

LOCAL AGENCY FORMATION COMMISSION
RESOLUTION NO. 953-A

On the motion of Commissioner
Duly seconded by Commissioner
The following resolution is adopted:

MAKING DETERMINATIONS AND ORDERING PROTEST PROCEEDINGS
OF TERRITORY DESIGNATED AS THE LOMPICO REORGANIZATION
LAFCO NO. 953-A

The Santa Cruz Local Agency Formation Commission does hereby RESOLVE,
DETERMINE, AND ORDER as follows:

1. A resolution for the proposed annexation of certain territory was filed by Resolution No. 128-2013 of the Lompico County Water District and Resolution No. 31 (13-14) of the San Lorenzo Valley Water District, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56000 et seq.); and the territory is assigned the short term designation of the "Lompico Reorganization, LAFCO No. 953-A".
2. The reorganization consists of the following changes of organization:
 - Dissolution of the Lompico County Water District,
 - Annexation of territory to the San Lorenzo Valley Water District.
3. The Executive Officer of the Commission has reviewed the resolutions; has prepared a report, including his recommendations thereon; and has presented the same before this Commission for consideration.
4. Public hearing by the Commission was held on August 6, 2014; and at the hearing the Commission heard and received all oral and written protests, objections, and evidence that were presented.
5. Said territory includes approximately 757 acres and is found to be inhabited for purposes of reorganization law.
6. The boundaries of the area of the proposed reorganization are approved as revised to include the annexation of parcels on Zayante Drive and as shown on Exhibit A.
7. The approval of this reorganization is conditioned upon the following terms and conditions:
 - A) INFRASTRUCTURE BOND
Prior to the filing of the Certificate of Completion, a Community Facilities District bond or similar revenue instrument shall be passed by the voters

and/or property owners of the Lompico service area so that proceeds not greater than \$2.75 million will go to the San Lorenzo Valley Water District (SLVWD) for the purposes of infrastructure improvements solely for the benefit of the Lompico service area. If a grant or other source of funds can be secured to make infrastructure improvements that are programmed to be included in the not-to-exceed \$2.75 million of bond proceeds, or if the costs of the programmed improvements are lower, the amount of the bond proceeds can be a lesser amount if authorized in writing by the San Lorenzo Valley Water District Board following consideration of the reduction at a public meeting of that board.

B) BOND OVERSIGHT COMMITTEE

Upon distribution of the bond proceeds, SLVWD shall establish a citizens' bond oversight committee consisting of five Lompico water customers to review expenditure of the bond proceeds on projects that directly benefit Lompico.

C) LOAN PAYBACK

Prior to the filing of the Certificate of Completion, Lompico County Water District shall pay the entire amount due on the PERS Side Fund Loan Agreement that was executed on July 30, 2013 by and between Lompico County Water District and San Lorenzo Valley Water District.

D) LOMPICO WATER RATES AND CHARGES

SLVWD shall bill the Lompico customers of SLVWD the same rates as the other customers within SLVWD. However, prior to filing of the Certificate of Completion, in order to cover the difference between SLVWD's estimated revenues collected in Lompico and SLVWD's estimated operating costs in Lompico, Lompico County Water District shall enact a reduction in their water rates, effective only upon the reorganization, so that \$140,000 in excess of the amount generated by SLVWD rates would be collected in the first year following the effective date of the reorganization. LAFCO shall authorize SLVWD to continue to collect these Lompico charges after the reorganization. Prior to the Certificate of Completion being filed, SLVWD will deliver a letter to the LAFCO Executive Officer indicating that the charges adopted by the Lompico County Water District are structured in a manner that SLVWD is willing to implement. The Lompico charges shall not exceed the following amounts:

<u>Year</u>	<u>Beginning</u>	<u>Per Month</u> <u>Per Connection</u>
1	Upon the effective date of the reorganization	\$23.50
2	One year after effective date of the reorganization	\$19.50
3	Two years after effective date of the reorganization	\$8.50
4	Three years after effective date of the reorganization	\$5.50
5	Four years after effective date of the reorganization	\$5.50

The Lompico charges shall be phased out no later than five years after the effective date of the reorganization.

- E) The proponent districts shall provide a legal map, description, and fees to meet State Board of Equalization requirements.
 - F) The proponent districts shall be responsible to pay any fees required to comply with Fish and Game Code Section 711.4 (Fish and Game Fees required when notices of environmental decisions are filed).
 - G) The proponent districts shall pay any remaining processing fees as set in this Commission's Schedule of Fees and Deposits.
 - H) Prior to issuance of a Certificate of Completion for this reorganization, the proponent districts shall deliver an executed indemnification agreement that is in a form that is acceptable to this Commission and suitable for recordation.
8. This project qualifies for a Class 19 Categorical Exemption (annexation of existing facilities) and a Class 20 Categorical Exemption (consolidation or two or more districts having identical powers) from further analysis under the California Environmental Quality Act.
 9. Upon completion of this reorganization, the property tax revenues will be transferred in accordance with the Board of Supervisors tax exchange resolution (No. 158-2014) adopted for the Lompico Reorganization.
 10. Upon completion of this reorganization, all assets and liabilities of Lompico County Water District shall transfer to the San Lorenzo Valley Water District.
 11. The reorganization, as approved, is consistent with the Spheres of Influence of the Lompico County Water District and the San Lorenzo Valley Water District as amended by LAFCO Resolution No. 953 on August 6, 2014.
 12. This Commission hereby approves this reorganization, as conditioned, and directs the Executive Officer to conduct protest proceedings in accordance with State law.

PASSED AND ADOPTED by the Local Agency Formation Commission in the County of Santa Cruz this sixth day of August 2014.

AYES:

NOES:

ABSENT:

JAMES W. ANDERSON, CHAIRPERSON
Santa Cruz Local Agency Formation Commission

Attest:

Patrick M. McCormick, Executive Officer

Approved as to form:

LAFCO Counsel