

EL DORADO LAFCO
LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NUMBER L-2020-12-A

**Update to the El Dorado Hills Community Services District
Sphere of Influence**

LAFCO Project No. 2018-02

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 §56000 et seq. (unless otherwise indicated all statutory references are to the Government Code); and

WHEREAS, §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 §56425 et seq.; and

WHEREAS, §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 §56076 and §56425; and

WHEREAS, pursuant to §56430, in order to prepare and update the sphere of influence, the Commission conducted a municipal service review of the El Dorado Hills Community Services District and adopted a written statement of determinations in conjunction with this sphere of influence update on October 28, 2020; 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 categorical exemption §15306, which exempts projects consisting of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded. The MSR and SOI update have no possibility for causing a significant effect on the environment; therefore, the Executive Officer prepared a Notice of Exemption; and

WHEREAS, the Executive Officer set a public hearing for October 28, 2020 for consideration of the environmental review and the sphere of influence update for the El Dorado Hills Community Services 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 October 28, 2020 the 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 sphere of influence, and the Executive Officer's Report and Recommendations; each of the policies, priorities and factors set forth in Government Code §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 review; and

WHEREAS, on May 12, 2012, at the time of its last review, the Commission established the functions and classes of services provided by the El Dorado Hills Community Services District as follows: cable TV franchise administration, CC&R administration, street lighting and landscape, parks and recreation services, and solid waste collection; and

WHEREAS, LAFCO Resolution L-2008-17, adopted on February 27, 2008, established the functions and classes of latent services for El Dorado Hills Community Services District to be as follows: fire suppression; mosquito abatement services; law enforcement services; library services; power services; road and road maintenance services and other related services pursuant to Government Code Sections 56425(i)(2) and 61002(h); and

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

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

The majority of land uses within the District include residential, commercial, and open space. These are not anticipated to change, except as development within the community occurs and undeveloped lands are converted to urban uses consistent with the El Dorado County General Plan and District policies.

The District is not fully built out. Its SOI allows the District to grow to the south predominately and to the northeast. The rural area within the SOI primarily includes sparse residential uses and undeveloped land. However, proposed development with the areas of interest is not within the District's SOI. There is the potential that future residents of these developments may utilize District services without adhering to the District's guidelines.

In order to potentially annex these properties in the future, the current SOI would need to be amended to include these areas of interest, so that they may be annexed into the District's service boundary. This will allow the District to subject the developments to its guidelines in order to offset any perceived impacts to services or facilities. The SOI would be expanded to cover the specified areas in Figure 1-2. Property taxes, fees and rates will be required of each development, in addition to any in-lieu fees that have been paid to the County, in order to facilitate services in accordance with the LOS guidelines established for the District and should be required as conditions of any annexation consideration.

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

As a result of this MSR, it is identified in Section 4 of the El Dorado Hills Community Services District Municipal Service Review and Sphere of Influence Update prepared by QK, Inc., that the District will need additional recreational/park services in order to meet the projected 2035 demand. Determinations have been identified that specifically calculate the amount of facilities need in order to service the project buildout population of the 2016 Master Plan. An increase in service pertains to neighborhood parks, village parks, community parks, basketball courts, tennis courts. The needs identified will be slightly increased with the inclusion of the two areas of interest to the SOI, and eventual potential annexation of the areas.

However, the intent is that when annexed into the District service boundary, the District will receive fees from the County that were paid in order to offset some park dedication requirements. The District's finances appear well-positioned to meet the needs of the projected population by that time, though the District may need to include private parks in order to do so. In addition, the District will need to account for the increase in population proposed with the expansion of the SOI. The District has adequate funds and has identified projects within the Capital Improvement Program in order to better provide services. Franchise agreements will be monitored by the District to ensure that rates are consistent with regional rates of similar services.

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

The District currently maintains approximately 448 acres of developed and undeveloped parkland as well as a diversity of recreational facilities. The present capacity of these public facilities and the services provided are adequate to serve the existing community provided. Furthermore, those facilities are supplemented by private park facilities maintained by HOAs.

The 2016 Park and Recreation Master Plan identified that the District will need to add amenities to every recreation and park classification in order to satisfy the projected demand in 2035. Any amendment to the SOI for additional area should take this into consideration in terms of potential parkland dedication, levying of fees and use of new property tax revenue as a result of annexation. Revisions to the Park and Recreation 2016 Master Plan in the future should also address the need of the District to raise standards to achieve appropriate levels of services adopted by the Board of Directors.

However, each area proposed to be annexed into the District would be subject to individual assessments and costs for their impacts to the parkland system and does not directly affect a SOI expansion.

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.*

The District is situated among several unincorporated communities within El Dorado County, including Cameron Park, Cameron Estates and Marble Mountain. The District has no plan to annex any of these neighboring communities.

5. *For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.*

The District does not provide water, wastewater, and structural fire service within the SOI as these services are provided by other districts. In addition, the average median household income in California is \$71,805. The 80 percent threshold of statewide median household income is \$57,444. Furthermore, the District has an average median household income of \$133,989 across 19 block groups. The median household income ranges from \$89,038 to \$170,536. Therefore, there are no disadvantaged unincorporated communities (DUC) impacted as it relates to water, wastewater, and structural fire service. These areas are covered by the El Dorado Irrigation District (water and wastewater services) and the El Dorado Hills County Water District (fire protection).

There are no DUCs within the SOI, however, as described above, they are already receiving water, wastewater and structural fire protection from existing agencies capable of servicing these communities.

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. Pursuant to Government Code §56425(i)(2), the Commission does hereby establish the functions and classes of services provided by the El Dorado Hills Community Services District as follows: cable TV franchise administration, CC&R administration, street lighting and landscape, parks and recreation services, and solid waste collection services.

Section 4. Pursuant to Government Code Sections 56425(i)(2) and 61002(h), the Commission continues to establish that the functions and classes of latent services for El Dorado Hills Community Services District to be: fire suppression; mosquito abatement services; law enforcement services; library services; power services; road and road maintenance services and other related services.

Section 5. The update to the El Dorado Hills Community Services District sphere of influence to add territory as shown on the attached map, marked Exhibit A, to the current sphere is orderly, logical and justifiable.

Section 6. The Executive Officer is directed to file a Notice of Exemption under §15306 in compliance with the California Environmental Quality Act and local ordinances implementing the same.

Section 7. The El Dorado Hills Community Services District sphere of influence is updated to add 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 October 28, 2020 by the following vote of said Commission.

	AYE	NO	ABSTAIN	ABSENT	NOT VOTING
Commissioner Acuna	<input type="checkbox"/>				
Commissioner Bass	<input type="checkbox"/>				
Commissioner Frentzen	<input type="checkbox"/>				
Commissioner Hidahl	<input type="checkbox"/>				
Commissioner Morrison	<input type="checkbox"/>				
Commissioner Palmer	<input type="checkbox"/>				
Commissioner Powell	<input type="checkbox"/>				
Alt. Commissioner Anderly	<input type="checkbox"/>				
Alt. Commissioner Saunders	<input type="checkbox"/>				
Alt. Commissioner Taylor	<input type="checkbox"/>				
Alt. Commissioner Veerkamp	<input type="checkbox"/>				

ATTEST:

Executive Officer

Chairperson