

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

EXECUTIVE OFFICER'S REPORT

AGENDA OF APRIL 28, 2021

REGULAR MEETING

TO: Tim Palmer, Chair, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer

PREPARED BY: Erica Sanchez, Assistant Executive Officer

AGENDA ITEM #6: Conducting Authority (Protest) Proceedings for the El
Dorado County Fire Protection District Island Annexation;
LAFCO Project No. 2020-01

LAFCO Project No. 2020-01

PROPONENT(S): El Dorado County Fire Protection District

RECOMMENDATION

Staff recommends that the Commission:

- 1) Summarize the Commission's Resolution Number L-2021-06 making determinations (Attachment A);
- 2) Open the Conducting Authority proceedings for the El Dorado County Fire Protection District Island Annexation;
- 3) Accept all valid landowner and registered voter protests;
- 4) Authorize the Executive Officer to determine the value of written protests filed;
- 5) Terminate the proceedings if a majority of protests exist in accordance with Government Code Section 57078; or
- 6) Order the annexation be subject to the confirmation of the registered voters residing within the annexation areas if at least 25% but less than 50% of registered voters filed protest and not withdrawn them or at least 25% but less than 50% of landowners owning at least 25% of the assessed value of the land in the annexing territories have filed protests and not withdrawn them; or
- 7) Adopt Conducting Authority Resolution L-2021-10 (Attachment C), ordering the annexation if the conditions in 5) and 6) do not exist.

REASON FOR RECOMMENDED ACTION AND BACKGROUND

The annexation was approved by the Commission at the March 24, 2021 meeting; however, Conducting Authority proceedings are required for this annexation because the territory is inhabited and the petition was initiated by resolution of the El Dorado County Fire Protection District Board without the written consent of all affected landowners.

A Conducting Authority hearing allows all landowners and registered voters of the subject territory a final opportunity to formally protest the annexation. The subject territory contains a total of 99 registered voters and is considered inhabited per state law (an area is considered inhabited if it contains 12 or more registered voters); therefore, written protests for this project may be filed by any registered voter or landowner within the subject territory. The subject territory for this annexation includes 14 island areas A-N (159 parcels, 5,439 acres). The following values are cumulative totals for the entire subject territory, according to information from the El Dorado County Assessor and Elections Departments:

Total assessed value of land: \$11,767,493
Total number of landowners: 157
Total number of registered voters: 99

Per Government Code §57000 et seq., the Commission shall summarize the resolution making determinations approving the annexation prior to hearing and receiving any oral or written protests, objections, or evidence that is made, presented or filed and determine the value of written protests filed and not withdrawn. Depending on the value of protests received, the Commission shall either 1) terminate the proceedings, 2) order the annexation subject to an election, or 3) order the annexation without an election. The thresholds for inhabited areas are as follows:

- 1) If more than 50% of registered voters submit valid protests and not withdrawn, the annexation proceedings are terminated.
- 2) The Commission shall order the annexation subject to approval of the registered voters within the affected territory if:
 - At least 25%, but no more than 50%, of registered voters submit valid protests and not withdrawn, or
 - At least 25% of landowners owning at least 25% of the total assessed value of land within the territory submit valid written protests and not withdrawn.
- 3) If the conditions in 1) or 2) do not exist, the Commission shall order the annexation.

The island annexation approval resolution and staff report are included as Attachments A and B for reference; attachments are available online under the March 24, 2021 meeting agenda.

ATTACHMENTS

- Attachment A: LAFCO Resolution No. L-2021-06, approving the EDCFPD Island Annexation; LAFCO Project No. 2020-01 (*March 24, 2021*) and map
- Attachment B: EDCFPD Island Annexation Staff Report (*attachments available online under the March 24, 2021 meeting agenda*)
- Attachment C: Draft Conducting Authority Resolution No. L-2021-10