

# EL DORADO LAFCO

## LOCAL AGENCY FORMATION COMMISSION

### **RESOLUTION NUMBER L-2021-10**

#### **Conducting Authority Proceedings on the 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 collectively referred to as the “subject territory”); 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 territory consists 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 territory 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**, the Executive Officer examined the petition, certified that it is adequate and has accepted the petition for filing on December 16, 2020; 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**, on March 24, 2021 this Commission adopted Resolution L-2021-06: (1) adopting the Class 20 Categorical Exemption as the appropriate environmental exemption for this proposal in accordance with CEQA, and (2) exercising its discretionary authority under Government Code §56375(a)1 to approve the El Dorado County Fire Protection District Island Annexation, subject to certain conditions as set forth in Resolution L-2021-06; and

**WHEREAS**, there are 99 registered voters in the subject territory; therefore, the subject territory is considered inhabited per Government Code §56046; and

**WHEREAS**, Government Code §§57000 et seq. designates this Commission as the conducting agency for further proceedings; and

**WHEREAS**, as directed by the Commission in Resolution L-2021-06, the Executive Officer set a public hearing for April 28, 2021 to receive and consider any protests pursuant to Government Code §57051 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 Conducting Authority proceeding was mailed to all landowners and registered voters within the subject territory at least 21 days prior to the hearing in accordance with Government Code §56157; and

**WHEREAS**, said notice contained the short form designation assigned by this Commission to this proposal; a statement of the manner in which, and by whom, the proceedings were initiated; a description of the exterior boundaries of the subject territory as shown on Exhibit A and the particular changes of organization in the proposed annexation; a statement of the time, date, and place of the protest hearing on the proposed annexation and the manner in which protests may be submitted; and

**WHEREAS**, on April 28, 2021, this Commission opened the public hearing, LAFCO Resolution L-2021-06 was summarized, and 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**, after the conclusion of the public hearing this Commission reviewed, evaluated and accepted all valid landowner protests and determined the value of all valid written protests and not withdrawn.

**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. The number of valid protests filed and not withdrawn for the El Dorado County Fire Protection District Island Annexation is \_\_\_\_ landowners and \_\_\_\_ registered voters.
3. The value of written protests filed and not withdrawn is found to be \_\_\_\_% of registered voters and/or \_\_\_\_% of the number of owners of land owning less than 25% of the assessed value of the land within the territory.
4. Under the provisions of Government Code §57075(b), the El Dorado County Fire Protection District Island Annexation is hereby ordered, subject to the following conditions, in addition to all conditions specified in LAFCO Resolution No. L-2021-06:
  - (a) The Certificate of Completion shall be issued and recorded subsequent to final payment of all LAFCO, State Board of Equalization and County fees, costs and charges associated with the project and necessary to complete the required filings and transmittals.
5. 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.

6. 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 April 28, 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