

EL DORADO LAFCO
LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NUMBER L-2014-13

**Conducting Authority Proceedings on the Reorganization of the
Latrobe Fire Protection District and its Sphere of Influence into
El Dorado Hills County Water District and
El Dorado County Fire Protection District**

LAFCO Project No. 2014-04

WHEREAS, on January 23, 2014, the El Dorado Hills County Water District (“EDH”) Board of Directors adopted District Resolution 2014-04 (“petition”) requesting expansion of the EDH sphere of influence to include the LTB service area and sphere of influence (“SOI”), and annexation of this same territory; and

WHEREAS, on February 3, 2014, the Latrobe Fire Protection District (“LTB”) Board of Directors adopted District Resolution 02-03-14 (“petition”) requesting the dissolution of LTB and the simultaneous annexation to EDH; and

WHEREAS, on February 4, 2014, EDH and LTB submitted the petitions to El Dorado Local Agency Formation Commission (“LAFCO”); and

WHEREAS, the proposal was assigned LAFCO Project No. 2014-04 and is referred to as the “El Dorado Hills County Water District Annexation of the Latrobe Fire Protection District and Sphere of Influence”; and

WHEREAS, LTB and its SOI includes 699 parcels, consisting of approximately 27,838 acres, shown in “Exhibit A” (hereinafter referred to as the “subject territory”); and

WHEREAS, the petition includes agreed upon conditions between LTB and EDH to stabilize and secure the financial condition of services in the Latrobe community, ensure appropriate levels of emergency fire and medical response to all areas of the resulting District, eliminate redundant management personnel, increase operations and efficiencies and maximize available resources; and

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

WHEREAS, determining the exact and definite boundaries of LTB’s service area is part of Project L-2014-04; and

WHEREAS, Government Code Sections 56375(l) and 56668(f) require LAFCOs to review the definiteness and certainty of the boundaries of the territory in question, with particular attention to the conformance of the proposed boundaries with the lines of assessment or ownership; and

WHEREAS, Assessor's Parcel Number (APN) 087-30-80 (10.36 acres), is currently split between the El Dorado County Fire Protection District (ECF) and LTB boundaries with two separate tax rate areas; and

WHEREAS, the majority of APN 087-300-80 (9.1 acres) is within tax rate area (TRA) 076-016, which includes ECF, and the remaining 1.26-acre portion of this parcel is within TRA 076-025, which includes LTB; and

WHEREAS, on or about March 2014, the fire chiefs for EDH, LTB and ECF agreed that the entirety of APN 087-300-80 should be within the service boundaries of ECF; and

WHEREAS, one of LAFCO's missions as contained in Government Code Section 56001 is "the logical formation and modification of the boundaries of local agencies, with a preference granted to accommodating additional growth within, or through the expansion of, the boundaries of those local agencies which can best accommodate and provide necessary governmental services and housing for persons and families of all incomes in the most efficient manner feasible"; and

WHEREAS, Government Code Section 56375 gives LAFCO the discretionary authority 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"; and

WHEREAS, as defined in Government Code 56073, the making of "two or more changes of organization contained within a single proposal" is technically designated as a "reorganization" of multiple agency boundaries; 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 Board of Supervisors ("the County") on June 10, 2014, by the EDH Board of Directors on June 19, 2014, by the LTB Board of Directors on July 14, 2014, and by the ECF Board of Directors on July 17, 2014; and

WHEREAS, the Executive Officer has examined the petition, certified that it is adequate and has accepted the petition for filing on July 29, 2014; and

WHEREAS, on August 27, 2014, this Commission designated a zero sphere of influence for LTB, and expanded the spheres of influence of the El Dorado Hills County Water District and El Dorado County Fire Protection District to include the annexation areas; and

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

WHEREAS, on August 27, 2014 this Commission adopted Resolution L-2014-10: (1) adopting the Class 20 Categorical Exemption as the appropriate environmental exemption for this proposal in accordance with CEQA, and (2) exercising its discretionary authority under Government Code §56375(a)1 to amend and approve the proposal by reorganizing the Latrobe Fire Protection District and its Sphere of Influence into El Dorado Hills County Water District and a portion of APN 087-300-80 into El Dorado County Fire Protection District, subject to certain conditions as set forth in Resolution L-2014-10; and

WHEREAS, the Commission retained "LAFCO Project No. 2014-04" as the project number for the amended petition, but assigned it the short form designation of "Reorganization of the Latrobe Fire Protection District and its Sphere of Influence into El Dorado Hills County Water District and El Dorado County Fire Protection District"; and

WHEREAS, there are 691 registered voters in the subject territory; therefore, the subject territory is considered inhabited per Government Code §56046; 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-2014-10, the Executive Officer set a public hearing for October 22, 2014 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 and registered voters 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 annexation; a statement of the time, date, and place of the protest hearing on the proposed annexation and the manner in which protests may be submitted; and

WHEREAS, on October 22, 2014, this Commission opened the public hearing, LAFCO Resolution L-2014-10 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 Reorganization of the Latrobe Fire Protection District and its Sphere of Influence into El Dorado Hills County Water District and El Dorado County Fire Protection 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 Reorganization of the Latrobe Fire Protection District and its Sphere of Influence into El Dorado Hills County Water District and El Dorado County Fire Protection District is hereby ordered, subject to the following conditions, in addition to all conditions specified in LAFCO Resolution No. L-2014-10:
 - (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 El Dorado Hills County Water District, the Latrobe Fire Protection District and the El Dorado County Fire Protection 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 October 22, 2014, by the following vote of said Commission.

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Clerk to the Commission

Chairperson