

# EL DORADO LAFCO

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LOCAL AGENCY FORMATION COMMISSION

## **RESOLUTION NUMBER L-2021-06**

### El Dorado County Fire Protection District Island Annexation LAFCO Project No. 2020-01

**WHEREAS**, on December 12, 2019, the El Dorado County Fire Protection District (“ECF”) Board of Directors adopted District Resolution 2019-10 (“petition”) requesting annexation of 14 separate Island Areas A-N, shown in “Exhibit A” and listed in “Exhibit B” (hereinafter referred to as the “subject territories”); and

**WHEREAS**, on December 23, 2019, ECF submitted the petition to El Dorado Local Agency Formation Commission (“LAFCO”); and

**WHEREAS**, the proposal was assigned LAFCO Project No. 2020-01 and is referred to as the “El Dorado County Fire Protection District Island Annexation”; and

**WHEREAS**, the subject territories consist of 159 parcels and approximately 5,439 acres, located throughout the current ECF boundaries in the communities of Cool, Pilot Hill, Shingle Springs, Fruitridge Road, Smith Flat, Pleasant Valley, Camino, and Pollock Pines; and

**WHEREAS**, these islands are composed of parcels of land that are completely surrounded by ECF but outside the service area; and

**WHEREAS**, parcels outside the ECF service area do not have a portion of the property tax go towards fire service and are not subject to local fire special taxes; and

**WHEREAS**, ECF has provided services to these islands but has not received revenue to offset the cost of these services; and

**WHEREAS**, the petition requests the annexation of the subject territories into ECF for the continued provision of structural fire protection and emergency medical services; and

**WHEREAS**, the petition designated the ECF Fire Chief as the authorized agent for the proceedings; and

**WHEREAS**, the petition is in conformance with Government Code §56650 et seq.; and

**WHEREAS**, Revenue and Taxation Code §99 requires an agreement for the exchange of property tax revenues in the event of a jurisdictional change of local agencies; and

**WHEREAS**, property tax exchange negotiations were completed and approved by the County of El Dorado (“the County”) on May 19, 2020 by Resolution 086-2020; and

**WHEREAS**, ECF adopted Resolution 2020-04 on May 21, 2020, agreeing to the proposed property tax increments and supporting the proposed annexation; and

**WHEREAS**, pursuant to Government Code §56857(e), informational hearing proceedings were not required; and

**WHEREAS**, the Executive Officer reviewed the annexation for conformance under the California Environmental Quality Act (“CEQA”) and determined that the annexation is consistent with the determinations of a Class 20 Categorical Exemption under Section 15320 of the State CEQA Guidelines; and

**WHEREAS**, the Executive Officer examined the petition, certified that it is adequate and has accepted the petition for filing on December 16, 2020; and

**WHEREAS**, the Executive Officer set a public hearing for March 24, 2021 for consideration of the petition and the environmental determination 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 that date; and

**WHEREAS**, notice of the proposed annexation was mailed to all registered voters and landowners within, and within 500 feet of, the subject territories at least 21 days prior to the hearing in accordance with Government Code §56157; and

**WHEREAS**, said Notice stated that the petition and the environmental determination would be considered by this Commission at the hearing; and

**WHEREAS**, the Executive Officer, pursuant to Government Code §56665, has reviewed this petition and prepared and distributed a report, including recommendations, and has furnished a copy of this report to each person entitled to a copy at least five (5) days prior to the March 24, 2021 meeting during which the petition was considered; and

**WHEREAS**, on March 24, 2021, the matter came on regularly for hearing before this Commission, at the time and place specified in the Notice of the Public Hearing; and

**WHEREAS**, at said hearing, the petition, the environmental determination, and the Executive Officer’s Report and Recommendations were reviewed and considered; and

**WHEREAS**, an opportunity was given to all interested persons, organizations, and agencies to present oral or written protests, objections, and any other information concerning the proposal and all related matters; and

**WHEREAS**, this Commission has received, heard, discussed and considered all oral and written testimony related to the petition, including, but not limited to, protests and objections, the Executive Officer's report and recommendations, the environmental determination, plans for providing service, spheres of influence, applicable General and Specific Plans, each of the policies, priorities and functions set forth in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, including those set forth in Government Code §§56377, 56668 and 56668.3, LAFCO's Policies and Guidelines and all other materials presented as prescribed by law.

**NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED, ORDERED AND FOUND** by the El Dorado Local Agency Formation Commission as follows:

1. Each of the foregoing recitals is true and correct.
2. ECF has been providing service to the subject territories for many years without receiving any property tax revenue or special tax revenue.
3. Annexation of the subject areas would allow ECF to collect property tax revenue and special tax revenue from the subject areas.
4. ECF adopted a Plan for Providing Services to Annexed Islands (LAFCO 2020-01) on November 4, 2020.
5. The Plan for Providing Services addresses the annexation areas, enumeration of services, service units and capacity, proposed infrastructure, and conditions of service.
6. ECF adopted a business model change for the District on December 17, 2020, effective January 16, 2021.
7. The business model change included, among other things, the closure of Engine 21 in Camino and entering into an agreement with Cal Fire to provide equivalent "all risk" coverage in the Camino response area using engine(s) from Station 20.
8. The business model change also reallocated existing personnel from Station 21 to Stations 19 in Pleasant Valley and 17 in Pollock Pines.
9. Upon completion of the approval proceedings, ECF shall provide fire protection and emergency medical services to the subject territories.

10. First-in fire stations to the subject territories are as follows:

Area A – Cool Area B – Pilot Hill	ECF Station 72, Cool
Area C – Shingle Springs	ECF Station 28, Shingle Springs
Area D – Fruitridge Road	Cal Fire Station 20, Camino (ECF Contract)
Area E – Smith Flat	ECF Station 19, Pleasant Valley
Area F – Pleasant Valley	ECF Station 19, Pleasant Valley
Areas G, H, I, J, K, L – Camino	Cal Fire Station 20, Camino (ECF Contract)
Areas M, N – Pollock Pines	ECF Station 17, Pollock Pines

11. The subject territories consist of 12 tax rate areas (TRAs): 083-001, 083-003, 054-002, 055-002, 055-015, 090-015, 085-009, 059-004, 059-026, 059-035, 059-032, and 059-045.

12. The total assessed land value of the subject territories is \$11,767,493.

13. ECF has planned for the provision of fire protection and emergency medical services to the subject territories and has developed a fee schedule and special tax zones to provide funding for those services.

14. Upon Commission of approval of the annexation, the subject territories will be annexed into the following special tax zones within ECF:

Area A – Cool Area B – Pilot Hill	Northside: \$35 All Parcels
Area C – Shingle Springs	Shingle Springs: No Special Tax
Areas D – Fruitridge Road Area E – Smith Flat Areas G, H, I, J, K, L – Camino Areas M, N – Pollock Pines	Pollock Pines-Camino: \$30 Developed Single-Family, Vacant \$60 Developed Other
Area F – Pleasant Valley	Pleasant Valley: \$42 All Parcels

15. The subject territories include 159 developed and undeveloped parcels.

16. The subject properties are almost exclusively designated by the 2004 County General Plan as either Agricultural Lands, Rural Residential, Low Density Residential, or Medium Density Residential, with small portions designated as Natural Resources and Commercial.

17. There are approximately 67 “units” in the subject territories, including residential, commercial, and industrial.

18. There are approximately 36 parcels within the subject territories are under an active Williamson Act Contract for agricultural conservation.

19. The subject territories are developed according to current zoning and are not proposed for any additional development of any kind; the future land use of the subject territories will not change upon annexation.
20. The current land use and annexation petition is consistent with the County's 2004 General Plan.
21. The subject territories are within ECF's sphere of influence and are completely surrounded by ECF's existing boundaries.
22. CEQA Guidelines Section §15320 is the Class 20 categorical exemption for "changes in the organization or reorganization of local government agencies where the changes do not change the geographical area in which previously existing powers are exercised."
23. This petition is hereby found to be exempt from CEQA pursuant to California Code of Regulations Categorical Exemption §15320.
24. The annexation does not include any residential development and will neither assist nor detract from the County's ability to meet its Regional Housing Needs Allocations as determined by the Sacramento Area Council of Governments for any income groups.
25. Upon the filing of the Certificate of Completion for these proceedings, ECF shall provide fire suppression and emergency medical services to the subject territories.
26. The petition meets the intent, policies, and priorities of this Commission, and the laws and policies within its jurisdiction and authority, including but not limited to the ECF sphere of influence and the El Dorado LAFCO Policies and Guidelines.
27. The annexation will not result in negative impacts to the cost and adequacy of services otherwise provided in the area and it is in the best interests of the affected area and the total organization of local government agencies.
28. The territories proposed for annexation represent an orderly, logical and justifiable extension of the ECF boundaries.
29. The proposal is assigned the following short form designation:

El Dorado County Fire Protection District Island Annexation  
LAFCO Project No. 2020-01
30. The El Dorado County Fire Protection District Island Annexation is hereby approved, subject to the following conditions:
  - (a) The subject territories shall be liable for any authorized or existing taxes, fees, service charges, assessments and any bonded indebtedness of ECF.

- (b) The applicant and the real party of interest, if different, shall agree to defend, indemnify, hold harmless and release the El Dorado Local Agency Formation Commission, its agents, officers, attorney and employees from any claim, action or proceeding brought against them or any of them, the purpose of which to attack, set aside, void, condition, challenge or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of, related to or in connection with the approval of this application, whether or not there is concurrent passive negligence of the part of the El Dorado Local Agency Formation Commission or its agents, officers, attorney or employees.
  - (c) Proponents shall complete all map and legal description requirements for final recording and filing, including documents required by the State Board of Equalization, within 180 days of March 24, 2021.
31. All subsequent proceedings in connection with this annexation shall be conducted only in compliance with the approved boundaries and conditions set forth in the attachments and any terms and conditions specified in this resolution.
  32. The Executive Officer is hereby authorized and directed to file with the Clerk of the County of El Dorado, a Notice of Exemption for the annexation, pursuant to Title 14 California Code of Regulations §15062, within five (5) working days of the adoption of this Resolution.
  33. The Executive Officer is hereby instructed to set the Conducting Authority proceeding for this Proposal for April 28, 2021.
  34. All interested parties, including without limitation the El Dorado County Fire Protection District, agree that LAFCO retains in perpetuity the authority to enforce, through legal action or otherwise, all of the terms and conditions of the project approval.
  35. The documents and materials which constitute the record of proceedings on which these findings are based are located at 550 Main Street, Suite E, Placerville, CA 95667. The custodian of these records is the Executive Officer.

**PASSED AND ADOPTED** by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held March 24, 2021 by the following vote of said Commission.

	<b>AYE</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>	<b>NOT VOTING</b>
Commissioner Bass	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Hidahl	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Neau	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Palmer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Powell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Thomas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Borelli	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Morrison	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Saunders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Turnboo	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

_____	_____
Executive Officer	Chairperson

