

October 23, 2014 (Agenda)

Local Agency Formation Commission
2301 Technology Parkway
Hollister CA 95023

**San Benito Resource Conservation District – Municipal
Service Review and Sphere of Influence**

Dear Members of the Commission:

RECOMMENDATION

It is recommended the Commission receive this report, accept all public testimony and adopt the enclosed resolution adopting the San Benito Resource Conservation District Sphere of Influence.

DISCUSSION

Spheres of Influence are LAFCO's plan for the future organization of local government boundaries. State law requires the Commission to adopt a Sphere of Influence for each city and special district by January 1, 2008 and every five years the commission shall, as necessary, review and update each sphere of influence.

The law further requires LAFCO to prepare a Municipal Service Review to help inform the adoption of Spheres of Influence. As part of our overall work plan the staff has undertaken a coordinated program to prepare Municipal Service Reviews and update Spheres of Influence.

Please let me know if you have any questions.

Very truly yours,



BOB BRAITMAN
Executive Officer

1. MUNICIPAL SERVICE REVIEW

Introduction

This report was prepared for the San Benito 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 the District Spheres of Influence.

The MSR describes the San Benito Resource Conservation District. MSR Guidelines prepared by the State Office of Planning and Research were referred to in collecting information, performing analysis and preparing this study.

This report is an informational document and does not substitute for discretionary decisions that can only be made by the Commission. Decisions to approve or disapprove any determinations or policies rest entirely with the Commission.

Description of District

The San Benito Resource Conservation District is a countywide district that operates pursuant to Public Resources Code Section 9000 et seq. It is governed by a seven-member Board of Directors appointed by the Board of Supervisors for four-term terms.

The District was likely formed in the mid-1940s when most soil conservation districts (the predecessor districts for RCDs) were formed. Four previously existing RCDs were consolidated in 2007 into this countywide District.

The District has no employees. It receives support from staff who is housed within the Natural Resource Conservation Service (NRCS) but are employees of the Santa Cruz County RCD. The staff serves as a resource to the NRCS in identifying and prioritizing local conservation concerns.

The NRCS is the leading federal agency charged with conserving natural resources on private lands. It is part of the US Department of Agriculture and accomplishes its mission by working directly with local RCDs.

Other adjacent RCDs within the Central Coast area include the Loma Prieta RCD that serves southern Santa Clara County and the Monterey County RCD.

District Services

The District implements watershed management projects on public and private lands and educates landowners and the public regarding resource conservation. The District works in cooperation with the NRCS to conduct watershed planning and management, water quality protection and enhancement, agricultural land protection, soil management,

wildlife habitat enhancement, wetland conservation, irrigation management, conservation management and urban resource conservation.

2. MSR DETERMINATIONS

This portion of the report addresses the factors specified in the statute for Municipal Service Reviews found at Government Code Section 56430.

Growth and Population Projections for the Affected Area

The District serves the entire County, the population of which is anticipated to increase notably during the next twenty years.

Land uses within the District include both rural and urban; demand for resource conservation services is expected to increase as land uses change, water quality issues become more critical and watershed management plans are implemented.

Location and Characteristics of any Disadvantaged Unincorporated Communities

Senate Bill 244 (Wolk), effective July 1, 2013, concerns "Land Use, General Plans and Disadvantaged Communities."

While it has ramifications for some Municipal Service Reviews and Spheres of Influence, this District includes the entire County and Disadvantaged Unincorporated Community locations do not appear to be relevant to this MSR and Sphere of Influence.

Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged unincorporated communities within or contiguous to the sphere of influence.

The District does not own or maintain any capital infrastructure and none is required in order for the District to fulfill its purposes according to the RCD Law.

Determinations related to needs or deficiencies related to sewer or water infrastructure or fire protection are not relevant since this District does not provide such services.

Financial Ability to Provide Services

The District is funded primarily by charges for service and funding from the State.

Total revenues for the Fiscal Year 2011-12 were approximately \$139,479 and expenses were \$132,292. The District appears to be on a sound financial basis but is largely dependent upon funding provided for individual conservation projects.

Status of, and Opportunities for, Shared Facilities

The District leverages staff resources through the Santa Cruz County RCD. The District regularly collaborates with other agencies and programs, including private landowners to enhance and promote conservation practices.

There are presently no pending or proposed consolidations with other agencies that would involve the District.

Accountability for community service needs including governmental structure and operational efficiencies.

The District is an independent special district and the Public Resources Code requires that it be governed by board composed of members elected at large or appointed by the Board of Supervisors through a public process.

The District maintains a website, posts District Board meeting notices and agendas in the lobby of the hospital and distributes newsletters to its constituents.

3 . SPHERE OF INFLUENCE REVIEW AND UPDATE

Description of Current and Proposed Sphere of Influence

It is recommended the existing a Sphere of Influence that is coterminous with the existing District boundary not be changed.

District Boundaries

In response to the MSR Request for Information, the District responded that it feels its boundaries are correct at this time. The staff concurs.

Sphere of Influence Determinations

Present and planned land uses in the area, including agricultural and open space lands.

The District encompasses the entire County, including rural, urban and open space and agricultural areas. As County land uses change over time it will also amend the land uses within the District.

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

The District does not own or maintain any capital infrastructure and none is required in order for the District to fulfill its purposes according to the RCD Law. Being within the District enables lands to receive services provided by the District and NRCS.

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

The countywide District constitutes a social and economic community of interest

For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal or industrial water, or structural fire protection, the present and probable need for those facilities and services of any disadvantaged unincorporated community within the existing Sphere of influence.

This determination is not relevant to this local agency.

4. ACKNOWLEDGEMENTS & REFERENCES

This Municipal Service Review / Sphere of Influence report was prepared by the San Benito LAFCO staff. Responsibility for any errors or omissions rests with those who prepared the report.

Paul Hain, President of the District Board of Directors, provided data on which this report and evaluation are based. Assistance was also provided by

Athena Pratt, District Conservationist for the NRCS whose office is in Hollister and Stacie Ruffoni, a Program Specialist for the RCD of Santa Cruz County

5. RECOMMENDATIONS

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

- A. Receive this report and accept public testimony regarding the proposed Municipal Service Review and adoption of the Sphere of Influence.
- B. Determine that since the proposed District Sphere of Influence is identical to existing District boundaries adopting the Sphere of Influence is exempt from CEQA.
- C. Approve the recommended Municipal Service Review and Sphere of Influence determinations, together with any changes deemed appropriate.
- D. Adopt the enclosed resolution readopting the existing Sphere of Influence.

RESOLUTION OF THE SAN BENITO LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND ADOPTING THE SPHERE OF INFLUENCE
OF THE SAN BENITO RESOURCE CONSERVATION DISTRICT

WHEREAS, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act (Government Code Section 56425 et seq.) the Commission must review and update, as necessary, adopted spheres of influence not less than once every five years, and

WHEREAS, Government Code Section 56430 directs the Commission in updating spheres of influence to conduct a review of municipal services not later than the time it is considering an action to establish or update as sphere of influence, and

WHEREAS, the Commission has conducted a municipal service review and sphere of influence study of the San Benito Resource Conservation District, and

WHEREAS, in the manner required by law, the Executive Officer has given notice of the public hearing by the Commission on the proposal; and

WHEREAS, the Commission has heard, discussed and considered all evidence regarding this matter, including but not limited to, the Executive Officer's report, the environmental consideration, applicable general and specific plans and all testimony, correspondence and exhibits received for the public hearing, all of which are included herein by reference.

NOW THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED as follows:

1. The project before the Commission is Adoption of a Sphere of Influence and approval of a Municipal Service Review for the San Benito Resource Conservation District.
2. The Commission as the lead agency finds the Sphere of Influence adoption to be categorically exempt from the California Environmental Quality Act (CEQA) inasmuch as the proposed Sphere of Influence is identical to the existing District boundary.
3. The Sphere of Influence of the San Benito Resource Conservation District is hereby adopted the boundaries of which are Countywide.
4. This resolution was adopted on October 23, 2014 and is effective on the date signed by the Chair.

AYES:

NOES:

ABSTAINS:

Dated: _____

Chair
San Benito Local Agency Formation Commission

ATTEST

Bob Braitman, Executive Officer
San Benito Local Agency Formation Commission