

3.3 PLANS OF SERVICE

LAFCO requires that applicants and service providers document their ability to provide service to areas proposed for annexations.

An evaluation of a local agency's plan of service is necessary to the proper consideration of any change of organization or reorganization (§56375) which expands or diminishes a service provider's responsibilities. The intent of plans of service evaluations is to ensure that the capacity, cost and adequacy of services within the district or City are not adversely impacted by the proposed LAFCO action (§56668).

3.3.1 General

- (a) Applications shall include a plan to provide services (§56653) which includes information needed to render an informed decision on the proposed project.
- (b) Plan of Service submittals are required to contain, but are not limited to, the following information and any additional information required by the commission or the executive officer:
 - 1. An enumeration and description of the service to be extended to the affected territory;
 - 2. The level and range of those services;
 - 3. The estimated time frame for service delivery;
 - 4. An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed; and
 - 5. Information with respect to how those services will be financed.
- (c) No application shall be deemed filed until plan of service information is received and accepted as complete by the Executive Officer.

3.3.2 Plan of Service Information Requirements

The following information requirements will enable the applicant and LAFCO to obtain information necessary to render a fair and informed decision. During the required pre-application conference, LAFCO staff will assist the applicant with determination of required project specific plan of service information. (For example, a City annexation plan of service might not be required to include service unit analyses for every proposed service.)

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- 3.3.2.1 All applicants must provide the following:
- (a) A capacity analysis which states:
 - 1. number of service units available (units can be described as parcels, meters, equivalent dwelling units or other project specific units of measure as approved by the Executive Officer);
 - 2. the number of service units currently allocated;
 - 3. the total number of service units within agency boundaries, including assessment districts which may cross district boundaries, that are entitled to receive service;
 - 4. the number of service units proposed to be added as a result of the annexation;
 - 5. the total number of service units entitled to receive services as a result of the proposed project. In the event that the applicant or annexing agency finds that there are not enough service units available to provide for number 5, the applicant shall provide a plan for obtaining the capacity necessary to provide service pursuant to 3.3.2.2 below.
 - (b) A description of the size, location and capacity of existing infrastructure.
 - (c) A statement from the annexing agency disclosing its disposition regarding responsibility to reserve capacity for unserved property within agency boundaries and current estimates of unserved property within its current boundaries.
 - (d) A list of the conditions that the applicant must meet in order to receive services from the annexing agency, such as annexation costs, facility plan report, fire flow requirements, on and off site construction requirements, or easements, and a statement regarding who is responsible to fund required items.
 - (e) A statement of intent to provide services by the annexing agency, including a description of the applicant's requirements to fund infrastructure so that areas within the

- (f) district can be served, or will continue to be served, at the same or higher level of service, and proposed service areas will be accommodated at the same or a higher level of service. If the annexing agency cannot provide the latter guarantees, then the applicant or annexing agency shall provide a written justification for project approval despite anticipated negative impacts.

3.3.2.2 If service cannot be provided without expanding service capacity or constructing infrastructure (other than at parcel connections to service), then the following information shall be provided:

- (a) A description of any required facility or infrastructure expansions or other necessary capital improvements;
- (b) The likely schedule for completion of the expanded capacity project, the viability of the needed project, and the relation of the subject project to the overall project and project time line;
- (c) A list of required administrative and legislated processes, such as CEQA review or State Water Resources Board allocation permits, including assessment of likelihood of approval of any permits and existence of pending or threatened legal or administrative challenges if known;
- (d) The planned total additional capacity;
- (e) The size and location of needed capital improvements;
- (f) The proposed project cost, financing plan and financing mechanisms including a description of the persons or properties who will be expected to bear project costs; and
- (g) Any proposed alternative projects if the preferred project cannot be completed (include information in letters "a" through "f" for each proposed alternative).

3.3.3 **Service Assurances**

No application to annex to a special district or city shall be deemed complete until the following information is provided in writing from the annexing special district or city:

- (a) A statement that the annexing agency has reviewed the Plan of Service and will be capable of providing adequate services within the

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time frame anticipated in the Plan of Service for the area being annexed; and

- (b) A statement that the furnishing of adequate services within the time frame anticipated in the Plan of Service will not result in a significant negative fiscal, service level or other impacts (within the special district or city).
- (c) In the event that the annexing agency will provide service by expanding its service capabilities in the future, the Commission will consider plans for such expansion and the agency's progress toward implementation of such plans in its review of the proposal. LAFCO may require a full description of any such plan. The Commission will evaluate such documentation and may make determinations pursuant to §56668. The Commission may also impose conditions related to progress toward completion of any such plans.