

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

EXECUTIVE OFFICER'S REPORT

AGENDA OF OCTOBER 22, 2014

REGULAR MEETING

TO: Ken Humphreys, Chair, and
Members of the El Dorado County Local Agency Formation
Commission

FROM: José C. Henríquez, Executive Officer

PREPARED BY: Erica Sanchez, Policy Analyst

AGENDA ITEM #6: Conducting Authority (Protest) Proceedings for the
Environmental Review and the Dissolution of the Latrobe
Fire Protection District (LAFCO Project No. 2014-03) and
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)

LAFCO Project No. 2014-03 and 2014-04

PROPONENT(S): Latrobe Fire Protection District
El Dorado Hills County Water District
El Dorado County Fire Protection District

RECOMMENDATION

Staff recommends that the Commission take the following two, separate actions:

Action #1

- 1) Summarize the Commission's Resolution Number L-2014-09 making determinations (Attachment A);
- 2) Open the Conducting Authority proceedings for the Dissolution of the Latrobe Fire Protection District;
- 3) Accept all valid landowner and registered voter protests;
- 4) Authorize the Executive Officer to determine the value of written protests filed; and

- 5) Adopt Conducting Authority Resolution L-2014-12 (Attachment E), ordering the dissolution if no majority land value protest is received.

Action #2

- 1) Summarize the Commission's Resolution Number L-2014-10 making determinations (Attachment B);
- 2) Open the Conducting Authority proceedings for the Reorganization of the Latrobe Fire Protection District and its Sphere of Influence into the El Dorado Hills County Water District and El Dorado County Fire Protection District;
- 3) Accept all valid landowner and registered voter protests;
- 4) Authorize the Executive Officer to determine the value of written protests filed; and
- 5) Adopt Conducting Authority Resolution L-2014-13 (Attachment F), ordering the dissolution if no majority land value protest is received.

REASON FOR RECOMMENDED ACTIONS AND BACKGROUND

The dissolution and reorganization were approved by the Commission at the August 27, 2014 meeting; however, Conducting Authority proceedings are required for these projects because the petitions were initiated by the LTB and EDH Boards without the written consent of all involved landowners.

A Conducting Authority hearing allows all landowners and registered voters of the subject territory a final opportunity to formally protest the dissolution and reorganization. The subject territory is considered inhabited per state law; therefore, written protests for this project may be filed by registered voters or any landowner within the subject territory.

Per Government Code §57000 et seq., the Commission shall summarize the resolutions making determinations approving the dissolution and reorganization 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 order a) the changes of organization (the dissolution and/or reorganization) without an election, b) the dissolution and/or reorganization subject to approval of the voters or c) terminate the proceedings. The thresholds for inhabited areas are as follows:

- If more than 50% of registered voters submit valid protests, the dissolution proceedings are terminated.
- If less than 25% of registered voters submit valid protests or less than 25% of landowners owning less than 25% of the assessed value of land within the territory submit valid written protests, the Commission shall order the dissolution.
- Order an election if:
 - At least 25%, but no more than 50%, of registered voters submit valid protests or
 - At least 25% of landowners owning at least 25% of the total assessed value of land within the territory submit valid written protests.

According to the County Assessor, the total net assessed value of the dissolution area (LTB only) is \$214,154,839; the total assessed value of the reorganization area (LTB and SOI) is \$217,892,687.

The staff report on these projects and the Service Plan jointly adopted by LTB and EDH, are enclosed in this report as Attachments C and D, respectively, for the Commission's reference. For more detailed information, please refer to the Dissolution of the Latrobe Fire Protection District and the Reorganization of the Latrobe Fire Protection District and its Sphere of Influence into the El Dorado Hills County Water District and El Dorado County Fire Protection District, Item 8 of the August Agenda.

ATTACHMENTS

- Attachment A: LAFCO Resolution No. L-2014-09, approving the Dissolution of the Latrobe Fire Protection District (*approved August 27, 2014*)
- Attachment B: LAFCO Resolution No. L-2014-10, approving the Reorganization of the Latrobe Fire Protection District and its Sphere of Influence into the El Dorado Hills County Water District and El Dorado County Fire Protection District (*approved August 27, 2014*)
- Attachment C: Dissolution and Reorganization Staff Report (*attachments available online under the August 27, 2014 meeting agenda*)
- Attachment D: Plan for Service and Service Agreement between LTB and EDH
- Attachment E: Draft Conducting Authority Resolution No. L-2014-12 (LTB Dissolution)
- Attachment F: Draft Conducting Authority Resolution No. L-2014-13
- Attachment G: Protest Form(s) Received