



LOCAL AGENCY FORMATION COMMISSION
575 ADMINISTRATION DRIVE, ROOM 104A, SANTA ROSA, CA 95403
(707) 565-2577 FAX (707) 565-3778
www.sonoma-county.org/lafco

OUTSIDE SERVICE AREA AGREEMENTS

(Effective September 2006)

Government Code section 56133 allows a city or district to provide new or extended services outside its jurisdictional boundaries, by contract or agreement, only after it requests and receives written approval of the Local Agency Formation Commission (LAFCO). The law does not apply to agreements between two or more public agencies where the public service to be provided is an alternative to, or substitute for, services already being provided by an existing public service provider and at a level consistent with the level of service proposed; the transfer of non-potable or non-treated water; the provision of surplus water to agricultural lands and facilities; where services were being provided on or before January 1, 2001; and involving a local publicly-owned electric utility outside its jurisdictional boundaries.

An Outside Service Area Agreement (OSAA) application should be submitted to Sonoma LAFCO by the city or special district proposing to provide services outside its boundaries. Applications from individuals requesting city or district services will not be accepted.

The OSAA application will be deemed complete when all the following requirements are fulfilled and materials are provided:

1. Completed Sonoma LAFCO Outside Service Area Agreement application
2. One copy of signed city or district resolution or administrative authorization approving the OSAA
3. Unless included in city/district resolution, one copy of applicable environmental document. If applicant city or district, as lead agency in accordance with the California Environmental Quality Act (CEQA), has found the project to be exempt from CEQA, please provide copy of Notice of Exemption. If not exempt, provide three (3) copies of environmental document discussing impacts. Negative declarations must include an initial study.
4. One copy of any staff reports or supporting documentation related to this proposal, if applicable
5. One copy of signed contract or agreement between agency and property owners seeking service, that stipulates the terms and conditions of extending service to the affected territory and indicates that service is contingent on LAFCO approval
6. A vicinity map showing the affected parcel(s), city or district boundaries, and city or district sphere of influence and relevant proposed and/or existing infrastructure/structures
7. If proposal is requested to alleviate a public health or safety concern, a letter describing the situation from Sonoma County Permit and Resource Management Department/Well & Septic Division or other appropriate agency



8. Payment of filing fees (see current Fee Schedule)
9. Any additional information required by the Executive Officer

Procedure and Policies

The following procedures and guidelines apply to the processing of Outside Service Area Agreement applications.

1. Within 30 days of receipt of an application for OSAA approval, LAFCO staff will determine whether the application is exempt from LAFCO approval. If the application is determined to be exempt from LAFCO approval, LAFCO staff will notify the applicant city or district in writing, within 15 days of the date of determination.
2. If an application is not exempt from LAFCO approval, LAFCO staff will determine the application's completeness. If incomplete, LAFCO staff will notify the applicant city or district as soon as possible after review, specifying areas of incompleteness and changes needed.
3. Within 60 days of the determination of completeness, LAFCO staff will approve, disapprove, approve with conditions, or refer the application to the Commission. The application will be approved if the applicant city or district demonstrates that the proposal meets the following criteria:

- A. The affected territory is outside the boundaries of the agency which would provide the service, but within its sphere of influence, and the new or extended services to be provided are in anticipation of a later change of organization (e.g., reorganization or annexation)

OR

The affected territory is outside the agency's boundaries and sphere of influence, the new or extended services to be provided are in response to a documented threat to public health or safety of the residents of the affected territory, and the Commission has notified any alternate service provider that has filed a map and a statement of its service capabilities with the Commission;

- B. The agency has the ability to provide the necessary services and has approved an OSAA;
 - C. An OSAA is the preferred method of providing the services at this time;
 - D. The agency has made determinations with respect to provisions of the California Environmental Quality Act (CEQA);
 - E. The OSAA is consistent with the Sonoma County General Plan.
4. Within 10 days after approval or denial of the OSAA, LAFCO staff will notify the applicant and any proponent of the determination. Any interested person, agency or member of the Commission may request Commission review of the decision within 10 days. If an application is disapproved or approved with conditions, the applicant city or district may request reconsideration, citing the reasons for reconsideration.