

ITEM # 6

Lake LAFCO

Executive Officer's Report

March 17, 2021

TO: Lake Local Agency Formation Commission

From: John Benoit, Executive Officer

SUBJECT: LAFCO 2020-0001 – Jackson, Polanco and Rancheria Annexation (JPR Annexation) to the Callayomi County Water District (CCWD)

The Diana Jackson, Pablo Polanco and the Middletown Rancheria of Pomo Indians of California herein referred to as the Middletown Rancheria has requested annexation of 27.87 acres more or less (APN 014-160-09,05,01 &10) to the Callayomi County Water District (CCWD) to receive domestic water services as in-district water service from the Callayomi County Water District for the proposed annexation territory located two miles south Middletown and west of Highway 29. This application was made by landowner petition requesting the Commission take proceedings for the annexation of the 27.87 acres.

The properties are located at 22223 South Highway 29, 22063 So State Highway 29, 21943 Shevland Road and 21973 S. St Highway 29 in Middletown, and contains Residential and Rural open space property for future development and is currently is receiving Callayomi County Water District water from the Callayomi County Water District.

EXECUTIVE OFFICER'S RECOMMENDATIONS: Adopt the proposed Resolution 2021-0004 approving a Sphere of Influence amendment (see Attachment #1)) and resolution 2021-0005 (Attachment #2) approving an annexation of 27.87 acres more or less to the Callayomi County Water District (APN 014-160-09,05,01 &10) to receive domestic water services from the Callayomi County Water District for the annexation territory subject to the recommended terms and conditions (LAFCO project 2020-0001).

Suggested Motions:

Adopt proposed Resolution 2021-0004 approving an amendment to the CCWD sphere of Influence to include an additional 27.87 acres.

Adopt proposed Resolution 2021-0005 approving the Annexation consisting of 27.87 acres more or less into the Callayomi County Water District.

I. BACKGROUND:

A. Summary:

Diana Jackson and Middletown Rancheria requested annexation of 27.87 acres more or less to the Callayomi County Water District for APN's 014-160-09,05,01 &10 to receive in district domestic water services as in district customers from the Callayomi County Water District.

The purpose of this annexation is to provide in-district domestic water to the properties, which is currently available by CCWD. Thirty houses are already being served with the Callayomi County Water District along with fifteen additional houses recently approved by LAFCo.

The proposed annexation is not located within the Middletown Urban Development Area of the 2008 Update as well as Community Growth Boundary in the Middletown Area plan adopted in 2010. The site for the proposed annexation territory is zoned and planned for Rural Residential. This property is not contiguous to the district with the exception of the Middletown Rancheria. The County Water District Act allows non-contiguous properties to be annexed to the district.

The 27.87 acres is not in the Callayomi County Water District (CCWD) sphere of influence yet water conveyance infrastructure is available to the site.

Staff recommends the Local Agency Formation Commission approve this Sphere of Influence Amendment and Annexation bringing the 27.87 acres of territory into the CCWD Sphere of Influence (Resolution 2021-0004) and the CCWD boundary subject to the terms and conditions stated in proposed Resolution 2021-0005.

B. Proposal and Justification

The purpose of the proposed project is to annex a total of 27.87 acres more or less into the Callayomi County Water District for reliable domestic water service. The annexation territory is currently uninhabited meaning there is less than 12 registered voters.

The South Lake County Protection District is the area's structural fire service provider. Other services such as law enforcement, road maintenance and wastewater are provided by Lake County.

Annexing this parcel into the CCWD will provide safe and adequate reliable domestic water for structures and most importantly fire protection for the site from a public water system.

This annexation is exempt from CEQA Classes 19 and 20 Annexation of Existing Facilities for lots for exempt facilities and Changes in Organization of Local Agencies and 15061b (3) General Rule Exemption and CEQA Guidelines section 15378(b)(5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

According to the CCWD MSR Adopted on July 17, 2013, The Callayomi County Water District provides the primary source of potable water consumed by the community of Middletown. The district owns, operates and maintains the water system facilities, which include a water treatment plant, three water supply wells, two storage tanks, and a booster station with two pumps, transmission and distribution mains, 70 fire hydrants (1), and 450 metered water services both inside and outside the District boundary (366 active accounts and 84 inactive accounts)(2). The district has an excess of 243,057 gpd. However, exceeds capacity for Peak Demand based on 477 active accounts of which 366 were active at the time (CCWD Water System Master Plan 2007). Much of the infrastructure was destroyed during the Valley Fire but has been rebuilt.

¹ Callayomi County Water District, Water System Master Plan, October 2007, Prepared by Coastland Civil Engineering-Construction Management-Building Department Services, Page 1-1.

² Callayomi County Water District, General Manager/ Board members, June 13, 2013.

C. Location

The property is generally located South of Middletown and west of SR 29

D. Purpose

The purpose of this annexation is to provide for a safe and reliable domestic water supply to serve the four properties

II. ANALYSIS

A. Accepted for filing: February 15, 2021

B. Publication and Posting: February 17, 2021

C. Compliance with CEQA: Exempt (see Attachment #4)

Lead Agency:	CCWD
Responsible Agency:	LAFCo
Environmental Finding:	Notice of Exemption Classes 19 and 20 and General Rule

Date of Finding: February 17, 2019

D. Compliance with applicable Plans:

Lands within the annexation area are planned and zoned Rural Residential

E. Compliance with applicable Spheres of Influence:

The Sphere of Influence for the CCWD was updated (July 2013) and will need an amendment to include the annexation area.

F. Existing Land Use and Zoning:

- LAND USE DESIGNATION:	Rural Residential
- ZONING:	Rural Residential
- DWELLINGS:	8
- POPULATION:	11
- REGISTERED VOTERS:	LESS THAN 12.

G. LANDOWNER (S): The Middletown Rancheria, Diana Jackson and Pablo Polanco

H. Existing Land Use and Zoning for Surrounding Territory:

The current land use for the annexation area is eight dwellings and three barns

- North: RL and AG Vineyard
- South: Middletown Rancheria and Casino
- East: APZ and Vineyard
- West: Rural residential

I. Proposed Development: None Expected

J. Fiscal Data: According to Resolution 2021-08 adopted on January 12, 2021 Board of Supervisors adopted Resolution Pertaining to Tax Revenue Exchange for Annexation to the Callayomi County Water District, there will be no property tax exchange for base property tax and incremental property tax for the territory to be annexed.

K. Existing and Proposed Service Agencies:

Service:	Existing Provider:	Proposed Provider:
School Districts	Middletown Unified School District	Same
Fire Protection	South Lake County Fire Protection District	Same
General Government	Lake County	Same
Police Protection	Lake County Sheriff	Same
Off-site Drainage and Flood Control	Lake County	Same
Water	Well	Callayomi County Water District
Wastewater	Septic	Septic
Street Lighting	Lake County	Same
Roads	Lake County	Same
Emergency Services	South Lake County Fire Protection District	Same

III. SPHERE OF INFLUENCE Policy Analysis

Lake LAFCo Policies updated and adopted in 2020 require an amendment to the adopted sphere of influence plan when an agency seeks to annex territory not within its Sphere of Influence. The CCWD Sphere of Influence was adopted in 2013 and the Lake County General Plan was adopted in 2008.

This analysis is for an amendment to the CCWD Sphere of Influence.

Policy Analysis

Lake LAFCo adopted Policies and Procedures regarding Amendments and Updates of Spheres of Influence (Section 3) on September 16, 2020. Below is a discussion of the applicable policy.

LAFCo will generally treat an update or a proposed amendment to an agency's Sphere of Influence similarly to an application for approval of a Sphere of Influence. Each of the following sets of policies apply to amendments to and updates of Spheres of Influence:

- i) General policies.
- ii) Specific policies and standards for Spheres of Influence and for Updates and Amendments thereto.

General Policies (Section 3.1) require an analysis of four factors as stated in Section 56425 (e) these are discussed below.

The site includes four lots with 6 dwelling units. Since this is the case, land in 17.13-acre area can be feasibly be served by the CCWD as in district services. This sphere amendment is internally consistent with the existing CCWD sphere.

Policy 3.4 (f)

Precedence of Amendments over Annexations. Sphere of Influence amendments shall precede the Commission's consideration of proposals for change of organization or reorganization.

The SOI amendment discussion will precede commission action on the consideration of the annexation proposal.

Policy 3.4 (g)

Demonstrated Need Required. An applicant for amendment to a Sphere of Influence must demonstrate a projected need or lack of need for service.

There is a need for services for this territory to be annexed since water quality is insufficient for domestic purposes. The CCWD has the ability to serve this territory with domestic water, which is the service being requested.

Policy 3.4 (h)

Open Space and Prime Agricultural Land. Amendment proposals involving Sphere expansions, which contain open space or prime agricultural land will not be approved by LAFCo if there is sufficient alternative land available to feasibly be annexed the existing Sphere of Influence.

The purpose of this proposal is to annex and provide service connections to existing dwellings and out buildings. There is no active agricultural activities on the parcels.

Pursuant to Government Code Section 56425, LAFCO must consider four specific issues prior to making written determinations to support its action in amending the Sphere of Influence for the CLOCWD. These are discussed in the following paragraphs:

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

Present and planned land uses in the area include rural lands type uses. The existing land uses surrounding the subject lands consist of small parcels with with commercial and residential lands uses. Land to the South is the Rancheria, and to the North, a vineyard and lands to the west are oak woodland and SR 29 lies to the east. Lands to the South is in the CCWD District and Sphere.

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

The current uses within the 27.87 -acre territory requires public water. The CCWD provides public water. Since the territory is planned and zoned for Rural Residential the need for reliable public water exists.

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

The CCWD provides water service to existing and proposed development in the area. However, this territory is not included in the Sphere of Influence but does receive CCWD water. The CCWD does not anticipate any restrictions in being able to provide water service to the parcels.

4. The existence of any social or economic land communities of interest in the area if the Commission determines that they are relevant to the community.

The subject territory is located contiguous to the CCWD Rancheria area and is proposed to be included within its boundaries and its Sphere of Influence. The CCWD is the only safe and reliable domestic water service provider within the area.

5. A determination regarding Disadvantaged Unincorporated Communities is required for Sphere amendments involving Domestic Water, Wastewater and Fire protection.

There are no Disadvantaged Unincorporated communities not receiving domestic water services within or coterminous to this proposal.

Conclusion:

The above considerations are the basis to support the inclusion of 27.87 acres to the Sphere of Influence for the CCWD. Recommended actions are presented in accordance

with the requirements of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 as they apply to the Sphere of Influence Studies.

IV. POLICY ANALYSIS - Annexation

1. GOVERNING LAW

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. Section 56668 of the Government Code states the following:

Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

- (a) **Population, and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.**
- (b) **The Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation; formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.**

“Services,” as used in this subdivision, refers to governmental services whether or not the services are services, which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.
- (c) **The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.**
- (d) **The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns, of urban development, and the policies and priorities set forth in Section 56377.**
- (e) **The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.**
- (f) **The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.**
- (g) **A regional transportation plan adopted pursuant to Section 65080, and consistency with city or county general and specific plans.**

- (h) **The proposal's consistency with city or county general and specific plans.**
- (i) **The sphere of influence of any local agency which may be applicable to the proposal being reviewed.**
- (j) **The comments of any affected local agency or other public agency.**
- (k) **The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.**
- (l) **Timely availability of water supplies adequate for projected needs as specified in Section 65352.5**
- (m) **The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with section 65580) of Chapter 3 of Division 1 of Title 7.**
- (n) **Any information or comments from the landowner or landowners, voters or residents of the affected territory.**
- (o) **Any information relating to existing land use designations.**
- (p) **The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.**
- (q) **Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.**

These factors will be reviewed with regard to the proposed Annexation to the Callayomi County Water District.

- (a) Population, and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

This annexation area consists of up to 8 dwelling units.

- (b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation; formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the

area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services, which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

This project includes the provision of adequate and reliable water supply to serve the existing homes.

- (c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

The CCWD serves the Community of Middletown. Growth of the District depends upon growth in and around the community of Middletown.

- (d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in (Government Code) Section 56377.

The annexation is contiguous with the Middletown Rancheria together are not contiguous with the district boundary.

- (e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

There should be no impacts.

- (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The boundary are definite and certain and includes four assessor parcels

- (g) Consistency with city or county general and specific plans.

The proposed annexation is consistent with Rural Residential designation in the Lake County General Plan and Zoning Ordinance and the Middletown Area Plan.

- (h) The sphere of influence of any local agency, which may be applicable to the proposal being reviewed.

The proposed annexation is within the Sphere of Influence for the Callayomi County Water District, as amended. The annexation does not conflict with the Sphere of Influence of any other district.

- (i) The comments of any affected local agency.

No comments received excepting a property tax resolution from the South Lake County Fire Protection District.

- (j) The ability of the newly formed or receiving entity to provide the services which area the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The CCWD has the ability to provide the annexation area with municipal water service.

- (k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5

The CCWD provides domestic water service this area already yet needs to be officially included in the district to sustain its water supply.

- (l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with section 65580) of Chapter 3 of Division 1 of Title 7.

N/A

- (m) Any information or comments from the landowner or owners.

None reported

- (n) Any information relating to existing land use designations.

The area is zoned Rural Residential and Rural Open Space

- (o) The extent to which the proposal will promote environmental justice. As used in this subdivision, “environmental justice” means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

There are no issues associated with environmental justice with this proposal.

- (q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

Not applicable

Lake LAFCO General Policies

Policy		Comment
Communication between local agencies is encouraged.	N/A	N/A
Urban development proposals shall include annexation	N/A	

to a city where possible.		
LAFCO will normally deny proposals that result in urban sprawl.	N/A	This project does not induce growth already has water service.
Environmental consequences (CEQA) shall be considered.	Consistent	Exemption Class 19/20 & General Rule
LAFCO will consider the impact of a proposal on the regional supply of housing for all income levels.	N/A	
LAFCO will favor proposals that promote compact urban form and infill development.	N/A	
Government structure should be simple, accessible, and accountable.	Consistent	There is no indication of unnecessary complexity or lack of accessibility or accountability.
Agencies must provide documentation that they can provide service within a reasonable period of time.	N/A	The CCWD supports this annexation and has the capacity to continue to serve.
Efficient services are obtained when proposals: Utilize existing public agencies. Consolidate activities and services. Restructure agency boundaries to provide more logical, effective, and efficient services.	N/A	
Adverse impacts on adjacent areas, social and economic interests and the local government structure must be mitigated.	N/A	
Conformance with general & specific plans required.	Yes	
Boundaries: Definite boundaries are required. Boundaries that are favored: Create logical boundaries & eliminate islands or illogical boundaries. Follow natural or man-made features and include logical service areas. Boundaries that are disfavored: 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.	Consistent	
Revenue neutrality required for all proposals.	Consistent	

<p>Agricultural and Open Space Land Conservation Standards:</p> <p>Must lead to planned, orderly & efficient development.</p> <p>Approved Sphere of Influence Plan required.</p> <p>Findings with respect to alternative sites required.</p> <p>Impact on adjacent agricultural/open space lands assessed.</p> <p>Agricultural Buffers</p>	Consistent	
<p>Need for services exists when:</p> <p>Public health and safety threat exists.</p> <p>The residents have requested extension of non-growth-inducing community services.</p> <p>Subject area is likely to be developed for urban use within 5 years.</p>	Consistent	
<p>Exceptions are justified on the following grounds:</p> <p>Unique.</p> <p>Standards Conflicts.</p> <p>Quality/Cost.</p> <p>No Alternative.</p>	Consistent	No policy exceptions are needed or requested.

Annexation and Detachment Policies—Lake LAFCO General

Policy		Comment
Proposals must be consistent with LAFCO general policies.	Consistent	
A proposal must be consistent with the agency's Sphere Plan and Master Service Element.	Consistent	The proposal is within the CCWD sphere of Influence, as amended
Plan for Services required.	N/A	
Subject territory must be contiguous to the agency's boundaries if required by law, or if necessary for efficient service delivery.	N/A	This territory is not contiguous with the existing district boundary.
The detachment is necessary to ensure delivery of services essential to Health and Safety.	N/A	
The Successor provider will be the most efficient service provider	N/A	
The service plans for districts, which lie within a City's Sphere of Influence should provide for orderly detachment of territory from the district or merger of the district as district territory is annexed to the City.	N/A	
Detachment from a City or Special District shall not relieve the landowners within the detaching territory from existing obligations for bonded indebtedness or other indebtedness previously incurred.	N/A	
Adverse impact of detachment on other agencies or service recipients is cause for denial.	N/A	

Action options include: Approval. Conditional approval to require only a portion of the area to be detached. Denial.		
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IV. Comments from the public and public agencies.
 NA

V. Staff Recommendations

Staff recommends the Commission approve this annexation of 27.87 acres more or less and adopt Resolution 2021-0004 and Resolution 2021-0005 including terms and conditions.

Respectfully Submitted,

John Benoit,
 Executive Officer

Attachments:

- Attachment #1 Resolution 2021-0004 Amending the CCWD Sphere of Influence
- Attachment #2 Resolution 2021-0005 Annexing 27.87 acres more or less to the CCWD
- Attachment #3 Notice of Exemption for CCWD Annexation of 27.87 acres

Resolution 2021-0004
Lake Local Agency Formation Commission
Lake County, California

*Making Determinations and Approving a Sphere of Influence
Amendment for the Water Sphere of Influence to include 27.87 additional acres more or less in the
Callayomi County Water District (CCWD) Sphere of Influence*

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission (“LAFCo”) adopt Spheres of Influence for all agencies in its jurisdiction and to review those spheres for possible update every five years; and

WHEREAS, proceedings for adoption, update and amendment of a Sphere of Influence are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act, Section 56000 *et seq.* of the Government Code; and

WHEREAS, Government Code Section 56425 defines the purpose of a Sphere of Influence Plan as assisting a LAFCo to carry out its responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities; and

WHEREAS, such a plan will be utilized by members of the public, public agencies, service providers and affected property owners to ascertain the timing of development and expected scope and provision of public services; and

WHEREAS, the Sphere of Influence Plan is a flexible document that may be amended to accommodate changes in development patterns and local circumstances and, further, will be reviewed in five years, as necessary; and

WHEREAS, California Government Code Section 56430 requires the Commission to conduct service reviews of the provision of municipal services prior to or in conjunction with action to update or adopt a sphere of influence; and

WHEREAS, on July 17, 2013, following a public hearing, Lake LAFCo adopted Resolution 2013-0007 approving a Sphere of Influence update for the CCWD; and

WHEREAS, it is the desire for the landowners to receive public water thereby requiring an amendment to the CCWD Water Sphere of Influence; and,

WHEREAS, there is no other service provider in the Callayomi County Water District area who can provide the desired water services; and,

WHEREAS, The CCWD has prepared a Notice of Exemption using Class19-Annexations of existing facilities.

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission upon the amendment of the sphere of influence of CCWD; and,

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;

NOW, THEREFORE, the Lake Local Agency Formation Commission hereby determines the following:

1. *The Commission's purposes and responsibility.*

The proposed amendment and update of the sphere of influence of the district, including the conditions established herein, is consistent with the Commission's policies, purposes and responsibility for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

2. *Considerations specified in Government Code Section 56425(e).*

The Commission has considered the documentation in this matter, including the Municipal Service Review and Sphere of Influence Plan documentation provided and comments submitted by the district and other interested agencies and individuals as they relate to the following considerations stated in Government Code Section 56425(e): (1) the present and planned land uses in the area, including agricultural and open space lands; (2) the present and probable need for public facilities and services in the area; (3) the present capacity of public facilities and adequacy of public services which the agencies provide or are authorized to provide; (4) the existence of any social or economic communities of interest in the area; (5) the presence of Disadvantaged Unincorporated Communities, as detailed below:

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

Land use designations in the County General Plan allow for the existing residence in the territory for the densities, which exist.

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

Current development requires the water services provided by the district.

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

The CCWD has sufficient capacity to extend services to the territory proposed to be included in its sphere of influence.

d. *The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.*

No relevant communities of interest are noted excepting the parcel is in the Callayomi Water District Service area.

e. *The existence of Disadvantaged Unincorporated Communities.*

There are no Disadvantaged Unincorporated Communities within and around the sphere amendment area that currently do not receive domestic water.

NOW, THEREFORE, the Lake Local Agency Formation Commission also makes the following findings and determinations:

1. The Commission finds that the amendment of the Sphere of Influence Plan for the CCWD is consistent with the land use designations of the County of Lake.
2. The Commission, as a Responsible Agency for the purposes of the California Environmental Quality Act (CEQA), hereby recognizes that there is no substantial evidence, in light of the whole record, that the amendment of the District's sphere of influence to include additional

territory, will result in a significant effect on the environment and no unusual circumstances exist.

AND, FURTHER, the Commission resolves and orders the following:

- 1) The CCWD Sphere of Influence Map, amended to include the subject territory is included herein as *Exhibit A*, is hereby adopted by the Commission.
- 2) All changes of organization or reorganization for CCWD must be consistent with the updated Sphere of Influence Plan and Map.
- 3) All changes of organization or reorganization for the CCWD must be consistent with adopted LAFCo Policies and Procedures.
- 4) The Commission hereby affirms the Notice of Exemption pursuant to Section 15319 of the CEQA Guidelines.
- 5) The foregoing resolution was duly passed by the Lake Local Agency Formation Commission at a meeting held on March 17, 2021, by the following roll call vote:

Ayes:

Noes:

Abstentions:

Absent:

Signed and approved by me after its passage this 17th day of March 2021.

Bruno Sabatier, Chair
Lake LAFCo

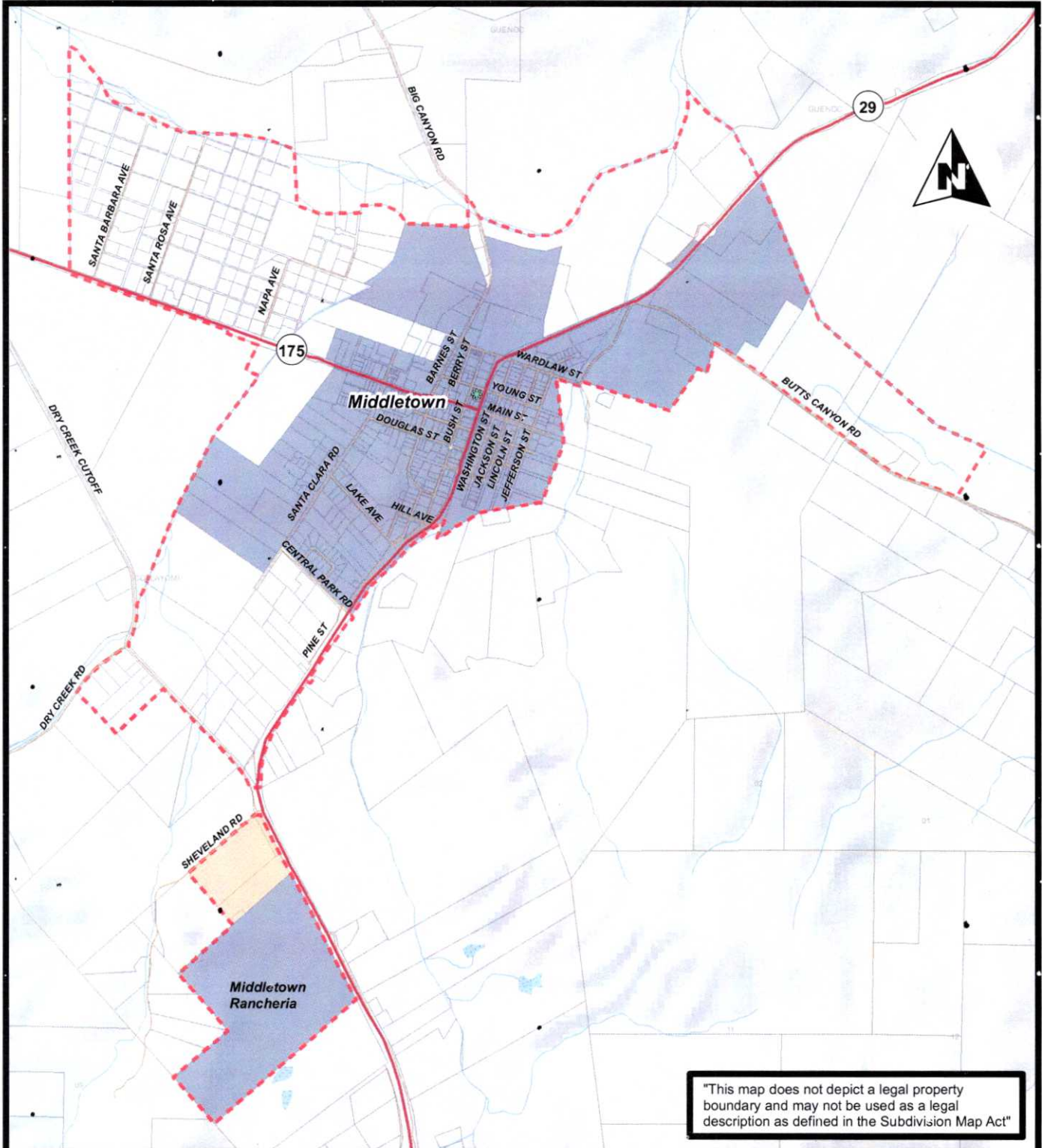
Attest:

John Benoit, Executive Officer

LAKE LOCAL AGENCY FORMATION COMMISSION CALLAYOMI COUNTY WATER DISTRICT

Range 07 West

Township 10 North



"This map does not depict a legal property boundary and may not be used as a legal description as defined in the Subdivision Map Act"



Legend

- Communities
- Highways
- Parcels
- Roads
- Water Bodies
- Callayomi County Water District Boundary
- Callayomi County Water District Proposed Sphere of Influence Boundary
- Callayomi County Water District Proposed Annexation and Sphere Amendment Area
- Rancheria Annexation #2

0 300 600 1,320 1,980 2,640 Feet

Callayomi County Water District
Middletown Rancheria Annexation #2
Resolution:
Adopted:

Callayomi County Water District
Sphere of Influence
Resolution:
Adopted:

Resolution # 2021-0005

**LAKE LOCAL AGENCY FORMATION
COUNTY OF LAKE,
STATE OF CALIFORNIA**

A Resolution Making Determinations and Approving the Annexation of 27.87 acres more or less to the Callayomi County Water District –LAFCO File 2020-0001

WHEREAS, the Middletown Rancheria, Diana Jackson and Pablo Polanco have filed an application to annex 27.87 acres into the Callayomi County Water District (CCWD) known as LAFCO File 2020-0001, Jackson, Polanco and Rancheria (JPR Annexation) Annexation to the CCWD.

WHEREAS, The annexation include 27.87 acres more or less and is described and depicted in Exhibits “A” and “B”, attached hereto and incorporated herein and 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, the CCWD was formed in 1977 to provide domestic water services as provided for in section 30000 et seq. of the California Water Code; 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, the Lake County Board of Supervisors adopted Resolution 2021-08 on January 12, 2021 pertaining to the Tax Revenue Exchange for this annexation; and

WHEREAS, this Commission has considered the application, the report of the Executive Officer, the Notice of Exemption for the 27.87-acre parcel currently receiving domestic water services for existing development, applicable General and Area Plans, LAFCO’s policies and each of the factors required by Government Code Section 56668 to be considered in the review of a proposal; and

WHEREAS, information satisfactory to this Commission has been presented that Middletown Rancheria has consented to this proposal in accordance with Government Code Section 56662; and

WHEREAS, all interested parties and proponents of the proposal were heard at a public hearing held on March 17, 2021.

WHEREAS, it is desired that the proposed annexation to the Callayomi County Water District be subject to the following terms and conditions:

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