EL DORADO LAFCO
LOCAL AGENCY FORMATION COMMISSION

AGENDA OF OCTOBER 28, 2020

REGULAR MEETING

TO: **Shiva Frentzen, Chair, and Members of the El Dorado County Local Agency Formation Commission**

FROM: **José C. Henríquez, Executive Officer**

AGENDA ITEM #10:   **STUDY SESSION ON THE UPDATE TO THE SPHERE OF INFLUENCE FOR THE EL DORADO IRRIGATION DISTRICT**

RECOMMENDATION

None. This item is an opportunity for the Commission to receive comments and input from the public regarding the sphere of influence for the El Dorado Irrigation District.

REASON FOR RECOMMENDED ACTION

The Commission was interested in hearing and receiving input from the public on the various options for the sphere of influence for the El Dorado Irrigation District. This is why your Commission directed staff to schedule and advertise a study session where the subject can be explored. This memo serves as a "primer" of sorts for the public who are interested in the subject but may not be familiar with LAFCO or its functions.

BACKGROUND

In essence, LAFCOs are tasked to regulate the boundaries of local governments. It has four overall missions, listed here in no particular order:

- To preserve open space and agricultural resources;

- To prevent urban sprawl;

- To ensure the orderly formation local governments; and

- To promote orderly growth and development through the efficient provision of services.

To fulfill their mandate, LAFCOs operate as planning agencies, both in the immediate term and in the long term. The immediate capacity is to process applications to adjust the boundaries of a local agency. For example, an individual landowner seeks to

receive municipal water from EID or a new subdivision will annex into Cameron Park CSD. LAFCOs must ensure that the agency has the capacity and capability of extending services to the proposed area in an equitable manner, without harming its existing customers, and receiving enough resources to offset the increase in demand.

In the long term, LAFCO conducts periodic reviews of each agency under its jurisdiction. These reviews, called "municipal service reviews" (or MSRs) are a snapshot in time to determine how well an agency is performing. MSRs look at all aspects of an agency, from governance, to finance and to infrastructure. The triple goals of an MSR are

- To educate public about the local agencies that provide service to them;

- To provide context to the Commission as it evaluates individual proposals; and

- To use the data to extrapolate how far and how fast an agency can grow over time.

That extrapolation is called the "sphere of influence" (or SOI). The SOI is a planning tool to guide Commission decisions and the local agency about where it should grow. The SOI is meant to be a realistic projection of a service area for a given a time horizon (about 10-20 years) within the life of the MSR. The SOI is a line on a map, nothing more and nothing less. It is not a promise of service and the inclusion or exclusion of a parcel within an SOI does not take ways any rights. In addition, an SOI can be amended based on new data.

Significance of the MSR and SOI Requirements

MSR and SOI studies are tied in the Government Code (§56425 and §56430). LAFCOs are expected to review SOIs periodically (between 5-8 years), and the Government Code requires that an MSR be conducted before updating a SOI for an agency. The two are meant to complement one another and supplement the LAFCO four missions. Just as importantly, each authorization that LAFCO was given was meant to be one step closer towards arriving at more informed decisions based on data. History reflects this:

1963:   LAFCOs are created because of concern that local governments were making decisions about where to expand and extend services based on political favoritism.

1972:   The Legislature determined LAFCOs needed to plan out the probable boundaries of agencies so it gave them the sphere of influence mandate.

2000:   The Legislature found that LAFCOs were not methodical in the creation of SOIs and instead were making them based on arbitrary data. The MSR was mandated as a precursor to the establishment of an SOI

How it impacts the EID SOI

The current EID SOI extends all the way to the Cosumnes River. This SOI was established decades ago without the benefit of data from an MSR to determine the feasibility of it. LAFCO has performed two MSRs on EID since 2000, one in 2008 (created by Dudek) and the current 2020 draft MSR currently out for public review and comment (performed by SWALE). The 2008 MSR acknowledged that at that time it was

unlikely for EID to expand services in the next 10 to 20 years to encompass all of the large geographic area contained within the SOI given current resources. This conclusion can also be drawn from this MSR/SOI Update.

One of the proposed modifications to the SOI removes the area south of Latrobe from EID's SOI (please refer to page 2 of Attachment A). Specifically, this option considers the reduction of the southeastern portion of EID's SOI, generally east of Big Canyon Creek, south of the North Fork of the Cosumnes River, and south of Camp Creek. These are identified as areas where EID cannot feasibly extend services in the foreseeable future (within the lifetime of the 2020 MSR). This proposed reduction in EID's SOI is consistent with the El Dorado County General Plan, and the El Dorado County Water Agency (EDCWA) Water Resources Development and Management Plan.

Mindful that this may impact residents and landowners of the area, the Commission directed staff to initiate this study session so that people can receive factual data about this proposal and have their questions answered. At this study session, Kateri Harrison from SWALE will go over the 2020 draft EID MSR/SOI study, its findings and recommendations.

Attachments

Attachment A: Maps: Current EID Sphere of Influence and Option 2 Sphere of Influence

Attachment B: SWALE Memo for the Draft EID MSR/SOI Study

Attachment C: Draft EID Municipal Services Review and Sphere of Influence Study (MSR/SOI)