

RESOLUTION NUMBER L-2008-19

**Update to the Georgetown Divide Recreation District
Sphere of Influence**

LAFCO Project No. 2007-12-P

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 Sections 56000 et seq. (unless otherwise indicated all statutory references are to the Government Code); and

WHEREAS, Section 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 Sections 56425 et seq.; and

WHEREAS, Section 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 Sections 56076 and 56425; and

WHEREAS, pursuant to Section 56430, in order to prepare and update spheres of influence, the Commission conducted a General Government Services I Municipal Services Review and adopted a written statement of determinations on February 27, 2008; and

WHEREAS, the agencies reviewed were Arroyo Vista, Cameron Estates, Cameron Park, Cosumnes River, El Dorado Hills, Fallen Leaf Lake, Greenstone, Holiday Lake, Lakeview, Showcase Ranches and Springfield Meadows Community Services Districts; Georgetown Divide, Kirkwood Meadows, South Tahoe and Tahoe City Public Utility Districts; El Dorado Irrigation District; the Cities of Placerville and South Lake Tahoe; County Service Areas 2, 3, 5 and 9; Georgetown Divide Recreation District; and Tahoe Paradise Resort Improvement District; 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 Section 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 February 27, 2008 for consideration of the environmental review and the draft sphere of influence update for Georgetown Divide Recreation 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 February 27, 2008 the draft 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 draft sphere of influence, and the Executive Officer's Report and Recommendations; each of the policies, priorities and factors set forth in Government Code Section 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 reviews; and

WHEREAS, the Commission does hereby make the following determinations regarding the proposal pursuant to Government Code Section 56425(e):

1. *The present and planned land uses in the area, including agricultural and open space lands.*

Present land uses within the District range from low-density and rural residential to agricultural production and open space. Planned land uses are anticipated to remain the same as current land uses.

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

Present needs for public facilities and services are currently being met. Probable needs for public facilities and services are not currently anticipated to vary from present needs, as future demands are expected to remain the same.

The Kelsey Cemetery District (KCD), which maintains one historic cemetery in Kelsey, has serves an area which is almost coterminous with the southern boundaries of the District. The KCD has experienced financial difficulties in the recent past and its board has discussed the possibility of dissolution and transferring operations to a successor agency in the future. Although this option is merely speculative at this point, the District's General Manager stated that it would be something that could warrant further discussion. In order for the District to take over cemetery responsibilities, it would first have to be converted into a Community Services District in order to add public cemetery services to its list of empowered

services. In addition, the District's southern boundaries would have to be expanded on the southeastern most tip so that it includes parcels within KCD but outside of the District.

In addition, the District has expressed an interest in expanding to Lotus so that it can better serve all residents on the Georgetown Divide. Given that there are currently no park and recreation service providers in that area, extending the sphere of influence would not place the District in competition with another public agency.

The expansion of District boundaries south to the South Fork of the American River would be a logical extension of service boundaries, given the topographical area. Expansion of the sphere of influence would allow the District to pursue an extension of services or an expansion into other services in the future, if its governing board chose to do so.

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

The present capacity of public facilities provided is adequate to serve the existing community.

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.*

The District serves various communities on the Georgetown Divide, including the towns of Georgetown, Cool, Coloma, Pilot Hill and Garden Valley. The areas proposed for inclusion are located directly south of the district, outside of any established community boundaries. There are no social or economic communities of interest that require further Commission consideration of this issue for the sphere update.

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 Georgetown Divide Recreation District as follows: parks and recreation services.

Section 4. The update to the Georgetown Divide Recreation District's Sphere of Influence to expand the current sphere is orderly, logical and justifiable.

Section 5. The Executive Officer is directed to file a Notice of Exemption under Section 15061(b)(3) in compliance with the California Environmental Quality Act and local ordinances implementing the same.

APPROVED

Section 6. The Georgetown Divide Recreation District's sphere of influence is updated to expand its current sphere south to the South Fork of the American River to include all parcels contained in the Kelsey Cemetery District and include the community of Lotus and surrounding area, 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 February 27, 2008 by the following vote of said Commission.

Loftis, Briggs, Hagen, Humphreys, Long
AYES: Norris, Sweeney
NOES: None
ABSTENTIONS: None
ABSENT: None

ATTEST:



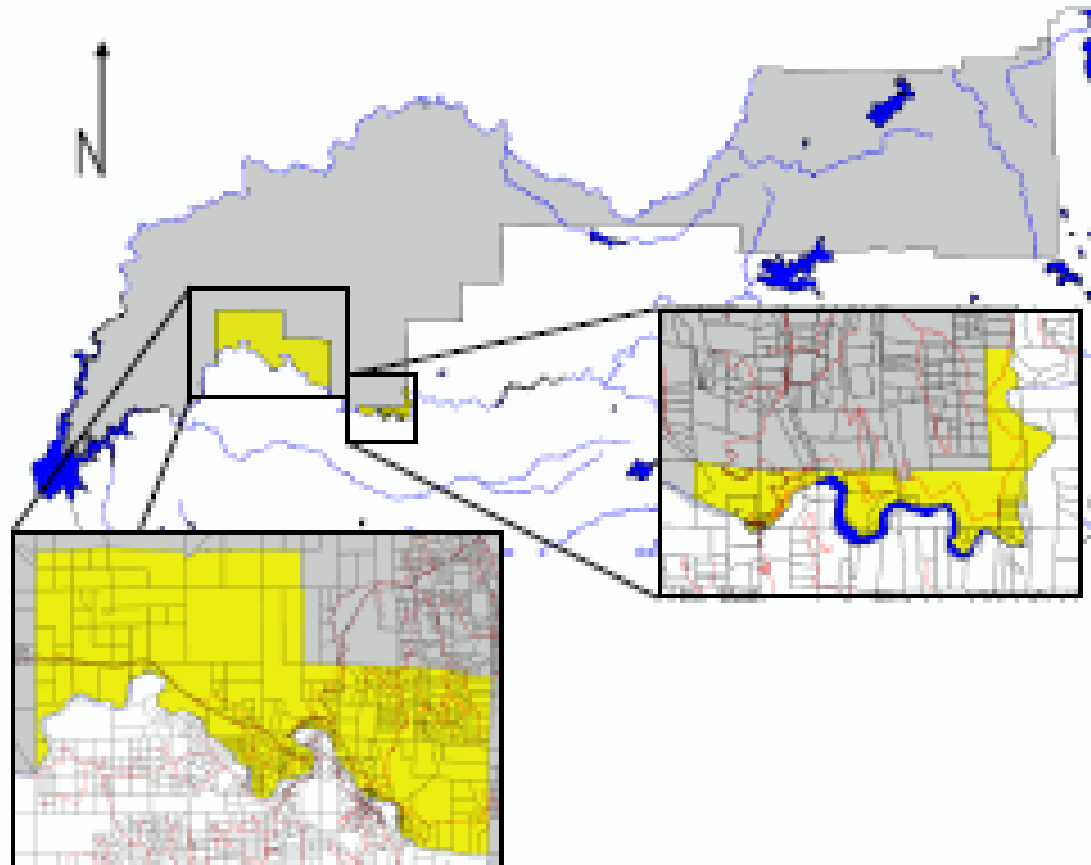
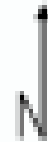
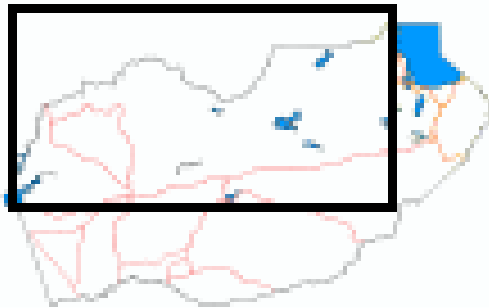
Clerk to the Commission



Chairperson

EXHIBIT A

Area of Interest:



Legend:



Service Area



10-Year Sphere of Influence Area

Georgetown Divide Recreation District

APPROVED