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County Member

Irwin Fust
Special District Member

Pamela Morgan
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Mary Rickert
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Larry Russell
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Joe Chimenti
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George Williamson
Executive Officer

Fred Ryness
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James M. Underwood
General Counsel

Kathy Bull
Manager

Agenda Item: 7.c.

Meeting Date: April 1, 2021

From: George Williamson, Executive Officer & Kathy Bull, LAFCO Manager

Subject: County Service Area #7 – Burney Flood Control
Municipal Service Review and Sphere of Influence Update

Background:

County Service Areas (CSA) are dependent special districts under County Service Area law (Government Code §25210-25217.4). The principal act authorizes a CSA to provide up to 26 types of governmental services within its boundaries including flood control. In Shasta County, they are governed by the Board of Supervisors. The Public County Works Department provides staff support and administers District operations.

The CSA#7 – Burney Flood Control MSR and SOI Update is attached.

Discussion:

The 2021 CSA #7 MSR and SOI Update is an opportunity to review services and infrastructure for:

CSA #7 lies on the southern edge of Burney in north eastern Shasta County. It is adjacent to Burney Creek and primarily follows Sapphire Drive. The CSA was formed in order to provide stormwater management and flood control to two major subdivisions. The CSA is responsible for maintenance of drainage ditches in the subdivisions, a pump station, and a flood wall located adjacent to the Burney Creek overflow channel. The flood

District Name	District Size (acres)	Sphere of Influence
CSA #7 – Burney Flood Control	79.8 acres	Unchanged

Recommendation:

Staff recommends the Commission:

Receive verbal report from staff;

Open the public hearing and read testimony; and

Discuss item, close the hearing and consider action on recommendation:

1. Adopt Resolution 2021-04 approving CSA #7 – Burney Flood Control MSR and SOI Update

Attachments:

CSA #7 – Burney Flood Control MSR and SOI Update

Resolution 2021-04 approving the MSR and SOI Update

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**County Service Area # 7
Burney Flood Control**

Municipal Service Review &
Sphere of Influence Update

Commission Hearing Draft
March 2021

SHASTA LOCAL AGENCY FORMATION COMMISSION

Commissioners

Les Baugh, County Member - District 5 Supervisor

Joe Chimenti, County Member & Vice Chair - District 1 Supervisor

Pamela Morgan, City Member - City of Shasta Lake

Mark Mezzanno, City Member - City of Redding

Brenda Haynes, Special District Member - Anderson Cottonwood Irrigation District

Irwin Fust, Special District Member & Chair - Clear Creek Community Services District

Larry Russel, Public Member

Alternate Members:

Mary Rickert, County Member - District 3 Supervisor

Stan Neutze, City Member – City of Anderson

Fred Ryness, Special District Member – Burney Water District

Katherine Ann Campbell, Public Member

Shasta LAFCO Staff:

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Kathy Bull, Office Manager

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Acknowledgements:

LAFCO staff would like to thank the contributors to this Municipal Service Review. Input instrumental in completing this report was provided by Shawn Ankeny, PE, PLS, from the Shasta County Public Works Department.

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Burney Creek Floodwall

DRAFT

COUNTY SERVICE AREA # 7

Introduction

This Municipal Service Review (MSR) and Sphere of Influence (SOI) Update provides information about County Service Area #7 – Burney Flood Control (CSA #7) infrastructure, management, services, and boundaries. The report is for use by the Shasta Local Agency Formation Commission (LAFCO) in conducting a statutorily required MSR review and SOI update process. The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH Act) requires that the Commission conduct periodic reviews and SOI updates of for cities and special districts in Shasta County (Government Code §56425). State law also requires that, prior to SOI adoption, LAFCO must conduct a review of the municipal services provided by that local agency (Government Code §56430). This report provides LAFCO with a tool to study current and future public service conditions comprehensively and to evaluate organizational options for accommodating growth, preventing urban sprawl, and ensuring that critical services are provided efficiently.

CSA Overview

County Service Areas are dependent special districts under County Service Area law (Government Code §25210-25217.4). They provide, water, sewer and other services to unincorporated areas. In Shasta County, they are governed by the Board of Supervisors. The Public County Works Department provides staff support and administers District operations.

Principal Act

The CSA principal act is the County Service Area law (Government Code § 25210-25217.4) which authorizes CSAs to provide up to 26 types of governmental services within its boundaries. CSA #7 is authorized to provide flood control services for the Burney Terrace and Nordic Village subdivisions. Other services, facilities, functions or powers enumerated in the District's principal act but not identified in the formation resolution are "latent," meaning that they are authorized by the principal act under which the District is formed but are not being exercised. Latent powers and services activation require LAFCO authorization as indicated in Government Code §25213.5.

Service Review Determinations

Government Code §56430 requires LAFCO to conduct a review of municipal services provided in the county by region, sub-region or other designated geographic area, as appropriate, for the service or services to be reviewed, and prepare a written statement of determination with respect to each of the following topics:

1. Growth and population projections for the affected area;
2. The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence;
3. Present and planned capacity of public facilities, adequacy of public services, and infrastructure needs or deficiencies (including needs or deficiencies related to sewers, municipal and industrial water, and structural fire protection in any disadvantaged, unincorporated communities within or contiguous to the sphere of influence);
4. Financial ability of agencies to provide services;
5. Status of, and opportunities for, shared facilities;
6. Accountability for community service needs, including governmental structure and operational efficiencies; and

7. Any other matter affecting or related to effective or efficient service delivery, as required by Commission policy.

This service review provides an overview of County Service Areas along with a profile for the subject agency. The report also includes service review determinations and sphere of influence recommendations for:

County Service Area #7 – Burney Flood Control

State Guidelines and Commission policies encourage stakeholder cooperation in the municipal service review preparation. It also provides a basis to evaluate, and make changes to the Spheres of Influence, if appropriate.

Sphere of Influence Determinations

A SOI is a LAFCO-approved boundary that designates an agency's probable physical service area. Spheres are planning tools used to provide guidance for individual boundary change proposals and are intended to encourage efficient provision of organized community services, discourage urban sprawl and premature conversion of agricultural and open space lands, and prevent overlapping jurisdictions and duplication of services.

LAFCO is required to establish SOIs for all local agencies and enact policies to promote the logical and orderly development of areas within the SOIs. Furthermore, LAFCO must update those SOIs every five years. In updating the SOI, LAFCO is required to conduct a municipal service review (MSR) and adopt related determinations. In addition, in adopting or amending an SOI, LAFCO must make the following determinations:

1. The present and planned land uses in the area, including agricultural and open-space lands;
2. The present and probable need for public facilities and services in the area;
3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide;
4. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency; and
5. The present and probable need for public facilities and services related to sewers, municipal or industrial water, or structural fire protection of any disadvantaged unincorporated communities in the existing sphere of influence (effective July 1, 2012).

Uses of the Report

This service review provides the opportunity to identify trends relating to the adequacy, capacity, and cost of providing services in rural areas of Shasta County. Service reviews may identify district boundary changes, where appropriate, to extend services; evaluate consolidation feasibility, where appropriate, and implement other measures to address community water and wastewater service needs. The potential uses of this report are described below.

To Update Spheres of Influence

This MSR serves as the basis for SOI update, to consider territory LAFCO believes represents an agency's appropriate future jurisdiction and service area. All boundary changes, such as annexations, must be consistent with an affected agency's SOI with limited exceptions.

To Consider Jurisdictional Boundary Changes

LAFCO is *not* required to initiate any boundary changes based on service reviews. However, LAFCO, other local agencies (including cities, special districts, or the County), or the public may subsequently use this report together with additional research and analysis, where necessary, to pursue changes in jurisdictional boundaries.

Resource for Further Studies

Other entities and the public may use this report for further study and analysis of issues relating to County Service Areas and water service in Shasta County.

Review Methods

The following information was considered in the service review:

- o Agency-specific data: responses to LAFCO Requests for Information from Shasta County Public Works Department, maps, district plans and agency correspondence;
- o Land Use and Shasta County General Plan data: Shasta County Resource Management – Planning Division;
- o Demographic data: U.S. Census; Department of Finance; CA Water Resources Board;
- o Finances: budgets, rates and fees; and
- o Other Reports and Assessments: State Water Resources Control Board citation

Information gathered was analyzed and applied to make the required determinations for the agency and reach conclusions about the focus issues identified in the service review. All information gathered for this report is filed by LAFCO for future reference.

California Environmental Quality Act

The California Environmental Quality Act (CEQA) is contained in Public Resources Code §21000 *et seq.* Under this law, public agencies are required to evaluate the potential environmental effects of their actions. MSRs are statutorily exempt from CEQA pursuant to §15262 (feasibility or planning studies) and categorically exempt pursuant to CEQA Guidelines §15306 (information collection). It should be noted that when LAFCO acts to update an SOI, CEQA requirements must be satisfied. The lead agency for CEQA compliance would most likely be LAFCO.

Common Topics for an Agency Profile

Several topics are evaluated in an agency profile. Those topics are defined in this section and discussed further in the agency profile.

Disadvantaged Unincorporated Communities

LAFCO is required to evaluate disadvantaged unincorporated communities (DUCs) as part of its municipal service review process. Per California Senate Bill 244, a DUC is defined as any area with 12 or more registered voters where the median household income (MHI) is less than 80 percent of the statewide MHI. Within a DUC, three basic services are evaluated: water, sewer and fire protection.

The most recently available data for US Census Block Groups, Tracts and Places from the US Census American Community Survey (ACS) 5- Year Data is used to determine disadvantaged communities in the region of interest. Using this information, each district or agency is evaluated to determine whether it is a DUC, or in the case of cities, whether there are DUCs within the city's

SOI. In many cases, Census Block Groups are larger than Districts. In these cases, LAFCO's evaluation was conducted with an abundance of caution to ensure no DUCs are overlooked.

Shasta County Growth Projections

Between 2014 and 2018, the estimated Shasta County population grew from 178,520 to 180,040 people, an average annual growth rate of 0.17 percent. When reviewing population data, it is important to distinguish between population changes that affect the entire County and the unincorporated portion of the County, which can be affected by annexations and other boundary changes. The unincorporated area of the County currently makes up about 38% of the County's total population. The California Department of Finance projects the County's population will increase from 179,412 to 188,154, between 2020 and 2030, an average annual growth rate of 0.49%¹. If the unincorporated area's portion of the County's population remains near 38%, it is estimated that the unincorporated area would increase from 68,177 to 71,499 people.

However, according to the most recent California Department of Finance estimate, the Shasta County population decreased by 0.1% from 2018 to 2019². This could be the result of multiple wildfires that have impacted the county over the last several years. For report purposes an annual population growth estimate of 0.17% to 0.49% is used to predict the future population range that may be served by the CSA during this MSR cycle. It should also be noted that the Department of Finance, Demographics Division, now states that assumptions used to project future population may no longer be applicable and that these projections could change with their next estimate cycle, which is every 5 years.

Existing and Planned Land Uses

Land use within the unincorporated portion of the districts is subject to the Shasta County General Plan and Zoning Regulations, which was last updated in 2004.

Governance and Accountability

CSA #7 operates as a dependent special district under the Shasta County Board of Supervisors and is managed by County staff. Any decisions regarding the CSA is made at regular Board meetings. The Board typically meets on Tuesdays at 9:00am in the Board of Supervisors Chambers at 1450 Court Street in Redding, CA. Board meeting dates, times, agendas, and minutes are available online at co.shasta.ca.us. The current Board members are provided below:

¹ California Department of Finance, Projections, P-1: State Population Projections (2010-2060), Total Population by County (1-year increments).

² California Department of Finance, E-1 Population Estimates for Cities, Counties, and the State – January 1, 2018 and 2019, May 2019.

Table 1: Shasta County Board of Supervisors

Board Member	District	Start
Joe Chimenti (<i>Chair</i>)	1- Redding	2019
Leonard Moty	2 - Centerville, French Gulch, Happy Valley, Igo/Ono, Keswick, Platina, Shasta, South Redding, Verde Vale	2009
Mary Rickert	3 - Bella Vista, Burney, Cassel, Fall River Valley, Montgomery Cr, Oak Run, Old Station, Palo Cedro, Pittville, Whitmore	2017
Patrick Henry Jones	4 - Castella, Lakehead, Shasta Lake, Mountain Gate	2021
Les Baugh (<i>Vice Chair</i>)	5 - Anderson, Cottonwood, Millville, Manton, Shingletown, Viola	2007

Governance Structure

As stated above, CSA #7 is a dependent special district governed by the Shasta County Board of Supervisors and managed by the Shasta County Public Works Department. There is currently no Community Advisory Board for the District.

Management and Staffing

The County Public Works Department provides administrative support, staffing, and operations for 11 CSAs, including CSA #7 Burney Flood Control. The Department has one operation supervisor, one lead water/wastewater operator, two licensed water treatment plant operators, and four extra help employees. The Department is responsible for maintaining, upgrading, or replacing equipment. They also manage budgets, suggest service rates and assure compliance with all laws relating to quality, health, and safety. The Department manages funds for CSA capital improvement projects, bond assessments, and debt service, and administers billing of CSA customers.

AGENCY PROFILE

This section profiles the County Service Area listed below. Included in the profile is a description of the agency’s organizational development, tables listing key service information, and maps showing jurisdictional boundaries.

CSA #7 – Burney Flood Control

CSA #7 – Burney Flood Control

Burney, located approximately 50 miles northeast of Redding on Highway 299, is a rural community of approximately 3,800. Established in a small valley along Burney Creek in the late 1800’s, the town has a long history of agriculture and timber production. More recently, renewable energy wind turbines were placed along the ridge of Hatchet Mountain just west of Burney.

CSA #7 lies on the southern edge of Burney adjacent to Burney Creek and primarily along Sapphire Drive. The CSA was formed in order to provide stormwater management and flood control to two major subdivisions.

Table 2: CSA #7 Overview

Primary Contact	Shawn Ankeny, PE, PLS – Shasta County Public Works Department		
Address:	1855 Placer Street, Redding, CA 96001		
Website	https://www.co.shasta.ca.us/index/public-works		
Services Provided	Flood Control		
Population Served:	~250	Service Area:	79.8 acres

Formation

CSA #7 was formed on October 19, 1988 in order to provide storm drainage and flood prevention to the Burney Terrace and Nordic Village subdivisions. As flood control was unique to the area at the time, it was deemed inappropriate to include the subdivisions in another CSA or similar district.

County Service Area Boundary and Sphere

CSA #7 boundary and coterminous SOI were originally set in 1988 at the time of the CSA formation. The boundary encompasses 79.8 acres along Bartel Street, Sapphire Road, and Hundson Street to the south of Highway 299. It includes 103 parcels, the majority of which are developed with single family homes. The boundary and SOI have not change since original formation.

Other Service Providers

Water and wastewater services are provided by Burney Water District which also provides park services. According the 2019 Combined Water Services MSR the District is in good standing and has adequate capacity to provide services to the community³.

Fire services are provided by the Burney Fire Protection District which extends to a larger area and includes the communities of Burney and Johnson Park along with surrounding agricultural and

³ Shasta LAFCO, Combined Water Services Municipal Service Review and Sphere of Influence Update, July 1, 2019.

forest lands. The District maintains two fire stations in the area which are in fair condition. While the District is able to provide adequate service, additional upgrades to stations and additional apparatus would further improve services⁴. There is also a CALFIRE station in Johnson Park that helps supplement fire services for the area.

CSA #7 is also within the Fall River Resource Conservation District (RCD) Boundary. The Fall River RCD was organized in 1957 and covers slightly less than 1.2 million acres in eastern Shasta County and parts of Shasta, Siskiyou, Lassen and Modoc Counties. The RCD provides a number of landowner services, focusing on soil and water conservation on rangeland, pastureland and irrigated cropland, and monitors the water quality of Fall River, Pit River, Hat Creek, Burney Creek and all the watersheds in the District. The residents in the District have benefited from educational workshops on a variety of topics from fuel reduction to noxious weed control. The Shasta County Board of Supervisors appoints RCD Directors who serve voluntarily. The Fall River RCD has seven local Directors who assume leadership positions within the District by providing direction in their communities' natural resource programs

Existing and Planned Land Uses

Land Use

Land use in CSA #7 is entirely Urban Residential (UR). Surrounding land use is primarily UR to the north and Timber (T) to the south. Much of the area to the south in the hillsides is actively managed for timber production and no further expansion of neighborhoods is anticipated for the area. The CSA is also adjacent to Pit River Trust Land which is overseen by the Pit River Tribe.

Zoning

Zoning in CSA#7 is predominantly one-family residential with building site combining (R-1-BSM) with two parcels zoned as planned development (PD). This allows for low-density single-family home development throughout the subdivisions. Zoning to the south is entirely Timber Production (TP) while additional surrounding zoning includes R-1, Timberland (TL), and Designated Floodway (F-1).

Growth and Population

CSA #7 includes the Burney Terrace and Nordic Village Subdivisions which have a combined total of 103 parcels with 10 vacant. Based on the average single-family household size of 2.76 for the area, there is an estimated 256 residents within the boundary⁵. The subdivisions are near built out and limited growth is anticipated for the CSA.

The town of Burney, which includes CSA #7, is a Census Designated Place (CDP) and has an estimated 2018 population of 3,807⁶. Based on a growth range of 0.17% to 0.49%, there could be an additional 32 to 94 persons in the area by 2023.

Disadvantaged Unincorporated Communities

Burney CDP has a 2018 estimated MHI of \$40,119⁷ which is 56% of the 2018 California MHI of \$71,228⁸. This qualifies the area as a DUC. The surrounding census block groups also fall below the 80% threshold and likewise qualify as DUCs. As such, the community needs to be assessed for access to water, wastewater, and fire services. As discussed above under "Other Service Providers", these services are adequately provided to the community by the Burney Water District and Burney Fire Protection District.

⁴ Shasta LAFCO, Intermountain Area Fire Protection Services Municipal Service Review and Sphere of Influence Update, March 20, 2018.

⁵ US Census, American Community Survey 2018 5-year Estimates, Table S1101 for Burney CDP, California.

⁶ US Census, American Community Survey 2018 5-year Estimates, Table S0101 for Burney CDP, California.

⁷ US Census, American Community Survey 2018 5-year Estimates, Table S1903 for Burney CDP, California.

⁸ US Census, American Community Survey 2018 5-year Estimates, Table S1903 for California.

Figure 1: CSA #7 Boundary and Sphere

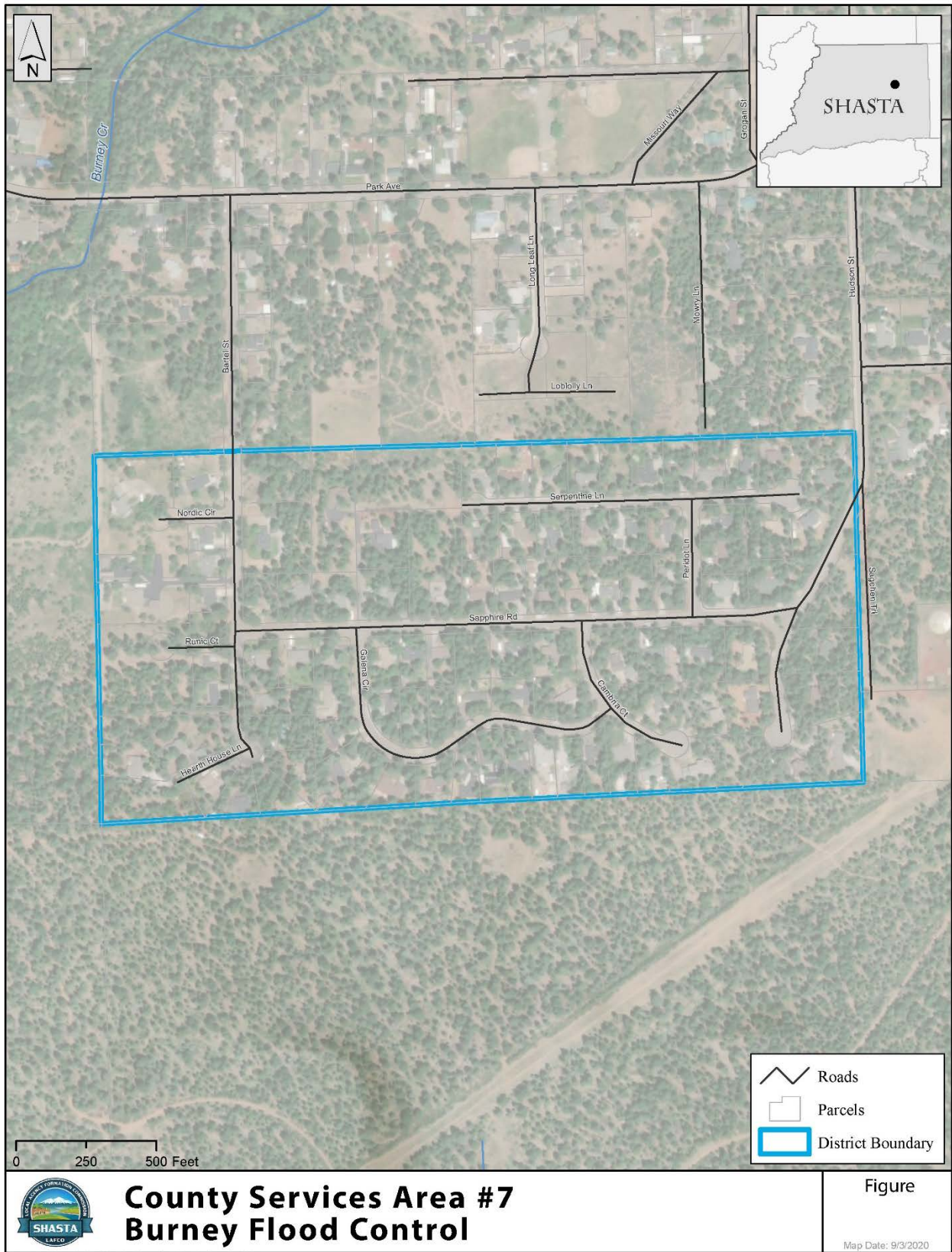
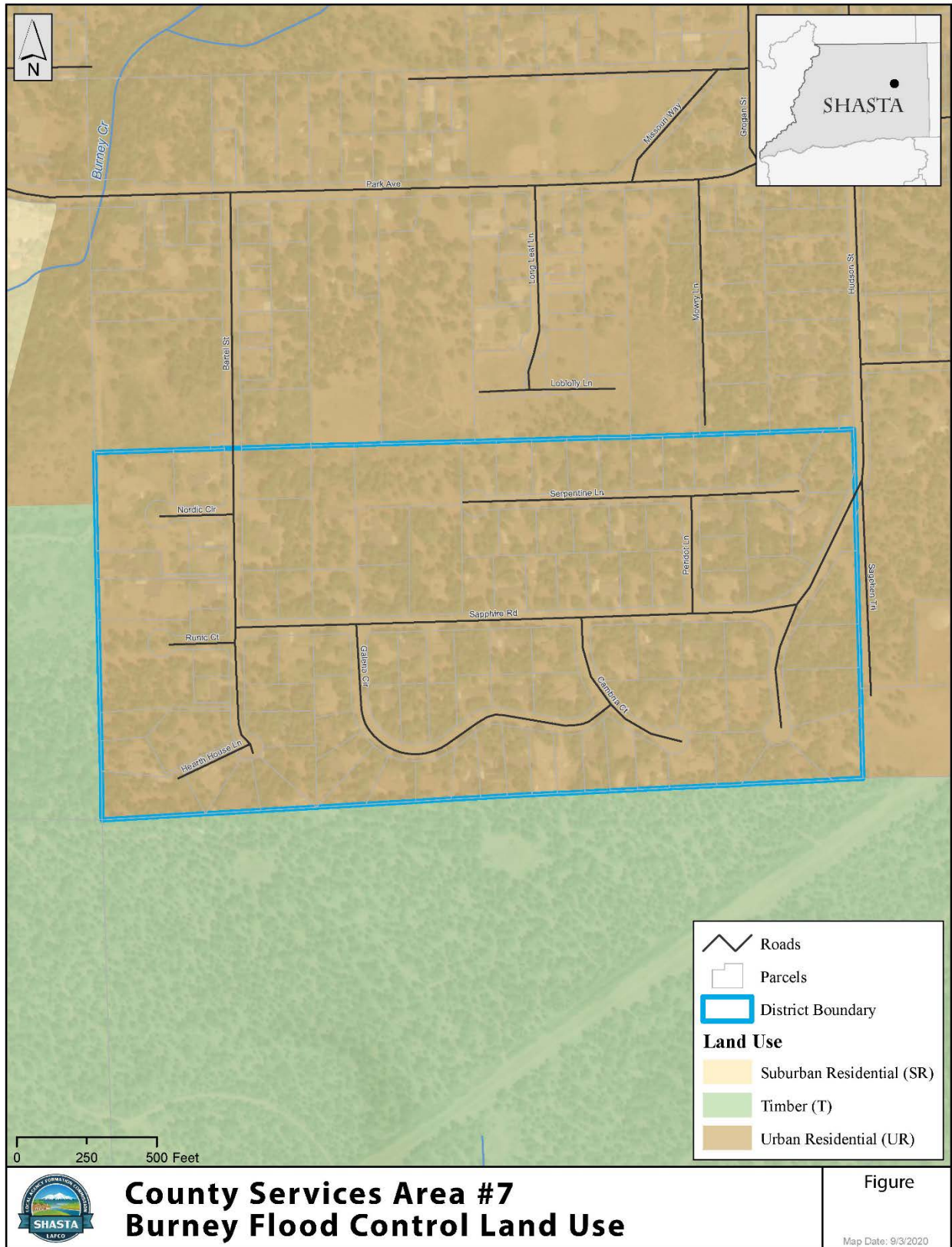


Figure 2: CSA #7 Land Uses



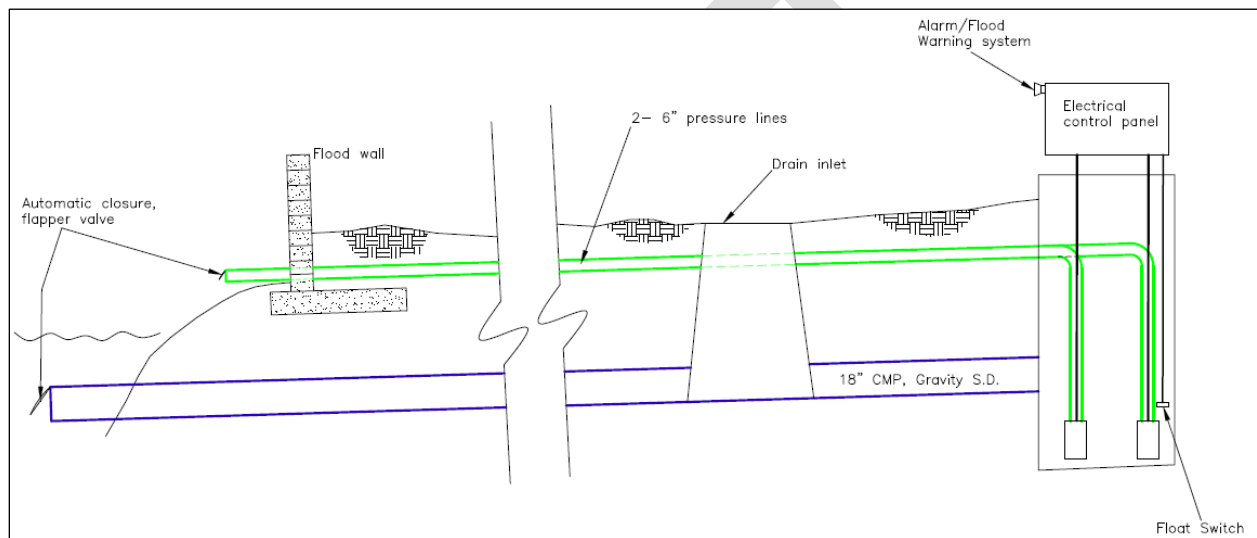
Municipal Services

CSA #7 offers stormwater and flood control services in a neighborhood area in northeastern Shasta County that is adjacent to an overflow channel of Burney Creek.

Drainage

Drainage ditches exist along the roadways within the County road right-of-way throughout the CSA. These ditches allow water to flow naturally towards a storm water gravity line and pump station on the western side of the CSA. This drainage line flows under the flood wall to an outfall in the Burney Creek overflow channel. Regular maintenance is performed on the system to ensure functionality. Figure 3 below provides a diagram of the pump and drain system.

Figure 3: CSA #7 Pump Station Diagram



The pump station includes a flood warning system that is activated by a float switch. When the float reaches the designated flood level in the vault, the alarm will sound notifying nearby residences of flood potential.

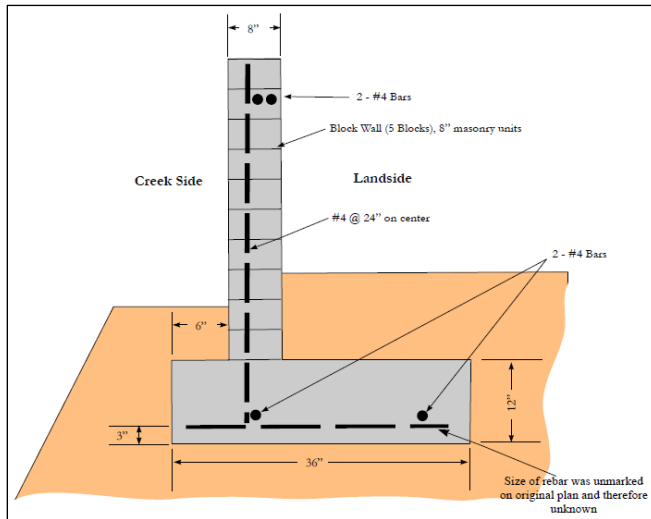
Flood Control

In order to protect the subdivisions and prevent flooding from the Burney Creek overflow channel on the western edge of the CSA, a floodwall was constructed. The 1,440 foot long floodwall was constructed out of reinforced cement blocks attached to a reinforced concrete footing⁹ (Figure 4). Limited erosion has occurred along the flood channel and none has occurred around the footing of the floodwall. Minor vegetation exists along the wall and the drainage channel. In order to comply with FEMA regulations concerning a minimum vegetation-free zone, county staff previously cleared these areas¹⁰.

⁹ CGI Technical Services Inc., Geotechnical Report: Burney Creek Floodwall Evaluation Project, December 9, 2010.

¹⁰ CGI, 2010.

Figure 4: Cross-section of CSA #7 Floodwall¹¹



The floodwall was originally a certified FEMA flood retention structure. However, in 2011 the wall was de-certified due to structural limitations. A structural assessment of the wall conducted by the County found that it has overall stability limitations which may lead to toppling or other failure during a major flood event. It was also found that it does not contain adequate internal reinforcement which may also lead to failure¹².

Floodwall repair and modification is currently cost prohibitive and to date, property owners in the CSA have elected to not increase the assessment fee to cover cost of improvements. Since the floodwall is no longer certified, a portion of CSA #7 is now considered a Special Flood Hazard Area and homeowners are required to purchase and maintain flood insurance¹³. The County will continue to conduct maintenance when necessary but currently has no plans to either upgrade or remove the structure.

Financial Overview

CSA #7 is primarily funded through a special assessment of \$43.00 that is included on the annual tax bill for each property. Additional income comes from interest on the total fund balance. In previous years, the CSA was planning to conduct major assessments on and rehabilitation of infrastructure. However, they have switched over to minor maintenance and repair. As such, the CSA has adequate funds to cover current costs and is able to build up reserves. As of September 2020, the total fund balance for the CSA was \$105,173.66.

¹¹ CGI, 2010. Plate 5a.

¹² County of Shasta, Department of Public Works, Engineering Field Notes, December 7, 2009.

¹³ Pacific Hydrologic Incorporated, Letter Regarding Burney Floodwall. July 27, 2010.

Table 3: CSA #7 Financial Summary

Categories	Adopted FY18-19	Actual FY18-19	Adopted FY19-20	Actual FY19-20	Adopted FY20-21
Revenue					
CSA #7 Assessment	\$4,409.00	\$4,408.92	\$4,427.00	\$4,408.92	\$4,427.00
Interest	\$200.00	\$1,482.23	\$500.00	\$1,922.20	\$800.00
Total Revenue	\$4,609.00	\$5,891.15	\$4,927.00	\$6,331.12	\$5,227.00
Expenses					
Maintenance of Structures	\$5,000.00	\$0	\$5,000.00	\$0	\$1,000.00
Professional and Special Services	\$50,000.00	\$0	\$50,000.00	\$0	\$1,000.00
Utilities	\$200.00	\$161.88	\$200.00	\$151.29	\$200.00
Central Service Cost Plan	\$271.00	\$271.00	\$333.00	\$333.00	\$624.00
Total Expenses	\$55,471.00	\$432.88	\$55,533.00	\$484.29	\$2,824.00
Net Total	(\$50,862.00)	\$5,458.27	(\$50,606.00)	\$5,846.83	\$2,403.00

Accountability and Governance

As noted earlier, CSA #7 is governed by the County Board of Supervisors. Meetings are held on Tuesday's at 9:00 am in the Board Chambers at 1450 Court Street in Redding¹⁴. The CSA currently does not have an advisory board nor a website where information about the CSA can be accessed.

Budgets are approved annually by the BOS which then establishes the scope of work and improvements that can be performed. The Board communicates directly with the Director of Public Works and/or department staff during weekly Board meetings or through written communications.

Municipal Service Review Determinations

(1) Growth and population projections for the affected area

- a) CSA #7 has an estimated population of 256 and has limited potential for additional growth within the two subdivisions.

(2) The location and characteristics of any disadvantaged unincorporated communities within or contiguous to the sphere of influence

- a. Burney CDP, which includes CSA #7, has a MHI that is 56% of the California MHI and therefore qualifies as a DUC.
- b. Primary services for CSA #7 including water, wastewater, and fire protection are adequately provided by Burney Water District and Burney Fire Protection District.

¹⁴ Dates of scheduled meetings can be found online at <https://www.co.shasta.ca.us/docs/libraries/bos-docs/bos-meetings/bos-meetings-calendar-2020.pdf>.

(3) Present and planned capacity of public facilities and adequacy of public services, including infrastructure needs or deficiencies

- a) The current stormwater infrastructure is adequate to meet the needs of the community.
- b) The floodwall has been decertified by FEMA which requires some residents within the CSA to carry flood insurance. However, based on structural and geotechnical reports, the wall is sound and able to provide flood protection to the CSA.

(4) Financial ability of agencies to provide services

- a) CSA #7 has a current fund balance of \$105,173 and is operating with an annual surplus of funds. This indicates the agency is able to provide continued service and build up reserves for major maintenance and repair projects.
- b) The CSA is currently not able to fund recertification of the floodwall by FEMA. Should residents wish to recertify the floodwall, an increased special assessment will be required.

(5) Status of and, opportunities for, shared facilities

- a) There may be opportunity for shared services with the Fall River RCD, subject to a mutually agreeable arrangement by both the CSA and the RCD.

(6) Accountability for community service needs, including governmental structure and operational efficiencies

- a) CSA #7 is a dependent special district that is governed by the Shasta County Board of Supervisors.

(7) Any other matter related to effective or efficient service delivery.

- a) None beyond those noted above.

Sphere of Influence Determinations

In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development of local governmental agencies, to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence, as defined by Government Code §56036, and enact policies designed to promote the logical and orderly development of areas within the sphere. In determining the sphere of influence of each local agency, the commission shall consider and prepare a written statement of its determinations with respect to the following:

(1) Present and planned land uses in the area, including agricultural and open-space lands.

- a) The areas surrounding CSA #7 are primarily residential and timber production. Pit River Trust land is also located adjacent to the CSA. These uses are expected to continue, and it is unlikely the CSA will need to expand.

(2) Present and probable need for public facilities and services in the area.

- a) Burney Creek flows near the CSA and an overflow channel exists along the CSA boundary. As such, flood potential still exists within and adjacent to the CSA.
- b) Due to seasonal rains and snowmelt, there is regular stormwater flow throughout the CSA. In order to prevent localized flooding, the stormwater system should continue to be maintained.

- (3) Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.**
- a) The existing floodwall for the CSA has been decertified by FEMA. As such, the CSA is unable to provide a high level of flood protection.
 - b) The existing stormwater system is adequate to allow flow of water through the neighborhood and prevent abundant localized flooding.
- (4) Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.**
- a) CSA #7 is located within the Burney CDP which provides basic services for CSA residents and minimal employment opportunities.
- (5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere.**
- a) CSA #7 does not provide water, wastewater, or fire services for the area.

DRAFT

**SHASTA LOCAL AGENCY FORMATION COMMISSION
SHASTA LAFCO RESOLUTION 2021-04**

**RESOLUTION OF THE SHASTA LOCAL AGENCY FORMATION COMMISSION
ADOPTING THE MUNICIPAL SERVICE REVIEW & SPHERE OF INFLUENCE
UPDATE OF THE COUNTY SERVICE AREA #7**

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 established in each county, as defined and specified in Government Code Sections 56000 et seq.; and

WHEREAS, the Shasta Local Agency Formation Commission (LAFCO), hereinafter referred to as the “Commission”, is authorized to conduct municipal service reviews and establish, amend, and update spheres of influence for local governmental agencies whose jurisdictions are within Shasta County; and

WHEREAS, The MSR/SOI update included:

County Service Area #7 – Burney Flood Control

WHEREAS, the Executive Officer prepared a Municipal Service Review of the County Service Area #7, and a proposed updated sphere of influence boundary recommendation based upon this analysis pursuant to California Code Section 56430; and

WHEREAS, in the accordance with California Government Code Section 56661, the Executive Officer has given sufficient notice of the public hearing by the Commission on the proposal; and

WHEREAS, the Executive Officer has presented to the Commission, a written staff report with recommendation on the proposal in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all testimony and evidence presented at a public hearing held on April 1, 2021; and

WHEREAS, the Commission considered all the factors required under California Government Code Section 56425; and

NOW THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED as follows:

1. The Commission hereby accepts the County Service Area #7 Municipal Review and Sphere of Influence update, incorporated herein by reference.
2. The Commission, as the lead agency, finds the sphere of influence update

is exempt from further review under the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations, Chapter 3 CEQA Guidelines, 15061(b)(3).

3. The Commission, pursuant to Government Code Section 56425, makes the written statement of determinations included in the sphere of influence update, hereby incorporated by reference.

4. The Executive Officer shall revise the official records of the Commission to reflect this Sphere of Influence Update.

BE IT FURTHER RESOLVED The Municipal Service Review and Sphere of Influence update of County Service Area #7 is hereby approved and incorporated herein by reference as presented on the attached maps noted as Exhibit A.

THE FOREGOING RESOLUTION was passed and duly adopted at a regular meeting of the Shasta LAFCO Commission on April 1, 2021 by the following votes:

AYES:
NOES:
ABSTAINS:
ABSENT:

Dated: _____

Irwin Fust, *Chairman*
Shasta Local Agency Formation Commission

