

EL DORADO LAFCO
LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NUMBER L-2017-06

**Update to the Tahoe Paradise Resort Improvement District
Sphere of Influence**

LAFCO Project No. 2015-06

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 Tahoe Paradise Resort Improvement District and adopted a written statement of determinations in conjunction with this sphere of influence update on June 28, 2017; 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 §15061(b)(3) because it is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA, and, based thereon, the Executive Officer prepared a Notice of Exemption; and

WHEREAS, the Executive Officer set a public hearing for June 28, 2017 for consideration of the environmental review and the sphere of influence update for the Tahoe Paradise Resort Improvement 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 June 28, 2017 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, 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.*

Land uses within the District are primarily residential. Land uses are not anticipated to change.

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

The District, along with other recreation providers, currently meets the need for public recreation facilities in the area.

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

The District provides recreation facilities and facilities are adequate; although, some are in need of repair, replacement or rehabilitation.

The district's ability to continue to function under an outdated law over the long term is problematic. It calls into question whether it should continue to operate in this manner and whether it should convert to a more modern form of independent special district government.

The District is not operating with sufficient funding. Further, the District indicated that residents outside of the District's assessment area utilize the park. Adjusting the District's boundary to increase the assessment area may provide the District with the funds necessary for service provision.

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.*

Tahoe Paradise Resort Improvement District encompasses a substantial portion of the unincorporated community of Meyers. Indeed, based on community feedback the residents of Meyers take pride of the Tahoe Paradise Park and want the park to return to its "glory days" of the 1960s.

Because it has been identified as a community park, the Tahoe Paradise Park is likely being used by people who live in Meyers but reside outside of TPRID's service area. At least two large neighborhoods that comprise Meyers are located outside of the TPRID. The District should explore the possibility of expanding its service area to better match their customers. If the District is interested in this proposal, it should prepare a service plan to complement its master plan by discussing how it plans to expand services to the area and the finances (both amounts and source) it would need to offset the cost of the expansion.

No other social or economic communities of interest exist outside of Meyers and the City of South Lake Tahoe to the north of the District.

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.*

While Tahoe Paradise RID does not provide any municipal services as defined in Government Code 56425(e)5, LAFCO identified a block group that contains at least one disadvantaged community. Most of this area is within the City of South Lake Tahoe city limits, but a small portion lies within TPRID's boundaries.

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. The Executive Officer is directed to file a Notice of Exemption under §15061(b)(3) in compliance with the California Environmental Quality Act and local ordinances implementing the same.

Section 4. Based upon the information contained in the MSR/SOI study, it is recommended that Tahoe Paradise Resort Improvement District should convert to a more modern form of government, preferably before January 2018. It is also recommended that TPRID's current sphere of influence, which was last updated on February 27, 2008, be reaffirmed as shown on the attached map, marked Exhibit A, attached hereto and incorporated herein by this reference. Before the next MSR/SOI report, the Board of Directors should start exploring how to fund TPRID operations post-Measures S/R, as well as researching a possible expansion of its boundaries.

PASSED AND ADOPTED by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held June 28, 2017 by the following vote of said Commission.

	AYE	NO	ABSTAIN	ABSENT	NOT VOTING
Commissioner Acuna	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Anderly	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Coco	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Frentzen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Humphreys	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Laine	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Veerkamp	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Clerici	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Morrison	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Powell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alt. Commissioner Ranalli	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

Interim Clerk to the Commission

Chairperson