

Lake LAFCO

ITEM #5

Executive Officer's Report

March 15, 2017

TO: Lake Local Agency Formation Commission

FROM: John Benoit, Executive Officer

SUBJECT: Dissolution of Reclamation District #2070 (Edmands Reclamation)

EXECUTIVE OFFICER'S RECOMMENDATIONS: Grant the request to dissolve the Edmands Reclamation District #2070 (LAFCo File 2016-0005) subject upon the recommended terms and conditions stated in Resolution 2017-0004.

Recommendation:

Consider Proposed Resolution No 2017-0004 approving subject to the terms and conditions the dissolution of Reclamation District #2070 (See Attachment #1)

I. BACKGROUND:

A. Summary and Background:

The Edmands Reclamation District #2070 was formed in 1925 under the California reclamation district law (Water Code Section 50,000 et seq.) The district consists of approximately 783 acres and is located just southeast of the Community of Upper Lake south to the western portion of Rodman Slough. Over the years, the District's purpose was to provide drainage, irrigation and levee maintenance for agricultural lands within the District. A secondary purpose is to help maintain federal flood insurance standards for dwelling units located within the district. No other services were provided within the district.

The district owns and operates two pumps and one pump house, which drain former wetlands within its bounds, plus a large acreage of hill land above State Route 20. Excessive rainy season waters are pumped over District levees into Clear Lake. The Lake County Watershed Protection District maintains the Districts levees.

The Edmands Reclamation District receives its revenue from assessments charged to lands on a per acre basis within the district. Throughout the years, the district budget has increased to meet raising costs over time.

Land use in the district is devoted to agricultural endeavors.

On January 28, 2014, the Lake County Board of Supervisors passed Resolution 2014-12 (See Attachment #2) requesting LAFCo to take proceedings to dissolve the district. The reasons for the requested dissolution are:

1. The County of Lake's Middle Creek Flood Damage Reduction and Ecosystem Restoration Project will reclaim the properties located within the district's bounds such that the most significant function of the District, to operate and maintain the levee system presently protecting those properties from flooding, is eliminated and the need for continued operation of the District no longer exists.
2. Those persons comprising the District Board of Directors have resigned their appointments and/or have sold their interest in any real property located within the boundaries of the District such that the District has no governing body and continuing operation of the district is impossible.

In passing Resolution 2014-12, the Lake County Board of Supervisors recommended terms and conditions for LAFCo to adopt as follows:

1. All remaining assets, facilities, infrastructure, and service responsibilities of the Levee (Reclamation) District 2070 shall be distributed to the Watershed Protection District, which shall serve as the Successor Agency for purposes of winding up the affairs of the District.
2. The Watershed Protection District shall be responsible for the collection of any taxes (assessments) and service charges and fees to which Levee (Reclamation) District 2070 would have been entitled while winding up the Levee (Reclamation) District's affairs.
3. The Watershed Protection District shall have the responsibility for the maintenance of the Levee (Reclamation) District pump station as previously performed by the Levee (Reclamation) District.
4. The Watershed Protection District shall have the responsibility for the acquisition improvement, disposition, sale, transfer, or division of any property, real or personal.

Staff recommends that the Lake Local Agency Commission approve this dissolution be subject to the terms and conditions stated in Lake County Board of Supervisor's Resolution 2014-12 and LAFCo Resolution 2017-0004.

B. Proposal and Justification:

This proposal is to dissolve Dissolve Reclamation #2070 since the County of Lake's Middle Creek Flood Damage Reduction and Ecosystem Restoration Project will reclaim the properties located within the district's bounds and the District has no governing body and continuing operation of the district. See Statement of Justification as Attachment 32.

II. ANALYSIS

A. Accepted for filing: February 15, 2017

B. Publication and Posting: February 15, 2017

C. Compliance with CEQA:

Lead Agency: LAFCo
Responsible Agency:
Environmental Finding: Exempt since no successor agency is needed
Date of Finding: March 15, 2017 (See Attachment #4)

D. Compliance with applicable Plans:

The proposed Dissolution conforms to the Lake County General Plan for lands within Agriculture and Open Space

E. Compliance with applicable Spheres of Influence:

This dissolution does not conflict with any applicable Spheres of Influence. No Sphere of Influence is needed since the Reclamation District 2070 will cease to exist.

F. Existing Land Use and Zoning:

- LAND USE DESIGNATION: Agriculture –Resource Conservation and Rural Lands
- ZONING: Agriculture – Resource Conservation and Rural Lands Wetlands overland and Flooway Fringe overlay
- DWELLINGS: 2
- SERVICE POPULATION: n/a
- REGISTERED VOTERS: N/A

G. LANDOWNER (S): 6

H. Existing Land Use and Zoning for surrounding territory:

Agriculture, Resource Conservation (Wetlands) and Rural Lands

- North: Agriculture/Wetlands/Rural Lands
- South: Agriculture/Wetlands/Rural Lands
- East: Agriculture/Wetlands/Rural Lands
- West: Agriculture/Wetlands/Rural Lands

I. Proposed development: N/A

J. Fiscal data: \$1,726,580 Assessed Valuation

K. Existing and Proposed Service Agencies:

| Service: | Existing Provider: | Proposed Provider: |
|-------------------------------------|-------------------------------------|-------------------------------------|
| School Districts | UL Unified School District | ULUnified School District |
| Fire Protection | Northshore Fire Protection District | Northshore Fire Protection District |
| General Government | Lake County | Lake County |
| Police Protection | Lake County Sheriff | Lake County Sheriff |
| Off-site Drainage and Flood Control | Lake County WPD | Lake County WPD |
| On-site Drainage and Flood Control | RD 2070 -LCWPD | LCWPD |
| Water and Wastewater | N/A | N/A |
| Street Lighting | N/A | N/A |
| Roads | Private | Private |
| Emergency Services | Northshore Fire Protection District | Northshore Fire Protection District |

L. Governing Law and LAFCO Policy

LAFCO is charged with applying the policies and provisions of the Cortese-Knox-Hertzberg Act to its decisions regarding annexations, incorporations, reorganizations, and other changes of government. LAFCO's review of projects must be consistent with the policy directives of the LAFCO Act. Specifically, LAFCO's policies are designed to:

- Provide Information. Give applicants for changes of organization guidance as to the information LAFCO needs to make appropriate determinations concerning their applications and provide information and notice to elected officials, governmental staff,

and members of the general public as to the standards and procedures that LAFCO will use in evaluating applications.

b) Set Criteria. Provide applicants for changes of organization with explicit guidance as to the criteria LAFCO will use in approving, disapproving, amending, or conditionally approving applications for changes of organization.

c) Ensure Greater Consistency in LAFCO's decision-making process.

d) Facilitate Communication among local agencies in the region.

e) Minimize Adverse Impacts of the social, economic and environmental results of growth.

f) Provide for Planned, Well-Ordered Efficient Urban Development Patterns with appropriate consideration of preserving open space lands within those patterns.

The following table is provided as a guide for the Commission to consider for a project's consistency with Government Code Section 56668, the broader legislative direction of LAFCO in Government Code Section 56001 as well as those adopted by Lake LAFCO.

This proposal complies with applicable legal and proposed policy requirements, as summarized below:

General Policy Considerations

| <i>Policy Consideration</i> | <i>Consistency/ Applicability</i> | <i>Comment</i> |
|---|--|---|
| Communication between local agencies is encouraged. | <i>Consistent</i> | <i>The LCWPD has been working with landowners and the Rec District 2070</i> |
| Urban development proposals shall include annexation to a city where possible. | <i>N/A</i> | |
| LAFCO will normally deny proposals that result in urban sprawl. | <i>N/A</i> | |
| Environmental consequences (CEQA) shall be considered. | <i>Consistent</i> | <i>Reclamation District Services will be handled by the LCWPD</i> |
| LAFCO will consider the impact of a proposal on the regional supply of housing for all income levels. | <i>N/A</i> | |
| LAFCO will favor proposals that promote compact urban form and infill development. | <i>N/A</i> | |

| | | |
|--|-------------------|---|
| Government structure should be simple, accessible, and accountable. | <i>Consistent</i> | |
| Agencies must provide documentation that they can provide service within a reasonable period of time. | <i>Consistent</i> | <i>The LCWPD has been providing the service</i> |
| Efficient services are obtained when proposals: <ul style="list-style-type: none"> • Utilize existing public agencies; • Consolidate activities and services; and • Restructure agency boundaries to provide more logical, effective, and efficient services. | <i>Consistent</i> | <i>This proposal is consistent since the LCWPD will assume responsibility.</i> |
| Adverse impacts on adjacent areas, social and economic interests and the local government structure must be mitigated. | <i>Consistent</i> | <i>Dissolving the Rec District 2070 will have not effect on adjacent properties</i> |
| Conformance with general & specific plans required. | <i>Consistent</i> | <i>This project conforms to the adopted Lake County General Plan.</i> |
| Boundaries: <ul style="list-style-type: none"> • Definite boundaries are required. • Boundaries that are favored: <ul style="list-style-type: none"> Create logical boundaries & eliminate islands or illogical boundaries. Follow natural or man-made features and include logical service areas. • Boundaries that are disfavored: <ul style="list-style-type: none"> Split neighborhoods or communities. Result in islands, corridors, or peninsulas. Drawn for the primary purpose of encompassing revenue-producing territories. Create areas where it is difficult to provide services. | <i>Consistent</i> | <i>The Entire District is to be dissolved and will be taken over by the LCWPD</i> |
| Revenue neutrality required. | <i>N/A</i> | <i>The Reclamation District is not included in the BOE system and not subject to an</i> |

| | | |
|--|-------------------|---|
| | | <i>AB-8 exchange. The District is funded by per-acre charges.</i> |
| Agricultural and Open Space Land Conservation Standards: <ul style="list-style-type: none"> • Must lead to plan, orderly & efficient development. • Approved Sphere of Influence Plan required. • Findings with respect to alternative sites required. • Impact on adjacent agricultural/open space lands assessed. • Agricultural Buffers. | <i>Consistent</i> | <i>No impact leading to the conversion of Agricultural or Open Space lands.</i> |
| Need for services exists when: <ul style="list-style-type: none"> • Public health and safety threat exists. • The residents have requested extension of non-growth-inducing community services. • Subject area is likely to be developed for urban use within 5 years. | <i>Consistent</i> | <i>N/A</i> |
| Exceptions are justified on the following grounds: <ul style="list-style-type: none"> • Unique. • Standards Conflicts. • Quality/Cost. • No Alternative. | <i>Consistent</i> | <i>No exceptions to policy considerations are needed</i> |

Dissolution Policies—General

| <i>Policy</i> | <i>Consistency / Applicability</i> | <i>Comment</i> |
|--|---|--|
| Services Authorized are no longer necessary, or | <i>Consistent</i> | |
| The services can be provided more efficiently by another agency or provider and that agency agrees to provide the services | <i>Consistent</i> | <i>The LCWPD provides similar services elsewhere in the County</i> |
| The agency is insolvent and unable to provide the services. | <i>Consistent</i> | <i>N/A</i> |
| Bonded Indebtedness. Where possible, LAFCO shall condition any | <i>Consistent</i> | <i>N/A</i> |

| | | |
|---|-------------------|---|
| dissolution to provide for the repayment of any bonded indebtedness or other obligations of the dissolved agency. | | |
| Disposition of Remaining Funds, A dissolved district shall turn over its funds to its successor as determined under 57451. | <i>Consistent</i> | <i>If the territory of a dissolved district is located within the unincorporated territory of a single county, the County shall be the successor (G.C. 57451(b). In this case the LCWPD</i> |
| Action options include: <ul style="list-style-type: none"> • Approval. • Conditional approval to require only a portion of the area to be detached. • Denial. | <i>N/A</i> | |
| | | |
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| | | |
| <ul style="list-style-type: none"> • Send back to the County for further negotiations with the HOA | | |

III. Comments from the public and public agencies.

None

IV. PROCEDURE

The Commission has the following alternatives for action at this hearing, after receiving public testimony:

- **Approval.** After the closure of the Public Hearing, if the Commission concurs with the terms as proposed, it may approve this dissolution proposal by adopting the proposed LAFCO Resolution 2017-0004 for the Dissolution of the Reclamation District 2070.
- **Conditioned Approval.** The Commission may modify the proposed terms and conditions.
- **Denial.** Commission may deny this proposal. No similar proposal may be submitted within a year; unless the Commission makes a finding that the year-long prohibition period is detrimental to the interests of the public.

The Commission may also continue the hearing to a specific date, time and place to resolve concerns about any portion of the proposal.

Respectfully Submitted,

John Benoit,
Executive Officer

Attachments:

1. Proposed LAFCO Project Resolution 2007-0004
2. Lake County Board of Supervisors Initiating Resolution 2014-12
3. Statement of Justification
4. Notice of Exemption

Resolution # 2017-0004

Attachment #1

LAKE LOCAL AGENCY FORMATION COMMISSION

A Resolution Making Determinations and Approving the Dissolution of Reclamation District #2070 - Edmands Reclamation District: LAFCo File 2016-0005

WHEREAS, A Resolution (Resolution # 2014-12) Initiating the proceedings for the dissolution of Reclamation District #2070, Edmands Reclamation District was adopted by the Lake County Board of Supervisors on January 28, 2014 and was filed with the Executive Officer of the Lake Local Agency Formation Commission pursuant to the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 *et seq* of the Government Code); and

WHEREAS, said Edmands Reclamation District # 2070 was formed in 1925 to provide services including drainage, levee maintenance and irrigation to territory within the district; and

WHEREAS, all landowners support the dissolution of the Edmands Reclamation District #2070 and services to be provided through the Lake County Watershed Protection District; and

WHEREAS, the Executive Officer has provided notice of this hearing as described under Government Code Sections 56151 through 56159; and

WHEREAS, the Executive Officer reviewed the application and determined its completeness within 30 days of their submission and prepared and filed his report with this Commission at least five days prior to the regularly scheduled meeting during which this application is to be considered; and

WHEREAS, this Commission has considered the application, the report of the Executive Officer, the applicable General Plan, and each of the factors required by Government Code Section 56668 to be considered in the review of a proposal; and

WHEREAS, it is desired that the proposed dissolution of the Edmands Reclamation District #2070 be subject to terms and conditions as follows:

1. The Lake County Watershed Protection District, as successor agency, shall agree to defend, indemnify, and hold harmless the Lake Local Agency Formation Commission and its agents, officers and employees from any claim, action or proceeding against the Commission or its agents, officers, and employees; including all costs, attorney's fees, expenses and liabilities incurred in the defense of such claim. Action, or proceeding to attack, set aside, or void the approval or determinations of this Commission concerning this annexation. The Lake Local Agency Formation Commission shall

promptly notify the applicant of any such claim, action, or proceeding and be entitled to representation by counsel of its choosing.

WHEREAS, all interested parties and proponents of the proposal were heard at a public hearing held on March 15, 2017.

NOW, THEREFORE, IT IS HEREBY RESOLVED, DETERMINED AND ORDERED by the Lake Local Agency Formation Commission as follows:

1. The foregoing recitals are true and correct.
2. Said change of organization territory is found to be uninhabited.
3. Further protest proceedings are waived and the Commission orders the 783-acre more or less Dissolution of the Edmands Reclamation District pursuant to Part 4 of Division 3 of the California Government Code commencing with Section 57000. Satisfactory proof has been given that the subject territory is uninhabited, that all landowners within the affected territory have given their written consent to the proposal or have not objected in writing to this proposal and no affected agency has objected in writing to the waiver of conducting authority proceedings. Therefore, The Commission does hereby approve and authorize the conducting authority to dissolve territory described in Exhibits "A" and "B", as amended thereby dissolving the Edmands Reclamation District (RD #2070) without notice and election.
4. In reviewing this application, the Commission finds that all of the services provided by Edmands Reclamation District (RD#2070) will be provided by the Lake County Watershed Protection District, authorized to be the successor agency.
5. In reviewing this application, this Commission has considered each of the factors required by Government Code Section 56668 and LAFCO's policies.
6. The boundary description and map, if rejected by the State Board of Equalization or amended by LAFCO, they will be revised at the expense of the applicant.
7. The Map and Boundary description shall include the following: Lake LAFCo File 2016-0005 Dissolution of the Edmands Reclamation District (RD #2070).
8. The boundaries, as set forth in the proposal or as amended by action of the Commission, are hereby approved as submitted and are as described in Exhibit "A" Map and "B" Boundary Description attached hereto and by this reference incorporated herein subject to the terms and conditions included

9. One electronic copy (PDF), two large copies (18 by 24 minimum) and two 8 1/2 x 11 reductions of all maps along with an electronic copy (PDF) and two copies of the final boundary description shall be submitted to LAFCO prior to recordation of the Certificate of Completion.
10. The Commission hereby adopts the Notice of Exemption included as part of the Executive Officer's report for this annexation the applicant shall be responsible for payment of any documentary handling fees required by the Lake County Clerk/Auditor.
11. The subject proposal is assigned the following short form designation: **Dissolution of Edmands Reclamation District (RD #2070) (LAFCo File 2016-0005).**
12. The Executive Officer of this Commission is instructed to mail a certified copy of this resolution to those persons so indicated on the application and as required by Government Code Section 56882.
13. The application for the Dissolution of the Edmands Reclamation District #2070 (LAFCO 2016-0005) is hereby approved subject to the terms and conditions herein.
14. Upon the effective date of this dissolution control of all monies or funds including cash on hand and monies due but uncollected, and all property, real and personal, of the dissolved district is vested with the County as provided for in Government Code section 57457.
15. All remaining assets, facilities, infrastructure, and service responsibilities of the Levee (Reclamation) District 2070 shall be distributed to the Watershed Protection District, which is authorized and shall serve as the Successor Agency for purposes of winding up the affairs of the District and to provide future district services.
16. All funds currently deposited with the County Auditor Clerk Auditor-Controller for RD 2070 will be assigned to the Lake County Watershed Protection District.
17. The Lake County Watershed Protection District (LCWPD) may initially adopt the previous fee schedule currently used by the RD 2070. All previously authorized fees, taxes, and assessments shall apply within the dissolution territory as they apply to services provided by the Reclamation District.
18. The Watershed Protection District shall be responsible for the collection of any taxes (assessments) and service charges and fees to which Levee (Reclamation 2070) District 2070 would have been entitled while winding up the Levee (Reclamation 2070) District's affairs.

19. The Watershed Protection District shall have the responsibility for the maintenance of the Levee (Reclamation 2070) District pump station as previously performed by the Levee (Reclamation) District.
20. The Watershed Protection District shall have the responsibility for the acquisition improvement, disposition, sale, transfer, or division of any property, real or personal.
21. The Executive Officer is directed to record a Certificate of Completion for this proposal upon completion of all proceedings and compliance with the terms and conditions.
22. Completion of proceedings shall be concluded within one year after adoption date of this resolution. If the proceedings are not concluded within one year after passage of this resolution, all proceedings shall be terminated.

PASSED AND ADOPTED at a regular meeting of the Local Agency Formation Commission of the County of Lake, State of California, on the 15th day of March 2017 by the following vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

STACEY MATTINA, CHAIR
LAKE LOCAL AGENCY
FORMATION COMMISSION

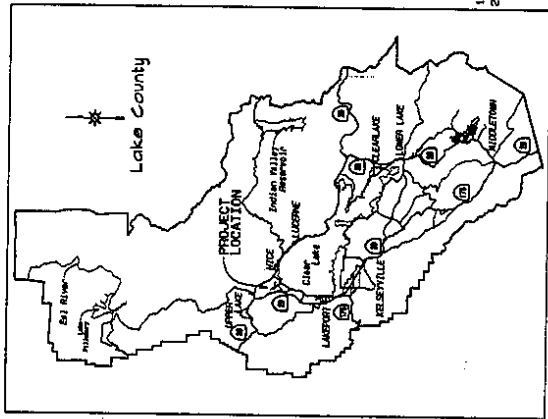
ATTEST:

JOHN BENOIT
Executive Officer

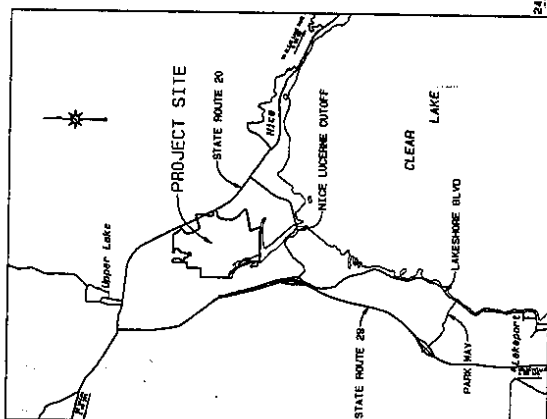
Exhibit A

EXHIBIT "B"
DISSOLUTION OF RECLAMATION DISTRICT #2070
BEING PORTIONS OF SECTIONS 17, 18, 19, 20, 29 & 30
TOWNSHIP 15 NORTH, RANGE 9 WEST, MOUNT DIABLO BASE AND MERIDIAN
COUNTY OF LAKE
STATE OF CALIFORNIA
JANUARY 2014

NOTE:
THE PETITION TO FORM RECLAMATION DISTRICT #2070
WAS APPROVED FEBRUARY 9, 1925 BY THE BOARD OF
SUPERVISORS. THIS DOCUMENT WILL SERVE TO DISSOLVE
THE DISTRICT AS DESCRIBED IN SAID PETITION.



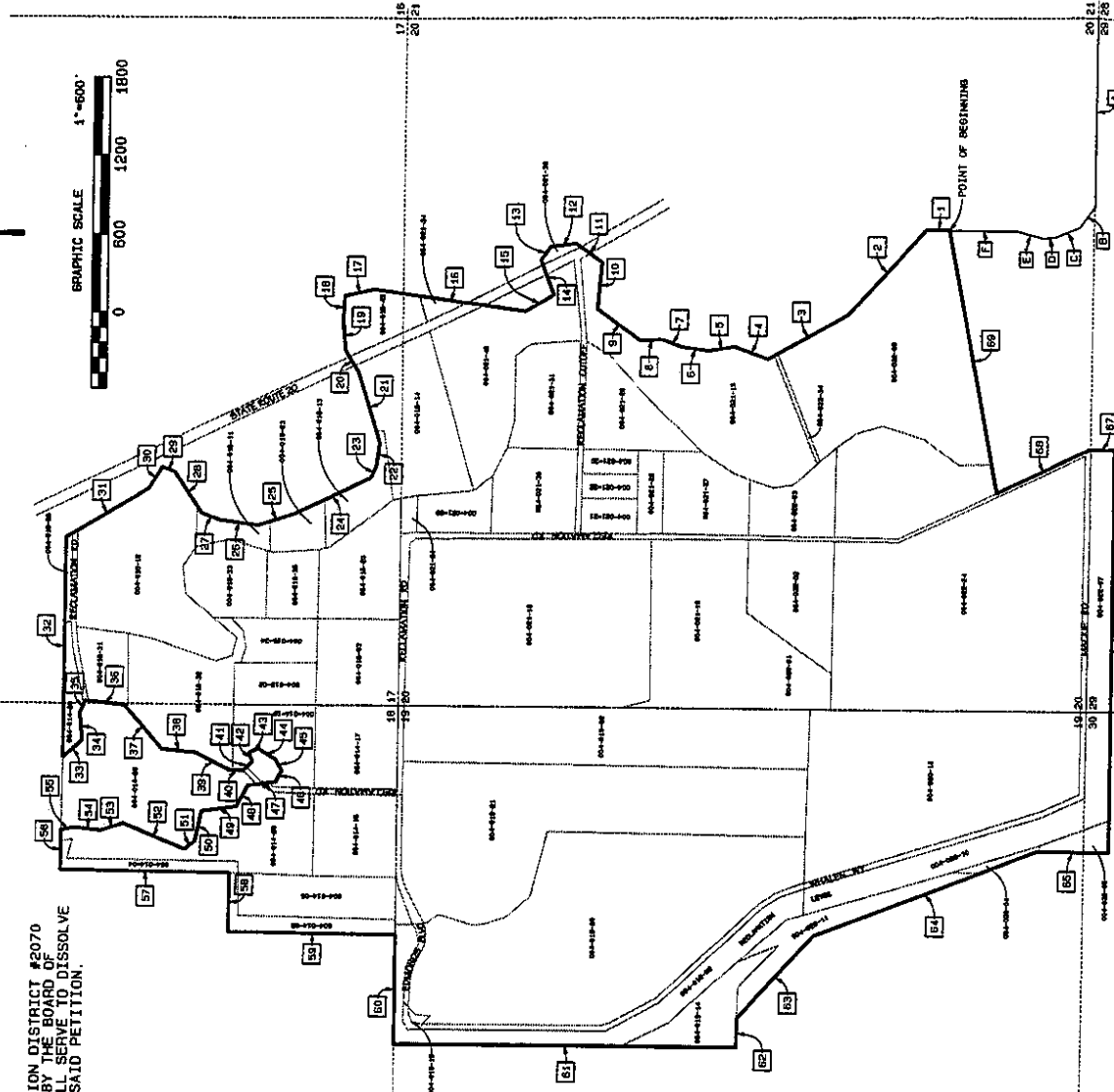
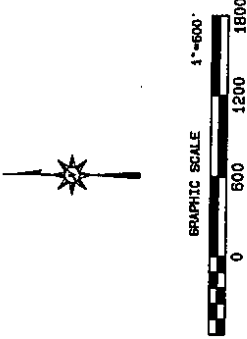
LOCATION MAP
N.T.S.



VICINITY MAP
N.T.S.

| COURSE | BEARING | DISTANCE |
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| 100 | S 89° 15' 00" E | 1.00 |

DISCLAIMER:
FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A
LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT
AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND
DESCRIBED.



FOR REDUCED PLANS ORIGINAL 0
SCALE IS IN INCHES

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LAFCO Dissolution of Reclamation District No. 2070

All that certain real property located within Sections 17, 18, 19, 20, 29 and 30, Township 15 North, Range 9 West, Mount Diablo Base and Meridian, in the unincorporated area of the County of Lake, State of California, described as follows:

Commencing at the corner common to Sections 20, 21, 28, and 29 in Township 15 North, Range 9 West M.D.M. thence West 1440 feet, thence North 52°45' West 199.50 feet, thence North 22° West 199.60 feet, thence North 5°45' West 100.00 feet, thence North 14° 15' East 199.80 feet, thence North 0° 30' East 532.80 feet to the POINT OF BEGINNING, said point of beginning being marked with a concrete post five inches square, five feet long with a ¾" iron pipe five feet long through the center of said post, said post being set 3 feet in the ground, thence from said point of beginning along the exterior boundaries of the lands and premises herein described as follows, to wit: thence

1. North 1° 15' East 178.60 feet; thence
2. North 48° West 888.00 feet; thence
3. North 30° West 698.00 feet (at 688.70 feet on this course intersects the North line of the W.O. Edmands reserve which said point is marked with a concrete post 5 inches square, 5 feet long, with a ¾" iron pipe 5 feet long through the center of said post, and set 3 feet in the ground); thence
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5. North 10° West 200.00 feet; thence
6. North 7° 35' East 200.00 feet; thence
7. North 20° 45' East 167.50 feet; thence
8. North 3° West 169.00 feet; thence
9. North 35° 50' East 411.40 feet; thence
10. South 85° East 363.30 feet; thence
11. North 34° 45' East 247.90 feet; thence
12. North 7° 15' West 196.50 feet; thence
13. North 54° 45' West 125.30 feet; thence
14. South 69° 45' West 287.10 feet; thence
15. North 30°45' West 249.40 feet; thence
16. North 7° 45' East 1,181.00 feet; thence
17. North 12° 30' West 232.20 feet; thence
18. North 86° West 185.00 feet; thence
19. South 84°30' West 241.20 feet; thence
20. South 59° West 200.00 feet; thence
21. South 72° 35' West 568.00 feet; thence
22. North 81° 45' West 176.50 feet; thence
23. North 65° 25' West 100.00 feet; thence
24. North 25° 30' West 646.40 feet; thence
25. North 18° 05' West 294.30 feet; thence

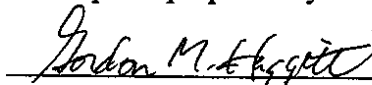
26. North 7° 50' East 296.00 feet; thence
27. North 20° East 148.30 feet; thence
28. North 56° 15' East 381.60 feet; thence
29. North 18° 30' East 100.00 feet; thence
30. North 57° 20' West 194.50 feet; thence
31. North 31° West 739.20 feet to a point on the line running East and West through the center of Section 17 of said Township and Range; which said point is marked with a concrete post 5 inches square, 5 feet long, with a ¾" iron pipe 5 feet long through the center of said post, and set 3 feet in the ground; thence
32. West 1,681.20 feet along said line running East and West through the center of said Section 17; thence
33. South 40° 15' East 195.30 feet; thence
34. North 84° 10' East 210.00 feet; thence
35. South 65° 30' East 100.00 feet; thence
36. South 5° 45' West 299.40 feet; thence
37. South 48° West 443.60 feet; thence
38. South 5° 30' West 263.00 feet; thence
39. South 27° 40' West 299.50 feet; thence
40. South 1° 15' East 100.00 feet; thence
41. South 45° 30' East 100.00 feet; thence
42. North 68° 30' East 75.00 feet; thence
43. South 21° 15' East 80.80 feet; thence
44. South 32° 45' West 149.20 feet; thence
45. South 58° 10' West 100.00 feet; thence
46. North 63° 40' West 100.00 feet; thence
47. North 7° 50' West 216.50 feet; thence
48. North 62° 45' West 182.70 feet; thence
49. North 8° 50' West 272.50 feet; thence
50. North 78° 10' West 235.70 feet; thence
51. North 38° 45' West 100.00 feet; thence
52. North 22° 30' East 514.60 feet; thence
53. North 18° West 183.90 feet; thence
54. North 6° 30' East 200.00 feet; thence
55. North 11° 15' West 109.00 feet to the said line running East and West through said Section 17; thence
56. West along said line 308.30 feet to the Northwest corner of the lands of W.O. Edmands, which corner is marked with a concrete post 5 inches square, 5 feet long, with a ¾" iron pipe 5 feet long through the center of said post, and set 3 feet in the ground from which a white oak 30 inches in diameter bears South 65° 30' East 58 feet distant, marked E.R.L.; thence
57. South 0° 30' West 1,300.00 feet on the line between the lands of W.O.-Edmands and the R.T. Polk Estate; to a point marked with a concrete post, 5 inches square, 5 feet long, with a ¾" iron pipe 5 feet long through the center of said post, and set 3 feet in the ground; thence
58. West 462.00 feet to a point on the line between the lands of P.A. Jones and A.Z. Jones and the estate of R.T. Polk, which said point is marked with a concrete post

- 5 inches square, 5 feet long, with a $\frac{3}{4}$ " iron pipe, 5 feet long, through the center of said post, and set 3 feet in the ground; thence along the line between the lands of P.A. Jones, and A.Z. Jones and the estate of R.T. Polk; thence
59. South $0^{\circ}30'$ West 1,283.60 feet to a point on the North line of Lake Land Location No. 893; which said point is marked with a concrete post 5 inches square, 5 feet long, with a $\frac{3}{4}$ " iron pipe through the center of said post, and set 3 feet in the ground; thence
 60. West 837.00 feet to the Northwest corner of said Lake Land Location No. 893; which said corner is marked with a concrete post 5 inches square, 5 feet long, with a $\frac{3}{4}$ " iron pipe through the center of said post, and set 3 feet in the ground, from which corner so marked the corner of Sections 18 and 19, Township 15 North, Range 9 West, and Sections 13 and 24, Township 15 North, Range 10 West, M.D.M. bears West 2,612.00 feet; thence
 61. South 2,640.00 feet along the West line of said Lake Land Location No. 893 to the Southwest corner thereof, which said corner is marked with a concrete post 5 inches square, 5 feet long, with a $\frac{3}{4}$ " iron pipe 5 feet long through the center of said post, and set 3 feet in the ground; thence
 62. East 220.70 feet along the South line of said Lake Land Location No. 893 to the Northeast corner of Lake Land Location No. 565; thence
 63. South 48° East 858.00 feet along the Easterly line of Lake Land Location Nos. 565 and 581; thence
 64. South $21^{\circ}30'$ East 1,835.00 feet to the line between Location No. 2 and Location No. 7 Sovereign Lands (Chapter 142, Statutes of 1923); thence
 65. South 569.98 feet to the Southwest corner of said Location No. 7; thence
 66. East 3,084.18 feet along the South line of said Location No. 7 to the West line of Lake Land Location No. 154; thence
 67. North 197.70 feet; thence
 68. North $25^{\circ}15'$ West 790.00 feet; thence
 69. North 78° East 2,056.00 feet on line between the Grilk and Edmands Tracts to concrete monument at the POINT OF BEGINNING and the end of this description and containing 783 acres more or less.

The purpose of this exhibit is to describe Reclamation District No. 2070 as created in the petition approved February 9, 1925 by the Lake County Board of Supervisors.

Disclaimer: "For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described."

Description prepared by:


Gordon M. Haggitt, P.L.S. 6352



BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

RESOLUTION NO. 2014-12

RESOLUTION OF APPLICATION BY THE BOARD OF SUPERVISORS OF THE
COUNTY OF LAKE REQUESTING THE LAKE COUNTY LOCAL AGENCY
FORMATION COMMISSION TO INITIATE PROCEEDINGS TO DISSOLVE LEVEE
DISTRICT NO. 2070

WHEREAS, the County of Lake desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Government Code Section 56000; and

WHEREAS, the specific change of organization requested is dissolution of Levee District No. 2070 (hereinafter, the "District"); and

WHEREAS, a description of the boundaries of the territory proposed for dissolution is set forth in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, it is desired to provide that the proposed dissolution be subject to the terms and conditions identified in Exhibit B and it is therefore recommended that the Lake County Local Agency Formation Commission condition an approval of the requested dissolution subject to these conditions; and;

WHEREAS, the area proposed for dissolution is consistent with the sphere of influence of the District; and

WHEREAS, the Board of Supervisors has considered the environmental review for the subject proposal in compliance with the California Environmental Quality Act (CEQA) and has found the subject proposal to be exempt from CEQA pursuant to CEQA Guidelines Section 15061, subdivision (b)(3) which applies to projects for which it has been determined there is no potential for causing a significant effect on the environment; and

WHEREAS, the reasons for the proposed dissolution are:

1. The County of Lake's Middle Creek Flood Damage Reduction and Ecosystem Restoration Project will reclaim the properties located within the District's boundaries such that the most significant function of the District, to operate and maintain the levee system presently protecting

1 those properties from flooding, is eliminated and the need for the continued operation of the District
2 no longer exists;

3 2. Those persons comprising the District Board of Directors have resigned their
4 appointments and/or have sold their interest in any real property located within the boundaries of the
5 District such that the District has no governing body and continuing operation of the District
6 impossible.

7 NOW THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS: This Resolution of
8 Application for dissolution of the District is hereby adopted and approved by the Board of
9 Supervisors and the Lake County Local Agency Formation Commission is hereby requested to
10 initiate proceedings for the dissolution of the territory described in Exhibit A in the manner provided
11 by the Cortese-Knox-Hertzberg Reorganization Act of 2000.

12 THIS RESOLUTION WAS PASSED AND ADOPTED by the Board of Supervisors of
13 the County of Lake, State of California, at a regular meeting thereof on ^{Ja-uary 28}_____, 2014 by the
14 following vote:

15 AYES Supervisors Comstock, Smith, Farrington, Brown and Rushing

16 NOES: None

17 ABSENT OR NOT VOTING: None

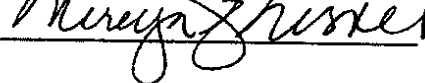
18
19 
CHAIR, Board of Supervisors




21 ATTEST: MATT PERRY
22 Clerk of the
23 Board of Supervisors

APPROVED AS TO FORM:

24 ANITA L. GRANT
25 County Counsel

26 By: 

27 By: 

28
Resolution of Application by the Board of Supervisors of the County of Lake Requesting
the Lake County Local Agency Formation Commission to Initiate Proceedings to Dissolve
Levee District No. 2070

EXHIBIT A
LAFCO Dissolution of Reclamation District No. 2070

All that certain real property located within Sections 17, 18, 19, 20, 29 and 30, Township 15 North, Range 9 West, Mount Diablo Base and Meridian, in the unincorporated area of the County of Lake, State of California, described as follows:

Commencing at the corner common to Sections 20, 21, 28, and 29 in Township 15 North, Range 9 West M.D.M. thence West 1440 feet, thence North 52°45' West 199.50 feet, thence North 22° West 199.60 feet, thence North 5°45' West 100.00 feet, thence North 14° 15' East 199.80 feet, thence North 0° 30' East 532.80 feet to the POINT OF BEGINNING, said point of beginning being marked with a concrete post five inches square, five feet long with a ¾" iron pipe five feet long through the center of said post, said post being set 3 feet in the ground, thence from said point of beginning along the exterior boundaries of the lands and premises herein described as follows, to wit: thence

1. North 1° 15' East 178.60 feet; thence
2. North 48° West 888.00 feet; thence
3. North 30° West 698.00 feet (at 688.70 feet on this course intersects the North line of the W.O. Edmands reserve which said point is marked with a concrete post 5 inches square, 5 feet long, with a ¾" iron pipe 5 feet long through the center of said post, and set 3 feet in the ground); thence
4. North 20° 25' East 275.00 feet; thence
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31. North 31° West 739.20 feet to a point on the line running East and West through the center of Section 17 of said Township and Range; which said point is marked with a concrete post 5 inches square, 5 feet long, with a ¾" iron pipe 5 feet long through the center of said post, and set 3 feet in the ground; thence
32. West 1,681.20 feet along said line running East and West through the center of said Section 17; thence
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57. South 0° 30' West 1,300.00 feet on the line between the lands of W.O. Edmands and the R.T. Polk Estate; to a point marked with a concrete post, 5 inches square, 5 feet long, with a ¾" iron pipe 5 feet long through the center of said post, and set 3 feet in the ground; thence
58. West 462.00 feet to a point on the line between the lands of P.A. Jones and A.Z. Jones and the estate of R.T. Polk, which said point is marked with a concrete post

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59. South 0°30' West 1,283.60 feet to a point on the North line of Lake Land Location No. 893; which said point is marked with a concrete post 5 inches square, 5 feet long, with a ¾" iron pipe through the center of said post, and set 3 feet in the ground; thence
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 61. South 2,640.00 feet along the West line of said Lake Land Location No. 893 to the Southwest corner thereof, which said corner is marked with a concrete post 5 inches square, 5 feet long, with a ¾" iron pipe 5 feet long through the center of said post, and set 3 feet in the ground; thence
 62. East 220.70 feet along the South line of said Lake Land Location No. 893 to the Northeast corner of Lake Land Location No. 565; thence
 63. South 48° East 858.00 feet along the Easterly line of Lake Land Location Nos. 565 and 581; thence
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 65. South 569.98 feet to the Southwest corner of said Location No. 7; thence
 66. East 3,084.18 feet along the South line of said Location No. 7 to the West line of Lake Land Location No. 154; thence
 67. North 197.70 feet; thence
 68. North 25° 15' West 790.00 feet; thence
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The purpose of this exhibit is to describe Reclamation District No. 2070 as created in the petition approved February 9, 1925 by the Lake County Board of Supervisors.

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Description prepared by:

Gordon M. Haggitt 1/16/2014
Gordon M. Haggitt, P.L.S. 6352



EXHIBIT "B"

Recommended Terms and Conditions for Approval of Levee District 2070 Dissolution

All remaining assets, facilities, infrastructure, and service responsibilities of Levee District 2070 shall be distributed to the Watershed Protection District which shall serve as the Successor Agency for purposes of winding up the affairs of Levee District 2070.

The Watershed Protection District shall be responsible for the collection of any taxes or assessments and service charges and fees to which Levee District 2070 would have been entitled while winding up the Levee District's affairs.

The Watershed Protection District shall be responsible for the maintenance of the Levee District pump station as previously performed by the Levee District.

The Watershed Protection District shall have the responsibility for the acquisition, improvement, disposition, sale, transfer, or division of any property, real or personal.



COUNTY OF LAKE
WATERSHED PROTECTION DISTRICT
Courthouse - 255 N. Forbes Street
Lakeport, California 95453
Telephone 707/263-2341 FAX 707/263-1965

ATTACHMENT

STATEMENT OF JUSTIFICATION

In 2005, the Lake County Watershed Protection District (District) began purchasing properties for the Middle Creek Flood Damage Reduction and Ecosystem Restoration Project. The properties purchased, and proposed for purchase, are within the boundaries of RD 2070. By acquiring these properties and having residents relocate outside the area, the pool of property owners available to serve on the RD 2070 Board has been nearly eliminated, and the District will soon be the majority property owner.

Without a functional Board, RD 2070 is unable to perform the basic operations and maintenance of important infrastructure such as the water pumping plant. Without a functioning pumping plant, significant and catastrophic flooding could occur. The District proposes the dissolution of RD 2070 with the District assuming responsibility for the operation and maintenance of the infrastructure previously performed by RD 2070.

Proposed conditions are as follows:

All funds currently deposited with the County Auditor-Controller for RD 2070 will be assigned to the Lake County Watershed Protection District for administration;

The Lake County Watershed Protection District (LCWPD) will adopt the previous fee schedule used by the RD 2070 Board for the collection of maintenance fees, and will annually invoice properties that previously paid for RD 2070 services and are not owned by LCWPD. Payments will be used for maintenance of infrastructure and shall cease at such time that no maintenance is required;

Upon completion of the dissolution of RD 2070, all assets and debts shall be transferred to the Lake County Watershed Protection District;

NOTICE OF EXEMPTION

Attachment 4

TO: County Clerk
County of Lake
Lakeport, CA

FROM: Lake LAFCO
P.O. Box 2694
Granite Bay, CA 95746

PROJECT TITLE: Dissolution of the Edmands Reclamation District #2070

PROJECT LOCATION: RD #695 is located southwest of the Community of Upper Lake south to the western portion of Rodman Slough

DESCRIPTION OF PROJECT:

The proposed project involves the dissolution of the Edmands Reclamation District (RD #2070) and services to be provided by the Lake County Watershed Protection District.

NAME OF PUBLIC AGENCY APPROVING PROJECT:

Lake Local Agency Formation Commission

NAME OF PERSON OR AGENCY CARRYING OUT THE PROJECT:

Lake Local Agency Formation Commission

EXEMPT STATUS:

Class 20 Categorical Exemption, "Changes in Organization of Local Agencies," CEQA Guidelines Section 15320, Changes in Organization of Local Agencies and 15061b (3) General Rule Exemption.

REASONS WHY THIS PROJECT IS EXEMPT:

This action is Exempt from the California Environmental Quality Act pursuant to Section 15301b of the CEQA Guidelines (Class 20) as the Lake County Watershed Protection District will assume the district's functions as its successor agency and 15061 b (3) whereby this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The Commission also finds there is no evidence in the record that an unusual circumstance exists with respect to this dissolution and assumption of services by the Lake County Watershed Protection District.

CONTACT PERSON:
John Benoit
LAFCO Executive Officer

TELEPHONE NUMBER:
(707) 592-7528

By: _____

Date: March 15, 2017