

RESOLUTION NUMBER L-2007-20

**Update to the Meeks Bay Fire Protection District
Sphere of Influence**

LAFCO Project No. 2007-04-1

AMENDED (2)

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 Meeks Bay 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 Meeks Bay 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 present land use in the MEK area includes residential, recreational and tourist-related uses. Primary residential areas within MEK are concentrated along Highway 89 around the edge of Lake Tahoe. Growth and development potential is limited largely by TRPA regulations and there is not expected to be any substantial changes in the planned land use as a direct result of this review. There are approximately 21 existing residential structures south of the MEK boundaries that are not currently within a fire agency. These structures are occupied seasonally, which indicates a potentially greater demand for fire and emergency response services than the surrounding open space lands within Eldorado National Forest and Bliss State Park.

This causes an issue of economic imbalance to the MEK because it would be the most likely agency to respond to a fire or medical emergency. The MEK Board of Directors and its fire chief are currently working with LAFCO to expand MEK's service boundary to include these parcels. In addition, there are 14 parcels that are owned by the State of California, United States Forest Service and the California Tahoe Conservancy that are proposed to be detached from the MEK sphere of influence and district boundaries. These parcels do not generate property tax revenue for the district and fire suppression and emergency services are provided largely by those State and Federal agencies.

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

Parcels currently within the MEK district receive sufficient fire suppression and emergency response services as needed. If annexed, the areas outside the agency described above would increase demand for these services; however, it is expected that MEK's existing personnel and equipment would be adequate to maintain its present level of service, both within the current boundaries and on those areas requested for inclusion. In addition, funding, in the form of increased property taxes and assessments received, will help offset the cost of the increased demand and ensure the adequate provision of services into the new area.

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

The MEK 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.*

MEK serves the communities of Meeks Bay and Tahoma; however, they are already completely within the district boundaries and would not require further Commission consideration for this 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 Meeks Bay Fire Protection District's Sphere of Influence to affirm the current sphere along with the inclusion and concurrent detachment of additional territory is orderly, logical and justifiable. The additional parcels proposed for inclusion are:

016-600-04	017-111-01	018-020-10	018-030-14
016-600-07	017-131-01	018-020-11	018-041-01
016-600-08	018-011-01	018-030-01	018-041-02
016-600-10	018-011-02	018-030-02	018-041-04
016-600-13	018-011-03	018-030-03	018-051-02
016-600-19	018-011-04	018-030-04	018-160-01
016-600-20	018-020-01	018-030-05	018-161-01
016-600-21	018-020-02	018-030-06	018-162-01
017-041-28	018-020-03	018-030-07	018-163-01
017-051-01	018-020-04	018-030-08	018-163-02
017-061-10	018-020-05	018-030-09	018-163-03
017-071-01	018-020-06	018-030-10	018-163-04
017-081-01	018-020-07	018-030-11	018-171-01
017-091-01	018-020-08	018-030-12	018-172-01
017-101-01	018-020-09	018-030-13	990-035-12

The parcels proposed for detachment from the current service boundaries are:

014-021-01	014-021-08	014-031-02	016-121-08
014-021-02	014-021-09	016-071-11	016-121-11
014-021-06	014-021-10	016-071-12	
014-021-07	014-031-01	016-071-13	

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 Meeks Bay Fire Protection District's sphere of influence is updated to affirm its current sphere along with the inclusion and concurrent detachment 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.

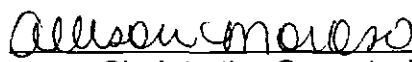
AYES: Long, Loftis, Briggs, Hagen,
Humphreys, Norris, Sweeney

NOES: None

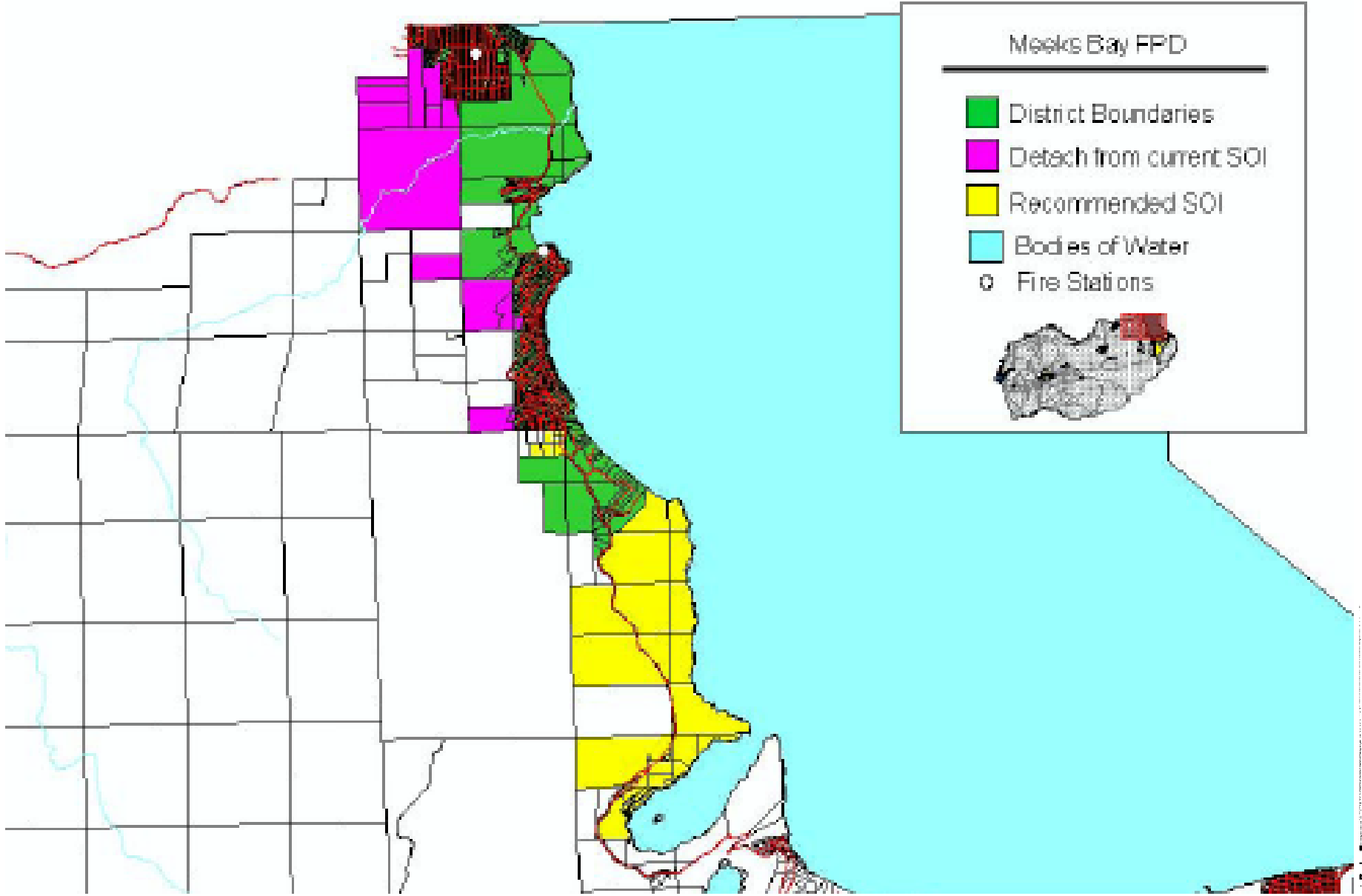
ABSTENTIONS: None

ABSENT: None

ATTEST:


Clerk to the Commission


Chairperson



APPROVED

EXHIBIT A