

LAFCO COMMISSION MEETING

DECEMBER 7, 2005

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

550 MAIN STREET SUITE E
PLACERVILLE, CA 95667
lafco@co.el-dorado.ca.us

PHONE: (530) 295-2707
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AGENDA

December 7, 2005 – 5:00 P.M.

Hearing Room, 2850 Fairlane Court, Building C, Placerville, California

Time limits are three minutes for speakers.

Speakers should complete a "Request to Speak Form" available from the Clerk at the meeting.

If you need a disability-related accommodation to participate in this meeting,
please contact LAFCO staff at least two days prior to the meeting.

1. **CALL TO ORDER AND ROLL CALL**
2. **CLOSED SESSION: PERFORMANCE EVALUATION, EXECUTIVE OFFICER PURSUANT TO GOVERNMENT CODE SECTION 54957)**
3. **CONSENT CALENDAR**
 - a. **ADOPTION OF AGENDA**
 - b. **MINUTES OF THE MEETING OF October 26, 2005**
 - c. **APPROVAL OF CLAIMS**
 - d. **CONTRACT OF EMPLOYMENT, EXECUTIVE OFFICER (José C. Henríquez)**
 - e. **CORRECTION OF RESOLUTION L-05-13 APPROVING THE SILVER SPRINGS REORGANIZATION**

4. **PUBLIC FORUM/PUBLIC COMMENT**

Members of the public may address the Commission concerning matters within the jurisdiction of LAFCO which are not listed on the agenda. No action may be taken on these matters.

5. **EXTENSION OF TIME FOR COMPLETION OF CONDITIONS, LAFCO PROJECT #02-04, POLANCO/SNOLINE MINI STORAGE ANNEXATION**
6. **OUT OF AGENCY CONTRACT FOR EMERGENCY WATER SERVICE, LAFCO PROJECT #05-15, PREACHER OUT-OF-AGENCY AGREEMENT**
Ratification of an extension of water service to two parcels with failing wells; contract service was previously authorized by the Executive Officer under Policy 6.8.9.

*COMMISSIONERS: GARY COSTAMAGNA, TED LONG, ROBERTA COLVIN, RUSTY DUPRAY, ALDON MANARD, CHARLIE PAINE,
NANCY ALLEN ALTERNATES: CARL HAGEN, FRANCESCA LOFTIS, JAMES R. SWEENEY, VACANCY
STAFF: ROSEANNE CHAMBERLAIN-EXECUTIVE OFFICER, JOSÉ C. HENRÍQUEZ-EXECUTIVE OFFICER
VACANT-POLICY ANALYST, ELIZABETH BALDWIN-CLERK TO THE COMMISSION, TOM GIBSON-COMMISSION COUNSEL*

7. CARSON CREEK REORGANIZATION, LAFCO PROJECT #03-03

Annexation of approximately 554 acres into to the El Dorado Hills CSD, El Dorado Hills County Water District and El Dorado Irrigation District for services to support development of the Carson Creek Specific Plan, CEQA: An EIR was prepared by El Dorado County SCH# 9040702; the project is located south of White Rock Road, between the Sacramento County line and the El Dorado Hills Business Park.

8. SALARY INCREASES: EXECUTIVE OFFICER STEP AND STAFF COLA

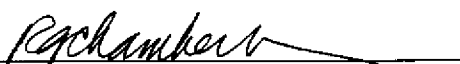
9. OTHER BUSINESS

- a. LEGISLATION – Correspondence from Christine Kehoe
- b. COMMISSIONER ANNOUNCEMENTS – Resignation of Alternate Wheeldon
- c. COUNSEL REPORT
- d. EXECUTIVE OFFICER REPORT
 - 1. Correspondence
 - 2. Miscellaneous Items
 - 3. Budget Report and Project Status Report

10. ADJOURNMENT

The next regularly scheduled LAFCO Commission meeting will be January 25, 2006.

Respectfully submitted,



Roseanne Chamberlain
Executive Officer

All persons are invited to testify and submit written comments to the Commission. If you challenge a LAFCO action in court you may be limited to issues raised at the public hearing or submitted as written comments prior to the close of the public hearing. All written materials received by staff 24 hours before the hearing will be distributed to the Commission. If you wish to submit written material at the hearing, please supply 15 copies.

NOTE: State law requires that a participant in a LAFCO proceeding who has a financial interest in the decision and who has made a campaign contribution of more than \$250 to any Commissioner in the past year must disclose the contribution. If you are affected, please notify commission staff before the hearing.

“PLEASE DO NOT REMOVE BEFORE: DECEMBER 8, 2005.

AGENDA ITEM NO. 2

***CLOSED SESSION:
PERFORMANCE EVALUATION
EXECUTIVE OFFICER***

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

2850 FAIRLANE COURT
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MEMO

DATE: November 17, 2005
TO: Commissioners/Alternates
FROM: Roseanne Chamberlain
SUBJECT: EXECUTIVE OFFICER PERFORMANCE REVIEW (2005)

Attached please find forms for the Executive Officer performance evaluation and a memo prepared as a self-evaluation of my work over the last year. I suggest that this evaluation could logically serve as an exit evaluation. In the past, Commissioners have either provided their evaluations directly to me or have given their evaluations to the Chairman to compile and provide to me as anonymous comments.

Providing the evaluations directly seems to be the least cumbersome approach. A closed session has been scheduled to discuss the evaluation with me.

I understand how busy Commissioners are, but please take a few minutes to complete the evaluation.

S:\LAFCO\Staff & Commission Admin\leo_perf_review_process 2005.doc

COMMISSIONERS: GARY COSTAMAGNA, TED LONG, ROBERTA COLVIN, RUSTY DUPRAY, ALDON MANARD, CHARLIE PAINE, NANCY ALLEN
ALTERNATES: CARL HAGEN, GEORGE WHEELDON, FRANCESCA LOFTIS, JAMES R. SWEENEY
STAFF: ROSEANNE CHAMBERLAIN-EXECUTIVE OFFICER, JOSÉ C. HENRÍQUEZ-EXECUTIVE OFFICER
VACANT-POLICY ANALYST, ELIZABETH BALDWIN-CLERK TO THE COMMISSION, TOM GIBSON-LAFCO COUNSEL

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EXECUTIVE OFFICER EVALUATION EL DORADO LAFCO

EVALUATOR: _____

Administrative Duties

OVERALL RATING: Unsatisfactory ⇔ 1 2 3 4 ⇐ Outstanding

- _____ Organizes and direct administrative and analytical support activities for LAFCO
- _____ Develops goals and the annual work plan, organizes and implements the policies and priorities
- _____ Sets realistic incremental task goals, identifies and mitigates problems, meets deadlines
- _____ Hires and manages staff, anticipates peak work periods, delegates work to optimize productivity
- _____ Evaluates performance of subordinates, settles grievances, maintains morale and discipline
- _____ Assures staff training and development
- _____ Coordinates with the county and other agencies to carry out purposes and policies of LAFCO
- _____ Streamlines and seeks efficiencies in processes

Comments: _____

Advisory and Research

OVERALL RATING: Unsatisfactory ⇔ 1 2 3 4 ⇐ Outstanding

- _____ Prepares and presents background data, studies, reports and recommendations for LAFCO
- _____ Interprets and applies relevant government codes
- _____ Makes clear and organized presentations
- _____ Monitors agencies and proposals for changes of organization
- _____ Organizes and maintains records of boundaries and spheres of influence
- _____ Differentiates appropriately between the authority of the Commission and administrative decisions
- _____ Projects consequences of proposed actions and implements Commission decisions

Comments: _____

Fiscal and Budget

OVERALL RATING: Unsatisfactory ⇨ 1 2 3 4 ⇩ Outstanding

- _____ Develops budget proposals and fiscal management recommendations for the Commission
- _____ Forecasts revenue and expenses, maintains appropriate records
- _____ Provides regular budget reports and approval of claims
- _____ Ensures timely preparation of contracts and upgrades of equipment
- _____ Seeks cost efficiencies and alternative funding sources

Comments: _____

Outreach and Liaison

OVERALL RATING: Unsatisfactory ⇨ 1 2 3 4 ⇩ Outstanding

- _____ Promotes a positive, professional image of LAFCO, maintains respect and support of community
- _____ Participates in professional groups, solicits and responds to concerns of community and individuals
- _____ Maintains availability to the public and Commissioners
- _____ Seeks to improve service throughout effective liaison with other government agencies
- _____ Coordinates LAFCO actions with other agencies

Comments: _____

General Leadership and Communication

OVERALL RATING: Unsatisfactory ⇨ 1 2 3 4 ⇩ Outstanding

- _____ Able to analyze, interpret and evaluate technical reports, identify alternative solutions, justify ideas
- _____ Fosters cooperation and team building through discussion, negotiation and conflict resolution
- _____ Listens to suggestions and views of others, accepts and offers constructive feedback
- _____ Able to interact diplomatically and deal with hostile persons appropriately
- _____ Maintains attitude of helpfulness, courtesy, sensitivity, and open mindedness
- _____ Accepts responsibility, able to reconsider
- _____ Demonstrates originality and resourcefulness, adapts to changing situations

Comments: _____

AGENDA ITEM NO. 3

CONSENT CALENDAR

- A. Adoption of Agenda*
- B. Minutes of the meeting of
October 26, 2005*
- C. Approval of Claims*
- D. Contract of Employment, Executive
Officer (José C. Henríquez)*
- E. Correction of Resolution L-05-13
Approving the Silver Springs
Reorganization*

APPROVED

STATE OF CALIFORNIA, COUNTY OF EL DORADO

LOCAL AGENCY FORMATION COMMISSION MINUTES OF October 26, 2005

1. CALL TO ORDER AND ROLL CALL

The meeting of the Local Agency Formation Commission held October 26, 2005, was called to order at 5:35 p.m. by Chair Manard in the meeting room, Building C of the Government Center, 2850 Fair Lane, Placerville, California.

COMMISSIONERS – PRESENT

Roberta Colvin, City
Ted Long, City
Richard C. Paine, County
Rusty Dupray, County
Aldon Manard, Public
Gary Costamagna, District

COMMISSIONERS – ABSENT

Nancy Allen, District

ALTERNATE COMMISSIONERS – PRESENT

Carl Hagen, City
Francesca Loftis, Public

ALTERNATE COMMISSIONERS – ABSENT

George Wheeldon, District
James R. Sweeney, County

COMMISSION STAFF - PRESENT

Roseanne Chamberlain, Executive Officer
Thomas Gibson, LAFCO Counsel
Wendy Cortade, Acting Clerk
Denise Tebaldi, Acting Clerk

COMMISSION STAFF - ABSENT

ROLL CALL - VOTING MEMBERS:

2. CONSENT CALENDAR

1. ADOPTION OF AGENDA
2. MINUTES OF THE MEETING OF AUGUST 24 & SEPTEMBER 28, 2005
3. APPROVAL OF CLAIMS

The Chairman proposed that the Commission modify the agenda to consider items 1-5, and then adjourn to closed session.

MOTION

Moved by Colvin; second by Long

ACTION

The motion was supported unanimously.

MOTION

Dupray then moved the Consent Calendar; second by Long.
Commissioner Long noted two corrections to the minutes.

ACTION

The motion was supported unanimously.

3. PUBLIC FORUM/PUBLIC COMMENT

Chair Manard opened the public forum. No member of the public addressed the Commission.

4. EXTENSION OF TIME FOR COMPLETION OF CONDITIONS, LAFCO PROJECT #93-02 (Spinardi-Davis Annexation to EID)

Staff reviewed the project history and need for extension. No member of the public requested to speak on this item.

MOTION

Costamagna moved a 1-year extension to November 2006 for Project 93-02; second by Dupray.

ACTION

The motion was supported unanimously.

5. CLOSED SESSION

The Commission adjourned to Closed Session.

1. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
2. APPOINTMENT OF PUBLIC EMPLOYEE, EXECUTIVE OFFICER

Thomas Gibson, LAFCO Counsel, gave the report of Closed Session: No reportable actions were taken.

6. UPDATE OF ADMINISTRATIVE PROCEDURES (Petty Cash, Expenditures & Disbursements, Bank Statement Reconciliation)

The Commission reviewed the procedures and discussed them briefly. No member of the public spoke on this item.

MOTION

Hagen moved approval of the revised procedures; second by Dupray.

ACTION

Motion carried unanimously.

The Commission will consider an increase of \$1,500 for optional benefits consistent with benefits approved by El Dorado County.

7. OPTIONAL BENEFITS

Counsel reviewed the staff report. There was no public comment.

MOTION

Colvin moved to approve an increase in the optional benefits for the Executive Officer retroactive to June 25, 2005; second by Long.

APPROVED

ACTION

Action: Motion carried unanimously.

8. REVISED JOB DESCRIPTION: CLERK TO THE COMMISSION

The Commission reviewed the job description changes. The Executive Officer discussed the upcoming recruitment plans.

No public comment was provided.

MOTION

Dupray moved approval of the revised job description; second by Costamagna

ACTION

Motion carried unanimously.

9. OTHER BUSINESS

- A. COMMISSIONER ANNOUNCEMENTS: No Commissioner Announcement given.
- B. COUNSEL REPORT: No additional report from Counsel.
- C. EXECUTIVE OFFICER REPORT: The Executive Officer confirmed the Holiday meeting schedule with the next meeting set for December 7, in lieu of meetings Thanksgiving and Christmas weeks. She noted that a written Executive Officer's report had been provided.

10. ADJOURNMENT

Chair Manard adjourned the meeting at 7:50 p.m.


The next regularly scheduled LAFCO meeting will be December 7, 2005.

Minutes Prepared and Submitted by Roseanne Chamberlain

**APPROVED BY THE COMMISSION
AUTHENTICATED AND CERTIFIED**



Elizabeth Baldwin
Clerk to the Commission



Aldon Manard
Chairperson

LAFCO
APPROVAL OF CLAIMS
October 14 through November 22, 2005

APPROVED

	Memo	Amount
Aldon Manard	Stipend/Mileage 10/26/05 Meeting	-68.92
BCNS	Computer Support October 2005	-270.00
Best, Best & Krieger	Legal Counsel October 2005	-4,112.50
Blue Ribbon Personnel	Administrative Assistant Temporary Employee	-710.00
	Administrative Assistant Temporary Employee	-645.00
	Administrative Assistant Temporary Employee	-690.00
	Administrative Assistant Temporary Employee	-480.00
	Administrative Assistant Temporary Employee	-655.00
Caltronics Business Systems-Philadelphia	Copier Maintenance Cust#415686	-102.87
Caltronics Business Systems-Sacramento	Maintenance & Usage 6/18 - 7/18/05	-82.80
Carl Hagen	Stipend 10/26/05 Meeting	-50.00
Cingular Wireless	Cell Phone 7/18/05-08/17/05	-23.92
CSDA	CSDA Membership 2006 Member ID#7967	-500.00
El Dorado County- Information Technologie	Web page maintenance September 2005	-45.00
	Web page maintenance October 2005	-30.00
El Dorado County- Public Health		-80.00
Francesca Loftis	Stipend/Mileage 10/26/05 LAFCO Mtg.	-64.55
Gary Costamagna	Stipend/Mileage 10/26/05 LAFCO Mtgs.	-68.92
Mountain Democrat	Notice of Public Hearing	-34.10
Roberta Colvin	Stipend 10/26/05 LAFCO Mtgs.	-50.00
SBC	530-295-1208-294	-1.26
Ted Long	Stipend/Mileage 10/26/05 LAFCO Mtg.	-123.24
Terrie Prod'hon	Accounting Services October 2005	-2,809.36
The Caso Trust	LAFCO Lease Payment October 1, 2005 thru Se	-14,893.80
		-26,591.24

Approved
 Date: 12-7-2005
 Chairman: [Signature]
 Attest: [Signature]

EMPLOYMENT AGREEMENT

This Employment Agreement (herein "Agreement") is made and entered into as of the 14th day of November, 2005 by and between the EL DORADO COUNTY LOCAL AGENCY FORMATION COMMISSION (herein "LAFCO") and JOSÉ C. HENRÍQUEZ (herein "Employee").

RECITALS

WHEREAS, LAFCO wishes to engage the services of Employee as Executive Officer;

WHEREAS, Employee represents and warrants that he is qualified to perform the duties of an Executive Officer; and

WHEREAS, LAFCO and Employee have negotiated the terms of this Agreement in good faith;

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants herein contained, LAFCO and Employee hereby agree as follows:

SECTION 1. POSITION AND DUTIES.

A. LAFCO hereby agrees to employ Employee as Executive Officer, to serve at the pleasure of the Commission. Employee accepts employment by LAFCO as the Executive Officer of LAFCO.

B. Employee agrees to comply with all conditions set forth in this Agreement and to fulfill, to the best of his ability, all of the duties of the Executive Officer of LAFCO as set forth in State law and in the position description for the Executive Officer of LAFCO attached hereto and incorporated by reference herein as Exhibit A.

C. The Executive Officer will serve as the Environmental Coordinator and Budget Administrator as provided in LAFCO policies dated December 1996, as amended from time to time. The Executive Officer shall also serve as the Purchasing Officer for LAFCO.

D. The Executive Officer shall serve as the Supervisor/Manager of any and all staff, employees, and consultants who provide services to LAFCO. The Executive Officer shall have the authority to hire, fire, and perform work evaluations for all LAFCO staff.

E. The Executive Officer shall prepare contracts for LAFCO approval for consultant services as required and shall have the authority to manage such contracts, subject to the supervision of LAFCO.

SECTION 2. TERM, TERMINATION AND AT WILL STATUS.

A. This Agreement shall commence on November 14, 2005 and continue to January 30, 2007, and annually thereafter for consecutive two-year terms subject to Employee's favorable annual performance evaluation.

B. Employee's first scheduled performance review will take place on or about January 30, 2007, or within a reasonable period of time thereafter.

C. LAFCO may terminate the employment relationship established under this Agreement at any time with or without cause. Employee agrees and understands that this is an "at will" Agreement, and that Employee is not entitled to any disciplinary rights and/or procedures whatsoever.

D. If LAFCO terminates this Agreement, Employee shall receive severance compensation equal to three months salary at the then current rate.

E. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of Employee to terminate this Agreement upon two weeks written notice to the Commission stating his intent to terminate the employment relationship.

F. If Employee terminates this employment relationship of his own volition during the term of this Agreement, he shall receive compensation for 100% of leave time accrued, including but not limited to, vacation, management leave, and sick leave consistent with policies and procedures in effect and applicable to County employees (UD classifications) as of the termination date of this Agreement.

SECTION 3. COMPENSATION.

A. At the commencement of this Agreement, Employee's compensation shall begin at Step 1 of the LAFCO Salary Schedule adopted June 27, 2001.

B. Employee's salary may be modified with the mutual agreement of both parties.

C. Employee's salary will be reviewed no less frequently than annually, in conjunction with Employee's annual performance evaluation.

D. Cost of living adjustments approved by the Board of Supervisors for County Employees in Department Head classifications shall also be considered by LAFCO for this position.

SECTION 4. BENEFITS.

A. Employee will receive all the benefits and privileges provided by El Dorado County to appointed Department Heads (UD classifications) with the exception of longevity benefits as specified by LAFCO in the Personnel Policies adopted April 25, 2001, and except as otherwise provided in this Agreement.

B. LAFCO agrees to pay Employee's PERS contribution in the same manner as general employees of LAFCO.

C. The benefits contained in this Agreement may be modified prospectively with the mutual written agreement of both parties.

SECTION 5. GENERAL PROVISIONS.

A. This Agreement, including those documents incorporated by reference herein, shall constitute the entire agreement between the parties. Employee shall be entitled only to those benefits specifically described in this Agreement.

B. This Agreement shall be governed by the laws of the State of California.

C. No waiver, alteration, or modification of any of the provisions of this Agreement shall be valid and binding unless in a writing executed by the parties hereto. Employee acknowledges that, in entering into and executing this Agreement, Employee relies solely upon the provisions contained herein.

D. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of Employee.

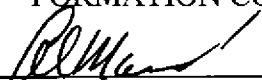
E. This Agreement integrates all of the terms and conditions mentioned herein, or incidental hereto, and this Agreement supersedes all negotiations and previous agreements between the parties with respect to all or any part of the subject matter hereof. This Agreement wholly supersedes and replaces the terms of any prior agreements, and any rights contained in such agreement.

F. If any provision or any portion thereof, contained in this Agreement is held to be unconstitutional, invalid, or unenforceable, the remainder of this Agreement or portion thereof shall not be affected, and shall remain in full force and effect.

IN WITNESS WHEREOF, the El Dorado Local Agency Formation Commission has caused this Agreement to be signed and duly executed by Aldon R. Manard, Commission Chairman, and the Employee has signed and executed this Agreement, as of the day and year first above written.

LAFCO:

EL DORADO LOCAL AGENCY
FORMATION COMMISSION

By: 
Aldon R. Manard, Commission Chairman

APPROVED AS TO FORM

By: 
Thomas Gibson, LAFCO Counsel

EMPLOYEE:


JOSÉ C. HENRIQUES

Local Agency Formation Commission

STAFF REPORT

Agenda of December 7, 2005

AGENDA ITEM 3e: Silver Springs Reorganization (LAFCO Project 05-03) – Correction of Resolution

APPLICANT: Silver Springs, LLC, Rescue Union School District, and El Dorado Union High School District, Landowners

STAFF RECOMMENDATION

That the Commission approve the attached resolution to correct a technical error in the original resolution approved by the Commission on July 27, 2005 and authorize the Chairman to sign the corrected Resolution L-05-13.

DISCUSSION

State Law indicates that Conducting Authority proceedings must be held within 35 days after the Commission has adopted a resolution making determinations for a change of organization or reorganization. However, Government Code §56663(c) states that the Conducting Authority proceedings may be waived if there is 100% landowner consent to waiving this hearing and if the subject agencies submit their written consent. The July 27, 2005 staff report for this proposal summarized the options before the Commission:

Authorize the Executive Officer to initiate and conduct proceedings in compliance with Resolution L-05-13, Government Code §57000 et seq., and local policies for conducting authority proceedings unless waived by the subject agencies pursuant to Government Code §56663(c).

The Commission's direction to staff was to hold these proceedings unless the applicants and the subject agencies consent to waiving them. At the time of the approval hearing on July 27, 2005, LAFCO staff had the written consent of the applicants, the landowners and two of the three agencies, Cameron Park Community Services District and El Dorado Irrigation District. Cameron Park CSD had submitted its request in a letter specifically addressing this petition, EID had given its blanket consent in an earlier document that neither LAFCO nor EID staff has been able to find. The third agency, the County of El Dorado, submitted its request for the waiver on the day of the Commission's July meeting.

However, due to a clerical error the draft Resolution L-05-13, which the Chairman later signed, reflected the standard language directing the Executive Officer to proceed with

these hearings as if no such consent had been given (Section 10):

The Executive Officer is authorized to initiate and conduct proceedings as soon as feasible in compliance with this resolution and Government Code §57000 et. seq. and local policies for conducting authority proceedings.

Nevertheless, there is sufficient evidence from staff documentation prior to the hearing that it was the intent of the applicants and of the subject agencies to waive the Conducting Authority proceedings. In addition, EID has subsequently submitted a second request for the waiver of the hearings. Because of these developments, staff believes that the attached resolution is more consistent with the Commission's direction at the time of the July 27, 2005 hearing. If approved, the Commission would authorize to Chairman to sign the corrected Resolution L-05-13, which will supersede the previous version.

LAFCO FEES

Minimal processing time to correct the resolution.

ATTACHMENTS:

Exhibit A: Corrected Resolution L-05-13

Online Viewing

Hard copy of any attachments available upon request

Prepared by: José Henríquez

APPROVED

EL DORADO LAFCO
LOCAL AGENCY FORMATION COMMISSION

CORRECTED
RESOLUTION NUMBER L-05-13
Silver Springs Reorganization
LAFCO PROJECT NO. 05-03

WHEREAS, a petition for the proposed reorganization of certain territory to El Dorado Irrigation District and the limited service area of Cameron Park Community Services District in the County of El Dorado was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act, commencing with Section 56000, et seq. of the Government Code; and

WHEREAS, the Executive Officer has examined the petition and certified that it is sufficient; and

WHEREAS, the Executive Officer, pursuant to Government Code §56665, has reviewed this proposal and prepared a report including her recommendations, and has furnished a copy of this report to each person entitled to a copy; and

WHEREAS, at the times and in the form and manner required by law, the Executive Officer has given notice of the hearing by this Commission upon the proposal; and

WHEREAS, upon the date, time and place specified in said notice of hearing and in any order or orders continuing such hearing, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determination, plans for providing service, spheres of influence and applicable General and Specific Plans; and

WHEREAS, the Commission has fulfilled its obligations as a responsible agency as defined by the California Environmental Quality Act and has reviewed and considered the Environmental Impact Report prepared for this project by El Dorado County and has determined that the environmental impacts of reorganization have been adequately addressed and does hereby make the findings for each significant effect of the project as shown in "Exhibit C," attached and by this reference incorporated herein; and

WHEREAS, the Commission does hereby make the following determinations regarding the proposal:

COMMISSIONERS: GARY COSTAMAGNA, TED LONG, ROBERTA COLVIN, RUSTY DUPRAY, ALDON MANARD, CHARLIE PAINE, NANCY ALLEN
ALTERNATES: CARL HAGEN, GEORGE WHEELDON, FRANCESCA LOFTIS, JAMES R. SWEENEY
STAFF: ROSEANNE CHAMBERLAIN-EXECUTIVE OFFICER, JOSÉ HENRÍQUEZ, EXECUTIVE OFFICER, VACANT-POLICY ANALYST,
ELIZABETH BALDWIN-CLERK TO THE COMMISSION, TOM GIBSON-COMMISSION COUNSEL

1. The subject territory is "uninhabited" per Government Code §56046. Application for this reorganization is made subject to Government Code §56650 et seq. by 100% of the landowners.

2. The territory proposed for reorganization is within the sphere of influence of El Dorado Irrigation District and the limited service sphere of influence of Cameron Park Community Services District and is contiguous to the existing boundaries. Although the reorganization will not contribute to more orderly boundaries, the boundaries are consistent with the land use and service needs of the subject territory and surrounding areas.

3. The Environmental Impact Report prepared for this project by El Dorado County adequately addresses the environmental impacts of reorganization.

4. The reorganization will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area and the total organization of local government agencies.

5. Although the subject territory contains choice soils and may have contained past grazing uses, the land is not currently in agricultural use, the 2004 El Dorado County General Plan does not designate the area as an agricultural district, and reorganization is consistent with the residential land use designations and zoning. The reorganization will not have an adverse effect on the physical and economic integrity of agriculture.

6. The reorganization will result in a decrease in water supply available for the build-out of regional housing needs as determined by the Sacramento Area Council of Governments. The reorganization will not, however, have a significant foreseeable effect on the ability of El Dorado County to adequately accommodate its fair share of those needs.

NOW, THEREFORE BE IT DETERMINED AND ORDERED as follows:

Section 1. Said reorganization is approved.

Section 2. The reorganization is assigned the following short form designation:

Silver Springs Reorganization
LAFCO Project No.05-03

Section 3. Said territory includes approximately 289.56 acres.

Section 4. Said territory is found to be uninhabited, as defined in Government Code Section 56046.

Terms and Conditions of Approval

Silver Springs Reorganization
LAFCO Project No.05-03

1. Upon and after the effective date of said reorganization, the affected territory, all inhabitants within such territory, and all persons entitled to vote by reasons of residing or owning land within the territory:

(a) shall be subject to the jurisdiction of El Dorado Irrigation District and Cameron Park Community Services District, hereafter referred to as the districts;

(b) shall have the same rights and duties as if the affected territory has been a part of the districts upon its original formation;

(c) shall be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the districts, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the districts;

(d) shall be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;

(e) shall be subject to all of the rules, regulations, ordinances of the districts as now existing or hereafter amended.

2. The Certificate of Completion shall be issued and recorded subsequent to the fixing and establishment of any necessary right of use of water by El Dorado Irrigation District in the subject territory (§56886j). Nothing in this condition shall operate or be interpreted to modify priorities of use, or right of use, to water, or capacity rights in any public improvements or facilities that have been fixed and established by a court or an order of the State Water Resources Control Board.

3. Proponents shall complete all map and legal description requirements for final recording and filing, including documents required by the State Board of Equalization, within 180 days of the adoption of this resolution.

APPROVED

- Section 5. The boundaries of said territory are approved as set forth in the proposal as submitted and are described in the attached legal description and map marked "Exhibit A" and by this reference incorporated herein.
- Section 6. The reorganization shall be subject to the terms and conditions specified in "Exhibit B," attached and by this reference incorporated herein.
- Section 7. The applicant shall defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.
- Section 8. All subsequent proceedings in connection with this proposal shall be conducted only in compliance with the approved boundaries and conditions set forth in the attachments and any terms and conditions specified in this resolution.
- Section 9. The Executive Officer is hereby directed to file a Notice of Determination in compliance with the California Environmental Quality Act and local ordinances implementing the same.
- Section 10. The Conducting Authority proceedings are hereby waived in accordance with Government Code §56663(c).
- Section 11. The effective date shall be the date of recordation.
- Section 12. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution as provided in Government Code 56882.

PASSED AND ADOPTED by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held July 27, 2005 by the following vote of said Commission.

AYES: Costamagna, Allen, Dupray, Manard
 NOES: NONE
 ABSTENTIONS: NONE
 ABSENT: Paine, Colvin, Long

ATTEST:



 Clerk to the Commission



 Chairperson

AGENDA ITEM NO. 5

***EXTENSION OF TIME FOR
COMPLETION OF CONDITIONS,
LAFCO PROJECT #02-04
(Polanco/Snoline Mini Storage
Annexation)***

Local Agency Formation Commission

STAFF REPORT

Agenda of December 7, 2005

AGENDA ITEM 5: Polanco/Snoline Mini Storage Annexation to El Dorado Irrigation District (LAFCO Project 02-04) – Request for Extension of One Year Deadline for Meeting of Conditions of Approval

APPLICANT: El Dorado Irrigation District

STAFF RECOMMENDATIONS

That the Commission grant an additional extension of one (1) year to the new owners of the parcel in question so that they may comply with the Commission's condition of approval relating to a boundary line adjustment.

DISCUSSION

On July 30, 2002, David Polanco applied for the annexation of parcel 076-270-43 to the El Dorado Irrigation District (EID). At the time, the applicant also owned an adjacent parcel that was not part of his application but was already within the EID service boundaries. The applicant's ultimate plan was to finalize a boundary line adjustment (BLA) to merge these two parcels. County Planning staff had indicated, however, that the BLA could not be completed prior to LAFCO's approval of the annexation. Mindful that the lot line adjustment was not completed in time of the approval hearing, and that the adjustment would also affect the EID service boundary, the Commission adopted the following condition:

The Certificate of Completion shall be issued and recorded subsequent to the recordation of the boundary line adjustment /merger applicable to this territory. The effective date of the annexation shall be the date of recordation.

Government Code §57001 states that a petition is considered abandoned if a Certificate of Completion has not been recorded within one year of the Commission's approval of the project, unless the Commission grants an extension. At the December 2, 2004 hearing, the Commission granted EID's request for a one-year extension to this application, among others, because the applicant had not fulfilled the condition above. This extension expires in December 2005.

Since that time, Mr. Polanco has sold these properties to new owner, Baldish and Jaswinder Singh. When staff contacted the owners to request an update on their progress on the BLA, Mr. Singh indicated that Mr. Polanco had not disclosed to him

However, Mr. Singh has requested an extension and submitted an initial payment of \$350.00 to compensate LAFCO for the time and materials spent on this request. In addition, staff believes that Mr. Singh is making a good faith effort at resolving the issue of the BLA.

LAFCO FEES

The applicant has paid the appropriate fees to compensate the Commission for staff and processing time.

Online Viewing

Hard copy of any attachments available upon request

Prepared by: José Henríquez

AGENDA ITEM NO. 6

***OUT-OF-AGENCY CONTRACT FOR
EMERGENCY WATER SERVICE
LAFCO PROJECT #05-15,
PREACHER OUT-OF-AGENCY
AGREEMENT***

Local Agency Formation Commission

STAFF REPORT

Agenda of December 7, 2005

AGENDA ITEM 6: Preacher and Reay Out-of-Agency Contract With El Dorado Irrigation District (LAFCO Project 05-15) – Request for Commission Authorization

APPLICANT: El Dorado Irrigation District

DISCUSSION

On or about October 21, 2005, the landowners of two properties entered into an out-of-agency service agreement (OOA) with the El Dorado Irrigation District (EID) for the provision of water service outside of the EID boundaries. EID submitted the OOA to the Commission for approval, as required by Government Code §56133(a). The landowners signing into the agreement are Michael and Anita Preacher and Richard and Cathy Reay.

The two properties involved, identified by Assessor's Parcel Numbers 090-260-18 (Preacher) and 090-260-10 (Reay) have wells that are failing, according to the County Environmental Management Department. Consequently, the Commission may find that the extension of water services to these properties is reasonable given that this situation meets the requirements of Government Code §56133(c) as the failing wells are a "threat to the health and safety of the public or the affected residents".

Alternatively, the Commission may also approve the OOA under the requirements of Government Code §56133(b). This section indicates that a Commission may approve an OOA provided that the subject properties are within the agency's sphere of influence and that it is anticipated that the subject properties will apply for a change of organization at a later date. The Preacher and Reay properties are within EID's sphere of influence and LAFCO staff is currently processing both landowners' petition to be annexed into EID.

EID, as the lead agency, reviewed this project for CEQA purposes. EID found and certified that this agreement qualifies this OOA for a Categorical Exemption. LAFCO staff found that the Categorical Exemption is adequate in addressing the matters pertinent to the LAFCO process.

LAFCO FEES

The applicant has paid the appropriate fees to compensate the Commission for staff and processing time.

STAFF RECOMMENDATIONS

1. Staff recommends that the Commission approve the out-of-agency service agreement ("Agreement") to the Preacher and Reay properties based on the following determinations:
 - a. The Agreement and circumstances surrounding the Preacher and Reay wells meet the requirements of Government Code §56133(b) and (c).
 - b. The Agreement specifies the landowners would not withdraw from annexation application nor would allow such an application to lapse.
 - c. The Agreement will terminate if the Commission disapproves this Contract or if the Commission denies the annexation application.
 - d. The Agreement will expire on December 1, 2008 if the properties have not been annexed into El Dorado Irrigation District.

Staff recommends adding the following condition:

The landowners specified in the Agreement will be subject to all appropriate fees, service charges and assessments of the El Dorado Irrigation District as specified in the Agreement.

That the applicant, or the real party of interest, if different, is responsible for the payment of all LAFCO fees necessary to complete, record and finalize this Agreement.

ATTACHMENTS:

- Exhibit A: *Preacher and Reay out of agency service agreement*
Exhibit B: EID Notice of Exemption
Exhibit C: Environmental Management Findings on the Preacher and Reay Wells
Exhibit D: El Dorado LAFCO Policies and Procedures - Policy 6.8

Online Viewing

Hard copy of any attachments available upon request

Prepared by: José Henríquez



Recording Requested By:

EL DORADO IRRIGATION DISTRICT
2890 Mosquito Road
Placerville, CA 95667

When Recorded Mail To:

EL DORADO IRRIGATION DISTRICT
2890 Mosquito Road
Placerville, CA 95667

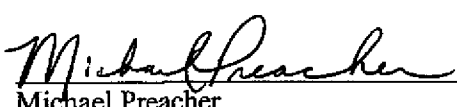
AGREEMENT FOR SERVICE AT OUTSIDE DISTRICT RATES

The owner of Assessor's Parcel Number 090-260-18 ("Subject Property"), as listed below, has requested service at Outside District Rates. Under California Government Code section 56133(c), the El Dorado County Local Agency Formation Commission may authorize the District to contract to provide services outside of its jurisdictional boundaries to respond to an existing or impending threat to the public health or safety of the residents of the affected territory if the District has provided the Commission with documentation of the threat. The timing, criteria, and consequences of the Commission's decision are prescribed by Government Code section 56133(d). Subject to required Commission approval, the District hereby agrees to provide water service to the Subject Property at 1.5 times the proposed rate of classification per Section 6.1 of the Rules and Regulations Governing the Distribution and Use of Water/Wastewater and Recycled Water until this Agreement is terminated or annexation of the Subject Property is complete. The District's obligation to provide service under this Agreement is subject to the following:

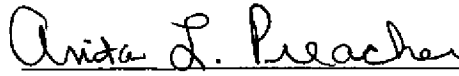
1. Property owner will not withdraw annexation application for the subject parcel(s) nor allow said annexation application to lapse.
2. The owner shall cooperate with the District in providing all information required of the District by the Commission for both the Commission's section 56133(d) decision and the Subject Property's annexation.
3. This Agreement shall terminate and service shall be discontinued if the Commission disapproves this Agreement or if the annexation fails for any reason.
4. This Agreement will be in effect for a maximum period of three (3) years and shall expire on December 1, 2008. If the Subject Property has not been annexed into the District by the expiration date, the owner will relinquish the meter and the Facility Connection Charge will be refunded, without interest.



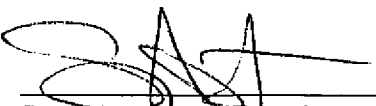
President, Board of Directors
El Dorado Irrigation District



Michael Preacher



Anita Preacher



Stacy August, Clerk to the Board
El Dorado Irrigation District

Site Address:
4780 Concept Mountain Road
El Dorado, CA 95623



ALL-PURPOSE ACKNOWLEDGEMENT

STATE OF CALIFORNIA
COUNTY OF EL DORADO

On 10/21/5 before me Vicky A. Brundige, Notary Public
Date Name, Title of Officer

Personally appeared Michael & Anita Preacher
Name of Signer



personally known to me, OR proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.

Vicky A. Brundige
SIGNATURE OF NOTARY



Recording Requested By:

EL DORADO IRRIGATION DISTRICT
2890 Mosquito Road
Placerville, CA 95667

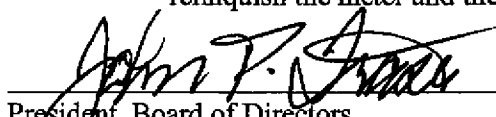
When Recorded Mail To:

EL DORADO IRRIGATION DISTRICT
2890 Mosquito Road
Placerville, CA 95667

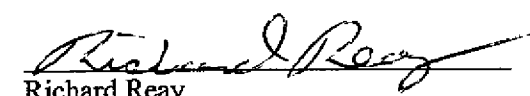
AGREEMENT FOR SERVICE AT OUTSIDE DISTRICT RATES

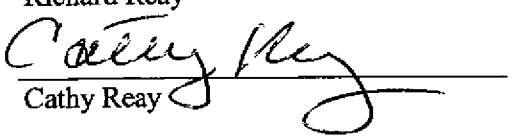
The owner of Assessor's Parcel Number 090-260-10 ("Subject Property"), as listed below, has requested service at Outside District Rates. Under California Government Code section 56133(c), the El Dorado County Local Agency Formation Commission may authorize the District to contract to provide services outside of its jurisdictional boundaries to respond to an existing or impending threat to the public health or safety of the residents of the affected territory if the District has provided the Commission with documentation of the threat. The timing, criteria, and consequences of the Commission's decision are prescribed by Government Code section 56133(d). Subject to required Commission approval, the District hereby agrees to provide water service to the Subject Property at 1.5 times the proposed rate of classification per Section 6.1 of the Rules and Regulations Governing the Distribution and Use of Water/Wastewater and Recycled Water until this Agreement is terminated or annexation of the Subject Property is complete. The District's obligation to provide service under this Agreement is subject to the following:

1. Property owner will not withdraw annexation application for the subject parcel(s) nor allow said annexation application to lapse.
2. The owner shall cooperate with the District in providing all information required of the District by the Commission for both the Commission's section 56133(d) decision and the Subject Property's annexation..
3. This Agreement shall terminate and service shall be discontinued if the Commission disapproves this Agreement or if the annexation fails for any reason.
4. This Agreement will be in effect for a maximum period of three (3) years and shall expire on December 1, 2008. If the Subject Property has not been annexed into the District by the expiration date, the owner will relinquish the meter and the Facility Connection Charge will be refunded, without interest.




President, Board of Directors
El Dorado Irrigation District



Richard Reay


Cathy Reay



Stacy August, Clerk to the Board
El Dorado Irrigation District

Site Address:
4801 4845 Concept Mountain Road
El Dorado, CA 95623





ALL-PURPOSE ACKNOWLEDGEMENT

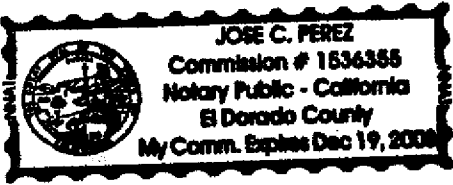
STATE OF CALIFORNIA
COUNTY OF EL DORADO

On 10-24-05 before me JOSE C. PEREZ
Date Name, Title of Officer

Personally appeared RICHARD AND CATHY REAY
Name of Signer

personally known to me, OR proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Witness my hand and official seal.



[Handwritten Signature]
SIGNATURE OF NOTARY



EL DORADO
LOCAL AGENCY FORMATION COMMISSION

OUT-OF-AGENCY AGREEMENTS/CONTRACTS
APPLICATION FOR CONTRACTUAL AGREEMENT APPROVAL

GENERAL

Agency EID

Contact Person Liz Ryan Phone # 642-4026

Date of Request 8/25/05 Fees Submitted by applicant

Landowners Name Anita Preacher

Address 4780 Concept Mtn Rd El Dorado, CA 95623 621-3987

LOCATION

Property Address/Location same as above

APN(s) 090-260-10
090-260-18
(attach separate sheet if necessary)

Within Agency Sphere of Influence? Yes No

Is the property contiguous to agency boundary? Yes No

JUSTIFICATION

Is there a threat to Health & Safety? (Attach Documentation) Yes No

documentation previously provided to LAFCO



ANNEXATION STATUS

LAFCO Project Number TBA
 Date Submitted 8/25/05
 Agency's File Number 72732

If Annexation is not planned, please explain: _____

SERVICES

Type of Service Needed water

Location of nearest infrastructure to provide service see facility improvement letter

Distance to Connection @ 1200 Linear Feet

Cost and financing estimate applicant to fund fully.

Please list any desired conditions, restrictions or terms to be added to the LAFCO approval:

REQUIRED ATTACHMENTS

1. Descriptive map showing agency boundary, existing service infrastructure and improvements needed to extend service (no legal description required)
2. All CEQA review documents including Notice of Exemption or Notice of Determination.
3. Proposed agreement or contract.



John P. Fraser - *President*
Division 2
Harry J. Norris - *Vice President*
Division 5



EXHIBIT B

Ane D. Deister
General Manager
Thomas D. Cumpston
General Counsel

El Dorado Irrigation District

Notice of Exemption

To: County Clerk
County of El Dorado
360 Fair Lane
Placerville, CA 95667

From: El Dorado Irrigation District
2890 Mosquito Road
Placerville, CA 95667

Project Title: Preacher Annexation/Waterline Extension

Project Location - Specific: The project is located at 4780 Concept Mountain Road approximately 1 mile south of the town of El Dorado and west of Highway 49. The project is located within Assessors Parcels 090-260-10 and 090-260-18, Section 4, Township 9N, Range 10E on the Shingle Springs USGS Quadrangle.

Project Location - City: El Dorado

Project Location - County: El Dorado

Description of Project: The project consists of construction of approximately 1200-foot waterline extension 6-inches in diameter to serve two single family residences. The parcels were previously served by wells. However, the reliability of those wells has deteriorated and now these residences are requesting to be served by the El Dorado Irrigation District and proper service lines must be installed.

This is to advise that on August 30, 2005, the El Dorado Irrigation District, serving as lead CEQA agency, has approved the above project.

Name of Public Agency Approving and Carrying Out Project: El Dorado Irrigation District


Exempt Status: (check one)

- Categorical Exemption. Class 3, [utility service extension] (CCR, Title 14, Sec. 15303(d))
Class 19, [Annexations of Existing Facilities] (CCR, Title 14, Sec. 15319(a))
- Statutory Exemption - Declared Emergency (CCR, Title 14, Sec. 15269(a);
- Statutory Exemption - Emergency Project (CCR, Title 14, Sec. 15269(b)(c);
- Statutory Exemption - Ministerial (CCR, Title 14, Sec. 15268);
- Statutory Exemption - [Title] (CCR, Title 14, Sec.)
- Other Exemption - [Title] (CCR, Title 14, Sec.)

Reasons why project is exempt: The project is categorically exemption from CEQA under Section 15303, Class 3 extension as extension of utility service to existing small construction and Section 15319, Class 19 as annexation to a special district of existing private structures allowed by current zoning. None of the exceptions to these exemptions, as identified under CCR, Title 14 section 15300.2, are applicable to this project including location, cumulative impact, significant effect due to unusual circumstances, scenic highways, hazardous waste sites, and historical resources.

Lead Agency Contact Person: Dan Corcoran

Area Code/Telephone/Extension: (530) 642-4082

Signature: 
Name: Daniel M. Corcoran
Title: Environmental Review Division Manager

Date: August 30, 2005

FILED

AUG 30 2005

- Signed by Lead Agency
- Signed by Applicant

WILLIAM E. SCHULTZ, Recorder-Clerk
By 



007 177 2000

001 75

0000421001

CITY PERMIT

FILE 01

COUNTY OF EL DORADO

ENVIRONMENTAL MANAGEMENT DEPARTMENT



Jon A. Morgan
Director

Environmental Health

Air Quality Management District

Solid Waste & Hazardous Materials

Water Quality & Protection

Tahoe Office/ Vector Control



LACERVILLE OFFICE

2850 Fairlane Ct.,
Building 'C'
Lacerville, CA 95667

tel. 530.621.5300
fax 530.642.1531
fax 530.626.7130

SOUTH LAKE TAHOE OFFICE

58 Lake Tahoe Blvd.
Ste. 303
South Lake Tahoe, CA
96150

530 573 3450

Date: August 18, 2005

To: Roseanne Chamberlain
LAFCO
FAX 295-1208

From: Christine Mearse, Sr., R.E.H.S. *CKM*
ENVIRONMENTAL HEALTH DIVISION

Well issues for Mike Preacher 090-260-18

- 1992 Well drilled #1387, unknown depth, dry hole
- 1992 Well drilled #2023, 700'deep, 3 1/2 GPM
- 1992 Dwelling #1, issued based on well #2023, water storage in well
- 1995 Dwelling #2, issued based on well #2023, water storage in well
- 2002 Well drilled #3075, 600'deep, 1 GPM
- 2002 Deepen permit #3150, unknown outcome
- 2003 Well drilled #3025 600'deep, dry hole

Well issues for Cathy Reay 090-260-10

- 1985 Dwelling #1 issued based on existing 4 GPM well, unknown depth
- 1992 Well drilled #2278, 520'deep, 4 GPM
- 1992 Dwelling #2, issued based on well #2278
- No other well info available

El Dorado County
Local Agency Formation Commission (LAFCO)
Policies, Guidelines and Procedures

6.8 SERVICE OUTSIDE OF AGENCY BOUNDARIES (Adopted 1/6/00)

- 6.8.1 A city or district may provide new or extended services outside its jurisdictional boundaries only if it requests and receives written approval by LAFCO (§56133). Such service is permitted on parcels within the sphere of influence of an agency in anticipation of annexation.
- 6.8.2 Service may be permitted outside the sphere of influence of the agency if the agency provides documentation of a threat to the health and safety of the public or the affected residents and notice is given to corporate service providers as specified in §56133(c)(2) (chaptered Oct. 10, 1999).
- 6.8.3 Contracts or agreements solely involving two or more public agencies are not subject to LAFCO review.
- 6.8.4 Contracts or agreements for the transfer of non-potable or non-treated water and for provision of surplus water to agricultural lands for projects that serve conservation purposes or that directly support agricultural industries are not subject to LAFCO review.
- 6.8.5 Service extensions providing surplus water to any project that will support or induce development require written approval from the Commission.
- 6.8.6 Extra-territorial services provided by agencies prior to January 1, 1994 are not subject to LAFCO review.
- 6.8.7 The agency requesting LAFCO approval shall submit an Application for Contractual Agreement Approval, other information as needed, maps, a copy of the Agreement or Contract, fees and the appropriate environmental document (Notice of Determination or Notice of Exemption).
- 6.8.8 As a condition of approval the Commission may require the completion of the annexation within a specified time frame.
- 6.8.9 Written approval for emergency connections may be authorized by the Executive Officer and service may be provided prior to review by the Commission only under all of the following circumstances.
- (a) The agency or landowners provides documentation of a threat to the health and safety of the public or the affected residents, such as a failing well or septic system; and

El Dorado County
Local Agency Formation Commission (LAFCO)
Policies, Guidelines and Procedures

- (b) El Dorado County Environmental Management Department reviews health and safety documentation; and
- (c) The territory is within the Sphere of Influence of the agency; and
- (d) An application to annex the territory has been previously or is concurrently submitted.

6.8.10 Emergency connections authorized by the Executive Officer will be reviewed by the Commission at the next regularly scheduled LAFCO meeting.

AGENDA ITEM NO. 7

***CARSON CREEK
REORGANIZATION,
LAFCO PROJECT #03-03***

Local Agency Formation Commission

STAFF REPORT

Agenda of December 7, 2005

AGENDA ITEM 7: Carson Creek Reorganization; LAFCO Project 03-03

PROPONENTS: AKT Carson Creek Investors, Landowners

DESCRIPTION OF PROJECT

The proposed reorganization includes the Carson Creek Specific Plan area and will annex APNs 108-040-07, 12, and 108-050-02, totaling approximately 546 acres, into the El Dorado Hills Irrigation District ("EID"), El Dorado Hills County Water District ("EDHCWD"), and El Dorado Hills Community Services District ("EDHCSD"). In addition, the territory will detach from Zone 17 of County Service Area 9 (Ponderosa Recreation).

The Carson Creek specific plan includes 1240 residential dwelling units, approximately 27 acres of parks, 34 acres of Commercial/Research and Development uses, 60 acres of industrial uses, a fire station on 5 acres, and a sheriff's substation on 1 acre.

PURPOSE

The reorganization will provide for the extension of water, wastewater, fire protection, emergency services, police, parks, recreation, solid waste management, and cable TV services to support development of the Carson Creek Specific Plan, including 1,240 age-restricted single family homes, along with research and development and commercial uses.

LOCATION

The project is located south of White Rock Road and between the Sacramento County line and Latrobe Road, in the community of El Dorado Hills.

APPLICANTS

Information from the El Dorado County Assessor's Office verifies AKT Carson Creek Investors LLC and C&C Ranch LLC as owners of the parcels. Routine petition signature verification by the Assessor confirms 100% landowner signature for the reorganization petition. In addition, various authorization documents are also on file from Carson Creek El Dorado, Lennar Renaissance, Inc. and C&C Ranch LLC.

ACKNOWLEDGEMENT

LAFCO staff acknowledges the work of staff of Remy, Thomas, & Moose (representing the applicant) for their work to compile CEQA and project background information, digitize and reproduce documents for Commission review and assist LAFCO staff with project research.

CEQA SUMMARY

El Dorado County, the lead agency for the project, prepared and certified an Environmental Impact Report and Addendum for the Carson Creek Specific Plan on March 4, 1997 (SCH #94072021). The CEQA history is complex and is fully detailed below. The relevant environmental documents are provided separately (CD-rom). The County's environmental review appears adequate and complete for purposes of the reorganization. If the commission finds that this environmental documentation is adequate and complete, Resolution # L-05-17 has been drafted so that LAFCO as a responsible agency can certify the County EIR as adequate and complete and so that the Commission can adopt the County findings and overrides as required by CEQA. Resolution # L-05-18 separately allows the Commission to make determinations and approve the boundary changes and reorganization.

BACKGROUND

The information below summarizes a portion of the service and planning history related to the Carson Creek project. Additional information is contained in the Plan of Service:

Euer Ranch Reorganization, LAFCO Project No. 03-02

Euer Ranch, also known as Four Seasons El Dorado, is Phase 1 of the Carson Creek Specific Plan approved by El Dorado County on March 4, 1997. On February 23, 2005, El Dorado LAFCO adopted Resolution L-05-01 approving the Euer Ranch Reorganization, LAFCO Project No. 03-02. LAFCO recognized that El Dorado County, as the lead agency, has prepared an Environmental Impact Report and CEQA determinations for the Carson Creek Specific Plan and found that the documents are adequate and complete for the annexations to EDHCSD and EDHCWD. LAFCO also found that the annexation to EID was exempt from provisions of the California Environmental Quality Act under Section 15061(b) (3).

EID Resolution No. 4-67.

On December 6, 2004, the EID Board authorized the annexation of Carson Creek and adopted Resolution No. 4-67, approving the AB 8 Tax Revenue Sharing resolution for the project.

EDHCSD's Service Review

The EDHCSD's ability to serve was reviewed in the Service Review for West County Parks, Recreation, Open Space and Related Services (July 2004) and its sphere of influence was subsequently expanded to include Carson Creek (September 2004). The partnership has entered into a pre-annexation agreement with EDHCSD.

EDHCWD

The EDHCWD states they are currently able to provide adequate service to Carson Creek and service will improve after a new fire station is constructed in the adjacent El Dorado Hills Business Park. The Fire District acquired a 20-acre parcel and expects to begin construction on the new fire station next spring. (Telephone conversation with Fred Russell, Fire Marshall.) The new fire station will therefore be complete and operational before services from Carson Creek residents are needed.

Folsom Lake Temperature Control Device

The Folsom Lake Temperature Control Device ("TCD") project includes a new intake structure that will allow EID to pump up to 52 million gallons per day (MGD) from Folsom Lake. (Folsom Lake TCD Draft EIR, July 2005, pp. 2-6 and 2-7.) The proposed TCD facilities will allow EID to divert its legally-entitled water from Folsom Lake and meet future water supply demands for community of El Dorado Hills. EID approved the Folsom Lake TCD EIR (SCH # 2005042088) on September 19, 2005.

El Dorado Hills Water Treatment Plant ("EDHWTP")

The Silva Valley Parkway Water Main and Sewer Force Main Project EIR (SCH # 2003032039) was approved by EID on August 4, 2003. The project included a 42-inch water main to increase transmission capability consistent with expansion of EDHWTP to 42 MGD by 2015. (Silva Valley Parkway Water Main and Sewer Force Main Project Draft EIR, May 15, 2003, p. 3-6.) The first expansion to the EDHWTP has already been completed increasing its rated capacity to 19.5 MGD. Planned expansion for the EDHWTP is will expand the plant's capacity to 24 MGD; environmental and design processes are completed with construction expected to be completed next year.

EID has completed the West Valley Sewerage Lift Station Analysis, Recycled Water System Seasonal Storage Feasibility Report (2004) and Recycled Water Storage Feasibility Report to support its capital improvement projects. Environmental documentation for the expansions and improvements has been completed and are on file at LAFCO.

White Rock Road Transmission Main, Phase 1

Water lines in White Rock and Latrobe Roads that will service the project were recently completed. The environmental review for the project was addressed in a Mitigated Negative Declaration ("MND") for Latrobe Road Realignment, Widening and Bridge Project, March 2001, prepared by the County (SCH # 2001032011). On May 27, 2003, EID filed a Notice of Exemption for the project based on a statutory exemption (CCR, Title 14, Sec. 15282(l)). The project is part of a larger project that includes phase 2, for a water main from Valley View Parkway to Silva Valley Road, north of Highway 50. Phase 2 was previously addressed in the El Dorado Hills Specific Plan EIR (SCH # 86122912.). The Carson Creek EIR addressed the project water lines that will connect with these constructed lines in section 4.18 of the Draft EIR.

Lift Station for Wastewater Collection

A new lift station for wastewater collection will be constructed on the Carson Creek site. The Carson Creek EIR addressed the environmental impacts as discussed above.

El Dorado Hills Wastewater Treatment Plant Recycled Water System Expansion Project

EID issued an Initial Study/Mitigated Negative Declaration ("IS/MND") for the El Dorado Hills Wastewater Treatment Plant ("EDHWWTP"). Recycled Water System Expansion Project in July of 2004. The Notice of Determination was filed September 22, 2004. The IS/MND stated that the increased storage capacity will allow EID to store additional wet season secondary effluent for processing during the dry season prior to use by the Carson Creek - Euer Ranch and Valley - West Valley project sites for landscape irrigation water. (IS/MND for EDHWWTP Recycled Water System Expansion Project, July 26, 2004, pp. 2-6 to 2-7.) The project also proposes construction transmission lines and up to three additional recycled water storage tanks for the daily storage of recycled water to be constructed east of the plant site on the Valley View - View - West Valley Village project site.

Recycled Water Tanks

Two or more additional recycled water tanks are required to meet EID's recycled water demands south of Highway 50. They are included in the Valley View Specific Plan and their environmental impacts were identified and discussed in the EIR for the Valley View Specific Plan issued by the County in October of 1998 (SCH #97082008). (Draft EIR for the Valley View Specific Plan, July 1998, p. IV.E-21-56.)

Potable Water Storage Tanks

EID filed Notice of Exemption, on August 1, 2005, for one of the potable water tanks based on Categorical Exemption (CCR, Title 14, Sec. 15302 and 15303). A second potable diurnal water storage tank is also included in EID's Capital Improvement Plan.

El Dorado County General Plan EIR and El Dorado County General Plan (July 2004)

The El Dorado County General Plan EIR approved by the County includes the Carson Creek Specific Plan and Development Agreement within its analysis. (El Dorado County General Plan EIR, May 2003, p. 5.1-13.) The General Plan adopted by the Board of Supervisors, on July 19, 2004, includes the Carson Creek Specific plan in the Housing Element. (El Dorado County General Plan, July 2004, pp. 152, 198, 205, 216, 229.) The Plan was recently upheld by the Sacramento Superior Court.

SUMMARY OF STATUTORY AND POLICY CONSIDERATIONS

Government Code §56668 and LAFCO Policies require that the review of a proposal shall consider the following factors:

FACTOR TO CONSIDER	POLICY / STATUTE CONSISTENCY	COMMENT
Need for organized services, probable future needs	1. Consistent	Specific Plan Area is a planned development
Ability to serve, level and range of service, time frames, conditions to receive service	2. Subject to Commission Determination	EID plans and approvals have progressed significantly; service will likely be available in the development time frames
Timely availability of adequate water supply	3. Subject to Commission Determination	EID has not yet perfected its water rights from Folsom Lake; consumptive use of 11,000 AF
Alternatives to service, other agency boundaries, and local gov't structure	4. Consistent	Alternative services infeasible
Significant negative service impacts	5. Consistent	No significant service impacts noted
Coordination of applications	6. Consistent	Euer Ranch approved previously (Feb 2005)
Present cost/adequacy of governmental services, including public facilities	7. Consistent	Services appear adequate, may be improved with planned infrastructure
Effect of proposal on cost & adequacy of service in area and adjacent areas	8. Consistent	Planned infrastructure is financed by developers in EDH area
Effect of alternative courses of action on cost & adequacy of service in area and adjacent areas	9. Consistent	No feasible alternatives were identified
Sufficiency of revenues, per capita assessed valuation	10. Consistent	EID estimates excess revenue over expense, EDHCSD and EDHCWD impact fees, etc.

FACTOR TO CONSIDER	POLICY / STATUTE CONSISTENCY	COMMENT
Revenue producing territory	11. Consistent	Annexations needed to support development
56668.3 "best interest"	12. Consistent	Landowners and Agencies support the annexation
Boundaries: logical, contiguous, not difficult to serve, definite and certain	13. Subject to Commission Determination	Contiguous to EID & EDHCWD; will be contiguous to EDHCSD once LAFCO Project #03-02 is recorded
Topography, natural boundaries, drainage basins, land area	14. Consistent	Low rolling terrain, Carson Creek Drainage, no other significant natural features
Creation of islands, corridors, irregular boundaries	15. Subject to Commission Determination	Recommend conditions requiring completion/recording of LAFCO Project 03-02 (Euer Ranch Reorganization)
Conformance to lines of assessment, ownership	16. Consistent	County Surveyor has reviewed maps
Spheres of influence	17. Consistent	Within all applicable spheres
Effect on adjacent areas, communities of interest	18. Consistent	Development consistent with CCSP, EDH Business Park, Valley View
Information or comments from landowners or owners	19. Consistent	Landowners support proposal
Effect on other community services, schools	20. Consistent	Age restricted community, limited effect on schools
Other agency comments, objections	21. Consistent	Comments received from Ag Commission & agencies
Fair share of regional housing needs	22. Consistent	New water supplies likely sufficient for project and build-out of RHNA
Land use, information relating to existing land use designations	23. Consistent	Low Density Residential, SP-2 Zoning

FACTOR TO CONSIDER	POLICY / STATUTE CONSISTENCY	COMMENT
Population, density, growth, likelihood of growth in, and in adjacent areas, over 10 years	24. Consistent	Current vacant land will increase to approximately 2,500 residents at build-out
Proximity to other populated areas	25. Consistent	Located between EDH Business Park and Folsom SOI (Sacramento County)
Consistency with general plans, specific plans, zoning	26. Consistent	Area is an approved Specific Plan, Low Density Residential, Consistent with 2004 GP, Planned Community
Physical and economic integrity of agriculture lands and open space	27. Consistent	No Prime Ag soils, water supply from Folsom Lake
Optional factor: regional growth goals and policies	28. Consistent	Proposal may be consistent with SACOG "Blue Print"

DETERMINATIONS

The Commission should review the factors summarized above and discussed below, then make its own determinations regarding the project. Staff recommends the following determinations based on project research, state law and local policies:

1. The Environmental Impact Report and Addenda prepared for the Carson Creek Specific Plan by El Dorado County is adequate and complete and satisfies the requirements of the California Environmental Quality Act.
2. The subject territory is "uninhabited" per Government Code §56046. Application for this reorganization is made subject to Government Code §56650 et seq. by 100% of the landowners.
3. The territory proposed for reorganization is within the spheres of influence of El Dorado Irrigation District, El Dorado Hills County Water District, and El Dorado Hills Community Services District. Following the completion of LAFCO Project 03-02 (Euer Ranch Reorganization), the proposal will be contiguous to the existing boundaries of the El Dorado Hills CSD. The proposal is contiguous to the El Dorado Hills County Water District and El Dorado Irrigation District. The reorganization boundaries are logical and orderly.
4. The reorganization will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area and the total organization of local government agencies.

5. While certain discretionary actions remain at the State and Federal level, additional new water supplies have been planned and environmental review of those plans has been completed. El Dorado Irrigation District has made sufficient progress towards securing new water supplies and towards construction of the infrastructure and infrastructure capacity needed to support services to the Carson Creek Specific Plan within the time frame that these services are anticipated to be needed.
6. The Commission recognizes the historic agricultural use of the land for grazing, adjacent agricultural uses and the former Williamson Act status of the property; however, the proposal area is designated for development consistent with nearby urban land uses. The reorganization will not have an adverse effect on agriculture and open space lands.
7. The reorganization could result in a decrease in water supply available for the eventual build-out of regional housing needs as determined by the Sacramento Area Council of Governments. The reorganization is unlikely to have a significant foreseeable effect on the ability of El Dorado County to adequately accommodate its fair share of those housing needs elsewhere within the County.

RECOMMENDATIONS

Staff recommends that the Commission take the following actions:

1. Adopt Resolution # L-05-17 recognizing that El Dorado County, as the lead agency in consultation with LAFCO, has prepared an Environmental Impact Report and CEQA determinations which have been found to be adequate and complete for the purposes of reorganization.
2. Adopt Resolution L-05-18 making determinations, adding conditions, and approving the Carson Creek Reorganization, LAFCO Project 03-03.
4. Waive the conducting authority proceedings subject to Government Code §56663 and local policies.
5. Direct staff to complete the necessary filings and transmittals as required by law.

CEQA REVIEW AND BACKGROUND

The following is a history and synopsis of the environmental review for the Carson Creek Specific Plan:

On June 30, 1994, the Planning Department for El Dorado County ("County") circulated a Notice of Preparation ("NOP") for the Carson Creek Specific Plan Draft Environmental Impact Report ("Draft EIR"). A summary of the project description, location, and probable environmental effects were attached to the NOP. The NOP stated that "the project will require the extension of public water and wastewater systems and increase the demand for public water supplies and wastewater collection systems." The El Dorado County Local

Agency Formation Commission ("El Dorado LAFCO") received a copy of the NOP for Carson Creek on July 7, 1994 and responded with comments. The public review period ended on August 25, 1994.

On May 20, 1996, the County released the Carson Creek Draft EIR for a 45-day public review period. The County also prepared a notice of completion for the Carson Creek Draft EIR and sent a copy of the Draft EIR to the El Dorado LAFCO in May of 1996. The Carson Creek Draft EIR analyzed the potentially significant environmental effects of approving the project, as originally proposed, including a discussion regarding the annexation or reorganization of special districts relating to the project. (See Draft EIR, p. 1-4 and throughout report (analyzing the effects of 2,701 housing units, 240,000 square feet of commercial uses, 843,000 square feet of research and development, two schools, 31.2 acres of parks and 142.8 acres of open space).)

The Carson Creek Draft EIR found that significant and unavoidable impacts would result from the project relating to aesthetics, air quality and water service. The remainder of the project impacts was found to be reduced to less than significant levels with mitigation. The Draft EIR found EID's then-current water supplies insufficient and that additional water supplies would need to be acquired to serve the project at build-out. (Draft EIR, p. 4.18-4) The need to create an additional EID assessment district upon annexation was also recognized. (Draft EIR, p. 4.18-4) The Draft EIR also discussed the expansion of the El Dorado Hills Wastewater Treatment Plant (EDHWTP) and expansion of the wastewater infrastructure, including lift stations and force mains to accommodate flows at build-out for the project. (Draft EIR, pp. 4.19-3-5)

Following the comment period, in August 1996, the County released the Final EIR, which included the Draft EIR and Responses to Comments. (Final EIR, p. 1-1.) The Final EIR addressed comments from the EDHCS, the El Dorado Hills Fire Department, and EID, among others.

On September 24, 1996, the El Dorado County Board of Supervisors ("Board") approved the Final EIR, findings of fact, a statement of overriding considerations, and the mitigation monitoring and reporting program following a public hearing (Resolution #224-96). In response to litigation, on January 14, 1997, the Board rescinded its approvals relating to the Carson Creek Specific Plan and ordered an Addendum to the Final EIR to include updated water supply information.

The 1997 Addendum provided additional information regarding water service for the Carson Creek Specific Plan. The Addendum discussed EID's existing water supplies and potential water supplies for the Carson Creek Specific Plan. The Addendum specifically identified and discussed the El Dorado Project 184 as a potential water source for the Carson Creek Specific Plan. The El Dorado Project 184 proposed to make consumptive use of 17,000 acre feet annually ("afa") from water stored in and released from Silver Caples and Aloha lakes, as well as natural flow in the South Fork American River. SWRCB approved EID's application for the project to divert 17,000 afa from Folsom Reservoir for consumptive use on October 2, 1996 (Decision 1635). The SWRCB subsequently granted a third party

request for reconsideration. Litigation and settlement agreements led to a final resolution of the water rights challenges in July 2004.

On March 4, 1997, the Board of Supervisors adopted Resolution No. 40-97 certifying a new Final EIR for the Specific Plan, which included the 1997 Addendum. The Board also adopted the Carson Creek Specific Plan with Resolution No. 41-97 and approved a Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program.

The El Dorado County Taxpayers for Quality Growth ("Quality Growth") filed a lawsuit challenging the Board's approval of the plan which resulted in a settlement and amendment to the Plan. In September of 1999, the Board approved an additional Addendum to the Final EIR ("1999 Addendum") as part of a settlement agreement with the parties challenging the March 4, 1997, approvals. The 1999 Addendum prepared in response to the settlement agreement and modified *Specific Plan* recognized that impacts from the project would be reduced from those analyzed in the EIR because the number of allowed units was reduced from over 2,400 residential units to 1,700 age-restricted residential units. (Addendum, p. 7-8 (project changes will substantially reduce the traffic and air quality impacts of the original plan).). The amended specific plan also reduced proposed densities, reduced potential traffic and other impacts of the project, and replaced some areas devoted to commercial and research and development uses with industrial uses.

The 1999 Addendum found that the decreases in dwelling units reduced demands on water, wastewater, solid waste disposal, electricity, natural gas, telephone and cable TV services. (Addendum, p. 10.) The demands on public services such as fire, ambulance, police, parks, and libraries were also found to be reduced. (Addendum, p. 10.) The applicant also proposed a number of other changes to reduce the environmental impacts that could result from the Specific Plan. As part of the settlement agreement, Quality Growth agreed not to oppose the annexation of the Carson Creek Specific Plan area to EID "because the Package of Action substantially reduces the environmental impacts, including water usage, of this project through density reduction, age restrictions, riparian set backs, open space and park preserves, use of reclaimed water" (See *El Dorado County Taxpayers for Quality Growth v. County of El Dorado Settlement Agreement and Mutual Release*, September, 1999 ("Settlement Agreement"), (p. 8, ¶ 6, subd. (b). See also p. 9.)

Based on staff's review and analysis of the prior environmental documents, staff concludes that additional environmental review under CEQA is unnecessary.

The Draft EIR (CD-Rom exhibit 13 & 14), Final EIR (CD-Rom exhibit 15), 1997 Addendum (CD-Rom exhibit 16), 1999 Addendum (CD-Rom exhibit 17), and referenced Settlement Agreement (CD-Rom exhibit 18) are attached.

DISCUSSION

Government Code §56668 and LAFCO Policies require that the review of an annexation proposal shall consider the following factors:

(Numbered items 1-6 relate to services)

1. **NEED FOR ORGANIZED COMMUNITY SERVICES, PROBABLE FUTURE NEEDS:** Applicants shall demonstrate the need and/or future need for governmental services and that the proposal is the best alternative to provide service (Policies 3.1.4(b), 6.1.7; §56668(b)).

RESPONSE: Carson Creek is a planned subdivision consisting of approximately 1,240 age-restricted single family homes as well as research and development and commercial uses. The reorganization will allow for development supporting services needed by future residents and businesses. (See also discussion related to growth and population below.)

2. **ABILITY TO SERVE, LEVEL AND RANGE OF SERVICE, TIME FRAMES, CONDITIONS TO RECEIVE SERVICE:** Prior to annexation the applicants and proposed service providers shall demonstrate that the annexing agencies will be capable of providing adequate services which are the subject of the application and shall submit a plan for providing services (Policy 3.3, §56668(j)).

RESPONSE: The applicant's Plan of Service is attached. All annexing agencies reviewed the Plan of Service and each agency has affirmed they are able to provide the necessary services within the time frame anticipated in the Plan of Service.

The EDHCSD's ability to serve was reviewed in LAFCO's Service Review for West County Parks, Recreation, Open Space and Related Services (July 2004) and its sphere of influence was subsequently expanded to include the Carson Creek area (September 2004). The landowner partnership has entered into a pre-annexation agreement with EDHCSD.

The EDHCWD affirms it is currently able to provide adequate service to Carson Creek and service will improve after a new fire station is constructed in the adjacent El Dorado Hills Business Park. The Fire District acquired a 20-acre parcel and expects to begin construction on the new fire station next spring. (Telephone conversation with Fred Russell, Fire Marshall.) The new fire station will therefore be complete and operational before services from Carson Creek residents are needed.

EID will be capable of providing water, recycled water and sewer service within the time frame anticipated in the Plan of Service with new water supplies acquired through State Water Resources Control Board (SWRCB) Permit 21112 and the anticipated long term Warren Act Contract with the US Bureau of Reclamation (USBR). Although certain discretionary actions remain to perfect these water rights, substantial progress has been made toward completion, in part due to the County's adoption of a legally valid General Plan. Future infrastructure expansions for water, wastewater and recycled water are necessary and are included in EID's Capital Improvement Program. Improvement plans and improvements are scheduled for completion prior to the anticipated date of the build out of the Carson Creek Specific Plan. (See CD-Rom

exhibit 1-Water, Wastewater and Recycled Water Summary; CD-Rom exhibit 2 - 2005 Water Resources and Service Reliability Report); CD-Rom exhibit 3-Recycled Water Status and Reliability); CD-Rom exhibit 4 - EID Staff Report/Carson Creek Annexation Proposal (July 18, 2005); see also Plan of Service, attached as hard copy.)

Sufficient wastewater "equivalent dwelling units" (EDU's) currently available from the El Dorado Hills Wastewater Treatment Plant, as noted in EID's Facility Improvement Letter. The 1996-97 environmental documents noted that the EDH wastewater treatment plant, with planned expansions, would be able to accommodate the additional flows generated by the project at build-out. Completed and planned expansions are detailed in the background section above.

3. **TIMELY AVAILABILITY OF ADEQUATE WATER SUPPLY:** The Commission shall consider the timely availability of water supplies adequate for projected needs (§56668(k)).

RESPONSE: In the Carson Creek EIR and Addendum documents (1996-97), water consumption impacts were found to be significant. Section 7.2 identified that "...until such time as a future General Plan level and project level water supply is secured, water availability is considered a cumulatively significant impact." Such impacts were noted to be lessened in the 1999 post settlement documents. New water supplies are needed to serve the project area. Since 1996-99, important changes have occurred in the available water supply, in water supply planning and in water supply certainty.

EID prepared a Facility Improvement Letter (FIL, attached) for the Carson Creek project on October 27, 2004, using the 2004 Water Resources and Service Reliability Report. Applicants estimate that they will require 1385 EDUs, with the total reduced by approximately 50% with the use of recycled water. At the time the FIL was prepared, EID had 2,176 EDU's available in the El Dorado Hills Service Area, however these EDU's are not available to the project because the project is not within Assessment District 3. Based on the current 2005 Water Resources and Service Reliability Report (May 16, 2005), EID's available water supply based yield, after subtracting EDU's to reflect existing contractual commitments, is 9,425 EDU's for the El Dorado Hills Service Area.

Additional water entitlements from Folsom Lake have been granted to EID. According to EID's 2005 Water Resources and Service Reliability Report, 11,000 acre feet (AF) of the 17,000 AF water right granted through State Water Resources Control Board Permit 21112 may be used to meet the estimated annual demand necessitated by build-out of approved projects allowed under the General Plan Writ of Mandate, including Carson Creek. EID has also submitted an application and anticipates the execution of a multiple-year Warren Act contract with the USBR for 11,000 AF of the 17,000 AF water right. The application is still pending; however, the contract is in the process of being amended by EID to reflect the full 17,000 afa now that the County's General Plan is in place. It is likely the USBR will review the addition of territory to EID's contract service area boundaries (i.e. place of use). The FIL states that once

secured, these water rights will be available to serve the project, and other future EID customers.

Current EID policy mandates the use of recycled water for this area. Carson Creek will have a dual-plumbed system to meet this requirement. It is therefore estimated that the project will require approximately 693 EDU's of potable water supply. Based upon the supply based yield of 9,425 EDU's and the projected 693 EDU's needed for Carson Creek, there will be adequate supply based yield currently to allow service to the project. EID's current infrastructure base yield is 2,862 unallocated EDU's. (See Water Supply Summary attached as CD-Rom exhibit 1.)

EID is currently in the process of completing the design of a new intake structure for the El Dorado Hills Water Treatment Plant ("EDHWTP") by 2007-2008, and planning on the expansion of the facility to 24 MGD. This will provide an additional capacity of 3,231 EDU's for the El Dorado Hills Area, bringing the infrastructure based yield to approximately 6,093 EDU's. Roughly 3,618 EDU's would be available to serve the project.

After processing and approval by the County of tentative map(s), drainage and infrastructure improvement plans, design review, grading and construction, the earliest estimated time developers within the Carson Creek Specific Plan area expect to need water meters would be late 2007-early 2008, consistent with the estimated completion date of the EDHWTP.

EID Regulation Numbers 2 and 22 provide additional protection measures to ensure that existing customers remain unharmed by EID extending services to new customers. Specifically, pursuant to Regulation Number 2, EID will not commit to serve properties when such service would reduce the water supply reliability below the established firm yield. Regulation Number 22.7 also prohibits EID from issuing Meter Award Letters if available supplies are "seriously threatened." This provision is intended to prevent an over-allocation of water by terminating issuance of award letters until additional water supply becomes available (Regulation No. 22.7). These regulations appear to ensure that if developers within the Carson Creek area were in a position to request water meters prior to completion of the EDHWTP project, meters would not be issued by EID.

The 1996 County General Plan, the governing plan for the Carson Creek Specific Plan area, provides similar protections guarding against over allocation of water supplies. As explained in the 1997 Carson Creek Addendum, the General Plan goals and policies require developers to obtain water meters or equivalent water guarantees from EID or other water purveyor prior to receiving final subdivision map approval, or, in the case of projects not requiring final maps, prior to receiving building permits. (1997 Addendum, pp. 10-11; see also General Plan policies 5.2.1.2, 5.2.1.3, 5.2.1.4, 5.2.1.8 (approval of specific plans may occur without water guarantees as long as such guarantees are required for final subdivision maps and for building permits).)

As noted above, recycled water use is required by EID for the Carson Creek project. (EID Regulation No. 31.) Currently, EID operates one recycled water storage tank at elevation 960 in the Valley View project area. A future 4 million gallon storage tank at elevation 720 will provide service to the Carson Creek project. The timing and construction of this storage facility will occur concurrently with the project. This storage tank will be funded through a combination of developer funding and through District facility capacity charges (FCC's) that have been approved and adopted by the EID Board.

Except with respect to onsite distribution lines and the recycled water tanks, which will be funded by both the developer and EID, EID will be responsible for most of the construction and financing of necessary infrastructure improvements. Revenues will be derived from FCC's (e.g., water, recycled water, and wastewater transmission lines and distribution facilities use charges). EID's 2005-2009 Five-Year Capital Improvement Program confirms the timing and funding allocated for each improvement project.

- 4. **ALTERNATIVES TO SERVICE, OTHER AGENCY BOUNDARIES, AND LOCAL GOVERNMENT STRUCTURE:** The Commission shall consider alternatives to the proposal, proximity of other agency boundaries and alternative courses of action. Where another agency objects to the proposal, LAFCO will determine the best alternative for service (Policies 3.3.2.2(g), 6.1.3).

RESPONSE: EDHCSD, EDHCWD, and EID are the logical service providers for the Carson Creek territory. Adjacent Springfield Meadows CSD, which provides road maintenance, park and recreation services, was reviewed in LAFCO's July 2004 Municipal Service Review and its park and recreation sphere of influence was subsequently reduced to include zero territory on August 25, 2004. There are no alternative public providers for fire, emergency, water, or wastewater services to this residential area. Private services are infeasible.

- 5. **SIGNIFICANT NEGATIVE SERVICE IMPACTS:** Services provided to the territory will not result in a significant negative impact on the cost and adequacy of services otherwise provided (Policy 6.2.4, §56668.3(b)).

RESPONSE: Impact fees, Quimby in-lieu fees and a share of the future property tax will offset the impacts of future residents on the EDHCSD and will mitigate the impacts of future residents on the district's parks, facilities, and programs. A 30 acre regional park is included in the Specific Plan. The district strongly supports the annexation and indicates its ability to provide all necessary services. A pre-annexation agreement has been negotiated between the landowner and the District.

Payment of impact fees and a share of the future property tax will offset the impacts of future residents on the El Dorado Hills County Water District (EDHCWD). These revenues are based on the district's long range economic analysis. A pre-annexation agreement has been negotiated between the landowner and the District.

EID Regulations provide safeguards to ensure that new development does not result in the over-allocation of water. Under EID regulations no Water Meter Letters can be issued if available supplies are "seriously threatened" until additional water supply is available. (EID Regulation No. 22.7.) The developer/EID is responsible for construction and financing of all water, recycled water, and wastewater transmission lines and distribution facilities to receive EID service. No negative fiscal, service or other impacts have been identified by the District. As detailed above additional new water supplies and infrastructure improvements are planned and/or constructed and will offset the impacts of future residents' services.

6. **COORDINATION OF APPLICATIONS:** If a project site can be anticipated to require additional changes of organization in order to provide complete services, the proposal shall be processed as a reorganization (Policy 3.1.10). Where related changes of organization are expected on adjacent properties, petitioners are encouraged to combine applications and LAFCO may modify boundaries, including the addition of adjacent parcels to encourage orderly boundaries (Policy 3.1.9).

RESPONSE: LAFCO reviewed the Euer Ranch portion of the Carson Creek Specific Plan and approved a reorganization for that area on Feb. 23, 2005. Landowners requested the area be reviewed by LAFCO separately from the larger Carson Creek project due to CEQA and service differences although the Euer Ranch Reorganization area is considered to be Phase 1 of the Carson Creek Specific Plan. Based on staff review of the development proposal and settlement agreement, no other services are needed or planned for the remaining Carson Creek Specific Plan area. The proposed Commission action will complete the boundary changes needed for development of the plan.

(Numbered items 7-12 relate to cost and revenues)

7. **PRESENT COST/ADEQUACY OF GOVERNMENTAL SERVICES, INCLUDING PUBLIC FACILITIES:** The Commission shall consider existing governmental services and facilities and the cost and adequacy of such services and facilities (§56668(b), Policy 3.3). If service capacity and/or infrastructure will be expanded, the applicant will submit cost and financing plans (Policy 3.3.2.2).

RESPONSE: Present and planned services and facilities appear adequate. EDHCSD's services were reviewed in the July 2004 Service Review. EDHCWD has existing facilities located within reasonable response times to the Carson Creek area and has developed plans for a new fire station south of Highway 50 to enable the district to provide enhanced service to new residents in this area.

The legal challenge to the Carson Creek Specific plan was based, in part, on concerns about the adequacy of the water supply for existing and planned development. EID is constructing facilities as detailed above, for the area south of Highway 50 as part of its capital improvement plans and has progressed significantly towards perfecting its new

water rights from Folsom Lake. Use of 11,000 acre feet of water to support Writ allowed development approved under the 1996 General Plan also suggests that EID has increased its right of use of water in this area.

- 8. **EFFECT OF PROPOSAL ON COST & ADEQUACY OF SERVICE IN AREA AND ADJACENT AREAS:** The Commission shall consider existing and proposed governmental services and facilities, the cost and adequacy of such services and facilities, and probable effect of the proposal on the area and adjacent areas (§56668(b) and Policy 3.3). LAFCO will discourage projects that shift the cost of service and/or service benefits to others or other service areas (Policy 6.1.8).

RESPONSE: Agencies have reviewed and approved property tax sharing agreements for the proposal area. In addition, impact fees, facility connection charges (FCCs), and other charges detailed in this report will support the cost of services. The reorganization is expected to provide revenues to the agencies for the long and short term costs of future residents' use of existing EDHCSD and EDHCWD services. EID's cost-benefit analysis (July 18, 2005) projects a net excess of revenue over expenses of approximately \$4,427,548.00.

- 9. **EFFECT OF ALTERNATIVE COURSES OF ACTION ON COST & ADEQUACY OF SERVICE IN AREA AND ADJACENT AREAS:** The Commission shall consider the cost and adequacy of alternative services and facilities (§56668).

RESPONSE: The proposal appears to be the most logical alternative for needed services; see also Section 4 above.

- 10. **SUFFICIENCY OF REVENUES, PER CAPITA ASSESSED VALUATION:** §56668(j)

RESPONSE: The assessed value of the reorganization area is \$14,653,649. The reorganization is expected to provide revenues to the agencies for the long and short term costs of future residents' use of existing EDHCSD and EDHCWD services. EID's cost-benefit analysis (July 18, 2005) projects a net excess of revenue over expenses of approximately \$4,427,548.00.

EDHCSD and EDHCWD will collect impact fees from the new development and a share of future property taxes. EDHCSD will also collect Quimby in-lieu fees. EDHCSD impact fees are reduced due to the age-restricted status of the homes, as the service needs and costs are less than with a population of residents at all ages. EID's cost/benefit analysis is described above and included revenues from property tax, facility capacity charges, and billed consumption.

- 11. **REVENUE PRODUCING TERRITORY:** The proposed annexation shall not represent an attempt to annex only revenue-producing territory (Policy 6.1.1).

RESPONSE: The area consists of a mixture of uses including residential, research and development, industrial and open space lands. Revenues to the annexing districts are projected to be consistent with services provided, and long term agency operations and infrastructure costs.

12. **"BEST INTEREST:"** The Commission shall consider whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the districts and within the territory proposed to be annexed to the districts (§56668.3).

RESPONSE: The reorganization will provide essential and desirable services to the future residents of the Carson Creek area. The proposal is supported by the current landowner and all annexing agencies. In addition, the annexation will potentially enhance services to residents in the general EDH area by increasing the economies of scale for such services, i.e. allowing for a higher level of service at a lower cost.

(Numbered items 13-17 relate to boundaries)

13. **BOUNDARIES: LOGICAL, CONTIGUOUS, NOT DIFFICULT TO SERVE, DEFINITE AND CERTAIN:** The proposed boundary shall be a logical and reasonable expansion and shall not produce areas that are difficult to serve (§56001). Lands to be annexed shall be contiguous (Policy 3.9.3) and should not create irregular boundaries, islands, peninsulas or flags (Policy 3.9.4, §56741 - cities). The boundaries of the annexation shall be definite and certain and conform to existing lines of assessment and ownership (Policy 3.9.2, §56668(f)).

RESPONSE: The Carson Creek project is within the spheres of influence of EDHCSD, EID and EDHCWD and contiguous to EID and EDHCWD. The proposal is not contiguous to EDHCSD. Three maps are attached to show the existing districts boundaries.

Completion of the boundary changes for the Euer Ranch Reorganization (LAFCO Project #03-02) to the north of the proposal will allow contiguity to EDHCSD. This reorganization was been approved by LAFCO on February 23, 2005, but the final boundary change is pending completion of conditions by EID. Staff recommends a condition of approval on the Carson Creek Reorganization requiring the final recording of the Euer Ranch Reorganization. This condition will prevent the creation of islands and ensure an orderly boundary. The EI Dorado Hills Business Park, east of the proposal is not within the EDHCSD boundaries. Springfield Meadows CSD (SMCSD) provides road maintenance and park services, as described above, and is inside the sphere of influence for EI Dorado Hills CSD. Analysis of issues related to SMCSD has been discussed in the Euer Ranch Reorganization staff report.

Infrastructure for needed services is detailed above and in the project records. The area does not appear to be difficult to serve.

The proposal was reviewed by the County Surveyor's staff and does not split lines of assessment and ownership.

- 14. TOPOGRAPHY, NATURAL BOUNDARIES, DRAINAGE BASINS, LAND AREA:** Natural boundary lines which may be irregular may be appropriate (Policy 3.9.6). The resulting boundary shall not produce areas that are difficult to serve (Policy 3.9.7).

RESPONSE: The proposal is consistent with the area's natural features. The territory currently consists of low rolling hills and grasslands between the El Dorado Hills Business Park and the Sacramento County line. Natural drainages are included in the specific plan design as open space areas.

- 15. CREATION OF IRREGULAR BOUNDARIES:** Islands, peninsulas, "flags", "cherry stems," or pin point contiguity shall be strongly discouraged. The resulting boundary shall not produce areas that are difficult to serve. The Commission shall determine contiguity (Policies 3.9.3, 3.9.4, 3.9.7).

RESPONSE: The boundaries do not appear to be irregular, except as noted in Section 13 above.

- 16. CONFORMANCE TO LINES OF ASSESSMENT, OWNERSHIP:** The Commission shall modify, condition or disapprove boundaries that are not definite and certain or do not conform to lines of assessment or ownership (Policy 3.9.2).

RESPONSE: The proposal was reviewed by the County Surveyor's staff and does not split lines of assessment and ownership.

- 17. SPHERES OF INFLUENCE:** Commission determinations shall be consistent with the spheres of influence of affected local agencies (Policy 3.9.1).

RESPONSE: The territory is within the spheres of influence of EDHCSD, EDHCWD, and EID.

(Numbered items 18-21 relate to potential effect on others and comments)

- 18. EFFECT ON ADJACENT AREAS, COMMUNITIES OF INTEREST:** The Commission shall consider the effect of the proposal and alternative actions on adjacent areas, mutual social and economic interests and on the local governmental structure of the county (§56668(c)).

RESPONSE: Carson Creek is located in the rapidly developing community of El Dorado Hills and is within the El Dorado Hills Community Region as defined by the 2004 General Plan. The territory was included in the proposed boundary of the City of El Dorado Hills. The El Dorado Hills Business Park is nearby. The planned subdivision is consistent with planned high density growth south of Highway 50, and will likely establish a new community. The adjacent Euer Ranch subdivision (Four Seasons El Dorado) is currently under construction and is designed to be a 460-home community for older adults. As such, consistent services throughout the subdivision will foster the

mutual social and economic interest of its citizens. Additional development of the nearby Valley View Specific Plan is also anticipated.

- 19. INFORMATION OR COMMENTS FROM THE LANDOWNER OR OWNERS:** The Commission shall consider any information or comments from the landowner or owners.

RESPONSE: The landowners are the proponents of the reorganization and support the proposal.

- 20. EFFECT ON OTHER COMMUNITY SERVICES, SCHOOLS:** LAFCO's review of services refers to governmental services whether or not those services are provided by local agencies subject to the Cortese-Knox-Hertzberg Act, and includes public facilities necessary to provide those services (§56668 b)

RESPONSE: There are no identified effects on other community services. Impacts to school services are expected to be minimal. The conditions of the settlement agreement specify a reduced number of homes will be constructed and those homes will be limited to adult occupancy. While it is possible that the settlement conditions could be modified at some time in the future, parties to the agreement would have to mutually agree to any changes. The pre-annexation agreements with ECHCSD and ECCWD recognize this possibly. The effect on transportation services is discussed various documents related to the project. The development is subject to RIF and TIMM fees, but is not subject to the requirements of Measure Y. While it is possible that the project could have a negative impact on transportation and roads, the reduction in the number of units and age-restricted occupancy will reduce the impact on those services.

- 21. OTHER AGENCY COMMENTS, OBJECTIONS:** All affected and interested agencies are provided application related material and notified of the proposal and proposed property tax redistribution plan. Comments have been requested and shall be considered (Policy 3.1.4 (I), §56668(i)).

For district annexations and city detachments only, the Commission shall also consider any resolution objecting to the action filed by an affected agency (§56668.3(4)). The Commission must give great weight to any resolution objecting to the action which is filed by a city or a district. The Commission's consideration shall be based only on financial or service related concerns expressed in the protest (§56668.3(5b)).

RESPONSE: The following agencies were provided an opportunity to comment on this proposal:

El Dorado County (also representing County Service Areas 07, 09 & 10)
 El Dorado County Water District
 El Dorado Irrigation District
 El Dorado Hills County Water District

Los Rios Community College District
Latrobe School District
El Dorado Hills Community Services District
El Dorado Union High School District
El Dorado County Resource Conservation District

No agency resolutions objecting to the proposal were received. Comments were received from El Dorado Union High School District and Latrobe School District. These comments are attached. Comments were received from the El Dorado County Agricultural Commission and are attached and discussed below in Section 27.

(Numbered items 22-26 relate to land use, population and planning)

- 22. FAIR SHARE OF REGIONAL HOUSING NEEDS:** The Commission shall review the extent to which the proposal will assist the receiving entity in achieving its fair share of regional housing needs as determined by the Sacramento Area Council of Governments (SACOG) (§56669(l)).

RESPONSE: The proposal will increase available age restricted market rate housing. The reorganization will be served with new water supplies from Folsom Lake. When these water rights are perfected by EID and the long term Warren Act contract completed with USBR, substantial new water supplies will be available to support development. While development could contribute to a decrease in water supply available for the build-out of the county's regional housing needs allocation in lower income categories, it is more likely that the water supply will be less constrained, especially in the El Dorado Hills area. Use of land in the proposal area for market rate homes will reduce the total available land for lower income housing categories, the existing development agreement and settlement agreement restrict the County's ability to make changes in this area. The County may be able to meet its regional housing needs allocations elsewhere.

- 23. LAND USE, INFORMATION RELATING TO EXISTING LAND USE DESIGNATIONS:** The Commission shall consider any information relating to existing land use designations (§56669(m)).

RESPONSE: The 2004 General Plan designates the territory as "Specific Plan", Planned Community, with a land use designation of low density residential (LDR). The zoning designations are SP-2 (Specific Plan). Development supported by the reorganization is consistent with the single family residential, local commercial, and open space land use designations in the Carson Creek Specific Plan and the 1996 General Plan. The reorganization is also consistent with the 2004 County General Plan.

- 24. POPULATION, DENSITY, GROWTH, LIKELIHOOD OF GROWTH IN AND IN ADJACENT AREAS OVER 10 YEARS:** The Commission will consider information related to current population, projected growth, and number of registered voters and inhabitants in the proposal area.

RESPONSE: The projected population of Carson Creek is approximately 1,240 residential units, resulting in approximately 2,500 residents living within the Specific Plan area based on the age-restricted status of the homes. The territory is considered uninhabited and contains one (1) registered voter.

- 25. PROXIMITY TO OTHER POPULATED AREAS:** The Commission shall consider population and the proximity of other populated areas, growth in the area and in adjacent incorporated and unincorporated areas during the next 10 years (Policy 3.1.4 (a)).

RESPONSE: Territory south of Highway 50 is slated to develop through several specific plans, including Carson Creek and Valley View. The Business Park adjoins the proposal area. Much of the growth projected to occur in the County over the next 10 years is planned for the El Dorado Hills area. In addition growth can be reasonably expected in Sacramento along on the County line. Those lands are in the Sphere of Influence of the City of Folsom.

- 26. CONSISTENCY WITH GENERAL PLANS, SPECIFIC PLANS, ZONING:** The Commission shall consider the general plans of neighboring governmental entities (Policy 3.1.4(g)).

RESPONSE: See Section 23, above.

- 27. PHYSICAL AND ECONOMIC INTEGRITY OF AGRICULTURAL LANDS AND OPEN SPACE LANDS:** LAFCO decisions will reflect its legislative responsibility to maximize the retention of prime agricultural land while facilitating the logical and orderly expansion of urban areas (Policy 3.1.4(e), §56016, 56064).

RESPONSE: There are no agricultural lands and no prime agricultural soils currently contained within the proposal boundaries. Soils are mainly gravelly loam types and the land has historically been used for only for grazing. Agricultural lands are adjacent to the proposal area in Sacramento County, however these lands are within the sphere of influence of the City of Folsom. Landowners, including some with business relationships with the Carson Creek applicants, are pursuing annexation into the City of Folsom for future development. Potential impacts to agricultural lands in Sacramento County to the west were analyzed in the Carson Creek Specific Plan Environmental Impact Report. Existing or planned urban uses are adjacent to the proposal area within El Dorado County. The proposal is situated in one of the most rapidly urbanizing regions in Northern California. Although agricultural uses (grazing) in this area are limited, it is reasonable to assume that, should this parcel remain in agricultural use while other approved projects within El Dorado Hills and Folsom are completed, it will be substantially surrounded by urban uses to the point that agricultural activities within Carson Creek would no longer be viable.

Lands within the Carson Creek Specific Plan were formerly within agricultural preserves. Land owners applied for non-renewal and the Williamson Act contract(s) expired in February 2000.

Comments (attached) received from the El Dorado County Agricultural Commissioner recommend denial of the project. The comments note concern for the water supply available for agriculture. Water sources for this project will come from Folsom Lake, while water sources for most water intensive agricultural uses in the County are derived from upstream supplies, such as Jenkinson Lake. It is unlikely that municipal water consumption by future residents would materially affect the water supply available for agriculture.

Open space lands are integrated throughout the subdivision plans. As required by the settlement agreement approximately 198.9 acres of open space land is set aside along the tributaries to Carson Creek.

28. **OPTIONAL FACTOR: REGIONAL GROWTH GOALS AND POLICIES:** The Commission may, but is not required to, consider regional growth goals on a regional or sub-regional basis (§56668.5).

RESPONSE: Applicants state that the proposal is consistent with SACOG's Blueprint, however, supporting documentation was not provided by the applicants. Regional housing goals set by SACOG are discussed above in Section 22.

Online Viewing

Hard copy of any attachments available upon request.

APPROVED

EL DORADO LAFCO
LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NUMBER L-05-17

**Making Findings and Determinations Pursuant to the California Environmental
Quality Act**

Carson Creek Reorganization
LAFCO PROJECT NO. 03-03

WHEREAS, a petition for the proposed reorganization of the Carson Creek area was filed with the Executive Officer of this Local Agency Formation Commission pursuant to §56000, et seq. of the Government Code; and

WHEREAS, at the times and in the form and manner required by law, the Executive Officer has given notice of the hearing by this Commission upon the proposal; and

WHEREAS, upon the date, time and place specified in said notice of hearing and in any order or orders continuing such hearing, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental documents and determinations, plans for providing service, spheres of influence and applicable General and Specific Plans;

WHEREAS, the Commission has fulfilled its obligations as a responsible agency as defined by the California Environmental Quality Act and has reviewed and considered the Environmental Impact Report and related documents prepared for this project by El Dorado County, as the lead agency.

Now therefore, the Commission does hereby make the following findings and determinations, and makes the findings for each significant effect of the project as shown in "Exhibit C," attached and by this reference incorporated herein:

Section 1. The Environmental Impact Report (EIR) and related documents prepared for the Carson Creek Specific Plan by El Dorado County are adequate and complete for the reorganization of territory as proposed in LAFCO Project #03-03 (Carson Creek Reorganization) into the boundaries of EDHCSD, EDHCWD, and EID and the Environmental Impact Report and related documents satisfy the requirements of the California Environmental Quality Act.

Section 2. There are no changes in the proposed Carson Creek Reorganization that would result in new significant environmental effects. No new information or changes in circumstances surrounding the Carson Creek Specific Plan have

occurred which would require major revisions of the previous EIR. Where circumstances may have changed related to water and wastewater services, the number of residential units approved for the area to be annexed are less than that addressed in the Final Environmental Impact Report (EIR) including Addenda, the Draft EIR, and Responses to Comment on the Draft EIR adopted by the El Dorado County Board of Supervisors for the Carson Creek Specific Plan. The proposed reorganization will not result in any new significant impacts or substantial increases in the severity of previously identified impacts under CEQA.

- Section 3. None of the boundary changes due to the proposed Reorganization are found to create significant new or substantially more severe environmental effects.
- Section 4. Previously identified environmental impacts will be reduced from those analyzed in the EIR because the number of allowed units decreased from more than 2,400 residential units to 1,700 age-restricted residential units.
- Section 5. The following conditions or circumstances described in CEQA Guidelines, § 15162, subd. (a); and also Pub. Resources Code, § 21166 are not applicable to this reorganization:
- (a) Substantial changes are proposed in the project which will require major revisions of the previous EIR . . . due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
 - (b) Substantial changes occur with respect to the circumstances under which the project is undertaken which would require major revisions of the previous EIR . . . due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
 - (c) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete . . . shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR . . . ;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project . . . ; or

- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment

PASSED AND ADOPTED by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held on December 7, 2005 by the following vote of said Commission.

AYES: manard, Dupray, Costamagna,
NOES: Colvin, Allen, Long
ABSTENTIONS: NONE
ABSENT: Paine

ATTEST:


Clerk of the Commission


Chairperson

Exhibit C
Resolution Number L-05-17
CEQA Findings and Statement of Overriding Considerations
for the Carson Creek Specific Plan

(Contents and text of Exhibit C may be reviewed on the CD-Rom provided with this packet. Please refer to Document 8, CEQA Findings and Statement of Overriding Considerations for the Carson Creek Specific Plan.)

APPROVED

EL DORADO LAFCO
LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NUMBER L-05-18

Carson Creek Reorganization
LAFCO PROJECT NO. 03-03

WHEREAS, a petition for the proposed reorganization of certain territory was heretofore filed with the Executive Officer of this Local Agency Formation Commission pursuant to Cortese-Knox-Hertzberg Local Government Reorganization Act, commencing with §56000, et seq. of the Government Code; and

WHEREAS, the Executive Officer has examined the petition and certified that it is sufficient and has accepted the proposal for filing on November 18, 2005; and

WHEREAS, the Executive Officer, pursuant to Government Code §56665, has reviewed this proposal and prepared a report including recommendations, and has furnished a copy of this report to each person entitled a copy; and

WHEREAS, at the times and in the form and manner required by law, the Executive Officer has given notice of the hearing by this Commission upon the proposal; and

WHEREAS, upon the date, time and place specified in said notice of hearing and in any order or orders continuing such hearing, the Commission has received, heard, discussed and considered all oral and written testimony related to the proposal, including but not limited to protests and objections, the Executive Officer's report and recommendation, the environmental document and determination, plans for providing services, spheres of influence, and applicable General and Specific plans;

WHEREAS, the Commission has adopted Resolution Number L-05-17 making findings and determinations related to the California Environmental Quality Act; and

WHEREAS, the Commission does hereby make the following determinations regarding the reorganization:

1. The subject territory is "uninhabited" per Government Code §56046. Application for this reorganization is made subject to Government Code §56650 et seq. by 100% of the landowners.

2. The territory proposed for reorganization is within the spheres of influence of El Dorado Irrigation District, El Dorado Hills County Water District, and El Dorado Hills Community Services District. Following the completion of LAFCO Project 03-02 (Euer Ranch Reorganization), the proposal will be contiguous to the existing boundaries of the El Dorado Hills CSD. The proposal is contiguous to the El Dorado Hills County Water District and El Dorado Irrigation District. The reorganization boundaries are logical and orderly.

3. The reorganization will not result in negative impacts to the cost and adequacy of service otherwise provided in the area, and is in the best interests of the affected area and the total organization of local government agencies.

4. While certain discretionary actions remain at the State and Federal level, additional new water supplies have been planned and environmental review of those plans has been completed. El Dorado Irrigation District has made sufficient progress towards securing new water supplies and towards construction of the infrastructure and infrastructure capacity needed to support services to the Carson Creek Specific Plan within the time frame that these services are anticipated to be needed.

5. The Commission recognizes the historic agricultural use of the land for grazing, adjacent agricultural uses and the former Williamson Act status of the property, however, the proposal area is designated for development consistent with nearby urban land uses. The reorganization will not have an adverse effect on agriculture and open space lands.

6. The reorganization could result in a decrease in water supply available for the eventual build-out of regional housing needs as determined by the Sacramento Area Council of Governments. The reorganization is unlikely to have a significant foreseeable effect on the ability of El Dorado County to adequately accommodate its fair share of those housing needs elsewhere within the County.

NOW, THEREFORE BE IT DETERMINED AND ORDERED as follows:

Section 1. Said reorganization is approved, subject to conditions listed below and in Exhibit B to this Resolution, attached and by this reference incorporated herein.

Section 2. The reorganization consists of the following changes of organization

- a. Annexation to El Dorado Hills Community Services District ("EDHCSD"), El Dorado Hills County Water District ("EDHCWD"), and the El Dorado Irrigation District ("EID")
- b. Detachment from the Ponderosa Recreation Zone of County Service Area 9

Section 3. Said territory includes approximately 549 acres, and is assigned the following short form designation:

Carson Creek Reorganization
LAFCO Project No. 03-03

- Section 4. The boundaries are approved as set forth in the proposal as submitted and in the attached legal description and map marked "Exhibit A" and by this reference incorporated herein.
- Section 5. The applicant shall defend, hold harmless and indemnify LAFCO and/or its agents, officers and employees from any claim, action or proceeding against LAFCO and/or its agents, officers and employees to attack, set aside, void or annul the approval of LAFCO concerning this proposal or any action relating to or arising out of such approval.
- Section 6. All subsequent proceedings in connection with this proposal shall be conducted only in compliance with the approved boundaries and conditions set forth in the attachments and any terms and conditions specified in this resolution.
- Section 7. The Executive Officer is hereby directed to file a Notice of Determination consistent with LAFCO Resolution Number L-05-17, and in compliance with the California Environmental Quality Act and local ordinances implementing the same.
- Section 8. The Conducting Authority proceedings are waived in accordance with Government Code Section 56663c.
- Section 9. The effective date shall be the date of recordation.
- Section 10. The Executive Officer is hereby authorized and directed to complete the necessary filings and transmittals, including those specified in Government Code §56882.


PASSED AND ADOPTED by the El Dorado Local Agency Formation Commission at a regular meeting of said Commission, held on December 7, 2005 by the following vote of said Commission.

AYES: Manard, Dupray, Costamagna,
 NOES: Colvin, Allen, Long
 ABSTENTIONS: NONE
 ABSENT: Paine

ATTEST:



 Clerk of the Commission



 Chairperson

EXHIBIT A

L.A.F.C.O. PROJECT 03-03

Boundary Description

Annexation to El Dorado Hills C.S.D., El Dorado Irrigation District and El Dorado Hills County Water District

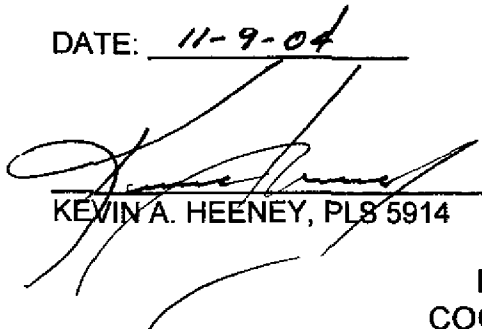
All that portion of Section 23 and 26, Township 9 North, Range 8 East, Mount Diablo Meridian, described as follows:

Beginning at a point on the line between Sacramento County and El Dorado County from which the Section Corner common to Sections 14, 15, 22 and 23, Township 9 North, Range 8 East, Mount Diablo Meridian bears South 89°26'35" West, 36.68 feet; thence the following 12 courses: (1) North 89°26'35" East, 2601.77 feet; thence (2) North 89°17'56" East, 1320.67 feet; thence (3) South 00°34'36" East, 2636.36 feet; thence (4) North 89°19'12" East, 1321.37 feet to a point on the Section line common to Sections 23 and 24; thence (5) South 00°39'52" East, 2633.40 feet to the Section Corner common to Sections 23, 24, 25 and 26; thence (6) South 00°46'46" East, 2639.88 feet; thence (7) South 89°09'31" West, 493.04 feet; thence (8) along the arc of a curve, concave to the Southwest, having a radius of 2897.80 feet, a delta of 05°33'11", an arc length of 280.85 feet, and a chord which bears North 35°37'54" West, 280.75 feet, from which the radius point bears South 57°08'41" West; thence (9) North 38°24'30" West, 1971.62 feet; thence (10) along the arc of a curve, concave to the Southwest, having a radius of 1943.08 feet, a delta of 23°31'53", an arc length of 798.02 feet, and a chord which bears North 50°10'26" West, 792.43 feet, from which the radius point bears South 51°35'30" West; thence (11) North 61°56'23" West, 1402.66 feet to a point on the line between Sacramento County and El Dorado County; thence (12) North 18°06'38" West, 5175.09 feet to the Point of Beginning containing 546.188 acres more or less.

END OF DESCRIPTION

I HEREBY STATE THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA; THAT THIS PLAT AND DESCRIPTION WAS PREPARED UNDER MY SUPERVISION.

DATE: 11-9-04



KEVIN A. HEENEY, PLS 5914

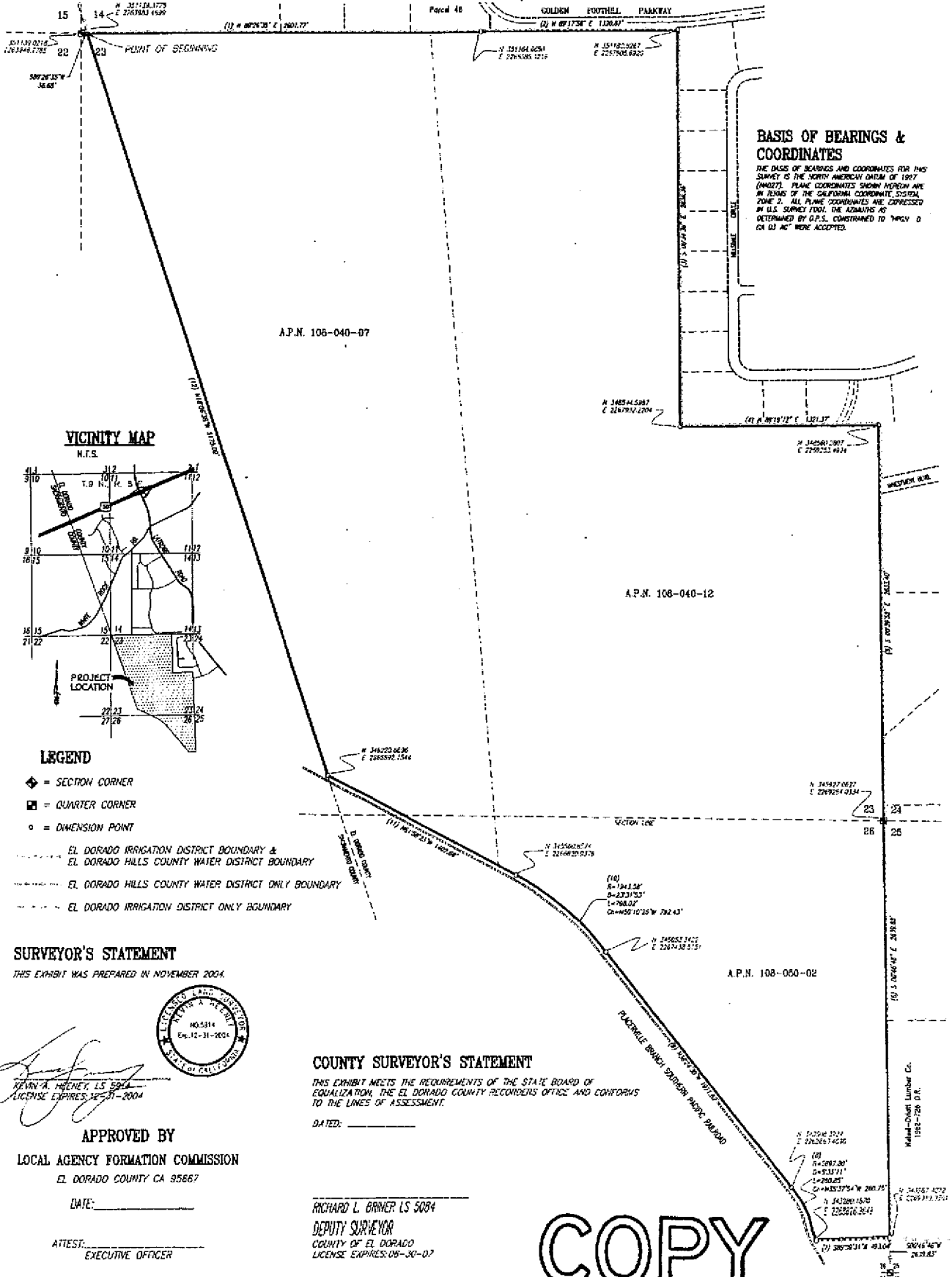


PREPARED BY THE FIRM OF
COOPER, THORNE & ASSOCIATES
RANCHO CORDOVA, CALIFORNIA

COPY

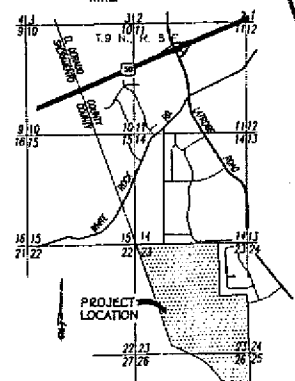
BOUNDARY MAP
L.A.F.C.O. PROJECT 03-03
REORGANIZATION TO EL DORADO HILLS COUNTY WATER DISTRICT, EL DORADO IRRIGATION DISTRICT AND EL DORADO HILLS COMMUNITY SERVICE DISTRICT.

A PORTION OF SECTIONS 23 & 26, TOWNSHIP 9 NORTH, RANGE 8 EAST, M.D.M.
 COUNTY OF EL DORADO, STATE OF CALIFORNIA
 SCALE 1"=400' SHEET 1 OF 1 NOVEMBER, 2004
 COOPER, THORNE & ASSOCIATES, INC.



BASIS OF BEARINGS & COORDINATES
 THE BASIS OF BEARINGS AND COORDINATES FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1927 (NAD27). PLANE COORDINATES SHOWN HEREIN ARE IN TERMS OF THE CALIFORNIA COORDINATE SYSTEM, ZONE 9. ALL PLANE COORDINATES ARE EXPRESSED IN U.S. SURVEY FEET. THE ASSAULTS AS DETERMINED BY O.P.S. CONFORMED TO 70CV 0 OR 01 AC WERE ACCEPTED.

VICINITY MAP
 N.T.S.



LEGEND

- ◆ = SECTION CORNER
- = QUARTER CORNER
- = DIMENSION POINT
- EL DORADO IRRIGATION DISTRICT BOUNDARY & EL DORADO HILLS COUNTY WATER DISTRICT BOUNDARY
- EL DORADO HILLS COUNTY WATER DISTRICT ONLY BOUNDARY
- EL DORADO IRRIGATION DISTRICT ONLY BOUNDARY

SURVEYOR'S STATEMENT

THIS EXHIBIT WAS PREPARED IN NOVEMBER 2004.



Richard L. Birner
 RICHARD L. BIRNER, L.S. 5084
 LICENSE EXPIRES 12-31-2004

APPROVED BY
 LOCAL AGENCY FORMATION COMMISSION
 EL DORADO COUNTY CA 95667

DATE: _____

ATTEST: _____
 EXECUTIVE OFFICER

COUNTY SURVEYOR'S STATEMENT

THIS EXHIBIT MEETS THE REQUIREMENTS OF THE STATE BOARD OF EQUALIZATION FROM THE EL DORADO COUNTY RECORDERS OFFICE AND CONFORMS TO THE LINES OF ASSESSMENT.

DATED: _____

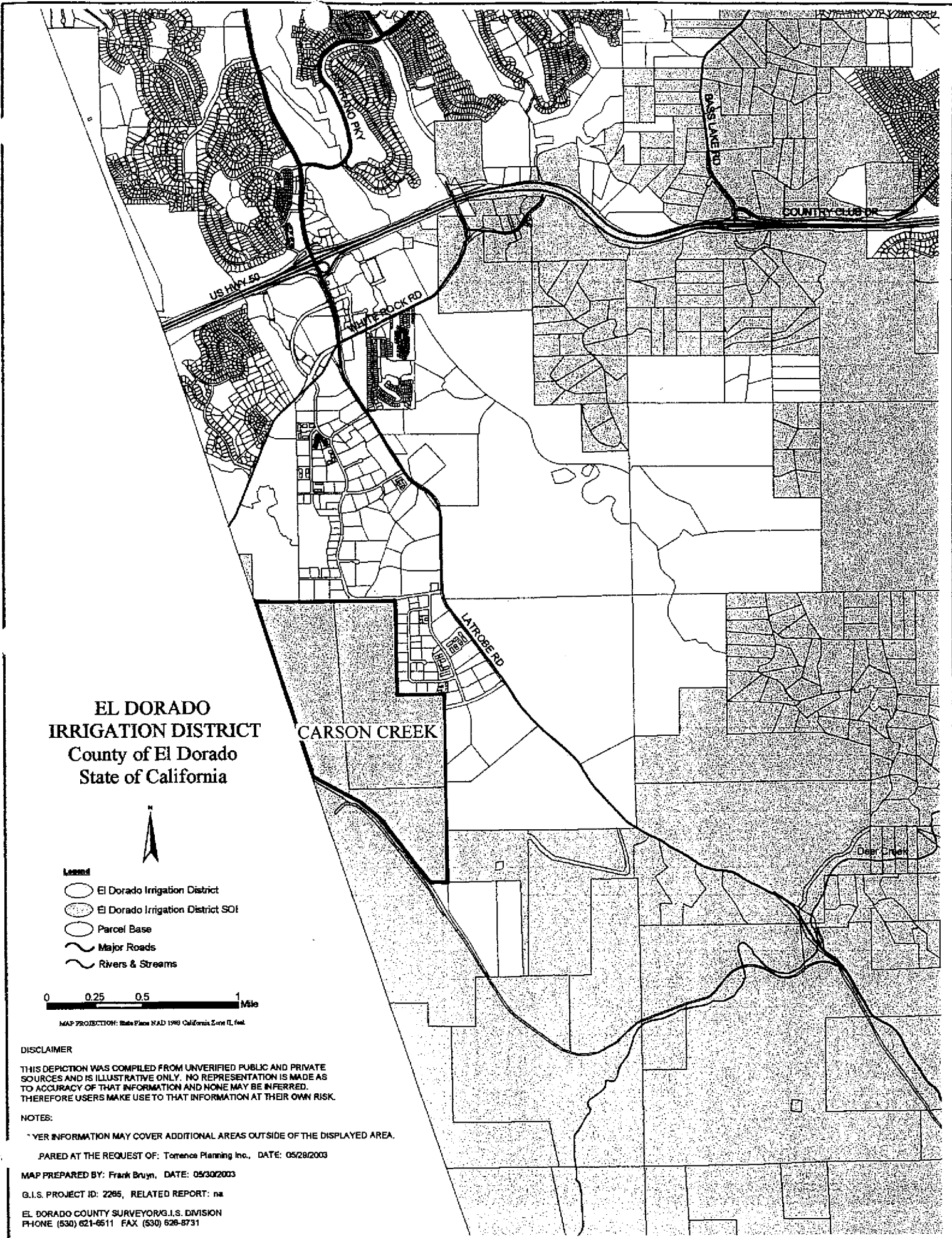
RICHARD L. BIRNER L.S. 5084
 DEPUTY SURVEYOR
 COUNTY OF EL DORADO
 LICENSE EXPIRES: 09-30-07

COPY

Exhibit B
Terms and Conditions of Approval

Carson Creek Reorganization
LAFCO Project No.03-03

1. Upon and after the effective date of said reorganization, the affected territory, all inhabitants within such territory, and all persons entitled to vote by reasons of residing or owning land within the territory:
 - (a) shall be subject to the jurisdiction of El Dorado Irrigation District, El Dorado Hills Community Services District, and El Dorado Hills County Water District, hereafter referred to as the districts;
 - (b) shall have the same rights and duties as if the affected territory has been a part of the districts upon its original formation;
 - (c) shall be liable for the payment of any authorized or existing taxes, fees, assessments and any bonded indebtedness of the districts, including amounts which shall become due on account of any outstanding or then authorized but thereafter issued obligations of the districts;
 - (d) shall be subject to the collection of all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment;
 - (e) shall be subject to all of the rules, regulations, ordinances of the districts as now existing or hereafter amended.
2. The Certificate of Completion shall be issued and recorded subsequent to the fixing and establishment of any necessary right of use of water by El Dorado Irrigation District in the subject territory (§56886j). Nothing in this condition shall operate or be interpreted to modify priorities of use, or right of use, to water, or capacity rights in any public improvements or facilities that have been fixed and established by a court or an order of the State Water Resources Control Board.
3. Proponents shall complete all map and legal description requirements for final recording and filing, including documents required by the State Board of Equalization, within 180 days of the adoption of this resolution.
4. The Certificate of Completion shall be issued and recorded subsequent to the completion and recording of the Euer Ranch Reorganization (LAFCO Project 03-02).
5. The Certificate of Completion shall be issued and recorded subsequent to final payment of all LAFCO fees, costs and charges associated with the project and necessary to complete the required filings and transmittals.

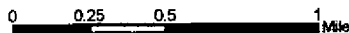


**EL DORADO
IRRIGATION DISTRICT**
County of El Dorado
State of California



Legend

- El Dorado Irrigation District
- El Dorado Irrigation District SOI
- Parcel Base
- Major Roads
- Rivers & Streams



MAP PROJECTION: State Plane NAD 1983 California Zone II, feet

DISCLAIMER

THIS DEPICTION WAS COMPILED FROM UNVERIFIED PUBLIC AND PRIVATE SOURCES AND IS ILLUSTRATIVE ONLY. NO REPRESENTATION IS MADE AS TO ACCURACY OF THAT INFORMATION AND NONE MAY BE INFERRED. THEREFORE USERS MAKE USE TO THAT INFORMATION AT THEIR OWN RISK.

NOTES:

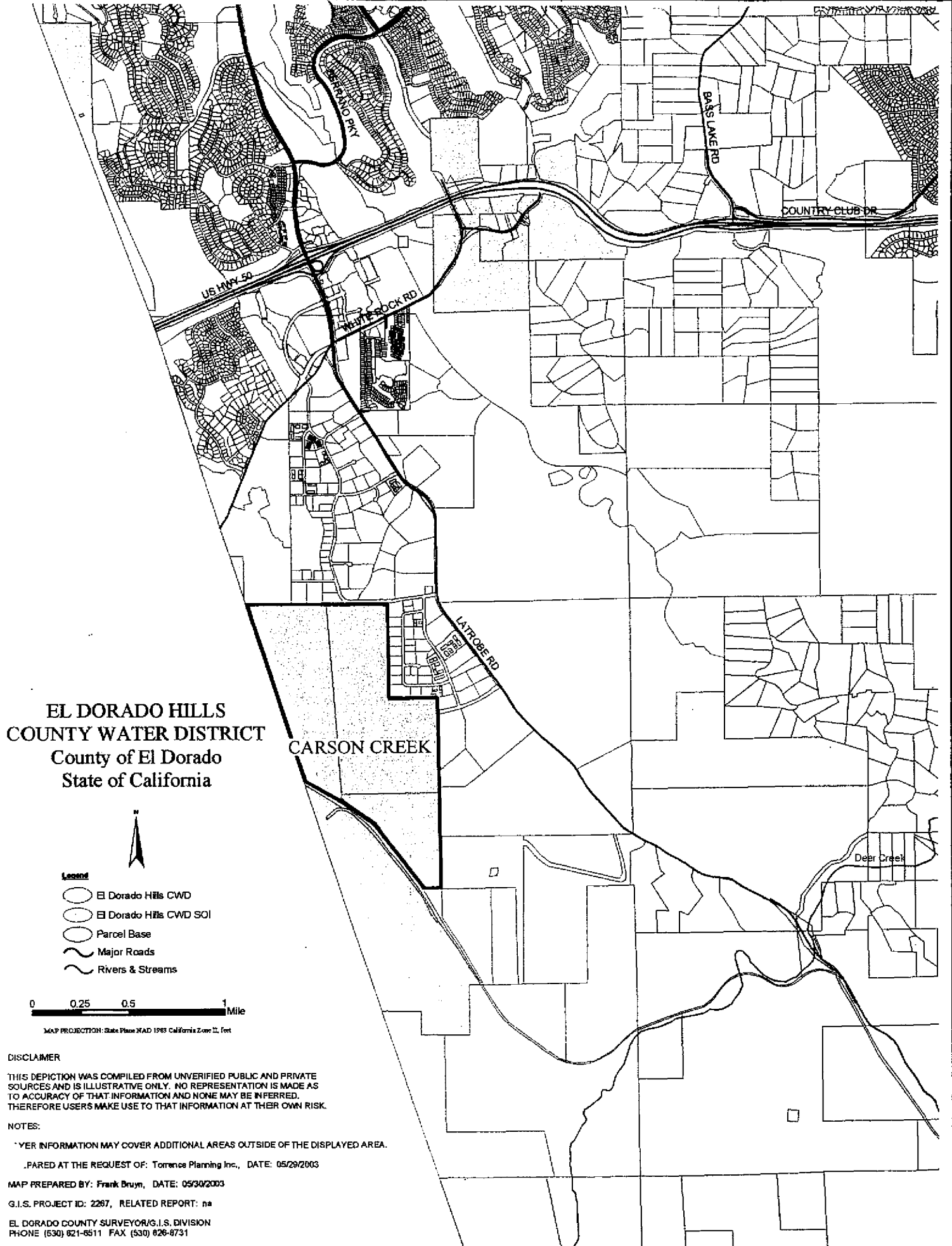
* OTHER INFORMATION MAY COVER ADDITIONAL AREAS OUTSIDE OF THE DISPLAYED AREA.

PREPARED AT THE REQUEST OF: Torrence Planning Inc., DATE: 05/28/2003

MAP PREPARED BY: Frank Bruyn, DATE: 05/30/2003

G.I.S. PROJECT ID: 2285, RELATED REPORT: na

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8731



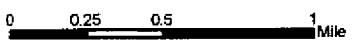
**EL DORADO HILLS
COUNTY WATER DISTRICT**
County of El Dorado
State of California

CARSON CREEK



Legend

- El Dorado Hills CWD
- El Dorado Hills CWD SOI
- Parcel Base
- Major Roads
- Rivers & Streams



MAP PROJECTION: State Plane NAD 1983 California Zone II, Feet

DISCLAIMER

THIS DEPICTION WAS COMPILED FROM UNVERIFIED PUBLIC AND PRIVATE SOURCES AND IS ILLUSTRATIVE ONLY. NO REPRESENTATION IS MADE AS TO ACCURACY OF THAT INFORMATION AND NONE MAY BE INFERRED. THEREFORE USERS MAKE USE TO THAT INFORMATION AT THEIR OWN RISK.

NOTES:

* OTHER INFORMATION MAY COVER ADDITIONAL AREAS OUTSIDE OF THE DISPLAYED AREA.

PREPARED AT THE REQUEST OF: Torrance Planning Inc., DATE: 05/29/2003

MAP PREPARED BY: Frank Bruyn, DATE: 05/30/2003








G.I.S. PROJECT ID: 2267, RELATED REPORT: na

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (530) 621-6511 FAX (530) 626-8731

**EL DORADO HILLS
COMMUNITY
SERVICE DISTRICT
County of El Dorado
State of California**



Legend

-  El Dorado Hills CSD
-  El Dorado Hills CSD BOI
-  Carson Creek Boundary
-  Parcel Base
-  Major Roads
-  Rivers & Streams
-  Euer Ranch Boundary

0 0.25 0.5 1 Mile

Map displayed in State Plane Coordinate System
(NAD 1983 California Zone 2, feet)

DISCLAIMER

THIS DEPICTION WAS COMPILED FROM UNVERIFIED PUBLIC AND PRIVATE SOURCES AND IS ILLUSTRATIVE ONLY. NO REPRESENTATION IS MADE AS TO ACCURACY OF THIS INFORMATION. PARCEL BOUNDARIES ARE PARTICULARLY UNRELIABLE. USERS MAKE USE OF THIS DEPICTION AT THEIR OWN RISK.

NOTES:

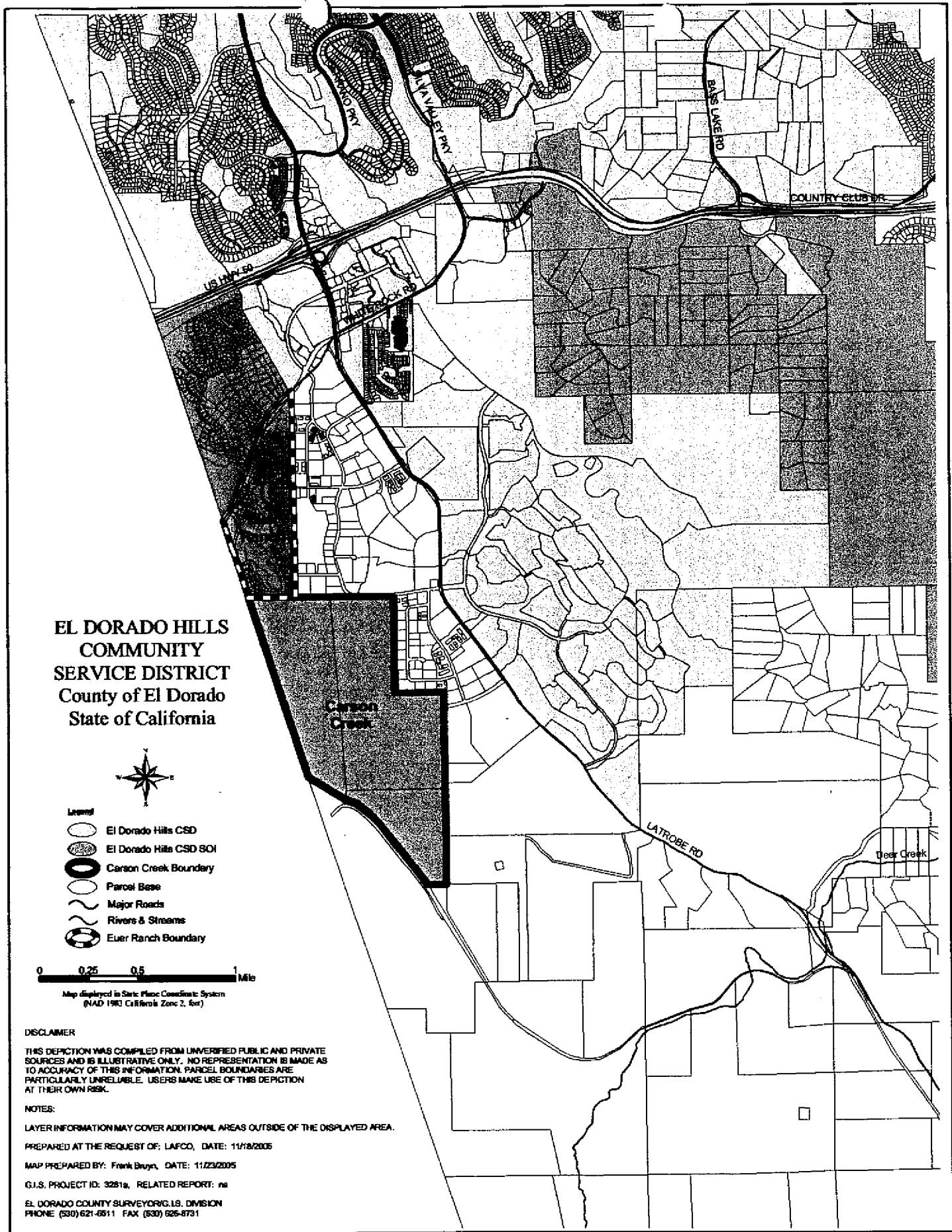
LAYER INFORMATION MAY COVER ADDITIONAL AREAS OUTSIDE OF THE DISPLAYED AREA.

PREPARED AT THE REQUEST OF: LAFCO, DATE: 11/18/2005

MAP PREPARED BY: Frank Bruyn, DATE: 11/23/2005

G.I.S. PROJECT ID: 3281a, RELATED REPORT: na

EL DORADO COUNTY SURVEYOR/G.I.S. DIVISION
PHONE (530)621-6811 FAX (530) 626-8731



NOTICE OF DETERMINATION (LAFCO)

FILE NO. L-03-03

TO: COUNTY CLERK
County of El Dorado
330 Fairlane
Placerville, CA 95667

FROM: EL DORADO COUNTY
LAFCO
550 Main Street, Suite E
Placerville, CA 95667

STATE OFFICE OF PLANNING AND RESEARCH

SUBJECT: Filing of NOTICE OF DETERMINATION in compliance with Section 21108 or 21152 of the Public Resources Code

NAME OF APPLICANT: AKT Carson Creek Investors, LLC (landowners)

ASSESSOR'S PARCEL NO. 108-040-07, 12 & 108-050-02

AREA PLAN: EDH SECTION: 23&26 TOWNSHIP: 9 North RANGE: 8 East, Mt. Diablo Meridian

NEAREST ROAD INTERSECTION: South of White Rock Rd and West of Latrobe Rd.

X ANNEXATION TO X DETACHMENT FROM FORMATION OF

NAME OF DISTRICT: Annexation to El Dorado Irrigation District, El Dorado Hills CSD, EDH County Water District

 OTHER: Detachment from Zone 17, Ponderosa Recreation Zone of County Service Area 9

The EL DORADO LOCAL AGENCY FORMATION COMMISSION (LAFCO) has approved disapproved this project on December 7, 2005 and made the following determinations:

- 1) Project x will will not, have a significant effect on the environment.
- 2) Environmental Impact Report was prepared pursuant to provisions of CEQA.
 Negative Declaration was prepared pursuant to provisions of CEQA.
- 3) Mitigation Measures x were were not, adopted for this project.
- 4) A Statement of Overriding Considerations x was was not, adopted.

LAFCO IS FILING THIS NOTICE OF DETERMINATION ACTING AS RESPONSIBLE AGENCY.

*The Environmental Impact Report and Addenda and Record of Project Approval (lead agency and date) may be obtained at the EL DORADO LOCAL AGENCY FORMATION COMMISSION office.

Roseanne Chamberlain
Prepared By

11/21/05
Date

FISH AND GAME AB3158 FEES/RECORDING FEES

- x Project is de minimis in effect; \$35 Recorder's fee required.
- Negative Declaration prepared; \$1,285 fee required.
- EIR filed; \$885 fee required

FOR USE BY COUNTY CLERK

Public Resources Code Section 21152(A) requires local agencies to submit this information to the County Clerk. The filing of the Notice starts a 30-day Statute of Limitations on court challenges to the approval of the project under Public Resources Code Section 21167. Failure to file the Notice results in the Statute of Limitations being extended to 180 days.

INDEX OF ATTACHMENTS (CD-ROM)

Carson Creek Reorganization -- LAFCO Project No. 03-03

File Name	Pgs	Title
000001.PDF	8	Water, Wastewater and Recycled Water Summary
000002.PDF	58	EID 2005 Water Resources and Service Reliability Report
000003.PDF	16	EID 2005 Recycled Water Status and Reliability
000004.PDF	5	EID Staff Report -- Carson Creek Annexation Proposal
000005.PDF	15	EID Letter, July 21, 2005 re Revised Plan of Service
000006.PDF	17	EID Regulations Nos. 2 and 22
000007.PDF	10	EID 4 State Water Supply Matrix
000008.PDF	88	CEQA Findings and Statement of Overriding Considerations for Carson Creek Specific Plan
000009.PDF	41	Findings and Conditions of Approval for Carson Creek Specific Plan
000010.PDF	25	Findings for Carson Creek Specific Plan Amendments in the Settlement Agreement
000011.PDF	10	CEQA Resolution of Board of Supervisors of El Dorado County for Carson Creek Specific Plan
000012.PDF	256	El Dorado Water Agency Development and Management Plan
000013.PDF	397	Carson Creek Draft EIR, Volume 1
000014.PDF	429	Carson Creek Draft EIR, Volume 2
000015.PDF	553	Carson Creek Final EIR, Volume 3
000016.PDF	11	1997 Addendum
000017.PDF	27	1999 Addendum
000018.PDF	156	1999 Settlement Agreement

**THE FOLLOWING PAGES CONTAIN THE CARSON
CREEK PLAN OF SERVICE AND SUPPORTING
DOCUMENTS**

EL DORADO HILLS IRRIGATION DISTRICT

Overview

The El Dorado Irrigation District (EID) was established in 1924 and serves 214 square miles of central and western El Dorado County. Annually, the District produces approximately 37,170 acre feet of treated water and treats approximately 4.65 million gallons of sewage daily at its two wastewater treatment plants. The water reclaimed from its wastewater operations is either sold for landscape irrigation or is discharged into the Deer Creek or Carson Creek basins. EID provides water on a first come, first served basis.

Assessment District No. 3 (AD3) was established to provide water and sewer facilities to serve the El Dorado Hills area. The Carson Creek project is not within the boundaries of AD3 and therefore has no AD3 allotments for water or sewer service. Water service buy-ins to AD3 are not permitted; however, sewer service buy-ins are allowed.

The Folsom Reservoir water supply-based yield is 18,550 acre-feet, which includes the 7,550 acre-feet Folsom U.S. Bureau of Reclamation (USBR) contract and 11,000 acre-feet of the Permit 21112 water right. The State Water Resources Control Board (SWRCB) approved Permit 21112 in October 2001.

The District has applied for and anticipates execution of a long-term Warren Act Contract with USBR for the Permit 21112 water right. Initially, the District proposed that the contract water supply would be limited to 11,000 acre-feet per year, with an automatic adjustment to 17,000 acre-feet once the County's new General Plan is legally effective. The El Dorado County voters validated the 2004 General Plan on March 8, 2005. A court will review the 2004 General Plan and its environmental analysis to determine whether or not it will go into effect. The court's decision is expected before the end of 2005.

At present the total quantity of available supply in Folsom Lake cannot be fully utilized due to restrictions within the District's current infrastructure. Current infrastructure in El Dorado Hills has a capacity to deliver 11,500 acre-feet per year. A water treatment plant expansion from 19.5 to 24 million gallons per day and a transmission line project are funded and planned for 2005-2007. These projects will increase water supply availability in El Dorado Hills generally, including for this project.

In addition, the District has applied for and anticipates execution of a long-term Warren Act Contract with USBR for water rights associated with three District irrigation ditches and Weber Reservoir. To include the Weber Reservoir rights in this contract, the District must also obtain SWRCB approval to change its point of re-diversion, place of use, and purpose of use. The SWRCB petition for approval has been filed and is pending, and

CEQA documentation is complete. No protests were received. The District and USBR entered into one-year Warren Act contracts for the three ditch rights in 2003, 2004, and 2005, but none of these supplies nor the Weber Reservoir supply are currently included in the District's system firm yield calculations. They will be added once the SWRCB approval and USBR contract are in place. The District's USBR application seeks a total contract quantity of approximately 3,000-5,000 acre-feet per year, depending on hydrology, but the contract quantity is yet to be negotiated with USBR. The District anticipates this new water will be available in 2006. Again, infrastructure expansions in El Dorado Hills are necessary to utilize the full quantity of these supplies.

The project lies within the District's sphere of influence and water service area. The latter is of special note because it is the area for which the District plans to provide service in the foreseeable future. EID has created financing mechanisms to fund on-going expansions to water, wastewater, and recycled water facilities for planned growth within the boundaries of this water service area.

Additional storage capacity is required to service both the Carson Creek and Valley View projects. Currently, the existing 3-million gallon water tank (Tank E-1) located at elevation 820 in the Valley View Specific Plan area services the areas south of Highway 50 below elevation 710. A 650,000 gallon water tank will be constructed at elevation 960 in 2005/06, in conjunction with the development of the West Valley residential project by Lennar Communities. This tank will be operational in the summer of 2006. E.I.D. also has plans for a 5.0-million gallon water tank to be constructed adjacent to existing Tank E-1 at an undetermined future date.

In addition to the new potable water storage tanks, two new 2-million gallon recycled water tanks will be constructed in the West Valley project that will provide recycled water for landscape irrigation purposes in the West Valley, Euer Ranch and Carson Creek projects.

The 558.92-acre Carson Creek property is not within the boundaries of the District; however it is within the District's sphere of influence and Water Service Area (see Sphere of Influence Map). Annexation to the District is required and an application was submitted to the District and LAFCO in 2003 (LAFCO Project 03-03). The District approved the property tax distribution (AB 8) and is currently preparing a cost/benefit analysis for the project as part of its annexation approval process. The District also completed a Facilities Improvement Letter dated 27 October 2004 that outlines the conditions under which service will be provided to the project (See Appendix).

Both EID and LAFCO Board approvals are required for the annexation. United States Bureau of Reclamation (USBR) approval of the annexation is not required; however, the USBR does review both Board approvals before LAFCO can record the annexation, just as the State Board of Equalization must review the annexation legal descriptions and maps prior to LAFCO recording the annexation.

Services to be extended to the affected territory:

Water

Sewer

Recycled Water

Level and range of service:

The Carson Creek Specific Plan outlines the basic water and sewer infrastructure required for development of the plan area (see Specific Plan Water Plan and Sewer Plan). Portions of the infrastructure are currently being completed with the construction of the Euer Ranch development.

Water

EID recently completed construction of 18-inch and 24-inch water lines in White Rock and Latrobe Roads to service this water service area. The environmental impacts associated with the construction of the water lines were addressed in the El Dorado Hills Specific Plan EIR and the Valley View Specific Plan EIR. Notices of Exemption for both water line projects were filed by EID with the County of El Dorado.

Proposed on-site water lines include a 12-inch water line to connect with the existing 16-inch water line currently under construction in the Euer Ranch project. The water line will be located in the proposed Carson Crossing Drive and will connect with another proposed 12-inch water line to be extended south from Golden Foothill Parkway in the future north/south collector road serving the remainder of the project. The proposed 12-inch line will loop back and connect with an existing 12-inch water line in Investment Road (see Plan of Service Exhibit).

Sewer

The Carson Creek Master Sewer Plan (see Plan of Service Exhibit) proposes the construction of a 15-inch gravity sewer, a 14-inch force main sewer line and a new 2,313 GPM lift station in the southern portion of the plan area to serve the entire Carson Creek and El Dorado Hills Business Park area. The abandonment of the existing sewer lift stations in the El Dorado Hills Business Park and the construction of the new lift station will occur with the construction of Phase 1 of the Carson Creek project. A tentative subdivision map for Phase 1 of Carson Creek is currently being processed by the County of El Dorado. Phase 1 of Carson Creek is estimated to be completed within the next three years.

Recycled Water

Recycled water use is proposed for the Carson Creek and Euer Ranch projects. Currently, EID operates one recycled water tank at elevation 960 in the Valley View project area. The EID Recycled Water System Seasonal Storage Feasibility Report (see appendix) proposed the demolition of the existing elevation 960 recycled water tank and the construction of two new recycled water storage tanks at elevations 800 and 940 to service both the Valley View and Carson Creek projects. EID also has plans for a future recycled water tank at elevation 720.

The enclosed Plan of Service Exhibit indicates a proposed on-site 10-inch recycled water line connecting to a proposed 10-inch line in Golden Foothill Parkway and a proposed 12-inch line in Investment Road. The two proposed lines connect to an existing 10-inch recycled water line in Latrobe Road.

Time frame for service

The two new recycled water tanks (elevations 800 and 940) will be constructed by EID as a Capital Improvement Project in the summer of 2006. Additional funding will be accomplished through developer reimbursements and credits. The elevation 720 tank will be constructed at an undermined future date as demand dictates. It is anticipated that on-site water, sewer and recycled water infrastructure will be constructed with the road and lot improvements for the first phase of the Carson Creek project. Final map and improvement plans should be completed and approved in the autumn of 2005 with construction commencing in the spring of 2006.

Fees

The Carson Creek project will pay all current EID water, sewer and recycled water facility connection charges.

EL DORADO HILLS COUNTY WATER DISTRICT
(EL DORADO HILLS FIRE DEPARTMENT)

Overview

The El Dorado Hills County Water District (The El Dorado Hills Fire Department) was formed in 1963 to include water, sewer and fire protection services. In 1973 sewer and water service was transferred to the El Dorado Irrigation District, leaving only fire protection under the direction of the District Board. At its inception, the District included approximately 10,500 acres with ninety homes, one school, one market and one fire station. Currently, the District has expanded to approximately 30,000 acres and serves 10,266 homes and estimated population of 30,678. Station 85 was constructed in 1963, Station 84 was constructed in 1982 and Station 86 was completed in 2001.

The entire Carson Creek Specific Plan area is within the Sphere of Influence of The El Dorado Hills Fire Department (see Sphere of Influence map). The current El Dorado Hills Fire Department Five Year Plan (2003-2008) as well as The Carson Creek Specific Plan proposes that a fourth station (Station 87) be constructed with the boundaries of the Specific Plan Area (See Exhibit District Response Times Exhibit). The Five Year Plan proposes \$500,000 for acquiring a six-acre site within the Specific Plan area in 2004. The Five-Year Plan further proposes that design and construction of Station 87 occur with the period 2004-2007.

Services to be Extended to the Affected Territory:

Existing fire protection service to the area is provided by Station 85, located at the intersection of Lassen and El Dorado Hills Boulevard and Station 86, located adjacent to Bass Lake Road. The current El Dorado Hills Fire Department Five-Year Plan proposes the construction of a new station (Station 87) within the boundaries of the Specific Plan area.

Level and Range of Service

The current five year plan (2003-2008) proposes the construction of an additional fire station (Station 87) within the boundaries of the Carson Creek Specific Plan area.

Time Frame for Service

Current plans call for the acquisition of a six-acre site with the boundaries of the Carson Creek Specific Plan in 2004. The Five Year Plan further proposes that design and construction of Station 87 occur with the period 2004-2007.

Fees

District policy requires that annexing residential property pay a per unit annexation fee at the time final maps are recorded. Currently, this fee is \$500 per lot created. Additionally, the District charges a Development Fee per residential unit, or dwelling unit equivalent of commercial development, over the five-year plan time period. This fee of \$2,416 is payable at issuance of building permits. No additional fees or charges are associated with this annexation request.

Statement of Intent of Annexing Agency

The El Dorado Hills Fire Department Board of Directors approved the property tax distribution (AB 8) for this project and District staff is currently finalizing its annexation agreement.

EL DORADO HILLS COMMUNITY SERVICE DISTRICT

Overview

The El Dorado Hills Community Services District (EDHCSD) was created by El Dorado County Board of Supervisors Resolution No. 98-62 on May 21, 1962. The resolution allowed the EDHCSD to provide park and recreation services to the residents of the El Dorado Hills community. Additionally, the EDHCSD was allowed to provide garbage collection and cable television services through private franchises, enforce covenants, conditions and restrictions (CC&Rs) and manage street lighting and landscaping. In addition to park and recreation services, the EDHCSD was also given the responsibility to provide maintenance of common area landscaping and management of open space.

The area within the current EDHCSD and its Sphere of Influence is about 18,037 acres or approximately 28.2 square miles (see Recommended Sphere of Influence map). South of U.S. Highway 50, the boundaries of the EDHCSD abut the Springfield Meadows CSD to the west and the Marble Valley CSD, Cameron Park Estates CSD and Cameron Park CSD to the east. The Springfield Meadows Community Services District (SMCSD) is located directly north of White Rock Road and includes approximately 250-acres of land immediately adjacent to the northern boundary of the Carson Creek Specific Plan.

The population in the EDHCSD has grown rapidly over the past 12 years. With an estimated 2001 population of 23,013 persons, the EDHCSD grew by eighty-one percent from 1991 to 2001. The total estimated growth rate in the EDHCSD is projected to be about 1,000 people per year with an average of approximately 350 housing units added per year. The 2015 projected population of the EDHCSD area is 43,394 persons, with the ultimate population of 58,000 persons occurring when all of the projected development is completed within the EDHCSD boundaries. The EDHCSD is governed by a five-member elected board of directors and has a full time staff of 33. The EDHCSD owns and manages nearly 170 acres of land, including 134 acres of parks and 33 acres of open space. The fiscal year 2001-2002 budget was approximately 3.2 million dollars.

In January 2000, a Recreation Facilities Master Plan was adopted by the EDHCSD Board. The Master Plan divides the District into five planning areas. Land south of Highway 50, within the boundaries or sphere of influence of the EDHCSD, is located in Planning Area F and includes property primarily east of Latrobe Road, with the exception of the Town Center West project bounded by Highway 50 on

the north, Latrobe Road on the east, White Rock Road on the south and the SMCSO on the west.

In 1996, the Euer Ranch Tentative Subdivision Map (TM96-1356) was approved by El Dorado County for the first phase of development of the Carson Creek Specific Plan. As a condition of approval of the project, the County required that the area be annexed to the EDHCSO. On 29 January 2003, EDHCSO and the property owners reaffirmed their commitment to include the Carson Creek Specific Plan property in the District by signing a pre-annexation agreement for all of the property within the Carson Creek Specific Plan area. The agreement provides for the payment of park impact fees and Quimby in-lieu fees. The property owners agreed to the terms and conditions upon which the entire Carson Creek Specific Plan property will be annexed to EDSCSO including:

1. The property will be developed as an age-restricted (55 years of age or older) community in compliance with California Civil Code Section 51.3.
2. The parks, community center and recreational facilities within the community shall be operated and maintained by a homeowners association with the authority to assess the residents of the project for such costs.
3. Because the community will be age restricted, the park development fees charged by the EDHCSO will be reduced to 55.65% of normal or \$2,459 per unit.
4. Pursuant to Policy No. 1110.20, EDHCSO will negotiate for the highest tax revenue possible, but in no event will the EDHCSO accept less than 10% of the tax revenue generated with the community.

A Sphere of Influence study for the expanded boundaries of the EDHCSO was completed by LAFCO in 2004 and approved by the LAFCO Board on 22 September 2004. The revised Sphere of Influence now includes all of the Carson Creek Specific Plan area (see Recommended Sphere of Influence map).

Services to be Extended to Affected Territory:

The proposed Carson Creek Homeowner's Association will be responsible for open space maintenance, CCR enforcement and neighborhood park maintenance.

It is anticipated that EDHCSD will be responsible for the following services:

Community Park Maintenance

Provision of Cable TV and garbage collection services through franchise agreements.

Time Frame for Service

It is anticipated that the Carson Creek Tentative Map project will start construction in the autumn of 2005 or the spring of 2006.

Fees

See Pre-Annexation Agreement for agreed fees.

Statement of Intent of Annexing Agency

See enclosed Pre Annexation agreement. The EDHCSD Board of Directors approved the property tax distribution (AB8) and they are currently finalizing the annexation agreement.

EL DORADO IRRIGATION DISTRICT**TITLE/SUBJECT:** Carson Creek Annexation Proposal**Board Action:**

December 6, 2004 — The Board adopted Resolution No. 04-67, establishing the AB8 Tax Revenue Share.

Board Policy/Rules and Regulations/Procedures:

Regulation No. 23, *Annexation of Lands to the Irrigation District*, defines the prerequisites, fees, procedures, and time frames for annexation of lands into the District. The regulation is attached as Exhibit 1.

Summary of Issue:

This request is for Board consideration to authorize the annexation proposal for Carson Creek. The proposal consists of three parcels (APNs 108-040-07, 12, and 108-050-02) for a total of 558 acres located west of Latrobe Road in El Dorado Hills, shown on Exhibit 2.

Staff Analysis/Evaluation:

The Board has authority to approve, terminate, postpone, or request the Local Agency Formation Commission (LAFCO) to place terms and conditions upon the annexation. If the annexation is authorized to proceed, the AB8 Resolution, along with a copy of the project file, will be forwarded to LAFCO.

If the annexation proposal is terminated, with prejudice, the proposal will terminate, and the applicant must wait one year to apply again.

Project Information

The information below is based on the Facility Improvement Letter, District cost data, and required information as outlined in Regulation No. 23. Water, recycled water, and sewer service are being requested.

Agenda Item Summary

Board Meeting Date: July 18, 2005

Date Prepared: July 11, 2005

Prepared by: Lori Grace/Tracey Eden-Bishop

Agenda Title: Action Item/Strategic Management and
Communications

Subject: Carson Creek Annexation Proposal

Approvals (initial):

Preparer _____

Division Head _____

Department Head _____

Finance _____

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Preparer _____

Division Head _____

Department Head _____

Finance _____

Project name:	Carson Creek
Service type:	1240 residential dwellings 27 acres of parks 34 acres of research and development 60 acres of industrial Fire station on 5 acres Sheriff substation on 1 acre
Project EDUs required:	
Water	656
Wastewater	1315
Recycled Water	727
Water source:	Folsom Lake (Project 184)

The property must be annexed before the applicants can receive service. Additional approvals from the District and LAFCO are necessary if the applicant chooses to construct facilities prior to annexation completion.

Water Entitlements

The Carson Creek Project has no water entitlements and will be solely dependent on water meter availability as defined in the District's annual Water Resources and Service Reliability Report.

Capacity to Serve Project

Water Supply — The Folsom Reservoir water supply-based yield is 18,550 acre-feet, which includes the 7,550 acre-feet Folsom U.S. Bureau of Reclamation (USBR) contract and 11,000 acre-feet of the Permit 21112 water right. The State Water Resources Control Board (SWRCB) approved Permit 21112 in October 2001.

The District has applied for and anticipates execution of a long-term Warren Act Contract with USBR for the Permit 21112 water right. Initially, the District proposes that the contract water supply will be limited to 11,000 acre-feet per year, with an automatic adjustment to 17,000 acre-feet once the County's new General Plan is legally effective. The El Dorado County voters validated the 2004 General Plan on March 8, 2005. A court will review the 2004 General Plan and its environmental analysis to determine whether or not it will go into effect. The court's decision is expected before the end of 2005.

At present, the total quantity of available supply in Folsom Lake cannot be utilized fully because of limitations in the District's existing infrastructure. In El Dorado Hills, infrastructure can now deliver 11,500 acre-feet per year, as reported in the 2005 Water Resources and Service Reliability Report. However, expansion of our water treatment plant from 19.5 to 24 million gallons per day and a transmission line project are funded and planned for construction in 2007.

These projects will increase water supply availability in El Dorado Hills in general, including for this project.

The District has also applied for and anticipates execution of a long-term Warren Act Contract for water rights associated with Weber Reservoirs and three District irrigation ditches. To include the Weber Reservoir rights in this contract, the District must obtain SWRCB approval to change its point of re-diversion, place of use, and purpose of use. The District has filed a petition with SWRCB, and CEQA documentation is complete. No protests were received. The District and USBR entered into one-year Warren Act contracts for the three ditch rights in 2003, 2004, and 2005, but none of these supplies nor the Weber Reservoir supply are currently included in the District's system firm yield calculations. These supplies will be added once the SWRCB approval and USBR contract are in place.

The District's USBR application seeks a total contract quantity of approximately 3,000-5,000 acre-feet per year, depending on hydrology, but the contract quantity is yet to be negotiated with USBR. The District anticipates this new water will be available in 2006. Again, infrastructure expansions in El Dorado Hills are necessary to utilize the full quantity of these supplies.

The project lies within the District's sphere of influence and water service area. The latter is of special note because it is the area for which the District plans to provide service in the foreseeable future. EID has created financing mechanisms to fund on-going expansions to water, wastewater, and recycled water facilities for planned growth within the boundaries of the water service area.

Water Distribution — Two additional diurnal water storage tanks will be needed to meet potable water demands south of Highway 50. These tanks are included in the District's Capital Improvement Plan or in facility planning documents that define the long-term needs of the District.

Wastewater Collection — Several lift stations within the El Dorado Hills Business Park will be abandoned, and the wastewater will be collected with the wastewater generated by Carson Creek at a new lift station that will be constructed on the Carson Creek site by the developer. Design for expansion of the El Dorado Hills Wastewater Treatment plant is underway, and construction is scheduled for 2006-2007. The expansion, to 5.4 million gallons per day, will provide capacity for build-out of the service area.

Recycled Water Distribution and Seasonal Storage — Four new diurnal tanks will be needed to meet recycled water demands south of Highway 50. These tanks are included in the District's Capital Improvement Plan or will be funded by developers. Seasonal storage is also required to meet recycled water demands. This project is included in the District's Capital Improvement Plan and is scheduled for construction in 2007-2008. Even with seasonal storage, potable water supplementation will be required for several years until recycled water supply catches up with demand.

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Facilities to Serve Project

The on-site facilities required to serve this project are summarized below:

Waterlines	65,000 linear feet
Sewerlines	49,700 linear feet
Recycled waterlines	62,000 linear feet
Sewer lift stations	1

Cost-Benefit Analysis

The cost-benefit analysis provides the Board with revenue and expense information for annexation proposals. The analysis takes into consideration the amount of potential revenue to the District from rates and FCCs and the District's costs associated with providing service and life-cycle infrastructure replacement costs. The analysis is a snapshot of the circumstances that existed when the analysis was completed and is subject to change as additional information becomes available.

The following table provides a summary of the financial impact to the District if this annexation is authorized. It shows estimated present value revenues of \$54,435,506 and expenses of \$50,007,958, based on a 60-year facility life.

Planning Horizon Revenues	Present Value
General Tax Revenue — 2.6667% of 1 % property tax revenue	\$ 136,450
Water FCCs	\$ 7,663,728
Recycled FCCs	\$ 79,912
Wastewater FCCs	\$ 12,341,728
Water revenues	\$ 10,956,055
Recycled revenues	\$ 2,945,497
Wastewater revenues	\$ 20,312,136
Total Estimated Present Value Revenue	\$ 54,435,506
Planning Horizon Expenses	
Water operation and treatment costs	\$ 7,482,624
Wastewater operation and treatment costs	\$ 10,804,506
Recycled operation and treatment costs	\$ 6,899,136
Infrastructure replacement	\$ 24,821,692
Total Estimated Present Value Expenses	\$ 50,007,958
Net Present Value	\$ 4,427,548

Environmental

In accordance with Regulation 23, Section 23.3 (g), the Board must be provided with an overview of any environmental information submitted by the applicant. In this case, the County is the lead agency for this project pursuant to the provisions of CEQA. Therefore, the County will be the agency to review and approve any environmental documents that may be required. The District, as a responsible agency, will review the documents.

Additional Information

If the Board authorizes the annexation, the following conditions will apply:

- The property will be subject to all taxes and assessments that lands now within the District are subject to.
- The property tax share is 2.6667%.

Board Decisions/Options:

Option No. 1: Authorize the request for annexation and adopt the Resolution. *Approval of this option will allow the applicant to annex into the District subject to approval by LAFCO.*

Option No. 2: Take no action. *Approval of this option will not allow the applicant to annex into the District.*

Option No. 3: Other action designated by the Board. *Approval of this option would implement a specific action defined by the Board.*

Staff/Department Heads' Recommendation:

Option No. 1: Authorize the request for annexation and adopt the Resolution.

Support Documents Attached:

- Exhibit – 1 - Regulation 23
- Exhibit – 2 - System Map
- Exhibit – 3 - Resolution Authorizing the Annexation

Environmental

In accordance with Regulation 23, Section 23.3 (g), the Board must be provided with an overview of any environmental information submitted by the applicant. In this case, the County is the lead agency for this project pursuant to the provisions of CEQA. Therefore, the County will be the agency to review and approve any environmental documents that may be required. The District, as a responsible agency, will review the documents.

Additional Information

If the Board authorizes the annexation, the following conditions will apply:

- The property will be subject to all taxes and assessments that lands now within the District are subject to.
- The property tax share is 2.6667%.

Board Decisions/Options:

Option No. 1: Authorize the request for annexation and adopt the Resolution. *Approval of this option will allow the applicant to annex into the District subject to approval by LAFCO.*

Option No. 2: Take no action. *Approval of this option will not allow the applicant to annex into the District.*

Option No. 3: Other action designated by the Board. *Approval of this option would implement a specific action defined by the Board.*

Staff/Department Heads' Recommendation:

Option No. 1: Authorize the request for annexation and adopt the Resolution.

Support Documents Attached:

- Exhibit – 1 - Regulation 23
- Exhibit – 2 - System Map
- Exhibit – 3 - Resolution Authorizing the Annexation

Lori Grace

Supervisor, Customer and Development Services Division, Strategic Management and Communications Department

Brian Cooper

Senior Engineer, Customer and Development Services Division, Strategic Management and Communications Department

Tracey Eden-Bishop

Manager, Customer and Development Services Division, Strategic Management and Communications Department

Deanne Kloepfer

Director, Strategic Management and Communications Department

Phil Knapik

Director, Finance and Management Services Department

Thomas D. Cumpston

General Counsel



El Dorado Irrigation District

In Reply Refer To: FIL1004-113

October 27, 2004

AKT Mosher LLC
c/o Mike McDougall
1037 Suncast Lane, Ste 101
El Dorado Hills, CA 95762

Subject: Facility Improvement Letter, Carson Creek Phase 2 Annexation
Assessor's Parcel No. 108-040-07, 12; 108-050-02 (Outside)

Dear Mr. McDougall:

This letter is in response to your request dated January 8, 2004, and is written pursuant to Regulation No. 22, Service Procurement. This regulation states the procedure agreed upon between the District and the County to indicate water and sewer improvements necessary to support proposed developments. This letter is valid for a period of 2 years. If a Facility Plan Report (FPR) for your project has not been submitted to the District within 2 years of the date of this letter, a new Facility Improvement Letter will be required.

Design drawings for your project must be in conformance with the District's *Water, Sewer and Recycled Water Design and Construction Standards* dated July 1999.

This project is a planned development on 546 acres, consisting of 1240 residential dwellings, 27 acres of parks, 34 acres of commercial/RD, 60 acres of industrial, a fire station on 5 acres, and a sheriff substation on 1 acre. Water, recycled water, and sewer service are requested. The property is not within the District boundary and will require annexation before service can be obtained.

Assessment District No. 3

Assessment District No. 3 (AD3) was established to provide water and sewer facilities to serve the El Dorado Hills area. The property is not in AD3 and currently has no allotments for water or sewer service. Since the property is not within the AD3 boundaries, AD3 equivalent dwelling units (EDUs) will not be required. Buy-ins to AD3 are currently permitted for sewer services only.



Water Supply

The District manages its water supply under Regulation No. 2. In the event the District's water supply is depleted, water meters will not be sold. This letter is not a commitment to serve, but does address the location and approximate capacity of existing facilities that may be available to serve your project. In terms of water supply, as of January 01, 2004, there were 2176 equivalent dwelling units (EDUs) available in the El Dorado Hills Service Area. These EDU's are not available to this project, because the project is not within AD3. You have estimated that your project will require 1385 EDU's, based on a list of potential meter sizes. Per Regulation 14 and 31, this amount will be reduced by approximately 50 percent when recycled water is used.

The District is currently pursuing several new water supply sources. The District recently received approval for an additional 17,000 acre-feet of water to be diverted from Folsom Lake. The State Water Resources Control Board (SWRCB) approved Permit 21112 in 2002. Additionally, the recent court decision on Term 91 also included a ruling that upheld the validity of the SWRCB's approval. This portion of Judge Connelly's ruling was not appealed and is now final, providing the opportunity to add this water to the District's system firm yield.

The District has applied for and anticipates execution of a long term Warren Act Contract with the USBR for the Permit 21112 water right. Initially, under that contract will be limited to 11,000 acre-feet per year, adjusting to 17,000 acre-feet once a County's new General Plan is adopted and effective. This shows projected water demands in the El Dorado Hills region exceed projected demands allowed by the General Plan Writ currently in effect. Some capacity to utilize this supply exists in the District facilities currently in place and operating. Facilities to utilize the full amount of this additional water supply are currently included in the District's 5-year CIP and are in various phases of planning, design and construction. The District anticipates this contract will be in place and new water will be available in 2005.

In addition, the District has applied for and anticipates execution of a long term Warren Act Contract with the USBR for water rights associated with three District irrigation ditches and Weber Reservoir. To include the Weber Reservoir rights in this Contract, the District must also obtain SWRCB approval to change its point of re-diversion, place of use, and purpose of use. The District and USBR entered into a one-year Warren Act Contracts for the three ditch rights in 2003 and 2004, but none of these supplies are currently included in the District's system firm yield calculations. The District's application seeks a total Contract quantity of approximately 4,500 acre-feet per year, but the Contract quantity is yet to be negotiated with USBR. Capacity to utilize this supply exists in District facilities currently in place and operating. The District anticipates this new water will be available in 2005. Once secured, these water rights will be available to serve this project and other future District customers.

This project lies within the District's Sphere of Influence and the Water Service Area. The Water Service Area is of importance to the District because it is the area in which the District plans to provide service in the foreseeable future. The District has created financing mechanisms to fund on-going expansions to water, wastewater, and recycled water facilities for planned growth consistent within the boundaries of the Water Service Area.

Water Facilities

There is a 12-inch water line in Golden Foothill Parkway adjacent to the northeastern property boundary. There is also a 12-inch water line in Investment Blvd. that is stubbed out to the eastern boundary. The hydraulic grade line for both of these facilities is 774 feet above mean sea level, which is regulated by two pressure reducing stations. An 8-inch water line is located in Latrobe Rd. with a hydraulic grade line of approximately 830 feet. A main loop between the 12-inch water lines will be required as well as onsite distribution loops. The District is currently constructing the first phases of an 18-inch water line in White Rock Road and a 24-inch water line in Latrobe Road. When these lines are completed, they will serve Carson Creek and the surrounding area. The FPR will determine the system improvements, including additional storage, that will be required to serve this project.

Recycled Water Facilities

The District's Regulation 31 requires this project to utilize recycled water for landscape irrigation. The District is currently pursuing the design and construction of additional seasonal storage to increase the supply of recycled water. In the interim, the District will utilize potable water supplies to meet deficiencies in recycled water supplies, as needed. The current recycled water system does not have the capacity to meet the demands of the proposed project, however, pursuant to Regulation 31, potable water will be available to supplement recycled water until such time as additional recycled water supplies become available. All new recycled water facilities required for this project should be addressed in the FPR. There is an 18-inch recycled water line east of Latrobe Road and a 10-inch recycled water line located in Latrobe Road. The hydraulic grade line for the existing recycled water distribution facilities is 960 feet above mean sea level.

The following items must be provided to and/or approved by the District before delivery of recycled water:

1. Non-Residential Sites:

- a. A User Reclamation Plan (URP) prepared in accordance with the Recycled Water On-site Design and Construction Standards, and
- b. On-site recycled water plans submitted with improvement plans.

2. Residential Sites:

- a. An Engineer's Report as described in California Code of Regulations, Title 22. The District will work with the developer in obtaining State of California, Department of Health Services (DOHS) approval of the Engineer's Report, and
- b. On-site recycled water landscape plans submitted for each individual home lot or, standard plans to be used with production homes.

The Engineer's Report will need to be approved by DOHS before the District approves the project development plans. All costs for these studies, plans, and reports will be borne by the applicant.



Sewer Facilities

There are sewage lift stations, gravity sewers and forcemains along portions of the project's eastern and northern boundaries. At this time, some of these sewer facilities are not of adequate size and capacity to meet the anticipated domestic, commercial and industrial needs of your proposed development. Upgrades to some of the existing lift stations and forcemains will be required to accommodate the development.

Facility Plan Report

In accordance with District Regulation No. 22, Service Procurement, a Facility Plan Report (FPR) will be required for this project. The FPR shall address the onsite and offsite development of the water, recycled water, and sewer facilities and the specific fire flow requirements for all phases of the project, including the need for additional local storage in the water and recycled water systems. A meeting to discuss the content of the report will be required. Please contact this office to arrange the meeting. A preliminary utility plan prepared by your engineer must be brought to the meeting.

Two copies of the FPR will be required along with a \$2,000.00 deposit. You will be billed for actual time spent in review and processing of your FPR. Please submit the FPR and fee to our Customer Service Department. Enclosed is the FPR description and transmittal form for your use. The items listed under content in the description and the completed transmittal form must be bound in each copy of the FPR.

Easement Requirements

Proposed water lines, sewer lines and related facilities must be located within an easement accessible by conventional maintenance vehicles. When the water lines or sewer lines are within streets, they shall be located within the paved section of the roadway. No structures will be permitted within the easements of any existing or proposed facilities. The District must have unobstructed access to these easements at all times, and does not generally allow water or sewer facilities along lot lines.

Easements for any new District facilities constructed by this project must be granted to the District prior to District approval of water and/or sewer improvement plans, whether onsite or offsite. In addition, due to either nonexistent or prescriptive easements for some older facilities, any existing onsite District facilities that will remain in place after the development of this property must also have an easement granted to the District.

Environmental

The County is the lead agency for environmental review of this project per Section 15051 of the California Environmental Quality Act Guidelines (CEQA). The County's environmental document should include a review of both offsite and onsite water, recycled water, and sewer facilities that may be constructed by this project. You may be requested to submit a copy of the County's environmental document to the District if your project involves significant off-site facilities. If the County's environmental document does not address all water and sewer facilities



and they are not exempt from environmental review, a supplemental environmental document will be required. This document would be prepared by a consultant. It could require several months to prepare and you would be responsible for its cost.

Annexation

The applicant is charged for all costs associated with the annexation proposal. If you decide to proceed with the annexation, please complete the enclosed forms and return to the District along with the deposit. You will find a copy of the annexation process enclosed for your review.

Summary

Service to this proposed development is contingent upon the following:

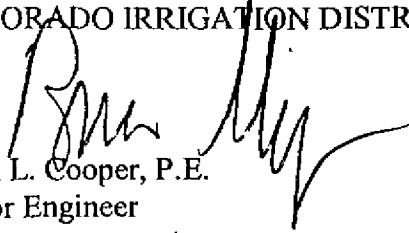
- ◆ Annexation
- ◆ the future availability of water supply
- ◆ approval of the County's environmental document by the District (if requested)
- ◆ approval of a Facility Plan Report by the District
- ◆ approval of an extension of facilities application by the District
- ◆ approval of facility improvement plans by the District (based on July 1999 Design & Construction Standards)
- ◆ construction of all onsite and offsite proposed public water and sewer facilities by the developer
- ◆ acceptance of these facilities by the District
- ◆ payment of all District connection costs

Services shall be provided in accordance with El Dorado Irrigation District Rules and Regulations, as amended from time-to-time. As they relate to conditions of and fees for extension of service, District Rules and Regulations will apply as of the date of a fully executed Extension of Facilities Agreement. As they relate to conditions of and charges for initiation of service and for ongoing water service provided to the customer, District Rules and Regulations will apply as adopted and amended from time-to-time by the District's Board of Directors.

If you have any questions, please contact me at (530) 642-4019.

Sincerely,

EL DORADO IRRIGATION DISTRICT



Brian L. Cooper, P.E.
Senior Engineer
Development Services

BC:tf



EL DORADO HILLS
COMMUNITY SERVICES DISTRICT

January 26, 2005

Ms. Corinne Fratini
El Dorado LAFCO
550 Main Street, Suite E
Placerville, CA 95667

RE: Carson Creek Plan of Service
Carson Creek Reorganization, LAFCo Project No. 03-03

Dear Corinne:

The El Dorado Hills Community Services District ("CSD") has reviewed the Plan of Service for the Carson Creek Reorganization, LAFCO Project No. 03-03 and submits the following comments:

1. The El Dorado Hills Community Services District is an annexing agency and has reviewed the November 2004 Plan of Service for the Carson Creek Reorganization. The CSD is capable of providing the described services within the time frame anticipated in the Plan of Service for the area being annexed, which is immediately. The District has an established park and recreation programs including year-round recreational activities and sport leagues, and special interest classes and events for seniors. The District has established franchises for solid waste collection, curbside recycling and cable television. CC&R enforcement and Architecture Design Review are services that could be provided if requested by the Carson Creek Homeowners Association.
2. The furnishing of adequate services within the time frame anticipated in the Plan of Service referenced above will not result in a significant negative fiscal, service level or other impacts within the Community Services District.

3. Delivery of service to the project area is not contingent on the District's future expansion of service capabilities. The District is prepared to deliver services outlined in the Plan of Service immediately.
4. The Plan of Service states that the Park development fees will be reduced for the age-restricted nature of the new community. The CSD would prefer that since the amount of the fee changes annually, that reference to a specific percentage or dollar amount be eliminated.
5. The Plan of Service states that the CSD anticipates being responsible for Community Park Maintenance. If, by Community Park, the POS means the 20-acre County park, then the Plan needs to be changed to reflect that the CSD anticipates owning, designing, developing and maintaining the Community Park. The CSD also anticipates creating a Landscape Lighting Assessment District to help pay for the Community Park operations and maintenance.

If I can be of further assistance, please contact me directly at (916) 614-3210.

Sincerely,



Dianna Hillyer
Director of Planning

C: Michael J. McDougall
Larry Ito





El Dorado Irrigation District

In reply refer to: DS0705-368

July 1, 2005

Ms. Corrine Fratini
El Dorado County LAFCO
550 Main Street, Suite E
Placerville, CA 95667

RE: Carson Creek Plan of Service
Carson Creek Reorganization, LAFCO Project Number 03-03

Dear Ms. Fratini:

The El Dorado Irrigation District has reviewed the Plan of Service for the Carson Creek Reorganization, LAFCO Project No. 03-03 and submits the following comments:

1. El Dorado Irrigation District has reviewed the May 2005 Plan of Service for the Carson Creek Reorganization. EID will be capable of providing adequate services within the time frame anticipated in the Plan of Service for the area being annexed.
2. The furnishing of adequate services within the time frame anticipated in the Plan of Service will not result in a significant negative fiscal, service level, or other impacts to El Dorado Irrigation District.
3. Service to the project area is contingent on the District's future expansion of service capabilities which is described in the Plan of Service. These facilities are part of the District's current Capital Improvement Program and are scheduled for completion prior to the anticipated date of need.

Sincerely,

Tracey Eden-Bishop, P.E.
Manager of Customer and Development Services

Enclosure – Plan of Service

C: Michael J. McDougall, MJM Properties LLC
Larry Ito, MJM Properties LLC
Lori Grace, EID
Brian Cooper, EID





EL DORADO HILLS FIRE DEPARTMENT

990 LASSEN LANE, EL DORADO HILLS, CALIFORNIA 95762

TELEPHONE (916) 933-6623
FAX PHONE (916) 933-5983

December 16, 2004

Ms. Corinne Fratini
LAFCO
550 Main Street, Suite K
Placerville, CA 95667

Re: Carson Creek Reorganization
LAFCO Project No. 03-03

Dear Corinne:

The El Dorado Hills County Water District (Fire Department) hereby makes the following service assurances for the above-referenced project.

1. The El Dorado Hills Fire Department has reviewed the Plan of Service and will be capable of providing adequate services within the timeframe anticipated for this project.
2. The furnishing of these services will not result in a significant negative fiscal, service level or other impacts (within our special district).
3. Applicant for annexation must agree to our standard Annexation Agreement (see attached).

If you have any further questions please do not hesitate to contact me.

Sincerely,

EL DORADO HILLS FIRE DEPARTMENT

Brian K. Veerkamp
Deputy Chief



**THE FOLLOWING PAGES CONTAIN COMMENTS
RECEIVED FOR THE CARSON CREEK
REORGANIZATION**

**LAW OFFICES
OF
WILLIAM M. WRIGHT**

Attorneys at Law

Shirley I.C. Hodgson
sichodgson@sbcglobal.net

2828 Easy Street
Placerville, California 95667

(530) 622-2278
FAX (530) 622-9614
billofwrights@sbcglobal.net

February 26, 2004

Ms. Roseanne Chamberlain
Executive Officer
El Dorado County Local Agency Formation Commission
550 Main Street, Suite E
Placerville, CA 95667

Re: Carson Creek Reorganization / LAFCo Project No. 03-03

Dear Roseanne:

This response is made on behalf of the El Dorado Union High School District and the Latrobe School District. Paragraphs 2 and 3 of your Comment Request Form asks whether the Districts are working with the applicant on agreements or whether the proposal will impact the Districts. The land use plan for the entire project designates the project as a senior citizen housing project. If it remains as a senior citizen housing project, the Districts have negotiated a mitigation agreement with the property owner to address the impacts. However, if the project is not intended to develop as a senior citizen housing project, the Districts will be significantly impacted and it will be necessary to address the impacts in a revised agreement with the property owner.

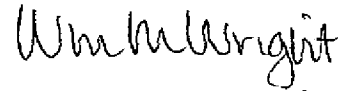
It is unclear from the information provided to us whether or not the land use plans that are submitted as a part of this application include the designation of the school sites, or if the property owner is submitting a land use plan that is restricted to senior citizen housing and that does not include any designation for school sites. This issue should be clarified, as the service to be provided by EID will be affected if school sites are to be included within the specific plan area. Also, the service provided by the CSD will be impacted by whether or not the project is restricted to senior citizens.




Ms. Roseanne Chamberlain
Carson Creek
Page 2

Thank you for your cooperation. Please call if you have any questions.

Very truly yours,



William M. Wright 

WMW:ld

cc: Robert Ferguson
Bob Walker
Jean Pinotti
Craig Sandberg

County of El Dorado



AGRICULTURAL COMMISSION

311 Fair Lane
Placerville, CA 95667
Telephone: (530) 621-5520
FAX: (530) 626-4756
E-Mail: eldcag@atasteofeldorado.com

MEMORANDUM

DATE: February 23, 2004
TO: Roseanne Chamberlain
LAFCO
FROM: William J. Stephans *WJ Stephans*
Secretary to Agricultural Commission

SUBJECT: LAFCO PROJECT NO. 03-03/CARSON CREEK REORGANIZATION

In order to protect and promote agricultural resources within El Dorado County, It is recommended that LAFCO Project No. 03-03/Carson Creek Reorganization's request to be annexed into EID be **denied** unless either:

- An alternative water source containing an equal or greater amount of estimated project water is found/utilized, or
- A comprehensive study concerning the local agricultural impacts is conducted and reviewed by the Agricultural Commission.

Water is an exhaustible resource which is the life blood of agriculture. The water rights of the El Dorado Irrigation District (EID) are limited and must be used wisely to protect agriculture. Reorganization requests consisting of residential, commercial, and shopping center developments, like the 03-03/Carson Creek Reorganization, will have a direct significant impact on the ability of agriculture to maintain its current vitality or its ability to expand in the future.

There is a direct relationship between this project and the future of agriculture in El Dorado County. Not only does Agriculture afford a higher quality of life for all citizens of the County, it also provides a tremendous economic benefit. Agricultural interests must be protected.

If you have any questions regarding this recommendation, please contact me at (530) 621-5520.

WJS/cmt

cc: Agricultural Commission



EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

550 MAIN STREET SUITE E
PLACERVILLE, CA 95667

PHONE: (530) 295-2707
FAX: (530) 295-1208

COMMENT REQUEST

February 20, 2004

LAFCO requests your review and comment on the following project. Application information and a map are attached. You may comment below and/or include additional pages. Your comments will be included in the project review if received by LAFCO before March 1, 2004.

Project Name: Carson Creek Reorganization; LAFCO Project No. 03-03
Applicant/Petitioners: Michael McDougall (Agent)
APN's: 108-040-07, 12 & 108-050-02
Acres: 553
Location: So. of White Rock Rd, East of the Sacramento/El Dorado County line
Purpose: To obtain water, fire, park, recreation & other related services for the proposed Carson Creek project.

Estimated Date of LAFCO Hearing: May 26, 2004.

REQUESTED COMMENT

CHECK HERE IF NO COMMENT: _____

1. The information contained in the accompanying documents appears accurate to the best of my knowledge. Yes _____ No X

Comment: Boundaries - CSD - applicant have requested SDI amended from LAFCO

2. Is your agency or department working with the applicant on related entitlements, agreements, etc. Yes ✓ No _____

Please describe: There is a recorded pre-annexation agreement between EDH CSD + applicant

3. The proposal would have an effect on my department or agency. Yes X No _____

Describe briefly: CSD to provide park-recreation services, cable TV and Waste Mgt/Recycling services.

4. Additional information or comments: _____

Form completed by: Dianna Hillyer, Director of Planning, EDH.CSD
Name/Department

AGENDA ITEM NO. 8

***SALARY INCREASES: EXECUTIVE
STEP AND STAFF COLA***

Local Agency Formation Commission

STAFF REPORT

Agenda of December 7, 2005

AGENDA ITEM 8: Salary Increases: Executive Officer Step and Staff "Cost of Living" Increases

I. Executive Officer Step Increase:

In January 2005, the Commission modified the Executive Officer salary scale retroactive to December 2, 2004, and placed Roseanne Chamberlain at the fourth step of the scale. Direction was given to conduct the next annual performance evaluation in December. Performance evaluation documents are contained elsewhere in this packet. In January, and again when Executive Officer resigned (August 25, 2005), the Commission agreed that the Executive Officer would be moved to the next salary step, subject to acceptable performance.

Recommendation: Approve the placement of the Executive Officer, Roseanne Chamberlain, at the next salary step, subject to finding the Executive Officer's performance has been acceptable.

II. Cost of Living Salary Adjustment

El Dorado County approved a series of phased salary adjustments for County employees following their negotiations with bargaining units. As of January 7, 2006, the next increase of 2.5% will automatically be provided to County employees across the board (COLA). LAFCO salary increases are not automatic. Policy 2.3.3 states that all changes approved by the Board of Supervisors for county employees in comparable positions will be reviewed and considered by LAFCO for its employees.

Funding is available for the increases. The LAFCO 2005-06 budget was adopted with funding provided for these increases for LAFCO Staff. The budget report is contained in Agenda Item 9.d.3. Due to vacancies for the past few months, salary expenditures are significantly less than originally planned for this year.

Recommendation: Authorize a 2.5% increase for LAFCO staff to mirror increases approved by the County for County staff.

AGENDA ITEM NO. 9

OTHER BUSINESS:

A. LEGISLATION:

Correspondence from Christie Kehoe

B. COMMISSIONER ANNOUNCEMENTS:

Resignation of Alternate Wheeldon

C. COUNSEL REPORT

D. EXECUTIVE OFFICER REPORT:

- 1. Correspondence*
- 2. Miscellaneous Items*
- 3. Budget and Project Status Report*



CONSULTANTS
PETER M. DETWILER
JENNIFER P. SWENSON

COMMITTEE ASSISTANT
ELVIA DIAZ

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California Legislature
Senate Committee
on
Local Government

CHRISTINE KEHOE
CHAIR

October 5, 2005

Roseanne Chamberlain
Executive Officer
El Dorado Local Agency Formation Commission
550 Main Street, Suite E
Placerville, CA 95667

Dear Ms. Chamberlain:

Please place this letter on your LAFCO's next agenda and discuss it with your commissioners.

The newly-revised Community Services District Law takes effect on January 1, 2006, as the result of my Senate Bill 135. Several features of the new CSD Law are important to LAFCOs, but there is one provision that deserves your commission's special attention.

The existing statute allows a CSD to provide 17 types of public services, plus special provisions for certain other CSDs. SB 135 consolidates those provisions into a list of 31 services and facilities (see the new Government Code §61100), plus a few special provisions (new §61105). SB 135 also defines "latent powers" as those services and facilities that a LAFCO determines that a CSD did not provide before January 1, 2006 (new §61002 [h]).

SB 135 links LAFCO's determination back to your duty under the Cortese-Knox-Hertzberg Act to adopt and amend spheres of influence (Government Code §56425 [h]). In other words, once you inventory a CSD's services, every other service becomes a latent power.

Starting January 1, 2006, if an existing CSD wants to activate a latent power, the district must get your approval (new §61106). Therefore, it is important that your LAFCO has an accurate inventory of the services and facilities provided by every CSD in your county by December 31, 2005.

Sincerely,


CHRISTINE KEHOE
Chair

Senate Bill 135 (Kehoe)
Chapter 249, Statutes of 2005
Community Services District Law Revision

Summary: Senate Bill 135 revises the state laws governing community services districts.

Problem: The statutes that govern the community services districts (CSDs) are incomplete and out-of-date. The Legislature has not comprehensively revised the Community Services District Law since it was re-enacted in 1955.

Background: The Community Services District Law (Government Code §61000, et seq.) is the principal act that governs the 317 community services districts (CSDs). Legislators originally passed the CSD Law in 1951 and re-enacted it in 1955. In the last 50 years, the Legislature has passed scores of amendments to the CSD Law, resulting in a convoluted statute that has more than 300 separate sections. The newly revised CSD Law takes effect on January 1, 2006.

The voters amended the California Constitution by passing Propositions 13, 4, 218, and 1A. Other voter initiatives created the Political Reform Act and changed local officials' fiscal powers. The Legislature enacted and expanded state laws on open meetings, public records, fiscal audits, special districts' boundaries, land use planning, and public finance. The 1955 CSD Law reflects few of these reforms. Finding similar problems with other special districts' statutes, the Senate Local Government Committee previously rewrote the principal acts that govern fire protection districts (1987), recreation and park districts (2001), mosquito abatement and vector control districts (2002), and public cemetery districts (2003).

The Senate Local Government Committee, chaired by Senator Christine Kehoe, convened a 19-member Working Group on Revising the Community Services District Law to review the current CSD Law and recommend revisions. Working with expert advisors, the Working Group met six times between November 2004 and June 2005, to review every section in the 1955 Law and the drafts of the new CSD Law. Senator Kehoe amended the results of the Working Group's advice into **Senate Bill 135**, the legislative vehicle to rewrite the Community Services District Law.

The provisions of **Senate Bill 135** differ from the 1955 CSD Law in dozens of ways. Rather than examine each of the bill's features in detail, this summary looks at four types of changes:

- Policy.
- Powers.
- Procedures.
- Oversight.

Policy. The 1955 CSD Law does not contain any overt statements of legislative intent or statewide policy to guide the CSDs. **Senate Bill 135** opens with seven legislative findings, recognizes four roles that CSDs play in community governance, and recites three statements of legislative intent (see the proposed §61001). Based on those policies, **SB 135** strengthens CSDs' governance:

and political accountability, **SB 135** relies on the practice of “billboarding,” providing statutory cross-references to other existing laws that apply to CSDs as well as to other local governments:

- Lawsuits to challenge CSDs’ validity, debts, and decisions (§61006).
- Boundary changes under the Cortese-Knox-Hertzberg Act (§61007).
- Election procedures under the Uniform District Election Law (§61008).
- Open meetings under the Ralph M. Brown Act (§61044).
- Opportunities for initiative, referendum, and recall elections (§61046).
- Using the Joint Exercise of Powers Act (§61060).
- Changing a CSD’s name (§61061).
- Record retention and destruction (§61061).
- Local land use planning and zoning (§61062).
- Procurement of supplies and equipment (§61063).
- Employee relations under the Meyers-Milias-Brown Act (§61065).
- Providing employee benefits (§61066).
- Providing public services and facilities just like municipal water districts, sanitary districts, fire protection districts, recreation & park districts, mosquito abatement & vector control districts, library districts, airport districts, and pest abatement districts (§61100).
- Annual appropriations limits under the Gann Initiative (§61113).
- Annual allocation of property tax revenues (§61114).
- Regular audits and annual financial reports (§61118).
- Adopting special taxes with 2/3-voter approval (§61121).
- Levying benefit assessments with property-owner approval (§61122 & §61129).
- Standby charges under the Uniform Standby Charge Procedures Act (§61124).

Oversight. Responsive government is accountable government. **Senate Bill 135** promotes the CSDs’ public accountability and responsiveness by:

- Distinguishing the roles of directors and general managers (§61040 & §61051).
- Staggering directors’ four-year terms (§61042).
- Clarifying the use of the initiative, referendum, and recall (§61046).
- Restating the requirement to retain and destroy records (§61061).
- Requiring formal budgets and fiscal transparency (§61110+).
- Requiring regular audits and annual financial reports (§61118).

Other provisions. Besides enacting a new CSD Law, **Senate Bill 135** also makes conforming changes to these other state laws:

- LAFCOs cannot control districts’ internal zones (Government Code §56036). **SB 135** adds CSDs’ zones to this exemption in the Cortese-Knox-Hertzberg Act (§1 of the bill).
- State law governs how CSDs purchase materials and supplies for their construction projects (Public Contract Code §20680+). **SB 135** clarifies these procedures and raises the bidding threshold for contracts to \$25,000 (§4-§8).
- **SB 135** notes that the new statute is based on the recommendations of the Working Group on Revising the Community Services District Law, convened by the Senate Local Government Committee (§9).
- **SB 135** relies on the California Constitution to avoid paying for the costs of enforcing new crimes (§10).

From: "George A. Wheeldon" <wheeldon@sbcglobal.net>
To: <j_henriquez@comcast.net>
Cc: "Cumpston, Tom" <tcumpston@eid.org>
Subject: RE: Meeting Request
Date: Wed, 16 Nov 2005 23:44:44 +0000

Jose - I have been an alternate on LAFCO but I have not participated in the meetings for the past year. As a LAFCO member and an EID Director, I conferred with the EID General counsel and because of the Indian Casino project, I have chosen to recuse myself from LAFCO meetings. I notified Roseann of this decision and asked her to please not send the agenda packages. I need to formally request that I would like to resign my position on the LAFCO commission. Please consider this my formal resignation - thank you for your kind offer of a meeting - George A. Wheeldon

From: j_henriquez@comcast.net [mailto:j_henriquez@comcast.net]
Sent: Wednesday, November 16, 2005 1:40 PM
To: wheeldon@sbcglobal.net
Subject: Meeting Request

Commissioner Wheeldon,

Good morning. I hope you find yourself in good health when you receive this e-mail. This is José Henriquez, your new Executive Officer at LAFCO. Now that I've started, I wanted to meet with all Commissioners, both regular and alternates, individually to get to know each other and discuss any priorities you wanted staff to address in the coming year. This meeting can be at your convenience on time, place and date. Please let me know whether you are interested and, if so, when would be a good time for you.

I look forward to working with you in the coming future and please know that I'm very excited to be here.

Regards,

José

[[Back](#)]

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Local Agency Formation Commission

STAFF REPORT

Agenda of December 7, 2005

AGENDA ITEM 9D:

EXECUTIVE OFFICER REPORT

Administration:

Significant accomplishments of the past month include hiring the new Executive Officer and Commission Clerk. Training will continue to be a high priority. The financial audit has been completed and will be ready for the January agenda. Operations and administration continue to take considerable time, as we work out bugs, make system improvements and organize procedures.

Agency Support:

George Wheeldon has resigned as disclosed elsewhere in this agenda. Staff will launch the Special District election as soon as feasible. This is a mailed ballot election, via certified mail and regulated by the Cortese Knox Hertzberg Act. Nominations will be requested later this month.

Projects:

Numerous projects are moving through the completion phase with recording and filings with the state. We are revamping our procedures for this part of the process. New proposals submitted recently may have to be reinitiated, due to agencies' inability to approve AB-8 resolutions within the 60 days provided by law. The holiday schedules have reduced hearing dates available for their actions. Project details are contained in the Project Status report elsewhere in this agenda.

Incorporation:

Following the certification of the election, we will prepare a Certificate of Termination, and complete the necessary filings and transmittals required for proposals terminated by voters. No substantially new project may be filed with LAFCO for a period of two years. While it is unfortunate that the efforts of the Commission did not result in the successful formation of a new city, the records and material for the project will be archived and may prove useful for a future effort.

Local Agency Formation Commission

STAFF REPORT

Agenda of December 7, 2005

AGENDA ITEM 9D:

EXECUTIVE OFFICER REPORT

Purpose

In order to inform the Commission on administrative affairs of the LAFCO office, the following is respectfully submitted as a management transition plan for the coming months.

Discussion

As the Commission is well aware, the LAFCO office has been operating with minimal staff for the past 6 months. Throughout this time, in order to keep the LAFCO functions running, Roseanne Chamberlain had assumed the roles of policy analyst and clerk in addition to her normal duties as Executive Officer.

It is apparent that one of the consequences of Ms. Chamberlain's retirement is that next year there will be no one with institutional memory left in the office. Consequently, the next two following months will be critical in ensuring the smooth transition of both operations and proposal history. To that end, your Executive Officer has accomplished the following:

- Recruited and hired Elizabeth Baldwin as Clerk to the Commission. Ms. Baldwin brings with her years of experience in accounting and working in special projects. In the two weeks Ms. Baldwin has been in the office she has proven herself to be a quick learner and capable of carrying out projects with minimal supervision.
- Opened the recruitment of the Policy Analyst. The recruitment has been circulated in the most cost-effective manner possible. The application deadline is December 9, 2005, with interviews beginning the week of December 12th, if possible. The goal is to have someone hired in this position so he or she can start in early January 2006.
- Identified an immediate need to:
 - Standardize project processing and finish the methods and procedures (M&Ps) of LAFCO tasks. Starting in 2003, the LAFCO office began documenting the various tasks required to process an application in step-by-step guides in order to ensure compliance with legal requirements, ensure the thorough processing of applications and use as a tool train new staff. While many of these M&Ps have been drafted, there are many task segments that remain incomplete.
 - File, document and archive all materials relevant to the El Dorado Hills Incorporation. While the incorporation of El Dorado Hills failed last month, there is a high probability that the incorporation proponents will return in three to five years. All incorporations are

complex, and any LAFCO is well served by having a well-organized and structured template to follow for these types of proposals. The documents and information from the 2002-2005 effort will aid the Commission and staff in the next attempt, provided that they are archived and organized in a manner that allows easy reference and accessibility.

- Finish the Municipal Service Review (MSR) of the El Dorado County Fire Protection Providers. LAFCO staff and the members of the El Dorado County Fire Chief's Association believe that this report will be useful to their departments in their efforts to plan effectively both in the short and long terms. However, the completion of this document has been stalled by various factors, including the aforementioned staff shortage and El Dorado Hill Incorporation attempt.
- Get an early start with the 2006-2007 LAFCO budget and work plan.
- Transfer general bookkeeping functions from outside contractors to Elizabeth Baldwin, who is qualified for these duties.
- Opened a request for part-time clerical extra help for an interim period of about six months. While your Executive Officer has requested Mrs. Chamberlain to work with your new staff in training and transitioning the items above, there is still a significant amount of hard copy filing and cleaning up of computer files that needs to occur. The current temp was hired through an outside agency and has made progress in this high priority area. It is apparent that, because of the lack of adequate office support in the past few months and because of lapses in the past couple of years, files were misplaced; items were either misfiled, not filed or lost; and computer files were saved in areas that are not intuitive for quick retrieval. Cleaning up the office's physical and virtual cabinets will dramatically increase efficiency in the long term and is high priority transitional work. However this project has the potential to consume valuable staff time. Having a clerical extra help in the office will alleviate your new staff from being distracted by it. The goal is to free sufficient time for your new staff to learn the office procedures, identify process improvements, become acquainted with agency and proposal histories, get a jump start on new initiatives and otherwise engage in other higher level analytical work. Significant cost saving will be achieved if we directly employ an extra help office assistant on a provisional basis.
- Created an inventory of equipment and software needs for the office. As examples, one of the PCs in the office and the main office printer are nearing the end of their useful life. The laptop in use by Roseanne Chamberlain dates to 1998 and is incapable of running current software. In addition its operating system has failed recently. Sufficient funds remain in the budget to support replacement of these two computer items and the additional software applications.

In January your Executive Officer will present an update on this transitional plan and present options to the Commission on any outstanding items. Please refer to the attached matrix as a quick reference to the items discussed in this report.

Executive Officer Transition Management Plan and Interim Work Plan

ACTIVITY/GOAL	IMPLEMENTATION	STATUS
Outreach And Liaison		
Meet with Commissioners	Appointments	Ongoing
Meet Agency Boards	Appointments	Appointments to start in January 2006
Meet Key County Staff	Attend County Dept Head Association (DHA) Meeting; Appointments	Attended 11/14/05 DHA meeting; will attend monthly meetings. Appointments will also begin in January 2006
Meet Key Agency Staff	Attend County Fire Chief's Association (FCA) Meeting; Appointments with staff from other agencies	Attended 12/1/05 FCA meeting; will attend monthly meetings. Appointments with other agency staff to start in January 2006
Community Groups	Appointments	Will begin to meet with groups concurrent with or soon after meeting agency governing boards and staff
Press	As necessary	Ongoing
Finance		
Convert All Signature Authorizations	Bank Accounts	Underway; target completion by end of December
	Credit Card	Pending Account Changes
	Payroll	Complete
	County Treasury Account	Underway
Revise Payroll Reporting	Finalize Procedure	Implemented as of 11/28/05
Transfer Routine Bookkeeping to Clerk to the Commission	Orientation to Existing Sys	Completed by CPA firm
	Review Initial Entries	Underway with RC
	Discontinue CPA Firm; retain for payroll only	Estimated completion 12/27/05
Standardize Budget Reporting Process	Reformat Budget Reports	Complete
	Establish Routine Review with bookkeeping staff	Done for 12/05/05 with CPA firm, transition to Clerk
Commission		
Special District Representation on Commission	Conduct election of new special district representative to LAFCO	Notification to special district and election of new representative targeted for mid-January

Administration		
Discontinue Agency Temp Services	Recruit for extra-help office assistant to support transition efforts	Underway
Fill Policy Analyst Vacancy	Recruit Policy Analyst; Interview; Hire	Posting Closes 12/9/05; interviews to begin 12/12/05
	Train new Policy Analyst	Pending hiring
Move RC to Assigned Special Project Work Only	Define Project Assignments	Complete
	Wrap up Transition Activities	Target completion by 12/20/05
	Relocate to Conf. Room	Target completion by end of week of 12/26/05
Computer Standardization (Goal: All computers to run current/standard programs)	Replace Oldest Computer	Target completion by end of week 12/5/05
	Research New Laptop (replace failing 1999 unit)	Completed
	Buy & Install Adobe Acrobat (Web maintenance cost savings)	ASAP
	Research replacement for shared printer, B&W (1998)	Pending
Office Furniture	Replace old chair and desk (rec'd from Co. surplus, no mouse tray, not adjustable)	Pending
	Review safety and ergonomics for new employee workstations	Planned for 12/12/05 staff meeting
Project Processing		
Standardize Processing among all Staff	Draft Procedures for Task Steps	Assigned to RC; approx 1/3 Complete
	Train Incoming New Staff	Underway
	Integrate All Hard Copy/Digital Records, File Share System	Underway; approx 50% complete
	Revise & Update Pre-CKH Procedures Documents	Pending
Final SBE Filings -12/1/05 Deadline for Roll Year	Complete and Submit Four Completed Projects	Three Projects filed; resolution correction pending on one project.
Standardize Pre-application Review Methods	Draft Written Procedures for Task Steps	Assigned to RC, Underway
	Train Incoming New Staff	Underway

11:28 AM

11/22/05

Accrual Basis

LAFCO
Profit & Loss Budget vs. Actual
 July 1 through November 22, 2005

	Jul 1 - Nov 22, 05	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
4000 · Fees	85,866.35	38,000.00	47,866.35	226.0%
4100 · Fund Balance from 03-04	0.00	143,176.47	-143,176.47	0.0%
4110 · Reserves Fund - Accrued	0.00	30,248.93	-30,248.93	0.0%
4120 · Revenue - Agency Payments	336,428.08	336,428.08	0.00	100.0%
4700 · Revenue Interest	1,365.35	2,000.00	-634.65	68.3%
Total Income	423,659.78	549,853.48	-126,193.70	77.0%
Expense				
5100 · Salaries and benefits				
5440 · Employee Disability Ins	0.00	1,109.30	-1,109.30	0.0%
5430 · Payroll Tax - FUTA	0.00			
5420 · Payroll Tax - SUI/ETT	-19.61			
5410 · Payroll Tax - O.A.S.D.I.	157.51	0.00	157.51	100.0%
5400 · Payroll Tax - Medicare	811.80	3,034.89	-2,223.09	26.7%
5350 · In-Lieu Health Insurance	0.00	4,500.00	-4,500.00	0.0%
5340 · Retirement - CALPERS	3,750.93	42,739.64	-38,988.71	8.8%
5320 · Health Insurance	400.52	29,720.00	-29,319.48	1.3%
5310 · Flex Benefits	0.00	4,500.00	-4,500.00	0.0%
5230 · Employee Wage - Overtime	0.00	1,000.00	-1,000.00	0.0%
5210 · Employee Wage - Temporary	5,354.20	1,000.00	4,354.20	535.4%
5200 · Employees Wage - Regular	48,014.29	209,302.88	-161,288.59	22.9%
5300 · Deferred Comp Match	0.00	800.00	-800.00	0.0%
Total 5100 · Salaries and benefits	58,469.64	297,706.71	-239,237.07	19.6%
5450 · Workers Comp Insurance	0.00	2,470.00	-2,470.00	0.0%
5460 · Gen. Liability Insurance	0.00	13,000.00	-13,000.00	0.0%
6000 · Information Services	1,753.25	6,000.00	-4,246.75	29.2%
6020 · Accounting Services	8,802.42	1,000.00	7,802.42	880.2%
6030 · Annual Audit	0.00	3,000.00	-3,000.00	0.0%
6040 · Cell & Telephone Services	1,005.82	3,492.00	-2,486.18	28.8%
6050 · Copies	344.38	400.00	-55.62	86.1%
6060 · GIS Maps	90.00	2,000.00	-1,910.00	4.5%
6070 · Lease Payment - Building	14,893.80	15,314.04	-420.24	97.3%
6080 · Legal Notices	101.89	300.00	-198.11	34.0%
6090 · Legal Services	8,770.25	24,000.00	-15,229.75	36.5%
6100 · Memberships	1,899.00	575.00	1,324.00	330.3%
6105 · Memberships - CALAFCO	0.00	2,070.00	-2,070.00	0.0%
6200 · Office Equipment	673.77	500.00	173.77	134.8%
6210 · Office Expense	1,756.72	2,000.00	-243.28	87.8%
6230 · Office Repairs	13.23	100.00	-86.77	13.2%
6300 · Operating Contingency	0.00	18,058.50	-18,058.50	0.0%
6350 · Payroll Service	170.90	842.00	-671.10	20.3%
6400 · Postage	857.90	1,000.00	-142.10	85.8%
6450 · Private Auto Mileage	1,093.34	2,420.00	-1,326.66	45.2%
6500 · Professional Services	11,215.05	85,000.00	-73,784.95	13.2%
6600 · Publications	0.00	604.00	-604.00	0.0%
6610 · Records Storage	0.00	761.00	-761.00	0.0%
6700 · Rental Vehicles	0.00	500.00	-500.00	0.0%
6705 · Rents/Leases-Equipment	-35.00	1,867.00	-1,902.00	-1.9%
6750 · Staff Development	2,589.45	5,700.00	-3,110.55	45.4%
6760 · Stipends	1,200.00	4,800.00	-3,600.00	25.0%
6770 · Transportation	0.00	870.00	-870.00	0.0%
6800 · Accrued Leave	0.00	49,108.23	-49,108.23	0.0%
7000 · Bank Charges	33.03			
6810 · Future Retirement	0.00	4,545.00	-4,545.00	0.0%
6560 · Payroll Expenses	758.45			
Total Expense	116,457.29	550,003.48	-433,546.19	21.2%
Net Ordinary Income	307,202.49	-150.00	307,352.49	-204,801.7%
Other Income/Expense				
Other Expense				
8510 · Payroll Expense	80.00			
8520 · Professional Services-Other	12,937.38			
Total Other Expense	13,017.38			
Net Other Income	-13,017.38			
Net Income	294,185.11	-150.00	294,335.11	-196,123.4%

EL DORADO LAFCO

LOCAL AGENCY FORMATION COMMISSION

550 MAIN STREET SUITE E
PLACERVILLE, CA 95667
lafco@co.el-dorado.ca.us

PHONE: (530) 295-2707
FAX: (530) 295-1208
www.co.el-dorado.ca.us/lafco

December 7, 2005

Daniel and Martha Chartraw
672 Fisher Circle
Folsom, CA 95630

Dear Mr. and Mrs. Chartraw,

This letter notifies you that your proposal to annex into El Dorado Hills County Water District, LAFCO Project # 05-07 is closed because time limits have expired as specified in Revenue and Taxation Code. The Revenue and Taxation Code requires that agencies complete negotiations and adopt resolutions for an exchange of property taxes not more than 60 days following the receipt of estimates from the County Auditor. If this deadline is missed, LAFCO is prohibited from issuing a Certificate of Filing and proceeding with the annexation.

For your proposal, the County Auditor released estimates to the agencies in a letter dated June 6, 2005. LAFCO received the estimates on June 13, 2005. The County Administrator's office formally initiated negotiations with a proposal dated June 14, 2005. The sixty day negotiation period concluded on August 11, 2005. The Board of Supervisor's required resolution was adopted on August 16, 2005, after the 60 day period had expired. Unfortunately, there is no provision for LAFCO to allow for extensions of time, or deviate from the time limits specified in the law.

We will calculate the cost of LAFCO staff time expended for your project and refund the remainder of your project fees. You may resubmit your proposal, without prejudice, at any time in the future.

Sincerely,



Roseanne Chamberlain
Executive Officer

Cc: Sally Zutter, Property Tax Manager
Laura Gill / Shauna Purvines, CAO
Connie Bair, El Dorado Hills County Water District

L:\LAFCO\Projects\05-07 Chartraw Annexation\Closure AB-8 time limit letter.doc

COMMISSIONERS: GARY COSTAMAGNA, TED LONG, ROBERTA COLVIN, RUSTY DUPRAY, ALDON MARARD, CHARLIE PAINÉ, NANCY ALLEN
ALTERNATES: CARL HAGEN, FRANCESCA LOFTIS, JAMES R. SWENEY
STAFF: ROSEANNE CHAMBERLAIN-EXECUTIVE OFFICER, JOSÉ C. HENRÍQUEZ-EXECUTIVE OFFICER
VACANT-POLICY ANALYST, ELIZABETH BALDWIN-CLERK TO THE COMMISSION, TOM GIBSON-COMMISSION COUNSEL

Meeting of December 7, 2005

I, Elizabeth Baldwin, Clerk to LAFCO, do declare that I notified the following persons/entities as noted below. Further, I, Elizabeth Baldwin, do declare that I either posted or caused to be posted the Notice of Hearing and/or Agenda of the Meeting shown above at the LAFCO Offices and County Buildings B and C on the Main Bulletin Boards on or before 5:00 p.m. on November 16, 2005.

Elizabeth Baldwin, Clerk to LAFCO

	<i>AGENDA</i> - (Double Sided - 7)	<i>Meeting Date: December 7, 2005</i>	<i>Mailed: November 22, 2005</i>	
✓	Agenda File – LAFCO (<i>Binder</i>)			
✓	Chamberlain, Roseanne	LAFCO		
✓	Henriquez, José	LAFCO		
✓	Sacramento Bee	Folsom Bureau	1835 Prairie City Rd., Suite 500	Folsom, CA 95630
✓	Tahoe Tribune	Editor	3079 Harrison Ave.	So. Lake Tahoe, CA 96150
✓	<i>AGENDA</i> - (e-mailed)	<i>S E E A T T A C H E D L I S T .</i>		
	<i>AGENDA</i> (Single-Sided)			
✓	Post- B, C & LAFCO (3)			
✓	Agenda Item File (<i>Project File; Subject File?</i>)	Project Files: #02-04 / #03-03 / #05-15		
✓	Agenda Item Person	John A. Sexton (#02-04)	P.O. Box 1147	Sonora, CA 95370
✓		Michael J. McDougall (#03-03)	989 Governor Drive, Suite 101	El Dorado Hills, CA 95762
✓		Andrea Leisy (#03-03)	Remy, Thomas, Moose & Manley, LLP 455 Capital Mall, Ste. 210	Sacramento, CA 95814
✓		Sue Olmstead (#03-03)	7520 South Shingle Road	Shingle Springs, CA 95682
✓		Anita Preacher (#05-15)	4780 Concept Mountain Road	El Dorado, CA 95673
	<i>PACKET (20) - Mailed</i>	<i>Mailed: 11/28/05</i>		
✓	Clerk to the Commission	LAFCO		
✓	Chamberlain, Roseanne	LAFCO		
✓	Allen, Nancy	LAFCO Commission	P. O. Box 803	Georgetown, CA 95634

✓	Colvin, Roberta	LAFCO Commission	2854 Bennett Dr.	Placerville, CA 95667
✓	Costamagna, Gary	LAFCO Commission	4100 Marble Ridge Road	El Dorado Hills, CA 95762
✓	Dupray, Rusty	LAFCO Commission	Board of Supervisors	
✓	Hagen, Carl	LAFCO Commission	183 Placerville Dr.	Placerville, CA 95667
✓	Loftis, Francesca	LAFCO Commission	7085 Nutmeg Lane	Placerville, CA 95667
✓	Long, Ted	LAFCO Commission	2498 Kubel Ave.	So. Lake Tahoe, CA 96150
✓	Manard, Aldon	LAFCO Commission	3591 Coloma Canyon Rd.	Greenwood, CA 95635
✓	Paine, Richard C.	LAFCO Commission	Board of Supervisors	
✓	Sweeney, Jack	LAFCO Commission	Board of Supervisors	
✓	Gibson, Thomas	LAFCO Counsel	BBK 400 Capitol Mall, Ste 1650	Sacramento, CA 95814
✓	Segel, Harriett	Mail	2067 Wood Mar Drive	El Dorado Hills, CA 95762
✓	Roger Phelps	Mt. Democrat	1360 Broadway	Placerville, CA 95667
✓	Chief Larry Fry	EDH County Water Dist. (Mail)	990Lassen Lane	El Dorado Hills, CA 95762
✓	Extra Copy for Meeting			
✓	Public Review Binder			
	TOPICS - Mailed			
	<i>Misc. Topics as Requested</i>	All Smith Flat-Jenna Lollis	<i>2903 Jacquier Road</i>	<i>Placerville, CA 95667</i>
✓	<i>(Check project files)</i>	All EID- Lori Grace	<i>2890 Mosquito Road</i>	<i>Placerville, CA 95667</i>
✓		John A. Sexton (#02-04)	P.O. Box 1147	Sonora, CA 95370
✓		Michael J. McDougall (#03-03)	989 Governor Drive, Suite 101	El Dorado Hills, CA 95762
✓		Andrea Leisy (#03-03)	Remy, Thomas, Moose & Manley, LLP 455 Capital Mall, Ste. 210	Sacramento, CA 95814
✓		Sue Olmstead (#03-03)	7520 South Shingle Road	Shingle Springs, CA 95682
✓		Anita Preacher (#05-15)	4780 Concept Mountain Road	El Dorado, CA 95673

EL DORADO LAFCO

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PHONE: (530) 295-2707

FAX: (530) 295-1208

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NOTICE OF PUBLIC HEARING

Notice is hereby given that the Local Agency Formation Committee will hold a public hearing at 5:30 p.m. or as soon thereafter as possible, on December 7, 2005 in the Meeting Room in Building C, El Dorado County Government Center, located at 2850 Fairlane Court, Placerville, California 95667, to consider the following items:

LAFCO Project #03-03, Carson Creek Reorganization, located South of White Rock Rd, between the Sacramento County line and the El Dorado Hills Business Park, including annexation of approximately 554 acres into to the El Dorado Hills CSD, El Dorado Hills County Water District and El Dorado Irrigation District for services to support development of the Carson Creek Specific Plan, CEQA: An EIR was prepared by El Dorado County SCH# 9040702; extension of time for LAFCO Project #02-04 (Polanco/SnolineMini Storage) to complete conditions of approval; review of budgeted salary increases (COLA) and step raises for LAFCO staff.

Meeting materials will be available five days before the meeting. Any person may submit oral or written comments. Staff will distribute written comments to the Commission if submitted 24 hours before the meeting: Roseanne Chamberlain, Executive Officer, 550 Main Street, Suite E, Placerville, CA 95667. If you have any questions, you may contact the LAFCO office during normal business hours at (530) 295-2707.

EL DORADO COUNTY LOCAL AGENCY FORMATION COMMISSION

ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER

MOUNTAIN DEMOCRAT

TO BE PUBLISHED ONE TIME ONLY: November 16, 2005

Mountain Democrat

PROOF OF PUBLICATION
(2015.5 C.C.P.)

Proof of Publication of NOTICE OF PUBLIC HEARING

STATE OF CALIFORNIA

County of El Dorado

I am a citizen of the United States and a resident of the County aforesaid; I'm over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am principal clerk of the printer at the Mountain Democrat, 1360 Broadway, a newspaper of general circulation, printed and published Monday, Wednesday, Thursday & Friday, in the City of Placerville, County of El Dorado, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court to the County of El Dorado, State of California, under the date of March 7, 1952, Case Number 7258; that the notice, of which the annexed is a printed copy (set in type no smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

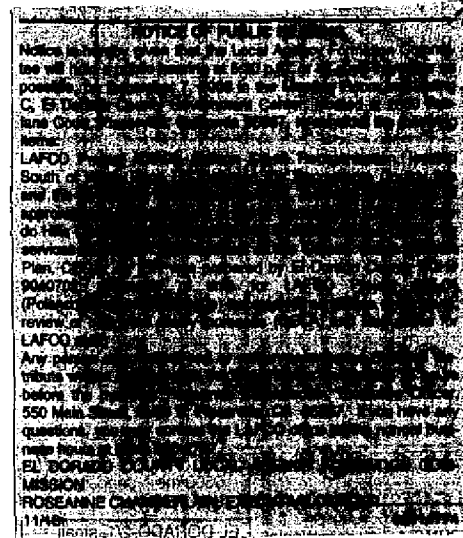
11/16

All in the year 2005.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Placerville, California, this
day of **NOVEMBER 16, 2005.**

D. H. Asenjo
Signature



Mountain Democrat

PROOF OF PUBLICATION
(2015.5 C.C.P.)

Proof of Publication of

NOTICE OF PUBLIC HEARING

STATE OF CALIFORNIA

County of El Dorado

I am a citizen of the United States and a resident of the County aforesaid; I'm over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am principal clerk of the printer at the Mountain Democrat, 1360 Broadway, a newspaper of general circulation, printed and published Monday, Wednesday, Thursday & Friday, in the City of Placerville, County of El Dorado, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court to the County of El Dorado, State of California, under the date of March 7, 1952, Case Number 7258; that the notice, of which the annexed is a printed copy (set in type no smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

11/16

All in the year 2005.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Placerville, California, this day of **NOVEMBER 16, 2005.**



Signature

NOTICE OF PUBLIC HEARING
Notice is hereby given that the Local Agency Formation Committee will hold a public hearing at 5:30 p.m. or as soon thereafter as possible, on December 7, 2005 in the Meeting Room in Building 6, El Dorado County Government Center, located at 2650 Fairlane Court, Placerville, California 95667, to consider the following items:
LAFCO Project #03-03, Carson Creek Reorganization, located South of White Rock Butte between the Sacramento County line and the El Dorado Hills Business Park, including annexation of approximately 354 acres into the El Dorado Hills CSD, El Dorado Hills County Water District and El Dorado Irrigation District for services to support development of the Carson Creek Specific Plan; CEQA; An EIR was prepared by El Dorado County SCH# 9040702, extension of time for LAFCO Project #02-04 (Placed Shiloh Mill Storage) to complete conditions of approval; review of budgeted salary increases (COLA) and step raises for LAFCO staff.
Any person may submit oral or written comments to the Commission. Written comments to the Commission must be submitted 24 hours before the meeting. Roseanne Chamberlain, Executive Officer, 550 Main Street, Suite E, Placerville, CA 95667. If you have any questions, you may contact the LAFCO office during normal business hours at (530) 295-2707.
EL DORADO COUNTY LOCAL AGENCY FORMATION COMMISSION
ROSEANNE CHAMBERLAIN, EXECUTIVE OFFICER
11487
(2514774)

Subject: UPDATE ON EL DORADO LAFCO DECEMBER 7 MEETING AGENDA

From: lafco <lafco@co.el-dorado.ca.us>

Date: Tue, 22 Nov 2005 10:51:32 -0800

To: Bob Hollis <rhollis@carnegiepartners.com>, Brian Cooper <bcooper@eid.org>, Bruce Lacher <c7700@directcon.net>, Butch Arietta <Barietta57@aol.com>, Carl Hagen <chagen@d-web.com>, Chris Word <cword@eid.org>, Dan Russell <drussell@co.el-dorado.ca.us>, Dave Solaro <dsolaro@co.el-dorado.ca.us>, Dan Corcoran <dcorcoran@eid.org>, Dianna Hillyer <dhillyer@edhcsd.org>, Don Davis <ddavis67@pacbell.net>, Francesca Loftis <floftis@CWnet.com>, Frank Ford <fordcgg@pacbell.net>, Gary Costamagna <pnjcosta@jps.net>, George Osborne <gwclosborne@comcast.net>, Georgetown Gazette <gazette@d-web.com>, Harriett Segel <tuffi@innercite.com>, Helen Baumann <bostwo@co.el-dorado.ca.us>, Jack Sweeney <bostthree@co.el-dorado.ca.us>, John Fraser <jfraser@innercite.com>, John Hidahl <John.Hidahl@ngc.com>, Jon Morgan <jmorgan@co.el-dorado.ca.us>, Larry Fry <Larry@edhfire.com>, Laura Gill <lsgill@co.el-dorado.ca.us>, Linda McDonald <LMcDonald@eid.org>, Lori Grace <lgrace@eid.org>, Mindy Jackson <mjackson@innercite.com>, Nancy Allen <wyomom@webtv.net>, Rusty Dupray <bosone@co.el-dorado.ca.us>, Sam Neasham <wneasham@neashamlaw.com>, Thomas Gibson <Thomas.Gibson@bbklaw.com>, William Wright <billofwrights@sbcglobal.net>, Vicki Sanders <vsanders@co.el-dorado.ca.us>, Wayne Lowery <wlowery@edhcsd.org>, Jo Ann Brillisour <jbrillisour@co.el-dorado.ca.us>, Scott Browne <scott@scottbrowne.com>, Roseanne Chamberlain <roseanne@co.el-dorado.ca.us>, Roberta Colvin <robbycolvin@hotmail.com>, Ted Long <tedtahoe@hotmail.com>, Charlie Paine <bosfour@co.el-dorado.ca.us>, Rescue Fire <rescuefd@directcon.net>, Roger Phelps <rphelps@mtdemocrat.net>, Norb Witt <nwitt@sbcglobal.net>, Michele Weimer <mweimer@eid.org>, Shawna Purvines <spurvines@co.el-dorado.ca.us>, Smith & Gabbert <KimBeal@innercite.com>, John Driscoll <jdriscoll@ci.placerville.ca.us>, Life Newspapers <editor@villagelife.com>, Ane Deister <adeister@eid.org>, Al Manard <amanard@innercite.com>, Jose Henriquez <Jose.Henriquez@edcgov.us>

Attached is an update to the El Dorado LAFCO December 7 meeting Agenda.

El Dorado LAFCO

05 December 07 Agenda.doc **Content-Type:** application/msword
Content-Encoding: base64

Subject: EL DORADO LAFCO DECEMBER 7 MEETING AGENDA

From: lafco <lafco@co.el-dorado.ca.us>

Date: Tue, 22 Nov 2005 09:04:44 -0800

To: Bob Hollis <rhollis@carnegiepartners.com>, Brian Cooper <bcooper@eid.org>, Bruce Lacher <c7700@directcon.net>, Butch Arietta <Barietta57@aol.com>, Carl Hagen <chagen@d-web.com>, Chris Word <cword@eid.org>, Dan Russell <drussell@co.el-dorado.ca.us>, Dave Solaro <dsolaro@co.el-dorado.ca.us>, Dan Corcoran <dcorcoran@eid.org>, Dianna Hillyer <dhillyer@edhcsd.org>, Don Davis <ddavis67@pacbell.net>, Francesca Loftis <floftis@CWnet.com>, Frank Ford <fordcgg@pacbell.net>, Gary Costamagna <pnjcosta@jps.net>, George Osborne <gwclosborne@comcast.net>, Georgetown Gazette <gazette@d-web.com>, Harriett Segel <tuffi@innercite.com>, Helen Baumann <bostwo@co.el-dorado.ca.us>, Jack Sweeney <bosthree@co.el-dorado.ca.us>, John Fraser <jfraser@innercite.com>, John Hidahl <John.Hidahl@ngc.com>, Jon Morgan <jmorgan@co.el-dorado.ca.us>, Larry Fry <Larry@edhfire.com>, Laura Gill <lsgill@co.el-dorado.ca.us>, Linda McDonald <LMcDonald@eid.org>, Lori Grace <lgrace@eid.org>, Mindy Jackson <mjackson@innercite.com>, Nancy Allen <wyomom@webtv.net>, Rusty Dupray <bosone@co.el-dorado.ca.us>, Sam Neasham <wneasham@neashamlaw.com>, Thomas Gibson <Thomas.Gibson@bbklaw.com>, William Wright <billofwrights@sbcglobal.net>, Vicki Sanders <vsanders@co.el-dorado.ca.us>, Wayne Lowery <wlowery@edhcsd.org>, Jo Ann Brillisour <jbrillisour@co.el-dorado.ca.us>, Scott Browne <scott@scottbrowne.com>, Roseanne Chamberlain <roseanne@co.el-dorado.ca.us>, Roberta Colvin <robbycolvin@hotmail.com>, Ted Long <tedtahoe@hotmail.com>, Charlie Paine <bosfour@co.el-dorado.ca.us>, Rescue Fire <rescuefd@directcon.net>, Roger Phelps <rphelps@mtdemocrat.net>, Norb Witt <nwitt@sbcglobal.net>, Michele Weimer <mweimer@eid.org>, Shawna Purvines <spurvines@co.el-dorado.ca.us>, Smith & Gabbert <KimBeal@innercite.com>, George Wheeldon <wheeldon@sbcglobal.net>, John Driscoll <jdriscoll@ci.placerville.ca.us>, Life Newspapers <editor@villagelife.com>, Ane Deister <adeister@eid.org>, Al Manard <amanard@innercite.com>, Jose Henriquez <Jose.Henriquez@edcgov.us>

Attached is the Agenda for the December 7 El Dorado LAFCO meeting.

05 December 07 Agenda.doc

Content-Type: application/msword

Content-Encoding: base64

Subject: NOVEMBER & DECEMBER LAFCO MEETINGS

From: lafco <lafco@co.el-dorado.ca.us>

Date: Fri, 28 Oct 2005 17:20:22 -0700

To: Bob Hollis <rhollis@carnegiepartners.com>, Brian Cooper <bcooper@eid.org>, Bruce Lacher <c7700@directcon.net>, Butch Arietta <Barietta57@aol.com>, Carl Hagen <chagen@d-web.com>, Chris Word <cword@eid.org>, Dan Russell <drussell@co.el-dorado.ca.us>, Dave Solaro <dsolaro@co.el-dorado.ca.us>, Dan Corcoran <dcorcoran@eid.org>, Dianna Hillyer <dhillyer@edhcsd.org>, Don Davis <ddavis67@pacbell.net>, Francesca Loftis <floftis@CWnet.com>, Frank Ford <fordegg@pacbell.net>, Gary Costamagna <pnjcosta@jps.net>, George Osborne <gwclosborne@comcast.net>, Georgetown Gazette <gazette@d-web.com>, Harriett Segel <tuffi@innercite.com>, Helen Baumann <bostwo@co.el-dorado.ca.us>, Jack Sweeney <bostthree@co.el-dorado.ca.us>, John Fraser <jfraser@innercite.com>, John Hidahl <John.Hidahl@ngc.com>, Jon Morgan <jmorgan@co.el-dorado.ca.us>, Larry Fry <Larry@edhfire.com>, Laura Gill <lsgill@co.el-dorado.ca.us>, Linda McDonald <LMcDonald@eid.org>, Lori Grace <lgrace@eid.org>, Mindy Jackson <mjackson@innercite.com>, Nancy Allen <wyomom@webtv.net>, Rusty Dupray <bosone@co.el-dorado.ca.us>, Sam Neasham <wneasham@neashamlaw.com>, Thomas Gibson <Thomas.Gibson@bbkllaw.com>, William Wright <billofwrights@sbcglobal.net>, Vicki Sanders <vsanders@co.el-dorado.ca.us>, Wayne Lowery <wlowery@edhcsd.org>, Jo Ann Brillisour <jbrillisour@co.el-dorado.ca.us>, Scott Browne <scott@scottbrowne.com>, Roseanne Chamberlain <roseanne@co.el-dorado.ca.us>, Roberta Colvin <robbycolvin@hotmail.com>, Ted Long <tedtahoe@hotmail.com>, Charlie Paine <bosfour@co.el-dorado.ca.us>, Rescue Fire <rescuefd@directcon.net>, Roger Phelps <rphelps@mtdemocrat.net>, Norb Witt <nwitt@sbcglobal.net>, Michele Weimer <mweimer@eid.org>, Shawna Purvines <spurvines@co.el-dorado.ca.us>, Smith & Gabbert <Kim@waveshift.com>, George Wheeldon <wheeldon@sbcglobal.net>, John Driscoll <jdriscoll@ci.placerville.ca.us>, Life Newspapers <editor@villagelife.com>, Ane Deister <adeister@eid.org>, Al Manard <amanard@innercite.com>

The November and December LAFCO meetings have been moved to a single meeting which will be held on December 7, 2005 at 5:30 p.m. located in the Hearing Room at 2850 Fairlane Court in Building C.

El Dorado LAFCO Office

→ Undeliverable Return 10/28/05.
Re-sent on 10/31/05. A

Subject: NOVEMBER & DECEMBER LAFCO MEETINGS]

From: lafco <lafco@co.el-dorado.ca.us>

Date: Mon, 31 Oct 2005 09:32:50 -0800

To: KimBeal@innercite.com

The November and December LAFCO meetings have been moved to a single meeting which will be held on December 7, 2005 at 5:30 p.m. located in the Hearing Room at 2850 Fairlane Court in Building C.