

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NUMBER L-2012-02

Conducting Authority Proceedings on the Dissolution of the Grassy Run Community Services District LAFCO Project No. 2011-04

AMENDED

WHEREAS, on February 24, 2011, the Grassy Run Community Services District (“GRCS D”) adopted District Resolution 11-01 (“petition”) requesting the dissolution of GRCS D; and

WHEREAS, on March 1, 2011, GRCS D submitted the petition to El Dorado Local Agency Formation Commission (“LAFCO”); and

WHEREAS, the petition designated the GRCS D General Manager (Richard W. Nichols) as the authorized agent for the proceedings; and

WHEREAS, the dissolution proposal (hereinafter referred to as the “Dissolution”) was assigned LAFCO Project No. 2011-04 and was referred to as the “Dissolution of the Grassy Run Community Services District”; and

WHEREAS, GRCS D includes the following 89 parcels, consisting of approximately 447 acres, shown in “Exhibit A” (hereinafter referred to as the “subject territory”); and

319-050-15	319-050-30	319-050-45	319-050-62	319-050-87	319-100-12	319-100-25
319-050-16	319-050-31	319-050-50	319-050-69	319-050-88	319-100-13	319-100-26
319-050-17	319-050-32	319-050-51	319-050-70	319-050-89	319-100-14	319-100-27
319-050-18	319-050-33	319-050-52	319-050-71	319-050-90	319-100-15	319-100-29
319-050-19	319-050-34	319-050-53	319-050-72	319-050-91	319-100-16	319-100-30
319-050-20	319-050-35	319-050-54	319-050-78	319-050-92	319-100-17	319-100-32
319-050-21	319-050-38	319-050-55	319-050-80	319-050-93	319-100-18	319-100-33
319-050-22	319-050-39	319-050-56	319-050-81	319-050-94	319-100-19	319-100-34
319-050-23	319-050-40	319-050-57	319-050-82	319-050-95	319-100-20	319-100-35
319-050-24	319-050-41	319-050-58	319-050-83	319-100-08	319-100-21	319-100-38
319-050-25	319-050-42	319-050-59	319-050-84	319-100-09	319-100-22	319-100-39
319-050-28	319-050-43	319-050-60	319-050-85	319-100-10	319-100-23	
319-050-29	319-050-44	319-050-61	319-050-86	319-100-11	319-100-24	

WHEREAS, the petition requests the Dissolution of GRCSO for a failure to exercise its corporate powers; and

WHEREAS, the amended 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 August 2, 2011 and by GRCSO on July 28, 2011; and

WHEREAS, the Executive Officer has examined the petition, certified that it is adequate and has accepted the petition for filing on November 7, 2011; and

WHEREAS, on December 7, 2011, this Commission designated a zero sphere of influence for GRCSO; and

WHEREAS, the Executive Officer reviewed the Dissolution for conformance under the California Environmental Quality Act ("CEQA") and determined that the Dissolution is consistent with the determinations of a Categorical Exemption #20 under Section 15320 of the State CEQA Guidelines; and

WHEREAS, on December 7, 2011 this Commission adopted Resolution 2011-13: (1) adopting the Categorical Exemption #20 as the appropriate environmental exemption for this proposal in accordance with CEQA, and (2) approving the Dissolution of the Grassy Run Community Services District, subject to certain conditions as set forth in Resolution 2011-12; and

WHEREAS, there are 150 registered voters in the subject territory; therefore the subject territory is considered *uninhabited* per Government Code §56046; and

WHEREAS, written notice of Commission proceedings was given to all registered voters and landowners within 300 feet of the affected territory; 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-2011-13, the Executive Officer set a public hearing for January 25, 2012 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 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 Dissolution; a statement of the time, date, and place of the protest hearing on the proposed Dissolution and the manner in which protests may be submitted; and

WHEREAS, on January 25, 2012, this Commission opened the public hearing, LAFCO Resolution 2011-13 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 Dissolution of the Grassy Run Community Services District is _____.
3. The value of written protests filed and not withdrawn is found to be less than ___% 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 Dissolution of the Grassy Run Community Services District is hereby ordered, subject to the following conditions, in addition to all conditions specified in LAFCO Resolution No. L-2011-13:
 - (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 Grassy Run Community Services 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 January 25, 2011 by the following vote of said Commission.

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Interim Clerk to the Commission

Chairperson

DRAFT