

# EL DORADO LAFCO

## LOCAL AGENCY FORMATION COMMISSION

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### **RESOLUTION NUMBER L-2018-02**

#### **Update to the Holiday Lake Community Services District Sphere of Influence**

##### ***LAFCO Project No. 2016-02***

**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 for the Holiday Lake Community Services District and adopted a written statement of determinations in conjunction with this sphere of influence update on January 24, 2018; 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 January 24, 2018 for consideration of the environmental review and the sphere of influence update for the Holiday Lake Community Services District and caused notice thereof to be posted, published and distributed at the times and in the manner required by law at least twenty-one (21) days in advance of the date; and

**WHEREAS**, on January 24, 2018 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 residential. No land use changes are anticipated within the District and no land uses would be changed by affirming the District's current SOI.

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

The District did not indicate the need for additional public facilities. No additional needs for public facilities would be created by affirming the District's current SOI.

The District should resolve its issues regarding the ownership status on the trail and lake parcels soon. This will ensure that there are no legal entanglements that could jeopardize its legal standing or strain its financial resources.

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

All things being equal, the District appears to have adequate capacity to provide services and facilities. It could make service clearer if the District specified its position regarding the use of the lake and facilities and how it intends to regulate the use of these facilities. The District's service capacity would not be changed by affirming the District's current SOI.

**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.***

Social or economic communities of interest to the District are not known. Affirming the District's current SOI would not result in the annexation of any additional areas into the District's service area.

**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.***

Neither of the two neighborhoods that comprise Holiday Lake CSD are part of a disadvantaged community. Same goes for the neighborhood in the surrounding area of the District. In addition, the district only provides recreation and park services. These are not applicable to this section.

***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. Pursuant to Government Code Section 56425(i)(2), the Commission does hereby establish the functions and classes of services provided by Holiday Lake Community Services District as follows: Parks and recreation services.

Section 4. The update to the Holiday Lake Community Services District sphere of influence to affirm the current sphere is orderly, logical and justifiable.

Section 5. 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 6. The Holiday Lake Community Services District sphere of influence is updated to affirm its current sphere as shown on the attached map, marked Exhibit A, attached hereto and incorporated herein by this reference.

**PASSED AND ADOPTED** by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held January 24, 2018 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 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 Palmer	<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:

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Interim Clerk to the Commission

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Chairperson