

# SONOMA LOCAL AGENCY FORMATION COMMISSION

111 SANTA ROSA AVENUE, STE. 240, SANTA ROSA, CA 95404

(707) 565-2577

[www.sonomalafco.org](http://www.sonomalafco.org)

## Staff Report

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<b>Meeting Date:</b>	March 1, 2023
<b>Agenda No.</b>	Item 5.3
<b>Agenda Item Title:</b>	Applicant-Financed Municipal Service Review and Sphere of Influence Study for Valley of the Moon Water District; Authorization to Issue Request for Proposals from Consultants
<b>Environmental Determination:</b>	Not a Project under CEQA
<b>Staff Contacts:</b>	Mark Bramfitt

## Analysis

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### Background

Staff has been contacted by two sets of residents in Sonoma Valley seeking annexation to the Valley of the Moon Water District.

One resident in Glen Ellen has a parcel immediately adjacent to the District but outside the District's sphere of influence. The resident has a failed well (water quality) and documentation that would support authorizing the District to serve the property under an Outside Service Area Authorization granted by LAFCO.

However, the District's Board of Directors has determined that the District will only serve properties outside of the District upon annexation: they will not seek Outside Service Area Authorizations as a matter of policy. Therefore, the only option for this resident is to seek a Sphere of Influence amendment for the District followed by an annexation application.

An additional group of about a dozen property owners in the Trinity Oaks area are also interested in securing municipal water service from the District. It is unknown whether these properties are experiencing well failures.

The property owners are attempting to coordinate a request to LAFCO to conduct a Municipal Services Review and Sphere of Influence Amendment Study that may support inclusion of their properties in the District's sphere.

LAFCO staff conducted a Municipal Services Review and Sphere Study in 2019.

Given that the request for a sphere amendment is coming from applicants, not the District, LAFCO's fee schedule and policies require the applicants to pay all fees for conducting the Municipal Service Review, as well as staff time. Fees will also be charged for any subsequent annexation applications if the sphere for the District is amended by the Commission.

Staff would like the Commission's approval to proactively issue a Request for Proposals from qualified consulting firms to prepare a Municipal Service Review and Sphere Study for the District. If the applicants are unable to file a deposit against expected expenses, a contract will not be executed. Staff proposes that the deposit be equal to a selected contractor's bid, rather than the \$10,000 initial deposit indicated by the Commission's fee schedule.

As a point of general information, staff notes that the Valley of the Moon Water District's stance regarding Outside Service Area Authorizations may be an indication of increasing resistance to the provision of municipal water service by cities and special districts parcels outside of their boundaries. Cities and Districts are of course facing water supply challenges, not least of which due to current drought conditions.

Staff has found that cities and districts have not planned for providing service beyond that projected for existing customers and growth within their existing boundaries and spheres of influence.

### **Recommendation**

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Staff is seeking Commission approval to issue a request for Proposals from qualified consultants to prepare a Municipal Service Review and Sphere of Influence Study for the Valley of the Moon Water District. Staff notes that the project will be applicant funded.

### **Attachments**

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None