

Mariposa County
Local Agency Formation Commission
Resolution No. 2008 - 001

RESOLUTION DETERMINING THAT THE MUNICIPAL SERVICE REVIEW FOR WATER AND WASTEWATER IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE FINAL MUNICIPAL SERVICE REVIEW, INCLUDING STATEMENTS OF DETERMINATION FOR THE SERVICES PROVIDED BY THE MARIPOSA PUBLIC UTILITY DISTRICT, COUNTY SERVICE AREA 1-M/SEWER ZONE 1, COUNTY SERVICE AREA 1-M/COULTERVILLE WATER AND SEWER, COUNTY SERVICE AREA 1-M/MARIPOSA PINES, YOSEMITE ALPINE COMMUNITY SERVICES DISTRICT, AND YOSEMITE WEST MAINTENANCE DISTRICT

WHEREAS, the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code §56000 et seq.) requires each Local Agency Formation Commission (LAFCO) to conduct municipal service reviews prior to or in conjunction with Sphere of Influence studies and updates; and

WHEREAS, LAFCOs are also required to review and update, as necessary, the Sphere of Influence for all agencies not less than once every five years; and

WHEREAS, the Mariposa County LAFCO has approved the work plan to conduct the municipal service review for the Mariposa Public Utility District, County Service Area 1-M/Sewer Zone 1, County Service Area 1-M/Coulterville Water and Sewer, County Service Area 1-M/Mariposa Pines, the Yosemite Alpine Community Services District, and the Yosemite West Maintenance District; and

WHEREAS, the "Municipal Service Review – Water and Wastewater" report contains statements of determinations as required by California Government Code §56430 for the services provided by the Mariposa Public Utility District, County Service Area 1-M/Sewer Zone 1, County Service Area 1-M/Coulterville Water and Sewer, County Service Area 1-M/Mariposa Pines, the Yosemite Alpine Community Services District, and the Yosemite West Maintenance District; and

WHEREAS, the Mariposa County LAFCO Executive Officer gave notice of a public hearing by the Commission to consider the "Municipal Service Review – Water and Wastewater" report and the statements of determinations necessary to comply with California Government Code §56430 for the Mariposa Public Utility District, County Service Area 1-M/Sewer Zone 1, County Service Area 1-M/Coulterville Water and Sewer, County Service Area 1-M/Mariposa Pines, the Yosemite Alpine Community Services District, and the Yosemite West Maintenance District; and

WHEREAS, the Mariposa County LAFCO Executive Officer has recommended that the municipal service review for Water and Wastewater be determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines; and Mariposa County LAFCO Resolution Adopting CEQA Exemption and Approving Municipal Service Review for Water and Wastewater; and

WHEREAS, the municipal service review of the services provided by the Mariposa Public Utility District, County Service Area 1-M/Sewer Zone 1, County Service Area 1-M/Coulterville Water and Sewer, County Service Area 1-M/Mariposa Pines, the Yosemite Alpine Community Services District, and the Yosemite West Maintenance District, and the related recommended statements of determination were duly considered on April 22, 2008; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the recommended exemption from CEQA, the municipal service review and the written determinations for the services provided the Mariposa Public Utility District, County Service Area 1-M/Sewer Zone 1, County Service Area 1-M/Coulterville Water and Sewer, County Service Area 1-M/Mariposa Pines, the Yosemite Alpine Community Services District, and the Yosemite West Maintenance District, including but not limited to the “Municipal Service Review – Water and Wastewater” report and the Executive Officer’s report and recommendations;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Mariposa County Local Agency Formation Commission as follows:

(1) The service review of the services provided by the Mariposa Public Utility District, County Service Area 1-M/Sewer Zone 1, County Service Area 1-M/Coulterville Water and Sewer, County Service Area 1-M/Mariposa Pines, the Yosemite Alpine Community Services District, and the Yosemite West Maintenance District, as contained in the Municipal Service Review – Water and Wastewater report, together with the related statements of determination, are determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to §15061(b)(3) of the CEQA Guidelines.

(2) The Commission directs staff to file a Notice of Exemption as the lead agency under Section 15062.

(3) The Commission accepts the Municipal Service Review – Water and Wastewater report as presented to the Commission on April 22, 2008. The Executive Officer is authorized to make minor corrections and additions to this report for accuracy and completeness.

(4) The Executive Officer's Staff Report and Recommendation for approval of the municipal service review of the services provided by the Mariposa Public Utility

District, County Service Area 1-M/Sewer Zone 1, County Service Area 1-M/Coulterville Water and Sewer, County Service Area 1-M/Mariposa Pines, the Yosemite Alpine Community Services District, and the Yosemite West Maintenance District, dated April 22, 2008, is hereby adopted.

(5) Pursuant to California Government Code §56430 the statements of determination within the Municipal Service Review- Water and Wastewater report are hereby adopted by reference for the services provided by the Mariposa Public Utility District, County Service Area 1-M/Sewer Zone 1, County Service Area 1-M/Coulterville Water and Sewer, County Service Area 1-M/Mariposa Pines, the Yosemite Alpine Community Services District, and the Yosemite West Maintenance District.

PASSED AND ADOPTED by the Mariposa County Local Agency Formation Commission this 22nd day of April, 2008, by the following vote:

AYES: PICKARD, FRITZ, TURPIN, MEE, CASTO

NOES: NONE

ABSENT: NONE

NOT VOTING: NONE




Kris Casto, Chair
Local Agency Formation Commission

Attest:



Kris Schenk
LAFCo Executive Director

APPROVED AS TO FORM:



Thomas P. Guarino
County Counsel