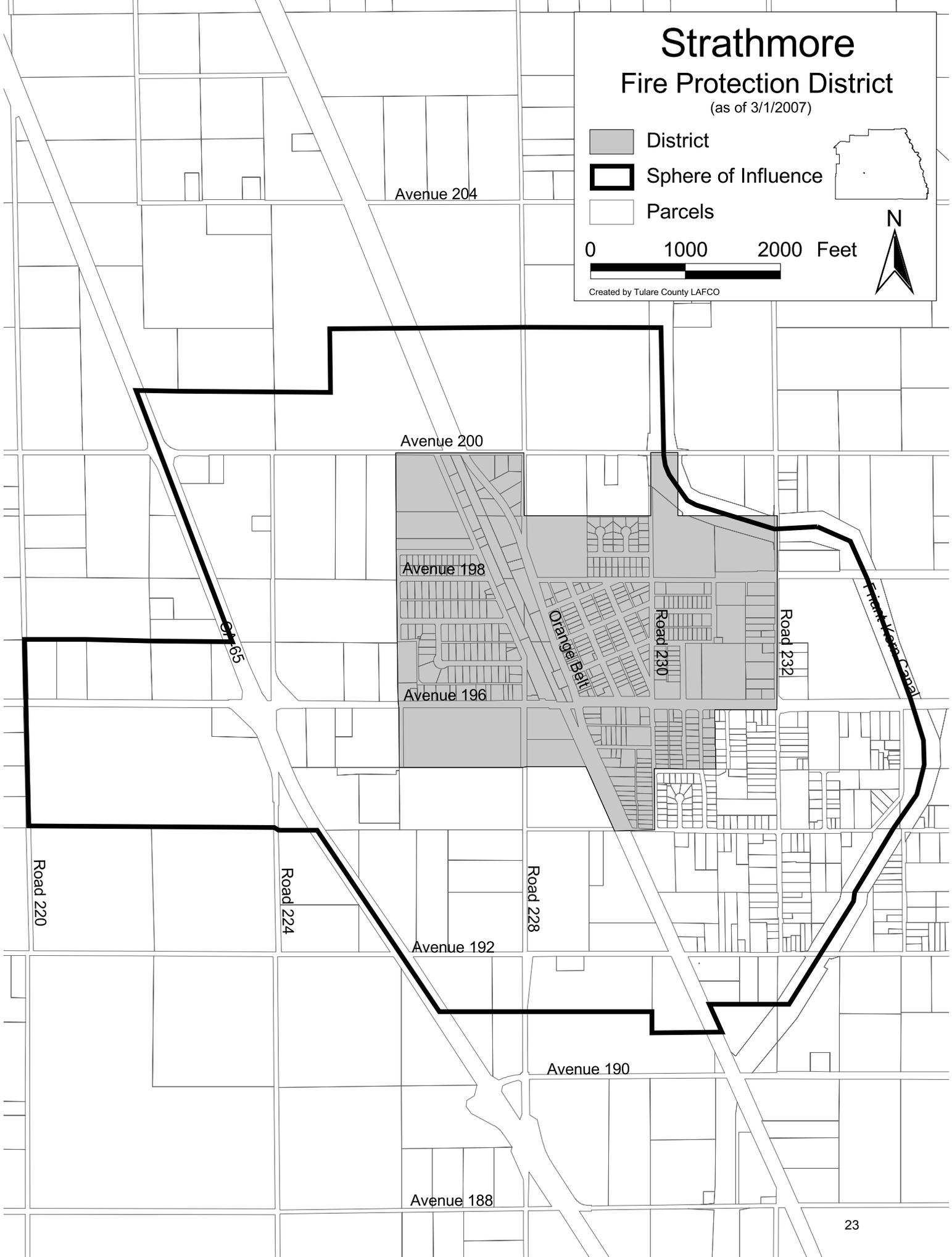
-  District
-  Sphere of Influence
-  Parcels



0 1000 2000 Feet



Created by Tulare County LAFCO



Avenue 204

Avenue 200

Avenue 198

Avenue 196

Avenue 192

Avenue 190

Avenue 188

Road 220

Road 224

Road 228

Road 230

Road 232

Or 165

Orange Belt

Kings River Canal

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

In the Matter of the Adoption of Group 4)
Municipal Service Reviews for Woodlake)
And Strathmore Fire Projection Districts)

RESOLUTION NO. 11-015

WHEREAS, the Commission is authorized by Government Code Section 56430 to conduct a service review of the municipal services provided in the county or other appropriate area designated by the Commission and prepare a written statement of its determinations; and

WHEREAS, Government Code Section 56425(g) requires the commission to review and update all spheres of influence (SOI), as necessary, every five years; and

WHEREAS, a service review must be completed before the Commission can consider an update to a SOI for a city or a district which provides municipal services as defined by Commission policy; and

WHEREAS, on July 2, 2003, the Commission adopted a Municipal Service Review (MSR) exemption policy, LAFCO Resolution No. 03-020, which identifies the agencies that would be subject to a review and the extent of that review; and

WHEREAS, on October 5, 2011 this Commission heard, received, and considered testimony, comment, recommendations and reports from all persons present and desiring to be heard in this matter.

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

1. The information, material and facts set forth in the report of the Executive Officer and Group 4 MSR Report for Woodlake and Strathmore Fire Protection Districts (FPDs) including any corrections have been received and considered.

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

Ben Giuliani, LAFCO Executive Officer

3. 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.

4. The Commission hereby finds the Group 4 Municipal Service Review Report:

(a) Includes a subregion of the county appropriate for an analysis of the services to be reviewed;

(b) Contains a written statement of the Commissions' determination of the subjects required to be analyzed in an MSR, and

(c) Reviews all of the agencies that provide the service or services within the designated geographic area as set forth in LAFCO policy C-5.

6. The Group 4 Municipal Service Review Reports for Woodlake and Strathmore FPDs are hereby adopted.

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

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

bg



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

October 5, 2011

TO: LAFCO Commissioners, Alternates, Counsel

FROM: Benjamin Giuliani, Executive Officer

SUBJECT: Sphere of Influence (SOI) Update Initiation for Group 4 Special Districts

Background

Pursuant to Government Code section 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."

Also pursuant to Government Code, a Municipal Service Review (MSR) must be completed before the Commission can consider an update to a SOI for a city or a district which provides municipal services. The Commission adopted an MSR policy, LAFCO Resolution No. 03-020, which identified the agencies that would be subject to a review and the extent of that review.

Discussion

Over the course of the past several months, the Commission has adopted MSRs for all of the Group 4 Special Districts with the exception of the Fire Protection Districts that are scheduled for action prior to this proposed SOI initiation. This includes Community Service Districts (Allensworth, Alpine Village-Sequoia Crest, Ducor, East Orosi, Patterson Tract, Ponderosa, Sultana, Three Rivers and Tract 92 on June 1, 2011 (Resolution 11-008), Healthcare Districts (Kaweah Delta, Exeter Ambulance, Sierra Vista, Tulare, Alta and Lindsay) and Mosquito Abatement Districts (Delta Vector Control and Tulare) on August 3, 2011 (Resolution 11-011), Porter Vista Public Utility District and County Service Areas #1 and #2 on September 7, 2011 (Resolution 11-013) and Fire Protection Districts (Woodlake and Strathmore) scheduled for October 5, 2011 (Resolution 11-015).

Initial Staff recommendations for the SOIs of each of the individual districts will be brought back to the Commission for initial review before being sent to the districts for their review

and comment. Proposed adoption of the SOIs will be brought back to the Commission depending on the individual circumstances of the districts.

Recommendation

Staff is recommending that the Commission initiate the SOI updates for all of the Group 4 special districts.

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

In the Matter of Reviewing and Initiating)

Sphere of Influence Updates for)

RESOLUTION NO. 11-016

Group 4 Special Districts)

WHEREAS, pursuant to GC §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.”*; and

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

WHEREAS, a service review must be completed before the Commission can consider an update to a SOI for a city or a district which provides municipal services as defined by Commission policy; and

WHEREAS, the Commission has adopted a Municipal Service Review for all of the following Group 4 Special Districts: Community Service Districts (Allensworth, Alpine Village-Sequoia Crest, Ducor, East Orosi, Patterson Tract, Ponderosa, Sultana, Three Rivers and Tract 92 on June 1, 2011 (Resolution 11-008), Healthcare Districts (Kaweah Delta, Exeter Ambulance, Sierra Vista, Tulare, Alta and Lindsay) and Mosquito Abatement Districts (Delta Vector Control and Tulare) on August 3, 2011 (Resolution

11-011), Porter Vista Public Utility District and County Service Areas #1 and #2 on September 7, 2011 (Resolution 11-013) and Fire Protection Districts (Woodlake and Strathmore) on October 5, 2011 (Resolution 11-015).

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

1. The Commission hereby initiates the comprehensive Sphere of Influence Update for the Group 4 Special Districts as listed above.

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

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

bg



**TULARE COUNTY
LOCAL AGENCY FORMATION COMMISSION**

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

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Steve Worthley
Cameron Hamilton*

ALTERNATES:
*Gerald Magoon
Amy Shuklian
Mike Ennis*

EXECUTIVE OFFICER:
Ben Giuliani

October 5, 2011

TO: LAFCO Commissioners, Alternates, Counsel

FROM: Benjamin Giuliani, Executive Officer

SUBJECT: Sphere of Influence (SOI) Amendment for Ivanhoe Public Utility District (PUD)

Background

The Ivanhoe PUD recently submitted an annexation application for .34 acres of developed land to accommodate a lot line adjustment that is being processed by the County's Resource Management Agency. This sliver of land is not currently within the District's SOI.

Discussion

While the District did not request a SOI amendment, the Commission has the authority pursuant to Government Code to initiate SOI amendments. 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, an SOI amendment for the proposed annexation area is exempt from the MSR requirement pursuant to Commission Policy C-5.11.

If the SOI amendment is initiated, the SOI amendment and proposed annexation will be brought back to the Commission for action at the November 2nd meeting.

Recommendation

Staff is recommending that the Commission initiate the SOI amendment for the proposed .34 acre annexation to the Ivanhoe PUD.



GOOGLE EARTH IMAGE



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

L:\P\UD\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 Initiating a Sphere of)
Influence Amendment for the Ivanhoe)
Public Utility District)

RESOLUTION NO. 11-017

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, the Ivanhoe Public Utility District (PUD) has requested an annexation of a .34 acre developed sliver of land to the District to accommodate a lot line adjustment that has been submitted to the County; and

WHEREAS, the annexation area is currently not within the Ivanhoe PUD's Sphere of Influence; and

WHEREAS, the Commission has adopted a Municipal Service Review (MSR) for the Ivanhoe PUD on March 1, 2006; and

WHEREAS, the MSR for the Ivanhoe PUD has not since been updated, however, an SOI amendment for the proposed annexation area qualifies as being exempt from an MSR pursuant to Commission Policy 5-11.

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

1. The Commission hereby initiates the Sphere of Influence Amendment to accommodate the proposed annexation area to the Ivanhoe PUD.

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

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

bg

Policies and Procedures

Tulare County Local Agency Formation Commission

Policy Number: A-4

Effective Date: February 6, 2002

Authority: GC §56325:56337 and LAFCO Resolutions 96-006, 02-006, 07-019

Title: **Commission Composition**

Policy: The method for selecting the Commissioners and Alternates of the Commission shall be equitable, efficient, and clearly articulated.

Purpose: To outline the method for selecting Commissioners and Alternates to the Commission that is equitable, efficient, and clearly articulated.

Scope: This procedure applies to all Tulare County LAFCO's county, city, and public members and alternates.

History: A public member selection and appointment policy was adopted on 4/3/96 and was incorporated into this policy in the initial adoption of the Policies and Procedures Manual on 2/6/02. The procedure was amended on 3/7/07 to add the process for the selection of Commission officers (A-4.5).

Procedure:

4.1. Composition

Tulare County LAFCO consists of a five member commission composed of two members of the County Board of Supervisors, chosen by the board; two members representing the cities in Tulare County, chosen by the city section committee and one public member, chosen by the other members of the commission. Also part of the commission are three alternates, each representing the county, cities, and the public, selected as described above.

4.2. Terms of Office

In accordance with Government Code Section 56334, the term of office of each member shall be four years to expire on the first Monday of May and until appointment and qualification of his or her successor.

- A. County and City Commissioners are required to vacate their seat if he or she ceases to hold the originating office. [GC §56337]

- B. Public Commissioners are required to vacate their seat if he or she becomes an officer or employee of the County or any city or district with territory in the County. [GC §56331]

4.3 Alternate Members

Alternate commissioners are encouraged to take an active role in LAFCO business including discussions and deliberations on project proposals, CALAFCO legislative activities and training workshops, interagency coordination and communication, and participation in policy development and other working groups. Alternate commissioners may vote in place of regular commissioners, in the same category as the alternate commissioner, who is absent or who disqualifies himself or herself from participating in an action.

4.4 Commissioner Replacement

Any member may be removed at ~~any time and without cause~~ by the body appointing that member.

- A. ***The Commission may recommend to the appointing authority that a member be removed for the following reasons:***
 - I. ***The absence of that member from three consecutive meetings or more than one quarter of the meetings in any 12-month period.***
 - II. ***Malfeasance of office or dereliction of duty by that member.***
 - III. ***Failure to complete the required financial disclosure documents in a timely manner.***

4.5 Public Member Selection and Appointment Policy (Resolution 96-06, 4-3-96)

The method for selecting the Public Member and Alternate Public Member should be equitable, efficient and clearly articulated for all concerned.

- A. In accordance with GC §56334, the term of office for the Public Member and Alternate Public Member shall be four years to expire on the first Monday in May or upon the qualification of the Commissioner's successor. The terms of office of the Public Member and Alternate Public Member shall be staggered by two years. The first full term for the Alternate Public Member shall begin on the first Monday in May, 1996.
- B. At least two months prior to the expiration of the term of office, the Commission shall consider at a regular meeting the question of re-appointment of the incumbent Public Member or Alternate Public Member. Upon a successful motion, that Commissioner shall be re-appointed for an additional four-year term ***Executive Officer shall seek application to the position from the community at large. Reasonable effort shall be taken to advertise the opening of the broadest selection of***

candidates possible. Candidates should be encouraged to submit a resume and statement regarding their qualifications and interest in serving on the Commission. Failure to be re-appointed shall not prevent ***This does not preclude*** the incumbent ***Public or Alternate Public Member*** from applying for appointment.

- ~~C.~~ In the event that the Public Member is not re-appointed, or the position becomes vacant, the Commission shall consider the question of the appointment of the current Alternate Public Member to the Public Member position. If the appointment is approved, the Commission will fill the Alternate Public Member position as described below. Failure to appoint the Alternate Public Member shall not prevent the Commissioner from applying for the position as described below.
- ~~D.~~ In the event that the incumbent Commissioner is not re-appointed, as described above, the Executive Officer shall seek application to the position from the community at large. Reasonable effort shall be taken to advertise the opening of the broadest selection of candidates possible. Candidates should be encouraged to submit a resume and statement regarding their qualifications and interest in serving on the Commission.
- E. At least one month prior to the expiration of the term of office, the Commission shall appoint a selection committee consisting of one County Member and one City Member. The committee will consider any materials submitted by the applicants and may conduct interviews of the candidates. It is anticipated that the candidates will be asked to present their qualification in an initial statement to be followed by questions from the members of the selection committee. Following this process, the committee will select a candidate to recommend to the commission. The Executive Officer will place the matter of the selection of the Public member or Alternate Public Member on the agenda of a regular meeting of the Commission. The recommendation of the selection committee will be presented to the Commission at the meeting. The Commission will select the successful candidate by a majority vote on a motion to appoint the candidate to the Commission.
- F. The application and selection process as outlined above shall begin immediately following a Commission determination that a Public Member or Alternate Public Member position has become vacant before the expiration of the term.***

4.6. Officers

- A. The officers of the Commission shall be a chair and vice-chair, and the vice-chair shall serve in the absence of the chairman. In the absence of both the chair and the vice-chair, the members present at such a meeting may elect a chair pro tem.

- B. The Executive Officer shall be selected by the Commission in accordance with the Staff Services Agreement with the County (Policy D-3) and GC §56384.
- C. The terms of office for chair and vice-chair shall be one year from January 1 to December 31: for chairman pro tem, for the meeting only at which he or she is appointed.
- D. It is the policy of this Commission to annually rotate the membership of its officers so that all members of the Commission will have an equal opportunity to serve as an officer of the Commission.

4.7. Current Commissioners and Terms

<u>Commissioner</u>	<u>Representing</u>	<u>Term Expires</u>
Steve Worthley	Board of Supervisors	May 2012
Rudy Mendoza	City Council	May 2015
Juliet Allen**	Public	May 2014
Allen Ishida*	Board of Supervisors	May 2014
Cameron Hamilton	City Council	May 2012

*Chair, **Vice-Chair

4.8. Current Alternates and Terms

<u>Alternate</u>	<u>Representing</u>	<u>Term Expires</u>
Mike Ennis	Board of Supervisors	May 2015
Amy Shuklian	City Council	May 2012
Gerald Magoon	Public	May 2012

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

In the Matter of the Amendment)
Of Policy and Procedure A-4)
(Commission Composition))

RESOLUTION NO. 11-018

Upon motion of Commissioner ____, seconded by Commissioner ____, Tulare County LAFCO Policy A-4 (Commission Composition) is hereby amended to define in what circumstances the Commission could request the removal of members to their respective appointing bodies and amend the process used for the selection of the Public and Alternate Public Members, at a regular meeting held on this 10th day of October 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

PRESENT:

ABSENT:

Ben Giuliani, Executive Officer

bg