



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION OF APPLICATION TO THE EL DORADO LOCAL AGENCY FORMATION COMMISSION REGARDING A PROPOSAL FOR EXERCISING LATENT ROAD MAINTENANCE POWERS WITHIN COUNTY SERVICE AREA NO. 5

WHEREAS, County Service Area No. 5 (“CSA 5”) was formed on May 26, 1970, by El Dorado County Resolution No. 171-70 for the purpose of providing and maintaining drainage facilities within the designated area;

WHEREAS, the County Service Area Law authorizes a County Service Area to provide road maintenance services (Government Code § 25213(i)) and such road maintenance services are designated as a “latent power” of CSA 5, as determined by the El Dorado Local Agency Formation Commission (“LAFCO”) in accordance with Government Code section 25210.2(g);

WHEREAS, the parcel owners within CSA 5 will benefit from extended road maintenance services;

WHEREAS, El Dorado County Community Development Agency, Transportation Division and the Board of Supervisors of the County of El Dorado supports the exercise of CSA 5’s latent power to provide road maintenance services;

WHEREAS, the El Dorado County Board of Supervisors, as the governing board of CSA 5, makes this application to LAFCO pursuant to Government Code § 25213.5 and § 56824.12 for the purpose of obtaining approval to exercise latent road maintenance powers within CSA 5, in addition to CSA 5’s currently authorized power to provide drainage facility maintenance;

WHEREAS, the approval to exercise such latent powers is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) by CEQA Guidelines § 15301 and § 15378(b)(4);

WHEREAS, in accordance with Government Code section 56824.12(c)(1), the Board of Supervisors held a noticed public hearing to consider adoption of this Resolution; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors as follows:

1. The El Dorado County Board of Supervisors, as the governing board of CSA 5, hereby makes application to LAFCO in accordance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, as set forth in Title 5, Division 3 of the California Government Code, commencing with Section 56000, for approval to exercise latent road maintenance powers, as specified in Government Code § 25213(i), within CSA 5.
2. The additional services to be provided by CSA 5 pursuant to this application shall be limited to the current boundaries of CSA 5; therefore, no request to modify those boundaries is being made at this time.

3. The type of expanded services proposed to be provided is road maintenance services in addition to the currently provided drainage maintenance. Road maintenance will not include improvements. Road maintenance services will not require the establishment of an additional service charge.
4. The reason for this proposal is to benefit the residents of CSA 5 by providing road maintenance at a level in excess of that which the County is able to provide and to do so without increasing the financial burden on the residents of CSA 5.
5. The El Dorado County Director of Transportation is hereby authorized and directed to execute and submit on behalf of the County of El Dorado, an application and all other relevant documents to the El Dorado LAFCO regarding a proposal for an expansion of powers within CSA 5 for road maintenance.
6. The El Dorado County Board of Supervisors hereby requests that LAFCO initiate proceedings on this application and, upon doing so, approve of the exercise of the specified latent powers within CSA 5 and take any additional action necessary to effectuate that action.
7. This proposal is consistent with the sphere of influence for CSA 5, as established via LAFCO Resolution No. L-2008-15, dated February 27, 2008.
8. In accordance with Government Code § 56824.12(b), the Clerk of the Board of Supervisors is hereby authorized and directed to file a certified copy of this Resolution with the Executive Officer of LAFCO.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest:	Ayes:
James S. Mitrisin	Noes:
Clerk of the Board of Supervisors	Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors