

RESOLUTION NO. LAFC 2013-06-0807-02-13

THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

***MAKING DETERMINATIONS FOR THE MUNICIPAL SERVICES REVIEW AND
APPROVING THE ESTABLISHMENT OF THE SPHERE OF INFLUENCE FOR
COUNTY SERVICE AREA No. 13 (LAFC 02-13)***

WHEREAS, the Sacramento Local Agency Formation Commission (“Commission” or “LAFCo”) is the sole entity authorized to approve a Sphere of Influence pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;

WHEREAS, pursuant to Government Code section 56425(a), in order to carry out its purposes and 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, the Commission shall develop and determine the Sphere of Influence of each local governmental agency within the county;

WHEREAS, the Commission is required to update the Sphere of Influence for each local government agency within the county every five years, as necessary;

WHEREAS, in determining the Sphere of Influence of each local governmental agency, the Commission shall consider and prepare a written statement of its determinations with respect to its approval of the Sphere of Influence;

WHEREAS, on June 18, 2013 the County of Sacramento (COUNTY) submitted an application to the Commission requesting the Formation of County Service Area No. 13 and Detachment from County Service Area No. 4B for the Cordova Hills Development Project;

WHEREAS, the landowners of the Cordova Hills Development Project also submitted a petition to annex Sacramento Regional County Sanitation District and Sacramento Area Sewer District into the boundaries of the Cordova Hills Development Project;

WHEREAS, LAFCo is required to complete a Municipal Service Review and establish a Sphere of Influence prior to formation and/or annexations;

WHEREAS, the County of Sacramento was the Lead Agency under CEQA to prepare an Environmental Impact Report for the Cordova Hills Development Project. LAFCo is a Responsible Agency;

WHEREAS, the County of Sacramento certified the EIR, prepared Statement of Facts and Overriding Considerations, and adopted a Mitigation, Monitoring, and Reporting Program as required by CEQA;

WHEREAS, the Commission held a noticed public meeting on August 7, 2013, to receive public comments, and consider the Executive’s Officer Report;

WHEREAS, a Municipal Services Review (“MSR”), the Cordova Hills Special Planning Area Urban Services and Governance Plan, and Public Facilities Financing Plan was prepared and submitted by the County/landowner on March, 2013 as part of the Cordova Hills Development Project;

WHEREAS, the Commission discussed the Municipal Service Review, SOI, and Final EIR during its meeting on August 7, 2013, and heard public comments on the SOI, Municipal Service Review, and Final EIR;

WHEREAS, the Commission has, by means of Resolution No. LAFCo 2013-05-0807-02-13, concurrently considered and determined that the Final EIR has been prepared in full compliance with the terms of the California Environmental Quality Act (“CEQA”);

WHEREAS, the Commission has, by means of Resolution No. LAFCo 2013-05-0807-02-13 approved the Findings of Fact and Statement of Overriding Considerations as a Responsible Agency in accordance with CEQA;

WHEREAS, the Commission has undertaken a comprehensive analysis of the Cordova Hills’ CSA No.13 SOI establishment;

WHEREAS, the SOI evaluation and review process involved public participation and public hearings at which both written and oral comments were received from concerned citizens;

WHEREAS, local jurisdictions, community groups, businesses, and other interested parties were able to provide testimony throughout the planning and evaluation process;

WHEREAS, public agencies have reviewed and commented upon the SOI, MSR, and Final EIR;

NOW, THEREFORE, THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION does hereby find, determine, resolve and order as follows:

1. Notice as required by law has been given.
2. The boundaries of the SOI for County Service Area No. 13 are represented in Exhibit “A” attached hereto and incorporated herein. The SOI boundary is coterminous with the CSA No. 13 service boundary, the attached map and legal description set forth the boundary;
3. The SOI for CSA No. 13 as set forth in the respective applications is approved.
4. The Commission concurrently adopts Resolution No. LAFCo 2013-05-0807-02-13, adopting Findings of Fact and a Statement of Overriding Considerations as required by CEQA;
5. Surrounding land uses include agriculture to the north and east, and urban, commercial, and residential uses to west within the City of Rancho Cordova;
6. The Commission determines that the proposed SOI is consistent with the Commission’s purpose and responsibility for planning, shaping and coordinating the logical and

orderly development of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities. In making this determination, the Commission has considered:

- a. The Executive Officer's report;
- b. The MSR and Public Facilities Financing Plan and Cordova Hills Special Planning Area Urban Services and Governance Plan, dated March, 2013;
- c. The Final EIR and Mitigation and Monitoring Plan prepared and certified by the County of Sacramento;
- d. All oral and written public comments; and
- e. Public agency comments, staff reports and other pertinent information in the Commission's Record of Proceedings, as defined in the Findings of Fact and Statement of Overriding Considerations adopted concurrently herewith.

7. The Commission makes the following determinations and findings in approving the SOI. The Commission considered the policies set forth in Government Code section 56425. Pursuant to Government Code section 56425, and based upon the entire record, the Commission makes the following determinations:

The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands

The Cordova Hills Development Project is currently undeveloped. The County of Sacramento has adopted a land use plan that includes residential, commercial, and a proposed university that contains approximately 2,669 acres in the eastern portion of the unincorporated county.

The service area proposed for the CSA No. 13 is coterminous with the boundary of the Project. If, at some time in the future, the Project area is amended to include additional territory, then an SOI boundary change must be considered, before any related annexation could be approved.

Currently, there are minimal services being provided to this area. The proposed County Service Area No. 13, together with existing special districts, and the County of Sacramento will provide urban and municipal services needed for development of this project.

The Cordova Hills Special Planning Area (Cordova Hills or Project) is located in the unincorporated area of Sacramento County on 2,668 acres just east of the approved Sunridge Specific Plan and the proposed Suncreek Specific Plan in the City of Rancho Cordova bordered to the west by Grant Line Road, to the north by Glory Lane (about one-third mile south of Douglas Road), and to the east by Carson Creek. The Kiefer Landfill and its associated buffer lands are southwest of the Project, and the required buffer lands extend into the southwest portion of Cordova Hills. Planned development in Cordova

Hills consists of a maximum of 8,000 residential units on approximately 1,089 acres, and approximately 103 acres of commercial and office development

The Project will include a mix of uses consisting of residential, office, retail, university/college campus center, schools, parks, trails, open space, and public uses. The Project includes six distinct villages, the proposed university/college campus center, a large preservation (avoided) area, and other permanent open space that serves to separate villages. The Project includes a wide mix of residential uses, from high-density residential along the western edge, to low-density residential along the eastern edge. The majority of the commercial development is planned for the Town Center Village in the western part of the Project adjacent to Grant Line Road. A 223-acre university/college campus center is planned just southeast of the Town Center. The land uses and estimated development, population, and employees in this report are obtained from the Public Review Final Cordova Hills Public Facilities Financing Plan (Financing Plan).

The Present and Probable Need for Public Facilities and Services in the Area

a. The SOI is a plan for the CSA No. 13 future probable physical and service area boundaries for the Cordova Hills Development project. The SOI may be subject to terms and conditions imposed by the Commission to ensure orderly and planned growth is tempered by the need to preserve open space, habitat for species and agricultural land. No objections to the SOI have been raised by affected agencies, jurisdictions, or the public.

The CSA would be authorized to provide the following services:

- b. Parks and recreation.
- c. Open space and trails.
- d. Habitat operations and maintenance.
- e. Enhanced levels of landscaping.
- f. Supplemental road maintenance.
- g. Transit operations and maintenance.
- h. Transportation systems management.
- i. Administration and community communications.
- j. Solid Waste.

The Final EIR identifies the probable impacts that may occur from future development based on the proposed land use designations. The Commission has considered the EIR as a Responsible Agency and adopted Statement of Facts and Overriding considerations in accordance with CEQA;

The SOI is consistent with County General Plan and the Cordova Hills Development Plan approved by the County of Sacramento;

The SOI does not split parcels and does not create any areas that are difficult to serve. This finding is based on the Record of Proceedings, the Boundary Map, and the Executive Officer's report.

The SOI does not pose a threat to public health and safety. This finding is based on the Record of Proceedings, the Boundary Map, the Executive Officer's report, the Final EIR, and the MSR.

The Present Capacity of Public Facilities and Adequacy of Public Services Which the Agency Provides or is Authorized to Provide

The SOI will not result in significant unmitigable adverse effects upon other service recipients or other agencies serving the affected area. This finding is based on the Record of Proceedings, the MSR, and the comments of affected agencies. The Commission is required to consider the EIR as a Responsible Agency and has adopted Statements of Fact and Overriding Considerations.

Currently, the County and affected Special Districts have the capacity to provide public services to area residents and commercial/industrial customers.

At this time, minimal services are provided to this area because of its rural character.

The Existence of any Social or Economic Communities of Interest in the Area

The territory within the SOI area is mostly rural and agricultural and has economic and social communities of interest similar to the existing characteristics of the County.

In many cases the territory within the SOI area directly benefits from the services provided by the County and indirectly benefits from the County's economic and social community, such as businesses, social clubs, recreational activities, churches, and other community organizations.

The County and landowner have provided information and data in the MSR concluding that development will not adversely affect adjacent communities of interest.

The SOI does not divide any existing communities or other areas having identifiable social and economic homogeneity.

FURTHERMORE, the Commission makes the following determinations and findings in approving the SOI. The Commission considered its own Policies, Standards and Procedures, and based upon the entire record, the Commission makes the following determinations:

8. The SOI area to be added does not overlap the SOI of any other municipality.
9. The MSR for the SOI identifies types and adequacy of municipal services to be provided.
10. The MSR for the SOI identifies existing land uses and reasonable projection of land uses that may occur.

11. The MSR for the proposed SOI identifies existing and proposed facilities.

12. The County's projected population growth and development patterns indicate that the SOI Amendment will provide future economic development opportunities for the County and improve the jobs/housing balance.

13. The SOI Amendment area to be added, although currently largely agricultural lands, is in the logical path of urban development and adjacent to developing land within the City of Rancho Cordova, which promotes orderly growth and discourages sprawl.

FURTHERMORE, in accepting the MSR, the Commission has considered the policies set forth in Government Code section 56430. Pursuant to Government Code section 56430, the Commission finds and determines that:

14. The Executive Officer presented the MSR on August 7, 2013, to the Commission, and the Commission accepted it.

15. Growth and population projections for the SOI area have been provided by the affected entities, as set forth in the MSR and the Record of Proceedings.

16. The County has provided for its infrastructure needs and this determination is based upon the MSR, the Executive Officer's report, and the Record of Proceedings.

17. The County operates at an efficient level and utilizes cost avoidance opportunities when available, as demonstrated in the MSR and the Record of Proceedings.

18. The County's rates and fees are reasonable compared to other comparable cities and demonstrates efficient management of its rate structuring opportunities, as set forth in the MSR and the Record of Proceedings.

19. The County maximizes its opportunities to share facilities where possible, as set forth in the MSR and the Record of Proceedings.

20. The County's organizational structure allows for reorganization of service providers as demonstrated by the MSR and the Record of Proceedings.

21. Based upon its current fees, rates, and management structure, the County has demonstrated management efficiencies.

22. The County is governed by five locally elected Board of Supervisors members.

23. The MSR and supporting documents are current as it was submitted.

24. In the MSR, the County demonstrated a projected need for service based upon growth and population projections. The MSR is consistent with the County's development policies and its General Plan. These findings are based upon this Resolution, the Record of Proceedings, the Executive Officer's report, and the MSR.

25. The MSR includes determinations with respect to each of the following: (1) growth and population projections for the SOI Amendment area; (2) infrastructure needs or deficiencies; (3) financing constraints and opportunities; (4) cost avoidance opportunities; (5) opportunities for rate restructuring; (6) opportunities for shared facilities; (7) government structure options, including advantages and disadvantages of consolidation or reorganization of service providers; (8) evaluation of management efficiencies; and (9) local accountability and governance.

26. In the MSR, the Commission comprehensively reviewed all of the agencies that provide the identified service or services within the designated geographic area.

27. The MSR includes statements for each existing district specifying the functions or classes of services provided by those districts. The MSR also establishes the nature, location, and extent of any functions or classes of service provided by existing districts.

28. The County is the subject agency that will be the most logical and efficient provider of services to the SOI Amendment area. This finding is based the Record of Proceedings, the Executive Officer's report, and the MSR.

29. The MSR prepared by the County/landowner and the Commission includes an assessment of services and providers and states how providers will implement the proposed development contemplated by the proposed SOI. Through this analysis, the Commission concludes that there are no Spheres of Influence of overlapping jurisdictions.

30. The MSR concludes that adequate services, including water, wastewater, drainage and flood control, solid waste, circulation and roadways, fire protection, police services, animal control, code enforcement, parks and recreation, libraries, and electricity and natural gas will be provided within the timeframe needed by the inhabitants of the SOI area. A finance plan demonstrates that services will be phased in as development occurs.

31. Existing land use and a reasonable projection of land uses which would occur if services were provided consistent with the MSR.

32. Maps indicating existing and proposed facilities and the timing of proposed facilities are included in the MSR and Public Facilities Financing Plan.

33. The nature of each service to be provided is discussed in detail in the MSR and Public Facilities Financing Plan. It discusses how water, wastewater, drainage and flood control, solid waste, circulation and roadways, fire protection, police services, animal control, code enforcement, parks and recreation, libraries, and electricity and natural gas will be provided within the timeframe needed by the inhabitants of the SOI area.

34. The service level capacity to be provided is discussed in the MSR.

35. All actions, improvements, or construction necessary to reach required service levels, including costs and financing methods, is discussed in detail in the MSR and Public Facilities Financing Plan.

36. The Commission has reviewed and continued to have access to all district enabling legislation pertinent to the provision of services and annexations, including the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §§ 56000 – 57550) and the Municipal Utilities District Act (Pub. Utilities Code §§ 11501 – 14403.5).

37. Based upon the conclusions in the MSR, the Record of Proceedings, and the Executive Officer’s report, the Commission concludes that the County will be able to efficiently ensure reliable services at an acceptable cost to the new residents.

FURTHERMORE, the Commission makes the following determinations for the Municipal Service Review:

1. Infrastructure needs or deficiencies.

There is no infrastructure in Cordova Hills. Construction of the infrastructure will be controlled by the Project conditions of approval, the Development Agreement with the County, and the EIR. The infrastructure funding program is detailed in the Public Facilities Financing Plan. The CSA would be responsible for construction of park and recreation facilities and landscaping in the open space corridors and in certain streetscape areas outside the public ROW. This will include some signage, lighting, and transit support facilities including bus shelters and bus parking. These facilities may be funded by a variety of sources, including direct developer funding, development impact fees, and a Cordova Hills Mello-Roos CFD.

2. Growth and population projections for the affected area.

There is no present population within the boundaries of the Project area. The maximum build out population is estimated at 21,379.

3. Financing constraints and opportunity.

A Mello-Roos CFD special tax is planned to pay for the costs of services not funded directly through user fees/charges or other revenue sources. Special taxes will be established to pay for the costs of services not funded directly through user fees/charges or other revenue sources. Special taxes on undeveloped property would cover shortfalls in the early years until the tax base has grown to a sufficient level to fund needed services.

4. Cost avoidance opportunities.

The annual CSA budget would be evaluated by a County BOS appointed advisory committee to provide the highest level of service for the least cost. Because the CSA would be a new entity, it could implement many “best practices” techniques as it begins to provide services.

5. Rate restructuring.

Because the CSA would be a new special district, it would have the opportunity to set the appropriate rate structure to pay for the necessary services. The rate structure would have a built-in cost-of-living escalation factor.

6. Opportunities for shared cost.

The goals of the Project include partnerships with other public entities. The most likely arrangement would be shared park and recreation facilities with the EGUSD. Another opportunity may be a joint partnership with the SMFD and Regional Transit for a transit link.

7. Government structure options, including advantages and disadvantages of consolidation or reorganization.

The Urban Services and Governance Plan has been designed to minimize the need for new government organizations. Many of the services are planned to be provided by existing service providers.

The proposed services that would be provided by the CSA are more comprehensive than the authorized services for any other service provider. The CSA would be designed to be the community organizing vehicle that brings together all elements of the community. The communication, recreation, and transportation functions of the CSA would form the basis of the community network.

One advantage of a CSA is the efficiencies in the cost of providing the multiple services proposed. Where a multitude of single-purpose agencies would have administrative and other overhead costs associated with each agency, a CSA would have a single unified administration. Where a multitude of single purpose agencies would require individual employees with limited skill sets, the CSA would facilitate use of cross-trained, multifunctional personnel who can be allocated to diverse tasks efficiently. For example, park maintenance staff also could maintain the open space and trails network, signage, streetscape, and bus shelters. The cost savings because of efficiencies in administrative overhead, continuing use of maintenance equipment, and staffing flexibility is one of the chief attributes of a multi-service CSA. In addition, the creation of a locally controlled advisory Board could significantly rectify the limited representation that Cordova Hills' residents and businesses would have in other organizations that could provide a similar set of services.

8. Evaluation of management efficiencies.

As a new entity, the CSA would be designed to promote management efficiencies. It would be funded adequately through the levy of a special tax without burdening other special districts. The CSA would have the advantage of starting out with a highly efficient network communications system, which should produce substantial savings in day-to-day operations. The CSA services plan would provide the option of contracting out many of the maintenance functions, which could provide cost effective delivery of these services.

9. Local accountability and governance.

A CSA would be planned to start out as a dependent district governed ex-officio by the County BOS. It would be managed by a five-member advisory board of directors appointed by the County BOS. At some point in the future, the residents of Cordova Hills could decide to become an independent district and elect their own Board of Directors. Outreach would be provided by the communications services function of the CSA. The CSA would establish and operate a

communitywide intranet as the key component of a communications network that would distribute information about community activities and services and provide transportation management services such as ride-sharing bulletins, real-time bus location information, and transit system routing and schedules, as well as provide emergency information. Community meetings would be held in the CSA administrative building or other community meeting spaces.

BE IT FURTHER RESOLVED by the Commission that the Executive Officer:

38. Mail a certified copy of this Resolution to the affected governmental agencies whose boundaries are affected by the Resolution;

39. File a certified copy of this Resolution with the Clerk of the Board of Supervisors of the County of Sacramento; and

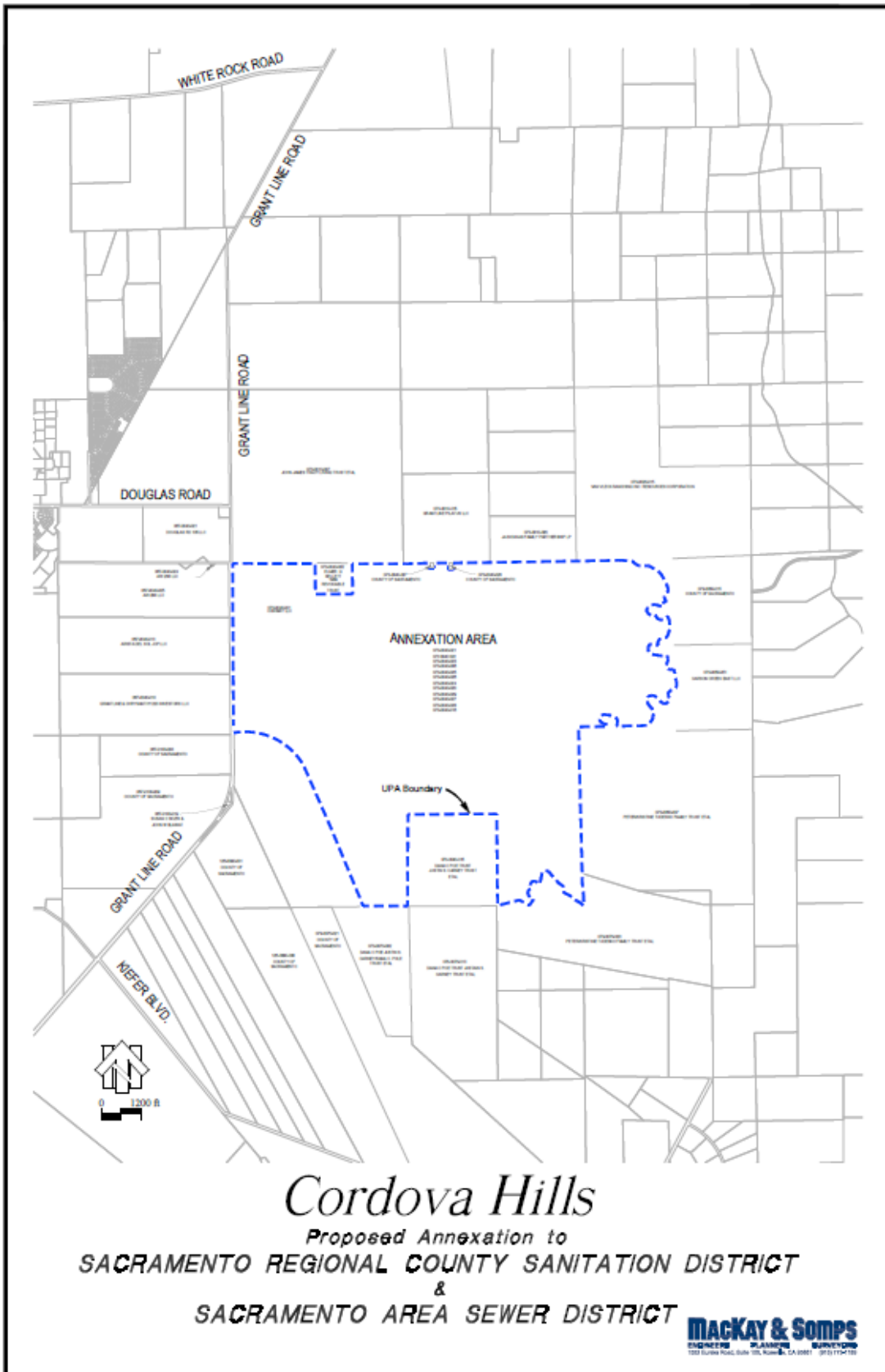
BE IT FURTHER RESOLVED that Resolution No. ***L AFC 2013-06-0807-02-13*** was adopted by the ***SACRAMENTO LOCAL AGENCY FORMATION COMMISSION***, on the ***7th day of August 2013***, by the following vote, to wit:

	Motion	2nd	Aye	No	Absent	Abstain
Susan Peters	_____	_____	_____	_____	_____	_____
Christopher Tooker	_____	_____	_____	_____	_____	_____
Kevin McCarty	_____	_____	_____	_____	_____	_____
Mike Singleton	_____	_____	_____	_____	_____	_____
Jimmie Yee	_____	_____	_____	_____	_____	_____
Ron Greenwood	_____	_____	_____	_____	_____	_____
Gay Jones	_____	_____	_____	_____	_____	_____
Commission Vote Tally			Aye _____	No _____	Absent _____	Abstain _____
			Passed Yes _____	No _____		

By: _____
Jimmie Yee, Chair
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

ATTEST:

Diane Thorpe
Commission Clerk



CORDOVA HILLS PROPERTY

Legal Description for CSA Formation and CSA-4B Detachment

Being a portion of Sections 13, 14, 22, & 23, Township 8 North, Range 7 East & a portion of Section 18, Township 8 North, Range 8 East, Mount Diablo Meridian, County of Sacramento, State of California, being more particularly described as follows:

Beginning at the Northwest corner of said Section 14, said corner being the **TRUE POINT OF BEGINNING**;

1. thence South 89°53'53" East along the North line of said Section 14 a distance of 2648.35 feet;
2. thence leaving said North line South 00°41'41" East along the West line of the Kellett property a distance of 987.11 feet;
3. thence North 89°43'47" East along the South line of said Kellett property a distance of 932.73 feet;
4. thence North 00°42'22" West along the East line of said Kellett property a distance of 981.05 feet to a point on the North line of said Section 14;
5. thence South 89°53'53" East along said North line a distance of 1694.42 feet to the Northeast corner of said Section 14;
6. thence North 89°04'12" East along the North line of said Section 13 a distance of 1706.57 feet;
7. thence leaving said North line South 00°55'48" East along the West line of Well Site #4 as described in Book 20090205, Page 0974 Official Records Sacramento County a distance of 200.00 feet;
8. thence North 89°04'12" East along the South line of said Well Site #4 a distance of 100.00 feet;
9. thence North 00°55'48" West along the East line of said Well Site #4 a distance of 200.00 feet to the North line of said Section 13;
10. thence North 89°04'12" East along said North line a distance of 839.33 feet to the North ¼ corner of said Section 13;
11. thence continuing along said North line North 89°06'59" East a distance of 2630.68 feet to the Northeast corner of Said Section 13;
12. thence North 88°53'52" East along the North line of said Section 18 a distance of 2933.82 feet ;
13. thence leaving said North line South 01°14'05" East along the West line of that certain real property as described in Book 3660, Page 633 Official Records Sacramento County a distance of 2639.82 feet to the Southwest corner of said property;
14. thence continuing South 01°14'05" East along the West line of that certain real property as described in Book 20080930, Page 0331, Official Records Sacramento county a distance of 2641.07 feet to the Southwest corner of said property coincident with the South line of said Section 18;
15. thence South 88°53'27" West along said South line a distance of 2917.90 feet to the southwest corner of said Section 18;
16. thence leaving said South line South 00°43'33" East along the East line of said Section 24 a distance of 5297.55 feet to the Southeast corner of said Section 24;

17. thence South 89°42'30" West along the South line of said Section 24 a distance of 2656.25 feet to the South ¼ corner of said Section 24;
18. thence North 00°48'17" West along the West line of the Southeast ¼ of said Section 24 a distance of 2634.97 feet to the Northwest corner of said Southeast 1/4;
19. thence South 89°49'29" West along the South line of the northwest ¼ of said Section 24 a distance of 2662.82 feet to the West ¼ corner of said Section 24;
20. thence South 00°56'45" East along the East line of said Section 23 a distance of 2640.45 to the southeast corner of said Section 23;
21. thence South 89°34'49" West a distance of 2542.76 feet to the South ¼ corner of said Section 23;
22. thence South 89°32'16" West a distance of 1128.58 feet;
23. thence North 23°48'54" West a distance of 1525.00 feet;
24. thence North 23°24'29" West a distance of 875.00 feet;
25. thence North 23°37'04" West a distance of 1345.77 feet;
26. thence South 40°32'21" West a distance of 246.75 feet;
27. thence North 00°35'59" West a distance of 73.89 feet;
28. thence North 71°23'31" West a distance of 118.02 feet;
29. thence in a northerly direction with a non-tangent curve turning to the left with a radius of 2540.00 feet, having a chord bearing of North 13°20'05" East and a chord distance of 462.81, having a central angle of 10°27'16" and an arc length of 463.46;
30. thence North 00°35'59" West a distance of 1479.04 feet;
31. thence North 00°52'14" West a distance of 5273.59 feet; to the point of beginning.

Containing 2667.835 acres, more or less..