

RESOLUTION NO. MSR 21-01 / USOI-200

A RESOLUTION OF THE FRESNO LOCAL AGENCY FORMATION COMMISSION MAKING DETERMINATIONS AND ADOPTING A MUNICIPAL SERVICE REVIEW; MAKING DETERMINATIONS AND UPDATING THE SPHERE OF INFLUENCE FOR THE FRESNO MOSQUITO AND VECTOR CONTROL DISTRICT

WHEREAS, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (“CKH”), the Fresno Local Agency Formation Commission is required to review and update, as necessary, spheres of influence (“SOI”) of local agencies not less than once every five years; and,

WHEREAS, the Fresno Mosquito and Vector Control District (“District”) submitted an application (File No. USOI-200) and supporting materials to this Commission pursuant to Government Code section 56428 requesting LAFCo an expansion of the District SOI to add 365 acres that would facilitate the planned, orderly, and efficient growth of the District (Attachment A); and,

WHEREAS, in a joint effort, the District and the Madera Mosquito and Vector Control District (“Madera MVCD”) request Fresno LAFCo to simultaneously update their SOIs in anticipation of a boundary reorganization that would memorialize their respective service areas; and,

WHEREAS, the 365-acre affected territory is identified in the County of Madera and within the Madera MVCD; and,

WHEREAS, the District’s SOI update application No. USOI-200 triggers a simultaneous reduction in Madera MVCD’s SOI as a precursor to detach the affected territory from Madera MVCD; and,

WHEREAS, on December 9, 2020, the Madera County Local Agency Formation Commission granted approval to vest exclusive jurisdiction to Fresno LAFCo to process Fresno LAFCo application No. USOI-200 consistent to the requirements in section 56338 of CKH; and,

WHEREAS, CKH directs the Commission to conduct a Municipal Service Review (“MSR”) no later than the time it considers an action to either determine, amend, or update a SOI for a local agency; and,

WHEREAS, the Executive Officer prepared a MSR in response to the District’s request for a SOI update, published the MSR on the Commission’s website, and provided a mailed 21-day public notice to all affected local agencies and landowners within the affected territory; and,

WHEREAS, notice of the Commission hearing for the District SOI update was duly given in a publication of general circulation as required by CKH, at the time, in the form, and manner provided by law; and,

WHEREAS, the Executive Officer reviewed said application and prepared a staff report to the Commission, including a recommendation for approval, said report having been mailed to each

affected local agency within the affected territory and interested individuals pursuant to Government Code section 56428(c); and

WHEREAS, at the duly noticed public meeting, held on April 14, 2021, the Commission heard, discussed, and considered all relevant evidence, including but not limited to the MSR determinations and recommendations, environmental review documentation, and all testimony, correspondence, and attachments received during the public hearing process.

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

ACTION 1: MUNICIPAL SERVICE REVIEW

- A. Acting as Lead Agency pursuant to California Environmental Quality Act ("CEQA") Guidelines find that the MSR prepared for the District is Categorically Exempt from the provisions of CEQA under section 15306, "Information Collection."

ADOPTED THIS 14th DAY OF APRIL 2021, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS MAGSIG, SANTOYO, BRANDAU, YEP, PARRA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

ACTION 2: FRESNO MOSQUITO AND VECTOR CONTROL DISTRICT SOI UPDATE

- B. Find that LAFCo, as a Responsible Agency pursuant to the CEQA Guidelines considered the Notice of Exemption prepared by Fresno MVCD, Lead Agency, for its review and update of the Fresno MVCD SOI.
- C. Find that as a Responsible Agency, LAFCo, it can be seen with certainty that the District SOI update does not have the potential to result in a significant effect on the environment, and that the SOI update is not subject to CEQA pursuant to CEQA Guidelines section 15061 (b)(3).

ADOPTED THIS 14th DAY OF OCTOBER 2020, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS SANTOYO, YEP, BRANDAU, MAGSIG, PARRA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

ACTION 3: WRITTEN DETERMINATIONS AND RECCOMENDATIONS

- D. Receive this report and any public testimony regarding the proposed Municipal Service Review and proposed sphere of influence update.

- E. Approve the recommended Municipal Service Review determinations, together with any changes deemed appropriate.
- F. Approve the recommended sphere of influence update determinations, together with any changes deemed appropriate.
- G. Using the Exclusive Authority granted by Madera LAFCo, reduce the Madera MVCD SOI by 365 acres and plan for the detachment of the affected territory from Madera MVCD, as depicted on Attachment A.
- H. Revise the Fresno MVCD SOI to include the 365 acres and plan for the annexation of the affected territory to the Fresno MVCD, as depicted on Attachment A.

ADOPTED THIS 14th DAY OF APRIL 2021, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS YEP, MAGSIG, BRANDAU, SANTOYO, PARRA

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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

CERTIFICATION

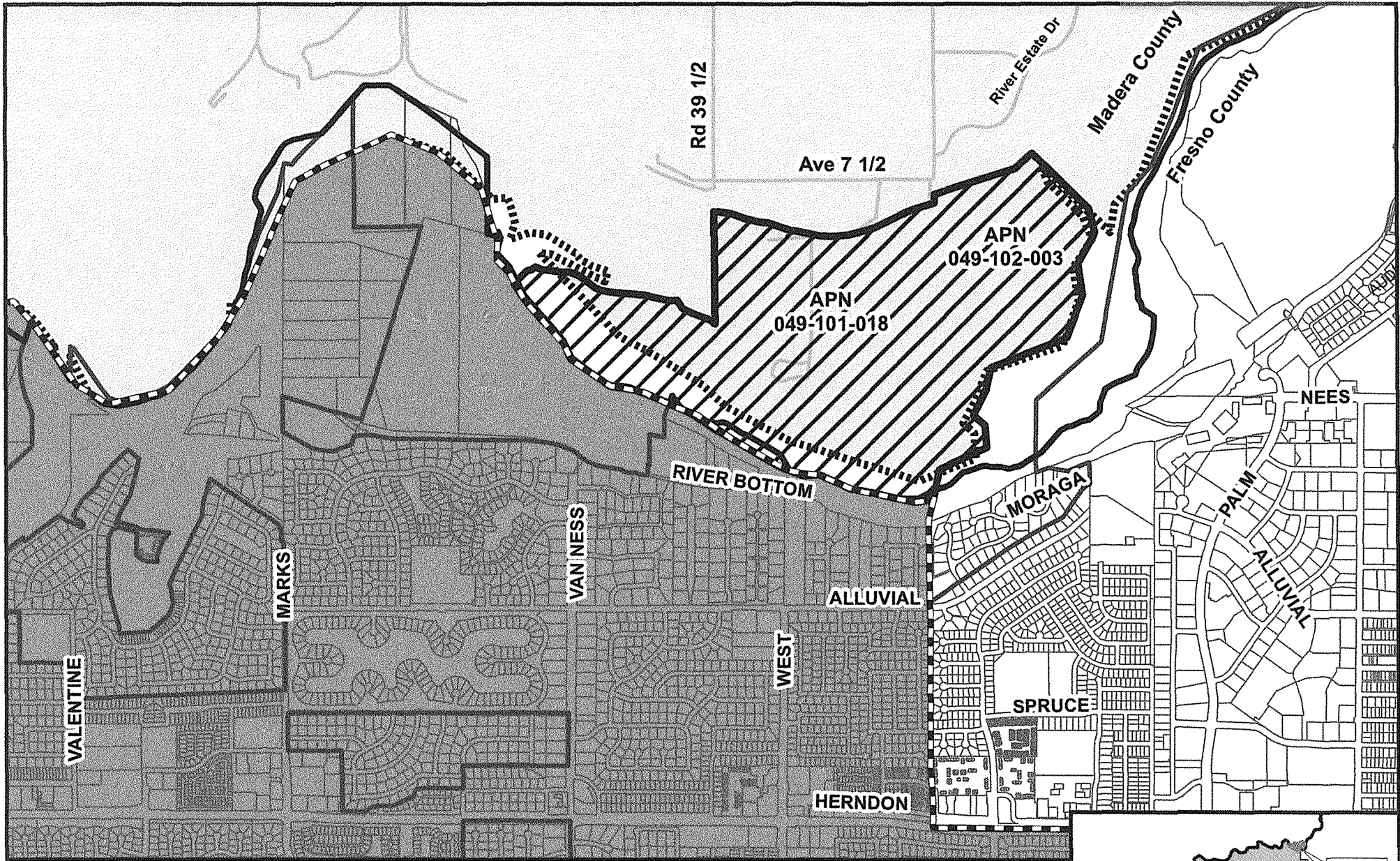
I, David E. Fey, Executive Officer, Fresno Local Agency Formation Commission, hereby certify that the foregoing resolution was adopted by the Commission on the 14th day of April 2021.








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

Fresno Mosquito and Vector Control District

ATTACHMENT A



-  Proposed SOI update
-  District SOI
-  District service area
-  Madera County Mosquito Vector Control District
-  City Limits



District service area: 179,578 acres
 District SOI: 179,578 acres
 Proposed SOI update: 365 acres (in Madera County)

Map prepared: 03/29/2021

