

RESOLUTION NO. 153

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

REQUEST AUTHORIZATION FOR EXECUTIVE OFFICER TO ENTER INTO A CONTRACT WITH CONSULTANT TO PREPARE MSR FOR THE CITY OF SELMA))))))	AUTHORIZED EXECUTIVE OFFICER TO ENTER INTO A CONTRACT WITH CONSULTANT TO PREPARE MSR FOR THE CITY OF SELMA
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WHEREAS, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56425 et. seq.) the Fresno Local Agency Formation Commission is required to review and update, as necessary, spheres of influence of local agencies; 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 proposed "Selma Crossings" project at the southern portion of the City's SOI will necessitate amendment of the SOIs of the City of Selma and the Selma-Kingsburg-Fowler County Sanitation District, as well as corresponding annexations of additional territory to these agencies as well as a related amendment to the SOIs on the western side of the City of Selma; and

WHEREAS, staff has begun the Municipal Service Review (MSR) process for the City of Selma; completion of this MSR depends on staff availability but is expected during calendar year 2016; and

WHEREAS, the Selma Crossings developer, Tim Jones, has offered to fund the development of the MSR by consultant Provost & Pritchard Engineering Consultants to prepare the MSR under the direction of LAFCo for a fixed fee of \$10,750 with a LAFCo handling charge of 9% to be paid by the developer; and

WHEREAS, this Commission reviewed and considered the scope of work provided by Provost & Pritchard Engineering Consultants and all information included within the Executive Officer's report to this Commission; and

WHEREAS, this Commission considered all relevant factors and evidence and heard all interested parties wishing to speak on said application.

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

Section #1. This Commission determined that Provost & Pritchard had the qualifications and experience necessary to prepare a comprehensive municipal service review for the City of Selma.

Section #2. This Commission authorized the Executive Officer to sign a contract for up to \$10,750 with Provost & Pritchard Engineering Consultants for the preparation of a Municipal Service Review for the City of Selma, with invoices to be paid in a timely manner by the Selma Crossings developer, Tim Jones.

ADOPTED THIS 9TH DAY OF MARCH, 2016, BY THE FOLLOWING VOTE:

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

NOES: NONE

ABSENT: NONE

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

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

Section #3. Commissioner Perea realized that he was not eligible to vote on this matter and should have recused himself from voting.

Section #4. This Commission found it necessary to reconsider its action on the consultant to prepare the MSR for the subject project.

ADOPTED THIS 9TH DAY OF MARCH, 2016, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, PACHECO, SANTOYO, SILVA

NOES: NONE

ABSENT: COMMISSIONER PEREA

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

Section #5. This Commission authorized the Executive Officer to sign a contract for up to \$10,750 with Provost & Pritchard Engineering Consultants for the preparation of a Municipal Service Review for the City of Selma, with invoices to be paid in a timely manner by the Selma Crossings developer, Tim Jones.

ADOPTED THIS 9TH DAY OF MARCH, 2016, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS PARRA, SILVA, PACHECO, SANTOYO

NOES: NONE

ABSENT: COMMISSIONER PEREA

STATE OF CALIFORNIA)
COUNTY OF FRESNO)

CERTIFICATION

I, David E. Fey, Executive Officer of the Fresno Local Agency Formation Commission (LAFCo), Fresno County, State of California, hereby certify that the foregoing resolution was adopted by the Commission on the 9th day of March, 2016.



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



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January 15, 2016

Fresno Local Agency Formation Commission
David E. Fey, AICP, Executive Officer
2607 Fresno Street, Suite B
Fresno, CA 93721

Subject: Consulting Services for Municipal Service Review – City of Selma

Dear Mr. Fey:

Outlined below is a summary of the proposed scope of services to be provided to the Fresno Local Agency Formation Commission (LAFCo) by Provost & Pritchard Engineering Group, Inc. (dba **Provost & Pritchard Consulting Group**). Based on our understanding, the City of Selma intends to expand its sphere of influence (SOI) by approximately 100 acres in order to facilitate annexation and eventual development of the Selma Crossings master-planned development. Pursuant to Govt. Code §56430 (itself part of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, CKH) and LAFCo's *Commission Policies, Standards, and Procedures Manual* (LAFCo *Policies*) Section 330.11, prior to considering expansion of an SOI, LAFCo must conduct a comprehensive review of the municipal services to be provided (a municipal service review, or **MSR**) within "an appropriate area", in this case the proposed SOI. Although LAFCo *Policies* provides criteria for minor SOI amendments that do not require preparation of an MSR, the City of Selma's proposal does not qualify.

LAFCo most recently conducted a comprehensive review for the City of Selma in 2007. The City provides a number of municipal services such as fire and police protection, solid waste collection, and street lighting. Services such as wastewater and water are provided by special districts and/or private utility companies. The MSR will examine the City's existing and planned infrastructure; fees, rates, and other charges; organizational structure; operating procedures; and other items. The MSR will allow LAFCo to make an informed determination when considering approval of the SOI expansion.

Scope of Services

Our proposed scope of work for this project is designed to facilitate production of the municipal service review as described below.

Phase MSR – Municipal Service Review

Upon further consultation with LAFCo, the City, and the pertinent special districts and private entities, Provost & Pritchard will prepare an MSR meeting the requirements of California Government Code §56430. The MSR will analyze the City's growth and population projections; characteristics of the four disadvantaged unincorporated communities within the City's SOI; existing and projected infrastructure and utilities needs and deficiencies; financing constraints; opportunities for cost avoidance, shared facilities, rate restructuring; governmental structure, efficiency, and accountability; and other matters as dictated by LAFCo policy. The MSR will also contain similar analyses of the special districts and private utilities as their services relate to the City's proposed SOI. It will include exhibits or figures needed to illustrate the location of the

project, the existing and proposed spheres of influence, and the extent of utilities and pertinent infrastructure. The final report will provide LAFCo the required information to make an informed decision regarding the City's proposed SOI expansion.

For working draft versions of the MSR, Provost & Pritchard will provide digital copies via email or FTP unless hard copies are specifically requested. Provost & Pritchard will provide hard copies of the final MSR as detailed below.

This phase accommodates attendance at up to one (1) staff-level meeting with LAFCo and other staff and attendance at up to one (1) public hearing/meeting of the Fresno Local Agency Formation Commission. It also accounts for ongoing correspondence via phone or email throughout the duration of the project.

Deliverables:

- Up to ten (10) hard copies of the final MSR for use by LAFCo and/or other entities. Additional copies can be made available as separate reimbursable items; and
- If desired, digital copies of the final MSR can be provided via email, FTP, and/or on CD.

We propose to complete the scope of services described under **Phase MSR** for a fixed fee of **\$10,750**. Although the area of the proposed SOI amendment is estimated herein, we do not anticipate that changes to the acreage would impact Provost & Pritchard's scope, budget, or timeline for the project. Our fees will be invoiced on a monthly basis in accordance with our current fee schedule in effect at the time the work is completed. Reimbursable expenses will be invoiced in addition to professional fees and are included in the estimated budgets above, except where noted. Hard copies of draft versions are not included in the stated fee. If hard copies of draft versions are requested, these will be billed separately as reimbursable items. If it appears we will need to exceed the estimated budgets, we will notify you before we do so, and will not continue work beyond the initial budget without additional authorization.

Schedule

- We are able to begin work within one week of acceptance of this proposal and signing of the contract for services, and expect to have the project kickoff meeting with LAFCo staff within one week thereafter.
- We will provide LAFCo staff with an electronic screen-check draft MSR within six weeks of project kickoff. We anticipate receipt of one round of comments from LAFCo and other responding agencies, if applicable.
- We will incorporate changes from the draft review comments into the final MSR within two weeks, and provide LAFCo with copies as detailed above.

EXCLUSIONS

The following items are included in this proposal, but if any or all are determined to be necessary, they may be added to the scope for additional cost and modified schedule. No work on these items will begin without prior written agreement by both parties:

- Preparation of any CEQA document;
- Preparation of any technical studies that may be needed in conjunction with CEQA documentation, including, but not limited to traffic studies, biological assessments, or cultural resources assessments;

- Payment of any CEQA-related filing fees due to the Fresno County Clerk, the California Department of Fish and Wildlife, or other entities;
- Preparation of any feasibility study or financial analysis greater than required pursuant to CKH
- Preparation of any LAFCo applications or associated exhibits or documents for sphere of influence amendment, annexation, or other required processes;
- Payment of any application fees associated with the proposed sphere of influence amendment, annexation, or other required processes;
- Preparation of exhibits or legal descriptions to facilitate annexation;
- Payment of mapping fees to the California Board of Equalization;
- Design related to future physical improvements or infrastructure.

In order to convey a clear understanding of our mutual responsibilities under this proposal, we have attached our standard Consultant Services Agreement (CSA) for your review and signature. If our proposal is acceptable, please sign below and on the attached CSA and return executed copies to our office. We can begin work on this project the week following receipt of the executed documents.

Thank you for the opportunity to present this scope of services.

Respectfully,



Jeffrey O'Neal, AICP
Project Manager



Donald Ikemiya, PE
Vice President

Fresno Local Agency Formation Commission

Accepted by

David E. Fey, AICP
Executive Officer