

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

AMENDED **RESOLUTION NUMBER L-05-13**

Silver Springs Reorganization
LAFCO PROJECT NO. 05-03

WHEREAS, a petition for the proposed reorganization of certain territory to El Dorado Irrigation District and the limited service area of Cameron Park Community Services District with concurrent detachment from CSA 9 Zone 17 in the County of El Dorado was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act, commencing with Section 56000, et seq. of the Government Code; and

WHEREAS, the Executive Officer has examined the petition and certified that it is sufficient; and

WHEREAS, the Executive Officer, pursuant to Government Code §56665, has reviewed this proposal and prepared a report including her recommendations, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, at the times and in the form and manner required by law, the Executive Officer has given notice of the hearing by this Commission upon the proposal; and

WHEREAS, upon the date, time and place specified in said notice of hearing and in any order or orders continuing such hearing, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determination, plans for providing service, spheres of influence and applicable General and Specific Plans; and

WHEREAS, the Commission has fulfilled its obligations as a responsible agency as defined by the California Environmental Quality Act and has reviewed and considered the Environmental Impact Report prepared for this project by El Dorado County and has determined that the environmental impacts of reorganization have been adequately addressed and does hereby make the findings for each significant effect of the project as shown in "Exhibit C," attached and by this reference incorporated herein; and

WHEREAS, the Commission does hereby make the following determinations regarding the proposal:

1. The subject territory is “uninhabited” per Government Code §56046. Application for this reorganization is made subject to Government Code §56650 et seq. by 100% of the landowners.

2. The territory proposed for reorganization is within the sphere of influence of El Dorado Irrigation District and the limited service sphere of influence of Cameron Park Community Services District and is contiguous to the existing boundaries. Although the reorganization will not contribute to more orderly boundaries, the boundaries are consistent with the land use and service needs of the subject territory and surrounding areas.

3. The Environmental Impact Report prepared for this project by El Dorado County adequately addresses the environmental impacts of reorganization.

4. The reorganization will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area and the total organization of local government agencies.

5. Although the subject territory contains choice soils and may have contained past grazing uses, the land is not currently in agricultural use, the 2004 El Dorado County General Plan does not designate the area as an agricultural district, and reorganization is consistent with the residential land use designations and zoning. The reorganization will not have an adverse effect on the physical and economic integrity of agriculture.

6. The reorganization will result in a decrease in water supply available for the build-out of regional housing needs as determined by the Sacramento Area Council of Governments. The reorganization will not, however, have a significant foreseeable effect on the ability of El Dorado County to adequately accommodate its fair share of those needs.

NOW, THEREFORE BE IT DETERMINED AND ORDERED as follows:

Section 1. Said reorganization is approved.

Section 2. The reorganization is assigned the following short form designation:

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Section 3. Said territory includes approximately 289.56 acres.

Section 4. Said territory is found to be uninhabited, as defined in Government Code Section 56046.

- Section 5. The boundaries of said territory are approved as set forth in the proposal as submitted and are described in the attached legal description and map marked "Exhibit A" and by this reference incorporated herein.
- Section 6. The reorganization shall be subject to the terms and conditions specified in "Exhibit B," attached and by this reference incorporated herein.
- Section 7. The applicant shall defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.
- Section 8. All subsequent proceedings in connection with this proposal 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.
- Section 9. The Executive Officer is hereby directed to file a Notice of Determination in compliance with the California Environmental Quality Act and local ordinances implementing the same.
- Section 10. The Conducting Authority proceedings are hereby waived in accordance with Government Code §56663(c).
- Section 11. The effective date shall be the date of recordation.
- Section 12. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code 56882.

Terms and Conditions of Approval

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1. Upon and after the effective date of said reorganization, the affected territory, all inhabitants within such territory, and all persons entitled to vote by reasons of residing or owning land within the territory:

- (a) shall be subject to the jurisdiction of El Dorado Irrigation District and Cameron Park Community Services District, hereafter referred to as the districts;
- (b) shall have the same rights and duties as if the affected territory has been a part of the districts upon its original formation;
- (c) shall be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the districts, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the districts;
- (d) shall be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;
- (e) shall be subject to all of the rules, regulations, ordinances of the districts as now existing or hereafter amended.

2. The Certificate of Completion shall be issued and recorded subsequent to the fixing and establishment of any necessary right of use of water by El Dorado Irrigation District in the subject territory (§56886j). Nothing in this condition shall operate or be interpreted to modify priorities of use, or right of use, to water, or capacity rights in any public improvements or facilities that have been fixed and established by a court or an order of the State Water Resources Control Board.

3. 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 the adoption of this resolution.

PASSED AND ADOPTED by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held July 27, 2005.

PASSED AND AMENDED by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held April 25, 2007 by the following vote of said Commission.

AYES:
NOES:
ABSTENTIONS:
ABSENT:

ATTEST:

Clerk to the Commission

Chairperson