

# EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

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## *AGENDA OF AUGUST 27, 2014*

### *REGULAR MEETING*

**TO:** Ken Humphreys, Chair, and  
Members of the El Dorado County Local Agency Formation  
Commission

**FROM:** José C. Henríquez, Executive Officer

**AGENDA ITEM #7: PUBLIC HEARING TO CONSIDER AND ADOPT THE ENVIRONMENTAL REVIEW AND THE SPHERE OF INFLUENCE UPDATE FOR THE EL DORADO COUNTY FIRE PROTECTION DISTRICT (LAFCO PROJECT NO. 2014-06)**

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#### **RECOMMENDATION**

Staff recommends that the Commission:

1. Consider the information relating to the need to update the sphere of influence for El Dorado County Fire Protection District;
2. Open the public hearing on this matter;
3. Accept statutory exemption §15061(b)(3) from environmental review as the appropriate environmental review;
4. Adopt Resolution L-2014-08 adopting the updated sphere of influence study for the El Dorado County Fire Protection District; and
5. Direct staff to complete the necessary filings and transmittals as required by law.

#### **REASON FOR RECOMMENDED ACTION**

A parcel split by the service areas of the Latrobe Fire Protection District and El Dorado County Fire Protection District was discovered in the processing of the Dissolution of the Latrobe Fire Protection district (LAFCO Project Number 2014-03). Updating the El Dorado County FPD sphere of influence sets the stage for the Commission to be able to clean up the boundaries for this parcel if the Reorganization of the Latrobe FPD into El Dorado Hills County Water District and El Dorado FPD is successful.

**BACKGROUND**

Earlier in 2014, LAFCO staff received the joint petitions from the Latrobe Fire Protection District (LTB) and El Dorado Hills County Water District (EDH) Boards of Directors to dissolve LTB (LAFCO Project Number 2014-03) and annex its service area and sphere of influence into EDH (LAFCO Project 2014-04). While processing the 2014-04 application, the Assessor's and Auditor's offices discovered a 10.36-acre parcel that was split by the service areas of LTB and El Dorado Hills County FPD (ECF). It is unknown how this issue occurred since historical records are very general, but it is believed that at some point this parcel was composed of two separate parcels and the service boundary line was drawn between them.

The parcel in question, APN 087-300-80, has 9.1 acres in ECF and 1.26 acres in LTB. Staff from both County offices and LAFCO agreed that while it was theoretically possible to leave the 1.26-acre portion unaddressed, it was not a feasible option for numerous administrative reasons as well as discouraged by several sections of LAFCO Law. It was cleaner to seek the administrative remedy of amending the project to include annexing the 1.26-acre portion into ECF. In addition, the 1.26-acre portion was not generating any property tax revenues, meaning ECF was already receiving all of the property tax through the 9.1 acres already in the district.

To facilitate the clean-up, the AB-8 resolution adopted by the Board of Supervisors already includes the 1.26-acre portion of APN 087-300-80. LAFCO can use its discretionary power under Government Code Section 56375 to "review and approve with or without amendment, wholly, partially, or conditionally, or disapprove proposals for changes of organization or reorganization, consistent with written policies, procedures, and guidelines adopted by the commission" to amend Project 2014-04 to include annexing the 1.26-acre portion to ECF. Prior to doing that, however, it needs to ensure that the annexation is consistent with the sphere of influence of the annexing agency (Government Code Section 56375.5).

Government Code Section 56430 requires that the commission conduct a municipal service review before updating the sphere of influence for an agency. The last time ECF was studied was under the Countywide Fire Suppression and Emergency Services Municipal Service Review adopted by the Commission in August 2011. LAFCO staff reviewed the MSR and determined that the service analysis contained in the report for ECF's capacity and capability to provide service to the 1.26-acre portion is still valid. This is true despite the report containing financial and call data that are three years old. This is because while ECF has experienced a roller coaster ride financially during this time, it has stabilized significantly in the past fiscal year. Its finances still are, as the MSR noted, "stable but stressed." In addition, ECF has not taken significant measures that altered the staffing and service levels out of its Shingle Springs station, the nearest firehouse to the 1.26-acre portion. As a result, LAFCO staff recommends that the 2011 Countywide Fire Suppression and Emergency Services MSR is the appropriate review to prepare this ECF SOI update. Excerpts specific to ECF have been included in this staff report as Attachment A. Copies of the complete 2011 Countywide Fire Suppression and Emergency Services MSR were provided in the August 2011 packet. Copies of the report are also available digitally at LAFCO's website and in hardcopy form at the LAFCO office.

In accordance with Government Code 56425 and the Commission's own policies, the following determinations are prepared:

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

Present land use within APN 087-300-80 is Rural Residential 2.51-20.0 Acres. Currently, there is one residential unit, one large standalone structure and two small standalone ancillary structures on this parcel. Outside of the structures, the parcel is undeveloped open space. Based on the parcel's size, zoning (rural residential) and County General Plan designation, this parcel has been developed to the maximum allowed density. No substantial changes in land use are expected as a result of this review.

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

Present needs for public facilities and services are currently being met by ECF given that a substantial portion of APN 087-300-80 is already in ECF's service area. Probable needs for public facilities and services are not currently anticipated to vary from present needs, as future demands are expected to remain the same.

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

The present capacity of public facilities provided is adequate to serve the balance of APN 087-300-80 that is currently outside of ECF's service area.

**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 area surrounding APN 087-300-80 is between the communities of Shingle Springs and Latrobe. No social or economic communities of interest would be split or separated as a result of amending ECF's sphere of influence to include the 1.26-acre portion of APN 087-300-80 in TRA 076-025 that is currently outside of ECF's service area.

For these reasons, staff recommends that the El Dorado County Fire Protection District's sphere of influence be updated to include the 1.26-acre portion of APN 087-300-80 currently identified by TRA 076-025, as shown on Attachment C, marked as Exhibit A to Resolution L-2014-08 (Attachment B).

**Attachments:**

Attachment A: Excerpts from the Countywide Fire Suppression and Emergency Services Municipal Service Review, adopted by the Commission in August 2011

Attachment B: Draft Resolution L-2014-08

Attachment C: Exhibit A to Resolution L-2014-08