

---

---

**SAN JOAQUIN  
LOCAL AGENCY FORMATION COMMISSION**

**LAFCo**

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

---

---

**AGENDA**

Thursday, March 8, 2018 9:00 A. M.

BOARD OF SUPERVISORS CHAMBERS  
44 NORTH SAN JOAQUIN STREET, 6<sup>TH</sup> FLOOR  
STOCKTON, CALIFORNIA

\* \* \* \*

Call to Order  
Announce Date and Time of Meeting for the Record  
Roll Call  
Pledge of Allegiance

**CONSENT ITEMS**

1. MEETING MINUTES OF FEBRUARY 8, 2018  
*(Action by All Members)*  
Approve Summary Minutes of the regular meeting.
2. OUT-OF-AGENCY SERVICE REQUEST  
*(Action by Regular Members)*  
Request from the City of Stockton to provide out-of-agency sewer service outside the City boundary under Government Code §56133 to 2208 N. Filbert Street, Stockton.

**PUBLIC HEARING**

3. FINAL MUNICIPAL SERVICE REVIEW (MSR) AND SPHERE OF INFLUENCE (SOI) FOR SELECTED SAN JOAQUIN COUNTY RECLAMATION DISTRICTS (LAFCo 04-18)  
*(Action by Regular Members)*  
Public Hearing to receive testimony and comments on the Final MSR and SOI Update for the 21 Selected Reclamation Districts.

## **ACTION ITEMS**

4. CITY OF RIPON DRAFT MUNICIPAL SERVICE REVIEW (MSR) AND SPHERE OF INFLUENCE (SOI) UPDATE (L AFC 03-18)  
*(Action by Regular Members)*  
Workshop to receive testimony and comments on the Draft MSR and SOI Update for the City of Ripon.

## **PUBLIC COMMENTS**

5. Persons wishing to address the Commission on matters not otherwise on the agenda

## **EXECUTIVE OFFICER COMMENTS**

6. Comments from the Executive Officer

## **COMMISSIONER COMMENTS**

7. Comments, Reports, or Questions from the L AFCO Commissioners

## **CLOSED SESSION**

8. Open Session Disclosure Regarding Closed Session Items pursuant to Government Code Section 54957.7
9. CLOSED SESSION
  - A. Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(a)  
Name of Case: Pacific Gas and Electric v. San Joaquin L AFCo and South San Joaquin Irrigation District (San Joaquin County Superior Court Case No. 39-2015-00321743-CU-JR-STK)
10. Open Session Report on Closed Session pursuant to Government Code Section 54957.1

## **ADJOURNMENT**

# **LAFCo**

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

---

---

**SUMMARY MINUTES  
February 8, 2018**

BOARD OF SUPERVISORS CHAMBERS  
44 NORTH SAN JOAQUIN STREET, 6<sup>TH</sup> FLOOR  
STOCKTON, CALIFORNIA

Chairman Doug Kuehne called the meeting to order at 9:04 a.m.

MEMBERS PRESENT: Commissioners Fox, Johnson, Patti, Villapudua and  
Chairman Kuehne

MEMBERS ABSENT: None

ALTERNATE MEMBERS PRESENT: Commissioners Andrade, Manne and Winn

ALTERNATE MEMBERS ABSENT: None

OTHERS PRESENT: James Glaser, Executive Officer; Rod Attebery, Legal  
Counsel; and Mitzi Stites, Commission Clerk

Chairman Kuehne presented Commissioner Elliott with a plaque and thanked him for  
the year of dedicated service.

## **CONSENT ITEMS**

A motion was made by Commissioner Johnson, and seconded by Commissioner  
Fox to approve the Consent Calendar.

The motion for approval of the Summary Minutes of December 14, 2017 meeting was  
passed by a unanimous vote of the Commission.

The motion for approval for the out-of-agency service requests to the property located

at 621 S. Anteros Avenue, Stockton, was passed by a unanimous vote of the regular voting members of the Commission.

Mr. James Glaser, Executive Officer, requested that Agenda Item 7, Draft Municipal Service Review (MSR) for Selected San Joaquin County Reclamation Districts to be moved to the first item of the meeting to allow for more discussion time.

Chairman Kuehne agreed to move the action item to the beginning of the agenda.

### **ACTION ITEM**

7. DRAFT MUNICIPAL SERVICE REVIEW (MSR) FOR SELECTED SAN JOAQUIN COUNTY RECLAMATION DISTRICTS

*(Action by Regular Members)*

The Commission will review and discuss the MSR report for 21 Reclamation Districts

James Glaser, Executive Officer, provided an overview of the process to update the MSR and the SOI. He stated that LAFCo is required to prepare an MSR for each of its incorporated cities and special districts and update the SOI's. LAFCo hired consultant Elliott Mulberg, President of Elliott Mulberg and Associates, to prepare this report.

There are 52 reclamation districts in the County and this MSR report focuses on 21 reclamation districts that surround urbanized areas of the County. These districts protect 73,853 acres from flood events through 146 miles of levees. This MSR includes an assessment of levee standards, revenue sources, funding opportunities, and regulatory setting.

It was recommended that after receiving testimony and providing comments on the Draft MSR for Selected Reclamation Districts that the matter be scheduled for a public hearing on March 8, 2018.

Elliott Mulberg, presented a PowerPoint presentation on the overview of the 21 Reclamation Districts. After reviewing the 21 Reclamation Districts, Mr. Mulberg has made the following conclusions:

- The Spheres of Influence need to be updated
- The Districts' website should be streamlined
- RD 1007 needs to upgrade a levee road to comply with HMP standard
- RD 348, RD 2115, RD 2119 have sections below HMP that need upgrades
- RD 2058 has low reserves – less than one year of expenses
- RD 2094 needs to be considered active and provide financial data to the State Controller

Chairman Kuehne opened the floor to Commissioner Comments.

Commissioner Winn expressed the following:

- Encourage the various Boards to have a standardized and frequent meeting schedules when possible to encourage public participation
- Board members need to recognize their responsibility as members of a governmental agency and the duties of the agency
- Encourage training opportunities regarding the obligation of board members to include but not be limited to the Brown Act, Conflict of Interest, Robert's Rules of Order, etc.
- Emphasize to the Boards that volunteer positions required the same degree of adherence to rules and regulations as paid members
- The districts should receive guidance from enforcement agencies as to what maintenance activities can be performed without violating permitting requirements
- Ensure that the Districts are aware of all funding opportunities

Commissioner Johnson was concerned as to LAFCo's ability to ensure the districts are adhering to the Brown Act requirements.

Elliott Mulberg, President, Mulberg and Associates, stated that the concerns will be added to the report.

Chairman Kuehne inquired about the timeline for the MSR for the remaining Reclamation Districts.

Mr. James Glaser, Executive Officer, informed the Commission that there is an upcoming project that will be consolidating Upper and Lower Jones Tract Reclamation Districts and that the remaining 19 Reclamation Districts MSR should be completed within the year, after a contract is approved by the Commission.

Chairman Kuehne opened the floor to public comments

Darryl Quaresma, associated with Reclamation District 2094 stated they are trying to keep levees clean, but would be open to learn about more effective ways to operate the Board.

Patrick Ervin, Engineer Reclamation District 348, wanted to inform Commission that the District is in compliance with the HMP standard and that they are updating their profile. When the profile is complete, they will submit it to LAFCo.

Chairman Kuehne closed the floor to public comments.

Moved by Commissioner Johnson, seconded by Commissioner Fox that the Selected San Joaquin County Reclamation Districts Municipal Service Review and Sphere of Influence Plan Update be set for public hearing on March 8, 2018.

The motion was passed by a unanimous vote of the regular voting members of the Commission.

10:15 a.m. the Commission took a short recess

10:25 a.m. the Commission reconvened

Chairman Kuehne welcomed back Commissioner Winn to the LAFCo Commission.

### **PUBLIC HEARING**

3. **DISSOLUTION OF INACTIVE COUNTY SERVICE AREAS (LAFC 24-17)**  
*(Action by Regular Members)*

Request from Public Works to dissolve six inactive County Services Areas (CSA). CSA 7, CSA 10, CSA 19, CSA 34, CSA 39, and CSA 40.

Mr. James Glaser, Executive Officer, presented an overview of County Service Areas (CSA's). County Service Area law was enacted to provide a means to provide expanded services in areas where residents are willing to pay for such services. They are dependent special districts that can provide services such as water, sewer, drainage, and street lighting.

The Board of Supervisors serve as the district's board of directors. Department of Public Works operate and maintain district facilities and levy service charges and fees for the services.

Special districts must file annual financial statements to the State Controller's Office. Under new legislation (SB 448) if no financial statements are filed, the State Controller's Office sends a request that appropriate action such as dissolution of a district if the district is "inactive." Public Works confirms that the six CSA's are inactive.

Mr. Glaser recommended that the Commission adopt Resolution No. 1376 approving the dissolution of County Service Areas No. 7, 10, 19, 34, 39, and 40.

Chairman Kuehne opened the floor to public comments.

No one came forward.

Chairman Kuehne closed the floor to public comments.

Chairman Kuehne opened up the floor for Commissioner Comments.

Commissioners had no further comments.

A motion was made by Commissioner Patti and second by Commissioner Fox to approve the dissolution of inactive County Service Areas Nos 7, 10, 19, 34, 39, and 40.

The motion passed by a unanimous vote of the voting members of the Commission.

Commissioner Chuck Winn recused himself from items 4 and 5, amendment to the City of Manteca Sphere of Influence and Griffin Park Reorganization to the City of Manteca, and left the chambers.

4. AMENDMENT TO THE CITY OF MANTECA SPHERE OF INFLUENCE  
(LAFC 01-18)

*(Action by Regular Members)*

Request to amend the Sphere of Influence to the City of Manteca.

James Glaser, Executive Officer, provided a PowerPoint presentation, which gave an overview of the process to amend the MSR and the SOI.

The Manteca City Council approved the Griffin Park Master Plan (GPMP) and application to LAFCo for annexation. GPMP consists of 344 acres for development of 1,592 residential units, neighborhood service commercial, and open space. A portion of the GPMP lies outside the 10-Year planning horizon but within the 20-Year SOI. The City requests amendment to its 10-Year planning boundary to include GPMP.

Manteca also requests adjacent land to the GPMP area be included in the 10-Year planning horizon. The additional land would provide contiguity between the GPMP and adjacent infrastructure such as schools and roadways. It would allow for a well-planned expansion of service for the area. The City has limited areas within the existing city limits and 10-Year planning horizon that could be developed.

Mr. Glaser recommended that the Commission approve the amendment the City of Manteca Municipal Service Review and Sphere of Influence.

Mr. Steve McMurtry, Principal, De Novo Planning Group, presented a PowerPoint presentation regarding the amendment to the Sphere of Influence.

Chairman Kuehne inquired about the number of police officers that are on staff now and how many more do they anticipate they will need at the completion of this project.

Mr. McMurtry, Principal, De Novo Planning Group, stated that they currently have 85 officers per 1000, and that the City of Manteca will increase the amount of officers proportionately as the City grows in population.

Chairman Kuehne and Commissioner Fox inquired about the water supply for Griffin Park.

Steve McMurtry, Principal, De Novo Planning Group, stated that there is enough surface and ground water for the sphere amendment.

James Glaser, Executive Officer, stated that Phase II SSJID water supply will be supplementary water.

Chairman Kuehne inquired about any new schools that will be projected for that side of town.

Erica Durrer, Facilities Planning Supervisor, Manteca Unified School District, stated that there are two areas designated for new schools, one inside the city limits and one outside city limits. As of now, the sites are not designated K-8 school or High School. The students will be going to other schools until these schools are built.

Chairman Kuehne opened the floor to public comments.

John Palmer, consultant, indicated support for this project and was available for questions.

No one else came forward

Chairman Kuehne closed public comments

It was moved by Commissioner Johnson, and seconded by Commissioner Villapudua, to approve Resolutions No. 1377 and 1378 regarding the amendment to the City of Manteca Municipal Service Review and the Sphere of Influence.

The motion passed by a unanimous vote of the regular voting members of the Commission.

5. GRIFFIN PARK REORGANIZATION TO THE CITY OF MANTECA  
(LAFC 26-15)

*(Action by Regular Members)*

Request to annex approximately 344 acres to the City of Manteca with concurrent detachment from the San Joaquin County Resource Conservation District and Lathrop-Manteca Fire District.

Mr. James Glaser, Executive Officer, presented a PowerPoint of the request from the City of Manteca to annex 344 acres that are bounded by the City limits on the north and east, Sedan Avenue to the south and South Main/Manteca Road to the east for the development of 1,592 single-family residential units, neighborhood services, commercial, parks, and open space. The territory will detach from the San Joaquin County Resource Conservation District and Lathrop-Manteca Fire District.

It is recommended that the Commission approve Resolution No. 1379 approving the annexation of the Griffin Park Master Plan to the City of Manteca and waive protest proceedings if no written objections have been received by the close of the public hearing.

Commissioner Fox inquired as to when the state will expand South Manteca Road/Bypass 120 to six lanes.



Bryan Jones, NorthStar Engineering, stated that it will be expanded although there is no date but the need is a high priority.

Chairman Kuehne stated that this expansion is a high priority for the Council of Governments (COG) as well. COG will be going to Washington, DC in April to advocate for funds for this project. This expansion is not a high priority for Caltrans but COG is working with the State to upgrade the status.

Chairman Kuehne opened the floor to public comments.

Erica Durrer, Facilities Planning Supervisor, Manteca Unified School District, supports this project.

Gene Neely, Chief, Lathrop-Manteca Fire Protection District, stated that he has been working with the City Manager of the City of Manteca to find the best way to serve the new community. His agency supports this project.

Chairman Kuehne closed the floor for public comments.

Chairman Kuehne stated that the project is not far from the ACE station and that may lighten the congestion on the roads.

Commissioners disclosed previous conversations with proponents of the project.

The Commission agreed that this project will be an asset to the City of Manteca.

A motion was made by Commissioner Fox and seconded by Commissioner Johnson to approve Resolution No. 1379 regarding the Griffin Park Reorganization to the City of Manteca with concurrent detachments from the San Joaquin County Resource Conservation District and the Lathrop-Manteca Fire Protection District.

The motion passed by a unanimous vote of the voting members of the Commission.

Commissioner Winn rejoined the Commission.

## **ACTION ITEMS**

6. ELECTION OF CHAIR AND VICE-CHAIR  
Election of Chair and Vice-Chair to serve during the 2018 calendar year.

Mr. Glaser, Executive Officer, informed the Commission that at the beginning of each calendar year, the Commission selects its Chair and Vice Chair. Although it is not required, the rotation of the Chair has traditionally been City-County-City-County-Public Member. If the Commission choose to follow past practice, a County Member would serve as Chair and a Public Member would serve as Vice-Chair this year.

Chairman Kuehne opened the floor to nominations for Chairman. Commissioner Villapudua nominated Commissioner Patti.

With no other nominations, Chairman Kuehne closed the nominations for Chair

The motion passed by a unanimous vote of the members of the Commission to elect Commissioner Patti as Chairman

Chairman Kuehne opened the nominations for Vice-Chair. Commissioner Manne nominated Commissioner Johnson.

With no other nominations, Chairman Kuehne closed the nominations for Vice-Chair

The motion passed by a unanimous vote of the members of the Commission to elect Commissioner Johnson as Vice-Chair.

### **SPECIAL MATTERS**

8. COMMISSION MEETING SCHEDULE FOR 2018  
Meeting dates for the 2018 calendar year
9. MID-FISCAL YEAR BUDGET REPORT

Mr. James Glaser, Executive Officer, presented an overview of the mid-fiscal year budget. Mr. Glaser stated that the expenses of the agency mid-way through the fiscal year is well within the amount budgeted and approved by the Commission. Revenues are slightly higher than expected and expenses are far less.

Commissioners had no comments

### **PUBLIC COMMENTS**

10. Persons wishing to address the Commission on matters not otherwise on the agenda

No one came forward.

### **EXECUTIVE OFFICER COMMENTS**

11. Comments from the Executive Officer

Mr. James Glaser, Executive Officer, stated that there will be a Public Hearing on the final Municipal Service Review (MSR) and Sphere of Influence (SOI) Report regarding the 21 Reclamation Districts and a workshop for the City of Ripon MSR and SOI at the next meeting on March 8, 2018.

## **COMMISSIONER COMMENTS**

12. Comments, Reports, or Questions from the LAFCO Commissioners

Commission Villapudua thanked Commissioner Kuehne for his service as Chair for the past year.

## **CLOSED SESSION**

13. Open Session Disclosure Regarding Closed Session Items pursuant to Government Code Section 54957.7
14. CLOSED SESSION
  - A. Conference with Legal Counsel-Existing Litigation pursuant to Government Code Section 54956.9(a)  
Name of Case: Pacific Gas and Electric v. San Joaquin LAFCo and South San Joaquin Irrigation District (San Joaquin County Superior Court Case No. 39-2015-00321743-CU-JR-STK)
15. Open Session Report on Closed Session pursuant to Government Code Section 54957.1

The Commission went into Closed Session at 11:35 a.m. and reconvened at 11:47a.m. There was no reportable action.

The meeting adjourned at 11:47 a.m.

# **LAFCo**

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

---

---

## **EXECUTIVE OFFICER'S REPORT**

March 8, 2018

TO: LAFCo Commissioners

FROM: James E. Glaser, Executive Officer

SUBJECT: **CITY OF STOCKTON OUT-OF-AGENCY SERVICE REQUESTS**

### **Recommendation**

It is recommended that the Commission approve the request from the City of Stockton to provide out-of-agency sewer service under the Government Code §56133 to property located at 2208 N. Filbert Street, Stockton.

### **Background**

Government Code Section §56133 states that the Commission may authorize a city or special district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization and that prior to providing new or extended service, the city or district must first receive approval from LAFCo. The Commission adopted a policy that conditions their approval for out-of-agency service requiring the recordation of an agreement with the landowner consenting to annexation of their property when annexation becomes feasible.

The City of Stockton submitted a request for approval to extend sanitary sewer service to a single family residence outside the city limits but within the City's sphere of influence. A vicinity map is attached showing the location of the out-of-agency request. Connection to City sewer lines are available to the property and the property owner has paid the appropriate connection fees to the City. The request for out-of-agency service is in compliance with the Government Code §56133 and Commission policies. Staff recommends approval of the attached Resolution 1382 approving out-of-agency services.

Attachment: Resolution No. 1382  
Vicinity Map

**Resolution No. 1382**

**BEFORE THE SAN JOAQUIN LOCAL AGENCY FORMATION  
COMMISSION APPROVING AN OUT-OF-AGENCY SANITARY SEWER  
SERVICE FROM THE CITY OF STOCKTON TO 2208 N. FILBERT STREET,  
STOCKTON.**

WHEREAS, the above-reference requests have been filed with the Executive Officer of the San Joaquin Local Agency Formation Commission pursuant to §56133 of the California Government Code.

NOW THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

- Section 1. Said out-of-agency service request is hereby approved.
- Section 2. The proposal is found to be Categorically Exempt from CEQA.
- Section 3. The proposal is subject to the following conditions:
- a. Prior to connection to the city sewer or water, the City of Stockton shall record a covenant and agreement with the property owners to annex to the City of Stockton in a form acceptable to the Executive Officer.
  - b. This approval and conditions apply to current and future property owners.

PASSED AND ADOPTED this 8<sup>th</sup> day of March, by the following roll call votes:

AYES:

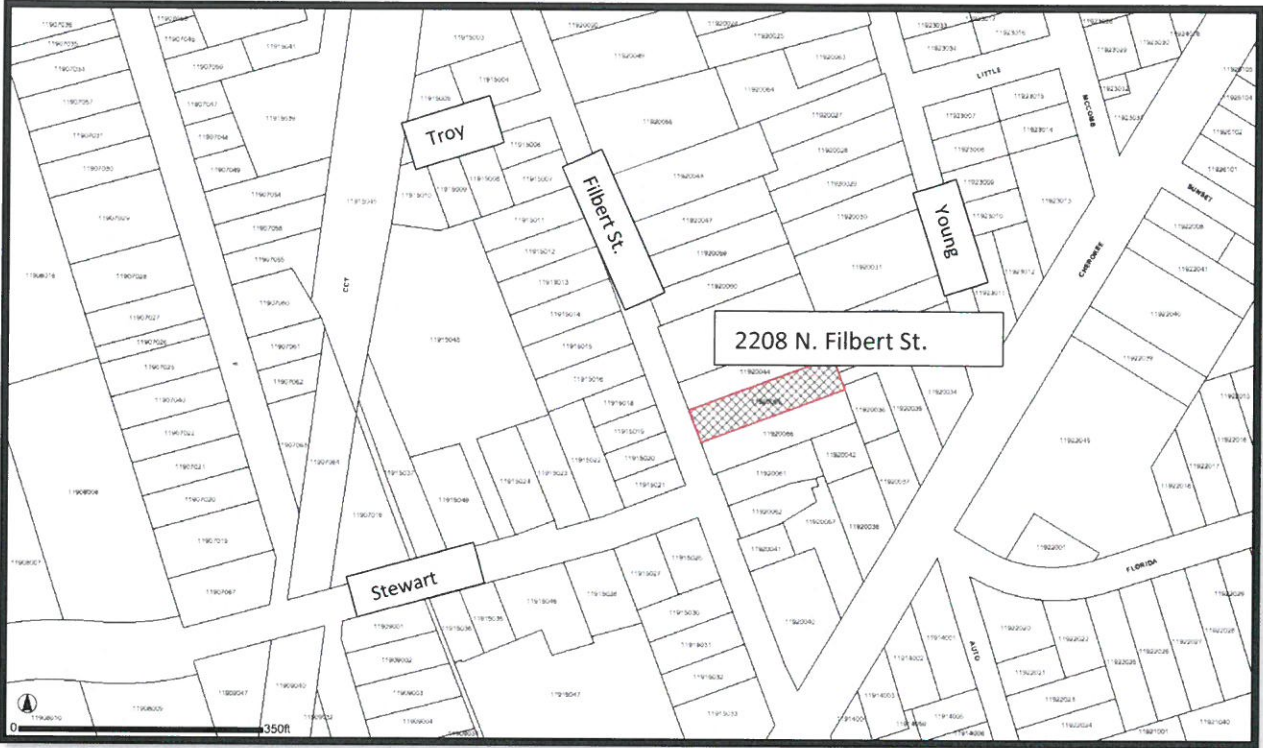
NOES:

ABSENT:

---

Tom Patti, Chairman  
San Joaquin Local Agency  
Formation Commission

Res. No. 1382  
03-08-18



# **LAFCo**

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

---

---

## **EXECUTIVE OFFICER'S REPORT**

March 8, 2018

TO: LAFCo Commissioners

FROM: James E. Glaser, Executive Officer

SUBJECT **Final Municipal Service Review and Sphere of Influence Plan Update  
For Selected San Joaquin County Reclamation Districts**

### **Recommendation**

It is recommended that the Commission approve the Final Municipal Service Review and Sphere of Influence Update for Selected San Joaquin County Reclamation Districts. Attached are two separate resolutions for Commission's consideration.

### **Background**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires that LAFCo review and update spheres of influence plans and to have service reviews prepared for special districts and cities. LAFCo has prepared, under contract with E. Mulberg & Associates, a draft Municipal Service Review and Sphere Plan for LAFCo's consideration consistent with the Commission's policies. On February 8, 2018, the Commission held a workshop on these documents and provided comments.

The document focuses its first Municipal Service Review for the Reclamation Districts on twenty-one of the fifty-two districts. The Districts selected included those districts which surround the urbanized areas of the County and therefore have the greatest responsibility to protect citizens and property from flooding. These Districts protect 73,853 acres from flood events through the maintenance of 146 miles of levees.

This report represents the first comprehensive look at Reclamation Districts in San Joaquin County. It provides a complete assessment of each district and it provides a comparative analysis as well. In addition, the report provides an overview regarding levee standards, revenue sources, funding opportunities and the regulatory setting.

A Municipal Service Review (MSR) is a comprehensive review of an agency intended to obtain information about the agency's ability to provide services. Its purpose is to evaluate the provision of services from a comprehensive perspective and recommend actions, when necessary, to promote the efficient provision of those services. Service reviews are intended to serve as a tool to help LAFCo, the public and other agencies better understand the public service structure and evaluate options for the provision of efficient and effective public services that the agency currently provides. State law requires that LAFCo update spheres of influence and prepare a Municipal Service Review in conjunction with that update

The MSR is required by the Cortese-Knox-Hertzberg Act to have six categories, as defined by the San Joaquin LAFCo "Service Review Policies" dated December 14, 2012. Each of these categories requires a written determination. The six categories are as follows:

- Growth and Population Projections for the Affected Area
- The Location and Characteristics of any Disadvantage Unincorporated Communities within or Contiguous to the Sphere of Influence
- Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies
- 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

In determining a sphere of influence, the Commission is required to consider and make written determinations with respect to the following factors (Government Code Section 56425):

- The present and planned land uses in the area, including agricultural and open space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.
- The present and probable need for those public facilities and services within any disadvantaged unincorporated communities (DUCs) within the sphere of influence.

The spheres of influence for the Reclamation Districts were last updated in 1983 and were established following their existing boundaries. The Districts have no plans to expand services to areas outside their boundaries, nor do they have plans to expand their boundaries. The draft MSR does not identify any need for services outside the District's existing boundaries. Therefore, the MSR recommends that the Sphere of Influence for each of the districts be established as a coterminous sphere reflecting the Districts' existing boundaries.

The draft document was transmitted to the various Reclamation Districts for comment. LAFCo received comments from twelve Districts. The Districts' comments primarily consisted of corrections and updates to the information. These comments have been



incorporated into the final report. In addition, the draft document has been amended to reflect the most recent (2017) report from the California Department of Water Resources regarding project levee conditions. The amendments to the final report have been redistributed to the commenting agencies for any further corrections.

### Overall Project Levee Maintenance Rating by Area for 2013 to 2017

Area Short Name	Area Name	Overall Rating				
		2013	2014	2015	2016	2017
RD0017	Reclamation District No. 0017	M*	M*	M*	M*	A
RD0404	Reclamation District No. 0404	U	M	M*	U	U
RD2058	Reclamation District No. 2058	M*	M*	M*	M*	U
RD2062	Reclamation District No. 2062	M*	M*	M*	M	M
RD2064	Reclamation District No. 2064	U	U	U	U	A
RD2075	Reclamation District No. 2075	A	M	U	U	A
RD2085	Reclamation District No. 2085	M	M*	M*	M*	M*
RD2094	Reclamation District No. 2094	A	A	A	A	A
RD2095	Reclamation District No. 2095	M*	M*	A	U	A
RD2096	Reclamation District No. 2096	M	M	A	A	A
RD2107	Reclamation District No. 2107	A	A	A	A	A

Source: DWR 2017 Inspection and Local Maintaining Agency Report of the Central Valley State-Federal Flood Protection System

A= Acceptable

M= Minimally Acceptable

M\*= Minimally Acceptable – mostly A but some areas of U

U= Unacceptable

Staff has prepared two resolutions (Municipal Service Review and Sphere of Influence) for Commission’s consideration. The resolutions incorporate, by reference, determinations in accordance with the requirements specified in the California Government Code. The final document and the track-changes to the draft document can be found in the following Dropbox folder:

<https://www.dropbox.com/sh/sj9b2sheltrvtol/AABfAmpXYujjmWo42ai4q0tya?dl=0>

Attachments: Resolution No. 1380  
Resolution No. 1381

**Resolution No. 1380**

**Before the San Joaquin Local Agency Formation Commission  
Approving the District Municipal Service Review for Selected San Joaquin County  
Reclamation Districts**

WHEREAS, Section 56430 of the Government Code requires the Commission to conduct a service review of the municipal services provided in the county or other appropriate area designated by the Commission; and

WHEREAS, the Commission must prepare a written statement of its determinations with respect to six specific topics; and

WHEREAS, the Commission held a workshop on February 8, 2018 and received comments; and

WHEREAS, the Commission held a public hearing on the proposed Municipal Service Review on March 8, 2018 in the Board of Supervisors Chambers, 44 North San Joaquin Street, Stockton, California, pursuant to notice of hearing which was posted, and published in accordance with State Law; and

WHEREAS, at said hearing the Commission heard and received evidence, both oral and written regarding the Municipal Service Review, and all persons present were given an opportunity to be heard; and

WHEREAS, this Commission has duly considered the District Municipal Service Review for Selected San Joaquin County Reclamation Districts dated March 8, 2018; and

NOW, THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. Certifies that the proposal is found to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15262 of the CEQA Guidelines.

Section 2. The determinations required by Section 56430 of the Government Code have been made within the final Municipal Service Review dated March 8, 2018 and are incorporated herein by reference.

Section 3. The Municipal Service Review for Selected San Joaquin County Reclamation Districts is hereby approved.

Section 4. The Executive Officer is hereby authorized and directed to distribute copies of the adopted Municipal Service Review and this Resolution to affected agencies and

interested parties.

PASSED AND ADOPTED this 8<sup>th</sup> day of March 2018 by the following roll call votes:

AYES:

NOES:

---

Tom Patti, Chair  
San Joaquin Local Agency  
Formation Commission

**Resolution No. 1381**

**Before the San Joaquin Local Agency Formation Commission  
Approving the Spheres of Influence for Selected San Joaquin County  
Reclamation Districts**

WHEREAS, Section 56425 of the Government Code requires the Commission to review and update each sphere of influence; and

WHEREAS, Section 56076 of the Government Code provides that “sphere of influence” means a plan for the probable physical boundaries and service area of a local governmental agency; and

WHEREAS, the Commission must prepare written statements of its determinations with respect to five specific factors; and

WHEREAS, a Municipal Service Review in compliance with Section 56430 of the Government Code has been prepared in conjunction with this sphere update; and

WHEREAS, the Commission held a workshop on February 8, 2018 and received comments; and

WHEREAS, the Commission held a public hearing on the Spheres of Influence on March 8, 2018 in the Board of Supervisors Chamber, 44 North San Joaquin Street, 6<sup>th</sup> Floor, Stockton California, pursuant to notice of hearing which was posted and published in accordance with State Law; and

WHEREAS, at said hearing the Commission heard and received evidence, both oral and written regarding the sphere of influence update, and all persons present were given an opportunity to be heard; and

WHEREAS, this Commission has duly considered the Spheres of Influence for Selected San Joaquin County Reclamation Districts; and

NOW, THEREFORE, the San Joaquin Local Agency Formation Commission DOES HEREBY RESOLVE, DETERMINE, AND ORDER as follows:

Section 1. Certifies that the proposal is found to be exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15262 of the CEQA Guidelines.

Section 2. The determinations required by Section 56428 of the Government Code have been made and are within the Municipal Service Review for Selected San Joaquin County Reclamation Districts dated March 8, 2018 and are incorporated herein by reference.

Section 3. The Spheres of Influence for Selected San Joaquin County Reclamation Districts is hereby approved as coterminous spheres reflecting the District's existing boundaries.

Section 4. The Executive Officer is hereby authorized and directed to distribute copies of the adopted Spheres of Influence and this resolution to affected agencies and interested parties.

PASSED AND ADOPTED this 8<sup>th</sup> day of January 2018 by the following roll call votes:

AYES:

NOES:

---

Tom Patti, Chair  
San Joaquin Local Agency  
Formation Commission

# **LAFCo**

509 W. WEBER AVENUE SUITE 420 STOCKTON, CA 95203

---

---

## **EXECUTIVE OFFICER'S REPORT**

March 8, 2018

TO: LAFCo Commissioners

FROM: James E. Glaser, Executive Officer

SUBJECT: **City of Ripon Draft Municipal Service Review and Sphere of Influence Plan Update Workshop**

### **Recommendation**

It is recommended that after receiving testimony and providing comments on the Draft Municipal Service Review (MSR) and Sphere of Influence Update for the City of Ripon that the matter be scheduled for a public hearing on May 10, 2018.

### **Background**

A Municipal Service Review (MSR) is a comprehensive review of an agency intended to obtain information about the agency's ability to provide services. Its purpose is to evaluate the provision of services from a comprehensive perspective and recommend actions, when necessary, to promote the efficient provision of those services. Service reviews are intended to serve as a tool to help LAFCo, the public and other agencies better understand the public service structure and evaluate options for the provision of efficient and effective public services that the agency currently provides. State law requires that LAFCo update spheres of influence every five years and prepare a Municipal Service Review in conjunction with that update. LAFCo last approved the City of Ripon Municipal Service Review and Sphere of Influence Plan on April 9, 2010.

The MSR is required by the Cortese-Knox-Hertzberg Act to have six categories, as defined by the San Joaquin LAFCo "Service Review Policies" adopted December 14, 2012. Each of these categories requires a written determination. The six categories are as follows:

- Growth and Population Projections for the Affected Area
- The Location and Characteristics of any Disadvantage Unincorporated Communities within or Contiguous to the Sphere of Influence
- Present and Planned Capacity of Public Facilities and Adequacy of Public Services, Including Infrastructure Needs and Deficiencies
- 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

In determining a sphere of influence, the Commission is required to consider and make written determinations with respect to the following factors (Government Code Section 56425):

- The present and planned land uses in the area, including agricultural and open space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.
- The present and probable need for those public facilities and services within any disadvantaged unincorporated communities (DUCs) within the sphere of influence.

### **Summary of Issues**

#### *Population*

Ripon is one of the smaller cities in San Joaquin County, with a population of 14,767 as of January 1, 2016 and 15,621 as of March 1, 2017 as estimated by the California Department of Finance. The latest population projections for Ripon are 32,207 people by 2040. In May 2017, the Ripon City Council adopted policies which limit growth to 3% per year, allowing for permits to be allocated at a rate of up to 2.5% per year through Annexation Agreements, Development Agreements, or Conditions of Approval for development projects with the remaining 0.5% to act as a buffer to ensure the 3% limit is not exceeded (Ripon City Council Resolution No. 17-23). This growth rate is also reflected in the proposed General Plan Text Amendment that amends the City of Ripon's 2040 General Plan. As described within the Ripon City Council Meeting Minutes on May 9, 2017, the 3% growth cap would effectively limit the amount of population growth by 2040 to a maximum of approximately 32,207 people.

#### *10-Year and 20-Year Growth Boundary and Area of Interest*

The City of Ripon is not proposing to increase or modify the Sphere of Influence (SOI). The 10- and 20- Year growth boundaries are located within the boundary of the City's current SOI. The years 2018-2028 will be used for the 10-Year Planning

Horizon and 2028-2038 for the 20-Year Planning Horizon in the Municipal Services Review. The SOI 10-Year and 20-Year Planning Horizons are located within the General Plan's Primary Urban Area, which is within the City's SOI but outside of the current City limits. The 10-Year Planning Horizon contains 1,347.63 acres; the 20-Year Planning Horizon contains approximately 1,269.28 acres.

#### *Fire Services*

Fire protection and emergency medical services are handled by the Ripon Consolidated Fire District (Fire District) providing the majority of emergency response services. The Fire District is responsible for the provision of fire service and emergency medical response for the City of Ripon and its residents, as well as to rural residents of unincorporated San Joaquin County over an additional 51.5 square mile area to the north, east, and west of the City of Ripon. The Fire District serves a total area of approximately 55 square miles, of which only 3.5 square miles are within the city limits. The Fire District maintains a goal for the initial company of firefighters to arrive on scene for fire and emergency medical service (EMS) incidents within five minutes 90% of the time (Response Effectiveness). The District's main station provides primary response to all calls within the City limits. The Fire District typically achieves a four-and-a-half minute response time from the main station 90% of the time within the City, which exceeds the City's recommended goal of a five-minute emergency response time.

#### *Police Services*

The Ripon Police Department currently has 24 sworn officers. With a population of 15,621 as of 2017, the City's 24 police officers equate to a staffing level of 1.5 officers per 1000 residents.

#### *Water Supply*

The City of Ripon provides potable and non-potable water supplies to all users within the City's municipal service area through its own water distribution system. As of 2015, the service area was approximately 4.1 square miles. The service area includes the entirety of the City's residential, commercial, and industrial uses. All potable water in Ripon is provided by the City entirely from groundwater wells, although water use can be said to be conjunctive in that irrigation water purchased from the South San Joaquin Irrigation District (SSJID), as well as treated industrial water, supplements the natural recharge of the groundwater. The City receives untreated raw water from SSJID through the SSJID irrigation distribution system. The Ripon Water Master Plan, last updated in 2010, provides guidance for planning the City's water system to meet the present and future demands of the community.

#### *Wastewater Treatment*

The City of Ripon provides wastewater collection and treatment for the incorporated area of the City of Ripon. Wastewater is collected from nearly all portions of the City and routed to the City's wastewater treatment facility (WWTF), located in the vicinity of the Stanislaus River. *The City of Ripon Build-out Sanitary Sewer System 2010 Sewer Master Plan* and the City's *Wastewater Treatment Facilities Plan* were prepared in March 2015. The 2015 Facility Report outlines a



long-term strategy for meeting future discharge and capacity requirements in order to meet community needs for the planning horizon that extends to 2040.

#### *SB5 Compliance*

The entire Ripon Area of Interest lies outside of the Department of Water Resources 200 year floodplain, as developed in 2002, through the United States Army Corps of Engineers Comprehensive Study of the Sacramento and San Joaquin River Basins.

#### *Financial Ability to Provide Services*

The City of Ripon expenses are covered through the revenues that they receive from development fees, property taxes, and connection and usage fees. As land is developed within the City and annexed into the City of Ripon from the SOI, these fees and charges apply. The City of Ripon manages their finances on a continual basis, which is reported on an annual basis through the Comprehensive Annual Financial Report and the City Budget. The City's management and reporting of their finances are in accordance with the legal requirements for such. An outside audit is performed to ensure that the legal requirements are met. The City's has budgeted for current and future expenses, debts, and revenues. The City's financial statements show that they are fiscally sound. The City will continue to manage and report their financial condition on an annual basis, which will include adjustments as necessary.

#### *Governmental Structure*

The ability to serve the anticipated growth within the SOI is not expected to have a significant effect on governmental structure of the City of Ripon or its ability to provide services. Mechanisms are in place within City departments to effectively provide for public participation in the planning and development process to address growth within the City. The City will continue to work with service providers to address government structure options to provide efficient and cost effective public facilities and services.

#### **Commission Action**

The Commission's service review policy sets forth the procedure for public participation and public hearing. The policy requires a two-step process for the adoption of a service review: 1) a public meeting/workshop with the Commission to accept comments from the public and the Commission "prior to finalizing the document"; and 2) a formal 21-day review period and public hearing. Staff will provide public notice for the May 10, 2018 meeting to meet our legal obligation for a public hearing. The Commission will be able to adopt the MSR at that meeting or may continue the matter to a future meeting. A motion is attached for Commission's consideration.

The Draft Municipal Service Review and Sphere of Influence Update was distributed at the February 8, 2018 Commission Meeting.

Motion

Moved by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_  
that the City of Ripon Municipal Service Review and Sphere of Influence Plan  
Update be set for public hearing on May 10, 2018.