

Regular LAFCo Hearing

November 4, 2015

The background of the slide features a soft-focus image of autumn foliage. Several maple leaves in shades of red, orange, and yellow are scattered across the frame, some appearing to float in the air. The bottom of the image shows a patch of green grass. The overall lighting is warm and golden, suggesting a sunny day in autumn.

Agenda Items 1-4

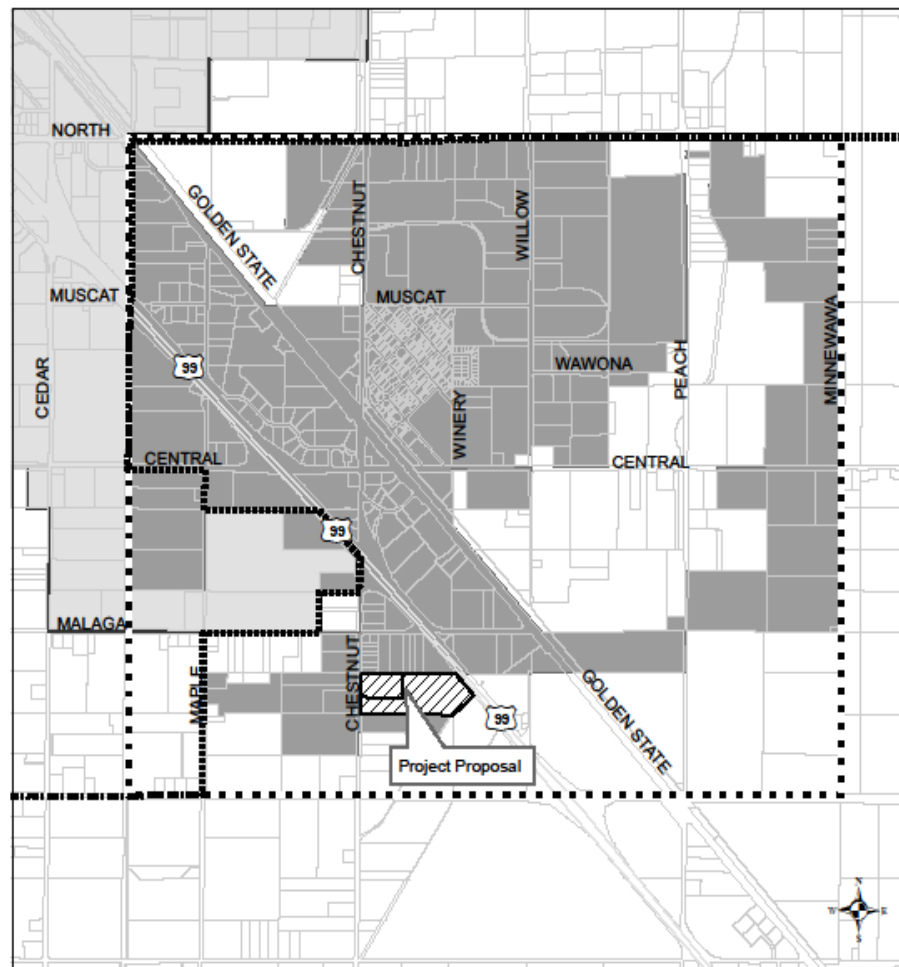
1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Comments from the Public
4. Potential Conflicts of Interest






Consent Agenda

Item No. 5

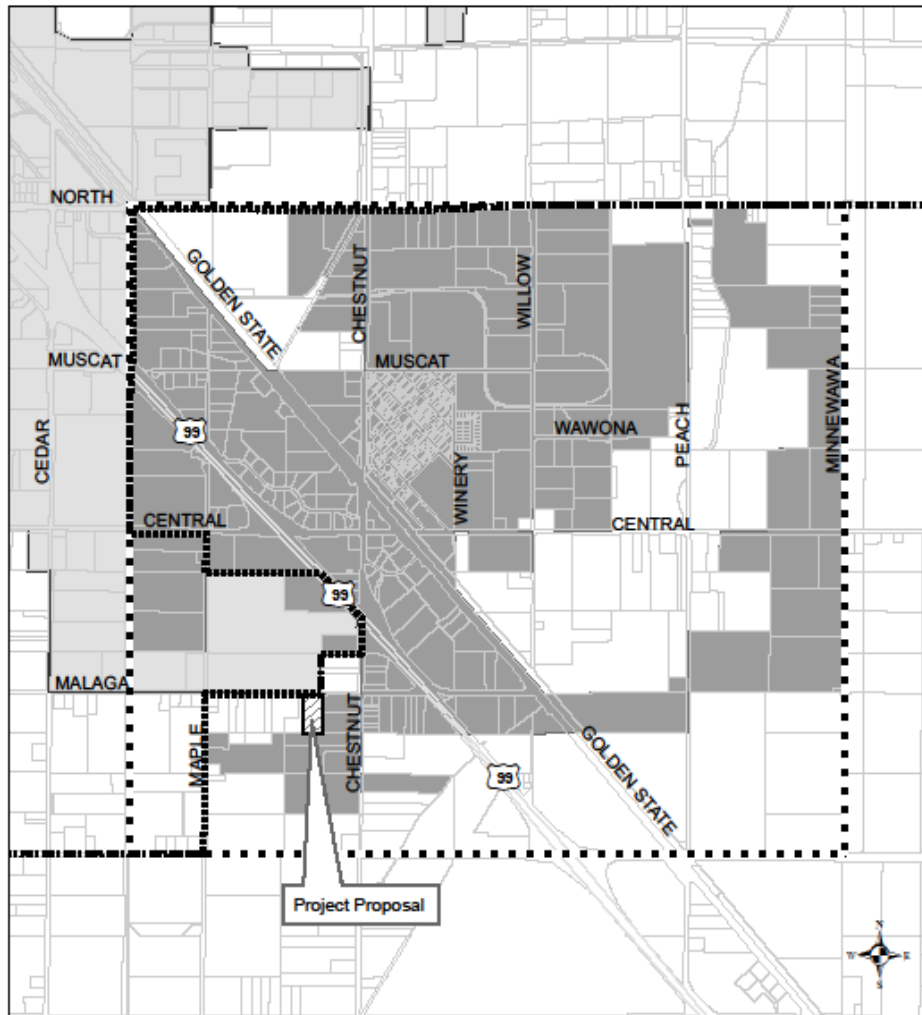
Consider Approval:






- A. Minutes from the October 14, 2015 hearing
- B. Malaga County Water District “Fowler Packing Annexation” (LAFCo File No. AD-15-1)
- C. Malaga County Water District “Malaga Industrial Park Annexation” (LAFCo File No. AD-15-2)



-  Fowler Packing Annexation
-  Sphere of Influence, Malaga CWD
-  Service Area, Malaga CWD
-  Sphere of Influence, Fresno
-  City Limits, Fresno

Fowler Packing Annexation Malaga County Water District



-  Project Proposal
-  Sphere of Influence, Malaga CWD
-  Service Area, Malaga CWD
-  Sphere of Influence, Fresno
-  City Limits, Fresno

Malaga Industrial Park - Annexation Malaga County Water District

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Public Hearing Agenda Item No. 6

Municipal Service Review and Sphere of Influence
Update prepared for the City of Fresno (Continued
from September 9, 2015)

City of Fresno MSR and SOI Update



Prepared for Fresno LAFCo
By
Policy Consulting Associates

November 4, 2015

What is a Municipal Service Review?



In order to prepare and update spheres of influence in accordance with Section 56425, the Commission shall conduct a service review of the municipal services provided in the county or other appropriate area designated by the commission.

- Government Code §56430

What is a Municipal Service Review?



AB 1744 requires LAFCo to make certain determinations:

- ❖ Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies
- ❖ The Location and Characteristics of Disadvantaged Unincorporated Communities Within or Contiguous to the Agency's SOI
- ❖ Growth and population projections for the affected area
- ❖ Financial ability of agencies to provide services
- ❖ Status of, and opportunities for, shared facilities
- ❖ Accountability for community service needs, including governmental structure and operational efficiencies
- ❖ Any other matter related to effective or efficient service delivery, as required by commission policy.

MSR Process



- ❖ **Outreach:** Outreach and explanation of project to City staff
- ❖ **Data Discovery:** City provided documents and responded to requests for information, collection of information from central data sources and regulating agencies
- ❖ **Profile Review:** Internal review and comment on draft municipal service chapters by City staff
- ❖ **Administrative Draft:** Review by LAFCo and City staff of draft report, determinations, and recommendations
- ❖ **Public Review Draft:** Period for public review and comment on draft MSR
- ❖ **LAFCo Workshop and Hearing:** LAFCo to review MSR findings at a workshop and solicit public comment at a public hearing when the report is considered for adoption.

MSR and SOI Update Outline

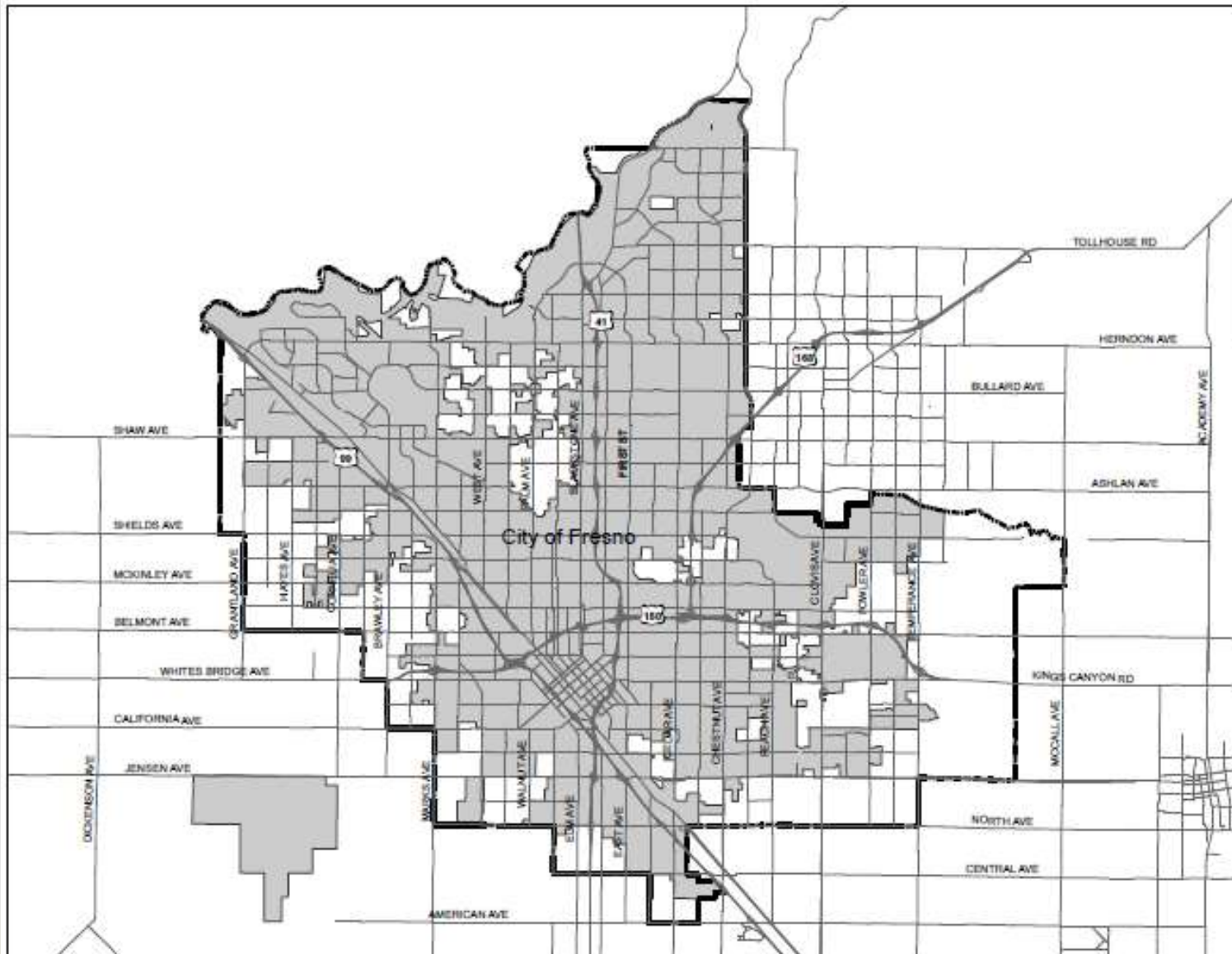


- ❖ City Overview
- ❖ Accountability & Governance
- ❖ Planning & Management
- ❖ Financing
- ❖ Growth and Population Projections
- ❖ Municipal Services
- ❖ Governance Options
- ❖ MSR Determinations and Recommendations
- ❖ Sphere of Influence Update

City of Fresno – Municipal Services Reviewed

- ❖ Airports
- ❖ Fresno Convention & Entertainment Center
- ❖ Fire Protection and Emergency Medical Services
- ❖ Homeless Services
- ❖ Parks and Recreation
- ❖ Law Enforcement
- ❖ Solid Waste
- ❖ Street Maintenance
- ❖ Transportation
- ❖ Wastewater
- ❖ Water

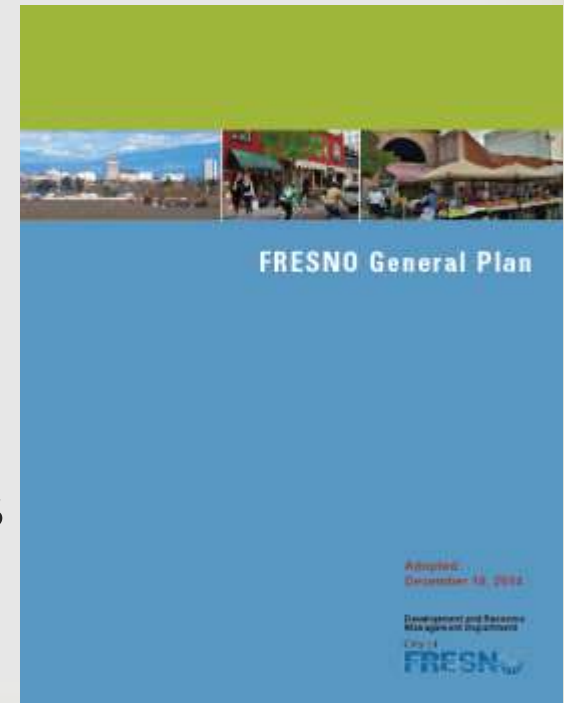
City Boundaries and SOI



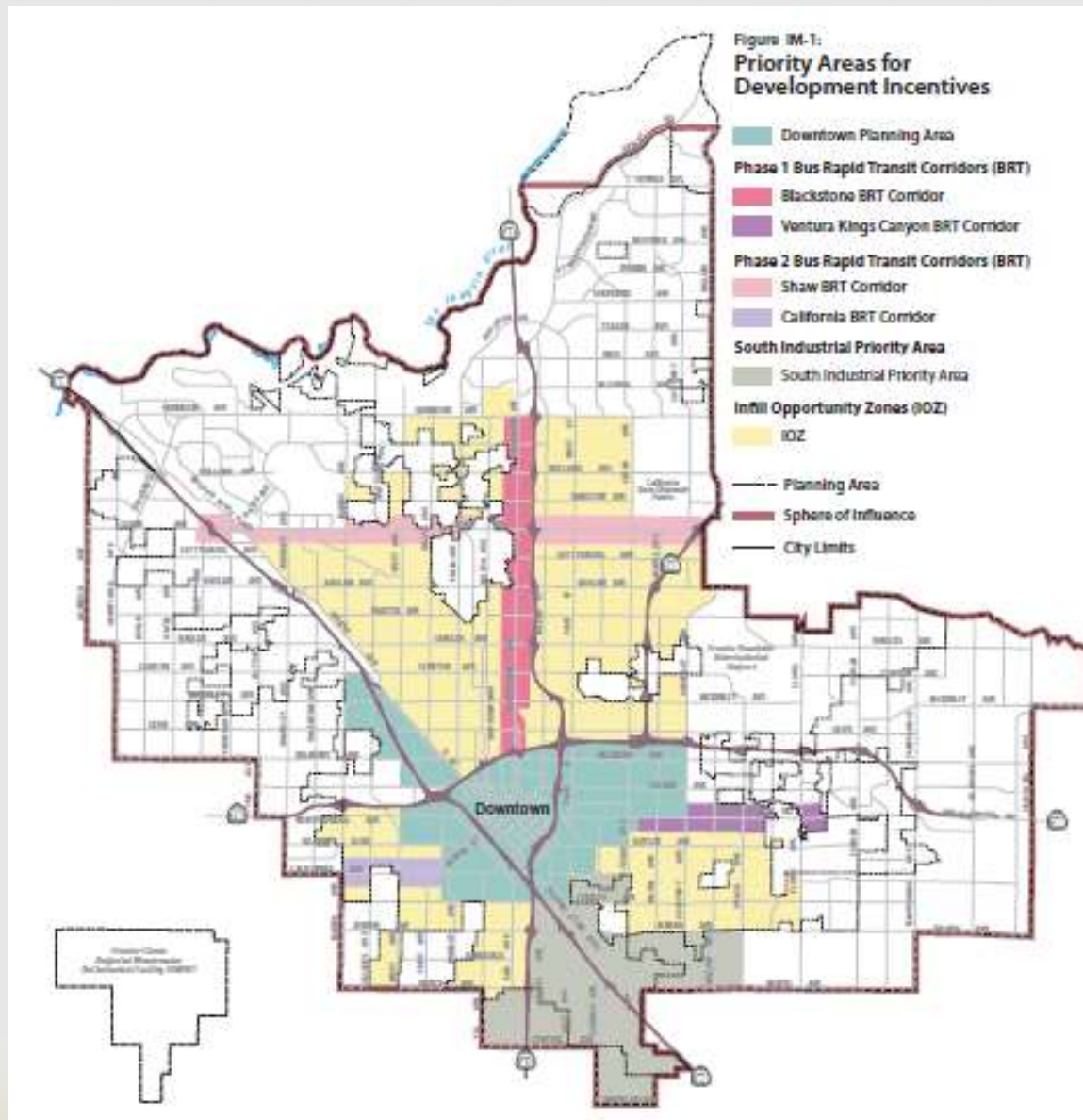
General Plan Update



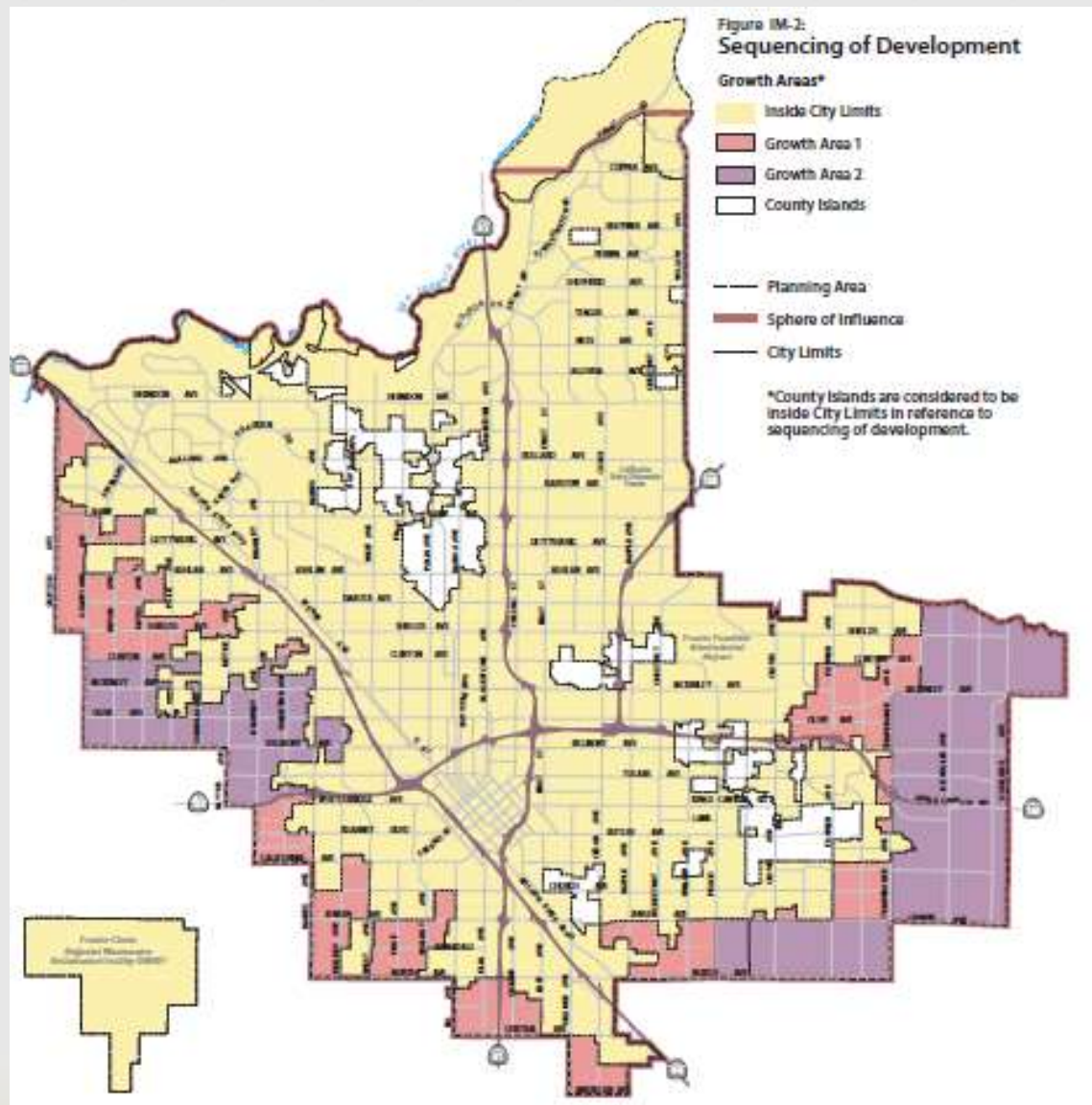
- ❖ The focus of the General Plan is to balance investment in established neighborhoods and new growth areas.
- ❖ Overall increase in residential density and development intensity along high capacity transit corridors and downtown.
- ❖ Development will occur within the Infill Opportunity Zones and Growth Areas 1 and 2 as infrastructure becomes available and demand increases.



Infill Opportunity Zones



Growth Areas 1 & 2

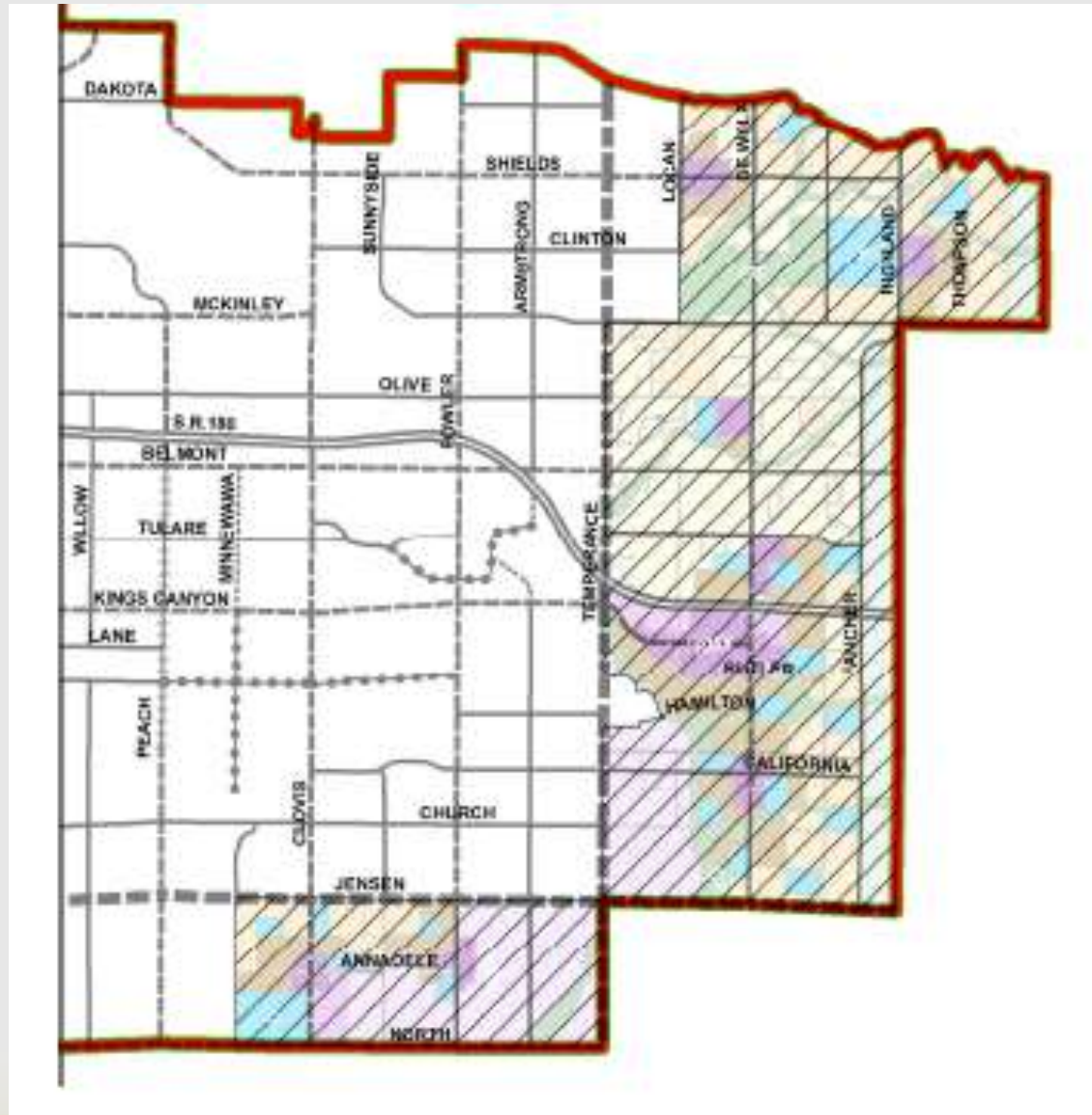


Southeast Development Area



- ❖ LAFCo placed conditions to be completed before any annexations to the City could be approved.
- ❖ The City must also meet conditions identified in an MOU with the County prior to developing the area. The MOU is set to expire December 31, 2017.
- ❖ Planning for SEDA was rolled into the City's General Plan. Overall, policy guidance in the General Plan that describes how SEDA fits into the City's growth strategy is broad in nature.
- ❖ Specific plan-level analysis for SEDA will be necessary to conform with LAFCo annexation requirements and the City-County MOU.
- ❖ Recommendations are made in the MSR regarding alignment of policies for SEDA.

Southeast Development Area

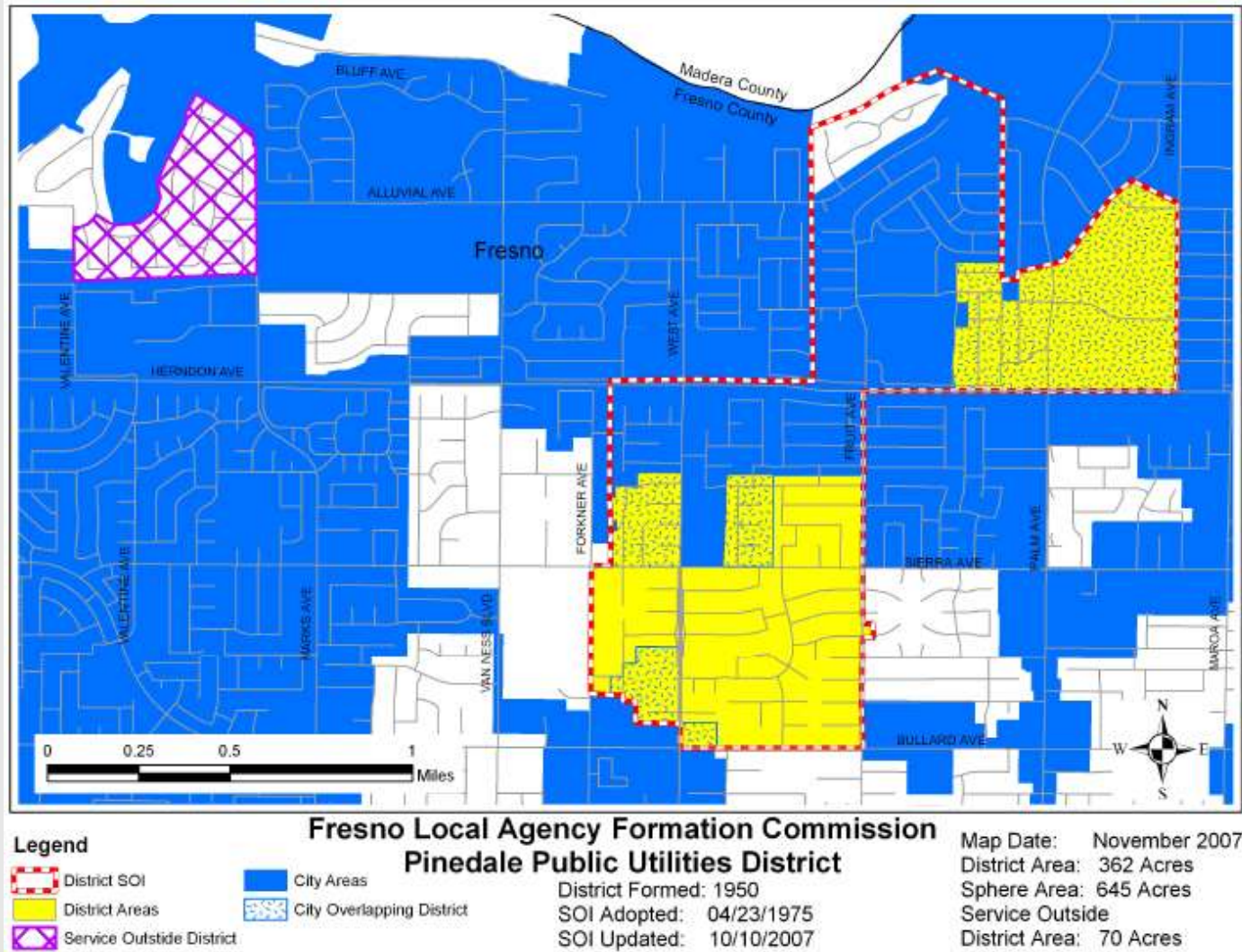


Governance Structure Options



- ❖ Address boundary overlaps, conflicting SOIs, and inefficient service configurations with overlapping and neighboring special districts.
(Pinedale County Water District, Pinedale Public Utility District, Malaga County Water District, 10 CSAs, Calwa Recreation and Park District, and Bluffs Community Services District)
- ❖ Annexation of SEDA to the Metropolitan Flood Control District
- ❖ Regionalization of services such as solid waste and law enforcement

Governance Structure Options – Special District Example



MSR Determinations and Recommendations



Aligning the City's General Plan and SEDA Policy with LAFCo Policy

- ❖ That the City evaluate whether its SEDA conditions – contained in both the City/County Memorandum of Understanding and Fresno LAFCo's conditional approval of the SEGA SOI – remain appropriate given the shift in the General Plan's development policy since 2006.
- ❖ That Fresno LAFCo determine an SOI for the City's Regional Wastewater Reclamation Facility.
- ❖ That the City develop a General Plan implementation program that conforms with the Fresno LAFCo annexation program. This implementation program can address annexation of the unincorporated islands within the city limit; annexation of the urban edge that is impacted by irregular boundaries and conflicting county land, and comprehensive service transition planning for affected agencies.

MSR Determinations and Recommendations



Regional Planning

- ❖ That the City, the City of Clovis, Fresno County, Madera County, other neighboring cities, and Fresno LAFCo continue to participate in regionally collaborative planning efforts.
- ❖ That the City work with Fresno LAFCo, Fresno County, and the special districts in the Fresno SOI to assess metropolitan area service delivery and determine if efficiencies may be gained if the City assumed responsibilities for services in these areas.

MSR Determinations and Recommendations



Metropolitan Planning and Service Efficiencies

- ❖ That the City program regular updates of its master service plans to ensure that they are kept up-to-date.
- ❖ That LAFCo initiate a multi-agency assessment of the efficiencies of annexation of county islands and multiple special districts in the Fresno SOI.
- ❖ That the County amend its General Plan to conform to the City's designated land uses in areas within the Fresno SOI.
- ❖ That the City coordinate with these special districts to the greatest extent possible to ensure clarity on service areas and proper regional planning of water and wastewater infrastructure.

MSR Determinations and Recommendations



Municipal Service Efficiencies

- ❖ That the City plan as necessary to ensure sufficient capacity at the Regional Wastewater Reclamation Facility appropriately addresses population growth from development.
- ❖ That the City continue to strive for lower response times by public safety departments to meet goals and standards.
- ❖ That the City continue to work to ensure an equal distribution of park and recreation facilities throughout the City.
- ❖ That the City conduct a comprehensive assessment of its law enforcement facilities to identify and prioritize capital needs.

MSR Determinations and Recommendations



Metrics for Accountability

- ❖ That the City institute a centralized system to document and track all developments under construction, approved, and/or proposed in a manner that is accessible by city staff and members of the public.
- ❖ That the City implement an objective and transparent measurement to track its development benchmarks to determine the appropriate timing of planned growth.

SOI Options



- ❖ Option #1: City Proposal – No Change
- ❖ Option #2: Expansion to Include Potential High Speed Rail Maintenance Facility
- ❖ Option #3: Expansion to Include Territory in the Friant-Copper Area
- ❖ Option #4: Removal of SEDA from City's SOI
- ❖ Option #5: Determine an SOI for the Regional Water Reclamation Facility

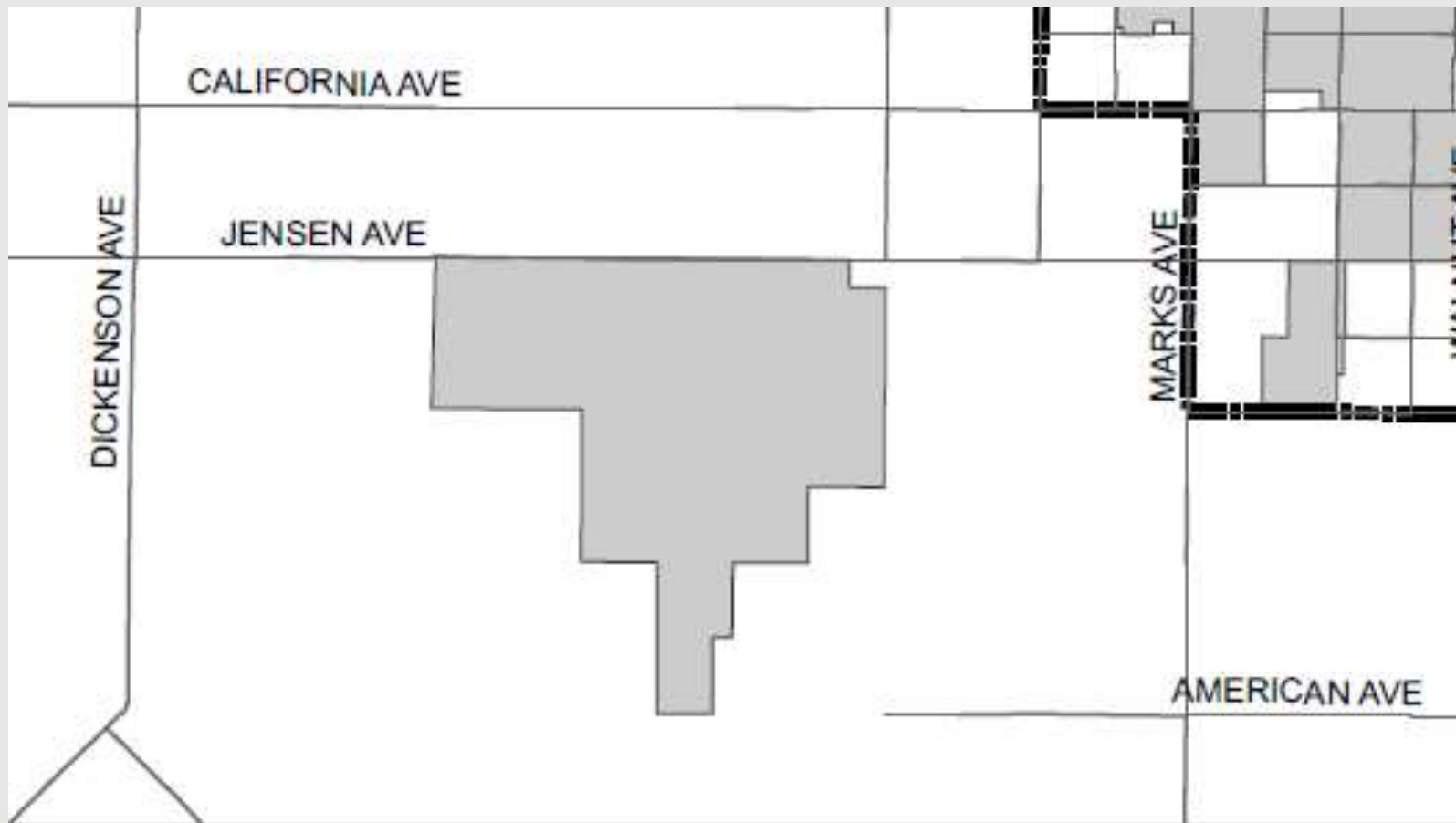
Proposed High Speed Rail Maintenance Property



Friant-Copper Parcels



Regional Wastewater Reclamation Facility



SOI Determinations & Recommendations



Aligning General Plan and SEDA Policy with LAFCo Policy

- ❖ That the SEDA SOI be retained at this time to allow for the opportunity to properly address the policy concerns identified in this report. Fresno LAFCo may define a period within which the City must report back and provide the status of its efforts at conducting specific planning or identifying a timeline for when specific planning will occur.
- ❖ That LAFCo develop policies specific to SEDA that ensure the area is developed in an orderly fashion and consistent with the City's development priorities in other areas.
- ❖ That the Friant-Copper SOI proposal be included in City's SOI if it is also supported by the City.

SOI Determinations & Recommendations



Aligning General Plan and SEDA Policy with LAFCo Policy (cont.)

- ❖ That Fresno LAFCo determine a SOI for the City's Regional Wastewater Reclamation Facility.
- ❖ Should Fresno County be selected as the site for the heavy maintenance facility, the City should apply to LAFCo for an SOI amendment and annexation in order that services can be provided to the facility.

SOI Determinations & Recommendations



Annexation Program

- ❖ That the City develop a General Plan implementation program that conforms with the Fresno LAFCo annexation program... (Repeat)
- ❖ That the City develop a comprehensive plan for annexation of its urban fringe where rural residential parcelization has heretofore hampered orderly and efficient growth of the City.
- ❖ That the City's annexation plan include outreach to special districts to ensure proper subregional planning of infrastructure and coordinate the eventual transition of services as the City annexes the areas served by the special districts.

Any questions?



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Public Hearing Agenda Item No. 7

Annual Report on the Municipal Service Review
Policy

Presentation Outline

- Fresno LAFCo MSR policy
- 2.0 MSR observations
- Other issues on the horizon



Fresno MSR Policy

Fresno LAFCo MSR policy goals:

- Evaluate local agencies;
- Provide recommendations to encourage effective and efficient service delivery; and
- Build and maintain effective relationships between LAFCo and local agencies

Fresno MSR Policy

Established two types of agencies:

- Municipal local agencies
- Non-municipal local agencies

Established three levels of MSRs to be conducted:

- Level 1 MSRs – Cities
- Level 2 MSRs - Special Districts that provide municipal services
- Level 3 MSRs- Special Districts that provide non-municipal services

- Introduced a 20-year planning horizon to guide the Commission's MSR/SOI determinations



Fresno MSR Policy

Level	Time	Cities and Municipal Local Agencies		Non-Municipal Local Agencies
1	<i>5 years, or as necessary</i>	15 Cities <ul style="list-style-type: none"> • 20-year planning horizon • Assessment of Municipal Services • SOI Update or Reaffirmation 		
2	<i>5 years, or as necessary</i>		53 Special Districts <ul style="list-style-type: none"> • Questionnaire • 20-year planning horizon • Assessment of Municipal Services 	
3	<i>5 years, or as necessary</i>			78 Special Districts <ul style="list-style-type: none"> • Questionnaire • Identify Districts' long-term growth plans, if any.

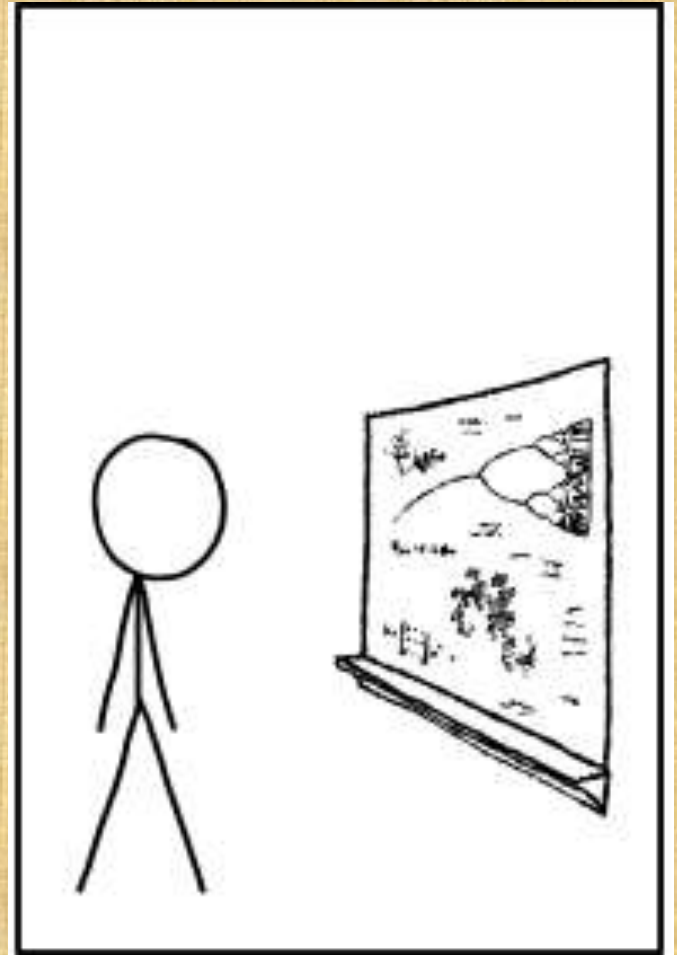
MSR Overview

- MSRs are a “snap shot” evaluation of an agency’s service deliveries
- ‘Governance audit’
- Update to 2007 MSR
- To make written determinations as mandated by GC section 56425 and 56430

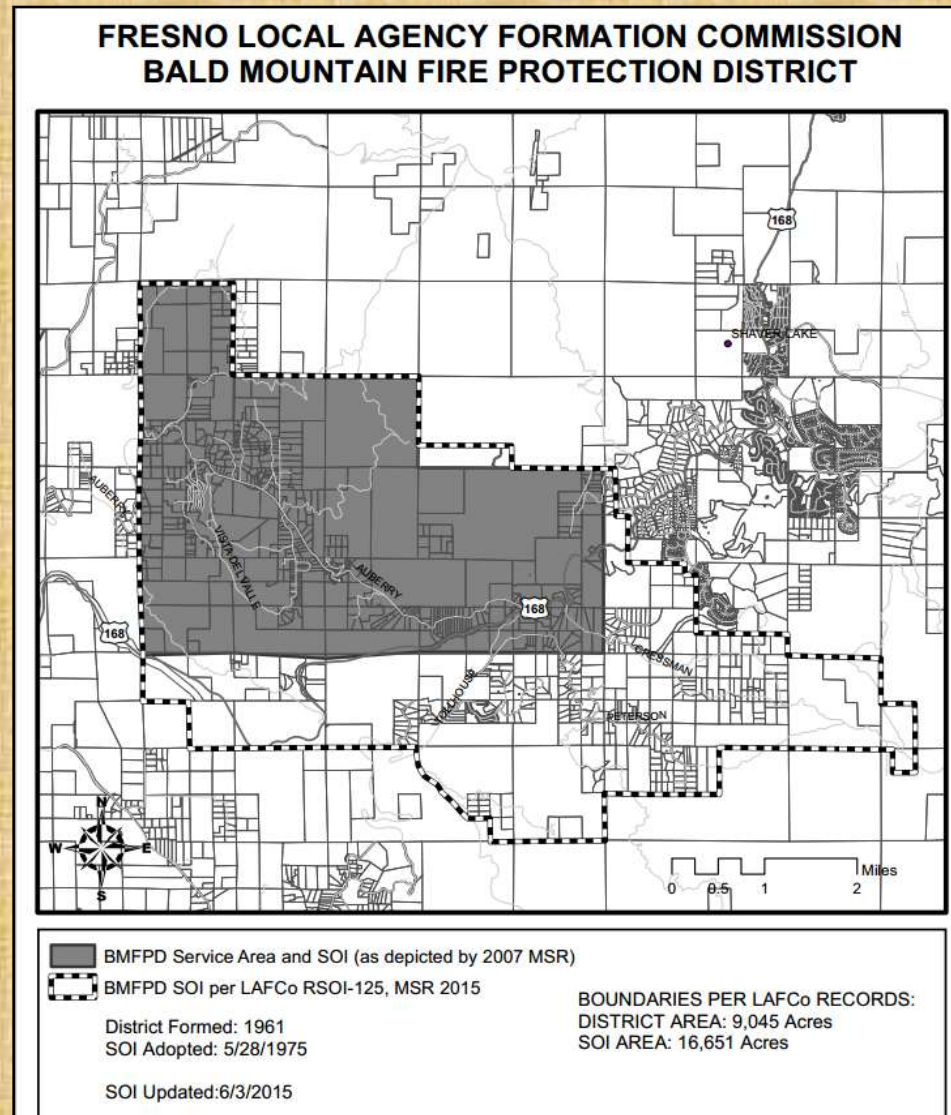


2.0 MSR Observations

- LAFCo conducts MSRs, not Cities or Special Districts
- Use of MSR Questionnaires
- Streamline MSR process
- Agency participation is important



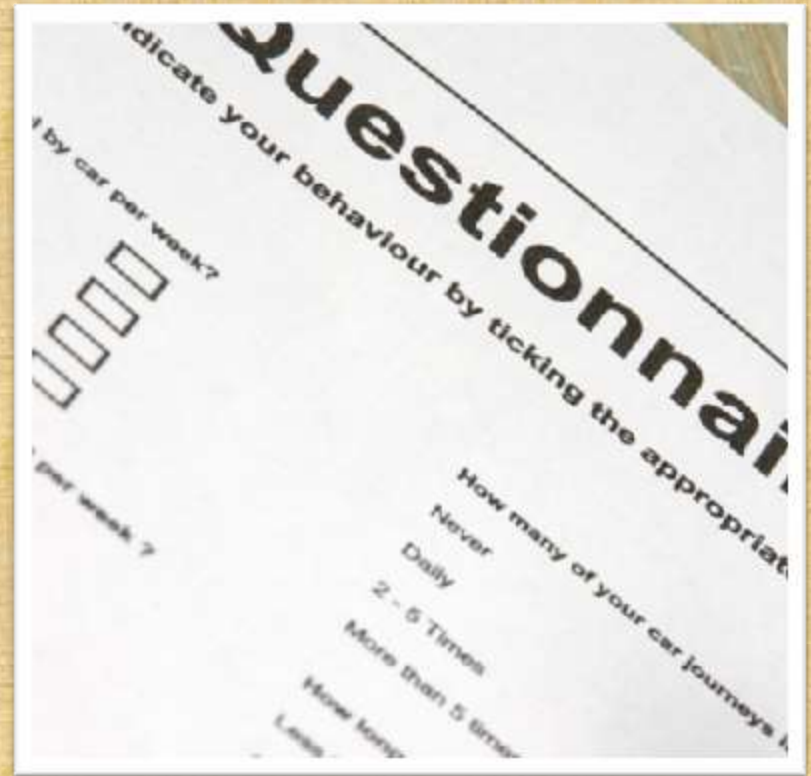
Agency's Service Area and SOI



MSR Questionnaires

An MSR Questionnaire is used to gather agency information (Attachment A):

- Current governing body
- Agency policies, ordinances, district bylaws
- Meeting notices, agendas, or minutes
- Financial audits/budgets
- Agency services
- Agency growth opportunities



MSR Outreach Process

- LAFCo establishes an agency point of contact
- MSR questionnaire & data collection phase
- Staff visits with local agency
- An administrative draft is prepared by LAFCo
- Request agency review of administrative draft MSR
- Integrate agency's comments
- Schedule a 21-day public review prior to hearing
- Public hearing and adoption of the final MSR

MSR Update Timeline

Time Frame	Tasks
MSR update notice	LAFCo staff establishes contact with agency, informs agency of scheduled MSR update.
Month 1 (four weeks)	MSR Questionnaire & information request is made. Agency works on data collection.
Experience with local agencies	
Agency requests additional time	Establish new time frame (2 or 3 weeks) for agency to complete data collection.
LAFCo staff contacts the agency (several attempts)	Identify the agency's delay to information request.
Agency ignores LAFCo request	Reach four weeks with no MSRQ or data provided to LAFCo. Identify disconnection. Identify any concerns.
LAFCo follows up with information request to the agency	Staff prepares a DMSR using information available, agency does not comply with MSR Policy. Agency is a concern with LAFCo.

Agency Participation is Important

- Second generation MSR's require agency participation
- Establish agency communication with LAFCo staff



Evolution of Fresno MSR's

2007 MSR's – First Generation	2014 MSR's- Second Generation (MSR Policy)	2020- Future MSR's
"Get 'em DONE!"	<u>Let's do it right</u>	Integrated, functional
Short reports – provide agency description	Long enough to clarify 1.0 MSR's- "Check up on agency's operation"	Still long enough
Used best data available	Agencies will be the primary source of information	Agencies will be the primary source of information
Some local agencies ignored LAFCo's requests	Agencies will be compelled to share public records	Agencies now understand the MSR Program – Participation
Recommendations may be boilerplate	Recommendation are more meaningful for LAFCo and local agencies	Determination and Recommendations will be prepared and integrated to LAFCo Policy

Other Issues on the Horizon

Next steps for MSRs for Non compliant agencies:

- California Public Records Act
- Notice to file a lawsuit against agencies that violate CPRA request
- Inform other agencies such as Fresno County District Attorney's Public Integrity Unit



Question or
Comments?

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Other Matters

Agenda Item No. 8

Executive Officer Comments/Reports

Other Matters

Agenda Item No. 9

Commission Member Comments/Reports

Adjournment

The next LAFCo hearing will be held on
December 9, 2015 at 1:30 p.m. in the Board of
Supervisors' Chambers – Hall of Records, Third
Floor