

RESOLUTION NUMBER L-2007-16

**Update to the Garden Valley Fire Protection District
Sphere of Influence**

LAFCO Project No. 2007-04-E

AMENDED

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. (unless otherwise indicated all statutory references are to the Government Code); and

WHEREAS, Section 56425 et seq. provides that the local agency formation commission in each county shall develop and determine the sphere of influence of each local governmental agency within the county, and enact policies designed to promote the logical and orderly development of areas within the spheres of influence, as more fully specified in Sections 56425 et seq.; and

WHEREAS, Section 56430 requires that local agency formation commissions conduct a municipal service review (MSR) prior to, or in conjunction with, consideration of actions to establish or update a sphere of influence (SOI) in accordance with Sections 56076 and 56425; and

WHEREAS, pursuant to Section 56430, in order to prepare and update spheres of influence, the Commission conducted a Countywide Fire Suppression and Emergency Services Municipal Services Review and adopted a written statement of determinations on August 23, 2006; and

WHEREAS, the agencies reviewed were County Service Area 7, City of South Lake Tahoe, Cameron Park Community Services District, Diamond Springs/El Dorado Fire Protection District, El Dorado County Fire Protection District, El Dorado Hills County Water District, Fallen Leaf Lake Community Services District, Garden Valley Fire Protection District, Georgetown Fire Protection District, Lake Valley Fire Protection District, Latrobe Fire Protection District, Meeks Bay Fire Protection District, Mosquito Fire Protection District, Pioneer Fire Protection District, and Rescue Fire Protection District, among others; and

WHEREAS, the Executive Officer reviewed the sphere of influence update pursuant to the California Environmental Quality Act (CEQA), and recommended that the project is exempt from CEQA under Section 15061(b)(3) because it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is

no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA, and, based thereon, the Executive Officer prepared a Notice of Exemption; and

WHEREAS, the Executive Officer set a public hearing for June 27, 2007 for consideration of the environmental review and the draft sphere of influence update for the Garden Valley Fire Protection District and caused notice thereof to be posted, published and mailed at the times and in the manner required by law at least twenty-one (21) days in advance of the date; and

WHEREAS, on June 27, 2007 the draft sphere of influence update came on regularly for hearing before LAFCO, at the time and place specified in the Notice; and

WHEREAS, at said hearing, LAFCO reviewed and considered the draft sphere of influence, and the Executive Officer's Report and Recommendations; each of the policies, priorities and factors set forth in Government Code Section 56425 et seq.; LAFCO's Policies and Guidelines related to spheres of influence, starting with Policy 4.0; and all other matters presented as prescribed by law; and

WHEREAS, at that time, an opportunity was given to all interested persons, organizations, and agencies to present oral or written testimony and other information concerning the proposal and all related matters; and

WHEREAS, the Commission received, heard, discussed, and considered all oral and written testimony related to the sphere update, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determinations and the service reviews; and

WHEREAS, pursuant to Government Code Section 56425(i)(2), the Commission does hereby establish the functions and classes of services provided by Garden Valley Fire Protection District as follows: fire suppression and emergency services; and

WHEREAS, the Commission does hereby make the following determinations regarding the proposal pursuant to Government Code Section 56425(e):

1. *The present and planned land uses in the area, including agricultural and open space lands.*

The majority of present land use in the GRV area includes rural residential and agricultural uses, although there are small pockets of high density residential and commercial uses. Primarily residential areas within GRV are spread throughout the district; however, residential patterns loosely follow major road arteries, including Highway 193, Garden Valley Road, Marshall Road and Greenwood Road. Future land uses are expected to remain relatively unchanged, with population growth likely lower than the projections for other unincorporated portions of the Western Slope.

The 2004 General Plan encourages future development to remain within the community regions of Garden Valley and Greenwood.

There are parcels to the west of the district that are currently within the sphere of influence, but are not within the GRV boundaries. The nearest other fire protection agency is El Dorado County FPD (EDC). The GRV and EDC chiefs recognize that these parcels are not within their respective fire protection agency. Since the area is not slated for development at this time, they have requested that their spheres remain as they are currently drawn, pending a collaborative effort from all of the fire districts to reorganize the spheres and service areas, if necessary.

As mentioned above, the only likely changes in land use are parcels east of the district that were formerly public lands converted to private ownership. Currently, these parcels are not within a fire protection district. This causes an issue of economic imbalance to the GRV because it would be the most likely agency to respond to a fire or medical emergency. The GRV Chief requested that LAFCO include these parcels within the SOI for future annexation consideration.

2. *The present and probable need for public facilities and services in the area.*

Parcels currently within the GRV district receive sufficient fire suppression and emergency response services as needed. If annexed, the areas described above would increase demand for these services, although it is expected that existing personnel and equipment would be adequate to meet the level of service required for the inclusion. In addition, funding, in the form of increased property taxes and assessments received will offset increased costs and will ensure the sufficient provision of services to serve the area.

3. *The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.*

The GRV appears to provide adequate fire suppression and emergency response services within and, in cases of mutual aid responses, outside its boundaries. The district is compensated for these services primarily through property taxes, County Supplement Funds and district assessments.

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.*

GRV serves the communities of Garden Valley, Kelsey and portions of Coloma and Greenwood. The areas proposed for inclusion are located in the far eastern reaches of Garden Valley, outside of any established community boundaries. Other than Greenwood, there is no social or economic community of interest that would require further Commission consideration of this issue for the sphere update.

NOW, THEREFORE BE IT HEREBY RESOLVED, DETERMINED, ORDERED AND FOUND:

Section 1. Each of the foregoing recitals is true and correct.

Section 2. The Notice of Exemption prepared by the Executive Officer is approved as the appropriate environmental document for this project.

Section 3. The update to the Garden Valley Fire Protection District's Sphere of Influence to affirm the current sphere along with the inclusion of additional territory is orderly, logical and justifiable. The additional parcels proposed for inclusion are:

062-111-51	062-111-54	062-111-57	062-300-04
062-111-52	062-111-55	062-300-01	062-300-05
062-111-53	062-111-56	062-300-03	062-300-10

Section 4. The Executive Officer is directed to file a Notice of Exemption under Section 15061(b)(3) in compliance with the California Environmental Quality Act and local ordinances implementing the same.

Section 5. The Garden Valley Fire Protection District's sphere of influence is updated to affirm its current sphere along with the inclusion of additional territory as shown on the attached map, marked Exhibit A, attached hereto and incorporated herein by this reference.

PASSED AND ADOPTED by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held June 27, 2007 by the following vote of said Commission.

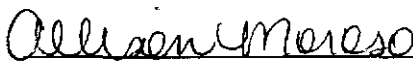
AYES: LONG, LOFTIS, BRIGGS, HAGEN,
HUMPHREYS, NORRIS, SWEENEY


NOES: NONE

ABSTENTIONS: NONE

ABSENT: NONE

ATTEST:


Clerk to the Commission


Chairperson

APPROVED

EXHIBIT A

