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

AGENDA ITEM No. 12

DATE: July 11, 2007

TO: Fresno Local Agency Formation Commission

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

SUBJECT: **Consider Adoption** – Municipal Service Reviews and Sphere of Influence Updates Prepared for the Following Cities:

1. City of Fowler
2. City of Kingsburg
3. City of Selma

Summary / Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCo to review and update, as necessary, City and Special District Spheres of Influence (SOI) 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 & Associates to prepare MSRs and SOI Updates for numerous cities and special districts. The attached MSRs have been prepared for the Cities of Fowler, Kingsburg, and Selma.

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 any 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.

SOI updates may involve an affirmation of the existing SOI boundary or recommend modifications to the SOI boundary. 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. Such updates are required by State law to be conducted every five years. MSRs are required to be prepared prior to or in conjunction with SOI updates.

State law requires that the Commission in its consideration of the MSRs adopt written 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 the SOI update, if the Commission determines that modifications to a city's SOI boundary is appropriate, it 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

Environmental Determination

Staff has determined that consideration of and adoption of the Fowler, Kingsburg, and Selma Municipal Service Reviews and Sphere of Influence determinations are actions considered to be "Categorically Exempt" as per Section 15306 (Information Collection) of the California Environmental Quality Act Guidelines (CEQA). Any other changes to a City's Sphere of Influence resulting from recommendations adopted by the Commission will require additional review under CEQA.

Discussion & Summary of Determinations

This report and the attached MSRs address the Cities of Fowler, Kingsburg, and Selma. These three cities are being considered together because all three share access to State Route 99 and their Spheres of Influence are coterminous in several locations (see attached Regional Map) . The City of Fowler is located north and adjacent to the City of Selma, whereas the City of Kingsburg is located south of the City of Selma.

Although their current SOIs are contiguous, the three cities still maintain individual identities since they have yet to grow together (see City Maps). With current development activity and interest expressed in annexation by the three cities, it is anticipated that the undeveloped County lands between the cities could be developed within the near future if public facilities can be made available (i.e. public sewer, water, and infrastructure) and annexation applications are approved by Fresno LAFCo.

At the request of the County of Fresno, the Council of Fresno County Governments (COG) agreed to, as a part of the current "Valley Blueprint" planning study and effort, to establish a subcommittee to review the desirability of establishing land "buffers" between cities in order to help facilitate development and retention of each city's unique identity. The final form of these buffers, be they agriculture, open space, architectural, or another form, has not been determined. However, recommendations from COG are anticipated in the near future.

Because physical open space separations still exist between the Cities along SR 99, an opportunity does exist (if supported by the cities, the County, and LAFCo) to plan for buffer areas or "greenbelts" to be located between the cities which could be maintained in agriculture or open space uses rather than urbanized. The fact that agriculture and open space uses still exist between the cities along the SR 99 corridor, such condition presents an opportunity (as pointed out in the MSR) to avoid creating similar sprawl conditions that are currently found in other California regions such as the San Fernando Valley, Santa Clara Valley, and Orange County.

If LAFCo were, through future action, to approve reducing the Spheres of Influence boundaries presently established along the State Highway between the three cities, the County would at the same time, need to designate the lands for agriculture or open space uses in efforts of creating a visual division that could support greater city identity.

If such reduction in the Spheres is not supported, the Cities should address the “land buffer” issue as a part of their planning processes in cooperation with neighboring communities. Any update of a City’s Sphere of Influence by LAFCo will be subject to review of the land use buffer issue. A cooperative effort between all parties and the County is necessary if a continuous band of development along the SR 99 corridor is to be avoided. The recommendations of the Valley Blueprint effort related to buffers should also be considered in future actions taken by LAFCo.

1. City of Fowler

- A. Affirm the current Sphere of Influence and defer action on amending the Sphere until the City submits a complete and acceptable application.
- B. Direct Fresno LAFCo staff to participate via the Council of Fresno County Government’s *Valley Blueprint* Planning efforts to work with the COG and its member agencies in creating land use buffers where determined appropriate. Consider *Valley Blueprint* recommended actions once they are available.
- C. Request the City of Fowler to consider the issue of land use buffers in their planning processes to be given consideration at the time of Sphere of Influence revision or amendment.

The City of Fowler encompasses approximately 1,561 acres (2.44 square miles) between the cities of Fresno and Selma along the State Route 99 corridor. The City of Fowler’s SOI encompasses approximately 4,474 acres (6.99 square miles).

The City’s current population is estimated to be 5,923 (California Department of Finance data). Fowler has grown 9% since 2000 and is projected to grow another 87% to 9,919 in 2030 (Council of Fresno County Governments data).

The City is governed by a five-member City Council whom are elected at large. The City is administered by a City Manager and has 26 full-time, 23 part-time, 10 seasonal, and three contract employees.

The City provides a wide range of services including, but not limited to: police and fire protection; emergency medical services; land use planning; refuse collection; water delivery; wastewater collection; and street lighting. Wastewater treatment and disposal services are provided by the Selma-Kingsburg-Fowler County Sanitation District (SKF) which also provides wastewater treatment and disposal services for the Cities of Selma and Kingsburg.

SKF indicates that it will have adequate capacity to accommodate expected growth in the City of Fowler (10 to 170 equivalent single-family residences) as well as the Cities of Selma and Kingsburg (75 to 247 and 999 to 1984 equivalent single-family residences) respectively, provided this growth is spread out over the next six or seven years. The cities, however, project this growth will occur over approximately the next four years. It is not known if SKF will be able to accommodate the necessary wastewater treatment and disposal services for this population growth in the four-year time frame projected by the three cities. Before additional development can be approved, however, SKF will have to provide assurance that it can serve additional development.

The City's existing infrastructure is adequate to provide for the existing population. Future annexation proposals will be required to provide detailed information regarding the City's ability to provide necessary services to newly developed areas through submittal of Service Plans.

The City's FY 2006-07 budget projects revenues totaling \$2,534,335. Projected expenditures total \$3,271,099. The City's largest expense is for police protection, followed by administrative and legislative expenses. The City has long-term obligations in the amount of \$6,370,442 plus an additional \$830,050 in loan receivables through Community Development Block Grant funds from HUD. The City's debt appears to be a standard cost of doing business and does not appear to represent a significant financial constraint.

The City participates in the Central San Joaquin Valley Risk Management Authority, a joint powers authority. No obvious opportunities for shared facilities or any additional significant cost avoidance opportunities were identified in this review. City fees are periodically adjusted to recover City costs.

The City's boundary and Sphere of Influence are not coterminous. The City shares a common SOI boundary with the City of Selma to the south. The City indicates its SOI boundary is not correct at this time and that its SOI should be amended to include two areas at the Manning and SR 99 and Clovis and SR 99 interchanges, an addition of approximately 160 acres. The City has not submitted an application to amend its SOI.

The City has expressed some concern about encroachment of the City of Fresno and/or Fresno County from the north and the City of Selma from the south. As previously mentioned, there are on-going discussions related to land use buffers and providing physical "green belt" separations between cities in order to create greater City identification and avoid the appearance of a 32-mile length of urban sprawl throughout Fresno County.

2. City of Kingsburg

- A. Affirm the current Sphere of Influence and defer action on amending the Sphere until the City submits a complete and acceptable application.
- B. Authorize staff to confer with the City of Kingsburg, Tulare County, and Tulare LAFCo regarding the possibility of restricting the City's Sphere of Influence to lands within Fresno County, while maintaining the City's ability to review and comment on land use and other issues within the nearby portion of Tulare County.
- C. Direct Fresno LAFCo staff to participate via the Council of Fresno County Government's *Valley Blueprint* Planning efforts to work with the COG and its member agencies in creating land use buffers where determined appropriate. Consider *Valley Blueprint* recommended actions once they are available.
- D. Request the City of Kingsburg to consider the issue of land use buffers in their planning processes to be given consideration at the time of Sphere of Influence revision or amendment.

The City of Kingsburg encompasses approximately 1,749 acres (2.73 square miles). The City stretches along the SR 99 corridor abutting the Fresno/Tulare County boundary to the south. The City of Selma is located to the north. The City of Kingsburg's SOI encompasses approximately 4,019 acres (6.28 square miles).

The City's population is estimated to be 11,234 (California Department of Finance data). It has grown approximately 22% since 2000 and is projected to grow an additional 81% to a population of 20,367 in 2030 (Council of Fresno County Governments data).

The City is governed by a five-member City Council, all of whom are elected at large. The City is administered by a City Manager and has 59 full-time, 17 part-time, and 20 seasonal employees. In addition, the City has 13 paid-call firefighters, 23 reserve police officers, and 18 police community service officer volunteers.

The City provides a wide range of services including, but not limited to: police and fire protection; emergency medical services; land use planning; parks; refuse collection and recycling; retail water delivery; and street lighting. Wastewater treatment and disposal services are provided by the Selma-Kingsburg-Fowler County Sanitation District (SKF) which also provides wastewater treatment and disposal services for the Cities of Fowler and Selma.

SKF indicates that it will have adequate capacity to accommodate expected growth in the City of Kingsburg (75 to 247 equivalent single-family residences) as well as the Cities of Selma and Fowler (10 to 170 and 999 to 1,984 equivalent single-family residences) respectively, provided this growth is spread out over the next six or seven years. The cities, however, project this growth will occur over approximately the next four years.

It is not known if SKF will be able to accommodate the necessary wastewater treatment and disposal services for this population growth in the four-year time frame projected by the three cities. Before additional development can be approved, however, SKF will have to provide assurance that it can serve additional development.

Analysis of the City's budget indicates that infrastructure plans relate to current and projected public service needs. The City's Water Master Plan notes that an increase in the City's water supply is necessary. The City's adopted budget projects funding for two new or improved wells over the next three years, as well as a new elevated water storage tank. The City Council recently approved an update of the Water Master Plan calling for development of one new water well this year; adoption of an Urban Water Management Plan in 2007/2008; planning for the development of another water well in 2008/2009; providing backup power generation to all of the primary wells in 2007/2008; and working with the Consolidated Irrigation District and the Kings River Conservation District to develop opportunities to recharge the groundwater table from which the City draws its potable water supply through participation in the development of the Integrated Regional Water Management Plan.

It is felt that those improvements and actions along with system-wide improvements over the past three years will ensure an adequate supply of quality potable water for the foreseeable future. The City partners with the County of Fresno, Department of Public Works and Planning, Community Development Division, for a share of the County's Community Development Block Grant funds.

The City's FY 2006-07 Budget projects \$4,015,853 in revenues and \$4,345,922 in expenses. Police services represent nearly \$2,000,000 of these expenditures. The City's long-term debt totals \$8,779,280—most of which is Mello-Roos revenue bonds and a fire department lease revenue bond.

The City shares the cost of the Crandell Swim Complex with the High School District. The City is part of the Central San Joaquin Valley Risk Management Authority, a self-insured arrangement of 55 cities, and the Five Cities Economic Development Authority. No other

obvious opportunities for shared facilities or cost avoidance opportunities were identified in the MSR.

As indicated above, the City's boundary and SOI are not coterminous. A portion of the City's present SOI is located in Tulare County. Research by staff indicates that this SOI boundary was established as part of the City's original SOI approved in 1974. Records do not indicate specifically why a portion of the SOI boundary was established and shown in Tulare County other than to preclude urban encroachment within Tulare County next to Kingsburg.

Government Code Section 56076 defines a Sphere of Influence as: "*A plan for the probable physical boundaries and service area of a local agency*". Cities may not, however, be located in more than one County. Government Code Section 56741 states: "*Territory may not be annexed to a City unless it is located in the same County*". The Sphere boundary, therefore, does not represent the "probable physical boundaries and service area" for the City of Kingsburg.

The City states that its SOI is not correct at this time. Though no application has been submitted, the City indicates it wishes to expand its SOI to include the area identified within its *North Kingsburg Specific Plan*. It would be appropriate to consider this proposed expansion once an application has been submitted by the City.

The City's northern SOI boundary is currently contiguous with the City of Selma's southern SOI boundary. As previously mentioned, there are on-going discussions through Fresno COG related to land use buffers and providing physical "green belt" separations between cities in order to create greater City identification and avoid the appearance of a 32- mile length of urban sprawl throughout Fresno County.

3. City of Selma

- A. Affirm the current Sphere of Influence and defer action on amending the Sphere until the City submits a complete and acceptable application.
- B. Direct Fresno LAFCo staff to participate via the Council of Fresno County Government's (COG) *Valley Blueprint* Planning efforts to work with the COG and its member agencies in creating land use buffers where determined appropriate. Consider *Valley Blueprint* recommended actions once they are available.
- C. Request the City of Selma to consider the issue of land use buffers in their planning processes to be given consideration at the time of Sphere of Influence revision or amendment.

The City of Selma encompasses approximately 3,152 acres (4.92 square-miles). The City stretches along SR 99 between the City of Fowler to the north and City of Kingsburg to the south. The City of Selma's SOI encompasses approximately 8,287 acres (12.95 square miles).

The City's current population is estimated to be 23,294 (California Department of Finance data). It has grown approximately 19% since 2000 and is projected to grow another 71% to 39,593 in 2030 (Council of Fresno County Governments data).

The City is governed by a five-member City Council, all of whom are elected at large. The City is administered by a City Manager and has 115 full-time, 25 part-time, and 15 seasonal employees.

The City provides a wide range of services including, but not limited to: police and fire protection; emergency medical services; land use planning; refuse collection; and street lighting.

Domestic water service is provided by a private utility—California Water Service Company. Wastewater treatment and disposal services are provided by the Selma-Kingsburg-Fowler County Sanitation District (SKF), which also provides wastewater treatment and disposal services for the Cities of Fowler and Kingsburg.

SKF indicates that it will have adequate capacity to accommodate expected growth in the City of Selma (999 to 1984 equivalent single-family residences) as well as the Cities of Fowler and Kingsburg (10 to 170 and 75 to 247 equivalent single-family residences), respectively provided this growth is spread out over the next six or seven years. The cities, however, project this growth will occur over approximately the next four years. It is not known if SKF will be able to accommodate the necessary wastewater treatment and disposal services for this population growth in the four year time frame projected by the three cities. Before additional development can be approved, however, SKF will have to provide assurance that it can serve additional development.

The City owns various facilities including the City Hall and City Hall annex, a police station, two fire stations, the Selma Art Center, Senior Center, Pioneer Village, an animal shelter, six public parks, and City Public Works facilities.

Budget data submitted by the City indicates that infrastructure plans relate to current and projected public service needs. Projected road improvements include a new interchange at Dinuba Avenue and SR 99. Formation of Community Facilities Districts are also planned to provide funds for new infrastructure associated with new development.

The City's FY 2006-07 Budget projects \$10,573,287 in revenues and \$10,320,821 in expenses. Public safety, estimated at more than \$6,000,000 accounts for the majority of expenditures. City debt totals \$455,155. The City generates fees and exactions related to new growth and to ensure adequate infrastructure is available to accommodate this growth.

The City participates in the Central San Joaquin Valley Risk Management Authority, a joint powers authority. No additional obvious opportunities for shared facilities or cost avoidance were identified in this review.

As indicated, the City's boundary and SOI are not coterminous. The City shares common SOI boundaries with the City of Fowler to the north and the City of Kingsburg to the south. The City of Selma indicates that its SOI is not adequate and that expansion of its SOI is necessary. The City states: *"Due to growth and new development projects the City needs to expand its Sphere of Influence and annex additional territory"*. The City adds that: *"Selma is a pro-growth community and we have no growth controls or limitations. The Policy of the City of Selma is to encourage quality new commercial and residential development and to grow in a logical and well-planned manner."*

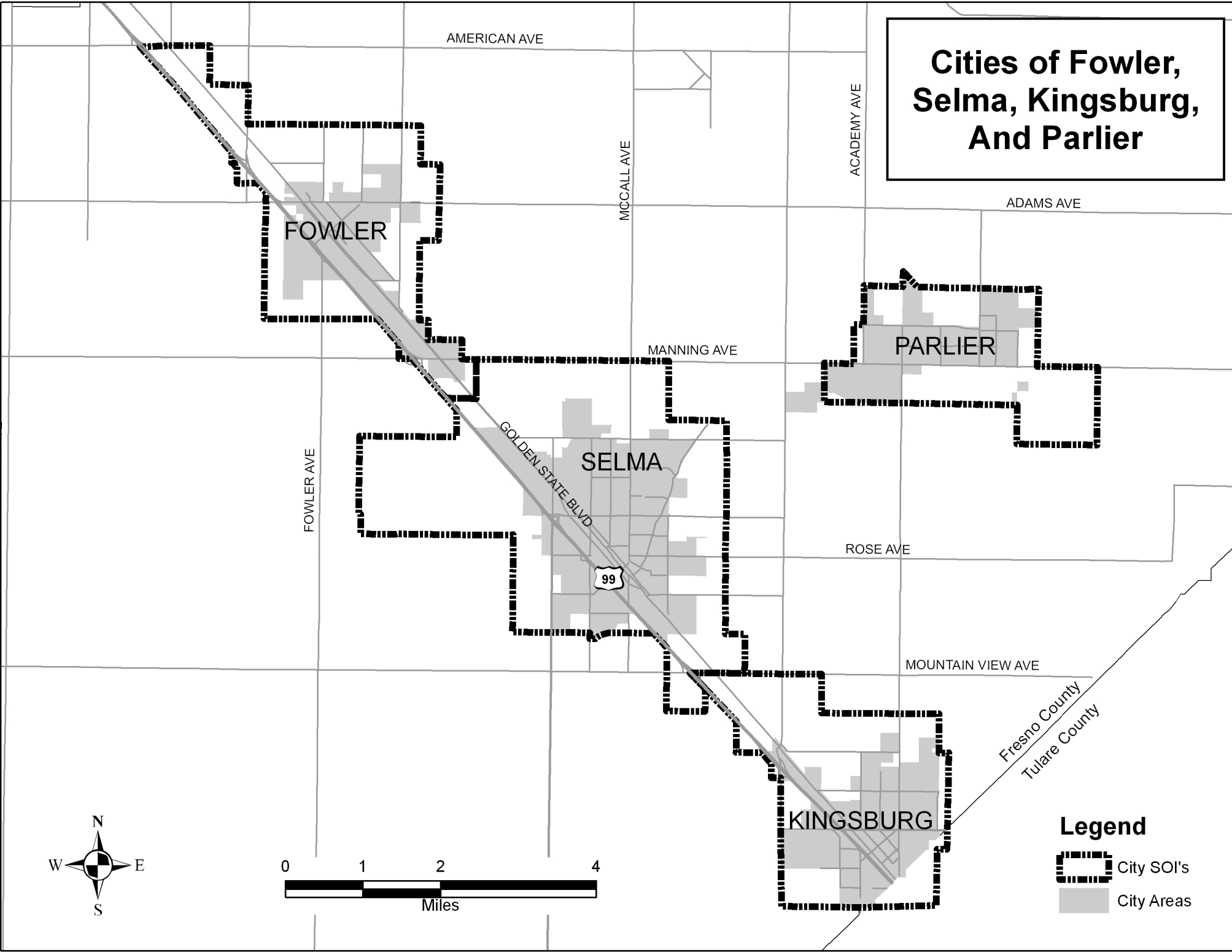
The City has not submitted an application to expand its SOI but is processing proposed changes to its Specific Plans. The City has met with LAFCo staff in recent months to discuss a proposed Sphere boundary and intends to submit an SOI Revision application soon. The Commission can consider amending the City's Sphere once the MSR is adopted and the City has submitted an application to amend its SOI.

As noted above in the City of Fowler's and City of Kingsburg's reviews, there has been discussion recently between the County, Cities, and Fresno LAFCo as a part of the "Valley Blueprint" planning efforts concerning establishing buffers between several cities as an effort to retain various cities' unique identities along elongated County corridors.

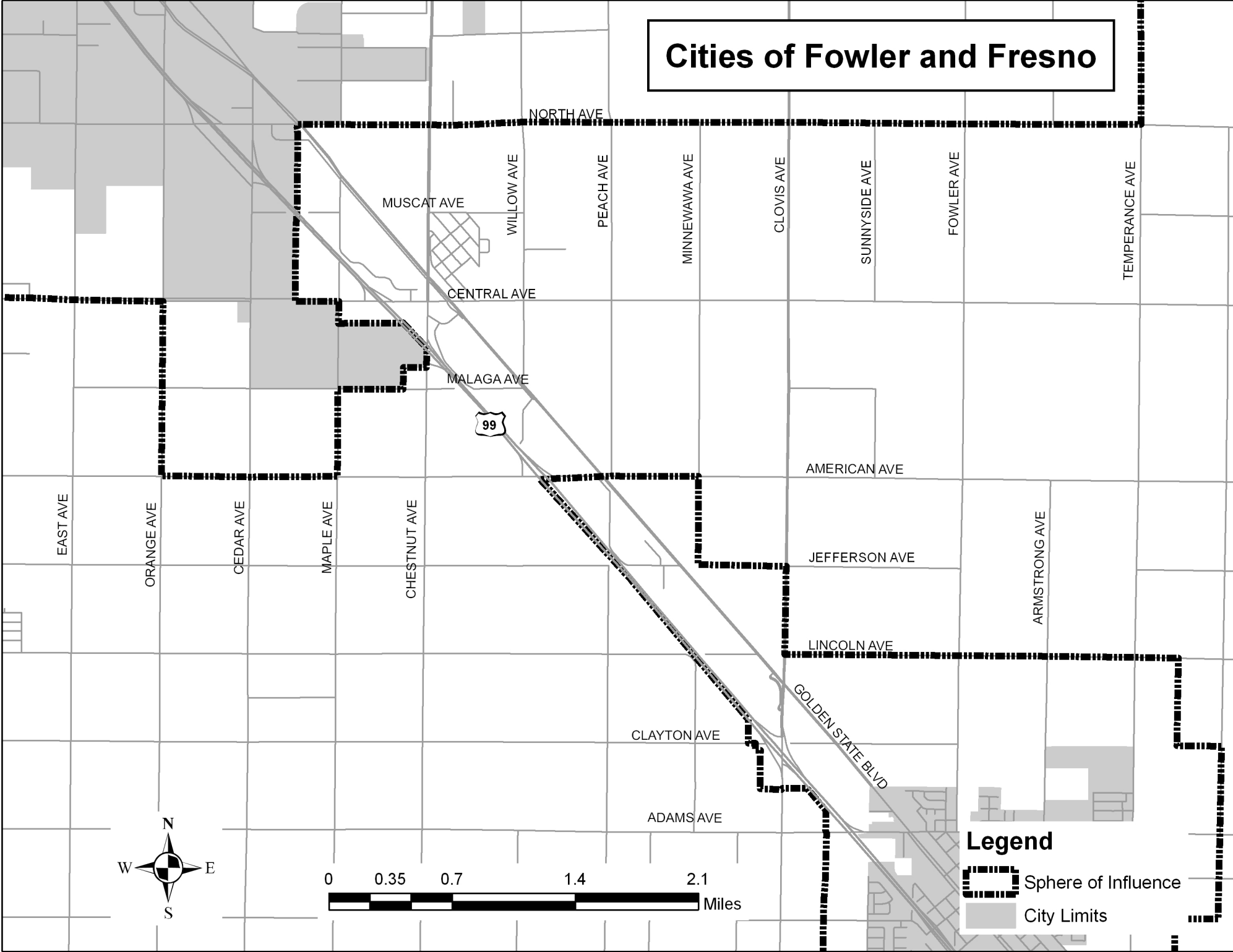
Recommendations:

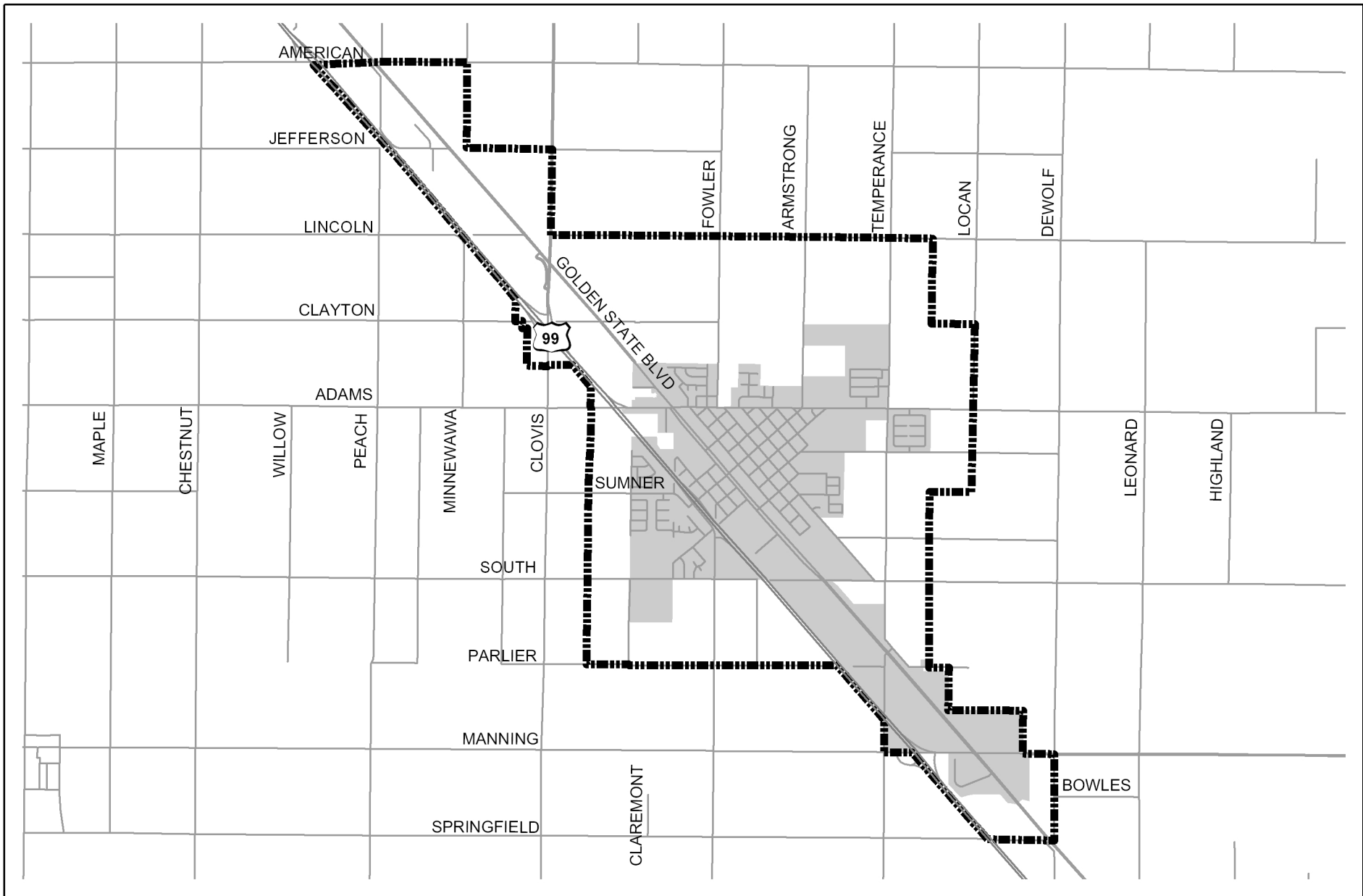
- A. Acting as Lead Agency pursuant to California Environmental Quality Act (CEQA) Guidelines, find that prior to adopting the written determinations, the Municipal Service Reviews and Sphere of Influence determinations under consideration are Categorical Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15306, "Information Collection".
- B. Find the Municipal Service Reviews and Sphere of Influence Updates prepared for the Cities of Fowler, Kingsburg, and Selma are complete and satisfactory.
- C. Find that the written determinations within the Municipal Service Reviews and Sphere of Influence Updates satisfy State Law.
- D. Pursuant to Government Code Sections 56425 and 56430 adopt the determinations as presented in the Municipal Service Review and Sphere of Influence Update documents.
- E. Direct Fresno LAFCo staff to participate via the Council of Fresno County Government's (COG) *Valley Blueprint* Planning efforts to work with the COG and its member agencies in creating land use buffers where determined appropriate. Consider *Valley Blueprint* recommended actions once they are available.
- F. Request the Cities of Fowler, Selma, and Kingsburg to consider the issue of land use buffers in their planning processes to be given consideration at the time of Sphere of Influence revision or amendment.
- G. Authorize staff to confer with the City of Kingsburg, Tulare County, and Tulare LAFCo regarding the possibility of restricting the City's Sphere of Influence to lands within Fresno County, while maintaining the City's ability to review and comment on land use and other issues within the nearby portion of Tulare County.

Cities of Fowler, Selma, Kingsburg, And Parlier



Cities of Fowler and Fresno







CITY OF FOWLER

Adopted: June 24, 1974
 Updated: March 3, 1982
 Map Date: June 2007



Legend

 Sphere of Influence

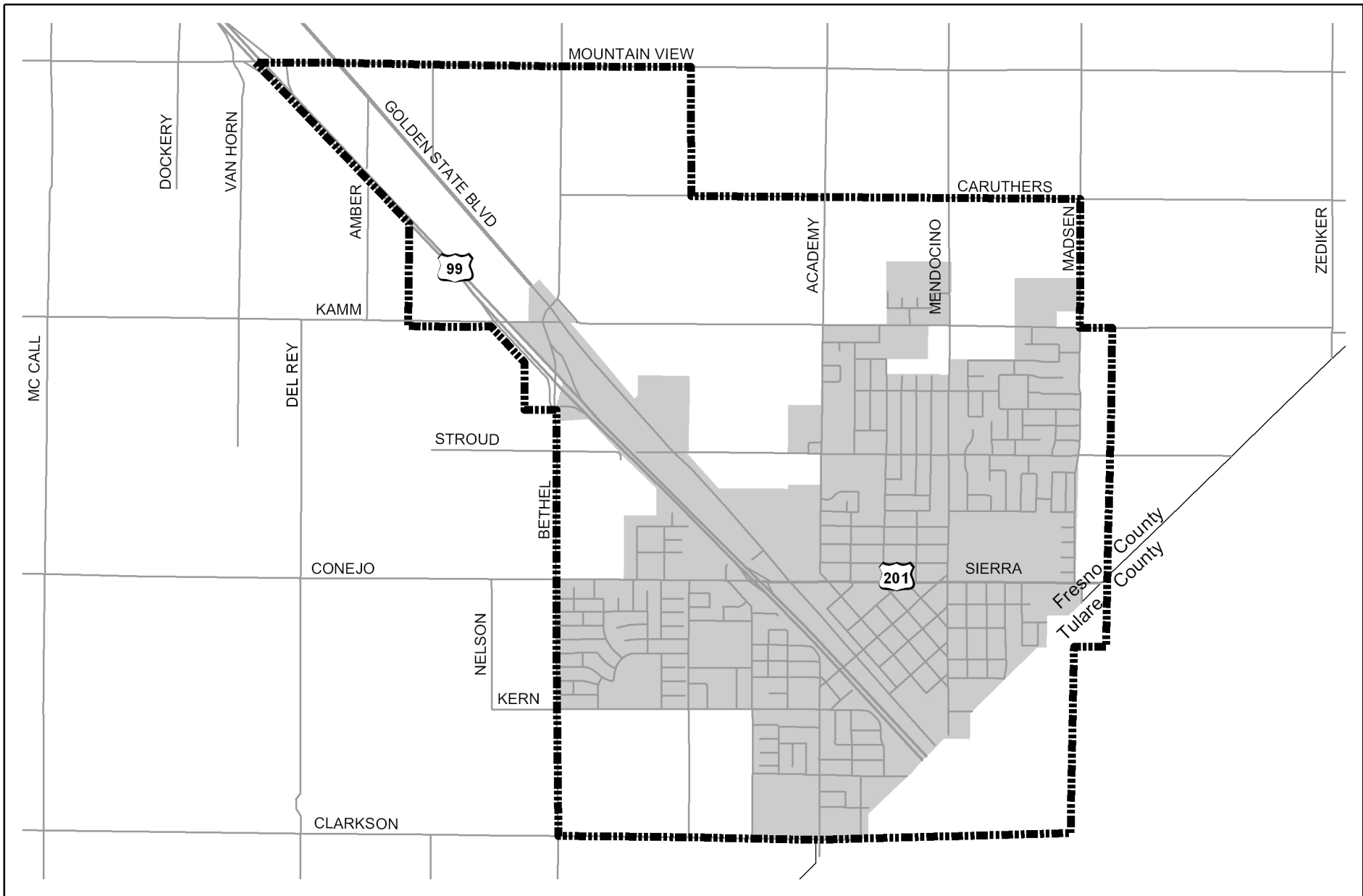
 City Limits

FRESNO LOCAL AGENCY FORMATION COMMISSION
CITY OF FOWLER SPHERE OF INFLUENCE

City Date (6/07)

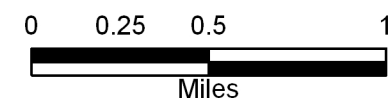
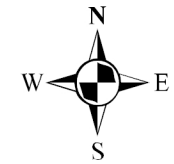
Note: Areas are digitized acreages and do not reflect actual legal values

Sphere Area 4,474 Acres
City Area 1,563 Acres





CITY OF KINGSBURG

Adopted: June 24, 1974
 Updated: October 28, 1998
 Map Date: June 2007



Legend

 Sphere of Influence

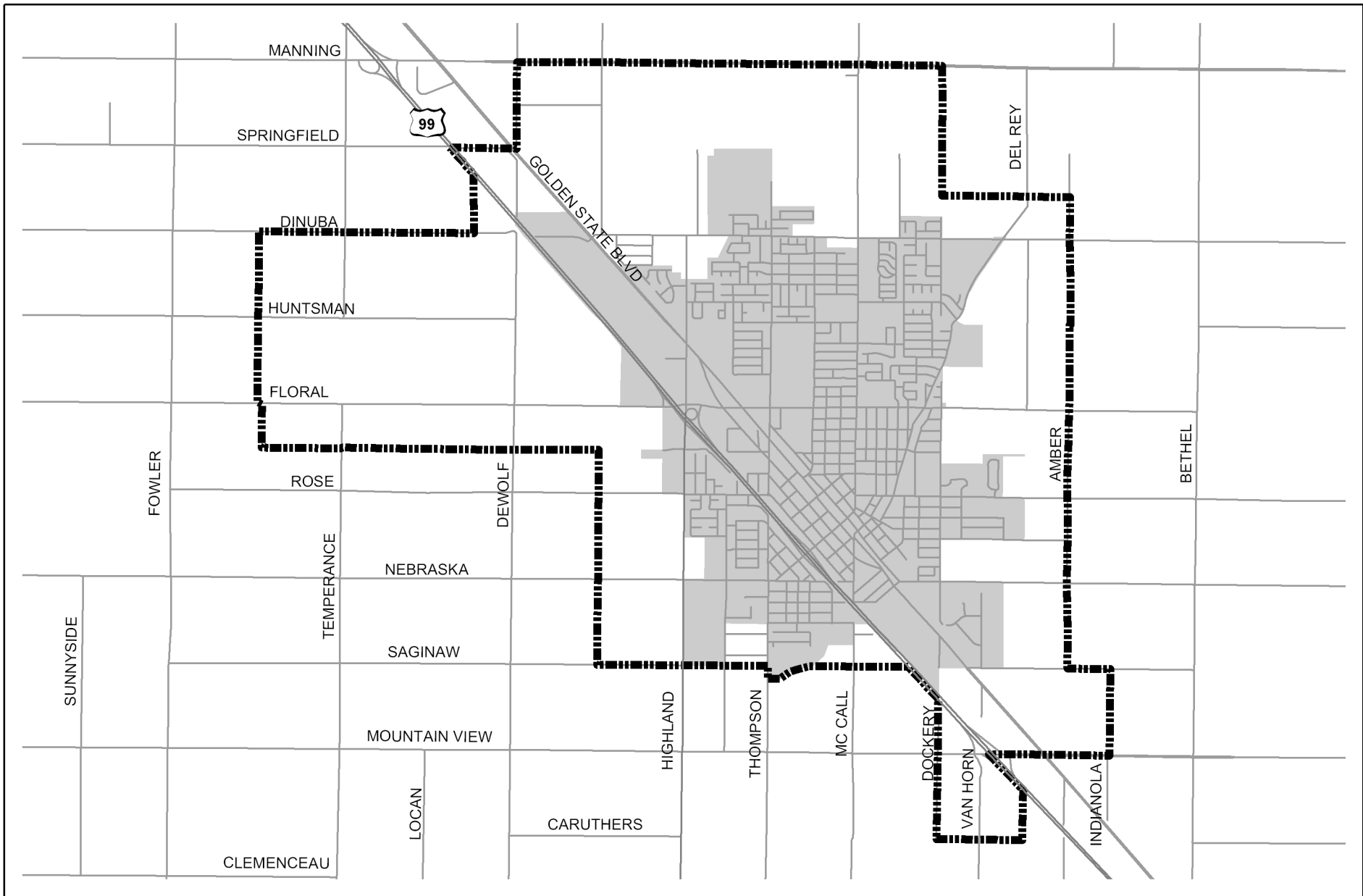
 City Limits

FRESNO LOCAL AGENCY FORMATION COMMISSION CITY OF KINGSBURG SPHERE OF INFLUENCE

City Date (6/07)

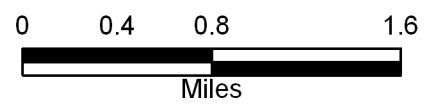
Note: Areas are digitized acreages and do not reflect actual legal values

Sphere Area 4,019 Acres
City Area 1,789 Acres



CITY OF SELMA

Adopted: June 24, 1974
 Updated: December 1, 2004
 Map Date: June 2007



Legend

- Sphere of Influence
- City Limits

FRESNO LOCAL AGENCY FORMATION COMMISSION CITY OF SELMA SPHERE OF INFLUENCE

City Date (6/07)
Note: Areas are digitized acreages and do not reflect actual legal values
Sphere Area 8,289 Acres
City Area 3,153 Acres

RESOLUTION NO. MSR-07-11

**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 REVIEWS AND
REVIEWS AND SPHERE OF INFLUENCE)	SPHERE OF INFLUENCE
UPDATES FOR THE CITIES OF SELMA,)	UPDATES FOR THE CITIES OF SELMA,
KINGSBURG, AND FOWLER)	KINGSBURG AND FOWLER

WHEREAS, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56425 et. Seq.) not less than once every five years, the Fresno Local Agency Formation Commission ("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; and

WHEREAS, the Executive Officer prepared Municipal Services Reviews and Sphere of Influence Update Reports for the Cities of Selma, Kingsburg and Fowler (collective "MSRs"); and

WHEREAS, notice of this Commission's public hearing to consider adoption of the MSRS 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 for the time and in the form and manner required by State Law; and

WHEREAS, on July 11, 2007, the Commission held a public hearing and received, considered and discussed all testimony and evidence given at the public hearing, including but not limited to the Executive Officer's *Municipal Service Reviews and Sphere of Influence Update Reports for the Cities of Selma, Kingsburg and Fowler*, environmental documentation, applicable land use plans and all correspondence and exhibits received during the public hearing, all of which are incorporated herein by this reference; and

WHEREAS, the Commission received testimony from representatives of the Consolidated Irrigation District ("District") related to the District's concerns related to groundwater overdraft in the southern portion of Fresno County and the District's request to continue the public hearing until certain studies and reports related to the current groundwater situation in the southern portion of Fresno County could be completed; and

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires completion of all Municipal Service Reviews prior to January 1, 2008, and no evidence was presented at the public hearing which identified a specific date when such groundwater reports and studies would be completed and ready for review and consideration by the Commission; and

WHEREAS, the MSRs did not recommend any change in the sphere of influence of any respective City identified in the MSRs; and.

WHEREAS, based upon all of the above, this Commission makes the following findings and determinations and adopts the following resolution:

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 the California Environmental Quality Act (CEQA) and its Guidelines, this Commission finds that its consideration and adoption of the Municipal Service Reviews and Sphere of Influence Update Reports for Selma, Kingsburg and Fowler are Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15306, "Information Collection".

Section #2. This Commission finds the Municipal Service Reviews and Sphere of Influence Updates prepared for the Cities of Selma, Kingsburg, and Fowler are complete and satisfactory.

Section #3. This Commission finds that the written determinations within the Municipal Service Reviews and Sphere of Influence Updates for the Cities of Selma, Kingsburg and Fowler satisfy all relevant provisions of State Law.

Section #4. Pursuant to Government Code Sections 56425 and 56430 this Commission hereby adopts the determinations as presented in the Municipal Service Reviews and Sphere of Influence Update documents including, without limitation, the following:

- A. The Cities of Fowler, Selma, and Kingsburg shall consider the issue of land use buffers in their planning processes to be given consideration at the time of Sphere of Influence revision or amendment.
- B. Commission staff to confer with the City of Kingsburg, Tulare County, and Tulare LAFCo regarding the possibility of restricting the City of Kingsburg's Sphere of Influence to lands within Fresno County, while maintaining the City's ability to review and comment on land use and other issues within the nearby portions of Tulare County.

Section #5. 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 MSRs, as required by State law.

ADOPTED THIS 11th DAY OF JULY, 2007, BY THE FOLLOWING VOTE:

AYES: Commissioners Fortune, Lopez, Anderson, Larson

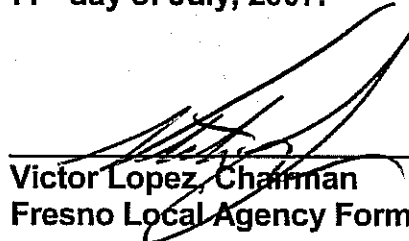
NOES: None

ABSENT: Commissioner Rodriguez

**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 11th day of July, 2007.



**Victor Lopez, Chairman
Fresno Local Agency Formation Commission**

**CITY OF FOWLER
CITY OF KINGSBURG
CITY OF SELMA**

**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

July 2007

This report was prepared for the Fresno Local Agency Formation Commission (LAFCo) in accordance with Section 56430 of the California Government Code. It responds to the requirement that LAFCo conduct a Municipal Service Review (MSR) to study the delivery of municipal services and update Spheres of Influence.

This report pertains to the three cities situated along SR 99 between the City of Fresno and the County of Tulare.

- City of Fowler – Approximately 1,561 acres (2.44 square-miles). Estimated population as of January 1, 2007 was 5,293.
- City of Kingsburg - Approximately 1,749 acres (2.73 square-miles). Estimated population as of January 1, 2007 was 11,234.
- City of Selma - Approximately 3,152 acres (4.92 square-miles). Estimated population as of January 1, 2007 was 23,194.

Municipal Service Review and Sphere of Influence Update

Written determinations regarding the MSR and Sphere of Influence Updates are provided for the Commission's consideration. This report is an informational document and does not substitute for discretionary decisions that can only be made by the Commission. The decision to approve or disapprove any determinations or policies rests entirely with the Commission.

This report is subject to reconsideration and revision as directed by the LAFCO staff or by the Commission during the course of its deliberations.

MSR Guidelines prepared by the State Office of Planning and Research were referred to in developing information, performing analysis, and organizing these studies.

Separation Between Communities

As shown by the enclosed maps, the Spheres of Influence of the Cities of Fowler, Selma and Kingsburg essentially touch each other along SR 99 and Golden State Boulevard. Additionally, though not touching, the Spheres of Influence for the Cities of Fowler and Fresno have the potential to grow together in the future. The City boundaries, however, are still somewhat removed from each other, leaving a certain amount of unincorporated land between these Cities.

The MSRs and SOI Updates prepared for these Cities recommend affirmation of the existing Spheres of Influence for these Cities at this time. However, they note that because some of the land within the Spheres along SR 99 has not been developed, an opportunity may be present for the County, Cities and LAFCo to create separation areas or "greenbelts" between the Cities.

Without modifying existing City Spheres of Influence, and changing traditional County planning policies, continuous urban development may ultimately extend along the SR 99 corridor from Tulare County to Madera County. If so, driving this route one would not know when leaving one community and entering another.

LAFCo staff is participating in the “buffer committee” that has been created as part of the Valley Blueprint effort in order to determine if buffers or greenbelts can be established to maintain separation between developing communities. Coordination between LAFCo and this process may be an important component of reviewing future requests from cities for expanded spheres of influence that would reduce the distance between cities.

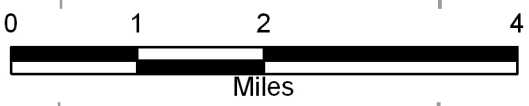
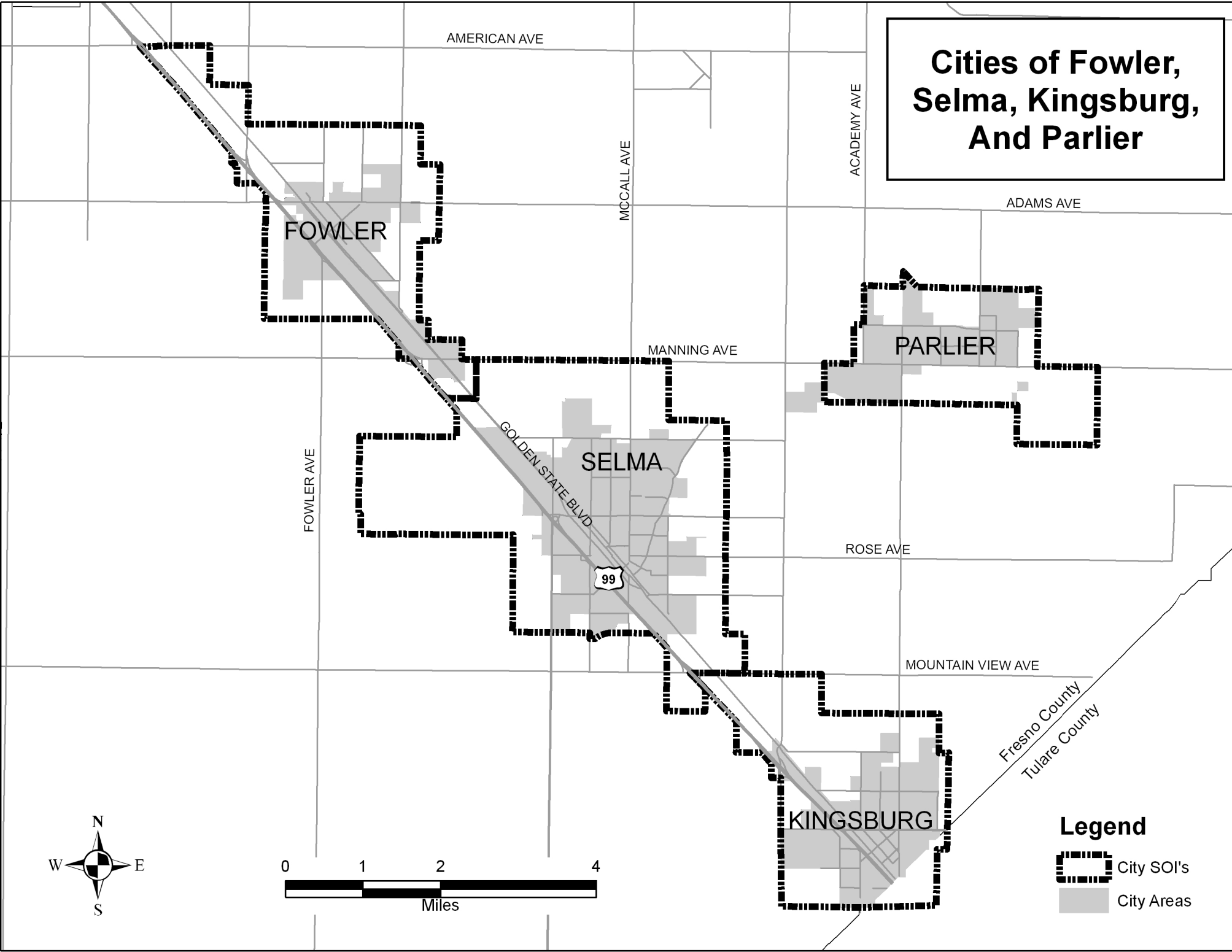
Fresno County in partnership with its Cities, however, have the ability to learn from experiences in other parts of the State where prior decisions create miles of unending urban development along freeways without deference to community boundaries. This situation represents an opportunity to not repeat similar continuous land use sprawl conditions such as those that are found in the San Fernando Valley, Santa Clara Valley, and Orange County.

It is possible to create separation areas or “greenbelts” between communities without adversely affecting economic conditions. Experience shows that having even a limited amount of open space – perhaps a minute or two while driving on the freeway - is enough to enhance a sense of orderly planning and community identity.



If LAFCo redraws the current Spheres to allow for a separation between the Cities of Fowler, Selma and Kingsburg, and limits the growth of the City of Fowler’s Sphere to the north and the City of Fresno’s Sphere to the south, the County must at the same time be willing to commit to allowing only agriculture or open space uses within these separation areas.

While LAFCo can redraw City Spheres and restrict municipal boundaries to create inter-city “greenbelts,” such actions would be of little consequence if the County allows urban uses within these separation zones. A cooperative effort is needed if a continuous band of development or “urban sprawl” is to be avoided.

Cities of Fowler, Selma, Kingsburg, And Parlier



Legend

-  City SOI's
-  City Areas

CITY OF FOWLER

MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE

Report to the
Fresno Local Agency Formation Commission

Prepared By:

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July 2007

1. MUNICIPAL SERVICE REVIEW

Description of City

The City of Fowler was incorporated in 1908 and is one of 15 cities within Fresno County. It is a general law city and operates pursuant to the laws of the State of California (Government Code, Section 34000 et seq.).

The City encompasses approximately 1,561 acres (2.44 square-miles). The City's estimated population as of January 1, 2007 was 5,293 (California Department of Finance data).

The City stretches along State Route 99. The City of Selma is to the south and the City of Fresno is to the north. The City's boundaries and Sphere of Influence are not coterminous. As shown on the attached map, the Sphere extends beyond the City in all directions, but most notably to the north and northwest. The Sphere of Influence encompasses approximately 4,474 acres (6.99 square-miles).

The City is governed by a five-member City Council, all of whom are elected at large. The City Council meets regularly twice a month. Agendas are posted at the City Hall and Senior Center. The City maintains a website (www.fowlercivcity.org).

The City utilizes a City Manager form of government. It has 26 full-time, 23 part-time, 10 seasonal and three contract employees.

City Services

The City provides the following array of municipal services:

- Police protection, including traffic law enforcement
- Fire prevention and suppression
- Emergency medical and medical transport services
- Land use planning and building regulation
- Public parks and public recreation programs
- Refuse collection and recycling
- Transit services
- Retail water delivery
- Wastewater Collection
- Street maintenance, including bridges and culverts
- Street lighting
- Flood control, drainage and storm water disposal

The treatment and disposal of wastewater are services provided by the Selma-Kingsburg-Fowler County Sanitation District (S-K-F CSD), which also provides wastewater disposal services for the Cities of Selma and Kingsburg.

The three Cities project the following annual growth in equivalent single family residences (ESFRs) over the next four years: Kingsburg – 75-247 ESFRs per year; Fowler – 10-170 ESFRs per year; and Selma – 999-1984 ESFRs per year. These figures are much greater than the 300-400 ESFRs the District has experienced over the last 25 years.

A memorandum issued by S-K-F CSD, dated November 9, 2006, concludes that the District has sufficient time to accommodate “unprecedented residential growth” planned by the three Cities that it serves if that growth is spread out over the next six or seven years. As indicated, however, City Managers, are projecting this residential growth over the next four years. Before additional development can be approved, S-K-F CSD will have to indicate it has sufficient capacity to accommodate such development.

S-K-F CSD has indicated that correcting existing “bottlenecks” in the wastewater treatment plant will increase its treatment capacity to 6.0 million gallons per day (mgd). The District is considering plans to expand to 9.0 mgd of treatment capacity.

INFRASTRUCTURE AND SERVICE PROVISIONS

City Infrastructure

The City of Fowler’s public land, buildings and facilities include a City Hall with a police department annex, a fire station, community facilities, i.e., Senior Center and Panzak Park and public works facilities, i.e, public works building and city yard.

City Finances

The City General Fund is the primary financing mechanism for municipal services. The FY 2005-06 and 2006-07 Budgets are available in the LAFCo office, as is the Independent Auditor’s Report for the year ending June 30, 2005.

The difference in expenditures and revenues for FY 2006-07 are being financed by carryover funding from the prior fiscal year budget.

General Fund revenues for FY 2006-07 are projected to include:

Taxes and Franchises	\$1,752,575
Licenses and Permit Fees	288,710
Fines and Forfeitures	5,100
Interest and Rentals	15,000
Charges for Services	122,950
Grants	105,000
Other Revenues	<u>245,000</u>
Projected General Fund Revenues	\$2,534,335

General Fund expenditures are projected by category for FY 2006-07 as.

Administration and Legislative	\$ 752,735
Police	1,047,846
Fire	115,235
Planning and Development	324,541
Senior Center, Parks and Recreation	187,294
Building and vehicle maintenance	109,857
Street Maintenance	<u>733,591</u>
Projected General Fund Expenditures	\$3,271,099

2. SERVICE REVIEW DETERMINATIONS

Infrastructure Needs and Deficiencies

From the information submitted it appears that City infrastructure is sufficient for current service needs. Future annexation proposals will provide detailed information related to the City's ability to provide adequate services related to such growth.

Growth and Population

The City's population is estimated to be 5,293. The City's population has grown approximately 9% since 2000 when the City was estimated to have a population of 4,855 (2000 U.S. Census) and 1,519 housing units.

The City's 2030 population is projected at 9,919, an increase of approximately 87% (Council of Fresno County Governments data).

Financing Constraints

As a California municipality, City finances are dependent on State statutes including formulas governing the distribution of certain types of revenues and local policies and decisions regarding growth of the community and the variety of services proffered.

City debt includes "Loan Receivables" via Community Development Block Grants from HUD in the amount of \$830,050. These loans are being repaid by individuals and businesses located within the Community Development Block Grant targeted area.

Other City long-term obligations of \$6,370,442 include revenue bonds in the amount of \$5,230,000, Certificates of Participation for \$930,248 and a Department of Water Resources note for \$158,505. City debt seems to be a standard cost of doing business and does not appear to be a significant financial constraint.

Opportunities for Shared Facilities

There are no obvious opportunities for shared facilities in current City operations. Economies of scale are already being experienced with regard to sanitation services through a special district that serves three cities including Fowler.

Government Structure Options

There are no obvious opportunities for governmental structure options.

Cost Avoidance Opportunities

Joint powers authorities or joint decision-making efforts in which the City participates include the Central San Joaquin Valley Risk Management Authority, a shared self-insured risk management association comprised of 55 cities.

Opportunities for Rate Restructuring

The City reviews costs and related projected revenues and periodically adjusts user fees in order to recover City expenses.

Evaluation of Management Efficiencies

The City exhibits characteristics of an agency that is operating efficiently.

Local Accountability and Local Government

The City Council is locally accountable to the voters and has established protocols to ensure public notice of City Council meetings and access to information via the City website. The City Council meets regularly twice a month. Agendas are posted at the City Hall and Senior Center.

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 LAFCo.*

Description of Current Sphere of Influence

The City's boundaries and Sphere of Influence are not coterminous. The Sphere extends beyond the City most notably to the north and northwest. A map of the City and its Sphere is included.

Proposed Sphere Changes

The City states its boundary is not correct at this time and provides that:

The City's SOI is generally adequate to accommodate planned urban growth. Two areas, however, are proposed to be added to the SOI to allow continued economic growth. These areas include both the Manning and Clovis Avenue interchanges at SR 99. These two areas would total approximately 160 acres.

The City has not submitted a formal application to expand its Sphere to include the additional areas. Until an application is received, it is not possible for the Commission to consider amending the Sphere since it lacks the necessary information and compliance with CEQA.

The City states that it is *“increasingly concerned about long-term encroachment from Selma on the south and southeast and from Fresno and/or Fresno County on the north.”*

The Commission can also consider directing staff to open dialogue with the County and the Cities of Selma, Fowler, and Kingsburg concerning amending the cities' respective Spheres of Influence to create areas dedicated to agriculture and/or open space uses, establishing a “greenbelt” between the respective cities. This action could help to avoid creation of a contiguous “urban corridor” along State Route 99.

It is also noted that the Spheres of Influence of the Cities of Fowler and Fresno have the potential to share a common boundary at some point in the future. At this time their SOI's are separated by approximately .85 miles along the SR 99 Corridor. The Commission may wish to direct staff to open dialogue with the County and the Cities of Fowler and Fresno concerning establishment of a “greenbelt” between the two cities.

It is proposed that LAFCo staff be authorized to confer with the Cities of Fowler, Kingsburg, Selma, Fresno, and the County of Fresno regarding the possibility of creating separations of urban development between these municipalities.

Sphere of Influence Determinations

Inasmuch as no changes in the Sphere of Influence are proposed at this time it is not necessary for the Commission to adopt or approve Sphere of Influence determinations.

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 City of Fowler provided information on which the evaluation is based. City Planner Bruce O'Neal was instrumental in providing data.

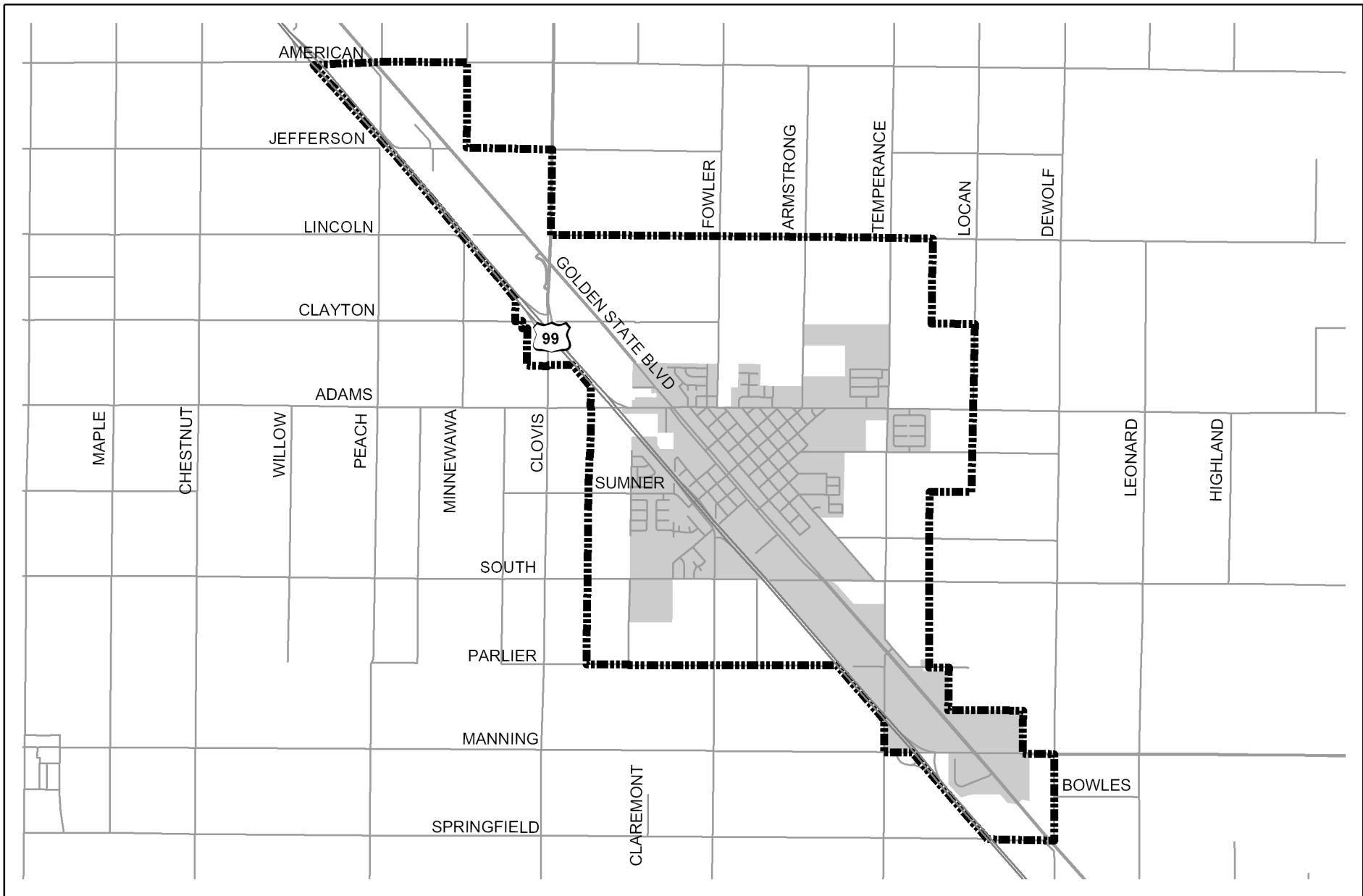
Available Documentation

The “Request for Information for Municipal Service Reviews” submitted by the City and supporting documents referred to therein are available in the Fresno LAFCo Office.

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. Affirm the current Sphere of Influence and defer action on amending the Sphere until the City submits a complete and acceptable application.
4. Authorize LAFCo staff to confer with the Cities of Fowler, Kingsburg, Selma, and Fresno and the County of Fresno regarding the possibility of creating separations or “greenbelts,” separating urban development between these municipalities.





CITY OF FOWLER

Adopted: June 24, 1974
 Updated: March 3, 1982
 Map Date: June 2007



Legend

-  Sphere of Influence
-  City Limits

FRESNO LOCAL AGENCY FORMATION COMMISSION
CITY OF FOWLER SPHERE OF INFLUENCE

City Date (6/07)

Note: Areas are digitized acreages and do not reflect actual legal values

Sphere Area 4,474 Acres
City Area 1,563 Acres