

**E.4. TULARE COUNTY LOCAL AGENCY FORMATION COMMISSION  
PROPOSAL QUESTIONNAIRE**

**A. General**      GC §§56652(b)&(d), 56668(i), 56654(b), Policy B-1

1. Type of Proposal: Divestiture and Annexation

2. Title of Proposal:

Divestiture of the water supply power from East Orosi Community Services District and annexation of the area encompassed by the East Orosi Community Services District into the Orosi Public Utility District for the purposes of domestic water service .

3. Statutory provisions governing proceedings which will be initiated if application is approved:

- Gov. Code Section 61000, *et seq.* (Community Services District Law);
- Gov. Code Section 56000, *et seq.* (Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as amended), specifically:
  - Gov. Code Section 56014 (Affected Local Agency)
  - Gov. Code Section 56654 (Change of Organization)

4. Describe, generally, the location of the subject territory:

The communities of Orosi and East Orosi are located along California State Route 63 (SR 63; Avenue 416), approximately 15 miles northeast of Visalia and 7 miles east of Dinuba.

5. Has notice of this proposal been provided to all affected districts/agencies? If so, please attach a copy of the notice, a list of the districts/agencies the notice was provided to and any comments received from those districts/agencies.

Yes. See attached. Orosi Public Utility District, Alta Healthcare District, Alta Public Cemetery District, Delta Mosquito & Vector Control District, Tulare County Citrus Pest Control District, Tulare County Flood Control District, County Service Area #1, East Orosi Community Services District

6. Has the applicant or applicant's agent met with LAFCO staff prior to submission of this proposal? *[A pre-consultation meeting is required pursuant to Tulare County LAFCO Policy B-1]*

Yes. A meeting was held between LAFCo and the County of Tulare in April, 2023. Additionally, ongoing monthly meetings between Orosi, East Orosi, the State Water Resources Control Board, County staff, LAFCo, Community Water Center, and Self Help Enterprises occur.

**B. LAND USE** GC §§56668(a)(g)(h), Policy C-1

1. Site Information: (Please include acreages for proposed zoning and General Plan designations and the number and types of existing and proposed structures in the subject territory)

<b>Zoning Designations</b>	<b>Existing Acres</b>	<b>Percent/Proposed</b>
A-1	Approximately .03	0.08
C-2-MU	Approximately 1.26	3
M-1	Approximately 2.16	5.2
R-A	Approximately 38	91.4
<b>General Plan Designation</b>	<b>Existing Acres</b>	<b>Percent/Proposed</b>
A-1	Approximately .03	0.08
C-2-MU	Approximately 1.26	3
M-1	Approximately 2.16	5.2
R-A	Approximately 38	91.4
Uses	Residential Mixed Use, Commercial,	Mixed -Use
1. The East Oroshi Community Plan, adopted in December 2017, 2. All structures will remain constant except for the new well and conveyance system.		

2. Surrounding Land Uses and Zoning and General Plan Designations:

	<b>Zoning Designation</b>	<b>General Plan Designation</b>	<b>Existing Use</b>
North	AE-20	AE-20	Agricultural
South	AE-40	AE-40	Agricultural
East	AE-20	AE-20	Agricultural
West	AE-20	AE-20	Agricultural

3. Is the project entirely within the City/District Sphere of Influence? If no, a SOI Amendment may be required. Please refer to LAFCO Policy C-5.

The project is not within a city or city sphere of influence. The project is within the East Oroshi Community Services District. This application will seek to amend the Oroshi Public Utility District SOI.

**C. PHYSICAL FEATURES** GC §§56668(a), Policy C-1

1. Description of General Topography:

Slopes of 0-2%, consistent with the Central Valley floor

2. Describe natural boundaries such as rivers, mountains, etc:

No natural boundaries transect the territory.

3. Designate and describe, generally, the major highways and streets, the rivers, drainage basins, flood control channels, and similar features within and adjacent to the subject territory:

The project site is situated along SR 63, which connects the communities of Cutler, Orosi, and East Orosi via Avenue 416. At this location, SR 63 is a four-lane, undivided highway with paved shoulders, abutted to the east and west by urban development including commercial and residential development. Avenue 416 is a two-lane undivided roadway with unpaved shoulders, abutted to the north and south by a combination of agricultural lands, natural grasslands, and rural development. No drainage basins, flood control channels, or similar features are within or adjacent to the proposed Formation boundary.

**D. AGRICULTURE AND OPEN SPACE** GC §§56668(d)&(e), 56377, 56749, 56753.5, 56754, 56856, 56856.5, 51243.5, Policy C-1

1. Is the site under Williamson Act contract? (If yes, please answer 2 to 6. If no, skip to 7.)

Portions of the area are subject to the Williamson Act.

2. Please list the following information:

Contract Number	Preserve Number	Total Acres
7212	1461	10

3. Did the City protest the execution of the contract(s)? *If yes, please attach the City Resolution protesting the contract(s).*

N/A

4. Does the City intend to succeed or not to succeed to the contract(s)? *The City's intent should also be included in its Resolution of Application.*

N/A

The County intends to continue to conform to the Williamson Act Contracts.

5. Has a Notice of Non-Renewal been submitted for the contract(s)? If so,

when was the notice filed with the County?

Not applicable, as the project does not include any proposal for development or for any use that would conflict with the Williamson Act.

6. Has an application for cancellation been submitted? If so, what is the status of the application?

No.

7. Is the site subject to an open space or agricultural easement? *If yes, please describe:*

No.

8. Please provide the applicable information below or attach in a separate document (note: commercial & industrial acreage information doesn't need to be provided for a fully residential annexation):

N/A

9. Is there any non-residentially zoned land that is inhabited within the City? If yes, please list the acreage, land use designations and estimated number of inhabitants.

Not applicable, as the proposal does not involve an incorporated city.

**E. POPULATION** *GC §§56668(a), 56046, Policy C-1*

1. Estimated total population of subject territory: (Indicate source of your information.)

The population of Oroshi is approximately 8,329 and the population of East Oroshi is approximately 423. The population estimates were provided by Data USA which uses American Community Survey, conducted by the US Census.

Oroshi. Data USA

<https://data.census.gov/table?q=Oroshi,+CA&t=Population+Total:Populations+and+People&tid=DECENNIALDPSF42000.DP1> Accessed 06/13/23.

East Oroshi. Data USA

<https://data.census.gov/table?q=East+Oroshi+CDP;+California&t=Population+Total&tid=DECENNIALPL2020.P1> Accessed 06/13/23.

2. Do more than 12 registered voters reside within the subject territory? (Inhabited – 12 or more voters or Uninhabited – less than 12 voters)

Yes.

**F. GOVERNMENTAL SERVICES AND CONTROLS** *GC §§56668(a),(b)&(k), Policy C-1*

1. Indicate which of the following governmental services and controls, and any other governmental services and controls which you deem significant, that are now available in the subject territory, which agency now provides such services, and which agency will provide such services after the proposed action:

Agency providing service			
Service	Now	After	Method of finance
Police Protection	Tulare County Sheriff's Office	Tulare County Sheriff's Office	Taxes, grants
Fire Protection	Tulare County Fire Department	Tulare County Fire Department	Taxes, grants
Water Supply- Orosi	Orosi Public Utility District	Orosi Public Utility District	Customer Rates & User Charges
Water Supply- East Orosi	East Orosi Community Services District	Orosi Public Utility District	Customer Rates & User Charges
Sewage Disposal- Orosi	Orosi Public Utility District via Cutler-Orosi Wastewater JPA	Orosi Public Utility District via Cutler-Orosi Wastewater JPA	Customer Rates & User Charges
Sewage Disposal- East Orosi	East Orosi Community Services District via Cutler-Orosi Wastewater JPA	East Orosi Community Services District via Cutler-Orosi Wastewater JPA	Customer Rates & User Charges
Street Maintenance	Tulare County	Tulare County	Taxes, grants
Planning/Zoning	Tulare County	Tulare County	Application Fees
Garbage Disposal	Private	Private	Customer Rates & User Charges
Other Services			

2. Describe the governmental services and controls that are needed and are not provided in the subject territory, or which should be provided at an increased level, indicating which services and controls can be provided as a result of the proposed action, and how the cost of such services and controls will be met (property taxes, connection fees, special assessment districts, or other means):

The proposed Annexation would not result in additional services or controls, and the systems for Orosi and East Orosi will be consolidated. The action will not result in increased population or service area beyond the scope of the two communities.

3. What is the present property tax rate in the subject territory?

The property tax in both Oroshi and East Oroshi are calculated as follows, and varies slightly between the two for reasons presented. In both there is a base rate of 1% of the property value plus two categories of additions, those being bonds charged and direct charges (such as those applied for special districts (school and irrigation districts, for example)). In Oroshi, the rate is 1.0480%, and in East Oroshi, 1.0480%, being County Tax Rate Areas Oroshi: 068007, 0680610, 068013 068016, 068031, 068032, 068032, 068033, 068039, 068042, 068043 and East Oroshi: 068018, respectively.

4. What is the likelihood of significant residential, commercial, industrial, and other urban growth in the subject territory and in adjacent incorporated and unincorporated areas during the next ten years? Explain your answer.

The likelihood of significant growth within Oroshi, East Oroshi, and adjacent lands is low. The Tulare County General Plan 2030 Update, LU-2.1 demonstrates the plan to prioritize major residential development towards major existing infrastructure and employment centers (i.e. cities and larger established unincorporated communities). LU-5.1 of the Tulare County General Plan 2030 Update states that industrial development is to be planned near existing industrial development.

5. What are the probable future needs for governmental services and controls in the subject territory during the next ten years or the foreseeable future?

In consideration of the predicted minimal growth in the communities of Oroshi and East Oroshi in the foreseeable future, as identified in F.1., the governmental services and controls established along with annexation will be sufficient to ensure operation and maintenance of the water facilities.

6. Will the domestic water supplier be a privately owned public utility? If yes, please attach a 'will-serve' letter.

No. The intention of this proposal is to annex the East Oroshi water powers into the Oroshi Public Utility District that would provide water services, currently provided by the East Oroshi Community Services District.

**G. BOUNDARIES OF TERRITORY** *GC §§56668(f), 56744, 56375(m), Policies C-1 & C-10*

1. Do the boundaries of the territory described in the proposal conform with lines of ownership and assessment? If the answer is "no", indicate the parcel or parcels which are divided by the proposed boundaries and state reasons why the proposed boundaries were not laid out to conform to lines of ownership and assessment.

Yes.

2. Has any or all of the subject territory been included within a proposal undertaken under the same provisions of law, which was disapproved by the Local Agency Formation Commission within one year preceding the filing of this application? If the answer is "yes", identify the proposal and attach a description of the territory involved in the former proposal.

No.

3. (To be answered only in connection with city annexations.) Will the annexation of the territory described in the proposal result in the creation of an island, or a strip or corridor of unincorporated territory, completely or substantially surrounded by the annexing city? If your answer is "yes", provide the following information:

No.

a. Describe, generally, boundaries of island, strip or corridor and designate on map attached to application. N/A

b. Characteristics of island, strip or corridor: N/A

Acres:

Population:

Population density (per acre):

Total Assessed Valuation (land and improvements):

Land Use in Surrounding Territory:

c. Describe present and proposed sewer and water services within the island, strip or corridor: N/A

d. Why was the island, strip or corridor not included within the boundaries of the proposal? N/A

e. Could this island, strip or corridor reasonably be annexed to another city or reasonably be incorporated as a new city? Explain.

N/A

f. Explain fully how the application of the restrictions of Government Code Section 56744 would be detrimental to the orderly development of the community.

N/A

#### **H. ASSESSED VALUATION IN SUBJECT TERRITORY** *GC§56668(a), Policy C-1*

1. Land: \$61,696,889

2. Improvements: \$192,965,499

3. Estimated per capita assessed valuation: \$26,717

#### **I. ENVIRONMENTAL IMPACTS** *California Environmental Quality Act of 1970, Policy B-3*

1. Who is the lead agency for this proposal?

County of Tulare

2. What type of environmental document has been prepared?

None, Categorically Exempt – Class \_\_\_\_\_

\_\_\_\_ Negative Declaration

x  Mitigated Negative Declaration

\_\_\_\_ Environmental Impact Report

\_\_\_\_ Subsequent use of a previous EIR

\_\_\_\_ Other, Please specify:

3. If an EIR has been prepared, attach the lead agency's resolution listing significant impacts anticipated from the project, mitigation measures adopted to reduce or avoid significant impacts and, if adopted, a "Statement of Overriding Considerations".

An EIR has not been prepared.

**J. LANDOWNER AND AGENCY CONSENT** *GC §56663(c), Policy C-4*

1. Have all property owners involved with the proposal given their written consent? Please attach consent forms.

**K. HOUSING** *GC §56668(l), Policy C-1 (only applicable for residential annexations)*

1. Describe how the proposal will assist the County or the City in achieving its fair share of the regional housing needs as determined by the Tulare County Association of Governments (TCAG).

The proposed formation is not associated with any residential development.

2. Please indicate what income groups the proposal will assist:

X  Very Low \_\_\_\_ Low \_\_\_\_ Moderate \_\_\_\_ Above Moderate

N/A

3. For City residential annexations, please provide the most recent annual progress report sent to the state regarding the meeting of the City's share of regional housing needs, unless it was already provided for a recent annexation (reference GC §65400(b)(2)).

N/A

**L. EFFECT OF PROPOSED ACTION AND ALTERNATE ACTIONS**

*GC §56668(c), Policy C-1*

What will be the probable effects of the proposed action and of alternative actions on the following: (Elaborate. It is not sufficient to merely state "not applicable" or "no effect"):



1. The cost and adequacy of governmental services and controls in the subject territory and adjacent areas:

Both communities receive water service from their respective Districts. The construction of the consolidation project will create a physical connection between the two communities. Annexing East Orosi water powers into the Orosi PUD will provide an independently-governed and operated entity, removing fiscal, organizational, and operational responsibility for the utilities systems from the East Orosi CSD purview and providing opportunity for East Orosi residents to seek election on the PUD's board.

2. The general social and economic interests of the community. (Explain, generally, how the social and economic interests of the subject territory, the city, and the county will be benefited or adversely affected):

The communities of Orosi and East Orosi are severely disadvantaged. The residents of East Orosi have received below-standard water quality in recent years. The annexation of the community services district will allow the effective operation of the installed new and improved drinking water system and provide a reliable drinking water source for the community: thus, providing for social and economic security.

3. The local governmental structure of the county. (Explain, generally, how the proposed action will contribute to the logical and reasonable development of local governmental structures of the County):

The County of Tulare, through an Administrator designation, is currently responsible for water functions for East Orosi. Annexation of the CSD will remove these functions from the County and place them with a local, independently-governed entity. With an estimated total of population of 8000 within the Orosi PUD, it is deemed feasible for residents of East Orosi to seek election to the Orosi PUD board.

#### **M. SPECIAL REVENUES** *GC §§56668(b)&(j), 56886*

1. Does the city or special district have plans to establish any new assessment districts, service charges, or other means to pay for new or extended services to this area?

A Rate Analysis will be conducted by the Rural Community Assistance Corporation in 2024. The rates are anticipated to go into effect prior to the start of construction of the new interconnection pipeline and water distribution system.

2. Will the area assume liability for any existing bonded debt upon annexation? If so, please indicate taxpayer cost:

No.

3. Will the territory be subject to any new or additional special taxes, benefit charges or fees? If so, please explain:

No.

**N. TERMS AND CONDITIONS** GC §56886

The proposal is to be subject to the following terms and conditions:  
Completion of the East Oroshi Water Supply Project in early 2027  
Successful Proposition 218 fee setting to collect sufficient rates from the annexed territory to cover the costs of providing domestic water service

**O. NAME EACH CITY OR DISTRICT LOCATED WHOLLY OR PARTIALLY WITHIN THE BOUNDRIES OF THE SUBJECT TERRITORY:** GC §56658(b)(1)

The Oroshi PUD and East Oroshi CSD are within the boundary.

**P. MAILED NOTICE OF HEARING** GC §56652(f)

List names and addresses of the officers or persons, not to exceed three in number, who are to be furnished with copies of the Executive Officer's report and who are to be given mailed notice of hearing:

**NAME ADDRESS**

1. Eddie Valero, Supervisor, Tulare County  
2800 West Burrel Avenue  
Visalia CA 93291

2. Oroshi Public Utility District  
12488 Ave. 416  
Oroshi, CA 93647

3. Reed Schenke, Director, Tulare County Resource Management Agency  
Government Plaza  
5961 South Mooney Boulevard  
Visalia CA 93277

**Q. APPLICANT**

State name and address of applicant(s).

Name: County of Tulare

Address: 5961 S. Mooney Boulevard Visalia, CA 93277

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**R. SIGNATURE(S) OF PERSON(S) COMPLETING QUESTIONNAIRE**

Name: Denise England

Signature: 


Address: 5961 S. Mooney Blvd., Visalia, CA 93277

Phone No: 559-624-7000

**APPROVED:**

 9/10/2024  
Chair, Tulare County Board of Supervisors

**APPROVED AS TO FORM:  
COUNTY COUNSEL**

  
Deputy

**S. APPLICATION PACKAGE REQUIREMENTS** *GC §§56652, 56653, 56654, 56668, CEQA, Policies C-1 to C-4, Forms E-1 & E-4 to E-9*

13 Copies of the following:

☒ Proposal Questionnaire

☒ Legal Description and Map *(Please reference Forms E-6 & E-7)*

☒ CEQA Environmental Assessment

☒ CEQA Environmental Finding

☒ Certified Resolution of Application/Petition

☒ Plan for Services

☐ Certified General Plan Amendment Resolution (if applicable)

Other requirements:

☐ A signed (by all owners of record) consent form for each assessment parcel providing consent

☐ Non-refundable filing fee payable to Tulare County LAFCo (See Fee Schedule)

☒ Evidence of completed pre-noticing (if applicable)

☐ For City residential annexations, the most recently available annual progress report on implementation of its housing element (unless already provided in a previous annexation)

☒ A signed indemnification agreement (Form E-8)

☐ Disclosure information regarding persons/entities involved in the proposal (Form E-9)

☐ Department of Fish and Wildlife receipt for the environmental document filing