

**Agenda Item #2d
Attachment A**

RESOLUTION NUMBER L-2006-12

Bell Woods II Reorganization
LAFCO Project No. 2006-01

AMENDED

WHEREAS, on February 1, 2006 Western Pacific Housing, owner of 93.09% of the assessed value of the land shown in “Exhibits A and B” (hereinafter referred to as the “subject territory”) submitted a landowner petition (“petition”) requesting the reorganization of the subject territory into the Cameron Park Community Services District and the Dorado Hills Community Services District with concurrent detachment from County Service Area 9, Zone 17; and

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

WHEREAS, Assessor’s Parcel Numbers (APNs) 119-020-07 (approximately 33.69 acres), and 115-120-15 (approximately 2.5 acres), are listed in the petition; and

WHEREAS, the petition requests the annexation of parcel 119-020-07 (hereinafter referred to as the “Bell Woods Property”), shown in Exhibit A, into the Cameron Park Community Services District (Cameron Park CSD) for the provision of parks and recreation, street lighting and landscaping, weed abatement, CC&R enforcement and fire protection and emergency medical services, with concurrent detachment from County Service Area 9, Zone 17; and

WHEREAS, the petition requests the annexation of parcel 115-120-15 (hereinafter referred to as the “Open Space Parcel”), shown in Exhibit B, into the El Dorado Hills Community Services District (El Dorado Hills CSD) for the provision of open space maintenance, with concurrent detachment from County Service Area 9, Zone 17; and

WHEREAS, Revenue and Taxation Code Section 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 transfer negotiations were completed and approved by the County of El Dorado (“the County”) on May 23, 2006; by Cameron Park CSD on May 17, 2006; and by El Dorado Hills CSD on May 11, 2006; and

WHEREAS, a Mitigated Negative Declaration of Environmental Impact (MND) has been prepared for the Bell Woods Property by the County, as outlined by the California Environmental Quality Act; and

WHEREAS, the El Dorado Local Agency Formation Commission has reviewed said MND, a copy of which is filed at the LAFCO Office; and

WHEREAS, within the scope of this environmental review, the environmental impacts of the Bell Woods Property reorganization were addressed; and

WHEREAS, a Categorical Exemption #20 under State Code §15320 has been prepared for the Open Space Property by El Dorado LAFCO, as outlined by the California Environmental Quality Act, said Exemption was filed on August 24, 2006; and

WHEREAS, within the scope of this environmental review, the environmental impacts of the Open Space Parcel reorganization were addressed; and

WHEREAS, the Executive Officer has examined the petition and certified that it is adequate and has accepted the proposal for filing on July 31, 2006; and

WHEREAS, the Executive Officer set a public hearing for August 23, 2006 for consideration of the proposal and MND 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 this date to hold a full and fair public hearing on the Project and MND prepared therewith; and

WHEREAS, the Executive Officer, pursuant to Government Code §56665 has reviewed this proposal and prepared 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 August 23, 2006 meeting during which the petition was considered; and

WHEREAS, upon the date, time and place specified in said Notice of Hearing and in any order or orders containing 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 recommendations, the environmental document and determination, plans for providing service, spheres of influence and applicable General and Specific Plans; and

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

1. Each of the foregoing recitals is true and correct.
2. This resolution making determinations is made pursuant to the Local Government Reorganization Act of 2000, California Government Code §56000 et seq.
3. Western Pacific Housing Inc. and the Bridlewood Canyon Homewowners Association, as owners of 100% of the assessed value of the land within the proposal area, have given their written consent to the reorganization.

4. The Bell Woods Property is within the Cameron Park CSD sphere of influence and is contiguous to the existing boundary.
5. The Open Space Parcel is within the El Dorado Hills CSD sphere of influence and is contiguous to the existing boundary.
6. The Bell Woods Property will be fully utilized for the Bell Woods Development; a subdivision including 54 single family homes and two open space lots.
7. The Bell Woods Property is a component of the Bass Lake Hills Specific Plan.
8. The Bass Lake Hills Specific Plan was adopted by the El Dorado County Board of Supervisors on November 7, 1995.
9. The Bell Woods Property is currently undeveloped land that is zoned Single Family Residential (R1) by the 2004 County General Plan.
10. The Open Space Parcel is currently undeveloped land that is expected to remain in permanent open space.
11. The Open Space parcel was included in the reorganization to prevent the formation of a service island.
12. The Open Space Parcel is zoned for Recreational Facilities (RF) by the 2004 County General Plan.
13. The entire reorganization proposal is consistent with the County's 2004 General Plan.
14. The Cameron Park CSD and the El Dorado Hills CSD, as the subject agencies, have not requested in writing or otherwise that LAFCO hold protest proceedings on this petition.
15. The following agencies and districts were notified concerning this proposal: El Dorado County representing County Service Areas 07, 09, 09 Zone 17, 10 and 10 Zone D; Cameron Park Community Services District; El Dorado Hills Community Services District; El Dorado Irrigation District; El Dorado County Water Agency; Los Rios Community College District; El Dorado Union High School District; Buckeye Union School District; El Dorado Hills County Water District; El Dorado County Planning Department and the El Dorado County Resource Conservation District.
16. There are no registered voters in the subject territory; therefore the proposal area is considered uninhabited per Government Code §54046.
17. The proposal area consists of two tax rate areas; the Bell Woods Property is currently within TRA 054-147, and the Open Space Parcel is currently within TRA 054-143.
18. The total assessed land value of the reorganization area is \$1,659,164.
19. The reorganization 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.

20. The annexation proposal will result in the County meeting its Regional Housing Needs Assessment allocations as determined by the Sacramento Area Council of Governments for moderate income groups or higher.
21. Upon approval of the reorganization proposal, Cameron Park CSD shall provide parks and recreation, street lighting and landscaping, weed abatement, CC&R enforcement and fire protection and emergency medical services to Bell Woods.
22. Upon approval of the reorganization proposal, El Dorado Hills CSD shall provide open space maintenance to the Open Space Parcel.
23. Cameron Park CSD has planned for the provision of park and recreation and fire protection services to the Bell Woods Property and has developed a fee schedule, bonding funds, and assessments to provide funding for that service.
24. El Dorado Hills CSD has planned for the provision of open space maintenance to the Open Space Parcel and has developed a fee schedule, bonding funds, and assessments to provide funding for that service.
25. The proposed reorganization of the Bell Woods Parcel 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 Cameron Park CSD sphere of influence and the El Dorado LAFCO Policies and Guidelines.
26. The proposed reorganization of the Open Space Parcel 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 El Dorado Hills CSD sphere of influence and the El Dorado LAFCO Policies and Guidelines.
27. The Commission has reviewed and considered the information contained in the MND, Initial Study and administrative record for the Project.
28. The Commission finds that the MND and Initial Study contain a complete, accurate and objective reporting of the environmental impacts associated with the Bell Woods Property and reflect the independent judgment of the Commission.
29. The Commission further finds that the MND and Initial Study have been completed in compliance with CEQA, the State CEQA Guidelines and the Commission's Local CEQA Guidelines.
30. A full and fair public hearing was held on the MND for the Bell Woods Property.
31. The Commission has considered all comments received thereon in response to the public circulation of the MND, and said MND is hereby approved and adopted as the MND for the Bell Woods Property portion of the Bell Woods II Reorganization.
32. The Commission hereby finds on the basis of its review of the Initial Study and comments on the MND, and all other written and oral evidence presented to the Commission, there is no substantial evidence in the administrative record to support a fair argument that the proposed reorganization may result in a

significant impact on the environment. The Commission further finds that the reorganization will not cause any significant environmental impacts.

33. The MND addressed, among other things, impacts to hydrology and water quality, land use, public services and utilities and service systems.
34. The MND included a Mitigation Monitoring Program that addressed measures necessary to mitigate the potentially significant effects that the project could have on the surrounding area, and identified the responsible parties and included the provisions to be followed.
35. The County, in accordance with the California Environmental Quality Act (CEQA) ultimately determined that, by way of mitigation, the Bell Woods Project would not have a significant impact on the environment.
36. The County's MND for the Bell Woods Parcel is hereby accepted as the appropriate environmental document for this proposal in accordance with CEQA.
37. LAFCO's Categorical Exemption #20 for the Open Space Parcel is hereby adopted as the appropriate environmental document for this proposal in accordance with CEQA.
38. The County Surveyor has agreed that the submitted legal description and maps are mathematically correct.
39. The area proposed for reorganization represents an orderly, logical and a justifiable extension of the Cameron Park CSD and El Dorado Hills CSD boundaries.
40. Said annexation is approved, subject to conditions listed below, to the subject territory, the boundaries as set forth in the proposal as submitted and described in the attached legal description and map marked "Exhibit A" and "Exhibit B" and by this reference incorporated herein.

- (a) Said territory includes approximately 36.19 acres and is found to be uninhabited. The territory is assigned the following short form designation:

Bell Woods II Reorganization to the
Cameron Park and El Dorado Hills CSDs
LAFCO Project No. 2006-01

- (b) The subject territory shall be liable for any authorized or existing taxes, fees, assessments, and any bonded indebtedness of the Cameron Park and El Dorado Hills CSDs.
- (c) The applicant agrees to 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.

- (d) 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.
 - (e) 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 August 23, 2006.
41. 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.
 42. The Executive Officer is hereby authorized and directed to file a Notice of Determination for the Bell Woods Parcel portion of the reorganization pursuant to California Code of Regulations Section 15075, along with a de minimis finding pursuant to California Code of Regulations Section 753.5.
 43. 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 Open Space Parcel portion of the reorganization pursuant to California Code of Regulations Section 15075, along with a de minimis finding pursuant to California Code of Regulations Section 753.5.
 44. The Conducting Authority proceedings are waived in accordance with Government Code §56663 (c).
 45. The effective date shall be the five (5) working days after recordation by the County Recorder of the Executive Officer's Certificate of Completion once the imposed conditions are met.
 46. 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 the Cameron Park CSD or the El Dorado Hills CSD, 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 their 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 services;
 - (e) Shall be subject to all of the rules, regulations and ordinances of the Districts as now existing or hereafter amended.
44. All interested parties, including without limitation Western Pacific Housing, Inc. and the Bridlewood Canyon Homeowners Association, 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.
45. The documents and materials 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 August 23, 2006 by the following vote of said Commission.

AYES:
NOES:
ABSTENTIONS:
ABSENT:

ATTEST:

Clerk to the Commission

Chairperson