

**YOLO LOCAL AGENCY FORMATION COMMISSION
Resolution № 2023-01**

**Adopting the Municipal Service Review and Sphere of Influence Review for the Yolo
County Resource Conservation District, and
Determine the MSR/SOI Review is Exempt from the California Environmental Quality Act
(LAFCo No. 22-06)**

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the organization and reorganization of cities and special districts by local agency formation commissions (LAFCOs) established in each county, as defined and specified in Government Code Sections 56000 et seq. (unless otherwise indicated all statutory references are to the Government Code); and,

WHEREAS, Section 56425 et seq. provides that the LAFCo in each county shall develop and determine the sphere of influence (SOI) of each local governmental agency within the county, and enact policies designed to promote the logical and orderly development of areas within the SOI, as more fully specified in Sections 56425 et seq.; and,

WHEREAS, Section 56430 requires that LAFCOs conduct a municipal service review (MSR) prior to, or in conjunction with, consideration of actions to establish or update an SOI in accordance with Sections 56076 and 56425; and,

WHEREAS, beginning in 2022, Yolo LAFCo conducted an MSR and SOI Review for the Yolo County Resources Conservation District (YCRCD); and,

WHEREAS, the LAFCo Executive Officer met with the Executive Director of the YCRCD over the course of conducting this MSR; and,

WHEREAS, based on the results of the MSR, staff has reviewed the YCRCD's existing SOI and determined that an update is not needed at this time; and,

WHEREAS, the Executive Officer set a public hearing on February 23, 2023, for consideration of the draft MSR and SOI Review and caused notice thereof to be posted and published at the times and in the manner required by law at least twenty-one (21) days in advance of the date; and,

WHEREAS, on February 23, 2023, the draft MSR and SOI Review was heard before LAFCo, at the time and place specified in the Notice of Public Hearing; and,

WHEREAS, at said hearing, LAFCo reviewed and considered the draft MSR, and the Executive Officer's Report and Recommendations; each of the policies, priorities, and factors set forth in Government Code Sections Section 56425(e) and 56430 et seq.; LAFCo's Guidelines and Methodology for the Preparation and Determination of MSR and SOIs; and all other matters presented as prescribed by law; and,

WHEREAS, at that time, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony and other information concerning the proposal and all related matters; and,

WHEREAS, LAFCo received, heard, discussed, and considered all oral and written testimony related to the sphere update, including but not limited to protests and objections, the Executive Officer's report and recommendations, the environmental determinations, and the MSR.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED that the Yolo Local Agency Formation Commission hereby:

1. Finds the proposed MSR and SOI Review exempt from the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Division 6, Chapter 3 (State CEQA Guidelines) Sections 15061(b)(3) and 15320; and,
2. Adopts Resolution 2023-01 approving the MSR and SOI Review for the YCRCD attached hereto and incorporated herein by this reference, subject to the following findings and recommendations.

FINDINGS

1. Finding: Approval of the MSR and SOI Review is consistent with all applicable state laws and local LAFCo policies.

Evidence: The project was prepared consistent with the requirements in the Cortese-Knox-Hertzberg Act for an MSR and SOI Review and all applicable Yolo LAFCo policies and adopted Standards for Evaluation. The MSR includes written determinations for the district as required by Section 56430 and makes recommendations accordingly. Staff has reviewed the existing SOI for the YCRCD and determined no update is needed at this time.

2. Finding: The proposed MSR and SOI Review is exempt from CEQA pursuant to Sections 15061(b)(3) and Section 15320 of the State CEQA Guidelines.

Evidence: CEQA requires analysis of agency approvals of discretionary “projects.” A “project,” under CEQA, is defined as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” Section 15061 (b)(3) of the CEQA Guidelines describes the General Rule that CEQA only applies to projects which “have the potential for causing a significant effect on the environment; where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” Further, Section 15320 exempts from CEQA “changes in the organization or reorganization of local governmental agencies where the changes do not change the geographical area in which previously existing powers are exercised.” Approval of the MSR does not approve any development project or result in development. The agency's SOI was reviewed, and it was determined an update is not needed at this time. The nature of YCRCD services as a conservation district does not result in development. Furthermore, no special circumstances exist that would create a reasonable possibility that approving the MSR/SOI Review would have a significant effect on the environment. Therefore, the project is exempt from CEQA and no further environmental review is necessary.

RECOMMENDATIONS

MSR Determination #6. Accountability, Structure, and Efficiencies

1. If finding Board members remains challenging, YCRCD could consider annexing its SOI which includes the cities to increase the candidate pool.
2. YCRCD received a 70% score in the 2022 Yolo Local Government Website Transparency Scorecard. Please review the report appendix to see what improvements can be made <https://www.yololafco.org/yolo-local-government-website-transparency-scorecards>.

PASSED AND ADOPTED by the Local Agency Formation Commission, County of Yolo, State of California, this 23rd day of February 2023, by the following vote:

Ayes:

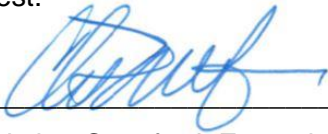
Noes:

Abstentions:

Absent:

Olin Woods, Chair
Yolo Local Agency Formation Commission

Attest:



Christine Crawford, Executive Officer
Yolo Local Agency Formation Commission

Approved as to form:



Eric May, Commission Counsel