

**SACRAMENTO LOCAL AGENCY FORMATION COMMISSION**  
**1112 I Street, Suite #100**  
**Sacramento, California 95814**  
**(916) 874-6458**

April 2, 2003

TO: Sacramento Local Agency Formation Commission

FROM: Peter Brundage, Executive Officer

RE: **American River Flood Control District**  
**Municipal Service Review and Sphere of Influence Update (07-02)**  
[CEQA: Exempt]

**Recommendation**

I recommend your Commission adopt Resolution No. LAFC 1254 making written determinations that:

1. Determine the project entitled the American River Flood Control District Municipal Service Review and Sphere of Influence Update is exempt from the provisions of the California Environmental Quality Act.
2. Adopt the determinations of the Municipal Service Review of the American River Flood Control District as set forth in the attached Resolution and stated in the Recommendations of the American River Flood Control District Municipal Service Review and Sphere of Influence Update.
3. Amend the Sphere of Influence for the American River Flood Control District to be coterminous with its existing boundary and to include within its Sphere of Influence the following two areas:
  - a. Mayhew Road/ Folsom Boulevard Area
  - b. Robla Creek South Area

The Sphere of Influence is depicted on the attached map. American River Flood Control District currently serves these two areas under contract with the Sacramento Area Flood Control Agency (SAFCA).

### **Discussion**

On March 5, 2003, the Commission was presented a Draft Municipal Service Review and Sphere of Influence Update for the American River Flood Control District. One written comment of support from ECOS was received prior to the March meeting. There was no oral testimony given during the Workshop. The final comment period ended March 14, 2003.

Prior to the close of the comment period, staff received a letter from the City of Sacramento raising two issues on the American River Flood Control District Municipal Services Review. The letter and my response are attached.

The City of Sacramento raised concerns about equity among different ratepayers and about overlapping service provision between the City of Sacramento and American River Flood Control District. Staff has met with City staff and the American River Flood Control District.

While there are still differences of opinion on some of the details of the issues, the City of Sacramento and American River Flood Control District have agreed that it would be beneficial to enter into a formal Memorandum of Understanding that sets forth details regarding the roles and responsibilities of both agencies during flood emergencies.

Specifically, the American River Flood Control District and City of Sacramento will enter into a Memorandum of Understanding that will set forth the specific roles and responsibilities of the City and the District when the City activates its Department of Utilities Operation Center (DOC). DOC is activated when the Sacramento River elevation is at 25 feet at the "I" Street Bridge. DOC is activated prior to activation of the Joint City/County Emergency Operation Center which occurs at the 28 foot elevation. This service level matter has been included as a condition in my findings.

The property owner equity issue has not been resolved and will need to be reviewed and addressed by the District at such time it is required to conduct the Proposition 218 vote required to raise existing assessments. The equity, or funding, issue will need to be resolved based on engineering reports and any reevaluation of the flood plain. In the future, once reconstruction of levee improvements is complete, it may be appropriate to consolidate flood control services into one regional agency.

I would like to thank staff of both the American River Flood Control District and the City of Sacramento as well as the Board of Trustees of the District for their comment and assistance in the preparation of the Municipal Service Review and Sphere of Influence Update.

**Conclusion**

I recommend that the Commission adopt the determinations and findings set forth in the attached Resolution No. LAFC 1254.

Respectfully,

***SACRAMENTO LOCAL AGENCY FORMATION COMMISSION***

Peter Brundage  
Executive Officer

PB:Maf  
Attachments

(Reso Cover ARFCD)

**SACRAMENTO LOCAL AGENCY FORMATION COMMISSION  
RESOLUTION NO. LAFC 1254  
ADOPTION OF WRITTEN DETERMINATIONS FOR THE  
AMERICAN RIVER FLOOD CONTROL DISTRICT  
MUNICIPAL SERVICE REVIEW AND  
AMENDING ITS SPHERE OF INFLUENCE  
(07-02)**

*WHEREAS, Section 56430 of the Cortese-Knox Local Government Reorganization Act of 2000 requires that LAFCo's conduct municipal service reviews prior to, or in conjunction with, consideration of actions to establish a Sphere of Influence (SOI) as defined in Section 560765, and in accordance with Section 56425 or Section 56426.5, or update a SOI pursuant to Section 56425; and*

*WHEREAS, as part of such reviews, LAFCo's must compile and evaluate service-related information and make written determinations regarding infrastructure needs or deficiencies, growth and population projections for the affected area, financing constraints and opportunities, cost avoidance opportunities, opportunities for rate restructuring, opportunities for shared facilities, government structure options, including advantages and disadvantages of consolidation or reorganization of service providers, evaluation of management efficiencies, and local accountability and governance; and*

*WHEREAS, the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION initiated a municipal service review of the AMERICAN RIVER FLOOD CONTROL DISTRICT in the County of Sacramento, in October, 2002; and*

*WHEREAS staff of the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION consulted with AMERICAN RIVER FLOOD CONTROL DISTRICT personnel, affected LAFCo's, affected and interested agencies, interested parties; and*

*WHEREAS, the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION issued a Draft Municipal Service Review of the AMERICAN RIVER FLOOD CONTROL DISTRICT on February 4, 2003, and provided a 21-day public comment review period of said document to the date of March 14, 2003; and*

*WHEREAS, the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION considered the data, recommendations and determinations contained in the Draft Municipal Service Review at a noticed public hearing held on March 5, 2003, and received all oral testimony and evidence which was made, presented or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to the review; and*

*Resolution 1254, page 2.*

**WHEREAS, the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION prepared the Final AMERICAN RIVER FLOOD CONTROL DISTRICT MUNICIPAL SERVICE REVIEW AND SPHERE OF INFLUENCE UPDATE, incorporating comments received where appropriate, on April 2, 2003; and**

**WHEREAS, the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION considered the data, recommendations and determinations contained in the Final Municipal Service Review at a noticed public hearing held on April 2, 2002, and received all oral testimony and evidence which was made, presented or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to the review, its data, recommendations and determinations; and**

**WHEREAS, the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION considered project related environmental factors and determined that the subject project is Exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3), attached hereto as Exhibit A;**

**NOW, THEREFORE, BE IT RESOLVED that, pursuant to powers provided in Section 56430 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, that the Local Agency Formation Commission of the County of Sacramento adopts written determinations as set forth in Exhibit B, the American River Flood Control District Municipal Service Review and Sphere of Influence Update, dated April 2, 2003, and Amends the District's Sphere of Influence to include two areas shown on Exhibit C.**

**Municipal Service Review Determinations:**

- a. Regarding infrastructure needs or deficiencies, the Commission determines the District currently has no unmet infrastructure needs or deficiencies.**
- b. Regarding growth and population projections for the affected area, the Commission determines the District is capable of providing service that includes the growth and population projections for the affected territory for the next five years.**
- c. Regarding financing constraints and opportunities, the Commission determines that the District has no serious financing constraints at this time.**
- d. Regarding cost avoidance opportunities, the Commission determines that the District uses to its best advantage all cost avoidance opportunities.**

*Resolution No. 1254, page 3.*

- e. Regarding opportunities for rate restructuring, the Commission determines that the District has not found it necessary to create fee for service measures at this time.*
- f. Regarding opportunities for shared facilities, the Commission determines that the District shares facilities with other agencies and continually reviews new opportunities to do so.*
- g. Regarding government structure options, including advantages and disadvantages of consolidation or reorganization of service providers, the Commission determines that no other agency performs levee maintenance control within the boundaries of the American River Flood Control District. The District functions with a high degree of cooperation with other agencies involved in levee maintenance, however, there is no duplication of services, and no need for the reorganization of service providers at this time.*
- h. Regarding evaluation of management efficiencies, the Commission determines the District operates with a high degree of efficiency and professional cooperation with other agencies.*
- i. Regarding local accountability and governance, the Commission determines that the wide range of representation on the American River Flood Control District Board of Trustees represents an extremely high level of special district accountability and governance.*

*ADOPTED by the SACRAMENTO LOCAL AGENCY FORMATION COMMISSION at a regular meeting of said Commission, held on the second day of April, 2003, as moved by Commissioner \_\_\_\_\_, and seconded by Commissioner \_\_\_\_\_, by the following vote of the Commission:*

*AYES:*

*NOES:*

*ABSTENTIONS:*

*ABSENT:*

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*Elliot Mulberg, Chair  
Sacramento Local Agency Formation Commission*

*Resolution 1254, page 4.*

**ATTEST:**

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*Marilyn Ann Flemmer  
Commission Clerk*

**MAF**

**Attachments:**

***Exhibit A:***

***Notice of Exemption pursuant to California Environmental Quality Act***

***Exhibit B:***

***American River Flood Control District Municipal Service Review and Sphere of Influence Update, April 2, 2003***

***Exhibit C:***

***Map of Amended Sphere of Influence for American River Flood Control District***

**4/2/03**  
***(Reso 1254)***