

RESOLUTION 2013-01 OF THE
CAMERON ESTATES COMMUNITY SERVICES DISTRICT
ESTABLISHING ANNEXATION POLICIES AND PROCEDURES

Whereas, The District has the authority pursuant to Government Code Section 61060(b) to adopt and enforce rules and regulations for the administration, operation, use and maintenance of the facilities and services of the District; and

Whereas, it is appropriate for the District to establish policies and procedures pertaining to the potential annexation of property currently outside the boundaries of the District and to mitigate the potential impacts of such annexation; and

Whereas, the District has the authority to limit access and use of its roads pursuant to Government Code Section 61105, which provides as follows:

a) The Legislature finds and declares that the unique circumstances that exist in certain communities justify the enactment of special statutes for specific districts. In enacting this section, the Legislature intends to provide specific districts with special statutory powers to provide special services and facilities that are not available to other districts. . . .

(f) The Bear Valley Community Services District, the Bell Canyon Community Services District, the Cameron Estates Community Services District, the Lake Sherwood Community Services District, the Saddle Creek Community Services District, and the Wallace Community Services District may, for roads owned by the district and that are not formally dedicated to or kept open for use by the public for the purpose of vehicular travel, by ordinance, limit access to and the use of those roads to the landowners and residents of that district.

Whereas, The annexation of additional real property to the District is likely to impact the District in a variety of ways, including additional traffic upon the roads of the District, which may result in increased maintenance costs and responsibilities, traffic safety issues, littering, vandalism, noise and liability to the District for traffic accidents; and

Whereas, the District wishes to set forth policies and procedures that shall be followed prior to any annexation of property to the District.

NOW THEREFORE, the Board of Directors hereby finds and declares as follows:

1. Property must be annexed to the District prior to receiving permission to access and use the roads and other facilities of the District. Furthermore, unconditional commitments to provide service to property and/or proposed developments will not be granted until said property is annexed to the District.

2. District approval of residential, commercial, industrial or other types of development projects will not be granted by the Board of Directors until the entire site has been annexed to the District, or will be granted with the condition that the entire project site be successfully annexed to the District.

3. Annexation Procedures.

A. Determine suitability. Property owners or project developers desiring annexation to the District should first determine several factors regarding their property's suitability for annexation:

1. Is the property presently outside the District's boundaries?
2. Is the property within the sphere of influence established for the District by the Local Agency Formation Commission (LAFCo)?
3. Where are the District's existing access roads relative to the property?
4. Is the capacity of the District's existing roadways adequate for the property's proposed development density and if not, what mitigation measures are suitable? Applicants should anticipate that the Board may require the applicant for annexation to fund a traffic study performed by a qualified engineer or other qualified professional on behalf of the District in order for the Board to assess the impact of the project on the District's infrastructure and appropriate mitigation measures.
5. Information regarding the District's, sphere of influence, and the location of existing roads will be provided by District staff upon request.

B. Application to District. If annexation proponents desire to receive confirmation of District acceptance of their proposal prior to initiating the LAFCo application, the petition, map, legal description and LAFCo application form, should be submitted to the District office, in addition to a \$500 application fee to offset the cost of processing the application. The Board of Directors will consider the application for annexation at a regularly scheduled meeting. In considering whether to support the annexation proposal, the Board shall consider the following:

1. All of the information submitted by the applicant.
2. The annexation map and legal description as attachments.
3. Whether the territory is within the District's sphere of influence.

4. Whether a traffic study should be required to assess the impact to the District and appropriate mitigation measures. If the Board determines that a traffic or other impact study should be completed prior to the Board making a determination of whether to support the annexation, the District shall let a contract for the study upon receipt of the funds from the applicant. The traffic impact study shall also consider alternative access options for the site and the "no project" alternative. The District shall postpone further action until the study is complete.

5. Upon review and acceptance of the study, the Board shall consider entering into an annexation agreement with the applicant. The annexation agreement shall include the following minimum requirements:

a. The annexed land shall be subject to the District's policies, rules and regulations, charges made, and assessments levied pursuant to the provisions of the laws pertaining to community services districts to pay for outstanding obligations of said district, and also shall be subject to all and any combination of assessments, tolls and charges as may exist at the adoption of the resolution and as thereafter may be established and/or levied by the County of El Dorado and/or the District for any District purpose.

b. The District shall be under no obligation to install access roads or upgrade its roadway system or any facilities in connection with the subject annexation and the owners of the land to be annexed shall install, as and when road access is desired, without cost, charge or obligation to the District, a complete roadway access system and pay the costs of any necessary roadway upgrades within the District as may be specified by the District, in accordance with plans and specifications approved by the District's Consulting Engineer, in a manner meeting his/her approval, and shall convey, at no cost to the District, all of said access roadway system, including rights of way over all parts thereof, to the District, unless such requirements are determined unnecessary by the Board.

c. The project developers and/or owners of the annexed property, and their heirs, successors and assigns shall agree to abide by all Board policies, rules and regulations of the District presently established and as shall be established by the Board in the future.

6. Upon entering into the annexation agreement with the applicant, the District shall submit a request that LAFCo consider and approve the annexation proposal.

C. Application to LAFCo. LAFCo has been established by the State Legislature to, among other duties, review and approve or disapprove proposals for annexation of territory to special districts. Approval by LAFCo of any annexation proposal is required before the District can approve the annexation and provide access to the District's roads and other facilities.

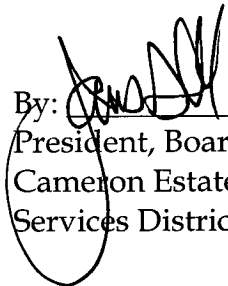
1. To initiate the LAFCo application procedure, owners of the property proposed for annexation, or the registered voters residing within the area proposed for annexation, shall submit a petition (§56704, Ca. Gov. Code) to LAFCo. The contents of the petition, itemized below, shall conform to §56700 *et seq.* of the California Government Code.

2. With the petition, annexation proponents shall submit to LAFCo a map and legal description of the proposal. The contents of the map and legal description, itemized below, shall conform to LAFCo and the State Board of Equalization requirements.

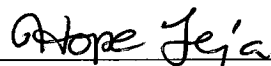
3. Also with the petition, annexation proponents shall submit to LAFCo a completed application form and appropriate filing and environmental review fees.

NOW, THEREFORE, THIS RESOLUTION IS PASSED AND ADOPTED this 21 day of March, 2013 by a majority vote of the members of the Board, as follows.

AYES: 5
NOES: 0
ABSTAIN: -
ABSENT: -

By: 
President, Board of Directors
Cameron Estates Community
Services District

Attest:


Secretary, Board of Directors
Cameron Estates Community
Services District