

To: Olin Woods, Chair and Members of the  
Yolo Local Agency Formation Commission

From: Elisa Carvalho, Assistant Executive Officer

Date: February 22, 2010

Subject: Reclamation District 811 Dissolution Conducting Authority Protest Hearing  
(Proceeding No. 910)

## **RECOMMENDED ACTIONS**

1. Conduct a public protest hearing regarding the proposed Reclamation District 811 Dissolution:
  - a. Summarize the Commission's Resolution Number 2010–01 making determinations (Attachment A); and,
  - b. Receive any oral or written protest, objection, or evidence that is made, presented, or filed.
2. If any significant valid written protest is received, continue the public hearing to determine the value of all valid written protests filed and not withdrawn.
3. If inadequate written protest is received approve dissolution of Reclamation District 811.

## **REASON FOR RECOMMENDED ACTION**

Government Code §57000 et. seq. indicates a protest hearing must be conducted after the Commission approves a change of boundary of a public agency without 100% consent from the landowners and/or registered voters. This hearing allows landowners to file official

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### **COMMISSIONERS**

★ *Public Member* Olin Woods, Chair ★  
★ *County Member* Matt Rexroad, Vice Chair ★  
★ *City Members* Tom McMasters-Stone, Stephen Souza ★ *County Member* Helen M. Thomson ★

### **ALTERNATE COMMISSIONERS**

★ *Public Member* Robert Ramming ★ *City Member* Skip Davies ★ *County Member* Jim Provenza ★

### **STAFF**

★ *Executive Officer* Elizabeth Castro Kemper ★ *Assistant Executive Officer* Elisa Carvalho ★  
★ *Commission Clerk* Terri Tuck ★ *Commission Counsel* Robyn Truitt Drivon ★

protests to the dissolution if they desire. The Commission initiated the proposal for dissolution. There was no landowner or registered voter petition as part of this proceeding.

## **BACKGROUND**

Pursuant to Government Code Section 56375, Yolo County LAFCO initiated proceedings for the dissolution of Reclamation District (RD) 811 (see Map 1) on December 14, 2009 by LAFCO Minute Order 2009-31. RD 811 is generally located in the northeast portion of the City of West Sacramento. The District is bound by Harbor Boulevard on the west, the Sacramento River on the north and east, and the Union Pacific Railroad embankment on the south. (According to the State Board of Equalization, the Union Pacific Railroad merged with Southern Pacific in 1997.) RD 811 is adjacent to District 537 on the west and RD 900 on the south. The District encompasses approximately 1.7 square miles (1,088 acres).

The area is largely residential and nearly built out. RD 811 has an estimated population of 13,500 and 4,997 registered voters. There are 3,480 landowners that own approximately \$170,848,027 of assessed value of land (excluding public property) in the District. Reclamation Districts are landowner-voter districts and protest will be measured based on the number of landowners and assessed land value. The City of West Sacramento will be the successor to RD 811 for the purpose of winding up the affairs of the District. The City will also continue to provide drainage services in the area.

The Certificate of Filing was issued by the Executive Officer on December 18, 2009. LAFCO determined that the Class 20 Categorical Exemption is the appropriate environmental review and approved the dissolution, subject to conditions, on January 25, 2010. Notice of this proposal has been provided to subject and affected agencies. The hearing for this petition has been properly noticed, posted, and published as required by the Cortese-Knox-Hertzberg Act.

The Yolo County LAFCO is the conducting agency as specified by Government Code Section 57050(b). LAFCO law requires that the Commission hold a public hearing to receive written protest and that the Commission's Resolution making determinations (Attachment A) be summarized before consideration of protests. After that Resolution is summarized, the Commission should then hear and receive any oral or written protests, objections, or evidence that is made, presented, or filed as well as the comments of any interested party.

After the hearing is closed, the Commission should determine the value of all valid written protests filed and not withdrawn. As previously mentioned, Reclamation Districts are landowner-voter districts and protest is measured based on landowners and assessed land value. There are 3,480 landowners that own approximately \$170,848,027 of the assessed value of land (excluding public property) in the District. Based on the recorded assessed value, the value of written protests is described below.

Order the Reclamation District 811 Dissolution subject to confirmation of landowner voters –  
If valid written protests are filed and not withdrawn from:

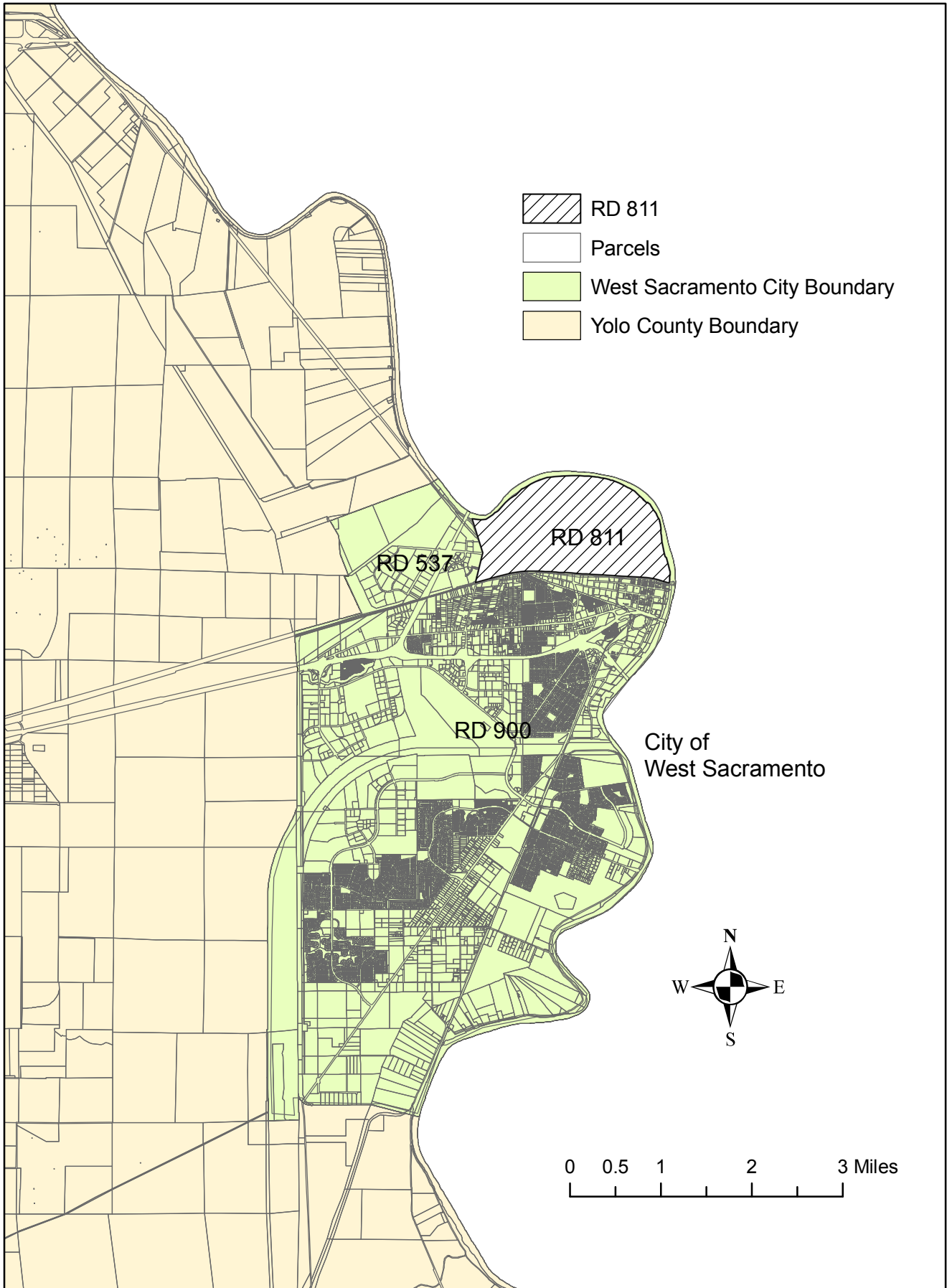
- At least 10 percent of the number of landowners within any affected district within the affected territory who own at least 10 percent of the assessed value of land within the territory, i.e. at least 348 landowners within any affected district within the affected territory who own at least \$17,084,803 of the assessed value of land within the territory.

If the protest threshold is not met the Commission may approve the dissolution without election. A proposed draft resolution based on no protest is provided in Attachment B.

Attachments:

- Map 1: Reclamation District 811
- Attachment A: LAFCO Resolution 2010-01
- Attachment B: Draft LAFCO Resolution of Conducting Agency Approving the Reclamation District 811 Dissolution

# Reclamation District 811



**RESOLUTION No. 2010-01**  
**(Resolution Making Determinations and Approving the**  
**Reclamation District 811 Dissolution)**  
**LAFCO No. 910**

**WHEREAS**, on December 14, 2009 the Yolo County LAFCO initiated proceedings for the dissolution of Reclamation District 811 shown on Exhibit "A" (hereinafter referred to as the "Subject Territory") by Minute Order 2009-31; and

**WHEREAS**, pursuant to Government Code Section 56375, LAFCO may initiate a dissolution if that change of organization is consistent with a recommendation or conclusion of a municipal service review, sphere of influence, or other Commission initiated study; and

**WHEREAS**, the Commission reviewed and approved a special reclamation district study on September 28, 2009 and the City of West Sacramento & CSA 9 Municipal Service Review and Sphere of Influence Report on January 26, 2009, both of which contemplate the dissolution of Reclamation District 811; and

**WHEREAS**, Reclamation District 811 has a zero sphere of influence; therefore, dissolution is consistent with the sphere; and

**WHEREAS**, the Subject Territory consists of approximately 1,088 acres; and

**WHEREAS**, the proposal was assigned LAFCO Application No. 910 and is referred to as the "Reclamation District 811 Dissolution" proposal ("Proposal"); and

**WHEREAS**, a Certificate of Filing was issued on December 18, 2009; and

**WHEREAS**, the Executive Officer also reviewed the proposal pursuant to the California Environmental Quality Act ("CEQA"), and determined that the dissolution is categorically exempt from CEQA pursuant to CEQA guidelines Section 15320 (Class 20) because it consists of changes in the organization of local government agencies where the changes do not change the geographical area in which previously existing powers are exercised, and, based thereon, the Executive Officer prepared a draft Notice of Exemption; and

**WHEREAS**, the Executive Officer set January 25, 2010 for consideration of the Proposal and caused Notice to be posted, published, and mailed at the times and in the manner required by law at least twenty-one (21) days in advance of that date; and

**WHEREAS**, the Executive Officer reviewed the Proposal and prepared and filed a report with recommendations with this Commission at least five (5) days prior to the date of the January 25, 2010 meeting during which the Proposal was set to be considered; and

**WHEREAS**, on January 25, 2010 the matter came on regularly for hearing before this Commission, at the time and place specified in the notice of the Public Hearing; and

**WHEREAS**, at said meeting, the Proposal, the Categorical Exemption, and the Executive Officer's Report and Recommendations were reviewed and considered; and

**WHEREAS**, an opportunity was given to all interested persons, organizations, and agencies to present oral or written protests, objections, and any other information concerning the Proposal and all related matters; and

**WHEREAS**, this Commission has considered the Categorical Exemption of environmental review, the Executive Officer's Report and Recommendations, the adopted Sphere of Influence for the City of West Sacramento & CSA 9 and the RD 811 Special Study, each of the policies, priorities and factors set forth in Government Code Sections 56377, 56668 and 56668.3, the Standards of Evaluation for proposals as set forth in LAFCO Resolution No. 2007-07, the Commission's Agricultural Conservation Policy, the Commission's Land Evaluation and Site Assessment model, and all other matters presented as prescribed by law.

**NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED** by Yolo County Local Agency Formation Commission as follows:

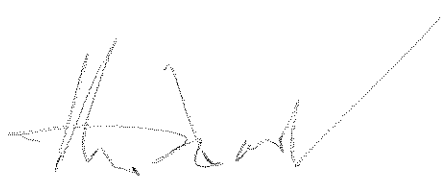
1. Each of the foregoing recitals is true and correct.
2. This Resolution making determinations is made pursuant to the Local Government Reorganization Act of 2000, California Government Code Sections 56000 et seq.
3. The Yolo County Local Agency Formation Commission accepts the Class 20 Categorical Exemption as the appropriate environmental review for this project.
4. The Commission hereby assigns the Proposal the short title of "Reclamation District 811 Dissolution".
5. The subject territory is approximately 1,088 acres.
6. The City of West Sacramento is the successor to Reclamation District 811, pursuant to Government Code section 57451(a).
7. Public service costs of this proposal are likely to be less than or substantially similar to the costs of alternate means of providing the service.
8. The proposed consolidation promotes public access and accountability for community services needs and financial resources.
9. Government Code §57000 et seq. designates this Commission as the conducting agency for protest proceedings.
10. The Commission authorizes the dissolution without election pursuant to Section 57102 and the limitations of Government Code Section 57113.
11. The proposal is consistent with the Reclamation District 811 Sphere of Influence.
12. The area is largely residential and substantially built out.

13. The dissolution is not subject to the Yolo LAFCO agricultural conservation policy because the area is urban and has no agricultural land.
14. There are 4,997 registered voters in the area; therefore, the proposal area is considered inhabited by state law.
15. The proposal is consistent with the City of West Sacramento and Yolo County General Plans.
16. A Class 20 Categorical Exemption is the appropriate environmental review for this proposal.
17. The subject territory will receive drainage services from the City of West Sacramento; otherwise, there will be no change in governmental services related to this proposal.
18. The following agencies and Districts were notified concerning this proposal: the City of West Sacramento, Reclamation District 900, Reclamation District 537, the County of Yolo, the Department of Water Resources, the Central Valley Flood Protection Board, the Yolo County Library District, the Sacramento-Yolo Mosquito and Vector Control District, the Washington Unified School District, and the Los Rios Community College District. No response was received.
19. The State Board of Equalization does not require submittal of a prescribed map and legal description for a dissolution proposal.
20. The proposal is consistent with the LAFCO Standards of Evaluation.
21. The area proposed for reorganization represents an orderly, logical, and a justifiable change in District boundaries.
22. The Reclamation District 811 Dissolution is hereby approved, subject to the following conditions:
  - a The City of West Sacramento shall pay all State Board of Equalization, County Clerk, or other appropriate fees prior to recording of the Certificate of Completion for the Reclamation District 811 Dissolution.
23. Instruct the Executive Officer to set the Conducting Authority proceeding for this proposal. Yolo County LAFCO shall conduct protest proceedings for this proposal pursuant to Government Code Section 57000 et seq. of the Cortese-Knox-Herzbert Act of 2000 and authorize the dissolution without election pursuant to Section 57102 and the limitations of Government Code Section 57113.
  - a Schedule the next LAFCO meeting in the Reclamation District 811 area. Pursuant to Government Code Section 57008, for any proposal initiated by the Commission pursuant to subdivision (a) of Section 56375, the commission shall hold a public protest hearing in the affected territory. Staff has reserved the West Sacramento City Senior Center at 664 Cummins Way for 5pm on February 22, 2010.

24. If insufficient protest is received to terminate proceedings, determine the effective date of the approval of this agreement to be five (5) working days after recordation by the County Recorder of the Executive Officer's Certificate of Completion, once the imposed conditions are met.
25. The Executive Officer is instructed to:
- (a) Mail a certified copy of this resolution to the affected agencies and the County of Yolo;
  - (b) Prepare and file a Notice of Exemption in accordance with the California Environmental Quality Act; and
  - (c) Set the Conducting Authority proceeding for this proposal for February 22, 2010.
26. The effective date of the annexation shall be five (5) days after recordation by the County Recorder of the Executive Officer's Certificate of Completion, which shall be prepared and recorded after the conditions set forth above are met.


**PASSED AND ADOPTED** by the Yolo County Local Agency Formation Commission of the County of Yolo, State of California this 14th day of December 2009 by the following vote.

AYES: McMasters-Stone, Rexroad, Souza, Thomson, Woods  
NOES: none  
ABSENT: none

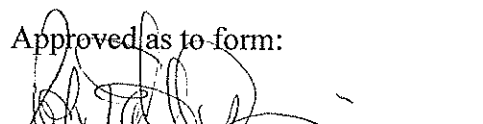


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Olin Woods, Chair  
Yolo County Local Agency Formation Commission

ATTEST:

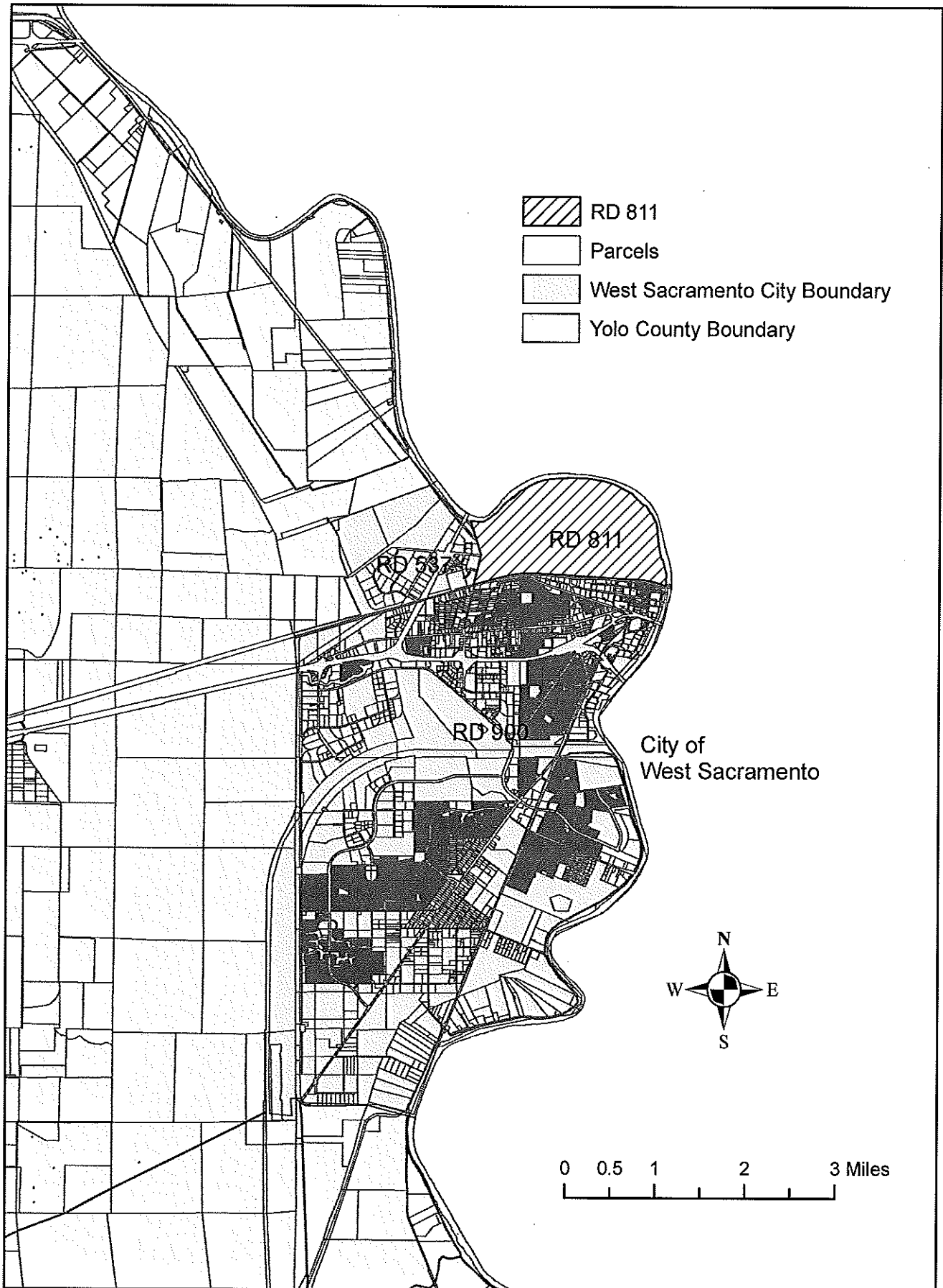
  
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Elizabeth C. Kemper, Executive Officer  
Yolo County Local Agency Formation Commission

Approved as to form:

  
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Robyn Drivon, Commission Counsel



# Reclamation District 811



**RESOLUTION No. 2010-\_\_**  
**(Conducting Authority Resolution Approving the**  
**Reclamation District 811 Dissolution)**  
**LAFCO Proceeding No. 910**

**WHEREAS**, on December 14, 2009 the Yolo County LAFCO initiated proceedings for the dissolution of Reclamation District 811 shown on Exhibit “A” (hereinafter referred to as the “Subject Territory”) by Minute Order 2009-31; and

**WHEREAS**, the Subject Territory consists of approximately 1,088 acres of land; and

**WHEREAS**, the proposal was assigned LAFCO Application No. 910 and is referred to as the “Reclamation District 811 Dissolution” proposal (“Proposal”); and

**WHEREAS**, a Certificate of Filing was issued on December 18, 2009; and

**WHEREAS**, the Executive Officer reviewed the proposal pursuant to the California Environmental Quality Act (“CEQA”), and determined that the dissolution is categorically exempt from CEQA pursuant to CEQA guidelines Section 15320 (Class 20) because it consists of changes in the organization of local government agencies where the changes do not change the geographical area in which previously existing powers are exercised, and, based thereon, the Executive Officer prepared a draft Notice of Exemption; and

**WHEREAS**, the Executive Officer set January 25, 2010 for consideration of the Proposal and caused Notice to be posted, published, and mailed at the times and in the manner required by law at least twenty-one (21) days in advance of that date; and

**WHEREAS**, on January 25, 2010, the Commission considered the proposal in the manner prescribed by law; and

**WHEREAS**, thereafter, on January 25, 2010 this Commission adopted its Resolution 2010-01: (1) assigning the short title of “Reclamation District 811 Dissolution” to this proposal; (2) accepting the Class 20 Categorical Exemption as the appropriate environmental review for this proposal in accordance with CEQA; (3) approving the Reclamation District 811 Dissolution, subject to certain conditions as set forth in Resolution 2010-01, and (4) taking other related actions; and

**WHEREAS**, Government Code §§57000 et seq. designates this Commission as the conducting agency for further proceedings; and

**WHEREAS**, as directed by the Commission in Resolution 2010-01, the LAFCO Executive Officer set 5:00 p.m. on February 22, 2010, in the West Sacramento Senior Center, 664 Cummins Way, West Sacramento, California, as the time, date and place for a public hearing to receive and consider any protests pursuant to Government Code §57051; and

**WHEREAS**, the LAFCO Executive Officer caused notice thereof to be posted, published, and mailed at the times and in the manner required by law at least twenty-one (21) days in advance of the date set for the hearing; and

**WHEREAS**, said notice contained the short form designation assigned by this Commission to this

proposal; a statement of the manner in which, and by whom, the proceedings were initiated; a description of the exterior boundaries of the subject territory as shown on Exhibit A and the particular changes of organization in the proposed annexation; an analysis supporting the proposed dissolution as set forth in the January 25, 2010 Executive Officers Report to this Commission; a statement of the time, date, and place of the protest hearing on the proposed dissolution; and a statement of the time and manner in which protests may be submitted; and

**WHEREAS**, on February 22, 2010, this Commission opened the public hearing, LAFCO Resolution 2007-01 was summarized, and an opportunity was given to all interested persons, organizations, and agencies to present oral or written protests, objections, and any other information concerning the Proposal and all related matters; and

**WHEREAS**, this Commission received and considered any oral or written protests, objections, or evidence that was then made, presented, or filed, and then closed the public hearing; and

**WHEREAS**, following the close of the Public Hearing, this Commission determined the value of all valid written protests filed and not withdrawn.

**NOW, THEREFORE, IT IS HEREBY RESOLVED, ORDERED AND FOUND** by the Yolo County Local Agency Formation Commission as follows:

1. Each of the foregoing recitals is true and correct.
2. This Resolution is made pursuant to the Local Government Reorganization Act of 2000, California Government Code Sections 56000 et seq.
3. These proceedings were initiated by Yolo County LAFCO in accordance with applicable law.
4. The subject territory has 4,997 registered voters, and is therefore inhabited as that term is defined in Government Code §56046.
5. The subject territory has 3,480 landowners with approximately \$170,848,027 of assessed land value (excluding public property).
6. The reasons for the dissolution is/are to promote public access and accountability for community services needs and financial resources.
7. No written protests were filed concerning the proposed dissolution.
8. The dissolution of Reclamation District 811 is hereby approved, subject to the following conditions:
  - a. The City of West Sacramento shall pay all State Board of Equalization, County Clerk, or other appropriate fees prior to recording of the Certificate of Completion for the Reclamation District 811 Dissolution.
9. The Executive Officer is instructed to:
  - a. Mail a certified copy of this resolution to the Applicant, the affected agencies, and the County of Yolo;
  - b. Prepare and file a Notice of Exemption in accordance with the California Environmental Quality Act;
10. The effective date of this annexation shall be five (5) days after recordation by the County

Recorder of the Executive Officer's Certificate of Completion, which shall be prepared and recorded after the conditions set forth above are met.

**PASSED AND ADOPTED** by the Yolo County Local Agency Formation Commission, County of Yolo, State of California, this 22nd day of February 2010, by the following vote.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Olin Woods, Chair  
Yolo County Local Agency Formation Commission

ATTEST:

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Elizabeth C. Kemper, Executive Officer  
Yolo County Local Agency Formation Commission

Approved as to form:

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Robyn Drivon, Commission Counsel

# Reclamation District 811

