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

CONSENT AGENDA ITEM No. 10

DATE: December 5, 2007

TO: Fresno Local Agency Formation Commission

FROM: Rick Ballantyne, Executive Officer
Darrel Schmidt, Deputy Executive Officer

SUBJECT: **Consider Adoption** – Municipal Service Review and Sphere of Influence Update Prepared for the Calwa Recreation and Park District

Summary / Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCo to review and update, as necessary, special district Spheres of Influence (SOIs) before January 1, 2008, and every five years thereafter. Prior to, or in conjunction with an agency's SOI update, LAFCo is required to conduct a *Municipal Service Review* (MSR) for each agency.

On December 13, 2006, the Commission directed staff to enter into a contract with Braitman and Associates to prepare MSRs and SOI Updates for numerous cities and special districts. The attached MSR and SOI Update have been prepared for Calwa Recreation and Park District.

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

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

State law requires that the Commission adopt written MSR determinations for each of the following nine criteria:

1. Infrastructure needs or deficiencies
2. Growth and population projections for the affected area
3. Financing constraints and opportunities
4. Cost avoidance opportunities
5. Opportunities for rate restructuring
6. Opportunities for shared facilities
7. Government structure options, including advantages and disadvantages of the consolidation or reorganization of service providers
8. Evaluation of management efficiencies
9. Local accountability and governance

As part of an SOI update, or adopting an SOI, the Commission is required to consider the following four criteria 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.
2. The present and probable need for public facilities and services in the area.
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.

There are two Recreation and Park Districts operating within Fresno County. This report addresses the Calwa Recreation and Park District. The MSR and SOI update prepared for the Coalinga-Huron Recreation and Park District was approved by the Commission at its September 12, 2007 hearing.

Environmental Determination

The California Environmental Quality Act ("CEQA") requires that the Commission undertake and review an environmental analysis before granting approval of a project, as defined by CEQA. The MSR is categorically exempt from the preparation of environmental documentation under a classification related to information gathering (Class 6 - Regulation section 15306), which states: "Class 6 consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded." Indeed, this MSR collects data for the purpose of evaluating municipal services provided by the agency. There is no land use change or environmental impact created by such a study.

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

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

Discussion / Summary of Determinations

The Calwa Recreation and Park District encompasses approximately 4,437 acres (6.9 square miles) in the community of Calwa. The entire District is located within the City of Fresno's Sphere of Influence and the majority of the District is located within the City boundary. The District is generally bounded by California Avenue to the north, Peach Avenue to the east, North Avenue to the south, and State Route 99 to the west.

The District is authorized to provide park and recreation services which it does from an approximately 20-acre Youth Center facility located at the intersection of Church and Barton Avenues. The Youth Center includes a recreation building, various sports fields, a swimming

pool, and basketball courts. The District office is also located the Youth Center. It does not have any other facilities.

Activities at the Center include arts and crafts, basketball, billiards and other indoor games, dance, flag football, volleyball, soccer, softball, swimming and community events. District facilities generally see greater use during the summer months. The District does not sponsor, but does provide use of its facilities for Senior Hot Meals and Summer Youth Lunch programs.

The District is governed by a three-member, Board of Directors who are elected at large. The District is administered by the District Administrator. It has three full-time, three part-time, and eight seasonal employees.

Significant growth is not anticipated within the District as it is substantially developed with residential, commercial, and industrial uses. The entire District area is planned for urban uses in the City of Fresno's General Plan.

The District did not provide a copy of its budget, finance reports, or other financial information. It is not possible, therefore, to determine whether current and projected financing is sufficient to continue providing District services. The District did state that it does not have any debt.

To avoid costs the District uses untreated water for park irrigation, contracts landscape maintenance and hires part-time staff to cover for previously full-time positions. The source of the untreated irrigation water was not identified. The District also prohibits skate boarding, roller skating, and bicycling.

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

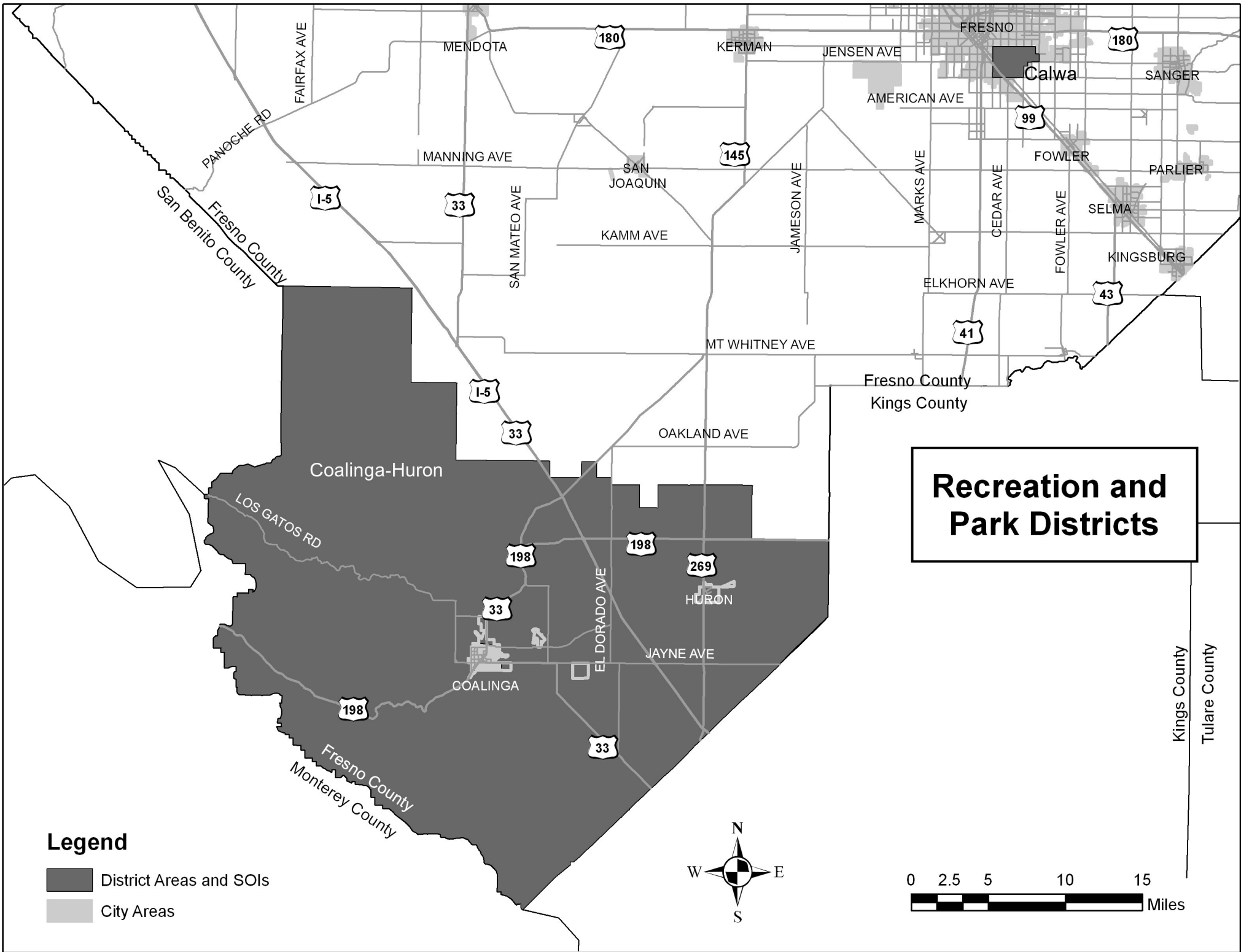
Given that a significant portion of the District is located within the City of Fresno's city limits, and that the City also provides park and recreation services, dissolution of the District with the concurrent transfer of its assets and obligations to the City may be considered an alternative government structure option. An in-depth analysis regarding the effects of such a transfer would be necessary before such a transfer should occur. Staff recommends that the Commission encourage the District and City to confer about this possibility.

From the information provided, it appears that the District is operating efficiently. It is not possible to say this with certainty, however, since such limited fiscal information was provided by the District.

The District's Sphere of Influence is coterminous with the District's boundary. The District indicated that it anticipates expanding the District. No information regarding the size, area, and need for an expansion was provided, however. A change to the District's Sphere can not be fully evaluated until the District submits a complete application to revise its Sphere. Staff, therefore, recommends that no changes to the District's Sphere be made at this time and that the Commission update the District's Sphere by affirming its current SOI boundary.

Recommendations:

- A. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to adopting the written determinations, the Municipal Service Review and Sphere of Influence determinations under consideration are Categorical Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15306, "Information Collection" and the general exemption from environmental review, CEQA Section 15061(b)(3), and find that the SOI Update qualifies for the same general exemption from environmental review based upon CEQA Section 15061(b)(3).
- B. Find the Municipal Service Review and Sphere of Influence Update prepared for the Calwa Recreation and Park District are complete and satisfactory.
- C. Find that the written determinations within the Municipal Service Review and Sphere of Influence Update satisfy State Law.
- D. Pursuant to Government Code Sections 56425 and 56430 make the required determinations for the Municipal Service Review and Sphere of Influence Update, adopt the Municipal Service Review prepared for the Calwa Recreation and Park District by Braitman and Associates, and update the Sphere of Influence for said District by affirming its current boundary.
- E. Encourage the District to confer with the City of Fresno and LAFCo staff concerning whether dissolution of the District and transfer of District assets and responsibilities to the City of Fresno might be beneficial for the District's residents.

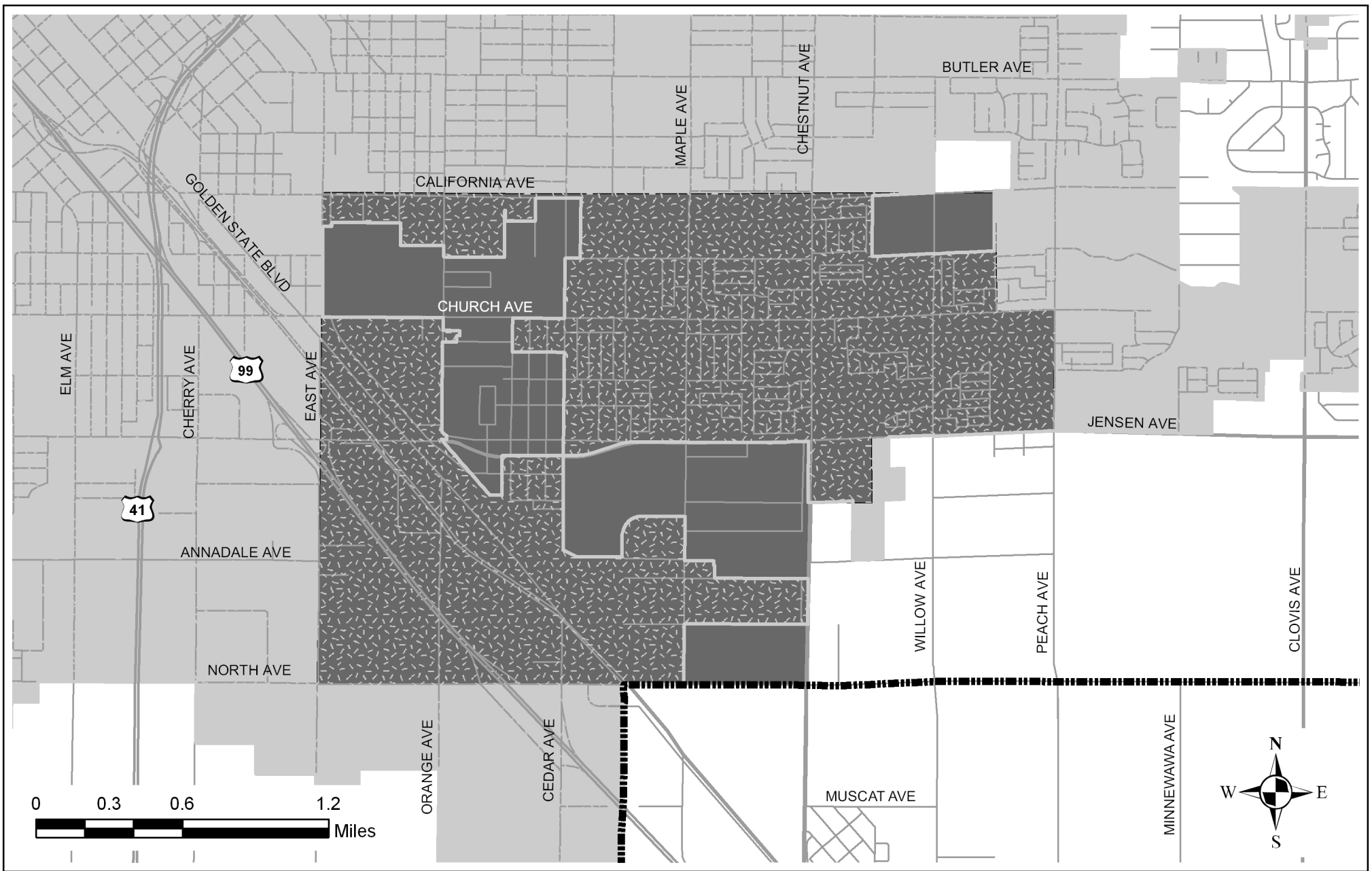


Recreation and Park Districts





Legend

- District Areas and SOIs
- City Areas





Legend

-  District Area and SOI
-  City SOI
-  City Area
-  City Overlapping District

**Fresno Local Agency Formation Commission
Calwa Recreation and Park District**

District Formed: 1955
 SOI Adopted: 3/24/1975
 SOI Updated: 2/22/1989

Map Date: August 2007
 District Area: 4,437 Acres
 Sphere Area: 4,437 Acres

RESOLUTION NO. MSR-07-49

FRESNO LOCAL AGENCY FORMATION COMMISSION
FRESNO COUNTY, CALIFORNIA

In the Matter of

LAFCo Determination

RESOLUTION MAKING DETERMINATIONS)	MAKE DETERMINATIONS AND ADOPT
AND ADOPTING MUNICIPAL SERVICE)	MUNICIPAL SERVICE REVIEW; AND
REVIEW; AND MAKING DETERMINATIONS)	MAKE DETERMINATIONS AND
AND UPDATING SPHERE OF INFLUENCE)	UPDATE SPHERE OF INFLUENCE FOR
FOR THE CALWA RECREATION AND PARK)	THE CALWA RECREATION AND PARK
DISTRICT)	DISTRICT

WHEREAS, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56425 et. Seq.) the Fresno Local Agency Formation Commission is required to review and update, as necessary, Spheres of Influence of local agencies not less than once every five years; and

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

WHEREAS, the Executive Officer prepared Municipal Service Review (MSR) and Sphere of Influence Update for the Calwa Recreation and Park District; and

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

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

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

Section #1. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, this Commission finds that prior to adopting the written determinations, the Municipal Service Review and Sphere of Influence determinations under consideration are Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15306, "Information Collection" and the general exemption from environmental review, CEQA Section 15061(b)(3), and finds that the SOI Update qualifies for the same general exemption from environmental review based upon CEQA Section 15061(b)(3).

Section #2. This Commission finds the Municipal Service Review and Sphere of Influence Update prepared for the Calwa Recreation and Park District are complete and satisfactory.

Section #3. This Commission finds that the written determinations within the Municipal Service Review and Sphere of Influence Update satisfy State Law.

Section #4. Pursuant to Government Code Sections 56425 and 56430, this Commission makes the required determinations for the Municipal Service Review and Sphere of Influence Update, adopts the Municipal Service Review prepared for the Calwa Recreation and Park District by Braitman and Associates, and updates the Sphere of Influence for said District by affirming its current boundary.

Section #5. Encourage the District to confer with the City of Fresno and LAFCo staff concerning whether dissolution of the District and transfer of District assets and responsibilities to the City of Fresno might be beneficial for the District's residents.

Section #6. - The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code Section 56882 and to file, as appropriate, in the Office of the Fresno County Clerk all environmental documents, if any, pertaining to the approval of this Proposal, as required by State law.

* * * * *

ADOPTED THIS 5th DAY OF DECEMBER, 2007, BY THE FOLLOWING VOTE:

AYES: Commissioners Rodriguez, Fortune, Anderson, Larson, Lopez

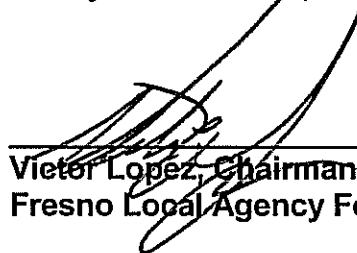
NOES: None

ABSENT: None

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

CERTIFICATION

I, Victor Lopez, Chairman of the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certify that the foregoing resolution was adopted by the Commission on the 5th day of December, 2007.



Victor Lopez, Chairman
Fresno Local Agency Formation Commission

CALWA RECREATION AND PARK DISTRICT

MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE

Report to the
Fresno Local Agency Formation Commission

Prepared By:

Braitman & Associates
8277 Cheshire St.
Ventura, CA 93004

December 2007

1. MUNICIPAL SERVICE REVIEW

Description of District

The Calwa Recreation & Park District was formed in 1955. The District operates under provisions of the Recreation and Park District Act, Public Resources Code §5780 et seq.

The District includes about 4,437 acres (6.9 square miles) and encompasses the community of Calwa. A significant portion of the District overlaps the City. Unincorporated areas within the District are within the City's Sphere of Influence. The District is generally located east of SR 99 between California Avenue on the north, North Avenue on the south and Peach Avenue on the east.

Its boundaries and Sphere of Influence are coterminous, as shown on the enclosed map.

A three-member Board elected at large governs the District. A District Administrator manages the District with three full-time, three part-time and eight seasonal employees.

District Services and Administration

The District provides public parks and recreation programs, and provides facilities for the Senior Hot Meals and Summer Youth Lunch Program.

2. MSR DETERMINATIONS

This portion of the report addresses the factors specified in the governing statute for Municipal Service Reviews.

Infrastructure Needs and Deficiencies

The District Youth Center at East Church and Barton Avenues is a facility for arts and crafts, basketball, billiards and other indoor games, dance, flag football, volleyball, soccer, softball, swimming and community events. The facility is approximately 20 acres in size.

The District did not provide more detailed information about its facilities or infrastructure needs or deficiencies.

Growth and Population Projections

The District area is substantially developed with residential, commercial, and industrial uses. District services do not directly facilitate or affect the rate or location of population development, though the District provides services based on demonstrated needs.

Financing Constraints and Opportunities

The District did not provide annual budgets or finance reports. It is therefore not possible to determine at this time whether the District is fiscally solvent or if current and projected financing is sufficient to provide District services.

Cost-Avoidance Opportunities

The District prohibits skate boarding, roller skating or bicycling within the park, nor are alcoholic beverages generally permitted. To avoid costs the District uses untreated water for park irrigation, contracts landscape maintenance and hires part-time staff to cover for prior full-time positions.

Opportunities for Rate Restructuring

The District did not provide information that is needed to evaluate opportunities for rate restructuring in the operations of the District.

Opportunities for Shared Facilities

The District did not provide information regarding opportunities for shared facilities or current activities in which facilities may be shared with other agencies.

Government Structure Options

Given that a substantial portion of the District is within the City of Fresno, and that the City also provides local park and recreation services, dissolution of the District with the transfer of District assets and obligations to the City of Fresno, could be a possible alternative government structure option. An in-depth analysis regarding the effects of such a transfer would be necessary before such a transfer should occur.

Staff recommends that the Commission encourage the District and City of Fresno to confer regarding the possible dissolution of the District with the concurrent transfer of its assets and obligations to the City of Fresno.

Management Efficiencies

From the information provided, it appears the District is operating efficiently to serve its customers though additional fiscal information is needed.

Local Accountability and Governance

A three-member Board of Directors, elected at-large, governs the District. It meets monthly. Notices and agendas of Board meetings are posted at the District meeting hall, and throughout the community.

Flyers for events or activities are posted the entrance to District buildings and at the park, and are at times distributed throughout the community.

3. SPHERE OF INFLUENCE REVIEW AND UPDATE

Government Code Section 56076 defines Sphere of Influence as “A plan for the probable physical boundaries and service area of a local agency, as determined by the commission.

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

Description of Current Sphere of Influence

The District’s Sphere of Influence is coterminous with its boundaries.

Potential Proposed Sphere Changes

The District indicated that it anticipates expansion of the District’s Sphere and boundary in the future, but no information regarding the size, location, or need for an expansion was provided.

The District has not submitted a formal application to expand its Sphere. The Commission may consider amending the District’s Sphere when a complete application to revise the Sphere is received from the District.

Sphere of Influence Recommendation and Determinations

Given the current situation it is recommended the Commission to approve the following determinations and affirm the existing Sphere of Influence.

1. Present and planned land uses in the area, including agriculture and open-space.

Land uses with the District are largely urban with a mixture of residential, industrial, commercial and agricultural uses. The entire District is within the City of Fresno’s Sphere of Influence and is planned for future urban uses in the City’s General Plan. No land use changes will result from affirming the current Sphere of Influence.

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

Land uses within the District require an array of services and facilities. The District provides local park and recreation services. The need for public facilities and recreation services reflects the urban land uses within much of the District.

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

Information was not provided regarding the capacity of District to provide services and facilities, however, the District provides an array of park and recreation opportunities at its facility.

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

The lands within the District include the Calwa community of interest.

4. ACKNOWLEDGEMENTS & REFERENCES

This draft Municipal Service Review was prepared by Braitman & Associates working at the direction of the Fresno LAFCO staff. Responsibility for any errors or omissions rests with those who prepared the report.

The Calwa Recreation & Park District provided information on which the evaluation is based. Office Manager Pamee Her was instrumental in providing data.

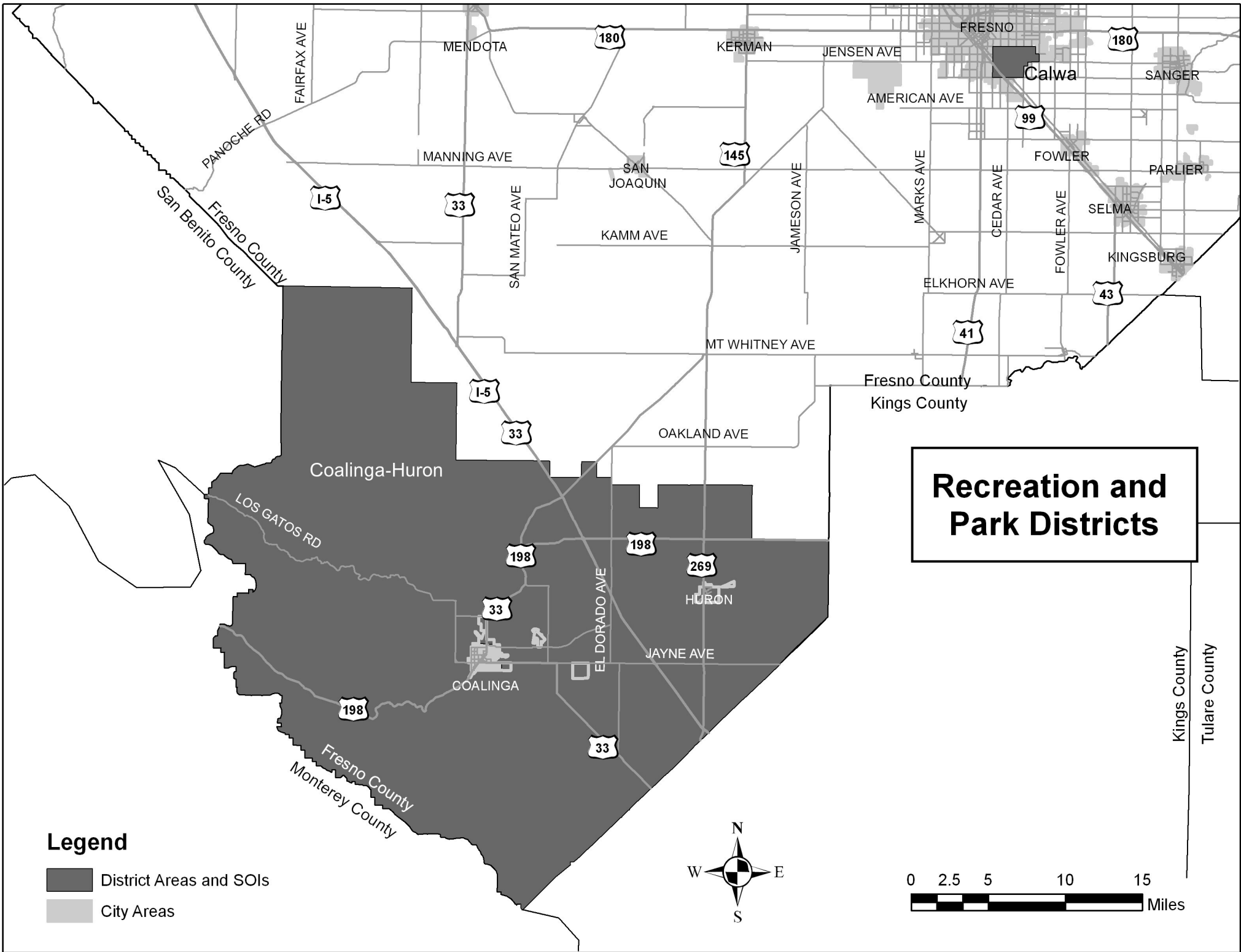
Available Documentation

The “Request for Information for Municipal Service Reviews” submitted by the District is available in the LAFCo office. Certain requested documents, including a copy of the District’s budget, were not submitted by the District.

5. RECOMMENDATIONS

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

1. Accept public testimony regarding the proposed Municipal Service Review.
2. Approve the recommended Municipal Service Review determinations, together with any changes deemed appropriate.
3. Approve the recommended Sphere of Influence determinations and affirm the current Sphere of Influence.
4. Encourage the Calwa Recreation and Park District to confer with the City of Fresno regarding the possible dissolution of the District with the concurrent transfer of its assets and service obligations to the City of Fresno.

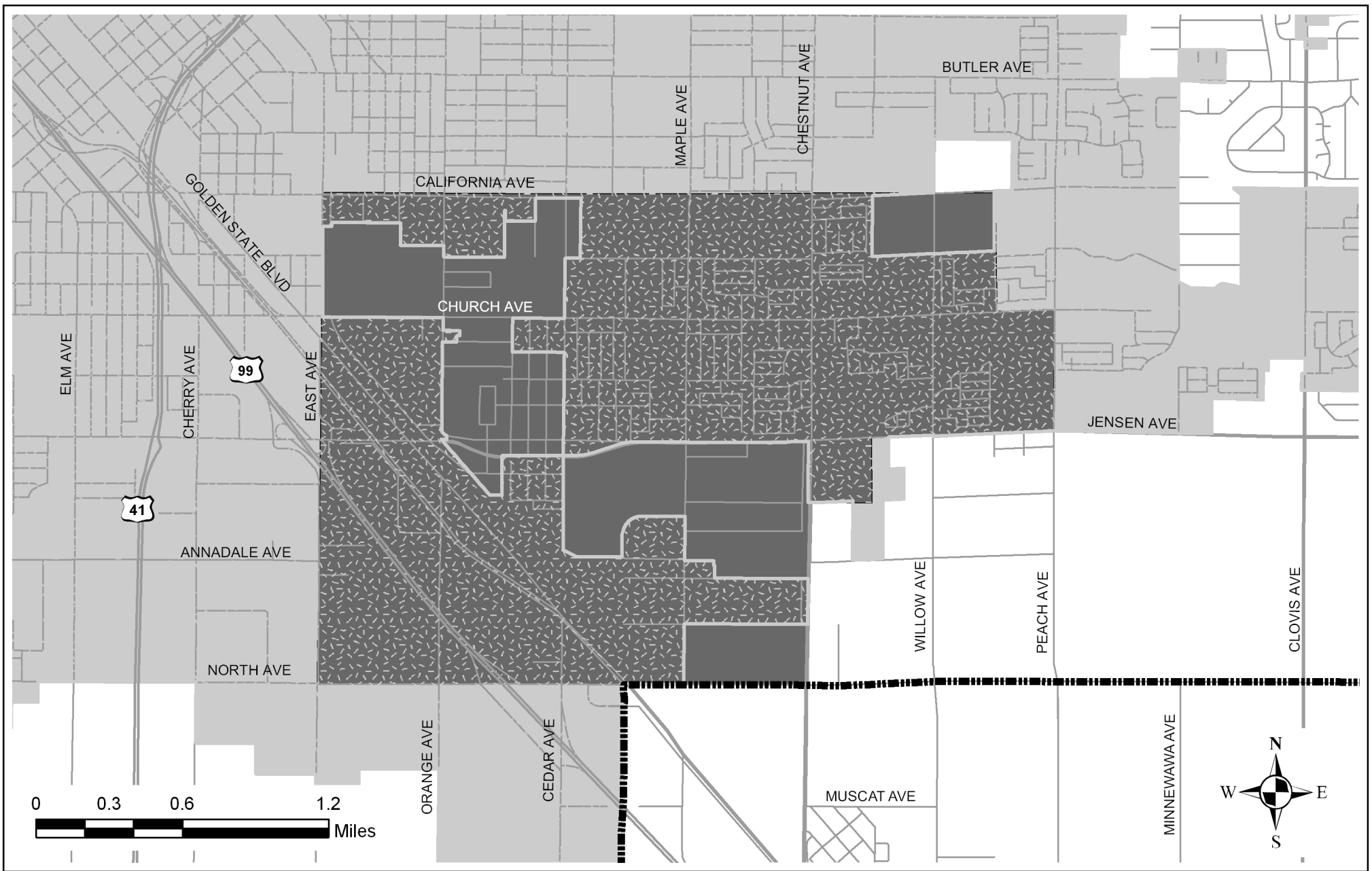


Recreation and Park Districts





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-  City SOI
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